

RESOLUTION NO. 22-10

RESOLUTION OF THE CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK APPROVING AMENDMENTS TO THE SMALL BUSINESS FINANCE CENTER'S DIRECTIVES AND REQUIREMENTS

WHEREAS, the California Infrastructure and Economic Development Bank (“IBank”) is established pursuant to the Bergeson-Peace Infrastructure and Economic Development Bank Act (California Government Code Section 63000 et seq.) (the “IBank Act”) for the purpose of providing financial assistance to eligible entities in the State of California (the “State”) through a variety of financing mechanisms, which include, among other things, loan guarantees and direct loans for small businesses in the State;

WHEREAS, the Small Business Financial Assistance Act of 2013, (the “Small Business Act”) (i) established the California Small Business Finance Center (the “Center”) within IBank, (ii) transferred administration of various small business programs to the Center; and (iii) added provisions of the Small Business Act to the IBank Act;

WHEREAS, the Small Business Act provides that the IBank Board of Directors (the “Board”) adopt Directives and Requirements (as defined in the Small Business Act) to govern the activities within the Center;

WHEREAS, on August 26, 2020, the Board adopted Resolution 20-14 approving further amended and restated Directives and Requirements (the “Prior Directives”);

WHEREAS, California’s small businesses provide necessary employment and services for virtually all Californians and small businesses’ inability to continue operations could impair severely the health, safety, and economic well-being of the Californians who rely on these small business for employment and daily needs;

WHEREAS, IBank currently administers through its Center several programs to assist small businesses obtain necessary capital, including, the Small Business Loan Guarantee Program, the Farm Loan Program, the Surety Bonds Guarantee Program, the Secondary Market for Guaranteed Loans Program, the Jump Start Loan Program, and the Disaster Relief Loan Guarantee Program (the “Existing Programs”);

WHEREAS, in addition to the Existing Programs, IBank intends to operate a new program through its Center related to venture capital called the Expanding Venture Capital Access program (the “VC Program”). The VC Program shall operate under separate Criteria, Priorities, and Guidelines for the VC Program and will not be operated pursuant to the A&R Directives, as defined below

WHEREAS, on March 11, 2021, President Biden signed the State Small Business Credit Initiative 2.0 (“SSBCI 2.0”) for the purposes of expanding access to capital for small

businesses emerging from the pandemic, build ecosystems of opportunity and entrepreneurship, and create high-quality jobs.

WHEREAS, on February 4, 2022, IBank, together with the California Pollution Control Finance Authority as joint-applicant, submitted the 2021 State Small Business Credit Initiative Application to the United States Department of the Treasury (the “US Treasury”) for California’s proportional allocation of SSBCI 2.0 funds.

WHEREAS, IBank is prepared for US Treasury to approve California’s application and to allocate California’s SSBCI 2.0 funds to IBank and CPCFA pursuant to an allocation agreement (the “Allocation Agreement”) between US Treasury and IBank, in a form substantially similar to the template document attached hereto;

WHEREAS, the Existing Programs and the VC Program will use SSBCI 2.0 funds to serve California’s Small Business community and to more fully ensure necessary loans and financial support are made available to California’s small businesses;

WHEREAS, Attachment A hereto is further amended and restated Directives and Requirements to streamline the Center’s operations and prepare for the receipt of the SSBCI 2.0 allocation (the “A&R Directives”) and Attachment B is a redline showing the differences between the A&R Directives and the Prior Directives;

WHEREAS, Attachment C hereto is a copy of the Allocation Agreement; and

WHEREAS, the Board now wishes to adopt such A&R Directives and the Allocation Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the California Infrastructure and Economic Development Bank, as follows:

Section 1. The Board hereby finds that the above recitals are true and correct.

Section 2. All actions heretofore taken by the officers and employees of IBank with respect to the preparation of the A&R Directives are hereby approved, confirmed and ratified.

Section 3. The Board intends for the A&R Directives to remain in effect until supplemented, modified or rescinded by the Board in accordance with applicable laws.

Section 4. The Board hereby authorizes and approves the adoption of the A&R Directives and directs the Executive Director of IBank, or the Executive Director's assignee, each acting alone, to take all actions necessary or desirable to implement the A&R Directives and to further the purposes of this resolution.

Section 5. The Executive Director of IBank, or the Executive Director's assignee, each acting alone, is hereby further authorized and directed to act on behalf of IBank in all matters pertaining to the Allocation Agreement, and upon approval by US Treasury, to execute the

Allocation Agreement and all related documents and to take all actions necessary or desirable to implement the Allocation Agreement and to further the purposes of this resolution.

Section 6. This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED at a meeting of the California Infrastructure and Economic Development Bank on July 27, 2022, by the following vote:

AYES: Myers, Fowler, Miller, Quant, Steinorth


NOES:

ABSENT:

ABSTAIN:

By **scott wu** Digitally signed by scott
wu
Date: 2022.07.27
15:16:27 -07'00'

Scott Wu, Executive Director

Attest: 
By _____
Stefan R. Spich,
Secretary of the Board of Directors

ATTACHMENT A

AMENDED AND RESTATED
DIRECTIVES AND
EQUIREMENTS
SMALL BUSINESS FINANCE
CENTER

ATTACHMENT B

REDLINE COMPARING AMENDED
AND RESTATED DIRECTIVES AND
REQUIREMENTS FOR THE SMALL
BUSINESS FINANCE TO THE
PRIOR VERSION THEREOF

ATTACHMENT C
ALLOCATION AGREEMENT
TEMPLATE