



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

**BOARD OF DIRECTORS  
SPECIAL MEETING  
December 16, 2020**

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY  
EXECUTIVE ORDER N-29-20 ISSUED BY  
GOVERNOR GAVIN NEWSOM**

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST  
BY CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT'S AGENDA  
WEBPAGE AVAILABLE AT**

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- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE  
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SURE YOUR APPLICATION IS UP TO DATE**

# BOARD OF DIRECTORS SPECIAL MEETING AGENDA

WEDNESDAY  
DECEMBER 16, 2020  
9:00 A.M.

Chairperson, Rod Sinks

1. CALL TO ORDER - ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC MEETING PROCEDURE

*The Board Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Board members.*

*This meeting will be webcast. To see the webcast, please visit [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas) at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.*

***Public Comment on Agenda Items** The public may comment on each item on the agenda as the item is taken up. Members of the public who wish to speak on matters on the agenda for the meeting, will have three minutes each to address the Board. No speaker who has already spoken on that item will be entitled to speak to that item again.*

**CONSENT CALENDAR (ITEMS 2-8)**

Staff/Phone (415) 749-

2. Minutes of the Board of Directors Special Meeting of December 2, 2020

Clerk of the Boards/5073

*The Board of Directors will consider approving the draft minutes of the Board of Directors Special Meeting of December 2, 2020.*

3. Board Communications Received from December 2, 2020 through December 15, 2020

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*A copy of communications directed to the Board of Directors received by the Air District from December 2, 2020 through December 15, 2020, if any, will be distributed to the Board Members by way of email.*

4. Air District Personnel on Out-of-State Business Travel **J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*In accordance with Section (b) of the Air District Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memorandum lists Air District personnel who have traveled on out-of-state business in the preceding months.*

5. New Grant Program Revenues from the U.S. Environmental Protection Agency (EPA) Targeted Airshed Grant Award **J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to accept, obligate, and expend an amount not to exceed, \$2,120,345.00 in funding, from the U.S. Environmental Protection Agency (EPA), as well as allocating \$500,000 from Designated Reserves to be used as match funding.*

6. Authorization to Amend Community Health Protection Grants **J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to amend contracts awarded under the Community Health Protection Grants in an amount not to exceed \$100,000.*

7. Authorization to Enter into a Contract Agreement with Lores Maintenance in an Amount Not to Exceed \$126,840.00 **J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to enter into a Contract Agreement with Lores Maintenance in an amount not to exceed \$126,840.00, for Janitorial Services.*

8. Request to Approve the Proposed Amendments to the Memorandum of Understanding between the Bay Area Air Quality Management District and the Bay Area Air Quality Management District Employees' Association **J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider approving the proposed amendments to the Memorandum of Understanding between the Bay Area Air Quality Management District and the Bay Area Air Quality's Management District Employees' Association regarding Article 16.02 and Article 12.01.*

## **COMMITTEE REPORTS**

9. Report of the Mobile Source Committee Meeting of December 3, 2020

CHAIR: D. Canepa

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee received the following reports:*

**A) Projects and Contracts with Proposed Grant Awards Over \$100,000**

- 1) *Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1; and*
- 2) *Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.*

**B) Report on Transportation Fund for Clean Air (TFCA) Projects Expenditures**

- 1) *None; receive and file.*

**C) Transportation Fund for Clean Air Program Regional Fund Projects – Audit #21 Results**

- 1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

10. Report of the Advisory Council Meeting of December 3, 2020

BOARD LIAISON: R. Sinks

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Council received the following reports:*

**A) Review and Possible Approval of Draft Particulate Matter Reduction Strategy Report**

- 1) *None; receive and file.*

**B) Review and Discussion of the Presentation to the Air District's Board of Directors at its December 16, 2020 Meeting**

- 1) *None; receive and file.*

For the full Council agenda packet and materials, click on the link below:

<https://www.baaqmd.gov/about-the-air-district/advisory-council/agendasreports>

11. Report of the Ad Hoc Committee on Equity, Access, and Inclusion Meeting of December 14, 2020                      **CHAIR: D. Hurt**                      **J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee may receive the following reports:*

**A) Report Back from Committee Chair Davina Hurt’s Community Meeting**

*1) None; receive and file.*

**B) Community Perspective**

*1) None; receive and file.*

**C) Consider Recommending Formation of a Board-Appointed Community Steering Committee for the Richmond-North Richmond-San Pablo Community Emissions Reduction Plan**

*1) Form a Community Emissions Reduction Plan (CERP) Steering Committee to be governed by the Brown Act.*

**D) Composition of the Richmond-North Richmond-San Pablo Assembly Bill (AB) 617 Community Emissions Reduction Plan Community Steering Committee**

*1) None; receive and file.*

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

12. **Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

*Members of the public who wish to speak on matters not on the agenda for the meeting, will have three minutes each to address the Board.*

**BOARD MEMBERS’ COMMENTS**

13. *Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov’t Code § 54954.2)*

## **OTHER BUSINESS**

14. Report of the Executive Officer/APCO

15. Chairperson's Report

16. Time and Place of Next Meeting:

*Wednesday, January 20, 2021, at 8:00 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.*

17. Adjournment

*The Board meeting shall be adjourned by the Board Chair.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**  
[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District's offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

**Accessibility and Non-Discrimination Policy**

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District's policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at [www.baaqmd.gov/accessibility](http://www.baaqmd.gov/accessibility) to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District's Non-Discrimination Coordinator, Terri Levels, at (415) 749-4667 or by email at [tlevels@baaqmd.gov](mailto:tlevels@baaqmd.gov)

# BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

## EXECUTIVE OFFICE:

## MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

### DECEMBER 2020

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Ad Hoc Committee on Equity, Access, and Inclusion	Monday	14	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Special Meeting	Wednesday	16	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors & Advisory Council Joint Meeting	Wednesday	16	10:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source Committee	Thursday	17	11:30 a.m.	Webcast only pursuant to Executive Order N-29-20

### JANUARY 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting - CANCELLED	Wednesday	6	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community and Public Health Committee - CANCELLED	Thursday	7	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Monday	11	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Special Meeting/Retreat	Wednesday	20	8:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Climate Protection Committee	Thursday	21	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee - CANCELLED	Thursday	28	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 3, 2020

Re: Minutes of the Board of Directors Special Meeting of December 2, 2020

RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors Special Meeting of December 2, 2020.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Special Meeting of December 2, 2020.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 2A: Draft Minutes of the Board of Directors Special Meeting of December 2, 2020

## AGENDA 2A – ATTACHMENT

Draft Minutes - Board of Directors Special Meeting of December 2, 2020

Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105  
(415) 749-5073

Board of Directors Special Meeting  
Wednesday, December 2, 2020

### **DRAFT MINUTES**

*Note: Audio recordings of the meeting are available on the website of the Bay Area Air Quality Management District at [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

**This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.**

### **CALL TO ORDER**

1. **Opening Comments:** Board of Directors (Board) Chairperson, Rod Sinks, called the meeting to order at 9:02 a.m.

#### **Roll Call:**

Present: Chairperson Rod Sinks; Vice Chairperson Cindy Chavez; Secretary Karen Mitchoff; and Directors Margaret Abe-Koga, Teresa Barrett, John Bauters, David Canepa, Pauline Russo Cutter, John Gioia, Carole Groom, Scott Haggerty, David Hudson, Davina Hurt, Tyrone Jue, Liz Kniss, Nate Miley, Katie Rice, Mark Ross, Jim Sperring, Brad Wagenknecht, Shamann Walton, Lori Wilson, and Shirlee Zane.

Absent: None.

### **CONSENT CALENDAR (ITEMS 2 – 9)**

2. Minutes of the Board of Directors Meeting of November 18, 2020
3. Board Communications Received from November 18, 2020 through December 1, 2020
4. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of October 2020
5. Air District Personnel on Out-of-State Business Travel
6. Authorization to Execute Contract Amendments for Production System Office
7. Authorization to Execute Clean Cars for All Program Contracts
8. Authorization to Execute a Contract with U.C. Berkeley, Sponsored Research Office to Develop Advanced Modeling Tools
9. Proposed Regulatory Agenda for 2021

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Kniss made a motion, seconded by Director Wagenknecht, to **approve** the Consent Calendar Items 2 through 9, inclusive; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Bauters, Canepa, Chavez, Gioia, Groom, Haggerty, Hudson, Hurt, Jue, Kniss, Miley, Mitchoff, Sinks, Spering, Wagenknecht, Wilson, Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Abe-Koga, Cutter, Rice, Ross, Walton.

**COMMITTEE REPORTS**

**10. Report of the Climate Protection Committee of November 19, 2020**

Climate Protection Committee Chair, Teresa Barrett, read the following report:

NOTED PRESENT: Director Rice was noted present at 9:08 a.m., and Director Ross was noted present at 9:13 a.m.

*The Climate Protection Committee met on Thursday, November 19, 2020, and approved the minutes of September 30, 2020. This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.*

*The Committee received and discussed the staff presentation Air District Regulation of Appliances.*

*The Committee then received and discussed the staff presentation Update on the State 2022 Building Energy Code Update.*

*Finally, the Committee received and discussed the guest presentation Residential Building Electrification in California, presented by Amber Mahone of Energy Environmental Economics, or E3.*

*The next meeting of the Climate Protection Committee will be held on Thursday, January 21, 2021 at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. This concludes the Chair report of the Climate Protection Committee.*

Public Comments

No requests received.

Board Comments

The Committee thanked Air District staff for preparing such a content-rich meeting about building decarbonization. The Committee and staff discussed the Air District's recent focus on both the decarbonization of the existing natural gas systems and electrification of new construction; the request for a presentation on backup energy source options (during power outages) for buildings and homes that transition to electricity; and potential consequences that could result as more people convert their homes to electricity (versus remaining on fossil fuels and natural gas).

Board Action

None; receive and file.

**11. Report of the Budget and Finance Committee Meeting of November 23, 2020**

Budget and Finance Committee Chair, Carole Groom, read the following report:

*The Budget and Finance Committee met on Monday, November 23, 2020, and approved the minutes of September 30, 2020. This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.*

*The Committee reviewed and discussed the staff presentation Fourth Quarter Financial Report Fiscal Year Ending 2020.*

*The Committee then reviewed and discussed the staff presentation First Quarter Financial Report Fiscal Year Ending 2021.*

*The Committee then reviewed and discussed the staff presentation Request to Amend Fiscal Year Ending 2021 Budget to Increase Staffing. The Committee recommends the Board:*

- 1. **Amend** the Fiscal Year Ending 2021 Budget to include funds for nine of the ten full-time regular positions that were previously approved by the Board, bringing the total full-time employees to 414.*

*Finally, the Committee then reviewed and discussed the staff presentation Funding for Other Post-Employment Benefit Obligations. The Committee recommends the Board:*

- 1. **Approve** the transfer of the \$4 million allocated to Other Post-Employment Benefits in the approved Fiscal Year Ending 2021 Budget to the existing Other Post-Employment Benefits investment trust.*

*The next meeting of the Budget and Finance Committee will be held at the Call of the Chair. This concludes the Chair Report of the Budget and Finance Committee.*

Public Comments

No requests received.

Board Comments

The Committee and staff discussed the concern of increasing fees when facilities are losing business during the COVID-19 pandemic.

Board Action

Director Groom made a motion, seconded by Director Wagenknecht, to **amend** the Fiscal Year Ending (FYE) 2021 Budget to include funds for nine of the ten full-time regular positions that were previously approved by the Board; **approve** the transfer of the \$4.0 million allocated to Other Post-Employment Benefits (OPEB) in the approved FYE 2021 Budget to the existing OPEB investment trust; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Bauters, Canepa, Chavez, Gioia, Groom, Haggerty, Hudson, Hurt, Jue, Kniss, Miley, Mitchoff, Rice, Ross, Sinks, Spering, Wagenknecht, Wilson, Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Abe-Koga, Cutter, Walton.

**PRESENTATIONS**

12. **Annual Progress Report on Owning Our Air: The West Oakland Community Action Plan**

NOTED PRESENT: Director Cutter was noted present at 9:23 a.m., and Directors Abe-Koga and Walton were noted present at 9:55 a.m.

Greg Nudd, Deputy Air Pollution Control Officer of Policy, introduced Alison Kirk, Principal Environmental Planner, and Joshua Abraham, Community Engagement Specialist, who gave the staff presentation *Owning Our Air: The West Oakland Community Action Plan Annual Report*, including: Owning Our Air: 2020 implementation; community-led subcommittees; implementation approach; early implementation wins; and looking forward. Two videos that were created to document the first year of implementation were also shown.

Following the presentation and videos, comments were given by Ms. Margaret Gordon and Brian Beveridge of the West Oakland Environmental Indicators Project (WOEIP), and Charles Tyrone Reed of in-advance, capturing their experiences from the first year of implementation.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area; Dr. Stephen Rosenblum, Palo Alto resident; and Andres Soto, Communities for a Better Environment (CBE).

### Board Comments

The Board and staff discussed whether the City of Oakland or County of Alameda were engaged in this process; whether a similar program will be developed in East Oakland; the suggestion of creating a chronology of how the air quality has been improved in West Oakland over the years; how public health should be the core motivation of all Air District activities; upcoming implementation of measures; the suggestion that this plan be packaged and shared with other organizations and institutions, especially public management agencies; the announcement that the WOEIP has been asked to talk about the Plan on National Public Radio's TED Radio Hour program; who the key Staff member for overseeing the strategy update will be; how often the Board will be updated on the status of the Plan; whether there is a roll for the Air District to help the City of Oakland and Alameda County with Assembly Bill (AB) 617 work outside of its authority, and the suggestion of coordinating with Director Cutter in her current capacity as the Chair of the Alameda County Transportation Commission; whether the proposed baseball stadium and mixed-use project at the Port of Oakland would continue to compromise air quality; and the request for an update on asthma data in the Bay Area.

### Board Action

None; receive and file.

#### **13. Update on Bay Area Hyperlocal Air Quality Mapping Project (OUT OF ORDER, ITEM 14)**

Dr. Ranyee Chiang, Director of Meteorology and Measurement, gave the staff presentation *Update on Bay Area Hyperlocal Air Quality Mapping Project*, including: outline; hyperlocal air quality mapping complements other Bay Area monitoring efforts; goal and scope of Aclima project; data evaluation by Air District and Aclima; and potential uses and actions from data.

