



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
BUDGET AND FINANCE COMMITTEE

COMMITTEE MEMBERS

JOHN J. BAUTERS - CHAIR
MARGARET ABE-KOGA
LYNDA HOPKINS
TYRONE JUE
RAY MUELLER
MARK ROSS

DAVINA HURT - VICE-CHAIR
DAVID HAUBERT
DAVID HUDSON
SERGIO LOPEZ
KATIE RICE

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY
ASSEMBLY BILL 361**

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST BY
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AT**

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- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE
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(669) 900 6833 or (408) 638 0968

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APPLICATION IS UP TO DATE**

BUDGET AND FINANCE COMMITTEE MEETING AGENDA

WEDNESDAY, FEBRUARY 1, 2023

1:00 PM

1. **Call to Order - Roll Call**

2. **Pledge of Allegiance**

3. **Public Meeting Procedure**

The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee 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 two minutes each to address the Committee. No speaker who has already spoken on that item will be entitled to speak to that item again.*

CONSENT CALENDAR (Item 4)

4. Approval of the Minutes of the Budget and Finance Committee Meeting of November 23, 2022

The Committee will consider approving the draft minutes of the Budget and Finance Committee meeting of November 23, 2022.

INFORMATIONAL ITEM(S)

5. First and Second Quarter Financial Reports - Fiscal Year Ending June 30, 2023

The Committee will receive the First and Second Quarter Financial Reports for Fiscal Year Ending June 30, 2023. This item will be presented by Jun Pan, Manager in the Finance Division.

OTHER BUSINESS

6. Public Comment on Non-Agenda Matters

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 five minutes each to address the Committee.

7. Committee Member Comments

Any member of the Committee, 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)

8. Time and Place of Next Meeting

Wednesday, April 5, 2023, at 1:00 p.m. The meeting will be webcast for members of the public.

9. Adjournment

The Committee meeting shall be adjourned by the 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 Air 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, Suma Peesapati, at (415) 749-4967 or by email at speesapati@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

JANUARY 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Meeting	Monday	30	8:30 a.m.	Webcast only pursuant to Assembly Bill 361
Path to Clean Air Community Emissions Reduction Plan Steering Committee	Monday	30	5:30 p.m.	Webcast only pursuant to Assembly Bill 361

FEBRUARY 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	1	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Administration Committee - CANCELLED	Wednesday	1	12:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Budget and Finance Committee	Wednesday	1	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee	Wednesday	8	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee - CANCELLED	Wednesday	8	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Meeting	Wednesday	15	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Community Equity, Health and Justice Committee	Wednesday	15	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee	Wednesday	15	3:30 p.m.	Webcast only pursuant to Assembly Bill 361
Path to Clean Air Community Emissions Reduction Plan Steering Committee	Monday	27	5:30 p.m.	Webcast only pursuant to Assembly Bill 361

JMB 1/25/2023 – 10:30 a.m.

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Budget and Finance Committee

From: Sharon L. Landers
Interim Executive Officer/APCO

Date: February 1, 2023

Re: Approval of the Minutes of the Budget and Finance Committee Meeting of
November 23, 2022

RECOMMENDED ACTION

Approve the attached draft minutes of the Budget and Finance Committee meeting of November 23, 2022.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the draft minutes of the Budget and Finance Committee meeting of November 23, 2022.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Sharon L. Landers
Interim Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Budget and Finance Committee meeting of November 23, 2022

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

DRAFT MINUTES

Budget & Finance Committee Meeting
Wednesday, November 23, 2022

This meeting was conducted under procedures in accordance with Assembly Bill 361 (Rivas 2021). Members of the Committee participated by teleconference.

1. CALL TO ORDER – ROLL CALL

Committee Vice Chairperson Brad Wagenknecht called the meeting to order at 9:32 a.m.

Present: Committee Vice Chairperson Brad Wagenknecht; and Directors David Hudson, Myrna Melgar, Karen Mitchoff, and Katie Rice.

