REGULAR MEETING AGENDA

January 24, 2019 at 2:00 p.m.

California State Association of Counties
1100 K Street, 1st Floor, Sacramento, CA 95814

Telephonic Locations:

County of Solano
675 Texas Street, Fairfield, CA 94533

County of Yuba
915 8th Street, Marysville, CA 95901

County of Kern
1115 Truxtun Avenue, Bakersfield, CA 93301

City of Lafayette
3675 Mt. Diablo Blvd., Suite 210
Lafayette, CA 94549

77 De Silva Island Drive
Mill Valley, CA 94941

City of South San Francisco
400 Grand Ave., S. San Francisco, CA 94080

City of Yuba
257 Electric Street
Auburn, CA 95603

County of Kern
7 County Drive, Oroville, CA 95965

City of Lafayette
3252 Southern Hills Drive
Fairfield, CA 94534

City of South San Francisco
709 Portwalk Place
Redwood City, CA 94061

A. OPENING AND PROCEDURAL ITEMS

1. Roll Call.
   ____ Larry Combs, Chair
   ____ Kevin O’Rourke, Vice Chair
   ____ Tim Snellings, Secretary
   ____ Brian Moura, Treasurer
   ____ Dan Mierzwa, Member
   ___ Jordan Kaufman, Member
   ___ Marcia Raines, Member
   ___ Michael Cooper, Alt. Member
   ___ Niroop Srivatsa, Alt. Member

2. Consideration of the Minutes of the January 10, 2019 Regular & Special Meetings.

3. Consent Calendar.

4. Public Comment.
B. ITEMS FOR CONSIDERATION

   a. Consider the following resolutions to initiate proceedings to form Community Facilities District No. 2019-01 (333 North Prairie), City of Inglewood, County of Los Angeles:
      i. Resolution approving joint community facilities agreements and declaring intention to establish Community Facilities District No. 2019-01 (333 North Prairie), and to levy a special tax therein to finance the construction of certain public capital improvements eligible for payment from certain development impact fees.
      ii. Resolution to incur bonded indebtedness to finance construction of certain public capital improvements eligible for payment from certain development impact fees for Community Facilities District No. 2019-01 (333 North Prairie), and calling for a public hearing.

6. Consideration of a resolution ordering change and modification proceedings pursuant to waiver of sole property owner and approving an amended and restated engineer’s report for Statewide Community Infrastructure Program Assessment District No. 17-07 (County of Placer, California).

7. Consideration of a resolution ordering change and modification proceedings pursuant to waiver of sole property owner and approving an amended and restated engineer’s report for Statewide Community Infrastructure Program Assessment District No. 18-11 (City of Elk Grove, County of Sacramento, California).

8. Consideration of modifications to Open PACE eligible measures.

9. Consideration of amendment to loan agreement relating to Lycee Francais LaPerouse Series 2006 Bonds.

10. SB 165 reports for the following CSCDA Community Facilities Districts (Information Only):
    a. CSCDA CFD No. 2012-01 (Fancher Creek)
    b. CSCDA CFD No. 2015-01 (University District)
    c. CSCDA CFD No. 2015-02 (Rio Bravo)
    d. CSCDA CFD No. 2016-01 (Napa Pipe)
    e. CSCDA CFD No. 2016-02 (Delta Coves)
    f. CSCDA CFD No. 2007-01 (Orinda)
    g. CSCDA CFD No. 2002-01 (River Run)


12. Report, if any, from Closed Session.
C. STAFF ANNOUNCEMENTS, REPORTS ON ACTIVITIES OR REQUESTS

13. Executive Director Update.

14. Staff Updates.

15. Adjourn.

NEXT MEETING: Thursday, February 7, 2019 at 2:00 p.m.
League of California Cities
1400 K Street, 3rd Floor, Sacramento, CA 95814
1. Consideration of adoption of updated conflict of interest code.

2. Consider resolution adding Manuel Rivas and Valentina Dzebicas as additional authorized signatories and removing Dorothy Holzem.

3. Consideration of sponsorship renewal for California Council of Affordable Housing (CCAH).

January 24, 2019
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Commission Chair Larry Combs called the meeting to order at 10:01 a.m.

1. Roll Call.

Commission members present: Larry Combs, Kevin O’Rourke, Tim Snellings, Brian Moura, Dan Mierzwa, Jordan Kaufman, Marcia Raines, and Michael Cooper.

