

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

*[May 9, 2024]*

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at Port of San Francisco at Pier 1, San Francisco, CA and via videoconference.

**1. CALL TO ORDER**

Vice Chair Monique Moyer called the meeting to order at 1:02 p.m.

**2. ROLL CALL**

Chair James Wunderman, Vice Chair Moyer, Director Jessica Alba, Director Jeffrey DelBono, and Director Pippin Dew were in attendance. In compliance with the Brown Act, Chair Wunderman explained that he was joining the meeting remotely due to health issues and that no one over the age of 18 was in the room with him. Vice Chair Moyer stated that she would be chairing the meeting on behalf of Chair Wunderman.

Vice Chair Moyer led the Pledge of Allegiance. She welcomed directors, staff, and meeting guests and noted that the meeting was being conducted in person and by videoconference and was being recorded. She advised guests about offering public comment and how guests could sign up to speak throughout the meeting.

**3. REPORT OF BOARD CHAIR**

Chair Wunderman thanked Vice Chair Moyer for chairing the meeting. He said that he is seeing long lines and happy faces and expressed his appreciation to the crews for consistently doing a great job.

**4. REPORTS OF DIRECTORS**

Director DelBono stated that he has had the opportunity to talk with representatives from the Chinatown and North Beach communities and with attendees at a Chamber mixer for small business. He said that he had received positive comments about the ferry system and excitement about partnership opportunities. He said that the new San Francisco Bay Ferry (SFBF) advertisement that he saw in the Bay Area Rapid Transit (BART) station was cool.

Director Alba stated that she was pleased to be part of the welcoming committee for His Royal Highness Crown Prince Haakon of Norway who participated in a maritime and energy sector focused conference to promote economic ties between Norway and California. She thanked everyone involved for making the event, including a ride on the MV *Delphinus* a huge success.

Director Dew said that it was her first time taking the ferry during high winds and that she heard concerns about ferry cancellations. She was relieved when she rode the ferry and stated that it was a smooth ride. She noted that she was happy to see the increase in ridership and full parking lots on a nongame day.

Vice Chair Moyer stated that she was gratified as she had been receiving wonderful comments from the public and a tough client about how well the service is running and commended the staff and crew for their work.

On a sad note, Vice Chair Moyer reported that the Bay Area icon Will Travis, former Executive Director of the Bay Conservation and Development Commission (BCDC) passed away on April 24 leaving

behind a legacy of achievements. She noted that he spent most of his life protecting the bay for all and to acknowledge his contributions asked to adjourn the meeting in his memory.

## **5. REPORTS OF STAFF**

Executive Director Seamus Murphy thanked the Directors for acknowledging the work of staff. He noted that the BART ad is the work of Digital Communications Specialist Alexis Matsui and that it was part of a whole campaign that is gradually being rolled out.

Mr. Murphy stated that a lot of progress has been made on fueling and operating the *Sea Change* and that crews have been trained to operate the vessel. He said that the vessel has cleared the first half of United States Coast Guard (USCG) inspection and that the second help was scheduled for Monday. He added that a budget increase in the amount of \$500,000 was added to the budget to reflect costs incurred from the delay and the increased cost of hydrogen. He said that he was looking forward to beginning the demonstration project as soon as the USCG certification has been completed.

Mr. Murphy asked Planning and Development Manager Michael Gougherty to report on the progress of the Pilot Service Committee. Mr. Gougherty thanked Directors DelBono and Dew for participating in the committee and representing the Board. He shared his presentation on the key roles of the committee which includes prioritizing projects and partnerships, reviewing goals and objectives prior to pilot service launch, and ensure projects provide opportunity for training; the pilot service program which allow testing for new technologies and operating models before making long-term commitments; and the fiscal year (FY) 2025 work program. The three programs for FY 2025 include the Oakland Alameda Water Shuttle, the Redwood City Ballpark Service, and the *Sea Change* Zero-Emission Fuel Cell Demonstration Project. He noted that potential future projects include service between the Downtown Ferry Terminal and Pier 48.5, new transbay services between Larkspur and Vallejo, and connection service between the Carquinez area and Richmond.

Mr. Murphy stated that the projects were going to be included in the FY 2025 budget. He commented that the Contra Costa Transportation Authority (CCTA) Measure J funds provides a baseline level of service that is below what is being operated today and that WETA is supplementing Measure J with Regional Measure (RM) 3 funds to operate even more service including weekend service due to Richmond's potential for ridership growth, noting that it is one of the fastest routes to recover to pre-pandemic levels. He added that staff had reached out to Contra Costa County about the two-year funding gap when Measure J runs out and when Contra Costa County would potentially reauthorize their half-cent sales tax that pays for that service.

Mr. Murphy provided five written reports and offered to answer questions before introducing WETA State Lobbyists Partner Matt Robinson and Legislative Advocate Michael Pimentel of Shaw Yoder Antwih Schmelzer & Lange (Shaw Yoder).

Mr. Robinson provided an update on timelines and deadlines for committee work on bills. He reported that Governor Gavin Newsom was expected to release the May Revise to include updated numbers for the state deficit and revenue to support existing state spending programs and funding availability.

Mr. Pimentel provided some clarity on the direction the state will take to resolve the budget deficit and concerns of the spending freeze and the heightened effort to release monies in advance of the finalization of the budget.

Mr. Pimentel noted that Assembly Bill (AB) 2061 exempting the purchase of zero-emission ferries by public transit agencies from the state portion of the sales and use tax was in the suspense file pending hearing in the Committee on Appropriations. He offered to answer any questions and comments before turning it back to Mr. Robinson to cover the remaining item.

Mr. Robinson provided a brief update on Senate Bill (SB) 1031 ahead of the discussion later in the agenda. He stated that SB 1031 was in the suspense file of the Senate Appropriations Committee

giving the authors more time to work out some of the elements of the bill which include the limitations on the use of the sales tax and some of the oversight over the historical transit formula funding. He offered to answer any questions.

Operations Analyst Joe Ramey reported that time, performance, and service reliability outperformed the same period in 2023 with cancelled trips declining from 50 trips in January to 5 trips in April. Mr. Gougherty stated that ridership was on target with the budget and at about 80 percent of pre-pandemic recovery. He asked the Board for feedback about information they would like to see in the reports, noting that the data was automatically calculated and therefore more reliable.

Vice Chair Moyer called for public comments, and there were none.

The Directors thanked staff for the reports.

## **6. CONSENT CALENDAR**

Director Dew made a motion to approve the consent calendar:

- a. Approve Board Meeting Minutes – April 11, 2024
- b. Approve Temporary License Agreement for Estuary Water Shuttle Pilot Project
- c. Authorize License Agreement Related to Oakland Ferry Fest
- d. Authorize Purchase of Insurance Policies for Fiscal Year 2024/25

## **PUBLIC COMMENT**

City of Vallejo resident Rusty Keyes asked about Vallejo Ferry Service. Vice Chair Moyer noted that comments were being accepted for the Consent Calendar and that the Board would be happy to accept his comments during the discussion on Item 11 - ADOPT 2050 SERVICE VISION AND EXPANSION POLICY.

Director DelBono seconded the motion, and the consent calendar carried unanimously.

Yeas: Alba, DelBono, Dew, Moyer, Wunderman. Nays: None. Absent: None.

## **7. APPROVE REDWOOD CITY BALLPARK SERVICE PILOT PROJECT**

Public Information and Marketing Manager Thomas Hall presented this item recommending approving the Redwood City ballpark service pilot project and acknowledging the work of the planning and development department.

Mr. Hall shared his presentation providing the background, plan, the timeline, and recommendations before the service could be implemented.

