

1 [Authorizing Taxable and/or Tax-Exempt Certificates of Participation (Multiple Capital  
2 Projects) - Not to Exceed \$157,000,000]

3 **Ordinance authorizing the execution and delivery of Certificates of Participation, in one**  
4 **or more series on a tax-exempt and/or taxable basis and from time to time, evidencing**  
5 **and representing an aggregate principal amount of not to exceed \$157,000,000 to**  
6 **finance and refinance certain capital improvement projects, including but not limited to**  
7 **certain projects generally known as the Homeless Services Center, Laguna Honda**  
8 **Hospital Wings K&M Reuse Project, AITC Immunization and Travel Clinic Relocation,**  
9 **and San Francisco General Hospital Chiller and Cooling Tower Replacement Project,**  
10 **approving the form of a Supplement to Trust Agreement between the City and County**  
11 **of San Francisco and U.S. Bank National Association, as trustee (“Trustee”) (including**  
12 **certain indemnities contained therein); approving respective forms of a Supplement to**  
13 **Property Lease and a Supplement to Project Lease, each between the City and the**  
14 **Trustee for the lease and lease back of certain real property and improvements located**  
15 **at 375 Laguna Honda Boulevard and 1 Moreland Drive, San Bruno, or other property as**  
16 **determined by the Director of Public Finance; approving the form of an Official Notice**  
17 **of Sale and a Notice of Intention to Sell the Certificates of Participation; approving the**  
18 **form of an Official Statement in Preliminary and Final form; approving the form of a**  
19 **Continuing Disclosure Certificate; granting general authority to City officials to take**  
20 **necessary actions in connection with the authorization, sale, execution and delivery of**  
21 **the Certificates of Participation; approving modifications to documents; and ratifying**  
22 **previous actions taken in connection therewith, as defined herein.**

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1           NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
2           **Additions to Codes** are in *single-underline italics Times New Roman font*.  
3           **Deletions to Codes** are in ~~*Times New Roman font*~~.  
4           **Board amendment additions** are in Arial font.  
5           **Board amendment deletions** are in ~~Arial font~~.  
6           **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
7           subsections or parts of tables.

8           Be it ordained by the People of the City and County of San Francisco:

9           Section 1. Findings.

10          (a)     The Board of Supervisors (“Board of Supervisors” or “Board”) of the City and  
11          County of San Francisco (“City”) desires to provide funds for the acquisition of certain real  
12          property located within the City for (i) the improvement and equipping of certain existing real  
13          property and improvements owned and maintained by the City, including but not limited to the  
14          improvement and equipping of new and existing properties generally known as the Homeless  
15          Services Center, Laguna Honda Hospital Wings K&M Reuse Project, AITC Immunization and  
16          Travel Clinic Relocation, and San Francisco General Hospital Chiller and Cooling Tower  
17          Replacement Project, and (ii) the repayment of certain commercial paper notes of the City  
18          issued for such purposes (collectively, the “Project”), (iii) fund a debt service or other similar  
19          reserve for the Certificates, as appropriate; and (iv) pay costs of issuance of the Certificates,  
20          and the City is authorized pursuant to its charter (“Charter”) and the laws of the State to enter  
21          into lease financings for such purpose.

22          (b)     The City and the Trustee have previously entered into a Property Lease, dated  
23          as of May 1, 2009 (“Original Property Lease”), pursuant to which the City has leased certain  
24          real property and all improvements thereon (collectively, the “Prior Leased Property”) to U.S.  
25          Bank National Association, as trustee (“Trustee”).

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1 (c) The Trustee and the City have previously entered into a Project Lease, dated as  
2 of May 1, 2009 ("Original Project Lease'), pursuant to which the Trustee has leased the Prior  
3 Leased Property back to the City.

