

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Third Quarter Financial Report Fiscal Year Ending (FYE) 2020

Budget & Finance Committee Meeting April 22, 2020

Stephanie Osaze Finance Manager



General Fund Reporting on 3rd Quarter financial results (July 1, 2019 – March 31, 2020):

- Revenues
- Expenditures
- Investments
- General Fund Balance & Outstanding Liabilities
- Purchasing Report

3rd Quarter Results FYE 2020



Major Categories	FYE 2020 Budget	FYE 2020 Actual (as of 03/31/2020)	Percentage of Budgeted Revenues
County receipts	\$36,186,420	\$20,985,336	58%
Permit Fees	\$38,969,795	\$39,252,266	101%
Title V Permit Fees	\$5,982,811	\$5,771,882	96%
Asbestos Fees	\$3,250,000	\$3,598,133	111%
Toxic Inventory Fees	\$65,000	\$652,054	1003%
Penalties and Settlements	\$2,750,000	\$1,047,451	38%
Interest Revenue	\$979,660	\$1,072,889	110%
Miscellaneous Revenue	\$100,000	\$291,743	292%
Total Revenues	\$88,283,686	\$72,671,753	82%

Revenue Comparison



Prior Year vs. Current Year

Major Categories	FYE 2019 (As of 03/31/2019)	FYE 2020 (As of 03/31/2020)	\$ DIFFERENCE
County receipts	\$20,662,803	\$20,985,336	\$322,533
Permit Fee receipts	\$39,648,072	\$39,252,266	(\$395,806)
Title V Permit Fees	\$6,170,877	\$5,771,882	(\$398,995)
Asbestos Fees	\$3,261,343	\$3,598,133	\$336,790
Toxic Inventory Fees	\$234,853	\$652,054	\$417,201
Penalties and Settlements	\$1,549,316	\$1,047,451	(\$501,865)
Interest Revenue	\$1,137,305	\$1,072,889	(\$64,416)
Miscellaneous Revenue	\$291,405	\$291,743	\$338
TOTAL REVENUES	\$72,955,973	\$72,671,753	(\$284,220)

3rd Quarter Results FYE 2020



General Fund - Expenditures

Major Categories	FY 2020 Budget	FYE 2020 Actual (as of 03/31/2020)	Percentage of Budgeted Expenditures
* Personnel - Salaries	\$49,094,463	\$33,080,618	67%
* Personnel - Benefits	\$21,022,715	\$17,283,538	82%
Operational Services and Supplies	\$27,278,966	\$23,720,755	87%
Capital Outlay	\$9,404,116	\$4,741,689	50%
Total Expenditures	\$106,800,260	\$78,826,599	74%

^{*} Consolidated (Includes Special Funds)

Expenditure Comparison



Prior Year vs. Current Year

Major Categories	FYE 2019 (As of 03/31/2019)	FYE 2020 (As of 03/31/2020)	\$ DIFFERENCE
*Personnel - Salaries	\$30,429,451	\$33,080,618	\$2,651,166
*Personnel - Benefits	\$15,137,976	\$17,283,538	\$2,145,561
Operational Services and Supplies	\$14,491,634	\$23,720,755	\$9,229,122
Capital Outlay	\$16,389,526	\$4,741,689	(\$11,647,837)
TOTAL EXPENDITURES	\$76,448,587	\$78,826,599	\$2,378,013

3rd Quarter Results FYE 2020

\$83 962 321

\$340,307,088



Investments

Cash and Investments with County Treasury:

(Based on March 2020 Account Balance)

	ΨΟΟ,ΘΟΖ,ΟΖ Ι
TFCA	\$114,830,852
MSIF	\$45,867,843
Carl Moyer	\$69,142,488
CA Goods Movement	\$20,813,933
AQ Projects	\$3,152,886
Vehicles Mitigation	\$2,536,765

General Fund

TOTAL

Fund Balance and Outstanding Liabilities



FUND BALANCES	6/30/2018 Audited	6/30/2019 Audited	6/30/2020 Projected
DESIGNATED: *			
Building Improvement	О	О	4,000,000
Diversity Equity & Inclusion	100,000	О	0
Economic Contingency	17,390,311	19,084,769	20,082,966
IT- Event Response	500,000	О	0
Litigation	500,000	О	0
Napa/Sonoma Fireplace Replacement Gran	1,000,000	1,000,000	1,000,000
Pension & Post Employment Liability	1,000,000	2,000,000	2,000,000
Tech- Meterological Network Equipment	131,100	О	0
Tech- Mobile Monitoring Instruments	80,000	О	0
Technology Implementation Office	3,350,000	О	0
GHG Abatement Technology Study	1,500,000	0	0
Woodchip Program	150,000	О	0
Woodsmoke Grant	1,000,000	1,000,000	1,000,000
Worker's Comp Self -Funding	1,000,000	<u> </u>	0
TOTAL DESIGNATED	\$27,701,411	\$23,084,769	\$28,082,966
UNDESIGNATED	18,101,141	22,332,894	17,334,697
TOTAL UNDESIGNATED	\$18,101,141	\$22,332,894	\$17,334,697
TOTAL DESIGNATED & UNDESIGNATED	\$45,802,552	\$45,417,663	\$45,417,663
BUILDING PROCEEDS:	4,668,200	209,489	209,489
TOTAL FUND BALANCE	\$50,470,752	\$45,627,152	\$45,627,152
 Designated Fund Balances are subject to cha 	nge at Board's d	discretion.	
OUTSTANDING LIABILITIES			
CalPERS Pension Retirement			86,309,901
Other Post Employment Benefits			18,840,854
Certificate of Participation Notes			26,956,830
TOTAL OUTSTANDING LIABILITIES			\$132,107,585

