



CSCDA
CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY



TABLE OF CONTENTS **June 2, 2022**

CSCDA

*****	Agenda	Page	2
Item 2	Minutes	Page	6
Item 3	Consent Calendar	Page	10
Item 5	Atwell CFD	Page	16
Item 6	Citro CFD	Page	21
Item 7	Fancher Creek CFD	Page	26
Item 8	Sheldon Farms CFD	Page	28

CSCDA CIA

*****	Agenda	Page	34
Item 2	Minutes	Page	36
Item 3	Consent Calendar	Page	38

CSCDC

*****	Agenda	Page	40
Item 2	Minutes	Page	42
Item 3	Consent Calendar	Page	44



REGULAR MEETING AGENDA

June 2, 2022 at 2:00 pm

Pursuant to Government Code Section 54953(e) (Assembly Bill 361), Commissioners of the California Statewide Communities Development Authority or staff may participate in this meeting via a teleconference. In the interest of maintaining appropriate social distancing, members of the public may participate in the meeting telephonically. Members of the public may observe and offer comment at this meeting telephonically by dialing 669-900-9128, Meeting ID 259-798-2423, Passcode 129070. If you experience technical problems with the telephonic meeting, please contact info@cscda.org or 1-800-531-7476 for assistance. If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act ("ADA") please contact info@cscda.org or 1-800-531-7476 prior to the meeting for assistance.

A. OPENING AND PROCEDURAL ITEMS

1. Roll Call.

_____ Tim Snellings, Chair	_____ Marcia Raines, Member
_____ Brian Moura, Vice Chair	_____ Brian Stiger, Member
_____ Kevin O'Rourke, Secretary	_____ Niroop Srivatsa, Alt. Member
_____ Jordan Kaufman, Treasurer	_____ Jim Erb, Alt. Member
_____ Dan Mierzwa, Member	

2. Consideration of the minutes of the May 19, 2022 Regular Meeting.

3. Consent Calendar.

4. Public Comment.

B. ITEMS FOR CONSIDERATION AND ACTION

5. Community Facilities District No. 2020-02 Improvement Area No. 2 (Atwell), City of Banning, County of Riverside:
 - a. Consideration of a resolution approving the issuance of the California Statewide Communities Development Authority Community Facilities District No. 2020-02 Improvement Area No. 2 (Atwell) Special Tax Bonds, Series 2022, in an aggregate principal amount not to exceed \$17,000,000; authorizing the execution and delivery of an indenture providing for the issuance of such bonds; approving a bond purchase contract providing for the sale of such bonds; approving an official statement; approving a continuing disclosure certificate; authorizing the sale of such bonds; and authorizing related actions and the execution of related documents in connection with the issuance, sale and delivery of such bonds.
6. Community Facilities District No. 2021-02 (Citro), County of San Diego:
 - a. Consideration of a resolution approving the issuance of the California Statewide Communities Development Authority Community Facilities District No. 2021-02 (Citro) Special Tax Bonds, Series 2022, in an aggregate principal amount not to exceed \$27,500,000; authorizing the execution and delivery of an indenture providing for the issuance of such bonds; approving a bond purchase contract providing for the sale of such bonds; approving an official statement; approving a continuing disclosure certificate; authorizing the sale of such bonds; and authorizing related actions and the execution of related documents in connection with the issuance, sale and delivery of such bonds.
7. Consider the following resolutions to initiate proceedings to form CFD No. 2022-08, (Fancher Creek), City of Fresno, County of Fresno and to designate improvement areas:
 - a. Resolution approving joint community facilities agreements and declaring intention to establish California Statewide Communities Development Authority Community Facilities District No. 2022-08, (Fancher Creek), City of Fresno, County of Fresno, State of California, to designate Improvement Area Nos. 1, 2 and 3 therein and to levy special taxes therein to finance certain public improvements and certain development impact fees.
 - b. Resolution to incur bonded indebtedness to finance certain public improvements and certain development impact fees within California Statewide Communities Development Authority Community Facilities District No. 2022-08, (Fancher Creek), City of Fresno, County of Fresno, State of California and in and for Improvement Area Nos. 1, 2 and 3 and calling for a public hearing.
8. Conduct second reading of and adopt “Ordinance Levying a Special Tax for Fiscal Year 2022-2023 and Following Fiscal Years Solely Within and Relating to California Statewide Communities Development Authority Community Facilities District No. 2022-03 (Sheldon Farms), City of Elk Grove, County of Sacramento, State of California.”

C. STAFF ANNOUNCEMENTS, REPORTS ON ACTIVITIES OR REQUESTS

9. Executive Director Update.
10. Staff Updates.
11. Adjourn.

NEXT MEETING: Thursday, June 16, 2022 at 2:00 p.m.

CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY

CONSENT CALENDAR

1. Reconsider the circumstances of the COVID-19 state of emergency and make findings in connection therewith to authorize meetings to be held via teleconferencing pursuant to Government Code Section 54953(e).
2. Inducement of HPD Twentynine Palms II, LP. (Twentynine Palms Apartments), City of Twentynine Palms, County of San Bernardino; issue up to \$9 million in multi-family housing revenue bonds.

June 2, 2022



MINUTES

REGULAR MEETING OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY

May 19, 2022 at 2:00 pm

Commission Chair Tim Snellings called the meeting to order at 2:01 pm.

1. Roll Call.

Commission members participating via teleconference: Tim Snellings, Brian Moura, Jordan Kaufman, Dan Mierzwa, Marcia Raines, and Brian Stiger.

Others participating via teleconference: Cathy Barna, CSCDA Executive Director; James Hamill, Bridge Strategic Partners; Jon Penkower, Bridge Strategic Partners; Sendy Young, CSAC Finance Corporation; Norman Coppinger, League of California Cities; Trisha Ortiz, Richards Watson & Gershon; and Brendan LaFountain, Orrick.

2. Consideration of the Minutes of the May 5, 2022 Meeting.

The Commission approved the May 5, 2022 Regular Meeting minutes.

Motion to approve by B. Stiger. Second by J. Kaufman. Unanimously approved by roll-call vote.

3. Consideration of the Consent Calendar.

The Commission approved the Consent Calendar.

1. Inducement of Murrieta Family 1A, LP. (Murrieta Apartments), City of Murrieta, County of Riverside; issue up to \$40 million in multi-family housing revenue bonds.

Motion to approve by B. Stiger. Second by D. Mierzwa. Unanimously approved by roll-call vote.

4. Public Comment.

There was no public comment.

