



Members of the Board

Charlene Haught Johnson, Chair
Anthony J. Intintoli, Jr., Vice Chair
Gerald Bellows
Timothy Donovan
Beverly Johnson

**MEETING AGENDA FOR THE
WETA BOARD OF DIRECTORS**

BOARD OF DIRECTORS' MEETING

Thursday, May 3, 2012 at 1:00 P.M.

**San Francisco Bay Area
Water Emergency Transportation Authority
9 Pier, Suite 111
San Francisco**

The full agenda packet is available for download at www.watertransit.org.

AGENDA

This information will be made available in alternative formats upon request. To request an agenda in an alternative format, please contact the Board Secretary at least five (5) working days prior to the meeting to ensure availability.

PUBLIC COMMENTS The Water Emergency Transportation Authority welcomes comments from the public. Speakers' cards and a sign-up sheet are available. Please forward completed speaker cards and any reports/handouts to the Board Secretary.

Non-Agenda Items: A 15 minute period of public comment for non-agenda items will be held at the end of the meeting. Please indicate on your speaker card that you wish to speak on a non-agenda item. No action can be taken on any matter raised during the public comment period. Speakers will be allotted no more than three (3) minutes to speak and will be heard in the order of sign-up.

Agenda Items: Speakers on individual agenda items will be called in order of sign-up after the discussion of each agenda item and will be allotted no more than three (3) minutes to speak. You are encouraged to submit public comments in writing to be distributed to all Directors.

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|--|--------------------|
| 1. <u>CALL TO ORDER – BOARD CHAIR</u> | Information |
| 2. <u>ROLL CALL/PLEDGE OF ALLEGIANCE</u> | Information |
| 3. <u>REPORT OF BOARD CHAIR</u> | Information |
| 4. <u>REPORTS OF DIRECTORS</u> | Information |
| 5. <u>REPORTS OF STAFF</u> | Information |
| a. Executive Director's Report | |
| b. Legislative Update | |

**Water Emergency Transportation Authority
May 3, 2012 Meeting of the Board of Directors**

6. CONSENT CALENDAR *Motion*
 - a. Minutes April 5, 2012

7. AWARD OF FLOAT CONSTRUCTION CONTRACT FOR THE CLAY STREET OAKLAND PASSENGER FLOAT REPLACEMENT *Resolution*

8. APPROVE AMENDMENT WITH THE ASSOCIATION OF BAY AREA GOVERNMENTS FOR THE PROVISION OF ACCOUNTING SUPPORT SERVICES *Resolution*

9. APPROVE AMENDMENT WITH LINDSAY, HART, NEIL & WEIGLER, LLP FOR THE PROVISION OF FEDERAL LEGISLATIVE REPRESENTATION *Resolution*

10. RECESS INTO CLOSED SESSION
 - a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION *Action
To Be Determined*
Title: Executive Director

 - b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS *Action
To Be Determined*
Property: Mare Island Maintenance Facility at Building 477 and Building 165 sites, City of Vallejo
Agency Negotiator: Nina Rannells
San Francisco Bay Area Water Emergency Transportation Authority
Negotiating Parties: City of Vallejo
Under Negotiation: Terms and conditions of the Authority's proposed lease

11. REPORT OF ACTIVITY IN CLOSED SESSION *Action
To Be Determined*
Chair will report any action taken in closed session that is subject to reporting at this time. Action may be taken on matters discussed in closed session.

12. OPEN TIME FOR PUBLIC COMMENTS FOR NON-AGENDA ITEMS

ADJOURNMENT

Water Emergency Transportation Authority (WETA) meetings are wheelchair accessible. Upon request WETA will provide written agenda materials in appropriate alternative formats to individuals with disabilities. Please send a written request to contactus@watertransit.org or call (415) 291-3377 at least five (5) days before the meeting.

Participation in a meeting may be available at one or more locations remote from the primary location of the meeting. See the header of this Agenda for possible teleconference locations. In such event, the teleconference location or locations will be fully accessible to members of the public. Members of the public who attend the meeting at a teleconference location will be able to hear the meeting and testify in accordance with applicable law and WETA policies.

Under Cal. Gov't. Code sec. 84308, Directors are reminded that they must disclose on the record of the proceeding any contributions received from any party or participant in the proceeding in the amount of more than \$250 within the preceding 12 months. Further, no Director shall make,

Water Emergency Transportation Authority
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participate in making, or in any way attempt to influence the decision in the proceeding if the Director has willfully or knowingly received a contribution in an amount of more than \$250 within the preceding 12 months from a party or such party's agent, or from any participant or his or her agent, provided, however, that the Director knows or has reason to know that the participant has a financial interest in the decision. For further information, Directors are referred to Government Code section 84308 and to applicable regulations.



MEMORANDUM

TO: WETA Board Members
FROM: Nina Rannells, Executive Director
DATE: May 3, 2012
RE: Executive Director's Report

PROJECT UPDATES

Service Transition Implementation – The Transition Plan guides the consolidation of the Vallejo, Alameda/Oakland and Harbor Bay ferry services under WETA and presents a five year financial outlook of WETA operating and expansion activities. The WETA Board of Directors adopted the final Transition Plan on June 18, 2009, in compliance with Senate Bills 976 and 1093 requirements.