Mr. Hall confirmed that no dredging would be required in response to Vice Chair Moyer.

Vice Chair Moyer thanked staff for the thoughtful and strategic creativity of the service.

## **PUBLIC COMMENT**

Port of Redwood City Business and Development Manager Trish Wagner, Seaport Industrial Association Executive Director and Chamber San Mateo County Board Member Greg Greenway, Port of Redwood City Commission Chairperson Lorianna Kastrop, San Mateo County Economic Development Association (SAMCEDA) Don Cecil on behalf of President and CEO Rosanne Foust, and Bay Planning Coalition Policy and Operations Associate Robert Rogers spoke in support of the Redwood City Ballpark Service Pilot Project.

Bair Island Aquatic Center (BAIC) Marty Udisches who represented human-powered users of Redwood Creek and the Port of Redwood City said that BAIC was ready and willing to work with WETA to ensure maximum safety for all users of Redwood Creek and the Port of Redwood City.

Chair Moyer thanked the speakers for their comments.

Director Alba made a motion to adopt Resolution No. 2024-15 approving this item.

Director Dew seconded the motion, and the item passed unanimously.

Yeas: Alba, DelBono, Dew, Moyer, Wunderman. Nays: None. Absent: None.

#### **8. CALIFORNIA SENATE BILL 1031 CONNECT BAY AREA ACT – SUPPORT**

Mr. Murphy introduced this item recommending supporting California Senate Bill (SB) 1031 explaining that the bill was designed to authorize a measure to be put on the ballot to help bail out transit agencies that are facing an immediate fiscal cliff due to the ongoing impacts of the pandemic and prevent the cutting of service. He added that the bill would help advance some of the network management efforts to better integrate transit services around the region which would require the state to conduct a study that would look at consolidation of Bay Area transit agencies.

Mr. Murphy indicated that WETA would benefit in a meaningful way from a guaranteed \$25 million per year in operating support under the current version of the bill in addition to the \$35 million per year from RM 3.

Mr. Murphy introduced Metropolitan Transportation Commission (MTC) Legislation and Public Affairs Director Rebecca Long to provide more information and the status of the bill.

Ms. Long stated that MTC is sponsoring SB 1031 but did not ask for the consolidation language which has been a contentious point of the bill but expected to see some amendments related to the consolidation provision. She said that some operators have suggested amendments but that a lot of operators have opposed the bill because of the consolidation provision.

Ms. Long said that the legislation was modeled on Bay Area Housing Finance Authority (BAHFA), a separate entity that was sponsored by MTC that offered a menu of revenue options including a general obligation bond, a parcel tax, and some others. She conservatively estimated that the transit operating deficit was about \$600 million based on MTC's standardized numbers so considered sales tax, payroll taxes, a parcel tax, and registration fees as revenue mechanisms. She noted some other programs that were included in the bill and the challenge of geographic equity and return to source.

Ms. Long thanked staff for putting this item on the agenda and for supporting the bill.

Director Del Bono commented that he supported the bill specifically for the consolidation language. He asked MTC to improve accountability and consider a model of appointing boards instead of electing boards.

Director Alba said that coordination is the first step in a phased approach and that consolidation is part of the journey so that multiple transit agencies are not all doing the same thing within their own boundaries. She stated that she was supportive of Director DelBono's comments and the effort to consolidate.

Chair Wunderman said that he would have to abstain from voting but commented that though WETA was a well-funded agency compared to other transit agencies, he noted that WETA had more time than other agencies before hitting its own fiscal cliff. As President and CEO of Bay Area Council, representing the public and business community, he believed that some of the suggested funding sources would be damaging to the regional economy. He said that he was also concerned about the geographic distribution returns and employer responsibilities.

Chair Wunderman concluded his comments by saying that there were good things in the bill but that a solution had to be found which was consistent with the realities of these times and urged Ms. Long to keep working at it because public investment in transit as well as infrastructure and housing is what is needed.

