

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

*(August 17, 2022)*

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at the WETA Central Bay Operations & Maintenance Facility at 670 W Hornet Ave, Alameda, CA and via videoconference consistent with AB 361 as codified in Government Code Section 54953.

**1. CALL TO ORDER**

Chair James Wunderman called the meeting to order at 10:01 a.m.

**2. ROLL CALL**

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

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

**3. ADOPT RESOLUTION MAKING FINDINGS PURSUANT TO ASSEMBLY BILL 361 TO HOLD REMOTE PUBLIC MEETINGS**

This item recommended adopting a resolution making findings pursuant to AB 361 to hold remote public meetings.

Vice Chair Moyer made a motion to adopt Resolution No. 2022-31 approving this item.

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

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

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

**4. BUSINESS PLAN WORKSHOP**

Chair Wunderman stated that the Business Plan Workshop would include discussions on planning, policies, funding, and strategies to carry out the 2050 WETA Service Vision.

Planning & Development Manager Kevin Connelly introduced the item and the project team of staff and consultants noting that the focus of the workshop was primarily in two areas: service planning and vision as well as financial capacity. Mr. Connelly shared the group presentation outlining the goals of the workshop, the project timeline and milestones, and the six focus areas that were identified: regional ferry network, community connections, emergency response, environmental stewardship, financial capacity, and organizational capacity.

Principal Planner Michael Gougherty summarized the outreach and provided an abbreviated version of information that was presented to the stakeholders. CivicMakers Co-founder Lawrence Grodeska provided reports from feedback received from the business and community advisory groups, and CivicMakers Project Manager Mike King provided an overview of bayferry2050.org and responses

received from the website survey. Transportation Planner Gabriel Chan reported on the county working groups of city and county staff from Alameda, Contra Costa, San Francisco, San Mateo, and Solano counties.

Before continuing the discussion, Mr. Gougherty acknowledged and thanked the stakeholders that have participated in the business plan meetings and offered to address questions.

The Directors recognized the need for additional funding for the vision beyond what is outlined in WETA's 2016 Strategic Plan. Mr. Gougherty reminded the Board that WETA's Strategic Plan preceded Regional Measure 3 (RM3) and suggested that like the Strategic Plan, the Business Plan be used for advocacy work to obtain new funding.

The Directors asked for clarification on farebox recovery under RM3. The Directors agreed that the vision should be ambitious and include information gathered from stakeholders recognizing that the plan would be updated every few years.

Chair Wunderman said to think about how the ferry service could contribute to the overall greater economy of the Bay Area and to think harder about how WETA can leverage and promote the benefits offered by shoreline developments.

Mr. Gougherty thanked the Board for their feedback and continued his presentation on service vision development on the network expansion concepts on proposed terminals and routes and how variable factors used in the scenario planning process would help determine futures based upon the transit policy and travel behavior.

Mr. Gougherty credited Fehr & Peers for coming up with the future terms and took a moment to respond to questions.

Mr. Connolly continued the presentation on the financial capacity analysis and noted that the future scenarios assumed the availability of RM3. He stated that the next step would be a full evaluation of the network expansion concepts.

The Directors thanked the team for the presentation and the conversations.

#### PUBLIC COMMENT

Hercules Vice Mayor Alexander Walker-Griffin thanked WETA for the presentation and extended an invite to the Directors for a Hercules tour.

Golden Gate Bridge, Highway and Transportation District Claims Administrator Karen Buchanan was grateful to be part of the Community Advisory Group and applauded WETA's efforts for the future visioning of ferry service.

San Jose State University Assistant Professor of Urban Planning and Community Advisory Group member Gordon Douglas reminded everyone about the need for resiliency and redundancy from an emergency preparedness standpoint.

Benicia Community Advisory Group member Terry Scott spoke about population shifts into more remote areas and offered his assistance.

Executive Director Seamus Murphy stated that leveraging funding opportunities will be essential to implementing a service vision and added that strategies will be developed to determine the priority of the expansion opportunities.