All escrow requirements for the Alameda Transition were completed in April and the Alameda services were transferred to WETA on April 29, 2011. The WETA Board of Directors approved the Vallejo Transfer Agreement on October 6, and the Vallejo City Council approved it on October 11. WETA legal counsel and staff are working to finalize the document for execution and continue to work on necessary due diligence and pre-closing activities required prior to the close of escrow and transfer of the service to WETA. The system transfer is anticipated to be completed by June 30, 2012.

Vessels - Two 149-passenger vessels, *Gemini* and *Pisces*, and two 199-passenger vessels, *Scorpio* and *Taurus*, have been constructed by Nichols Brothers Boat Builders and Kvichak Marine Industries for use in WETA services and to expand WETA's emergency response capabilities. One of these vessels is currently chartered to the City of Vallejo for utilization in the Vallejo Baylink service while two of their ferries undergo midlife rehabilitation work.

South San Francisco Ferry Service - This service will provide access to biotech and other jobs in South San Francisco for East Bay commuters and expand the geographic reach of emergency ferry transportation response capabilities on the San Francisco Bay. Both contractors are completing their work at the site and beginning the clean-up process. The project will be substantially complete by month's end except for the installation of real time signage and the back-up generator which are long lead items for the suppliers.

John Sindzinski and Keith Stahnke met again with the Army Corps of Engineers on February 27 and learned that the start of their project inside the Oyster Point Marina has been delayed until late summer and will therefore, not be completed until October 2012 at the earliest and assuming no further delays.

Berkeley Ferry Service – This service will provide an alternative transportation link between Berkeley and downtown San Francisco. The environmental and conceptual design work includes plans for shared of an existing City owned parking lot at the terminal site between ferry and local restaurant (H^s Lordships) patrons. City participation is required in order to move the project forward and reach agreement on a shared use concept. In early February, Staff met with the Interim Deputy City Manager to discuss the status and next steps for the project. On April 19, staff met with City of Berkeley staff to provide an update on the project and to discuss the City entitlement process for the

project. The project will require a conditional use permit reviewed by the City's Planning Commission, Zoning Adjustment Board, and City Council. Staff also discussed options to expedite the project through the conditional use permit process.

Staff is working with the environmental consultant to complete the Final EIS/EIR. Next steps to complete the Final EIS/EIR include review of administrative drafts, legal review, and FTA review. Staff is consulting with the National Oceanic and Atmospheric Administration (NOAA) and the National Marine Fisheries Service (NMFS) on completion of a Biological Assessment and Essential Fish Habitat Assessment for the project. The assessments were prepared in compliance with legal requirements set forth under Section 7 of the Endangered Species Act and the Magnuson-Stevens Fishery Act. NOAA and NMFS will issue a Biological Opinion (BO) on the project. The BO is required prior to completion of the Final EIS/EIR.

Treasure Island Service – This project, implemented by the Treasure Island Development Authority (TIDA), the Mayor's Office of Economic and Workforce Development and the prospective developer, will institute new ferry service between Treasure Island and downtown San Francisco in connection with planned Island development.

Staff recently met with TIDA to review operating and budgeting scenarios for future Treasure Island ferry service. TIDA and WETA staffs are working to prepare a draft Memorandum of Understanding (MOU) outlining each agencies' roles and responsibilities for moving forward with the project. The MOU will be subject to review and approval by the WETA Board.

Downtown San Francisco Ferry Berthing Expansion - This project will expand berthing capacity at the Downtown San Francisco Ferry Terminal in order to support new ferry services to San Francisco as set forth in WETA's Implementation and Operations Plan. The proposed project would also include landside improvements needed to accommodate expected increases in ridership and to support emergency response capabilities if a catastrophic event occurs.

The project team is in the process of preparing a Draft EIR/EIS based on scoping comments received to date that is scheduled to be completed and released for public review by mid-2012.

Pier 9 Berthing Facility - This project consists of two layover berths for mooring and access to ferry vessels on Pier 9 alongside the northern pier apron and adjacent to the WETA Administrative Offices. Guide piles, floats and gangways have been installed and final project work was completed in November 2011.

Central Bay Operations and Maintenance Facility - This project will develop an operations and maintenance facility at Alameda Point to serve as the base for WETA's existing and future central bay ferry fleet. The proposed project would provide running maintenance services such as fueling, engine oil changes, concession supply and light repair work for WETA vessels and serve as WETA's Operations Control Center for day-to-day management and oversight of service, crew, and facilities. In the event of a regional disaster, the facility would function as an Emergency Operations Center, serving passengers and sustaining water transit service for emergency response and recovery.

FTA recently initiated formal consultation with the National Marine Fisheries Service (NMFS) and informal consultation with the US Fish and Wildlife Service (USFWS) on behalf of WETA as required under Section 7 of Endangered Species Act. Staff met with NMFS and received generally positive feedback on the project. Staff is working with FTA to address any outstanding issues relating to the NMFS consultation. Pending completion of these consultation processes and the anticipated issuance of a Biological Opinion by NMFS, WETA will be able to move forward with FTA to finalize environmental clearance of the project under NEPA.

Ridership Forecast Model Update – Staff has worked with its consultant to generate updated ridership forecast model runs to support planning efforts for the Downtown San Francisco Ferry Terminal Expansion Project, South San Francisco Business Plan and the Short Range Transit Plan. Staff has reserved funds in the approved project budget should additional future model runs be required to further support these projects or other agency planning efforts.

