

File No. 210950

Committee Item No. 8

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date September 21, 2021

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

#### OTHER (Use back side if additional space is needed)

- |                                     |                          |                                 |
|-------------------------------------|--------------------------|---------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Notice of Public Hearing</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Affidavit of Publication</u> |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                           |
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Completed by: Linda Wong

Date September 16, 2021

Completed by: Linda Wong

Date \_\_\_\_\_

1 [Issuance by California Statewide Communities Development Authority Revenue Obligations -  
2 Hebrew Home for Aged Disabled - Not to Exceed \$35,000,000]

3 **Resolution approving for purposes of Internal Revenue Code of 1986, Section 147(f), as**  
4 **amended, the issuance of tax-exempt obligations pursuant to a plan of finance by**  
5 **California Statewide Communities Development Authority in an aggregate principal**  
6 **amount not to exceed \$35,000,000 for the purpose of financing (including reimbursing)**  
7 **the acquisition, construction, renovation, equipping and furnishing of senior**  
8 **residential and care services and certain other matters relating thereto, as defined**  
9 **herein.**

10  
11 WHEREAS, Hebrew Home for Aged Disabled, also known as San Francisco Campus  
12 for Jewish Living or Jewish Home of San Francisco, a California nonprofit public benefit  
13 corporation (“Borrower”), has requested that the California Statewide Communities  
14 Development Authority (“Issuer”) provide for the issuance of one or more series of revenue  
15 bonds from time to time pursuant to a plan of finance in an aggregate principal amount not to  
16 exceed \$35,000,000 (“Bonds”); and

17 WHEREAS, Proceeds of the Bonds will be used to finance the costs of or  
18 reimbursement for the acquisition, construction, renovation, equipping and furnishing of  
19 facilities owned and operated by the Borrower that provide senior residential and care  
20 services and located generally at 302 Silver Avenue, San Francisco, California 94112 and at 1  
21 Avalon Avenue, San Francisco, California 94112 (“Project”); and

22 WHEREAS, The Project is located within the City and County of San Francisco; and

23 WHEREAS, Pursuant to Section 147(f) of the Internal Revenue Code of 1986, as  
24 amended (“Code”), the issuance of the Bonds by the Issuer must be approved by the City and  
25

1 County of San Francisco because the Project is located within the territorial limits of the City  
2 and County of San Francisco; and

3 WHEREAS, The Board of Supervisors of the City and County of San Francisco  
4 (“Board”) is the elected legislative body of the County and is the applicable elected  
5 representative under Section 147(f) of the Code; and

6 WHEREAS, The Issuer has requested that the Board approve the issuance of the  
7 Bonds by the Issuer in order to satisfy the public approval requirement of Section 147(f) of the  
8 Code and the requirements of Section 9 of the Amended and Restated Joint Exercise of  
9 Powers Agreement, dated as of June 1, 1988 (“Agreement”), among certain local agencies,  
10 including the City and County of San Francisco; and

11 WHEREAS, The Issuer is also requesting that the Board approve the issuance of any  
12 refunding bonds hereafter issued by the Issuer for the purpose of refinancing the Bonds which  
13 financed and/or refinanced the Project (the “Refunding Bonds”), but only in such cases where  
14 federal tax laws would not require additional consideration or approval by the Board; and

15 WHEREAS, Pursuant to Section 147(f) of the Code, the Board has, through the City  
16 and County of San Francisco Controller’s Office of Public Finance, following notice duly given,  
17 held a public hearing regarding the issuance of the Bonds, and now desires to approve the  
18 issuance of the Bonds by the Issuer; and

19 WHEREAS, On August 6, 2021, the City caused a notice to appear on its website  
20 stating that a public hearing with respect to the issuance of the Bonds would be held by the  
21 Office of Public Finance on August 16, 2021, at 4:30 P.M. via toll-free teleconference; and

22 WHEREAS, The Office of Public Finance held the public hearing described above on  
23 August 16, 2021, at 4:30 P.M., and an opportunity was provided for persons to comment on  
24 the issuance and sale of the Bonds and the plan of financing and/or refinancing; and  
25

