

1 [Reimbursement resolution for proposed capital projects.]

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3 **Resolution declaring the intent of the City and County of San Francisco to reimburse**
4 **certain expenditures relating to the San Francisco General Hospital replacement**
5 **project, the Hall of Justice replacement project, the Mission Bay Fire and Police**
6 **Facilities project, the Auxiliary Water Supply System reconstruction and renovation**
7 **project and the Forensic Crime Laboratory replacement project from the proceeds of**
8 **future indebtedness; and making related findings.**

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10 WHEREAS, The Board of Supervisors (the "Board") of the City and County of San
11 Francisco (the "City") desires to undertake the acquisition, improvement, construction and/or
12 reconstruction of a new health care facility or facilities to replace San Francisco General
13 Hospital (the "SFGH Project"); and,

14 WHEREAS, The City expects to pay on and after the date hereof certain expenditures
15 (the "SFGH Expenditures") in connection with the SFGH Project; and,

16 WHEREAS, The Board desires to undertake the acquisition, improvement, construction
17 and/or reconstruction of a new criminal justice facility or facilities to replace the San Francisco
18 Hall of Justice (the "Hall of Justice Project"); and,

19 WHEREAS, The City expects to pay on and after the date hereof certain expenditures
20 (the "Hall of Justice Expenditures") in connection with the Hall of Justice Project; and,

21 WHEREAS, The Board desires to undertake the acquisition, improvement, construction
22 and/or reconstruction of new police and fire department facilities in the City's Mission Bay
23 neighborhood (the "Mission Bay Project"); and,

24 WHEREAS, The City expects to pay on and after the date hereof certain expenditures
25 (the "Mission Bay Expenditures") in connection with the Mission Bay Project; and,

1 WHEREAS, The Board desires to undertake the renovation, reconstruction, and/or
2 improvement of the City's Auxiliary Water Supply System, a high pressure water distribution
3 system (the "AWSS Project"); and,

4 WHEREAS, The City expects to pay on and after the date hereof certain expenditures
5 (the "AWSS Expenditures") in connection with the AWSS Project; and,

6 WHEREAS, The Board desires to undertake the acquisition, improvement, construction
7 and/or reconstruction of a new forensic crime laboratory to replace the City's current
8 laboratory facility (the "Crime Lab Project"); and,

9 WHEREAS, The City expects to pay on and after the date hereof certain expenditures
10 (the "Crime Lab Expenditures") in connection with the Crime Lab Project; and,

11 WHEREAS, The SFGH Project, the Hall of Justice Project, the Mission Bay Project, the
12 AWSS Project and the Crime Lab Project shall be referred to herein collectively as the
13 "Projects" and individually as a "Project"; and,

14 WHEREAS, The SFGH Expenditures, the Hall of Justice Expenditures, the Mission
15 Bay Expenditures, the AWSS Expenditures and the Crime Lab Expenditures shall be referred
16 to herein collectively as the "Expenditures"; and,

17 WHEREAS, The Board has determined that those moneys to be advanced on and after
18 the date hereof to pay the Expenditures are or will be available only for a temporary period,
19 and it is desirable to reimburse all such Expenditures made on and after the date hereof with
20 respect to a Project from the proceeds of one or more issues of tax-exempt bonds or other
21 forms of indebtedness to be issued by the City to finance the acquisition and completion of
22 such Project (the "Bonds"); and

23 WHEREAS, In order to achieve the reimbursement described in the preceding
24 paragraph, Section 1.150-2 of the Treasury Regulations (the "Regulation") requires the Board
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1 to declare its reasonable official intent to reimburse prior Expenditures with proceeds of a
2 borrowing; and

3 WHEREAS, The maximum principal amount of debt issued to finance the SFGH
4 Project is not expected to exceed \$751,000,000; and,

5 WHEREAS, The maximum principal amount of debt issued to finance the Hall of
6 Justice Project is not expected to exceed \$750,000,000; and,

