



## AGENDA

Tuesday, June 9, 2020, 9:00 AM  
Third Floor, Conference Room 3001  
1010 10<sup>th</sup> Street  
Modesto, CA

1. **Welcome and Roll Call**
2. **Public Comment\* - Please see instructions below**
3. **Approval of March 31, 2020 Minutes**
4. **Consent Items:**
  - a. None
5. **Public Hearing:**
  - a. First Public Hearing on the Proposed Enhanced Infrastructure Financing District Plan
6. **Non-Consent Items**
  - a. Approval of a Resolution Memorializing the First Public Hearing of the Authority and Calling the Second Public Hearing of the Authority
7. **Correspondence:**
  - a. None
8. **Additional Matters:**
  - a. None
9. **Adjournment**

Consistent with the Governor's Executive Orders N-25-20 and N-29-20, the June 9, 2020 Public Financing Authority Meeting will not be open for public to attend in person. **To maximize public safety while still maintaining transparency and public access, you may observe the meeting and address the PFA via email or telephonically as described below:**

1. Listen to the meeting by calling +1 (888) 370-6086 or +1 (559) 512-3189. When prompted enter Conference ID 463231839 and follow the instructions.
2. If you wish to provide public comment via telephone, please contact the Secretary at (209) 652-1975 no later than 8:00 a.m. on Tuesday, June 9, 2020.
3. If you prefer to provide written comment on a specific agenda item, please submit your comments via email by 8:00 a.m. on Tuesday, June 9, 2020. Please email the Secretary at [cavanahp@stancounty.com](mailto:cavanahp@stancounty.com) and include the Agenda Item Number in the subject line of the email. Your written comments will be distributed to the Public Financing Authority and kept on file as part of official record of the meeting.

**\*PUBLIC COMMENT:** Limit comments to five (5) minutes so that everyone may be heard. Matters under the jurisdiction of the Authority and not on this posted agenda may be addressed by the general public at this time, and the Authority may consider adding the item to the next month's agenda for further consideration. California law prohibits the Authority from taking any action on a matter that is not on the posted agenda unless it is determined to be an emergency by the Authority.

**REASONABLE ACCOMMODATIONS:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Patrick Cavanah at (209) 525-6333. Notification 72 hours prior to the meeting will enable the Council to make reasonable arrangements to ensure accessibility to this meeting.



Crows Landing Industrial Business Park  
Enhanced Infrastructure Financing District  
Public Financing Authority  
[www.crowsbizpark.biz](http://www.crowsbizpark.biz)

1010 10<sup>th</sup> Street, Suite 6800  
Modesto, CA 95354  
Phone: 209-525-6333

## **MEETING MINUTES (DRAFT)**

Tuesday, March 31, 2020, 8:00 AM  
Third Floor, Conference Room 3001  
1010 10<sup>th</sup> Street  
Modesto, CA

Regular Meeting

**Members Present:** Supervisor Vito Chiesa (county member), Supervisor Jim DeMartini (county member), Supervisor Kristin Olsen (county member), David White (public member by phone), Wayne Zipser (public member)

**Staff Present:** Keith Boggs (Chief Executive Office), Patrick Cavanah (Chief Executive Office), Rob Taro (Assistant County Counsel by phone)

**Others Present:** Jamie Gomes (EPS/consultant by phone), Russ Powell (EPS/consultant by phone) Constantine Baranoff (KTMG/consultant by phone)

Consistent with the Governor's Executive Orders N-25-20 and N-29-20, the March 31, 2020 Public Financing Authority Meeting was not open for public to attend in person. To maximize public safety while still maintaining transparency and public access, public was offered the opportunity to observe the meeting and address the PFA via email or telephonically as described below:

- Listen to the meeting by calling +1 (888) 370-6086 or +1 (559) 512-3189. When prompted enter Conference ID 589291305 and follow the instructions.
- To provide public comment via telephone, please contact the Secretary at (209) 652-1975 no later than 5:00 p.m. on Monday, March 30, 2020.
- To provide written comment on a specific agenda item, please submit your comments via email by 5:00 p.m. on Monday, March 30, 2020. Please email the Secretary at [cavanahp@stancounty.com](mailto:cavanahp@stancounty.com) and include the Agenda Item Number in the subject line of the email. Your written comments will be distributed to the Public Financing Authority and kept on file as part of official record of the meeting.

**Call to Order:** The meeting was called to order at 8:01 a.m. by Chairman White

### **1. Welcome and Roll Call**

All members of the PFA were present. David White participated in the meeting by phone.

### **2. Public Comment\* - Please see instructions below**

Individuals interested in providing public comment were instructed to contact the PFA Secretary by 5:00 PM on March 30, 2020 via telephone or email. No members of the public contacted the Secretary, and no members of the public participated on the teleconference.