4 (d) The City previously caused the execution and delivery of the City and County of  
5 San Francisco Certificates of Participation, Series 2009A (Multiple Capital Improvement  
6 Projects) ("2009A Certificates") pursuant to a Trust Agreement, dated as of May 1, 2009, by  
7 and between the City and the Trustee ("Original Trust Agreement" and together with the  
8 Original Property Lease and the Original Project Lease, the "Original Agreements").

9 (e) The 2009A Certificates evidence direct undivided interests in the lease  
10 payments made by the City under the Original Project Lease.

11 (f) The Original Trust Agreement provides for the issuance of additional certificates  
12 of participation by the execution and delivery of a supplement to the Original Trust Agreement,  
13 and authorizes the principal and interest with respect to said certificates of participation to be  
14 secured by a supplement to the Original Property Lease and to be paid from amounts paid by  
15 the City under a supplement to the Original Project Lease.

16 (g) The City subsequently caused the execution and delivery of the City and County  
17 of San Francisco Certificates of Participation, Series 2009B (Multiple Capital Improvement  
18 Projects) (the "2009B Certificates") pursuant to a First Supplement to Trust Agreement, dated  
19 as of September 1, 2009 ("First Supplement to Trust Agreement"), supplementing the Original  
20 Trust Agreement.

21 (h) In connection therewith, the City and the Trustee have previously entered into a  
22 First Supplement to Property Lease, dated as of September 1, 2009 ("First Supplement to  
23 Property Lease"), supplementing the Original Property Lease.

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1 (i) In connection therewith, the City and the Trustee have previously entered into a  
2 First Supplement to Project Lease, dated as of September 1, 2009 (“First Supplement to  
3 Project Lease”), supplementing the Original Project Lease.

4 (j) The 2009B Certificates evidence direct undivided interests in the lease  
5 payments made by the City under the Original Project Lease, as supplemented by the First  
6 Supplement to Project Lease, on a parity basis with the 2009A Certificates.

7 (k) The City subsequently caused the execution and delivery of the City and County  
8 of San Francisco Certificates of Participation, Series 2012A (Multiple Capital Improvement  
9 Projects) (“2012A Certificates”) pursuant to a Second Supplement to Trust Agreement, dated  
10 as of June 1, 2012 (“Second Supplement to Trust Agreement”), supplementing the Original  
11 Trust Agreement.

12 (l) In connection therewith, the City and the Trustee have previously entered into a  
13 Second Supplement to Property Lease, dated as of June 1, 2012 (“Second Supplement to  
14 Property Lease”), supplementing the Original Property Lease.

15 (m) In connection therewith, the City and the Trustee have previously entered into a  
16 Second Supplement to Project Lease, dated as of June 1, 2012 (“Second Supplement to  
17 Project Lease”), supplementing the Original Project Lease.

18 (n) The 2012A Certificates evidence direct undivided interests in the lease  
19 payments made by the City under the Original Project Lease, as supplemented by the First  
20 Supplement to Project Lease and Second Supplement to Project Lease, on a parity basis with  
21 the 2009A Certificates and 2009B Certificates.

22 (o) The City subsequently caused the execution and delivery of the City and County  
23 of San Francisco Certificates of Participation, Series 2019-R1 (Multiple Capital Improvement  
24 Projects) (“2019-R1 Certificates”) pursuant to a Third Supplement to Trust Agreement, dated  
25 as of November 1, 2019 (“Third Supplement to Trust Agreement”), supplementing the Original

1 Trust Agreement.

2 (p) In connection therewith, the City and the Trustee have previously entered into a  
3 Third Supplement to Property Lease, dated as of November 1, 2019 (“Third Supplement to  
4 Property Lease”), supplementing the Original Property Lease.

5 (q) In connection therewith, the City and the Trustee have previously entered into a  
6 Third Supplement to Project Lease, dated as of November 1, 2019 (“Third Supplement to  
7 Project Lease”), supplementing the Original Project Lease.

