

Members of the Board

James Wunderman, Chair
Monique Moyer, Vice Chair
Jessica Alba
Jeffrey DelBono
Pippin Dew

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

Thursday, October 12, 2023 at 1:00 p.m.

**Port of San Francisco
Pier 1
San Francisco, CA
and**

Videoconference

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AGENDA

1. CALL TO ORDER

2. ROLL CALL/PLEDGE OF ALLEGIANCE

3. REPORT OF BOARD CHAIR

- a. Chair's Verbal Report

Information

4. REPORTS OF DIRECTORS

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.

Information

5. REPORTS OF STAFF

- a. Executive Director's Report on Agency Projects, Activities and Services
i. *Sea Change* Update
ii. Regional Network Management Council
b. Monthly Review of Financial Statements
c. Federal Legislative Update
d. State Legislative Update
e. Monthly Operations, Ridership, and Recovery Report
f. Marketing Update

Information

6. CONSENT CALENDAR

- a. Approve Board Meeting Minutes – September 12, 2023
b. Authorize Pile Removal Agreement with the City of Alameda for the Alameda Main Street Ferry Terminal Refurbishment Project
c. Authorize Release of a Request for Proposals for the MV *Dorado* Jet Work and Drydock

Action

**Water Emergency Transportation Authority
October 12, 2023 Meeting of the Board of Directors**

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 7. <u>AUTHORIZE AGREEMENT WITH UBER FOR ALAMEDA MAIN STREET
TERMINAL RIDESHARE PROGRAM</u> | Action |
| 8. <u>ADOPT FARES FOR TEMPORARY SERVICE BETWEEN MISSION BAY AND
SOUTH SAN FRANCISCO</u> | Action |
| 9. <u>AUTHORIZE THE FILING OF AN APPLICATION WITH THE METROPOLITAN
TRANSPORTATION COMMISSION FOR \$700,000 IN REGIONAL MEASURE 3
CAPITAL FUNDS</u> | Action |
| 10. <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.

PUBLIC COMMENTS WETA welcomes comments from the public.

If you know in advance that you would like to make a public comment during the meeting, 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. Comments will also be accepted in real time. 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 request to: contactus@watertransit.org 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 3
REPORT OF BOARD CHAIR

AGENDA ITEM 4
REPORTS OF DIRECTORS

NO MATERIALS

TO: WETA Board Members

FROM: Seamus Murphy, Executive Director

DATE: October 12, 2023

RE: Executive Director's Report

Sea Change Hydrogen Vessel Demonstration Project

The *Sea Change* is operating after undergoing a series of repairs to some of the non-fuel cell systems onboard. Sea trials with the Coast Guard have resumed. Crew training will need to be completed and the vessel will need to be refueled at least three more times before being certified to operate.

Text Message and Email Service Alerts

On September 28 staff launched a new real-time text message and email service alert system. The service, provided by SimplifyTransit, allows passengers to subscribe to targeted alerts based on the routes, days and times they ride San Francisco Bay Ferry. The automated service uses the alert feed provided through the Swiftly real-time transit information system implemented in 2022. The text message and email alert service requires no additional work from Blue & Gold Fleet's dispatch team.

Text message alerts were a top request from passengers in WETA's most recent customer experience survey, executed in Spring 2023. The new service was announced via a press release and onboard graphic on September 28. Passenger communications to ensure riders are aware of its availability are ongoing.

Rosie Ride

On Saturday, September 16, as a part of Transit Month, WETA participated in the inaugural Rosie Ride. The event was a partnership between the Transbay Coalition, WETA, the Rosie the Riveter WWII Home Front National Historical Park (NHP), Rosie the Riveter Trust, the Columbia Sportswear Employee Store, and Assemble Marketplace. More than 70 participants rode the ferry from San Francisco to Richmond to experience the NHP's museum near the Richmond terminal. The partners are working to promote this itinerary and other travel on the ferries focused on East Bay destinations.

Ferry Rider Appreciation Day

WETA held its first ever Ferry Rider Appreciation Day on Thursday, September 28, as a part of Transit Month. Staff and the agency's community outreach consultant Next Steps Marketing celebrated passengers with promotional giveaways, games and activities at the Downtown San Francisco Ferry Terminal during the afternoon peak period.

