

# City of Philadelphia



(Bill No. 020340)

## AN ORDINANCE

Declaring that it is desirable for the health, safety and welfare of the people in the area served by The Children’s Hospital of Philadelphia, The Children’s Hospital Foundation and The Children’s Seashore House of The Children’s Hospital of Philadelphia, Inc. for The Hospitals and Higher Education Facilities Authority of Philadelphia to participate with such institutions in certain renovation, improvement and expansion projects to such institutions buildings and facilities primarily at their campus located at Thirty-fourth street and Civic Center boulevard, Philadelphia, Pennsylvania.

WHEREAS, The Hospitals and Higher Education Facilities Authority of Philadelphia (the “Authority”), a body politic and corporate, was incorporated on February 9, 1974, pursuant to an Ordinance dated January 28, 1974, under the Municipality Authorities Act, Ch. 56 Act 22-2001, as amended (the “Act”); and

WHEREAS, the Act specifies, *inter alia*, that the purpose of an Authority shall be for “acquiring, holding, constructing, financing, improving, maintaining and operating, owning, leasing, either in the capacity of lessor or lessee, projects of the following kind and character: hospitals and health centers”; and

WHEREAS, The Children’s Hospital of Philadelphia, a Pennsylvania nonprofit corporation (the “Hospital”), The Children’s Hospital Foundation, a Pennsylvania nonprofit corporation and The Children’s Seashore House of The Children’s Hospital of Philadelphia, Inc., a New Jersey nonprofit corporation (“Children’s Seashore House”) (collectively, the “Institutions”) plan to undertake a project (the “Project”) primarily at the Institutions’ campus located at Thirty-fourth street and Civic Center boulevard, Philadelphia, Pennsylvania, consisting of the: (a) expansion and equipping of the Abramson Pediatric Research Center; (b) construction and equipping of the south tower expansion of the main Hospital building; (c) renovation and improvement of the Wood Center, the main Hospital building, the Children’s Seashore House building and other facilities of the Institutions; (d) purchasing of land and preliminary planning and design for a facility on the former Civic Center site; (e) planning and potential construction of a west infill addition between the main Hospital building and the Wood Center; (f) expansion, renovation and equipping of the King of Prussia Specialty Care Center; (g) planning of a west diagnostic infill building including the west infill building expansion and east service drive overbuild; (h) planning of a south platform building and south playdeck infills; (i) planning of a façade remediation project; (j) undertaking of other miscellaneous capital projects, equipment and information systems purchases and campus renovation; (k) refunding the Authority’s Hospital Revenue Bonds (Children’s Seashore House), Series 1992A and 1992B; and (l) funding of reserves, payment of capitalized

# City of Philadelphia

BILL NO. 020340 continued

Certified Copy

interest costs during construction, payment of bond issuance expenses and reimbursing the Institutions for certain costs heretofore incurred in connection with such Project; and

WHEREAS, the Institutions have requested that the Authority issue its Hospital Revenue Bonds in the aggregate principal amount (exclusive of original issue discount) not to exceed Two Hundred Forty Million Dollars (\$240,000,000) for the purpose of financing the costs of the Project; and

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 shall duplicate or compete with existing enterprises servicing substantially the same purposes; and

WHEREAS, the Act further provides that the foregoing limitation shall 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 facilities to have such facilities provided by or financed through such 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 area served by The Children's Hospital of Philadelphia, a Pennsylvania nonprofit corporation (the "Hospital"), The Children's Hospital Foundation, a Pennsylvania nonprofit corporation and The Children's Seashore House of The Children's Hospital of Philadelphia, Inc., a New Jersey nonprofit corporation ("Children's Seashore House") (collectively, the "Institutions"), to have The Hospitals and Higher Education Facilities Authority of Philadelphia (the "Authority") issue its Revenue Bonds, in one or more series, in the aggregate principal amount not to exceed Two Hundred Forty Million Dollars (\$240,000,000) (exclusive of original issue discount) for the purpose of financing the costs of a project (the "Project") primarily at the Institutions' campus located at Thirty-fourth street and Civic Center boulevard, Philadelphia, Pennsylvania, consisting of the: (a) expansion and equipping of the Abramson Pediatric Research Center; (b) construction and equipping of the south tower expansion of the main Hospital building; (c) renovation and improvement of the Wood Center, the main Hospital building, the Children's Seashore House building and other facilities of the Institutions; (d) purchasing of land and preliminary planning and design for a facility on the former Civic Center site; (e) planning and potential construction of a west infill addition between the main Hospital building and the Wood Center; (f) expansion, renovation and equipping of the King of Prussia Specialty Care Center; (g)

# City of Philadelphia

BILL NO. 020340 continued

Certified Copy

planning of a west diagnostic infill building including the west infill building expansion and east service drive overbuild; (h) planning of a south platform building and south playdeck infills; (i) planning of a façade remediation project; (j) undertaking of other miscellaneous capital projects, equipment and information systems purchases and campus renovation; (k) refunding the Authority's Hospital Revenue Bonds (Children's Seashore House), Series 1992A and 1992B; and (l) funding of reserves, payment of capitalized interest costs during construction, payment of bond issuance expenses and reimbursing the Institutions for certain costs heretofore incurred in connection with such Project.

SECTION 2. The declaration made in Section 1 hereof extends to additional bonds to complete the Project and refunding bonds, which may be issued by the Authority, provided, however, that such declaration shall not be deemed authority to increase the scope of the Project.

# City of Philadelphia

BILL NO. 020340 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 13, 2002. The Bill was Signed by the Mayor on June 26, 2002.



Marie B. Hauser  
Chief Clerk of the City Council