



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**BOARD OF DIRECTORS SPECIAL MEETING
AS THE SOLE MEMBER OF
THE BAY AREA CLEAN AIR FOUNDATION
September 1, 2021**

**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 OF THE MEETING BY CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT'S AGENDA WEBPAGE FOR THE MEETING AVAILABLE AT**

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- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE FOLLOWING LINK OR BY PHONE**

<https://bayareametro.zoom.us/j/88128107870>

(408) 638-0968 or (669) 900-6833

WEBINAR ID: 881 2810 7870

- **THOSE PARTICIPATING BY PHONE WHO WOULD LIKE TO MAKE A COMMENT CAN USE THE "RAISE HAND: FEATURE BY DIALING "*9." IN ORDER TO RECEIVE THE FULL ZOOM EXPERIENCE, PLEASE MAKE SURE YOUR APPLICATION IS UP TO DATE**

**BOARD OF DIRECTORS SPECIAL MEETING
AS THE SOLE MEMBER OF
THE BAY AREA CLEAN AIR FOUNDATION
AGENDA**

**WEDNESDAY
SEPTEMBER 1, 2021
9:00 A.M.**

Chairperson, Cindy Chavez

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 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.*

COMMENDATION/PROCLAMATION/AWARD

- 2.** *The Board of Directors will recognize outgoing Bay Area Clean Air Foundation Director, Kraig Kurucz, for his outstanding leadership on the Bay Area Clean Air Foundation.*

END OF COMMENDATION/PROCLAMATION/AWARD

CONSENT CALENDAR (ITEM 3)

3. Approval of the Minutes of May 6, 2020

Clerk of the Boards/5073

The Board of Directors as the sole member of the Bay Area Clean Air Foundation will consider approving the attached draft minutes of the Bay Area Clean Air Foundation meeting of May 6, 2020.

END OF CONSENT CALENDAR

REGULAR AGENDA (ITEMS 4-7)

4. Overview of the Bay Area Clean Air Foundation

J. Broadbent/5052
jbroadbent@baaqmd.gov

D. Breen/5041
dbreen@baaqmd.gov

The Board of Directors as the sole member of the Bay Area Clean Air Foundation will receive an informational overview of the foundation, its genesis, past projects and historical operation.

5. Accept the Bay Area Clean Air Foundation 2020 Annual Report

J. Broadbent/5052
jbroadbent@baaqmd.gov

D. Breen/5041
dbreen@baaqmd.gov

The Board of Directors as the sole member of the Bay Area Clean Air Foundation will consider accepting the Bay Area Clean Air Foundation 2020 Annual Report.

6. Adoption of the Bay Area Clean Air Foundation's 2022 Budget

J. Broadbent/5052
jbroadbent@baaqmd.gov

S. Osaze/4771
sosaze@baaqmd.gov

The Board of Directors as the sole member of the Bay Area Clean Air Foundation will consider adopting the proposed 2022 Budget of the Bay Area Clean Air Foundation.

7. **Appoint Three Directors to the Bay Area Clean Air Foundation's Board of Directors**

J. Broadbent/5052

jbroadbent@baaqmd.gov

J. McKay/4629

jmckay@baaqmd.gov

The Board of Directors as the sole member of the Bay Area Clean Air Foundation will fill the three vacant seats on the Bay Area Clean Air Foundation's Board of Directors. The Board of Directors will consider appointing Ms. Karen Schkolnick, Ms. Veronica Eady, and Ms. Raegan Patterson, PhD, to a first two-year term as a Director of the Bay Area Clean Air Foundation.

END OF REGULAR AGENDA

PUBLIC COMMENT ON NON-AGENDA MATTERS

8. **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

9. *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

10. **Adjournment**

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

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
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 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.

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

AUGUST 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Mobile Source and Climate Impacts Committee - CANCELLED	Thursday	26	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

SEPTEMBER 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation	Wednesday	1	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Meeting	Wednesday	1	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health and Justice Committee	Thursday	2	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Advisory Council Meeting	Monday	13	8:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Administration Committee	Wednesday	15	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	15	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Technology Implementation Office (TIO) Steering Committee	Friday	17	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source and Climate Impacts Committee – CANCELLED & RESCHEDULED TO MONDAY, SEPTEMBER 27, 2021 at 9:00 A.M.	Thursday	20	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source and Climate Impacts Committee	Thursday	23	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source and Climate Impacts Committee	Monday	27	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20

BAY AREA CLEAN AIR FOUNDATION

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
President, Bay Area Clean Air Foundation

Date: August 26, 2021

Re: Approval of the Minutes of May 6, 2020

RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors (Board) Special Meeting as the Sole Member of the Bay Area Clean Air Foundation (Foundation) of May 6, 2020.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board Special Meeting as the Sole Member of the Foundation of May 6, 2020.