5. Consideration of the issuance of revenue bonds or other obligations to finance or refinance the following projects, the execution and delivery of related documents, and other related actions:
 - a. Bauen Fund 2018-830, LLC, City of Sacramento, County of Sacramento, issue up to \$7,200,000 in commercial PACE bonds.

The Commission approved the financing for the Bauen Fund 2018-830, LLC.

Motion to approve by B. Stiger. Second by J. Kaufman. Unanimously approved by roll-call vote.

6. Community Facilities District No. 2022-03 (Sheldon Farms) (“CFD No. 2022-02”)
 - a. Conduct public hearing (hearing to be held at 2 p.m. or shortly thereafter):
 - a. Open CFD No. 2022-03 Public Hearing.
 - b. Close CFD No. 2022-03 Public Hearing.

Motion to close the public hearing by B. Stiger. Second by D. Mierzwa. Unanimously approved by roll-call vote.

- b. Consideration of the following resolutions with respect to formation of CFD No. 2022-03:
 1. Resolution of formation establishing CFD No. 2022-03 providing for the levy of a special tax to finance certain public improvements and certain development impact fees.

Motion to approve by B. Moura. Second by M. Raines. Unanimously approved by roll-call vote.

2. Resolution deeming it necessary to incur bonded indebtedness to finance certain public improvements and development impact fees to mitigate the impacts of development within CFD No. 2022-03.

Motion to approve by B. Moura. Second by J. Kaufman. Unanimously approved by roll-call vote.

3. Resolution calling special mailed-ballot election within CFD No. 2022-02.

Motion to approve by J. Kaufman. Second by M. Raines. Unanimously approved by roll-call vote.

- c. Conduct special election within CFD No. 2022-03.
- d. Consider resolution declaring result of special mailed-ballot election within CFD No. 2022-03.

Motion to approve by B. Moura. Second by D. Mierzwa. Unanimously approved by roll-call vote.

- e. Conduct first reading of “Ordinance Levying a Special Tax for Fiscal Year 2022-2023 and Following Fiscal Years Solely Within and Relating to California Statewide Communities Development Authority Community Facilities District No. 2022-02 (Point Martin), City of Daly City, County of San Mateo, State of California”.

Motion to approve by D. Mierzwa. Second by B. Moura. Unanimously approved by roll-call vote.

- 7. Consider the following resolutions to initiate proceedings to form CFD Nos. 2022-04, 2022-05 and 2022-06 (Parkside-Prudler-Pioneer), City of Woodland, County of Yolo:
 - a. Resolutions approving joint community facilities agreements and declaring intention to establish California Statewide Communities Development Authority Community Facilities District Nos. 2022-04, 2022-05 and 2022-06 (Parkside- Prudler-Pioneer), City of Woodland, County of Yolo, State of California, and to levy special taxes therein to finance certain public improvements and certain development impact fees.

Motion to approve by B. Moura. Second by J. Kaufman. Unanimously approved by roll-call vote.

- b. Resolutions to incur bonded indebtedness to finance certain public improvements within California Statewide Communities Development Authority Community Facilities District No. 2022-04, 2022-05 and 2022-06 (Parkside- Prudler-Pioneer), City of Woodland, County of Yolo, State of California and calling for a public hearing.

Motion to approve by B. Stiger. Second by M. Raines. Unanimously approved by roll-call vote.

- 8. Consider the following resolutions to initiate proceedings to form CFD No. 2022-01 (Tirador), City of San Juan Capistrano, County of Orange:
 - a. Resolution approving joint community facilities agreements and declaring intention to establish California Statewide Communities Development Authority Community Facilities District No. 2022-01 (Tirador), City of San Juan Capistrano, County of Orange, State of California, and to levy special taxes therein to finance certain public improvements and certain development impact fees.

Motion to approve by B. Moura. Second by D. Mierzwa. Unanimously approved by roll-call vote.

- b. Resolution to incur bonded indebtedness to finance certain public improvements and certain development impact fees within California Statewide Communities Development Authority Community Facilities District No. 2022-01 (Tirador), City of San Juan Capistrano, County of Orange, State of California and calling for a public hearing.

Motion to approve by B. Moura. Second by D. Mierzwa. Unanimously approved by roll-call vote.

9. Consideration of scholarship award for the Local Government Summer Institute at Stanford for Richard Rojas.

The Commission approved of a scholarship for Richard Rojas.

Motion to approve by D. Mierzwa. Second by B. Moura. Unanimously approved by roll-call vote.

10. Consideration of Lief Real Estate Energy Partners as a CSCDA commercial PACE Program Administrator.

The EIS Committee reviewed and recommended Lief to be approved as a CSCDA Open PACE Program Administrator.

Motion to approve by J. Kaufman. Second by D. Mierzwa. Unanimously approved by roll-call vote.

11. Consideration of three-year program administration agreement extension for Nuveen Green Capital (formerly Greenworks).

Staff and the EIS Committee recommend extending the contract for another three years. CSCDA's General Counsel has drafted the proposed extension.

Motion to approve by B. Moura. Second by D. Mierzwa. Unanimously approved by roll-call vote.

12. Executive Director Update.

Executive Director Barna will be emailing out the agenda for the CSCDA Special Meeting later this week. She encouraged all Commissioners to submit questions for the economist that will attending the meeting.

13. Staff Update.

Staff had no update.

14. Adjourn.

The meeting was adjourned at 2:26 p.m.

Submitted by: Sindy Young, CSAC Finance Corporation

NEXT MEETING: Thursday, June 2, 2022 at 2:00 p.m.



CSCDA
CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY

Agenda Item No. 3

Agenda Report

DATE: June 2, 2022
TO: CSCDA COMMISSIONERS
FROM: Cathy Barna, Executive Director
PURPOSE: Consent Calendar

- 1. Reconsider the circumstances of the COVID-19 state of emergency and make findings in connection therewith to authorize meetings to be held via teleconferencing pursuant to Government Code Section 54953(e).**

BACKGROUND AND SUMMARY:

This item is being presented in order to allow CSCDA's Commission and other legislative bodies to meet virtually pursuant to Assembly Bill ("AB") 361. These special provisions in the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963) give local public agencies greater flexibility to conduct teleconference meetings when there is a declared state of emergency and either social distancing is mandated or recommended, or when the legislative body determines in-person meetings would present imminent risks to the health and safety of attendees.

On March 4, 2020, Governor Newsom proclaimed a state of emergency to exist in California due to the spread of COVID-19. The Governor subsequently issued numerous executive orders suspending or modifying state laws to facilitate the response to the emergency. Among other things, these executive orders superseded certain Brown Act requirements and established special rules to give local public agencies greater flexibility to conduct teleconference meetings, including authorizing legislative bodies to participate in meetings from remote locations without compliance with certain noticing requirements.