Purchasing Reporting Requirements



Section 4.3 of the Purchasing Procedures states:

Recurring payments of routine business needs such as utilities, licenses, office supplies etc. that are more than \$100,000 shall be presented in the Quarterly Financial Report.

 In an effort of full disclosure, list also includes benefit payments.

FYE 2020 Vendor Payments



Cumulative Vendor Payments in Excess of \$100,000 without Board Review

	VENDOR NAME	AMOUNT PAID (July 2019 - March 2020)	Explanation
1	Accountemps	\$133,626	Temporary Staffing Services
2	Acterra	\$107,500	Public Outreach & Other Services
3	Alliant Insurance Services	\$575,250	Various Business Insurance Policies
4	Bay Area Headquarters Authority	\$1,935,781	Shared Services & Common Areas
5	Benefits Coordinators Corp.	\$815,176	Life Insurance Plan & LTD Insurance
6	CA Public Employee Retirement System	\$5,542,831	Health Insurance Plan
7	CA Public Employee Retirement System	\$8,533,285	Retirement Benefits & 457 Supplemental Plan
8	CAPCOA	\$622,027	Pass through EPA grants
9	CDW Government	\$219,160	Computer equipment
10	Ceridian	\$131,344	Payroll Processing Services
11	Comcast Cable Communications	\$123,161	Ethernet Services
12	Cubic Transportation Systems	\$421,882	Clipper Transit Subsidy

FYE 2020 Vendor Payments (cont.)



Cumulative Vendor Payments in Excess of \$100,000 without Board Review

	VENDOR NAME	AMOUNT PAID (July 2019 - March 2020)	Explanation
13	Enterprise Fleet Services	\$468,172	Fleet Leasing and Maintenance services
14	E-N-G Mobile System	\$104,340	Field Sampling Vehicle Customization Services
15	EPLUS Technology	\$310,126	Cisco computer network equipment warranty
16	Hartford Life Ins Co.	\$600,748	457 Supplemental Insurance
17	Office Team	\$191,188	Temporary Staffing Services
18	P & A Administrative Services	\$183,802	Flexible Spending & Cobra Benefit Services
19	Preferred Benefit Insurance AD	\$607,853	Dental Insurance Plan
20	Precott-Joseph Center	\$101,000	Sponsorship
21	Pacific Gas & Electric	\$112,415	Utility services
22	Sloan Sakai Yeung & Wong LLP	\$205,769	Human Resources Consulting Services
23	TSI Incorporated	\$107,317	Ambient Monitoring Repair Services
24	Verizon Wireless	\$147,549	Cell phone services
25	Wright Express Universal	\$127,689	Fuel for fleet





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Proposed Amendments to Regulation 3, Fees

Budget and Finance Committee Meeting April 22, 2020

Damian Breen Deputy Air Pollution Control Officer

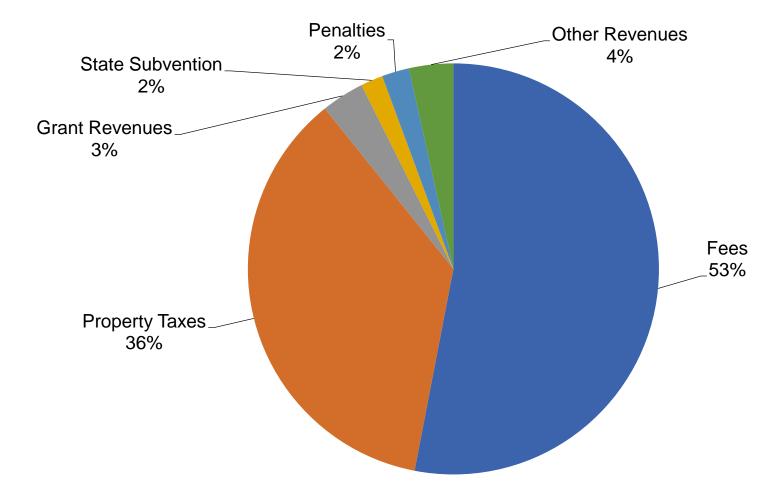
Outline



- 1. Cost Recovery Background
- 2. Draft Fee Amendments Proposed on April 15, 2020
- 3. Fees Analysis
- 4. Staff Proposal
- 5. Rule Development Schedule
- 6. Recommendation

Revenue Sources: Fiscal Year Ending (FYE) 2019





Cost Recovery Background

- Air District has authority to assess fees to recover the reasonable costs of regulating stationary sources
- Board of Directors set goal of increasing cost recovery to a minimum of 85%
- Fee amendments will be made in consideration of cost recovery analyses conducted at the fee schedule-level
- Filling vacancies and new/enhanced programs reduce cost recovery
- Cost recovery has gone from 65% in 2011 to 86% in 2019

