



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

June 5, 2024

BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

MEETING LOCATION(S) FOR IN-PERSON ATTENDANCE BY  
BOARD MEMBERS AND MEMBERS OF THE PUBLIC

Bay Area Metro Center  
1st Floor Board Room  
375 Beale Street  
San Francisco, CA 94105

THE FOLLOWING STREAMING OPTIONS WILL ALSO BE PROVIDED

These streaming options are provided for convenience only. In the event that streaming connections malfunction for any reason, the Sole Member of the Bay Area Clean Air Foundation reserves the right to conduct the meeting without remote webcast and/or Zoom access.

The public may observe this meeting through the webcast by clicking the link available on the air district's agenda webpage at [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas).

Members of the public may participate remotely via Zoom at <https://bayareametro.zoom.us/j/87935731568>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 879 3573 1568

**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 a matter on the agenda will have two minutes each to address the Board on that agenda item, unless a different time limit is established by the Chair.

No speaker who has already spoken on an item will be entitled to speak to that item again.

The Board welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Board. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Board meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Board meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is *per se* disruptive to a meeting and will not be tolerated.

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

**WEDNESDAY, JUNE 5, 2024**

**9:45 AM**

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

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

**2. Pledge of Allegiance**

**CONSENT CALENDAR (Item 3)**

*The Consent Calendar consists of routine items that may be approved together as a group by one action of the Board. Any Board member or member of the public may request that an item be removed and considered separately.*

**3. Approval of the Draft Minutes of the Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation of April 5, 2023**

*The Board of Directors as the Sole Member of the Bay Area Clean Air Foundation will consider approving the attached Draft Minutes of its Special Meeting of April 5, 2023.*

**ACTION ITEM(S)**

**4. Accept the Bay Area Clean Air Foundation 2023 Annual Report**

*The Board of Directors as the Sole Member of the Bay Area Clean Air Foundation will consider accepting the 2023 Annual Report of the Bay Area Clean Air Foundation. This item will be presented by Minda Berbeco, Manager, Strategic Incentives Division and Consultant to the Bay Area Clean Air Foundation.*

**5. Bay Area Clean Air Foundation Financial Review and Budget Amendment/Adoption**

*The Board of Directors as the Sole Member of the Bay Area Clean Air Foundation will (i) review the Foundation's 2023 Annual Financial Summary and (ii) consider amending the Foundation's 2024 Budget and adopting a proposed 2025 Budget. This item will be presented by Danica Winston, Manager, Finance Division and Consultant to the Bay Area Clean Air Foundation.*

6. Appoint a Director to the Bay Area Clean Air Foundation's Board of Directors

*The Board of Directors as the Sole Member of the Bay Area Clean Air Foundation will consider appointing Arsenio Mataka to the Bay Area Clean Air Foundation's Board of Directors for a two-year term. There is currently one vacancy on the Bay Area Clean Air Foundation Board. The other two Board members, Dr. Regan Patterson and Karen Schkolnick, are both in the second year of their two-year terms. This item will be presented by Lisa Fasano, External Affairs Officer and Secretary of the Bay Area Clean Air Foundation.*

**OTHER BUSINESS**

7. 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 will be given an opportunity to address the Board of Directors. Members of the public will have two minutes each to address the Board, unless a different time limit is established by the Chair. The Board welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Board. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Board meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Board meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is per se disruptive to a meeting and will not be tolerated.*

8. Board Member Comments

*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)*

9. 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 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](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, Suma Peesapati, at (415) 749-4967 or by email at [spesapati@baaqmd.gov](mailto:spesapati@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

#### JUNE 2024

<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	5	9:45 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Meeting	Wednesday	5	10:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Stationary Source Committee - CANCELLED	Wednesday	12	10:00 a.m.	1st Floor, Temazcal Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	12	1:00 p.m.	1st Floor, Temazcal Room
Board of Directors Finance and Administration Committee	Wednesday	26	10:00 a.m.	1st Floor, Temazcal Room

#### JULY 2024

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting - CANCELLED	Wednesday	10	10:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Stationary Source Committee	Wednesday	17	10:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	17	1:00 p.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Community Advisory Council Meeting	Thursday	18	6:00 p.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Policy, Grants, and Technology Committee	Wednesday	24	10:00 a.m.	1st Floor, Temazcal Room
Advisory Council Meeting	Monday	29	9:00 a.m.	1 <sup>st</sup> Floor Board Room

MV 5/22/2024 – 4:44 p.m.

G/Board/Executive Office/Moncal

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Davina Hurt and Members  
of the Board of Directors

From: Philip M. Fine  
President, Bay Area Clean Air Foundation

Date: June 5, 2024

Re: Approval of the Draft Minutes of the Board of Directors Special Meeting as the Sole  
Member of the Bay Area Clean Air Foundation of April 5, 2023

RECOMMENDED ACTION

Approve the Draft Minutes of the Board of Directors Special Meeting as the Sole Member of the  
Bay Area Clean Air Foundation of April 5, 2023.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the Draft Minutes of the Board of Directors Special  
Meeting as the Sole Member of the Bay Area Clean Air Foundation of April 5, 2023.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation of April 5, 2023

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

Board of Directors as the Sole Member of the  
Bay Area Clean Air Foundation Meeting  
Wednesday, April 5, 2023

## DRAFT MINUTES

*This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

### CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, John J. Bauters, called the meeting to order at 8:35 a.m.

#### **Roll Call:**

Present, In-Person (Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, San Francisco, California, 94105): Chairperson John J. Bauters; Vice Chairperson Davina Hurt; and Directors Juan Gonzalez, Sergio Lopez, Myrna Melgar, Katie Rice, and Shamann Walton.

Present, In-Person Satellite Location: (Office of Contra Costa County Supervisor John Gioia, Conference Room, 11780 San Pablo Avenue, Suite D, El Cerrito, California, 94530): Directors Joelle Gallagher, John Gioia, Mark Ross, and Steve Young.

Present, In-Person Satellite Location: (Office of Alameda County Supervisor David Haubert, 4501 Pleasanton Avenue, Pleasanton, California, 94566): Director Nate Miley.

Present, In-Person Satellite Location: (City of Palo Alto City Hall, 250 Hamilton Avenue, 7<sup>th</sup> Floor, Palo Alto, California, 94301): Director Margaret Abe-Koga, Noelia Corzo, Otto Lee, Ray Mueller, and Vicki Veenker.

Present, In-Person Satellite Location: (Santa Rosa Junior College, Doyle Library, Room 148, 1501 Mendocino Ave., Santa Rosa, California, 95401): Secretary Lynda Hopkins; and Director Brian Barnacle.

Absent: Directors Ken Carlson, Erin Hannigan, David Haubert, David Hudson, and Tyrone Jue.

2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC MEETING PRCEDURE**



**CONSENT CALENDAR**

**4. APPROVAL OF THE DRAFT MINUTES OF THE BOARD OF THE BOARD OF DIRECTORS SPECIAL MEETING AS THE SOLE MEMBER OF THE BAY AREA CLEAN AIR FOUNDATION OF MARCH 16, 2022**

Public Comments

No requests received.

Board Comments

None.

Board Action

Vice Chair Hurt made a motion, seconded by Director Rice, to **approve** the Consent Calendar; and the motion **carried** by the following vote of the Board:

- AYES: Abe-Koga, Barnacle, Bauters, Corzo, Gallagher, Gioia, Gonzalez, Hopkins, Hurt, Lee, Lopez, Melgar, Miley, Mueller, Rice, Ross, Veenker, Walton, Young.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Carlson, Hannigan, Haubert, Hudson, Jue.

**ACTION ITEMS**

**5. ACCEPT THE BAY AREA CLEAN AIR FOUNDATION 2022 ANNUAL REPORT**

Dr. Minda Berbeco, Manager in the Strategic Incentives Division, gave the staff presentation *Bay Area Clean Air Foundation (BACAF) 2022 Annual Report*, including: outcome; outline; requested action; BACAF background; BACAF Officers and Directors 2022 & 2023; 2022 progress and updates; 2023 Workplan; and recommendation.

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Gonzalez made a motion, seconded by Director Walton, to **accept** the 2022 Annual Report of the Bay Area Clean Air Foundation; and the motion **carried** by the following vote of the Board:

- AYES: Abe-Koga, Barnacle, Bauters, Corzo, Gallagher, Gioia, Gonzalez, Hopkins, Hurt, Lee, Melgar, Miley, Mueller, Rice, Ross, Veenker, Walton, Young.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Carlson, Hannigan, Haubert, Hudson, Jue, Lopez.

6. **ADOPTION OF THE BAY AREA CLEAN AIR FOUNDATION'S 2024 BUDGET**

Stephanie Osaze, Finance Director, gave the staff presentation *Bay Area Clean Air Foundation's 2022 Financial Summary and 2024 Proposed Budget*, including: outcome; outline; requested action; 2022 financial summary; 2024 Proposed Budget; and feedback requested.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the manner in which Air District staff charges their time to the BACAF; and the process of identifying revenue and investors for the BACAF.

Board Action

Director Gonzalez made a motion, seconded by Vice Chair Hurt, to **adopt** the proposed 2024 Budget of the Bay Area Clean Air Foundation; the motion **carried** by the following vote of the Board:

- AYES: Abe-Koga, Barnacle, Bauters, Corzo, Gallagher, Gioia, Gonzalez, Hopkins, Hurt, Lee, Lopez, Melgar, Miley, Mueller, Rice, Ross, Veenker, Walton, Young.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Carlson, Hannigan, Haubert, Hudson, Jue.

7. **APPOINT DIRECTORS TO THE BAY AREA CLEAN AIR FOUNDATION'S BOARD OF DIRECTORS**

Lisa Fasano, External Affairs Officer, gave the staff presentation *Appoint Directors to the Bay Area Clean Air Foundation's Board of Directors*, including: outcome; outline; requested action; BACAF selection of directors; and recommendation.

Public Comments

No requests received.

Board Comments

The Board and staff discussed succession planning of the BACAF.

Board Action

Director Gonzalez made a motion, seconded by Director Lopez, to **reappoint** Directors Karen Schkolnick and Dr. Regan Patterson to the Foundation's Board of Directors for their second two-year term; the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barnacle, Bauters, Corzo, Gallagher, Gioia, Gonzalez, Hopkins, Hurt, Lee, Lopez, Melgar, Miley, Mueller, Rice, Ross, Veenker, Walton, Young.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Carlson, Hannigan, Haubert, Hudson, Jue.

**OTHER BUSINESS**

8. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

No requests received.

9. **BOARD MEMBER COMMENTS**

None.

10. **ADJOURNMENT**

The meeting was adjourned at 8:59 a.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Davina Hurt and Members  
of the Board of Directors

From: Philip M. Fine  
President, Bay Area Clean Air Foundation

Date: June 5, 2024

Re: Accept the Bay Area Clean Air Foundation 2023 Annual Report

RECOMMENDED ACTION

Recommend the Board of Directors as a sole Member of the Bay Area Clean Air Foundation accept the 2023 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 2009, the Bay Area Clean Air Foundation (Foundation) was established. The purposes of the Foundation are to:

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

The Foundation funds various air quality emissions reduction, 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.

DISCUSSION

The Foundation's directors and officers recommend that the Air District's Governing Board, as the Sole Member of the Bay Area Clean Air Foundation, accept the Foundation's 2023 Annual Report, which is attached hereto.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Minda Berbeco  
Reviewed by: Somerset Perry and Karen Schkolnick

ATTACHMENTS:

1. Annual Report of the Bay Area Clean Air Foundation
2. Annual Report of the Bay Area Clean Air Foundation Presentation



BAY AREA  
CLEAN AIR  
FOUNDATION

## 2023 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 to:

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

The Foundation funds 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 2023 were as follows:

Veronica Eady  
Regan Patterson, PhD  
Karen Schkolnick

The Foundation’s Officers in calendar year 2023 were as follows:

Dr. Philip Fine, President  
Stephanie Osaze, CFO  
Lisa Fasano, Secretary  
Randi Wallach, General Counsel

### 2. Report on the Foundation's Activities

This report provides a summary of the proposed budget for 2025, the financial report for the prior fiscal year, and the programmatic activities related to funds received.