On September 16, 2021, in anticipation of the then-imminent expiration of his special rules for teleconference meetings, the Governor signed AB 361 to amend Section 54953 of the Brown Act. Pursuant to Government Code Section 54953(e), legislative bodies of local agencies may hold public meetings via teleconferencing without complying with the requirements of Government Code Section 54953(b)(3), if the legislative body complies with certain enumerated requirements in any of the following circumstances:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

CSCDA previously determined that as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees and has been conducting its meetings via teleconferencing under Government Code Section 54953(e).

To continue meeting remotely pursuant to Government Code Section 54953(e), an agency must make periodic findings that: (1) the body has reconsidered the circumstances of the declared emergency; and (2) the emergency impacts the ability of the body's members to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing.

The factual circumstances exist for CSCDA to continue holding remote meetings under AB 361. The proclaimed state of emergency in response to the COVID-19 pandemic, which Governor Newsom declared on March 4, 2020, continues to exist. Also, the U.S. Centers for Disease Control and Prevention ("CDC") continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than 6 feet apart from others for longer periods of time. COVID-19 can cause severe illness and hundreds of thousands of people have died from COVID-19 in the United States. The CDC advise that even for fully vaccinated people, breakthrough infections are likely to occur. The CDC continue to advise people to avoid crowded indoor places, which put people at higher risk for COVID-19 infection. Therefore, holding meetings via teleconferencing pursuant to Government Code Section 54953(e) will reduce the likelihood of exposure to COVID-19.

RECOMMENDATION:

To continue conducting open and public meetings via teleconferencing in accordance with Government Code Section 54953(e) of the Brown Act, the Commission finds that it has reconsidered the circumstances of the COVID-19 state of emergency and that the state of emergency continues to directly impact the ability of its members to meet safely in person, and the Commission directs staff to take all actions necessary to allow the legislative bodies of CSCDA to conduct meetings via teleconferencing during the emergency.

RESOLUTION NO. 22H-__

**A RESOLUTION OF THE CALIFORNIA STATEWIDE
COMMUNITIES DEVELOPMENT AUTHORITY SETTING
FORTH THE AUTHORITY'S OFFICIAL INTENT TO ISSUE
MULTIFAMILY HOUSING REVENUE BONDS TO UNDERTAKE
THE FINANCING OF VARIOUS MULTIFAMILY RENTAL
HOUSING PROJECTS AND RELATED ACTIONS**

WHEREAS, the Authority is authorized and empowered by the Title 1, Division 7, Chapter 5 of the California Government Code to issue mortgage revenue bonds pursuant to Part 5 (commencing with Section 52000) of the California Health and Safety Code (the "Act"), for the purpose of financing multifamily rental housing projects; and

WHEREAS, the borrowers identified in Exhibit A hereto and/or related entities (collectively, the "Borrowers") have requested that the Authority issue and sell multifamily housing revenue bonds (the "Bonds") pursuant to the Act for the purpose of financing the acquisition and rehabilitation or construction as set forth in Exhibit A, of certain multifamily rental housing developments identified in Exhibit A hereto (collectively, the "Projects"); and

WHEREAS, the Authority, in the course of assisting the Borrowers in financing the Projects, expects that the Borrowers have paid or may pay certain expenditures (the "Reimbursement Expenditures") in connection with the Projects within 60 days prior to the adoption of this Resolution and prior to the issuance of the Bonds for the purpose of financing costs associated with the Projects on a long-term basis; and

WHEREAS, Section 1.103-8(a)(5) and Section 1.150-2 of the Treasury Regulations require the Authority to declare its reasonable official intent to reimburse prior expenditures for the Projects with proceeds of a subsequent tax-exempt borrowing; and

WHEREAS, the Authority wishes to declare its intention to authorize the issuance of Bonds for the purpose of financing costs of the Projects (including reimbursement of the Reimbursement Expenditures, when so requested by the Borrower upon such terms and condition as may then be agreed upon by the Authority, the Borrower and the purchaser of the Bonds) in an aggregate principal amount not to exceed the amount with respect to each Project set forth in Exhibit A; and

WHEREAS, Section 146 of the Internal Revenue Code of 1986 limits the amount of multifamily housing mortgage revenue bonds that may be issued on behalf of for-profit borrowers in any calendar year by entities within a state and authorizes the governor or the legislature of a state to provide the method of allocation within the state; and

WHEREAS, Chapter 11.8 of Division 1 of Title 2 of the California Government Code governs the allocation of the state ceiling among governmental units in the State of California having the authority to issue private activity bonds; and

WHEREAS, Section 8869.85 of the California Government Code requires a local agency desiring an allocation of the state ceiling to file an application with the California Debt Limit Allocation Committee (the “Committee”) for such allocation, and the Committee has certain policies that are to be satisfied in connection with any such application;

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

Section 1. The above recitals, and each of them, are true and correct.

Section 2. The Authority hereby determines that it is necessary and desirable to provide financing for the Projects (including reimbursement of the Reimbursement Expenditures) by the issuance and sale of Bonds pursuant to the Act, as shall be authorized by resolution of the Authority at a meeting to be held for such purpose, in aggregate principal amounts not to exceed the amounts set forth in Exhibit A. This action is taken expressly for the purpose of inducing the Borrowers to undertake the Projects, and nothing contained herein shall be construed to signify that the Projects comply with the planning, zoning, subdivision and building laws and ordinances applicable thereto or to suggest that the Authority or any program participant, officer or agent of the Authority will grant any such approval, consent or permit that may be required in connection with the acquisition and construction or rehabilitation of the Projects, or that the Authority will make any expenditures, incur any indebtedness, or proceed with the financing of the Project.

Section 3. This resolution is being adopted by the Authority for purposes of establishing compliance with the requirements of Section 1.103-8(a)(5) and Section 1.150-2 of the Treasury Regulations. In such regard, the Authority hereby declares its official intent to use proceeds of indebtedness to reimburse the Reimbursement Expenditures.

Section 4. The officers and/or the program managers of the Authority are hereby authorized and directed to apply to the Committee for an allocation from the state ceiling of private activity bonds to be issued by the Authority for each of the Projects in an amount not to exceed the amounts set forth in Exhibit A, and to take any and all other actions as may be necessary or appropriate in connection with such application, including but not limited to the payment of fees, the posting of deposits and the provision of certificates, and any such actions heretofore taken by such officers and program managers are hereby ratified, approved and confirmed.

PASSED AND ADOPTED by the California Statewide Communities Development Authority this June 2, 2022.

The undersigned, an Authorized Signatory of the California Statewide Communities Development Authority, DOES 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 June 2, 2022.

