

MINUTES

**California Pollution Control Financing Authority
801 Capitol Mall, Room 150
Sacramento, CA 95814
September 20, 2016**

1. CALL TO ORDER & ROLL CALL

Alan Gordon, Chairperson, called the California Pollution Control Financing Authority (CPCFA or Authority) meeting to order at 11:23 a.m.

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

Staff Present: Reneé Webster-Hawkins, CPCFA Executive Director

Quorum: The Chairperson declared a quorum

2. MINUTES

Mr. Alan Gordon asked if there were any questions or comments concerning the meeting minutes from the meeting held August 16, 2016. There were none.

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

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
Alan Gordon for the State Treasurer	Aye

3. EXECUTIVE DIRECTOR'S REPORT

Ms. Reneé Webster-Hawkins began her report by explaining that the regulatory package approved the Board in August for the California Capital Access Americans with Disabilities Act Small Business Financing Program (CalCAP/ADA) was approved by the Secretary of State on August 29, 2016, which enabled the program to officially open for business. CalCAP staff continues to conduct strategic outreach to lenders and the small business community. There is an upcoming targeted outreach event on October 12, 2016 in Tuolumne County, co-hosted by Go-Biz, the Tuolumne County Business Council, and the regional Small Business Development Council. Staff has conducted advanced outreach and recruitment of lenders active in the Gold Country commercial lending sector. Ms. Reneé Webster-Hawkins stated that as of last Friday (September 16, 2016) Fresno CDFI has become the first lender approved to participate in the CalCAP/ADA program. Once the internal underwriting process is

Agenda Item 2.

finished and the businesses have obtained their accessibility reports, the first loans will be allowed to enroll.

Ms. Reneé Webster-Hawkins stated that the authority has been busy developing the CalCAP Seismic Safety program. The program will target small businesses and residential structures to assist them with seismic safety retrofits. Ms. Reneé Webster-Hawkins said there has been enthusiastic support from local governments that have soft-story retrofit regulations in place. CalCAP staff has conducted extensive outreach on the program. The stakeholder outreach will be continuing throughout the fall in order to put together a rulemaking package for the Board's consideration no later than December.

Ms. Reneé Webster-Hawkins stated that additional rulemaking will be brought to the Board within the next six months as part of the umbrella of CalCAP programs to develop recapture mechanisms to better use the contributions from loans that have matured. In March of 2017 CPCFA's formal allocation agreement with the U.S. Treasury will officially terminate. The authority will begin to assume discretion over funds and align them other CalCAP programs. The upcoming rulemaking package will be brought to the Board in the winter of 2017, after the allocation agreement expires.

Ms. Reneé Webster-Hawkins introduced two new staff members to the CPCFA team, Gerardo Martin, and Anthony Maalouf. Gerardo Martin joined the team as an Office Technician, while Anthony Maalouf has joined as the new Student Assistant.

Ms. Reneé Webster-Hawkins stated there were several agreements that have been signed under her delegated authority. One was an interagency agreement between the Air Resources Board (ARB) and CPCFA for 2016/2017 which amounted to \$22,000,000. That agreement was signed on July 18, 2016. The others were standard periodic delegation agreements with California Human Resources Agency. Those were signed on September 8, 2016. The final agreement was in regards to posting a request for proposal to obtain a new independent auditor under SB99 for the annual Bond program audit.

4. BUSINESS ITEMS

A. REQUEST TO APPROVE INITIAL RESOLUTION REFLECTING OFFICIAL INTENT TO ISSUE REVENUE NOTES/BONDS

1. ABEC #3 LLC dba Lakeview Dairy Biogas, California Bioenergy, LLC, and/or its Affiliates
Presented by Lyudmila Farbitnikova

Staff introduced Neil Black, California Bioenergy LLC, and Jason Grubbs, The Frazer Lanier Company

ABEC #3 LLC dba Lakeview Dairy Biogas, California Bioenergy LLC and/or its Affiliates requested approval of an Initial Resolution for an amount not to exceed \$3,000,000 to finance the acquisition and the construction of an anaerobic digester.

Agenda Item 2.

Staff recommended approval of Initial Resolution No. 16-13 for ABEC #3 LLC dba Lakeview Dairy Biogas, California Bioenergy LLC and/or its Affiliates for an amount not to exceed \$3,000,000.

