

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS MEETING

(March 31, 2008)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at the Port of San Francisco, Bayside Conference Room, Pier 1 on the Embarcadero, San Francisco, CA.

1. ROLL CALL AND CALL TO ORDER

Chair Charlene Haught Johnson called the meeting to order at 9:10 a.m. Directors present were Chair Johnson, Vice Chair Anthony Intintoli and Director Gerald Bellows. Director Beverly Johnson arrived at 9:18 a.m.

2. REPORT OF BOARD CHAIR

Chair Johnson acknowledged the Cesar Chavez holiday and noted that SB976 required the Board meet before April 1. She recognized the presence and contributions of former WTA Directors Marina Secchitano and Rocco Mancinelli, as well as Mayor Pedro Gonzalez of South San Francisco, Mayor Ed Balico of Hercules, Mr. Peter Grenell, Mr. Keith Whittemore, Mr. Jim Wunderman and Mr. Tom Bertken, and thanked all of those who wrote to the Governor regarding Board appointments. She introduced Director Bellows and WETA's priorities as outlined in the SB976. Vice Chair Intintoli led the Pledge of Allegiance.

3. REPORT OF DIRECTORS

None.

4. REPORTS OF STAFF

Executive Director Steve Castleberry gave a brief background of the WTA and WETA, introduced WETA staff to the Board, and presented the WETA organizational structure and recent ferry ridership statistics.

5. INFORMATIONAL PRESENTATION – ONGOING ACTIVITIES

Mr. Castleberry introduced a presentation on the status of ongoing activities and WETA's role in the context of existing transit services in the Bay Area.

Manager of Planning and Development John Sindzinski continued the status report highlighting the following issues:

- South San Francisco service, including funding issues, terminal design, construction and location and capital costs.
- Berkeley/Albany service, including the draft EIR/EIS process, the four terminal sites under consideration and funding.
- Hercules service, including the draft environmental document, funding and co-location with Amtrak terminal.
- Richmond service, including terminal locations under consideration and land use plan for the Ford facility.

Mr. Castleberry continued the presentation with an overview of other ongoing projects:

- Other routes in various planning stages including Redwood City, Martinez, Antioch, Treasure Island and Alameda Point.
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- Spare Vessels currently under construction.
- Additional docking facilities at the Ferry Building.
- Maintenance facilities.
- WETA funding sources.
- WETA projects master schedule.

Mr. Castleberry entertained questions. Director Johnson asked if there was a site preference for the Berkeley/Albany terminal. Mr. Castleberry responded that there would be an extensive review and that a recommendation would be brought to the Board. Director Johnson also asked if the road leading to the Richmond terminal site would require WETA funding. Mr. Castleberry responded that the Richmond General Plan would address funding.

Chair Johnson asked for an update on the status of the lease for the South San Francisco terminal site at Oyster Point. Mr. Castleberry indicated that the San Mateo County Harbor District had delayed approval of the lease. South San Francisco Mayor Gonzalez asked when service to South San Francisco would begin. Mr. Castleberry said service may not begin until 2010 and that WETA is working on closing a \$5 million funding gap. Mayor Gonzalez noted his disappointment in the delay. Chair Johnson asked if the Office of Emergency Services would assist with funding. Mr. Castleberry responded that the process to do so had not been set up yet. Director Johnson asked if the South San Francisco project was design-build. Mr. Castleberry responded in the affirmative. Director Johnson inquired about the feasibility of participating in an integrated single ticket program. Mr. Castleberry replied that John Sindzinski of the WTA/WETA had been pursuing membership in Translink and will continue to do so.

6. OPEN TIME FOR PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

At this time Chair Johnson accepted comments from the public.

Mr. John Harris noted that the current emergency response plan only moves people and not equipment and that he and the fire chief feel that this vision is not sufficient for responding to a regional disaster. Mr. Castleberry suggested that this was true and that the new legislation takes a broader view. Mr. Harris further noted that there are two vessels in the bone yard that could serve in this capacity but that they were not compatible with any current ferry docking facilities.

Jim Wunderman spoke on behalf of the Bay Area Council and noted that the Council recognizes the economic importance of creating a robust ferry service and the role ferries can play in emergency response. He noted the challenges of writing legislation when there is an existing agency involved, adding that the bill had been controversial in Vallejo and Alameda. He added that due to the current economic situation (budget discussions?) the legislation had been introduced at the last minute and Council was not able to include more land use language. He had hoped for more than \$250 million but they got "half the apple". He stated that the Bay Area Council stands ready to work with WETA to get the system in place. He offered the Council's congratulations to WETA and expressed hopes to have boats built in the Bay Area with less environmental impact and to make that vision a reality.