Transit GM Ride Along Event

Transit month activities concluded with WETA's participation in a joint transit agency ride-along event hosted by Caltrain. WETA was joined by executives from a dozen other operators. The event was a great opportunity to connect with riders and promote Bay Area transit services to a broader audience. This was the third ride-along event organized by Bay Area operators. The first event concluded with a ride on San Francisco Bay Ferry to Jack London Square.

Regional Network Management (RNM) Council

The RNM Council is an outcome of the region's efforts to create a more integrated, seamless transit network. WETA was named to the council as one of three members representing the region's small operators. The Council is staffed by the Metropolitan Transportation Commission and will begin meeting

in November, and is tasked with developing plans for near-term and long-term implementation of strategies identified in the Regional Transformation Action Plan.

Bay Ferry VI Exercise

Bay Ferry VI, a regional active threat full-scale exercise took place September 18-21. WETA and Blue and Gold Fleet have worked over the last nine months with the Golden Gate Bridge, Highway and Transportation District (GGBHTD), U.S. Coast Guard to plan and coordinate this exercise. WETA staff and crews participated in 3 of the 4 exercise days and provided a vessel on Wednesday September 20 and Thursday September 21 to practice response to an active threat while underway and a mass casualty incident. The exercise was widely attended with 51 participating agencies, 619 personnel and 39 law enforcement/US Coast Guard vessels over the 4 days. Golden Gate Ferry is producing a short video with highlights from the exercise which will be shared with the Board at the November board meeting, along with a more in-depth overview and lessons learned.

San Francisco Fleet Week Defense Support of Civil Authorities Exercise

WETA participated in the annual Defense Support of Civil Authorities (DSCA) exercise on Monday October 2 that is a part of the San Francisco Fleet Week menu of events. DSCA is the process by which United States military assets and personnel can be used to assist in missions normally carried out by civil authorities. The focus for the 2023 DSCA exercise was interoperability of communications among the various systems used by local, state and federal agencies. WETA was able to confirm direct communications on our back up radio systems with several federal, state and local agencies. The Department of Defense (DOD) and San Francisco Department of Emergency Management were able to figure out a process for federal radios to patch into the local radio network for first responders. This is a notable lesson learned as this is the first time a patch was developed for federal agencies to use their own radios to communicate on a local first responder radio network. The DOD will be disseminating information on this radio patch to regions across the country.

Marine Log's Top Women in Maritime for 2023

Lauren Gularte, WETA's Government & Regulatory Affairs Manager, was selected out of a pool of 200 nominees as one of Marine Log magazine's top 20 women in maritime for 2023. Lauren has worked over the last couple years to build a broad and diverse coalition of supporters and to re-invigorate, expand and formalize the Public Ferry Coalition, a nationwide consortium of public ferry operators working to coordinate on federal advocacy, administrative and operational issues. We are excited that Lauren was recognized for this important work and look forward to the December issue of Marine Log.

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Erin McGrath, Chief Financial Officer

SUBJECT: Review of FY 2023/24 Financial Statements Ending August 31, 2023

Recommendation

There is no recommendation associated with this informational item.

Financial Statements Summary

This report provides a summary of financial activity for the first two months of the Fiscal Year. Actual revenue and expense are reflected as of August 31 against the Fiscal Year 2023/24 approved budget. Revenue and expense to date for operations is \$9.3 million. The summary table below shows the high-level comparison, with 17% of the fiscal year completed.

Operating Budget vs. Actual	Year - To - Date		Annual	
	FY2022/23 Actual	FY2023/24 Actual	FY2023/24 Approved Budget	% of FY 2023/24 Budget
	Prior YTD	Current YTD		
Revenue:				
Fare Revenue	\$ 2,120,565	\$ 2,539,052	\$ 12,757,159	20%
Federal - COVID-19 Relief Funds	4,276,317	4,500,129	20,214,365	22%
Bridge Toll Revenues	2,393,427	1,603,872	25,759,450	6%
State Operating Assistance	-	-	3,238,254	0%
Contra Costa Measure J	618,221	626,950	3,761,720	17%
Other Revenue	6,000	57,817	2,696,074	2%
Total Operating Revenues	\$ 9,414,530	9,327,819.99	\$ 68,427,022	14%
Expense:				
Ferry Services (all)	\$ 9,008,066	\$ 8,842,040	\$ 64,481,828	14%
Planning & Administration	406,464	485,780	3,945,194	12%
Total Operatings Expenses	\$ 9,414,530	\$ 9,327,820	\$ 68,427,022	14%
Farebox Recovery % (Regular Service)	24%	29%		

Capital Budget expenses, as shown below, are \$5.2 million for the year. In the coming months, significant expense is anticipated related to the Main Street Terminal project, delivery of the Delphinus and major electrification-related contracts.