Others present: Cathy Bando, CSCDA Executive Director; James Hamill, Bridge Strategic Partners; Jon Penkower, Bridge Strategic Partners; Greg Stepanicich, CSCDA General Counsel; Alan Fernandes, CSAC Finance Corporation; Laura Labanieh, CSAC Finance Corporation; Jim Manker, CSAC Finance Corporation; Sendy Young, CSAC Finance Corporation; Carolyn Coleman, League of California Cities; Norman Coppinger, League of California Cities; Trisha Ortiz, Richards, Watson & Gershon; Justin Cooper, Orrick, Herrington & Sutcliffe; Roger Davis, Orrick, Herrington & Sutcliffe; Patricia Eichar, Orrick, Herrington & Sutcliffe; Bob Williams, RBC Capital Markets; Luke Brewer, RBC Capital Markets; Josh Anzel, Jones Hall; Chris Lynch, Jones Hall; Rachel Hobbs, PACE Funding Group; Bob Giles, PACE Funding Group; Bob Schuman, Counter Pointe Energy Solutions; C.J. DeSantis, Counter Pointe Energy Solutions; Victor Vilaplan, Renovate America; Vince Lazalde, Stifel; Tom Jacob, Stifel; and Nate Perez, David Taussig & Associates, Inc.

2. Election of Officers.

J. Kaufman nominated the existing officers to be elected, second by D. Mierzwa:

- Larry Combs as Chair
- Kevin O’Rourke as Vice Chair
- Brian Moura as Treasurer
- Tim Snellings as Secretary

Motion to close the nominations and adopt the slate of officers by M. Raines. Second by D. Mierzwa. Unanimously approved by voice vote.
3. Consideration of the minutes of the December 20, 2018 Regular Meeting.

The Commission approved the minutes of the December 20, 2018 Regular Meeting.

*Motion to approve by D. Mierzwa. Second by B. Moura. Unanimously approved by voice vote. M. Raines abstained from voting.*

4. Public Comment

No public comment.


   a. Conduct second reading and consider adoption of “Ordinance Levying Special Tax for Fiscal Year 2019-2020 and Following Fiscal Years Solely Within and Relating to the California Statewide Communities Development Authority Community Facilities District No. 2018-03 (Uptown Newport), City of Newport Beach, County of Orange, State of California”.

   *Motion to conduct the second reading and approve adoption of the ordinance by T. Snellings. Second by K. O’Rourke. Unanimously approved by voice vote.*

6. 2018 Calendar Year Update.

   Executive Director Bando gave a brief update on CSCDA’s 2018 financing activities.

7. SCIP/CFD Update.

   Bob Williams and Patricia Eichar provided the SCIP update. SCIP had a very successful year; financing 36 New Money Projects through 4 bond issuances totaling $96 million.

8. TRIP Program Update.

   Vince Lazalde and Tom Jacob provided the TRIP update.

   The program helps cities fund the rehabilitation of streets and roads. The goal for 2019 is to increase the marketing of the program.


   James Hamill presented on PACE’s erratic year. PACE is down around 10% in residential transactions through CSCDA. On a statewide basis, all PACE programs are down 40% due to new state laws.

   Focus is on SB 465, the Wildfire Safety Finance Act provisions that will be included in PACE programs. Staff is working with Sonoma County and others on the content of SB 465 provisions. The provisions will be brought back to the Commission at a future meeting.
10. Open PACE Roundtable Discussion.

The administrators of PACE programs are going through considerable personnel changes. The uncertainty of the programs makes it hard to predict the future of PACE. PACE providers do agree that raising rates would not be attractive to homeowners. PACE is still a good product for a certain type of client due to the fixed rates.

Bob Giles, from PACE Funding, supported the changes in the laws pertaining to consumer protections for PACE. The new state laws ensure that PACE contractor networks will be smaller going forward, which should facilitate better business practices.

11. CSCDA Solutions Strategy Session

Commission Member O’Rourke would like to develop financing options to rebuild communities after natural disasters like the recent fires in California. He also mentioned the general housing crisis and the homeless problem in California. He has been working with California Forward regarding the response and recovery of a community, but feels that CSCDA can be a great asset with regards to the rebuilding phase. State, Federal, and public dollars are not enough, so the goal is to see how private investments can be incorporated. He would also like to see how the League and CSAC would be able to help.

The CSCDA Solutions Ad Hoc Committee was formed to help bring ideas on the matter to fruition. The Committee includes commission members Kevin O’Rourke, Tim Snellings, and Marcia Raines. The Ad Hoc Committee will be providing updates to the Commission at future meetings.

12. Closed Session: Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 (One Potential Case).

13. Report, if any, from Closed Session.

CSCDA General Counsel Greg Stepanicich reported no reportable actions out of the closed session.

The Commission meeting was recessed to Friday, January 11, 2019 at 9:00 am.

CONTINUATION OF THE ANNUAL REGULAR MEETING OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY

January 11, 2019

Commission Chair Larry Combs called the meeting to order at 9:00 a.m.

Roll Call.

Commission members present: Larry Combs, Kevin O’Rourke, Tim Snellings, Brian Moura, Dan Mierzwa, Jordan Kaufman, Marcia Raines, and Michael Cooper.

Others present: Cathy Bando, CSCDA Executive Director; James Hamill, Bridge Strategic Partners; Jon Penkower, Bridge Strategic Partners; Greg Stepanicich, CSCDA General Counsel; Alan
Fernandes, CSAC Finance Corporation; Laura Labanieh, CSAC Finance Corporation; Jim Manker, CSAC Finance Corporation; Sendy Young, CSAC Finance Corporation; Carolyn Coleman, League of California Cities; Norman Coppinger, League of California Cities.