Proposed Changes to Fee Schedules



Revenue from Fee Schedule	Change in Fees	Fee Schedules	
95 – 110% of costs	3.1% increase* (CPI-W*)	B, D, E, F, M	
85 – 94% of costs	7% increase	G3, P	
75 – 84% of costs	8% increase	Т	
50 - 74% of costs	9% increase	G2, H, I, N	
Less than 50% of costs	15% increase**	A, G1, G4, K, S, W	

^{*}The annual Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) increase from 2018 to 2019. **2018 Matrix Consulting Group Cost Recovery & Containment Study recommendation.

Note: For Schedules D and E, 3.1% increase is proposed, although cost recovery would have allowed a 7-9% increase. Schedule D covers gas stations and Schedule E covers autobody shops, many of which are small businesses.

Other Proposed Amendments



- Schedule N: Toxic Inventory Fees
- Specific fees in Regulation 3 proposed to be increased 3.1% based on the Cost of Living (filing fees, banking fees, exemption fee, permit renewal processing fees, etc.)





- Fees based on the number of sources at each facility up to a maximum of \$50,000 per year
- In addition to these renewal fees, each facility subject to the CTR Regulation shall pay a fee of:

Number of Permitted	\$ per Permitted Source		
Sources per Facility			
1 to 4	25		
5 to 9	75		
10 to 14	150		
15 to 19	200		
20 to 24	250		
25 and greater	300		

Assembly Bill (AB) 617 Community Health Impact Fee



- We are tasked with implementing the California Air Resources Board (CARB) AB 617 "Community Air Protection Program" in the Bay Area
- \$2.4 million per year is needed in excess of direct funding from **CARB**
- A more equitable way to distribute these costs is by percentage of annual permit/registration renewal fees, which are emissions based
- Current fee proposal:
 - 5.7% of the facility's annual total renewal fee
 - Up to a maximum of \$70,000 per year

Impact on Large Facilities: Power Plants



	Annual % Permit Fee Increase/Decrease (Fiscal Year Ending)					2020 Permit Fee
	2017	2018	2019	2020	2021 Projected	
Delta Energy	-0.8	-7.0	-13.5	5.8	11.4	\$ 460,000
Los Medanos	-6.0	7.3	15.0	6.9	11.7	\$ 400,000
Gateway	8.5	-7.6	12.0	6.0	11.6	\$ 360,000
Crockett Cogen	0.8	2.5	0	5.8	13.1	\$ 270,000

Impact on Large Facilities: Petroleum Refineries



Annual % Permit Fee Increase/Decrease (Fiscal Year Ending)						2020 Permit Fee
Chevron	14.7	1.2	-0.5	0.8	8.5	\$3.7 M
Shell	15.0	4.0	5.6	0.9	9.7	\$3.5 M
Phillips 66	14.6	2.3	4.2	13.6	12.8	\$1.9 M
Valero	15.0	2.4	-0.2	22.5	11.6	\$2.3 M
Tesoro	2.2	-8.5	15	21.5	10.1	\$2.9 M

^{*}Permits to Operate extended from 8/1/2018 to 12/1/2019 (16 months) to allow use of Rule 12-15 emission inventories to calculate emissions and permit renewal fees. Increase based on ratioed (12/16) amount.

Impact on Small Businesses



Facility Type	Current Fees (prior to change)	Proposed Fees (post change)	Proposed Fee Increase	Proposed % Increase
Gas Station ^{1,2}	\$239	\$287	\$48	20%
Dry Cleaner (registered) ¹	\$259	\$274	\$15	6%
Auto Body Shop ^{1,3}	\$729	\$820	\$91	13%
Back-up Generator ^{1,3}	\$382	\$442	\$61	16%

Notes:

- 1. Assuming facility has only one source
- 2. Assuming source has one single-product gasoline nozzle
- 3. Assuming source qualifies for minimum fee

Comments Received



Western States Petroleum Association (WSPA) and California Council for Environmental and Economic Balance (CCEEB)

- Criteria Pollutant and Toxics Emissions Reporting (CTR) Regulation
 - Seems redundant with Schedule W (Regulation 12-15)
 - Request for explanation why the fee rate is lower for facilities with fewer sources
- AB 617 Community Health Impact Fee
 - Request for explanation on AB 617 expenditures
- Schedule P (Major Facility Review) Fees
 - Request for explanation on Schedule P expenditures

Board Requested Fee Analysis



April 15, 2020 – Board requests Fee Analysis:

- Goal: Ensure Essential Facilities continue Cost Recovery
- Request Staff examine fee increases on the following:

Fee Schedule	Fee Schedule Title
Schedule A	Hearing Board Fees
Schedule G3	Miscellaneous Sources
Schedule M	Major Stationary Source Fees
Schedule N	Toxic Inventory Fees
Schedule P	Major Facility Review Fees (Title V)
Schedule W	Reg 12-15