Davida Herzl, Chief Executive Officer of Aclima, gave the presentation *Aclima Progress Update*, including: built for good, catalyzing change; 2020 has made our work more relevant than ever; innovation workflows; data product collection; Year 1 baseline collection status; community job creation; our work together, by the numbers; end-to-end quality control operation; data product communication; Aclima Pro; public releases; maximizing data utility and value; from diagnosis to action; adding value beyond our scope with the Air District; contextual data for better decisions; deep investments in West Oakland and Richmond-San Pablo; free public app; California Air Resources Board (CARB) demonstration; and wildfire project development.

### Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area; Tony Fisher, Coalition for Clean Air; Ken Szutu, Vallejo Citizen Air Monitoring Network; Andres Soto, CBE; Ms. Margaret Gordon, WOEIP; and Charles Davidson, Hercules resident.

Board Comments

The Committee and staff discussed whether AB 617 (Bay Area) candidate communities would benefit from having this project's data and Aclima's public app; when the data collected in Richmond-San Pablo data will be available to the Community Emissions Reduction Plan Community Steering Committee in Richmond-North Richmond-San Pablo, and whether the data will have been interpreted in a meaningful way for the Steering Committee and County Health Officers; and the request that the prevalence of cancer, hypertension, and heart disease be included in Aclima's data, moving forward.

Board Action

None; receive and file.

**14. Air District Board Composition and Compensation Discussion (ITEM 13)**

Alan Abbs, Legislative Officer, gave the staff presentation *Air District Board Members Composition and Compensation Discussion*, including: county representation; Board compensation; selection process; and other air districts.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area; Steve Nadel, Sunflower Alliance; Richard Gray, 350 Bay Area; Dr. Stephen Rosenblum, Palo Alto resident; Andres Soto, CBE; Dr. Raymond Tomkins, Clean Air Health Alliance; Brian Beveridge, WOEIP; and Ms. Margaret Gordon, WOEIP.

Board Comments

The Committee and staff discussed whether to add external member seats to the Board; whether to collaborate with other California air districts if the Air District pursues legislation pertaining to Board composition or compensation; the suggestion that Board compensation be changed from "per day" to "per meeting"; whether it would be more effective to have designated seats for environmental justice representatives on the Board versus on an advisory council; whether to increase or eliminate the existing Board compensation maximum; various methods for compensating Board members who use carbon-free modes of transportation to get to meetings; the suggestion of allowing environmental justice representatives to serve on Board Committees; the suggestion of asking the environmental justice organizations what their preference is (serve on Board or advisory councils); concerns that one environmental justice member would not represent all burdened Bay Area communities; the suggestion of gradually decreasing the number of Board members; the request that Board compensation and composition issues be bifurcated and pursued separately, and the suggestion that staff drafts Board compensation bill language and secures a legislative sponsor before February 2021; and whether a Board compensation bill, were it to be passed first, could later be amended later to include revised Board composition changes.

Board Action

None; receive and file.

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

**15. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

Public comments were given by Dr. Raymond Tompkins, Clean Air Health Alliance; Ladonna Williams, All Positives Possible; and Andres Soto, CBE.

**BOARD MEMBERS' COMMENTS**

**16. Board Members' Comments**

None.

**OTHER BUSINESS**

**17. Report of the Executive Officer/Air Pollution Control Officer**

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, announced the following:

- Former Assistant Human Resources Manager, Terri Levels, has been promoted to the position of People and Engagement Officer, a newly created, director-level executive responsible for overseeing the Human Resources Office, programs and staff. This position is also known as Human Resources Officer.
- Former Deputy Air Pollution Control Officer of Technology, Damian Breen, has been promoted to the position of Deputy Executive Office of Operations, a newly created, executive-level position responsible for overseeing regular operational activities of the District.
- A consent decree lodged in 2019 in the U.S. District Court for the Eastern District of Pennsylvania by the Air District, U.S. Department of Justice, U.S. Environmental Protection Agency and other local agencies with Lehigh Cement and Lehigh White Cement to reduce harmful air emissions has been approved. Lehigh is required to meet more stringent emission limits of nitrogen oxide and sulfur dioxide, and will invest \$12 million in pollution control technology at 11 of their Portland cement manufacturing plants, one of which is located in the Bay Area. The installation and testing may take up to three years.

**18. Chairperson's Report**

Chair Sinks announced that On December 9, 2020, at 10:00 a.m., the Air District will host a moderated discussion, followed by Q&A with Dr. Ibram X. Kendi, professor, historian, and author of How to Be an Antiracist.



19. **Time and Place of Next Meeting**

Wednesday, December 16, 2020, at 9:00 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

20. **Adjournment**

The meeting adjourned at 2:03 p.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 3, 2020

Re: Board Communications Received from December 2, 2020 through December 15,  
2020

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RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from December 2, 2020 through December 15, 2020, if any, will be distributed to the Board Members by way of email.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Aloha de Guzman  
Reviewed by: Vanessa Johnson

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 3, 2020

Re: Air District Personnel on Out-of-State Business Travel

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified of District personnel who have traveled on out-of-state business.

The report covers the out-of-state business travel for the month of November 2020. The monthly out-of-state business travel report is presented in the months following travel completion.

DISCUSSION

There were no out-of-state business travel activities that occurred in the month of November 2020.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Stephanie Osaze  
Reviewed by: Jeff McKay

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 1, 2020

Re: New Grant Program Revenues from the U.S. Environmental Protection Agency (EPA)  
Targeted Airshed Grant Award

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**RECOMMENDED ACTIONS**

Recommend Board of Directors:

1. Authorize the Bay Area Air Quality Management District (Air District) to accept, obligate, and expend up to \$2,120,345 in funding from the U.S. Environmental Protection Agency (EPA);
2. Authorize the Executive Officer/APCO to enter into all agreements necessary to accept, obligate, and expend this funding; and
3. Allocate \$500,000 from Designated Reserves to be used as match funding.

**BACKGROUND**

In the wintertime, wood smoke from residential wood burning accounts for 39% of fine particulate matter (PM<sub>2.5</sub>) in the Bay Area, causing unhealthy air, exceedances of the PM<sub>2.5</sub> federal health standard, and negative impacts to local air quality. To protect Bay Area residents from the public health impacts of wood smoke pollution, on July 9, 2008, the Bay Area Air Quality Management District's (Air District) Board of Directors (Board) adopted *Regulation 6-3, Wood-burning Devices*. Subsequently, amendments to further reduce PM<sub>2.5</sub> from wood-burning activities were adopted, with the most recent amendments passed on November 20, 2019.

In addition to the rule, since 2016 the Air District has invested over \$2.5 million of its General Fund revenue in Wood Smoke Reduction Incentive Programs that have helped to fund the replacement of more than 1,080 residential wood burning devices, primarily in communities that are most impacted by rates of PM<sub>2.5</sub> from residential woodsmoke. The Board subsequently approved an additional \$1 million from the Air District's reserves to be designated to fund future wood-stove change-out incentives.

The U.S. EPA Targeted Airshed Grant (TAG) Program is a grant program available to certain air districts that provides funding for projects that reduce air pollution in nonattainment areas that EPA has determined are in the top five most polluted areas relative to ozone, annual average fine particulate matter, or 24-hour PM<sub>2.5</sub> National Ambient Air Quality Standards. The 2019 Consolidated Appropriations Act and Further Consolidated Appropriations Act, 2020 made funds available for these competitive grants to reduce ozone and PM<sub>2.5</sub> in nonattainment areas.

## DISCUSSION

### *U.S. EPA 2019 & 2020 TAG Program Funding*

On November 22, 2019, the U.S. EPA issued a solicitation for TAG Program funding. On April 10, 2020, the Air District submitted an application to the TAG Program that proposed an incentive program that will replace residential woodburning devices with zero-emission heat pumps. The Air District proposed this program because it is highly cost-effective, achieves significant PM<sub>2.5</sub> reductions, and was included in the list of measures that are prioritized in the West Oakland Community Emissions Reduction Plan that was adopted by Air District's Board in October 2019.

On June 25, 2020, the EPA notified the Air District that the Air District's proposal was accepted in part and that the Air District may be awarded up to \$2,120,345 for a program that offers incentives for the replacement of approximately 325 residential wood-stoves with zero-emission heat pumps, with at least 60% of the funds being awarded to low-income residents and to homes located in Assembly Bill (AB) 617 and Communities Air Risk Evaluation (CARE) communities, primarily in Oakland and Richmond. As part of the application, the Air District has proposed a commitment of up to \$500,000 in matching funds that would be used for project and administrative costs.

To accept the funds, the Air District must submit a final proposed scope of work and budget that requires EPA's approval. If the Board approves of the actions proposed in this memorandum, staff will work to develop a final proposal that meets EPA's requirements. Following EPA's approval, staff would return to the Stationary Source committee to present the approved program that would launch as a pilot by mid-2021. Based on the result of the pilot, staff may pursue funding to expand the program.

## BUDGET CONSIDERATION / FINANCIAL IMPACT

None. Through the TAG Program the Air District distributes "pass-through" funds to Program participants, and administrative costs will be provided by the EPA and general fund.

Respectfully Submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Amy Dao  
Reviewed by: Alona Davis and Karen Schkolnick

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 3, 2020

Re: Authorization to Amend Community Health Protection Grants

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**RECOMMENDED ACTION**

The Air District recommends the Board of Directors authorize the Executive Officer/APCO, extend the term of the current grant agreements to December 31, 2021, and add \$50,000, which will increase the overall contract in an amount not to exceed, \$100,000, for each of the current contracts.

**BACKGROUND**

In April 2019, the Air District launched its Community Health Protection Grant Program to offer new capacity-building grants of up to \$50,000 to community groups, neighborhood associations, and local non-profits based in Assembly Bill (AB) 617 priority communities: East Oakland/San Leandro, Eastern San Francisco, East Contra Costa area, San Jose, the Tri-Valley, and Vallejo. The grants are intended to help communities design and implement strategies that foster authentic, empowered community participation in planning activities while increasing their ability to partner with the Air District in the future. The Air District awarded seven grants in the first year of the program. The types of activities funded under the grants include:

- Conducting community needs assessments;
- Designing and implementing strategies to organize the community around air quality and other environmental justice issues;
- Leadership development; and
- Providing communities with resources and information to meaningfully participate in decisions that impact local environmental health.

2019-2020 Grantees:

- All Positives Possible, Vallejo
- Breathe California of the Bay Area, Golden Gate, and Central Coast, San Jose
- Bayview Hunters Point Community Advocates, Eastern San Francisco
- Communities for a Better Environment, East Oakland
- International Children Assistance Network, San Jose
- La Clinica de la Raza, East Contra Costa
- Tri-Valley Air Quality Community Alliance, Tri-Valley

DISCUSSION

The Air District recognizes the critical nature of the work the grantees are doing to ensure their communities will be ready to partner with the Air District in the future to develop plans to reduce air pollution or to do air monitoring, as required by AB 617. Despite all the challenges posed by the ongoing COVID-19 pandemic and shelter in place orders, the current grantees made significant progress to this end. Therefore, to help the grantees build on the progress they made if they desire to continue forward, Air District staff is recommending an extension of their contracts for one more year and including an additional \$50,000, which will increase the overall contract amount for each of the current grantees to \$100,000.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Funding is included in Fiscal Year Ending 2021 budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Kristen Law  
Reviewed by: Elizabeth Yura



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 3, 2020

Re: Authorization to Enter into a Contract Agreement with Lores Maintenance in an  
Amount Not to Exceed \$126,840

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**RECOMMENDED ACTION**

The Air District recommends the Board of Directors authorize the Executive Officer/Air Pollution Control Officer (APCO) to enter into a three-year contract with Lores Maintenance in an amount not to exceed \$126,840, for janitorial services at the Air District's Headquarters East location.

**BACKGROUND**

On December 5, 2019, the Air District issued a Request for Proposals (RFP) to provide janitorial services for the Air District's "Headquarters East," located at 4114 Lakeside Drive in Richmond, California. In conjunction with the plan to occupy Headquarters East in two or more phases, janitorial services were immediately sought for the portion of the building being occupied initially and as identified in Air District projects as Phase 1. The Air District presumed that these services would eventually expand to include the entire usable footprint of the building when operationally necessary and feasible.

To provide for this long-term plan, the RFP requested bids for Phase 1 and included an option to expand services to include all remaining portions, known as Phase 2, at the discretion of the Air District. The Air District is exercising the option to expand services in support of the limited portion of Phase 2 that is now in use prior to the comprehensive renovation project. The work required for our current operations in both phases is reflected in the recommended contract amount of \$126,840.

The RFP process solicited a total of five proposals from qualified vendors which were reviewed and evaluated by a three-member panel based on the following criteria, as stipulated in the RFP:

<b>Criteria</b>	<b>Description</b>	<b>Weight</b>
Expertise	Technical expertise, size and structure of the firm and personnel assigned to RFP tasks; firm's ability to perform and complete the work in a professional and timely manner. *	25%
Cost	Cost or cost effectiveness and resource allocation strategy	25%
Skill	Past experience of the firm and, in particular, experience of the team working on projects of similar scope for other governmental agencies.	20%
Approach	Responsiveness of the proposal, based upon a clear understanding of the work to be performed.	10%
References	References of the firm	10%
Firm's Specialty Focus Area	Local business/Green Business**	10%
	<b>Total</b>	<b>100%</b>

\* "Size and structure of firm" refers to the ability of a firm's size to meet the needs of the District. It does not give absolute preference to larger or smaller firms.

\*\* The Air District gives preferences to local business and those that are certified as green businesses by a government agency or independent private rating organization. "Local business" means that a firm's headquarters is located within the nine counties of the Air District's jurisdiction.

