

Resolution No. 2018-22

RESOLUTION APPROVING THE ISSUANCE OF BONDS BY TARRANT COUNTY CULTURAL EDUCATION FACILITIES FINANCE CORPORATION ON BEHALF OF CHRISTUS HEALTH TO FINANCE OR REFINANCE THE COST OF HEALTH FACILITIES LOCATED IN COMAL COUNTY, AND WITH RESPECT TO A PUBLIC HEARING

WHEREAS, the Tarrant County Cultural Education Facilities Finance Corporation (the "Issuer"), an entity organized and existing under Texas Local Government Code, Chapter 337, as amended (the "Enabling Act"), is authorized to issue its Revenue and Refunding Bonds (CHRISTUS Health) Series 2018 in one or more series (collectively, the "Bonds"), pursuant to the Enabling Act and Chapter 221, Texas Health & Safety Code, as amended, and loan the proceeds of such Bonds to CHRISTUS Health ("CHRISTUS");

WHEREAS, the proceeds of the Bonds will be used by CHRISTUS to finance or refinance the costs of acquiring, constructing, renovating, improving, equipping, and making any other capital improvements to certain health facilities as described more particularly in the notice of public hearing attached as **Schedule 1** to **Exhibit A** hereto (the "Notice of Public Hearing");

WHEREAS, such health facilities are owned by CHRISTUS and/or its affiliates, and certain of such health facilities are located in Comal County, Texas (the "Comal County Facilities"); and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that the Bonds be approved by the "applicable elected representative" (the "AER") of each governmental unit having jurisdiction over the area in which any facility to be financed with proceeds of the Bonds is or will be located, after a public hearing following reasonable public notice; and

WHEREAS, with respect to the issuance of the Bonds and the Comal County Facilities, the Commissioners Court of Comal County (the "Commissioners Court") is an AER; and

WHEREAS, a public hearing with respect to the issuance of the Bonds was held on October 3, 2018 (the "Public Hearing"), and notice of such Public Hearing was published not less than 14 days before the day of such hearing in a newspaper of general circulation available to residents of Comal County, Texas (the "County") and all comments from interested persons were taken at such Public Hearing, all as shown in **Exhibit A** attached hereto; and

WHEREAS, the issuance of the Bonds by the Issuer and the action of the Commissioners Court with respect to the matters described herein will create no liability for the County or its residents, and is in the best interest of the County and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF COMAL COUNTY, TEXAS THAT:

1. The Public Hearing with respect to the Bonds and the Comal County Facilities held on October 3, 2018 by the hearing officer, the Notice of Public Hearing, and the Certificate of Public Hearing Officer regarding such hearing attached hereto as **Exhibit A** are hereby approved.

2. For the sole purpose of satisfying the requirements of Section 147(f) of the Code, the Bonds and the health facilities to be financed or refinanced with the proceeds of the Bonds (including

the Comal County Facilities), all as described in the Notice of Public Hearing, are approved. THE APPROVAL HEREIN GRANTED IS SOLELY FOR PURPOSES OF SATISFYING THE REQUIREMENTS OF THE CODE, AND SHALL NOT BE CONSTRUED AS A REPRESENTATION, WARRANTY OR OTHER UNDERTAKING OF ANY KIND BY THE COUNTY IN RESPECT TO THE BONDS OR THE COMAL COUNTY FACILITIES. THE BONDS SHALL NOT CONSTITUTE OBLIGATIONS OF THE COUNTY OR A PLEDGE OF ITS FAITH AND CREDIT, AND THE COUNTY SHALL NOT BE OBLIGATED TO PAY THE BONDS OR THE INTEREST THEREON OR OTHERWISE INCUR ANY LIABILITY IN RESPECT THEREOF.

3. The County Judge and County Clerk of the County and other officers or representatives of the County are hereby authorized to execute and deliver such instruments, certificates, or documents necessary or advisable to carry out the intent and purpose of this resolution.

4. This resolution shall take effect immediately upon its passage and shall continue in force and effect from the date hereof.

PASSED AND APPROVED this October 4, 2018.

Exhibit A
Certificate of Public Hearing Officer
(attached)

CERTIFICATE OF PUBLIC HEARING OFFICER
REGARDING PUBLIC HEARING (INTERNAL REVENUE CODE § 147(f))


Re: Tarrant County Cultural Education Facilities Finance Corporation Revenue and Refunding Bonds (CHRISTUS Health) Series 2018 (the "Bonds")

I, the undersigned, do hereby make and execute this certificate for the benefit of all persons interested in the issuance of the above-captioned Bonds.

