

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS MEETING

(June 5, 2008)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at the offices of the San Francisco Bay Conservation & Development Commission, San Francisco, CA.

1. ROLL CALL AND CALL TO ORDER

Chair Charlene Haight Johnson called the meeting to order at 1:02 p.m. Directors present were Chair Johnson, Vice Chair Anthony Intintoli and Directors Beverly Johnson and John O'Rourke. Vice Chair Intintoli led the Pledge of Allegiance.

2. REPORT OF BOARD CHAIR

Chair Johnson had no report but reminded the Directors and Staff that a Board retreat had been discussed. Vice Chair Intintoli suggested that a retreat should take place as soon as possible. Manager of Community Relations Shirley Douglas suggested that a retreat should take place after an Executive Director is named and agreed to follow up with Board members on a possible retreat in August. Chair Johnson also reiterated that WETA should schedule future board meetings in Alameda and Vallejo.

3. REPORT OF DIRECTORS

None.

4. REPORTS OF STAFF

Interim Executive Director Nina Rannells updated the Board on the status of SB 1093. She noted that the bill had passed out of the State Senate with amendments which to a large degree were the amendments that WETA had been working on with the cities of Alameda and Vallejo. One additional amendment that the cities are interested in and that did not make it into the bill deals with permanent Board representation for the cities. Ms. Rannells noted that the bill is next scheduled to be heard by the Assembly Transportation Committee on June 16. One additional change being worked on is language that would allow MTC to allocate RM2 funds to WETA related to the transition plan.

5. CONSENT CALENDAR (Item 6)

Vice Chair Intintoli made a motion to approve the minutes from the May 15, 2008 Board of Directors meeting. Director O'Rourke seconded the motion and the item carried unanimously.

6. INFORMATIONAL ITEM – DISCUSSION REGARDING LEED CERTIFICATION FOR FERRY TERMINALS

Manager of Planning and Development John Sindzinski presented an overview of the process required for LEED certification, including the costs associated with certifying a project and the scoring system. He explained that because the LEED scoring system is designed to apply to enclosed buildings, a ferry terminal is not well suited to accruing points for key LEED items such as heating and HVAC systems. Mr. Sindzinski added that the South San Francisco project would present additional challenges because it is being built over the water and specifically designed not to penetrate a clay capped landfill, so LEED points based on water infiltration

would actually be environmentally counterproductive to the project. He noted that sites in Berkeley and Hercules would present similar scenarios.

Mr. Sindzinski added that there were many other ways WETA terminal design can be environmentally responsible, including sensitivity to dredging issues, reduced vehicular trips, and minimizing impact on habitat areas.

Mr. Sindzinski then introduced Boris Dramov and Bonnie Fisher of Roma Design. Director Johnson asked for examples of ways the terminals could be made green. Mr. Dramov indicated that although LEED certification is not a good metric for ferry terminals, a key objective of the WETA system is to meet environmental goals and that terminal design can be environmentally friendly by focusing on issues specific to each site. He noted several aspects of the South San Francisco design that specifically minimized environmental impacts to the site. Ms. Fisher added although terminals may not be appropriate for LEED certification, some aspects of LEED such as sensitivity to local habitats and drought resistant landscaping do apply and are incorporated where appropriate.

Director O'Rourke suggested that a photovoltaic installation could be a possible revenue enhancement. Mr. Dramov replied that a solar installation could potentially reduce meter readings to zero but would not provide a revenue stream. He suggested wind power as a more appropriate alternative since it would operate at all hours. Director O'Rourke noted photovoltaic installations such as those at his office and at the ballpark generate more power than they use. He further suggested that there were opportunities to partner with a utility for solar installation and that it is important to take advantage of situations where WETA can put energy back into the grid to reduce our dependence of foreign fuel. Mr. Sindzinski referenced a previous presentation to the WTA Board regarding solar options and noted that the Board had decided against a South San Francisco installation at that time.