8 (r) The 2019-R1 Certificates evidence direct undivided interests in the lease  
9 payments made by the City under the Original Project Lease, as supplemented by the First  
10 Supplement to Project Lease, the Second Supplement to Project Lease and the Third  
11 Supplement to Project Lease, on a parity basis with the 2012A Certificates, for the purpose of  
12 financing certain capital improvements and refunding in full the 2009A Certificates and 2009B  
13 Certificates.

14 (s) The Board desires to finance the Project and to cause the execution and  
15 delivery of one or more additional series of certificates of participation (as further defined  
16 herein, the “Certificates”) in an aggregate principal amount not to exceed \$157,000,000.

17 (t) The Certificates will be executed and delivered in one or more series, on a tax-  
18 exempt and/or taxable basis and from time to time, pursuant to one or more supplements to  
19 the Original Trust Agreement (each, a Supplement to Trust Agreement”), by and between the  
20 City and the Trustee, supplementing the Original Trust Agreement.

21 (u) In connection with the execution and delivery of the Certificates, this Board  
22 desires to cause the execution of one or more supplements to the Original Property Lease  
23 (each, a “Supplement to Property Lease”), supplementing and amending the Original Property  
24 Lease to provide for additional rental to be paid by the Trustee in connection with the  
25 financing of the Project and certain related matters and pursuant to which the City intends to

1 lease to the Trustee the Prior Leased Property and such other property specified in the  
2 Supplement to Property Lease (collectively, the “Leased Property”), one or more supplements  
3 to the Original Project Lease (each, a “Supplement to Project Lease”), supplementing and  
4 amending the Original Project Lease to provide for the leasing of the Leased Property back to  
5 the City and additional Base Rental to be paid by the City in connection with the financing of  
6 the Project and certain related matters, with such additional changes to the Supplement to  
7 Property Lease and Supplement to Project Lease as shall be determined and made in  
8 accordance with Section 23 hereof; a Continuing Disclosure Certificate and certain other  
9 related documents.

10 (v) The Certificates, when issued, will evidence direct undivided interests in the  
11 lease payments made by the City under the Original Project Lease, as previously  
12 supplemented and amended and as supplemented and amended by the Supplement to  
13 Project Lease, on a parity basis with the outstanding 2009A Certificates, 2009B Certificates  
14 and 2012A Certificates and any other certificates of participation of the City authorized and  
15 issued pursuant to additional, respective, executed and delivered supplements to the Original  
16 Agreements, prior to the issuance of the Certificates.

17 (w) The Board has been presented with the forms of certain documents and  
18 agreements referred to herein relating to the Certificates, and the Board has examined and is  
19 approving each such document and agreement and desires to authorize the execution of such  
20 documents and agreements and the consummation of such financing.

21 (x) Upon the effectiveness of this Ordinance, all conditions, things and acts required  
22 by law to exist, to happen and to be performed precedent to and as a condition of the  
23 execution and delivery of the Supplement to Property Lease, the Supplement to Project  
24 Lease, the Supplement to Trust Agreement, the Continuing Disclosure Certificate, the Official  
25 Statement (as defined herein) and the Certificates will exist, have happened and have been

1 performed in due time, form and manner in accordance with applicable law, and the City shall  
2 be authorized pursuant to its Charter and other applicable law to execute and deliver the  
3 Supplement to Property Lease, the Supplement to Project Lease, the Continuing Disclosure  
4 Certificate, the Supplement to Trust Agreement and the Official Statement and to cause the  
5 execution and delivery of the Certificates in the manner and form provided in this Ordinance.

6 (y) The City has paid and expects to pay certain expenditures in connection with the  
7 Project to be financed by the Certificates prior to the execution and delivery of the Certificates,  
8 and the City intends to reimburse itself and to pay third parties for such prior expenditures  
9 from the proceeds of the Certificates.

10 (z) Section 1.150-2 of the Treasury Regulations promulgated under the Internal  
11 Revenue Code of 1986, as amended (“Reimbursement Regulations”) requires the City to  
12 declare its reasonable official intent to reimburse prior expenditures with the proceeds of a  
13 subsequent borrowing.