7 WHEREAS, The maximum principal amount of debt issued to finance the Mission Bay
8 Project is not expected to exceed \$25,000,000; and,

9 WHEREAS, The maximum principal amount of debt issued to finance the AWSS
10 Project is not expected to exceed \$90,000,000; and,

11 WHEREAS, The maximum principal amount of debt issued to finance the Crime Lab
12 Project is not expected to exceed \$20,000,000; now, therefore, be it

13 RESOLVED, By this Board of Supervisors of the City and County of San Francisco as
14 follows:

15 Section 1. The Board finds and determines that the foregoing recitals are true and
16 correct.

17 Section 2. This Resolution is adopted by the Board solely for purposes of establishing
18 compliance with the requirements of the Regulation. This Resolution does not bind the Board
19 or the City to make any expenditure, incur any indebtedness or proceed with any of the
20 Projects.

21 Section 3. The Board hereby declares its official intent under the Regulation to use
22 proceeds of the Bonds corresponding to one of the Projects described herein to reimburse all
23 future Expenditures incurred in connection with such Project prior to the issuance and sale of
24 such Bonds. The Board hereby further declares its intent to use proceeds of such Bonds to
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1 reimburse the City and to pay third parties for actual Expenditures made on such Project. On
2 the date hereof, the Board reasonably expects that it will reimburse the Expenditures with
3 proceeds of the Bonds.

4 Section 4. Each Expenditure was and will be either (a) of a type properly chargeable to
5 a capital account under general federal income tax principles (determined in each case as of
6 the date of the Expenditure), (b) a cost of issuance with respect to the applicable Bonds, (c) a
7 nonrecurring item that is not customarily payable from current revenues of the City, or (d) a
8 grant to a party that is not related to or an agent of the City so long as such grant does not
9 impose any obligation or condition (directly or indirectly) to repay any amount to or for the
10 benefit of the City.

11 Section 5. The City will make a reimbursement allocation, which is a written allocation
12 by the City that evidences the City's use of proceeds of Bonds to reimburse an Expenditure
13 relating to the applicable Project, no later than 18 months after the later of the date on which
14 the Expenditure is paid or the Project is placed in service or abandoned, but in no event more
15 than three years after the date on which the Expenditure is paid.

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17 APPROVED AS TO FORM:

18 DENNIS J. HERRERA
19 City Attorney

20 By: Michael Martin
21 MICHAEL J. MARTIN
22 Deputy City Attorney
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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: 060784

Date Passed:

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures relating to the San Francisco General Hospital replacement project, the Hall of Justice replacement project, the Mission Bay Fire and Police Facilities project, the Auxiliary Water Supply System reconstruction and renovation project and the Forensic Crime Laboratory replacement project from the proceeds of future indebtedness; and making related findings.

July 11, 2006 Board of Supervisors — ADOPTED

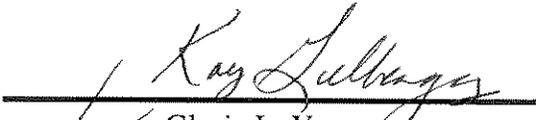
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

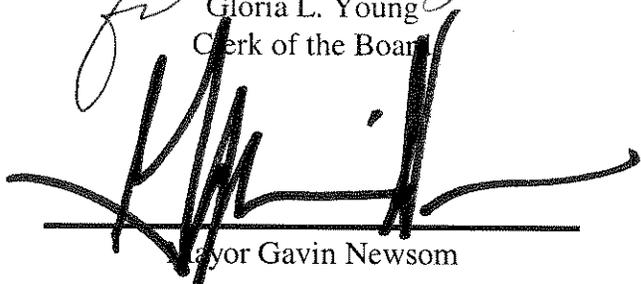
File No. 060784

I hereby certify that the foregoing Resolution was ADOPTED on July 11, 2006 by the Board of Supervisors of the City and County of San Francisco.

7/14/2006

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom