

Members of the Board

James Wunderman, Chair
Jessica Alba
Jeffrey DelBono
Anthony J. Intintoli, Jr.
Monique Moyer

**SAN FRANCISCO BAY AREA
WATER EMERGENCY TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS MEETING**

Thursday, October 8, 2020 at 12:30 p.m.

VIDEOCONFERENCE

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AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC HEARING ON WETA'S PROPOSED CLIPPER START MEANS-BASED DISCOUNTED FARES ***Timed Item
12:30 p.m.***
4. REPORT OF BOARD CHAIR ***Information***
 - a. Chair's Verbal Report
5. REPORTS OF DIRECTORS ***Information***

Directors are limited to providing information, asking clarifying questions about matters not on the agenda, responding to public comment, referring matters to committee or staff for information, or requesting a report to be made at another meeting.
6. REPORTS OF STAFF ***Information***
 - a. Executive Director's Report on Agency Projects, Activities and Services
 - b. Monthly Review of Financial Statements
 - c. Federal Legislative Update
 - d. State Legislative Update
 - e. Monthly Ridership and Recovery Report
7. CONSENT CALENDAR ***Action***
 - a. Board Meeting Minutes – September 3, 2020
 - b. Authorize Release of a Request for Proposals for Engineering and Design Services for the Alameda Main Street Ferry Terminal Refurbishment Project

**Water Emergency Transportation Authority
October 8, 2020 Meeting of the Board of Directors**

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| 8. <u>ADOPT CLIPPER START MEANS-BASED DISCOUNTED FARES</u> | Action |
| 9. <u>APPROVE PARTICIPATION IN THE CLIPPER START PILOT PROGRAM</u> | Action |
| 10. <u>APPROVE ACTIONS RELATIVE TO CONTRACT AWARD IN RESPONSE TO RFP 19-013, MV BAY BREEZE AND MV SOLANO REPLACEMENT VESSELS</u> | Action |
| 11. <u>CONSIDER PROPOSAL TO IMPLEMENT A REDUCED FARE PROMOTIONAL PROGRAM</u> | Action |
| 12. <u>TAKE ACTION TO OPPOSE PLAN BAY AREA 2050 STRATEGY EN7: INSTITUTE TELECOMMUTING MANDATES FOR MAJOR OFFICE-BASED EMPLOYERS</u> | Action |
| 13. <u>WETA SYSTEM EXPANSION POLICY OVERVIEW, REDWOOD CITY FERRY FEASIBILITY STUDY</u> | Information |
| 14. <u>PUBLIC COMMENTS FOR NON-AGENDA ITEMS</u> | |

ADJOURNMENT

All items appearing on the agenda are subject to action by the Board of Directors. Staff recommendations are subject to action and change by the Board of Directors.

CHANGES RELATED TO COVID-19

Consistent with Governor Gavin Newsom's Executive Order N-25-20, effective immediately and until further notice, meetings will be conducted through virtual participation to promote social distancing and reduce the chance of COVID-19 transmission.

PUBLIC COMMENTS WETA welcomes comments from the public.

If you know in advance that you would like to make a public comment during the videoconference, please email BoardOfDirectors@watertransit.org with your name and item number you would like to provide comment on no later than 15 minutes after the start of the meeting. During the public comment period, speakers will be allotted no more than 3 minutes to speak and will be heard in the order of sign-up. Said time frames may be extended only upon approval of the Board of Directors.

Agenda Items: Speakers on individual agenda items will be called in order of sign-up after the discussion of each agenda item.

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.

Upon request, WETA will provide written agenda materials in appropriate alternative formats to individuals with disabilities. In addition, WETA will arrange for disability-related modifications or accommodations including auxiliary aids or services to enable individuals with disabilities to participate in public meetings. Please send an email with your

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request to: contactus@watertransit.org or by telephone: (415) 291-3377 as soon as possible and no later than 5 days prior to the meeting and we will work to accommodate access to the meeting.

AGENDA ITEM 1
CALL TO ORDER

AGENDA ITEM 2
ROLL CALL

AGENDA ITEM 4
REPORT OF BOARD CHAIR

AGENDA ITEM 5
REPORTS OF DIRECTORS

NO MATERIALS

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Kevin Connolly, Planning & Development Manager
Arthi Krubanandh, Transportation Planner

SUBJECT: Public Hearing on WETA's Proposed Clipper START Means-Based Discounted Fares

Background/Discussion

The purpose of this item is to conduct a formal public hearing to receive comments on the proposed Clipper START means-based discounted fares as specified below:

Proposed Clipper START Fares

Service Route	Proposed Fare
Alameda/Oakland Ferry Service	\$3.60
Harbor Bay Ferry Service	\$3.70
Seaplane Lagoon Ferry Service	\$3.60
Richmond Ferry Service	\$4.60
South San Francisco Ferry Service	\$4.70
South San Francisco-Harbor Bay	\$4.70
Vallejo Ferry Service	\$7.50
Short Hop Services	\$0.80

Speakers will be asked to clearly state their name and city of residence for the record and to keep their comments to three minutes or less. Once all public comments are received the hearing will be closed. Later in today's meeting agenda, the WETA Board will consider taking formal action on the proposed Clipper START fares taking into consideration any comments received at today's hearing and previously received through written or telephone communications.

END

TO: WETA Board Members

FROM: Nina Rannells, Executive Director

DATE: October 8, 2020

RE: Executive Director's Report

CAPITAL PROJECT IMPLEMENTATION UPDATE**Two New Commuter Class Vessels**

This project will construct two mid-size high-speed passenger vessels with the versatility to support WETA's diverse system of routes and facilities constrained by vessel size and water depth. In March 2018, the Board approved a contract award to Glosten for construction management services to support vessel construction. In October 2018, the Board approved a contract award to Mavrik Marine Inc. for construction of an initial vessel and in December 2019 approved construction of a second, optional vessel.

Keel laying and construction of the first vessel, MV *Dorado*, commenced on December 18, 2018. Full hull weld-out is complete and the superstructure is painted. Insulation, plumbing, and wiring work is in process, and propulsion components are being prepared for installation. Launch and sea trials are scheduled for November. Final delivery to San Francisco is anticipated in December 2020. Construction of the second vessel will begin in late summer 2020 and is expected to be completed in summer 2021. These build schedules have been impacted by the COVID-19 pandemic and local shelter-in-place orders. At this juncture, approximately 70% of the workforce is available and working; morning and evening work shifts are being utilized to maintain physical distancing.

MV Bay Breeze and MV Solano Vessel Replacement

Both vessels have met the requirements qualifying for Federal Transit Administration (FTA) replacement funds. These 320-passenger replacement vessels will have minimal environmental impact, advanced Tier 4 emission controls, shallow draft, and low wake features. On February 13, the Board authorized release of a Request for Proposals (RFP) for the MV *Bay Breeze* replacement vessel construction. On February 13, the Board authorized a construction management services award to Aurora Marine Design. On March 12, the Board authorized staff to solicit proposals for the MV *Solano* replacement as a part of a single, combined solicitation with the MV *Bay Breeze* replacement project. The Board also authorized amending the construction management contract for the increased project scope. On April 20, an RFP was released for the project and on May 4 a pre-bid meeting was held with fifty attendees representing eight shipyards. On July 29, eight proposals were received and evaluated. The Evaluation Committee determined that Mavrik Marine Inc. had the highest score and a notice of intent to award was posted on September 9. By the RFP protest deadline of September 14, WETA received protests from three proposers. Pursuant to the RFP and the Administrative Code, the Executive Director decides all protests. A review is underway and may be decided by the October 8 Board meeting.

Mission Bay Electric Vessel and Terminal Charging Infrastructure

On April 21, the California State Transportation Agency (CalSTA) announced an award of \$9.06 million for an all-electric ferry and related infrastructure for new Mission Bay Ferry service. The

project includes design and construction of one new all-electric vessel and related shoreside charging infrastructure at the Mission Bay and Downtown San Francisco Ferry Terminals. The Mission Bay ferry service is a critical 2.6-mile extension service between the Downtown San Francisco and Mission Bay Ferry Terminals that will improve the reach of existing ferry routes from Alameda, Oakland, Richmond, and Vallejo. Staff has started preliminary work developing technical specifications and procurement documents. The Transit and Intercity Rail Capital Program (TIRCP) grant funds must be approved by the California Transportation Commission prior to the project being eligible for reimbursement. Staff will work with CalSTA to secure required approvals in the coming months based on the revised schedule for the Mission Bay Ferry Terminal construction presented to the Board at its September meeting by Port of San Francisco staff.

Harbor Bay Fender Piling Installation

The Harbor Bay Ferry Terminal is located at an exposed location on the eastern shore of San Francisco Bay. This project involves the installation of two pilings with fendering at the dock. Project benefits include softer motions while docking, less wear and tear on the vessels, and increased service life of existing fenders. The proposed mooring pile fenders would also improve the ability to land WETA's larger vessels at this facility. Permits are in the review process and expected to be delivered in time to implement this project during the in-water work window. An Invitation for Bids was released on May 19, and a contract was awarded to Power Engineering Construction Company (Power Engineering) at the July 16 Board meeting. Work is anticipated for October during the permitted work window.

Alameda Main Street Terminal Refurbishment

This project will design and construct terminal refurbishments and upgrades to this important WETA facility in order to maintain it in a state of good repair. WETA received a \$4,456,000 discretionary Federal Transit Administration Ferry Grant Program award in July 2020 to support this project. Staff is in the process of preparing an RFP for engineering and design services to design and develop this project for construction.

Downtown San Francisco Ferry Terminal Expansion Project

This project expands berthing capacity at the Downtown San Francisco Ferry Terminal in order to support new and existing ferry services to San Francisco. The project also includes landside improvements needed to accommodate expected service expansion, increases in ridership, and to support emergency response capabilities. The construction contractor for the project is Power Engineering and construction management services was provided by Jacobs Engineering.

Project construction began in February 2017 and is now complete, with the exception of work to install permanent electrical service. Work on the electrical connection began mid-July and is anticipated to be complete by November 2020. The construction fence was removed August 12 and the plaza is now open to the general public. Staff collaborated with the Port of San Francisco to unveil the project using social media and video and print press releases including project footage and statements from San Francisco Mayor London Breed, Senator Scott Wiener, and Assemblymember David Chiu. Staff will continue to seek opportunities for positive coverage of the project completion.

The Downtown San Francisco Ferry Terminal project was recently recognized by the American Society of Civil Engineers Region 9 as the Project of the Year in the Airports and Ports category.

SERVICE DEVELOPMENT UPDATE

Mission Bay Ferry Landing

The Port of San Francisco (Port) has conducted feasibility and design studies in partnership with WETA staff for a future Mission Bay ferry landing. A project Memorandum of Understanding (MOU) between the Port and WETA was adopted by the Board in January 2017, establishing roles and responsibilities for the joint development of this project. The environmental document, final design, and permitting are now complete.

In April 2019, the Port requested that WETA commit \$25 million of its future Regional Measure 3 (RM3) funds to support terminal construction, estimated at the time to cost approximately \$40 million, in order to fully fund project construction. The Board authorized the Executive Director to enter into an MOU and a resolution for a Letter of No Prejudice (LONP) at the February 2020 Board meeting. On March 25, 2020, the Metropolitan Transportation Commission (MTC) approved the LONP request. Adoption of the MOU by the San Francisco Port Commission has been postponed at this juncture as the Port works to revise the project schedule and funding plan for the project.

On March 11, 2020, the Port released Invitations for Bids for both dredging and site preparation. The Port awarded the contract at its April 28 Commission meeting. Dredging and site preparation began in August 2020. The balance of the terminal construction activities were previously scheduled to begin in 2020; however, due to the pandemic, the Port has identified new financial challenges for the project and deferred the construction schedule out to 2021.

At the September 2020 meeting, the Board requested that the Port create a task force with representatives from the Port, City of San Francisco, and WETA to explore new funding opportunities and to deliver the project as early as possible. Director Moyer agreed to participate on this task force on behalf of the WETA Board.

Oakland Athletics Howard Terminal Stadium Proposal

WETA staff has met on a few occasions with the Oakland Athletics organization (Athletics) and the Howard Terminal stadium development team. WETA submitted a comment letter during the scoping phase for the anticipated Environmental Impact Report (EIR) identifying terminal capacity limitations at the existing Jack London Square Ferry Terminal in Oakland for consideration during the EIR process. The Athletics are currently assuming that existing commute-period ferry service will satisfy the demand from San Francisco.

Alameda Seaplane Lagoon Ferry Terminal

In April 2016, the Board and Alameda City Council adopted an MOU defining a future service concept for western Alameda and identifying the terms and conditions under which a new Seaplane Lagoon ferry service would be implemented.

The transfer of property from the City of Alameda (Alameda) to the development team - Alameda Point Partners (APP) - included a \$10 million contribution toward the Seaplane Lagoon Ferry Terminal. Alameda previously secured \$8.2 million from the Alameda County Transportation Commission for the terminal and has recently committed \$2 million from City general funds. In September 2018 the Board authorized a commitment of \$2 million to the project to close a funding gap and keep the project on schedule for construction. The Board and Alameda City Council adopted an Operating Agreement in December 2019 that supports transfer of the terminal waterside assets to WETA upon completion. On July 22, the United States Coast Guard (USCG) conducted the Seaplane Lagoon Terminal security inspection and found no deficiencies. Alameda and APP completed construction in August 2020 and the new terminal is ready for operations.

Staff has developed a marketing and outreach plan, branded “Seaplane Shift” to support the new Seaplane Lagoon service and related changes to the Alameda/Oakland estuary services. The campaign plan was revised in the wake of the COVID-19 crisis and the modified campaign was launched in May 2020. Outreach to passengers continues despite the uncertainty around the timing of launch of Seaplane Lagoon service. Staff has prepared a minor route rebrand timed to coincide with the Seaplane Shift to ensure passenger clarity around the differences between service out of Seaplane Lagoon (commute-focused) and the Main Street Alameda Ferry Terminal (off-peak, through Oakland).

Redwood City Ferry Terminal

WETA prepared a draft Redwood City ferry terminal site feasibility report in 2012 to identify site opportunities, constraints, and design requirements, and better understand project feasibility and costs associated with the development of a terminal and service to Redwood City. During the summer of 2016, staff from the Port of Redwood City (Port), WETA, and Redwood City met to redefine a ferry project and pursue feasibility study funds to move the project toward implementation.

In March 2020, the Port, Redwood City, and WETA approved entering into a project MOU that defines agency roles and responsibilities for working together to advance the feasibility study and potential future terminal planning and development. Redwood City is leading the effort to prepare a Financial Feasibility Study and Cost Benefit Analysis Report for the Redwood City ferry terminal construction and service utilizing \$450,000 in San Mateo County Measure A transportation sales tax funds and has entered into an agreement with the San Mateo County Transportation Authority to develop and adopt the Feasibility Study and Business Plan. The study, which kicked off at a February 2019 meeting with a consultant team and staff from the Port, Redwood City, and WETA, is anticipated to be completed in October 2020. The October WETA Board meeting includes an overview of the study scope and how this work fits into WETA’s future ferry service plans. Summary presentations of the final study work are anticipated to be scheduled for the City of Redwood City, Port Commission, and WETA Board in November or December.

Berkeley Ferry Terminal

The proposed Berkeley service will provide an alternative transportation link between Berkeley and downtown San Francisco. In July 2019, the City of Berkeley (Berkeley) and WETA executed an MOU to proceed with the planning phase of this project which will include a study to evaluate the feasibility of constructing a dual-use pier facility at or near the Berkeley Municipal Pier that would serve as both a ferry terminal and public access space. Upon completion, the findings of the study will be presented to the Board and City Council for consideration, consistent with the terms of the MOU. Berkeley has contracted with GHD to support the study which is expected to require 18 months to complete. WETA and Berkeley are involved in feasibility study activities, including evaluation of landside and waterside options for developing a terminal at the existing recreational pier site on the Berkeley waterfront. The first round of public workshops was moved to an on-line platform in June with subsequent rounds of outreach anticipated in the fall.

Treasure Island Ferry Service

WETA has worked with City of San Francisco staff for 10+ years to support development of the Treasure Island ferry terminal and service in conjunction with the City of San Francisco’s efforts to develop the island. This project - which will be implemented by the Treasure Island Development Authority (TIDA), the San Francisco County Transportation Authority (SFCTA) acting in its capacity as the Treasure Island Mobility Management Authority (TIMMA), and the developer – has committed to implementing new ferry service between Treasure Island and

downtown San Francisco consistent with the 2011 Treasure Island Transportation Implementation Plan.

Staff from SFCTA/TIMMA provided an update on the project and the transportation plan at the February and April 2019 Board meetings, indicating that they hoped to advance the start of ferry service to 2021. More recently, as confirmed in a January 2020 update to the Board, SFCTA/TIMMA staff has indicated that they anticipate being able to support launch of a new public Treasure Island ferry service in July 2023. They previously indicated that they were working toward a toll measure for TIMMA Board consideration in summer 2019, but this work has been deferred to 2020. In the meantime, the developer began construction of the ferry terminal in September 2019. Staff has been coordinating review of the terminal under construction with the Treasure Island developer to ensure that WETA vessels will be able to land at this terminal. In May, the SFCTA staff proposed conducting a consultant analysis of ferry service for Treasure Island and select portions of the San Francisco waterfront. A consultant team has been identified for the study and staff anticipates the work will begin sometime in fall 2020.

SYSTEM PLANS/STUDIES

Hovercraft Feasibility Study

This study will broadly consider the feasibility of operating hovercraft on San Francisco Bay as part of the WETA water transit system. A Hovercraft Stakeholder Committee was assembled, comprised of hovercraft industry representatives, advocates from Bay Area public policy groups, environmental organizations, and maritime industry representatives to guide the study. Staff also convened a Hovercraft Technical Advisory Committee to review and provide input on preliminary results of the study. On September 5, 2019 the Board authorized a contract award to AECOM, and staff has subsequently executed a professional services agreement for the study. The initial task for the consultant team was to review the 2011 WETA Hovercraft Feasibility Study and update areas such as technology, environmental performance, and costs. Those draft results were reviewed by staff and returned to the consultants for finalization. WETA staff and consultants hosted Technical Advisory and Stakeholder Advocacy Workshops on February 26 to give local jurisdictions and interested stakeholders a chance to provide feedback to the study team and give input on the direction of the study. Staff presented an overview of the initial work at the March 12 meeting. The second round of committee meetings held the week of May 11 included a conversation about narrowing down the top routes for further analysis. The consultant provided an update to the Board at the June meeting highlighting the list of top routes for further analysis. Staff and the consultant have completed a round of meetings with the cities included in the final routes to review initial ridership modeling findings. The latest round of committee meetings was held in late August to discuss ridership estimates and more detailed discussion of some of the potential environmental issues associated with new service analysis. The study team has also recently completed a round of meetings with private sector stakeholders to discuss public-private partnership possibilities. The study work is scheduled to be completed by late October and a final plan document and presentation is anticipated to be ready for presentation to the WETA Board at the November or December meeting.

MTC's Blue Ribbon Transit Recovery Task Force

The Metropolitan Transportation Commission has created a Blue Ribbon Transit Recovery Task Force (Task Force) to guide the future of the Bay Area's public transportation network as the region adjusts to new conditions created by the COVID-19 pandemic. The Task Force, chaired by MTC Commissioner and Solano County Supervisor Jim Spering, includes other local elected officials as well as advocates for people with disabilities; representatives from the state Senate and Assembly; the California State Transportation Agency; transit operators; business and labor groups; and transit and social justice advocates. The Task Force members were formally

appointed at the Commission's May 27 meeting. While WETA does not have a direct seat on the Task Force, Chair Wunderman is a participant through his role at the Bay Area Council.