Director O'Rourke suggested that the terminal be built with conduit so that it may be ready to accept photovoltaic installations in the future. Ms. Fisher noted an interesting alternative for terminal power called a "windspire". Mr. Dramov said that a windspire would be appropriate for terminal installations and specifically the South San Francisco terminal due to inherently windy conditions at the site. Additionally, he felt the windspires were an intriguing possibility for a visual trademark for WETA terminals. Ms. Fisher noted that windspires have a cost starting at approximately \$5,000. Mr. Dramov further noted that wind had the advantage as solar power would create a net heat gain in the terminal and was much more expensive to install.

Director Johnson suggested that the terminal be compatible with potential alternative energy sources that might be added at a later date. She added that it might make sense to consider being a provider of power rather than a customer. Mr. Dramov noted that Denmark is a net exporter of energy due to its success with wind power. Chair Johnson expressed her interest in windspire but noted that she wished to avoid and Rube Goldberg style designs. Mr. Sindzinski added that the Berkeley terminal designers would also be looking into alternative power sources for that project.

7. ACTION ITEM – AUTHORIZE THE EXECUTIVE DIRECTOR TO FILE APPLICATIONS WITH FTA AND EXECUTE GRANT CONTRACTS, CERTIFICATIONS AND ASSURANCES

Ms. Rannells presented this item to transfer WTA grants to WETA and establish WETA as an FTA grantee.

Director Johnson made a motion to approve the item. Director O'Rourke seconded the motion and the item carried unanimously.

8. ACTION ITEM – ADOPTION OF A FINAL MITIGATED NEGATIVE DECLARATION FOR THE PIER 9 LAYOVER FERRY BERTHING FACILITY PROJECT AND PROJECT APPROVAL

Manager of Operations Keith Stahnke presented this item regarding the CEQA process for the Pier 9 berthing project. Mr. Stahnke noted that the Port of San Francisco had requested documentation regarding WETA's legal authority to act as lead agency for the project, that the issue had been addressed by staff and legal counsel and that subsequently the Port issued no formal comment. Mr. Stahnke added that after the comment period had closed, BCDC had asked staff for clarification on the project and that WETA continues to work with BCDC on permitting requirements.

Director Intintoli made a motion to approve the item. Director Johnson seconded the motion and the item carried unanimously.

At this time Chair Johnson asked Mr. Sindzinski for a status update on the oyster mitigation and monitoring project at the South San Francisco terminal site. Mr. Sindzinski indicated that oysters were found and that phase 2 of the study would be on hold until after dredging. He noted that the study would continue for several years and that the oyster population had been estimated at 12,000. He added that the oysters were an important for the health of the Bay and a food source for several endangered species, and that they were also present at the Berkeley sites.

9. ACTION ITEM – AUTHORIZE RELEASE OF RFP FOR CONSULTING SERVICES TO PREPARE A SERVICE TRANSITION PLAN

Ms. Rannells summarized SB 976's requirement for a Transition Plan to be adopted by July 1, 2009 and noted that the scope of creating the plan was beyond current staff resources. The plan will outline both operational and capital aspects of WETA's consolidation of Alameda and Vallejo ferry services and assets.

Chair Johnson asked if WETA's relationship with the Alameda and Vallejo continued to be positive. Director Intintoli and Director Johnson answered that it had. Ms. Rannells agreed and noted that all involved realized the importance of a positive approach.

WETA counsel Stanley Taylor added that WETA had entered into a stipulated stay of the litigation between the City of Vallejo and WETA and that hopefully SB 1093 would resolve any remaining concerns and that any remaining litigation would be dismissed.

Director Intintoli made a motion to approve the item. Director O'Rourke seconded the motion and the item carried unanimously.