By: _____
Authorized Signatory

EXHIBIT A

Project Name	Project Location	Project Description (units)	New Construction/ Acquisition and Rehabilitation	Legal Name of initial owner/operator	Bond Amount
Twentynine Palms Apartments	City of Twentynine Palms, County of San Bernardino	48	Acquisition and Rehabilitation	HPD Twentynine Palms II, LP	\$9,000,000



Agenda Item No. 5

Agenda Report

DATE: June 2, 2022

TO: CSCDA COMMISSIONERS

FROM: Cathy Barna, Executive Director

PROJECT: Atwell (City of Banning) – Community Facilities District (CFD)

PURPOSE: Community Facilities District No. 2020-02 Improvement Area No. 2 (Atwell), City of Banning, County of Riverside:

a. Consideration of a resolution approving the issuance of the California Statewide Communities Development Authority Community Facilities District No. 2020-02 Improvement Area No. 2 (Atwell) Special Tax Bonds, Series 2022, in an aggregate principal amount not to exceed \$17,000,000; authorizing the execution and delivery of a second supplemental indenture providing for the issuance of such bonds; approving a bond purchase contract providing for the sale of such bonds; approving an official statement; approving a continuing disclosure certificate; authorizing the sale of such bonds; and authorizing related actions and the execution of related documents in connection with the issuance, sale and delivery of such bonds.

EXECUTIVE SUMMARY:

- On June 17, 2021 the Commission approved annexing the territory in the Atwell Community Facilities District (CFD) located in Banning, California (the “City”), and designating it as Improvement Area No. 2.
- CSCDA issued \$18,000,000 for the first series of CFD bonds for the Atwell project on March 4, 2021 designated as Improvement Area No. 1. Improvement Area No. 2 will be a continuation of financing public facilities and services as outlined below.
- On July 1, 2021 the Commission conducted the second reading and adoption of the ordinance for Improvement Area No. 2.
- The CFD was formed to finance public facilities and maintenance as outlined below.

Today’s action is to approve the financing for Improvement Area No. 2 for a not-to-exceed amount of \$17,000,000.

BACKGROUND:

TriPointe Homes, formerly Pardee Homes, has an approved master planned community in the City of Banning that will create up to 4,862 single and multifamily residential developments, with neighborhood and community parks, trails, a community center, and 2 elementary school sites. The financing will include the following improvements, fees and maintenance:

Public Capital Improvements:

- a. Public Streets, Freeway Interchange and other related improvements within public right of way
- b. Potable and Non-Potable Water Facilities
- c. Sewer Facilities
- d. Dry Utilities
- e. Public Parks, Park and Ride Lots, Community Center, Open Space and Landscaping
- f. Storm Water Drainage, Retention and Detention Facilities
- g. Fire Facilities, Police Facilities and other Government Facilities

City of Banning Development Impact Fees:

- a. Fire Facilities
- b. Police Facilities
- c. Traffic Control Facilities
- d. General Plan
- e. Park Land Development
- f. General City Facilities
- g. Energy Conservation
- h. New Electrical Service
- i. Water Connection
- j. Water Meter
- k. Sewer/Wastewater Connection
- l. Any other Capital Improvement, Development Impact, Mitigation, Capacity or Connection Fees and Charges

Maintenance:

The types of services authorized to be financed are police protection services, fire protection and suppression services, ambulance and paramedic services, lighting of parks, parkways, streets, traffic signals, roads and open space, flood and storm protection and water quality improvement services.

Finance Partners:

Bond Counsel:	Orrick, Herrington & Sutcliffe, LLP, Sacramento
Authority Counsel:	Orrick, Herrington & Sutcliffe, LLP, San Francisco
Underwriter:	RBC Capital Markets, San Francisco
Special Tax Consultant:	Willdan, Temecula

SB 450 Good Faith Estimates:

1. True Interest Cost of the Bonds	5.158%
2. Finance Charge of the Bonds	\$712,600
3. Proceeds received from Sale of Bonds	\$12,303,148
4. Total Debt Service on the Bonds	\$30,095,445

ESTIMATED SOURCES & USES:**Sources of Funds**

Par Amount	\$14,305,000
Premium	<u>\$ 0</u>
Total Sources	\$14,305,000

Uses of Funds

Deposit to Project Fund	\$12,303,148
Capitalized Interest Fund	\$ 42,318
Debt Service Reserve Fund	\$ 1,246,934
Costs of Issuance	\$ 426,500
Underwriter's Discount	<u>\$ 286,100</u>
Total Uses	\$14,305,000

FINANCE TERMS:

Rating:	Non-rated
Term:	30 years
Structure:	Fixed Rate
Method of Sale:	Public Offering
Estimated Closing:	June 22, 2022

COMMISSION ACTION RECOMMENDED BY THE EXECUTIVE DIRECTOR:

CSCDA's Executive Director recommends approval of the following actions:

1. Consideration of a resolution approving the issuance of the California Statewide Communities Development Authority Community Facilities District No. 2020-02 Improvement Area No. 2 (Atwell) Special Tax Bonds, Series 2022, in an aggregate principal amount not to exceed \$17,000,000; authorizing the execution and delivery of a second supplemental indenture providing for the issuance of such

bonds; approving a bond purchase contract providing for the sale of such bonds; approving an official statement; approving a continuing disclosure certificate; authorizing the sale of such bonds; and authorizing related actions and the execution of related documents in connection with the issuance, sale and delivery of such bonds.

Documents: <https://www.dropbox.com/sh/ety46eak6ibcxtm/AABZhPEWD0d-vIqdfHBTaJw0a?dl=0>

Attachment A: Photo of Atwell Project.

ATTACHMENT A



Agenda Item No. 6

Agenda Report

DATE: June 2, 2022

TO: CSCDA COMMISSIONERS

FROM: Cathy Barna, Executive Director

PROJECT: Citro (San Diego County) – Community Facilities District

PURPOSE: Community Facilities District No. 2021-02 (Citro), County of San Diego:

- a. Consideration of a resolution approving the issuance of the California Statewide Communities Development Authority Community Facilities District No. 2021-02 (Citro) Special Tax Bonds, Series 2022, in an aggregate principal amount not to exceed \$27,500,000; authorizing the execution and delivery of an indenture providing for the issuance of such bonds; approving a bond purchase contract providing for the sale of such bonds; approving an official statement; approving a continuing disclosure certificate; authorizing the sale of such bonds; and authorizing related actions and the execution of related documents in connection with the issuance, sale and delivery of such bonds.