Bay Area transit operators have worked collaboratively to form several working groups focused on the areas of financial sustainability, public health and safety, service and operations planning and communications in order to support the Task Force's work and discussions. WETA staff is regularly participating in these working groups.

Initial work of the Task Force included developing a recommendation for expedited distribution of federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Phase 2 funds which was approved by MTC on July 22. In addition, the transit operators worked to develop a Public Health on Transit Plan, which was presented to the Task Force at their June 28 and July 20 meetings, that provides a common, scalable set of guidelines and best practices to protect the health of riders and transit workers in the region as we continue to operate during the pandemic. This plan, which was adopted by the WETA Board on September 3, has its own web site – healthytransitplan.com – that will also feature a dashboard with regularly-updated data from all Bay Area transit agencies in areas such as mask compliance and vehicle/vessel occupancy.

The remaining work of the Task Force will be to prepare a Bay Area Public Transit Transformation Action Plan for submittal to the Commission by mid-2021 for its consideration and possible adoption. The Plan will describe the actions needed to reshape the region's transit system into a more connected, efficient, and user-focused mobility network across the Bay Area. In support of this work, the transit operators - through the service and operations planning subgroup – are collaborating to develop regional operating concepts that emphasize network connectivity as systems begin to adjust service in response to and in anticipation of returning ridership transit demand. The next Task Force meeting is scheduled to take place on October 26, 2020.

EMERGENCY RESPONSE ACTIVITIES UPDATE

WETA's enabling legislation directs the agency to provide comprehensive water transportation and emergency coordination services for the Bay Area region. The following emergency response related activities are currently underway:

- The Bay Ferry V, scheduled for November 16-22 and hosted by Golden Gate Ferry in cooperation with United States Coast Guard (USCG) Sector San Francisco (SF) and other local, state, and federal first responders and emergency managers, has officially been cancelled until further notice due to the COVID-19 pandemic. This exercise was scheduled to count toward the USCG Vessel Mutual Aid Plan (VMAP) exercise requirement. Staff has worked with USCG Sector SF to instead participate in a virtual tabletop exercise to satisfy this requirement. USCG has offered to plan and host the tabletop exercise which is scheduled for early November.
- Response to COVID-19: WETA has partially activated its Emergency Operations Center in response to COVID-19 by staffing the Public Information Officer (PIO) and Liaison positions. As the pandemic has become our new normal, this work has largely been integrated into our normal staff roles.
- Staff has submitted an application to request reimbursement from the Federal Emergency Management Agency (FEMA) for costs associated with electrostatic disinfecting of vessels and facilities and for the purchase of personal protective equipment. WETA spent \$175,620 on these costs from late February through June 30. If approved, FEMA will reimburse WETA 75 percent of eligible costs. On September 1, FEMA issued a policy to change the requirements for determining the eligibility of work

and costs under its Public Assistance Program for the California COVID-19 Pandemic Disaster Event. Effective September 15, WETA will no longer be able to apply for reimbursement of COVID related costs. Staff is in the process of submitting a final application for reimbursement of COVID related costs expended between July 1-September 14.

- In addition to seeking reimbursement from FEMA for COVID specific expenses, WETA has worked to request resources from federal and state agencies to help offset expenses for Personal Protective Equipment for frontline staff. WETA has been fortunate to receive the resources listed below from the California Office of Emergency Services (Cal OES), the Federal Transit Administration (FTA), and the Maritime Administration (MARAD):
 - Cal OES provided:
 - 126 gallons of hand sanitizer
 - 3,600 cloth masks
 - 4,000 disposable masks
 - 80,000 vinyl gloves
 - FTA provided 5,000 cloth masks
 - MARAD provided 3,000 cloth masks

One surprising note that should be shared is the speed at which we were able to receive our most recent request of 80,000 vinyl gloves, which were in short supply. The resource request was submitted to Cal OES on the afternoon of August 7 and the gloves were delivered to WETA's Central Bay Operations & Maintenance Facility on the morning of August 17. We are grateful to our many partners in helping to ensure that we are fully stocked with necessary protective equipment during this time.

OPERATIONS REPORT

WETA Operations and COVID-19 Preventive Measures

Since March 17, WETA has offered limited Vallejo and Alameda/Oakland peak-period service to San Francisco on weekdays during the shelter-in-place orders. This included two morning and two afternoon trips between Vallejo and San Francisco and three morning and three afternoon trips between Alameda/Oakland and San Francisco. Staff has closely monitored ridership capacity to meet demand while adhering to social distancing guidelines. Vallejo ridership experienced a steady average increase of 26 percent on its peak trips between May and June and has remained at this average level through mid-September. In response to increasing ridership levels between May and June, two additional peak-period morning and afternoon trips were added in Vallejo on June 15 and on September 14, the Vallejo Ticket Office hours were adjusted to better serve demand. Service resumed in Richmond on June 15 providing three morning and three afternoon peak-period trips between Richmond and the Ferry Building. No changes have been made to Alameda/Oakland service.

Crews and boats are rotated into service to maintain fleetwide operational readiness. In the North Bay and Central Bay, eight crews continue to operate the daily service. Stand-by crews remain onsite performing vessel and facility maintenance, training, and exercising with a focus on vessel and crew regulatory compliance, cleaning, and maintaining operational availability for back-up service as needed.

WETA is committed to passenger safety and continues to follow local and state public health orders as they are released to prevent the spread of the virus and to ensure ridership confidence. In keeping with the recently adopted Passenger and Crew Safety Plan and Communications Campaign, passengers are required to wear protective masks or face

coverings to ride the ferry and hand sanitizer is available on each vessel. Passengers are reminded through on-board messaging of the social distancing and personal protective equipment requirements. WETA has established passenger distancing measures on vessels with seat markers to identify available seating and seating that is not to be used. Additionally, to ensure social distancing requirements at all active ferry terminals in the system, markers have been placed in areas of passenger queuing to reflect the six-foot distance needed to safely board and disembark.

The health and safety of our crews is also a top priority. COVID-19 Prevention Guidelines for employees and the public are posted at each facility and on each vessel. Staff is closely monitoring local and state public health orders and making updates to its operational guidelines as applicable. Vessel crews are required to self-screen (including temperature checks) before reporting to work. All crews have been provided with personal protective equipment such as face masks and gloves. Crews are required to wear protective masks while on duty and are limiting the number of passengers onboard to maintain social distancing guidelines.

As part of the coordinated efforts to slow the spread of COVID-19, WETA's service contractor, Blue & Gold has implemented extensive vessel and terminal cleaning protocols with increased frequency with special attention to disinfecting all high-touch hard surfaces such as Clipper readers, handrails, arm rests, door handles, seat trays, stairwells, tabletops, restrooms, and all fixtures in the pilot house. Vessel fogging is administered at the end of each shift on in-service vessels.

Contra Costa/Solano Food Bank

On September 23, 2020 The Contra Costa/Solano Food Bank conducted a food distribution event in the north and middle parking lots of the Richmond Ferry Terminal. The event served 180 households and 692 folks, and 14,311 pounds of food was distributed.

Monthly Operating Statistics - The Monthly Operating Statistics Report for August 2020 is provided as **Attachment A**.

KEY BUSINESS MEETINGS AND EXTERNAL OUTREACH

On September 10, Lauren Gularte and Thomas Hall gave a presentation on WETA's emergency response mission to representatives of San Francisco-based employers through the San Francisco Spare the Air team.

On September 16, Thomas Hall participated in the monthly meeting of the Visit Vallejo Board of Directors.

On September 16, Nina Rannells participated in the Bay Planning Coalition Board meeting.

On September 21, Nina Rannells participated in the Clipper Executive Board meeting.

On September 24, Kevin Connolly participated in a workshop with staff and consultants from Hudson County, New Jersey. Hudson County is preparing a Ferry Strategic Plan.

On September 30, staff participated in a CARB Workshop to learn more about the draft proposed Commercial Harbor Craft regulations.

On October 8, Lauren Gularte will attend the Harbor Safety Committee Meeting.

OTHER BUSINESS

Regional Measure 3

In June 2018 Bay Area voters approved Regional Measure 3 (RM3) which raises Bay Area bridge tolls by \$3 over a six-year period starting with a \$1 increase on January 1, 2019, followed by additional \$1 increases in January 2022 and January 2025.

Since its passage, RM3 has been challenged by two lawsuits in the Superior Court of the City and County of San Francisco including the *Howard Jarvis Taxpayers Association, et al v. The Bay Area Toll Authority and the California State Legislature* and *Randall Whitney v. MTC*. These cases were dismissed by the Court on April 23 and June 11, 2019, respectively. A Notice of Appeal was filed by each plaintiff and these two appeal cases were consolidated on October 9, 2019. The appellants' consolidated opening brief was filed on October 29, 2019. The respondents' consolidated opposition brief was filed on December 19, 2019. The appellants' reply brief was filed in January 2020. The Court of Appeal held a hearing on May 26 for the two cases. On June 29, 2020, the Court of Appeal issued its opinion in the two pending cases (Howard Jarvis Taxpayer Association and Randall Whitney) challenging the validity of RM3, the toll increase for the seven state-owned Bay Area bridges that was approved by the voters in 2018 by a 55 percent majority. The Court unanimously affirmed the trial court's decision that such a toll is not a tax. The appellate court concluded that the RM3 toll increase falls within the California Constitution's exception from the definition of "tax" for "a charge imposed for entrance to or use of state property." The appellate court found that the Legislature, in passing Senate Bill 595, had the power to impose a regional toll increase conditional upon approval of the region's voters. The court determined that voter approval by a two-thirds majority vote did not apply.

On July 8, the plaintiffs filed a petition for rehearing before the Court of Appeal, which was denied on July 13. The plaintiffs filed a petition for review with the California Supreme Court on August 10. The California Supreme Court has extended the time for granting or denying review of the case through November 6, 2020.

On January 1, 2019 BATA began collecting the first dollar of the approved toll increase. Toll revenues collected are being placed into an escrow account and will not be allocated to project sponsors until the lawsuits are settled. MTC staff has prepared general guidelines for RM3 program administration that the Commission adopted in December 2019. Staff is working with MTC to ensure that we are positioned to secure toll measure funds when they are available.

PROPSF California Public Utilities Commission Filing

On October 11, WETA filed a response to an application by PROPSF, LLC to amend its certificate of public convenience and necessity (CPCN) to allow PROPSF to add unscheduled, prearranged vessel common carrier service between points in San Francisco, Marin, the Peninsula, and the East Bay, establish rates therefore, and a zone of rate freedom (ZORF) of 20% for both scheduled and unscheduled services. By way of background, in 2016, PROPSF obtained a CPCN from the California Public Utilities Commission (CPUC) to provide scheduled vessel common carrier service for service routes between San Francisco, Berkeley, Emeryville, and Redwood City. At the same time, another operator, Tideline Marine Group (Tideline), obtained a CPCN to provide vessel common carrier authority for both scheduled (landings in San Francisco, Berkeley, and Emeryville) and unscheduled, prearranged service (landings in San Francisco, Marin County, and the East Bay). WETA filed a response to the applications, stating its position that private operators can contribute to the development of a better water transportation system, but regulation is necessary to ensure that the private operators do not interfere with WETA's operations. PROPSF seeks to amend its 2016 CPCN to add

authorization to provide unscheduled, prearranged vessel common carrier service, which it characterizes as similar to the authority granted to Tideline in 2016.

WETA's response reiterated the position expressed in the previous proceeding that while small-scale water taxi operations have limited potential to affect WETA's operations, the potential for disruption to WETA's operations grows as water taxi service increases in scale. WETA's response requests that the CPUC consider further environmental review and analysis of unscheduled, prearranged service as the scope and frequency of such service intensifies and to consider the further definition or parameters for unscheduled, prearranged service by private operators as to avoid interference with WETA's operations. WETA's response also recaps WETA's statutory mandate to plan, operate, and manage a comprehensive water transportation system in the San Francisco Bay and WETA's interest in a regulatory approach that is consistent with that mandate. PROPSF has replied to WETA's response asserting that no further California Environmental Quality Act (CEQA) review should be required at any point, that its proposed service will not affect WETA's operations and proposes a broad definition of unscheduled, prearranged service.

The CPUC held a pre-hearing conference on February 4 to determine whether a hearing will be necessary and, if so, on what issues. On March 2, the CPUC Commissioner assigned to this case issued a scoping memo that specified several issues for further briefing, which include 1) the impacts of the proposed service on public ferry services; 2) whether the CPUC should impose conditions on the service; and 3) whether further CEQA review is necessary. WETA submitted an opening brief on March 20, and a reply to PROPSF's opening brief on March 30. On June 29, 2020, the Peninsula Aquatic Center Junior Crew requested party status in this matter. Staff will continue to monitor this proceeding and applications to operate similar service consistent with prior Board direction.

END

Attachment A

Monthly Operating Statistics Report August 2020

		Alameda/ Oakland	Harbor Bay [†]	Richmond	South San Francisco [†]	Vallejo	Systemwide
vs. last month	Total Passengers August 2020	5,641		1,537		9,905	17,083
	Total Passengers July 2020	6,034		1,358		9,649	17,041
	Percent change	-6.51%		13.18%		2.65%	0.25%
vs. same month last year	Total Passengers August 2020	5,641		1,537		9,905	17,083
	Total Passengers August 2019	153,228	31,229	23,978	13,224	110,655	332,314
	Percent change	-96.32%	-100.00%	-93.59%	-100.00%	-91.05%	-94.86%
vs. prior FY to date	Total Passengers Current FY To Date	11,675		2,895		19,554	34,124
	Total Passengers Last FY To Date	305,381	62,825	41,431	25,686	224,042	659,365
	Percent change	-96.18%	-100.00%	-93.01%	-100.00%	-91.27%	-94.82%
Ops Stats	Avg Weekday Ridership August 2020	269		73		472	814
	Passengers Per Hour August 2020	58		13		29	31
	Revenue Hours August 2020	98		122		336	556
	Revenue Miles August 2020	1,331		2,205		9,408	12,944
	Farebox Recovery Year-To-Date	4%		2%		7%	5%
	Cost per Available Seat Mile – August 2020	\$1.46		\$1.05		\$0.29	\$0.49
	Average peak hour utilization, AM – August 2020	10%		5%		13%	9%
	Average peak hour utilization, PM – August 2020	13%		7%		14%	11%
	Fuel Used (gallons) – August 2020	15,597		6,258		93,171	115,026
	Avg Cost per gallon – August 2020	\$1.89		\$1.89		\$1.85	\$1.85

MEMORANDUM

TO: Board Members

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

SUBJECT: Monthly Review of FY 2020/21 Financial Statements for Two Months
Ending August 31, 2020

Recommendation

There is no recommendation associated with this informational item.

Summary

This report provides the attached FY 2020/21 Financial Statements for two months ending August 31, 2020.

Operating Budget vs. Actual

	Prior Actual	Current Budget	Current Actual
Revenues - Year To Date:			
Fare Revenues	\$4,889,702	\$348,235	\$242,711
Federal - CARES Act	-	2,540,232	3,308,300
Bridge Toll Revenues	2,085,495	3,476,850	1,214,358
Contra Costa Measure J	515,914	598,083	827,881
Alameda Measure B/BB	-	260,217	-
Alameda Tax & Assessment	-	644,283	-
Other Revenues	9,226	-	-
Total Operating Revenues	\$7,500,337	\$7,867,900	\$5,593,250
Expenses - Year To Date:			
Planning & Administration	\$283,470	\$500,000	\$444,176
Ferry Services	7,216,868	7,367,900	5,149,074
Total Operations Expenses	\$7,500,337	\$7,867,900	\$5,593,250
System-Wide Farebox Recovery %	68%	5%	5%

Capital Actual and % of Total Budget

	YTD Actual	% of FY 2020/21 Budget
Revenues:		
Federal Funds	\$81,635	
State Funds	3,842,156	
Bridge Toll Revenues	95,978	
Other Revenues	34,940	
Total Capital Revenues	\$4,054,709	12.02%
Expenses:		
Total Capital Expenses	\$4,054,709	12.02%

Fiscal Impact

There is no fiscal impact associated with this informational item.

END

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San Francisco Bay Area Water Emergency Transportation Authority
FY 2020/21 Statement of Revenues and Expenses
For Two Months Ending 8/31/2020

