

1 [Open Space Fund Lease Revenue Bond Disclosure.]

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3 **Resolution approving the form and authorizing the distribution of preliminary official**
4 **statements relating to the issuance of lease revenue bonds payable from the Park,**
5 **Recreation and Open Space Fund and authorizing the preparation, execution and delivery**
6 **of final official statements; ratifying the approvals and terms and conditions of a previous**
7 **ordinance; and related matters.**

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9 WHEREAS, In March of 2000 the voters of the City and County of San Francisco (the
10 "City") approved Proposition C which extended the Park, Recreation and Open Space Fund
11 (the "Fund"), as codified in Section 16.107 of the City Charter, and authorized the Board of
12 Supervisors of the City (the "Board") to issue bonds and other evidences of indebtedness,
13 including lease financing, payable from the Fund for the purposes set forth in Section
14 16.107(d) of the City Charter; and,

15 WHEREAS, The City and County of San Francisco Finance Corporation (the
16 "Corporation"), a California nonprofit public benefit corporation, has been formed to facilitate
17 lease financings for the City, among other purposes; and,

18 WHEREAS, Pursuant to the terms of its Ordinance No. 249-04 (the "Bond Ordinance"),
19 the City's Board of Supervisors (the "Board) authorized the issuance and sale of lease
20 revenue bonds by the Corporation in an aggregate principal amount not to exceed
21 \$27,005,000 (the "Bonds") to be repaid from amounts available in the City's Park Recreation
22 and Open Space Fund in accordance with Charter Section 16.107(d) and the execution of
23 documents related to such issuance; and,

24 WHEREAS, Proceeds of the Bonds will be used to acquire, construct, reconstruct,
25 rehabilitate and/or improve certain real property and/or facilities, and purchase equipment

1 related to neighborhood playgrounds, neighborhood parks and squares, community pools,
2 neighborhood recreation centers, and clubhouses to be used for City purposes (together, the
3 "Project"), all as further described in the Bond Ordinance and related documents; and,

4 WHEREAS, In the Bond Ordinance the Board approved the forms and execution and
5 delivery of documents related to the Bonds and authorized and directed the Director of the
6 Mayor's Office of Public Finance, now known as the Office of Public Finance (the "Director"),
7 and other City officials to approve modifications to such documents and to make other
8 determinations with respect to the Bonds; and,

9 WHEREAS, Among other matters, the Bond Ordinance included a provision approving
10 the official statement relating to the Bonds in preliminary and final form (the "2004 Preliminary
11 Official Statement"); and,

12 WHEREAS, In the time since the Board approved the form and authorized the
13 distribution of the 2004 Preliminary Official Statement, the City Attorney's office and the Office
14 of Public Finance, in consultation with the Controller's office, the Mayor's office and the City
15 Administrator, have established new procedures for the drafting and approval of the City's
16 municipal bond disclosures; and,

17 WHEREAS, Such new procedures have been and are being implemented with the goal
18 of providing additional safeguards as to the accuracy and completeness of the information the
19 City discloses in connection with the issuance of bonds and other evidences of indebtedness;
20 and,

21 WHEREAS, The form of an updated preliminary official statement relating to the Bonds
22 (the "2006 Preliminary Official Statement") is on file with the Clerk of the Board of Supervisors
23 in File No. _____, which is hereby declared to be a part of this Resolution as if set forth
24 fully herein; and,

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1 WHEREAS, In connection with these new procedures the Director and the City
2 Attorney now seek approval by the Board of the form of the 2006 Preliminary Official
3 Statement; now, therefore, be it

4 RESOLVED By the Board of Supervisors of the City and County of San Francisco, as
5 follows:

6 Section 1. Recitals. All of the recitals herein are true and correct.

7 Section 2. Official Statement. The Controller of the City (the "Controller") is hereby
8 authorized and directed, in consultation with the City Attorney, to prepare a preliminary official
9 statement relating to the Bonds. The form of 2006 Preliminary Official Statement is hereby
10 approved with such changes, additions, amendments or modifications made in accordance
11 with Section 3 hereof. The Controller is hereby authorized to cause the distribution of the
12 2006 Preliminary Official Statement in connection with the Bonds, deemed final for purposes
13 of Rule 15c2-12 of the Securities and Exchange Act of 1934, as amended, and to sign a
14 certificate to that effect. The Controller is hereby further authorized and directed to prepare
15 and sign a final Official Statement for the Bonds. The Co-Financial Advisors to the City (the
16 "Co-Financial Advisors"), under the direction of the Director, are hereby authorized and
17 directed to cause to be printed and mailed, or distributed electronically, to prospective bidders
18 or purchasers, as appropriate, for the Bonds, copies of the 2006 Preliminary Official
19 Statement and the final Official Statement relating to such Bonds.

20 Section 3. Modifications to Preliminary Official Statement. The Controller is further
21 authorized, in consultation with the Director and the City Attorney, to approve and make such
22 changes, additions, amendments or modifications to the 2006 Preliminary Official Statement
23 or the final Official Statement described in Section 2 as may be necessary or advisable
24 (provided that such changes, additions, amendments or modifications shall be consistent with
25 the conditions set forth in the Bond Ordinance). The approval of any change, addition,

1 amendment or modification to the 2006 Preliminary Official Statement or the final Official
2 Statement shall be evidenced conclusively by the execution and delivery of such Preliminary
3 Official Statement or final Official Statement.

4 Section 4. Ratification. The terms and conditions and approvals of the Bond
5 Ordinance are hereby approved, confirmed and ratified.

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7 APPROVED AS TO FORM:

8 DENNIS J. HERRERA, City Attorney

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10 By: _____
11 MICHAEL J. MARTIN
12 Deputy City Attorney

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