Hercules Environmental Review/Conceptual Design - This project has been on hold for a number of months awaiting clarification from the City of Hercules on the status of its project to build an Intermodal Transit Center at the site, which is a necessary pre-condition to a ferry terminal. On April 19, Staff met with the City of Hercules to receive an update on the environmental review status, current phasing plan, funding and schedule for the Intermodal Transit Center project. Based upon this discussion, it appears that funding is in place to construct the initial phases of the Intermodal Transit Center but that the project will not advance to such a point that ferry terminal construction could begin until 2017, at the earliest. As a result, continuing the environmental review process for a potential ferry terminal at this site is not feasible at this time. Staff is working with the City to outline a process for continued interaction and coordination of any future ferry terminal work as the Transit Center project moves forward.

Antioch, Martinez and Redwood City Ferry Service Expansion Projects – These projects involve conceptual design and environmental review for potential future ferry services to the cities of Antioch, Martinez, and Redwood City. WETA staff has coordinated with staff from each city throughout the respective planning processes. Concept designs for each proposed terminal are informed by projections of the ridership forecast model update currently in process. Ridership projections are used to determine appropriate capacity for terminal components such as, parking facilities, terminal access, passenger waiting areas and passenger loading and unloading facilities. The updated ridership projections are also used to forecast appropriate service levels and related operational costs for the potential new services. Recent and on-going activities for these expansion projects include:

- Staff is working with the City of Antioch and the design and environmental consultants to prepare a site feasibility study to explore terminal options in the City of Antioch.
- On April 18, Chad Mason and John Sindzinski attended and presented to the Martinez City Council an overview of WETA activities and an update on the Martinez Terminal project.
- Staff will be meeting with Redwood City officials in early May to discuss next steps and options for the Redwood City terminal project.

Richmond Ferry Service – This service will provide an alternative transportation link between the City of Richmond and downtown San Francisco. The environmental and conceptual design work includes plans for replacement of an existing facility (float and gangway) and a phased parking plan. Staff is working with City of Richmond staff and representatives of Orton Development Inc. to develop the plans. In early March, staff met with BCDC staff to review the proposed plan and received positive feedback on the proposed plan. Staff is working with the design consultant to refine the plans prior to starting the environmental review process. In early May, Staff will be meeting with BCDC Staff to review revised site plans and waterside design options. Environmental review for the project is underway. Staff will initiate an early scoping process in May and continue stakeholder outreach.

Clipper Fare Media Implementation – WETA is coordinating with MTC to implement Clipper fare media on all San Francisco Bay Ferry services. Staff continues to oversee terminal site preparation for the installation of Clipper fare collection equipment for the new South San Francisco and existing AOFS and Harbor Bay services. Staff recently witnessed the successful testing of WETA fare collection equipment by Cubic this month and is working to schedule device training sessions. Once revenue ready, Clipper will be first implemented for the new South San Francisco service. Staff is currently developing a timeframe and strategy for offering Clipper as a fare payment option on the

AOFS and Harbor Bay services. WETA was recently informed that MTC will be moving forward to implement Clipper for the Vallejo BayLink service as part of the forthcoming Napa and Solano county bus operator Clipper implementation, which is scheduled to be completed by Spring 2013.

Short-Range Transit Plan – WETA is required to prepare a short-range transit plan (SRTP) now that the agency is a transit service operator. The main purpose of the SRTP is to serve as a management and policy document for the transit operator, as well as a means of annually providing FTA and MTC with information necessary to meet regional fund programming and planning requirements. Staff has started to prepare the draft SRTP in accordance with MTC guidelines and anticipates bringing a draft document to the Board this Summer and preparing a final for Board approval in the Fall.

UPDATE ON RELEVANT PROJECTS IMPLEMENTED BY OTHER AGENCIES

Vallejo Station - Vallejo Station is a compact, transit-oriented mixed-use project in the City of Vallejo that includes two major transit elements – a bus transfer facility that will consolidate local, regional and commuter bus services and a 1,200 space parking garage for ferry patrons and the general public.

The Bus Transfer Facility portion of the project has been operational since July 2011. Minor adjustments and repairs to the facility have been performed. Project acceptance is anticipated in the next two months. Construction of Vallejo Station Parking Structure Phase A, which began in June 2010, is substantially complete. Minor punch list items are being performed. Certain aspects of the project have been opened to the public such as the kiss and ride lot, sidewalks and the bus bays. The surface lot adjacent to Main Street is to follow. The canopies over the elevator opening and stairs near Santa Clara Street will be add-ons to the project. These protective measures will help minimize wind driven rain from entering the structure.

Phase B of the parking structure is still dependent on the relocation of the U.S. Post Office. A parking management plan has been developed by the City's consultant and a public meeting is scheduled to inform the public of the recommended fee to park in the City's surface lot and parking structure. The City Council is scheduled to act on this fee later this Spring. Implementation of this plan is anticipated to occur later this Summer.

Mare Island Ferry Maintenance Facility – This project will construct a new ferry maintenance facility located at Building 165 on Mare Island in Vallejo in three phases. As currently discussed between the City, WETA and LMI, Phase Zero would include site preparation, demolition, and abatement, which would be completed prior to landside construction work.. Phase One will construct all of the landside improvements including a 48,000 gallon fuel storage and delivery system, a new warehouse, and renovation of Building 165. Phase Two will construct all of the waterside improvements consisting of a system of modular floats and piers, gangways, and over the water utilities. Finally Building 477 (the existing ferry maintenance facility) will be cleaned up as required prior to surrender to Lennar.