14. League of California Cities & California State Association of Counties Reports.

The League of California Cities representatives reported on the services and marketing the League provides for CSCDA. The League staff provides accounting, billing and collections, and marketing services. They use webinars to actively promote CSCDA to their members.

The CSAC Finance Corporation representatives reported on the services and marketing they provide for CSCDA. Many of the PACE providers are CSAC Finance Corporation corporate associate members, which create great opportunity to cross-market. The CSAC Finance Corporation staff provides secretarial duties to the Board, shapes the onboarding of PACE providers, and serves as the main authorized signatories for the execution of CSCDA documents.

15. Marketing & Outreach Strategy Discussion.

Executive Director Bando reiterated the two points made throughout the Annual Meeting regarding marketing activities. Staff will work with CSAC FC to create videos that promote CSCDA programs. Staff will continue to market CSCDA programs at conferences. Staff will also work with the League to create brochures to help further the exposure of CSCDA.

16. Executive Director Update.

Executive Director Bando informed the Commission of a possible change of venue for the 2020 CSCDA Annual Meeting.

17. Staff Update.

Staff had no update.

18. Adjourn.

Meeting adjourned on January 11, 2019 at 9:54 a.m.

NEXT MEETING: Thursday, January 24, 2019 at 2:00 p.m.
California State Association of Counties
1100 K Street, 1st Floor, Sacramento, CA 95814
MINUTES

SPECIAL MEETING AGENDA
January 10, 2019 at
9:00 a.m. or upon adjournment of the CSCDA Annual Meeting

Quail Lodge
8205 Valley Greens Drive, Carmel California

Commission Chair Larry Combs called the meeting to order at 10:00 a.m.

1. Roll Call.

   Commission members present: Larry Combs, Kevin O’Rourke, Tim Snellings, Brian Moura, Dan Mierzwa, Jordan Kaufman, Marcia Raines, and Michael Cooper.

   Others present: Cathy Bando, CSCDA Executive Director; James Hamill, Bridge Strategic Partners; Jon Penkower, Bridge Strategic Partners; Greg Stepanicich, CSCDA General Counsel; Alan Fernandes, CSAC Finance Corporation; Laura Labanieh, CSAC Finance Corporation; Jim Manker, CSAC Finance Corporation; Sendy Young, CSAC Finance Corporation; Carolyn Coleman, League of California Cities; Norman Coppinger, League of California Cities; Trisha Ortiz, Richards, Watson & Gershon; Justin Cooper, Orrick, Herrington & Sutcliffe; Roger Davis, Orrick, Herrington & Sutcliffe; Patricia Eichar, Orrick, Herrington & Sutcliffe; Bob Williams, RBC Capital Markets; Luke Brewer, RBC Capital Markets; Josh Anzel, Jones Hall; Chris Lynch, Jones Hall; Rachel Hobbs, PACE Funding Group; Bob Giles, PACE Funding Group; Bob Schuman, Counter Pointe Energy Solutions; C.J. DeSantis, Counter Pointe Energy Solutions; Victor Vilaplana, Renovate America; Vince Lazalde, Stifel; Tom Jacob, Stifel; and Nate Perez, David Taussig & Associates, Inc.

2. Consent Calendar

   The Commission approved the Consent Calendar.

   1. Inducement of Glen Haven 2018 LP (Glen Haven Apartments), City of Fremont, County of Alameda; issue up to $20 million in multi-family housing revenue bonds.

   2. Inducement of Valley Palms 2018 LP (Valley Palms Apartments), City of San Jose, County of Santa Clara; issue up to $120 million in multi-family housing revenue bonds.

      Motion to approve by B. Moura. Second by J. Kaufman. Unanimously approved by voice vote.

3. Public Comment.

   There was no public comment.

4. Adjourn.

   The meeting was adjourned at 10:01 a.m.

Submitted by: Sendy Young, CSAC Finance Corporation

CSCDA Special Meeting Minutes
January 10, 2019
SUMMARY:

1. Consideration of adoption of updated conflict of interest code.

   On November 15, 2018, the Commission approved the posting of the amended CSCDA conflict of interest code for the required 45 day period. The 45 day period is complete with no requests for a public hearing. The action requested today is for the Commission to approve the amended conflict of interest code to then be filed with the Fair Political Practices Commission (FPPC).

   Link to Changes to CSCDA Conflict of Interest Code:  
   https://www.dropbox.com/s/gknaqujh748qq30/CSCDA%20%20Description%20COI%20Code%20Changes%20Org%20Chart.pdf?dl=0

2. Consider resolution adding Manuel Rivas and Valentina Dzebicas as additional authorized signatories and removing Dorothy Holzem.