**RFP #2019-020 Submission Scoring**

	Total	Expertise	Skill	Approach	Cost	References	Focus Area
Supplier	/ 100 pts	/ 25 pts	/ 20 pts	/ 10 pts	/ 25 pts	/ 10 pts	/ 10 pts
Lores Maintenance	90	23.67	19.33	9.333	24.67	4.333	8.667
Karla's Janitorial & Suppliers LLC	86.67	24	18.33	8.667	17.33	9.667	8.667
American Building Service Inc.	84.33	22	16	8.333	20.67	9	8.333
J's Janitorial Cleaning Service LLC	78.33	21.67	15.67	8.333	17.67	9	6
Bay Area Janitorial Force, Inc.	49.67	11.67	6.667	7	20	1.333	3

Selection of the vendor was based on the final scoring of the panel. The Air District recommends the Board of Directors select the lowest bidder, Lores Maintenance, based on their overall approach and fit with the Air District’s needs.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

None. The costs for this contract are included in the Fiscal Year Ending 2021 budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Sean Gallagher and Maricela Martinez  
Reviewed by: John Chiladakis, Acting for Rex Sanders

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 3, 2020

Re: Request to Approve the Proposed Amendments to the Memorandum of  
Understanding between the Bay Area Air Quality Management District and the Bay  
Area Air Quality Management District Employees' Association

RECOMMENDED ACTION

Staff recommends that the Board of Directors (Board) approve the proposed amendments to the Memorandum of Understanding (MOU) between the Bay Area Air Quality Management District (Air District) and the Air District Employees' Association (EA).

BACKGROUND

The Air District's representatives and the EA agreed to Meet and Confer on matters regarding the provisions of Article 16.02 (Contracting Out) and Article 12.01 (Annual Leave). Both parties have met and have agreed upon amendments of these provisions. These amendments are contingent upon approval by the Air District Board and upon approval by a vote of the members of the EA.

DISCUSSION

The proposed amendments to the current MOU are attached for review. A summary of the attached amendments is provided below:

1. The proposed amendments revise Section 16.02 (Contracting Out) to provide for a more efficient and flexible process of hiring temporary employees. If approved, the new provisions would alter the acceptable circumstances and employment duration provisions and would allow the District to engage temporary employees on a wider variety of short-term activities.

2. The proposed amendments revise Section 12.01 (Annual Leave) by mitigating a situation never contemplated in which some employees will exceed the annual leave accrual cap and will not be able to continue accruing leave due to the limited opportunities to use leave during the COVID-19 shelter in place. If approved, the following provisions will be in effect through December 31, 2021;
  - Increase the maximum annual accrual cap from 460 to 500 hours of annual leave.
  - Allow any employee with an annual leave balance over 460 hours as of December 31, 2020 to sell back, on a one-time basis, an additional 40 hours for a total maximum of 80 hours in a calendar year.

The provisions created by the amendments to Section 12.01 (Annual Leave) are also extended to the Management and Confidential groups of employees. The proposed amendments will contribute positively to a stable and constructive labor relations environment.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed amendments to Section 12.01 could increase personnel costs in Fiscal Year Ending (FYE) 2021 by up to \$160,000. The actual amount will be dependent on the number of employees that sell back the additional allowed 40 hours of annual leave. Due to staff attrition including retirements, there is no impact to the FYE 2021 budget.

Respectfully Submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Terri Levels  
Reviewed by: John Chiladakis

Attachment 8A: Proposed Memorandum of Understanding between the Bay Area Air Quality Management District and Bay Area Air Quality Management District edited sections

Attachment 8B: Proposed Amendments to Section 12.01 of The Memorandum of Understanding between the Bay Area Air Quality Management District and Bay Area Air Quality Management District edited sections

**SECTION 16.02 CONTRACTING OUT**

The District shall not contract out or remove from the bargaining unit any District work, whether permanent or temporary, which is performed by bargaining unit members, if the services are of a kind that persons selected through the District's normal selection process could perform adequately, competently and in timely manner, except as ~~follows:~~ provided below.

**Temporary Employees**

When regular permanent employees are unable to perform bargaining unit work, the District may utilize temporary employees under the following circumstances:

- A. Concurrent with the District's recruitment for one or more bargaining unit vacancies, ~~the District may contract out~~ commencing at the time of District authorization of the recruitment and ending upon a permanent appointment.
- B. Limited term assignments that cannot be adequately performed by bargaining unit employees. "Adequately performed" shall refer to the current skill set of existing District staff, the time required to perform the work or project delivery deadlines. A "limited term assignment" refers to a specific project of limited duration or ~~for services~~ a specific period of time, which is expected to terminate at the conclusion thereof.
- A.C. While an incumbent normally performed by bargaining unit employees provided ~~no more than 1,000 hours is contracted out per vacancy-filling that position is on approved leave or is on a temporary assignment.~~
- D. In order to meet short term needs, including emergency situations ~~contracting out.~~ An "emergency situation" shall refer to an unforeseen or uncontrollable situation that arises and is beyond the control of District management.

In any fiscal year, the total number of hours of temporary employment allowable under the above provisions shall not exceed 17,000.

The District shall provide the EA with prompt, written notice of each temporary employee. The notice shall include the following information: specific reason for ~~services normally performed by bargaining unit employees shall be permitted, providing no more than 1~~ the hire, hiring date, job class and division. If the temporary employee is hired under provision B, the notice will include both the specific assignment and anticipated length of service.

The District shall provide the EA with quarterly reports for each fiscal year that include the following information: temporary employee's name and total hours worked. The District shall provide notice when it reaches 15,000 hours ~~is contracted out per contract employee~~ of usage of temporary employees in any fiscal year.

**Contracting out of Contractors**

In addition to the use of temporary employees the District may utilize contractors or contract employees to perform new functions not previously undertaken or covered by existing employees ~~shall be permitted provided if~~ it is determined that the services cannot be adequately performed by bargaining unit employees.

~~A. Non-bargaining unit employees (Temporary workers) employed by the District for the purpose of filling a bargaining unit position while a bargaining unit employee is on approved leave (i.e., not those instances where the temporary worker is filling a vacant position) need not be terminated for the duration of the approved leave.~~

The District shall provide a quarterly report to the EA of any contracts pursuant to this section. Such notice shall indicate the name of the contractor, the nature of services and the department in which they are employed.

### **Representation**

Temporary employees, limited term employees and contractors employed under this agreement shall not be represented by the EA.

**ARTICLE XII LEAVE AND HOLIDAYS****SECTION 12.01 ANNUAL LEAVE**

1. An employee earn annual leave credits at the rate of 3.69 hours per pay period (approximately one day per month) for the first three years of employment. Annual leave will accrue but cannot be taken until the successful completion of six months' service.
2. An employee with more than three and up to five years of employment will earn annual leave at the rate of 4.64 hours per pay period (approximately 1-1/4 days per month).
3. An employee with more than five and up to ten years of employment will earn annual leave at the rate of 5.52 hours per day period (approximately 1-1/2 days per month).
4. An employee with more than ten and up to twenty years of employment will earn annual leave at the rate of 6.48 hours per pay period (approximately 1-3/4 days per month).
5. An employee with more than twenty years and up to thirty years of employment will earn annual leave at the rate of 7.69 hours per pay period (approximately 2 days per month).
6. An employee with thirty or more years of employment will earn annual leave at the rate of 9.23 hours per pay period (approximately 2-1/2 days per month).
7. If an employee's annual leave accrual rate changes during a pay period, the new rate will be credited from the first day of that period.
8. Annual leave will be normally scheduled in advance by the employee's immediate supervisor, in consideration of the operating requirements of the section and the division. However, in an emergency situation, annual leave will be authorized so long as the employee's immediate supervisor is notified in advance.
9. The maximum accumulation of annual leave is four hundred and sixty (460) working hours as of the end of the calendar year. After reaching that limit, no further hours shall be accumulated until the employee reduces the balance below four hundred and sixty (460) hours. On a one-time basis, the maximum accumulation of annual leave will increase to five hundred (500) hours. This provision will expire on December 31, 2021.
10. Use of annual leave of more than one hundred and sixty (160) hours must be scheduled and approved by the Executive Officer.
11. For the purposes of determining the rate of annual leave, accumulated service within the District will be used less any time for leave of absence in excess of two pay periods.
12. For a permanent employee that was previously employed as either a limited-term employee or a temporary employee for more than 1000 hours: effective July 1, 2001 accumulated service shall be the combined service as a permanent employee and previous service as a



limited-term employee or temporary employee, less the initial 1,000 hours. The District will not allow retroactive accrual prior to July 1, 2001.

13. If a payday falls during an employee's vacation, the employee may receive a partial pay warrant for the pay period. The employee may pick up the warrant three (3) days prior to beginning vacation, provided two weeks' notice is given to the Human Resources Office.
14. Once per calendar year, an employee may exchange unused annual leave in excess of 200 hours, up to a maximum of 40 hours per calendar year, for the equivalent amount in wages. The request may not exceed forty (40) hours per fiscal year. Payment shall be made within 10 working days of the request. [On a one-time basis, an employee with an annual leave balance over 460 hours as of December 31, 2020 will be allowed to sell back an additional 40 hours. This provision will expire on December 31, 2021.](#)
15. An employee who is re-hired by the District as a permanent employee will accrue annual leave at the rate he/she was accruing at the time of separation.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 3, 2020

Re: Report of the Mobile Source Committee Meeting of December 3, 2020

**RECOMMENDED ACTION**

The Mobile Source Committee (Committee) recommends Board of Directors (Board) approval of the following item:

- A) Projects and Contracts with Proposed Grant Awards Over \$100,000;
  - 1) Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1; and
  - 2) Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.
- B) Report on Transportation Fund for Clean Air (TFCA) Projects Expenditures and Effectiveness for Fiscal Year Ending 2020; and
  - 1) None; receive and file.
- C) Transportation Fund for Clean Air Program Regional Fund Projects – Audit #21 Results
  - 1) None; receive and file.

**BACKGROUND**

The Committee met on Thursday, December 3, 2020, and received the following reports:

- A) Projects and Contracts with Proposed Grant Awards Over \$100,000;
- B) Report on Transportation Fund for Clean Air (TFCA) Projects Expenditures and Effectiveness for Fiscal Year Ending 2020; and
- C) Transportation Fund for Clean Air Program Regional Fund Projects – Audit #21 Results

Chairperson David Canepa will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None. The Air District distributes the CMP, MSIF, Community Health Protection Grant Program, and TFCA funding to project sponsors on a reimbursement basis. Funding for administrative costs is provided by each funding source;
- B) None. The Air District distributes TFCA monies as “pass-through” funds to public and nonpublic entities. Administrative costs for project staff are provided by the Air District’s TFCA funding; and
- C) None. Administrative costs for the TFCA audit and staff are provided by the funding source.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Aloha de Guzman  
Reviewed by: Vanessa Johnson

Attachment 9A: 12/3/2020 – Mobile Source Committee Meeting Agenda #3  
Attachment 9B: 12/3/2020 – Mobile Source Committee Meeting Agenda #4  
Attachment 9C: 12/3/2020 – Mobile Source Committee Meeting Agenda #5

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson David Canepa and Members  
of the Mobile Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: November 19, 2020

Re: Projects and Contracts with Proposed Grant Awards Over \$100,000

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**RECOMMENDED ACTIONS**

Recommend Board of Directors:

1. Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1; and
2. Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.

**BACKGROUND**

The Bay Area Air Quality Management District (Air District) has participated in the Carl Moyer Program (CMP), in cooperation with the California Air Resources Board (CARB), since the program began in fiscal year 1998-1999. The CMP provides grants to public and private entities to reduce emissions of nitrogen oxides (NOx), reactive organic gases (ROG), and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, and stationary agricultural pump engines.

Assembly Bill (AB) 923 (Firebaugh), enacted in 2004 (codified as Health and Safety Code (HSC) Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile Source Incentive Fund (MSIF). AB 923 stipulates that air districts may use the revenues generated by the additional \$2 surcharge for projects eligible under the CMP.

On March 4, 2020, the Board of Directors (Board) authorized Air District participation in Year 22 of the CMP and authorized the Executive Officer/APCO to execute grant agreements and amendments for projects funded with CMP funds or MSIF revenues with individual grant award amounts up to \$100,000.

In 2017, AB 617 directed the CARB, in conjunction with local air districts to establish the Community Air Protection Program (CAPP). AB 617 provides a new community-focused action framework to improve air quality and reduce exposure to criteria air pollutants and toxic air contaminants in communities most impacted by air pollution. AB 617 includes a variety of strategies to address air quality issues in impacted communities, including community-level monitoring, uniform emission reporting across the State, stronger regulation of pollution sources, and incentives for both mobile and stationary sources. Funding for incentives to support the AB 617 effort was approved by the California Legislature beginning in fiscal year ending (FYE) 2018. Funding for the CAPP comes from the State's Greenhouse Gas Reduction Fund (GGRF), which is used to reduce criteria pollutants, toxic air contaminants, and greenhouse gases.

In May 2020, the Governor issued a revised budget that authorized up to \$200 million for a third cycle of CAPP incentive funding. On June 17, 2020, the Board authorized the Air District to accept, obligate, and expend up to \$40 million in year-3 CAPP funding. These funds are primarily distributed through the Air District's Community Health Protection Grant Program to implement projects eligible under the CMP and optionally on-road truck replacements under the Proposition 1B Goods Movement Emission Reduction Program. Staff has also begun working with CARB to expand eligibility to include stationary source projects and projects that are identified as priorities by communities with a State-approved Community Emissions Reduction Program, pursuant to HSC Section 44391.2.

CARB developed the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program Guidelines in February 2018 that outlines requirements for eligible equipment, e.g., agricultural harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment used in agricultural operations. On October 21, 2019, CARB's Executive Officer approved an update to the FARMER Program Guidelines to include eligibility criteria for demonstration projects. The 2020 California State Budget appropriated \$65 million in Fiscal Year 2019-20 GGRF funds to the CARB for the continued reduction of criteria, toxic, and greenhouse gas emissions from the agricultural sector through the FARMER Program. On November 20, 2019, the Board authorized the Air District's participation in the current cycle of the FARMER program.

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions within the Air District's jurisdiction. The statutory authority and requirements for the Transportation Fund for Clean Air (TFCA) are set forth in the HSC Sections 44241 and 44242. Sixty percent of TFCA funds are awarded by the Air District to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air program) and to a program referred to as the Regional Fund. Each year, the Board allocates funding and adopts policies and evaluation criteria that govern the expenditure of TFCA monies. The remaining forty percent of TFCA funds are pass-through funds that are awarded to the designated County Program Manager in each of the nine counties within the Air District's jurisdiction.

On April 15, 2020 and July 15, 2020, the Board authorized funding allocations for use of the sixty percent of the TFCA revenue in FYE 2021, cost-effectiveness limits for Air District-sponsored FYE 2021 programs, and the Executive Officer/APCO to execute grant agreements and amendments for projects with individual grant award amounts up to \$100,000. On June 3, 2020, the Board adopted policies and evaluation criteria for the FYE 2021 Regional Fund program.

Projects with grant award amounts over \$100,000 are brought to the Mobile Source Committee for consideration at least on a quarterly basis. Staff reviews and evaluates grant applications based upon the respective governing policies and guidelines established by the CARB, the Board, and other funding agencies.

## DISCUSSION

### **Carl Moyer Program and Community Health Protection Grant Program:**

For the FYE 2021, the Air District had approximately \$45.9 million available in new CMP, MSIF, Community Health Protection Grant Program, and FARMER funds for eligible projects, including approximately \$3.4 million from prior year funds. The Air District accepts project applications on a rolling basis and evaluates them on a first-come, first-served basis.

As of November 2, 2020, the Air District had received or evaluated 27 project applications. Of the applications that were evaluated between September 26, 2020 and November 2, 2020, eight eligible projects have proposed grant awards over \$100,000. Three marine projects will replace four pieces of diesel engines to cleaner engines. Five off-road projects will replace five pieces of mobile, diesel-powered agricultural equipment and seven pieces of diesel-powered construction equipment. These projects will reduce over 15.6 tons of NOx, ROG and PM per year. Staff recommends the allocation of \$2,739,150 for these projects from a combination of CMP, FARMER, Community Health Protection, and MSIF revenues. Attachment 1, Table 1, provides additional information on these projects.

Attachment 2 lists all of the eligible projects that have been awarded by the Air District between July 1, 2020 and November 2, 2020, and includes information about equipment category, award amounts, estimated emissions reductions, and county location. To date, approximately 39% of the funds have been awarded to projects that reduce emissions in Air District designated Community Air Risk Evaluation or CARE areas, and approximately 48% have been awarded to projects benefiting disadvantaged (SB 535) and low-income (AB 1550) communities.

### **Transportation Fund for Clean Air Program:**

For the FYE 2021, the Air District had approximately \$31.44 million in TFCA monies available for eligible projects and programs. The Air District accepts project applications for certain project categories on a rolling basis and evaluates them on a first-come, first-served basis.

As of November 2, 2020, the Air District had received six project applications. Of the applications that were evaluated between September 26, 2020 and November 2, 2020, there is one project with proposed grant award over \$100,000. This project will provide incentives to shift single-occupancy modes going through the congested State Route 37 to ridesharing and will reduce over 0.387 tons of NOx, ROG, and PM per year. Staff recommends allocating \$184,500 in TFCA funds for this project. Attachment 1, Table 2, provides additional information on this project.

Attachment 3, Table 1, lists all eligible TFCA projects that have been evaluated and awarded between July 1, 2020 and November 2, 2020, including information about the project category, award amount, estimated emissions reduction, and county location. To date, approximately 31% of the funds have been awarded to projects that reduce emissions in Air District designated Community Air Risk Evaluation, or CARE areas, and approximately 40% have been awarded to projects benefitting disadvantaged (SB 535) and low-income (AB 1550) communities.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The Air District distributes the CMP, MSIF, Community Health Protection Grant Program, and TFCA funding to project sponsors on a reimbursement basis. Funding for administrative costs is provided by each funding source.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Alona Davis, Linda Hui, and Ken Mak  
Reviewed by: Karen Schkolnick and Chengfeng Wang

Attachment 1: Projects with grant awards greater than \$100,000

Attachment 2: CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated between 7/1/20 and 11/2/20

Attachment 3: TFCA projects awarded and allocated projects between 7/1/20 and 11/2/20

Attachment 4: Summary of funding awarded and allocated between 7/1/20 and 11/2/20

### AGENDA 3 - ATTACHMENT 1

Table 1 - Carl Moyer Program/ Mobile Source Incentive Fund, FARMER, and Community Health Protection Grant Program projects with grant awards greater than \$100k (Evaluated between 9/26/20 and 11/2/20)

Project #	Applicant name	Project Category	Project Description	Proposed contract award	Total project cost	Emission Reductions (Tons per year)			County
						NO <sub>x</sub>	ROG	PM	
21MOY172	George Chiala Farms, Inc.	Ag/ off-road	Replacement of one diesel tractor and one diesel tractor/crawler	\$ 512,750.00	\$ 662,932	1.656	0.154	0.089	Santa Clara
21MOY226	Columbia Electric, Inc.	Off-Road	Replacement of two construction diesel backhoes	\$ 141,000	\$ 327,630	0.532	0.038	0.035	Alameda/ Contra Costa/ Santa Clara
21MOY274	Green Valley Cattle Co.	Ag/Off-road	Replacement of one diesel tractor, one diesel tractor-loader, and one diesel tractor with a mounted forklift	\$ 120,500	\$ 192,873	0.205	0.035	0.021	Solano
21MOY277	R.J.S. & Associates, Inc.	Off-Road	Replacement of five pieces of diesel construction equipment including one excavator, one backhoe, one backhoe loader, and two telehandlers	\$ 345,500	\$ 948,943.00	1.815	0.171	0.107	Santa Clara/ Alameda
22MOY3	San Francisco Water Emergency Transportation Authority	Marine	Replacement of two diesel marine engines on a ferry servicing three counties	\$ 1,166,000	\$ 1,228,385	5.574	0.497	0.186	Alameda
22MOY4	Happy Hooker Sportfishing	Marine	Replacement of one diesel marine engine on a charter fishing vessel	\$ 128,000	\$ 160,021	0.307	-0.008	0.019	Alameda
22MOY6	Mazzetta Dairy	Ag/ off-road	Replacement one agricultural diesel rubber-tired loader	\$ 185,400.00	\$ 231,796	1.155	0.106	0.066	Sonoma
22MOY13	Lion Fisheries, LLC.	Marine	Replacement of one diesel marine engine on a commercial fishing vessel	\$ 140,000	\$ 175,976	0.898	-0.013	0.036	San Mateo
<b>8 Projects</b>				<b>\$ 2,739,150</b>	<b>\$ 3,928,556</b>	<b>12.143</b>	<b>0.979</b>	<b>0.558</b>	

Table 2 - Transportation Fund for Clean Air projects with grant awards greater than \$100k (Evaluated between 9/26/20 and 11/2/20)

Project #	Applicant name	Project Category	Project Description	Proposed contract award	Total project cost	Emission Reductions (Tons per year)			County
						NO <sub>x</sub>	ROG	PM	
20R14	Solano Transportation Authority	Trip Reduction	State Route 37 Rideshare	\$ 184,500	\$ 205,000	0.104	0.113	0.169	Multi-County
<b>1 Project</b>				<b>\$ 184,500</b>	<b>\$ 205,000</b>	<b>0.104</b>	<b>0.113</b>	<b>0.169</b>	



## AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated  
(between 7/1/20 and 11/2/20)*

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
21MOY203	Ag/ off-road	Equipment replacement	1	\$ 60,000.00	Rider Vineyards dba Joseph Rider	0.104	0.005	0.006	APCO	No	No	Napa
21MOY198	On-road	Equipment replacement	1	\$ 10,000.00	EPP Transport, LLC	0.181	0.015	0.000	APCO	Yes	Yes	Alameda
21MOY206	Ag/ off-road	Equipment replacement	2	\$ 90,840.00	Hudson Vineyards LLC	0.162	0.005	0.009	APCO	No	No	Napa
21MOY210	On-road	Equipment replacement	1	\$ 20,000.00	Samuel's Trucking	0.466	0.039	0.003	APCO	Yes	Yes	Alameda
21MOY217	On-road	Equipment replacement	1	\$ 25,000.00	Daxin Trucking, LLC	0.566	0.048	0.000	APCO	Yes	Yes	Alameda
21MOY208	Ag/ off-road	Equipment replacement	2	\$ 76,300.00	M. German & Son Partnership	0.345	0.055	0.028	APCO	No	No	Solano
21MOY209	Ag/ off-road	Equipment replacement	1	\$ 48,800.00	Lum Family Farms, Inc.	0.145	0.026	0.018	APCO	No	No	Solano
21MOY214	Ag/ off-road	Equipment replacement	5	\$ 255,400.00	Robledo Vineyard Mgmt., LLC	0.563	0.092	0.061	TBD	No	No	Sonoma/ Napa
21MOY212	On-road	Equipment replacement	1	\$ 40,000.00	Ram Harak & Son Trucking	0.352	0.030	0.002	APCO	Yes	Yes	Alameda
21MOY235	Ag/ off-road	Equipment replacement	1	\$ 82,580.00	Mertens Dairy	0.217	0.038	0.028	APCO	No	No	Sonoma
21MOY228	Ag/ off-road	Equipment replacement	3	\$ 130,200.00	Turnbull Wine Cellars	0.191	0.037	0.026	TBD	No	No	Napa
21MOY239	Ag/ off-road	Equipment replacement	4	\$ 70,100.00	Michael Wolf Vineyard Services, Inc.	0.206	0.016	0.021	TBD	No	Yes	Napa
21MOY121	On-road	Equipment replacement	1	\$ 15,000.00	Prabhjit	0.321	0.027	0.000	APCO	No	Yes	San Joaquin
21MOY218	Ag/ off-road	Equipment replacement	2	\$ 76,100.00	Richard A. Zimmerman	0.194	0.030	0.017	APCO	No	No	Solano
21MOY240	On-road	Equipment replacement	1	\$ 20,000.00	Sunny Trucking	0.301	0.025	0.000	APCO	No	Yes	San Joaquin
21MOY227	On-road	Equipment replacement	1	\$ 40,000.00	Streamline Trans Inc., dba DM Trucking	0.836	0.071	0.006	APCO	Yes	Yes	Alameda
21MOY246	On-road	Equipment replacement	1	\$ 30,000.00	Ali Transportation	0.375	0.032	0.000	APCO	Yes	No	Alameda
21MOY241	Ag/ off-road	Equipment replacement	1	\$ 62,950.00	Wight Vineyard Management, Inc.	0.126	0.008	0.008	APCO	No	Yes	Napa
21MOY102	Off-Road	Equipment replacement	1	\$ 62,830.00	San Mateo Union High School District	0.184	0.041	0.033	APCO	No	Yes	San Mateo
21MOY166	Ag/ off-road	2-for-1 Equipment Replacement	1	\$ 39,400.00	Beckstoffer Vineyards Napa Valley	0.250	0.037	0.025	APCO	No	No	Napa

## AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated  
(between 7/1/20 and 11/2/20)*

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
21MOY223	On-road	Equipment replacement	1	\$ 30,000.00	Oakland Container Trucking	0.525	0.038	0.000	APCO	Yes	Yes	Alameda
21MOY265	Ag/ off-road	Equipment replacement	1	\$ 182,700.00	Paul P. Bianchi, Inc	1.251	0.138	0.079	TBD	No	No	Sonoma
21MOY245	Ag/ off-road	Equipment replacement	4	\$ 143,400.00	Ilsley Brothers Farming, LLC	0.209	0.078	0.035	TBD	No	No	Napa
21MOY236	Ag/ off-road	Equipment replacement	1	\$ 604,150.00	Morrison Cazares Boyer Construction, Inc.	1.060	0.098	0.056	TBD	No	No	Napa
21MOY232	Off-Road	Equipment replacement	1	\$ 125,000.00	L.H. Voss Materials	0.725	0.036	0.018	TBD	Yes	Yes	Alameda/ Contra Costa
21SBP196	School Bus	Equipment replacement	2	\$ 260,707.00	Fairfield-Suisun Unified School District	0.113	0.001	0.000	TBD	No	Yes	Solano
21MOY264	On-road	Equipment replacement	2	\$ 120,000.00	McKim Corp	2.260	0.160	0.014	TBD	Yes	Yes	Santa Clara
21MOY249	On-road	Equipment replacement	1	\$ 25,000.00	Jeevan Trucking, Inc.	0.478	0.040	0.000	APCO	Yes	Yes	Alameda
21MOY221	Ag/ off-road	Equipment replacement	2	\$ 91,650.00	Robert J Camozzi II	0.211	0.024	0.020	APCO	No	No	Sonoma
21MOY257	On-road	Equipment replacement	1	\$ 25,000.00	Harpinderpal Singh	0.466	0.035	0.000	APCO	Yes	Yes	Alameda
21MOY238	Ag/ off-road	Equipment replacement	1	\$ 64,700.00	Poley Family Farms, LLC	0.141	0.018	0.012	APCO	No	No	Sonoma
21MOY281	Ag/ off-road	Equipment replacement	1	\$ 42,200.00	Palm Drive Vineyards, LLC	0.044	0.005	0.006	APCO	No	No	Sonoma
21MOY233	Ag/ off-road	Equipment replacement	1	\$ 62,000.00	HR Farms	0.071	0.011	0.008	APCO	No	No	Sonoma
21MOY272	Ag/ off-road	Equipment replacement	1	\$ 58,000.00	StoneMar Properties, LLC	0.100	0.005	0.006	APCO	No	No	Contra Costa
21MOY280	Ag/ off-road	Equipment replacement	1	\$ 64,400.00	Barbour Vineyards Management LLC	0.113	0.007	0.007	APCO	No	No	Napa
21MOY274	Ag/ off-road	Equipment replacement	2	\$ 120,500.00	Green Valley Cattle Co.	0.205	0.035	0.021	TBD	No	No	Solano
21MOY251	Ag/ off-road	Equipment replacement	1	\$ 50,300.00	Wild Oak Vineyards, LLC	0.086	0.019	0.015	APCO	No	No	Solano
22MOY2	On-road	Equipment replacement	1	\$ 35,000.00	Mandeep Singh	0.337	0.029	0.000	APCO	Yes	Yes	Alameda
22MOY4	Marine	Engine Replacement	1	\$ 128,000.00	Happy Hooker Sportfishing	0.307	-0.008	0.019	TBD	Yes	Yes	Alameda
21MOY234	On-road	Engine Replacement	1	\$ 35,000.00	Jianye Trucking, Inc.	0.674	0.057	0.000	APCO	Yes	Yes	Alameda
21MOY242	On-road	Engine Replacement	1	\$ 30,000.00	OJM Trucking, Inc.	0.620	0.053	0.000	APCO	Yes	Yes	Alameda
22MOY3	Marine	Engine Replacement	2	\$ 1,166,000.00	San Francisco Water Emergency Transportation Authority	5.570	0.500	0.190	TBD	Yes	Yes	Alameda/ Contra Costa/ San Francisco

## AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated  
(between 7/1/20 and 11/2/20)*

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
21MOY172	Ag/ off-road	Engine Replacement	2	\$ 512,750.00	George Chiala Farms, Inc.	1.656	0.154	0.089	TBD	No	No	Santa Clara
22MOY6	Ag/ off-road	Engine Replacement	1	\$ 185,400.00	Mazzetta Dairy	1.155	0.106	0.066	TBD	No	No	Sonoma
21MOY226	Off-Road	Engine Replacement	2	\$ 141,000.00	Columbia Electric, Inc.	0.532	0.038	0.035	TBD	Yes	Yes	Alameda/ Contra Costa/ Santa Clara
21MOY277	Off-Road	Engine Replacement	5	\$ 345,500.00	R.J.S. & Associates, Inc.	1.815	0.171	0.107	TBD	Yes	Yes	Santa Clara/ Alameda
22MOY13	Marine	Engine Replacement	1	\$ 135,000.00	Lion Fisheries, LLC	0.898	-0.013	0.036	TBD	No	No	San Mateo
<b>47 Projects</b>			<b>74</b>	<b>\$ 6,138,857.00</b>		<b>27.705</b>	<b>2.511</b>	<b>1.130</b>				

MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

### AGENDA 3 - ATTACHMENT 3

Table 1 - TFCA projects awarded and allocated (between 7/1/20 and 11/2/20)

Project #	Project Category	Project Description	Award Amount	Applicant Name	Emission Reductions (Tons per year)			Board/ APCO Approval Date	CARE Area	AB1550/ SB535 Area	County
					NO <sub>x</sub>	ROG	PM				
20R14	Trip Reduction	State Route 37 Rideshare	\$184,500	Solano Transportation Authority	0.104	0.113	0.169	Pending	No	No	Multi-County
20R30	Bicycle Facilities	Upgrade 12.6 miles of Class II bikeways to Class IV in Fremont	\$130,000	City of Fremont	0.005	0.006	0.014	7/15/20	No	No	Alameda
20R31	Bicycle Facilities	Install and maintain 520 electronic bicycle locker spaces at 22 Caltrain stations in San Francisco, San Mateo and Santa Clara counties	\$1,041,000	Peninsula Corridor Joint Powers Board	0.097	0.139	0.306	7/15/20	No	No	Multi-County
20R32	Bicycle Facilities	Install 1.9 miles of Class IV bikeways in Hayward	\$200,790	City of Hayward	0.040	0.055	0.134	Pending	Yes	Yes	Alameda
21HMF01	LD Vehicles	Lease and operate 200 light-duty electric vehicles	\$1,000,000	Flexdrive Services, LLC	0.241	0.132	0.297	7/15/20	Yes	Yes	Regional
21R02	LD Vehicles	Vehicle Buy Back Program	\$300,000	BAAQMD	N/A	N/A	N/A	6/3/20	No	No	Regional
21R04	LD Vehicles	Clean Cars For All	\$5,000,000	BAAQMD	N/A	N/A	N/A	7/15/20	TBD*	TBD*	Regional
			\$5,000,000	BAAQMD	N/A	N/A	N/A	Pending	TBD*	TBD*	Regional
20R35	On-road Trucks & Buses	Purchase four electric delivery vans and scrap six existing vehicles	\$116,000	Santa Clara VTA	0.061	0.017	0.005	Pending	TBD	TBD	Santa Clara
21R01	Trip Reduction	Enhanced Mobile Source & Commuter Benefits Enforcement	\$850,000	BAAQMD	N/A	N/A	N/A	7/15/20	No	No	Regional
21R03	Trip Reduction	Spare The Air/Intermittent Control Programs	\$2,290,000	BAAQMD	N/A	N/A	N/A	6/3/20	No	No	Regional

**Total**                      **10 Projects**                      **\$16,112,290**                      **0.548**      **0.463**      **0.924**

\*Funds have been allocated to the Clean Cars for All Program and will be awarded to eligible individuals on a first-come, first-served basis.

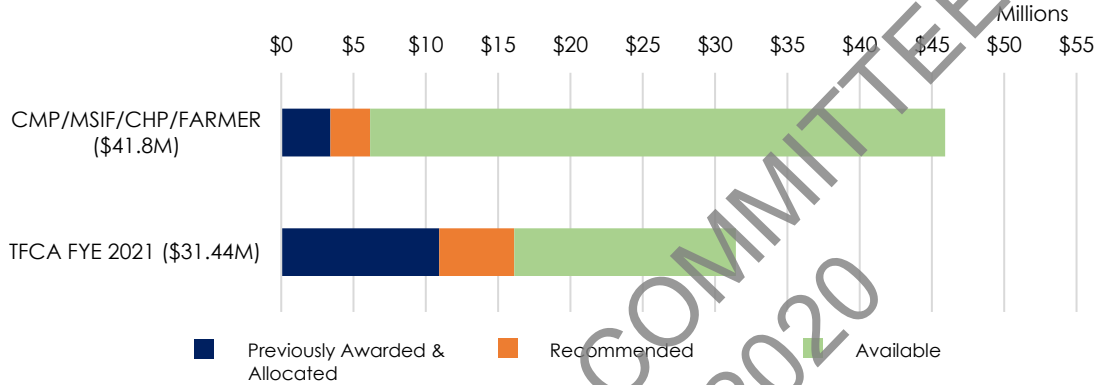
# AGENDA 3 - ATTACHMENT 4

**Figures 1-3 Summary of funding awarded and allocated between 7/1/20 and 11/2/20 from the following revenue sources:**

- Carl Moyer Program (CMP)
- Community Health Protection Program (CHP)
- Funding Agricultural Replacement Measures for Emission Reductions (FARMER)
- Mobile Source Incentive Fund (MSIF)
- Transportation Fund for Clean Air (TFCA)

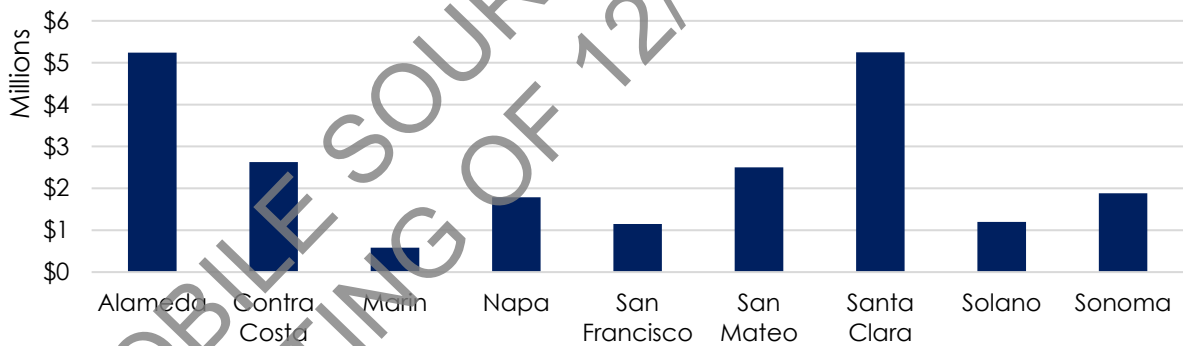
**Figure 1. Status of FYE 2021 funding by source**

includes funds awarded, recommended for award, and available



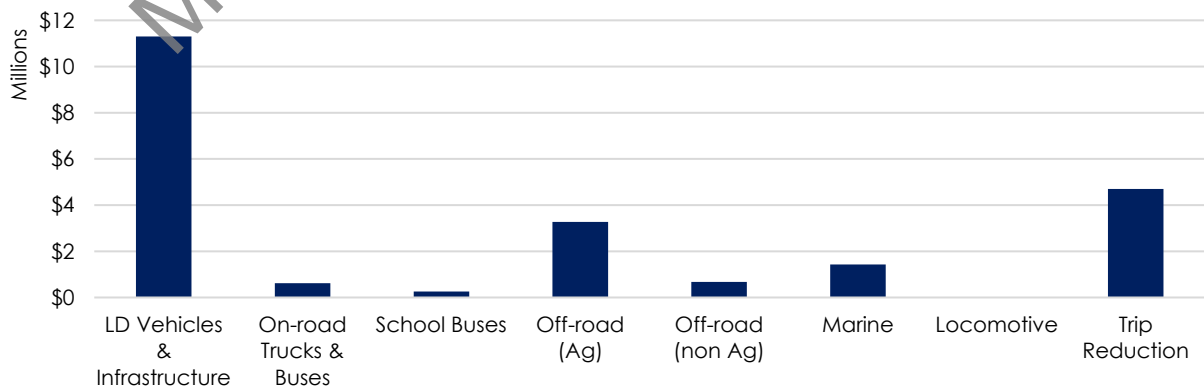
**Figure 2. Funding awarded and allocated in FYE 2021 by county:**

includes funds awarded & recommended for award



**Figure 3. Funding awarded and allocated in FYE 2021 by project category**

includes funds awarded & recommended for award



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson David Canepa and Members  
of the Mobile Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: November 19, 2020

Re: Report on Transportation Fund for Clean Air (TFCA) Projects Expenditures and Effectiveness for Fiscal Year Ending 2020

**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

In 1991, the California State Legislature authorized the Bay Area Air Quality Management District (Air District) to impose a \$4 surcharge on motor vehicles registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions. Since 1992, the Air District has allocated these funds to its Transportation Fund for Clean Air (TFCA) Program to fund eligible projects and programs. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code (HSC) Sections 44241 and 44242.

Sixty percent of TFCA funds are awarded by the Air District to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air and Commuter Benefits Program) and through a grant program known as the Regional Fund. The remaining 40% of TFCA funds are forwarded to a designated agency ("County Program Manager") within each Bay Area county to be distributed via the County Program Manager Fund.

HSC Section 44241 requires that the Board hold a public hearing each year to review the Air District's expenditure of TFCA funds to determine their effectiveness in improving air quality. Additionally, County Program Managers are required to hold a public hearing each year to review their expenditure of TFCA funds.

## DISCUSSION

The Fiscal Year Ending (FYE) 2020 Report on Expenditures and Effectiveness of Transportation Fund for Clean Air Regional Fund Projects and Air District-Sponsored Programs, found in Attachment 1, evaluated 29 TFCA Regional Fund projects and four Air District-sponsored programs that were completed prior to June 30, 2020. The following are key findings of the FYE 2020 report:

- TFCA funds were allocated to eligible projects and programs, consistent with the legislation that authorizes the TFCA program.
- The TFCA expenditures for projects and programs totaled \$5.59 million. This includes \$2.37 million in Regional Fund projects, \$2.28 million in Air District-sponsored programs, and \$0.94 million in administrative and indirect costs.
- Thirty-eight percent of TFCA Regional Fund expenditures went to projects in communities identified as cumulative impact areas by the Air District's Community Air Risk Evaluation (CARE) Program.
- During their operational period, the projects and programs reduced criteria pollutant emissions by an estimated 99.77 tons, including 26.75 tons of reactive organic gases (ROG), 25.15 tons of nitrogen oxides (NO<sub>x</sub>), and 47.87 tons of particulate matter (PM<sub>10</sub>) – and reduced emissions of carbon dioxide (CO<sub>2</sub>) by over 62,700 tons.

A discussion of the expenditures, emission reductions, and cost-effectiveness of these TFCA Regional Fund projects and Air District-sponsored programs will be presented at the Committee meeting.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The Air District distributes TFCA monies as “pass-through” funds to public and nonpublic entities. Administrative costs for project staff are provided by the Air District's TFCA funding.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Linda Hui  
Reviewed by: Karen Schkolnick, Chengfeng Wang, and Ken Mak

Attachment 1: Fiscal Year Ending 2020 Report on Expenditures and Effectiveness of Transportation Fund for Clean Air Regional Fund Projects and Air District-Sponsored Programs

FISCAL YEAR ENDING (FYE) 2020  
REPORT ON EXPENDITURES AND EFFECTIVENESS OF  
TRANSPORTATION FUND FOR CLEAN AIR (TFCA)  
REGIONAL FUND PROJECTS AND AIR DISTRICT-SPONSORED PROGRAMS



BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SUITE 600, SAN FRANCISCO, CA 94105

[WWW.BAAQMD.GOV](http://WWW.BAAQMD.GOV)

DECEMBER 2020



MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

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MOBILE SOURCE COMMITTEE  
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MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

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# THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT

The California State Legislature created the Bay Area Air Quality Management District (Air District) in 1955 as the first regional air pollution control agency in the country, recognizing that air pollution transcends political boundaries. The San Francisco Bay Area forms a regional air basin, sharing common geographical features and weather patterns, and therefore similar air pollution burdens, which cannot be addressed by counties acting on their own.

The Air District is the public agency entrusted with regulating stationary sources of air pollution in the nine counties that surround San Francisco Bay: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, southwestern Solano, and southern Sonoma counties.

## BACKGROUND

On-road motor vehicles, including cars, trucks, and buses, constitute the most significant source of air pollution in the San Francisco Bay Area. Vehicle emissions contribute to unhealthy levels of ozone (summertime "smog"), particulate matter, and greenhouse gases. Because of this, emission reductions from the on-road transportation sector are essential to helping the region attain State and Federal ambient air quality standards and meet greenhouse gas reduction commitments.

To protect public health, the California State Legislature enacted the California Clean Air Act in 1988. As part of the requirements, the Air District prepared and adopted the *2017 Clean Air Plan*, which includes transportation control measures, defined as any strategy "to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for reducing motor vehicle emissions," and mobile source measures, which encourage the introduction of newer, cleaner motor vehicle technologies and the retirement of older, more polluting vehicles.

## THE TRANSPORTATION FUND FOR CLEAN AIR

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within the San Francisco Bay Area to fund projects that reduce on-road motor vehicle emissions. The Air District has allocated these funds to its Transportation Fund for Clean Air (TFCA) to fund eligible projects. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code (HSC) Sections 44241 and 44242.

Sixty percent of TFCA funds are awarded by the Air District's Board of Directors (Board) to eligible projects and programs implemented directly by the Air District (e.g., Commuter Benefits, Vehicle Buy-Back, and Spare the Air) and through a grant program known as the Regional Fund. The remaining forty percent of TFCA funds are pass-through funds to a designated agency within each Bay Area county to be distributed via the County Program Manager Fund. Each year, the Board adopts cost-effectiveness and other criteria for the evaluation and ranking of project applications for the TFCA Program.

In addition to reducing air pollution, including toxic diesel particulate matter, TFCA-funded projects have other benefits including the following:

- Conserving energy and helping to reduce emissions of carbon dioxide (CO<sub>2</sub>);
- Reducing traffic congestion;

- Improving quality of life for residents and commuters by expanding access to services that provide first- and last-mile connections to rail, ferry, and mass transit; and
- Improving physical fitness and public safety by facilitating active modes of transportation such as walking and biking.

**State legislation restricts TFCA funding to the following 11 categories of projects:**

1. Implementation of ridesharing programs
2. Clean fuel school and transit bus purchases or leases
3. Feeder bus or shuttle service to rail/ferry stations and airports
4. Arterial traffic management
5. Rail-bus integration and regional transit information systems
6. Demonstrations in congestion pricing of highways, bridges and public transit
7. Low-emission vehicle projects
8. A smoking vehicles program
9. A vehicle buy-back scrappage program
10. Bicycle facility improvement projects
11. Physical improvements that support “smart growth” projects

California HSC Section 44241.5 requires the Board to hold a public hearing annually to review the expenditure of revenues received by the Air District pursuant to Section 44241 to determine their effectiveness in improving air quality. This report serves this purpose.

## FYE 2020 SUMMARY

This report summarizes the *expenditures* and *effectiveness* of the 29 Regional Fund projects and 4 Air District-sponsored programs that were completed<sup>1</sup> as of the end of fiscal year ending (FYE) 2020 – which was June 30, 2020 – and that were not included in previous reports. **Appendix A** lists the each of the Regional Fund projects and Air District-sponsored programs that were summarized as part of this report.

---

<sup>1</sup> For the purpose of this report, staff considers a project to be “completed” when the Air District accepts and approves the project sponsor’s final invoice, which documents the project sponsor’s expenditure of all eligible project funds and the completion of transportation services or all initial project milestones (e.g., having procured, installed and/or placed all project-related vehicles, equipment, and infrastructure into service). Projects that involve the procurement of equipment/vehicles and construction of infrastructure typically also require continued operation of the funded equipment, vehicles, or infrastructure. These projects may continue to operate for several years after the final invoice is accepted and approved – until the operational and usage requirements are met.

### Key Highlights of the Projects and Programs Included in this Report

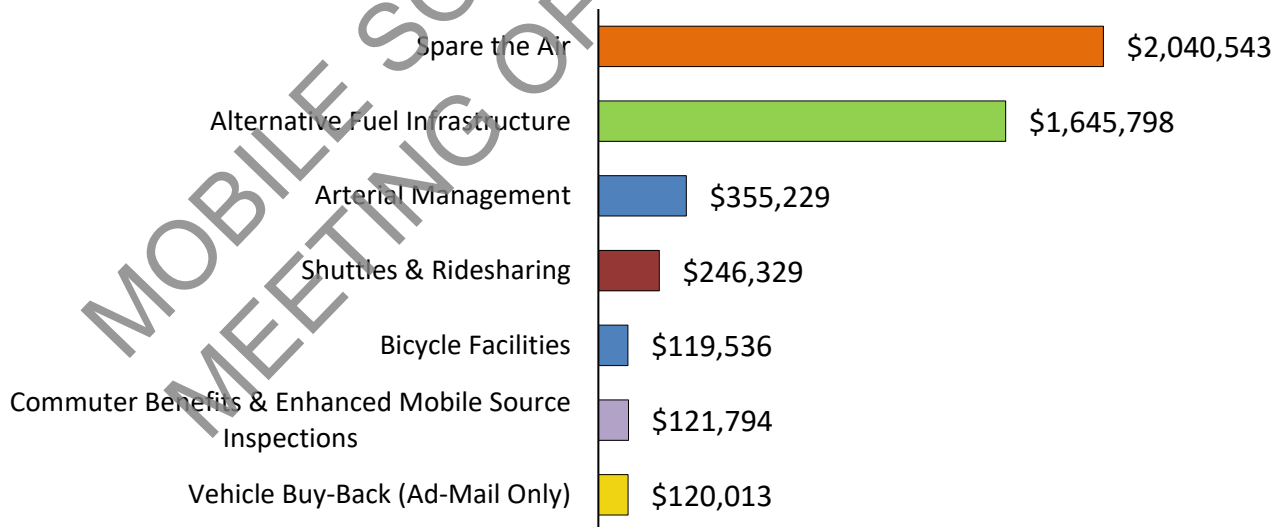
- TFCA funds were expended on eligible projects and programs, consistent with the legislation that authorizes the TFCA program.
- The TFCA expenditures for projects and programs totaled \$5.59 million. These expenditures include \$2.37 million in Regional Fund projects, \$2.28 million in Air District-sponsored programs, and \$0.94 million in administrative and indirect costs.
- 38% of TFCA Regional Fund expenditures went to projects in communities identified as *cumulative impact areas* by the Air District’s Community Air Risk Evaluation (CARE) Program.
- During their operational periods, the projects and programs reduced criteria pollutant emissions by an estimated 99.77 tons, including 26.75 tons of reactive organic gases (ROG), 25.15 tons of nitrogen oxides (NO<sub>x</sub>), and 47.87 tons of particulate matter (PM<sub>10</sub>) – and reduced emissions of carbon dioxide (CO<sub>2</sub>), by over 62,700 tons.

### EXPENDITURES

The expenditure of these projects and programs total approximately \$5.59 million. This total includes \$2.28 million for the programs administered directly by the Air District and \$2.37 million in Regional Fund grants to other organizations. In addition, the Air District expended about \$0.94 million in administrative and audit costs associated with the oversight of the TFCA program in FYE 2020.

A summary of the expenditures for these TFCA Regional Fund projects and Air District-sponsored programs is shown in **Figure 1**.

**Figure 1. Summary of FYE 2020 Expenditures**



## EFFECTIVENESS

The cost-effectiveness of a project or program is calculated by dividing the amount of TFCA funds assigned to the project (awarded or expended) by the sum of criteria pollutant emissions (ROG, NO<sub>x</sub>, and weighted PM<sub>10</sub>) reduced by the project during its operational period. Therefore, Projects with a lower value for cost-effectiveness require less TFCA funds to reduce one ton of criteria emissions. Typically, relatively cost-effective projects are highly utilized, involve the operation of zero-emission vehicles, are located in densely-populated areas or near activity centers or mass transit hubs, and/or are supported with relatively high percentages of matching funds.

Projects and programs included in this report will reduce criteria pollutant emissions over their operational periods by an estimated total of 99.77 tons. This total is the sum of ozone precursors (26.75 tons of ROG and 25.15 tons of NO<sub>x</sub>) and particulate matter (47.87 tons of PM<sub>10</sub>). These projects and programs will also reduce CO<sub>2</sub> emissions over their operational periods by an estimated 62,700 tons.<sup>2</sup>

The combined weighted-average cost-effectiveness of the projects and programs reported for FYE 2020 is \$36,965 per ton of criteria pollutant emissions reduced. Many projects continue to operate and reduce emissions even after their operational periods ended; these projects have the potential to be more cost-effective (i.e. lower cost per ton of emissions reduced) in reducing emissions than what is presented in this report.

A summary of expenditures, emission reductions, and cost-effectiveness values by program category is provided in **Table 1**.

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<sup>2</sup> Emission reductions reported for criteria pollutants and CO<sub>2</sub> do not include emissions from the Vehicle Buy-Back Program.

**Table 1: Emission Reductions and Cost-Effectiveness by Program Category  
for Projects and Programs Completed by the End of FYE 2020**

Category	# of Projects	TFCA \$ Expended	% of TFCA \$ Expended	Emissions Reduced (tons) <sup>a</sup>	% of Emissions Reduced	Weighted Cost-Effectiveness (\$/ton) <sup>b</sup>
Bicycle Facilities	12	\$119,536	2.57%	1.25	1.25%	\$93,165
Shuttles & Rideshare	3	\$246,329	5.30%	3.10	3.10%	\$75,295
Arterial Management	1	\$355,229	7.64	7.28	7.30%	\$19,525
Alternative Fuel Infrastructure	13	\$1,645,798	35.40%	3.40	3.41%	\$241,725
Commuter Benefits & Enhanced Mobile Source Inspections Program	2	\$121,794	2.62%	3.63	3.64%	\$29,669
Spare the Air Program	1	\$2,040,543	43.89%	81.11	81.30%	\$22,962
Vehicle Buy-Back Program	1	\$120,013	2.58%	-	-	-
<b>Total for Projects and Programs<sup>c</sup></b>	<b>33</b>	<b>\$4,649,241</b>	<b>100%</b>	<b>99.77</b>	<b>100%</b>	<b>\$36,965</b>
Administration		\$943,883				

(a) Combined emission reductions of ROG, NO<sub>x</sub>, and PM<sub>10</sub> over project operational period.

(b) Consistent with the current California Air Resources Board methodology to calculate cost-effectiveness for the Carl Moyer Program (CMP), PM emissions were weighted by a factor of 20 to account for their harmful impacts on human health.

(c) Totals may vary due to rounding.

The combined weighted-average cost-effectiveness of the projects and programs reported in FYE 2020 is a 28% improvement from FYE 2019. The variation of combined weighted-average cost-effectiveness from year to year is primarily due to that fact that different types of projects that have different cost-effectiveness limits were completed and included in the cost-effectiveness evaluation each year.

In FYE 2020, a portfolio of electric vehicle infrastructure projects had taken advantage of higher funding amounts available for electric infrastructure projects that are co-sited with solar generation. These projects resulted in higher cost-effectiveness values (less cost-effective), but also achieved additional greenhouse gas benefits that are not accounted for in the cost-effectiveness evaluation for TFCA funded projects.



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MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

## APPENDIX A: TFCA REGIONAL FUND PROJECTS AND AIR DISTRICT-SPONSORED PROGRAMS

Project #	Project Sponsor	Project Description	Weighted Cost-Effectiveness (per ton)	TFCA Funds Expended
03R11	City of Richmond	Signal Timing - Cutting Boulevard	\$19,525	\$355,229
15BR021	City of East Palo Alto	Purchase and install 65 bike racks (130 bike capacity)	\$69,487	\$6,022
15BR029	Town of San Anselmo	Purchase and install 12 bike racks (24 bike capacity)	\$90,000	\$1,440
15BR031	City of Richmond	Purchase and install 32 bike racks (64 bike capacity)	\$79,995	\$3,413
15R29	Integrus Transportation Fuels, dba Trillium CNG	Install 1 CNG fueling station	\$292,942	\$170,500
15R30	Messer LLC	Install 2 hydrogen stations, upgrade 1 existing station	\$204,005	\$900,000
16BR001	San Carlos School District	Purchase and install 5 bike racks (50 bike capacity)	\$48,369	\$3,000
16BR005	City of Richmond	Purchase and install 72 bike racks (186 capacity)	\$48,369	\$10,922
16BR010	Mountain View Whisman School District	Purchase and install 150 bike racks (250 capacity)	\$48,369	\$15,000
16BR013	Napa County	Purchase and install 12 bike racks (24 capacity)	\$45,064	\$1,342
16BR018	City of Menlo Park	Purchase and install 30 bike racks (60 capacity)	\$48,369	\$3,600
16BR021	City of Richmond	Purchase and install 28 bike racks (60 capacity)	\$48,369	\$3,600

Project #	Project Sponsor	Project Description	Weighted Cost-Effectiveness (per ton)	TFCA Funds Expended
16BR023	City of Cupertino	Purchase and install 3 bike racks (36 capacity)	\$48,369	\$2,160
16EV055	Marin Clean Energy	Install and operate 10 single-port Level 2 charging stations (w/solar)	\$500,000	\$60,000
16EV056	Bay Area Headquarters Authority (BAHA)	Install and operate 8 dual-port and 1 single-port Level 2 and 1 DC fast charging stations	\$360,000	\$82,000
17EV021	North First SJ, LP	Install and operate 52 single-port Level 2 charging stations	\$229,307	\$156,000
17EV023	San Francisco Estuary Institute	Install and operate 3 single-port Level 2 chargers (w/solar)	\$458,613	\$18,000
17EV024	Old Redwood Commons Association	Install and operate 20 single-port Level 2 charging stations (w/solar)	\$458,613	\$120,000
17R30	City of Oakland	Install 4 electronic bicycle lockers (16 bike capacity)	\$224,960	\$36,000
18EV029	Creative Center of Los Altos dba Pinewood School	Install and operate 16 single-port Level 2 charging stations	\$229,307	\$48,000
18EV031	The Ignatian Corporation	Install and operate 5 dual-port Level 2 charging stations	\$229,307	\$20,000
18EV035	Marin Rowing Association	Install and operate 2 dual-port Level 2 charging stations	\$229,307	\$8,000
18R09	Presidio Trust	PresidiGo Shuttle	\$128,468	\$100,000
18R12	City of Emeryville	Emery Go-Round Watergate Express	\$63,878	\$67,177
18R14	City of Petaluma	Install and maintain 3.62 miles of Class III bikeway	\$211,136	\$33,037

Project #	Project Sponsor	Project Description	Weighted Cost-Effectiveness (per ton)	TFCA Funds Expended
19EV003	Union Investment Real Estate GmbH	Install and operate two 25-kW DC Fast charging stations	\$337,424	\$23,298
19EV023	Mode Residences, LLC	Install and operate 3 dual-port Level 2 charging stations	\$468,389	\$24,000
19EV025	Revere Residences LLC	Install and operate 2 dual-port level 2 charging stations	\$468,389	\$16,000
19R10	San Joaquin Regional Rail Commission	Pleasanton Connector Shuttles (Route 53 and 54)	\$54,911	\$79,152
<b>29 Regional Fund Projects</b>			<b>Subtotal of Regional Fund Projects:</b>	<b>\$2,366,891</b>

MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

Project #	Project Sponsor	Project Description	Weighted Cost-Effectiveness (per ton)	TFCA Funds Expended
20R01	BAAQMD	FYE 2020 Commuter Benefits	\$29,259	\$100,443
20R02	BAAQMD	FYE2020 Admail for Vehicle Buy-Back (TFCA portion)*	N/A	\$120,013
20R03	BAAQMD	FYE 2020 Spare the Air	\$22,962	\$2,040,543
20R04	BAAQMD	FYE 2020 Enhanced Mobile Source Inspections	\$31,766	\$21,351
<b>4 Air District-Sponsored Programs</b>			<b>Subtotal of Air District-Sponsored Programs:</b>	<b>\$2,282,350</b>
20R00	BAAQMD	FYE 2020 Administration	N/A	\$943,883
<b>Subtotal of Administration Expenditures for Regional Fund Projects and Air District-Sponsored Programs:</b>				<b>\$943,883</b>
<b>Grant Total:</b>				<b>\$5,593,124</b>

MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson David Canepa and Members  
of the Mobile Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: November 19, 2020

Re: Transportation Fund for Clean Air Program Regional Fund Projects - Audit #21 Results

**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

In 1991, the California State Legislature authorized the Bay Area Air Quality Management District (Air District) to impose a \$4 surcharge on motor vehicles registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions. Since 1992, the Air District has allocated these funds to its Transportation Fund for Clean Air (TFCA) Program to fund eligible projects and programs. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code (HSC) Sections 44241 and 44242.

Sixty percent of TFCA funds are awarded by the Air District to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air) and through a grant program known as the Regional Fund. The remaining 40% of TFCA funds are forwarded to the designated agency within each Bay Area county to be distributed via the County Program Manager Fund.

HSC Section 44242 requires that the Air District conduct an audit of projects and programs funded with TFCA monies, at least once every two years. The Air District typically conducts an audit of Regional Fund projects and Air District-Sponsored programs annually and County Program Manager Fund projects biennially. On October 4, 2017, the Air District's Board of Directors (Board) approved the award of a contract to Simpson & Simpson, LLP for audit services, including a financial and compliance review of TFCA-funded projects and programs.

## DISCUSSION

The *Audit Summary Report*, included as Attachment 1, summarizes the results of Audit #21 conducted by Simpson & Simpson covering Regional Fund projects completed prior to June 30, 2019, and a review of Air District's administrative expense of TFCA funds incurred between July 1, 2018 and June 30, 2019. For the purpose of TFCA audits, projects are considered "completed" after the Air District has approved a project sponsor's final invoice, which documents the project sponsor's expenditure of all eligible project funds and the completion of transportation services or all initial project milestones. A list of these projects is available in Appendix B of the attached report. **No audit findings were identified during this audit.**

Audit field work was conducted by Simpson & Simpson, LLP during the months of March 2020 through November 2020. Following the completion of field work, Simpson & Simpson, LLP issued a draft audit report to each of the project sponsors and offered an opportunity to those with any preliminary findings to provide a management response.

In addition to conducting the financial and compliance audits, Simpson & Simpson, LLP also performed a review of Agreed-Upon Procedures (AUP) to verify project sponsors' compliance with other aspects of the TFCA Funding Agreement, including that

1. Expenditures are properly supported;
2. Administrative expenses are appropriately documented;
3. Use of an indirect cost rate is consistent with the Air District Guidelines;
4. Appropriate resolutions authorizing the grant application are adopted or, where applicable, an authorizing letter of commitment is included;
5. Required reports are submitted on time and contained all information required;
6. The Air District is acknowledged as a project funder; and
7. Matching Funds requirements are met or exceeded.

The AUP is currently being reviewed internally and will be used by staff to further improve its administration of the TFCA program. In addition, the auditors are completing work related to financial and compliance audits covering Air District-sponsored programs and County Program Manager Fund projects. The result of these audits is anticipated to be presented to the Mobile Source Committee early next year.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Administrative costs for the TFCA audit and staff are provided by the funding source.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Sara Lanning

Reviewed by: Karen Schkolnick, Chengfeng Wang and Ken Mak

Attachment 1: TFCA Audit #21 Summary Report for Regional Fund projects completed prior to June 30, 2019

MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020



**12/3/2020 MOBILE SOURCE COMMITTEE MEETING**

**AGENDA ITEM #5 – ATTACHMENT 1**

**BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT**

**TRANSPORTATION FUND  
FOR CLEAN AIR PROGRAM**

**AUDIT NO. 21 SUMMARY REPORT**

MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM**

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MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM  
Audit No. 21 Summary Report**

**1 – INTRODUCTION**

The Bay Area Air Quality Management District (Air District) was created by the California legislature in 1955. The Air District's structure, operating procedures and authority are established by Division 26 of the California Health and Safety Code.

The Air District includes seven counties: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo and Santa Clara and portions of two other counties, Southwestern Solano and Southern Sonoma. The Air District is governed by a twenty-two-member Board of Directors that includes representatives from all of the above counties.

The Air District's jurisdiction is limited principally to policing non-vehicular sources of air pollution within the Bay Area, primarily industry pollution and burning. Any company wishing to build or modify a facility in the Bay area must first obtain a permit from the Air District to ensure that the facility complies with all applicable rules.

The Air District also acts as the program administrator for Transportation Fund for Clean Air (TFCA) funds and Mobile Source Incentive funds (MSIF) derived from Assembly Bill 434 and Assembly Bill 923 respectively. TFCA and MSIF funding comes from a \$4 and \$2 surcharge, respectively, on motor vehicles registered within the Air District. TFCA funding may only be used to fund eligible projects that reduce motor vehicle emissions and support the implementation of the transportation and mobile source control measures in the Clean Air Plan in place at time of award. All projects must fall within the categories listed in State Law (Health and Safety Code Section 44241)

The Health and Safety Code requires the Air District to pass-through no less than 40% of the TFCA revenues raised within a particular county, after audit and administrative costs, to that county's designated Program Manager. The remaining 60% is for Regional Fund grants and is being allocated to projects on a competitive basis. Projects are evaluated using the Air District's Board adopted evaluation and scoring criteria.

**2 – PROGRAM DESCRIPTION**

Health and Safety Code Section 44223 and 44225 authorize a surcharge on the motor vehicle registration fee (surcharge) to be used by the Bay Area Air Quality Management District (Air District) and local governments specifically for programs to reduce air pollution from motor vehicles. The Department of Motor Vehicles collects the surcharge and allocates the amounts to the Air District. The Air District administers these funds through the Transportation Fund for Clean Air (TFCA) Program. Under the TFCA Program, money is allocated to two funds: (1) 60% is placed in the Regional Fund and allocated to agencies on a competitive basis by the Air District and (2) 40% is placed in the Program Manager Fund and allocated to designated agencies. Allowable projects under Health and Safety Code Section 44241 include the following:

- The implementation of ridesharing programs.
- The purchase or lease of clean fuel buses for school districts and transit operators.
- The provision of local feeder bus or shuttle service to rail and ferry stations and to airports.
- Implementation and maintenance of local arterial traffic management, including, but not limited to, signal timing, transit signal preemption, bus stop relocation and “smart streets.”

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM  
Audit No. 21 Summary Report**

**2 – PROGRAM DESCRIPTION (continued)**

- Implementation of rail-bus integration and regional transit information systems.
- Implementation of demonstration projects in telecommuting and in congestion pricing of highways, bridges, and public transit.
- Implementation of vehicle-based projects to reduce mobile source emissions, including, but not limited to, engine repowers, engine retrofits, fleet modernization, alternative fuels, and advanced technology demonstrations.
- Implementation of a smoking vehicles program.
- Implementation of an automobile buy-back scrappage program operated by a governmental agency.
- Implementation of bicycle facility improvement projects that are included in an adopted countywide bicycle plan or congestion management program.
- The design and construction by local public agencies of physical improvements that support development projects that achieve motor vehicle emission reductions. The projects and the physical improvements shall be identified in an approved area-specific plan, redevelopment plan, general plan, or other similar plan.

State law requires that any agency receiving TFCA funding be subject to an audit, at least once every two years. Health and Safety Code Section 44242 provides the legal compliance guidelines for the Air District to follow in the event revenues are not spent appropriately or when projects do not result in emission reductions. Health and Safety Code Sections 44241 and 44242 are provided in Appendix A.

The Air District retained the firm of Simpson and Simpson LLP to conduct TFCA financial and compliance Audit No. 21, which included Regional Fund projects and Air District-sponsored programs completed prior to June 30, 2019. These audits were conducted during the months of March 2020 through November 2020.

A total of 5 individual project sponsors and 7 projects were audited, with \$648,697 total funds expended for projects included in Audit No. 21. A listing of the projects audited is provided in Appendix B. Unmodified opinions were issued on all 5 financial audit reports.

**3 – AUDIT PROCESS**

The audits were designed to address numerous financial and compliance objectives; however, the principal objectives of the audits were to (1) provide assurance that amounts reported in the Schedules of Expenditures are fairly stated, and (2) determine whether projects financed through the Air District's Regional Fund met funding agreement requirements. The audit procedures were specifically designed for TFCA financial and compliance requirements, which is described below:

Audit of the Schedules of Expenditures

The financial audits were conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM  
Audit No. 21 Summary Report**

**3 – AUDIT PROCESS (continued)**

Procedures performed included, but were not limited to:

- Gaining an understanding of the project sponsors' internal controls over financial reporting of the TFCA program through observation, inquiry, and supporting documentation.
- Tracing expenditures related to the TFCA program to the project sponsor's accounting records.
- Validating TFCA expenditures related to vendor disbursements, payroll, and administrative charges to supporting documentation.
- Conducting interviews with project sponsors to inquire about known, alleged or suspected fraud related to the program.

Compliance Auditing Procedures

The audits were performed in accordance with the requirements outlined in the Health and Safety Code, individual funding agreements and Government Auditing Standards. The principal focus of the compliance auditing procedures was to ensure TFCA expenditures were paid in accordance with the program's objectives (Health and Safety Code Section (HSC) 44241). Compliance audits were planned and performed to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to in the HSC could have a direct and material effect on projects reported in the Schedules occurred.

The audit includes examining, on a test basis, evidence about the project sponsor's compliance with those requirements and performing such other procedures as considered necessary in the circumstances.

Auditing procedures performed included, but were not limited to:

- Testing expenditures for allowable costs in accordance with Section 44241 of the Health and Safety Code.
- Verifying that the project sponsor used the TFCA funds for the reduction of emissions from motor vehicles.

**4 – PROJECT SPONSOR FINDINGS**

Audit of the Schedules of Expenditures

No project sponsor findings were identified for the projects audited as part of Audit No. 21.

Compliance Auditing Procedures

No project sponsor findings were identified for the projects audited as part of Audit No. 21.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM  
Audit No. 21 Summary Report**

**5 – OTHER PROGRAM COMPLIANCE REVIEW**

An Agreed Upon Procedures (AUP) engagement was performed to test the project sponsor's compliance with other aspects of the TFCA Funding Agreement. These procedures were determined and prepared by the Air District for the auditors to perform.

The auditors issued a separate AUP Report over their results of the procedures performed.

MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

**APPENDIX A**

**HEALTH AND SAFETY CODE SECTIONS 44241 AND 44242**

MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM  
Appendix A - Health and Safety Code Sections 44241 and 44242  
For Audit No. 21**

**44241**

- (a) Fee revenues generated under this chapter in the bay district shall be subvned to the bay district by the Department of Motor Vehicles after deducting its administrative costs pursuant to Section 44229.
- (b) Fee revenues generated under this chapter shall be allocated by the bay district to implement the following mobile source and transportation control projects and programs that are included in the plan adopted pursuant to Sections 40233, 40717, and 40919:
- (1) The implementation of ridesharing programs.
  - (2) The purchase or lease of clean fuel buses for school districts and transit operators.
  - (3) The provision of local feeder bus or shuttle service to rail and ferry stations and to airports.
  - (4) Implementation and maintenance of local arterial traffic management, including, but not limited to, signal timing, transit signal preemption, bus stop relocation and "smart streets."
  - (5) Implementation of rail-bus integration and regional transit information systems.
  - (6) Implementation of demonstration projects in telecommuting and in congestion pricing of highways, bridges, and public transit. No funds expended pursuant to this paragraph for telecommuting projects shall be used for the purchase of personal computing equipment for an individual's home use.
  - (7) Implementation of vehicle-based projects to reduce mobile source emissions, including, but not limited to, engine repowers, engine retrofits, fleet modernization, alternative fuels, and advanced technology demonstrations.
  - (8) Implementation of a smoking vehicles program.
  - (9) Implementation of an automobile buy-back scrappage program operated by a governmental agency.
  - (10) Implementation of bicycle facility improvement projects that are included in an adopted countywide bicycle plan or congestion management program.
  - (11) The design and construction by local public agencies of physical improvements that support development projects that achieve motor vehicle emission reductions. The projects and the physical improvements shall be identified in an approved area-specific plan, redevelopment plan, general plan, or other similar plan.



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM  
Appendix A - Health and Safety Code Sections 44241 and 44242  
For Audit No. 21**

**44241 (continued)**

- (c) (1) Fee revenue generated under this chapter shall be allocated by the bay district for projects and programs specified in subdivision (b) to cities, counties, the Metropolitan Transportation Commission, transit districts, or any other public agency responsible for implementing one or more of the specified projects or programs. Fee revenue generated under this chapter may also be allocated by the bay district for projects and programs specified in paragraph (7) of subdivision (b) to entities that include, but are not limited to, public agencies, consistent with applicable policies adopted by the governing board of the bay district. Those policies shall include, but are not limited to, requirements for cost-sharing for projects subject to the policies. Fee revenues shall not be used for any planning activities that are not directly related to the implementation of a specific project or program.
- (2) The bay district shall adopt cost-effectiveness criteria for fee revenue generated under this chapter that projects and programs are required to meet. The cost-effectiveness criteria shall maximize emissions reductions and public health benefits.
- (d) Not less than 40 percent of fee revenues shall be allocated to the entity or entities designated pursuant to subdivision (e) for projects and programs in each county within the bay district based upon the county's proportionate share of fee-paid vehicle registration.
- (e) In each county, one or more entities may be designated as the overall program manager for the county by resolutions adopted by the county board of supervisors and the city councils of a majority of the cities representing a majority of the population in the incorporated area of the county. The resolution shall specify the terms and conditions for the expenditure of funds. The entities so designated shall be allocated the funds pursuant to subdivision (d) in accordance with the terms and conditions of the resolution.
- (f) Any county, or entity designated pursuant to subdivision (e), that receives funds pursuant to this section, at least once a year shall hold one or more public meetings for the purpose of adopting criteria for expenditure of the funds, if those criteria have been modified in any way from the previous year. Any county, or entity designated pursuant to subdivision (e), that receives funds pursuant to this section, at least once a year, shall also hold one or more public meetings to review the expenditure of revenues received pursuant to this section by any designated entity. If any county or entity designated pursuant to subdivision (e) that receives funds pursuant to this section has not allocated all of those funds within six months of the date of the formal approval of its expenditure plan by the bay district, the bay district shall allocate the unallocated funds in accordance with subdivision (c).

