

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

(March 4, 2021)

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 Orders N-25-20 and N-29-20 to ensure social distancing and help mitigate the transmission of COVID-19.

1. CALL TO ORDER

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 advised guests about offering public comment and how guests could sign up to speak 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 remarked that the Metropolitan Transportation Commission (MTC) Blue Ribbon Transit Recovery Task Force (Task Force) which was created to guide the future of the Bay Area's public transportation network is coming up on its one-year anniversary. He said that though agencies have received assistance from the federal government they were still struggling to survive and would require greater public investment at all levels of government with some coming from the public to drive really big improvements.

Chair Wunderman congratulated and officially welcomed Director Moyer to the WETA Board of Directors whose appointment was recently confirmed by the California State Senate.

4. REPORTS OF DIRECTORS

Director Moyer clarified that her appointment on the Board required confirmation from the State Senate Rules Committee. She shared that CBRE is continuing to interact with their clients stating that 85 percent of their clients on a weighted average were committed to returning to the office in the second or third quarter in a hybrid fashion. She added that CBRE is focused on working with clients on how they manage their utilization and has not seen anybody moving their offices in any real meaningful way which includes acquiring new spaces in new announced headquarter destinations or putting current spaces in the Bay Area on the market.

Director Moyer said CBRE was working with clients to help spread the workforce from 'managing to Wednesday' which is working from home on Mondays and Fridays and mostly going to the office on Tuesdays, Wednesdays, and Thursdays. She noted that working in a socially distanced manner would not allow for less office space and that WETA needed to support and help employers 'manage to Wednesday'.

Director Moyer reported that she along with Executive Director Murphy and WETA staff had met with the Port of San Francisco team to begin discussions on how to close the funding gap on the Mission Bay terminal.

Director DelBono said that he had been contacted by the union with concern that the crews were not on the priority list in getting vaccinated and that WETA needed to lobby for it.

5. REPORTS OF STAFF

Mr. Murphy thanked Director Moyer for participating in the Mission Bay Task Force and that they intended to meet monthly and explore the creative ideas on funding. He said that the other effort is making sure that there was a temporary facility to serve the area and meet the demand emerging there.

Mr. Murphy reported that MTC staff is working on bringing a proposal to the Commission for the allocation of the remaining Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) and that staff was recommending that WETA receive \$13.5 million to cover losses through the end of the current fiscal year. He added that a big relief package which includes \$30.5 billion for transit was making its way through the Senate.

Mr. Murphy reported that operators as part of the Bay Area Healthy Transit Plan are collaborating to prioritize vaccination for frontline transit workers by sending letters to every county health official and to the state.

Mr. Murphy provided five written reports and offered to answer questions. He said there were no bills introduced in Sacramento that had a direct impact on WETA but that a spot bill was expected from Assemblymember David Chiu that would include the recommendation from the Task Force on its decision for a transit network management entity in response to Chair Wunderman.

Chair Wunderman asked for a progress update with the California Supreme Court and Regional Measure 3 (RM3). WETA General Counsel Madeline Chun from Hanson Bridgett LLP said that she believed that there was still briefing on the Zolly case and would check if there was anything interesting to report for the next meeting.

Director Intintoli commented that California Air Resources Board (CARB) Compliance Plan could put WETA out of business and looked forward to more information.

Chair Wunderman called for public comments, and there were none.

Planning & Development Manager Kevin Connolly provided an update on the Monthly Ridership and Recovery Report.

Mr. Connolly reported that ridership grew 23 percent systemwide with a 45 percent increase in Richmond. He said that staff was monitoring the reduced capacity limits and developing a plan to ultimately address the long-term fix of allowing for more capacity on the vessel with less social distancing.

Chair Wunderman asked if there was any way to marginally increase capacity within a safety realm without having to add a vessel. Mr. Connolly said that as the weather turned nicer, that WETA had a bit of margin by utilizing the outdoor seating. He noted that all options were being explored and that backup vessels were available but would significantly increase costs.

Director DelBono expressed concern about increasing capacity limits and overcrowding such that people stop riding the ferry because of that reason and said that he would rather use the federal funds to help add vessels.

Mr. Connolly said that he had not heard of any complaints of queuing on the wharf side and six foot social distancing markers are in place. Director Moyer agreed with Director DelBono about the perception of safety and suggested that the Board be briefed on an ongoing basis about queuing at the different terminals.

Mr. Connolly said that WETA was currently conducting an onboard survey and expected to have some preliminary results to help determine the attribute associated with increased ridership.