Director Dew said that she agreed with a lot of the comments about consolidation and a more seamless experience. She stated that the public needed to be educated about the process and needs to creating important and critical infrastructure.

Vice Chair Moyer said that she was in favor of the bill and that many of the comments resonated with her but the one that stood out for her is from the end user perspective noting that the public is indifferent as to who is providing the transportation. She had questions about the equitable process and how it will be governed to allow individual cities to participate and be treated fairly. She noted that she approved of staff withdrawing the commitment to support the bill if the bill took a turn that was not favorable to WETA's future responsibility.

Vice Chair Moyer called for public comments, and there were none.

Director DelBono made a motion to adopt Resolution No. 2024-16 approving this item.

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

Yeas: Alba, DelBono, Dew, Moyer. Nays: None. Abstain: Wunderman. Absent: None.

**9. APPROVE AMENDMENT #1 TO MEMORANDUM OF UNDERSTANDING FOR THE BERKELEY MARINA FERRY FACILITY PROJECT**

Mr. Gougherty presented this item recommending approving Amendment #1 to the Memorandum of Understanding (MOU) for the Berkeley Marina Ferry Facility Project. He provided some background noting that the original MOU laid out the terms for undertaking Phase 1 of the project which was a feasibility study which defines the parameters and assesses the basic feasibility of the project. He said that this amendment addresses Phase 2 of the project which would include design and environmental review work.

Mr. Gougherty expressed his appreciation to the City of Berkeley (City) staff for obtaining funding from the Alameda County Transportation Commission (ACTC) in the amount of \$5.8 million and a grant from the California State Coastal Conservancy (CSCC) in the amount of \$2.2 million. He said that the City would be the lead in design, environmental review, and permitting and that WETA would provide up to \$3 million in RM 3 funds to cover WETA staff time, project contingency, and potential Phase 2 expenses not reimbursable by ACTC and CSCC.

Mr. Gougherty said that pending the outcome of Phase 2, WETA would potentially be coming back to the Board as well as the City Council with a proposal to move forward with Phase 3 which would include construction.

Mr. Gougherty confirmed that Phase 2 was for full design.

Director DelBono remarked that a ferry terminal at Berkeley would be a great addition to water transportation on the bay but reiterated his concern to which he has never received an answer about how the City was envisioning getting people down University Avenue and to the ferry terminal.

Mr. Gougherty replied that the City had already hired a Transportation Demand Management (TDM) firm early on before hiring the environmental review and concept design firm. He added that he would invite the project team to give a presentation and provide an update on the specifics as the work goes forward.

Director Dew said that she was excited to see the project move forward and that previous City of Vallejo Assistant City Manager Terrance Davis resigned from the City of Vallejo and accepted the position as the City of Berkeley Public Works Director and was familiar with SFBF.

Chair Wunderman said that big supporters of the project were leaving with the change in the City government and requested clarity about actions that would be taken by the City to assure that passengers could access the ferry.

**PUBLIC COMMENT**

City of Berkeley Parks, Recreation and Waterfront Capital Improvement Program Manager and Berkeley Pier Ferry Project Manager Liza McNulty and Bay Planning Coalition Policy and Operations Associate Robert Rogers spoke in support of amending the MOU.

Vice Chair Moyer noticed that she did not see anything in the resolution about getting periodic updates but requested a commitment that updates would be received periodically from the professional team.

Director Dew made a motion to adopt Resolution No. 2024-17 approving this item.

Director DelBono seconded the motion, and the item passed unanimously.

Yeas: Alba, DelBono, Dew, Moyer, Wunderman. Nays: None. Absent: None.

**10. AUTHORIZE THE FILING OF AN ALLOCATION REQUEST WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR \$3,000,000 IN REGIONAL MEASURE 3 CAPITAL FUNDS**

Grants Manager Jennifer Raupach presented this item recommending authorizing the filing of an allocation request with MTC for \$3 million in RM 3 capital funds.

