

Consider approving resolution consenting to project of the Daughters of Charity Health Services of Austin.

Moved: Commissioner Boatright

Seconded: Judge Doerfler

Motion: To approve resolution consenting to project of the Daughters of Charity Health Services of Austin.

Vote: Motion carried 3 - 1 with Commissioner Mehevec voting against the motion.

< Clerk copy here >

Vinson & Elkins

ATTORNEYS AT LAW

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WRITER'S FAX NUMBER

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September 9, 1997

TO: The Honorable Members of the Commissioners Court of Williamson County, Texas.

Ladies and Gentlemen:

We represent the Daughters of Charity National Health System of Austin (the "Borrower") as its local bond counsel in connection with an issuance of tax-exempt bonds by the Travis County Health Facilities Development Corporation (the "Issuer"). One of the projects to be financed by the Borrower with the bond proceeds will be located outside the jurisdictional limits of Travis County, the sponsoring entity, and is proposed to be located in your jurisdictional territory.

Section 221.030(a)(1)(B) of the Texas Health and Safety Code permits the Issuer to finance a project "outside the limits of the sponsoring entity, with the consent of each other sponsoring entity in which the health facility is or is to be located."

On behalf of the Borrower and the Issuer we respectfully request that you approve the attached Consent Order and the proposed project (the "Project") to be located in your jurisdiction. A description of the Project is located on Exhibit A to the Resolution.

PLEASE NOTE, THE ACTION OF THE ISSUER WITH RESPECT TO THE PROJECT WILL CREATE NO LIABILITY FOR THE COUNTY, OR ITS RESIDENTS.

We would like to have this Resolution put on the agenda to be considered by the Commissioners Court at the Tuesday, September 23, 1997 meeting.

If you have any questions or concerns, please call either the attorneys Monty Humble at (214) 220-7746, or George Rodriguez at (214) 220-7868 or Natalie Harris, Legal Assistant, at (214) 220-7885.

CERTIFICATE OF OFFICIAL ACTION

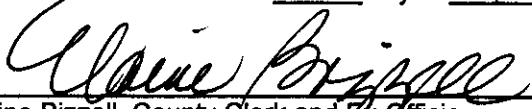
THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

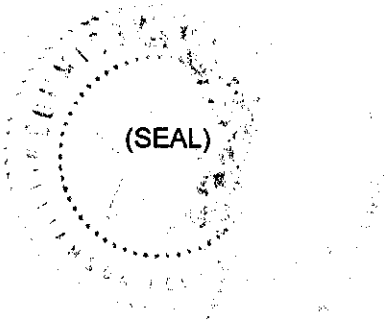
I, the undersigned officer of the Commissioners Court (the "Governing Body") of Williamson County, Texas (the "Unit") do hereby make and execute this certificate for the benefit of all persons interested in the validity of all actions and proceedings of the Governing Body. I do hereby certify as follows:

1. I am the duly chosen, qualified and acting officer of the Unit for the office shown beneath my signature, and in such capacity I am familiar with the matters contained in this Certificate.
2. That the Governing Body convened in a meeting on the 23 day of September, 1997 at its regular meeting place, and the roll was called of the duly constituted officers and members of said Governing Body, and all of the officers and members of the Governing Body were present, except 1, thus constituting a quorum. Whereupon, among other business, the written resolution, order or ordinance, being the official act of the Governing Body (the "Official Act") in the form attached hereto as Attachment I was duly introduced for the consideration of said Governing Body and read in full. It was then duly moved and seconded that said Official Action be adopted; and after due discussion, said motion, carrying with it the adoption of said Official Action, prevailed and carried by a vote of 3 Ayes, 1 Noes, and 0 Abstentions.
3. That a full copy of the Official Action is attached to this Certificate; the original of the Official Action is on file in the official records of the Governing Body; and the Official Action has not been amended and is in full force and effect.
4. That the persons attending the meeting and acting as officer and member of the Governing Body are the duly chosen, qualified, and acting officers and members of said Governing Body as indicated therein; that each of the officers and members of said Governing Body was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, and that said Official Action would be introduced and considered for adoption at said meeting; that said meeting was open to the public as required by law; and that public notice of the hour, date, place and subject of said meeting was given as required by law.