Schedule A: Hearing Board Fees



- Schedule A applies to any facility that applies for variances or appeals or seeks to revoke or modify variances or abatement orders or to rehear a Hearing Board decision
- Facility Examples: Facilities with potential compliance issues and the means to pay for legal representation tend to file Hearing Board applications more often than others refineries, terminals, and landfills

Schedule G3: Miscellaneous Sources



- Applicants for authorities to construct and permits to operate new or modified sources (with sources in the special classification list in Schedule G-3)
- There are 15 facilities with G3 sources, and they are as follows:
 - Facility Examples: Refineries, Foundries, Terminal Facilities

Schedule M: Major Stationary Sources



- Schedule M applies to any major stationary source emitting 50 tons per year of organic compounds, sulfur oxides, nitrogen oxides, or PM10
- Facility Examples ~ 42 Facilities Annually:
 - o Refineries
 - Chemical Plants
 - Metal Melter
 - Power Generators
 - Landfills

Schedule N: Toxic Inventory Fees



- Schedule N applies to any facility that emits one or more TACs in quantities above the minimum threshold level
- Facility Examples: Applies across the board to all Bay Area permitted facilities that emit TACs includes:
 - o Drycleaners
 - Gas Stations
 - Facilities with back up generators including schools, municipalities, and hospitals
 - Many Title V facilities

Schedule P: Major Facility Review (MFR) Fees



- Schedule P applies to any facility that applies for, or is required to undergo, an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit, a renewal of an MFR permit, an initial Synthetic Minor Operating Permit (SMOP), or a revision to a SMOP.
- Facility Examples ~ Approximately 87 facilities:
 - Refineries
 - o Chemical Plants
 - Metal Melters
 - Power Generators
 - o Landfills

Schedule W: Petroleum Refining Emissions Tracking Fees



- Schedule W applies to facilities required to submit an Annual Emissions Inventory, Monthly Crude Slate Report, or air monitoring plan in accordance with Regulation 12, Rule 15
- Facility Examples: The five Bay Area petroleum refineries and their support facilities.

Fees Raised by Changes to the Proposed Schedules



Fee Schedule	Fee Schedule Title	Amount of Increase
Schedule A	Hearing Board Fees	\$ 4,973
Schedule G3	Miscellaneous Sources	\$ 49.050
Schedule M	Major Stationary Source Fees	\$ 69,432
Schedule N	Toxic Inventory Fees	\$ 61,589
Schedule P	Major Facility Review Fees (Title V)	\$ 430,760
Schedule W	Reg 12-15	\$ 22,882
	TOTAL	\$638,686

Staff Proposal



Enact modified AB 617 Fee for Title V Facilities:

- Fee: 5.7% per facility with a \$100,000 cap
- Generates ~ \$1 million which equals shortfall in California Air Resources Board allocation to Air District in 2019
- Excludes Small Business
- Proposal in line with Board of Directors request to ensure continued cost recovery from essential facilities
- Supports efforts to get matching funding in Sacramento

Rule Development Schedule



- April 15, 2020
 - Board of Directors first public hearing to receive testimony only
- April 22, 2020
 - Budget and Finance Committee meeting
- May 8, 2020
 - Written public hearing comments due
- June 3, 2020
 - Board of Directors second public hearing to consider adoption
- July 1, 2020
 - Proposed effective date of fee amendments

Recommendation



Recommended the Board of Directors:

 Adopt a new fee for implementation of AB 617 on Title V Facilities

 Revisit imposition of additional fees later in 2020, as the economic and facility activity level picture become clearer.



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Continued Discussion of Proposed Budget for Fiscal Year Ending (FYE) 2021 and Consideration to Recommend Adoption

Budget & Finance Committee Meeting April 22, 2020

Jack P. Broadbent Executive Officer



- Financial History
- Proposed Budget for FYE 2021
- Next Steps

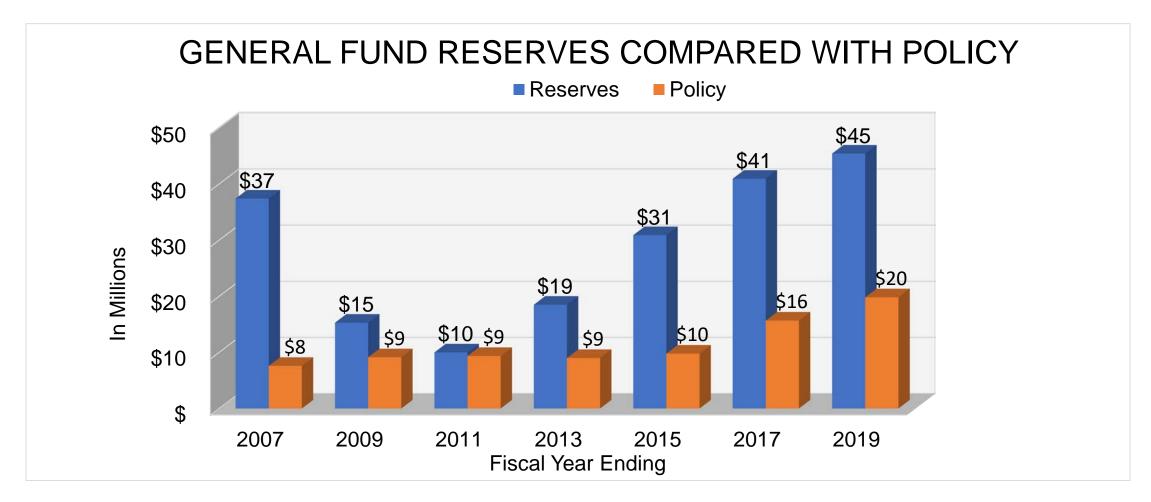
Financial History: Actions Taken During Downturn