GHD will be preparing revised cost estimates and schedules for all project phases and they will secure all required permits and environmental clearances. GHD is coordinating directly with the City and WETA as required to move all work forward. Project will be design/build under WETA's authority. Lennar will coordinate with the US Navy for Phase Zero work.

On December 15th the California Transportation Commission approved the City's request for a 20 month extension for the \$4.2 million STIP grant allocated to the project to provide time to re-design and re-bid the project. The City/WETA now have until August 2013 to enter into a construction contract for the work. During the workshop on March 27, it was agreed to put forth full efforts to enter into a construction contract by December 2012, well in advance of the CTC deadline, including finalization of all required permits prior to contract award.

OUTREACH, PUBLIC INFORMATION, AND MARKETING EFFORTS

On April 12, Lauren Duran and Keith Stahnke attended the MTC Trans Response Plan (TRP) Steering Committee Meeting.

On April 13, Lauren Duran attended the Business Outreach Committee.

On April 18, Chad Mason and John Sindzinski attended and presented to the Martinez City Council an overview of WETA activities and an update on the Martinez Terminal project.

On April 19, John Sindzinski and Chad Mason met with the City of Hercules to receive an update on the status of the Hercules Intermodal Transit Center project.

On April 19, staff met with City of Berkeley staff to provide an update on the project and to discuss the City entitlement process for the project.

On April 25, Keith Stahnke attended the Harbor Safety Committee Ferry Operations Work Group meeting.

On April 26, Lauren Duran attended the Regional Title VI Working Group.

OTHER ACTIVITIES / ITEMS

America's Cup – The City of San Francisco will host the 34th America's Cup race and related events in 2012 and 2013. WETA staff is participating on the City's interagency task force for event transportation in order to support transportation planning and identify the role that WETA's ferry system might play in supporting this event. The City's Planning Commission approved the Final EIR in December 2011. Staff is coordinating with the San Francisco Municipal Transportation Agency (SFMTA) on options to provide enhanced WETA service during AC34 events in 2012 and 2013.

ADMINISTRATION

Attached are the monthly financial statements for FY 2011/12 through March 2012, including the Statement of Revenues and Expenses and the Capital Budget vs. Expenditures reports.

San Francisco Bay Area Water Emergency Transportation Authority
FY 2011/12 Statement of Revenues and Expenses
For Period Ending 03/31/2012

	Current Month	Prior Year Actual	2011/12 Budget	2011/12 Actual	% of Budget
<i>% of Year Elapsed 75.3%</i>					
Operating Expenses:					
Planning & General Administration:					
Wages and Fringe Benefits	96,740	1,451,663	1,546,000	939,236	60.8%
Services	205,496	2,712,835	2,199,000	1,356,511	61.7%
Materials and Supplies	247	32,616	51,000	10,624	20.8%
Utilities	1,492	12,032	15,000	8,779	58.5%
Insurance	-	29,767	33,000	28,578	86.6%
Miscellaneous	2,579	42,390	128,000	25,100	19.6%
Leases and Rentals	21,807	290,944	298,000	204,985	68.8%
Sub-Total Planning & Gen Admin	328,360	4,572,247	4,270,000	2,573,813	60.3%
Ferry Operation:					
Vessel Operation	333,705		4,804,508	3,114,408	64.8%
Vessel Maintenance	85,200		2,117,285	1,250,438	59.1%
Facility Maintenance	79,800		434,314	362,961	83.6%
General & Administration	97,203		604,336	564,357	93.4%
Sub-Total Ferry Operation	595,908	-	7,960,443	5,292,166	66.5%
Total Operating Expenses	924,269	4,572,247	12,230,443	7,865,978	64.3%
Total Capital Expenses	745,154	21,835,930	24,392,774	10,479,019	43.0%
Total Expenses	1,669,423	26,408,177	36,623,217	18,344,997	50.1%

Operating Revenues

Fare Revenue	217,022		2,982,383	2,370,585	79.5%
Local - Bridge Toll	784,477	4,572,247	8,669,736	5,417,071	62.5%
Local - TIF	(96,778)		500,000	-	0.0%
Local - LLAD	19,548		78,194	78,192	100.0%
Local - Other Revenue	-		130	130	100.0%
Total Operating Revenues	924,269	4,572,247	12,230,443	7,865,978	64.3%
Total Capital Revenues	745,154	21,835,930	24,392,774	10,479,019	43.0%
Total Revenues	1,669,423	26,408,177	36,623,217	18,344,997	50.1%

San Francisco Bay Area Water Emergency Transportation Authority
FY 2011/12 Statement of Capital Revenues and Expenses
For Period Ending 03/31/2012