Respectfully submitted,

Jack P. Broadbent
President, Bay Area Clean Air Foundation

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 3A: Draft Minutes of the Board of Directors Special Meeting as the Sole Member of the Clean Air Foundation of May 6, 2020

AGENDA: 3A – ATTACHMENT

Draft Minutes - Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation of May 6, 2020

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

Board of Directors Special Meeting as the
Sole Member of the Bay Area Clean Air Foundation
Wednesday, May 6, 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.

DRAFT MINUTES

Note: Audio and video recordings of the meeting are available on the website of the Bay Area Air Quality Management District at

<http://www.baaqmd.gov/about-the-air-district/board-of-directors/resolutionsagendasminutes>

1. CALL TO ORDER

Board of Directors (Board) Chairperson Rod Sinks called the meeting to order at 9:04 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, Brad Wagenknecht, Shamann Walton, and Shirlee Zane.

Absent: Jim Spering and Lori Wilson.

Also Present: None.

2. APPROVAL OF THE MINUTES OF JULY 31, 2019

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Wagenknecht made a motion, seconded by Director Groom, to approve the Board Special Meeting as the Sole Member of the Bay Area Clean Air Foundation (BACAF) minutes of July 31, 2019; and the motion carried by the following vote of the Board:

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

3. ACCEPT THE BAY AREA CLEAN AIR FOUNDATION'S 2019 ANNUAL REPORT

NOTED PRESENT: Directors Gioia and Zane were noted present at 9:09 a.m.

Damian Breen, BACAF Director, introduced Karen Schkolnick, Air District Strategic Incentives Division Director, who gave the staff presentation *Bay Area Clean Air Foundation 2019 Annual Report*, including: overview; background; Reformulated Gas Settlement Fund (RFG); and recommendation.

Public Comments

No requests received.

Board Comments

None.

Director Kniss made a motion, seconded by Director Cutter, to **accept** the 2019 Annual Report of the BACAF; and the motion carried by the following vote of the Board:

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

4. ADOPTION OF THE BAY AREA CLEAN AIR FOUNDATION'S 2021 BUDGET

Mr. Breen introduced Stephanie Osaze, Air District Finance Manager, who gave the staff presentation *BACAF's 2019 Financial Summary and 2021 Proposed Budget*, including: overview; 2021 financial summary and Proposed Budget; and recommendation.

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Bauters made a motion, seconded by Director Wagenknecht, to **adopt** the Proposed 2021 Budget of the BACAF; and the motion carried by the following vote of the Board:

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

5. APPOINT A DIRECTOR TO THE BAY AREA CLEAN AIR FOUNDATION'S BOARD OF DIRECTORS

Mr. Breen introduced Kraig Kurucz, 2019 BACAF Director, who gave the presentation *Appoint a Director to the Bay Area Clean Air Foundation's Board of Directors*, including: selection of directors; and recommendation.

Public Comments

No requests received.

Board Comments

None.

Board Action

Chair Wagenknecht made a motion, seconded by Director Hudson, to **reappoint** Damian Breen to a third two-year term as director of the Bay Area Clean Air Foundation; and the motion carried by the following vote of the Board:

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

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

None.

OTHER BUSINESS

7. Adjournment

The meeting adjourned at 9:28 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA CLEAN AIR FOUNDATION

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
President, Bay Area Clean Air Foundation

Date: August 26, 2021

Re: Overview of the Bay Area Clean Air Foundation

RECOMMENDED ACTION

None. Informational only.

BACKGROUND

The Board of Directors, at its July 9, 2008, meeting approved the establishment of an Air District foundation. In September 2008, the Bay Area Clean Air Foundation (BACAF) was established. The purposes of the Foundation are as follows:

- To provide financial, administrative, programmatic, and other forms of support to the Air District; and
- To engage in activities that further serve such purposes.