- Reserves Used for General Fund Expenditures
- Vacancies Unfilled (Staff Reduction Through Attrition)
- Postponed Expenditures
- Deferred Capital Investment
- Initiated Cost Recovery Policy
- Continued Funding of Retirement Liabilities

Actual Reserves & Policy (Excludes Building Proceeds)

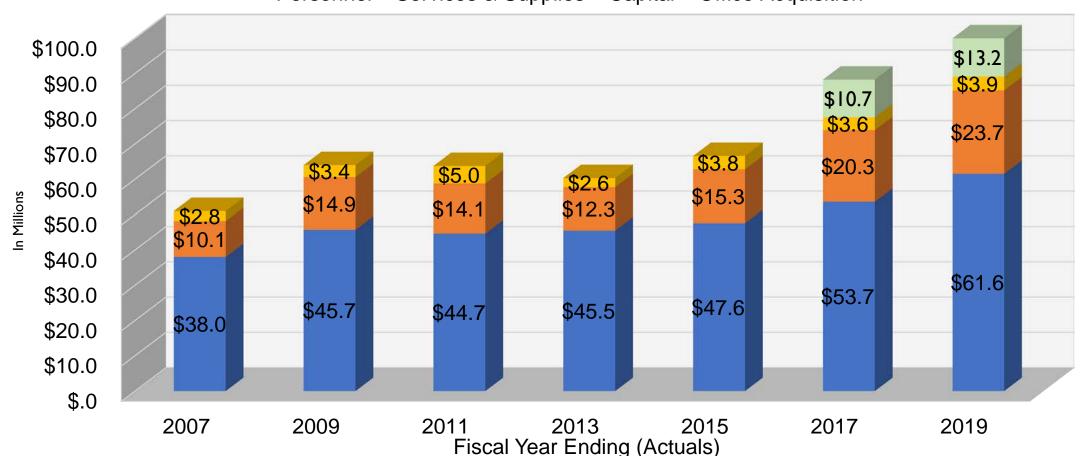




General Fund Expenditure Trend



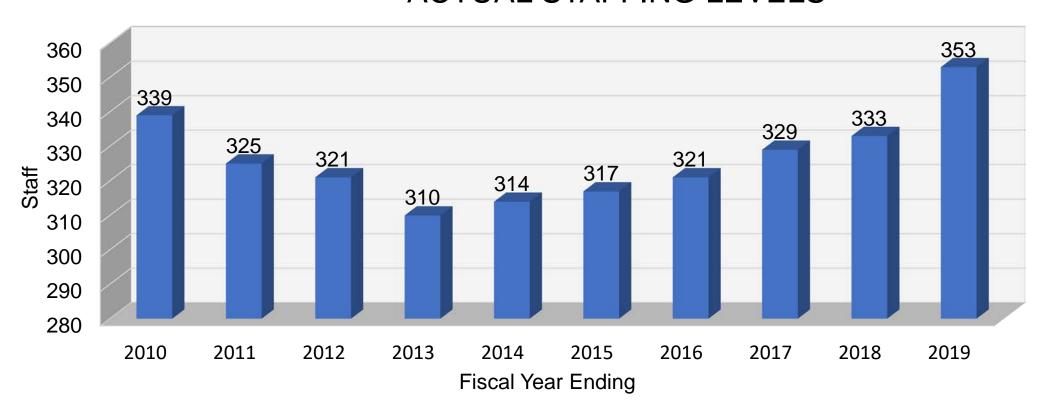




Staffing Trend-Filled Positions



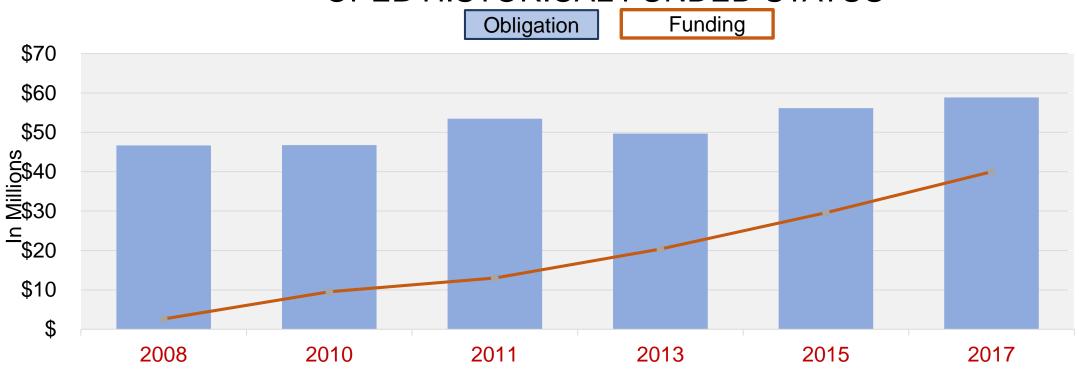
In November 2019 Staff requested an additional 10 positions, bringing total approved to 415 FTE ACTUAL STAFFING LEVELS



