



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS SPECIAL MEETING  
AS THE SOLE MEMBER OF  
THE BAY AREA CLEAN AIR FOUNDATION  
July 31, 2019

A special meeting of the Bay Area Air Quality Management District Board of Directors as the sole member of the Bay Area Clean Air Foundation will be held at 9:30 a.m. in the 1<sup>st</sup> floor Board Room of the Bay Area Air Quality Management District's headquarters, 375 Beale Street, San Francisco, California 94105.

**Questions About  
an Agenda Item**

The name, telephone number and e-mail of the appropriate staff person to contact for additional information is listed for each agenda item.

**Meeting Procedures**

The public meeting of the Air District Board of Directors as the Sole Member of the Bay Area Clean Air Foundation begins at 9:30 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item, the Board may reconsider or amend the item at any time during the meeting.

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

## Public Comment Procedures

Persons wishing to make public comment must fill out a Public Comment Card indicating their name and the number of the agenda item on which they wish to speak, or that they intend to address the Board on matters not on the Agenda for the meeting.

**Public Comment on Non-Agenda Matters, Pursuant to Government Code Section 54954.3** Speakers wishing to address the Board on non-agenda matters will be heard at the end of the agenda, and each will be allowed up to three minutes to address the Board at that time.

Members of the Board may engage only in very brief dialogue regarding non-agenda matters, and may refer issues raised to District staff for handling. In addition, the Chairperson may refer issues raised to appropriate Board Committees to be placed on a future agenda for discussion.

**Public Comment on Agenda Items** The public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.

Speakers may speak for up to three minutes on each item on the Agenda. However, the Chairperson or other Board Member presiding at the meeting may limit the public comment for all speakers to fewer than three minutes per speaker, or make other rules to ensure that all speakers have an equal opportunity to be heard. The Chairperson or other Board Member presiding at the meeting may, with the consent of persons representing both sides of an issue, allocate a block of time (not to exceed six minutes) to each side to present their issue.

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

## AGENDA

WEDNESDAY  
JULY 31, 2019  
9:30 A.M.

BOARD ROOM  
1<sup>ST</sup> FLOOR

### CALL TO ORDER

Chairperson, Katie Rice

1. **Opening Comments**  
**Roll Call**  
**Pledge of Allegiance**

*The Chair shall call the meeting to order and make opening comments. The Clerk of the Boards shall take roll of the Board members. The Chair shall lead the Pledge of Allegiance.*

### PUBLIC COMMENT ON NON-AGENDA MATTERS

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

*For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have two minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.*

Staff/Phone (415) 749-

3. **Approval of the Minutes of September 19, 2018**

Clerk of the Boards/5073

*The Board of Directors will consider approving the attached draft minutes of the Bay Area Clean Air Foundation meeting of September 19, 2018.*

4. **Accept the Bay Area Clean Air Foundation 2018 Annual Report**

J. Broadbent/5052

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

K. Schkolnick/5070

[kschkolnick@baaqmd.gov](mailto:kschkolnick@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 2018 Annual Report.*

5. **Adoption of the Bay Area Clean Air Foundation's 2019 - 2020 Budget**

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

S. Osaze/4771  
[sosaze@baaqmd.gov](mailto:sosaze@baaqmd.gov)

*The Board of Directors will consider adopting the proposed 2019 - 2020 Budget of the Bay Area Clean Air Foundation.*

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

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

J. McKay/4629  
[jmckay@baaqmd.gov](mailto:jmckay@baaqmd.gov)

*The Board of Directors as the sole member of the Bay Area Clean Air Foundation will fill the two vacant seats on the Bay Area Clean Air Foundation's Board of Directors. The Board of Directors will consider reappointing Kraig Kurucz to a third 2-year term as director of the Bay Area Clean Air Foundation and Brian Bunger for a second 2-year term as a Director of the Bay Area Clean Air Foundation.*

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

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

*Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed two minutes each to address the Board on non-agenda matters.*

**OTHER BUSINESS**

8. **Adjournment**

*The Special Board meeting shall be adjourned by the 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)

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Members of the Board of Directors” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

**Accessibility and Non-Discrimination Policy**

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

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

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

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

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at [rsanders@baaqmd.gov](mailto:rsanders@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 ANTICIPATED MEETINGS

