

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

**RESOLUTION**

**RELATING TO A PUBLIC HEARING AND APPROVING FINANCING BY  
DAINGERFIELD CULTURAL EDUCATION FACILITIES FINANCE  
CORPORATION FOR THE BENEFIT OF CLARITY CHILD GUIDANCE  
CENTER AND RELATED MATTERS.**

**WHEREAS**, the City of San Antonio, Texas (the “*City*”) has been informed that the Daingerfield Cultural Education Facilities Finance Corporation (the “*Corporation*”) created pursuant to Chapter 337, Texas Local Government Code (“*State Law*”) will issue bonds, loans and/or other obligations (the “*Obligations*”) in the maximum aggregate principal amount of \$7,000,000.00, whereby the proceeds of the Obligations will be loaned to Clarity Child Guidance Center (the “*Borrower*”) for the purpose of financing and refinancing the Project (the “*Financing*”); and

**WHEREAS**, the Corporation is authorized by State Law to provide the Financing for cultural, health, educational and housing facilities by contractual arrangement, and the Obligations issued to the Corporation constitute contractual arrangements in which the Corporation is authorized by State Law to participate in; and

**WHEREAS**, the Obligations are being issued for the purpose of (a) financing and refinancing the construction, acquisition, renovation and/or equipping of health facilities to assist the maintenance of public health, including the expansion of the Living Unit to add 6 psychiatric emergency services beds and 14 acute care inpatient beds, expansion of the therapeutic recreation space including gymnasium, and the Partial Hospitalization Program area; construction of the Outpatient Services Building and parking garage; and infrastructure improvements to existing facilities, all located at 8535 Tom Slick Dr., San Antonio, Texas, 78229 (the “*Project*”); and (b) paying a portion of the costs of issuance of the Obligations; and

**WHEREAS**, the Borrower has agreed to make payments in amounts sufficient to pay the payments required to be made under the Obligations (the “*Payments*”); and

**WHEREAS**, section 147(f) of the Internal Revenue Code of 1986, as amended (the “*Code*”) requires that the issuance of any qualified 501(c)(3) obligations be approved by either the governing body of the City or the chief elected executive officer of the City after a public hearing following reasonable public notice; and

**WHEREAS**, the publication of the Notice of Public Hearing (the “*Public Notice*”) is evidenced by a Publisher's Affidavit (a copy of which is attached hereto as **Exhibit A**); and

**WHEREAS**, attached hereto as **Exhibit B** is the Certificate of Public Hearing regarding the conduct of the Public Hearing; and **NOW THEREFORE:**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS THAT:**

**SECTION 1.** Solely for the purpose of satisfying the provisions of Section 147(f) of the Internal Revenue Code of 1986 as amended, the City hereby approves the issuance of the Note to finance the Project as defined above. The owner and user of the Project shall be Clarity Child Guidance Center and the maximum principal amount of the Note shall be \$7,000,000.00.

**SECTION 2.** This Resolution is passed based on the express understanding and representation by the Clarity Child Guidance Center that the Note does not and will not constitute in any way a liability or obligation of the City in any manner whatsoever, and that the City shall have no liability whatsoever for the Clarity Child Guidance Center.

**SECTION 3.** This approval is given solely for the limited purposes described in Section 1 above, and in no event does this approval extend to any other legal requirements regarding the Project, including, but not limited to, any requirement regarding a building permit, proper zoning, or other approval by the City.

**SECTION 4.** It is officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and that notice of the time, place and subject matter of this meeting has been given in the manner required by law.

**SECTION 5.** This Resolution shall become effective immediately upon passage by eight (8) or more affirmative votes or, if passed by fewer than eight (8) affirmative votes, shall be effective ten (10) days after passage.

**PASSED AND APPROVED this \_\_\_\_ day of January, 2019.**

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia Vacek, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

**EXHIBIT A**

**PUBLISHER'S AFFIDAVIT**

DRAFT

**EXHIBIT B**

**CERTIFICATE OF PUBLIC HEARING**

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