Mr. Alan Gordon asked if there was anything to add.

Mr. Jason Grubbs introduced himself again. Mr. Jason Grubbs stated these ABEC projects and proposals are all very similar.

Mr. Neil Black expressed his gratitude to CPCFA and its staff for everything they've done for the projects.

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

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

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
Alan Gordon for the State Treasurer	Aye

2. ABEC #4 LLC dba CE&S Dairy Biogas, California Bioenergy, LLC, and/or its Affiliates Presented by Kris Luoma

Staff introduced Neil Black, California Bioenergy LLC, and Jason Grubbs, The Frazer Lanier Company

ABEC #4 LLC dba CE&S Dairy Biogas, California Bioenergy LLC and or its Affiliates requested approval of an Initial Resolution for an amount not to exceed \$4,000,000 to finance the acquisition and construction of an anaerobic digester.

Staff recommended approval of Initial Resolution No. 16-14 for ABEC #4 LLC dba CE&S Dairy Biogas, California Bioenergy LLC and/or its Affiliates for an amount not to exceed \$4,000,000.

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

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

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
Alan Gordon for the State Treasurer	Aye

B. REQUEST TO APPROVE FINAL RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE NOTES FOR NEW MONEY AND REFUNDING PURPOSES, AND TAX-EXEMPT VOLUME CAP ALLOCATION

EDCO Refuse Services, Inc. and/or its Affiliates
Presented by Kris Luoma

Staff introduced Mark Holmstedt, Westoff, Cone & Holmstedt, and John Wang, Orrick, Herrington & Sutcliffe LLP

EDCO Refuse Services, Inc., Burrtec Waste & Recycling Services, LLC, Burrtec Environmental, LLC, Burrtec Recovery & Transfer, LLC, SANCO Services, L.P. and JEMCO Equipment Corp. and/or its Affiliates requested approval of a Final Resolution for an amount not to exceed \$65,000,000 and Volume Cap Allocation for an amount not to exceed \$56,295,000.

EDCO Refuse Services, Inc. intends to refund a solid waste revenue bond previously issued in 2006 by CPCFA in an amount not to exceed \$8,705,000. The company also intends to finance the construction of a new Material Recovery Facility (MRF), purchase vehicles, equipment and make improvements to existing recycling buildings.

Staff recommended approval of Final Resolution No. 556 for an amount not to exceed \$65,000,000 and Volume Cap Allocation Resolution No.13-111-08 for an amount not to exceed \$56,295,000 for EDCO Refuse Services, Inc., Burrtec Waste & Recycling Services, LLC, Burrtec Environmental, LLC, Burrtec Recovery & Transfer, LLC, JEMCO Equipment Corp. and SANCO Services, L.P. and/or its Affiliates.

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

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

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
Alan Gordon for the State Treasurer	Aye

C. REQUEST TO APPROVE FINAL RESOLUTION AUTHORIZING THE ISSUANCE OF REFUNDING REVENUE NOTES

BLT Enterprises of Fremont LLC and/or its Affiliates
Presented by Andrea Gonzalez

Staff introduced Mark Holmstedt, Westoff, Cone & Holmstedt, and John Wang, Orrick, Herrington & Sutcliffe LLP

Agenda Item 2.

BLT Enterprises of Fremont LLC and/or its Affiliates requested approval of a Final Resolution to issue refunding revenue notes for an amount not to exceed \$23,765,000. The Company proposes the refunding of up to \$23,765,000 in previously issued bonds (BLT Enterprises Project Series 2010).

Staff recommended approval of Resolution No. 558 for BLT Enterprises of Fremont LLC and/or its Affiliates for an amount not to exceed \$23,765,000.

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

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

The item was passed by the following vote:

Eraina Ortega for the Director of Finance	Aye
Anne Baker for the State Controller	Aye
Alan Gordon for the State Treasurer	Aye

5. PUBLIC COMMENT

Mr. Alan Gordon asked if there were any comments from the public. There were none.

6. ADJOURNMENT

There being no further business, public comments, or concerns, the meeting adjourned at 11:39 a.m.

Respectfully submitted,

Reneé Webster-Hawkins
Executive Director