#### JULY 2019

| <u>TYPE OF MEETING</u>                                                                           | <u>DAY</u> | <u>DATE</u> | <u>TIME</u> | <u>ROOM</u>                      |
|--------------------------------------------------------------------------------------------------|------------|-------------|-------------|----------------------------------|
| Advisory Council Meeting                                                                         | Monday     | 29          | 10:00 a.m.  | 1 <sup>st</sup> Floor Board Room |
| Board of Directors Special Meeting as the<br>Sole Member of the Bay Area Clean Air<br>Foundation | Wednesday  | 31          | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room |
| Board of Directors Special Meeting                                                               | Wednesday  | 31          | 10:00 a.m.  | 1 <sup>st</sup> Floor Board Room |

#### SEPTEMBER 2019

| <u>TYPE OF MEETING</u>                                                         | <u>DAY</u> | <u>DATE</u> | <u>TIME</u> | <u>ROOM</u>                                     |
|--------------------------------------------------------------------------------|------------|-------------|-------------|-------------------------------------------------|
| Board of Directors Regular Meeting<br>- CANCELLED                              | Wednesday  | 4           | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room                |
| Advisory Council Meeting<br>- CANCELLED AND RESCHEDULED TO<br>DECEMBER 9, 2019 | Monday     | 9           | 10:00 a.m.  | 1 <sup>st</sup> Floor Board Room                |
| Board of Directors Community & Public<br>Health Committee                      | Thursday   | 12          | 9:30 a.m.   | 1 <sup>st</sup> Floor, Yerba Buena<br>Room #109 |
| Board of Directors Stationary Source<br>Committee                              | Monday     | 16          | 9:30 a.m.   | Location To Be Determined                       |
| Board of Directors Executive Committee<br>- CANCELLED                          | Wednesday  | 18          | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room                |
| Board of Directors Regular Meeting                                             | Wednesday  | 18          | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room                |
| Board of Directors Climate Protection<br>Committee                             | Thursday   | 19          | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room                |
| Board of Directors Budget & Finance<br>Committee                               | Wednesday  | 25          | 9:30 a.m.   | 1 <sup>st</sup> Floor, Yerba Buena<br>Room #109 |
| Board of Directors Mobile Source<br>Committee                                  | Thursday   | 26          | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room                |

## **OCTOBER 2019**

| <b><u>TYPE OF MEETING</u></b>                                                      | <b><u>DAY</u></b> | <b><u>DATE</u></b> | <b><u>TIME</u></b> | <b><u>ROOM</u></b>                              |
|------------------------------------------------------------------------------------|-------------------|--------------------|--------------------|-------------------------------------------------|
| Board of Directors Special Meeting                                                 | Wednesday         | 2                  | 9:30 a.m.          | Location To Be Determined                       |
| Board of Directors Technology<br>Implementation Office (TIO) Steering<br>Committee | Friday            | 4                  | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room                |
| Board of Directors Executive Committee                                             | Wednesday         | 16                 | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room                |
| Board of Directors Budget & Finance<br>Committee                                   | Wednesday         | 23                 | 9:30 a.m.          | 1 <sup>st</sup> Floor, Yerba Buena<br>Room #109 |
| Board of Directors Mobile Source<br>Committee                                      | Thursday          | 24                 | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room                |
| Advisory Council Meeting                                                           | Monday            | 28                 | 10:00 a.m.         | 1 <sup>st</sup> Floor Board Room                |
| Board of Directors Community & Public<br>Health Committee                          | Wednesday         | 30                 | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room                |
| HL – 7/25/2019 –2:20 p.m.                                                          |                   |                    |                    | G/Board/Executive Office/Moncal                 |

**BAY AREA CLEAN AIR FOUNDATION**

Memorandum

To: Chairperson Katie Rice and Members  
of the Board of Directors

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

Date: July 23, 2019

Re: Approval of the Minutes of September 19, 2018

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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 September 19, 2018.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board Special Meeting as the Sole Member of the Foundation of September 19, 2018.

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 September 19, 2018

## AGENDA: 3A – ATTACHMENT

Draft Minutes - Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation of September 19, 2018

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, September 19, 2018

### 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 David Hudson called the meeting to order at 9:31 a.m.

##### **Roll Call:**

Present: Chairperson David Hudson; Vice-Chairperson Katie Rice; Secretary Rod Sinks; and Directors Margaret Abe-Koga, Teresa Barrett, David J. Canepa, Cindy Chavez, Pauline Cutter, John Gioia, Scott Haggerty, Doug Kim, Liz Kniss, Karen Mitchoff, Hillary Ronen, Mark Ross, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors John Bauters, Carole Groom, Tyrone Jue, Nate Miley, Pete Sanchez, and Jim Sperling.