% of Year Elapsed 17%

	Aug-20	Year - To - Date			Total	% of
	Actual	FY2019/20	FY2020/21	FY2020/21	FY2020/21	Total
		Actual	Budget	Actual	Budget	Budget
OPERATING EXPENSES						
<u>FERRY OPERATIONS:</u>						
<u>Harbor Bay FerryService (AHBF)</u>						
Purchased Transportation	\$84,499	\$367,818	\$357,583	\$146,990	\$2,145,500	6.9%
Fuel - Diesel & Urea	-	96,491	82,117	-	492,700	0.0%
Other Direct Operating Expenses	53,426	84,212	141,950	79,030	851,700	9.3%
Admin Overhead Expense Transfer	-	16,652	21,383	-	128,300	0.0%
Total Harbor Bay	\$137,925	\$565,174	\$603,033	\$226,020	\$3,618,200	6.2%
<i>Farebox Recovery - AHBF</i>	0%	51%	4%	0%	4%	
<u>Alameda/Oakland Ferry Service (AOFS)</u>						
Purchased Transportation	\$566,687	\$1,551,430	\$1,277,917	\$1,143,170	\$7,667,500	14.9%
Fuel - Diesel & Urea	29,417	356,723	270,617	66,841	1,623,700	4.1%
Other Direct Operating Expenses	160,147	275,050	394,200	280,973	2,365,200	11.9%
Admin Overhead Expense Transfer	32,297	67,806	67,517	53,852	405,100	13.3%
Total Alameda/Oakland	\$788,548	\$2,251,009	\$2,010,250	\$1,544,836	\$12,061,500	12.8%
<i>Farebox Recovery - AOFS</i>	4%	78%	4%	4%	4%	
<u>Vallejo FerryService (Vallejo)</u>						
Purchased Transportation	\$820,621	\$1,864,820	\$1,702,233	\$1,660,837	\$10,213,400	16.3%
Fuel - Diesel & Urea	171,999	927,611	639,467	300,279	3,836,800	7.8%
Other Direct Operating Expenses	194,769	287,473	478,633	365,826	2,871,800	12.7%
Admin Overhead Expense Transfer	35,701	51,166	74,583	63,596	447,500	14.2%
Total Vallejo	\$1,223,090	\$3,131,070	\$2,894,917	\$2,390,538	\$17,369,500	13.8%
<i>Farebox Recovery - Vallejo</i>	7%	76%	7%	7%	7%	
<u>South San Francisco FerryService (SSF)</u>						
Purchased Transportation	\$76,719	\$357,679	\$291,133	\$128,247	\$1,746,800	7.3%
Fuel - Diesel & Urea	-	71,517	46,950	-	281,700	0.0%
Other Direct Operating Expenses	18,764	67,598	79,667	36,792	478,000	7.7%
Admin Overhead Expense Transfer	-	7,278	2,967	-	17,800	0.0%
Total South San Francisco	\$95,484	\$504,072	\$420,717	\$165,038	\$2,524,300	6.5%
<i>Farebox Recovery - SSF</i>	0%	39%	1%	0%	1%	
<u>Richmond FerryService (Richmond)</u>						
Purchased Transportation	\$314,948	\$603,496	\$564,517	\$701,342	\$3,387,100	20.7%
Fuel - Diesel & Urea	11,802	84,177	97,883	26,816	587,300	4.6%
Other Direct Operating Expenses	39,660	69,460	109,650	76,820	657,900	11.7%
Admin Overhead Expense Transfer	3,134	8,411	6,567	6,219	39,400	15.8%
Total Richmond	\$369,544	\$765,544	\$778,617	\$811,198	\$4,671,700	17.4%
<i>Farebox Recovery - Richmond</i>	2%	33%	1%	2%	1%	
<u>Seaplane Lagoon FerryService (SPL)</u>						
Purchased Transportation	\$0	\$0	\$431,217	\$0	\$2,587,300	0.0%
Fuel - Diesel & Urea	-	-	66,367	-	398,200	0.0%
Other Direct Operating Expenses	8,320	-	134,650	11,444	807,900	1.4%
Admin Overhead Expense Transfer	-	-	28,133	-	168,800	0.0%
Total Seaplane Lagoon	\$8,320	\$0	\$660,367	\$11,444	\$3,962,200	0.3%
<i>Farebox Recovery - SPL</i>	0%	0%	5%	0%	91%	
Sub-Total Ferry Operations	\$2,622,911	\$7,216,868	\$7,367,900	\$5,149,074	\$44,207,400	11.6%
<i>FAREBOX RECOVERY - SYSTEMWIDE</i>	4%	68%	5%	5%	5%	
<u>PLANNING & GENERAL ADMIN:</u>						
Wages and Fringe Benefits	\$149,755	\$226,877	\$312,450	\$302,601	\$1,874,700	16.1%
Services	93,916	134,682	292,717	193,777	1,756,300	11.0%
Materials and Supplies	466	955	6,233	466	37,400	1.2%
Utilities	1,713	4,442	8,817	4,331	52,900	8.2%
Insurance	-	1,046	4,667	582	28,000	2.1%
Miscellaneous	173	2,720	10,867	1,217	65,200	1.9%
Leases and Rentals	32,705	64,060	65,400	64,868	392,400	16.5%
Admin Overhead Expense Transfer	(71,132)	(151,313)	(201,150)	(123,667)	(1,206,900)	10.2%
Sub-Total Planning & Gen Admin	\$207,596	\$283,470	\$500,000	\$444,176	\$3,000,000	14.8%
Total Operating Expenses	\$2,830,508	\$7,500,337	\$7,867,900	\$5,593,250	\$47,207,400	11.8%
OPERATING REVENUES						
Fare Revenue	\$115,026	\$4,889,702	\$348,235	\$242,711	\$2,089,400	11.6%
Federal Operating Assistance	1,695,728	-	2,540,232	3,308,300	15,241,400	0.0%
Regional - Bridge Toll	753,468	2,085,495	3,476,850	1,418,337	20,861,100	6.8%
Regional - Contra Costa Measure J	266,286	515,914	598,083	623,902	3,588,500	17.4%
Regional - Alameda Measure B/BB	-	-	260,217	-	1,561,300	0.0%
Regional - Alameda Tax & Assessment	-	-	644,283	-	3,865,700	0.0%
Other Revenue	-	9,226	-	-	-	0.0%
Total Operating Revenues	\$2,830,508	\$7,500,337	\$7,867,900	\$5,593,250	\$47,207,400	11.8%

San Francisco Bay Area Water Emergency Transportation Authority
FY 2020/21 Statement of Revenues and Expenses
For Two Months Ending 8/31/2020

Project Description	Aug-20 Total	Total Project Budget	Total Prior Expense	Total FY2020/21 Budget	Total FY2020/21 Expense	Total Future Year	% of Total Project Budget Spent
CAPITAL EXPENSES:							
<u>FACILITIES:</u>							
Terminal Construction							
Downtown Ferry Terminal Expansion - South Basin	\$33,573	\$98,965,000	\$94,792,877	\$4,172,123	\$266,783	\$0	96%
Operations and Maintenance Facilities							
Ron Cowan Central Bay Operations & Maintenance Facility	1,441	64,932,400	64,348,080	584,320	3,499	-	99%
North Bay Facility Improvement - Fuel System	3,548	530,450	-	530,450	6,639	-	1%
Terminal Improvement							
Install Mooring Piles - Harbor Bay Terminal	28,104	446,500	59,927	386,573	31,405	-	20%
Terminal Rehabilitation - Engineering & Design Main Street	408	395,000	-	395,000	408	-	0%
Shoreside Infrastructure for All-Electric Vessel	-	4,760,000	-	2,002,000	-	2,758,000	0%
<u>FERRY VESSELS:</u>							
Vessel Construction							
New Commuter Class High-Speed Vessels - 2 vessels	3,569,834	30,082,500	11,758,345	12,063,155	3,571,874	6,261,000	51%
Vessel Replacement - M/V Bay Breeze & MV Solano	5,410	34,600,000	251,717	9,158,283	31,275	25,190,000	1%
New All-Electric Vessel	-	4,300,000	-	1,834,000	-	2,466,000	0%
Vessel Rehabilitation and Refurbishment							
Vessel Engine Overhaul - M/V Argo and M/V Carina	-	240,000	125,730	114,270	-	-	52%
Vessel Engine & Reduction Gear Overhaul - MV Pisces	-	525,200	-	525,200	-	-	0%
Vessel Engine & Reduction Gear Overhaul - MV Bay Breeze	-	491,400	-	491,400	-	-	0%
Vessel Engine & Reduction Gear Overhaul - MV Peralta	13,179	1,400,000	-	1,400,000	70,770	-	5%
<u>CAPITAL EQUIPMENT / OTHER:</u>							
Purchase Service Vehicles	-	101,000	28,125	72,875	72,056	-	99%
Total Capital Expenses	\$3,655,497	\$241,769,450	\$171,364,802	\$33,729,648	\$4,054,709	\$36,675,000	
CAPITAL REVENUES:							
Federal Funds	\$19,463	\$51,564,388	\$22,526,082	\$8,958,203	\$81,635	\$20,080,103	44%
State Funds	3,604,848	151,516,501	120,501,312	18,148,032	3,842,156	12,867,157	82%
Regional - Bridge Toll	7,299	31,123,284	27,100,555	965,562	95,978	3,057,166	87%
Regional - Alameda Sales Tax Measure B / BB	(4,218)	2,489,727	16,926	1,802,228	3,535	670,573	1%
Regional - Alameda TIF / LLAD / HBBPA	28,104	446,500	59,927	386,573	31,405	-	20%
Regional - San Francisco Sales Tax Prop K	-	1,400,000	1,160,000	240,000	-	-	83%
Other - Proceeds from Sale of End-of-Life Vessels	-	3,229,050	-	3,229,050	-	-	0%
Total Capital Revenues	\$3,655,497	\$241,769,450	\$171,364,802	\$33,729,648	\$4,054,709	\$36,675,000	

TO: WETA Board Members

FROM: Peter Friedmann, WETA Federal Legislative Representative
Ray Bucheger, WETA Federal Legislative Representative

SUBJECT: WETA Federal Legislative Board Report – October 2020

This report covers the following topics:

1. Appropriations – Transit Cuts to be Averted Under Continuing Resolution
2. Surface Transportation Reauthorization / Funding for WETA
3. Latest on COVID Negotiations
4. Continuing to Seek Emergency Funding for Maritime Transportation

Appropriations – Transit Cuts to be Averted Under Continuing Resolution

The House and Senate took up and passed a Continuing Resolution (CR) which will fund the federal government at FY20 levels through December 11. A CR was necessary given that the House and Senate were unable to complete work on any of the twelve FY21 appropriations bills that provide funding to federal government agencies. Included in the CR is an extension of a waiver of the so-called "Rostenkowski" rule [Sec. 9503(e)(4) of the Internal Revenue Code of 1986], which would otherwise require the Treasury secretary to withhold transit money from states and transit agencies if the amount of unfunded transit authorizations exceeds projected Highway Trust Fund receipts for the next four years. Such a waiver was needed last year to avert a \$1.2 billion cut to transit programs. The waiver will expire on December 11 when the CR expires, at which point Congress will need to pass another CR or complete the FY21 appropriations process.

Surface Transportation Reauthorization / Funding for WETA

Also included as part of the Continuing Resolution (CR) is an extension of the Fixing America's Surface Transportation (FAST) Act, which provides funding for transit, highway, bridge, rail, freight, and intermodal projects. The CR extends the FAST Act through September 30, 2021, which means that consideration of the next surface transportation bill will be kicked to next year. In the meantime, we will continue advocating for additional funding for the Federal Highway Administration (FHWA) ferry formula program and the Federal Transit Administration (FTA) discretionary grant program, building off the increases we secured earlier this year – including an increase in funding for the FHWA formula program from \$80 million/year to \$120 million/year and a more than doubling of funding for the FTA grant program.

Latest on COVID Negotiations

Negotiations between Congressional leaders from the House and Senate and the White House on another COVID relief bill to address the economic and health care crisis caused by the COVID-19 pandemic remain stalled. In the meantime, House and Senate leaders have introduced competing COVID bills but not necessarily in an attempt to reach a compromise; rather House and Senate leaders have introduced their own COVID legislation to make political statements and to give their electorally vulnerable members political cover.

In particular, Senate Republican leaders introduced a "targeted" COVID relief bill which included approximately \$500 billion in funding but did not incorporate any feedback from Democrats. The bill, which did not include funding for transit but did include – among other things – liability

protections for businesses, schools and charities; \$300-per-week in federal unemployment benefits (on top of state benefits) through December 27; and additional funding for the Paycheck Protection Program (PPP) – failed to garner enough support to overcome a Democratic filibuster.

Similarly, House Democrats assembled a scaled-down version of the \$3.2 trillion Health and Economic Recovery Omnibus Emergency Solutions (Heroes) Act that the House passed back in May. At the time this report was submitted, few details were known about what is in this new, \$2.4 trillion bill, which was written without any input from House Republicans and will not be taken up by the Senate (and therefore stands no chance of becoming law).

Continuing to Seek Emergency Funding for Maritime Transportation

While COVID negotiations remain at a stalemate, we are hopeful Congress will take up a COVID bill during the post-election lame duck session of Congress or in early 2021. This is why we are continuing to push for emergency funding for the maritime transportation sector. In particular, we are working with other maritime transportation interests to advocate for \$3.5 billion in supplemental appropriations and seeking passage of the Maritime Transportation System Emergency Relief Act (MTSERA). MTSERA would provide a mechanism for the U.S. Maritime Administration (MARAD) to flow money to maritime interests – including public ferry systems – in time of emergency and the supplemental appropriations could be used by those same maritime interests for operating expenses, including “emergency response; cleaning; sanitization; janitorial services; staffing; workforce retention; paid leave; procurement and use of protective health equipment, testing, and training for employees and contractors; debt service payments; infrastructure repair projects; and other maritime transportation system operations.”

Respectfully Submitted,

Peter Friedmann and Ray Bucheger



NOSSAMAN LLP

Memorandum

TO: WETA Board of Directors

FROM: Nossaman LLP - Nate Solov
Jennifer M. Capitolo & Associates – Jennifer Capitolo

DATE: September 30, 2020

RE: September 2020 - Legislative Update

Legislative Update

The legislature sent over 400 bills to the Governor before adjourning on September 1. Governor Newsom had until September 30 to sign or veto bills.

The General Election will be held on November 3 and the Legislature will reconvene for the 2021 session on December 7, 2020 at which time new members will be sworn in and legislation can be introduced.

COVID-19 related bills impacting employers / public agencies:

AB 685 (Reyes) – requires employers to provide written notice and instructions to employees who may have been exposed to COVID-19 at their worksite and enhances the Division of Occupational Health and Safety's (Cal/OSHA) ability to enforce health and safety standards to prevent workplace exposure to and the spread of COVID. – SIGNED BY GOVERNOR

SB 1159 (Hill) - would create a rebuttable presumption for COVID-19 related workers' compensation claims filed by employees working outside of the public safety and health professions that is triggered by an "outbreak" of the virus at a "specific place of employment." – SIGNED BY GOVERNOR

SB 1383 (Jackson) – would require any employer, public or private, with five or more employees to provide 12-weeks of protected leave each year. Expands CA Family Rights Act to provide unpaid protected leave to care for family members with serious health conditions such as COVID-19. – SIGNED BY GOVERNOR

Transportation related bills:

AB 107 (Committee on Budget) State Government.

Authorizes a transit agency to expend funds apportioned for the 2019-20 to 2021-22 fiscal years, inclusive, on any operating or capital costs necessary to maintain transit service levels. – SIGNED BY GOVERNOR

SB 288 (Wiener) CEQA: Exemptions: Transportation-Related Projects.

Would exempt from the requirements of the California Environmental Quality Act certain projects: new bus rapid transit, bus, or light rail services on public rail or highway rights-of-way. – SIGNED BY GOVERNOR

SB 1351 (Beall) Transportation Improvement Fee: Revenue Bonds.

Would authorize the state to issue \$5 billion in revenue bonds, backed by a portion of the Transportation Improvement Fee, to fund capital improvements needed to preserve and protect the state highway system. – VETOED BY GOVERNOR

Legislative Analyst Report on COVID-19 Impact to Transportation Funding

On September 17, the Legislative Analyst's Office released a report on COVID-19's impact on State Transportation Revenues. The decline in transportation revenues is due to two major factors:

- People are driving less
- Decline in fuel prices

The State Transit Assistance (STA) program is expected to face significant funding reductions in 2020-21 as a result of major declines in diesel sales tax revenues. The 2020-21 Budget Act estimates that STA funding will be \$414 million in 2020-21, which is a \$265 million (39 percent) year-over-year reduction.

California Transit Association Funding Request - \$3.1 Billion

The California Transit Association (CTA) continues to advocate for \$3.1 billion in federal funding in addition to the Coronavirus Aid, Relief, and Economic Security (CARES) Act funding already received. Letter excerpt: "This emergency funding would address critical funding needs at transit agencies statewide, to prevent devastating permanent reductions of transit services and ensure public transportation is still a viable option for communities most in need."

CA Without Transit PR Campaign: The CTA also launched a PR campaign to inform lawmakers about COVID-19 funding impacts to transit agencies and to support the \$3.1 billion request:

<https://caltransit.org/advocacy/lawmakers-must-act-to-save-local-public-transit/>

Cap-and-Trade Program

The most recent Cap & Trade quarterly auction held on August 18 generated an estimated \$474 million in revenue for the Greenhouse Gas Reduction Fund —substantially more than the May auction (\$25 million). The Legislature has deferred action on determining a spending plan for these revenues until the new session begins on December 7.

Energy Commission Grant for WETA Zero-Emission Vessel Infrastructure Blueprint Plan

WETA is preparing an application for the California Energy Commission's Clean Transportation Program Blueprints for Medium- and Heavy Duty Zero-Emission Vehicle Infrastructure grant. If awarded, funds from this grant would be used to evaluate a fleetwide strategy for converting to zero emissions. Several legislators have submitted support letters for WETA's application including:

Assemblymembers: Chiu, Grayson, Wicks

Senators: Dodd, Skinner, Wieckowski, Wiener

MEMORANDUM

TO: Board Members

**FROM: Nina Rannells, Executive Director
Kevin Connolly, Planning & Development Manager
Taylor Rutsch, Transportation Planner**

SUBJECT: Monthly Ridership and Recovery Report

Background

The WETA Ferry Service Recovery Plan (Plan) states that ferry service will restart at minimum levels to match expected reduced demand. Modifications in service will generally follow state guidelines for reopening the economy and subsequent changes in demand. The Plan calls for a monthly evaluation of ridership demand together with other measures relating to how the Bay Area is responding to the COVID-19 health crisis. The Monthly Ridership and Recovery Report presents a status report of the WETA system along with anticipated service adjustments for the upcoming weeks.

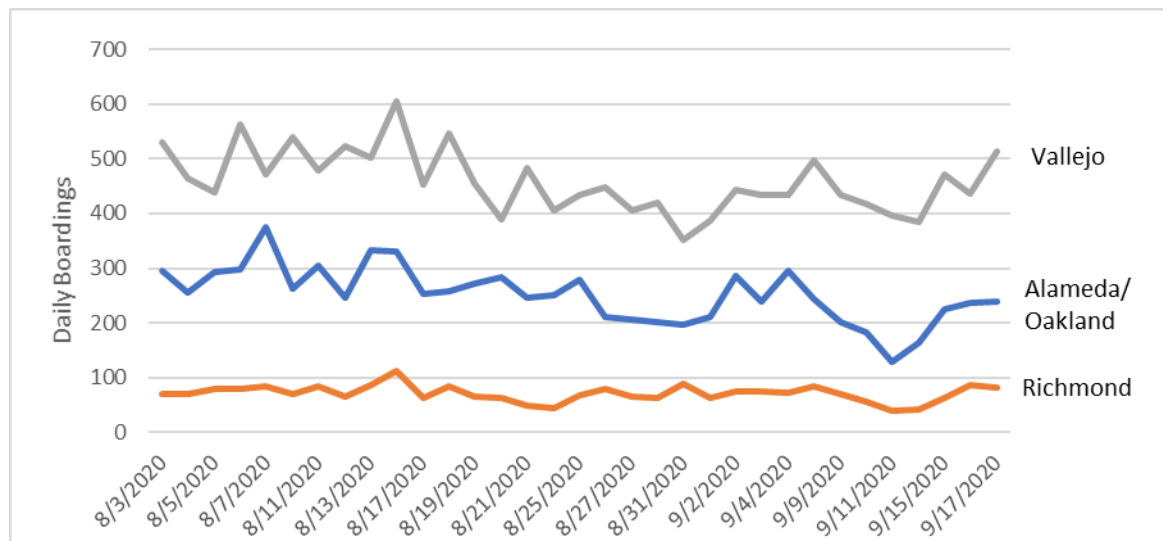
Discussion

1. Ridership and Forecasting

Systemwide

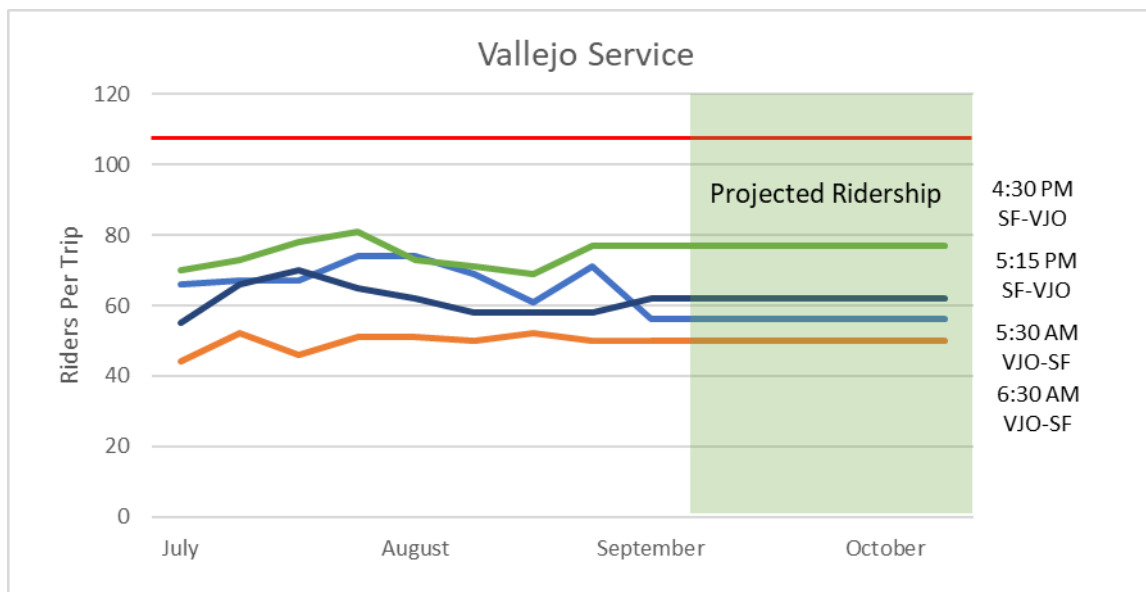
Systemwide average daily ridership decreased from 813 in August to 742 in September, a 9% drop. However, ridership experienced an upward trend in the second half of the month, particularly beginning the week of September 15 when the Bay Area started to see some relief from wildfire smoke. Overall, occupancy has not approached the 80 percent threshold on most trips.