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WITNESS MY HAND AND THE OFFICIAL SEAL OF THE UNIT this 25 day of September 1997.


Elaine Bizzell, County Clerk and Ex-Officio
Clerk of the Commissioners
Court of Williamson County, Texas



ATTACHMENT I

ORDER CONSENTING TO PROJECT
AND THE ISSUANCE OF BONDS
TO FINANCE SUCH PROJECT

WHEREAS, Daughters of Charity Health Services of Austin, a Texas non-profit corporation (the "Owner"), intends to construct, own and operate a health facility (the "Facility") to be situated in Williamson County, Texas (the "Unit"); and

WHEREAS, the Owner wishes to finance or refinance the costs of the Facility, described in Exhibit "A" attached hereto and made part hereof (the "Project"); and

WHEREAS, the Project will be financed in part with the proceeds of tax-exempt revenue bonds (the "Series 1997 Bonds") to be issued by the Travis County Health Facilities Development Corporation (the "Issuer"); and

WHEREAS, the Health Facilities Development Act, Chapter 221 of the Texas Health and Safety Code (hereinafter, together with any amendments, called the "Act") provides for the creation by sponsoring entities of health facilities development corporations with powers to provide, expand, and improve health facilities; and

WHEREAS, the Act defines a "sponsoring entity" as any city, county or hospital district in the State of Texas; and

WHEREAS, the Issuer has been created by its sponsoring entity pursuant to the Act; and

WHEREAS, the Issuer has adopted a resolution agreeing and declaring its intention to issue the Series 1997 Bonds to provide all or a portion of the amounts necessary to refinance the Project; and

WHEREAS, the Issuer may so act with respect to the Facility (which is outside the territorial limits of the sponsoring entity of the Issuer) only with the consent of every other sponsoring entity within which the Hospital is located; and

WHEREAS, the Unit is a sponsoring entity within which the Hospital will be located and has been requested to give its consent pursuant to the Act; and

WHEREAS, the action of the Issuer with respect to the Hospital will create no liability for the Unit, or its residents and is in the best interests of the Unit, and its residents;

WHEREAS, the Governing Body of the Unit consents to the holding of a public hearing pertaining to the Project (the "Public Hearing") by the Issuer, on September 23, 1997, at 2:00 p.m., at the Travis County Commissioner's Court at 314 West 11th Street, Austin, Texas, with Samuel T. Biscoe serving as hearing officer; and

WHEREAS, notice of a public hearing with respect to the Project and the Series 1997 Bonds held by the Issuer, was published no less than 14 days before said date in a newspaper of general circulation available to residents within the governmental units where the Project will be located, as evidenced by the Affidavit of Publication attached hereto as Exhibit "B";

NOW THEREFORE BE IT ORDERED BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, THAT:

1. The above and foregoing recitals are incorporated in this Order as findings of fact as made by the Commissioner's Court.

2. Consent is hereby given for the issuance of the Series 1997 Bonds by the Issuer to finance the Project.

3. Based upon the evidence presented to this Commissioners Court, for the sole purpose of satisfying the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and for no other purpose, the Commissioners Court hereby approves the Series 1997 Bonds and the facilities to be financed or refinanced with a portion of the proceeds of the Series 1997 Bonds and located within the County, all as described in the published notice of public hearing included as Exhibit "B" attached hereto. This approval is not to be construed as (i) a representation or warranty by the County or the Commissioners Court that the Series 1997 Bonds will be paid or that any obligations assumed by any of the parties will, in fact, be performed, or (ii) as a pledge of the faith and credit of or by the County. Further, the fact that the Commissioners Court has approved the Series 1997 Bonds as required by the Code may not, in any event, be used as a sales device with respect to the Series 1997 Bonds.

