

**CITY OF EL PASO, TEXAS**  
**DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)**

**DEPARTMENT:** Office of the City Attorney  
**AGENDA DATE:** November 8, 2005  
**CONTACT PERSON/PHONE:** Jorge Villegas, Assistant City Attorney  
**DISTRICT(S) AFFECTED:** All Districts

**SUBJECT:**  
**APPROVE** a resolution:

That the City hereby consents to the financing of certain health facilities projects by the Reagan County Health Facilities Development Corporation through a loan from Wells Fargo Brokerage Services, L.L.C. to Community Options, Inc., a non-profit charitable corporation, located at 1420 Geronimo, Building D, El Paso, Texas, in a maximum principal amount of Eight Hundred Thousand Dollars (\$800,000), as provided by Section 221.030(a)(1) of the Texas Health and Safety Code, and as required by Section 147(f) of the Internal Revenue Code of 1986; provided that the City shall have no liability whatsoever in connection with the health facilities project or its financing and shall not be required to take any further action with respect thereto.

**BACKGROUND / DISCUSSION:**  
Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? *Before the Reagan County Health Facilities Development Corporation (the "Corporation") may finance any health facilities located outside Reagan County, Section 221.030 of the Texas Health and Safety Code requires that the Corporation first obtain the consent to such financing by each city, county and hospital district within which such project is located. Given that the project is located within the boundaries of the City of El Paso, the consent of the City of El Paso is required prior to the financing of the project.*

**PRIOR COUNCIL ACTION:**  
Has the Council previously considered this item or a closely related one? If so, when? *A similar resolution was approved December 18, 2001.*

**AMOUNT AND SOURCE OF FUNDING:**  
How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer? *No City of El Paso funds will be utilized for this project.*

**BOARD / COMMISSION ACTION:**  
Enter appropriate comments or N/A: *None*  
\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_  
**FINANCE:** (if required) \_\_\_\_\_

**OTHER:** \_\_\_\_\_  
(Example: if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:** \_\_\_\_\_  
**CITY MANAGER:** \_\_\_\_\_  
**DATE:** \_\_\_\_\_

## RESOLUTION

**WHEREAS**, the Health Facilities Development Act, Chapter 221, Texas Health and Safety Code, as amended (the "**Act**"), authorizes and empowers Reagan County Health Facilities Development Corporation (the "**Issuer**"), on behalf of Reagan County, Texas (the "**Issuing Unit**"), to finance 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;

**WHEREAS**, Section 221.030(a)(1) of the Act provides that the Issuer may provide for the financing and refinancing of one or more such health facilities located outside the limits of the Issuing Unit with the consent of every city, county and hospital district within which such health facility is or is to be located;

**WHEREAS**, the Issuer will finance certain health facilities (the "**Project**") through a loan from Wells Fargo Brokerage Services, L.L.C. in a maximum principal amount of Eight Hundred Thousand Dollars (\$800,000) for the benefit of Community Options, Inc. (the "**Obligor**");

**WHEREAS**, the Obligor is a non-profit 501(c)(3) charitable organization focusing on assisting people with disabilities achieve economic and social independence; and

**WHEREAS**, the Project will be located at the Obligor's facilities within the City of El Paso at 1420 Geronimo, Building D, and is located outside the limits of the Issuing Unit;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That the City of El Paso hereby consents to the financing by the Issuer of the Project as provided by Section 221.030(a)(1) of the Act and approves the financing in a maximum principal amount of Eight Hundred Thousand Dollars (\$800,000) as required by Section 147(f) of the Internal Revenue Code of 1986; provided that the City shall have no liability whatsoever in connection with the Project or its financing and shall not be required to take any further action with respect thereto.

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

(Signature page to follow)

**RESOLUTION**

*Signature Page*

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Jorge Villegas  
Assistant City Attorney

\_\_\_\_\_  
Carmen Arrieta-Candelaria  
Chief Financial Officer