Alameda/Oakland trips have experienced low ridership in the later morning departures with early morning and 5:30 p.m. departures showing the highest ridership levels. The Richmond service continues to see stagnant ridership. Vallejo has healthy ridership in the early evening departures at 4:30 p.m. and 5:15 p.m.



Vallejo

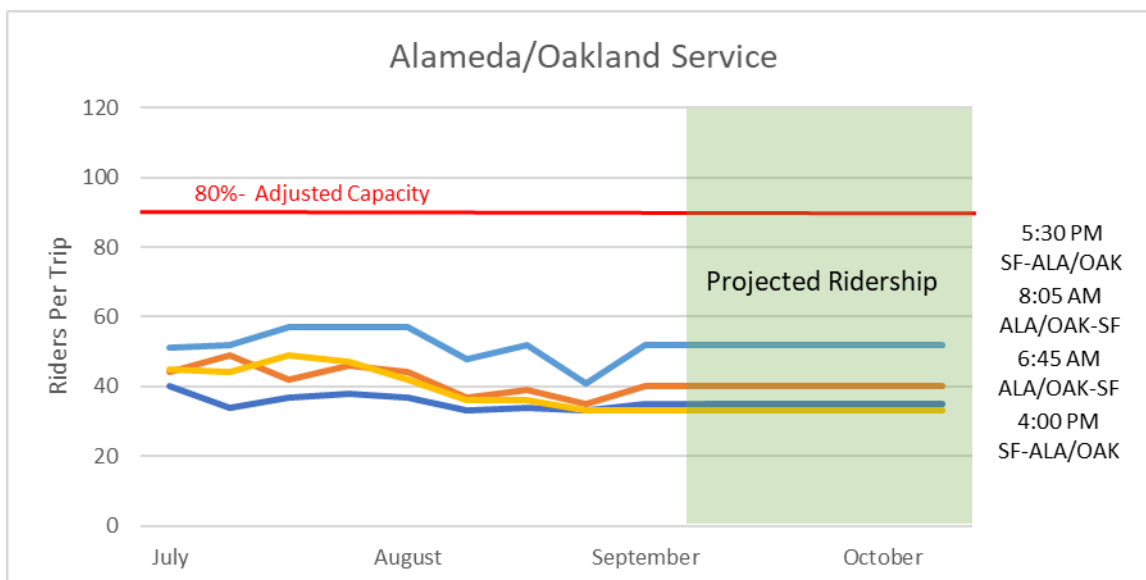
After a strong month of June, Vallejo ridership has remained static in July and began to drop in late August. Ridership continued to drop in early September before picking back up by the middle of September. While the Vallejo outlook at the beginning of July was forecasting the need for additional service, by mid-August that date has now been pushed out due to lower ridership projections. Vallejo ridership is now projected to remain unchanged, based on its rolling ridership average.



*Adjusted capacity assumes the vessels will be limited to 25% capacity due to physical distancing requirements

Alameda/Oakland

Alameda/Oakland ridership has experienced a similar pattern as Vallejo, with ridership either unchanged or slightly lower over the second half of August and first half of September. The Alameda/Oakland service does not have any trips that are currently at risk of reaching the adjusted capacity threshold over the next two months. Alameda/Oakland ridership is projected to remain the same, based on its rolling ridership average.

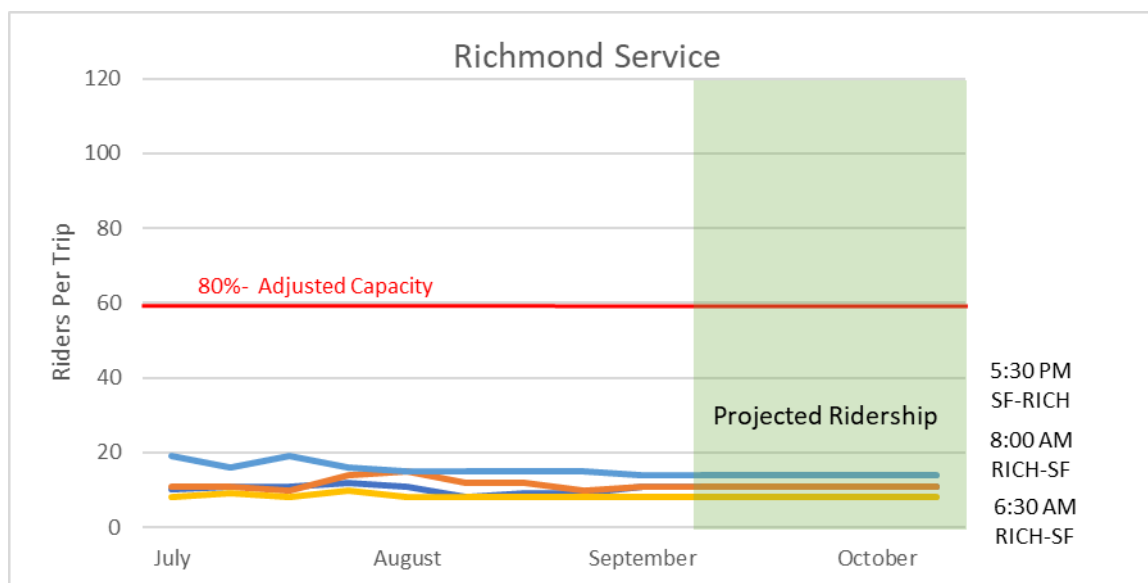


*Adjusted capacity assumes the vessels will be limited to 25% capacity due to physical distancing requirements

Richmond

Richmond ridership has remained flat throughout September. Because Richmond only restarted in June and ridership was at modest levels, there is not an immediate concern that capacity limits will be reached. Smaller vessels are currently in service in Richmond and the terminal has the capability of receiving larger vessels such as those in the Hydrus or Pyxis classes. Richmond ridership is now projected to remain the same, based on its rolling ridership average.

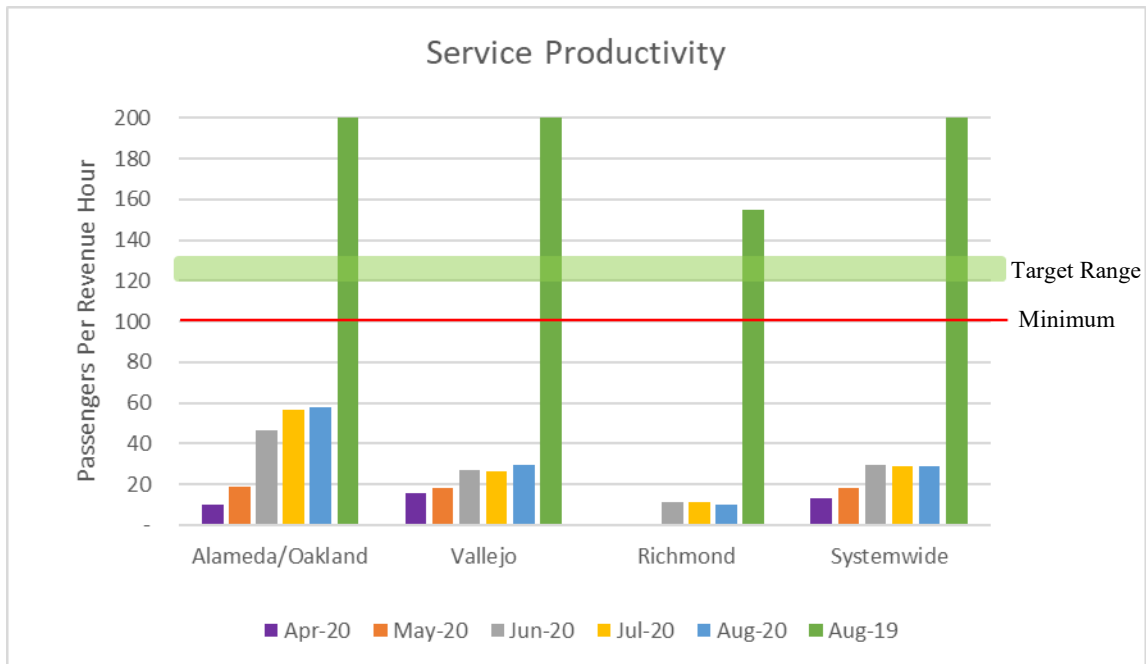
WETA staff has been in contact with staff from the Contra Costa Transportation Authority (CCTA) and the West Contra Costa Transportation Advisory Committee (WCCTAC) and a status report for the October WCCTAC meeting is being scheduled.



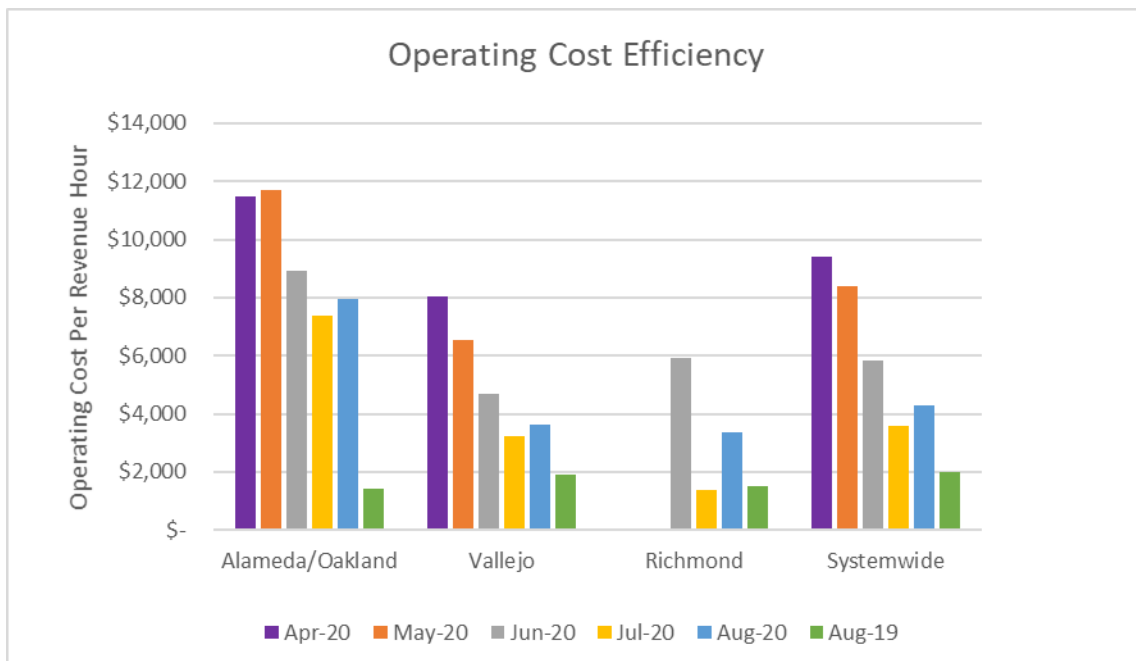
*Adjusted capacity assumes the vessels will be limited to 25% capacity due to physical distancing requirements

2. Service Productivity and Efficiency

Systemwide passengers per revenue hour remained the same at 29 for both July and August.



Systemwide operating cost per revenue hour increased by 19% from July to August.



3. Regional Context

The table below shows how each of WETA's service areas are impacted.

County	14-Day Change Total (Positive Cases)	14-Day Change % (Positive Cases)
Alameda	3,724	31%
Contra Costa	3,533	42%
San Francisco	1,535	23%
San Mateo	1,727	20%
Solano	1,057	28%

WETA ridership remained generally the same from July to August 2020 while BART ridership increased. WETA had been keeping pace with these other two transportation system indicators but has experienced comparatively weaker growth over the last few months.

Agency	% of normal ridership/traffic levels September 2020
WETA	7%
BART	18%
BATA Bridges (7-total)	85%

4. Outlook and Recommendations

Ferry ridership has remained even over the past eight weeks with occasional increases or decreases due to outside factors such as smoke from wildfires or Friday night riders. The larger health context in the Bay Area is indicating that some counties are seeing improvements while others have seen infection increases or no change. As a result, incremental openings in certain businesses are starting to occur in select Bay Area counties. Schools have largely remained closed to in-person instruction, but college campuses are starting to implement limited campus openings.

Given recent trends and the available capacity on all three active services, staff recommends no change to service levels in Alameda/Oakland, Vallejo, and Richmond. The possibility of changes to the Richmond service will likely be discussed at the October WCCTAC meeting. Staff also recommends that commuter services at Seaplane Lagoon, South San Francisco, and Harbor Bay remain suspended until indicators improve for ferry demand and the larger Bay Area economy.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY
MINUTES OF THE BOARD OF DIRECTORS MEETING

(September 3, 2020)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session via videoconference consistent with California Governor Gavin Newsom's Executive Order N-25-20 to ensure social distancing and help mitigate the transmission of COVID-19.

1. CALL TO ORDER – BOARD CHAIR

Chair James Wunderman called the meeting to order at 1:30 p.m. He welcomed directors, staff, and meeting guests and noted that the meeting was being recorded. Chair Wunderman also advised how guests could sign up to speak to Directors throughout the meeting.

2. ROLL CALL

Chair Wunderman, Director Jessica Alba, Director Jeffrey DelBono, Director Anthony Intintoli, and Director Monique Moyer were in attendance.

3. REPORT OF BOARD CHAIR

Chair Wunderman reported on the general economy, employment, and trends of the Bay Area and their impacts on transit and ridership. He stressed the importance of continuing and reinforcing safety practices to assure the public that public transportation will be around and that it will be safe when they return.

4. REPORTS OF DIRECTORS

Director Moyer added that she has heard that people are wanting to return to the office and that layoffs continue as companies react. She expressed her support on reports of the movement of people getting back to the office and her appreciation of WETA's marketing efforts.

5. REPORTS OF STAFF

Executive Director Nina Rannells provided five written reports to Directors, noted the addition of Item 11 about the Clipper START public hearing, offered to answer any questions, and stated that staff would be speaking further on some of the items.

Ms. Rannells said that since the celebration of WETA's new Downtown San Francisco Ferry Terminal Expansion Project (DFTX) was canceled, she asked Planning & Development Manager Kevin Connolly to provide a visual presentation of DFTX which officially opened on August 12. Mr. Connolly shared a timeline and rendering comparison presentation starting in July 2017 through August 2020 with the Directors. He noted that this project was delivered within budget and on time and was the third federally funded Construction Manager at Risk project. He stated that the success of the project was the working relations and partnerships with the Port of San Francisco (Port), Power Engineering, and Roma Design and the tolerance and flexibility of the passengers. He commended Senior Planner/Project Manager Mike Gougherty for leading the project with assistance from other WETA staff.

Chair Wunderman thanked Mr. Connolly for the presentation and for the thought and execution put into the project.

Ms. Rannells introduced Nossaman LLP state legislative representatives Jennifer Capitolo and Nate Solov who provided their written report and updated Directors on the end of the legislative session. Ms. Capitolo stated that COVID-19 and other issues kept a significant amount of work from being accomplished compared to years past and that there has been talk about having a special session. With the bills that have passed, the Governor has until September 30 to sign or veto them.

Nate Solov added that 400 bills had passed the legislature and are pending with the Governor. He stated that if a special session was not called then the new session would start on December 7 after the November 3 election. Mr. Solov pointed out the transportation related bills that had recently passed – AB 107 which would allow agencies to use more state funding for capital and operating expense than would normally be allowed, SB 288 which provides for regulatory relief, flexibility, and exemptions for bus and rail projects, and SB 1351 which provided for a \$5 billion revenue bond to advance state highway operation and protection program projects. He added that the California Transportation Commission issued \$1.6 billion for state transportation projects. He further stated that the Cap-and-Trade expenditure compromise had not been resolved due the uncertainty of auctions and actions have been deferred on these discretionary revenues until the legislature returns in December.

Chair Wunderman commented that WETA had issues meeting California Air Resources Board (CARB) requirements and inquired about the status. Ms. Rannells responded that CARB issued proposed concepts to extend and expand emission regulations for marine craft. Ms. Rannells stated that WETA provided written comments to CARB and has participated in several meetings with CARB staff to discuss WETA's comments and concerns. Ms. Rannells noted that, as she understood it, CARB would be issuing proposed regulations in the coming months and anticipated adopting a set of final regulations in mid-2021. She added that WETA has worked on emissions reduction proactively and was interested in a working in partnership with CARB but that it was her opinion that the proposed concepts are not appropriate to require of a public transit and emergency response operating system.

Chair Wunderman offered his assistance and noted his relationships with CARB Board Members Supervisor John Gioia and Chair Mary Nichols. Mr. Solov commented that he has a working relationship with CARB and that the Board of Directors likes to hear directly from impacted agencies on pending regulations. He suggested setting up videoconferences to educate CARB about WETA's unique circumstances and offered his assistance.

Chair Wunderman stated that WETA takes cars off the road to improve air quality and this should be seen as a reasonable mitigation in addition to WETA's investment in expensive, leading-edge equipment including an electric ferry. Ms. Rannells accepted Chair Wunderman's assistance in working with CARB.

Ms. Rannells asked Mr. Connolly to provide an update on the Monthly Ridership and Recovery Report. He noted the decline in August ridership were attributed to factors such as the pandemic, smoke in the air which affects construction jobs, and the typical week before the start of the school year. He stated that the current service level is more than sufficient to handle capacity and demand.

Ms. Rannells noted that her report was complete and offered to answer any questions.

Ms. Moyer congratulated Mr. Connolly for his leadership and his staff, WETA, and its corporate partners for the completion of the DFTX in partnership with the Port of San Francisco.

Chair Wunderman added that he appreciated the comprehensiveness and level of detail regarding all of the active projects in the written Executive Director's Report and found them very helpful.

6. CONSENT CALENDAR

Director Intintoli made a motion to remove Item 6b from the consent calendar.

Director Intintoli made a motion to approve the consent calendar:

- a. Board Meeting Minutes – August 6, 2020

Chair Wunderman called for public comments on the consent calendar and there were none.

Director Moyer seconded the motion and the consent calendar carried unanimously.

Yeas: Alba, DelBono, Intintoli, Moyer, Wunderman. Nays: None.

- b. Approve Amendment to Clipper Memorandum of Understanding with the Metropolitan Transportation Commission and Bay Area Transit Operators

Ms. Rannells responded to a question from Director Intintoli that the annual \$36,000 was on the high end since it was fee-based amount and that the amount would be less since WETA was operating at 6 percent.

Director Intintoli made a motion to approve the item.

Chair Wunderman called for public comments and there were none.