Capital Budget vs. Actual	FY2023/24 Actual Current YTD	FY2023/24 Approved Budget	% of FY 2023/24 Budget
Revenue:			
Federal Funds	\$3,332,281	\$33,327,627	10%
State Funds	976,911	19,291,217	5%
Bridge Toll Revenues	676,232	20,017,064	3%
Other Revenues	180,870	2,439,004	7%
Total Capital Revenues	\$5,166,293	\$75,074,912	7%
Expense:			
Total Capital Expenses	\$5,166,293	\$75,074,912	7%

The financial reports attached show the more detailed operating, administrative, and capital activity for the month of August, year-to-date amounts against budget for the fiscal year, and historical comparisons of operating expense against the prior year.

Investment Report

In order to comply with Government Code § 53607, this report contains the monthly balances held in both the Local Agency Investment Fund (LAIF) and our commercial bank. The total balance in these two institutions is \$19,377,492.

Fiscal Impact

There is no fiscal impact associated with this informational item.

END

San Francisco Bay Area Water Emergency Transportation Authority
FY 2022-23 Operating & Administration Revenue and Expense
Through the Month Ending 08/31/23

% of Year Elapsed

17%

	Aug-23 Actual	Year - To - Date		Total FY2023-24 Budget	Total Budget
		FY2022-23 Actual	FY2023-24 Actual		
OPERATING EXPENSE					
FERRY OPERATIONS:					
Harbor Bay Ferry Service (AHBF)					
Vessel Crew Labor	\$127,702	\$235,234	276,775	\$1,825,501	15%
Vessel Fuel	104,553	\$222,111	164,763	1,087,800	15%
Vessel Operations & Maintenance	32,304	\$66,076	50,647	830,241	6%
Facility Operations & Maintenance	58,863	\$119,474	110,038	798,286	14%
System Expense	60,276	\$116,616	123,688	1,008,100	12%
Total Harbor Bay	\$383,699	\$759,510	\$725,910	\$5,549,929	13%
Farebox Recovery - AHBF	24%	16%	23%	15%	
Alameda/Oakland Ferry Service (AOFS)					
Vessel Crew Labor	\$306,485	\$688,644	\$720,575	\$4,381,204	16%
Vessel Fuel	298,723	\$576,670	519,491	2,952,600	18%
Vessel Operations & Maintenance	60,189	\$175,267	93,349	1,169,544	8%
Facility Operations & Maintenance	150,937	\$334,827	285,706	2,056,349	14%
System Expense	172,901	\$340,334	355,431	2,545,914	14%
Total Alameda/Oakland	\$989,235	\$2,115,742	\$1,974,552	\$13,105,611	15%
Farebox Recovery - AOFS	36%	29%	38%	26%	
Vallejo Ferry Service (Vallejo)					
Vessel Crew Labor	\$344,796	\$789,439	\$808,577	\$4,928,854	16%
Vessel Fuel	627,318	\$1,316,282	1,098,959	\$7,148,400	15%
Vessel Operations & Maintenance	148,553	\$161,844	203,133	\$1,290,015	16%
Facility Operations & Maintenance	254,371	\$577,001	609,412	4,687,016	13%
System Expense	205,431	\$378,180	412,187	3,141,546	13%
Total Vallejo	\$1,580,469	\$3,222,746	\$3,132,267	\$21,195,831	15%
Farebox Recovery - Vallejo	35%	32%	36%	28%	
South San Francisco Ferry Service (SSF)					
Vessel Crew Labor	\$114,932	\$172,506	\$264,004	\$1,642,951	16%
Vessel Fuel	89,617	\$162,942	139,791	777,000	18%
Vessel Operations & Maintenance	33,814	\$56,533	54,538	929,482	6%
Facility Operations & Maintenance	58,700	\$123,715	110,417	761,156	15%
System Expense	38,692	\$67,243	83,345	860,610	10%
Total South San Francisco	\$335,754	\$582,939	\$652,095	\$4,971,200	13%
Farebox Recovery - SSF	9%	6%	9%	6%	
Richmond Ferry Service (Richmond)					
Vessel Crew Labor	\$229,864	\$555,714	\$528,009	\$3,285,903	16%
Vessel Fuel	224,042	\$414,183	344,461	2,175,600	16%
Vessel Operations & Maintenance	46,340	\$85,188	71,941	1,136,367	6%
Facility Operations & Maintenance	138,055	\$231,302	252,288	1,720,952	15%
System Expense	89,603	\$154,529	195,807	1,898,232	10%
Total Richmond	\$727,903	\$1,440,915	\$1,392,506	\$10,217,053	14%
Farebox Recovery - Richmond	14%	10%	14%	10%	

