

FILE NO. 021974

RESOLUTION NO. **850-02**

1 [Issuance of Clean Water Revenue Bonds, 2003 Refunding Series A.]
2

3 **Resolution approving the issuance of not to exceed ~~\$485,000,000~~ \$462,660,000 aggregate**
4 **principal amount of Clean Water Revenue Bonds, 2003 Refunding Series A to be issued**
5 **by the Public Utilities Commission of the City and County of San Francisco; provided**
6 **that issuance of the bonds would result in net debt service savings of at least 3 percent**
7 **or \$12,028,350; and authorizing the taking of appropriate actions in connection therewith**
8 **and related matters.**
9

10 WHEREAS, The City and County of San Francisco (the "City") has heretofore issued
11 \$331,005,000 aggregate principal amount of its Sewer Revenue Refunding Bonds, Series
12 1992 (of which \$171,950,000 remains outstanding), \$174,980,000 aggregate principal amount
13 of its Sewer Revenue Bonds, Series 1994 (of which \$166,235,000 remains outstanding), and
14 \$44,230,000 aggregate principal amount of its Sewer Revenue Bonds, Series 1995A and
15 \$11,282,147.10 of its capital appreciation Sewer Revenue Bonds, Series 1995B (of which
16 approximately \$62,760,000 of such Series 1995A Bonds and Series 1995B Bonds remain
17 outstanding) (collectively, the "Prior Bonds") to primarily finance and refinance certain sewer
18 system facilities and improvements (the "Clean Water Enterprise") of the City; and
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20 WHEREAS, Pursuant to Section 4.112 of the Charter of the City (the "Charter"), the
21 Public Utilities Commission of the City and County of San Francisco (the "Commission") was
22 given charge of the construction, management, supervision, maintenance, extension,
23 operation, use and control of all water and energy supplies and utilities of the City, including
24
25

1 the Clean Water Enterprise, which were under the Commission's jurisdiction on the operative
2 date of the Charter or assigned pursuant to Section 4.132 of the Charter; and

3 WHEREAS, On December 3, 2002, the Commission adopted a resolution (the
4 "Resolution") approving the issuance of not to exceed \$485,000,000 aggregate principal
5 amount of its Clean Water Revenue Bonds, 2003 Refunding Series A (the "Bonds") for the
6 primary purpose of refunding all or a portion of the Prior Bonds; and
7

8 WHEREAS, The Bonds will be issued pursuant to the terms of an Indenture, dated as of
9 January 1, 2003, between the Commission and U.S. Bank, N.A., as trustee (the "Indenture");
10 and

11 WHEREAS, Pursuant to Section 9.109 of the Charter, such refunding revenue bonds
12 may be issued without voter approval provided that the issuance of such refunding revenue
13 bonds is expected to result in net debt service savings to the City on a present value basis
14 calculated as provided in Section 43.6.6 of the San Francisco Refunding Revenue Bond Act;
15 and
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17 WHEREAS, The Board now desires to ratify and approve the actions of the
18 Commission taken under the Resolution, including without limitation, to ratify and approve the
19 Commission acting on behalf of the City thereunder;

20 WHEREAS, The Resolution, among other things, establishes a maximum rate of
21 interest for the Bonds of eight percent (8%) per annum; now, therefore, be it
22

23 RESOLVED by the Board of Supervisors of the City and County of
24 San Francisco, as follows:
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1 Section 1. Recitals. All of the recitals herein above are true and correct.

2 Section 2. Approval and Authorization of Clean Water Revenue Bonds, 2003

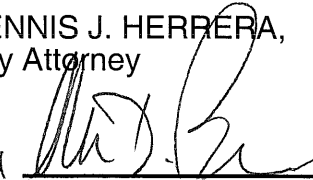
3 Refunding Series A; Ratification and Approval of Commission Actions. The Board hereby
4 authorizes and approves the issuance by the Commission of the Clean Water Revenue
5 Bonds, 2003 Refunding Series A in an aggregate principal amount not to exceed
6 ~~\$485,000,000~~ \$462,660,000 at a rate or rates not to exceed eight percent (8%) per annum to
7 provide funds to (i) refund all or a portion of the Prior Bonds, (ii) fund a reserve account and
8 (iii) pay certain costs of issuance related thereto. The Board hereby ratifies and approves the
9 actions of the Commission taken to approve the issuance of the Bonds under the Resolution,
10 including without limitation, the acts (if any) of the Commission on behalf of the City thereunder.
11 Further provided, that issuance of the Clean Water Revenue Bonds, 2003 Refunding Series A
12 would result in net debt service savings to the City on a present value basis of at least 3
13 percent, or \$12,028,350, of the refunded amount of \$400,945,000, which is the outstanding
14 balance of the Clean Water Revenue Bonds, Series 1992, Series 1994, Series 1995A and
15 Series 1995B.

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18 Section 3. Incorporation of Proposition P Provisions. The provisions of Proposition P,
19 entitled "Ordinance Establishing a Public Utilities Revenue Bond Oversight Committee,
20 Setting Forth the Authority, Duties and Responsibilities of the Committee, and Establishing
21 Qualifications for Committee Members, and Related Provisions," approved by the qualified
22 voters of the City on November 5, 2002, are hereby incorporated by reference as if set forth in
23 full herein. The Board hereby directs the Commission to comply with the provisions of
24 Proposition P in connection with the issuance of the Bonds.
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1 Section 4. General Authority. The Treasurer of the City, the Controller of the City, the
2 City Attorney, and all other appropriate officers, employees, representatives and agents of the
3 City are hereby authorized and directed to do everything necessary or desirable to provide for
4 the issuance and security of the Bonds.

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9 APPROVED AS TO FORM:

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11 DENNIS J. HERRERA,
City Attorney

12
13 By: 
14 Mark D. Blake
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Resolution

File Number: 021974

Date Passed:

Resolution approving the issuance of not to exceed \$462,660,000 aggregate principal amount of Clean Water Revenue Bonds, 2003 Refunding Series A to be issued by the Public Utilities Commission of the City and County of San Francisco; provided that issuance of the bonds would result in net debt service savings of at least 3 percent or \$12,028,350; and authorizing the taking of appropriate actions in connection therewith and related matters.

December 16, 2002 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom,
Peskin, Sandoval


Absent: 1 - Daly

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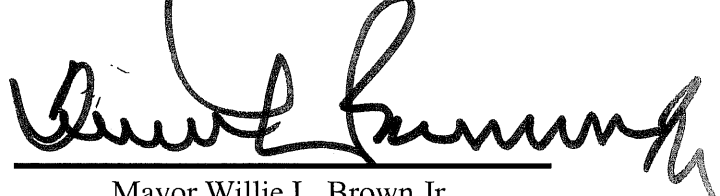
I hereby certify that the foregoing Resolution was ADOPTED on December 16, 2002 by the Board of Supervisors of the City and County of San Francisco.

DEC 20 2002

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Willie L. Brown Jr.