Director DelBono seconded the motion and the item passed unanimously.

Yeas: Alba, DelBono, Intintoli, Moyer, Wunderman. Nays: None.

7. APPROVE ADOPT THE REGIONAL TRANSIT OPERATOR HEALTH AND SAFETY PLAN

Program Manager/Analyst Lauren Gularte presented this item recommending that the Board adopt the regional transit operator health and safety plan *Riding Together: Bay Area Healthy Transit Plan* that she provided to the Directors.

Ms. Gularte explained that as a part of approving the final distribution of the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds, the Metropolitan Transportation Commission (MTC) and its recently formed Blue Ribbon Transit Recovery Task Force (Task Force) requested that transit operators develop and adopt a regional health and safety plan to ensure that there is consistency across all operators regarding the baseline mitigations implemented on transit to prevent the spread of COVID-19. She further stated that this regional health and safety plan would complement and not replace WETA's adopted Passenger and Crew Safety Plan.

The Plan applies to Bay Area public transportation providers including rail, bus, ferry, paratransit, demand response, and micro-transit and flows down to contract operators.

Director Intintoli made a motion to approve the item.

Chair Wunderman called for public comments and there were none.

Director Alba seconded the motion and the item passed unanimously.

Yeas: Alba, DelBono, Intintoli, Moyer, Wunderman. Nays: None.

8. APPROVE AMENDMENT TO AGREEMENT WITH BLUE & GOLD FLEET, L.P. FOR OPERATION AND MAINTENANCE OF FERRY SERVICES

Operations & Maintenance Manager Keith Stahnke presented this item recommending approval of Amendment No. 9 to Agreement No. 11-011 with Blue & Gold Fleet, L.P. for the operation and maintenance of ferry services extending the term of the agreement by an additional two years through December 31, 2023 and authorize the Executive Director to negotiate and execute the amendment and take any other related actions to support this work.

Mr. Stahnke stated that Blue & Gold Fleet, L.P. (Blue & Gold) was awarded the operations and maintenance of ferry services after a comprehensive, competitive procurement process in October 2011 for services beginning January 1, 2012 with an option to extend the agreement for an additional five years for a total of ten years which was approved in May 2016 extending the agreement through December 31, 2021. He noted, as further explained in the written report, that Blue & Gold has been an outstanding partner to WETA in numerous ways as the agency and its ferry services have grown and developed.

Director DelBono expressed his concern that two years was a short time.

Director DelBono made a motion to approve the item for further discussion. Director Alba seconded the motion.

In response to a question from Chair Wunderman, WETA General Counsel Steven Miller confirmed that the extension period could be modified, as suggested by Director DelBono, as the item was agendized as a contract extension.

Ms. Rannells stated that WETA staff was comfortable and supportive of a longer extension period for all of the reasons noted in the written report.

Chair Wunderman asked for comment from Blue & Gold Fleet (Blue & Gold) President Patrick Murphy.

PUBLIC COMMENT

Mr. Murphy stated that Blue & Gold was supportive of an extension and the longer extension will provide continuity for navigating through difficult times and job security for its skilled labor force. He added that it would be helpful for their operation to not to have to focus time and attention on responding to an RFP at this time. He thanked the Board for the work that they have done since March when the pandemic started to provide stability for the workforce. He reminded the Board that Blue & Gold was the operator for ferry services under the City of Alameda since 1991 and the City of Vallejo since 1994 before becoming the official WETA operator.

Director DelBono made an amended motion to extend the agreement for five years.

Chair Wunderman commented that bidding the project would be good but now was not the time. He added that he has never heard a complaint and has consistently received positive comments about Blue & Gold and the trusted partnership during this time was valuable.

Ms. Rannells confirmed that the bidding process would be costly in time and resources and that Blue & Gold was a stellar organization with whom WETA had a good, working relationship.

PUBLIC COMMENTS

Masters, Mates & Pilots Regional Representative Captain Ezra Hunter thanked the Board, WETA, and Blue & Gold and supported the five-year extension.

Hans Korve agreed with Chair Wunderman's comment about bidding the contract and suggested providing a policy to clarify the process for future bidding opportunities on this contract.

Inlandboatmen's Union Regional Director Robert Estrada supported the five-year extension.

Mr. Miller confirmed that the five-year extension would extend the contract to December 2026.

Director Alba thanked Director DelBono for suggesting the five-year extension and Blue & Gold for their flexibility in working with the WETA.

Chair Wunderman confirmed that the longer extension was a good idea for stability and to allow time to get through the pandemic and plan for a future RFP process.

Director Alba seconded the amended motion and the item passed unanimously.

Yeas: Alba, DelBono, Intintoli, Moyer, Wunderman. Nays: None.

9. APPROVE STATE AND FEDERAL LEGISLATIVE PROGRAMS FOR 2021

Ms. Gulate presented this item recommending approval of WETA's State and Federal Legislative Programs for 2021.

These programs establish the principles that will guide WETA's legislative and regulatory advocacy efforts during the calendar year, including the second half of the 2020-2021 State legislative session and 117th Congress. They are intended to be broad enough to cover the wide variety of issues that are likely to be considered during that time and flexible enough to allow WETA to respond swiftly and effectively to unanticipated developments. Adoption of these programs will provide WETA's state and federal delegation and transportation partners with a clear statement of WETA's priorities and will provide a guide for staff and WETA's consultants in carrying out its legislative efforts.

Ms. Rannells asked the Board to let staff know about specific legislation that they would like developed.

Chair Wunderman reminded the Board that WETA had requested funding from the State through the Governor's office early on in the pandemic and noted that WETA has an emergency response mission that remains unfunded and asked Director DelBono to speak about it. Director DelBono said that he would like to see legislation that would allow WETA access to Cal OES or other emergency response funding during a state or national emergency and explained how that worked in the fire service and how it would possibly work for WETA.

Chair Wunderman added that planning for response to an emergency was unfunded and that he would like to see funding for emergency preparedness work as well.

Ms. Rannells confirmed that the Board wanted legislation that would provide funding for WETA's legislative mandate for emergency response planning and activation.

Director Moyer suggested working with the Public Ferry Coalition to seek legislation to enhance credits for corporations subsidizing employee use of public transit to help increase ridership.

PUBLIC COMMENT

Mr. Solov thanked the Board for their comments, feedback, and ideas and said he would work with staff, WETA's legislative delegation and state agencies to further develop these items so that any related legislation could be introduced next session.

Chair Wunderman said that he would work with Bay Area Council members on the transit credits issue and felt that they would be supportive. He thanked WETA's legislative representatives for their work.

Director Moyer made a motion to approve the item.

Director Intintoli seconded the motion and the item passed unanimously.

Yeas: Alba, DelBono, Intintoli, Moyer, Wunderman. Nays: None.

10. STATUS REPORT ON THE MISSION BAY FERRY LANDING PROJECT

Mr. Connolly introduced this informational item on the status of the Mission Bay Ferry Landing Project and the effect that the pandemic has had on the project.

Mr. Connolly introduced the staff from the Port of San Francisco (Port) - Project Manager Shannon Cairns, Chief Harbor Engineer Rod Iwashita, Marine Operations Specialist Dominic Moreno, and Executive Director Elaine Forbes.

Ms. Cairns presented this informational item covering the background of the project, project funding, and plan and schedule, and Mr. Connolly provided the update on the interim landing at Pier 48 ½ and the zero-emission battery electric vessel, both of which are impacted by the extension of the Mission Bay Ferry Landing (MBFL) project.

Chair Wunderman expressed his concern about the current year delay and the unknown funding sources from the revised budget increase. Ms. Cairns shared her project funding slide which reflected unsecured funds - \$25 million from Regional Measure (RM) 3, a private \$4 million contribution from University of California, San Francisco (UCSF), and a potential SB 1 grant for which the Port has applied.

Ms. Forbes stated that the Port was trying to be creative and provide cash flow when RM3 funds were tied up in litigation and had originally allocated \$25 million as a loan from the Port's capital budget. She reminded the Board that this project includes three components: the landside improvements which includes sea rise level preparation, the waterside improvements which include environmental remediation and a soil cap, and the ferry landing and noted that funds spent to date were from the Port and the City of San Francisco.

Chair Wunderman said he appreciated the partnership with the Port and wanted to commit to making this project a priority. He suggested that the Port convene a working group to include city departments, WETA Board members, and other interested parties to develop a plan for moving this important project forward.

Ms. Forbes agreed that this would be a good idea, welcomed the participation of WETA, and agreed to convene the working group.

Director Intintoli asked about the float that was used to support Vallejo dredging that was being used at Pier 48 ½ as a part of the temporary Mission Bay ferry terminal. Ms. Rannells noted that there is a scheduled dredging in Vallejo next year and that the spare float now at Pier 48 ½ would be needed to support this work. She indicated that staff was working to address this and other issues related to the temporary Mission Bay ferry terminal. She added that she appreciates Ms. Forbes' partnership in convening a working group to discuss funding opportunities and agreed with Chair Wunderman about the importance of the project.

Chair Wunderman asked Director Moyer to serve on the working group because of her experience at the Port and other life experiences. Director Moyer stated that she was passionate about the project, the importance of it, had intended to volunteer, and accepted Chair Wunderman's invitation.

Director Moyer asked if the RM3 monies were being escrowed and earning interest. Ms. Rannells explained that MTC has RM3 monies in their bank and that, historically, any interest earned would not be shared by MTC but used to offset the cost of the overall RM3 program. Chair Wunderman agreed that WETA should find out what the interest would be on the funds now.

Director Moyer restressed the importance of the project as a key pilot project for working in shallow water and wanting to streamline the permitting process.

Chair Wunderman wondered if something could be done legislatively for streamlining the permitting process. Chair Wunderman added that WETA was pulled out of SB 288, a fast track California Environmental Quality Act (CEQA) process for mass transportation projects.

PUBLIC COMMENT

UCSF Government Relations Director Aimee Alden thanked WETA and the Port for their ongoing commitment to the project and said that the ferry is an integral part of UCSF's transportation plan.

Chair Wunderman thanked Ms. Alden for her comment and acknowledged the importance of UCSF and the community services and the research it provides.

11. SET A PUBLIC HEARING TO RECEIVE COMMENTS ON WETA'S PROPOSED CLIPPER START MEANS-BASED DISCOUNTED FARES

Transportation Planner Arthi Krubanandh presented this item recommending setting a public hearing, to take place as a part of the October WETA Board meeting, to receive public comments on the proposed new Clipper START means-based discounted fares.

Director DelBono said he wanted to hear more about the outreach and access to this program and suggested notifying specific communities about the program.

Ms. Rannells explained that information on the proposed Clipper START fare and WETA's participation in this regional initiative was posted on WETA's website and that there would be public outreach and a public hearing before adoption of the fares at the October meeting. She said that staff would include general program information and outreach plans and efforts as a part of the October action item to establish WETA's Clipper START fare for this program.

Director Moyer suggested reaching out to several agencies such as the San Francisco Foundation and the use of community newsletters.

Chair Wunderman noted that the Bay Area Council was working with MTC regarding regional communication on transportation recovery and a part of this work is directed towards an equity strategy.

Chair Wunderman called for public comments and there were none.

Director Moyer made a motion to approve the item.

Director DelBono seconded the motion and the item passed unanimously.

Yeas: Alba, DelBono, Intintoli, Moyer, Wunderman. Nays: None.

12. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

Chair Wunderman called for public comments on non-agenda items and there were none.

With all business concluded, Chair Wunderman adjourned the meeting at 3:59 p.m.

- Board Secretary

END

MEMORANDUM

TO: Board Members

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

SUBJECT: Authorize Release of a Request for Proposals for Engineering and Design Services for the Alameda Main Street Ferry Terminal Refurbishment Project

Recommendation

Authorize release of a Request for Proposals for Engineering and Design Services for the Alameda Main Street Ferry Terminal Refurbishment Project.

Background

On July 24, 2020, the U.S. Department of Transportation's Federal Transit Administration announced a \$4,456,000 discretionary Federal Transit Administration Ferry Grant Program award to WETA to support refurbishment of the Alameda Main Street ferry terminal. This project will support WETA's project plans to refurbish the terminal to ensure that it remains in a state of good repair.

Discussion

The gangway, pier, and bridge structures were installed in 1991 and were repaired by the City of Alameda in 2007 to address the deterioration of its wooden pilings. In 2014, after the service transition to WETA, stabilization repairs were made to the pier bridge structure. The current passenger float is a converted Navy barge estimated to be over 50 years old. In 2015, gangway and walkway improvements were made for passenger safety and boarding efficiency. The repairs to the pier bridge structure were intended to be temporary and the passenger float is at the end of its economic useful life. This project will replace the pier bridge structure and passenger float.

The Alameda Main Street Ferry Terminal is a high-use terminal that supports WETA operation seven days a week. This terminal served 895,000 passengers in 2019, and it is important to keep it in a state of good repair to support ongoing operations and safety. In developing project plans and designs, staff will work to develop a staged approach that allows major components to be built in advance of assembly at the terminal site in order to minimize disruption to the terminal and services. The project budget and construction timeline will be refined with this work.

Staff anticipates returning to the Board with a recommendation for contract award in early 2021. It is anticipated that this project will be sufficiently designed and developed by mid-2021 and ready to be placed out to bid for construction shortly thereafter.

Fiscal Impact

The FY 2020/21 Capital Budget includes \$395,000 to support preliminary design work and to prepare bid specifications for the project. This phase of work is funded with Alameda Transportation Sales Tax revenues.

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Kevin Connolly, Planning & Development Manager
Arthi Krubanandh, Transportation Planner

SUBJECT: Adopt Clipper START Means-Based Discounted Fares

Recommendation

Adopt proposed Clipper START means-based discounted fares as contained in this item.

Background

In May 2018, the Metropolitan Transportation Commission (MTC) approved the framework for a 12 to 18-month pilot program to implement a means-based fare program known as Clipper START on a limited number of Bay Area transit systems (Cohort 1). The Clipper START pilot was structured to allow adults who live in the Bay Area and whose annual earnings are up to 200 percent of the federal poverty level to qualify for fare discounts. The program provides either a 20 or 50 percent discount to eligible adults, depending upon the transit system's individual discount and will require riders to use Clipper for their fare payment.

In June 2020, MTC staff announced that they would be able to expand the pilot program to include additional Bay Area transit operators in the coming months (Cohort 2). On July 16, the WETA Board expressed interest in participating in this expanded program by offering a 50 percent discount off of WETA's adult cash fares.

In July 2020, MTC and the participating Cohort 1 operators, including Bay Area Rapid Transit (BART), Caltrain, Golden Gate Bridge, Highway and Transportation District (GGBHTD), and the San Francisco Municipal Transportation Agency (SFMTA), launched the Clipper START pilot program.

Discussion

On September 1, 2020, the proposed Clipper START discounted fare program, which would provide a 50 percent discount from WETA's cash fares for eligible adults, was posted in multiple languages on WETA's website and similar informational materials were posted onboard vessels to receive public comments over a 30-day comment period. At the September meeting, the Board authorized staff to set a public hearing as a part of the October Board meeting to receive in-person comments on the proposal. Further outreach included notifying riders of the proposed program through WETA's Bay Alerts system.

The proposed fares for this program, as noticed to the public for comment and now recommended for adoption, are listed below by route:

Proposed Clipper START Fares

Service Route	Proposed Fare
Alameda/Oakland Ferry Service	\$3.60
Harbor Bay Ferry Service	\$3.70
Seaplane Lagoon Ferry Service	\$3.60
Richmond Ferry Service	\$4.60
South San Francisco Ferry Service	\$4.70
South San Francisco-Harbor Bay	\$4.70
Vallejo Ferry Service	\$7.50
All Short Hop Fares	\$0.80

Summary of Comments

Through September 30, a total of 18 written public comments were submitted provided as **Attachment A**. There were no comments submitted by phone. Of the comments received, 15 were in favor of providing a discount and 3 were against it. Of the 15 in favor, 1 thought that the discount should be higher and 3 thought the discount should be lower with conditions.

Based upon the comments received at the time that this memorandum was issued, staff recommends that the Board approve the Clipper START fares as proposed. Additional comments received after September 30 or in-person at the October 8 public hearing will be identified for the Board as a part of the presentation of this item at the meeting.

Based upon information from MTC, staff understands that the Clipper START discounted fare is anticipated to be available on WETA service beginning sometime in November 2020.

Fiscal Impact

Staff estimates the fiscal impact of implementing the Clipper START discounted fare program in FY 2020/21 to be \$133,300 in reduced fare revenues, assuming 100 percent program participation. MTC will provide regional State Transit Assistance (STA) funds to cover 20 percent of the proposed 50 percent Clipper START means-based discount per trip, up to a total subsidy of \$412,279 over the pilot program period through January 15, 2022.

END



September 21, 2020

WETA
Pier 9, Suite 111
San Francisco, CA 94111

As a regular ferry rider on the Richmond – San Francisco ferry before the start of the 2020 coronavirus pandemic, I am in favor of the proposed one-way fares for eligible Clipper START members. While I was fortunate to have subsidized transit, which covered all or most of my daily ferry fares, not everyone is so fortunate. The ferry is a wonderful transit option, the most relaxing and pleasant transit I experienced in the Bay Area, and should not be cost-prohibitive for people who make less money.

Sincerely,

Wilhelmina (Wienke) Tax
197 Bayside Court
Richmond, CA 94804



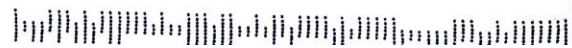
Mrs. Wilhelmina Tax
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WETA.
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SAN FRANCISCO, CA 94111

94111-999955



Clipper Start fares

Tom Carey <outlook_FBCFA6A88E7DCF78@outlook.com>

Mon 9/28/2020 10:02 AM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

Cc: bungaloids@earthlink.net <bungaloids@earthlink.net>

If everyone is equal, all riders should pay the same fare.

If we re not all equal, and you want to adjust fares based on income, you need to calculate fares based on individual incomes. It's not as simple as "rich vs. poor."

My fare pays for crews that continue to work throughout the coronavirus lockdown. Everyone (as a deckhand tells me) is still employed, even though the ferry runs have been severely cut. WHO is paying for the deckhands who still have 100% of their paychecks?

I would feel better about subsidizing low-income riders if it were not for the fact that we are already subsidizing the deckhands. And getting half the service we used to get. I hope you understand the irony of this.

A reply would be appreciated. At the moment, we feel underappreciated and abused.
We're not idiots.

Tom

Sent from [Mail](#) for Windows 10

Clipper START

Aly Anderson <aly@notioncreative.com>

Mon 9/14/2020 1:05 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

Hello,

I am an Alameda resident, homeowner and business owner. I am in favor of WETA joining the regional Clipper START pilot program.

Thank you,
Aly Anderson

aly anderson

designer + owner

notion:creative

707 291 6011

aly@notioncreative.com

notioncreative.com

[Instagram](#) | [LinkedIn](#)

Re: WETA seeking public input on Clipper START fares

Gene Wood <gene_wood@cementhorizon.com>

Mon 9/14/2020 1:08 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

I support WETA in seeking for San Francisco Bay Ferry to join the Clipper START pilot program.

-Gene Wood

On Mon, Sep 14, 2020 at 1:02 PM SF Bay Ferry BayAlerts <alerts@sanfranciscobayferry.com> wrote:

A message from SAN FRANCISCO BAY FERRY BAYALERTS

WETA, the agency that provides San Francisco Bay Ferry service, is seeking public input on proposed changes to its fare structure.