1           WHEREAS, The Board understands that its actions in holding this public hearing and in  
2 approving this Resolution do not obligate the Board in any manner for payment of the  
3 principal, interest, fees or any other costs associated with the issuance of the Bonds or  
4 Refunding Bonds, and said Board expressly conditions its approval of this Resolution on that  
5 understanding; now, therefore, be it

6           RESOLVED, That this Board finds that all of the recitals set forth above are true and  
7 correct; and, be it

8           FURTHER RESOLVED, That the Board hereby approves the issuance by the Issuer of  
9 the Bonds and the Refunding Bonds for the purposes of financing and/or refinancing the  
10 Project, and that this Resolution shall constitute approval of (a) the issuance of the Bonds by  
11 the Issuer for the purposes of Section 147(f) of the Code by the applicable elected  
12 representative of the governmental unit having jurisdiction over the area in which the Project  
13 is located, and (b) the issuance of the Bonds and Refunding Bonds for the purposes of  
14 Section 9 of the Agreement; and, be it

15           FURTHER RESOLVED, That the Bonds shall not constitute a debt or obligation in any  
16 respect of the City, and the payment of the principal, prepayment premium, if any, and interest  
17 on the Bonds shall be solely the responsibility of the Borrower; and, be it

18           FURTHER RESOLVED, That the approval by the Board of the issuance and sale of the  
19 Bonds is neither an approval of the underlying credit issues of the Project nor an approval of  
20 the financial structure of the Bonds, and that the adoption of this Resolution shall not obligate  
21 (i) the City to provide financing to the Borrower for the acquisition, construction, renovation,  
22 rehabilitation, improvement and/or equipping of the Project, or to issue the Bonds for  
23 purposes of such financing or (ii) the City, or any department of the City, to approve any  
24 application or request for, or take any other action in connection with any environmental,  
25

1 General Plan, zoning or any other permit or other action necessary for the construction,  
2 renovation, rehabilitation, improvement and/or equipping of the Project; and, be it

3 FURTHER RESOLVED, That the Controller and the Director of the Office of Public  
4 Finance and any other proper officers of the City are hereby authorized and directed to  
5 execute such other agreements, documents and certificates, and to perform such other acts  
6 as may be necessary or advisable to effect the purposes of this Resolution; and, be it

7 FURTHER RESOLVED, That this Resolution shall take effect from and after its  
8 adoption and approval.

9 APPROVED AS TO FORM:  
10 DENNIS J. HERRERA, City Attorney

11 By: /s/ MARK D. BLAKE  
12 MARK D. BLAKE  
13 Deputy City Attorney  
14 n:\financ\as2021\1300182\01552857.docx

**CITY AND COUNTY OF SAN FRANCISCO**

**NOTICE OF PUBLIC HEARING PURSUANT TO SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, REGARDING THE PROPOSED ISSUANCE OF NOT TO EXCEED \$35,000,000 OF TAX-EXEMPT OBLIGATIONS BY CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY ON BEHALF OF HEBREW HOME FOR AGED DISABLED, DOING BUSINESS AS JEWISH HOME OF SAN FRANCISCO**

NOTICE IS HEREBY GIVEN that on August 16, 2021 at 4:30 p.m., a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (“Code”) will be held by the City and County of San Francisco Controller’s Office of Public Finance with respect to the proposed issuance by the California Statewide Communities Development Authority (“Issuer”) of qualified 501(c)(3) bonds, as defined in Section 145 of the Code, for senior living and related facilities, in one or more series from time to time pursuant to a plan of finance, in an amount not to exceed \$35,000,000 (“Bonds”). The proceeds of the Bonds are expected to be used by Hebrew Home for Aged Disabled, also known as San Francisco Campus for Jewish Living or Jewish Home of San Francisco, a California nonprofit benefit corporation and an organization described in Section 501(c)(3) of the Code (“Borrower”) to finance the costs of or reimbursement for the acquisition, construction, renovation, equipping and furnishing of facilities owned and operated by the Borrower, in connection with the provision of senior residential and care services and located generally at 302 Silver Avenue, San Francisco, California 94112 and at 1 Avalon Avenue, San Francisco, California 94112 (“Project”).

