



**Debt Issuance**  
**CITY OF AUSTIN**  
**RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 7**  
**AGENDA DATE:** Thu 08/12/2004  
**PAGE:** 1 of 1

**SUBJECT:** Approve a resolution under Section 221.030 of the Texas Health Facilities Development Act granting the City's consent to HFDC of Central Texas, Inc., to finance the Lutheran Social Services of the South, Inc.'s acquisition of property located at 8305 Cross Park to be used as an administrative office building.

**AMOUNT & SOURCE OF FUNDING:** N/A

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING** Financial and **DIRECTOR'S**  
**DEPARTMENT:** Administrative Services - **AUTHORIZATION:** Vickie Schubert  
Treasury

**FOR MORE INFORMATION CONTACT:** Vickie Schubert, Deputy Chief Financial Officer 974-3344

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:** N/A

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Lutheran Social Services of the South Inc., seeks financing from the HFDC of Central Texas, Inc. to acquire an administrative office building to serve the senior living, adoption and juvenile residential treatment centers owned and operated by Lutheran Social Services. The building is located at 8305 Cross Park.

Chapter 221 of the Texas Health and Safety Code (the "Act") authorizes and empowers an Issuer such as the HFDC of Central Texas on behalf of the City of Hubbard, Texas (the "Issuing Unit"), to acquire, by lease, purchase or loan, health facilities found by the Board of Directors of the Issuer to be required, necessary or convenient for health care, research facilities and education, any one or more, within the State of Texas and in furtherance of the public purpose of the Act. If the health facilities are located outside the limits of the Issuing Unit, the Act requires the Issuer to have the consent of every city, county and hospital district within which such health facility is or is to be located.

Under the Texas Health Facilities Development Act and the Internal Revenue Code, the HFDC must obtain consent from each city, county, or district in which the facility is located if the facility is not located within HFDC's jurisdiction and implies no financial obligation on the City's part

The City will have no liability in connection with the financing of the Project and is not required to take any further action with respect thereto.

RESOLUTION APPROVING THE FINANCING BY THE  
HFDC OF CENTRAL TEXAS, INC.  
OF A HEALTH FACILITY LOCATED WITHIN  
THE CITY OF AUSTIN, TEXAS

WHEREAS, the Health Facilities Development Act, Chapter 221, Texas Health and Safety Code (the "Act"), authorizes and empowers HFDC of Central Texas, Inc. (the "Issuer") to issue revenue bonds on behalf of the City of Hubbard, Texas (the "Issuing Unit") to finance and refinance the costs of health facilities found by the Board of Directors of the Issuer to be required, necessary or convenient for health care, research and education, any one or more, within the State of Texas and in furtherance of the public purposes of the Act; and

WHEREAS, Section 221.030 of the Act provides that the Issuer may provide for the financing or refinancing of one or more health facilities located outside the limits of the Issuing Unit with the consent of each city, county or hospital district within which such health facility is or is to be located; and

WHEREAS, Lutheran Social Services of the South, Inc. (the "User"), a nonprofit Texas corporation, proposes to obtain financing and refinancing from the Issuer from a portion of the proceeds of the Issuer's bonds issued pursuant to the Act for the costs of certain health facilities consisting of a 33,000 square foot administrative office building of the User located at 8305 Cross Park, Austin, Texas 78754, which services the senior living, adoption and juvenile residential treatment centers of the User (the "Project"); and

WHEREAS, the Project will be located within the City of Austin, Texas (the "City") and outside the limits of the Issuing Unit;

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

Section 1. The City hereby consents to the financing by the Issuer of the Project for the purposes of Section 221.030 of the Act and approves the financing for the purposes of Section 147(f) of the Internal Revenue Code of 1986; provided that the City shall have no liability in connection with the financing of the Project and shall not be required to take any further action with respect thereto.

Section 2. This Resolution shall take effect immediately from and after its adoption and it is accordingly so ordered.

PASSED AND APPROVED, this the \_\_\_\_ day of \_\_\_\_\_, 2004.

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City Clerk