Currently, the Foundation serves to fund various air quality emissions reduction programs to support the mission of the Air District, which is *“to protect and improve public health, air quality, and the global climate.”*

DISCUSSION

Since 2008, the BACAF has spent over \$2.8 million to perform the following advanced technology, education, and emissions reduction projects:

Table 1 – BACAF Projects 2008 to Present

Project	Project Year	Project Year Completed	Project Description
City CarShare	2011	2012	Provided \$500,000 to 1) converted 10 hybrid electric vehicles to plug-in hybrid electric vehicles, 2) deployed the vehicles as part of City CarShare's fleet to promote car sharing, 3) Evaluated the deployment of plug-in electric vehicles in a car share environment, and 4) compiled lessons learned into a best practices guide for Carsharing.
EV Charging Demo Program	2015	2017	Provided \$450,000 in RFG funds for the installation of publicly available electric vehicle charging stations and the development of a White Paper that included a summary, key features, benefits of, and lessons learned which was shared with local governments, air districts, and other entities with an interest in the deployment of electric vehicle infrastructure. Nine projects were awarded that installed a total of 92 charging stations at 23 locations throughout the Bay Area over a three-year period, reduced 1.3 tons of criteria pollutant emissions, more than 2,500 tons of greenhouse gas emissions, and gasoline usage by approximately 300,000 gallons.
Faria Project	2015	2016	Piloted a \$472,262 CEQA offset program that removed 436 vehicles from bay area roads that reduced 13.65 tons per year of criteria pollutants.
West Oakland Zero-Emission Grant Program	2017	Ongoing	Provided \$1.3 million to deploy zero emissions vehicles (ZEV) in the I-880 which when fully implemented is expected to deploy: 6 Electric terminal tractors, 57 EV Charging Stations, 10 DC fast Charging Stations, 19 light duty EVs, 15 Electric school Buses and 1 heavy duty Electric shuttle. The Project will reduce 13 tons of Criteria pollutants, 1,300 tons of CO2 and 132,000 gallons of gasoline and diesel fuel use annually.
			Total Project funds ~ \$2.8 Million

In addition to these projects, Staff has investigated the use of the BACAF for other purposes over its lifespan and last deliberated with the Board of Directors, as the sole member of the Foundation, on that topic in 2018. As a result of that discussion, the Foundation Board performed an assessment in 2019 of the efficacies of expanding the organization. However, it was determined at that time, that such an expansion could not be justified based on the costs of permanent staff, their housing and overhead versus what could reasonably be expected in terms of additional returns for such an expenditure (See Attachment A).

As part of this report staff will cover the conception of the BACAF, its history, historic projects, the last deliberations on its use and current operations.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
President, Bay Area Clean Air Foundation

Prepared by: Damian Breen

Attachment 4A: Memorandum - Recommendations regarding the future operation of BACAF

FOUNDATION MEMORANDUM

March 13, 2019

To: Jack P. Broadbent, President, Bay Area Clean Air Foundation

From: Kraig Kurucz, Director, Bay Area Clean Air Foundation
Damian Breen, Director, Bay Area Clean Air Foundation
Brian Bungler, Director, Bay Area Clean Air Foundation

RE: Recommendations regarding the future operation of BACAF

RECOMMENDATIONS

Based on a recent assessment of the efficacy and costs of: 1) changing the method of operating or 2) expanding the Bay Area Clean Air Foundation (BACAF or Foundation); staff recommend the following:

- BACAF continue to be operated to support the Bay Area Air Quality Management District's (Air District) mission by acting as a conduit to pursue funding for which the Air District is not eligible; and
- No increase in staffing, budget or changes to current operational structures of BACAF

BACKGROUND

On July 9, 2008, the Air District Board of Directors approved the establishment of an Air District foundation. As a result of that action, the Foundation was established in September 2008. The purposes of the Foundation are as follows:

- To *provide* financial, administrative, programmatic, and other forms of support to the Air District; and
- To *engage* in activities that further serve such purposes.

DIRECTORS AND OFFICERS

The Directors of the Foundation in calendar year 2019 are as follows:

- Damian Breen
- Kraig Kurucz
- Brian Bungler

The Foundation's staff in calendar year 2019 are as follows:

- Jack Broadbent, President
- Jeffrey McKay, Secretary and Chief Financial Officer
- Brian Bunger, General Counsel

OPERATION

The Foundation and the Air District are two separate entities. Air District staff administer grants and projects through a service contract on behalf of the Foundation. Staff funding comes from administrative fees that are associated with the grants and projects performed for the Foundation. The Air District also donates the services of its staff and make monetary contributions to the Foundation under the current operational agreement. The Air District generally provides the following services to the Foundation:

- Accounting and audit and tax filing oversight
- Grants administration
- Legal services