Project Description	Current Month	Project Budget	Prior Year Actual	2011/12 Budget	2011/12 Actual	Future Year	% of Project
Capital Expenses:							
SSF Mitigation Study		275,000	42,459	232,541	2,221	0	16%
SSF Terminal Construction	533,359	26,000,000	15,414,540	10,509,460	7,374,110	76,000	88%
Berkeley Environ/Conceptual Design	18,818	2,304,700	1,785,235	519,465	149,117	-	84%
Berkeley Terminal Final Design	-	3,200,000		500,000	-	2,700,000	0%
Hercules Environ/Conceptual Design	-	1,080,000	989,932	90,068	530	-	92%
Pier 9 Mooring/Floats	21,861	3,150,000	1,733,540	1,416,460	1,383,914	-	99%
Environmental Studies/Conceptual Design	25,439	3,250,000	251,465	2,998,535	135,127	-	12%
Central Bay Ops/Maint Fac - Environ/Design	30,988	2,600,000	362,872	2,237,128	69,529	-	17%
Central Bay Ops/Maint Fac - Construction	-	30,000,000	-	130,000	-	29,870,000	0%
Passenger Float - Clay Street	10,581	2,410,000	-	1,500,000	26,956	910,000	1%
Passenger Float - Main Street		90,000	90,000	-	-	-	100%
S.F. Berthing - Environ/Conceptual Design	93,377	3,300,000	950,349	1,861,651	686,072	488,000	50%
Vessel Engine Overhaul	-	1,103,564	-	1,103,564	153,014	-	14%
Vessel Mid-Life Overhaul - Bay Breeze	7,348	5,015,000	-	515,000	44,938	4,500,000	1%
Channel Dredging - Harbor Bay	3,384	250,000	-	250,000	4,693	-	2%
Infatable Boyancy Apparatus Purchase - 20	-	120,000	-	20,000	-	100,000	0%
Terminal Facility Improv - Harbor Bay	-	250,000	-	20,000	-	230,000	0%
Terminal Parking Lot Rehabilitation	-	475,000	-	475,000	447,158	-	94%
Emergency Repair - Harbor Bay Facilities	-	177,440	175,800	1,640	1,639	-	100%
Communications Equipment	-	52,000	39,737	12,263	-	-	76%
Total Capital Expenses	745,154	85,102,704	21,835,930	24,392,774	10,479,019	38,874,000	
Capital Revenues:							
Federal	323,856	23,233,404	8,839,892	7,794,447	3,458,125	6,599,065	53%
State	110,812	42,078,461	4,775,865	9,582,205	1,115,403	27,720,392	14%
Local - Bridge Toll	76,514	7,616,713	4,497,839	2,433,169	1,542,632	685,705	79%
Local - San Mateo Sales Tax Measure A	232,502	10,935,686	3,546,535	4,420,314	4,201,478	2,968,837	71%
Local - Alameda Sales Tax Measure B	1,470	1,238,440	175,800	162,640	161,381	900,000	27%
Total Capital Revenues	745,154	85,102,704	21,835,930	24,392,774	10,479,019	38,874,000	

LINDSAY, HART, NEIL & WEIGLER, LLP
ATTORNEYS AT LAW

1120 G Street, NW
Suite 1020
Washington, DC 20005
Tel: (202) 783-3333
Fax: (202) 783-4422

Peter Friedmann
Of Counsel

DATE: April 26, 2012
TO: WETA Board Members
FROM: Peter Friedmann
202-783-3333 OurManInDC@federalrelations.com
SUBJECT: Report to the Board: May Board Report

Despite all the bad press Congress is getting, they are starting to get things done on a number of fronts – trade, tax and transportation policy. Plus other items, ranging from student loan to funding dredging of navigation harbors, Maybe not enough, and certainly not fast enough, but finally, moving forward.

The June 4 Inauguration of the South San Francisco Ferry Terminal, presents an opportunity to focus on legislation, now being drafted, that will renew the national commitment to fund ferry infrastructure. Congresswoman Jackie Speier, in whose District the Terminal is located, will be there on June 4 (as she was for the groundbreaking ceremonies last year). She has become, in her three terms, a strong advocate for WETA.

The House and Senate are organizing their “Conference Committee”, selecting Members of the House and the Senate to meet and hammer out the differences between the House and Senate bills. The differences are many, but most dramatic are the differences in the funding. The fact of the matter is that the Highway Trust Fund, which pays for highway, transit and ferry boat infrastructure, is broke! The Highway Gas Tax simply is not generating the revenue needed to maintain existing infrastructure, much less build new infrastructure. But neither House nor Senate, neither Republicans nor Democrats are willing to propose the obvious – increase the gas tax, which hasn’t been increased since 1991! So that is a huge hurdle – finding the money to pay for more highways, new BART cars, more ferry terminals, ferry maintenance facilities, etc.

For California, there is another hurdle: there is nobody from California named to be a House Conferee on the House-Senate Transportation Bill Conference (except Henry Waxman of Los Angeles, whose role will be limited to some narrow, non infrastructure issues). Fortunately the Senate Environment and Public Works Committee Chair is Barbara Boxer. Her staff is “the go to” for ALL California transportation advocates, including WETA. We are in active discussions on ferry programs in the Transportation Bill. We are very focused on making the limited funding that will be in that bill, available to WETA.

Keep in mind that there are still some in powerful positions in the House and Senate, who are from rural states. They still the diversion (their words) of Federal Gas Tax revenues away from highways. They resist the distribution of gas tax money to transit, including ferries. The compromise currently in the Senate bill would allocate Federal Ferry Funding, just \$67 million, to ferry systems based on a formula – number of cars carried, number of passengers, and the route miles.

This is all in flux, but shows that we have support for maintaining Federal funding stream to WETA.

Peter

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS MEETING

(April 5, 2012)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at the WETA offices at Pier 9, Suite 111, San Francisco, CA.

1. ROLL CALL AND CALL TO ORDER

Chair Charlene Haught Johnson called the meeting to order at 1:09 p.m. Directors present were Vice Chair Anthony Intintoli, Director Gerald Bellows and Director Timothy Donovan. Chair Johnson led the pledge of allegiance.

