

## **BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

### **RESOLUTION No. 2013 - 05**

#### **A Resolution Accepting Carl Moyer Program Multi-District Funds From the California Air Resources Board and Congestion Mitigation and Air Quality Improvement Funds from the Metropolitan Transportation Commission**

WHEREAS, California Health and Safety Code Division 26, Part 5, Chapter 9, empowers the California Air Resources Board (ARB) to allocate Carl Moyer Program funds to local air quality districts to provide financial incentives to both the public and private sector to implement eligible projects to reduce emissions from on-road, marine, locomotive, agriculture, and off-road engines;

WHEREAS, California Health and Safety Code section 44286, authorizes ARB to reserve up to ten percent of the annual Carl Moyer Program fund allocation to projects that are multi-district in nature;

WHEREAS, the Bay Area Air Quality Management District (District), in accordance with an agreement between the California Air Pollution Control Officers Association (CAPCOA) and the ARB will implement the Carl Moyer Multi-District Program in Northern California for the Year 15 funding cycle;

WHEREAS, the District in coordination with ARB, and the northern CAPCOA participating member agencies will develop a Multi-District Funding Plan that will target to address priority pollution sources that travels between multiple air districts;

WHEREAS, ARB has authorized a grant to the District to implement the Year 15 Carl Moyer Multi-District Program, upon approval by the Board of Directors to accept grant funds;

WHEREAS, ARB will award a Carl Moyer Program Year 15 multi-district grant in the amount of as much as \$3,000,000, with no District match required.

WHEREAS, on June 5, 2013, the Air District Board of Directors approved a commitment to the Regional Bicycle Share Pilot of an additional \$1.4 million in matching funds from its Transportation Fund for Clean Air ("TFCA");

WHEREAS, on May 22, 2013, the Metropolitan Transportation Commission (MTC) awarded the Air District an additional \$2.8 million in Congestion Mitigation and Air Quality Improvement ("CMAQ") grant funds from its Climate Initiatives Program to administer a Regional Bicycle Share Pilot;

WHEREAS, the Air District is eligible to receive Federal and/or State funding for certain Transportation Projects through Caltrans;

WHEREAS, additional Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements, Right of Way Certifications, and/or any other required documents may need to be executed with Caltrans before MTC's CMAQ funds can be claimed;

WHEREAS, the purpose of this Resolution is also to authorize the Bay Area Air Quality Management District's ("Air District") Executive Officer/Air Pollution Control Officer to execute the Right of Way Certification with the California Department of Transportation ("Caltrans") on behalf of the Air District for the Regional Bicycle Share Pilot;

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby approves the District's participation in the Carl Moyer Multi-District Program and acceptance of up to \$3 million in FY 2012-2013, Carl Moyer Program Multi-District funds, to be awarded to eligible projects in accordance with the ARB Carl Moyer Program guidelines.

BE IT FURTHER RESOLVED, that the Air District's Board of Directors accepts the additional \$2.8 million in funding from MTC for the regional bicycle sharing program.

BE IT FURTHER RESOLVED, that the Air District's Board of Directors delegates authority to execute any necessary agreements and any additional required documents for funding with Caltrans, MTC and ARB and any amendments thereto to the Executive Officer/Air Pollution Control Officer.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director WAGENKNECHT, seconded by Director ROSS, on the 19th day of JUNE, 2013, by the following vote of the Board:

AYES:     BARRETT, BATES, GIOIA, GROOM, HAGGERTY, HUDSON,  
           KLATT, KNISS, MAR, MILEY, PEPPER, PIEPHO, ROSS,  
           SPERING, WAGENKNECHT, YEAGER, ZANE, KALRA

NOES:     NONE.

ABSENT: ADAMS, AVALOS, LEE, SBRANTI



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Ash Kalra  
Chairperson of the Board of Directors

ATTEST:



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Carole Groom  
Secretary of the Board of Directors