

City of Boston BERDO Review Board
Public Meeting Minutes
Zoom Virtual Meeting
February 26, 2024 at 4:30 pm
[View recording here](#)

Board Members in Attendance: Stephen Ellis, Lovette Jacobs, Gail Latimore, Lee Matsueda, Jack Nelson, Matt O'Malley.

Board Members not in Attendance: Rashida Boyd.

Staff Present: Diana Vasquez, Hannah Payne.

Others: Approximately 11 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 O'Malley made a motion to nominate Board Member L. Matsueda to serve as Acting Chair. Board Member L. Jacobs seconded the motion. All Board Members in attendance (6) were in favor. The motion carried at 4:35 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 February 26 at 4:35 pm. This meeting was held virtually.

Roll Call

4:35 pm: The following BERDO Review Board members were in attendance: Acting Chair Lee Matsueda, Stephen Ellis, Lovette Jacobs, Gail Latimore, Jack Nelson, Matt O'Malley.

The following Environment Department staff were in attendance: Diana Vasquez, Hannah Payne

Others: Approximately 11 members of the public attended this meeting.

First Agenda Item: Approval of Meeting Minutes

4:37 pm: The Review Board voted on approving [February 12 Meeting Minutes](#). Board Member J. Nelson 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 4:38 pm.

Second Agenda Item: Update on BERDO Implementation

4:39 pm: H. Payne presented updates on the BERDO implementation, including updates in the form, mailings that went out, and working group updates.

4:46 pm: Board Q&A Session

- S. Ellis asked what new questions were being asked relating to renewable energy.
 - H. Payne shared that the changes consisted mainly of cleaning up the questions and asking for additional account information to match BCCE data.
- S. Ellis requested that renewable energy related questions be shared with him. He may have some feedback.
- G. Latimore asked how many nominations were received from Community-Based Organizations (CBOs).
 - H. Payne shared that so far the City has received one nomination.
 - D. Vasquez added that other CBOs have reached out with questions.
- L. Matsueda asked for a reminder regarding the purpose and process for the working groups.
 - H. Payne shared that the creation of the working group for healthcare institutions connected to district energy systems was established in the Ordinance. The commercial real estate working group was requested in the regulations development process. The creation of other working groups is a possibility, but they must be public. The BERDO team has also engaged with different sectors via other avenues.

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

4:53 pm: D. Vasquez reviewed the City's proposed application outline for the Equitable Emissions Investment Fund.

5:02 pm: Board Q&A Session

- M. O'Malley asked if there was a minimum amount that the Review Board has to disperse from the Fund?
 - D. Vasquez shared that there is no minimum requirement. She shared that the regulations do state that an application cycle will be opened annually.

- M. O'Malley asked if there is a mechanism to amend the project application process in the future should the Review Board seek to streamline the process.
 - D. Vasquez shared that the Review Board does have room to adapt the application process, keeping in mind legal requirements and what is written in the regulations.
- J. Nelson asked if metrics related to return on investment, or similar, were included.
 - D. Vasquez replied that the application currently asks for total emissions reduced per dollar received from the Fund.
- J. Nelson recommended considering asking about estimated savings that will result from receiving money from the Fund. He also asked about whether a competitive bidding process will be required by recipients of the Fund to ensure that recipients are receiving a fair price for the projects.
 - D. Vasquez shared that a competitive bidding process could be a condition that a recipient agrees to in order to receive the money.
 - H. Payne added that a question that gets to this could be added to application as well if the Review Board is interested in prioritizing construction-type projects.
- J. Nelson shared that he would like to see what the expected savings are from an applicant, and for construction-related projects, a requirement related to a competitive bidding process.
- L. Matsueda added that clarity regarding the range of money that is available, how money is dispersed, and any specific reporting requirements would be significantly helpful for organizations that may be interested in applying.
- G. Latimore cautioned that the Review Board should be thoughtful about layering too many requirements attached to the funding because it can be difficult to navigate. She also brought up considerations regarding equity in relation to MBE (minority business enterprise) utilization, the cost of electricity versus gas appliances and whether switching to electric appliances may raise cost for tenants, and accessibility to a digital application form. She asked for a clarification if buildings not subject to BERDO were also eligible to receive funding.
 - D. Vasquez clarified that projects that would reduce emissions are eligible to receive funding regardless of whether the building is subject to BERDO or not.

- G. Latimore added that a factor that should be weighted about location of a project, whether a project is happening in an environmental justice population or not.
- S. Ellis asked what resources the City was intending on using for establishing emissions factors in the application.
 - D. Vasquez shared that the City plans on using a similar process that is used for reporting, but has not thought much beyond that at this time.
- S. Ellis asked if there has been thought regarding post-grant project follow up, such as verification or evaluation of emissions reductions from a project that received funding.
 - D. Vasquez shared that a potential condition could be phasing in of the money to ensure consistent contact with recipients. She also mentioned that the Ordinance requires an annual disclosure report on the Fund that includes deliverables from a funded project.
- S. Ellis encouraged that a third-party verifier be utilized in that process depending on the scale of the project.
- S. Ellis posited to the Board whether the members would like to select a theme for the first year's application cycle keeping in mind the 2025 emissions limit start date for certain buildings.
- G. Latimore emphasized the need to think through impacts regarding decarbonization efforts on low-income tenants.

5:35 pm: The Board discussed whether the draft project evaluation form and application outline should be shared with the public as is for public input.

- S. Ellis asked whether scoping projects were eligible for funding given the eligibility requirement to produce emissions reductions in buildings.
 - H. Payne believed scoping projects were eligible but would confirm with legal.
- G. Latimore asked if we want to set aside certain amounts of money for certain types of projects.
- L. Jacobs added that she thought it would be prudent to prioritize buildings with an upcoming emissions limit in addition to setting aside some money for scoping specific projects.

- J. Nelson agreed to setting aside a certain amount of funds to scoping projects and another amount for “shovel-ready” projects.
- J. Nelson asked the City team if they have any information or data regarding the kind of projects building owners are interested in.
 - H. Payne replied that the City team has not directly solicited feedback from building owners on the kinds of projects they may be interested in applying to the Fund for. She shared MOH’s is looking at millions for a single deep energy retrofit project as a comparison.

5:56 pm: L. Matsueda proposed drafting a survey that the Review Board could review at a following meeting to be released to the public in addition to the draft project evaluation and draft application outline.

- G. Latimore asked how the timing with the Fund would play into the 2025 emissions limit start date.
 - H. Payne replied that the goal is to open the application cycle this year, but results from the project will not be seen immediately. Building owners could apply for a short-term hardship and detail that they’re undergoing a project in their application.
- G. Latimore asked if the City is considering other funds to supplement the Fund.
 - H. Payne replied that the City does not currently have any additional sources of funding, but the team is always looking for future opportunities.

6:03 pm: Acting Chair L. Matsueda opened a public comment period.

6:05pm: The Board agreed to have a survey drafted to review at the following meeting before releasing the draft project evaluation and draft application outline.

6:07 pm: Acting Chair L. Matsueda closed the public comment period.

Fourth Agenda Item: Administrative Updates

6:07 pm: D. Vasquez provided an overview of Massachusetts Open Meeting Law and public records.

The next meeting is scheduled for March 11.

Meeting Adjournment

6:13 pm: Board Member M. O'Malley made a motion to adjourn the meeting. Board Member G. Latimore seconded. All Board Members in attendance (6) were in favor and the motion carried at 6:13 pm.