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM  
Appendix A - Health and Safety Code Sections 44241 and 44242  
For Audit No. 21**

**44242**

- (a) Any agency which receives funds pursuant to Section 44241 shall, at least once every two years, undertake an audit of each program or project funded. The audit shall be conducted by an independent auditor selected by the bay district in accordance with Division 2 (commencing with Section 1100) of the Public Contract Code. The district shall deduct any audit costs which will be incurred pursuant to this section prior to distributing fee revenues to cities, counties, or other agencies pursuant to Section 44241.
- (b) Upon completion of an audit conducted pursuant to subdivision (a), the bay district shall do both of the following:
- (1) Make the audit available to the public and to the affected agency upon request.
  - (2) Review the audit to determine if the fee revenues received by the agency were spent for the reduction of air pollution from motor vehicles pursuant to the plan prepared pursuant to Sections 40233 and 40717.
- (c) If, after reviewing the audit, the bay district determines that the revenues from the fees may have been expended in a manner which is contrary to this chapter or which will not result in the reduction of air pollution from motor vehicles pursuant to that plan, the district shall do all of the following:
- (1) Notify the agency of its determination.
  - (2) Within 45 days of the notification pursuant to paragraph (1), hold a public hearing at which the agency may present information relating to expenditure of the revenues from the fees.
  - (3) After the public hearing, if the district determines that the agency has expended the revenues from the fees in a manner which is contrary to this chapter or which will not result in the reduction of air pollution from motor vehicles pursuant to the plan prepared pursuant to Sections 40233 and 40717, the district shall withhold these revenues from the agency in an amount equal to the amount which was inappropriately expended. Any revenues withheld pursuant to this paragraph shall be redistributed to the other cities within the county, or to the county, to the extent the district determines that they have complied with the requirements of this chapter.
- (d) Any agency which receives funds pursuant to Section 44241 shall encumber and expend the funds within two years of receiving the funds, unless an application for funds pursuant to this chapter states that the project will take a longer period of time to implement and is approved by the district or the agency designated pursuant to subdivision (e) of Section 44241. In any other case, the district or agency may extend the time beyond two years, if the recipient of the funds applies for that extension and the district or agency, as the case may be, finds that significant progress has been made on the project for which the funds were granted.

**APPENDIX B**

**LISTING OF AUDITED PROJECTS**

MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
TRANSPORTATION FUND FOR CLEAN AIR PROGRAM  
Appendix B – Listing of Audited Projects  
For Audit No. 21**

<b>TFCA Project Number</b>	<b>Project Sponsor</b>	<b>Project Description</b>	<b>Final Project Expenses</b>
17EV017	601 Marshall Street Owner, LLC	Install 5 dual-port and 1 single-port level 2 (high) charging stations in Redwood City	23,000.00
16R12	Associated Students of San Jose State University	Smart Pass Program	140,000.00
17R12	Associated Students of San Jose State University	Smart Pass Program	139,329.00
18R05	Associated Students of San Jose State University	Smart Pass Program	140,000.00
18R12	City of Emeryville	Emeryville Go-Round Watergate Express Project	67,177.00
17EV004	MPVCA Brisbane, LLC	Install 3 dual-port level 2 charging stations in Brisbane	12,000.00
15R29A	Trillium USA Company, LLC	Upgrade existing CNG refueling station in Berkeley	127,191.00
<b>Final Project Expenses</b>			<b>648,697.00</b>
Total Projects			7
Total Project Sponsors			5

MOBILE SOURCE COMMITTEE  
MEETING OF 12/03/2020

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 3, 2020

Re: Report of the Advisory Council Meeting of December 3, 2020

RECOMMENDED ACTION

The Advisory Council (Council) received only informational items and have no recommendations of approval by the Board of Directors (Board).

BACKGROUND

The Council met on Thursday, December 3, 2020, and received the following reports:

- A) Review and Possible Approval of Draft Particulate Matter Reduction Strategy Report; and
- B) Review and Discussion of the Presentation to Air District's Board of Directors at its December 16, 2020 Meeting

Board Liaison Rod Sinks will provide an oral report of the Council meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None; and
- B) None

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Aloha de Guzman  
Reviewed by: Vanessa Johnson

Attachment 10A: 12/3/2020 – Advisory Council Meeting Agenda #3  
Attachment 10B: 12/3/2020 – Advisory Council Meeting Agenda #4

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Stan Hayes and Members  
of the Advisory Council

From: Jack P. Broadbent  
Executive Officer/APCO

Date: November 25, 2020

Re: Review and Possible Approval of Draft Particulate Matter Reduction Strategy Report

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Beginning in late 2019, the Advisory Council (Council) received presentations from nationally recognized scientists, community leaders, regulated industry, and Air District staff to inform discussion on fine particulate matter and potential measures to further protect public health.

Over the last three meetings, in July, October, and November 2020, the Council has deliberated and developed a draft Particulate Matter Reduction Strategy Report to share with the Air District Board of Directors. The Council intends to complete its review of the draft report.

The Council may, if they choose, vote to approve the draft report for submission to the Board of Directors at the conclusion of their review and discussion.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Sonam Shah-Paul  
Reviewed by: Jeff McKay

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Stan Hayes and Members  
of the Advisory Council

From: Jack P. Broadbent  
Executive Officer/APCO

Date: November 23, 2020

Re: Review and Discussion of the Presentation to Air District's Board of Directors at its  
December 16, 2020 Meeting

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RECOMMENDED ACTION

None; receive and file.

DISCUSSION

At a joint meeting of the Air District Board of Directors (Board) and Advisory Council (Council) on December 16, 2020, the Council will submit the draft Particulate Matter Reduction Strategy Report to the Board. The Council will provide the Board with a presentation of its findings and recommend next steps.

The Council will review and discuss the upcoming presentation to the Board of Directors.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Sonam Shah-Paul

Reviewed by: Jeff McKay



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 3, 2020

Re: Report of the Ad Hoc Committee on Equity, Access, and Inclusion Meeting of  
December 14, 2020

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RECOMMENDED ACTION

The Ad Hoc Committee on Equity, Access, and Inclusion (Committee) may recommend the Board of Directors (Board) approval of the following item:

- A) Report Back from Committee Chair Davina Hurt's Community Meeting;
  - 1) None; receive and file.
- B) Community Perspective;
  - 1) None; receive and file.
- C) Consider Recommending Formation of a Board-Appointed Community Steering Committee for the Richmond-North Richmond-San Pablo Community Emissions Reduction Plan; and
  - 1) Form a Community Emissions Reduction Plan (CERP) Steering Committee to be governed by the Brown Act.
- D) Composition of the Richmond-North Richmond-San Pablo Assembly Bill (AB) 617 Community Emissions Reduction Plan Community Steering Committee.
  - 1) None; receive and file.

BACKGROUND

The Committee will meet on Monday, December 14, 2020, and may receive the following reports:

- A) Report Back from Committee Chair Davina Hurt’s Community Meeting;
- B) Community Perspective;
- C) Consider Recommending Formation of a Board-Appointed Community Steering Committee for the Richmond-North Richmond-San Pablo Community Emissions Reduction Plan; and
- D) Composition of the Richmond-North Richmond-San Pablo Assembly Bill (AB) 617 Community Emissions Reduction Plan Community Steering Committee.

Chairperson Davina Hurt will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) None;
- C) None; and
- D) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Aloha de Guzman  
Reviewed by: Vanessa Johnson

- Attachment 11A: 12/14/2020 – Ad Hoc Committee on Equity, Access, and Inclusion Meeting  
Agenda #3
- Attachment 11B: 12/14/2020 – Ad Hoc Committee on Equity, Access, and Inclusion Meeting  
Agenda #4
- Attachment 11C: 12/14/2020 – Ad Hoc Committee on Equity, Access, and Inclusion Meeting  
Agenda #5
- Attachment 11D: 12/14/2020 – Ad Hoc Committee on Equity, Access, and Inclusion Meeting  
Agenda #6

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Davina Hurt and Members  
of the Ad Hoc Committee on Equity, Access and Inclusion

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 9, 2020

Re: Report Back from Committee Chair Davina Hurt's Community Meeting

**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

Air District staff arranged a second meeting between Committee Chair, Hurt and Community Advocates on Tuesday, December 1, 2020. Representatives from organizations and groups from Vallejo, Bayview/Hunters Point, Richmond, and East and West Oakland attended the meeting. The meeting format provided an open forum for a candid conversation with community.

**DISCUSSION**

Discussion topics with Community Advocates in attendance at the meeting included comments on the structure of the proposed Community Advisory Council, questions and comments on the Community Benefit Fund. The group shared concerns with the Richmond/San Pablo Community Design Team process and the spirit of Assembly Bill 617 not being met. A request for revisions to the scientific Advisory Council's Draft PM Report to include equity terms and criteria in the report. The meeting concluded with the need for continued discussions.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Tim Williams  
Reviewed by: Mary Ann Okpalaugo

AD HOC COMMITTEE ON EQUITY,  
ACCESS, AND INCLUSION  
MEETING OF 09/27/2018

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Davina Hurt and Members  
of the Ad Hoc Committee on Equity, Access, and Inclusion

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 9, 2020

Re: Community Perspective

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**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

The Committee seeks to ensure that all residents of the Bay Area benefit equitably from the Air District's air quality and climate efforts, especially communities who live in areas most impacted by air pollution.

The Community Perspective provides community environmental justice advocates and community-based organizations a platform to participate in meaningful dialogue with the Air District Board of Directors and to build capacity in partnering with the Air District.

The Rose Foundation for Communities and the Environment is a current recipient of a James Cary Smith Community Grant from the Air District. The Rose Foundation is engaging Oakland youth of color on air quality issues while educating youth about environmental justice and building youth leadership through meaningful work experience. Their efforts include the creation of a West Oakland Tree Planting Blueprint, a map and report that will pinpoint air quality hot-spots in the West Oakland neighborhood that would benefit from, and are suitable for, tree plantings.

**DISCUSSION**

Ms. Katherine Funes, Acting Program Director of the New Voices Are Rising project of the Rose Foundation for Communities and the Environment, will discuss aspects of her work. Ms. Funes is a member of the Particulate Matter Community Design Team and has also been involved in Assembly Bill (AB) 617 implementation efforts.

New Voices Are Rising seeks to increase civic participation within under-represented communities, increase young people’s commitment to environmental justice, and reduce air and water pollution that severely impact both human health and the health of the San Francisco Bay. The program helps young people gain the skills and experience in civic engagement that they need to begin to tackle the problems, including environmental health problems that disproportionately impact their communities.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Tim Williams and Elinor Mattern  
Reviewed by: Mary Ann Okpalaugo

AD HOC COMMITTEE ON EQUITY,  
ACCESS, AND INCLUSION  
MEETING OF 09/27/2018

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Davina Hurt and Members  
of the Ad Hoc Committee on Equity, Access, and Inclusion

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 9, 2020

Re: Consider Recommending Formation of a Board-Appointed Community Steering  
Committee for the Richmond-North Richmond-San Pablo Community Emissions  
Reduction Plan

**RECOMMENDED ACTION**

Recommend the Board of Directors:

Form a Community Emissions Reduction Plan (CERP) Steering Committee to be governed by the Brown Act.

**BACKGROUND**

A team of 10 Community Design Team (CDT) members from the Richmond-North Richmond-San Pablo Area have been meeting with Air District staff since March 2020 to guide development of a Steering Committee for the CERP development process in accordance with the California Air Resources Board Blueprint. At its November 11, 2020 meeting, the Community Design Team voted to recommend the Air District Board appoints a CERP Steering Committee that adheres to the Brown Act.

**DISCUSSION**

This is the first instance in the Bay Area of a community recommendation to the Board for a Brown Act Assembly Bill 617 Community Steering Committee. Air District staff recommends approving the CDT recommendation to create a Brown Act committee. Once created by the Air District's Board, candidates will be sought and selected for the Committee incorporating community input. At the end of the selection process, the Board will appoint Committee members.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Kevin Olp  
Reviewed by: Greg Nudd

AD HOC COMMITTEE ON EQUITY,  
ACCESS, AND INCLUSION  
MEETING OF 09/27/2018



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Davina Hurt and Members  
of the Ad Hoc Committee on Equity, Access, and Inclusion

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 9, 2020

Re: Composition of the Richmond-North Richmond-San Pablo Assembly Bill (AB) 617  
Community Emissions Reduction Plan (CERP) Community Steering Committee

**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

A team of 10 Community Design Team members from the Richmond-North Richmond-San Pablo Area have been meeting with Air District staff since March 2020 to guide development of a Steering Committee for the Community Emissions Reduction Plan (CERP) development process in accordance with the California Air Resources Board (CARB) Blueprint. The Community Design Team has discussed preferred criteria and balance for Steering Committee membership. For example, Community Design Team Members would like the Steering Committee to include youth, individuals with health complications that could be impacted by air pollution, and health care providers, and to reflect the demographic and geographic representation of the area.

**DISCUSSION**

The Ad Hoc Committee on Equity, Access, and Inclusion will benefit from this process by weighing in on the following issues:

- **Role of Industry and Business:** The Committee will discuss the role of industry and business in developing the CERP, including expectations for industry and business participation on the Steering Committee.
- **Definition of Community Representative:** The Committee will discuss how to define community representatives since CARB's Blueprint states that the majority of the Steering Committee should be comprised of community representatives.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Kevin Olp  
Reviewed by: Greg Nudd

AD HOC COMMITTEE ON EQUITY,  
ACCESS, AND INCLUSION  
MEETING OF 09/27/2018