



**CITY AND COUNTY OF SAN FRANCISCO**  
**OFFICE OF THE CONTROLLER**

**Ben Rosenfield**  
**Controller**  
**Monique Zmuda**  
**Deputy Controller**

September 27, 2013

Honorable Members of the Board of Supervisors  
City Hall  
San Francisco, CA 94102

Dear Members of the Board of Supervisors,

This letter serves to certify that funding has been appropriated in the City's Budget to meet the State's Community Corrections 10% County match required to apply for a grant to construct jail facilities. The Controller attests to the terms and conditions identified in the resolution of the Board of Supervisors approving this grant as follows:

(1) The City's cash contribution funds have been derived from lawfully available funds.

(2) Payment of City's cash contribution funds (i) is within the power, legal right and authority of City, (ii) is legal and will not conflict with or constitute on the part of City a material violation of, a material breach of, a material default under, or result in the creation or imposition of any lien, charge, restriction, or encumbrance upon any property of City under the provisions of any charter instrument, bylaw, indenture, mortgage, deed of trust, pledge, note, lease, loan, installment sale agreement, contract, or other material agreement or instrument to which City is party or by which City or its properties or funds are otherwise subject or bound, decree, or demand of any court or governmental agency or body having jurisdiction over City or any of its activities, properties or funds; and (iii) is duly authorized by all necessary and appropriate action on the part of the governing body of City.

(3) The City's cash contribution funds are not and will not (i) be mortgaged, pledge, or hypothecated by City in any manner or for any purpose, (ii) the subject of a grant of a security interest by City, (iii) mortgaged, pledged or hypothecated for the benefit of City or its creditors in any manner or for any purpose, or (iv) the subject of a grant of a security interest in favor of the City or its creditors.

(4) The City shall not in any manner impair, impede or challenge the security, rights and benefits of the owners of any lease-revenue bonds sold by the State Public Works Board for the Proposed Facility (State Bonds) or the trustee for the State Bonds.

Kindly let me know if you have any questions regarding the legality or availability of the County match appropriated for the jail construction project.

Sincerely,



Ben Rosenfield  
Controller

cc. Kate Howard, Mayor's Budget Director  
Carol Wong, City Attorney  
Ross Mirkarimi, Sheriff