[Approving California Enterprise Development Authority Revenue Obligations and TEFRA Hearing for Presidio Knolls School, Inc. - Not to Exceed $33,000,000]

Resolution approving for purposes of Internal Revenue Code of 1986, as amended, Section 147(f) of the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed $33,000,000 to finance, refinance and/or reimburse the cost of acquisition, construction, installation, rehabilitation, equipping and furnishing of various capital facilities to be owned and operated by Presidio Knolls School, Inc., a California nonprofit public benefit corporation.

WHEREAS, The California Enterprise Development Authority ("Authority") is authorized pursuant to the provisions of California Government Code, Section 6500 et seq. and the terms of a Joint Exercise of Powers Agreement, dated as of June 1, 2006, among certain public agencies throughout the State of California, to issue revenue bonds and other forms of indebtedness to assist nonprofit corporations to obtain tax-exempt financing for appropriate projects and purposes; and

WHEREAS, Presidio Knolls School, Inc. ("Borrower"), a California nonprofit public benefit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("Code"), has requested that the Authority issue revenue obligations in an aggregate principal amount not to exceed $33,000,000 ("Obligations") to: (a) (i) refinance outstanding indebtedness incurred by the Borrower, the proceeds of which were used to finance and refinance the cost of the acquisition, demolition, construction, renovation, equipping and/or furnishing of pre-K through 8th grade educational and related and ancillary facilities located at 1415 Howard Street, San Francisco, California 94103, and 220, 230, 240, 250 and 260 10th Street, San Francisco, California 94103 (collectively, the "Property"),
including, but not limited to, (A) the demolition of a one-story garage, a pre-K building, and an
elementary school building; the renovation of an existing building and conversion thereof from
use as a group home to educational facilities; (B) the construction of two, three-story buildings
collectively measuring approximately 60,000 square feet for use as educational facilities and
one one-story building measuring approximately 1,000 square feet for use as a music
building; (C) the construction of one or more outdoor play areas and approximately 50 bicycle
parking spaces, and (D) the acquisition, renovation, and construction of approximately 80,000
square feet of additions and/or improvements to the Property consisting of 25 main
classrooms, four flex classrooms, a library, art, music, science and maker classrooms, a
multipurpose gymnasium and auditorium, a teaching kitchen and flexible dining area, multi-
purpose rooms, and indoor and outdoor play areas; and (ii) finance and refinance the cost of
exterior and interior improvements to buildings on the Property to enhance the auditorium and
gymnasium, create additional classrooms and make additional improvements to the Property
(collectively, the “Facilities”) and (b) pay certain costs of issuance of the Obligations; and
WHEREAS, The Facilities are located within the boundaries of the City and County of
San Francisco ("City"), which is an associate member of the Authority; and
WHEREAS, Pursuant to Section 147(f) of the Code, and the Treasury Regulations
promulgated thereunder, the issuance of the Obligations by the Authority may qualify for tax
exemption under Section 103 of the Code only if the Obligations are approved by an
“applicable elected representative” of both the governmental unit issuing the Obligations or on
behalf of which the Obligations are to be issued, and a governmental unit having jurisdiction
over the geographic area in which the Facilities are located, after a public hearing held
following reasonable public notice; and
WHEREAS, The issuance and delivery of the Obligations shall be subject to the
approval of and execution by the Authority; and
WHEREAS, The Authority has requested the Board of Supervisors of the City and County of San Francisco ("Board") to approve the issuance and sale of the Obligations in order to satisfy the requirements of Section 147(f) of the Code, and the Treasury Regulations promulgated thereunder, the Board being an applicable elected representative having jurisdiction over the geographic area in which the Facilities are located within the meaning of Section 147(f) of the Code, and the Treasury Regulations promulgated thereunder; and

WHEREAS, On September 12, 2022, the City caused a notice to appear on its website stating that a public hearing with respect to the issuance of the Obligations would be held by the Office of Public Finance on September 21, 2022; and

WHEREAS, The Office of Public Finance of the City has held the public hearing described above on September 21, 2022, and an opportunity was provided for persons to comment on the issuance and sale of the Obligations and the plan of refinancing of the Facilities; and

WHEREAS, The Obligations will be limited obligations of the Authority, payable solely from and secured solely by amounts received from or on behalf of the Borrower, and will not constitute an indebtedness or obligation, or a pledge of the faith and credit of, the City or the Authority, except to the limited extent described herein; and

WHEREAS, It is intended that this Resolution shall constitute approval of the issuance of the Obligations for purposes of Section 147(f) of the Code, and the Treasury Regulations promulgated thereunder; now, therefore, be it

RESOLVED, That this Board finds that all of the recitals set forth above are true and correct; and, be it

FURTHER RESOLVED, That the Board, as an applicable elected representative of the governmental unit on behalf of which the Obligations will be issued and having jurisdiction over the geographic area in which the Facilities are or will be located, hereby approves the
issuance of the Obligations by the Authority; it is the purpose and intent of the Board that this
Resolution constitute both “issuer” approval and “host” approval of the issuance of the
Obligations by the City for purposes of Section 147(f) of the Code, and the Treasury
Regulations promulgated thereunder; and, be it

FURTHER RESOLVED, That the Obligations shall not constitute a debt or obligation in
any respect of the City, and the payment of the principal, prepayment premium, if any, and
interest on the Bonds shall be solely the responsibility of the Borrower; and, be it

FURTHER RESOLVED, That the approval by the Board of the issuance and sale of the
Obligations is neither an approval of the underlying credit issues of the Facilities nor an
approval of the financial structure of the Obligations, and that the adoption of this Resolution
shall not obligate (i) the City to provide refinancing to the Borrower for the acquisition,
construction, installation, rehabilitation, equipping and/or furnishing of the Facilities, or to issue
the Obligations for purposes of such financing or (ii) the City, or any department of the City, to
approve any application or request for, or take any other action in connection with any
environmental, General Plan, zoning or any other permit or other action necessary for the
acquisition, construction, installation, rehabilitation, equipping and/or furnishing of the
Facilities; and, be it

FURTHER RESOLVED, That the Controller and the Director of the Office of Public
Finance and any other proper officers of the City are hereby authorized and directed to
execute such other agreements, documents and certificates, and to perform such other acts
as may be necessary or advisable to affect the purposes of this Resolution, and, be it

///

///

///

///

Supervisors Dorsey; Safai
BOARD OF SUPERVISORS
FURTHER RESOLVED, That this Resolution shall take effect from and after its adoption and approval.

APPROVED AS TO FORM:
David Chiu, City Attorney

By: /s/MARK D. BLAKE
Mark D. Blake
Deputy City Attorney
Resolution approving for purposes of Internal Revenue Code of 1986, as amended, Section 147(f) of the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed $33,000,000 to finance, refinance and/or reimburse the cost of acquisition, construction, installation, rehabilitation, equipping and furnishing of various capital facilities to be owned and operated by Presidio Knolls School, Inc., a California nonprofit public benefit corporation.

File No. 221029

October 19, 2022 Budget and Finance Committee - RECOMMENDED

October 25, 2022 Board of Supervisors - ADOPTED
Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

I hereby certify that the foregoing Resolution was ADOPTED on 10/25/2022 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Date Approved

London N. Breed
Mayor