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**To:** CHF Board of Directors  
**From:** Greg Norton, Executive Director  
**Date:** August 5, 2014  
**Re:** CHF Joint Powers Authority Agreement Revisions - **ACTION**

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### **Summary**

Staff and counsel have completed a review of the CHF Joint Powers Authority Agreement (Agreement). The Agreement was last amended and restated January 28, 2004. The purpose of the review and proposed revisions is to bring the Agreement current and to provide administrative clarity to various matters.

The Agreement with all proposed revisions has been reviewed by the RCRC Executive Committee. The Executive Committee directed the CHF Executive Director to present the proposed revisions to the CHF Board of Directors for review and approval. Attached are a copy of the January 28, 2004 Agreement with all proposed revisions in track changes and a clean copy of the proposed revised Agreement. The primary changes are as follows:

- Formal name change to California Home Finance Authority (CHF)
- Clarification that financing of acquisition, improvements and rehabilitation is not limited to residential; stating that such activity may occur on real property in accordance with applicable provisions of law for the benefit of residents and communities. This clarifies the ability of CHF to provide energy efficiency and renewable financing programs for commercial, industrial, municipal buildings, etc. as well as residential properties.
- Clarification that the Authority has the ability to establish and administer a community facilities district for energy program activities.
- Increases the number of members necessary to establish a quorum from ten (10) to twelve (12), consistent with the same for RCRC.
- Establishes an Executive Committee of the Authority.
- Decreases the number of days for presentation and action by each Member's Board of Supervisors for revision of the Agreement from 180 to 60 days to permit more timely revision.

The process for revision of the Agreement is as follows:

- Presentation to the CHF Board of Directors for review and approval to initiate the revisions. A majority vote of the CHF Board is required.

- Providing of the Agreement with proposed revisions to each Member's Delegate for presentation and action by each Member's Board of Supervisors. The Agreement revisions are passed upon to adoption of the revisions by the governing body of a majority of the Members.
- Staff requests that this process be completed within 60 days of approval by the CHF Board of Directors.

**Staff Recommendation:**

Staff recommends that the CHF Board of Directors review and approve the proposed revisions to the CHF Joint Powers Authority Agreement and direct staff to distribute the proposed revisions for review and approval by the Board of Supervisors of each Member.

**Attachments**

- Proposed Amended and Restated Joint Exercise of Powers Agreement (Track Changes)
- Proposed Amended and Restated Joint Exercise of Powers Agreement (Clean)