

1 [EXECUTION OF CSCDA JPA AGREEMENT]

2 APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION OF AN  
3 AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT  
4 RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT  
5 AUTHORITY

6  
7 WHEREAS, the City and County of San Francisco has expressed  
8 an interest in participating in the economic development  
9 financing programs (the "Programs") in conjunction with the  
10 parties to that certain Amended and Restated Joint Exercise of  
11 Powers Agreement relating to the California Statewide  
12 Communities Development Authority, dated as of June 1, 1988  
13 (the "JPA Agreement"); and

14 WHEREAS, there is now before this Board of Supervisors of  
15 the City and County of San Francisco the form of the JPA  
16 Agreement; and

17 WHEREAS, the Board of Supervisors of the City and County of  
18 San Francisco proposes to participate in the Programs and  
19 desires that certain projects to be located within the City and  
20 County of San Francisco be financed pursuant to the Programs  
21 and it is in the public interest and for the public benefit  
22 that the City and County of San Francisco do so; and

23 WHEREAS, a copy of the JPA Agreement is on file with the  
24 clerk of the Board of Supervisors in File No. 172-95-45, and  
25

1 the members of the Board of Supervisors of the City and County  
2 of San Francisco, with the assistance of its staff, have  
3 reviewed said document; now, therefore, be it

4 RESOLVED, That the Agreement is hereby approved and the  
5 Mayor, or such designee of the Mayor, is hereby authorized and  
6 directed to execute said document, and the Clerk of the Board  
7 is hereby authorized and directed to affix the seal of the City  
8 and County of San Francisco to said document and to attest  
9 thereto; and, be it

10 FURTHER RESOLVED, That the Mayor, acting on behalf of the  
11 Board of Supervisors of the City and County of San Francisco,  
12 is hereby authorized and directed to approve from time to time  
13 certain projects, which will be financed by bonds issued by the  
14 California Statewide Communities Development Authority, and  
15 execute such certificates to evidence such approval, all as  
16 required under Section 9 of the JPA Agreement; provided,  
17 however, that prior to granting any such approval for any  
18 proposed project, the Mayor shall have received information  
19 indicating that such project promotes opportunities for the  
20 creation and retention of employment, that the presence of such  
21 project provides stimulation to economic activity and that such  
22 economic activity increases the tax base; and be it

23 FURTHER RESOLVED, That the Mayor, and any other proper  
24 officer and official of the City and County of San Francisco  
25

1 are hereby authorized and directed to execute such other  
2 agreements, documents and certificates, and to perform such  
3 other acts and deeds, as may be necessary or convenient to  
4 carry out the intent of this Resolution and the transactions  
5 herein authorized; and, be it

6 FURTHER RESOLVED, That the Mayor is requested to transmit a  
7 copy of this Resolution to the California Statewide Communities  
8 Development Authority with a request that they take all actions  
9 necessary to achieve the objectives of this Resolution; and be  
10 it

11 FURTHER RESOLVED, That this Resolution shall take effect  
12 from and after its adoption.

Adopted - Board of Supervisors, San Francisco November 20, 1995

Ayes: Supervisors Alioto Ammiano Bierman Hallinan Hsieh Kaufman  
Kennedy Leal Migden

Absent: Supervisors Shelley Teng

I hereby certify that the foregoing resolution  
was adopted by the Board of Supervisors  
of the City and County of San Francisco

File No.  
172-95-45

Nov. 27, 1995  
Date Approved

John Taylor  
Clerk

Frank M. Jordan  
Mayor

Office of the Clerk of  
BOARD OF SUPERVISORS  
City Hall

San Francisco, California

To: Lee Bolden  
Orrick, Herrington & Sutcliffe

Your attention is hereby directed to the following passed by the Board of Supervisors of the City and County of San Francisco:

STATE OF CALIFORNIA  
City and County of San Francisco

CLERK'S CERTIFICATE

I, John L. Taylor, City Clerk and Clerk of the Board of Supervisors of the City and County of San Francisco do hereby certify that the annexed **Resolution No. 983-95** is a full, true and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the official seal of the City and County this

29th day of November 1995

John L. Taylor  
Clerk of the Board of Supervisors  
City and County of San Francisco

By Jean Lum

The section headings herein are for convenience only and are not to be construed as modifying or governing the language in the section referred to.

Wherever in this Agreement any consent or approval is required, the same shall not be unreasonably withheld.

This Agreement is made in the State of California, under the Constitution and laws of such state and is to be so construed.

This Agreement is the complete and exclusive statement of the agreement among the parties hereto, which supercedes and merges all prior proposals, understandings, and other agreements, including, without limitation, the Initial Agreement, whether oral, written, or implied in conduct, between and among the parties relating to the subject matter of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and attested by their proper officers thereunto duly authorized, and their official seals to be hereto affixed, as of the day and year first above written.

Program Participant:

CITY AND COUNTY OF SAN FRANCISCO

[SEAL]

By

Name:

Title:

ATTEST:

By

Name: ROBERT E. OAKES

Title: LIAISON TO THE BOARD