Also Present: None.

#### **PUBLIC COMMENT ON NON-AGENDA MATTERS**

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

No requests received.

NOTED PRESENT: Secretary Sinks was noted present at 9:32 a.m.

#### 3. APPROVAL OF THE MINUTES OF NOVEMBER 1, 2017

##### Public Comments

No requests received.

### Board Comments

None.

### Board Action

Board Chair Hudson made a motion, seconded by Director Wagenknecht, to approve the Board Special Meeting as the Sole Member of the Bay Area Clean Air Foundation (BACAF) minutes of November 1, 2017; and the motion carried by the following vote of the Board:

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

## **4. ACCEPT THE BAY AREA CLEAN AIR FOUNDATION'S 2017 ANNUAL REPORT**

Damian Breen, BACAF Director, introduced Karen Schkolnick, Air District (District) Strategic Incentives Division Director, who gave the staff presentation *Bay Area Clean Air Foundation 2017 Annual Report*, including: overview; background; Reformulated Gas Settlement (RFG) Charging Station Demonstration Program; RFG Zero-Emission Grant Program; and recommendation.

NOTED PRESENT: Director Chavez was noted present at 9:36 a.m.

### Public Comments

No requests received.

### Board Comments

None.

### Board Action

Director Kniss made a motion, seconded by Director Chavez, to **accept** the 2017 Annual Report of the BACAF; and the motion carried by the following vote of the Board:

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

## 5. ADOPTION OF THE BAY AREA CLEAN AIR FOUNDATION'S 2018-2019 BUDGET

Damian Breen, BACAF Director, introduced Stephanie Osaze, Air District Finance Manager, who gave the staff presentation *BACAF's 2018 and 2019 Budgets*, including: BACAF financial summary; BACAF 2- Year Budget; and recommendation.

### Public Comments

No requests received.

### Board Comments

The Board and staff discussed the cause of the increase in the District's General Fund subsidy from 2018 to 2019, and the request that expenditures and their corresponding impacted revenues/funding sources be clearly labeled; whether Volkswagen diesel settlement funds may be moved from the District to the BACAF, per the California Air Resources Board (CARB), and the fact that the BACAF has been successful in procuring funding from grants that would not otherwise be available to the District; whether the BACAF's objectives may align with those of the District's Technology Implementation Office (TIO) and support the TIO's efforts in some way; what is entailed in the consulting services that the BACAF Directors anticipate utilizing in 2019, and whether the consultant has been selected; the suggestion that the BACAF reaches out to the Hewlett Foundation and Chief Policy Advisor on Energy and Environment for California State Senate pro Tempore, Kip Lipper, regarding potential partnerships and investment opportunities; and the suggestion that the BACAF identifies public health issues and research needs that are not being addressed by CARB.

NOTED PRESENT: Director Zane was noted present at 9:50 a.m.

### Board Action

Director Kniss made a motion, seconded by Director Chavez, to **adopt** the proposed 2018-2019 Budget of the BACAF; and the motion carried by the following vote of the Board:

AYES: Abe-Koga, Barrett, Canepa, Chavez, Cutter, Gioia, Haggerty, Hudson, Kim, Kniss, Mitchoff, Rice, Ronen, Ross, Sinks, Wagenknecht, and Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Bauters, Groom, Jue, Miley, Sanchez, and Sperling.

## 6. APPOINT DIRECTORS TO THE BAY AREA CLEAN AIR FOUNDATION'S BOARD OF DIRECTORS

Chair Hudson waived the presentation for this item.

### Public Comments

No requests received.

Board Comments

None.

Board Action

Chair Hudson made a motion, seconded by Director Haggerty, to **reappoint** Damian Breen for a second two-year term as a Director of the BACAF; and the motion carried by the following vote of the Board:

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

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

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

None.