On September 3, 2020, the WETA Board of Directors set a public hearing on new fares related to San Francisco Bay Ferry joining the regional **Clipper START** pilot program. Under the Clipper START pilot, lower-income transit riders can receive discounted fares on participating Bay Area transit systems. Pending approvals from the WETA Board and the Metropolitan Transportation Commission (MTC), WETA staff is working with MTC to determine a start date for the discounted fares. This could be as early as November 2020. A tentative launch date will be announced as soon as it is determined.

No fare changes are proposed for ferry passengers who are not eligible for Clipper START. The proposed one-way fares for eligible Clipper START members are:

- Alameda/Oakland route: \$3.60
- Harbor Bay route: \$3.70
- Richmond route: \$4.60
- South San Francisco route: \$4.70
- Vallejo route: \$7.50
- All Short Hop routes: \$0.80

The fares represent a 50 percent discount from the adult cash fare for each San Francisco Bay Ferry route. This proposal is subject to change based on direction from the WETA Board of Directors.

Regional Clipper START fare discounts are currently available to qualifying Bay Area residents on four of the region's largest transit operators: Bay Area Rapid Transit (BART), Caltrain, the Golden Gate Bridge, Highway and Transportation District (GGBHTD), and the San Francisco Municipal Transportation Agency (SFMTA). MTC is working to expand the pilot program to offer discounts on additional transit systems in the region and the WETA Board of Directors has previously expressed strong interest in participating. In order to qualify for the program discount, a person must be between the ages of 19 and 64 and earn no more than 200 percent of the federal poverty level. You can see if you qualify at <https://www.clipperstartcard.com/s/faqs>. Information on applying for the Clipper START fare discount program is available at <https://www.clipperstartcard.com/s/application>.

We request feedback from the public via email at fareprogram@watertransit.org or by mail to WETA; Pier 9, Suite 111; San Francisco, CA 94111. The deadline for public comment via these methods is September 30, 2020. The public can also provide public comment during the hearing during the WETA Board of Directors meeting on October 1, 2020, at 1:30 p.m. This meeting will be held via

Zoom. Information on joining the meeting will be provided at weta.sanfranciscobayferry.com in late September.

(No subject)

Michael Grant <mykgrant@gmail.com>

Mon 9/14/2020 1:23 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

I'm in favor of the proposed lower fares for lower income ferry riders however I am not in favor of regular adult fare increases to subsidize the lower fares.

I understand that the regular fares would remain the same FOR NOW but I am not in favor of regular fares being increased in the future to subsidize the discounted fares either by holding discounted fares at these rates or by increasing regular fares more than discounted fares.

WETA should determine what the breakeven cost of a fare is and price the discounted fares accordingly and I'm not sure that the cost of a trip is 50% of the regular fare price.

Any increases in the cost of ridership due to discounted fares should be borne by the discounted riders just like it is borne by the regular fares.

We pay enough taxes in San Francisco and in California.

absolutely not

Wendi L. Poulson <wlp1272@yahoo.com>

Mon 9/14/2020 1:27 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

either cut fare prices for everyone or no one

Ridiculous that I would be required to pay full price when I work my ass off, compared to those who can't, won't or just don't

Opinion

Helen Simpson <HSimpson@MPBF.com>

Mon 9/14/2020 1:31 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

Hello. I do not believe a 50% discount is fair to the individuals whom pay the full price. I would be okay with a 20% or 25% discount only if they are using the ferry to commute to and from work and not using the ferry to travel to visit San Francisco. Also, San Francisco Bay Ferry should follow the same guidelines as Golden Gate Ferry “. . . Oracle Park and Chase Center special event ferry service.”

Helen

I support the WETA Fare proposal

Peter Moore <nomountain@gmail.com>

Mon 9/14/2020 1:49 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

As a Ferry Rider I wholeheartedly support increasing accessibility by providing a discount to riders who need it

Thank you,
Peter

WETA seeking public input on Clipper START fares

Ivan Crane <ivanjoncranepelingon@gmail.com>

Mon 9/14/2020 1:59 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

Hi,

I take the ferry to SSF. Will the fare be the same for a long time or short?

- South San Francisco route: \$4.70

That fare looks amazing!

When will the ferry be back in service for SSF?

Thanks

-Ivan

Don't do it

Brian FitzGerald <briandfitzgerald@icloud.com>

Mon 9/14/2020 2:08 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

Unequal

Re: WETA seeking public input on Clipper START fares

Rebecca Heyman <rebecca.heyman@gmail.com>

Mon 9/14/2020 2:11 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

As a regular ferry rider and big fan of the SF Bay Ferry, I'm pleased to see that WETA is considering a reduced fare for low income riders with Clipper START. *Please vote this in*, we need to help everyone in the Bay Area get to work and around the bay!

On Mon, Sep 14, 2020 at 1:36 PM SF Bay Ferry BayAlerts <alerts@sanfranciscobayferry.com> wrote:

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Zoom. Information on joining the meeting will be provided at weta.sanfranciscobayferry.com in late September.

Reduced fares

John Kornak <kornakowski@gmail.com>

Mon 9/14/2020 2:20 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

I think the reduced fares are a great idea. I don't personally qualify but see this as a real positive to help the community. John Kornak

Sent from my iPhone

Proposed low income Ferry fares

Bill Pottinger <bpottinger9@gmail.com>

Mon 9/14/2020 3:07 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

I support all of the low income Ferry subsidies that are put forth in your current fare program proposal.

Best,

Bill Pottinger

415-715-7778 voice /text

Clipper Start Fares should be 50% of the Clipper Card rates, NOT 50% of the cash rates

Paul S <flytpatterns@gmail.com>

Thu 9/17/2020 5:21 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

Hi

Very straightforward feedback. You are shortchanging low-income riders, by only discounting the fare to 50% of the cash rate, RATHER than discounting it to 50% of the Clipper Card rate, AS GOLDEN GATE FERRY has already set the precedent for doing. Please consider the negative impact you CONTINUE to put on low-income riders, by not reducing the fare rate to PARITY with the rate of discount that Golden Gate Ferry service has been providing their low income riders since the outset of the Start program for the past 18 months. As your foray into joining the Start program comes already 18 months after your peers at Golden Gate Ferry service, please please please do not add insult to injury by also not offering as large of a rate of discount as they have already done. It makes your efforts and intentions look greedy, and half-witted, and a decision not to further reduce the fare rate for low income riders to 50% of the Clipper Card rate, will surely result in your ferry service CONTINUING to see dwindling ridership since the pandemic has taken hold.

Please don't shoot yourselves in the foot, and please don't do this disservice to your low income riders, who will surely choose to use the service in increasing numbers, the more competitive you are with your peers in the east-bay-to-San-Francisco public transit services. As it is, the current proposal to only reduce the rate to 50% of the cash rate, when the regular Clipper Card rate is already at a reduced rate, is really an undue half-measure. Please do right by the low income riders of your ferry service and INSTEAD reduce the rate to 50% of the regular Clipper Card rate, RATHER than only reducing it to the proposed 50% of the cash rate. Golden Gate Ferry service has already set the precedent and shown that low income riders are successfully better-served by the further-reduced rate of 50% discount off the regular Clipper Card rate, rather than only discounting 50% off the cash rate.

PLEASE - DON'T BE GREEDY. HELP THE LOW INCOME WITH 50% OFF THE CLIPPER CARD RATE, AND NOT ONLY 50% OFF THE CASH RATE.

Thank you

Paul Semonian

4154256752

Clipper START fares

Alexei Roudnev <aprudnev@gmail.com>

Mon 9/14/2020 4:34 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

It is actually an excellent idea, but should be applied to the college and high school students first of all. In addition, I would have some 'free for teens and college students' day so that family can take all their kids on the ferry - it will work to make more people familiar with the ferry system which is underestimated and is not known enough.

Have some discounts for the Amtrak passengers as well - it can be a very good addition to Amtrak.

Smart discount

Misty Youmans <mlyoumans@gmail.com>

Mon 9/14/2020 8:37 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

Dear WETA,

I am completely in favor of discounted fares for lower income riders. The ferry is the best way to get to San Francisco from Vallejo but it is expensive. Those that are not of extensive means deserve the right to use this excellent form of transportation at a reasonable price. This would not apply to me but it's important that it be available to those that need it. Thank you for your consideration.

Clipper START discount fares

Jose Rangel <calbare@gmail.com>

Tue 9/15/2020 11:50 AM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

Hi WETA,

I fully support discounted fares for lower income people. I don't believe that the high fares of the ferry should be a barrier to those people having trouble affording rides to SF.

In addition, I would support a half-price monthly ferry pass for these people, as well.

Regards,

Jose Rangel

discount fare program

Hans Korge <hkorge@korgeconsulting.com>

Tue 9/15/2020 12:18 PM

To: fareprogram@watertransit.org <fareprogram@watertransit.org>

Good idea. I support giving low income riders a break. They need it

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2020-39

ADOPT CLIPPER START MEANS-BASED DISCOUNTED FARES

WHEREAS, on January 9, 2020, the WETA Board was provided a status report by Metropolitan Transportation Commission (MTC) staff on the launch of Clipper START, a regional means-based fare discount pilot program; and

WHEREAS, on June 4, 2020, the Board adopted a Ferry Service Recovery Plan that includes reducing the impact of ferry fares for disadvantaged communities in the WETA service area as one of the strategies; and

WHEREAS, on June 22, 2020, at the Clipper Executive Board meeting, MTC staff announced the possibility of including more transit operators in the Clipper START program; and

WHEREAS, on July 16, 2020, the Board directed staff to request WETA be allowed to participate at a 50 percent discount rate on its adult cash fare; and

WHEREAS, in July 2020, MTC accepted WETA's request to participate at a 50 percent discount rate on its adult cash fare; and

WHEREAS, on September 1, 2020, the proposed Clipper START fares were posted in multiple languages on WETA's website, as well as postings onboard vessels and through WETA's Bay Alert system, to receive public comments over a 30-day comment period; and

WHEREAS, on September 3, 2020, the Board authorized staff to set a Public Hearing at the scheduled October Board meeting; and

WHEREAS, a total of 18 comments were received on the proposed clipper START fares during the 30-day comment period, which were largely favorable of the proposed discount program; and

WHEREAS, on October 8, 2020, the Board held a Public Hearing to receive further in-person comments on the Clipper START fares; now, therefore, be it

RESOLVED, that the Board hereby adopts the following fare structure for the new clipper START program, as follows:

Service Route	Proposed Fare
Alameda/Oakland Ferry Service	\$3.60
Harbor Bay Ferry Service	\$3.70
Seaplane Lagoon Ferry Service	\$3.60
Richmond Ferry Service	\$4.60
South San Francisco Ferry Service	\$4.70
South San Francisco-Harbor Bay	\$4.70
Vallejo Ferry Service	\$7.50
All Short Hop Fares	\$0.80

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on October 8, 2020.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary
2020-39

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Kevin Connolly, Planning & Development Manager
Arthi Krubanandh, Transportation Planner

SUBJECT: Approve Participation in the Clipper START Pilot Program

Recommendation

Approve participation in the Clipper START pilot program with the Metropolitan Transportation Commission and authorize the Executive Director to take necessary actions as may be required to support implementation of this program.

Summary

This item seeks approval to participate in the Clipper START program with the Metropolitan Transportation Commission (MTC) which commits WETA to meet program requirements and to participate in the full pilot program and evaluation through January 15, 2022. As a part of participating in this program, MTC will provide regional State Transit Assistance (STA) funds to cover 20 percent of the 50 percent proposed Clipper START means-based discount per trip, up to a total subsidy of \$412,279 over the pilot program period through January 15, 2022. At the conclusion of the pilot program, MTC will evaluate the Clipper START pilot program and consider further actions on program continuation, funding, and implementation.

Background/Discussion

In May 2018, MTC established a framework for the regional means-based transit fare pilot program (Program), branded as Clipper START. This program seeks to increase transit affordability and access to opportunity for eligible low-income adult residents. On July 15, 2020, together with participating transit agencies and with support from county social service agencies and community-based organizations, MTC launched the Clipper START program. The 18-month pilot offers a 20 or 50 percent discount on single-ride fares for eligible adults who earn under 200 percent of the federal poverty level. Four transit operators (Cohort 1) are currently participating in the Program: Bay Area Rapid Transit (BART) is offering a 20 percent discount and Caltrain, Golden Gate Bridge, Highway, and Transportation District (GGBHTD), and San Francisco Municipal Transit Authority (SFMTA) are providing a 50 percent discount.

On July 16, 2020, the Board expressed support for participating in the Clipper START pilot program as early as possible in order to establish a mechanism for providing discounted rides for low income adults. At this meeting, the Board expressed interest in offering a 50 percent discount on the adult cash fare for eligible adults.

In August 2020, MTC approved the expansion of the Clipper START program to include other interested Bay Area transit operators. Seventeen operators (referred to as Cohort 2) have since expressed interest in joining the program pilot.

Since the July meeting, staff has worked with the Board to formally establish a program of new Clipper START fares (the subject of prior Board action on today's meeting agenda) and has worked with MTC to identify further WETA actions necessary in order to participate in the Clipper START program.

Clipper START Program Requirements

Per MTC requirements, the Board of transit operators interested in participating in the Clipper START program must take action to confirm interest in participating in the pilot program and to ensure compliance with Title VI requirements related to establishing the discounted fares, as applicable. Transit operator program discounts will begin once the operator is integrated into the Clipper START system, which is anticipated occur in phases between November 2020 and January 2021. The pilot program is scheduled to conclude January 15, 2022 at which time MTC will evaluate the program to inform the next stage of Clipper START. Transit operators may elect to withdraw from participation in the pilot program by a vote of their Board and either party may terminate participation in the pilot program, in whole or in part, at any time upon a minimum of 120 days written notice.

MTC has identified \$5 million in regional State Transit Assistance (STA) funds to partially subsidize the discounts offered by Cohort 2 operators and determined the maximum amount available to each operator over the pilot period based upon a formula that considers an operator's share of low income riders and fare revenue within the cohort. These funds will be provided to operators on a reimbursement basis based upon the actual discounted trips taken. The maximum amount of regional STA subsidy funds available to WETA during the Clipper START pilot period is \$412,279.

Outreach and Marketing

MTC will initiate a regional marketing effort to support the launch of Clipper START for Cohort 2 operators including WETA. This effort will include development of creative assets and collateral as well as paid digital advertising to boost awareness of the program. MTC will also reach out to community-based organizations to raise awareness of Clipper START's expanded availability and provide information. WETA staff has discussed market priorities with MTC staff and committed signage and social media support of the regional effort.

WETA plans to augment MTC's regional marketing and outreach effort by engaging directly with city and community-based organization partners. Given that WETA's survey data indicates relatively few pre-pandemic San Francisco Bay Ferry passengers would qualify for the discount, WETA sees a need to market the availability to a new audience of transit riders. We anticipate this augmented outreach would occur upon launch of Clipper START and parallel to WETA's planned "Best Way Back" campaign presented to the Board in June 2020. The launch of the "Best Way Back" campaign is tied to an increase in service levels based upon the opening of the economy and Bay Area travel, which has not yet occurred.

WETA will introduce a promotional effort to help bring Clipper START eligible commuters to the ferry system. The concept is to make "ferry commuter starter packs" available to eligible commuters. These starter packs would include Clipper START applications and informational brochures, the San Francisco Bay Ferry Rider Guide and ferry schedule cards, and a set of complimentary ferry tickets to allow the commuter to test run the ferry. The starter packs will be distributed via mail to Clipper START eligible residents of target communities with the request that the recipient complete a brief survey after riding. Information from this survey would help WETA determine barriers to entry and additional ways to improve the ferry experience.

Fiscal Impact

Staff estimates the fiscal impact of implementing the Clipper START discounted fare program in FY 2020/21 to be \$133,300 in reduced fare revenues, assuming 100 percent program participation from qualifying pre-pandemic passengers. MTC will provide regional State Transit Assistance (STA) funds to cover 20 percent of the 50 percent proposed Clipper START means-based discount per trip, up to a total subsidy of \$412,279 over the pilot program period through January 15, 2022.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2020-40

**APPROVE PARTICIPATION IN THE CLIPPER START PILOT PROGRAM WITH THE
METROPOLITAN TRANSPORTATION COMMISSION**

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 et seq.; and

WHEREAS, transit affordability has been highlighted as a regional issue in MTC's Coordinated Plan, Plan Bay Area, and other plans; and

WHEREAS, MTC has established the regional framework for the regional means-based transit fare pilot program (Program) to improve transit affordability and access to opportunity for eligible low-income residents; and

WHEREAS, MTC has adopted a regional framework for the program, with participating operators, funding guidelines, and program conditions, pursuant to MTC Resolution No. 4320, Revised, to guide implementation of the Program, branded as Clipper START for the 18-month period spanning FY 2020/21 and FY2021/22; and

WHEREAS, MTC used the process and criteria set forth in MTC Resolution No. 4439 to program funds appropriated in the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which have since been replaced with regional State Transit Assistance Funds (STA) for ease of administration and streamlined expenditure for the expansion of Clipper START Pilot to other operators (Cohort 2) beyond the four original operators (Cohort 1) as established in Resolution No. 4420, Revised; and

WHEREAS, WETA has followed its Board-adopted fare policies and processes to establish its Clipper START fares, which offer a 50 percent discount on WETA's adult cash fares, consistent with Title VI requirements prior to implementing the Program; and

WHEREAS, WETA agrees to meet project delivery and obligation deadlines, comply with funding conditions placed on the receipt of funds allocated to the (Clipper START), and satisfy all other program conditions set forth in MTC Resolution No. 4320, Revised, and MTC Resolution No. 4439; and

WHEREAS, WETA certifies that the project(s) and purpose(s) for which funds are being requested is in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 1500 et seq.) and if relevant the National Environmental Policy Act (NEPA), 42 USC Section 4-1 et seq. and the applicable regulations thereunder; and

WHEREAS, there is no legal impediment to WETA making the funding request; and

WHEREAS, there is no pending or threatened litigation which might in any way adversely affect the ability of WETA to deliver the proposed project(s) for which funds are being requested; and

WHEREAS, MTC will reimburse participating operators based on Clipper START ridership for actual trips taken and MTC will take programming action to establish the maximum amount for each participating operator, which has been established as \$412,279 for WETA over the pilot program period through January 15, 2022; and

WHEREAS, staff recommends that the Board of Directors approve WETA participation in the Clipper START to be funded in part by MTC under the Program; now, therefore, be it

RESOLVED, that the Board of Directors approves WETA participation in the Clipper START; and be it further

RESOLVED, that WETA requests that MTC program regional STA funds or other funds as determined by MTC to be available to support WETA's participation in Clipper START in the amount of \$412,279, as determined by MTC, for which WETA is eligible; and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director to forward a copy of this resolution to MTC and take any other such actions as may be required to support implementation of this program.

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on October 8, 2020.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary
2020-40

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Keith Stahnke, Operations & Maintenance Manager
Tim Hanners, Engineering & Maintenance Administrator

SUBJECT: Approve Actions Relative to Contract Award in Response to RFP 19-013,
MV Bay Breeze and MV Solano Replacement Vessels

Recommendation

Approve the following actions related to RFP 19-13, *MV Bay Breeze and MV Solano Replacement Vessels*:

1. Approve contract award to Mavrik Marine, Inc. for the procurement of two high-speed ferries in an amount up to \$30,314,474, including a base contract award of \$29,314,474 and a contingency of \$1,000,000 (3.5%) and authorize the Executive Director to negotiate and enter into an agreement and take any other related actions as may be necessary to support this work; and
2. Approve a contract amendment to increase the not-to-exceed amount by \$400,000 for Agreement 19-012 with Aurora Marine Design to provide construction management support for the vessel replacement project.