**Funding Programs Background**

The Foundation currently has 3 unique funding sources: the California Environmental Quality Act (CEQA) Offsite Mitigation Program, the Reformulated Gas Settlement (RFG), and the Shoreline Terminals LLC Settlement. The CEQA Offsite Mitigation Program is an ongoing and open program designed to provide CEQA offsite emissions reductions for development projects. The RFG funds were the result of the settlement of 14 class action lawsuits against Union Oil Company of California and Unocal Corporation and provides financial incentives to support the adoption of zero and near-zero emission equipment and vehicles along the industrial Bay-side-corridor of the East Bay. The Shoreline Terminal funds were the result of a settlement against the company for improper loading of petroleum products. More details about the program activity are below.

**Programmatic Update:**

*Status of Prior-year Revenue and Active Projects:*

In 2023, the Foundation had one active, ongoing Mitigation Project Agreement for the Mission Rock Mixed-Use Development Project as part of the Foundation’s CEQA Offsite Mitigation Program. The Foundation received approximately \$114,000 in project funds and approximately \$11,000 in administrative funds associated for the offsite mitigation of this project.

For the RFG program, as of December 31, 2023, there are 8 active projects totaling \$1.71 million. This includes a newly awarded project for electric charging stations to support electric school buses that are domiciled in West Oakland.

Table 1 below shows the status of the 8 active projects funded by the RFG.

**Table 1.** Summary of All Projects and Applications from RFG funding

Project Sponsor	RFG Funds Contracted/ Awarded	Description	Status	Location
Wyse Logistics	\$40,200	3 forklifts and 1 terminal tractor	Contracted on 2/4/2019. Amended on 11/13/19 and 1/28/20.	Oakland
Hayward Unified School District	\$94,000	45 electric vehicle charging stations for light duty vehicles	Contracted on 1/11/2019. Amended on 7/16/21.	Hayward

EVgo Services	\$389,400	8 electric vehicle charging stations for light duty vehicles	Contracted on 10/10/2019. Amended on 11/2/20, 10/25/21, 6/8/22, 1/4/23, 5/15/23 and 8/14/23.	Oakland
Oakland Maritime Services	\$39,400	1 terminal tractor	Contracted on 8/13/19.	Oakland
GSC Logistics	\$80,000	1 terminal tractor	Contracted on 9/24/19.	Oakland
Oakland Pallet Company	\$80,000	1 terminal tractor	Contracted on 1/7/2020. Amended on 10/25/21. Equipment in service.	San Lorenzo
Alameda County	\$25,286	4 electric vehicles	Contracted on 8/6/2020. Amended on 9/14/21. Equipment in service.	Oakland
Züm Services, Inc.	\$423,674	74 electric vehicle charging stations for electric school buses	Contracted on 12/8/2023.	Oakland
<b>Total</b>	<b>\$ 1,171,960</b>			
CASS, Inc.	\$102,390	Withdrawn		
Züm Services, Inc.	\$173,800	Withdrawn		
City of Berkeley	\$67,214	Withdrawn		
Another Corporate ISP LLP (DBA Monkeybrains ISP)	\$14,940	Withdrawn		

Two additional RFG projects for electric vehicle (EV) charging from an earlier funding cycle continue to be monitored and expect to be closed out in 2024.

*2024 Workplan:*

In 2024, the Foundation will be awarding the project funds from the Mission Rock Mixed-Use Development Project as well as paying and closing out the majority of the RFG projects. In addition, there is approximately \$257,000 from a settlement with Shoreline Terminals LLC available for award. The Foundation, in partnership with the Air District, will be working to identify projects that qualify for remaining Shoreline Terminal funds in 2024.

Additionally, the Foundation, in partnership with the Air District, will also be available to offer the option for offsite CEQA mitigation on a case-by-case basis for new development projects that may exceed Air District established CEQA thresholds that cannot be feasibly mitigated on-site. In these situations, the Foundation and the Air District work to



determine the project(s) best suited based on criteria including air pollutants to be reduced, project site location, cost-effectiveness, and other considerations. Staff also work to identify projects that are closest to where emissions exceedances may be occurring and, whenever possible, to prioritize project funding to benefit communities with the highest rates of air pollution.

Courts have recently ruled that emissions reductions from offsite emission reduction programs must be

- ✓ Real and permanent
- ✓ Voluntary, surplus, and not otherwise required
- ✓ Quantifiable

An example of a recently completed project is the Related Santa Clara development that contracted with the Foundation to help offset up to one ton of potential excess unmitigable NOx emissions from construction of a mixed-use development in Santa Clara. On December 22, 2021, the developer transferred \$50,000 to the Foundation, including \$5,000 for administrative costs and up to \$45,000 for direct project costs. This contract resulted in the dismantling of 32 1997-and-older-model year vehicles that were registered to residents of Santa Clara and San Mateo counties through the Air District's Vehicle Buy Back program. The developer subsequently notified the Foundation that no exceedance occurred in either 2021 or 2022.