(continued on next page)

San Francisco Bay Area Water Emergency Transportation Authority
FY 2022-23 Operating & Administration Revenue and Expense
Through the Month Ending 08/31/23

% of Year Elapsed

17%

	Aug-23 Actual	Year - To - Date		Total FY2023-24 Budget	Total Budget
		FY2022-23 Actual	FY2023-24 Actual		
OPERATING EXPENSE (continued)					
Seaplane Lagoon Ferry Service (SPL)					
Vessel Crew Labor	\$153,242	\$275,750	\$335,442	\$2,190,602	15%
Vessel Fuel	149,361	\$266,260	229,641	1,398,600	16%
Vessel Operations & Maintenance	29,814	\$90,294	48,152	745,262	6%
Facility Operations & Maintenance	79,438	\$115,883	147,132	1,018,718	14%
System Expense	78,776	\$138,027	155,576	1,351,283	12%
Total Seaplane Lagoon Farebox Recovery - SPL	\$490,632	\$886,214	\$915,943	\$6,704,465	14%
	27%	19%	26%	18%	
Sub-Total Ferry Operations (Ongoing Service)	\$4,507,692	\$9,008,066	\$8,793,273	\$61,744,087	14%
Farebox Recovery	28%	24%	29%	21%	
Hydrogen Demostration Project (Sea Change)	\$12,022	-	\$ 48,767	\$1,737,741	3%
Oakland Estuary Demonstration Project		N/A	-	\$1,000,000	0%
Subtotal Ferry Operations (All)	\$4,519,714	\$9,008,066	\$8,842,040	\$64,481,828	14%
PLANNING & ADMINISTRATION:					
Wages and Fringe Benefits	\$161,677	\$308,414	\$337,437	\$2,437,349	14%
Professional & Other Services	146,289	187,437	205,805	2,046,600	10%
Information Tech., Office, Supplies	711	15,135	1,438	148,800	1%
Utilities/Communications	1,465	2,243	3,018	31,700	10%
Insurance	1,929	5,169	5,389	25,508	21%
Dues, Memberships, Misc.	18,513	14,834	27,580	123,440	22%
Leases and Rentals	20,794	39,994	42,046	267,040	16%
Admin Overhead Expense Transfer	(66,705)	(166,761)	(136,934)	(1,135,242)	12%
Sub-Total Planning & Gen Admin	\$284,672	\$406,464	\$485,780	\$3,945,194	12%
Total Operating Expense	\$4,804,386	\$9,414,530	\$9,327,820	\$68,427,022	14%
OPERATING REVENUE					
Fare Revenue	\$1,271,369	\$2,120,565	\$2,539,052	\$12,757,159	20%
Federal Operating Assistance	2,164,011	4,276,317	4,500,129	20,214,365	22%
Regional - Bridge Toll	1,037,365	2,393,427	1,603,872	25,759,450	6%
State Operating Assistance	-	N/A	-	3,238,254	0%
Regional - Contra Costa Measure J	313,473	618,221	626,950	3,761,720	17%
Other Revenue	18,168	\$6,000	57,817	2,696,074	2%
Total Operating Revenue	\$4,804,386	\$9,414,530	\$9,327,820	\$68,427,022	14%

San Francisco Bay Area Water Emergency Transportation Authority
FY 2023/24 Capital Revenue and Expense
Through the Month Ending 08/31/23

