

**AGENDA ITEM: ADOPTION OF AN ORDER WITH RESPECT TO REPUBLIC SERVICES, INC. PROJECT AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE CERTIFICATES APPROVING THE ORDER AND PUBLIC HEARING**

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court approve the “Order with Respect to Republic Services, Inc. Project” which authorizes the County Judge to execute certificates approving the Order and public hearing.

BACKGROUND

Republic Services, Inc. (“Republic Services”) is seeking to refinance its Mission Economic Development Corporation (“MEDC” or “Issuer”) Solid Waste Disposal Revenue Bonds Series 2008A in the amount of \$49,400,000 (the “Refunding Bonds”). The Series 2008A bonds were used to finance certain infrastructure and capital improvements to solid waste collection and disposal operations of twenty-six (26) facilities, including Republic Services’ facilities in Hidalgo County. In addition, Republic Services has requested the MEDC issue \$86,000,000 of new bonds (the “New Money Bonds”) as part of a \$480,900,000 three year plan of finance for capital improvements at twenty-nine (29) of their facilities in Texas, including their facilities in the County.

The Order relates to approvals required for the proposed issuance by the MEDC of its Solid Waste Disposal Revenue Bonds (Republic Services, Inc. Project) and its Solid Waste Disposal Refunding Revenue Bonds (Republic Services, Inc. Project) (collectively, the “Bonds”). At the request of Republic Services, the MEDC proposes to issue Bonds and loan the proceeds thereof to Republic Services to provide funds to finance and/or refinance the costs of improvements to certain solid waste disposal facilities, including their facilities located in Hidalgo County.

In order to permit Republic Services to use proceeds of tax-exempt Bonds for the solid waste disposal facilities located in Hidalgo County, approval of the Commissioners Court is required: (i) under Texas law (for the MEDC Issuer’s Bonds) pursuant to the Development Corporation Act, Local Government Code, Chapter 501, as amended and (ii) under federal tax law a public hearing must be held pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended.

FISCAL IMPACT

Approval of this Order in no way imposes any payment or obligation on Hidalgo County in connection with the financing. Under no circumstances shall the County have any liability, financial obligation or responsibility of any kind with respect to the payment of the bonds issued for the local portion of the Project.

DISPOSITION BY COMMISSIONERS COURT

APPROVED  OTHER (Describe) \_\_\_\_\_  
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SUBMITTED BY: \_\_\_\_\_ PREPARED BY: \_\_\_\_\_  
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