



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 220308

Introduced March 31, 2022

Councilmember Bass

RESOLUTION

Authorizing the Hospital and Higher Education Facilities Authority of Philadelphia (formerly known as the Hospitals Authority of Philadelphia), incorporated pursuant to the Municipality Authorities Act of 1945, P.L. 382, as amended, and an ordinance of the City Council, approved January 28, 1974, as amended, to extend its term of existence.

WHEREAS, By Ordinance approved January 28, 1974 (Bill No. 1102) (the "1974 Ordinance"), City Council authorized the organization of The Hospitals Authority of Philadelphia (the "Authority"), pursuant to the provisions of the Municipality Authorities Act of 1945, P.L. 382, as amended (the "Act"), the purposes of the Authority being limited to actions for and concerning hospitals only, as permitted by the Act; and

WHEREAS, By Ordinance approved March 16, 1979 (Bill No. 1798) (the "1979 Ordinance"), the City approved an amendment to the stated purposes of the Authority to additionally include actions concerning religious or hospital-affiliated sub-acute care facilities, as permitted by the Act; and

WHEREAS, The Act was amended by the Act of February 8, 1982 (P.L. 20, No. 10) to expand the power of authorities formed under the Act; and

WHEREAS, By Ordinance approved March 23, 1983 (Bill No. 1529) (the "1983 Ordinance"), City Council authorized amendments to the Articles of Incorporation of the Authority thereby (a) changing its name to "The Hospitals and Higher Education Facilities Authority of Philadelphia" and (b) empowering the Authority to exercise all powers granted under said Act with respect to the acquiring, holding, constructing, improving, maintaining and operating, owning, leasing, either in the capacity of lessor or lessee, of hospitals, religious or hospital affiliated sub-acute care facilities, and buildings and facilities for private, non-profit, non-sectarian colleges which are determined by the Authority to be eligible educational institutions, provided that such buildings and facilities for such institutions shall have been approved by ordinance of City Council after a public hearing thereon conducted by a duly designated Committee of the Council; and

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WHEREAS, By Ordinance approved July 3, 1986 (Bill No. 984), (the "1986 Ordinance") City Council empowered the Authority to acquire, hold construct, improve, maintain, own and lease, to the City of Philadelphia, projects consisting of land, buildings, facilities and equipment comprising health centers for mentally retarded persons eligible for intermediate care and rehabilitation services in the City of Philadelphia, provided that any lease to the City of Philadelphia shall have been approved by Ordinance of City Council; and

WHEREAS, By Ordinance approved January 18, 1989, (Bill No.8), (the "January 1989 Ordinance"), City Council empowered the Authority to acquire, hold, construct, improve, maintain, operate, own and lease, either in the capacity of lessor or lessee, Health Care Projects, as defined therein, under certain terms and conditions, providing that such projects shall have been approved by Ordinance of City Council; and

WHEREAS, The Act was amended by the Act of October 21, 1988 (P.L. 117) authorizing the financing of projects through loans; and

WHEREAS, By Ordinance approved August 3, 1989 (Bill No. 517) (the "August 1989 Ordinance"), City Council empowered the Authority with respect to acquiring, holding, constructing, financing, improving, maintaining, operating, owning, leasing, either in the capacity of lessor or lessee, projects of the kind and character previously authorized by Ordinance of City Council, under certain terms and conditions, provided that individual projects shall have been approved by City Council; and

WHEREAS, By Ordinance approved July 26, 1990 (Bill No. 962-A) (the "1990 Ordinance"), City Council empowered the authority to acquire, hold, construct, finance, improve, maintain, operate, own, or lease, either in the capacity of lessor or lessee, mental health projects owned and operated by Northwestern Corporation or its affiliates; and

WHEREAS, By Ordinance approved March 19, 1991 (Bill No. 1246) (the "March 1991 Ordinance"), City Council empowered the Authority to acquire, hold, construct, finance, improve, maintain, own, or lease, either in the capacity of the lessor or the lessee, Health Center Projects, owned and operated by the Philadelphia Protestant Home or its affiliates; and

WHEREAS, The Act was amended by the Act of November 21, 1990 (P.L.,No.132) authorizing the financing of working capital; and

WHEREAS, By Ordinance approved June 24, 1991 (Bill No. 1379) (the "June 1991 Ordinance"), the City Council empowered the Authority to further amend its Articles of Incorporation as permitted by the Ac; and

WHEREAS, By Ordinance approved May 9, 1994 (Bill No. 524) (the "1994 Ordinance"), the City Council empowered the Authority to further amend its Articles of Incorporation to further expand its powers as permitted by the Act; and

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WHEREAS, The Authority has previous issued its Hospital Revenue Refunding Bonds (Temple University Health System Obligated Group), Series A of 2012 (the “2012 Bonds”); and

WHEREAS, Temple University Health System, Inc. (“TUHS”), as agent of the Obligated Group for the 2012 Bonds, has requested the Authority to issue one or more series of its Hospital Revenue Bonds (Temple University Health System Obligated Group), Series of 2022 (the “2022 Bonds”); and

WHEREAS, The Authority, because of the need to accommodate the issuance of long-term bonds for the Obligated Group as well as other future issues, has pursuant to the attached resolution dated February 8, 2022, requested City Council to extend the term of existence of the Authority from April 2, 1941, to January 1, 2072; and

WHEREAS, City Council has determined that it is desirable to grant extend the term of The Hospitals and Higher Education Facilities Authority of Philadelphia; now, therefore, be it

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY RESOLVES:

SECTION 1. The Hospitals and Higher Education Facilities Authority of Philadelphia, pursuant to the "Municipality Authorities Act of 1945," (P.L. 382, No. 164), as amended, and an Ordinance of City Council, approved January 28, 1974 (Bill No. 1102), as amended, is hereby empowered to amend its Articles of Incorporation of the Authority to increase its term of existence for a period ending on January 1, 2072.

SECTION 2. The Authority or its representative is hereby authorized and directed to file Articles of Amendment with the Secretary of the Commonwealth.

SECTION 3. All Resolutions and parts of Resolutions inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 4. Except as supplemented by the provisions of this Resolution, all other terms and provisions of the Ordinance approved January 28, 1974 (Bill No. 1102), the Ordinance approved March 16, 1979 (Bill No. 1798), the Ordinance approved March 23, 1983 (Bill No. 1529), the Ordinance approved July 3, 1986 (Bill No. 984), the Ordinance approved August 3, 19'89 (Bill No. 517), the Ordinance approved July 26, 1990 (Bill No. 962-A), the Ordinance approved March 19, 1991 (Bill No. 1246), the Ordinance approved June 24, 1991 (Bill No. 1379), the Ordinance approved May 9, 1994 (Bill No. 52) are ratified and confirmed.

SECTION 5. This Resolution shall take effect immediately.

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