Chair Wunderman agreed with Director DelBono and Director Moyer clarifying that the intent was not to crowd people and save money if capacity could be increased marginally without impacting safety.

6. CONSENT CALENDAR

Director DelBono made a motion to approve the consent calendar:

- a. Board Meeting Minutes – February 4, 2021

Director Moyer requested removal of:

- b. Authorize Filing Application for FFY 2020/21 Federal Transit Administration Formula Program Funds to Support Various Capital Projects
from the consent calendar.

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

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

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

- b. Authorize Filing Application for FFY 2020/21 Federal Transit Administration Formula Program Funds to Support Various Capital Projects

Mr. Murphy asked Interim Finance & Administration Manager Lynne Yu to provide a summary on the item.

Ms. Yu explained that the item was asking the Board to authorize staff to file an application for federal fiscal year 2020/21 federal formula funds to support replacement of the MV *Intintoli* and ferry terminal dredging at the Vallejo and Alameda Harbor Bay Ferry Terminals.

Director Moyer requested clarification and understanding for certification of matching funds, cost overruns, and the obligation of funds within three years of programming. Ms. Yu shared a presentation outlining local match funds for both projects. She noted that the dredging project had a limited in water work window and that staff anticipated that the project would be completed by September 2021, the first quarter of the next fiscal year and that the replacement of the MV *Intintoli* would be completed by February 2024. Ms. Yu further explained that WETA had more than three years to spend down the money once the money was secured in a grant. Director Moyer requested that the details for matching funds and scheduling be provided in future staff reports.

Director Moyer made a motion to approve:

- b. Authorize Filing Application for FFY 2020/21 Federal Transit Administration Formula Program Funds to Support Various Capital Projects

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

Director Intintoli seconded the motion and the item carried unanimously.

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

7. AUTHORIZE RELEASE OF REQUEST FOR PROPOSAL FOR ENGINE REPLACEMENT FOR GEMINI CLASS VESSELS FROM EPA TIER 2 TO EPA TIER 4 AND AUTHORIZE AMENDING THE CAPITAL BUDGET TO ADD THE GEMINI CLASS VESSEL ENGINE CONVERSION PROJECT

Operations & Maintenance Manager Tim Hanners presented this item recommending approval of the following actions associated with engine replacement for the Gemini class vessels:

1. Authorize adding a new project titled *Gemini Class Vessel Engine Conversion* to the FY 2020/21 Capital Budget at a total project cost of \$5,524,100, with \$52,000 budgeted for expense in this fiscal year; and
2. Authorize release of a request for proposal to repower the Gemini class vessels from EPA Tier 2 to EPA Tier 4.

Mr. Hanners stated that conversion of these engines would reduce capital costs and extend the overhaul cycles. He added that WETA applied for and received the Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer Program) grant funds to support the conversion which provides grant funding for cleaner-than-required engines or installation of emission reduction equipment.

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 A SOLE SOURCE CONTRACT AWARD TO RDI MARINE FOR EPA TIER 4 MAIN ENGINE CONVERSION, GEMINI CLASS

Mr. Hanners presented this item related to the prior one recommending a sole source contract with RDI Marine (RDI) for the purchase of eight MAN D2862LE489 EPA Tier 4 marine engines in the amount not to exceed \$1,897,358 and authorize the Executive Director to negotiate and execute an agreement for this work.

Mr. Hanners explained that RDI Marine, headquartered in Seattle, Washington, is the sole factory-assigned dealership for the provision of Munich, Germany based MAN engines, parts, and services on the west coast and is the only manufacturer of EPA certified Tier 4 engines that meet the Carl Moyer grant requirements suitable for use in the Gemini class vessels. He said that the lead time for these engines was seven months and were the best available option to comply with future proposed California Air Resources Board (CARB) regulations. He noted that the installation of these engines by a shipyard would be selected through a separate Request for Proposal (RFP).

Chair Wunderman expressed concern about the sole source deal. Mr. Hanners reminded the Board that all prior engine purchases had been completed through a sole source and added that RDI's territory was the west coast from Alaska to southern California and would be the warranty and service support for these engines.

Mr. Hanners stated that WETA was obligated to run these engines for five years or 1,100 hours a year under the Carl Moyer Program. He said that the Gemini class vessels had another 10 to 11 years of running the cleanest available technology with the hope that WETA would be able to install a diesel particulate filter (DPF) when it became available for a marine environment. Mr. Hanners said that WETA was working with CARB and MAN to get a CARB-certified DPF into the United States.

