

City of Philadelphia



(Bill No. 010348)

AN ORDINANCE

Declaring that it is desirable for the health, safety and welfare of the people of the City of Philadelphia served by the Community College of Philadelphia for The Hospitals and Higher Education Facilities Authority of Philadelphia to provide certain financial assistance to the Community College of Philadelphia for the undertaking of a project involving the acquisition, development and construction of an approximately 97,600 gross square-foot Business and Industry/Technology Center for use by the Community College of Philadelphia.

WHEREAS, Pursuant to Ordinance approved December 18, 1963, the Community College of Philadelphia (the "Community College") was established in accordance with the provisions of the Pennsylvania Community College Act of 1963, Act of August 24, 1963, P.L. 1132 §1 et seq., 24 P.S. §5201 et. seq., which Act was repealed and replaced by the Act of July 1, 1985, P.L. 103 No. 31 §1 et. seq., (24 P.S. §19-1901A et. seq.) (hereinafter "the Community College Act"); and

WHEREAS, the Board of Trustees of the College has approved plans for the acquisition, development and construction of an approximately 97,600 gross square-foot Business and Industry/Technology Center located at the corner of Eighteenth and Callowhill streets, consisting of three levels as well as an approximately 143-space two-story, below-grade parking garage for students and faculty for use by the Community College of Philadelphia (the "Project"); and

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WHEREAS, the Project will be owned and developed by a private developer (the “Developer”) and leased to the Community College pursuant to the terms of a long-term lease (the “Lease”), pursuant to which the Community College will have the option to purchase the Project at the end of the term for \$1.00, as well as the option to purchase the Project during the term of the Lease for an amount equal to the unamortized debt issued to finance the Project plus \$1.00; and

WHEREAS, The Hospitals and Higher Education Facilities Authority of Philadelphia, which was incorporated on February 19, 1974 pursuant to an Ordinance approved on and dated January 28, 1974, under the Municipality Authorities Act of 1945, being the Act of May 2, 1945, P.L. 382, as amended, has expressed its willingness to provide financial assistance to the Community College for the purpose of financing a portion of the above-described Project, said financial assistance to consist of issuing its Revenue Bonds, Series of 2001, in one or more series in a aggregate principal amount not to exceed \$35,000,000 for the purpose of financing the Project on behalf of the Community College; and

WHEREAS, the Revenue Bonds will be secured by an assignment by the Developer of the payments by the Community College under the Lease (the “Lease Payments”) to the bond trustee; and

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WHEREAS, the Lease Payments will be sufficient to pay the principal and premium, if any, and interest on, the Revenue Bonds; and

WHEREAS, the Council has determined that it is desirable for the health, safety and welfare of the people of the City served by the Community College that the Project be financed through the 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 of the City of Philadelphia served by the Community College of Philadelphia (the "Community College") to have The Hospitals and Higher Education Facilities Authority of Philadelphia issue its Revenue Bonds, Series of 2001 in one or more series in an aggregate principal amount not to exceed \$35,000,000 for the purpose of financing a project to be undertaken on behalf of the Community College, consisting of acquisition, development and construction of an approximately 97,600 gross square-foot Business and Industry/Technology Center located at the corner of Eighteenth and Callowhill streets, consisting of three levels as well as an approximately 143-space two-story, below-grade parking garage for students and faculty for use by the Community College.

SECTION 2. The declaration made pursuant to Section 1 above shall extend to any bonds issued to refund the aforesaid Series of 2001 Bonds.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 14, 2001. The Bill was Signed by the Mayor on August 31, 2001.



Marie B. Hauser
Chief Clerk of the City Council