**5. RECESS**

Chair Wunderman adjourned the first part of the agenda at 12:15 p.m. stating that the meeting would reconvene at 1:00 p.m.

**6. CALL TO ORDER/ROLL CALL**

Chair James Wunderman called the meeting to order at 1:03 p.m.

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

**7. REPORT OF BOARD CHAIR**

Chair Wunderman thanked Directors Moyer and Alba for their leadership and Mr. Murphy, his staff, and the consultants for their work on the business plan.

**8. REPORTS OF DIRECTORS**

The Directors thanked staff for their work and presentation on the business plan.

**9. REPORTS OF STAFF**

Mr. Murphy shared his presentation and findings on zero-emissions from his trip to Scandinavia. Chair Wunderman thanked Director Alba for helping to organize the trip.

Public Information & Marketing Manager Thomas Hall provided an update on the passenger experience upgrade with the launch of Anchor Operating System's integrated ticketing system and app. He recognized and thanked the WETA and Blue & Gold Fleet staff for their involvement in deploying the new system.

The Directors thanked Mr. Hall for the update and recognized the team's accomplishment for seamlessly moving to the new ticketing system.

Mr. Murphy asked WETA attorney Katherine Tsou from Hanson Bridgett LLP to provide an update on the RM3 litigation. Ms. Tsou stated that the California Supreme Court's decision in *Zolly v. City of Oakland* did not address the legal issues directly related to the case challenging the RM3 tolls and therefore, did not resolve the RM3 case. She said that she anticipates that the Court will order briefing to begin for the RM3 case soon and a decision may be expected in about a year.

Mr. Murphy invited WETA State Legislative Representatives Nate Solov from Nossaman LLP and Jennifer Capitolo from Jennifer M. Capitolo & Associates to provide an update on bills and funding work and successes.

Mr. Murphy provided five written reports and offered to answer questions.

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

**10. CONSENT CALENDAR**

Director Intintoli made a motion to approve the consent calendar:

- a. Board Meeting Minutes – June 2, 2022

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

Vice Chair Moyer seconded the motion, and the consent calendar carried unanimously.

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

**11. APPROVE REVISIONS TO FISCAL YEAR 2023 BUDGET AND SALARY SCHEDULE**

Chief Financial Officer Erin McGrath presented this item recommending that the Board approve revising the Fiscal Year (FY) 2023 Operating and Capital Budgets and the FY 2023 Salary Schedule.

Ms. McGrath stated that the item accomplished the following four things:

- Provided additional funding to account for the Blue & Gold Fleet labor negotiations that were completed after the FY 2023 budget was approved,
- Adjusted WETA salaries commensurate with the cost of living adjustment (COLA) given to the Blue & Gold Fleet crews,
- Upgraded the WETA grants position from Grants Administrator to Grants Manager, and
- Adjusted the capital budget to account for a cash flow error.

Director Intintoli made a motion to adopt Resolution No. 2022-32 approving this item.

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

Vice Chair Moyer seconded the motion, and the item passed unanimously.

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

**12. APPROVE REVISIONS TO THE ADMINISTRATIVE CODE TO CLARIFY THE EXECUTIVE DIRECTOR'S AUTHORITY TO UPDATE AND MAINTAIN THE HUMAN RESOURCES GUIDE**

Mr. Murphy presented this item recommending adopting a resolution approving revisions to the Administrative Code clarifying that the Executive Director has the authority to update and maintain the Human Resources Guide consistent with the policies established by the Board.

Director Alba made a motion to adopt Resolution No. 2022-33 approving this 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. Absent: None.

**13. APPROVE CONTRACT AWARD TO DAKOTA CREEK INDUSTRIES, INC. FOR THE MV PYXIS GENERATOR DIESEL PARTICULATE FILTER DEMONSTRATION PROJECT**

Operations & Maintenance Manager Timothy Hanners presented this item recommending the following actions:

1. Approve contract award to Dakota Creek Industries, Inc. (DCI) for the MV *Pyxis* Diesel Particulate Filter (DPF) Demonstration Project in the amount of \$300,000; and
2. Approve a contract contingency in the amount of \$30,000; and
3. Authorize the Executive Director to negotiate and execute an agreement with DCI and take any other related actions to support this work.