Project Description	Aug-23 Total	Total Project Budget	Prior Year Expense	Total FY2023/24 Budget	Year-To-Date FY2023/24 Actual	Total Future Year	% of Total Project Budget
CAPITAL EXPENSES:							
<u>FACILITIES:</u>							
Electrification							
Zero Emission Float Electrification	\$ 6,578	\$ 15,055,880	\$ 276,292	\$ 13,007,000	\$ 6,578	\$ 1,772,588	2%
Shoreside Electrical Initiative (Planning Phase)		2,541,685		2,417,000	-	124,685	0%
Terminal Improvement							
Terminal Rehabilitation - Alameda Main Street	60,461	9,760,000	1,779,132	5,077,002	892,341	2,903,866	27%
Passenger Float Rehabilitation - South San Francisco		908,500	601,192	190,250	-	117,058	66%
Terminal Dredging - Vallejo	79,658	2,842,000	-	2,842,000	81,784	-	3%
Terminal Reconfiguration - Vallejo	21,325	16,696,000	62,059	440,117	28,198	16,193,824	1%
Central Bay Terminal Expansion		1,849,000	937	550,000	-	1,298,063	0%
Passenger Float Rehabilitation - Pier 9		1,362,000	-	1,362,000	-	-	0%
Mission Bay Ferry Landing Project		6,000,000	-	6,000,000	-	-	0%
Berkeley Pier/Ferry Project		3,000,000	-	3,000,000	-	-	0%
Oakland Expansion Feasibility		900,000	-	900,000	-	-	0%
Temporary Floats (emergency)		445,000	-	445,000	-	-	0%
<u>FERRY VESSELS:</u>							
Vessel Construction							
New Commuter Class High-Speed Vessels - (Two)	15,796	30,115,000	26,449,977	2,557,000	908,009	1,108,023	91%
All Electric Expansion Small Vessels	13,636	13,250,450	106,893	2,000,000	13,636	11,143,557	1%
Replacement Vessels - MV Bay Breeze and Solano	688,318	37,902,400	11,652,246	7,359,400	2,495,191	18,890,754	37%
Replacement Vessel - MV Intintoli	11,708	26,446,700	377,522	7,370,000	25,355	18,699,178	2%
Replacement Vessel - MV Mare Island	1,421	26,500,000	-	4,120,000	7,719	22,380,000	0%
Vessel Acquisition - 28' Workboat		240,000	-	240,000	-	-	0%
Vessel Rehabilitation and Refurbishment							
Vessel Engines Conversion - Gemini Class Vessels **	44,286	N/A**	-	N/A**	44,286	-	0%
Vessel Engines Overhaul - MV Hydrus**		N/A**	-	N/A**	202,199	-	0%
Vessel Mid-Life Refurbishment - MV Gemini		4,488,000	-	4,488,000	-	-	0%
Vessel Waterjet System Upgrade - Pyxis Class Vessels		700,000	-	350,000	-	350,000	0%
Vessel Mid-Life Refurbishment & Engine Overhaul - MV Pisces	5,629	4,679,000	-	4,354,000	8,381	325,000	0%
Vessel Quarter Life Refurbishment - MV Hydrus		2,252,000	-	238,700	-	2,013,300	0%
Engine Overhauls - FY22/FY23	-	2,235,000	907,191	1,129,943	-	197,867	41%
Engine Overhauls - FY24	445,373	2,010,000	-	1,900,000	445,373	110,000	22%
Major Waterjet Projects	3,902	1,404,500	-	1,404,500	7,242	-	1%
Spare Parts	-	1,333,000	-	1,333,000	-	-	0%
Total Capital Expenses	\$1,398,090	\$214,916,115	\$42,213,440	\$75,074,912	\$5,166,293	\$97,627,762	
CAPITAL REVENUES:							
Federal Funds	\$1,036,989	\$112,540,737	\$12,109,513	\$33,327,627	\$3,332,281	\$67,103,597	14%
State Funds	80,707	54,168,310	22,276,784	19,291,217	976,911	12,600,309	43%
Regional - Bridge Toll	265,900	42,878,054	6,626,505	20,017,064	676,232	16,234,485	17%
Local	14,494	5,329,014	1,200,638	2,439,004	180,870	1,689,372	26%
Total Capital Revenues	\$1,398,090	\$214,916,115	\$42,213,440	\$75,074,912	\$5,166,293	\$97,627,763	

** Retention Payment from Authorized FY23 Project Occuring after Close of FY23

San Francisco Bay Area Water Emergency Transportation Authority
August 31, 2023 Investment Report

