

Minutes  
of the  
Regular Meeting of the Board of Directors of  
The Industrial Development Authority of the County of Maricopa  
(the "Authority")

Date: March 8, 2022, 9:30 a.m.

Place: GoToMeeting - virtually

Presiding: Lisa A. James

Present: Ronald J. Castro, Jr., Rebecca Burnham, Ronald L. Westad,  
Andrew M. Cohn and Lisa A. James

Absent: Jim Rounds and Jeremey Stawiecki

Executive Director: Shelby L. Scharbach

Administrators: Janis L. Larson, Kathleen Jakubowicz and Mary Misic

Business Development  
Officer: Gregg Ghelfi

Attorney: William F. Wilder and John J. Fries of Clark Hill

Guests: Charles Lotzar, Bryan Madden, Connie Nelson, Matthew  
Fraser, Cody Conrad, Kristin Irwin, Jake Hinman and Courtney  
LeVinus

In the absence of Mr. Rounds, Ms. James chaired the meeting and called the Regular Meeting of the Board of Directors of the Authority to order at 9:30 a.m., noting the presence of a quorum.

**1. APPROVAL OF MINUTES OF THE REGULAR MEETING OF THE BOARD  
HELD ON JANUARY 20, 2022.**

On motion made by Mr. Cohn and seconded by Mr. Westad, the minutes of the January 20, 2022, Regular Meeting were approved as written.

**The motion passed unanimously by a vote of (5-0).**

**2. DISCUSSION AND ACTION AS DETERMINED REGARDING THE  
ADOPTION OF A RESOLUTION GRANTING FINAL APPROVAL FOR  
THE ISSUANCE AND SALE OF NOT TO EXCEED \$11,000,000 OF THE**

**THE ISSUANCE AND SALE OF NOT TO EXCEED \$11,000,000 OF THE AUTHORITY'S REVENUE BONDS FOR THE BENEFIT OF VALLEY OF THE SUN YOUNG MEN'S CHRISTIAN ASSOCIATION.**

Ms. James reported she would not vote on this matter as she is employed a few days a week at one of the YMCA locations.

Mr. Fries explained that this financing is a simple refinancing of a commercial loan that was made to KS State Bank. KS State Bank will be receiving a paydown of approximately \$3 million. KS State Bank will refinance and buy the bond for \$11 million, taking as security 6 of the YMCA's 13 facilities. The closing is expected to take place by the end of March 2022.

Mr. Fries introduced the following persons who were present in support of the YMCA: Chuck Lotzar of the Lotzar Law Firm, Borrower's Counsel and Bond Counsel, along with representatives of the YMCA, Bryan Madden, CEO, and Connie Nelson, COO.

Mr. Lotzar explained that the YMCA plans to apply the debt service savings and the interest rate savings back into the programs and activities handled by the YMCA. There will be 6 facilities subject to the collateral, and the fair market value of the 6 facilities is well in excess of the \$11 million debt.

Mr. Castro requested the YMCA provide more updated financials to the Board.

After further discussion and upon motion made by Mr. Westad and seconded by Mr. Cohn, the following was adopted:

RESOLVED to adopt a Resolution in the form presented to the meeting granting final approval of not to exceed \$11,000,000 of the Authority's Variable Rate Revenue Bond (VOS YMCA Project), Series 2022.

**The motion passed unanimously by a vote of (4-0).** Ms. James did not vote.

**Agenda items 6 and 4 were taken out of order.**

**6. PAYMENT OF INVOICES.**

Ms. James referred to the invoices previously distributed to the Board Members for the months ended January 31, 2022 and February 28, 2022.

Mr. Westad moved to approve payment of the invoices as submitted for the periods ended January 31, 2022 and February 28, 2022. Ms. Burnham seconded the motion.

**The motion passed unanimously by a vote of (5-0).**

**4. LEGISLATIVE REPORT, DISCUSSION AND ACTION AS DETERMINED.**

Mr. Hinman gave a report on current legislative matters. He reported the State is estimated to have a surplus of revenue ranging anywhere from \$1 to \$2 billion, which causes some issues with various opinions of how the revenue surplus should be spent.

Mr. Hinman reported on a Republican sponsored HB 2787 regarding splitting Maricopa County into 3 separate counties. Mr. Hinman said he thought it was unlikely the bill would pass.

**3. PRESENTATION AND UPDATE BY ARIZONA STATE UNIVERSITY REPRESENTATIVES REGARDING THE HEALTHY URBAN ENVIRONMENTS PROJECT.**

Matt Fraser, professor in the Sustainable Engineering and the Built Environment at ASU gave a progress report on the Healthy Urban Environments Initiative (“HUE”) and thanked the Board for their financial support.

Mr. Fraser gave some background on HUE and explained that HUE started with the recognition that rising urban heat and poor air quality could impact continued economic expansion in Maricopa County if individuals and businesses outside of this region started to perceive Phoenix as too hot or too polluted and the perception shifts that Phoenix may not be a desirable place to live.

HUE was devised as a solution focused research and policy incubator wherein partnerships could be formed with practitioners and community members across Maricopa County to test and deploy solutions to mitigate heat and improve air quality.

HUE develops, demonstrates and deploys solutions to urban heat and air quality through a private public partnership for a healthier population across the County.

HUE has invested in approximately 30 individual projects, including such things as photocatalysts on solar panels, cool pavements, AZ heat preparedness and resilience groups, HeatReady schools, and dust suppression techniques.

Mr. Cohn left the meeting at 10:11 a.m.

**5. FINANCIAL REPORT.**

Ms. Scharbach referred to the financial statements included in the Board packages for the months ended January 31, 2022 and February 28, 2022. Ms. Scharbach reviewed the February statements, and noted the Authority continues to have a healthy net position and operating expenses are flat in comparison to the prior year.

**7. BUSINESS DEVELOPMENT OFFICER.**

Mr. Ghelfi reminded the Board Members of the ULI Trends Day event taking place on March 9, 2022.

Mr. Ghelfi then reported that on March 17, 2022, the Home in Five program will include a 7-year forgivable down payment assistance loan. There will be no forgiveness for the first two years of the loan; however, the remaining five years will be forgiven at a rate of 1/60<sup>th</sup> per month. This will add additional down payment assistance for homebuyers up to 7% while reducing the current interest rate on loans in the Home in Five program by approximately .5%.

**8. PRESIDENT'S REPORT.**

There was no report.

**9. EXECUTIVE DIRECTOR'S REPORT.**

Ms. Scharbach reported Jose Martinez of CPLC has been appointed by District 5 replacing Maria Spelleri, and District 4 is in the process of interviewing potential candidates to replace Steve Bales.

**10. LEGAL COUNSEL REPORT.**

Mr. Fries reported the approximate \$150 million Commercial Metals bond financing closed in February.

Mr. Fries announced the merger of Ryley Carlock into Clark Hill on February 1, 2022. The same terms and conditions as the Authority has had with Ryley Carlock will continue. Also, February marked the 20-year anniversary of Ryley Carlock serving as legal counsel to the Authority.

**11. COMMENTS FROM BOARD MEMBERS.**

There were no comments.

**12. CALL TO THE PUBLIC.**

No members of the public commented.

## ADJOURNMENT

With no further business to come before the Authority, upon motion made and duly seconded, the Regular Meeting was adjourned at 10:20 a.m., without objection.



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