10. INFORMATIONAL ITEM – OVERVIEW OF SAN FRANCISCO FERRY TERMINAL BERTHING PROJECT

Mr. Sindzinski gave a presentation regarding the expansion of the terminal facilities at the Ferry Building that will be required for both emergency response capacity and to meet the need of increased commuter services. He noted that the Ferry Building is a hub for public transit, with BART, MUNI, Amtrak and ferry services all available within a five minute walking radius. He noted that the current docking facilities were already at maximum occupancy and that without additional terminals, adding new commuter services such as the upcoming Treasure Island and Berkeley routes would create an unacceptable backlog situation with vessels waiting in line for docking space. He further noted that this would cause regular 10-15 minute delays for commuters that would ultimately degrade ridership.

Mr. Sindzinski presented three options prepared by Roma Design for locating two new terminals behind the Agricultural Building (Ag Building). Option #1 would consist of building an apron around the Ag Building without involving the Ag Building in any way. Option #2 would still not touch the Ag Building but would be built to essential structure to withstand any earthquake and fill in an open space in the existing pier area to create additional public space. Option #3 would add improvements to the Ag Building and bring it up to essential structure as well.

Director Johnson asked if there were any plans to build a maintenance facility at this location. Mr. Sindzinski replied that there was no intention of building a maintenance facility at the Ferry Building. Director Johnson asked why WETA was considering any role at all regarding improvements to the Ag Building. Mr. Sindzinski replied that there was an expectation that WETA may be involved to some degree as part of the process of getting permits for the new facilities. Chair Johnson indicated that previous investigations regarding the Ag Building had determined that rehabilitation was not financially viable. Mr. Sindzinski added that this is something that may be done by a private developer and that WETA's focus is not the Ag Building but building the additional berthing facilities. He further noted the urgency of engaging the Port in these discussions in preparation of completing new environmental documents prior to the arrival of new ferry services.

Chair Johnson asked if the Port was pushing for WETA's involvement with the Ag Building. Mr. Sindzinski said he did not believe it was the Port's official position but felt that there was some indication that this was the case and that they likely see some of the \$20 million RM2 funding for the berthing project as going toward the Ag Building. Ms. Rannells added that she believed the Port also has Measure K funds available for the project. Mr. Sindzinski added that even with Option #1 of building an apron around the Ag Building, the project would cost about \$35 million in construction and an additional cost of \$10 million in environmental and design work. Option #2 would still not touch the Ag Building and would cost an additional \$15 million. Mr. Sindzinski said that this option was in ongoing discussion with the Port along with Option #3, which would include some participation by WETA with the Ag Building. He further explained that WETA would not have the lead role in any CEQA process regarding Option #3, but in Options #1 and #2 WETA would be required to assess any impact the berthing facilities would have on the Ag Building.

Director Johnson asked why WETA would be involved in any discussion whatsoever regarding work on the Ag Building and Chair Johnson agreed. Vice Chair Intintoli suggested that unless there was some formal action requiring WETA's involvement with the Ag Building, Option #3 should not be under consideration by the Board. Chair Johnson acknowledged the need for beginning the process for the new docking facilities as soon as possible and asked what the next step should be. Ms. Rannells suggested that WETA continue ongoing discussions with the Port and that a recommendation for how to move forward would be brought back to the Board.

Public Comment:

Veronica Sanchez of Masters Mates & Pilots offered a historical background on funding issues surrounding the Ag Building and her observation that the Port may have shifted its focus to seawall development and that the Ag Building may not be as much of a priority at this time due to both the complexity of the project with minimal revenue returns for any private developers.

She also noted that prior to Steve Castleberry's departure from WETA, Mr. Castleberry had been active regarding lot 351 and parking issues at the Port which will be helpful in moving the project forward.

11. RECESS INTO CLOSED SESSION AND REPORT ON CLOSED SESSION

Chair Johnson called the meeting into closed session at 2:25 p.m. Upon reopening of the meeting at 2:45 p.m. Chair Johnson reported that no action had been taken.

12. ADJOURNMENT

All business having concluded, the meeting was adjourned at 3:10 P.M.

Respectfully Submitted,

Board Secretary
