

1 [Public hearing approval.]

2

3 **Resolution authorizing the issuance and sale of equipment purchase program notes by**  
4 **the California Statewide Communities Development Authority in an aggregate principal**  
5 **amount not to exceed \$6,000,000 for the University of San Francisco or an affiliate.**

6

7 WHEREAS, The California Statewide Communities Development Authority (the  
8 “Authority”), a joint exercise of powers agency established pursuant to the laws of the State of  
9 California and the terms of an Amended and Restated Joint Exercise of Powers Agreement,  
10 dated as of June 1, 1988 (the “JPA Agreement”) among certain local agencies throughout the  
11 State of California, has proposed to issue and sell one or more series of tax-exempt  
12 obligations in the form of equipment purchase program note or notes (the “Notes”) in an  
13 aggregate principal amount not to exceed \$6,000,000 for the purpose of making a loan to the  
14 University of San Francisco, or an affiliate, a California nonprofit public benefit corporation  
15 (the “Corporation”); and,

16 WHEREAS, The City and County of San Francisco (the “City”) is a member of the  
17 Authority; and,

18 WHEREAS, The project to be financed with the proceeds of the Notes includes the  
19 acquisition of certain educational equipment, including computers for the faculty and staff, and  
20 the payment of related expenses, to be owned and operated by the Corporation (the “Project”);  
21 and,

22 WHEREAS, The Project is located on the campus of the Corporation located at 2130  
23 Fulton Street, San Francisco, California 94117; and,

24

25

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

4           WHEREAS, Pursuant to Section 9 of the JPA Agreement, the Authority may only issue  
5 the Notes with the approval of the governing body of the jurisdiction in which the Project is  
6 located; and,

7           WHEREAS, The Authority has requested the Board of Supervisors of the City (the  
8 "Board") to approve the issuance and sale of the Notes in order to satisfy the public approval  
9 requirements of Section 147(f) of the Code and the requirements of the JPA Agreement; and,

10           WHEREAS, On December 18, 2001, the City caused a notice stating that a public  
11 hearing with respect to the issuance of the Notes would be held by the Mayor's Office of  
12 Public Finance on January 7, 2002, to appear in *The Independent* which is a newspaper of  
13 general circulation in the City; and,

14           WHEREAS, The Mayor's Office of Public Finance has held the public hearing  
15 described above on January 7, 2002, and an opportunity was provided for persons to  
16 comment on the issuance and sale 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 the JPA 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 and sale of the  
23 Notes by the Authority. It is the purpose and intent of this Board that this Resolution  
24 constitute approval of the Notes by the applicable elected representative of the governmental  
25

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

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

6 APPROVED AS TO FORM:

7 LOUISE H. RENNE  
8 CITY ATTORNEY

9 By: Theresa Alvarez  
10 Theresa Alvarez  
Deputy City Attorney

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



City and County of San Francisco

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

Tails  
Resolution

File Number: 020069

Date Passed:

Resolution authorizing the issuance and sale of equipment purchase program notes by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$6,000,000 for the University of San Francisco or an affiliate.

January 22, 2002 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin,  
Sandoval, Yee  
Excused: 1 - McGoldrick

File No. 020069

I hereby certify that the foregoing Resolution was ADOPTED on January 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

JAN 24 2002

Gloria L. Young  
Clerk of the Board

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Mayor Willie L. Brown Jr.