Director Alba made a motion to adopt Resolution No. 2024-18 approving this item.

Vice Chair Moyer called for public comments, and there were none.

Director Dew seconded the motion, and the item passed unanimously.

Yeas: Alba, DelBono, Dew, Moyer, Wunderman. Nays: None. Absent: None.

**11. ADOPT 2050 SERVICE VISION AND EXPANSION POLICY**

Mr. Gougherty presented this item recommending adopting the 2050 Service Vision and Expansion Policy. He thanked the Board for the feedback and provided a summary of changes that were made to incorporate feedback received specifically on emergency response, first and last mile connections, organizational development, and environmental stewardship.

Chair Wunderman expressed his appreciation to the team and to Vice Chair Moyer and Director Alba for all the hours involved and working with staff to advance the business plan and was excited to support the policy.

Vice Chair Moyer called for public comments, and there were none.

Director DelBono made a motion to adopt Resolution No. 2024-19 approving this item.

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

Yeas: Alba, DelBono, Dew, Moyer, Wunderman. Nays: None. Absent: None.

## **12. ADJUST FISCAL YEAR 2023/24 CAPITAL BUDGET FOR VESSEL CONSTRUCTION**

Chief Financial Officer Erin McGrath presented this item recommending adjusting the fiscal year 2023/24 capital budget for vessel construction by \$3,847,481 which include:

1. Increase New Commuter Class High-Speed Vessels FY 2023/24 budget by \$1,086,651 and adjust the total Project Budget by adding \$305,100
2. Increase Solano/Bay Breeze Replacement FY 2023/24 budget by \$6,212,557 with no change to the total project budget
3. Decrease Intintoli Replacement FY 2023/24 budget by \$7,046,689 with no change to the total project budget
4. Decrease Mare Island Replacement FY 2023/24 budget by \$4,100,000 with no change to the project budget

Ms. McGrath clarified that a couple of the projects required more funding in the current fiscal year but not a budget increase for the overall project and that the increase for the New Commuter Class High-Speed Vessels was due to the increase in sales and use tax. She added that there was no change to the overall project budget and that the surplus would be reflected in the FY 2024/25 budget.

Director Alba made a motion to adopt Resolution No. 2024-20 approving this item.

Vice Chair Moyer called for public comments, and there were none.

Director Dew seconded the motion, and the item passed unanimously.

Yeas: Alba, DelBono, Dew, Moyer, Wunderman. Nays: None. Absent: None.

## **13. REVIEW PROPOSED FISCAL YEAR 2024/25 BUDGET AND SALARY SCHEDULE**

Ms. McGrath presented this information item and shared her presentation on the proposed FY 2024/25 \$157.6 million budget and salary schedule. She highlighted a few initiatives which included the growth of the electrification capital program, the pilot service program, passenger marketing, and new staffing.

Ms. McGrath provided an overview of the capital and operating budgets and the revenue sources.

Ms. Murphy stated that the spending freeze discussed earlier did not affect WETA, and Mr. Murphy said that he would be surprised if the state attempted to recapture funds that have already been programmed.

The Directors thanked Ms. McGrath for her presentation.

Vice Chair Moyer thanked the voters of the nine Bay Area counties for their generosity in supporting RM 2 and 3 and to those that had the vision to work hard for RM 3.

Mr. Murphy confirmed that Measure J funds would be available through 2032 under the 10-year operating plan after launch but that the CCTA had to take action annually to allocate Measure J funds to support the operation of the Richmond service.

## **14. PUBLIC COMMENTS FOR NON-AGENDA ITEMS**

With all business concluded, Vice Chair Moyer adjourned the meeting in memory of Mr. Travis and birthday celebration wishes for Director DelBono at 3:20 p.m.

- Board Secretary

\*\*\*END\*\*\*