

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS MEETING

(May 3, 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 1:10 p.m. Directors present were Vice Chair Anthony Intintoli, Director Gerald Bellows and Director Beverly Johnson. WETA counsel Stanley Taylor III of Nossaman LLP led the Pledge of Allegiance.

2. REPORT OF BOARD CHAIR

None.

3. REPORT OF DIRECTORS

None.

4. REPORTS OF STAFF

Executive Director Nina Rannells referred the Board to her written report and offered to answer any questions.

Chair Johnson requested a legislative update on the bill creating staggered terms for Boardmembers. Mr. Taylor reported that the bill had passed out of the Assembly with amendments to the provisions as had been discussed with the Board, and was currently being reviewed in the Appropriations Committee before moving to the Senate floor. He said that the bill appeared to be moving through without opposition and was among the first to do so.

Chair Johnson then asked for an update regarding WETA's role in the America's Cup. Planner/Analyst Chad Mason replied that WETA was working with the City of San Francisco on the plan, adding that the event was in the process of being significantly scaled back. Operations Manager Keith Stahnke added that only three or four teams were expected to be competing for the Cup, and that the Louis Vuitton Cup would begin in July 2013 followed by the final America's Cup race on the Sunday during that year's Fleet Week.

Director Johnson asked why the event was so much smaller than expected. Mr. Stahnke said that the event sponsors had faced significant challenges with event funding. He added that the races in San Francisco Bay required a different kind of boat which limited the number of teams which would be able to compete. Director Bellows explained that these boats were designed with wings instead of traditional sails and that many competitors may be hesitant to invest in new technology. Regarding the fundraising issue, Mr. Mason added that fundraising results had only amounted to half of what had been projected, which will limit the amount of funds for transportation for the event.

Director Johnson asked if the event was at risk for falling apart altogether. Mr. Mason indicated that it was not and added that a representative from SFMTA along with a representative from the Mayor's Office or America's Cup would be available to present an overview at the Board's request. Chair Johnson asked that a presentation be scheduled for a future Board meeting.

Chair Johnson then requested an update on the status of the June 4 launch of the South San

Francisco ferry service. Manager of Transportation Services Ernest Sanchez reported that there had been a successful luncheon event and cruise for South San Francisco Transit Coordinators on April 25, and that he was currently working with Shirley Douglas Consulting and MacKenzie Communications on finalizing details of the inaugural event. He noted that the program would include speakers from 10:00 to 11:00 a.m. and that Jackie Speier had been confirmed as one of the featured guests. Mr. Sanchez added that from 11:00 to noon the terminal would be open for viewing and that two San Francisco Bay Ferry boats would be present, that there would be a light lunch, a brief cruise, and presentations about the terminal and San Francisco Bay Ferry's overall program.

Mr. Sanchez said that the promotion for the service would include two weeks of radio spots, a new website, brochures and a free ride promotion, adding that the overall program for the service roll-out was very ambitious. Chair Johnson asked about the rebranding of the vessels and Mr. Sanchez reported that the process was underway but that not all vessels would be rebranded in time for the launch.

Chair Johnson asked if there would be any high school bands performing. Director Johnson agreed that that would be a great addition to the launch. Chair Johnson said that she would make some calls and Mr. Sanchez offered her his assistance.

Chair Johnson also asked to review the guest list and that staff make sure that no key people were omitted. Ms. Rannells said that she would provide a copy of the invitee list to Chair Johnson.

5. CONSENT CALENDAR

Director Bellows made a motion to approve the minutes from the April 5, 2012 Board of Directors meeting. Vice Chair Intintoli seconded the motion. Director Johnson abstained and the item carried with three votes.

6. AWARD OF FLOAT CONSTRUCTION CONTRACT FOR THE CLAY STREET OAKLAND PASSENGER FLOAT REPLACEMENT

Mr. Stahnke presented this item requesting Board approval of an award for the contract for the construction of the Clay Street Oakland Passenger Float Replacement to Manson Construction in the amount of \$2,128,300, to establish a construction contingency fund in the amount of \$159,700 and to authorize the Executive Director to negotiate and enter into the contract.

Director Bellows reviewed the scoring summary and asked for confirmation that each category was worth 50 points. Mr. Stahnke said that it was. Director Johnson asked how Salt River Construction received a 5.5 as a score in the reference category when they had worked for WETA before. Manager of Planning and Development John Sindzinski explained that as a requirement of the RFP process proposers were required to submit references, and Salt River had not included WETA as a part of its submittal.

Director Johnson asked where the float would be built. Mr. Stahnke said that it would be constructed at Bay Ship & Yacht. Director Johnson said that she was pleased that it would be built locally.

Mr. Stahnke noted that Salt River had indicated their intent to protest the award. Vice Chair Intintoli asked for an explanation of the protest process. Mr. Taylor replied that both the RFP and WETA's administrative code outlined a process for protestors. He reviewed the process and noted that although there were no hard deadlines involved, WETA would seek to move it forward as quickly as possible and with reasonable care and caution. He noted that the Board's approval of this item would be conditioned on the Executive Director's finding, adding that if she dismissed the protest she would be authorized to enter into the contract but that if she found in favor of the protestor, the

item would then come back to the Board. Mr. Taylor recommended that the Board approve the item conditionally upon resolution of the protest.

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

7. APPROVE AMENDMENT WITH THE ASSOCIATION OF BAY AREA GOVERNMENTS FOR THE PROVISION OF ACCOUNTING SUPPORT SERVICES

Finance and Grants Manager Lynne Yu presented this item requesting that the Board approve Amendment No. 11 to the agreement with the Association of Bay Area Governments in the amount of \$100,000 for the provision of accounting support services for FY 2012/13 and to authorize the Executive Director to execute the amendment.

Director Bellows asked if the agreement was in one year increments. Ms. Rannells said that it was. Ms. Yu said that every year WETA reaches out to ABAG as well as to the auditor for an estimated budget for the next year. She added that WETA is only billed for actual services provided, and the amount has consistently come in under budget.

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

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

Ms. Rannells presented this item requesting Board approval of Amendment No. 11 to the agreement with Lindsay, Hart, Neil & Weigler, LLP to extend the term of their contract through FY 2012/13 for an amount of \$160,000 and to authorize the Executive Director to execute the amendment. She noted her satisfaction with the services the firm had provided over the history of their relationship with the WTA and WETA.

Public Comment

Veronica Sanchez of Masters, Mates & Pilots noted that she had enjoyed working with Mr. Friedmann and asked if WETA would request an update on port security grants be included in his next federal legislative update to the Board. Ms. Rannells said that she would note the request.

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

9. RECESS INTO CLOSED SESSION AND REPORT ON CLOSED SESSION

Chair Johnson called the meeting into closed session at 2:00 p.m. Upon reopening of the meeting at 2:25 p.m. she reported that no action had been taken.

10. ADJOURNMENT

All business having concluded, the meeting was adjourned at 2:25 p.m.

Respectfully Submitted,

Board Secretary
