

RESOLUTION NO. 20200521-036

WHEREAS, St. Dominic Savio Catholic High School (“St. Dominic”) is a Texas nonprofit corporation and private co-educational college preparatory school with approximately 390 students in grades 9-12, located at 9300 Neenah Avenue in the City of Austin, Texas (the “City”), and Holy Family Catholic School (“HFCS” and together with St. Dominic, collectively the “Borrowers”) is a Texas nonprofit corporation and private regional school with approximately 580 students in grades pre-K through 8, located at 9400 Neenah Avenue in the City; and

WHEREAS, the Borrowers have requested the assistance of Arlington Higher Education Finance Corporation (the “Issuer”), which was created by the City of Arlington, Texas in accordance with Chapter 53 of the Texas Education Code for the purpose of financing educational and other facilities, to (i) refinance certain outstanding indebtedness issued for the benefit of St. Dominic to finance capital projects at St. Dominic and (ii) finance certain costs of acquiring, constructing, improving, furnishing, and equipping educational facilities at HFCS (the foregoing clauses i and ii, collectively the “Project”); and

WHEREAS, the Borrowers have requested that the Issuer issue its Arlington Higher Education Finance Corporation Mortgage Bonds (St. Dominic Savio Catholic High School and Holy Family Catholic School Project), Series 2020-2 (the “Bonds”) in an aggregate principal amount not to exceed \$20,000,000 to finance the Project; and

WHEREAS, Section 147(f) of the United States Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder require the Issuer to obtain the approval of the City as the local jurisdiction where the Project is located in order for interest on the Bonds to be exempt from United States federal income taxes; and

WHEREAS, the City Council is informed that the requisite public hearings regarding the issuance of the Bonds were properly noticed and held in the City on April 13, 2020 at 9:00 a.m. via teleconference pursuant to Executive Order of the Governor of Texas dated March 19, 2020 (the "Governor's Order") regarding the conduct of public hearings during the Coronavirus Disease-2019 pandemic and in Arlington, Texas on April 7, 2020 at 9:30 a.m. via teleconference pursuant to the Governor's Order; and

WHEREAS, the City Council now desires to approve the issuance of the Bonds;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

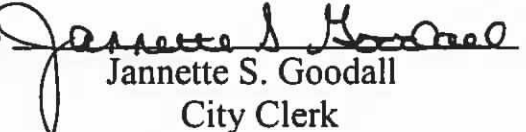
Section 1. The City Council approves the issuance of the Bonds by the Issuer in an amount not to exceed \$20,000,000. It is the intent of the City Council that this resolution constitutes approval of the issuance of the Bonds for the sole purpose of compliance with Section 147(f) of the United States Internal Revenue Code of 1986, as amended, the regulations promulgated thereunder, and any state law applicable to the issuance of the Bonds. Proceeds of the Bonds shall be used to finance the Project, and the sole users of the Project shall be the Borrowers.

Section 2. Nothing in this resolution shall be construed to create any obligation of the City with respect to the repayment of the Bonds or the Project financed thereby. The Bonds shall never constitute an indebtedness or pledge of the City within the meaning of any constitutional or statutory provision, and the owners of the Bonds shall never be paid in whole or in part out of any funds raised or to be raised by taxation or any other revenues of the City.

Section 3. The Mayor and City Clerk are authorized and directed to take any action and to execute and deliver any documents that are necessary or advisable to comply with the terms and intent of this resolution.

Section 4. This resolution takes effect immediately upon passage.

ADOPTED: May 21, 2020

ATTEST: 
Jannette S. Goodall
City Clerk