14 (aa) The Reimbursement Regulations require that any reimbursement allocation of  
15 proceeds of the Certificates to be made with respect to expenditures incurred prior to the  
16 execution and delivery of the Certificates will occur not later than 18 months after the later of  
17 (i) the date on which the expenditure is paid or (ii) the date on which the facilities are placed in  
18 service, but in no event later than three years after the expenditure is paid.

19 (bb) The adoption of this Ordinance constitutes authorization of the Certificates within  
20 the meaning of Section 864 of the California Code of Civil Procedure and any Validation Act  
21 that is effective after this Ordinance takes effect.

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23 Section 2. Conditions Precedent. All conditions, things and acts required by law to  
24 exist, to happen and to be performed precedent to the execution and delivery of the  
25 Certificates exist, have happened and have been performed in due time, form and manner in

1 accordance with applicable law, and the City is now authorized pursuant to its Charter and  
2 applicable law to incur indebtedness in the manner and form provided in this Ordinance.

3 Section 3. File Documents. The documents presented to the Board and on file with the  
4 Clerk of the Board of Supervisors or her designee (collectively, the “Clerk”) are contained in  
5 File No. [\_\_\_\_\_].

6 Section 4. Authorization of the Certificates. The Board hereby authorizes and  
7 approves the execution and delivery of the Certificates in one or more series on a tax-exempt  
8 and/or taxable basis and on one or more delivery dates in accordance with the applicable  
9 Supplement to Trust Agreement, and the terms of Section 5 below. The proceeds of the  
10 Certificates will be used to (i) finance and/or refinance the Project, including the repayment of  
11 certain commercial paper notes of the City issued therefore; (ii) fund a debt service or other  
12 similar reserve, as appropriate; and (iii) pay costs of issuance of the Certificates. The  
13 Certificates shall be designated as “City and County of San Francisco Certificates of  
14 Participation (Multiple Capital Projects)” with such other designations as to series, taxability  
15 and the year of execution and delivery, as determined by the Controller’s Director of Public  
16 Finance (“Director of Public Finance”) or her designee.

17 Section 5. Certain Terms of the Certificates. The Certificates shall evidence an  
18 aggregate principal amount not to exceed \$157,000,000, and shall evidence interest at a true  
19 interest cost up to but not to exceed 12% per annum. The Certificates shall be subject to  
20 prepayment as set forth in the applicable Supplement to Project Lease and Supplement to  
21 Trust Agreement. The Director of Public Finance is hereby authorized, to the extent such  
22 officer deems it necessary or advisable and financially advantageous to the City, to procure  
23 credit enhancement for the Certificates, including but not limited to municipal bond insurance  
24 or a debt service reserve fund surety policy.



1           Section 6. Tax Status of the Certificates. The Director of Public Finance is hereby  
2 authorized, to the extent such officer deems it necessary or advisable and in the interests of  
3 the City, to cause the execution and delivery of the Certificates (i) with interest with respect  
4 thereto being exempt or not exempt from federal income tax, and (ii) under any federal tax law  
5 provisions which provide for federal grants or credits to the City or to investors in lieu of the  
6 exemption of interest from federal income tax.

7           Section 7. Approval of the Supplement to Trust Agreement. The form of a Supplement  
8 to Trust Agreement between the City and the Trustee, as presented to the Board, a copy of  
9 which is on file with the Clerk, is hereby approved. The Mayor of the City (“Mayor”) or the  
10 City’s Controller (“Controller”) or designees thereof are hereby authorized to execute and  
11 deliver one or more Supplements to Trust Agreement in the form hereby approved, and the  
12 Clerk is hereby authorized to attest to and affix the seal of the City on such Supplements to  
13 Trust Agreement, with such changes, additions and modifications as the Mayor or the  
14 Controller may make or approve in accordance with Section 23 hereof.