Absent: Committee Chairperson Carole Groom; and Directors John J. Bauters, David Canepa, and Davina Hurt.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC MEETING PROCEDURE

4. FOURTH QUARTER PRELIMINARY FINANCIAL REPORT – FISCAL YEAR ENDING (FYE) JUNE 30, 2022 (OUT OF ORDER, ITEM 5)

Stephanie Osaze, Finance Manager, introduced Jun Pan, Acting Finance Manager, who gave the staff presentation *Preliminary Fourth Quarter Financial Report Fiscal Year Ending 2022*, including: outcome; outline; presentation for information only; 4th quarter results FYE 2022; revenue and expenditure comparisons (prior versus current year); General Fund expenditures; investments; fund balance and outstanding liabilities; purchasing reporting requirements; FYE 2022 vendor payments; and feedback requested.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed how filling current vacancies and personnel salary expenditures may impact the FYE 2023 Budget; and newly designated fund balances (Assembly Bill 617 staffing contingency, community benefits, and pandemic contingency).

Committee Action

None; receive and file.

5. PROPOSED AMENDMENT TO THE COST RECOVERY AND CONTAINMENT POLICY (ITEM 6)

Ms. Osaze introduced Fred Tanaka, Engineering Manager, who gave the staff presentation *Cost Recovery and Containment Policy*, including: outcome; outline; requested action; background; proposed updated policy; potential implementation impacts; projected impacts to small business; summary; and feedback requested.

NOTED PRESENT: Director Melgar was noted present at 10:04 a.m.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the request that activities not being charged fees are identified for the Board; the suggestion of specifying the frequency and timeframe for the review of the Air District’s cost recovery analyses (to be conducted by an independent entity); the desire that future Air District cost recovery policy amendment implementation be considered by the Board; and whether the information technology industry has facilities that need to be regulated by the Air District.

Committee Action

Director Rice made a motion, seconded by Director Melgar, to recommend the Board **adopts** the proposed amended Cost Recovery and Containment Policy; and the motion carried by the following vote of the Committee:

- AYES: Melgar, Mitchoff, Rice, Wagenknecht.
- NOES: Hudson.
- ABSTAIN: None.
- ABSENT: Bauters, Canepa, Groom, Hurt.

6. APPROVAL OF THE MINUTES OF OCTOBER 26, 2022 (ITEM 4)

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Hudson made a motion, seconded by Director Mitchoff, to **approve** the Minutes of October 26, 2022; and the motion carried by the following vote of the Committee:

AYES: Hudson, Melgar, Mitchoff, Rice, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Bauters, Canepa, Groom, Hurt.

7. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public comments were given by Timothy Bigalow.

8. COMMITTEE MEMBER COMMENTS

Director Hudson announced that the 36th Electric Vehicle Symposium & Exposition will be held in Sacramento in June 2023, which will overlap with the Air & Waste Management Association’s 116th Annual Conference (in Orlando.)

9. TIME AND PLACE OF NEXT MEETING

At the end of the meeting, the next meeting was to be held on December 28, 2022, but after the meeting adjourned, the next meeting was scheduled for Wednesday, February 1, 2023, at 1:00 p.m., via webcast, teleconference, and Zoom, under procedures authorized by Assembly Bill 361 (Rivas 2021) allowing remote meetings.

10. ADJOURNMENT

The meeting adjourned at 10:28 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson John J. Bauters and Members
of the Budget and Finance Committee

From: Sharon L. Landers
Interim Executive Officer/APCO

Date: February 1, 2023

Re: First and Second Quarter Financial Reports - Fiscal Year Ending June 30, 2023

RECOMMENDED ACTION

None; presentation only.

BACKGROUND

None.