The public hearing will be held via teleconference and the public may participate in the teleconference, accessible by dialing the following toll-free telephone number and then entering the access code:

**Toll-Free Telephone Number:** 1-877-402-9753

**Access Code:** 8883457#

The teleconference will begin promptly at 4:30 p.m. and the line will be held open until at least 4:40 p.m., at which time the hearing will be concluded unless there are additional public comments to be heard. The public hearing is intended to comply with the public approval requirement of Section 147(f) of the Code, and the Treasury Regulations promulgated thereunder.

Interested persons wishing to express their views on the issuance of the Bonds or on the nature and location of the Project proposed to be financed may participate in the public hearing by telephone or, prior to the time of the hearing, by submitting written comments, which must be received prior to the public hearing, to the City’s Office of Public Finance as follows: [PublicFinance@sfgov.org](mailto:PublicFinance@sfgov.org).

Neither the full faith and credit nor the taxing power, if any, of the City and County of San Francisco (“City”), the Issuer and its members, the State of California (“State”) or any other political corporation, subdivision or agency of the State, is pledged to the payment of the principal of, premium, if any, or interest on the Bonds, nor shall the City, the Issuer and its members, the State, or any other political corporation, subdivision or agency of the State be liable or obligated to pay the principal of, premium, if any, or interest on the Bonds.

Dated: August 9, 2021



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

Ben Rosenfield  
Controller  
Todd Rydstrom  
Deputy Controller

**AFFIDAVIT OF PUBLICATION ON CITY WEBSITE**

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Peter Trinh, the undersigned, hereby certifies that the attached Notice of TEFRA Hearing (Notice) was published on the Public Forms & Notices page maintained by the Controller's Office at the following Web address:

<https://sfcontroller.org/public-forms-notice#TEFRA>

The TEFRA section of the Controller's Public Forms & Notices page is listed on the City's primary public website for Public Notices at the following web address:

<https://sfgov.org/public-notice>

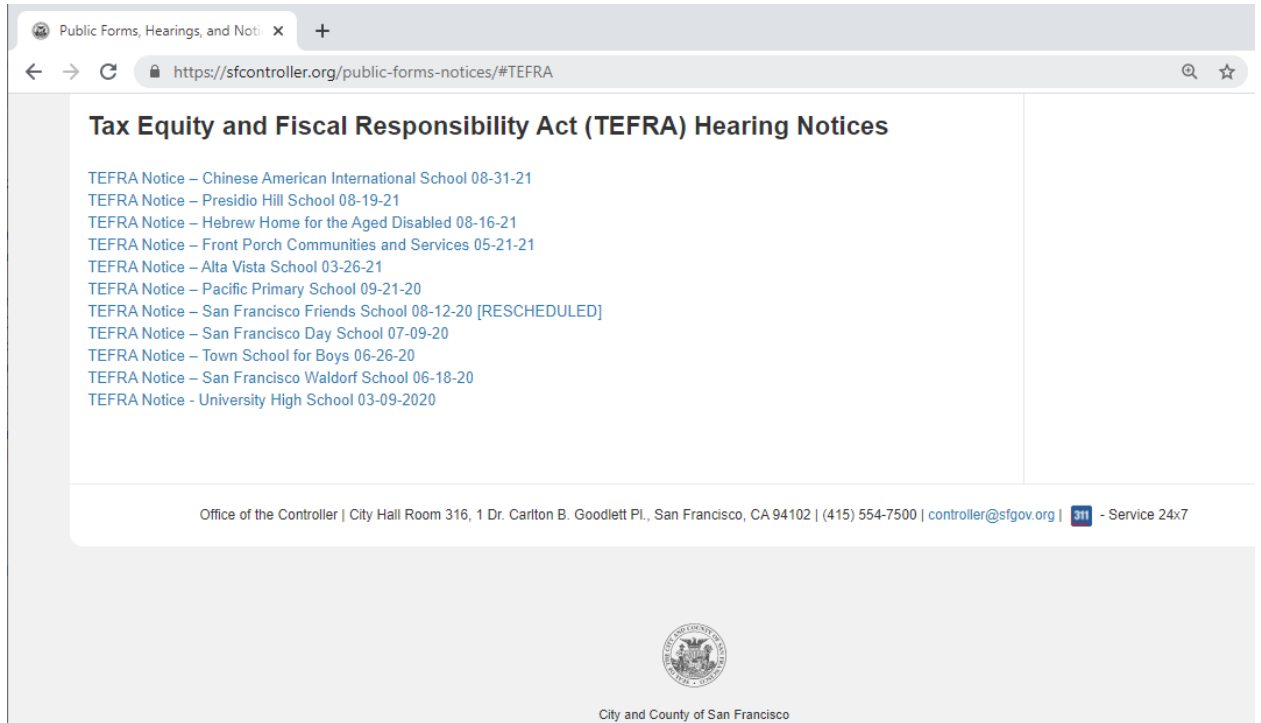
The Notice was posted on 08/06/2021, and was maintained continuously on the website until 08/16/2021. A copy of a screen shot of the notice is attached as Exhibit A.