	Aug-23
Bank of America (Checking)	\$ 799,819
Bank of America (Prop 1B)	902,951
Bank of America (Measure B/BB)	8,175,407
Local Agency Investment Fund (LAIF)	9,499,315
Total	\$19,377,492

TO: WETA Board Members

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

SUBJECT: WETA Federal Legislative Board Report – October, 2023

This report covers the following topics:

- Congress Avoids Shutdown but Sets Up Another Clash in November
- Advocating for Funding through the FTA Ferry Grant Program

Congress Avoids Shutdown but Sets Up Another Clash in November

With only hours to spare before federal government agencies ran out of funding, House and Senate leaders came to agreement on September 30th on a 45-day continuing resolution (CR) to keep the government operating beyond the end of the fiscal year. While this agreement ensured that the government didn't shut down on October 1st, it did not resolve the underlying differences between the House and Senate (more on this below). Instead, the CR set up another possible shutdown risk just before Thanksgiving, especially given that the CR did not address one of the most challenging issues that Congress must contend with, which is funding to support Ukrainian forces in their war against Russia.

Although a new deadline has been set, we believe it is unlikely that Congress can send all 12 appropriations bills to the President by the time the current CR expires on November 17th. As noted in our last report, we are hoping Congress can complete work on the FY24 appropriations process by the end of the calendar year, but that is by no means guaranteed. If Congress is unable to pass all 12 appropriations bills by December 31, there will be an automatic 1% across-the-board cut that was put in place as part of the legislation that Congress passed earlier this year to raise the nation's borrowing limit. This mandated cut is intended to provide additional motivation to Congress to complete the appropriations process this calendar year.

A fundamental issue that Congressional leaders must overcome is the fact that the House and Senate don't agree on overall funding levels for the 12 appropriations bills that fund the federal government. The agreement that was struck to increase the federal government's borrowing limit set a top-line funding number for the federal government for FY24. While the Senate is adhering to that agreement, the House decided to implement further cuts. The fact that neither side seems to be inclined to move from their position leads us to believe that a full-year CR is a possibility, even with the threat of a 1% across-the-board cut on January 1st.

If Congress is unable to come to an agreement on the 12 appropriations bills for FY24 and instead funds federal government agencies through a full-year CR, all earmarks

would be struck from the bill, including the \$3 million that was included in the FY24 House Transportation-HUD Appropriations for WETA to reconfigure the Vallejo Ferry Terminal

It is not at all clear how the uncertainty around the House Speaker will affect the politics associated with the FY24 appropriations process.

Advocating for Funding through the FTA Ferry Grant Program

We are continuing to advocate for the funding that WETA is seeking through the 5307(h) Passenger Ferry Grant Program and have asked members of the Bay Area Congressional delegation to reinforce some key points to FTA, including:

- WETA's FY22 application scored very high and we received very positive feedback in our debrief.
- California received minimal funding through the FTA ferry programs in FY22.
- FTA says that geographical equity is a consideration – that being the case, given that CA was mostly shut out in FY22, and because Alaska and Maine received so much funding in FY22, we hope that FTA uses FY23 to provide some “balance”.

With respect to the third bullet point, of \$384.4 million total funding in FY22:

- \$285,666,567 went to Alaska (74.3%).
- \$32,991,474 went to Maine (8.6%).
- \$5,000,000 went to California (1.3%).

FTA has not indicated when it will announce awards for FY23

Respectfully Submitted,
Peter Friedmann and Ray Bucheger



1415 L Street
Suite 1000
Sacramento
CA, 95814
916-446-4656

October 3, 2023

TO: Board of Directors - San Francisco Bay Area Water Emergency Transportation Authority

FM: Matt Robinson, Partner
Michael Pimentel, Legislative Advocate

RE: **STATE LEGISLATIVE UPDATE – October 2023**

General Update

The Legislature adjourned the first year of the two-year 2023-24 Legislative Session for its interim recess on September 14. The Governor has until October 14 to act on any bills sent to his desk in the final weeks of the session. In the first year of the Session, the Legislature sent Governor Newsom approximately 800 bills. The Legislature will be on recess for just under four months, returning to Sacramento on January 3. As you may be aware, several bills introduced this year were made two-years bills by their authors or by committees. These bills can move in 2024 and any two-year bills that have not cleared their house of origin will have to move within the first month of the new year.