DISCUSSION

The finance staff will present an update on the Air District's financial results for the first and second quarters of the 2022-2023 fiscal year. Attachments A and B summarize the financial results for both the first and second quarters, respectively.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Sharon L. Landers
Interim Executive Officer/APCO

Prepared by: Jun Pan
Reviewed by: Stephanie Osaze

ATTACHMENTS:

1. 1st Qtr Financial Report FYE 2023-Attachment-A
2. 2nd Qtr Financial Report FYE 2023-Attachment-B

Attachment A: Financial Summary

The following information summarizes the financial results of the 1st quarter of the fiscal year ending 2023.

GENERAL FUND: STATEMENT OF REVENUES – Comparison of Prior Year Quarter Actual and Current Year Budget to Actual

REVENUE TYPE	1st QTR FY 2022	1st QTR FY 2023	FY 2023 - % of BUDGETED REVENUE
County Receipts	\$308,875	\$381,997	1%
Permit Fee Receipts	\$18,250,845	\$17,951,719	39%
Title V Permit Fees	\$1,473,244	\$1,198,173	15%
Asbestos Fees	\$1,082,833	\$949,578	24%
Toxic Inventory Fees	\$285,556	\$307,554	19%
Community Health Impact	\$283,027	\$286,052	26%
Criteria Pollutant Toxic	\$270,293	\$455,900	37%
Penalties and Settlements	\$406,000	\$294,278	11%
Interest Income	\$192,900	\$307,779	31%
Total Revenue	\$22,553,573	\$22,133,030	20%

GENERAL FUND: STATEMENT OF EXPENDITURES - Comparison of Prior Year Quarter Actual and Current Year Budget to Actual

EXPENDITURE TYPE	1st QTR FY 2022	1st QTR FY 2023	FY 2023 - % of BUDGETED REVENUE
Personnel - Salaries*	\$10,811,701	\$13,830,500	22%
Personnel - Benefits*	\$11,549,264	\$12,952,154	41%
Operational Services / Supplies	\$4,014,247	\$4,498,657	12%
Capital Outlay	\$650,851	\$773,006	12%
Total Expenditures	\$27,026,063	\$32,054,317	23%
* Consolidated (includes Special Funds)			

CASH INVESTMENTS IN COUNTY TREASURY – Account Balances as of the First Quarter

CASH/INVESTMENTS	1st QTR FY 2022	1st QTR FY 2023
General Fund	\$77,533,047	\$80,790,520
TFCA	\$123,064,145	\$125,780,267
MSIF	\$51,202,639	\$60,750,535
Carl Moyer	\$69,711,310	\$63,773,663
CA Goods Movement	\$21,238,479	\$23,367,888
AQ Projects	\$1,613,118	\$3,232,536
Vehicles Mitigation	\$6,670,879	\$25,537,718
Total	\$351,033,617	\$383,233,127

FUND BALANCES	6/30/2021	6/30/2022	6/30/2023
	Audited	Unaudited	Projected
DESIGNATED: *			
AB617 Staffing Contingency		6,000,000	7,679,746
Community Benefits		3,000,000	3,000,000
Economic Contingency	21,294,922	23,303,025	25,500,741
Litigation Contingency			2,175,000
Pandemic Contingency		7,000,000	4,000,000
Pension Liability	4,000,000	5,000,000	
Richmond Improvement (HQE)			5,000,000
Technology Implementation Office	3,350,000	3,350,000	3,350,000
Wildfire Mitigation	1,000,000	2,000,000	1,000,000
Total Designated Reserves	\$29,644,922	\$49,653,025	\$51,705,487
Undesignated Fund Balance	34,385,565	26,419,061	12,871,599
TOTAL DESIGNATED & UNDESIGNATED	\$64,030,487	\$76,072,086	\$64,577,086
TOTAL FUND BALANCE	\$64,030,487	\$76,072,086	\$64,577,086
* Designated Fund Balances are subject to change at Board's discretion.			
OUTSTANDING LIABILITIES			
CalPERS Pension Retirement			68,298,398
Certificate of Participation Notes			22,770,330
TOTAL OUTSTANDING LIABILITIES			\$91,068,728

