



**DATE:** March 9, 2017

**TO:** Programs & Administration Committee

**FROM:** Pat Cabrera, Administrative Services Director

**BY:** Brian Mathews, Senior Program Manager

**SUBJECT:** ACWMA Property – Memorandum of Agreement Renewal with Bay Area Air Quality Management District

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## **SUMMARY**

This memo updates the Programs and Administration Committee on the Memorandum of Agreement (MOA) the Authority has with the Bay Area Air Quality Management District (BAAQMD) for an air quality monitoring station on Authority property Parcel 6 on Patterson Pass Road. At the March 9, 2017 Programs & Administration Committee meeting, staff will seek approval and advancement of an MOU renewal for the Waste Management Authority's consideration at its March meeting.

## **DISCUSSION**

The WMA owns approximately 1,600 acres of real property in eastern Alameda County. The WMA manages agreements for use of the property including a wind power easement, a residential tenant lease, memoranda of agreement with government agencies (Bay Area Air Quality Management District, and the East Bay Regional Communication System Authority), a grazing license and leases with telecommunications companies.

To accomplish their mission, the BAAQMD periodically conducts air monitoring and sampling studies to better understand the presence and distribution of air pollutants. Patterson Pass was identified in 2008 as an optimum location to collect air samples and meteorological data to study the formation of ozone from the Tri Valley area. In 2009 the WMA entered into an MOA with the BAAQMD for installation of an air monitoring station at Parcel 6. The initial term of the MOA was for three years with two one-year renewals and was subsequently amended to extend the term for additional years.

The District requests to renew the MOA. The terms of the renewal would be as follows:

- 10-year term
- Annual rent escalation based on CPI
- Initial rental based on market rate of \$1/square foot or \$3,000 per year in quarterly payments
- Contractual terms consistent with the existing MOA and approved to form by WMA legal counsel

**RECOMMENDATION**

That the Programs and Administration Committee recommend that the Authority Board authorize the Executive Director to execute a Memorandum of Agreement with the Bay Area Air Quality Management District for the terms described herein.