EXECUTIVE SUMMARY:

- CSCDA formed the Citro Community Facilities District (CFD) on September 16, 2021.
- The action requested today is to approve the financing of the Citro CFD located in the County of San Diego, California (the “County”).
- The CFD is being formed to finance public facilities and fees for the County and the Rainbow Municipal Water District.
- The County unanimously approved the formation of the CFD by CSCDA on March 17, 2021. The Rainbow Municipal Water District also approved the CFD formation by CSCDA on October 27, 2020.

BACKGROUND:

The proposed CFD will be formed to fund water and sewer connection fees, water and sewer onsite and offsite infrastructure costs, and costs associated with the relocation of SDG&E overhead utilities, all associated with the Citro residential development by Tri Pointe Homes in North San Diego County, adjacent to Interstate 15.

The property within this proposed CFD will encompass approximately 844 residential units, including townhomes, paired homes, and single-family homes.

Finance Partners:

Bond Counsel:	Orrick, Herrington & Sutcliffe, LLP, Sacramento
Authority Counsel:	Orrick, Herrington & Sutcliffe, LLP, San Francisco
Underwriter:	RBC Capital Markets, San Francisco
Special Tax Consultant:	Willdan, Temecula

SB 450 Good Faith Estimates:

1. True Interest Cost of the Bonds	5.157%
2. Finance Charge of the Bonds	\$1,103,595
3. Proceeds received from Sale of Bonds	\$20,000,000
4. Total Debt Service on the Bonds	\$50,248,600

ESTIMATED SOURCES & USES:

Sources of Funds

Par Amount	\$23,880,000
Premium	<u>\$0</u>
Total Sources	\$23,880,000

Uses of Funds

Deposit to Project Fund	\$ 20,000,000
Capitalized Interest Fund	\$ 693,130
Debt Service Reserve Fund	\$ 2,083,275
Costs of Issuance	\$ 625,995
Underwriter's Discount	<u>\$ 477,600</u>
Total Uses	\$ 23,880,000

FINANCE TERMS:

Rating:	Non-rated
Term:	30 years
Structure:	Fixed Rate
Method of Sale:	Public Offering
Estimated Closing:	June 29, 2022

COMMISSION ACTION RECOMMENDED BY THE EXECUTIVE DIRECTOR:

CSCDA's Executive Director recommends approval of the following actions:

1. Consideration of a resolution approving the issuance of the California Statewide Communities Development Authority Community Facilities District No. 2021-02 (Citro) Special Tax Bonds, Series 2022, in an aggregate principal amount not to exceed \$27,500,000; authorizing the execution and delivery of an indenture providing for the issuance of such bonds; approving a bond purchase contract providing for the sale of such bonds; approving an official statement; approving a continuing disclosure certificate; authorizing the sale of such bonds; and authorizing related actions and the execution of related documents in connection with the issuance, sale and delivery of such bonds.

Documents: <https://www.dropbox.com/sh/ulx6wbrx9cgs0gw/AADJPvJ2a0coHDWkZD-seDcwa?dl=0>

Attachment A: Photo of Citro Project.

Attachment A







Agenda Item No. 7

Agenda Report

DATE: June 2, 2022

TO: CSCDA COMMISSIONERS

FROM: Cathy Barna, Executive Director

PROJECT: Fancher Creek (City of Fresno) – Community Facilities District

PURPOSE: Consider the following resolutions to initiate proceedings to form CFD No. 2022-08, Improvement Areas Nos. 1, 2 & 3 (Fancher Creek), City of Fresno, County of Fresno:

- a. Resolution approving joint community facilities agreements and declaring intention to establish California Statewide Communities Development Authority Community Facilities District No. 2022-08, Improvement Areas Nos. 1, 2 & 3 (Fancher Creek), City of Fresno, County of Fresno, State of California, and to levy special taxes therein to finance certain public improvements and certain development impact fees.
- b. Resolution to incur bonded indebtedness to finance certain public improvements and certain development impact fees within California Statewide Communities Development Authority Community Facilities District No. 2022-08, Improvement Areas Nos. 1, 2 & 3 (Fancher Creek), City of Fresno, County of Fresno, State of California and calling for a public hearing.

EXECUTIVE SUMMARY:

The action requested today is the initial step in the formation of the Fancher Creek Community Facilities District (CFD) located in Fresno, California (the “City”). The City approved CSCDA to form and issue the bonds for the CFD on May 12, 2022.

BACKGROUND:

On March 25, 2010, the City adopted Resolution 2010-058, consenting to CSCDA to act as the issuer for the bonds associated with the Fancher Creek development. The CFD district included three improvement areas, but bonds were only sold to finance improvements in the Fancher Creek Business Park. The Bonds were sold by CSCDA in January, 2013 (the “CSCDA 2013 Bonds”).

Since issuing the CSCDA 2013 Bonds, development of the business park has progressed, property values have appreciated and interest rates have contracted significantly despite recent interest rate volatility. The 2013 Bonds interest rate is 6.94%.

THE PROPOSED FINANCING:

The estimated net present value savings from the proposed refinancing are approximately \$800,000. These estimates are subject to market conditions at the time of the eventual sale.

The Fancher Creek Properties LLC (the “Developer”) has requested the formation of a new community facilities district for the Fancher Creek Business Park to facilitate the repayment of CSCDA 2013 Bonds and the reformulation of the special tax to align with actual development that has occurred within the area. The new CFD will cover the same geographic area as the prior CFD and will allow for payment of the CSCDA 2013 Bonds and the financing of eligible improvements.

Fancher Creek Properties LLC is a joint venture between Lance Kashian & Company and Penstar Group. The joint venture still owns the majority of the parcels.

The financing is estimated to not exceed \$15,000,000 cumulatively for all three Improvement Areas and will be brought back to the Commission for completion of the formation of the CFD, and for final approval of the bond issuance.

COMMISSION ACTION RECOMMENDED BY THE EXECUTIVE DIRECTOR:

CSCDA’s Executive Director recommends approving the following resolutions:

1. Resolution approving joint community facilities agreements and declaring intention to establish California Statewide Communities Development Authority Community Facilities District No. 2022-08, Improvement Areas Nos. 1, 2 & 3 (Fancher Creek), City of Fresno, County of Fresno, State of California, and to levy special taxes therein to finance certain public improvements and certain development impact fees.
2. Resolution to incur bonded indebtedness to finance certain public improvements and certain development impact fees within California Statewide Communities Development Authority Community Facilities District No. 2022-08 Improvement Areas Nos. 1, 2 & 3 (Fancher Creek), City of Fresno, County of Fresno, State of California and calling for a public hearing on July 7, 2022.

