

City of Boston BERDO Review Board
Public Meeting Minutes
Zoom Virtual Meeting
May 13, 2024 at 4:30 pm
[View recording here](#)

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

Board Members not in Attendance: Lee Mastueda and Councilor Gabriela Coletta

Staff Present: Hannah Payne, Diana Vasquez, Dima Moujahed, and Aidan Callan

Others: Approximately nine (9) members of the public attended this meeting.

Motion to Nominate Acting Chair

4:33 pm: Environment staff D. Vasquez led a vote for Acting Chair. Board Member G. Latimore made a motion to nominate Board Member S. Ellis to serve as Acting Chair. Board Member M. O'Malley seconded the motion. All Board Members in attendance (6) were in favor. The motion carried at 4:36 pm.

Call Meeting to Order

4:34 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 May 13 at 4:34 pm. This meeting was held virtually.

Roll Call

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

The following Environment Department staff were in attendance: Hannah Payne, Diana Vasquez, Dima Moujahed, and Aidan Callan.

Others: Approximately nine (9) members of the public attended this meeting.

First Agenda Item: Proposal to Open the First Application Cycle of the Equitable Emissions Investment Fund (EEIF).

4:38 pm: D. Vasquez shared submissions from the public feedback period of the EEIF. She also presented a proposal to open the first application cycle of the Equitable Emissions Investment Fund as a grant agreement.

4:52 pm: Board Q&A Session

- S. Ellis asked how the City responded to the suggestions to add tenant-specific questions.
 - D. Vasquez referenced the evaluation form's section regarding benefits to tenants, which could strengthen an application if included. The application outline also includes an optional letter of support from tenants that could address any effects the proposed project would have on tenants.
- S. Ellis suggested updating the language of the evaluation form to reflect non-profit organizations instead of individual projects.
 - D. Vasquez clarified that the evaluation form's language refers to the projects the non-profits would submit to the Review Board.
- G. Latimore asked for classification on whether this proposal is to give non-profits funds and allow them to administer the monies.
 - D. Vasquez explained that the grant would bolster support for running programming. She gave the hypothetical example of a non-profit running a program with a building decarbonization component; the grant could help expand the program.
- G. Latimore expressed her concern that the application cycle's opening from May 31 to July 12 may not give interested organizations enough time to apply.
 - D. Vasquez suggested that the Review Board could recommend changing the timeline of the application cycle.
 - H. Payne stated that this application cycle likely could not have projects implemented for the 2025 compliance year and that if buildings need assistance in complying in 2025, they should apply for a flexibility measure.
- G. Latimore asked what the difference is between scoping and designing.
 - D. Vasquez explained scoping is a stage where someone is exploring ideas for a project and is still in step one of planning. Designing is after someone has selected a pathway and is now moving on to thinking about the project's more technical aspects.
- G. Latimore asked what the timeframe would be for making decisions on applications received by the Review Board.

- D. Vasquez answered that the review process could take time and that a decision might take a few board meetings since the applicant would have to attend a meeting to answer questions.
- S. Ellis asked if a non-profit could submit a series of projects.
 - H. Payne confirmed that would be possible as long as the non-profit detailed out the different projects or tasks that they would include in the overall project.
 - S. Ellis struck out his earlier comment about updating the language of the evaluation form now that he has received further information.
- J. Nelson asked for clarification on whether the applicant can be a non-profit building owner or a non-profit contractor.
 - D. Vasquez answered that applicants who are registered 501c3s or have fiscal sponsors are eligible to apply.
 - H. Payne added that legally, it would be best if the applicant was a non-profit organization that provides building decarbonization services and would work with other building owners. A building owner applying for work on their own building would have to explain the public purpose of upgrading their building, which would have to be reviewed with the City's legal department.
 - J. Nelson followed up and asked if the application would clarify that.
 - H. Payne confirmed that D. Vasquez would add clarifying language to the application regarding eligibility.
- J. Nelson asked if this application cycle would be for implementation to achieve carbon emissions reductions and not just for scoping purposes.
 - H. Payne answered that this application does not preclude scoping studies and is not exclusive to implementation. As long as the project is related to carbon abatement, it would be allowed.
- M. O'Malley commented that he enjoys the flexibility of the proposal and the control given to the Review Board

5:14 pm: Acting Chair S. Ellis opened a public comment period.

- Y. Torrie asked if the applicant would have to specify the timeframe of the proposed project and if there is anything in place to monitor its progress.

- D. Vasquez answered that the City could write a monthly check-in into a grant agreement to keep tabs on how the project is proceeding.
- H. Payne pointed to the regulations that describe the conditions for expenditures. The Review Board could put stipulations for check-ins and other information that can be determined during the awarding process.

5:21 pm: Acting Chair S. Ellis closed a public comment period.

- G. Latimore asked if small non-BERDO building owners are eligible for the Fund.
 - H. Payne answered that there are no limitations on who can be served by the non-profit, and any sized non-profit is eligible to apply

5:22 pm: Board Member M. O'Malley made a motion to approve the Review Board release up to \$750,000 for the first grant application cycle as presented. Board Member J. Nelson seconded the motion. All board members in attendance (6) voted in favor. The motion carried at 5:26 pm.