Hercules Mayor Balico offered his congratulations to the Board. He stated that Hercules is committed to building the state's first ferry/rail/bus terminal. Planning for the Parkway is 90% complete and that \$40 million in Measure J funding has been committed to the project including \$1.7 million for initial ferry service. He stated that the EIR will be complete in August 2008 and rail service will begin in October 2008. Overall, \$76 million has been committed to transit in Hercules, and he is looking forward to working with WETA.

Mike Savidge of the Golden Gate National Recreation Area spoke on the need for recreational ferry service to coordinate with park services. He welcomed the opportunity to partner with WETA.

Director Johnson commented that she appreciated Hercules' eager cooperation. She asks if there are any Bay Area builders who could build ferries. Mr. Castleberry noted that the WTA had never received any bids from Bay Area builders. Director Johnson asks if there is the potential for local bids. Mr. Castleberry stated that he did not know. Director Johnson notes that building locally would be an opportunity to revitalize Bay Area building and to support the local economy.

7. INFORMATIONAL PRESENTATION – EMERGENCY RESPONSE

Mr. Castleberry presented an overview of WETA's role in emergency response including:

- Existing organizational structure and infrastructure.
- Existing organizations and their roles in emergency response scenarios.
- Existing conditions for the transbay corridor and the need to allocate resources to increase East Bay evacuation capacity.
- The need for increased docking facilities at the Ferry Building in order to maximize both evacuation capacity and use of existing vessels.
- Add new fueling capacity easily accessible to vessels using the Easy Bay evacuation corridor.
- The need to Train crews, get charter agreements in place with other operators, increase docking capacity in Oakland, and coordinate with other transit operators.

Vice Chair Intintoli asks if we will have a surplus of boats and if we will need to maintain out of service vessels. Mr. Castleberry replies that this would be a nice problem to have but that it is not an issue we anticipate. Director Johnson asks if there is an Emergency Response Center. Mr. Castleberry responds that the MTC has one, as does each county, and that WETA would like to eventually build its own. Director Johnson noted that she would like a presentation from OES, and asks about interoperability of response plans with Joint Powers Authority. Jesús Vargas of VSCE stated that he recalled ferries from the Pacific Northwest being put in service in the Bay Area during the 1998 BART strike. He wondered about what the added capacity of those vessels might be in an emergency response scenario and if the Port of Oakland had docking facilities compatible with those vessels.

8. INFORMATIONAL PRESENTATION – STATUS OF WTA AGREEMENTS

Deputy Director of Finance and Administration Nina Rannells presented a memorandum on agreements transferred to WETA, noting that there were no changes to the agreements and that they had been transferred from the WTA to WETA per SB 976

Chair Johnson asked if there were any changes to the agreements. Ms. Rannells reiterated that there were no changes to the WTA agreements. Director Johnson asked if there would need to be changes to new employee agreements. Ms. Rannells indicated that there would be no changes to those agreements since employees were no longer LGS employees but employed directly by WETA.

9. ACTION ITEM – APPROVAL OF FISCAL YEAR 2007/08 BUDGET

Ms. Rannells presented a proposed FY 2007/08 budget, noting that it is a six-month budget for the period January 1, 2008 to June 30, 2008 as WETA did not exist prior to January 1. She also noted that it is essentially an extension of the WTA budget and that WETA does not yet have access to new capital funds through Proposition 1b.

Director Bellows asked if the budget included funds from the San Mateo County sales tax. Ms. Rannells indicated that San Mateo Measure A funds had not been authorized yet, but that San Mateo's decision was anticipated within the next few months. Mayor Gonzales commented that San Mateo would be releasing the Measure A funds in January 2009. Ms. Rannells clarified that Measure A sales tax funds were scheduled to be collected starting January 2009, but that WETA had requested an advance of these funds from the San Mateo County Transportation Authority. Mayor Gonzalez stated that they were waiting first to see how WETA would be funded.

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

10. ACTION ITEM – APPROVAL OF ADMINISTRATIVE CODE

Mr. Castleberry presented the WTA Administrative Code for use by WETA.

Director Johnson recommended that the Code be approved and reviewed by committee for any necessary changes. Director Bellows asked if there had been any changes with the Code in the past. Chair Johnson said there had not been. Director Bellows noted that there were clerical errors in the Code and that it needed to be updated. Vice Chair Intintoli asked if the Code could be approved and then changed in committee. Mr. Castleberry responded that it could. Director Bellows observed that the Code provided for more committees than may be necessary for a five member Board. Mr. Castleberry agreed and noted that that was on the Agenda for discussion.