Mr. Hanners said that WETA had received a lot of positive feedback from everyone about these engines and stated that these same engines would be installed in the MV *Bay Breeze* and *Solano* replacements to comply with future CARB regulations. He said that there were issues for DPF marine usage in other countries that WETA is following, and that this new technology was still in the research and development process. He said that the intent was to have everything from the engine to the selective catalytic reduction (SCR) catalyst warranted through MAN service in response to Director DelBono.

Mr. Hanners confirmed that the MV *Solano* had not reached the end of its useful life but that the MV *Intintoli* had in response to Director Intintoli. He added that WETA was not obligated to sell the MV *Intintoli* but would not be able to apply for Federal Transit Administration (FTA) funds to maintain the vessel in the future.

Mr. Hanners said that the Carl Moyer Program required that the removed engines be destroyed but that some of the parts would be saved and be put into stock to support the fleet in response to Director Alba.

The directors congratulated and thanked Mr. Hanners for his initiative and diligence.

Director DelBono made a motion to approve the item.

Chair Wunderman called for public comments and there were none.

Director Intintoli seconded the motion and the item passed unanimously.

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

9. AUTHORIZE RELEASE OF DRAFT FISCAL YEAR 2022 PANDEMIC RECOVERY PROGRAM FOR PUBLIC COMMENT

Mr. Connolly introduced this item recommending authorization to release the draft Fiscal Year 2022 Pandemic Recovery Program for public comment. He shared his presentation and clarified that this item would be co-presented by Transportation Planner Arthi Krubanandh and Public Information & Marketing Manager Thomas Hall. He said that the Pandemic Recovery Program would be addressing both service and fares.

Mr. Connolly referenced the 13 Pandemic Recovery Program Principles that the Board adopted in February 2021 and highlighted a few of them. He noted that the big takeaways were the suspension of the current fare structure with a temporary one that will decrease fares systemwide for a period of one year, restarting ferry services that have been closed for over a year or had

limited service, and adjusting service to strive for greater equity and offer more non-peak trips to attract different types of riders.

Mr. Connolly said that the proposed schedule maintains employment for Blue & Gold Fleet crews and maintenance staff and shared a service summary of the proposed changes. He then introduced Ms. Krubanandh to present and summarize the proposed fare program which primarily focuses on reducing fares and simplifying fares and that the intent was to share this information with the public to get input from riders and the general public. She invited Mr. Hall to expand on the outreach plan to rebuild ferry service.

Mr. Connolly closed the presentation outlining the schedule for the Pandemic Recovery Program noting that the rollout of the new service and changeover in fares would take place July 1 with phase-ins of other services occurring in both August and October.

Mr. Connolly clarified that outreach would occur over the next month and the results would be brought back for approval next month.

Chair Wunderman was interested in getting people to use public transportation but expressed concern about compliance with farebox recovery and making certain that funds were not in jeopardy if farebox recovery was not met. Mr. Murphy said that farebox recovery requirements have been suspended at the state and regional level for the next fiscal year. Ms. Yu confirmed the suspension and added that she had not heard anything from MTC as to when farebox recovery would be reinstated. She noted that for other funding, they would be holding operators harmless during these times and using pre-pandemic FY2019 performance for distributing money.

Mr. Murphy said that this program would provide an opportunity for WETA to have a conversation with MTC about the requirements under RM3. Chair Wunderman said it would be worth reviewing the language of the bill.

Director Intintoli stressed the need to remind riders that fares would be temporary and that the fares may go up significantly at the end of the year.

Director DelBono said that in trying to attract a different group of riders that WETA needed to be aware of the low wage workers by providing more transit connections to neighborhoods servicing these areas and emphasized that outreach include low wage workers including those in the food services and hospitality industry. He supported eliminating the short hop fares and adding late night service.

Director Alba liked the move away from specific fares to a simplified zone chart. She agreed with Director DelBono that it was important to provide affordable transportation options for essential workers and transit-dependent riders.

Director Moyer thanked staff for their articulate report and presentation. She believed that the first people back on transit would be the ones who can least afford to pay San Francisco parking rates and wanted to capture that audience. She was intrigued by the Director DelBono's proposal on the short hop fare agreeing that it would be a great way to get more people on the ferry.

Chair Wunderman said getting people to the terminals during the off peak and evenings can present a challenge and opportunity and asked why the fare structure was temporary.