   CSAC is adding two more authorized signatories for CSCDA approved documents. In addition, Dorothy Holzem is no longer with CSAC and is being removed as authorized signatory.

3. Consideration of sponsorship renewal for California Council of Affordable Housing (CCAH).

   CCAH (California Council for Affordable Housing) is a tax-exempt nonprofit organization dedicated to facilitating the development and expansion of affordable housing in the State of California. CCAH devotes its resources to tracking relevant state and federal legislation, monitoring current housing development and finance programs, making recommendations on appropriate housing and programs, and keeping the CCAH membership informed about these matters.
For consideration today is the Bronze Level Conference Sponsorship which is $1,500 for the CCAH spring conference in Sacramento. This sponsorship provides CSCDA’s logo on all conference materials and one registration. CSCDA staff will be attending the conference.
RESOLUTION NO. 19R-1

A RESOLUTION OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY AUTHORIZING, AMONG OTHER MATTERS, DESIGNEES THEREOF TO EXECUTE AND DELIVER ON BEHALF OF THE COMMISSION OR THE AUTHORITY DOCUMENTS REQUIRING SIGNATURE BY A MEMBER OF THE COMMISSION AND AUTHORIZED BY AUTHORITY RESOLUTION

WHEREAS, pursuant to the provisions of the Joint Exercise of Powers Act, comprising Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the Government Code of the State of California (the “Act”), a number of California cities, counties and special districts entered into a joint exercise of powers agreement (the “Agreement”) pursuant to which the California Statewide Communities Development Authority (the “Authority”) was organized; and

WHEREAS, pursuant to the Agreement, the Authority is administered by a commission (the “Commission”) consisting of seven members (the “Members”) vested with the powers set forth therein, four of which are appointed by the California State Association of Counties (“CSAC”), successor to County Supervisors Association of California, and three of which are appointed by the League of California Cities (the “League”); and

WHEREAS, pursuant to the Agreement, the Commission has the power, by resolution, to the extent permitted by the Act and any other applicable law, to delegate any of its functions to one or more of the Members, its officers or its agents and to cause such designees to take any actions and execute any documents or instruments for and in the name and on behalf of the Commission; and

WHEREAS, given the increase in the number of issues of bonds per year by the Authority and the related documentation since the formation of the Authority, the Commission desires to delegate to certain agents the function of execution and delivery on behalf of the Authority of any documents, certificates or instruments requiring signature by any Member, including any Member acting as an officer of the Commission, that are authorized for execution and delivery by adoption of a resolution of the Authority (each an “Authority Resolution”); and

NOW, THEREFORE, BE IT RESOLVED by the Commission of the Authority as follows:

Section 1. The Authority hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The Authority hereby appoints Manuel Rivas and Valentina Dzebic, and such other persons as may from time to time be appointed pursuant to a resolution of the Authority, delegates of the Members with certain administrative duties as further specified in Sections 4 and 5 below.
Section 3. The Authority hereby confirms its appointment of Sendy Young, originally appointed pursuant to Resolution No. 18R-2, adopted by the Authority on April 19, 2018; James Hamill and Jon Penkower, originally appointed pursuant to Resolution No. 17R-4, adopted by the Authority on March 2, 2017; Alan Fernandes, originally appointed pursuant to Resolution No. 15R-53, adopted by the Authority on October 22, 2015; Graham Knaus, originally appointed pursuant to Resolution No. 15R-11, adopted by the Authority on April 9, 2015; Executive Director, Catherine Bando, originally appointed pursuant to Resolution No. 14R-4, adopted by the Authority on February 6, 2014; Laura Labanieh (formerly Laura Campbell), originally appointed pursuant to Resolution No. 13R-20, adopted by the Authority on September 5, 2013, with her name change from Laura Campbell to Laura Labanieh recognized by the Authority pursuant to Resolution No. 14R-58, adopted by the Authority on November 6, 2014; and Norman Coppinger, originally appointed pursuant to Resolution No. 13R-12, adopted by the Authority on May 30, 2013. Manuel Rivas, Valentina Dzebic, Sendy Young, James Hamill, Jon Penkower, Alan Fernandes, Graham Knaus, Catherine Bando, Laura Labanieh and Norman Coppinger, are each referred to herein as an “Authorized Signatory.” The Authority hereby revokes its appointment of Dorothy Holzem as an Authorized Signatory, originally appointed pursuant to Resolution No. 15R-11, adopted by the Authority on April 9, 2015.

Section 4. To the extent permitted by the Act or any other applicable law, the Commission hereby delegates to each Authorized Signatory, on behalf of a Member, the administrative authority to execute and deliver, any documents, certificates or instruments requiring signature by any Member, including any Member acting as an officer of the Commission, that are authorized for execution and delivery by Authority Resolution, including, but not limited to, the execution and delivery of any bonds, notes or other evidences of indebtedness issued and/or delivered by the Authority.