**BAY AREA  
CLEAN AIR  
FOUNDATION**

# **Bay Area Clean Air Foundation 2023 Annual Report**

**Board of Directors Special Meeting as the  
Sole Member of the Bay Area Clean Air Foundation  
June 5, 2024**

**Minda Berbeco, PhD  
Consultant, Bay Area Clean Air Foundation  
[mberbeco@baaqmd.gov](mailto:mberbeco@baaqmd.gov)**

# Presentation Outline



- Background
- Programmatic Update on the Bay Area Clean Air Foundation
  - 2023 Update
  - 2024 Workplan
- Recommendation

# Presentation Requested Action



Accept the 2023 Annual Report of the Bay Area Clean Air Foundation.

# Bay Area Clean Air Foundation Background



- Bay Area Clean Air Foundation was created to:
  - Provide financial, administrative, programmatic, and other forms of support to the Air District; and
  - Engage in activities that further such purpose

# Bay Area Clean Air Foundation Officers and Directors 2023 & 2024



## 2023 Officers

- Philip Fine, PhD, President
- Stephanie Osaze, CFO
- Lisa Fasano, Secretary
- Randi Wallach, General Counsel

## 2023 Directors

- Veronica Eady
- Regan Patterson, PhD
- Karen Schkolnick

\* *Pending approval*

## 2024 Officers

- Philip Fine, PhD, President
- Stephanie Osaze, CFO
- Lisa Fasano, Secretary
- Somerset Perry, General Counsel

## 2024 Directors

- Arsenio Mataka\*
- Regan Patterson, PhD
- Karen Schkolnick

# 2023 Progress & Updates



- CEQA\* Offsite Mitigation Funds: Mission Rock Project
  - \$114,000 in new project funding and \$11,000 in admin funds
- Reformulated Gas (RFG) Settlement Fund
  - \$1.71 million funds awarded to date
  - Awarded remaining funds to a school bus electric vehicle (EV) infrastructure project in West Oakland
  - Currently eight projects funded from this cycle
- Two additional RFG projects for EV charging from earlier cycle
  - Continue to be monitored

\*CEQA - California Environmental Quality Act

# 2024 Workplan



- Continue to monitor active projects and award remaining prior-year revenue:
  - ✓ \$257,000 - Shoreline Terminals LLC
  - ✓ \$114,000 - Mission Rock Project
- Oversee and administer currently funded projects
- Respond to new requests for the Foundation to provide CEQA offsite mitigation support
- Continue to evaluate opportunities for donation and new funding



# Recommendation



Accept the 2023 Annual Report of the Bay Area Clean Air Foundation.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Davina Hurt and Members  
of the Board of Directors

From: Philip M. Fine  
President, Bay Area Clean Air Foundation

Date: June 5, 2024

Re: Bay Area Clean Air Foundation Financial Review and Budget Amendment/Adoption

RECOMMENDED ACTION

Recommend the Board of Directors as the Sole Member of the Bay Area Clean Air Foundation (Foundation) amend the Bay Area Clean Air Foundation's original 2024 Budget and adoption the Bay Area Clean Air Foundation's 2025 Budget.

BACKGROUND

Pursuant to the Foundation's Bylaws, the Air District's Board of Directors, as the Sole Member of the Foundation, is required to approve the Foundation's budget.

The Foundation's Directors and Officers recommend that the Air District's Governing Board approve an amendment of the Foundation's 2024 Budget and adopt the Foundation's 2025 Budget, which is attached hereto.

DISCUSSION

None.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The amendment to the 2024 budget is primarily due to an increase of approximately \$350,000 in project distributions, which subsequently led to an increase in the estimated subsidy costs from \$10,600 to approximately \$15,900.

