

**MINUTES**

**California Pollution Control Financing Authority  
801 Capitol Mall, Room 150  
Sacramento, CA 95814  
August 16, 2016**

**1. CALL TO ORDER & ROLL CALL**

John Chiang, Chairperson, called the California Pollution Control Financing Authority (CPCFA or Authority) meeting to order at 10:30 a.m.

Members Present: Eraina Ortega for Michael Cohen, Director of Finance  
Anne Baker for Betty Yee, State Controller  
John Chiang, State Treasurer

Staff Present: Reneé Webster-Hawkins, CPCFA Executive Director  
Elena Miller, CPCFA Deputy Executive Director

Quorum: The Chairperson declared a quorum

**2. MINUTES**

Mr. John Chiang asked if there were any questions or comments concerning the meeting minutes from the meeting held July 19, 2016. There were none.

Ms. Eraina Ortega moved approval of the minutes; there was a second.

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
John Chiang, State Treasurer	Aye

**3. EXECUTIVE DIRECTOR'S REPORT**

Ms. Reneé Webster-Hawkins announced and welcomed Jerome Washington, a new analyst who has been hired to the CPCFA team.

Ms. Reneé Webster-Hawkins stated she signed two interagency agreements under her delegated authority in the month of July. The first interagency agreement was with California Industrial Development Financing Advisory Commission (CIDFAC) to reimburse CPCFA for staff costs associated with handling the daily operations of CIDFAC. The second interagency agreement was with California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA) to reimburse CPCFA for temporarily covering the costs incurred for the move to the new building. The CIDFAC agreement was signed on July 18, 2016, while

the CAEATFA agreement was signed on July 27, 2016.

**4. BUSINESS ITEMS**

**A. REQUEST TO APPROVE REINSTATEMENT, EXTENSION, AND AMENDMENT OF INITIAL RESOLUTION OF OFFICIAL INTENT TO ISSUE REVENUE BONDS**

San Jose Water Company and/or its Affiliates  
Presented by Andrea Gonzalez

Staff introduced Leslie Lava of the Law Offices of Leslie M. Lava.

San Jose Water Company (SJWC) requested a reinstatement, extension and amendment of Initial Resolution (IR) 10-04 for an amount not to exceed \$100,000,000, representing a balance of a prior IR for \$150,000,000 approved on March 24, 2010. SJWC previously issued bonds in the amount of \$50,000,000 on June 16, 2010 from this inducement, and therefore the net induced amount remaining is \$100,000,000. The current request is to reinstate, extend and amend the Initial Resolution to make improvements to existing structures and facilities located in portions of the Cities of San Jose and Cupertino, the Cities of Campbell, Monte Sereno, and Saratoga, the Town of Los Gatos and adjacent unincorporated territories in the County of Santa Clara, California.

Staff recommended approval of reinstatement, extension and amendment to Initial Resolution No. 10-04 for San Jose Water Company for an amount not to exceed \$100,000,000.

Ms. Eraina Ortega moved approval of the item; there was a second.

Mr. John Chiang asked if there were any questions or comments from the Board or public. There were none.

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
John Chiang, State Treasurer	Aye

**B. REQUEST TO APPROVE FINAL RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE NOTES FOR NEW MONEY AND REFUNDING PURPOSES, SMALL BUSINESS ASSISTANCE FUND (SBAF) COSTS OF ISSUANCE ASSISTANCE AND TAX-EXEMPT VOLUME CAP ALLOCATION**

Peña's Disposal, Inc. and/or its Affiliates  
Presented by Kris Luoma

Staff introduced Leslie Lava of the Law Offices of Leslie M. Lava.

## Agenda Item 2.

Peña's Disposal, Inc. and/or its Affiliates requested approval of a Final Resolution for an amount not to exceed \$4,800,000, Volume Cap Allocation for an amount not to exceed \$2,875,000 and assistance from the Small Business Assistance Fund (SBAF) for an amount not to exceed \$176,000.

Peña's Disposal, Inc. intends to refund solid waste revenue bonds previously issued in 2006 by CPCFA for an amount not to exceed \$1,925,000. The Bond Note proceeds will be used to finance the purchase of California Air Resources Board (CARB) compliant waste collection vehicles and other related equipment for the collection and processing of solid waste, along with upgrades to and expansion of the existing buildings and facilities.