2. REPORT OF BOARD CHAIR

Chair Johnson introduced Director Donovan replacing John O' Rourke, who had moved to a new position for the international office of the IBEW supervising multiple jurisdictions in Northern California and asked that a trip to WETA's various sites be arranged for the Board members. She also extended a warm welcome to South San Francisco Vice Mayor Pedro Gonzalez.

Chair Johnson invited members of the public to comment on items.

3. REPORT OF DIRECTORS

None.

4. REPORTS OF STAFF

Chair Johnson was interested in the status of the June 4 event for the Oyster Point Ferry Terminal. Executive Director Rannells introduced Manager of Transportation Services Ernest Sanchez. He stated that WETA was working with consultant Shirley Douglas who is handling the arrangements for the event, public relations firm MacKenzie Communications, Inc and with Robert Anthony Strategic Marketing and Design on developing the materials for the event.

WETA is planning its first major outreach event on April 25 with various transportation coordinators who provide transit information for their employees and work in coordination with transit agencies. This luncheon event will include ferry schedule orientation, Clipper operation and suggestions for more effective outreach effort. WETA is also working with the Peninsula Traffic Congestion Relief Alliance on providing coordinating bus service.

Executive Director Nina Rannells offered to answer any questions regarding her written report and the legislative report to the Board. Director Bellows wanted to know the status and cause of the fire onboard the *Scorpio*. Ms. Rannells stated that there was nothing conclusive at this point from the inspection that had taken place last week. She noted that the process involved inviting all parties involved in building and operating the boat and WETA to observe the opening of the control panel in the area of the fire. Mr. Sanchez added that no definite source had been identified but a few things were ruled out but that the process would continue with all interested parties.

Ms. Rannells mentioned that the WETA state bill had been amended with the language that was brought forward but did not have the schedule of committees the bill would go through.

5. CONSENT CALENDAR

Vice Chair Intintoli made a motion to approve the minutes from the March 1 and March 15, 2012 Board meetings. Director Bellows seconded the motion and the item carried unanimously.

6. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS RELATED TO ADOPTING A FARE STRUCTURE FOR THE NEW SOUTH SAN FRANCISCO FERRY SERVICE

Ms. Rannells introduced this item offering the public an opportunity to comment on the fare structure followed by an action for the new South San Francisco ferry service. Chair Johnson formally opened the public hearing and invited members of the public to comment.

Public Comment

South San Francisco Vice Mayor Pedro Gonzalez asked if the fares were different for cash and Clipper. Manager of Planning and Development John Sindzinski replied that the fares were the same for both.

Citing no speakers and no further comments, Chair Johnson closed the public hearing.

7. ADOPT A FARE STRUCTURE FOR THE NEW SOUTH SAN FRANCISCO FERRY SERVICE

Mr. Sindzinski followed up on the previous item stating that these were one way fares. Ms. Rannells stated that these fares were based upon projected ridership with a fare box recovery of 20-25%. She added that based upon \$250,000 operating costs for FY2011/12 that \$200,000 would be covered by grants and \$50,000 by fares.

Vice Chair Intintoli asked how the fares were established. Ms. Rannells stated that staff looked at many factors in developing the fares including the cost of the service, regional cost-effectiveness criterion for use of RM2 funds and willingness to pay. WETA and the Peninsula Traffic Congestion Relief Alliance (Alliance) surveyed potential riders and that the positive response indicated potentially acceptable fares in the \$6-8 range and was comparable to the current cost of a BART ride with parking. Another measure considered in setting the fare is the current fare for other Alameda services. The SSF fare was set slightly higher to reflect its commute-only nature, which results in an expensive service due to labor costs, and the longer trip time, which requires more fuel. Ms. Rannells indicated that \$7 was a reasonable place to start with the intent of achieving MTC's guidelines of a 40% fare box recovery in three years which she felt was going to be a challenge. She noted that this was an expensive service as a commute peak period service with labor and fuel being the primary cost drivers.

Mr. Sindzinski added that public comment had been requested through WETA's website. Approximately 50-60 of the 120 people who visited the site during the comment period read the notice and only one substantive comment had been received requesting that fares be more in line with the Alameda fares.

Ms. Rannells further added that the fare includes a free transfer to new shuttle services arranged through the Alliance. There will initially be two shuttle routes, including one that takes passengers to employers east of Highway 101. WETA successfully partnered with the Alliance to receive a grant from the San Mateo County Transportation Authority to support the shuttle operation. San Mateo County sales tax funds will support 75% of the cost of the shuttle and Regional Measure 2 funds will fund the balance. Ridership on the routes will be monitored and reviewed in six months in order to ensure that the services are appropriately serving the ridership needs. Genentech will also provide a shuttle for its employees to their SSF campus. Mr. Sindzinski added that a new employer has leased a portion of a large office building in the area, and that he has been told that they will also be sponsoring a shuttle to the ferry terminal.

Mr. Sanchez reminded the Board about the free East Bay parking and added that the shuttles were coordinated with ferry arrivals and departures. Ms. Rannells reminded the Board that, as a part of the Alameda service transition, WETA had negotiated with the Port of Oakland to extend free parking to all ferry service patrons. While parking is free at this time, due to low utilization of the lot at Jack London Square, the Port of Oakland has reserved the right to institute a minimal fee for ferry patrons in the future in the event that parking demand increases and the lot becomes impacted. Director Donovan asked if there were discounts offered to large employers. Mr. Sindzinski stated that companies provide transit benefit subsidies to their employees through the Clipper program.