Section 5. To the extent permitted by the Act or any other applicable law, the Commission hereby further delegates to each Authorized Signatory, on behalf of a Member, the administrative authority to execute and deliver any amendments, waivers, consents, approvals, notices, orders, requests and other actions of the Authority entered into or given in accordance with the documents approved by an Authority Resolution or as otherwise provided in Resolution No. 00R-5, adopted by the Authority on March 28, 2000, as provided to such Authorized Signatory by staff to the Authority upon the advice of counsel to the Authority.

Section 6. The Commission hereby further delegates to each Authorized Signatory, the administrative authority to record and publish minutes of meetings of the Commission on behalf of the Authority and further authorizes each Authorized Signatory, to delegate such functions to staff of the League or CSAC, as he or she may deem necessary or appropriate.

Section 7. All actions heretofore taken by any Member, Authorized Signatory and other appropriate officers and agents of the Authority with respect to the matters herein contained are hereby ratified, confirmed and approved.

Section 8. This resolution shall take effect immediately upon its passage.
PASSED AND ADOPTED by the California Statewide Communities Development Authority this January 24, 2019.

I, the undersigned, an Authorized Signatory of the California Statewide Communities Development Authority, DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the Commission of the Authority at a duly called meeting of the Commission of the Authority held in accordance with law on January 24, 2019.

By ____________________________
Authorized Signatory
California Statewide Communities Development Authority
Agenda Item No. 5

Agenda Report

DATE: January 24, 2019

TO: CSCDA COMMISSIONERS

FROM: Cathy Bando, Executive Director

PROJECT: 333 North Prairie – City of Inglewood – Community Facilities District No. 2019-01

PURPOSE: Consider the following resolutions to initiate proceedings to form Community Facilities District No. 2019-01 (333 North Prairie), City of Inglewood, County of Los Angeles:

i. Resolution approving joint community facilities agreements and declaring intention to establish Community Facilities District No. 2019-01 (333 North Prairie), and to levy a special tax therein to finance the construction of certain public capital improvements eligible for payment from certain development impact fees.

ii. Resolution to incur bonded indebtedness to finance construction of certain public capital improvements eligible for payment from certain development impact fees for Community Facilities District No. 2019-01 (333 North Prairie), and calling for a public hearing.

EXECUTIVE SUMMARY:

The actions requested today are the initial steps in the formation of the 333 North Prairie Community Facilities District (CFD) located in Inglewood, California (the “City”).

BACKGROUND:

The development project known as “333 North Prairie” in the City of Inglewood is owned by Harridge Development Group, LLC (the “Developer”) who bought the property in May of 2017.

The redevelopment of this 18-acre site included demolition of the shuttered Daniel Freeman Hospital. The Developer has requested the City to consider the formation of a community facilities district by CSCDA. 333 North Prairie is final mapped for 226 single-family detached condo units which are in contract to be built by two (2) national homebuilders, Pulte & Woodside Homes. The project is located on North Prairie Ave and Grace Ave in downtown Inglewood, and is one mile north of the new Los Angeles Stadium at Hollywood Park (new home of the NFL’s Los Angeles Rams & Chargers) which is scheduled for
completion in 2019. The new stadium is expected to bring significant redevelopment opportunities to Inglewood and the surrounding region in Los Angeles County with Super Bowl LVI being held there in 2022, hosting soccer matches as well as the opening & closing ceremonies of the 2028 Summer Olympics. The 333 North Prairie development project will promote economic development, the stimulation of economic activity, and increase the tax base within the City.

**THE CFD:**

The CFD will be authorized to finance public capital facilities and improvements including: City of Inglewood Sewer Connection Fees, Water Connection & Meter Fees & Park Fees as well as the Inglewood Unified School District’s Development Impact Fee, with a not to exceed authorization of $7,000,000 expected to be issued in the Fall of 2019 after the homebuilders have taken down all of the lots.

The financing will be brought back to the Commission for completion of the formation of the CFD and for final approval of bond issuance.

**COMMISSION ACTION RECOMMENDED BY THE EXECUTIVE DIRECTOR:**

CSCDA’s Executive Director recommends approving the following resolutions:

**a.** Resolution approving joint community facilities agreements and declaring intention to establish Community Facilities District No. 2019-01 (333 North Prairie), and to levy a special tax therein to finance the construction of certain public capital improvements eligible for payment from certain development impact fees.

**b.** Resolution to incur bonded indebtedness to finance construction of certain public capital improvements eligible for payment from certain development impact fees for Community Facilities District No. 2019-01 (333 North Prairie), and setting the public hearing for March 7, 2019 at the League of California Cities.

Resolutions: https://www.dropbox.com/sh/m90aabx3cav5psv/AADf6H9-GI78JdOTaN_fyTJMa?dl=0
Agenda Item No. 6

Agenda Report

DATE: January 24, 2019

TO: CSCDA COMMISSIONERS

FROM: Cathy Bando, Executive Director

PROJECT: Morgan Ranch - Statewide Community Infrastructure Program Assessment District No. 17-07

PURPOSE: Consideration of a resolution ordering change and modification proceedings pursuant to waiver of sole property owner and approving an amended and restated engineer’s report for Statewide Community Infrastructure Program Assessment District No. 17-07 (County of Placer, California).