Mr. Murphy said it was hard to predict whether the shift in service pattern would yield results and that WETA's success be measured against other transit agencies with comparable pre-pandemic

ridership demographics. He said that review of ridership on a route-by-route basis about new and returning markets be used to inform a longer-term fare program with financial sustainability.

Chair Wunderman reminded everyone that the MTC Task Force was conducting a regional fare study with the objective of creating a common fare structure. He added that in terms of transportation equity, it seemed like the natural outcome would be to create a workable means-based fare system allowing people to pay what they could afford.

PUBLIC COMMENT

Kenneth Russell, Sid Kotapati, Seamless Bay Area Adina Levin, and Bryan Culbertson voiced their support for the Pandemic Recovery Program.

The Directors expressed their appreciation and support of the program and looked forward to the outreach plan.

Director Intintoli made a motion to approve the item.

Director Alba seconded the motion and the item passed unanimously.

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

10. BERKELEY FERRY TERMINAL FEASIBILITY STUDY UPDATE

Senior Planner/Project Manager Mike Gougherty opened this informational item on the Berkeley Ferry Terminal Feasibility Study and offered City of Berkeley (City) Mayor Jesse Arreguín the opportunity to address the Board before jumping into the presentation.

PUBLIC COMMENT

Mayor Arreguín reminded the Board that WETA and the City launched into an Memorandum of Understanding (MOU) to explore the potential for a ferry terminal in Berkeley and the reconstruction of the municipal pier. He said that the Berkeley City Council had received a presentation on the design concepts and studies in February, and every City Councilmember expressed support for the new terminal at the Berkeley Marina. Mayor Arreguín expressed his strong support for this project to the City and the broader effort to the Bay Area community.

Chair Wunderman thanked Mayor Arreguín for his comments and for taking the time to hear from the public during the City Council Worksession.

Before sharing his presentation, Mr. Gougherty acknowledged and introduced City Parks Recreation & Waterfront staff Director of Scott Ferris, Supervising Civil Engineer and Project Manager Nelson Lam, Waterfront Manager Alexandra Endress, and Senior Management Analyst Roger Miller who have been working closely with WETA staff.

Mr. Gougherty said that the update being presented was a study being conducted in partnership with the City looking at the joint development of a multi-use pier that would support a ferry terminal, replace the municipal pier, and provide public access that was closed in 2015. He provided a historical background of the project, plans that supported restoring ferry service, a summary of the current work, the public outreach schedule, and timelines that included critical junctures to manage the risk on the project.

Mr. Gougherty said that the City was in the process of considering adopting a specific plan, Berkeley Marina Area Specific Plan (BMASP) which includes a comprehensive look at community and infrastructure needs throughout the marina. He shared some of the slides depicting berthing

options that have been presented at public outreach meetings and then invited Mr. Lam to provide a summary of the outreach processes, share some of the public comments received thus far, and an online questionnaire to obtain broader community input of potential new facilities at the marina.

Mr. Gougherty wrapped up the presentation with a summary of next steps.

Chair Wunderman thanked Mr. Gougherty for the thoughtful presentation and reminded all that the purpose of the presentation was to keep the Board and community advised of the progress.

Director DelBono wanted to hear more about previous Board concerns, parking, and ferry terminal accessibility.

Director Moyer left the meeting at 4:00 p.m.

Mr. Gougherty said that design on the waterfront side was ahead of landside so he did not have any specific information but that a comprehensive transportation strategy would be presented in the future. He invited City staff to share some of their ideas. Mr. Ferris stated that the City was in the middle of the process having engaged Alameda-Contra Costa Transit District (AC Transit) and different entities around shuttles and that Mr. Lam was working on a design for transit area at the base of University Avenue. He added that similar comments had been received from the public and that more information would be available within the next 30 to 90 days.

Director Alba appreciated the focus on multimodal access and the opportunities for the safe planning and designing for micromobility, looking for shared parking opportunities, and the creation of a hub environment adjacent to the ferry terminal.

PUBLIC COMMENT

Berkeley resident David Fielder remained concern about the overall environmental impact of the project and its effect on the viability of the marina.

PUBLIC COMMENT

Berkeley resident Jerry Bellows expressed his support for the project and looked forward to it coming to fruition.

Chair Wunderman thanked the project team for the thorough work.

11. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

No further public comments were shared.

With all business concluded Chair Wunderman adjourned the meeting at 4:14 p.m.

- Board Secretary

END