

City of Boston BERDO Review Board
Public Meeting Minutes
Zoom Virtual Meeting
April 22, 2024 at 4:30 pm
[View recording here](#)

Board Members in Attendance: Rashida Boyd, Lovette Jacobs, Gail Latimore, Jack Nelson, Matt O'Malley, Lee Mastueda, Councilor Gabriela Coletta, and Stephen Ellis

Board Members not in Attendance: N/A

Staff Present: Hannah Payne, Diana Vasquez, and Zengel "Ziggy" Chin

Others: Approximately five (5) members of the public attended this meeting.

Motion to Nominate Acting Chair

4:35 pm: Environment staff D. Vasquez led a vote for Acting Chair. Board Member G. Latimore made a motion to nominate Board Member L. Matsueda to serve as Acting Chair. Board Member S. Ellis seconded the motion. All Board Members in attendance (8) were in favor. The motion carried at 4:36 pm.

Call Meeting to Order

4:36 pm: A meeting of the Building Emissions Reduction and Disclosure Ordinance, hereafter referred to as (BERDO), within the Air Pollution Control Commission, was called to order on April 22 at 4:36 pm. This meeting was held virtually.

Roll Call

4:37 pm: The following BERDO Review Board members were in attendance: Acting Chair Lee Mastueda, Rashida Boyd, Councilor Gabriela Coletta, Stephen Ellis, Lovette Jacobs, Gail Latimore, Jack Nelson, and Matt O'Malley.

The following Environment Department staff were in attendance: Hannah Payne, Diana Vasquez, and Zengel "Ziggy" Chin.

Others: Approximately five (5) members of the public attended this meeting.

First Agenda Item: Approval of Meeting Minutes

4:39 pm: The Review Board voted on approving the [April 8 Meeting Minutes](#). Board Member G. Latimore made a motion to approve the meeting minutes. Board Member M. O'Malley seconded the motion. Seven (7) Board Members voted in favor and one (1) abstained. The motion carried at 4:40 pm.

Second Agenda Item: Update and Discussion on the Equitable Emissions Investment Fund.

4:41 pm: H. Payne provided information about the decarbonization landscape available in Massachusetts. Based on feedback from the last meeting, D. Vasquez presented a proposal for the first Equitable Emissions Investment Fund (the Fund) application cycle.

4:46 pm: Acting Chair L. Matsueda opened an informal Board Q&A session.

- G. Latimore asked how much money is the pot for the Large Building Green Energy Retrofits Program
 - H. Payne answered that she believes it is 10 million dollars.
 - G. Latimore asked a follow-up question if the slides and resources are open to the public.
 - H. Payne confirmed that the slides and resources are available to the public.
- S. Ellis asked if the programs would be offered next year or if they were one-time grants...
 - H. Payne answered that the Energy Efficiency and Conservation Block Grant (EECBG) and American Rescue Plan (ARPA) programs are one-time grants. She was unsure about the Massachusetts Decarbonize Affordable Housing program. Regarding the Mass Clean Energy Center BETA Pilot, she has an understanding that they are looking for additional funding to continue the program.

4:58 pm: Board Q&A Session

- G. Coletta said she supports "Option 1" for distributing the Fund. If the Board decides to follow "Option 2," she pointed out that the Review Board would have to follow state procurement laws, which could entail starting the process over if there are not enough inquiries from companies.
- S. Ellis asked for a reminder for the seeded amount of money.
 - D. Vasquez stated that the Fund was seeded with \$3.5 million.
- S. Ellis asked for clarification that if the Review Board chose "Option 1" it would be shifting the responsibilities of evaluating projects to nonprofits.

- D. Vasquez clarified that the grant agreement's purpose is to bolster the nonprofit's existing programming. She added that the Review Board can add stipulations for the nonprofit's recipients.
- S. Ellis asked if the nonprofit would have to be based in Boston.
- D. Vasquez answered that the nonprofits do not have to be based in Boston, but their recipients do have to be in Boston.
- S. Ellis asked what the Environment Department meant when they proposed that the Review Board release \$750,000 for the first application cycle.
 - D. Vasquez answered that the \$750,000 would be the total amount for this first application cycle to allow for the initial pool of funds to be sustainable until ACPs are collected in 2026.
- S. Ellis asked for more information about the “no physical changes can be done in private buildings” bullet point under "Option 2".
 - D. Vasquez explained that under "Option 2" the funds can be used for technical assistance and everything up to the implementation of actual changes to the building.
 - S. Ellis brought up the hypothetical of creating community choice electric and if that would violate the no physical changes rule under "Option 2".
 - H. Payne said that the City's legal department would have to review that specific example. She added that since that is an existing City service and giving a community benefit, that specific example would most likely be allowed.
- S. Ellis asked the Environment Department to confirm if his understanding of the two “options” were correct.
 - D. Vasquez added that under "Option 1" implementation would be possible if it was part of the nonprofit's existing program.
 - H. Payne included that a written scope of work must be released with the RFP process, which cannot be open-ended.
- L. Jacobs stated her support for "Option 1" for distributing the funds for this first application cycle of the Fund.
- G. Latimore asked if there would be an RFP process for both Options.
 - D. Vasquez clarified that the RFP process would only be under "Option 2".