Director Intintoli made a motion to approve the item and assign a Board Committee to develop amendments for further approval of the Board. Director Johnson seconded the motion and the item carried unanimously.

11. ACTION ITEM – APPROVAL OF HUMAN RESOURCES GUIDE

Ms. Rannells presented the WETA Human Resources guide for approval. She noted that a considerable amount of time was spent researching and creating the Guide based on those of similar sized Bay Area transit agencies.

Vice Chair Intintoli asked if the Guide complied with SB 976. Ms. Rannells stated that it did. Director Johnson asked if staff could bring back a comparison of the Guide with pertinent items from SB 976. Ms. Rannells said she could. Vice Chair Intintoli pointed to Article V in SB 976 as an example. Ms. Rannells reiterated that a review with SB 976 could be prepared. Chair Johnson suggested that the Guide could be approved and returned to staff for review to see if any changes would be required. Director Bellows pointed out errors with title and holiday listings. Director Johnson asked about retirement health care benefits. Ms. Rannells replied that under PERS there were partial benefits after 10 years employment. Director Johnson asked about GASB requirements and if staff could prepare a summary of employee benefits. Ms. Rannells offered to bring back a comprehensive summary for discussion. Director Johnson asked which PERS option employees had. Ms. Rannells replied that it was 2.5% at 55. Director Johnson asked what the arrangement was for current medical benefits. Ms. Rannells replied that a certain amount was paid and the employee covered the balance if they chose a plan that cost more than that amount.

Vice Chair Intintoli asked how often future Board meetings should be scheduled. Mr. Castleberry suggested monthly but that meetings could be more frequent. Vice Chair Intintoli suggested every two weeks.

Director Johnson made a motion to approve the item pending staff review with SB 976. Director Intintoli seconded the motion and the item carried unanimously.

12. ACTION ITEM – ESTABLISHMENT OF STANDING COMMITTEES

Manager of Community Relations Shirley Douglas reviewed the WTA original enabling legislations requirements for standing committees (SB428-1999) and reviewed the committees the WTA had established. She noted that the Community Advisory Committee (CAC) had been active and requested to continue under WETA.

Director Johnson asked if all the previous committees were listed in the Agenda Item. Ms. Douglas replied that they were. Vice Chair Intintoli asked if there were any committee requirements with SB 976. Ms. Douglas advised that no committees were required by the bill. Director Johnson asked if Alameda had been represented on the CAC. Mr. Castleberry advised Director Johnson that she was the Alameda representative and Director Johnson requested that the staff request a new CAC representative from the City of Alameda. Vice Chair Intintoli also requested that staff request a new CAC representative from the City of Vallejo since he had previously been Vallejo's representative. Mayor Gonzalez commented that he advocated for the creation of a CAC. Director Bellows asked about the Technical Advisory Committee (TAC) and was advised by Mr. Castleberry that it had not been well attended. Director Johnson suggested that a TAC could be formed that would be specific to emergency response.

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

Director Johnson made a motion to advise staff to develop a proposal to create a TAC committee specific to emergency response. Director Bellows seconded the motion and the item carried unanimously.

13. INFORMATION/ACTION ITEM – PROPOSITION 1B SPENDING PRIORITIES

Mr. Castleberry presented initial recommendations for spending Proposition 1B funds not yet received. Vice Chair Intintoli noted that the size of the Vallejo maintenance facility should be addressed.

No action taken.

14. RECESS INTO CLOSED SESSION AND REPORT ON CLOSED SESSION

Chair Johnson called the meeting into closed session at 11:55 a.m. Upon reopening of the meeting at 12:30 p.m. Chair Johnson reported that the Board appoints Steve Castleberry as Executive Director, and accepts his resignation, effective May 9. For that period, he will be paid a salary of \$154,000 per year, and at the end of 6 weeks, he will be paid his accrued vacation and sick leave. In addition, he is directed to advertise and screen candidates for a replacement ED.

In addition, the Board appoints Stan Taylor as General Counsel under the same terms and conditions as the existing agreement and directs staff to come back to the Board at the next meeting with an amendment to the budget of the Nossaman agreement.

15. ADJOURNMENT

All business having concluded, the meeting was adjourned at 12:35 P.M.

Respectfully Submitted,

Board Secretary