Staff recommended approval of Final Resolution No. 547 for an amount not to exceed \$4,800,000, Volume Cap Allocation Resolution No. 13-111-07 for an amount not to exceed \$2,875,000 and a SBAF Resolution in an amount not to exceed \$176,000 for Peña's Disposal, Inc. and/or its Affiliates.

Ms. Eraina Ortega moved approval of the item; there was a second.

Mr. John Chiang asked if there were any questions or comments from the Board or public. There were none.

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
John Chiang, State Treasurer	Aye

### **C. REQUEST FOR CONSIDERATION AND APPROVAL OF AMENDMENTS OF THE REGULATIONS FOR THE CALIFORNIA CAPITAL ACCESS PROGRAM TO IMPLEMENT THE CALIFORNIA AMERICANS WITH DISABILITIES ACT SMALL BUSINESS CAPITAL ACCESS LOAN PROGRAM (CALCAP/ADA)**

Presented by Bianca Smith

Staff requested Board approval of the emergency rulemaking process pertaining to the launch of the California Americans with Disabilities Act Small Business Capital Access Financing (CalCAP/ADA) Program. Staff is proposing to file emergency regulations to amend the California Pollution Control Financing Authority regulations by including §§ 8078.8 – 8078.14 to implement the new CalCAP/ADA Program under the model of the existing CalCAP Loan Loss Reserve Program. Upon the Board's approval, staff will file the regulations with the Office of Administrative Law (OAL).

Staff recommended approval of the proposed resolution to adopt regulations concerning the CalCAP/ADA Program and to authorize staff to undertake emergency and regular rulemaking proceedings and other actions related to implementing the California Americans with Disabilities Act Small Business Capital Access Financing Program

pursuant to AB 1230.

Ms. Eraina Ortega asked about the level of participation during the stakeholder meetings.

Ms. Bianca Smith responded that there were interested parties, especially during the webinar sessions. They have also collaborated with the Department of State Architects and the California Commission on Disability Access.

Ms. Eraina Ortega asked if any small businesses participated.

Ms. Reneé Webster-Hawkins responded that they had noticed on the attendance lists for the state wide webinars some small business organizations, and some local government entities that were interested. The government entities would also be the local ambassadors for advertising the program. Throughout the development of the program this calendar year, staff has been working closely with the California Commission on Disability Access which consists of a seventeen member board including members of the business community and they have been very actively providing feedback. Ms. Reneé Webster-Hawkins elaborated that they would have liked to have had higher participation at the stakeholder meetings but there were still very important voices in the room working on behalf of small businesses.

Ms. Bianca Smith stated they had also reached out to various chambers of commerce to promote the program and asked them to spread the word.

Ms. Eraina Ortega moved approval of the item; there was a second.

Mr. John Chiang asked if there were any questions or comments from the Board or public. There were none.

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
John Chiang, State Treasurer	Aye

**D. REQUEST TO AMEND INFILL GRANT DOCUMENTS UNDER THE CALIFORNIA RECYCLE UNDERUTILIZED SITES (CALREUSE) REMEDIATION PROGRAM**

- 1) Carson Reclamation Authority  
Presented by Ethan Wieser

Staff introduced Sunny Soltani, Attorney for the City of Carson and John Raymond of Carson Reclamation Authority.

The Carson Reclamation Authority requested an amendment to the Infill Grant Agreement to extend the term of the Infill Grant Agreement until December 31, 2020 under the CALReUSE Remediation Program, to amend the location and number of

## Agenda Item 2.

housing units to the Infill Development Project, to amend the size and description of the Brownfield Infill Project, and to change the project name.

Staff recommended approval of the Resolution attached as Appendix B, amending the Brownfield Infill Project, Infill Development Project, and Project name, extending the term of the Infill Grant to December 31, 2020, and including specific benchmarks the Grantee must meet to avoid an event of default under the extended Infill Grant Agreement.

Ms. Eraina Ortega stated she was glad the time extension was beneficial and that the City of Carson is ending up with more housing units than what was originally proposed.

Mr. John Chiang clarified that there was an overall reduction in housing, but an increase in affordable housing.

Ms. Reneé Webster-Hawkins confirmed that overall there are less housing units from the proposal in 2009, but the current proposal contains more affordable units.