- G. Latimore asked how the Review Board would be involved in choosing the recipients under "Option 1."
 - D. Vasquez answered that the Review Board can add a specific explanation of who the Review Board is aiming to target.
- L. Matsueda said he is leaning towards "Option 1" and is okay with a smaller number of eligible organizations because of the small pot of money available. L. Mastueda suggested that the Board could start with "Option 1" and start preparing materials for "Option 2" for a future application cycle.
- J. Nelson asked what is stopping the Review Board from moving forward with "Option 1" and "Option 2" simultaneously.
 - D. Vasquez raised the concern that as the flexibility deadlines approach, the workload will increase.
- J. Nelson asked if procuring multiple vendors under the RFP process would be possible.
 - H. Payne answered that it could be possible, but there still will need to be a scope of work written out so that the vendors can bid on the account.
 - J. Nelson suggested collaborating with Mass Save and preparing an RFP similar to theirs to make the process easier.
- M. O'Malley commented that he supports "Option 2" because there will be less control from the Board and a small pool of applicants under "Option 1". However, he is okay with going forward with "Option 1" since it seems like there is more support for "Option 1."
- M. O'Malley asked if, under "Option 1," a residency requirement would be possible and if the Review Board could choose the grantee.
 - D. Vasquez answered that it would be possible to limit the nonprofit to only Boston-based organizations and that the Review Board would choose who the grantee would be under "Option 1".
- M. O'Malley stated his concern that the Review Board would not have a lot of oversight under "Option 1".
 - H. Payne explained that under "Option 1", it would work as a grant program, where the Review Board could evaluate the nonprofits' responses to a posting. Under this option, the nonprofit would not bring every building to

the Board for approval, but the Review Board could stipulate regular check-in from the nonprofit.

- M. O'Malley asked a follow-up question about whether the \$750,000 would go to one nonprofit or multiple nonprofits.
- H. Payne asked that she could look into this, but the \$750,000 allows the Review Board to learn about the organizations and their work.
- L. Mastueda suggested taking until the next meeting on May 13 to decide which option to follow for the Fund.
 - H. Payne offered that the Environment Department could provide an outline of a grant application and look into what it would take to implement both options simultaneously.
- G. Latimore asked if there is a difference between the cost of procuring a vendor and doing a grant agreement.
 - D. Vasquez answered that under "Option 1" 10% of the funds could go to the nonprofit for admin-level work.
 - H. Payne added that under "Option 2" vendors are bidding for a scope of work that is hard to compare to the grant agreement.
- D. Vasquez said it is important to remember the time needed for public outreach for the Fund

5:48 pm: Acting Chair L. Matsueda opened a public comment period.

5:50 pm: Acting Chair L. Mastseuda closed a public comment period.

Third Agenda Item: Update and Discussion on the Hardship Compliance Plan Application

5:51 pm: D. Vasquez presented the updates and clarifying information about the Hardship Compliance Plan.

5:54 pm: Board Q&A

- G. Latimore suggested sharing the updated HCP application with the MACDC Boston Committee.
- S. Ellis suggested in the chat that the updated HCP application be shared with The

Boston Preservation Alliance and Historic Boston Incorporated.

5:58 pm: Acting Chair L. Matsueda opened a public comment period.

5:59 pm: Acting Chair L. Mastseuda closed a public comment period.

Fourth Agenda Item: Administrative Updates

6:00 pm: D. Vasquez shared that there is no current update on Hessann Farooqi's nomination. She also shared an updated version of the regulations with minor spelling and grammar corrections. RDH has started interviewing Review Board members as part of their technical capacity building. Lastly, the Environment Department reminded the Review Board that the Environment Department proposed either canceling or moving the May 27, 2024, meeting depending on the number of applications queued due to the Memorial Day holiday.

- S. Ellis asked what the city's process was for choosing RDH.
 - D. Vasquez answered that the City went through an RFP process.
 - H. Payne mentioned that the full written RFP is in the shared Review Board folder.

The next meeting is scheduled for May 13.

Meeting Adjournment

6:08 pm: Board Member M. O'Malley made a motion to adjourn the meeting. Board Member J. Nelson seconded. All Board Members in attendance (8) were in favor, and the motion carried at 6:08 pm.