

RESOLUTION NO. R-2012-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, APPROVING THE ISSUANCE OF QUALIFIED 501(c)(3) TAX-EXEMPT BONDS BY THE TYLER HEALTH FACILITIES DEVELOPMENT CORPORATION FOR THE BENEFIT OF MOTHER FRANCES HOSPITAL REGIONAL HEALTH CARE CENTER IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$65,000,000 FOR THE PURPOSE OF REFINANCING THE COSTS OF HEALTHCARE PROJECTS.

WHEREAS, Tyler Health Facilities Development Corporation (the "THFDC") previously issued its Hospital Revenue Bonds (Mother Frances Hospital of Tyler, Texas Project) Series 1992 and its Hospital Revenue Bonds (Mother Frances Hospital Regional Health Care Center Project) Series 1997B (collectively, the "Prior Bonds"); and

WHEREAS, the proceeds of the Bonds were used to finance or refinance the acquisition, construction and/or equipping of health facilities of Mother Frances Hospital Regional Health Care Center, a Texas non-profit corporation that owns and operates health facilities located within the City of Tyler, Texas (the "City of Tyler"); and

WHEREAS, the THFDC has authorized and approved the refinancing of the Prior Bonds through the issuance of qualified 501(c)(3) bonds (the "Bonds") in an aggregate principal amount not to exceed \$65,000,000; and

WHEREAS, the bylaws of the THFDC require that its issuance of obligations be approved by the City in advance of their issuance; and

WHEREAS, State law and Tyler City Code Sections 2-41 through 2-42 authorize the THFDC to review proposed tax-exempt bond issues for health-related projects; and

WHEREAS, it is deemed necessary and desirable that this Resolution be adopted;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the City Council hereby approves and consents to the issuance of the Bonds in the maximum principal amount of \$65,000,000 to refinance the Prior Bonds pursuant to the requirements of the bylaws of the THFDC; and

PART 2: That the approval and authorization herein granted is solely in accordance with the bylaws of the THFDC, and shall not be construed as a representation, warranty or other undertaking of any kind by the City of Tyler in respect to the Bonds. The Bonds shall not constitute obligations of the City of Tyler, or any other political subdivision or agency thereof, or a pledge of faith or credit of any of them. Neither the State of Texas nor any political subdivision thereof, including the City of Tyler, shall be obligated to pay the Bonds or the interest thereon. Neither the faith and credit nor the taxing power of the State of Texas, the City

of Tyler or any other political subdivision or agency thereof, shall be pledged to the payment of the principal of, prepayment penalty, if any, or interest on the Bonds; and

PART 4: That the Mayor, the City Council members and the City Clerk and other officers and employees of the City of Tyler, or any of them, are hereby authorized to execute and deliver such certificates, instruments or other papers and to do all other things necessary or advisable to give effect to the intent and purpose hereof; and

PART 5: That this Resolution shall be effective upon the date of passage and approval by the City Council.

ADOPTED THIS 8th day of August, 2012.



BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK



GARY C. LANDERS, CITY ATTORNEY