### **3. Approval of February 4, 2020 Minutes**

Approved the February 4, 2020 Minutes as submitted. (Chiesa/Olsen unanimous)

**4. Presentation (No Action):**

**4.a** Considered the presentation of the Draft Enhanced Infrastructure Financing District Infrastructure Financing Plan (IFP) and provided comments and questions. The PFA requested the IFP allow for the allocation of up to 100% of the property tax increment to be dedicated to the EIFD, and asked to include analysis of dedicating 100% of the tax increment to the EIFD for the first five years in the IFP. Further clarification was also provided regarding the required termination of the EIFD 45 years after taking on debt. (Chiesa/Zipser unanimous)

**5. Consent Items:**

There were no consent items.

**6. Non-Consent Items:**

**6.a** Approved resolution memorializing the second meeting of the authority, setting forth the schedule for the first public hearing of the authority, and other related actions. (Chiesa/Olsen unanimous)

**7. Correspondence:**

There was no correspondence.

**8. Additional Matters:**

There were no additional matters.

**9. Adjournment**

Meeting adjourned at 8:23 a.m.

Respectfully Submitted,

Patrick Cavanah, Secretary

**Public Financing Authority of the  
Crows Landing Industrial Business Park Enhanced Infrastructure Financing District  
Agenda Item**

BOARD AGENDA: 5.a  
AGENDA DATE: June 9, 2020

**SUBJECT:**

First Public Hearing on the Proposed Enhanced Infrastructure Financing District Plan

**STAFF RECOMMENDATIONS:**

1. Conduct a public hearing on the Proposed Enhanced Infrastructure Financing District Plan.

**DISCUSSION:**

Enhanced Infrastructure Financing District (EIFD) Law prescribes the process to form an EIFD. This process includes multiple public hearings as well as communication with landowners, residents, and taxing entities. EIFD law requires that at the first public hearing on the draft infrastructure financing plan be held to provide the opportunity for interested parties to ask questions and provide comments. No action on the plan can be taken.

Since the draft plan was presented on March 31, 2020 to the Public Financing Authority some edits have been made to the plan. All but one of the changes were minor or technical in nature. The only material change was to the maximum amount of the increment which could be dedicated to the EIFD. The draft plan presented to the PFA on March 31, 2020 capped this at 75%. Based on comments from the PFA at this meeting, this cap has been increased to 100%. Forecasts indicate that 100% of the increment could be dedicated to the EIFD for Phase 1A without burdening the county's General Fund. It is important to note the plan sets the maximum amount of increment that could be directed to the EIFD and the PFA will have the ability to adjust the actual portion of increment directed to the EIFD on an annual basis.

Staff provided a copy of the draft plan to only other land owner (NASA) and affected taxing agencies prior to the March 31, 2020 meeting and has not received comments. In compliance with state law, a notice of this public hearing was mailed to each of these interested parties, published in the Modesto Bee once a week for four consecutive weeks beginning on May 4, 2020, and posted to the project's website.

It is recommended to hold the second public hearing on July 14, 2020 at 8:00 a.m. At the second public hearing the PFA will consider any additional written and oral comments on the plan and will act to modify or reject the plan. Staff will ensure all noticing requirements are met for the second public hearing which includes contacting the interested parties directly, publishing in the newspaper, and posting on the project website.

If the plan is not rejected at the second public hearing, then the PFA will conduct a protest proceeding at a third public hearing tentatively scheduled for the end of August. Assuming no protest exists, at the third public hearing the PFA would adopt a resolution adopting the plan and forming the EIFD. Sandwiched between these two public hearings is a Board of Supervisors' meeting in which the plan will be presented to the Board for approval.

**POLICY ISSUE:**

This recommendation is consistent with the Board of Supervisors' direction of pursuing an EIFD as a necessary tool to assist in financing the development of the Crows Landing Industrial Business Park.

**FISCAL IMPACT:**

The EIFD's funding of infrastructure costs will be limited to new incremental property tax revenue that is directly derived from development within the proposed EIFD boundary. Stanislaus County is the only participating taxing agency. The cost of publishing the public hearing notice will be covered by the Chief Executive Office Crows Landing Air Facility budget.

**CONTACT PERSON:**

Patrick Cavanah, Sr. Management Consultant      Telephone: 209.525.6333

**ATTACHMENTS:**

1. Infrastructure Financing Plan

**Public Financing Authority of the  
Crows Landing Industrial Business Park Enhanced Infrastructure Financing District  
Agenda Item**

BOARD AGENDA: 6.a  
AGENDA DATE: June 9, 2020

**SUBJECT:**

Resolution Memorializing the First Public Hearing of the Authority and Calling the Second Public Hearing of the Authority

**STAFF RECOMMENDATIONS:**

1. Approve a resolution memorializing the first public hearing of the authority and calling the second public hearing of the authority.
2. Set a Public Hearing for July 14, 2020 at 8:00 a.m.
3. Direct the Secretary of the Public Financing Authority to arrange the publication of the notice of the second public hearing.

**DISCUSSION:**

Enhanced Infrastructure Financing District (EIFD) Law prescribes the process to form an EIFD. This process includes multiple public hearings as well as communication with landowners, residents, and taxing entities. EIFD law requires that at the first public hearing on the draft infrastructure financing plan be held to provide the opportunity for interested parties to ask questions and provide comments. No action on the plan can be taken.