Mr. Hanners noted that DCI was the only respondent, so he had reached out to several yards about their reasons for not responding. The other yards stated that they declined to submit a proposal because this is a high risk project that has never been done before, and the total value of the project is low.

Mr. Hanners stated that DPFs are very effective at reducing particulate matter by up to 85 percent.

Director Alba made a motion to adopt Resolution No. 2022-34 approving this 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. Absent: None.

**14. APPROVE SOLE SOURCE CONTRACT AWARD TO PACIFIC POWER GROUP, LLC FOR MAIN ENGINE PREVENTATIVE MAINTENANCE SERVICES**

Mr. Hanners presented this item recommending the following actions:

1. Approve the award of a Sole Source Contract to Pacific Power Group, LLC (PPG) in the amount of \$1,747,479 for main propulsion engine maintenance services for the MV *Cetus*, *Hydrus*, *Argo*, *Intintoli*, and *Mare Island*; and
2. Approve a contract contingency in the amount of \$87,374; and
3. Authorize the Executive Director to negotiate and execute an agreement with PPG and take any other required actions to support this work.

Mr. Hanners reminded the Board that PPG is the MTU engine authorized dealer on the West Coast to carry out the warranty for repairs and failed equipment as the justification for the sole source. He explained that he had reached out to other companies in similar situations and had reviewed quotes from previous work to determine whether the price is within range and engineer's estimates.

Director Intintoli made a motion to adopt Resolution No. 2022-35 approving this 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. Absent: None.

**15. VALLEJO TERMINAL RECONFIGURATION UPDATE AND AUTHORIZATION TO RELEASE A REQUEST FOR PROPOSAL FOR ENVIRONMENTAL REVIEW AND PERMITTING SERVICES**

Mr. Connolly presented this item recommending authorizing the release of a Request for Proposal (RFP) for environmental review and permitting services for the Vallejo Terminal Reconfiguration Project.

Mr. Connolly credited Senior Planner/Project Manager Chad Mason for coming up with the creative solution and potential design that would be a permanent fix to avoid future dredging costs and service disruption. He shared his presentation including the dredging history, cost, and reconfiguration goals.

Director Intintoli made a motion to approve this item.

**PUBLIC COMMENT**

City of Vallejo Planning and Development Services Director Christina Ratcliffe thanked WETA for reaching out and the early heads up in involving the city. She clarified that the work had not started on the waterfront master plan.

Ms. McGrath stated that funding for dredging came through the federally funded Transit Capital Priorities Program coordinated through the Metropolitan Transportation Commission (MTC).

Vice Chair Moyer seconded the motion, and the item passed unanimously.

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

**16. UPDATE ON FARE COORDINATION AND INTEGRATION STUDY  
INSTITUTIONAL/EMPLOYER PASS PILOT PROGRAM**

Transportation Planner Arthi Krubanandh presented this informational item about the two-year pilot program that went into effect on August 15, 2022.

The pilot will be implemented on Clipper (Clipper BayPass) and will provide unlimited rides on all participating Bay Area transit systems, including WETA. The pilot will be implemented in two phases:

- Phase 1: Focus on four educational institutions namely, UC Berkeley, San Francisco State University, Santa Rosa Junior College, and San Jose State University, and three affordable housing properties on the mid-Peninsula. About 50,000 passes were distributed to select students from these educational institutions and to the residents of the mid-peninsula housing properties. Phase 1 launched on August 15, 2022.
- Phase 2: Extend focus to employers in transit-concentrated locations such as downtown San Jose, San Francisco, and Oakland. This phase is expected to launch in early 2023.

Director Alba commented that with the exception for Sonoma State, only 25 percent of the students at each university will receive the pass and the other 75 percent will have to manage with current pass options. She noted that this program is an opportunity to analyze and assess the impact to ridership and revenue.

**17. 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 2:49 p.m.

- Board Secretary

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