Documents:

<https://www.dropbox.com/sh/9bm7yk51utah50t/AABQhXzWJ7fhk972YLCKW-za?dl=0>



Agenda Item No. 8

Agenda Report

DATE: June 2, 2022

TO: CSCDA COMMISSIONERS

FROM: Cathy Barna, Executive Director

PROJECT: Sheldon Farms (City of Elk Grove) – Community Facilities District

PURPOSE: Conduct second reading of and adopt “Ordinance Levying a Special Tax for Fiscal Year 2022-2023 and Following Fiscal Years Solely Within and Relating to California Statewide Communities Development Authority Community Facilities District No. 2022-03 (Sheldon Farms), City of Elk Grove, County of Sacramento, State of California.”

EXECUTIVE SUMMARY:

On April 7, 2022, the Commission adopted a resolution to initiate the formation of the Sheldon Farms CFD. The public hearing was held on May 19, 2022, including the first reading of the Ordinance Levying a Special Tax. The action requested today is the third and final step in the formation of the Sheldon Farms Community Facilities District (CFD) located in Elk Grove, California (the “City”). The CFD is being formed to finance impact fees for the City and County of Sacramento (the “County”). The City and the County have approved the formation of the CFD by CSCDA.

BACKGROUND:

The project entails single family homes for Village 1 (214 Units), and a future annexation area Village 2 (177 Units) to be constructed by Taylor Builders. The following table summarizes potential agency fees which may be funded.

Impact Fees	Amount
Transportation (Zone 2) Fee - City	\$3,605,341
Affordable Housing Fee - City	1,974,941
Regional San - New Area Fee - Other	2,533,289
SASD Expansion Area Fee - Other	1,298,686
SCWA (Zone 40) Fee - Other	7,032,135
Subtotal	\$16,444,392
<i>Less: Estimated Developer Contribution</i>	<i>(5,369,735)</i>
Net Impact Fees Financed	\$11,074,657

The financing is estimated to not exceed \$13,000,000 and will be brought back to the Commission for completion of the formation of the CFD, and for final approval of the bond issuance.

COMMISSION ACTION RECOMMENDED BY THE EXECUTIVE DIRECTOR:

CSCDA's Executive Director recommends considering the following actions:

1. Conduct second reading of and adopt "Ordinance Levying a Special Tax for Fiscal Year 2022-2023 and Following Fiscal Years Solely Within and Relating to California Statewide Communities Development Authority Community Facilities District No. 2022-03 (Sheldon Farms), City of Elk Grove, County of Sacramento, State of California."

Attachment A – Ordinance

Attachment A

ORDINANCE NO. 22ORD-__

**CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY**

**ORDINANCE LEVYING A SPECIAL TAX FOR FISCAL YEAR 2022-2023
AND FOLLOWING FISCAL YEARS SOLELY WITHIN AND RELATING TO
CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT
AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2022-03
(SHELDON FARMS), CITY OF ELK GROVE, COUNTY OF SACRAMENTO,
STATE OF CALIFORNIA**

BE IT ENACTED BY THE COMMISSION (THE “COMMISSION”) OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (THE “AUTHORITY”):

SECTION 1. Pursuant to California Government Code Sections 53316 and 53340, and in accordance with the Rate and Method of Apportionment (the “RMA”), as set forth in Exhibit E of Resolution No. 22SCIP-52 (the “Resolution of Intention”) adopted April 7, 2022, as incorporated into Resolution No. 22SCIP-65 (the “Resolution of Formation”) adopted May 19, 2022, with respect to the California Statewide Communities Development Authority Community Facilities District No. 2022-03 (Sheldon Farms), City of Elk Grove, County of Sacramento, State of California (the “Community Facilities District”) a special tax is hereby levied on all taxable parcels within the Community Facilities District for the 2022-2023 fiscal year and for all subsequent fiscal years in the amount determined by the Community Facilities District in accordance with the RMA, until collection of the Special Tax by the Commission ceases and a Notice of Cessation of Special Tax is recorded in accordance with Section 53330.5 of the Act, provided that this amount may in any fiscal year be levied at a lesser amount by resolution of the Commission.

SECTION 2. The Authority’s special tax consultant, currently DTA, Inc., 99 Almaden Blvd., Suite 875, San Jose, California 95113, telephone (800) 969-4382, is authorized and directed, with the aid of the appropriate officers and agents of the Authority, to determine each year, without further action of the Commission, the appropriate amount of the Special Tax (pursuant to, and as that term is defined in, the Resolution of Formation) to be levied for the Community Facilities District, to prepare the annual Special Tax roll in accordance with the RMA, and to present the roll to the Commission for consideration.

SECTION 3. Upon approval by the Commission, whether as submitted or as modified by the Commission, the special tax consultant is authorized and directed, without further action of the Commission, to provide all necessary and appropriate information to the Sacramento County Assessor in proper form, and in proper time, necessary to effect the correct and timely billing and collection of the Special Tax on the secured property tax roll of the County of Sacramento (the “County”); provided, that as stated in the Resolution of Formation and in Section 53340 of the California Government Code, the Commission has reserved the right to utilize any method of collecting the Special Tax which it shall, from time to time, determine to be in the best interests of the Authority, including but not limited to, direct billing by the

Authority to the property owners, supplemental billing and, under the circumstances provided by law, judicial foreclosure, all or any of which the Commission may implement in its discretion by resolution.

SECTION 4. The appropriate officers and agents of the Authority are authorized to make adjustments to the Special Tax roll prior to the final posting of the Special Tax to the County tax roll each fiscal year, as may be necessary to achieve a correct match of the Special Tax levy with the assessor's parcel numbers finally utilized by the Sacramento County Assessor in sending out property tax bills.

SECTION 5. The Authority agrees that, in the event the Special Tax is collected on the secured tax roll of the County, the County may charge its reasonable and agreed charges for collecting the Special Tax as allowed by law, prior to remitting the Special Tax collections to the Authority.

SECTION 6. Taxpayers claiming that the amount of the Special Tax on their property is not correct are referred to Section F of the RMA for the proper claims procedure.

SECTION 7. If for any cause any portion of this Ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel by a court of competent jurisdiction, the balance of this Ordinance, and the application of the Special Tax to all other parcels, shall not be affected.

SECTION 8. This Ordinance shall take effect and be in force thirty (30) days after its final passage; and before the expiration of fifteen (15) days after its passage the same shall be published, with the names of the members voting for and against the same, at least once in a newspaper of general circulation published and circulated in the area of the Community Facilities District.

