

City of Philadelphia



(Bill No. 040616)

AN ORDINANCE

Declaring it is desirable for the health, safety and welfare of the people of the area served by Temple University Hospital, Inc., Temple University Children’s Medical Center, Inc., Jeanes Hospital, Temple East, Inc. and Temple Physicians, Inc. (collectively, the “Temple Entities”) for The Hospitals and Higher Education Facilities Authority of Philadelphia to undertake certain projects for the Temple Entities, each of which are nonprofit corporations organized under the laws of the Commonwealth of Pennsylvania.

WHEREAS, The Hospitals and Higher Education Facilities Authority of Philadelphia (the “Authority”) was duly incorporated under the provisions of the Municipality Authorities Act of 1945 of May 2, 1945, P.L. 382, as reenacted by 53 Pa. Cons. Stat. §5601 et seq. (2002) (the “Act”); and

WHEREAS, Temple University Hospital, Inc. owns and operates Temple University Hospital, a combined 636-bed general acute care hospital located at two campuses one of which is at 3401 North Broad Street, Philadelphia, Pennsylvania, and the other, the Episcopal Campus, is at 100 East Lehigh Avenue, Philadelphia, Pennsylvania; Temple University Children’s Medical Center, Inc. was created to own and operate Temple University Children’s Medical Center, a 60-bed pediatric hospital located at 3509 North Broad Street, Philadelphia, Pennsylvania, on a site adjacent to Temple University Hospital; Temple East, Inc. owns and operates Northeastern Hospital, a 200-bed general acute care hospital located at 2301 East Allegheny Avenue, Philadelphia, Pennsylvania; Jeanes Hospital owns and operates Jeanes Hospital, a 197-bed general acute care hospital located at 7600 Central Avenue, Philadelphia, Pennsylvania; and Temple Physicians, Inc., a not-for-profit primary physicians network, has offices throughout Philadelphia, Pennsylvania; and

WHEREAS, each of the Temple Entities is a controlled affiliate of Temple University Health System, Inc. (“TUHS”); and

WHEREAS, Temple University Hospital, Inc., Temple University Children’s Medical Center, Inc., Jeanes Hospital and Temple East, Inc. constitute nonprofit hospital corporations or nonprofit corporation health centers within the meaning of the Act; and

WHEREAS, TUHS has requested the Authority to issue its Hospital Revenue Bonds (Temple University Health System Obligated Group) in one or more series in an aggregate principal amount not to exceed \$300,000,000 (excluding original issue discount) and lend the proceeds thereof to TUHS for the purpose of financing all or a portion of the projects for the Temple Entities described in Section 1 below; and

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WHEREAS, the Act provides that none of the powers granted thereby shall be exercised in the construction, financing, improvement, maintenance, extension or operation of any project or projects which in whole or in part duplicate or compete with existing enterprises serving substantially the same purposes, but that such limitation does not apply to hospital projects or health centers to be leased to or financed with loans to, public hospitals, nonprofit corporation health centers or nonprofit hospital corporations serving the public if the municipality organizing the Authority for such project shall declare by resolution or ordinance that it is desirable for the health, safety and welfare of the people in the area served by such hospital or health center to have such facilities provided by, or financed through, an authority; NOW THEREFORE

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. It is hereby declared desirable for the health, safety and welfare of the people in the respective areas served by Temple University Hospital, Inc., Temple University Children's Medical Center, Inc., Jeanes Hospital, Temple East, Inc. and Temple Physicians, Inc. (collectively, the "Temple Entities") to have The Hospitals and Higher Education Facilities Authority of Philadelphia (the "Authority") issue its Hospital Revenue Bonds (Temple University Health System Obligated Group) (the "Bonds") in one or more series in an aggregate principal amount not to exceed \$300,000,000 (excluding original issue discount) for the purposes of financing or refinancing all or any portion of the following projects: (1) completion of the construction of a multi-level ambulatory health care building connected to Temple University Hospital including the purchase of medical and other equipment; (2) renovation to the existing facilities of the Temple Entities and the purchase of medical and other equipment for the Temple Entities, including the purchase of medical and other equipment for facilities of Temple Physicians, Inc. as authorized by the Act, all as set forth in the Temple University Health System Capital Budget for the fiscal years ended June 30, 2004 through June 30, 2006; (3) the current or advance refunding of all or a portion of the Authority's Hospital Revenue Bonds, Series of 1993 (Jeanes Hospital Project), all or a portion of the Authority's Hospital Revenue Bonds, Series of 1997 (Jeanes Hospital Project), and all or a portion of the Authority's Hospital Revenue Bonds, Series of 1993 (Temple University Hospital); (4) the funding of a debt service reserve fund; (5) the payment of capitalized interest on the Bonds; and (6) the payment of the costs of issuance of the Bonds including the costs of bond insurance and other credit enhancement.

SECTION 2. The declaration made pursuant to Section 1 above shall extend to any bonds issued to refund the aforesaid Bonds.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 21, 2004. The Bill was Signed by the Mayor on July 1, 2004.



Patricia Rafferty
Chief Clerk of the City Council