I hereby certify as follows:

1. I am the duly appointed hearing officer for the public hearing which was held in the City of San Antonio, Texas in connection with the issuance of the Bonds at the time and place indicated in the Notice of Public Hearing attached hereto as **Schedule 1**.
2. The Notice of Public Hearing was published no less than 14 days before the date of the public hearing, as evidenced by the Affidavit of Publication of the Notice of Public Hearing attached hereto as **Schedule 1**.
3. All persons appearing at the public hearing were given an opportunity to comment on the proposed issuance of the Bonds. No such persons appeared or made comments except as is set forth on **Schedule 2** attached hereto.
4. After giving all interested persons an opportunity to appear and comment, the public hearing was declared closed.

WITNESS MY HAND as of the 3rd day of October, 2018.



Hearing Officer

Schedule 1: Affidavit of Publication of Notice of Public Hearing & Notice of Public Hearing
Schedule 2: Names and Comments of Persons Attending Public Hearing

Schedule 1

Affidavit of Publication of Notice of Public Hearing and Notice of Public Hearing

HEARST

MEDIA SOLUTIONS

San Antonio Express-News | ExpressNews.com | mySA.com

SAN ANTONIO EXPRESS NEWS AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:
COUNTY OF BEXAR

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared: Lynette Nelson, who after being duly sworn, says that she is the BOOKKEEPER of HEARST NEWSPAPERS, LLC - dba: SAN ANTONIO EXPRESS-NEWS, a daily newspaper published in Bexar County, Texas and that the publication, of which the annexed is a true copy, was published to wit:

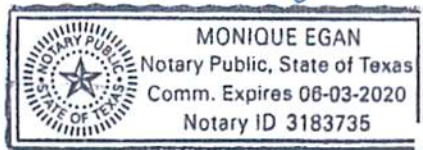
Customer ID: 779734
Customer Name: Bracewell Llc
Order ID: 2983948

Publication	Pub Date
EN Classified	19-SEP-18

Lynette Nelson
Bookkeeper

Sworn and subscribed to before me, this 20 day of Sept. A.D. 2018

Notary public in and for the State of Texas



All interested persons are invited to attend such public hearing and express their views with respect to the Projects described above and the issuance of the referenced Bonds. Questions or requests for additional information may be directed to Melissa Williams, CHRISTUS Health, Treasury Department, 919 Hidden Ridge, Irving, Texas 75038 (Telephone number: (469) 282-2255). Persons who intend to appear at the hearing and express their views are invited to contact Cristy Edwards, Bracewell LLP, 711 Louisiana Street, Suite 2300, Houston, Texas 77002 (Telephone: (713) 221-1346). Any interested persons unable to attend the hearing may submit their views in writing to the above-named person prior to the date scheduled for the hearing. The Issuer may reschedule the location and time of the hearing or schedule an additional hearing if requested to do so in written requests submitted to the above-named persons prior to the aforementioned date of the hearing by a significant number of persons.

The aforesaid public hearing is a "combined hearing" within the meaning of Proposed Treasury Regulations Section 1.147(f)-1(d) and the location of said public hearing is within 100 miles of the seat of government of each participating governmental unit beyond whose geographic jurisdiction the hearing is conducted.

This notice is published and the above-described hearing is to be held in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public approval prerequisite to the exemption from federal income taxation of the interest on the Bonds.

NOTICE OF PUBLIC HEARING

TARRANT COUNTY CULTURAL EDUCATION FACILITIES FINANCE CORPORATION REVENUE AND REFUNDING BONDS (CHRISTUS HEALTH) SERIES 2018 IN ONE OR MORE SERIES

NOTICE IS HEREBY GIVEN of a public hearing to be held on behalf of the Tarrant County Cultural Education Facilities Finance Corporation (the "Issuer"), on October 3, 2018 at 8:30 a.m. in the Nursing Administration Conference Room at The Children's Hospital of San Antonio 333 North Santa Rosa Street, Suite D0121, 1st Floor, San Antonio, Texas, with respect to a plan of finance including one or more issues in one or more series or subseries of revenue bonds (the "Bonds") to be issued by the Issuer in an aggregate principal amount not to exceed \$500,000,000, the proceeds of which will be loaned to CHRISTUS Health, a Texas non-profit corporation, and/or any one or more of its affiliates (the "Borrower"). The initial owner and/or operator of each of the facilities described herein is or will be the Borrower.