Ms. Eraina Ortega moved approval of the item; there was a second.

Mr. John Chiang asked if there were any questions or comments from the Board or public. There were none.

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
John Chiang, State Treasurer	Aye

Ms. Sunny Soltani thanked the Board for their generosity in allowing the Carson Reclamation Authority the additional time to put this plan together.

- 2) MacArthur Transit Community Partners, LLC  
Presented by Ethan Wieser

Staff introduced Rebecca Hlebasko and Marie Debor of Bridge Housing Corporation.

MacArthur Transit Community Partners, LLC (MTCP) requested board consent to the transfer of a portion of MTCP's assets as required by the Section 6.2 of the Infill Grant Agreement, an extension to the term of the Infill Grant Agreement to December 31, 2020, and to increase the number of housing units in the Infill Development Project from 312 (94 affordable) to 377 (89 affordable).

Staff recommended approval of the attached Resolution to amend the number of housing units from 312 (94 affordable) to 377 (89 affordable), extend the term of the Infill Grant Agreement until December 31, 2020, and provide CPCFA consent to the transfer of Parcels A and C1 to Hines Interests, LP, and Parcel B to Boston Properties, LP.

**Agenda Item 2.**

Ms. Eraina Ortega moved approval of the item; there was a second.

Mr. John Chiang asked if there were any questions or comments from the Board or public. There were none.

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
John Chiang, State Treasurer	Aye

3) City of Richmond as Successor to the Richmond Community Redevelopment Agency  
Presented by Gregory Martin

Staff introduced Tim Jones, Executive Director of Richmond Housing Authority and Alan Wolken, Consultant for Mira Flores Project.

The City of Richmond as Successor to the Richmond Community Redevelopment Agency requested an amendment to the Infill Grant Agreement to extend the term of the Agreement until July 31, 2021, to amend the number of housing units in the Infill Development Project from 280 units (109 affordable) to 270 units (109 affordable), and to delete parcel number 513-321-018 from the Brownfield Infill Project Location, under the CALReUSE Remediation Program. Additionally, the Grantee is requesting to extend the date by which the Grantee is to submit the Regulatory Agreement to the California Pollution Control Financing Authority.

Staff recommended that the CPCFA Board approve a Resolution to extend the term of the Infill Grant Agreement to July 31, 2021, amend the number of housing units from 280 units (109 affordable) to 270 units (109 affordable), delete parcel number 513-321-018 from the Agreement, and extend the date for submission of the Regulatory Agreement to December 31, 2016.

Ms. Eraina Ortega moved approval of the item; there was a second.

Mr. John Chiang asked if there were any questions or comments from the Board or public. There were none.

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
John Chiang, State Treasurer	Aye

Mr. Tim Jones expressed his deep appreciation for the support they have received from the staff at CPCFA.

**E. REQUEST FOR APPROVAL OF AMENDMENT TO THE INTERAGENCY AGREEMENT WITH**

**THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING THE CALREUSE PROGRAM TO IMPLEMENT PROVISIONS OF THE  
HOUSING AND EMERGENCY SHELTER TRUST FUND ACT (PROPOSITION 1C)**

Presented by Gregory Martin

Staff requested Board approval to amend Interagency Agreement 07-1-016 between the California Pollution Control Financing Authority and the California Department of Housing and Community Development. The amendment will extend the expiration date of the Agreement from January 1, 2018 to June 30, 2020 and extend the liquidation date of the initial \$60 million CALReUSE allocation to June 30, 2020.

Staff recommended approval of the Resolution to authorize the Executive Director to execute the amended Interagency Agreement 07-1-016, extending the term of the Interagency Agreement and the liquidation date of the initial \$60 million through June 30, 2020.

Ms. Eraina Ortega moved approval of the item; there was a second.

Mr. John Chiang asked if there were any questions or comments from the Board or public. There were none.

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
John Chiang, State Treasurer	Aye

**5. PUBLIC COMMENT**

Mr. John Chiang asked if there were any comments from the public. There were none.

**6. ADJOURNMENT**

There being no further business, public comments, or concerns, the meeting adjourned at 11:05 a.m.

**Respectfully submitted,**

Reneé Webster-Hawkins  
Executive Director