EXECUTIVE SUMMARY:

The actions requested today are to amend and restate the engineer’s report for the Morgan Ranch project that was issued as part of the Statewide Community Infrastructure Program (SCIP) Assessment District No. 17-07 (County of Placer, California).

BACKGROUND:

On September 7, 2017, the Commission held a public hearing in order to form an assessment district for the Morgan Ranch 61-unit single-family residential project located in unincorporated Placer County, just north of the Antelope community.

Morgan Ranch was included in the SCIP 2017B financing, funding the following authorized costs: (i) traffic mitigation fees; (ii) park fees; (iii) sewer impact fees; and (iv) South Placer Regional Transportation (SPRTA) fees.

After closing, Placer County requested a modification to remove the sewer impact fees and instead fund certain sewer improvements that the developer was already constructing relating to development within the district. The developer and sole property owner (HBT of Morgan Ranch, LLC) has consented to, and provided a written waiver relating to this change. The project will maintain its total original assessment amount of $1,643,825.35, which the local obligations have already been issued by CSCDA, and the outstanding bond amount is $1,490,000.
COMMISSION ACTION RECOMMENDED BY THE EXECUTIVE DIRECTOR:

CSCDA’s Executive Director recommends approving the following resolution:

1. Resolution ordering change and modification proceedings pursuant to waiver of sole property owner and approving an amended and restated engineer’s report for Statewide Community Infrastructure Program Assessment District No. 17-07 (County of Placer, California).

Resolution and Proceeding Documents:
https://www.dropbox.com/sh/0t82us7m0dpyk2r/AADgMFgkrghd4SxWDzo9kEpGa?dl=0
Agenda Item No. 7

Agenda Report

DATE: January 24, 2019

TO: CSCDA COMMISSIONERS

FROM: Cathy Bando, Executive Director

PROJECT: Calvine Meadows - Statewide Community Infrastructure Program Assessment District No. 18-11

PURPOSE: Consideration of a resolution ordering change and modification proceedings pursuant to waiver of sole property owner and approving an amended and restated engineer’s report for Statewide Community Infrastructure Program Assessment District No. 18-11 (City of Elk Grove, County of Sacramento, California).

EXECUTIVE SUMMARY:

The actions requested today are to amend and restate the engineer’s report for the Calvine Meadows project that was part of the Statewide Community Infrastructure Program (SCIP) Assessment District No. 18-11 (City of Elk Grove, County of Sacramento, California).

BACKGROUND:

On September 6, 2018, the Commission held a public hearing in order to form an assessment district and pass a resolution approving the Final Engineer’s Report for the Calvine Meadows, a 56-unit single-family residential project by Meritage Homes, located in the City of Elk Grove (the “City”).

At that time, the project was anticipated to be included in the SCIP 2018B financing, but due to timing was shifted into the SCIP 2018C pool. Prior to pricing, the City made a request to modify the Final Engineer’s Report based on their Land Secured Financing Policy which has a schedule of prioritization of Impact Fees & Improvements to be funded by a Special District in a Land Secured Financing.

Subsequently, the Calvine Meadows project was not funded in the SCIP 2018C pool, but will be included in SCIP 2019A. In order to adequately change the Final Engineer’s Report to meet the City’s Policy, the SCIP financing team has made material changes to the report that require the Commission to order Change and Modification Proceedings, pursuant to a waiver of the sole property owner (Meritage Homes), which enables the addition of new impact fees and previously excluded public improvements to the cost estimates.

An Amended & Restated Final Engineer’s Report has been prepared for approval by the Commission which maintains the project’s total assessment amount of $1,811,793.75, which is the amount anticipated to funded in SCIP 2019A, (i) City Road Fees – Zone 1, (ii) Roadway Improvements (Offsite), (iii) Regional...
San Sewer Fees, (iv) Sacramento Area Sewer District Fees, and (v) Sacramento County Water Fees – Zone 40.

**COMMISSION ACTION RECOMMENDED BY THE EXECUTIVE DIRECTOR:**

CSCDA’s Executive Director recommends approving the following resolution:

1. Resolution ordering change and modification proceedings pursuant to waiver of sole property owner and approving an amended and restated engineer’s report for Statewide Community Infrastructure Program Assessment District No. 18-11 (City of Elk Grove, County of Sacramento, California).

Resolution and Proceeding Documents:
https://www.dropbox.com/sh/nnl3ecvnscrvget/AACQc2YkbB2V2XX8QFr53ygEa?dl=0
Agenda Item No. 8

Agenda Report

DATE: January 24, 2019
TO: CSCDA COMMISSIONERS
FROM: Cathy Bando, Executive Director
PURPOSE: Consideration of modification to Open PACE eligible measures

________________________________________

SUMMARY:

As part of CSCDA’s oversight role of the Open PACE program (the “Program”), CSCDA staff, the Executive Director and CSCDA’s Open PACE Ad Hoc Committee (the “Committee”) continually review ways to improve the Program to meet the intent of the PACE legislation.