PAST AND CURRENT FOUNDATION ACTIVITIES

The current purpose of BACAF is to administer grants and funding that the Air District is not eligible to receive. For example, in calendar year 2017, the Foundation executed the following programs:

Project 1: EV Charging Demo Program - Reformulated Gasoline (RFG)

The RFG Open Grants Program is the result of the settlement of 14 class action lawsuits against Union Oil Company of California and Unocal Corporation. Before trial, the Plaintiff and Unocal agreed to settle the class actions and agreed to distribute approximately \$7 million through open competitive grants directed to nonprofit organizations for projects to achieve vehicle emissions or fuel efficiency benefits for California residents. The majority of the RFG grants program funding was awarded in 2010, including a grant to the BACAF for a project to deploy ten converted plug-in electric vehicles in car-share service in partnership with City CarShare.

To support Bay Area public agencies' efforts to green their fleets and to deploy charging infrastructure in their communities, the BACAF, in partnership with the Air District, submitted an application to the RFG's Open Grants Program on February 5, 2015, requesting \$500,000 in remaining RFG funds for an electric (EV) vehicle charging station incentive program.

On May 12, 2015, the U.S. District Court approved a grant under the RFG Open Grants Program whereby the BACAF, contracting with the Air District, would develop and implement an EV Charging Demo Program. This program provided \$450,000 in RFG funds that would be matched with the Air District's Transportation Fund for Clean Air (TFCA) funding to (a) install publicly available EV charging stations; (b) collect data to measure environmental, economic and operating benefits; (c) publish a White Paper to include a summary, key features, benefits of, and lessons learned from this grant; and (d) share Program results with local governments, air districts, and other entities with an interest in the deployment of electric vehicle infrastructure. Up to \$50,000 of the RFG funds were used to pay for administration and the White Paper.

The EV Charging Demo Program prioritized projects that were "shovel ready" along major transportation corridors, at workplaces, and at key destinations. At least 25% of RFG funding, or \$112,500, was reserved for projects in designated Community Air Risk Evaluation (CARE) Areas. Only public entities were eligible to apply and funds were awarded through a competitive grant application process.

The Air District released the Program guidance and the call for projects ran from August 18 - December 18, 2015. On February 17, 2016, the Air District's Board of Directors approved awards to nine projects with full funding to the seven highest ranked projects and partial funding for the next two highest ranked projects. The total amount of funds awarded was \$1,142,233, of which \$692,233 is from TFCA and \$450,000 from RFG Settlement Funds. The Air District's Board also approved the creation of a contingency list consisting of four projects that were found eligible, but did not rank high enough for award; this list can be used in the event that any projects on the recommended list do not proceed or are completed under-budget.

The nine projects that were awarded funding proposed to install a total of 77 charging stations at 19 locations throughout the Bay Area and are estimated to, over a three-year period, reduce 1.3 tons of criteria pollutant emissions, more than 2,500 tons of greenhouse gas emissions, and gasoline usage by approximately 300,000 gallons.

By October 2017, all 77 charging stations at 19 locations had been installed and were in active service. As of January 31, 2018, these chargers dispensed over 300,000 kWh of electricity, equivalent to displacing 40,000 gallons of petroleum, and driving more than 1 million electric miles.

Staff published a white paper that includes an overview of the Program, its environmental benefits, findings from the operational data of the charging stations, case studies and lessons learned that is available online at www.baaqmd.gov/evdemo.

The Foundation requested and received the 1st disbursement of grant funds in the amount of \$225,000 in November 2016. Foundation requested the second disbursement of grant funds for \$275,000 in May of 2018 after the publication of the white paper. These funds are currently being disbursed to the project sponsors in accordance with the agreement between each project sponsor and the Air District.

Project 2: Zero Emissions Equipment & Vehicles in and Around the Port of Oakland – RFG

On September 25, 2017, the U.S. District Court approved a grant in an amount not to exceed \$1,300,000 under the Open Grants Program, which represents the final tranche of RFG funding, whereby the Foundation, contracting with the Air District, will provide financial incentives to support the adoption of zero and near-zero equipment and vehicles in and near the Port of Oakland; collect data to measure environmental, economic and operating benefits of grant-funded equipment and vehicles; publish a White Paper describing the program, benefits, and lessons learned; and disseminate the White Paper to local governments, air districts and other entities with an interest in implementing similar programs.

