

## **AGENDA REPORT**

### **CALIFORNIA MUNICIPAL PUBLIC FINANCING AUTHORITY**

#### **ORDER OF BUSINESS APRIL 7, 2022**

#### **RESOLUTION / TITLE:**

**A RESOLUTION OF THE GOVERNING BODY OF THE CALIFORNIA MUNICIPAL PUBLIC FINANCING AUTHORITY APPROVING AND APPOINTING A NEW BOARD MEMBER, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO**

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#### **RECOMMENDATION**

That the Governing Board review this Agenda Report and consider adopting the subject Resolution.

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#### **EXECUTIVE SUMMARY**

The subject resolution approves and formally appoints Daniel J. Grebil as the new member of the Board to the Authority. Daniel J. Grebil will fill the board vacancy that is currently available after Director Wilkes has respectfully resigned.

Daniel J. Grebil is a retired Fire Chief. He previously served as Chief of the Scotts Valley Fire Protection District, the Branciforte Fire Protection District, and Ukiah Valley Fire District. In addition to his immense experience as a Fire Chief, Mr. Grebil has also served in various positions in Board of Directors, Associations and Committees. From 2012 to 2017, Mr. Grebil served as a director of the Fire District Association of California and of the Fire District Association of California-Employment Benefits Authority. He has vast experience with public finance for special districts, associations, authorities, and has leadership experience as a decision maker for the agencies he represented for years. Mr. Grebil has expressed a deep interest in serving as a member of the Board and has provided a cover letter and list of resume experience attached for review.

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#### **FISCAL IMPACT**

There are no negative financial impacts expected to emanate from adoption of the subject Resolution.

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#### **ATTACHMENTS:**

1. Resolution No. PFA-2022-05
2. Grebil Cover Letter
3. Grebil Resume of Experience

## AGENDA REPORT

### CALIFORNIA MUNICIPAL PUBLIC FINANCING AUTHORITY

#### ORDER OF BUSINESS APRIL 7, 2022

#### RESOLUTION / TITLE:

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALIFORNIA MUNICIPAL PUBLIC FINANCING AUTHORITY AUTHORIZING PUBLIC MEETINGS TO BE HELD VIA TELECONFERENCING PURSUANT TO GOVERNMENT CODE SECTION 54953(e) AND MAKING CERTAIN FINDINGS AND DETERMINATIONS**

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#### RECOMMENDATION

That the Board review this Agenda Report and consider adopting the subject Resolution.

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#### EXECUTIVE SUMMARY

On September 16, 2021 Governor Newsom signed AB 361 amending the Brown Act to allow local agencies to meet remotely during declared emergencies under certain conditions. AB 361 builds upon Executive Order (“EO”) N-29-20, issued by the Governor on March 17, 2020, which relaxed the teleconferencing requirements of the Brown Act to facilitate virtual meetings during the COVID-19 declared emergency.

AB 361 authorizes local agencies to continue meeting remotely without following the Brown Act’s standard teleconferencing provisions, including the requirement that meetings be conducted in physical locations, under specified conditions. Namely, the meeting is held during a state of emergency proclaimed by the Governor and either of the following applies: (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the agency has already determined or is determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

AB 361 also adds new procedures and clarifies the requirements for conducting remote meetings as follows:

- **Public Comment Opportunities in Real Time:** A legislative body that meets remotely pursuant to AB 361 must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda for the remote meeting must provide an opportunity for members of the public to directly address the body in real time.
- **No Action During Disruptions:** In the event of a disruption that prevents the local agency from broadcasting the remote meeting, or in the event of a disruption within the local agency’s control that prevents members of the public from offering public comments using the call-in option or internet-based service option, AB 361 prohibits the legislative body from taking any further action on items appearing on the meeting agenda until public access to the meeting via the call-in or internet-based options is restored.
- **Periodic Findings:** To continue meeting remotely pursuant to AB 361, 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. These findings should be made every 30 days prior to the legislative body taking any action.

### **Public Health and Safety Considerations**

On March 4, 2020, Governor Newsom declared a State of Emergency in response to the COVID-19 pandemic (the "Emergency"). Also, the Centers for Disease Control and Prevention 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. Due to the ongoing COVID-19 pandemic and the need to promote social distancing to reduce the likelihood of exposure to COVID-19, Staff recommends continuing teleconference meetings pursuant to Government Code Section 54953(e). Therefore, the proposed resolution determines that as a result of the Emergency, meeting in person presents imminent risks to the health or safety of attendees and that meetings will be held via teleconferencing.

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### **FISCAL IMPACT**

There are no negative financial impacts expected to emanate from adoption of the subject Resolutions.

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### **ATTACHMENTS:**

1. Resolution No. PFA-2022-04

**AGENDA REPORT**

**CALIFORNIA MUNICIPAL PUBLIC FINANCING AUTHORITY**

**ORDER OF BUSINESS  
APRIL 7, 2022**

**RESOLUTION / TITLE:**

**A RESOLUTION OF THE GOVERNING BOARD OF THE CALIFORNIA MUNICIPAL PUBLIC FINANCING AUTHORITY APPROVING A NON-CHARTER MEMBERSHIP AGREEMENT, APPROVING AND AUTHORIZING AND DIRECTING EXECUTION OF A SERIES 2022A INSTALLMENT PURCHASE AGREEMENT, ASSIGNMENT AGREEMENT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO**

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**RECOMMENDATION**

That the Governing Board review this Agenda Report and consider adopting the subject Resolution.

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**EXECUTIVE SUMMARY**

The subject resolution (i) approves the form of a Non-Charter Membership Agreement with the Arcata Fire Protection District (the "District"), and (ii) authorizes and approves the form of all the foundational legal documents (the "Financing Documents") necessary to provide for the successful issuance of 2022 Obligations, in the aggregate principal amount of approximately \$738,000 (the "2022 Obligations") for the purpose of acquiring a new fire truck (the "Project"). The adoption of the Resolution is a legal prerequisite to allow for the completion of the appropriate documentation necessary for the 2022 obligations finalization. The accompanying Financing Documents comprise a financing structure that is considered standard for California government agencies to legally incur debt secured by gross revenues of a fire protection district. In using this financing structure, an installment sale arrangement must be established with a third-party nonprofit entity experienced in tax-exempt debt transactions in California. The Authority is serving as such independent nonprofit entity for this financing transaction.

The 2022 Obligations will be repaid from Gross Revenues of the District. The District has also agreed to annually produce sufficient Net Revenues to cover debt service on all parity debt by at least 110%. "Net Revenues" means for any Fiscal Year (or other designated twelve (12) calendar month period), the Gross Revenues (i.e., all revenues generated by the Enterprise) during such Fiscal Year (or designated twelve (12) calendar month period) less the Operation and Maintenance Costs during such period.

The Financing Documents are being presented to the Board as "form-only documents." The subject resolutions authorize and direct Authority officers and staff to finalize the Financing Documents as and when appropriate, and to do all things necessary to provide for the issuance of the 2022 Obligations, which is expected to occur sometime during the week of April 18th. This method of approval is the normal method of approving a Financing Documents.

Pursuant to the subject Series 2022A Installment Loan Purchase Agreement, the District is "purchasing" the Project from the Authority in exchange for making the semi-annual Installment Payments. The proposed 2022 Obligations are structured to be tax-exempt and are pre-payable at any time without penalty.

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**FISCAL IMPACT**

There are no negative financial impacts expected to emanate from adoption of the subject Resolution.

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**ATTACHMENTS:**

1. Resolution No. PFA-2022-06
2. Form of a Non-Charter Membership Agreement
3. Financing Documents