This resolution memorializes the first public hearing and sets the second public hearing for July 14, 2020 at 8:00 a.m. At the second public hearing the PFA will consider any additional written and oral comments on the plan and will act to modify or reject the plan. Staff will ensure all noticing requirements are met for the second public hearing which includes contacting the interested parties directly, publishing in the newspaper, and posting on the project website.

**POLICY ISSUE:**

This recommendation is consistent with the Board of Supervisors' direction of pursuing an EIFD as a necessary tool to assist in financing the development of the Crows Landing Industrial Business Park.

**FISCAL IMPACT:**

There are no material fiscal impacts. The cost of publication will be covered by the Chief Executive Office Crows Landing Air Facility budget.

**CONTACT PERSON:**

Patrick Cavanah, Sr. Management Consultant      Telephone: 209.525.6333

**ATTACHMENTS:**

## 1. Resolution

**RESOLUTION 2020-\_\_\_**

**Crows Landing Industrial Business Park Public Financing Authority**

**A RESOLUTION MEMORIALIZING THE FIRST PUBLIC HEARING OF THE  
AUTHORITY AND CALLING THE SECOND PUBLIC HEARING OF THE  
AUTHORITY**

WHEREAS, pursuant to Resolution 2020-0035, the Board of Supervisors (the “Board of Supervisors”) of the County of Stanislaus (the “County”) authorized the initiation of proceedings to establish the Crows Landing Industrial Business Park Enhanced Infrastructure Financing District (the “EIFD”) and established the Crows Landing Industrial Business Park Public Financing Authority (the “Authority”) in accordance with the requirements of Chapter 2.99 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with Section 53398.50) (the “EIFD Law”);

WHEREAS, as part of the EIFD formation process, the Governing Board of the Authority (“Board”) directed the preparation of an infrastructure financing plan (the “Plan”);

WHEREAS, pursuant to Government Code Section 53398.66(b), the draft Plan was made available to the public and to each landowner within the area at a meeting of the Authority held on March 31, 2020;

WHEREAS, pursuant to Government Code Section 53398.66(a), the Authority is required to hold the first public hearing to provide the opportunity for questions and consideration of comments on the draft Plan from all interested persons, including all landowners and residents within the EIFD;

WHEREAS, a notice of the first public hearing was duly given as required by the EIFD Law, as evidenced by the affidavit on file with Secretary of the Authority;

WHEREAS, pursuant to the EIFD Law, a public hearing was convened by the Board on June 9, 2020, at the hour of 9:00 a.m., or as soon thereafter as the matter could be heard, at the Stanislaus County Administration Building, 1010 10<sup>th</sup> Street, Modesto, California; and

WHEREAS, at the hearing, the testimony of all interested persons, including all landowners and residents within the EIFD, desiring to be heard on the draft Plan or any other related matters was heard and considered, and a full and fair hearing was held thereon;



**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Crows Landing Industrial Business Park Public Financing Authority that:

**Section 1. Recitals.** The Board finds and determines that the foregoing recitals are true and correct.

**Section 2. Infrastructure Financing Plan.** Pursuant to Government Code Section 53398.66(b), the draft Plan was presented to all interested persons, including all landowners and residents within the EIFD, at the first public hearing of the Authority held on June 9, 2020 at which time an opportunity for questions and consideration of comments was provided.

**Section 3. Second Public Hearing.** In accordance with the EIFD Law, the Board hereby calls the second public hearing to be held July 14, 2020, at the hour of 8:00 a.m., or as soon thereafter as the matter may be heard at Stanislaus County Administration Building, 1010 10<sup>th</sup> Street, Modesto, California, as the time and place when and where the Authority will conduct the second public hearing on the proposed Plan.

**Section 4. Notice of Second Public Hearing.** Notice of the second public hearing shall be provided in accordance with the EIFD Law. The Authority has arranged the publication of the notice of second public hearing to be in a newspaper of general circulation in the County of Stanislaus in accordance with Government Code Section 53398.66.

**Section 5. Effective Date.** This Resolution shall take effect from and after its adoption.

**Section 6. Severability.** If any section, subsection, phrase, or clause of this Resolution is for any reason found to be invalid, such section, subsection, phrase, or clause shall be severed from, and shall not affect the validity of, all remaining portions of this Resolution that can be given effect without the severed portion.

**Section 7. General Authorization.** The Executive Director, the Secretary of the Authority, and all other officers and agents of the Authority are hereby authorized and directed to take all actions necessary or advisable to give effect to the transactions contemplated by this Resolution.

**PASSED AND ADOPTED** by the Governing Board of the Crows Landing Industrial Business Park Public Financing Authority on this 9<sup>th</sup> day of June 2020, by the following votes.

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

---

Chair, Crows Landing Industrial Business Park  
Public Financing Authority

ATTEST:

---

Secretary, Crows Landing Industrial Business  
Park Public Financing Authority