VENDOR PAYMENTS

In accordance with provisions of the Administrative Code, Division II Fiscal Policies and Procedures - Section 4 Purchasing Procedures: 4.3 Contract Limitations, the staff is required to present recurring payments for routine business needs such as utilities, licenses, office supplies and the like, more than, or accumulating to more than \$100,000 for the fiscal year. In addition, this report includes all of the vendors receiving payments in excess of \$100,000 under contracts that have not been previously reviewed by the Board. In addition, staff will report on vendors that undertook work for the Air District on several projects that individuals were less than \$100,000, but cumulatively exceed \$100,000.

Below is a list of vendors with cumulative payments made through the First quarter of 2022-2023 fiscal year that exceeded \$100,000 and meets the reporting criteria noted above. All expenditures have been appropriately budgeted as a part of the overall Air District budget for The fiscal Year 2022-2023.

	VENDOR NAME	AMOUNT PAID (July 2022 - Sept 2022)	Explanation
1	AAA Business Supplies	\$102,187	Janitorial, Stationary, Office Supplies
2	Alliant Insurance Services	\$364,436	Various Business Insurance Policies
3	Bay Area Headquarters Authority	\$824,949	Shared Services & Common Areas
4	Benefits Coordinators Corp.	\$432,123	Life Insurance Plan & LTD Insurance
5	CA Public Employee Retirement System (Heath)	\$2,282,085	Health Insurance Plan
6	CA Public Employee Retirement System (Retirement)	\$1,777,285	Retirement Benefits & 457 Supplemental Plan
7	Cubic Transportation Systems	\$105,225	Clipper Transit Subsidy
8	Robert Half, Inc.	\$138,034	Temporary Staffing Services
9	Wang Brothers Investment LLC	\$128,714	Richmond Site Lease

Attachment B: Financial Summary

The following information summarizes the financial results of the 2nd quarter of the fiscal year ending 2023.

GENERAL FUND: STATEMENT OF REVENUES – Comparison of Prior Year Quarter Actual and Current Year Budget to Actual

REVENUE TYPE	2nd QTR FY 2022	2nd QTR FY 2023	FY 2023 - % of BUDGETED REVENUE
County Receipts	\$14,954,319	\$15,932,866	38%
Permit Fee Receipts	\$28,761,143	\$31,667,142	68%
Title V Permit Fees	\$5,645,058	\$5,434,845	67%
Asbestos Fees	\$2,105,879	\$1,787,681	45%
Toxic Inventory Fees	\$1,732,677	\$1,345,122	81%
Community Health Impact	\$1,027,362	\$940,744	85%
Criteria Pollutant Toxic	\$735,678	\$1,023,442	84%
Penalties and Settlements	\$3,664,428	\$2,149,886	78%
Interest Income	\$367,484	\$702,220	70%
Total Revenue	\$58,994,029	\$60,983,948	56%

GENERAL FUND: STATEMENT OF EXPENDITURES - Comparison of Prior Year Quarter Actual and Current Year Budget to Actual

EXPENDITURE TYPE	2nd QTR FY 2022	2nd QTR FY 2023	FY 2023 - % of BUDGETED REVENUE
Personnel - Salaries*	\$25,290,051	\$27,460,479	43%
Personnel - Benefits*	\$19,786,813	\$17,196,948	55%
Operational Services / Supplies	\$11,525,008	\$11,263,042	29%
Capital Outlay	\$1,409,588	\$1,640,338	25%
Total Expenditures	\$58,011,459	\$57,560,807	41%
* Consolidated (includes Special Funds)			

