

1 [TEFRA Public Hearing Approval]

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3 **Resolution authorizing the issuance and sale of revenue bonds by the California**
4 **Statewide Communities Development Authority in an aggregate principal amount not to**
5 **exceed \$7,000,000 for the Presidio Hill School.**

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7 WHEREAS, The California Statewide Communities Development Authority, a joint
8 exercise of powers agency established pursuant to the laws of the State of California
9 ("CSCDA"), has proposed to issue and sell its revenue bonds ("Bonds") in an aggregate
10 principal amount not to exceed \$7,000,000 for the purpose of making a loan to the Presidio
11 Hill School, a nonprofit public benefit corporation (the "School"); and

12 WHEREAS, The City and County of San Francisco (the "City") is a member of CSCDA;
13 and,

14 WHEREAS, The project to be financed and refinanced by the Bonds consists of the
15 construction, renovation, expansion and equipping of the School's campus located at 3839
16 Washington Street, San Francisco, California, used for the educational and administrative
17 purposes of the School, including repayment of existing construction loans incurred by the
18 School, for (1) the construction and equipping of a new single-story building to house a multi-
19 purpose room, facilities for music and drama, classrooms and a rooftop play area, and (2) the
20 renovation, expansion and equipping of an existing structure to provide enlarged classrooms,
21 a new library and science room, offices, and a conference and media room (collectively, the
22 "Project"), all of which will be owned and operated by the School; and,

23 WHEREAS, The interest on the Bonds may qualify for tax exemption under Section
24 103 of the Internal Revenue Code of 1986, as amended (the "Code"), only if the Bonds are
25 approved in accordance with Section 147(f) of the Code; and,

1 WHEREAS, CSCDA has requested the Board of Supervisors of the City (the "Board")
2 to approve the issuance of the Bonds in order to satisfy the public approval requirements of
3 Section 147(f) of the Code and the requirements of Section 9 of the Amended and Restated
4 Joint Exercise of Powers Agreement, dated as of June 1, 1988 (the "Agreement"), among
5 certain local agencies, including the City; and,

6 WHEREAS, CSCDA has reviewed the financial structure of the Bonds and has
7 heretofore approved the issuance of the Bonds; and,

8 WHEREAS, The project is located wholly within the City and County of San Francisco,
9 California; and,

10 WHEREAS, On May 14, 2002, the City caused a notice stating that a public hearing
11 with respect to the issuance of the Bonds would be held by the Mayor's Office of Public
12 Finance on May 28, 2002, to appear in *The Independent*, which is a newspaper of general
13 circulation in the City; and,

14 WHEREAS, The Mayor's Office of Public Finance has held the public hearing
15 described above on May 28, 2002, and an opportunity was provided for persons to comment
16 on the issuance of the Bonds and the Project; and,

17 WHEREAS, This Board is the elected legislative body of the City and is the applicable
18 elected representative required to approve the issue within the meaning of Section 147(f) of
19 the Code and Section 9 of the Agreement; now, therefore, be it

20 RESOLVED, That this Board hereby finds and declares the above recitals are true and
21 correct; and, be it

22 FURTHER RESOLVED, That this Board hereby approves the issuance of the Bonds
23 by CSCDA. It is the purpose and intent of this Board that this Resolution constitute approval
24 of the Bonds by the applicable elected representative of the governmental unit having

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1 jurisdiction over the area in which the Project is located in accordance with Section 147(f) of
2 the Code and Section 9 of the Agreement; and, be it

3 FURTHER RESOLVED, That the approval of the issuance of the Bonds by the City is
4 neither an approval of the underlying credit issues of the proposed Project nor an approval of
5 the financial structure of the Bonds.

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7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA
9 CITY ATTORNEY

10 By:

Michael Martin
Deputy City Attorney

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