Medical Retirement Other Post Employment Benefits (OPEB)



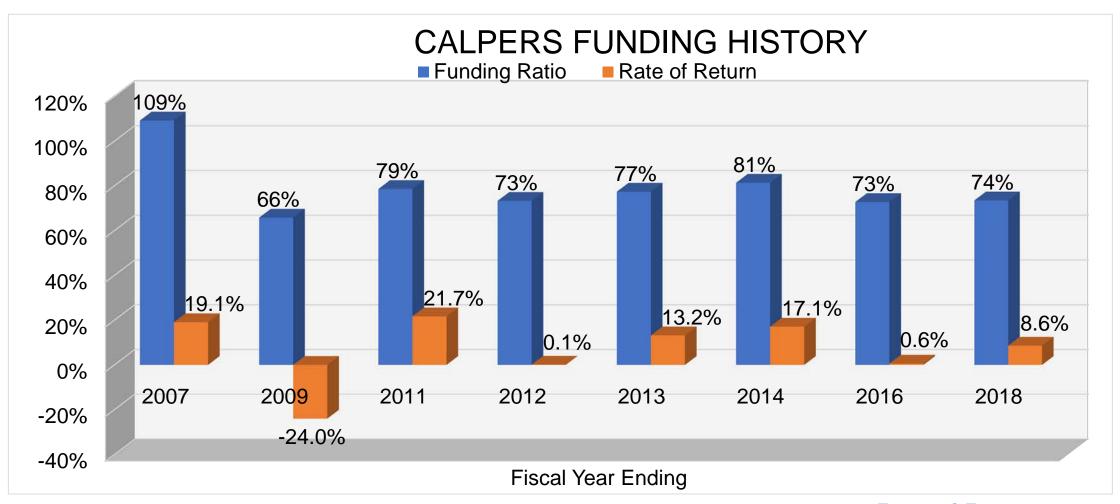
OPEB HISTORICAL FUNDED STATUS



Fiscal Year Ending

CalPERS Pension: Historical Rate of Return and Funding Ratio



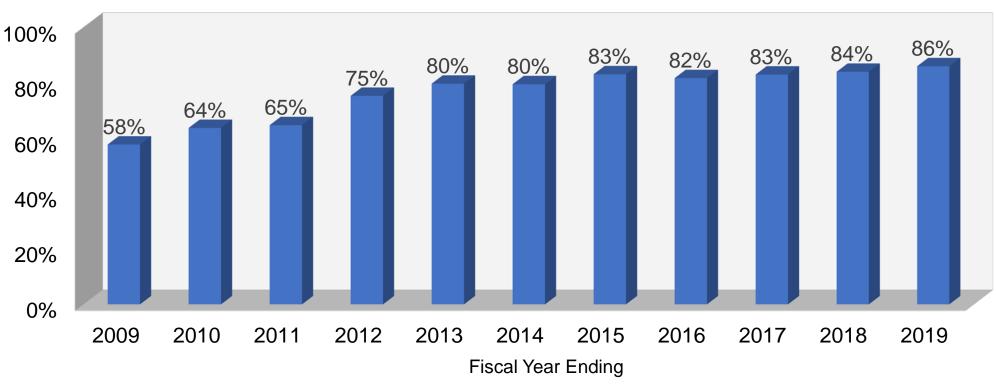


2019 Rate of Return = 6.7%





COST RECOVERY PERCENTAGE BY FISCAL YEAR



3 YEAR COST RECOVERY AVERAGE = 84%

Fees and Cost Recovery Historical Overview



- Air District can recover 100% of costs through fees
- Cost Recovery was 58% in 2009
- Cost Recovery Policy approved in FYE 2013
- 85% minimum cost recovery target
- Cost Recovery Study updated in FYE 2018
- Fee increase based on average of three-year actuals
- Three-year average reached 84% for FYE 2019
- Fee increases assumed to average approximately 6% annually
- Created Budget Advisory Group in 2019

FYE 2021 Revised Proposed Budget Overview



- \$105 M General Fund Budget, decrease of \$17 M
- Includes Use of Reserves of \$5 M
- No Amendment to Existing Fee Schedules
- Propose New Fee Schedule (Assembly Bill (AB) 617)
- Limited Staffing Level Increase
- Budget 405 of the 415 Full Time Equivalent (FTE)
- No Increase in Services & Supplies
- Addresses Retirement Liabilities
- Includes 3.1% Cost of Living Adjustment (COLA)