15           Section 8. Approval of the Supplement to Property Lease. The form of a Supplement  
16 to Property Lease between the City and the Trustee, as presented to the Board, a copy of  
17 which is on file with the Clerk, is hereby approved. The Mayor or the Controller is hereby  
18 authorized to execute and deliver one or more Supplements to Property Lease in the form  
19 hereby approved, and the Clerk is hereby authorized to attest to and affix the seal of the City  
20 on such Supplements to Property Lease, with such changes, additions and modifications as  
21 the Mayor or the Controller may make or approve in accordance with Section 23 hereof.

22           Section 9. Approval of the Supplement to Project Lease. The form of the Supplement  
23 to Project Lease between the City and the Trustee, as presented to the Board, a copy of  
24 which is on file with the Clerk, is hereby approved. The Mayor or the Controller is hereby  
25 authorized to execute and deliver one or more Supplements to Project Lease in the form

1 hereby approved, and the Clerk is hereby authorized to attest to and affix the seal of the City  
2 on such Supplements to Project Lease with such changes, additions and modifications as the  
3 Mayor or Controller may make or approve in accordance with Section 23 hereof; provided,  
4 however, that the maximum Base Rental (as defined in the Project Lease) to be paid under  
5 such Supplements to Project Lease relative to the Project in any fiscal year shall not exceed  
6 \$15,000,000 and the term of any Supplement to Project Lease shall not extend beyond the  
7 25th year following its date of execution, as such initial term may be extended in accordance  
8 with the Project Lease.

9 Section 10. Approval of the Leased Property and the Base Rental Payments. The  
10 Board hereby approves the leasing, pursuant to the terms of the Supplement to Property  
11 Lease and the Supplement to Project Lease, of all or a portion of the Leased Property. The  
12 Board also hereby approves the payment by the City of the Base Rental with respect thereto.

13 Section 11. Sale and Award of Certificates by Competitive Sale. In the event the  
14 Director of Public Finance determines to sell the Certificates by competitive sale, the Director  
15 of Public Finance, on behalf of the Controller, is hereby authorized and directed to receive  
16 bids for the purchase of the Certificates, and the Controller is hereby authorized and directed  
17 to award the Certificates to the bidder whose bid represents the lowest true interest cost to the  
18 City, all in accordance with the procedures described in the Official Notice of Sale (as defined  
19 herein).

20 Section 12. Approval of Form of Official Notice of Sale. The form of an official notice of  
21 sale relating to the Certificates ("Official Notice of Sale"), as presented to this Board, a copy of  
22 which is on file with the Clerk, is hereby approved. The Controller or the Director of Public  
23 Finance is authorized to approve the distribution of an Official Notice of Sale for the  
24 Certificates, with such changes, additions and modifications as such official may make or  
25 approve in accordance with Section 23 hereof.

1           Section 13. Approval of Notice of Intention to Sell Relating to the Certificates. The form  
2 of a notice of intention to sell relating to the Certificates (“Notice of Intention to Sell”), as  
3 presented to this Board, a copy of which is on file with the Clerk, is hereby approved. The  
4 Controller or the Director of Public Finance is hereby authorized to approve the publication of  
5 the Notice of Intention to Sell relating to the Certificates, with such changes, additions and  
6 modifications as such official may make or approve in accordance with Section 23 hereof.

7           Section 14. Sale of Certificates by Negotiated Sale. If the Controller or the Director of  
8 Public Finance determines to sell the Certificates by negotiated sale, the Controller or the  
9 Director of Public Finance is hereby authorized to sell the Certificates by negotiated sale  
10 pursuant to one or more purchase contracts (each, a “Purchase Contract”) by and between  
11 the City and the underwriters named therein; provided, however, that the underwriters’  
12 discount under any such Purchase Contract shall not exceed 0.5% of the principal amount of  
13 the Certificates. The form of Purchase Contract, as presented to the Board, a copy of which is  
14 on file with the Clerk, is hereby approved.

