

MINUTES

**California Alternative Energy and Advanced
Transportation Financing Authority
915 Capitol Mall, Room 587
Sacramento, California
March 21, 2023**

Pursuant to Section 20 of Senate Bill 189, enacted June 30, 2022, which adds and repeals Section 11133 of the Government Code, CAEATFA Board members may participate remotely from teleconferencing locations through June 30, 2023. CAEATFA staff (“Staff”) has also invited participants and members of the public to participate in this meeting via teleconference.

1. CALL TO ORDER AND ROLL CALL

Fiona Ma, CPA, Chair, called the California Alternative Energy and Advanced Transportation Financing Authority (“CAEATFA” or the “Authority”) meeting to order at 10:30 a.m.

Members Present: Juan Fernandez for Fiona Ma, CPA, State Treasurer
David Oppenheim (via teleconference) for Malia M. Cohen,
State Controller
Gayle Miller (via teleconference) for Joe Stephenshaw,
Director, Department of Finance
Ken Rider (via teleconference) for David Hochschild, Chair,
California Energy Commission
Kerry Fleisher (via teleconference) for Alice Reynolds,
President, Public Utilities Commission

Staff Present: Shela Tobias-Daniel, Interim Executive Director

Quorum: The Chair declared a quorum.

2. MINUTES

Ms. Ma asked if there were any questions or comments from the Board concerning the January 17, 2023, meeting minutes. There were none.

Ms. Miller moved for approval of the minutes, and there was a second by Mr. Rider.

Mr. Fernandez stated there was a motion and a second and asked if there were any questions or comments from the public. There were none. Mr. Fernandez called for a vote.

The item was passed by the following vote:

Juan Fernandez for the State Treasurer	Aye
David Oppenheim for the State Controller	Aye
Gayle Miller for the Director of Finance	Aye
Ken Rider for the California Energy Commission	Aye
Kerry Fleisher for the Public Utilities Commission	Aye

3. EXECUTIVE DIRECTOR’S REPORT

Ms. Tobias-Daniel gave a report on CAEATFA activity since the January 17, 2023, Board meeting:

- For personnel updates: CAEATFA recently hired two new analysts for the Sales and Use Tax Exclusion Program (“STE”). Both Katrina Walters-White and Jeannie Yu were brought on board in the first half of February, and CAEATFA is glad to have them as part of the team.
- The STE Program received 41 applications by January 20, the first application deadline for the 2023 calendar year. It is expected that approximately 95% of the program’s \$115 million yearly allocation of sales and use tax exclusion will be awarded at CAEATFA’s June Board meeting. The tentative date to award the remaining sales and use tax exclusion is September 19, 2023.
- Since the last board meeting, there were no actions under Ms. Tobias-Daniels’ delegated authority.

Ms. Tobias-Daniel then concluded her report. Mr. Fernandez asked if there were any questions or comments from the Board. There were none.

4. BUSINESS ITEMS

A. CONSIDERATION OF APPLICANT’S REQUEST TO EXTEND THE INITIAL TERM OF THE REGULATORY AGREEMENT OF A SALES AND USE TAX EXCLUSION AWARD (ACTION ITEM)

- 1) CalBioGas Kern LLC, Bakersfield (Kern), No. 18-SM026, Dairy Biogas – Alternative Source, \$31,909,025 of Qualified Property

Presented by Stefani Wilde, Program Analyst

Staff introduced Jennifer Swartz, Controller, CalBioGas LLC, and Abdulla Kagalwalla, CFO, CalBioGas LLC, both of whom joined via internet conference line.

CalBioGas Kern LLC (the “Applicant”) was approved for an STE award in October 2018 for the purchase of approximately \$31 million in Qualified Property for an estimated \$2.6 million in sales and use tax exclusion value to build a dairy biogas cluster in Kern County (the “Project”). The Applicant was approved for an 18-month

extension of its initial term of the STE award in September 2021 to accommodate delays related to the COVID-19 pandemic.

The Applicant is now requesting a two-year extension until April 16, 2025 to accommodate prolonged pandemic related delays that affected the Project’s construction and procurement timelines.

Staff recommended approval of CalBioGas Kern LLC’s request to extend the initial term of the agreement by two years, to April 16, 2025.

Mr. Rider moved for approval, and there was a second by Ms. Miller.

Mr. Fernandez stated there was a motion and a second and asked if there were any questions or comments from the Board or public. There were none. Mr. Fernandez called for a vote.

The item was approved by the following vote:

Juan Fernandez for the State Treasurer	Aye
David Oppenheim for the State Controller	Aye
Gayle Miller for the Director of Finance	Aye
Ken Rider for the California Energy Commission	Aye
Kerry Fleisher for the Public Utilities Commission	Aye

2) CalBioGas West Visalia LLC, Tulare (Tulare), No. 18-SM028, Dairy Biogas – Alternative Source, \$22,172,277 of Qualified Property

Presented by Stefani Wilde, Program Analyst

Staff introduced Jennifer Swartz, Controller, CalBioGas LLC, and Abdulla Kagalwalla, CFO, CalBioGas LLC, both of whom joined via internet conference line.

CalBioGas West Visalia LLC (the “Applicant”) was approved for an STE award in October 2018 for the purchase of approximately \$22 million in Qualified Property, for an estimated \$1.8 million in sales and use tax exclusion value to build a dairy biogas cluster in Tulare County (the “Project”). The Applicant was approved for an 18-month extension of its initial term of the STE award in September 2021 to accommodate delays related to the COVID-19 pandemic.

The Applicant is now requesting a three-year extension until April 16, 2026, to accommodate prolonged pandemic-related delays that affected the Project’s construction and procurement timelines.

Staff recommended approval of CalBioGas West Visalia LLC’s request to extend the initial term of the agreement by three years, to April 16, 2026.

Ms. Miller moved for approval, and there was a second by Mr. Rider.

Mr. Fernandez stated there was a motion and a second and asked if there were any questions or comments from the Board or public. There were none. Mr. Fernandez called for a vote.

The item was approved by the following vote:

Juan Fernandez for the State Treasurer	Aye
David Oppenheim for the State Controller	Aye
Gayle Miller for the Director of Finance	Aye
Ken Rider for the California Energy Commission	Aye
Kerry Fleisher for the Public Utilities Commission	Aye

5. PUBLIC COMMENT

Mr. Fernandez asked if there were any comments from the public, and there were none.

6. ADJOURNMENT

There being no further business, public comment, or concerns, the meeting was adjourned at 10:40 a.m.

Respectfully submitted,

Shela Tobias-Daniel
Interim Executive Director