

AN ORDER APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE EL PASO COUNTY HOSPITAL DISTRICT CERTIFICATES OF OBLIGATION

WHEREAS, pursuant to the provisions of Subchapter C of Chapter 271 of the Texas Local Government Code, as amended (the "Act"), the El Paso County Hospital District (the "District") is authorized to issue Certificates of Obligation (the "Certificates") for the purpose of paying contractual obligations to be incurred for the purposes set forth below; and

WHEREAS, pursuant to the provisions of the Act and Chapter 281 of the Texas Health and Safety Code, as amended, the Commissioners Court of El Paso County, Texas (the "Commissioners Court"), in the name, and on the faith and credit, of the District, is the appropriate entity to authorize the issuance of such Certificates; and

WHEREAS, the District has requested that the Commissioners Court issue Certificates in the name of the District and on the faith and credit of the District; and

WHEREAS, prior to the issuance of such Certificates, the Commissioners Court is required to publish notice of its intention to issue the same in accordance with the provisions of the Act;

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS THAT:

SECTION 1. The County Clerk, on behalf of the District, is hereby authorized and directed to cause notice to be published of the District's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed \$400,000,000 for the purpose of paying contractual obligations to be incurred for the following purposes, to wit: (i) to construct, improve, repair, renovate, enlarge and equip the "University Medical Center of El Paso" (the "Hospital") which is owned and operated by the District; (ii) to acquire, construct, improve, renovate and equip District facilities for outpatient services, to include a clinic in central El Paso, facilities for geriatric care, an urgent care center of the District and an ambulatory procedure center of the District; (iii) to acquire materials, equipment and machinery for the imaging and information technology departments of the District; (iv) to construct, improve, repair, renovate, enlarge and equip the District's pediatric specialized care focused hospital; (v) to acquire, construct, improve, renovate and equip a cancer treatment facility for the District; (vi) to acquire real property, certain existing buildings of Texas Tech University Health Sciences Center, and rights-of-way for District purposes, including the aforementioned projects; (vii) to pay interest on the certificates of obligation during certain phases of construction (and possibly up to one year thereafter); and (viii) to pay for professional services and the costs of issuance associated therewith; such Certificates to be payable from a limited pledge of certain revenues derived from the operation of the Hospital and ad valorem taxes imposed for the benefit of the District. The notice hereby approved and authorized to be published shall read substantially in the form and content of Exhibit A attached hereto and incorporated herein by reference as a part of this Order for all purposes.

SECTION 2. The County Clerk shall cause the aforesaid notice to be published (i) in a newspaper of general circulation in the County of El Paso, Texas, once a week for two consecutive

weeks, the date of first publication to be at least forty-six (46) days prior to the date stated therein for the passage of the order authorizing the issuance of the Certificates and (ii) continuously on the County and District's websites for at least forty-five (45) days before the date stated therein for the passage of the order authorizing the issuance of the Certificates.

SECTION 3. It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 4. This Order shall be in force and effect from and after its passage on the date shown below, and it is so ordered; and all orders of the Commissioners Court in conflict herewith are hereby amended or repealed to the extent of such conflict.

*[The remainder of this page intentionally left blank.]*

PASSED AND APPROVED this \_\_\_\_\_, 2022.

EL PASO COUNTY, TEXAS

By: \_\_\_\_\_  
County Judge

ATTEST:

\_\_\_\_\_  
County Clerk

## EXHIBIT A

### **NOTICE OF INTENTION TO ISSUE EL PASO COUNTY HOSPITAL DISTRICT CERTIFICATES OF OBLIGATION**

NOTICE IS HEREBY GIVEN that the Commissioners Court of El Paso County, Texas, shall convene at 9:30 o'clock A.M. on August \_\_\_\_, 2022, at its regular meeting place thereof in the County Courthouse, 500 E. San Antonio Street, Third Floor, El Paso, Texas, and during such meeting, the Commissioners Court, in the name, and on the faith and credit, of the El Paso County Hospital District (the "District") will consider the passage of one or more orders authorizing the issuance of certificates of obligation, in one or more series, in a principal amount not to exceed \$400,000,000 for the purpose of paying contractual obligations to be incurred for the following purposes, to wit: (i) to construct, improve, repair, renovate, enlarge and equip the "University Medical Center of El Paso" (the "Hospital") which is owned and operated by the District; (ii) to acquire, construct, improve, renovate and equip District facilities for outpatient services, to include a clinic in central El Paso, facilities for geriatric care, an urgent care center of the District and an ambulatory procedure center of the District; (iii) to acquire materials, equipment and machinery for the imaging and information technology departments of the District; (iv) to construct, improve, repair, renovate, enlarge and equip the District's pediatric specialized care focused hospital; (v) to acquire, construct, improve, renovate and equip a cancer treatment facility for the District; (vi) to acquire real property, certain existing buildings of Texas Tech University Health Sciences Center, and rights-of-way for District purposes, including the aforementioned projects; (vii) to pay interest on the certificates of obligation during certain phases of construction (and possibly up to one year thereafter); and (viii) to pay for professional services and the costs of issuance associated therewith; such certificates to be payable from a limited pledge of certain revenues derived from the operation of the Hospital and ad valorem taxes imposed for the benefit of the District. In accordance with Texas Local Government Code Section 271.049, (i) the current principal amount of all of the District's outstanding public securities secured by and payable from ad valorem taxes is \$318,330,000; (ii) the current combined principal and interest required to pay all of the District's outstanding public securities secured by and payable from ad valorem taxes on time and in full is \$514,365,603; (iii) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is \$685,760,337; (iv) the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (v) the maximum maturity date of the certificates to be authorized is September 30, 2047. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended.

Delia Briones  
County Clerk  
El Paso County, Texas