* * *

I, the undersigned, the duly appointed and qualified representative of the Commission of the California Statewide Communities Development Authority, DO HEREBY CERTIFY that the foregoing ordinance was first read at a regular meeting of the Commission on May 19, 2022, and was duly passed and adopted by the Commission of the Authority at a duly called meeting of the Commission of the Authority held in accordance with law on June 2, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

By: _____
Authorized Signatory
California Statewide Communities
Development Authority



REGULAR MEETING AGENDA

June 2, 2022

2:00 PM or upon adjournment of the CSCDA meeting

Pursuant to Government Code Section 54953(e) (Assembly Bill 361), Commissioners of the CSCDA Community Improvement Authority or staff may participate in this meeting via a teleconference. In the interest of maintaining appropriate social distancing, members of the public may participate in the meeting telephonically. Members of the public may observe and offer comment at this meeting telephonically by dialing 669-900-9128, Meeting ID 259-798-2423, Passcode 129070. If you experience technical problems with the telephonic meeting, please contact info@cscda.org or 1-800-531-7476 for assistance. If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act ("ADA") please contact info@cscda.org or 1-800-531-7476 prior to the meeting for assistance.

1. Roll Call.

_____ Tim Snellings, Chair	_____ Marcia Raines, Member
_____ Brian Moura, Vice Chair	_____ Brian Stiger, Member
_____ Kevin O'Rourke, Secretary	_____ Niroop Srivatsa, Alt. Member
_____ Jordan Kaufman, Treasurer	_____ Jim Erb, Alt. Member
_____ Dan Mierzwa, Member	

2. Consideration of the Minutes of the May 5, 2022 Regular Meeting.

3. Consent Calendar.

4. Public Comment.

5. Executive Director Update.

6. Staff Updates.

7. Adjourn.

CSCDA COMMUNITY IMPROVEMENT AUTHORITY

CONSENT CALENDAR

1. Reconsider the circumstances of the COVID-19 state of emergency and make findings in connection therewith to authorize meetings to be held via teleconferencing pursuant to Government Code Section 54953(e).

June 2, 2022



MINUTES

REGULAR MEETING OF THE CSCDA COMMUNITY IMPROVEMENT AUTHORITY

May 5, 2022

2:00 PM or upon adjournment of the CSCDA meeting

Commission Chair Tim Snellings called the meeting to order at 2:12 pm.

1. Roll Call.

Commission members participating via teleconference: Tim Snellings, Brian Moura, Kevin O'Rourke, Jordan Kaufman, Dan Mierzwa, Brian Stiger, Marcia Raines, and Jim Erb.

Others participating via teleconference: Cathy Barna, CSCDA Executive Director; James Hamill, Bridge Strategic Partners; Jon Penkower, Bridge Strategic Partners; Sandy Young, CSAC Finance Corporation; Norman Coppinger, League of California Cities; and Trisha Ortiz, Richards Watson & Gershon.

2. Consideration the Minutes of the April 21, 2022 Regular Meeting.

The Commission approved the Minutes of the April 21, 2022 meeting.

Motion to approve by D. Mierzwa. Second by B. Moura. Unanimously approved by roll-call vote.

3. Consent Calendar.

The Commission approved the consent calendar.

1. Reconsider the circumstances of the COVID-19 state of emergency and make findings in connection therewith to authorize meetings to be held via teleconferencing pursuant to Government Code Section 54953(e).

Motion to approve by M. Raines. Second by K O'Rourke. Unanimously approved by roll-call vote.

4. Public Comment.

There was no public comment.

5. Executive Director Update.

Executive Director Barna had no update.

6. Staff Update.

Staff had no update.

7. Adjourn.

The meeting was adjourned at 2:13 p.m.

Submitted by: Sendy Young, CSAC Finance Corporation

Agenda Report

DATE: June 2, 2022
TO: CSCDA CIA COMMISSIONERS
FROM: Cathy Barna, Executive Director
PURPOSE: Consent Calendar

- 1. Reconsider the circumstances of the COVID-19 state of emergency and make findings in connection therewith to authorize meetings to be held via teleconferencing pursuant to Government Code Section 54953(e).**

BACKGROUND AND SUMMARY:

This item is being presented in order to allow CSCDA CIA's Commission and other legislative bodies to meet virtually pursuant to Assembly Bill ("AB") 361. These special provisions in the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963) give local public agencies greater flexibility to conduct teleconference meetings when there is a declared state of emergency and either social distancing is mandated or recommended, or when the legislative body determines in-person meetings would present imminent risks to the health and safety of attendees.

On March 4, 2020, Governor Newsom proclaimed a state of emergency to exist in California due to the spread of COVID-19. The Governor subsequently issued numerous executive orders suspending or modifying state laws to facilitate the response to the emergency. Among other things, these executive orders superseded certain Brown Act requirements and established special rules to give local public agencies greater flexibility to conduct teleconference meetings, including authorizing legislative bodies to participate in meetings from remote locations without compliance with certain noticing requirements.

On September 16, 2021, in anticipation of the then-imminent expiration of his special rules for teleconference meetings, the Governor signed AB 361 to amend Section 54953 of the Brown Act. Pursuant to Government Code Section 54953(e), legislative bodies of local agencies may hold public meetings via teleconferencing without complying with the requirements of Government Code Section 54953(b)(3), if the legislative body complies with certain enumerated requirements in any of the following circumstances:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

CSCDA CIA previously determined that as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees and has been conducting its meetings via teleconferencing under Government Code Section 54953(e).

To continue meeting remotely pursuant to Government Code Section 54953(e), an agency must make periodic findings that: (1) the body has reconsidered the circumstances of the declared emergency; and (2) the emergency impacts the ability of the body's members to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing.

The factual circumstances exist for CSCDA CIA to continue holding remote meetings under AB 361. The proclaimed state of emergency in response to the COVID-19 pandemic, which Governor Newsom declared on March 4, 2020, continues to exist. Also, the U.S. Centers for Disease Control and Prevention ("CDC") continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than 6 feet apart from others for longer periods of time. COVID-19 can cause severe illness and hundreds of thousands of people have died from COVID-19 in the United States. The CDC advise that even for fully vaccinated people, breakthrough infections are likely to occur. The CDC continue to advise people to avoid crowded indoor places, which put people at higher risk for COVID-19 infection. Therefore, holding meetings via teleconferencing pursuant to Government Code Section 54953(e) will reduce the likelihood of exposure to COVID-19.

RECOMMENDATION:

To continue conducting open and public meetings via teleconferencing in accordance with Government Code Section 54953(e) of the Brown Act, the Commission finds that it has reconsidered the circumstances of the COVID-19 state of emergency and that the state of emergency continues to directly impact the ability of its members to meet safely in person, and the Commission directs staff to take all actions necessary to allow the legislative bodies of CSCDA CIA to conduct meetings via teleconferencing during the emergency.