FYE 2021 General Fund Proposed Budget Revisions

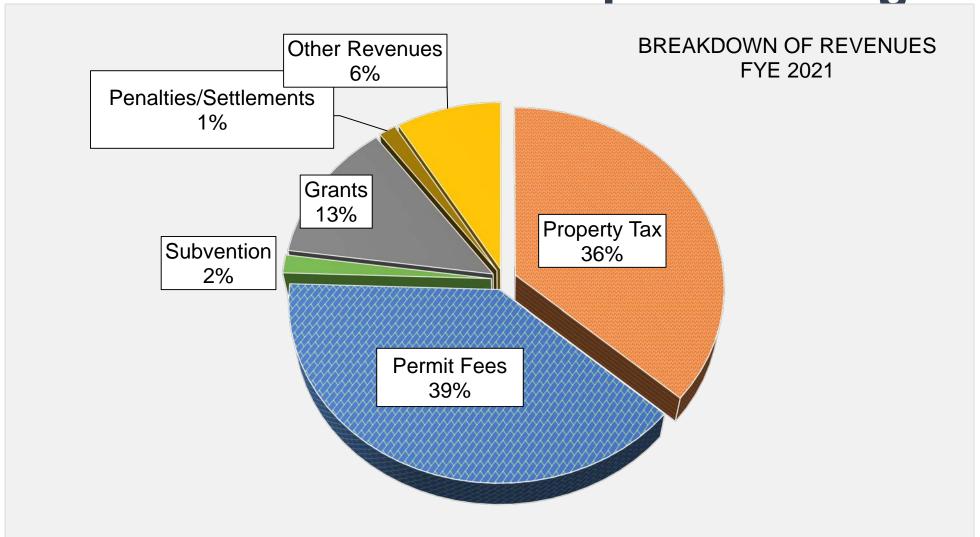


FY 2021 General Fund Proposed Budget

	Million (\$M)
Original Revenues	116.1
Original Use of Reserves	6.0
Total Original Revenues	122.1
Reduce Existing Fees	-12.4
Reduce New Fees	-2.7
Reduce Use of Reserves	-0.8
Reduce Other Revenues	-1.2
Increase Use of Grant Sources	1.5
Revised Revenues:	106.5
Original Expenditures:	122.1
Reduce Personnel Costs	-0.1
Reduce Services & Supplies	-9.5
Reduce Capital Costs	-6.0
Revised Expenditures:	106.5

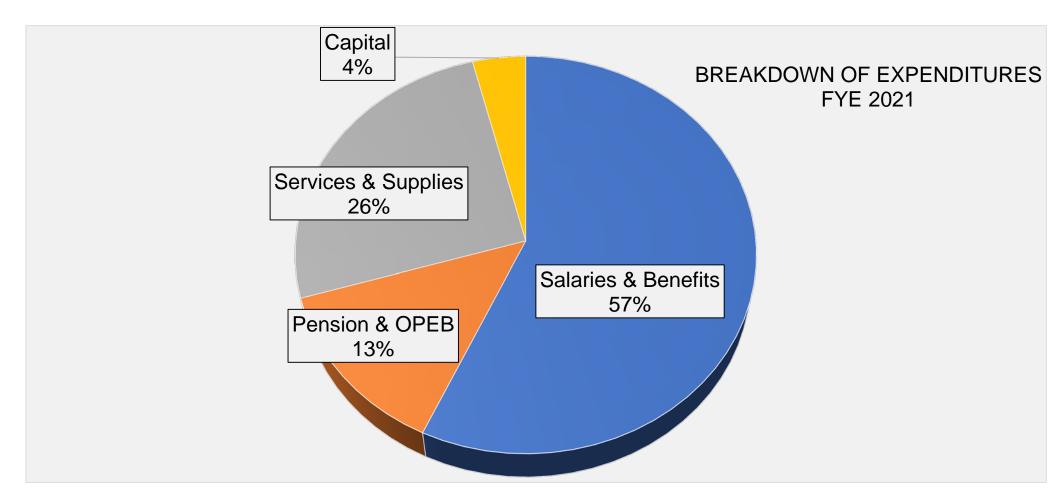
General Fund Revenue Sources FYE 2021 Proposed Budget





General Fund Expenditures FYE 2021 Proposed Budget





Capital Budget FYE 2021 Proposed Budget



<u>Description</u>	<u>Amount</u>
One (1) Ambient Air Monitoring Analyzers	330,815
One (1) Particle Speciation Module for PTR/MS	100,000
One (1) Equipment for Testing & Evaluation Lab	250,000
Two (2) Source Test Analyzers	50,000
One (1) Automated Calibration Gas Dilution Manifolds	15,233
Two (2) Automated Isokinetic Sampling Consoles	20,000
One (1) GDF Field Testing Van	60,000
One (1) Air Monitoring Instrumentation (auditing)	20,400
One (1) Optical Gas Imaging Camera	100,000
One (1) Storage Server	40,000
Computer and Equipment	100,000
Capital Lease for Servers, Telecommunications & Hardware	400,000
Public Permitting & Compliance Systems	2,750,000
Total Capital Expenditures	4,236,448