Background

This project provides for design, construction, and delivery of two new 320-passenger, 36-knot ferries to replace the *MV Bay Breeze* and *MV Solano* and includes an option for a third vessel. Both vessels have met the replacement requirements, qualifying for Federal Transit Administration (FTA) replacement funds available through the Metropolitan Transportation Commission (MTC) in accordance with their Transit Capital Priorities process. Staff has worked to secure both FTA and local match funds to support this replacement project which is included in the FY 2020/21 Capital Budget for implementation.

The *MV Bay Breeze* was built for the City of Alameda in 1996 and is a 250-passenger, mid-sized vessel that operates as a part of WETA's Central Bay fleet. This vessel has been utilized predominantly for the Harbor Bay and South San Francisco services as it is small enough to operate within the space and structural constraints of these ferry terminal areas.

The vessel *MV Solano* was built for the City of Vallejo by Dakota Creek Industries in 2004. The vessel was operated in service for 15 years, through December 31, 2019, when WETA was no longer allowed to operate this vessel in California without upgrading to new EPA Tier 4 engines as the result of California Air Resources Board (CARB) harbor craft emissions regulations. Through an extensive Request for Proposals (RFP) process and analysis concluded in 2019, WETA determined that replacement of this vessel was the more viable and cost-effective approach over refurbishment with EPA Tier 4 engines.

Discussion

Procurement & Evaluation Process

On February 13, 2020, the Board authorized staff to issue an RFP to replace the *MV Bay Breeze*. On March 12, 2020, the Board authorized staff to issue a single RFP combining the *MV Bay Breeze* and *MV Solano* replacement vessels into a single project. The RFP was released on April 20, 2020. The RFP complies with FTA's procurement requirements and WETA's Administrative Code procurement requirements, in which WETA considers both price and qualitative components of a proposal that are deemed the most advantageous and of the greatest value to WETA, consistent with prior solicitations. Notice of the RFP was sent to WETA's mailing list, posted on the WETA's website, and advertised. WETA staff issued five addenda to the RFP clarifying the specifications set forth in the RFP and responding to pre-bid questions and COVID-19 related extension requests.

On May 4, 2020, WETA hosted a non-mandatory proposers' conference online due to COVID-19 restrictions. There were over fifty attendees at this conference, including nine shipyards and twelve different suppliers.

Proposers were required to submit a detailed vessel Technical Proposal and a separately sealed Price Proposal. WETA received eight proposals on July 27, 2020 in response to the RFP. The Proposal Evaluation Committee (PEC), which consisted of WETA Operations and Engineering staff and project management consultants, was convened to evaluate and determine responsiveness and the competitive range. Based on the preliminary evaluation of the Technical and Price Proposals in accordance with the evaluation criteria set forth in the RFP, the PEC established a competitive range for the procurement. The following six proposals fell within the competitive range as shown in Table 1.

Table 1: Competitive Range

Proposers in the Competitive Range
All American Marine
Arcadia Alliance
Delta Marine
Mavrik Marine
Metal Shark
Nichols Brothers Boat Builders

The PEC then proceeded to fully evaluate the six shipyards' Technical Proposals and Price Proposals. This included detailed analysis, comparisons, and review of the proposals and contacting proposers' references. However, the PEC did not consider the alternative "Enhanced Vessel" information submitted by Mavrik Marine, Inc. (Mavrik) as the RFP did not ask proposers to provide such information.

The PEC requested additional information, clarifications, and corrections from all six shipyards to ensure all proposals were being evaluated fairly. When the proposers submitted their revised/additional Technical information and Price Proposals, the final scoring was completed. The Technical and Price Proposals were scored according to the evaluation criteria stated the RFP and summarized below in Table 2.

Table 2: Evaluation Criteria

	Total Possible Score
Technical Approach, Qualifications and Experience	150.00
Vessel Design	200.00
Delivery Schedule	50.00
Vessel Metrics	200.00
Total Price	400.00
Total Score	1,000.00

The scoring results are summarized in Table 3 below and the associated Price Proposals submitted are summarized in Table 4. The highest ranked proposal for each category is in bold.

Table 3: Technical Proposal Scoring Results

Proposer	Technical Approach & Qualifications	Detailed Vessel Information	Delivery Schedule	Vessel Metrics	Total Price	Total Score
Possible Points	150.00	200.00	50.00	200.00	400.00	1,000.00
Mavrik Marine	104.43	174.86	18.77	133.55	385.08	816.69
Metal Shark	77.02	133.47	23.56	106.53	397.12	737.71
Arcadia Alliance	88.08	134.15	24.47	108.91	375.28	730.90
All American Marine	100.69	118.58	25.05	82.81	400.00	727.12
Delta Marine	88.77	145.55	21.88	101.78	343.75	701.72
Nichols Brothers Boat Builders	87.69	142.32	17.47	83.34	366.41	697.22

Table 4: Price Proposal Summary

Proposer	Price Proposal*
Mavrik Marine	\$43,398,072
Metal Shark	\$42,082,198
Arcadia Alliance	\$44,531,504
All American Marine	\$41,778,962
Delta Marine	\$48,615,505
Nichols Brothers Boat Builders	\$45,609,114

* Rounded to the nearest dollar

The Price Proposal amounts used in the evaluation include costs for two base contract vessels, all options, and an optional third vessel, consistent with the RFP.

Recommendation for Contract Award

Using the RFP's evaluation criteria, Mavrik was deemed the highest ranked Proposer. The PEC in particular found Mavrik's vessel metrics to be superior. Vessel metrics are specific metrics that describe vessel performance and efficiency, in addition to other specific data points like interior seating, vessel draft, and bicycle capacity.

The PEC also found Mavrik's qualifications impressive. Naval Architect One2three's designed vessel has a lineage of direct parent craft in both twin and quad engine configurations that have been in service for more than 17 years. Mavrik's detailed vessel information was superior, with well supported technical data that gave the PEC high confidence in the accuracy of the provided information. Finally, Mavrik Marine's proposal demonstrated a mature design with Mavrik's high quality fabrication and detail work.

Of the vessels evaluated, Mavrik's vessel had the fastest guaranteed speed, burned the least amount of fuel, had the lowest power requirements, and demonstrated an extremely low wake wash. Mavrik vessel offers minimal risk, superior environmental impact, and a high level of efficiency. The vessel's high efficiency should result in significant operating cost savings during the life cycle of the vessels.

Staff recommends award of a contract to Mavrik in the amount of \$30,314,474, including a base contract award of \$29,314,474 for construction of two vessels, option items and spare parts, and a contingency of \$1,000,000 (3.5%). The total budget for this project is summarized below in Table 5.

Table 5: Project Budget

Items	Cost
Vessel Construction Cost	27,807,196
Option Items	360,000
Spare Parts Allowance	1,147,278
Contingency Allowance (Approx. 3.5%)	1,000,000
Sub-Total: Shipyard Contract	30,314,474
Estimated Use Tax Due (9.25%)	2,804,089
Construction Management Services (Agreement 19-012)	1,000,000
WETA Project Administration/Legal	481,437
Total: Project Budget	34,600,000

This RFP includes an option for a third vessel that is currently unfunded. Exercising the option for a third vessel is at WETA's discretion and would require a separate Board action.

Protests

By the RFP's protest deadline of September 14, 2020, WETA received protests from three proposers: All American Marine, Metal Shark, and Nichols Brothers Boat Builders. Pursuant to the RFP, all proposers were notified of the protests. In response to a request from two of the three protesters, WETA also provided all proposers with copies of all proposals and provided the three protesters with five additional days to supplement their protests. All American Marine and Nichols Brothers Boat Builders timely supplemented their protests by September 29, 2020. Copies of the protest supplements were also provided to all proposers.

Pursuant to the RFP and the Administrative Code, the Executive Director decides all protests. The Executive Director carefully considered the protests, as well as the entire record of the procurement. On October 5, 2020, the Executive Director issued a written determination rejecting all three protests. Pursuant to the RFP and the Administrative Code, the Executive Director's determination is final. The written protest determination was provided to all proposers and the Board on October 5, 2020. A copy of the protests, protest supplements, and the Executive Director's protest determination are also on file with the Board Secretary and available upon request.

FTA Disadvantaged Business Enterprise (DBE) Project Goal

Following the requirements of 49 CFR § 26.45, WETA analyzed the availability of DBE firms ready, willing, and able to participate in this vessel construction project. On March 13, 2020, FTA approved a 1.58% DBE project goal for this project. Mavrik has committed 0% DBE participation and 2.2% Small Business Enterprise (SBE) participation. 49 CFR Part 26 requires that when federal grantees establish a contract goal or, in this case a project goal, a bidder must obtain the DBE participation necessary to meet the goal or demonstrate that it made adequate good faith efforts to meet the goal. After careful review of the good faith efforts documentation provided by Mavrik, WETA's DBE Administrator determined that Mavrik made sufficient good faith efforts to meet the project goal in accordance with Appendix A to 49 CFR Part 26 and the solicitation requirements.

While Mavrik is unable to obtain DBE participation at this time, Mavrik has committed to using a subcontractor that may become certified as a DBE in California. Mavrik's commitment to this subcontractor does not count towards the federal DBE project goal at this time or as evidence of Mavrik's good faith efforts. Mavrik does not immediately need the services of this subcontractor and does not plan on executing a subcontract with them for several months, which would provide time to see if the subcontractor becomes certified as a DBE in California. WETA will monitor the subcontractor's California DBE certification status to determine if the subcontractor's participation in a future contract with Mavrik could count towards the project goal at that time.

Construction Management Services

On February 13, 2020, the Board awarded a contract to Aurora Marine Design for construction management services for a total amount not to exceed \$600,000 for the MV *Bay Breeze* replacement project. The work under this contract includes such items as vessel design review and technical specifications preparation, vessel construction management oversight, and warranty administration. At the time the contract was awarded, WETA's plans involved the purchase of only one vessel. Now that WETA is purchasing two vessels, an increase in the scope of work in the amount of \$400,000 is required to support the combined vessel replacement of the MV *Bay Breeze* and MV *Solano* project.

Fiscal Impact

Vessel Replacement – MV Bay Breeze and MV Solano is included in the FY2020/21 Capital Budget at a total cost of \$34,600,000. This project is funded with Federal Transit Administration funds (80%), Regional Measure 1 Capital (8%), State Cap and Trade (5%), Alameda Transportation Sales Tax (5%) and State Transit Assistance (2%) funds.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2020-41

**APPROVE ACTIONS RELATIVE TO CONTRACT AWARD IN RESPONSE TO RFP 19-013,
MV *BAY BREEZE* AND MV *SOLANO* REPLACEMENT VESSELS**

WHEREAS, WETA has established the replacement of the high-speed passenger vessels MV *Bay Breeze* and MV *Solano* as a part of its FY 2020/21 Capital Budget and program of projects; and

WHEREAS, WETA has established procedures and requirements in its Administrative Code related to vessel procurements that include Federal Transit Administration (FTA) funds; and

WHEREAS, on April 20, 2020 WETA issued a Request for Proposals (RFP) for MV *Bay Breeze* and MV *Solano* Replacement Vessels; and

WHEREAS, WETA followed the procedures in its Administrative Code and FTA regulations for this procurement; and

WHEREAS, WETA established a Proposal Evaluation Committee (PEC) made up of WETA staff and its project consultants to evaluate the proposals; and

WHEREAS, the PEC has reviewed the proposals submitted for this project based upon a Best Value competitive procurement process, and, as a result of its review recommends the award of a contract to Mavrik Marine, Inc.; and

WHEREAS, WETA has entered into an agreement with Aurora Marine Design, awarded through a competitive procurement process, for construction management services for the replacement of one vessel (MV *Bay Breeze*) and now needs to increase this work to include similar services for a second vessel (MV *Solano*); now, therefore, be it

RESOLVED, that the Board of Directors hereby approves an agreement with Mavrik Marine, Inc. to design, construct, and deliver two replacement 320-passenger, high speed ferry vessels in the amount up to \$30,314,474, which includes a base contract amount of \$29,314,474 and contingency of \$1,000,000 (3.5); and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director to negotiate and execute a contract for this work and to take any other related actions as may be necessary to support this work; and be it further

RESOLVED, that the Board of Directors authorizes a contract amendment to Agreement 19-012 with Aurora Marine Design to increase the scope of work and the compensation by \$400,000 to provide construction management support for the second vessel included under the vessel replacement.

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on October 8, 2020.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2020-41

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Thomas Hall, Public Information & Marketing Manager
Keith Stahnke, Operations & Maintenance Manager

SUBJECT: Consider Proposal to Implement a Reduced Fare Promotional Program

Recommendation

Consider taking action and providing staff with direction on a proposed new reduced fare promotional program.

Background/Discussion

Director Jeffrey DelBono has requested an opportunity for the Board to discuss and consider action on a proposal to establish a reduced fare promotional program for the month of November, with the potential to extend the program into December. This item provides a summary of Director DelBono's proposed concept and an opportunity for the Board to discuss the proposal and provide direction to staff on how to proceed.

Promotional Concept

Provide reduced ferry fares for a period of one to two months in an effort to promote WETA ferries as a safe way for essential workers to travel to San Francisco and their work destinations. While WETA is currently limiting passenger loads on ferries to allow for 6-foot social distancing (approximately 25 - 30 percent of vessel capacity), ridership is low and most trips have the capacity to carry more passengers.

This program could draw lower-income workers who might have previously found WETA ferry fares cost-prohibitive. This objective aligns with WETA's coming participation in the Clipper START program (50 percent discount on Clipper for eligible lower-income adults), which is anticipated to start in November.

Additionally, with tourism being a major piece of San Francisco's economy, reduced-fare rides could serve to support San Francisco in its recovery efforts as museums, aquariums, and other attractions reopen. This promotion would be another way to help introduce individuals from the Bay Area and beyond to WETA's ferry services to and from San Francisco.

Program Period

Under Director DelBono's proposal, reduced fares would be offered during the month of November with an option to extend the program through December.

Reduced Fare Amount

Director DelBono suggested \$1 per ride, or some other amount as determined by the Board. As this is a promotional fare with a one or two-month term, the Board does not need go through a formal fare setting process.

Given that Richmond service is funded through a combination of fare revenues and an operating subsidy from the Contra Costa Transportation Authority (CCTA), extension of this promotion to the Richmond route would need to be agreed to by CCTA.

Payment Method

Staff recommends implementing the promotional ticket program on WETA's mobile ticketing application, Hophtru, to encourage touchless fare payment consistent with WETA's Passenger and Crew Safety Plan (June 2020) and the regional *Riding Together: Bay Area Healthy Transit Plan* (September 2020). Promotional tickets offered through Hophtru can be set to expire once the promotional period ends. The minimum price for this type of ticket using Hophtru is \$0.50. The Hophtru platform does not support free tickets.

While WETA would typically seek to promote Clipper as the best, cheapest option to ride the ferry, Clipper is not an option for this promotion as it requires a 90-day notice period to change and test new fares. Offering the promotional ticket program through paper tickets sold on board or at the Vallejo Ferry Ticket Office would introduce additional risks of the COVID-19 spread and would not meet the spirit of the touchless fare payment sections of the WETA or regional health plans.

One final consideration in the formulation of this plan is that some regular riders utilize monthly Vallejo passes acquired through their employers via WageWorks. By the date of this Board meeting, payroll deductions may have already been processed for November passes. As such, there could be some number of Vallejo commuters with \$388 monthly passes who will not be able to take advantage of the promotional fares. The Vallejo route has consistently had the highest ridership of any of WETA's active routes since March 2020 and the Board may want to consider how to extend the proposed fare discount to the regular Vallejo pass holders.

Operational Considerations

While most departures fall well under reduced maximum capacity limits, staff does anticipate the need to stage back-up vessels for a few key departures to ensure that regular commuters and new riders taking advantage of promotional fares are not left behind. In particular, the 4:30 p.m. San Francisco departure to Vallejo has come relatively close to maximum capacity on a few occasions in recent weeks. Given the intent to promote the safety, convenience, and the convenience of ferries for new riders, every effort should be made to ensure that WETA put its best foot forward. Minimizing leave-behinds is a crucial element of that. Back-up vessels will add additional fuel and cleaning costs to WETA's operating expense.

Blue & Gold Fleet (Blue & Gold) is not currently providing any guest assistance representatives (GARs) or extra deckhands to assist with boarding at busy terminals due to lower ridership. Staff recommends that underutilized deckhands or GARs would be temporarily utilized to assist with potential crowds on the key departures leaving San Francisco, at least as the promotional period begins. An on-site presence will be crucial to ensure clarity, especially for first-time passengers.

Before the pandemic, Blue & Gold rarely used GARs or extra deckhands at terminals outside of San Francisco except for special occasions such as Fleet Week or Independence Day. Staff does not anticipate any need for extra hands in Alameda, Oakland, Richmond, or Vallejo. The Vallejo Ferry Ticket Office is staffed through the 12:45 p.m. departure to San Francisco, and a public address system at the office can be used to help guide passengers queuing at the terminal.

Program Administration and Coordination

The Board may want to establish a subcommittee made up of a minority of Board members (including Director DelBono for one), to advise staff on any final program details, as needed,

and to help promote the program. The timeframe to develop a final program will be short for implementation in November.

Outreach and Marketing

If the program moves forward, staff will work to identify a plan to leverage social media, the press, and local agencies and businesses to promote the program and bring attention to WETA's plans, programs, and services. Staff will also consider how best to align this promotion with the promotional efforts and commencement of the Clipper START program and with WETA's "Best Way Back" marketing campaign, which is slated to roll out in force once we experience an increase in ridership levels and are positioned to expand service schedules. At the Board's June 2020 meeting, staff presented its "Best Way Back" campaign plan to aid in recovery once service levels increase. This campaign focuses on measures WETA has taken to protect passenger and crew health as well as the convenience and pleasantness of the ferry experience. A portion of budgeted funding reserved for the "Best Way Back" campaign could be leveraged early to assist this promotional program.

Staff anticipates that attracting media coverage and social media attention in the days leading up to and in the immediate aftermath of the November 3 presidential election will be difficult and would recommend avoiding the first week of November as a launch period for any promotion.

Fiscal Impact

The fiscal impact of implementing this program will largely depend upon the cost of outreach activities and any new operating costs associated with implementation. The potential change to fare revenues is anticipated to be somewhat minimal as fare revenues collected in July and August averaged just \$120,000 per month.

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Kevin Connolly, Planning & Development Manager

SUBJECT: Take Action to Oppose Plan Bay Area 2050 Telecommute Strategy

Recommendation

Adopt the attached resolution in opposition to the Metropolitan Transportation Commission's Plan Bay Area 2050 Final Blueprint Strategy EN7: Institute Telecommuting Mandates for Major Office-Based Employers, as currently described, which proposes to mandate that large employers have at least 60 percent of their employees telecommute on any given workday.

Background

The Metropolitan Transportation Commission (MTC) is currently preparing Plan Bay Area 2050 – a fiscally-constrained, long-range transportation plan required by federal and state regulations that sets a roadmap for future transportation investments in the region. The plan also includes a Sustainability Communities Strategy that integrates transportation, land-use, and housing strategies to achieve state-mandated, regional targets for the reduction of greenhouse gas emissions from passenger vehicles. The current version of this plan – Plan Bay Area 2040 – was adopted by MTC in July 2017.