CSCDC
CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT CORPORATION



California State Association of Counties



LEAGUE OF
CALIFORNIA
CITIES

MEETING AGENDA

June 2, 2022

2:00 PM or upon adjournment of the CSCDA CIA Meeting

Pursuant to Government Code Section 54953(e) (Assembly Bill 361), Members of the California Statewide Communities Development Corporation or staff may participate in this meeting via a teleconference. In the interest of maintaining appropriate social distancing, members of the public may participate in the meeting telephonically. Members of the public may observe and offer comment at this meeting telephonically by dialing 669-900-9128, Meeting ID 259-798-2423, Passcode 129070. If you experience technical problems with the telephonic meeting, please contact info@cscda.org or 1-800-531-7476 for assistance. If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act ("ADA") please contact info@cscda.org or 1-800-531-7476 prior to the meeting for assistance.

1. Roll Call.

_____ Tim Snellings, President
_____ Brian Moura, Vice President
_____ Kevin O'Rourke, Secretary
_____ Jordan Kaufman, Treasurer
_____ Dan Mierzwa, Member

_____ Brian Stiger, Member
_____ Marcia Raines, Member
_____ Niroop Srivatsa, Alt. Member
_____ Jim Erb, Alt. Member

2. Consideration of the Minutes of the May 19, 2022 Meeting.

3. Consent Calendar.

4. Public Comment.

5. Executive Director Update.

6. Staff Updates.

7. Adjourn.

CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT CORPORATION

CONSENT CALENDAR

1. Reconsider the circumstances of the COVID-19 state of emergency and make findings in connection therewith to authorize meetings to be held via teleconferencing pursuant to Government Code Section 54953(e).

June 2, 2022



MINUTES

REGULAR MEETING OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT CORPORATION

May 19, 2022

2:00 p.m. or upon adjournment of the CSCDA CIA Meeting

Board President Tim Snellings called the meeting to order at 2:13 pm.

1. Roll Call.

Commission members participating via teleconference: Tim Snellings, Brian Moura, Jordan Kaufman, Dan Mierzwa, Marcia Raines, and Brian Stiger.

Others participating via teleconference: Cathy Barna, CSCDA Executive Director; James Hamill, Bridge Strategic Partners; Jon Penkower, Bridge Strategic Partners; Sendy Young, CSAC Finance Corporation; Norman Coppinger, League of California Cities; Trisha Ortiz, Richards Watson & Gershon; and Brendan LaFountain, Orrick..

2. Consideration the Minutes of the May 5, 2022 Regular Meeting.

The Board of Directors approved the Minutes of the May 5, 2022.

Motion to approve by B. Stiger. Second by M. Raines. Unanimously approved by roll-call vote.

3. Public Comment.

There was no public comment.

4. Consideration of appointment of Susan Schroth to CSCDC Advisory Board.

CSCDC staff have identified Susan Schroth as a qualified advisory board member to replace Ms. Koski. Ms. Schroth is representative of low-income communities and CSCDC's advisory board will remain 100% accountable to low-income communities. CSCDC's Executive Director recommended approval of the appointment of Susan Schroth to CSCDC's Advisory Board.

Motion to approve by B. Moura. Second by M. Raines. Unanimously approved by roll-call vote.

5. Executive Director Update.

Executive Director Barna had no update.

6. Staff Update.

Staff had no update.

7. Adjourn.

The meeting was adjourned at 2:29 p.m.

Submitted by: Sendy Young, CSAC Finance Corporation

Agenda Report

DATE: June 2, 2022

TO: CSCDC BOARD MEMBERS

FROM: Cathy Barna, Executive Director

PURPOSE: Consent Calendar

- 1. Reconsider the circumstances of the COVID-19 state of emergency and make findings in connection therewith to authorize meetings to be held via teleconferencing pursuant to Government Code Section 54953(e).**

BACKGROUND AND SUMMARY:

This item is being presented in order to allow CSCDC's Board of Directors and other legislative bodies to meet virtually pursuant to Assembly Bill ("AB") 361. These special provisions in the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963) give local public agencies greater flexibility to conduct teleconference meetings when there is a declared state of emergency and either social distancing is mandated or recommended, or when the legislative body determines in-person meetings would present imminent risks to the health and safety of attendees.

On March 4, 2020, Governor Newsom proclaimed a state of emergency to exist in California due to the spread of COVID-19. The Governor subsequently issued numerous executive orders suspending or modifying state laws to facilitate the response to the emergency. Among other things, these executive orders superseded certain Brown Act requirements and established special rules to give local public agencies greater flexibility to conduct teleconference meetings, including authorizing legislative bodies to participate in meetings from remote locations without compliance with certain noticing requirements.

On September 16, 2021, in anticipation of the then-imminent expiration of his special rules for teleconference meetings, the Governor signed AB 361 to amend Section 54953 of the Brown Act. Pursuant to Government Code Section 54953(e), legislative bodies of local agencies may hold public meetings via teleconferencing without complying with the requirements of Government Code Section 54953(b)(3), if the legislative body complies with certain enumerated requirements in any of the following circumstances:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

CSCDC previously determined that as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees and has been conducting its meetings via teleconferencing under Government Code Section 54953(e).

To continue meeting remotely pursuant to Government Code Section 54953(e), an agency must make periodic findings that: (1) the body has reconsidered the circumstances of the declared emergency; and (2) the emergency impacts the ability of the body's members to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing.

The factual circumstances exist for CSCDC to continue holding remote meetings under AB 361. The proclaimed state of emergency in response to the COVID-19 pandemic, which Governor Newsom declared on March 4, 2020, continues to exist. Also, the U.S. Centers for Disease Control and Prevention ("CDC") continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than 6 feet apart from others for longer periods of time. COVID-19 can cause severe illness and hundreds of thousands of people have died from COVID-19 in the United States. The CDC advise that even for fully vaccinated people, breakthrough infections are likely to occur. The CDC continue to advise people to avoid crowded indoor places, which put people at higher risk for COVID-19 infection. Therefore, holding meetings via teleconferencing pursuant to Government Code Section 54953(e) will reduce the likelihood of exposure to COVID-19.

RECOMMENDATION:

To continue conducting open and public meetings via teleconferencing in accordance with Government Code Section 54953(e) of the Brown Act, the Commission finds that it has reconsidered the circumstances of the COVID-19 state of emergency and that the state of emergency continues to directly impact the ability of its members to meet safely in person, and the Commission directs staff to take all actions necessary to allow the legislative bodies of CSCDC to conduct meetings via teleconferencing during the emergency.