General Fund Reserves



Reserves Policy: 20% of General Fund Budget

FYE 2021 Budget of \$105 M = \$21 M

FYE 2021 Projected Reserve Designations = \$27 M

FYE 2021 Available Reserves = \$6 M

Probable Reserve Designations *	
<u> </u>	\$M
Balance at June 30, 2019	45
Less: Designations	
Pension Liability	2
Woodsmoke Grants	1
Revolving Loan Program	3
Economic Contingency (20% of Budget)	21
Total Designations	27
*Designations subject to change at Board's Direction	
Use of Reserves in FY 2020 and 2021	
Legal Settlement	3
Richmond Facility Improvements	4
To Balance FY2021 Budget	5
Total Use of Reserves	12
AVAILABLE GF RESERVES	6

Reserves Projections Assumptions

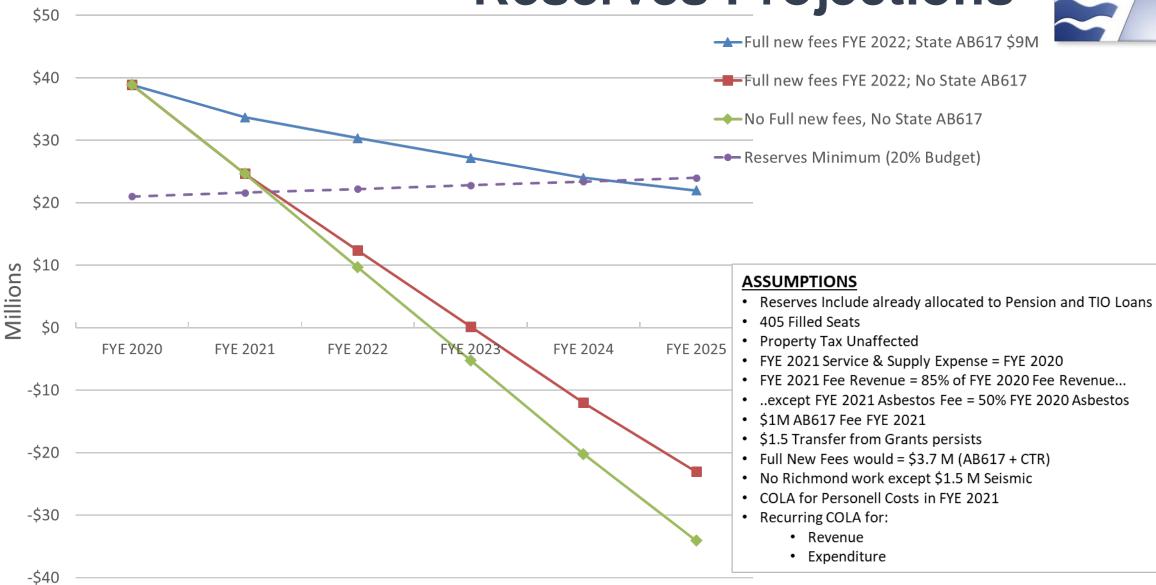


ASSUMPTIONS

- Reserves Include already allocated to Pension and TIO Loans
- 405 Filled Seats
- Property Tax Unaffected
- FYE 2021 Service & Supply Expense = FYE 2020
- FYE 2021 Fee Revenue = 85% of FYE 2020 Fee Revenue...
- ..except FYE 2021 Asbestos Fee = 50% FYE 2020 Asbestos
- \$1M AB617 Fee FYE 2021
- \$1.5 Transfer from Grants persists
- Full New Fees would = \$3.7 M (AB617 + CTR)
- No Richmond work except \$1.5 M Seismic
- COLA for Personell Costs in FYE 2021
- Recurring COLA for:
 - Revenue
 - Expenditure

Reserves Projections





Retirement Liabilities



1. Other Post Employment Benefits (Medical OPEB)

2. Pension Retirement

3. 105 Trusts may be used to shelter Reserves

Medical Retirement Plan



- Other Post Retirement Benefit (OPEB)
 - Obligation: \$72 M*
 - Funded: \$54 M (75%)
 - Unfunded: \$18 M (25%)
- Funding Policy: 90 % Funded Level
 - Three Year Target Date (FYE 2022)
 - \$4 M Annual Contribution

*Actuarial Valuation as of June 30, 2019

CalPERS Pension Plan



CalPERS Retirement

Obligation: \$326 M*

• Funded: \$239 M (74%)

• Unfunded: \$86 M (26%)

- Funding Policy: 90% Funded Level
 - 20 Year Target Date (FYE 2039)
 - \$1 M Annual Additional Contribution

*CalPERS Valuation as of June 30, 2018

FYE 2021 Proposed Budget Summary



- Budget Balanced with use of \$5 M from Reserves
- 405 of 415 Budgeted Positions
- No Amendment to Existing Fee Schedules
- Propose New Fee Schedule (AB 617)
- \$1 M Annual Contribution for Pension
- \$4 M Annual Contribution for OPEB

Next Steps



 April 22, 2020 Committee refers FYE 2021 Proposed Budget to the Board of Directors

May 6, 2020 1st Public Hearing on Proposed Budget

 June 3, 2020 2nd Public Hearing & Adoption on Proposed Fees and Budget

Recommendations



- Recommend the Board of Directors conduct Public Hearings on the FYE 2021 Proposed Budget; and
- Recommend the Board of Directors adopt the FYE 2021 Proposed Budget.