In April 2020, the Board adopted a recommended program of projects for inclusion in Plan Bay Area 2050 through two separate programming processes. Ongoing operating and capital rehabilitation and replacement needs to operate and maintain the region's existing network of streets, bridges, highways, and transit systems (including WETA) has been captured in a Needs Assessment prepared by MTC in coordination with county transportation agencies (CTAs), local jurisdictions and transit agencies. WETA's program of enhancement and expansion projects was captured through MTC's call for regionally significant projects and included in the Final Plan Bay Area 2050 Blueprint.

The Plan Bay Area 2050 process seeks to address five "challenge areas" that range from increasing affordable housing to reducing greenhouse gas emissions to improving the Bay Area's transportation system. The plan process has developed guiding principles that identified the five challenge areas and has led to strategies the Bay Area can adopt to achieve plan goals. The draft strategies have been shared with the public during an outreach effort that took place in summer 2020. The plan is fiscally constrained and must demonstrate through analysis and modelling that the challenge areas can be addressed within known fiscal conditions over the next 20 years.

At the September 23, 2020 MTC meeting, the Commission voted to adopt revisions to the strategies previously developed in the plan process. The revisions to the strategies were being proposed to capture results of public outreach MTC conducted over summer 2020. While the Commission adopted the revised strategies, the Final Blueprint is not expected to be adopted until the end of 2020 and the draft plan is expected to be released in early 2021.

Discussion

One specific strategy developed for MTC's September 23 meeting and shared with the public and the Commission for the first time was the subject of significant discussion and was identified as troubling for the future of Bay Area transit service. The new strategy is:

Institute Telecommuting Mandates for Major Office-Based Employers, which proposes to mandate that large employers have at least 60 percent of their employees telecommute on any given workday.

A permanent mandate to work from home for a majority of employees of large employers would have a significant negative impact on Bay Area public transit systems and their riders. Today's pandemic – which has forced most office workers to work from home -- is a likely preview of the impact on both traffic and transit ridership.

Bay Area transit agency staff and board members from operators such as Alameda-Contra Costa Transit District (AC Transit), Bay Area Rapid Transit (BART), and Caltrain have expressed strong opposition to this strategy in the days since its release. Transit agencies – including WETA – were largely not made aware of the specific nature of the new strategy before it was brought to the Commission for a vote. As a result, transit agencies in the region are considering adopting resolutions in opposition to the new strategy, as currently described, seeking to clearly communicate to MTC concern over the potential negative impacts on transit.

Fiscal Impact

There is no fiscal impact associated with this item at this time.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2020-42

OPPOSE PLAN BAY AREA 2050 STRATEGY EN7: INSTITUTE TELECOMMUTING MANDATES FOR MAJOR OFFICE-BASED EMPLOYERS

WHEREAS, The Metropolitan Transportation Commission (MTC), as the federally-designated Metropolitan Planning Organization (MPO) for the nine-county Bay Area (the Region), is required to develop in conjunction with the Association of Bay Area Governments (ABAG) a regional plan every four years in order to satisfy federal and state planning requirements; and

WHEREAS, MTC and ABAG are currently undertaking the process to develop and adopt the 2021 update to the plan, entitled Plan Bay Area 2050; and

WHEREAS, MTC is required by state law to include in this regional plan achievable strategies and investments to meet the Region's greenhouse gas (GHG) emissions targets; and

WHEREAS, the Bay Area transit operators strongly believe that MTC (and the region) should continue to strive towards achieving our share of the state's GHG emissions reduction targets; and

WHEREAS, on September 23, 2020 the Metropolitan Transportation Commission (MTC) voted to adopt MTC Resolution No.4437 and ABAG Resolution No.16-20 Plan Bay Area 2050: Final Blueprint; and

WHEREAS, the Plan Bay Area 2050 Final Blueprint includes Strategy EN7: Institute Telecommuting Mandates for Major Office-Based Employers, which proposes to mandate that large employers have at least 60 percent of their employees telecommute on any given workday; and

WHEREAS, The Final Blueprint indicates that the inclusion of Strategy EN7 is necessary to achieve the required GHG emissions targets, and Strategy EN7 includes as a primary objective the reduction of GHG emissions; and

WHEREAS, Strategy EN7 does not differentiate between the types of trips the strategy aims to reduce as a result of its proposed telecommute mandate, resulting in the suppression of both trips that contribute to regional GHG emissions, such as drive-alone, and trips that would be taken by zero-emission or low-emission modes, such as walking, cycling, and transit; and

WHEREAS, though the COVID-19 pandemic and subsequent shelter-in-place orders necessitated that employers and employees quickly transition to telecommuting where possible, the economic, equity, social, and health impacts of large amounts of telecommuting have yet to be fully understood; and

WHEREAS, a higher number of front-line workers are minorities and the pandemic has further revealed the economic disparity in this county and many low-income households do not have the facilities to enable them to conveniently work from home or the employees are required to be on-site; and

WHEREAS, the Region's cities, counties, and employment centers rely on the vibrancy and sales tax revenue from office workers, including small businesses; and

WHEREAS, the Bay Area has a temperate climate, and relatively low per capita GHG emissions compared to most other regions in the United States; and

WHEREAS, by mandating a high-level of telecommuting, MTC could inadvertently force employees (and employers) to other regions with high per capita GHG emissions, effectively causing a net increase in GHG emissions; and

WHEREAS, sustainable reduction in GHG emissions in the Region requires fidelity to Plan Bay Area's goals to direct growth in population and employment to areas served by fast, frequent, and reliable transit; and

WHEREAS, the shift to telecommuting as a result of the COVID-19 pandemic response has resulted in significant ridership declines and budget shortfalls for all transit operators in the Region, necessitating the reduction of service frequency, capacity, hours, and coverage; and

WHEREAS, the WETA relies heavily on farebox and bridge toll revenue to fund its operations, which could be significantly impacted with implementation of Strategy EN7 and potentially lead to the degradation of its system and services; now, therefore, be it

RESOLVED, that the Board of Directors hereby opposes the inclusion of Strategy EN7: Institute Telecommuting Mandates for Major Office-Based Employers, as currently described, in the ultimate adoption of Plan Bay Area 2050; and be it further

RESOLVED, that the Board of Directors reiterates its support for the Plan Bay Area 2050 Guiding Principles to ensure a more affordable, connected, diverse, healthy, and vibrant Bay Area, including the importance of strategies and investments designed to meet the Region's GHG emissions reduction targets.

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on October 8, 2020.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary
2020-42

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Kevin Connolly, Planning & Development Manager
Arthi Krubanandh, Transportation Planner

SUBJECT: WETA System Expansion Policy Overview, Redwood City Ferry Feasibility

Recommendation

There is no recommendation associated with this informational item.

Background

A proposed ferry terminal located in the Port of Redwood City (Port) property has been included in regional and local transportation and land use plans dating back to the Water Transit Authority's 2002 Implementation and Operations Plan. A Redwood City ferry terminal is also identified in WETA's 2016 Strategic Plan as well as the Metropolitan Transportation Commission's (MTC) Plan Bay Area 2040 and 2050. Measure A, a transportation sales tax measure authorized by San Mateo County voters in 2008 included funding for ferry terminals in South San Francisco and Redwood City. The City of Redwood City (City) has included the ferry terminal in its General Plan and City's Transportation Element.

In 2012, WETA performed an initial feasibility and environmental analysis of a potential ferry terminal in Redwood City. Due to funding constraints, this project never progressed beyond the initial concept planning stage. During the summer of 2016, staff from the Port, City, and WETA met to revive the terminal concept and define potential alternative models for ferry operations and project delivery. In May 2018, the Port hosted a site visit for the WETA Board Chair and Vice Chair and other interested parties to view the potential terminal site and discuss options for moving the project forward.

In late 2018, the City executed an agreement with the San Mateo County Transportation Authority (SMCTA) to fund a feasibility study and business plan focused on a Redwood City ferry terminal. There is up to \$15 million available through SMCTA's Measure A sales tax program for a Redwood City ferry terminal. However, SMCTA requires that a potential project conduct a feasibility study and business plan to demonstrate that it can be "cost effective" in order to qualify for funding for project environmental and design activities. The feasibility study began in early 2019 and is anticipated to be completed in October 2020. WETA has participated in this study from the beginning and the Port, City, and WETA executed a Memorandum of Understanding (MOU) in March 2020 that defined roles and responsibilities among the agencies for the study and a path forward for project development.

Discussion

This item provides an overview and refresher of WETA's System Expansion Policy and an outline of the Redwood City Ferry Feasibility Study framework in preparation for a presentation of the study work next month.

WETA System Expansion Policy

The WETA System Expansion Policy adopted in June 2015 and provided as **Attachment A** provides a framework for evaluating new ferry projects and expansion opportunities. The framework consists of policies that provide guidance for developing candidate project elements such as landside and waterside facilities, vessels, and service plans. In addition, a set of evaluation measures defines a range of productivity and efficiency metrics that inform the WETA Board and funding partners of a project's financial feasibility and sustainability.

It is important to note that there is no one measure that defines a project's feasibility. Each project is evaluated within the context of WETA's measures for transit service productivity and emergency response functionality. Partner agencies also bring to any discussion policy objectives beyond ferry service such as economic development, housing supportive infrastructure, or quality-of-life improvements. Ultimately, the series of decisions that make up the project development process are in the hands of the WETA Board and, when applicable, development partners.

An important component of WETA's System Expansion Policy is the Project Agreement, sometimes referred to as a Memorandum of Understanding (MOU). The MOU is generally entered into with a partner agency such as a City or Port District at the outset of the project planning process. As the project moves through the stages of development – from feasibility to design to permitting to construction – the MOU is updated to ensure project partners are all acting in unison and meeting the objectives of WETA's System Expansion Policy along with partner agency policy goals. The MOU provides a formal framework and reference point not just for staff but for policy boards and city councils as projects develop over time.

Some of the key components of the WETA System Expansion Policy that are incorporated into project MOU's are summarized below:

- **Minimum Service Period** – the policy defines a minimum service period of ten years, meaning that an operating subsidy must be identified to support at least ten years of service in order to warrant capital investment in new terminal infrastructure.
- **Farebox Recovery** – Mirroring funding sources such as Regional Measure 2, WETA requires a minimum farebox recovery of 40 percent to be achieved within the first ten years of service operations.
- **Service Design** – A minimum level of service defined as three trips (generally hourly frequency) during a peak period must be offered for a project to be considered. The WETA Strategic Plan aspires for higher levels of service (15- and 30-minute frequencies).
- **System Integration & Emergency Response** – These two provisions essentially require that a new project strengthen rather than harm WETA's core mission to provide ferry service throughout the Bay Area and fulfill its role in emergency response activities.

Recent Expansion Experience

WETA has partnered with other public agencies to develop or expand five passenger terminals since 2012: South San Francisco, Mare Island (Vallejo), Richmond, Seaplane Lagoon (Alameda), and Downtown San Francisco. The Mission Bay ferry landing has completed all necessary planning and permitting work but has not begun construction due to a funding shortfall. The WETA Board entered into a project agreement with the Port of San Francisco at the outset of project planning in 2016, which was updated and approved by the WETA Board in 2020.

WETA constructed two maintenance facilities (North Bay & Central Bay) and a temporary terminal at Pier 48 1/2 in San Francisco. These projects were specialized in nature and therefore were not evaluated for feasibility using the System Expansion Policy. However, the Pier 48 1/2 project did feature an abbreviated project MOU as it was a three-way partnership between the Port of San Francisco, Golden Gate Ferry, and WETA.

Planning studies use the WETA System Expansion Policy as a reference point and basis for evaluating feasibility. Notable planning studies in the recent past include WETA's current Hovercraft Feasibility Study (2020), the Solano Transportation Authority Small Boat Study (2020), WETA's Small Vessel Study (2019), MTC's Core Capacity/Transbay Study (2018) and the Contra Costa County Ferry Financial Feasibility Study (2014).

Currently, feasibility studies in Berkeley and Redwood City are using WETA's System Expansion Policy as a basis for evaluating feasibility. Both cities have entered into project agreements with WETA. An upcoming study examining Treasure Island and the San Francisco waterfront will also rely upon the WETA System Expansion Policy and may eventually involve a WETA project agreement.

Redwood City Ferry Feasibility Study

The City and Port of Redwood City together with WETA have been engaged in a feasibility study beginning in February 2019 examining the potential to construct a WETA ferry terminal on an unimproved lot at the eastern end of Port property and operate service between Redwood City and San Francisco and/or Redwood City and Oakland.

The study is funded by SMCTA which provided up to \$503,000 for the study and entered into a project agreement with the City. Provided the project is determined to be feasible, the SMCTA will require a business plan prior to funding the next phase of project development. Up to \$15 million is available in SMCTA Measure A funding for planning, design, and construction of a ferry terminal in Redwood City.

The feasibility study will include five major components:

1. Conceptual terminal plan and cost estimate
2. Conceptual service plan and ridership estimates
3. Operating cost estimate and feasibility analysis
4. Cost/Benefit Analysis
5. Economic Impact Analysis

It is anticipated that the draft Redwood City Ferry Feasibility Study will be completed by the end of October. Current plans are to present the study to the Redwood City City Council, Port Commission, and WETA Board in November. Provided that the participating parties are supportive, the next step in the project development process will be to prepare a business plan as required by the SMCTA. The business plan would likely be complete in early 2021. This would be followed by the first phase of development work that would include initial development activities such as permitting, preliminary design, and environmental analysis. A revised and updated project MOU would be developed to support this next phase of work.

Fiscal Impact

There is no fiscal impact associated with this informational item.

END

WETA System Expansion Policy

The proposed WETA expansion policy is intended to provide a framework for evaluating the feasibility of new ferry projects. The framework consists of policy statements that provide guidance for developing candidate project elements such as landside and waterside facilities, vessels and service plans. In addition, a set of evaluation measures defines a range of productivity and efficiency metrics that inform the WETA Board and funding partners regarding a project's financial feasibility and sustainability.

There is no pre-determined level of evaluation that determines whether a project is feasible. There are many factors that contribute to whether a project is developed and becomes part of the WETA system. Instead, the System Expansion Policy provides policy makers with an agreed-upon framework, bringing objective measures and predictability to the project development process.

I. System Expansion Policy Statements

System Expansion Overview	WETA will expand ferry service throughout San Francisco Bay, working with local and regional partners to increase ferry ridership and relieve traffic congestion and transit crowding. New ferry services will be financially sustainable, contribute to the ferry system and enhance WETA's emergency response capabilities.
Minimum Service Period	New services will need to be in service for a minimum of 10 years to allow adequate time to build a ridership base. Services will be evaluated after a 10-year initial period to determine their continued operation.
New Service Project Evaluation	The WETA System Expansion Policy establishes a range of evaluation measures that help the WETA Board determine whether a candidate project will be successful and meet WETA's strategic goals. The new service evaluation is typically performed prior to entering environmental clearance, during the feasibility study phase of a project.
New Service Ongoing Evaluation	Once in operation, new ferry services will be evaluated on regular quarterly and yearly intervals to ensure performance is meeting expectations. Adjustments to the service plan, fare program or access conditions may be warranted.
Service Design	New ferry services typically begin as origin terminals offering commute-period service to San Francisco's Ferry Building. However, they can act as a destination terminal or offer non-commute period service, depending on local transportation goals and funding availability. WETA will work with project partners to develop a concept service design that meets travelling needs while offering a competitive, sustainable service. For commute-only origin terminals, a minimum level of service would be defined as three peak-direction trips in both the AM and PM commute periods.

WETA System Integration	New projects will enhance the WETA ferry system by adding terminals and vessels while attracting new riders to ferry service. Required system elements such as capacity at maintenance facilities and destination terminals or spare vessels will be estimated and incorporated into a project's capital cost.
Emergency Response	New projects will enhance WETA's emergency response capabilities by providing terminals and vessels for use in the response and recovery phases after a natural event. The benefits of interoperable ferry assets such as vessels, floats and terminals mean that new projects must be compatible with WETA facilities. The deployment of WETA vessels and use of ferry terminals will be a decision of state and regional authorities and not necessarily WETA or its local partner.
Vessels, Infrastructure	WETA owns and operates a network of ferry vessels along with landside and waterside facilities that are economically and operationally efficient because they are interchangeable. Therefore, candidate WETA projects must be consistent with this established infrastructure. New projects will utilize WETA catamaran-style vessels powered by marine diesel engines and ranging in capacity from 149 to over 500 passengers. Infrastructure such as maintenance facilities and terminals will be consistent with existing WETA facilities. Alternative vessel technologies or non-compliant terminals will not be considered as WETA facilities.
Public-private partnership opportunities	Ferry terminals and vessels are complex and expensive investments that require a variety of funding sources. Operational expenses can also be significant and require long-term dedicated funding streams. WETA encourages partnerships with public or private entities interested in ferry service as a means of financing both capital and operational needs.
Capital Funding	Ferry project capital funding can come through a variety of local, regional, state and federal sources and even private contributions. Candidate expansion projects must demonstrate that there is full capital funding prior to entering the Final Design phase of a project.
Operating Subsidy	The operating subsidy is defined as the portion of the operating expense not covered by fare revenue. New ferry projects must demonstrate that there is a stable, dedicated source for an operating subsidy for a minimum period of ten years.
Terminal Access	WETA supports the use of alternative modes such as walking, biking and transit as a means of accessing origin ferry terminals. At the same time, minimum parking levels are required to ensure a service will be well utilized and accessible to all users. The ideal access environment provides customers with a choice of safe, convenient and attractive access options.

Project Agreement	A Project Agreement will be required for candidate projects prior to entering into the environmental clearance phase of a project. The Project Agreement establishes a project service plan, identifies likely funding sources and defines partner roles and responsibilities. Both the WETA Board and the policy body from the project partner must adopt the Project Agreement.

II. System Expansion Evaluation Measures

The following measures are intended to evaluate the competitiveness and financial feasibility of candidate WETA ferry projects. The measures are expressed in three ways: minimum, target and maximum (as applicable). Minimum levels are what will be required after the initial 10 years of operation. Target levels are consistent with expected performance of mature services such as Alameda/Oakland, Vallejo and Harbor Bay.

Passengers per Revenue Hour (Commute-only service)

Passengers per revenue hour measures the number of boardings in a given hour of service. Services that have high two-way ridership along with a short travel time, enabling vessels to offer multiple runs in a given commute period will be strong performers. This measure provides an evaluation of ridership and the efficiency of operating resources.

Minimum	Target	Maximum
100	150	250

Passengers per Revenue Hour (All-day service)

All-day services typically operate seven days per week and generally from 6 AM up to 8 PM. Today, only Alameda-Oakland and Vallejo are all day services. The target for Passengers per Revenue Hour is slightly lower, given lower volumes in the midday and off-peak periods.

Minimum	Target	Maximum
100	125	250

Farebox Recovery

Farebox recovery is defined as the portion of operating expenses covered by fare revenues. Farebox recovery measures ridership, operating expense and financial sustainability.

Minimum	Target	Maximum
40%	50% – 70%	100%

Peak Hour Occupancy

Peak hour occupancy – defined as the combined peak direction occupancy level during the highest ridership hour of a commute service – indicates ridership demand and provides guidance for vessel deployment and service planning. High levels of peak hour occupancy indicate the possibility of leave-behinds or standees and would require corrective action.

Minimum	Target	Maximum
50%	60% -- 75%	80%