The 2025 proposed budget totals \$16,100, of which \$15,900 is a subsidy from the Air District's General Fund to support ongoing administrative expenditures to operate the Foundation.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Danica Winston

Reviewed by: Stephanie Osaze

ATTACHMENTS:

1. Bay Area Clean Air Foundation Financial Summary
2. Proposed Amended 2024 and 2025 Budgets & Financial Summary Presentation



# 2023 Financial Summary

## Financial Summary

As of December 31, 2023, the Foundation had a cash balance of \$971,529.05. Following is an accounting of the Foundation's operations for the 2023 calendar year:

**BAY AREA  
CLEAN AIR  
FOUNDATION**

	Reformulated Gas Funds	Shoreline Terminal	Air District Subsidy	Total
<b>January 1, 2023 Beginning Cash Balance</b>	715,036.27	257,108.10	-	<b>972,144.37</b>
<b>Operating Revenues</b>				
Interest Income	131.86	43.62	-	<b>175.48</b>
Funds Received	125,765.00	-	19,300.48	<b>145,065.48</b>
<b>Total Revenues</b>	<b>125,896.86</b>	<b>43.62</b>	<b>19,300.48</b>	<b>145,240.96</b>
<b>Operating Expenses</b>				
Administrative Overhead/Support	4,500.00	-	17,693.38	<b>22,193.38</b>
Reformulated Gas Projects	121,983.80	-	-	<b>121,983.80</b>
Tax Filing Services	-	-	-	<b>-</b>
Insurance	-	-	1,532.10	<b>1,532.10</b>
Other charges	36.00	36.00	75.00	<b>147.00</b>
<b>Total Expenses</b>	<b>126,519.80</b>	<b>36.00</b>	<b>19,300.48</b>	<b>145,856.28</b>
<b>December 31, 2023 Ending Cash Balance</b>	<b>714,413.33</b>	<b>257,115.72</b>	<b>-</b>	<b>971,529.05</b>

## 2024 Proposed Amended and 2025 Proposed Budget

	Original Budget Calendar Year 2024	Proposed Amended Budget Calendar Year 2024	Proposed Budget Calendar Year 2025
<b>Revenues/Sources</b>			
Interest Income	200	200	200
General Fund Subsidy	10,600	15,900	15,900
<b>Total Revenue</b>	<b>10,800</b>	<b>16,100</b>	<b>16,100</b>
Transfer from/(to) Cash Balance	5,000	350,000	-
<b>Total Revenue/Sources</b>	<b>\$ 15,800</b>	<b>\$ 366,100</b>	<b>\$ 16,100</b>
<b>Expenditures</b>			
Administrative Overhead/Support	10,000	10,000	10,000
Program/Project Distributions	-	350,000	-
Tax Filing Services	4,200	4,500	4,500
Insurance Premium	1,500	1,500	1,500
Other Charges	100	100	100
<b>Total Expenditures</b>	<b>\$ 15,800</b>	<b>\$ 366,100</b>	<b>\$ 16,100</b>



**BAY AREA  
CLEAN AIR  
FOUNDATION**

# **Bay Area Clean Air Foundation Annual Financial Summary, 2024 Proposed Amended Budget & 2025 Proposed Budget**

**Board of Directors Special Meeting as the  
Sole Member of the Bay Area Clean Air Foundation  
June 5, 2024**

**Danica Winston  
Consultant, Bay Area Clean Air Foundation  
[dwinston@baaqmd.gov](mailto:dwinston@baaqmd.gov)**

# Presentation Outline



- 2023 Annual Financial Summary
- 2024 Proposed Amended and 2025 Proposed Budgets
- Recommendation

# Presentation Requested Action



- To approve the 2024 Amended and 2025 Proposed Budgets

# 2023 Financial Summary



## Financial Summary

As of December 31, 2023, the Foundation had a cash balance of \$971,529.05. Following is an accounting of the Foundation's operations for the 2023 calendar year:

	Reformulated Gas Funds	Shoreline Terminal	Air District Subsidy	Total
<b>January 1, 2023 Beginning Cash Balance</b>	715,036.27	257,108.10	-	<b>972,144.37</b>
<b>Operating Revenues</b>				
Interest Income	131.86	43.62	-	<b>175.48</b>
Funds Received	125,765.00	-	19,300.48	<b>145,065.48</b>
<b>Total Revenues</b>	<b>125,896.86</b>	<b>43.62</b>	<b>19,300.48</b>	<b>145,240.96</b>
<b>Operating Expenses</b>				
Administrative Overhead/Support	4,500.00	-	17,693.38	<b>22,193.38</b>
Reformulated Gas Projects	121,983.80	-	-	<b>121,983.80</b>
Tax Filing Services	-	-	-	-
Insurance	-	-	1,532.10	<b>1,532.10</b>
Other charges	36.00	36.00	75.00	<b>147.00</b>
<b>Total Expenses</b>	<b>126,519.80</b>	<b>36.00</b>	<b>19,300.48</b>	<b>145,856.28</b>
<b>December 31, 2023 Ending Cash Balance</b>	<b>714,413.33</b>	<b>257,115.72</b>	<b>-</b>	<b>971,529.05</b>



# 2024 Proposed Amended and 2025 Proposed Budget



	Original Budget Calendar Year 2024	Proposed Amended Budget Calendar Year 2024	Proposed Budget Calendar Year 2025
<b>Revenues/Sources</b>			
Interest Income	200	200	200
General Fund Subsidy	10,600	15,900	15,900
<b>Total Revenue</b>	<b>10,800</b>	<b>16,100</b>	<b>16,100</b>
Transfer from/(to) Cash Balance	5,000	350,000	-
<b>Total Revenue/Sources</b>	<b>\$ 15,800</b>	<b>\$ 366,100</b>	<b>\$ 16,100</b>
<b>Expenditures</b>			
Administrative Overhead/Support	10,000	10,000	10,000
Program/Project Distributions	-	350,000	-
Tax Filing Services	4,200	4,500	4,500
Insurance Premium	1,500	1,500	1,500
Other Charges	100	100	100
<b>Total Expenditures</b>	<b>\$ 15,800</b>	<b>\$ 366,100</b>	<b>\$ 16,100</b>

# Recommendation



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

- Approve the Proposed 2024 Amended and 2025 Bay Area Clean Air Foundation Budgets

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Davina Hurt and Members  
of the Board of Directors

From: Philip M. Fine  
President, Bay Area Clean Air Foundation

Date: June 5, 2024

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

RECOMMENDED ACTION

Recommend the Board of Directors as the Sole Member of the Bay Area Clean Air Foundation (Foundation) appoint Arsenio Mataka to a 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 Board will consider appointing Arsenio Mataka to a two-year term.

DISCUSSION

None.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Lisa Fasano  
Reviewed by: Somerset Perry

ATTACHMENTS:

1. Bay Area Clean Air Foundation 2024 Appointment of New Director Presentation



**BAY AREA  
CLEAN AIR  
FOUNDATION**

# **Appoint Director to the Bay Area Clean Air Foundation's Board of Directors**

**Board of Directors Special Meeting as the  
Sole Member of the Bay Area Clean Air Foundation  
June 5, 2024**

**Lisa Fasano  
Secretary, Bay Area Clean Air Foundation  
[lfasano@baaqmd.gov](mailto:lfasano@baaqmd.gov)**

# Presentation Outline



- Background
- Officer Recap
- Recommendation

# Presentation Requested Action



Request the Board of Directors as the Sole Member of the Bay Area Clean Air Foundation appoint Arsenio Mataka, as Director to the Bay Area Clean Air Foundation

# Bay Area Clean Air Foundation Background



Bay Area Clean Air Foundation was created to:

- Provide financial, administrative, programmatic, and other forms of support to the Air District; and
- Engage in activities that further such purpose



# Bay Area Clean Air Foundation Officers and Directors 2023 & 2024



## 2023 Officers

- Philip Fine, PhD, President
- Stephanie Osaze, CFO
- Lisa Fasano, Secretary
- Randi Wallach, General Counsel

## 2023 Directors

- Veronica Eady
- Regan Patterson, PhD
- Karen Schkolnick

\* *Pending approval*

## 2024 Officers

- Philip Fine, PhD, President
- Stephanie Osaze, CFO
- Lisa Fasano, Secretary
- Somerset Perry, General Counsel

## 2024 Directors

- Arsenio Mataka\*
- Regan Patterson, PhD
- Karen Schkolnick

# Recommendation



The Board of Directors as the Sole Member of the Bay Area Clean Air Foundation appoint Arsenio Mataka as Director to the Bay Area Clean Air Foundation.