Using the awarded funds, the Air District developed a West Oakland Zero-Emission Grant Program (Program) that will provide up to 50% of the cost of new on- and off-road zero-emission vehicles, infrastructure, and mobile and stationary equipment that is operated and installed in and around West Oakland and adjacent Air District designated Community Air Risk Evaluation (CARE) areas of Richmond and Western Alameda County. These communities experience disproportionately higher air pollution impacts, especially from diesel particulate matter emitted from vehicles and equipment that operate in and around the Port of Oakland (Port) and from traffic traveling along the adjacent freeways.

ASSESSMENT OF POSSIBLE FOUNDATION ACTIVITIES

Following discussions with sole member, the Board of Directors or the Air District in 2018, BACAF's 10th anniversary, staff conducted an assessment to determine the efficacy and costs of changing the method of operating or expanding BACAF.

Staff conducted internal discussions and developed a list of operational scenarios to be included in this assessment:

- Expanding BACAF to support private/public partnerships to:
 - Do emissions reductions projects on a matching fund basis for technologies identified by the Air District;
 - Support community capacity building as part of AB617;
 - Support case study, research and demonstration projects to support the Air District. *For example*, some of the budget and projects currently administered in the 104 program could be shifted to BACAF and it could then conduct competitive calls for projects in the following focus areas:
 - Emissions reductions technology advancement
 - Academic research
 - Community emissions reductions education and outreach programs
 - Transportation emissions reductions technologies
 - Health impacts research
 - And, to directly fund emissions reductions projects in AB 617 communities.
- Seeking and raising corporate donations to directly fund (no Air District Match) for technology emissions reductions or AB 617 projects;
- Promoting an emissions reductions “X Prize” competition using sponsor funding;
- Seeking individual donations for technology emissions reductions or AB 617 projects via “go fund me” campaigns; or

- Using the Foundation as an avenue to solicit volunteers to adopt projects in support of the Air District’s mission, such as:
 - Utilizing corporate time donations to develop phone apps or other technological innovations for transportation and air quality projects
- Utilizing former employees for technical assistance for regulated facilities - for example performing compliance audits as results are off the record and “compliance academies” to provide additional assistance to small businesses.

Staff also assessed the efficacy of retaining a consultant to assist the Air District to determine what sort of budgeting, staffing and strategic planning might be necessary to effectively expand BACAF to accomplish the programs listed above. Staff had preliminary conversations with a number of consulting groups specialize in advising nonprofit foundations on these types of efforts and also relied on its internal resources – individuals who have previously run large nonprofit organizations.

Assessment Conclusions

Based on the discussions with a number of consulting groups, staff determined that in order to develop an assessment of the program options listed above that included budget and staffing numbers, the costs would be in the \$100,000 plus range.

Additionally, staff determined that any expansion to perform the proposed programs above would require full-time staff. Air District staff currently contracted to BACAF have limited bandwidth to take on additional tasks. At a minimum, it was determined that it would take approximately 3 FTE (a full-time director, 1 clerical staff member and 1 support staff member) to stand up a full-time operational presence for BACAF. Competitive salaries for employees in the Bay Area to accomplish this would most likely be in excess of \$500,000 annually. This figure also assumes that the Air District would have space to house this staff at its current location and does not include cost of rent, electricity, office supplies, etc.

It should also be noted that staff has conducted multiple assessments of the types of match funding that are available from private foundations and entities to co-fund some of the programs listed above. The dollar amounts available from foundations range in the thousands of dollars to tens of thousands of dollars and could not cover the expenditures needed to set up a permanent staff to pursue them.

BAY AREA CLEAN AIR FOUNDATION

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
President, Bay Area Clean Air Foundation

Date: August 26, 2021

Re: Accept the Bay Area Clean Air Foundation 2020 Annual Report

RECOMMENDED ACTION

Recommend the Board of Directors as a Sole Member of the Bay Area Clean Air Foundation:

- 1) Accept the 2020 Annual Report of the Bay Area Clean Air Foundation.

BACKGROUND

The Board of Directors, at its July 9, 2008, meeting approved the establishment of an Air District foundation. In September 2008, the Bay Area Clean Air Foundation (Foundation) was established. The purposes of the Foundation are as follows:

- To provide financial, administrative, programmatic, and other forms of support to the Air District; and
- To engage in activities that further serve such purposes.

The Foundation will serve to fund various air quality emissions reduction, and educational and service programs to support the mission of the Air District, which is *“to protect and improve public health, air quality, and the global climate.”*

Pursuant to the Foundation’s Bylaws, the directors of the Foundation are to send an annual report to the Air District’s Governing Board of Directors.