5:22 pm: G. Latimore shared that she would like to ensure that the Review Board has the opportunity to reevaluate and extend the application deadline at a later date.

Second Agenda Item: Proposal to expend \$500,000 from the Equitable Emissions Investment Fund to expand the new Building Decarbonization Advisory Program.

5:27 pm: D. Moujahed presented the proposal to expend monies from the EEIF to expand the new Building Decarbonization Advisory Program (BDAP).

5:33 pm: Board Q&A Session

- M. O'Malley asked how ARPA and DOE funding (EECBG) running out impacts the expenditures the Review Board makes now.
 - H. Payne explained that the ARPA and DOE funding are one-time allocations, so the expenses will only be a one-time request.
- J. Nelson asked for clarification on how much the total amount of funds would be.
 - H. Payne explained that the technical scoping and assistance portion of BDAP currently has \$660,000 from the EECBG funds, and that is where the \$500,000 from the EEIF would go to support. The ARPA funds have \$500,000 that would help to 'bridge the gap' in projects for under-resourced buildings.

The ARPA funds can be used for the implementation of easy decarbonization wins after the initial scoping.

- J. Nelson asked if it would be possible to have multiple Mass Save-approved vendors doing the work.
 - H. Payne confirmed that it would be possible to have multiple vendors.
- G. Latimore asked how this proposal differs from the previous proposal the Review Board voted on earlier.
 - H. Payne answered that this process is an RFP issued by the Environment Department and would contract with a vendor. The Review Board will have a say over the type of buildings served, or the actual individual buildings served, that fall under the EEIF monies that have been expended. The City will make decisions on the buildings served that fall under the EECBG and ARPA funds. The application cycle approved to open in the last proposal would have to fund a non-profit performing building decarbonization work and would be a different scope of work.
- G. Latimore inquired where the figure of \$10,000 per building and \$15,000 cap came from.
 - H. Payne answered that the budget intends to be able to serve a larger number of buildings and give building owners a starting point for their BERDO strategy.
- G. Latimore asked for an explanation of the cohort model.
 - H. Payne explained that the City would contract with the building science firms for a few years. Depending on the number of applications from building owners and the limits of the firm, the City would limit the number of owners it would accept. If there are more applications, the City will open another cohort until the funds are spent, and it would allow people not previously aware of the application process to apply for a later cohort.
- S. Ellis wanted to confirm that the Review Board would have some discretion over the \$500,000 from the EEIF.
 - H. Payne answered that the Review Board would have a say over the type of buildings served by the technical services provided by the EEIF monies. The two invoices will be kept separately, allowing the Review Board to set criteria for the buildings served.

- S. Ellis commented on his support for this proposal.

5:50 pm: Acting Chair S. Ellis opened a public comment period.

5:51 pm: Acting Chair S. Ellis closed a public comment period.

5:53 pm: Board Member J. Nelson made a motion to approve the proposal to expend \$500,000 from the Equitable Emissions Investment Fund to expand the new Building Decarbonization Advisory Program. Board Member M. O'Malley seconded the motion. All board members in attendance (6) voted in favor. The motion carried at 5:55 pm.

Third Agenda Item: Update on Reporting Extension Request

5:56 pm: A. Callan shared the circumstances that would qualify for an extension request and the number of requests the City has received.

6:00 pm: Board Q&A Session

- R. Boyd asked for more information about why some extension requests were denied.
 - A. Callan explained that if the extension request does not meet one of the extenuating circumstances outlined by the City, it will be denied. However, the City is encouraging building owners to report as soon as possible as fines may be issued at a later date (after multiple notices).
- S. Ellis asked how many buildings are subject to BERDO and how many are in compliance for reporting.
 - A. Callan shared that there are 5,800 buildings under BERDO, and just under 30% have reported for this year.
- S. Ellis commented that it would be great to see a breakdown of building compliance by neighborhood at a future meeting.
- G. Latimore asked what type of building owners are asking for an extension request and what kind of building owners are getting their requests denied.
 - A. Callan answered that the majority of the denials come from one large building owner with multiple multi-family buildings. The extension requests seem to come from a mix of building owners.

Fourth Agenda Item: Additional Administrative Updates

5:09 pm: D. Vasquez shared the next steps for training from RDH and reviewed the recusal process for Board members since application deadlines are approaching. The Environment Department reminded the Review Board that the May 27 meeting would either be moved to May 28 or canceled depending on whether any applications were submitted by May 17.

Should the May 17 meeting be canceled, the next meeting is scheduled for June 10.

Fifth Agenda Item: Approval of Meeting Minutes

6:14 pm: The Review Board voted on approving the [April 22 Meeting Minutes](#). Board Member M. O'Malley made a motion to approve the meeting minutes. Board Member G. Latimore seconded the motion. All board members in attendance (6) voted in favor. The motion carried at 6:15 pm.

Meeting Adjournment

6:15 pm: Board Member G. Latimore made a motion to adjourn the meeting. Board Member J. Nelson seconded. All board members in attendance (6) voted in favor. The motion carried at 6:15 pm.