4. Consent is hereby given to the Public Hearing held by the Issuer on behalf of the Unit.

5. This consent shall continue in force and effect from the date hereof.

6. The Governing Body hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Order was adopted was posted and that such meeting was open to the public as required by law at all times during which this Order and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

PASSED AND APPROVED this 23rd day of September 1997.

John C. Doerfler
John Doerfler, County Judge

ATTEST:

Elaine Bizzell
Elaine Bizzell, County Clerk and Ex Officio
Clerk of the Commissioners
Court of Williamson County, Texas

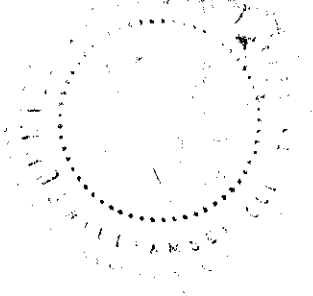


EXHIBIT A

Description of Project to be Financed
by the issuance of the
Travis County Health Facilities Development Corporation
Hospital Revenue Bonds (Charity Obligated Group -
Daughters of Charity National Health System), Series 1997

The acquisition of land and the construction and equipping of an ambulatory care facility to be located either at a point two miles west of IH-35 on FM 1431, Round Rock, Texas, or at or near the intersection of Westinghouse Road and IH-35, Georgetown, Texas, each in Williamson County, Texas to provide healthcare delivery capabilities for Daughters of Charity National Health System.

EXHIBIT B

Affidavit of Publication of Notice of Public Hearing

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Austin American-Statesman

PO#: DAU668
 Ad ID#: 8TQH01201
 Acct#: 5124958400
 Account Name: VINSON & ELKINS

VINSON & ELKINS
 STE 2700
 600 CONGRESS AVE
 AUSTIN, TX 78701

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
 COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

TAYLOR STARR

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

First Published:	9/4/97	Last Published:	9/4/97
Times Published:	1	Classification:	9980
Lines:	79	Cost:	\$206.98

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this the 4th day of Sept 1997



Sharon Janak
 Notary Public in and for
 TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541

NOTICE OF PUBLIC HEARING
 NOTICE IS HEREBY GIVEN that
 September 23, 1997, a public hearing
 will be held for purposes of
 federal tax law with respect to the
 proposed issuance by the Travis
 County Health Facilities Development
 Corporation of its 1997
 Revenue Bonds (Charity Obligation
 Group-Daughters of Charity Health
 System) Series 1997, in one
 or more separately designated
 series (collectively, the "Bonds"),
 an amount not to exceed
 \$123,100,000. The proceeds of the
 Bonds will be loaned to Daughters
 of Charity Health Services of Austin,
 a Texas non-profit corporation (the
 "Borrower"), to be used to
 finance or refinance the construction
 of certain additions and
 improvements to and acquisition
 use of the indicated "health facilities"
 located at one or more of the
 following addresses: Seton
 Medical Center, 201 W. 15th
 Street, Austin, Texas; Brockman
 Hospital, 501 E. 15th Street, Austin,
 Texas; Children's Hospital, 601
 601 E. 15th Street, Austin, Texas;
 Seton Northwest Hospital, 11111
 Research Blvd., Austin, Texas; Seton
 Home Care, 4200 N. Lamar, Austin,
 Texas; Seton East Community
 Health Center, 2811 E. 2nd Street,
 Austin, Texas; Seton South Community
 Health Center, 3725 S.
 Street, Austin, Texas; Shivers Care
 Center, 2600 E. Martin Luther King
 Blvd., Austin, Texas; 21 public
 health care facilities located in the
 land taken "Vested" by the State of
 281 South Burnet, Texas; 31,000
 land for and construct two ambulatory
 care facilities, one in south
 Travis County, at the south-west
 corner of the intersection of FM 150
 and US Highway 290 West, and the
 other in Williamson County, either
 a point two miles west of H-15
 FM 1431, Round Rock, Texas, or
 or near the intersection of West
 house Road and H-15, Round
 town, Texas; and all other
 expenses incurred in connection
 with the issuance of the Bonds.
 The initial owner of the health facilities
 described above will be the Borrower.
 The hearing will commence at 10
 a.m., or as soon thereafter as
 matter can be heard, and will be
 held in the Commissioners Court
 314 West 11th Street, Austin, Texas.
 Interested persons wishing to
 press their views on the issuance
 such Bonds or on the proposed
 location of the facilities proposed
 to be financed or refinanced
 be given an opportunity to do so
 the public hearing or may, prior
 the time of the hearing, file a
 written comment with the
 County Health Facilities Development
 Corporation, 11111 Research
 Blvd., Austin, Texas 78762-
 Administration Building, 11111
 11th Street, Room 212, Austin,
 Dated: September 19, 1997