15           Section 15. Authorization to Appoint Underwriters. To accomplish the sale of the  
16 Certificates by negotiated sale, if applicable, the Controller or the Director of Public Finance is  
17 hereby authorized to appoint one or more financial institutions to act as underwriter(s) for the  
18 Certificates in accordance with City policies and procedures, including but not limited to the  
19 City’s policy to provide locally disadvantaged business enterprises an equal opportunity to  
20 participate in the performance of all City contracts.

21           Section 16. Approval of the Official Statement in Preliminary and Final Form. The form  
22 of an official statement relating to the Certificates (“Official Statement”), as presented to this  
23 Board, a copy of which is on file in preliminary form with the Clerk, is hereby approved. The  
24 Controller is hereby authorized to approve the preliminary Official Statement in substantially  
25 said form, with such changes, additions, modifications (including but not limited to the

1 inclusion of the most current City financial information) or deletions as such official may make  
2 or approve in accordance with Section 23 hereof, and to deem the preliminary Official  
3 Statement final for purposes of the Rule 15c2-12 of the Securities and Exchange Act of 1934,  
4 as amended, to execute a certificate to that effect, and to cause the preliminary Official  
5 Statement to be delivered, in printed or electronic form, to potential purchasers of the  
6 Certificates, such approval to be conclusively evidenced by the delivery of said deemed-final  
7 certificate. The Controller is hereby further authorized and directed to sign and deliver the  
8 Official Statement in final form to purchasers of the Certificates.

9 Section 17. Approval of the Continuing Disclosure Certificate. The form of a Continuing  
10 Disclosure Certificate of the City relating to the Certificates, as presented to the Board, a copy  
11 of which is on file with the Clerk, is hereby approved. The Controller or the Director of Public  
12 Finance is hereby authorized to execute the Continuing Disclosure Certificate, with such  
13 changes, additions, modifications or deletions as the Controller or the Director of Public  
14 Finance may approve upon consultation with the City Attorney; such approval to be  
15 conclusively evidenced by the execution and delivery of the Continuing Disclosure Certificate.

16 Section 18. Sale and Award of Certificates by Direct Placement. In the event the  
17 Director of Public Finance determines to sell the Certificates by direct placement, the Director  
18 of Public Finance, on behalf of the Controller, is hereby authorized and directed to receive  
19 bids for the purchase of the Certificates, and the Controller is hereby authorized and directed  
20 to award the Certificates to the bidder whose bid represents the lowest true interest cost to the  
21 City.

22 Section 19. Authorization to Appoint Placement Agents. To accomplish the sale of the  
23 Certificates by direct placement, if applicable, the Controller or the Director of Public Finance  
24 is hereby authorized to appoint one or more financial institutions to act as placement agent(s)  
25 for the Certificates in accordance with City policies and procedures, including but not limited to

1 the City’s policy to provide locally disadvantaged business enterprises an equal opportunity to  
2 participate in the performance of all City contracts.

3 Section 20. Reimbursement. The City declares its official intent to reimburse prior  
4 expenditures of the City incurred prior to the execution and delivery of the Certificates in  
5 connection with the Project or portions thereof with the proceeds of the Certificates. The  
6 Board of Supervisors declares the City’s intent to reimburse the City with the proceeds of the  
7 Certificates for the expenditures with respect to the Project (the “Expenditures” and each an  
8 “Expenditure”) made on and after that date that is no more than 60 days prior to adoption of  
9 this Ordinance. The City reasonably expects on the date of adoption of this Ordinance that it  
10 will reimburse the Expenditures with the proceeds of the Certificates.