The Issuer proposes to issue the Bonds in one or more series and to loan the proceeds thereof to the Borrower, to be used for any one or more of the following purposes: (i) pay the costs of issuance of the Bonds, (ii) fund one or more of the debt service reserve funds for the Bonds, (iii) pay interest rate swap termination payments relating to bonds issued for the benefit of the Borrower and/or (iv) finance and/or refinance the acquisition, construction, reconstruction, renovation, rehabilitation and/or equipping of health facilities, including, for purposes of this notice of public hearing, at any one or more of the following locations:

CHRISTUS Santa Rosa Health Care Corporation properties consisting of any one or more of the following facilities: (i) CHRISTUS Santa Rosa Hospital and related facilities and/or The Children's Hospital of San Antonio and related facilities located in San Antonio, Texas at: 15900 La Cantera Pkwy, San Antonio, TX 78256; 315 North San Saba, San Antonio, TX 78207; 1434 & 1435 Sonterra Blvd, San Antonio TX 78258; 11503 NW Military Hwy, San Antonio TX 78231; 156 W Sunset, San Antonio TX 78209; 2701 Babcock Road, San Antonio, Texas 78229; CHRISTUS Santa Rosa Medical Center, 2827, 2829 & 2833 Babcock Rd, San Antonio, TX 78229; Children's Hospital of San Antonio, 333 North Santa Rosa, San Antonio, Texas 78207; (ii) CHRISTUS Santa Rosa Hospital - Alamo Heights and related facilities located in San Antonio, Texas at: 423 Treeline Park, San Antonio, TX 78209; (iii) CHRISTUS Santa Rosa Hospital - Westover Hills and related facilities and/or The Children's Hospital of San Antonio Emergency Center at Westover Hills and related facilities located in San Antonio, Texas at: 11212 State Highway 151, San Antonio, TX 78251; 11130 CHRISTUS Hills, San Antonio, Texas 78251; and a 99.546 acre tract of land the southeast corner of which is bounded by the intersection of State Highway 151 and Westover Hills Boulevard with the tract located generally to the northwest of such intersection and east of Ellison Drive in San Antonio, Texas 78251 (Ferguson Map Grid: 578 C7); and (iv) CHRISTUS Santa Rosa Hospital - New Braunfels and related facilities and/or The Children's Hospital of San Antonio-New Braunfels and related facilities located in New Braunfels, Texas at: 593, 598 & 600 N Union Avenue, New Braunfels, TX 78130; 750 Landa St, New Braunfels, TX 78130; 244 Creekside Crossing, New Braunfels, TX 78130; 730 N Houston Ave, New Braunfels, TX 78130; (the "Projects"). The maximum stated principal amount of the Bonds needed to finance any of the Projects will not exceed \$50,000,000.



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All interested persons are invited to attend such public hearing and express their views with respect to the Projects described above and the issuance of the referenced Bonds. Questions or requests for additional information may be directed to Melissa Williams, CHRISTUS Health, Treasury Department, 919 Hidden Ridge, Irving, Texas 75038 (Telephone number: (469) 282-2255). Persons who intend to appear at the hearing and express their views are invited to contact Cristy Edwards, Bracewell LLP, 711 Louisiana Street, Suite 2300, Houston, Texas 77002 (Telephone: (713) 221-1346). Any interested persons unable to attend the hearing may submit their views in writing to the above-named person prior to the date scheduled for the hearing. The Issuer may reschedule the location and time of the hearing or schedule an additional hearing if requested to do so in written requests submitted to the above-named persons prior to the aforementioned date of the hearing by a significant number of persons.

The aforesaid public hearing is a "combined hearing" within the meaning of Proposed Treasury Regulations Section 1.147(f)-1(d) and the location of said public hearing is within 100 miles of the seat of government of each participating governmental unit beyond whose geographic jurisdiction the hearing is conducted.

This notice is published and the above-described hearing is to be held in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public approval prerequisite to the exemption from federal income taxation of the interest on the Bonds.

Schedule 2

Names and Comments of Persons Attending Public Hearing

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

I, the undersigned officer of the Commissioners Court of Comal County, Texas, hereby certify as follows:

1. The Commissioners Court of Comal County, Texas, convened in regular meeting on October 4, 2018, at the regular meeting place thereof, within said County, and the roll was called of the duly constituted officers and members of said Commissioners Court, to wit:

<u>Name</u>	<u>Office</u>
Sherman Krause	County Judge
Donna Eccleston	Commissioner Precinct No. 1
Scott Haag	Commissioner Precinct No. 2
Kevin Webb	Commissioner Precinct No. 3
Jen Crownover	Commissioner Precinct No. 4

and all of said persons were present except for n/a, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

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was duly introduced for the consideration of said Commissioners Court. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote: Ayes: 5; Noes: 0; Abstentions: 0.

2. A true, full and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; said resolution has been duly recorded in said Commissioners Court's minutes of said meeting; the above and foregoing paragraph is a true, full and correct excerpt from said Commissioners Court's minutes of said meeting pertaining to the adoption of said resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said Commissioners Court as indicated therein; each of the officers and members of said Commissioners Court was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; and said meeting was open to the public as required by law; and public notice of the date, hour, place and subject of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SIGNED AND SEALED this October 4, 2018.



(SEAL)

Bobbie Kepp
County Clerk