DISSCUSION

The Foundation’s directors and officers recommend that the Air District’s Governing Board accept the Foundation’s 2020 Annual Report, which is attached hereto.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
President, Bay Area Clean Air Foundation

Prepared by: Karen Schkolnick
Reviewed by: Damian Breen

Attachment 5A: 2020 Annual Report of the Bay Area Clean Air Foundation

Bay Area Clean Air Foundation

2020 Annual Report

1. Background

On July 9, 2008, the Bay Area Air Quality Management District (Air District) Board of Directors approved the establishment of an Air District foundation. As a result of that action, the Bay Area Clean Air Foundation (Foundation) was established in September 2008. The purposes of the Foundation are as follows:

- To provide financial, administrative, programmatic, and other forms of support to the Air District; and
- To engage in activities that further serve such purposes.

The Foundation will serve to fund various air quality emissions reduction, and educational and service programs to support the mission of the Air District, which is *“to protect and improve public health, air quality, and the global climate.”*

Directors and Officers

The Directors of the Foundation in calendar year 2020 were as follows:

Damian Breen
Kraig Kurucz
Brian Bunger

The Foundation's staff in calendar year 2020 was as follows:

Jack P. Broadbent, President
Jeffrey McKay, Secretary and Chief Financial Officer
Brian Bunger, General Counsel

2. Report on the Foundation's Activities

This report provides the Foundation Directors the proposed budget for 2022, the financial report for the prior fiscal year, and an update on the activities related to funds received for a project to deploy zero emissions equipment and vehicles in and around West Oakland that is funded by the Reformulated Gasoline (RFG) Open Grants Program.

Project Background

The Reformulated Gasoline (RFG) Open Grants Program was the result of the settlement of 14 class action lawsuits against Union Oil Company of California and Unocal Corporation. Before trial, the Plaintiff and Unocal agreed to settle the class actions and agreed to distribute approximately \$7 million through an open competitive grants program directed to nonprofit organizations for projects to achieve vehicle emissions or fuel efficiency benefits for California consumers. The majority of the RFG grants program funding was awarded in 2010, including a grant to the Bay Area Clean Air Foundation (BACAF) for a project to deploy ten converted plug-in electric vehicles in car-share service in partnership with City CarShare.

On September 25, 2017, the U.S. District Court approved a grant in an amount not to exceed \$1,300,000 under the Open Grants Program, which represents the final tranche of RFG funding, whereby the Foundation, contracting with the Air District, will provide financial incentives to support the adoption of zero and near-zero equipment and vehicles in and near the Port of Oakland; collect data to measure environmental, economic and operating benefits of grant-funded equipment and vehicles; publish a White Paper describing the program, benefits, and lessons learned; and disseminate the White Paper to local governments, air districts and other entities with an interest in implementing similar programs.

Discussion

Under contract with BACAF, the Air District developed a West Oakland Zero-Emission Grant Program (Program) that will provide up to 50 percent of the cost of new on- and off-road zero-emission vehicles, infrastructure, and mobile and stationary equipment that is operated and installed in and around West Oakland and adjacent Air District designated Community Air Risk Evaluation (CARE) areas of Richmond and Western Alameda County. These communities experience disproportionately higher air pollution impacts, especially from diesel particulate matter emitted from vehicles and equipment that operate in and around the Port of Oakland (Port) and from traffic traveling along the adjacent freeways.

Since May 2018, a total of 25 applications had been received and evaluated resulting in awards to 11 projects totaling approximately \$1.1 million in RFG funds. In addition, the Air District also awarded as match approximately \$570,000 of its Transportation Fund for Clean Air funding to eligible projects. The awarded projects will achieve total reductions of approximately 634,000 gallons of petroleum, 7.0 tons of criteria air pollutants, and 6,200 tons of CO₂ over the next five years in and around the West Oakland community. To date the Air District has executed contracts with eight projects; the remaining three projects requested extensions to start their projects because of budget and other uncertainties experienced in 2020.

On May 20, 2020, BACAF and the RFG Administrators executed a contract amendment to allow the Air District the ability to award any remaining funds to eligible projects identified through the Air District's other grant programs. As of December, 31 2020, approximately \$65,000 in RFG funds remain unobligated and available for award in 2021.

On July 31, 2020, the Air District published a report on the initial results and findings of the program on its website at www.baaqmd.gov/westoaklandzev. This report will be updated in 2023 with additional data gathered from the operations of the funded equipment.