**OTHER BUSINESS**

**8. Adjournment**

The meeting adjourned at 9:52 a.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA CLEAN AIR FOUNDATION**

Memorandum

To: Chairperson Katie Rice and Members  
of the Board of Directors

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

Date: July 23, 2019

Re: Accept the Bay Area Clean Air Foundation 2018 Annual Report

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RECOMMENDED ACTION

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

- 1) Accept the 2018 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. 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. The Foundation's directors and officers recommend that the Air District's Governing Board accept the Foundation's 2018 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 4A: 2018 Annual Report of the Bay Area Clean Air Foundation

**Bay Area Clean Air Foundation**

2018 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 2018 were as follows:

Damian Breen  
Kraig Kurucz  
Brian Bunger

The Foundation's staff in calendar year 2018 was as follows:

Jack 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 2019 - 2020, the financial report for the prior fiscal year, and an update on the activities conducted in 2018 related to funds received for two separate projects including:

1. Project 1: Oakley Generating Station Mitigation Project; and
2. Project 2: West Oakland Zero-Emission Grant Program – Reformulated Gasoline (RFG) Settlement Grant

## ***Project 1: Oakley Generating Station Mitigation Project***

### **Project Background**

Contra Costa Generating Station (CCGS), LLC and Radback Energy, Inc., (Radback) had proposed to develop a 624-megawatt power facility/generating station in Oakley, California. Radback filed Application for Certification 09-AFC-4 with the California Energy Commission (CEC) on June 30, 2009 to obtain a license to construct, operate and maintain the Oakley Generating Station. The CEC approved Radback's Application on May 18, 2011 subject to conditions, including permit condition AQ-SC8, which requires that Radback mitigate 63.88 tons per year (tpy) of particulate matter (PM) 10/PM2.5 and 12.55 tpy of sulfur oxides (SOx) emissions from the Oakley Generating Station.

The CEC further required Radback to enter into an agreement with the Foundation in which CCGS would contribute \$32,750 per tpy (inclusive of a 20% administration fee) for PM10/PM2.5 and SOx emissions to be mitigated by projects funded by the Foundation with funds from Radback. Radback provided \$500,000 initial funding for emission reduction projects and administrative fees to the Foundation in August 2011. In August 2011, Air District staff, under contract to the Foundation, performed extensive outreach in the City of Oakley, City of Antioch, City of Brentwood, and City of Pittsburg, seeking projects to take advantage of this initial round of funding. However, the Air District received no applications for grant funds from this area.

In August 2012, the Foundation then requested, per its contract with Radback, that the area in which eligible projects could be sought, be expanded to include the entirety of Contra Costa and Alameda Counties. Radback initially requested that the Foundation do six additional months of targeted outreach in the City of Oakley, City of Antioch, City of Brentwood, and City of Pittsburg, before expanding to these counties. The Foundation was in the process of considering this request when Radback subsequently requested that all work on this program stop. This request was due to court challenges to the construction of the power plant.

On February 5, 2014, the California Court of Appeals overturned the California Public Utilities Commission's (CPUC) December 2012, decision approving the Oakley Power Plant. This decision allowed Pacific Gas and Electric (PG&E) to terminate their agreement with Radback, if CPUC approval was not granted before July 1, 2014. On October 15, 2014, PG&E notified Radback they were terminating the contract.

On September 5, 2018, the Foundation was notified by Radback that the proposed project to build the Oakley Power Plant would not be proceeding and thus Radback was terminating its contract with the Foundation. On October 5, 2018, the Foundation returned the remaining mitigation funds to Radback in accordance with contract terms as the project had been cancelled.

## ***Project 2: West Oakland Zero-Emission Grant Program – Reformulated Gasoline (RFG) Settlement Grant***

### **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 (M) 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 Foundation 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 \$1.3M 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**

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.

During 2018, the Air District awarded \$235,600 of the \$1.3M of RFG funding to two eligible projects that propose to replace six pieces of diesel-powered cargo handling equipment, one yard-truck with battery electric equipment, vehicles at the Port of Oakland, and to install 43 new level two electric vehicle charging stations at 23 schools in Hayward.

A final call for projects opened on February 19, 2019 to award out the remaining RFG funds. The Air District will be evaluating applications received and issuing awards to applicants with eligible projects on a first-come, first-served basis until funding is exhausted or until June 30, 2019. Applicants who are selected for the award must commit to operate funded vehicles and equipment in the eligible areas for a minimum of five years.

Applicants that apply after funding has been exhausted may be placed on a contingency list in case additional funding becomes available.