11 Section 21. Terms of Reimbursement. Each Expenditure was and will be either (a) of a  
12 type properly chargeable to a capital account under general federal income tax principles  
13 (determined in each case as of the date of the Expenditure), (b) a cost of issuance with  
14 respect to the Certificates, (c) a nonrecurring item that is not customarily payable from current  
15 revenues, or (d) a grant to a party that is not related to or an agent of the City so long as such  
16 grant does not impose any obligation or condition (directly or indirectly) to repay any amount  
17 to or for the benefit of the City. The maximum aggregate principal amount of the Certificates  
18 expected to be executed and delivered for the Project is \$157,000,000. The City shall make a  
19 reimbursement allocation, which is a written allocation by the City that evidences the City’s  
20 use of proceeds of the Certificates to reimburse an Expenditure, no later than 18 months after  
21 the later of the date on which the Expenditure is paid or the Project is placed in service or  
22 abandoned, but in no event more than three years after the date on which the Expenditure is  
23 paid. The City recognizes that exceptions are available for certain “preliminary expenditures,”  
24 costs of issuance, certain de minimis amounts, expenditures by “small issuers” (based on the  
25 year of issuance and not the year of expenditure) and expenditures for construction projects

1 of at least five years.

2           Section 22. General Authority. The Mayor, the Treasurer, the City Attorney, the  
3 Controller, the City Administrator, the Director of Public Finance, the Clerk and other officers  
4 of the City and their duly authorized deputies, designees and agents are hereby authorized  
5 and directed, jointly and severally, to take such actions and to execute and deliver such  
6 certificates, agreements, requests or other documents as they may deem necessary or  
7 desirable to accomplish the purposes of this Ordinance, including but not limited to the  
8 execution and delivery of any Supplement to Property Lease, any Supplement to Project  
9 Lease, any Supplement to Trust Agreement, the Official Statement, the Continuing Disclosure  
10 Certificate and the Certificates, to obtain bond insurance or other credit enhancements or a  
11 surety policy with respect to the Certificates, to obtain title insurance, to clear any  
12 encumbrances to title and to carry out other title work. Any such actions are solely intended to  
13 further the purposes of this Ordinance, and are subject in all respects to the terms of this  
14 Ordinance. No such actions shall increase the risk to the City or require the City to spend any  
15 resources not otherwise granted herein. Final versions of any such documents shall be  
16 provided to the Clerk for inclusion in the official file within 30 days of execution (or as soon  
17 thereafter as final documents are available) by all parties.

18           Section 23. Modifications, Changes and Additions. The Mayor, the Treasurer, the  
19 Controller and the Director of Public Finance each are hereby authorized to make such  
20 modifications, changes and additions to the documents and agreements approved hereby,  
21 upon consultation with the City Attorney, as may be necessary or desirable and in the  
22 interests of the City, and which changes do not materially increase the City's obligations or  
23 reduce its rights thereunder or hereunder. The respective official's approval of such  
24 modifications, changes and additions shall be conclusively evidenced by the execution and  
25 delivery by such official and the Clerk of the applicable Supplement to Property Lease,

1 Supplement to Project Lease, and Supplement to Trust Agreement or any of the other  
2 documents approved in this Ordinance. Any such actions are solely intended to further the  
3 purposes of this Ordinance and are subject in all respects to the terms of this Ordinance. No  
4 such actions shall increase the risk to the City or require the City to spend any resources not  
5 otherwise granted herein. Final versions of any such documents shall be provided to the Clerk  
6 for inclusion in the official file within 30 days (or as soon thereafter as final documents are  
7 available) of execution by all parties.

8 Section 24. Partial Invalidity. Any provision of this Ordinance found to be prohibited by  
9 law shall be ineffective only to the extent of such prohibition, and shall not invalidate the  
10 remainder of this Ordinance.

11 Section 25. Effective Date. This Ordinance shall take effect immediately.

12 Section 26. Ratification of Prior Actions. All actions authorized consistent with any  
13 documents presented herein and approved by this Ordinance but heretofore taken are hereby  
14 ratified, approved and confirmed by the Board.

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16 APPROVED AS TO FORM:  
17 DENNIS J. HERRERA, City Attorney

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19 By: /s/ Kenneth D.Roux  
20 Kenneth D. Roux  
21 Deputy City Attorney

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