BAY AREA CLEAN AIR FOUNDATION

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
President, Bay Area Clean Air Foundation

Date: August 26, 2021

Re: Adoption of the Bay Area Clean Air Foundation's 2022 Budget

RECOMMENDED ACTION

Recommend the Board of Directors as a Sole Member of the Bay Area Clean Air Foundation (Foundation):

- 1) Approve adoption of the Bay Area Clean Air Foundation's 2022 Budget.

BACKGROUND

Pursuant to the Foundation's Bylaws, the Air District's Board of Directors, as a Sole Member of the Foundation, is required to approve the adoption of an annual budget by the Foundation. The Foundation's Directors and Officers recommend that the Air District's Governing Board approve adoption of the Foundation's 2022 Budget, which is attached hereto.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
President, Bay Area Clean Air Foundation

Prepared by: Stephanie Osaze
Reviewed by: Jeff McKay

Attachment 6A: 2020 Annual Report for the Bay Area Clean Air Foundation
Attachment 6B: 2022 Proposed Budget for the Bay Area Clean Air Foundation

Bay Area Clean Air Foundation

2020 Annual Report

Addendum: Financial Summary

Financial Summary

As of December 31, 2020, the Foundation had a cash balance of \$1,083,297.14. Following is an accounting of the Foundation's operations for the 2020 calendar year:

January 1, 2020	Beginning Cash Balance	<u>\$589,669.60</u>
Revenue from Operations		
	Interest Income	1,005.75
	RFG Funding	530,000.00
	General Fund Subsidy	8,177.77
Operating Expenses		
	Administrative Overhead/Support	40,352.14
	Tax Filing Services	3,800.00
	Insurance	1,304.77
	Other Charges	95.00
December 31, 2020	Ending Balance	<u>\$1,083,297.14</u>

**BAY AREA
CLEAN AIR
FOUNDATION**

Proposed Budget 2022

	Approved Budget Calendar Year 2021	Proposed Budget Calendar Year 2022*
Revenues/Sources		
Interest Income	\$ 2,000	300
General Fund Subsidy	\$ 3,445	10,100
Total Revenue	\$ 5,445	10,400
Transfer from/(to) Cash Balance	\$ 746,000	-
Total Revenue/Sources	\$ 751,445	\$ 10,400
Expenditures		
Administrative Overhead/Support	\$ 76,000	5,000
Program/Project Distributions	\$ 670,000	-
Tax Filing Services	\$ 4,000	4,000
Insurance Premium	\$ 1,300	1,300
Other Charges	\$ 145	100
Total Expenditures	\$ 751,445	\$ 10,400

*Staff is currently pursuing additional funding opportunities and any new funding sources identified during the current year will be presented at next year's Clean Air Foundation Meeting.

BAY AREA CLEAN AIR FOUNDATION

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
President, Bay Area Clean Air Foundation

Date: August 26, 2021

Re: Appoint Three Directors to the Bay Area Clean Air Foundation's Board of Directors

RECOMMENDED ACTIONS

Recommend the Board of Directors as the Sole Member of the Bay Area Clean Air Foundation (Foundation):

- 1) Appoint Karen Schkolnick to a first two-year term as a Director of the Bay Area Clean Air Foundation;
- 2) Appoint Veronica Eady to a first two-year term as a Director of the Bay Area Clean Air Foundation; and
- 3) Appoint Raegan Patterson, PhD. to a first two-year term as a Director of the Bay Area Clean Air Foundation.

BACKGROUND

Pursuant to the Bylaws of the Bay Area Clean Air Foundation, Directors of the Foundation serve two-year terms. The Bylaws further provide that a Foundation Director may serve no more than three consecutive two-year terms but may serve again after taking a one-year hiatus. The third two-year term for Director Kurucz and the second two-year term for Director Bunger has ended. With Mr. Bunger's retirement the Foundation's Board will consider recommending the following three directors – Karen Schkolnick, Veronica Eady, and Raegan Patterson, PhD – as the Sole Member to fill the upcoming Foundation Board vacancies.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
President, Bay Area Clean Air Foundation

Prepared by: Aloha de Guzman
Reviewed by: Damian Breen

Attachment 7A: Karen Schkolnick, Biography
Attachment 7B: Veronica Eady, Biography
Attachment 7C: Raegan F. Patterson Ph.D., Biography

Karen Messina Schkolnick, REHS

Karen Schkolnick is the Director of the Bay Area Air Quality Management District's Strategic Incentives Division. She provides lead direction and oversight of the team that administers grant and incentive programs that achieve surplus and voluntary emissions reductions in support of the Air District's mission of improving air quality and protecting the global climate. She first joined the Air District in 2006 as the Manager of the Public Information Officer and the Strategic Incentives Division in 2008. Prior to joining the Air District, she also worked at the Monterey County's Environmental Health Division (1998-2006) and at the City & County of San Francisco Solid Waste Management Program (1996-1998).