On June 21, 2018, the Commission approved the removal of certain eligible measures including appliances, heat reflective/cool wall coverings and exterior shade products. The Executive Director and staff have received a request from an Open PACE administrator to add back heat reflective/cool wall coverings (the “Product.”) The Product was removed due to questions regarding the actual energy savings/efficiency of the Product, and concerns regarding the potential for abuse by contractors.

DISCUSSION:

The Committee, Executive Director, and CSCDA staff reviewed the request to add the Product to eligible measures. Additional independent data about the effectiveness of heat reflective/cool wall coverings was presented to the Committee. The data was prepared by the U.S. Department of Energy and confirmed energy savings of approximately 13% for the Product.

The Committee recommends adding back the Product on a temporary basis. The temporary addition of the Product will be subject to certain limitations and parameters. These limitations and parameters include the following:

1. **One Year Authorization:** The Product shall be authorized as an eligible measure under Open PACE until and subject to review by the Commission at the Commission’s 2020 Annual Meeting. The product will cease to be an eligible measure if it is not extended by the Commission in 2020.

2. **Contractor Registration, and Open PACE Administrator Reporting and Verification Requirements:** All Open PACE administrators shall maintain records on the installation of the Product, and prior to proceeding with contractors on an improvement project, must report to CSCDA that the contractors who install the Product to homeowners are: (1) bonded, licensed and
insured to sell the Product; (2) required to verify that the manufacturer of the Product is additionally insured on the contractor’s general liability insurance; (3) certified by classroom and jobsite training to install the Product; (4) required to provide a list with the exact square footage of the actual application of the Product for each property including a confirmation from the manufacturer that demonstrates the exact square footage of the Product sold by the manufacturer was sold to the contractor.

3. Warranty – For each improvement project, all Open PACE administrators shall provide a list of the warranties for the Product for each installation showing the date and type of warranty verification obtained. The Product warranty must be enforceable for as long as the homeowner owns the home, or five years after the sale of such home. In addition, the manufacturer must have in-house and field technicians available to handle homeowner questions and/or concerns.

4. Zero-Tolerance – Open PACE Administrators must immediately report any abuses of the Product to CSCDA, which include a contractor who does not use the correct type of heat reflective/cool wall coverings, or inappropriately applies the Product. Contractors who abuse the application of the Product shall be terminated immediately from the Open PACE administrator’s program.

5. Report – All Open PACE administrators who use the Product shall be required to provide a report to the CSCDA Annual Meeting, in January 2020, that demonstrates compliance with CSCDA’s requirements listed above. The report must provide information regarding all applications of the Product and shall include: (1) a list of contractors showing verification of CSCDA’s requirements listed above in item “2.” and “3.”, (2) a list of properties that have had the Product installed; (3) a detailed list which demonstrates that CSCDA’s warranty verification requirements for each property are in place; (4) a list of any complaints regarding the misuse of the Product with narrative that demonstrates whether the complaint has been resolved; and (5) a list of estimated energy savings based upon applications of the Product.

RECOMMENDATION:

The Open PACE Ad Hoc Committee and the Executive Director recommends the addition of heat reflective/cool wall coverings as an eligible measure to the Open PACE program subject to the five criteria listed above.
DATE: January 24, 2019
TO: CSCDA COMMISSIONERS
FROM: Cathy Bando, Executive Director
PURPOSE: Consideration of amendment to loan agreement relating to Lycee Francais LaPerouse Series 2006 Bonds.

SUMMARY:
In 2006, CSCDA issued bonds for Lycee Francais LaPerouse (the “School”) in the amount of $12,000,000 to finance the acquisition and rehabilitation of a facility for a private 6th-12th grade school located in the City and County of San Francisco. Bank of the West was and still is the sole bondholder for the financing, and have come to agreement with the School to release a second deed of trust on the property that secure the Bonds.

DISCUSSION:
The loan agreement for the Bonds does not allow the release of any deed of trust. An amendment to the loan agreement is required to complete the release of the deed of trust by Bank of the West to the benefit of the School.

Quint & Thimmig who served as bond counsel to the transaction have reviewed the terms of the release of the deed of trust and drafted amendment.

RECOMMENDATION:
The Executive Director recommends approval of the amendment to the loan agreement relating to Lycee Francais LaPerouse Series 2006 Bonds.