Executed on 09/07/2021 in San Francisco, California.

[signed] *peter trinh*


Peter Trinh

## Exhibit A – Screen Shots of Posted TEFRA Notice



The screenshot shows a web browser window with the address bar displaying <https://sfcontroller.org/public-forms-notices/#TEFRA>. The page title is "Public Forms, Hearings, and Notices". The main content area is titled "Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing Notices" and lists the following notices:

- TEFRA Notice – Chinese American International School 08-31-21
- TEFRA Notice – Presidio Hill School 08-19-21
- TEFRA Notice – Hebrew Home for the Aged Disabled 08-16-21
- TEFRA Notice – Front Porch Communities and Services 05-21-21
- TEFRA Notice – Alta Vista School 03-26-21
- TEFRA Notice – Pacific Primary School 09-21-20
- TEFRA Notice – San Francisco Friends School 08-12-20 [RESCHEDULED]
- TEFRA Notice – San Francisco Day School 07-09-20
- TEFRA Notice – Town School for Boys 06-26-20
- TEFRA Notice – San Francisco Waldorf School 06-18-20
- TEFRA Notice - University High School 03-09-2020

At the bottom of the page, the contact information for the Office of the Controller is provided: "Office of the Controller | City Hall Room 316, 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102 | (415) 554-7500 | [controller@sfgov.org](mailto:controller@sfgov.org) |  - Service 24x7". The City and County of San Francisco seal is also visible at the bottom center.



### 3 | AFFIDAVIT OF PUBLICATION ON CITY WEBSITE

Series 2021 TEFRA Notice - Hebrew x +

https://sfcontroller.org/sites/default/files/Public%20Forms%20%26%20Notices/Series%202021%20TEFRA%20Notice%20-%20Hebrew%20... Update

Series 2021 TEFRA Notice - Hebrew Home 08162021.pdf 1 / 1 103% + -

**CITY AND COUNTY OF SAN FRANCISCO**

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Dated: August 9, 2021

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Topic submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Safai

Subject:

[TEFRA Approval---Approving Issuance by California Statewide Communities Development Authority Revenue Obligations and TEFRA Hearing for Hebrew Home for Aged Disabled---Not to Exceed \$35,000,000]

The text is listed:

Resolution of the Board of Supervisors of the City and County of San Francisco approving for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance of tax-exempt obligations pursuant to a plan of finance by California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$35,000,000, for the purpose of financing (including reimbursing) the acquisition, construction, renovation, equipping and furnishing of senior residential and care services and certain other matters relating thereto.

Signature of Sponsoring Supervisor: [Signature]

For Clerk's Use Only