Ms. Schkolnick currently serves as the Chair of the California Air Pollution Control Officers (CAPCOA) Mobile Source & Grants Committee (Chair 2021 and Vice-Chair 2020). She also served as a Co-Chair of the California Plug-In Electric Vehicle Collaborative Workgroups, predecessor of Veloz (2012-2016) and State Treasurer and Executive Board Director of the California Environmental Health Association (CEHA) (2005 & 2006).

Ms. Schkolnick holds a Bachelor of Arts in Environmental Studies from Oberlin College and is a Registered Environmental Health Specialist certified by the CA Department of Public Health.

Veronica Eady

Senior Deputy Executive Officer of Policy & Equity

Veronica Eady serves as Senior Deputy Executive Officer of Policy & Equity and is the primary internal and external contact for the Air District on environmental justice matters and will be providing leadership of the District's community engagement, diversity, equity and inclusion program and policy work.

Ms. Eady previously served as the Assistant Executive Officer for Environmental Justice at the California Air Resources Board – where she oversaw their Environmental Justice activities.

Ms. Eady formerly served as the Vice President and Director of Conservation Law Foundation Massachusetts and was the Associate General Counsel and Director of Environmental Justice at New York Lawyers for the Public Interest, a non-profit civil rights law firm in New York City. Ms. Eady has also served as Director of the Environmental Justice and Brownfields Programs for the Massachusetts Executive Office of Environmental Affairs, where she was the principal author of Massachusetts Environmental Justice Policy. Ms. Eady was also Executive Director of Alternatives for Community and Environment, an environmental justice advocacy organization. She is the former chair of the Environmental Protection Agency's federal advisory committee for environmental justice, the National Environmental Justice Advisory Council.

Ms. Eady has also held appointments on several faculties, including Europe-Viadriana University in Germany, Tufts University in the Department of Urban and Environmental Policy and Planning, Fordham Law School, and at the Stanford Law School.

Ms. Eady holds a Bachelor of Arts from the University of Southern California, and a Juris Doctorate from the University of California, Hastings College of the Law.



About Regan F. Patterson, Ph.D.

Dr. Regan F. Patterson is an expert on issues related to environmental justice, transportation equity, and air pollution. She brings a unique combination of research, policy, and community engagement skills to clients addressing environmental and climate challenges.

Dr. Patterson has worked with several environmental justice nonprofits and government agencies. Currently, she is the Transportation Equity Research Fellow at the Congressional Black Caucus Foundation, Inc. (CBCF). Her recently authored policy brief is entitled, *New Routes to Equity: The Future of Transportation in the Black Community*. In the past, Dr. Patterson worked with the Community Engagement Office at the Bay Area Air Quality Management District and the Biomonitoring California program at

the California Office of Environmental Health Hazard Assessment. Furthermore, she worked with Communities for a Better Environment on their Just Transition climate justice initiative as well as Greenaction for Health and Environmental Justice on their Bayview Hunters Point Environmental Justice Response Task Force.

In addition to her work with nonprofits and government, Dr. Patterson also teaches and mentors students. She has taught undergraduate courses on environmental justice and Geographic Information Systems (GIS). Dr. Patterson has also instructed high school math and college success courses for Upward Bound and SMASH. She was awarded the inaugural Impact Award from the Kapor Center for Social Impact for increasing access to STEM education.

Dr. Patterson earned her Ph.D. in Environmental Engineering at the University of California, Berkeley. While at UC Berkeley, she was a recipient of the US EPA Science to Achieve Results (STAR) Fellowship, the Switzer Environmental Fellowship, and the UC Berkeley Chancellor's Fellowship. Her research has been published in peer-reviewed journals, including Atmospheric Environment and the International Journal of Environmental Research and Public Health. Upon earning her doctorate, Dr. Patterson completed a postdoctoral research fellowship at the University of Michigan Institute for Social Research. She holds a B.S. in Chemical Engineering from UCLA and an M.S. in Environmental Engineering from UC Berkeley.