Resolution: Attachment A
CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY

RESOLUTION NO. _____

RESOLUTION APPROVING THE FORM AND AUTHORIZING THE EXECUTION
OF AN AMENDMENT TO THE LOAN AGREEMENT RELATING TO THE
CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY
REVENUE BONDS (LYCÉE FRANÇAIS LAPÉROUSE), SERIES 2006, AND
DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO

WHEREAS, to assist Lycée Français Lapérouse, a California nonprofit, public benefit
corporation (the “Corporation”), in financing the acquisition and renovation of an existing facility
and two adjacent two-story residences located at 1201 Ortega Street (between 19th and 20th
Avenues), San Francisco, California to serve as a school facility for students in grades 6 through
12, to be owned and operated by the Corporation, the Authority issued its Revenue Bonds (Lycée
Français Lapérouse), Series 2006 (the “Bonds”), in the aggregate principal amount of twelve
million dollars ($12,000,000) and loaned the proceeds thereof to the Corporation pursuant to that
certain Loan Agreement, dated as of August 1, 2006, by and between the Authority and the
Corporation (the “Loan Agreement”);

WHEREAS, the Bonds were issued pursuant to an Indenture, dated as of August 1, 2006
(the “Indenture”), by and between the Authority and The Bank of New York Trust Company,
N.A., now known as The Bank of New York Mellon Trust Company, N.A., as trustee (the
“Trustee”);

WHEREAS, to secure its obligations under the Loan Agreement, the Corporation, as
trustor, executed a Deed of Trust with Fixture Filing and Security Agreement, in favor of First
American Title Insurance Company, as trustee, for the benefit of the Authority, as beneficiary,
which was assigned to the Trustee, on behalf of the owners of the Bonds (the “Deed of Trust”);

WHEREAS, Bank of the West is the current and sole owner of the Bonds (the “Owner”);

WHEREAS, in addition, the Corporation, as trustor, executed a Second Deed of Trust with
Fixture Filing and Security Agreement, in favor of First American Title Insurance Company, as
trustee, for the benefit of the Owner (the “Second Deed of Trust” and, with the Deed of Trust, the
“Deeds of Trust”);

WHEREAS, the Corporation has requested that a portion of the property secured by the
Deeds of Trust be released therefrom and the Owner has agreed to such release;

WHEREAS, reconveyances have been prepared to remove such property from the Deeds
of Trust;

WHEREAS, Section 6.5 of the Loan Agreement provides, in part, that the “Corporation
will not convey, sell, lease, transfer or otherwise dispose of, in one transaction or a series of
transactions, its interest in the Facilities or substantially all of its assets, whether now owned or
hereafter acquired;”
WHEREAS, the Authority and the Corporation now desire to amend the Loan Agreement pursuant to the provisions of the Indenture, to amend Section 6.5 of the Loan Agreement so that a portion of the Facilities may be released;

NOW THEREFORE, BE IT RESOLVED by the Commission of the California Statewide Communities Development Authority, as follows:

Section 1. A first amendment to the Loan Agreement, as presented to this meeting, is hereby approved. Any member of the Commission of the Authority is hereby authorized and directed, for and on behalf of the Authority, to execute and deliver such document in said form, with such changes and insertions therein, as may be necessary to cause the same to carry out the intent of this Resolution and as such member, with the advice of counsel to the Authority, may approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. The Chairman, the Vice Chairman, the Secretary, the members of the Commission of the Authority, and other appropriate officers and agents of the Authority are hereby authorized and directed, jointly and severally, for and in the name and on behalf of the Authority, to execute and deliver any and all documents, and to do any and all things and take any and all actions which may be necessary or advisable, in their discretion, to effectuate the actions which the Authority has approved in this Resolution.

Section 3. This Resolution shall take effect from and after its adoption.

PASSED AND ADOPTED by the California Statewide Communities Development Authority this 24th of January, 2019.

I, the undersigned, the duly appointed and qualified Member of the California Statewide Communities Development Authority, DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the Commission of said Authority at a duly called meeting of the Commission of said Authority held in accordance with law on January 24, 2019.

By ____________________________
Member
California Statewide Communities Development Authority
Agenda Report

DATE: January 24, 2019

TO: CSCDA COMMISSIONERS

FROM: Cathy Bando, Executive Director

PURPOSE: SB 165 Reports for the following CSCDA Community Facilities Districts (Information Only):

a. CSCDA CFD No. 2012-01 (Fancher Creek)
b. CSCDA CFD No. 2015-01 (University District)
c. CSCDA CFD No. 2015-02 (Rio Bravo)
d. CSCDA CFD No. 2016-01 (Napa Pipe)
e. CSCDA CFD No. 2016-02 (Delta Coves)
f. CSCDA CFD No. 2007-01 (Orinda)
g. CSCDA CFD No. 2002-01 (River Run)

SUMMARY:

The reports for each of the above-referenced CSCDA community facilities districts (CFD) consists of two parts (i) a one-page report that briefly summarizes the authorized CFD facilities and the status of such CFD facilities, whether completed, accepted, reimbursed, etc. and (ii) a fund summary showing the activity in the accounts held by the trustee.

Reports: https://www.dropbox.com/sh/xqos0ei380l0khq/AACGSi4IwvTVvOUHxPkhBytta?dl=0

RECOMMENDATION:

This is an informational item only. No action is required of the Commission.