**BAY AREA CLEAN AIR FOUNDATION**

Memorandum

To: Chairperson Katie Rice and Members  
of the Board of Directors

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

Date: July 23, 2019

Re: Adoption of the Bay Area Clean Air Foundation's 2019-2020 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 2019-2020 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 2019-2020 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 5A: 2018 Annual Report for the Bay Area Clean Air Foundation  
Attachment 5B: 2019-2020 Budget for the Bay Area Clean Air Foundation

**Bay Area Clean Air Foundation**

2018 Annual Report

Addendum: Financial Summary

**Financial Summary**

As of December 31, 2018, the Foundation had a cash balance of \$326,387.65. Following is an accounting of the Foundation's operations for the 2018 calendar year:

|                                |                                 |                     |
|--------------------------------|---------------------------------|---------------------|
| January 1, 2018                | Beginning Cash Balance          | <u>\$849,933.80</u> |
| <b>Revenue from Operations</b> |                                 |                     |
|                                | Interest Income                 | 1,889.64            |
|                                | RFG Funding                     | 275,000.00          |
|                                | General Fund Subsidy            | 25,703.24           |
| <b>Operating Expenses</b>      |                                 |                     |
|                                | Project Payments                | 274,550.41          |
|                                | Oakley Project*                 | 475,790.38          |
|                                | Administrative Overhead/Support | 71,050.21           |
|                                | Tax Filing Services             | 3,400.00            |
|                                | Insurance                       | 1,253.03            |
|                                | Other Charges                   | 95.00               |
| December 31, 2018              | Ending Balance                  | <u>\$326,387.65</u> |

\*Oakley Generating Station Mitigation Project Agreement Termination

## Proposed Two Year Budget

|                                 | Approved Budget<br>Calendar Year 2019 | Amended Budget<br>Calendar Year 2019 | Proposed Budget<br>Calendar Year 2020 |
|---------------------------------|---------------------------------------|--------------------------------------|---------------------------------------|
| <b>Revenues/Sources</b>         |                                       |                                      |                                       |
| Interest Income                 | \$ 3,000                              | \$ 2,000                             | \$ 3,000                              |
| General Fund Subsidy            | \$ 17,500                             | \$ 6,500                             | \$ 6,500                              |
| Grants/Contributions            | \$237,500                             | \$261,600                            | \$936,400                             |
| Total Revenue                   | \$ 258,000                            | \$ 270,100                           | \$ 945,900                            |
| Transfer from/(to) Cash Balance | \$ 824,000                            | \$ (167,600)                         | \$ (677,800)                          |
| <b>Total Revenue/Sources</b>    | <b>\$ 1,082,000</b>                   | <b>\$ 102,500</b>                    | <b>\$ 268,100</b>                     |
| <b>Expenditures</b>             |                                       |                                      |                                       |
| Administrative Overhead/Support | \$ 66,750                             | \$ 26,000                            | \$ 26,000                             |
| Consulting Services             | \$ 10,000                             | \$ -                                 | \$ -                                  |
| Program/Project Distributions   | \$ 998,750                            | \$ 70,000                            | \$ 235,600                            |
| Tax Filing Services             | \$ 4,000                              | \$ 4,000                             | \$ 4,000                              |
| Insurance Premium               | \$ 2,200                              | \$ 2,200                             | \$ 2,200                              |
| Other Charges                   | \$ 300                                | \$ 300                               | \$ 300                                |
| <b>Total Expenditures</b>       | <b>\$ 1,082,000</b>                   | <b>\$ 102,500</b>                    | <b>\$ 268,100</b>                     |

**Detail Notes:**

This is a two-year Budget. The 2019 Budgeted is being amended.

**BAY AREA CLEAN AIR FOUNDATION**

Memorandum

To: Chairperson Katie Rice and Members  
of the Board of Directors

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

Date: July 23, 2019

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

**RECOMMENDED ACTION**

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

- 1) Reappoint Kraig Kurucz to a third 2-year term as a Director of the Bay Area Clean Air Foundation; and
- 2) Reappoint Brian Bunger for a second 2-year term as a Director of the Bay Area Clean Air Foundation.

**BACKGROUND**

Pursuant to the By-Laws of the Bay Area Clean Air Foundation, Directors of the Foundation serve two-year terms. The By-Laws 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. Kraig Kurucz, Director of the Bay Area Clean Air Foundation, has reached the end of his second two-year term. Brian Bunger, Legal Counsel with the Bay Area Air Quality Management District, has reached the end of his first two-year term. The Board of the Foundation recommends that Mr. Kurucz and Mr. Bunger, be reappointed to fill two Director seats.

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