Director Bellows made a motion to approve the item. Vice Chair Intintoli seconded the motion and the item carried unanimously.

8. APPROVE FISCAL YEAR 2011/12 OPERATING BUDGET FOR THE SOUTH SAN FRANCISCO FERRY SERVICE AND AUTHORIZE FILING APPLICATION WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR REGIONAL MEASURE 2 OPERATING FUNDS

Manager of Finance and Grants Lynne Yu presented this item to the Board requesting approval of actions related to the FY 2011/12 operating budget for the South San Francisco ferry service and authorization to file an application with the Metropolitan Transportation Commission for \$200,000 in FY2011/12 Regional Measure 2 operating funds to support operations.

Vice Chair Intintoli made a motion to approve the item. Director Bellows seconded the motion and the item carried unanimously.

9. APPROVE ON-CALL DREDGING CONSULTING AND CONSTRUCTION MANAGEMENT SERVICES LIST AND CONTRACT AWARD

Mr. Sindzinski presented this item noting that seven firms had been selected to provide on-call design and construction management services for dredging projects and that these firms are qualified and that WETA had worked with several of the firms in the past.

Public Comment

Len Cardoza of Weston Solutions introduced himself representing one of the firms on the on-call list and invited questions from the Board.

Public Comment

Veronica Sanchez with Master, Mates & Pilots noted that the captains on WETA ferries were also captains on the tugboats that she was watching the dredging contracts to provide opportunities for her members.

Director Bellows made a motion to approve the item. Vice Chair Intintoli seconded the motion and the item carried unanimously.

10. RECESS INTO CLOSED SESSION AND REPORT ON CLOSED SESSION

Chair Johnson invited members of the public to comment on items before going into closed session. She called the meeting into closed session at 1:46 p.m. Upon reopening of the meeting at 3:04 p.m. she reported that no action had been taken.

11. ADJOURNMENT

All business having concluded, the meeting was adjourned at 3:04 p.m.

Respectfully Submitted,

Board Secretary

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Keith Stahnke, Manager, Operations

SUBJECT: Award of Float Construction Contract for the Clay Street Oakland Passenger Float Replacement

Recommendation

Approve award of contract for the construction of the Clay Street Oakland Passenger Float Replacement to Manson Construction in the amount of \$2,128,300, establish a construction contingency fund in the amount of \$159,700, equal to 7.5% of the contract award amount and authorize the Executive Director to negotiate and enter into a contract, and take any other such related actions, to support this work.

Background/Discussion

On July 14, 2011 the Board of Directors approved the release of the Request for Proposal (RFP) for the construction of Clay Street Oakland Passenger Float Replacement. This project includes the float, mooring fendering, walkways, and other structures needed for passenger operations at the Clay Street Terminal.

WETA used the professional services of Walther Engineering, to assist staff with the conceptual plans and technical specifications that details the project requirements. As a part of this project, the winning contractor is required to complete design work in accordance with WETA standards and guidance and then build and install the components. The project includes constructing a new 32'x80' float, removable piling collars, associated vessel mooring hardware, passenger walkways and six adjustable height boarding platforms. The project also requires that the work be completed without disruption of Alameda/Oakland and South San Francisco ferry services.

Procurement Process:

The procurement process used for this project involved issuance of an RFP, as it is a "design build" construction project, meaning that the selected contractor must complete design work to WETA's specifications. The RFP was released on February 23, 2012 to the construction industry. Notice of the availability of this RFP was sent to WETA's mailing list as well as posted on the Agency's website consistent with the Authority's Administrative Code.

During the period the RFP was available, WETA hosted a Proposers' conference at the project site in Oakland that was attended by twelve individuals representing construction and engineering firms. Proposals were due to WETA on or before March 30, 2012.

Evaluation Process:

The RFP required proposers to submit technical qualifications for review and scoring. Proposers were also required to submit in a separate sealed envelope price proposals that

would be reviewed for those who met the technical requirements. The technical portion of the evaluation process amounted to 50% of the total possible score. Technical scores considered each proposer’s technical approach to and understanding of the project, management plan, and experience in building similar structures, references, qualifications of its proposed team, and its safety and environmental awareness programs, among other factors.

A total of two proposals were received in response to the RFP. An evaluation team composed of WETA staff and WETA’s construction manager, Walther Engineering, reviewed the written technical proposals, both bids were determined to be responsive to the RFP. In addition, both firms were interviewed on April 26, 2012 to answer the evaluation team’s questions about each proposal. Table 1 presents the results of the evaluations team’s analysis of the technical submittals.

Table 1 Proposal Evaluation Results	
Technical Approach/ Management Plan	
Salt River Construction	7.0
Manson Construction	18.5
Experience/References	
Salt River Construction	5.5
Manson Construction	14.5
Team Qualifications	
Salt River Construction	5.0
Manson Construction	10.0
Environmental Awareness/Safety	
Salt River Construction	1.0
Manson Construction	5.0
Total Technical Score	
Salt River Construction	18.5
Manson Construction	48.0

Once the technical scoring was completed, the price proposals submitted by the two contractors were reviewed. Table 2 presents the price proposals.

Table 2 Price Proposals		
	Price proposal	Score
Salt River Construction	\$1,408,000	50.00
Manson Construction	\$2,128,300	24.42

Pursuant to the review process set forth in the RFP this two-step process was used to identify the most qualified firm based on combined technical and price rankings. Table 3 summarizes the final scores for each submittal.