CASH INVESTMENTS IN COUNTY TREASURY – Account Balances as of the Second Quarter

CASH/INVESTMENTS	2nd QTR FY 2022	2nd QTR FY 2023
General Fund	\$108,094,498	\$100,341,101
TFCA	\$125,602,098	\$124,648,541
MSIF	\$53,376,272	\$64,834,042
Carl Moyer	\$70,537,271	\$70,797,677
CA Goods Movement	\$21,286,051	\$23,439,928
AQ Projects	\$1,362,240	\$2,710,582
Vehicles Mitigation	\$6,688,291	\$25,617,483
Total	\$386,946,721	\$412,389,353

FUND BALANCES	6/30/2021	6/30/2022	6/30/2023
	Audited	Unaudited	Projected
DESIGNATED: *			
AB617 Staffing Contingency		6,000,000	7,679,746
Community Benefits		3,000,000	3,000,000
Economic Contingency	21,294,922	23,303,025	25,500,741
Litigation Contingency			2,175,000
Pandemic Contingency		7,000,000	4,000,000
Pension Liability	4,000,000	5,000,000	
Richmond Improvement (HQE)			5,000,000
Technology Implementation Office	3,350,000	3,350,000	3,350,000
Wildfire Mitigation	1,000,000	2,000,000	1,000,000
Total Designated Reserves	\$29,644,922	\$49,653,025	\$51,705,487
Undesignated Fund Balance	34,385,565	26,419,061	12,871,599
TOTAL DESIGNATED & UNDESIGNATED	\$64,030,487	\$76,072,086	\$64,577,086
TOTAL FUND BALANCE	\$64,030,487	\$76,072,086	\$64,577,086
* Designated Fund Balances are subject to change at Board's discretion.			
OUTSTANDING LIABILITIES			
CalPERS Pension Retirement			68,298,398
Certificate of Participation Notes			22,770,330
TOTAL OUTSTANDING LIABILITIES			\$91,068,728

VENDOR PAYMENTS

In accordance with provisions of the Administrative Code, Division II Fiscal Policies and Procedures - Section 4 Purchasing Procedures: 4.3 Contract Limitations, the staff is required to present recurring payments for routine business needs such as utilities, licenses, office supplies and the like, more than, or accumulating to more than \$100,000 for the fiscal year. In addition, this report includes all of the vendors receiving payments in excess of \$100,000 under contracts that have not been previously reviewed by the Board. In addition, staff will report on vendors that undertook work for the Air District on several projects that individuals were less than \$100,000, but cumulatively exceed \$100,000.

Below is a list of vendors with cumulative payments made through the Second quarter of 2022-2023 fiscal year that exceeded \$100,000 and meets the reporting criteria noted above. All expenditures have been appropriately budgeted as a part of the overall Air District budget for The fiscal Year 2022-2023.

	VENDOR NAME	AMOUNT PAID (July 2022 - Dec 2022)	Explanation
1	AAA Business Supplies	\$134,033	Janitorial, Stationary, Office Supplies
2	Alliant Insurance Services	\$803,393	Various Business Insurance Policies
3	Bay Area Headquarters Authority	\$1,650,110	Shared Services & Common Areas
4	Benefits Coordinators Corp.	\$1,127,006	Life Insurance Plan & LTD Insurance
5	CA Public Employee Retirement System (Heath)	\$4,575,646	Health Insurance Plan
6	CA Public Employee Retirement System (Retirement)	\$4,332,574	Retirement Benefits & 457 Supplemental Plan
7	Cubic Transportation Systems	\$218,725	Clipper Transit Subsidy
8	Denovo Ventures, LLC	\$115,933	Financial System Cloud Hosting Services
9	Enterprise Fleet Services	\$225,593	Fleet Leasing and Maintenance services
10	P&A Administrative Services	\$112,417	Flexible Spending & Cobra Benefit Services
11	Robert Half, Inc.	\$315,959	Temporary Staffing Services
12	Verizon Wireless	\$120,838	Cell Phone Services
13	Wang Brothers Investment LLC	\$300,200	Richmond Site Lease