COMMISSIONERS COURT ADJOURNED TO EXECUTIVE SESSION AT 11:20 A.M. ON TUESDAY, SEPTEMBER 23, 1997.AGENDA ITEM # 39September 23, 1997*Discuss offer to sell to Williamson County a 100 foot strip off the Henderson Tract Subdivision on Louis Henna Boulevard. (EXECUTIVE SESSION REQUESTED as per VTCA Government Code 551.072 pertaining to real property.)

Present for Executive Session were Judge Doerfler, Commissioners Boatright, Hays and Mehevec, County Attorney Gene Taylor and First Assistant County Attorney Dale Rye.

The purchase of a 100 foot strip of land off the Henderson Tract Subdivision on Louis Henna Boulevard was discussed, but no action was taken in Executive Session.

AGENDA ITEM # 40September 23, 1997*Discuss lot adjacent to Liberty Hill Maintenance Barn site: (EXECUTIVE SESSION REQUESTED as per VTCA Govt. Code sec. 551.071 pertaining to consultation with attorney).

Present for Executive Session were Judge Doerfler, Commissioners Boatright, Hays and Mehevec, County Attorney Gene Taylor and First Assistant County Attorney Dale Rye.

The lot adjacent to Liberty Hill Maintenance Barn site was discussed but no action was taken in Executive Session.

AGENDA ITEM # 41September 23, 1997*Discuss response to settlement demand: Stewart vs. Williamson County (EXECUTIVE SESSION REQUESTED) as per VTCA Government Code 551.071 pertaining to consultation with attorney)

Present for Executive Session were Judge Doerfler, Commissioners Boatright, Hays and Mehevec, County Attorney Gene Taylor, First Assistant County Attorney Dale Rye along with Lynn C. Hensley of Hensley & King, Attorneys at Law.

Stewart vs. Williamson County settlement demand was discussed by Mr. Hensley but no action was taken in Executive Session.

AGENDA ITEM # 42September 23, 1997*Discuss pending litigation: Robert Walker v. Ed Richards (EXECUTIVE SESSION REQUESTED as per VTCA Govt. Code sec. 551.071 pertaining to consultation with attorney).

Present for Executive Session were Judge Doerfler, Commissioners Heiligenstein, Boatright, Hays and Mehevec, County Attorney Gene Taylor, First Assistant County Attorney Dale Rye along with Jail Administrator Bill Bosquet and Lt. Klepac.

Stewart vs. Williamson County settlement demand was discussed but no action was taken in Executive Session.

AGENDA ITEM # 43September 23, 1997***233**Discuss pending litigation: John Clopton v. Williamson County Medical Dept., et al (EXECUTIVE SESSION REQUESTED as per VTCA Govt. Code sec. 551.071 pertaining to consultation with attorney).

Present for Executive Session were Judge Doerfler, Commissioners Heiligenstein, Boatright, Hays and Mehevec, County Attorney Gene Taylor and First Assistant County Attorney Dale Rye.

John Clopton v. Williamson County Medical Dept., et al was discussed but no action was taken in Executive Session.