Table 3 Final Scores	
	Combined total score
Salt River Construction	68.50
Manson Construction	72.42

Based on these results, the evaluation committee concluded that the proposal from Manson Construction Company is the “best value” submittal for this project. While the Manson proposal is more expensive than that of Salt River, the evaluation committee concluded that Manson’s experience and technical proposal would result in a superior facility for this important and highly used terminal site. Staff recommends awarding a contract to Manson Construction Company to construct the float project in the amount of their proposal (\$2,128,300), and proposes that the Executive Director be authorized a 7.5% contingency (\$159,700) to allow for any additive changes that WETA may find it needs to complete the project to its satisfaction, to add elements that were not in the original specifications or to deal with unforeseen circumstances.

If approved the Notice to Proceed for design activities will be issued in May 2012 with the project scheduled to be completed by February 2013.

Fiscal Impact

The total estimated cost of the Clay Street Oakland Passenger Float Replacement project is as follows:

Float Replacement Project Expenses	
Project Components	Expense
Construction Contract	\$ 2,128,300
Construction Contract Contingency (7.5%)	\$ 159,700
Construction Management & Support (Consultant)	\$ 80,000
Project Manager (WETA Staff)	\$ 22,000
Legal Service – Document Review	\$ 15,000
Other Expenses	\$ 5,000
Total Project Budget	\$ 2,410,000

This project is included in the FY 2011/12 Capital Budget in the amount of \$2,410,000 and is funded with State Proposition 1B grant funds.

END

MEMORANDUM

TO: Board Members

**FROM: Nina Rannells, Executive Director
Lynne Yu, Manager, Finance & Grants**

**SUBJECT: Approve Amendment with the Association of Bay Area Governments for the
Provision of Accounting Support Services**

Recommendation

Approve Amendment No. 11 to the agreement with the Association of Bay Area Governments (ABAG) in the amount of \$100,000 for the provision of accounting support services for FY 2012/13 and authorize the Executive Director to execute the amendment.

Background

On March 22, 2001, the Water Transit Authority (WTA) Board approved an agreement with ABAG to manage its fiscal affairs in conformance with accepted state government accounting practices. This agreement transferred over to the Water Emergency Transportation Authority (WETA) upon its creation on January 1, 2008.

Discussion

The annual ABAG agreement includes fiscal services to process and pay invoices, keep WETA's accounting records, provide advice on financial accounting matters and provide for required independent financial audit work. Through this contract work, WETA receives the benefit of ABAG finance staff's knowledge of governmental accounting practices, access to their professional staff to help manage financial audits, use of ABAG's accounting software system, an independent review of invoices and check processing services. This arrangement provides an overall cost saving over what it would cost to directly hire accounting personnel and purchase, manage and maintain financial accounting software. It also allows WETA staff to focus our financial efforts on more specialized grant and financial planning work.

The current amendment is set to expire on June 30, 2012. Staff recommends extending the agreement to June 30, 2013. In FY 2012/13, this will include the services of independent auditor Maze & Associates Accountancy Corporation to conduct WETA's annual fiscal audit for FY 2011/12.

Fiscal Impact

Staff and ABAG have estimated that \$100,000, consistent with the budget for the current fiscal year, will be required for these services in FY 2012/13. Funds in this amount will be included in the FY 2012/13 budget to cover this expense.

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Approve Amendment with Lindsay, Hart, Neil & Weigler, LLP for the Provision of Federal Legislative Representation

Recommendation

Approve Amendment No. 11 to the agreement with Lindsay, Hart, Neil & Weigler, LLP (LHNW) to extend the term of their contract through FY 2012/13 for an amount of \$160,000 and authorize the Executive Director to execute the amendment.

Background

The WTA first approved the LHNW contract on November 29, 2001 after a competitive selection process. This contract was transferred over to WETA upon its creation on January 1, 2008, and has been renewed annually to provide funding to continue this ongoing work. Over the years, LHNW has been successful at securing over \$30 million in federal funding commitments toward WETA projects and in working to increase overall federal transportation funding for ferry programs.

Discussion

With the approval of the proposed contract amendment, Mr. Peter Friedmann and his staff would continue working on funding and other federal legislative issues in FY 2012/13, focusing on the following programs and priorities:

- Expand, maintain and coordinate San Francisco Bay/California Congressional Delegation advocacy for WETA, and work to ensure continued active support for WETA by the Washington State Congressional Delegation, where WETA boats have been built, rehabilitated, repaired, and by other Members of Congress.
- Work with WETA staff to pursue grants and seek congressional support from the Ferry Boat Discretionary Fund as administered by the Federal Highway Administration, USDOT.
- Participate as founding member of the DC representatives of the Public Ferry Coalition, to gain increased federal funding and other federal support for public ferry service.
- Work towards overall objective of gaining a revenue stream to WETA in any new ferry legislation proposed for the upcoming TEA bill.
- Assure that WETA's interests are well-served in any ferry formula grant program.
- Creatively propose and pursue other federal support, for instance, possible expansion of the Port Security Grant program, to include ferry terminals.
- Regularly inform WETA Board and staff of all relevant legislative and regulatory developments and lobbying activities in Washington DC.

Fiscal Impact

The award of these services would commit the Authority to an amount up to \$160,000 in FY 2012/13, consistent with the budget and prior year contracts.

END