

A RESOLUTION

A Resolution of the Council of the County of Allegheny adopting and authorizing financing of a project by the Allegheny County Hospital Development Authority on behalf of UPMC as desirable for the health, safety, and welfare of the people in Allegheny County.

Whereas, UPMC, a nonprofit corporation organized under the laws of the Commonwealth of Pennsylvania, desires to undertake a project consisting of financing, through the issuance of one or more series of bonds in an aggregate principal amount not expected to exceed \$320,000,000 (the "Bonds") by the Allegheny County Hospital Development Authority (the "Authority"), all or a portion of the costs of (a) capital expenditures at certain of UPMC's facilities within Allegheny County, in furtherance of UPMC's exempt purposes; (b) refunding all of the Authority's outstanding Health Center Revenue Bonds, Series of 1995 (University of Pittsburgh Medical Center System) (the "1995 Bonds"), and paying the premium thereon; (c) payment for capital expenditures related to the construction of a new Children's Hospital and Research Center in the City of Pittsburgh, (d) obtaining credit support and/or liquidity support, if necessary; and (e) payment of all or a portion of the financing costs, (collectively, the "Project"); and

Whereas, the Authority was created by the County of Allegheny, Pennsylvania (the "County") under the Municipality Authorities Act, as amended (the "Act"), and is authorized under the Act to issue its bonds for the purposes aforesaid, and the Authority has determined that the public interest will be served and that the purposes of the Act can be fulfilled by the Authority's issuance of bonds in order to obtain funds to lend to UPMC for the foregoing purposes; and

Whereas, Section 5607(b)(2)(iv) of the Act provides, among other things, that hospital facilities and projects to be financed with loans to nonprofit hospital corporations serving the public, such as UPMC, may be financed by an authority created under the Act, if the municipality organizing such authority declares by resolution or ordinance that it is desirable for the health, safety and welfare of the people in the area served by such projects and facilities to have such projects and facilities provided by, or financed through, such authority.

The Council of the County of Allegheny hereby resolves as follows:

Section 1. Incorporation of the Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by reference as set forth in their entirety herein.

Section 2. Declaration.

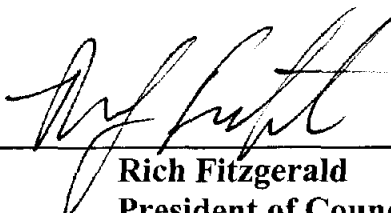
It is hereby declared that it is desirable for the health, safety and welfare of the people in the County to have the Project financed through the Authority.

Section 3. Severability. If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.

Section 4. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

Enacted in Council, this 1st day of November, 2005

Council Agenda No. 2139-05



Rich Fitzgerald
President of Council

Attest: 

John Mascio
Chief Clerk of Council

Chief Executive Office  November 14, 2005

Approved: 

Dan Onorato
Chief Executive

Attest: 

Donna Beltz
Executive Secretary

SUMMARY FOR HAD/UPMC RESOLUTION
SUBMITTED FOR COUNCIL MEETING 9/20/05

On behalf of the University of Pittsburgh Medical Center (UPMC), a non-profit corporation, the Allegheny County Hospital Development Authority (the "Authority") intends to issue \$320,000,000 of Tax-Exempt Bonds (the "Bonds"). The Bonds will finance the costs of the following:

- (a) various capital expenditures at several of UPMC's facilities within Allegheny County including, but not limited to, construction of a new Children's Hospital and Research Center in the City of Pittsburgh; and
- (b) obtaining credit support and/or liquidity support, if necessary.

Additionally, the proceeds of the Bonds will fund any necessary reserves and pay all or a portion of the costs of issuance, including the costs of providing credit enhancement for the Bonds. The Bonds will also fund the refinancing of Bonds outstanding from 1995.

As is typical with these transactions issued through the Hospital Development Authority, the Bonds are limited obligations of the Authority, payable solely from the project or from the Medical Center.

MEMORANDUM

OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: James M. Flynn, Jr.
County Manager

DATE: September 15, 2005

RE: Proposed Resolution



ALLEGHENY COUNTY COUNCIL

'05 SEP 15 AM 9:51

Attached is a Resolution adopting and authorizing financing of a project by the Allegheny County Hospital Development Authority on behalf of UPMC as desirable for the health, safety, and welfare of the people in Allegheny County.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

Please place this on the next agenda for County Council approval.

Thank you.