Update on SB 125 Implementation

As you know, the FY 2023-24 Budget Act included [SB 125 \(Committee on Budget and Fiscal Review\)](#), which imposes new accountability and reform requirements on regions and their transit agencies to access the \$5.1 billion in funds authorized under AB 102 (Committee on Budget). SB 125 requires the California State Transportation Agency (CalSTA) to adopt final guidelines by September 30 that provide greater structure and specificity to these accountability and reform requirements.

On September 29, following a month of public review and comment, CalSTA adopted [final SB 125 guidelines](#). These guidelines will govern access to the General Fund-supported Transit and Intercity Rail Capital Program and Zero-Emission Transit Capital Program. AB 102 appropriated \$4 billion in General Fund support to the TIRCP over the next two fiscal years as well as \$1.1 billion in Greenhouse Gas Reduction Fund and Public Transportation Account support to the Zero-Emission Transit Capital Program (ZETCP) over the next four years. Of these amounts, the Metropolitan Transportation Commission is estimated to receive \$1.2 billion for suballocation to transit agencies in its jurisdiction.

Governor Newsom Appoints Laphonza Butler to Complete Senator Feinstein's Term in U.S. Senate

On October 1, Governor Gavin Newsom announced the selection of Laphonza Butler to complete the United States Senate term of the late Senator Dianne Feinstein, which runs through 2024.

With her selection to the Senate, Butler will step down from her current role as president of EMILY's List. Prior to joining EMILY's List, Butler ran political campaigns and led strategy efforts for numerous companies, organizations, and elected leaders — including for Vice President Kamala Harris and Secretary of State Hillary Clinton.

Butler also has a distinguished history as a labor leader. She served as the president of the largest labor union in California — SEIU Local 2015; president of SEIU United Long Term Care Workers; SEIU's Property Services Division Director; SEIU International Vice President; and president of the SEIU California State Council.

Butler was the former director of the Board of Governors of the Los Angeles branch of the Federal Reserve System. In 2018, she was appointed to the University of California Board of Regents by Governor Jerry Brown, where she served until 2021. She served in various other roles, including as a board member for the National Children's Defense Fund, BLACK PAC, and the Bay Area Economic Council Institute, and as a fellow for the MIT Community Innovators Lab.

Constitutional Amendments Approved by Legislature

Two constitutional amendments that would significantly restructure the vote thresholds for local measures and measures attempting to increase vote thresholds passed the Assembly and Senate in the final days of the Legislative Session. Each of the measures required a two-thirds vote from each house to move to the ballot. Both measures will likely head to the November 2024 General Election ballot. ACA 1 would lower the voter threshold for local taxes for specific public infrastructure project categories (including projects that make "improvements to transit and streets and highways"), as well as for affordable housing, from a 2/3 to a 55% threshold. ACA 13 would establish the same voter threshold for higher threshold changes, requiring constitutional amendments that aim to *increase* voter approval to be approved by voters at the same threshold the measure is looking to implement.

Taxpayer Protection and Government Accountability Act

On February 2, Secretary of State Shirley Weber announced the proposed Initiative Constitutional Amendment, known as [the Taxpayer Protection and Government Accountability Act](#), is eligible for the November 5, 2024 ballot. This is significant to state and local governments due to its broad implications for raising local revenues. The proposal would adversely limit the ability of voters and state and local governments to raise revenues for government services. The Taxpayer Protection and Government Accountability Act states, "for new or increased state taxes currently enacted by a two-thirds vote of the Legislature, they will also require a statewide election and majority voter approval. This proposal limits voters' ability to pass voter-proposed local special taxes by raising the vote requirement to two-thirds. It also eliminates voters' ability to advise how to spend revenues from a proposed general tax on the same ballot as the proposed tax. Furthermore, this proposal expands the definition of "taxes" to include certain regulatory fees, broadening the application of tax approval requirements. Lastly, the proposal also would require the Legislature or a local governing body set certain other fees.

The [sponsors and supporters](#) of this measure, which include the California Business Roundtable, California Business Properties Association, and the Howard Jarvis Taxpayers Association, are pushing this effort largely in response to [recent court decisions](#) (beginning with Upland), which allow local tax measures placed on the ballot through the initiative (signature gathering) process to pass with a

majority vote (Note: Sacramento endeavored to pass their recent transportation sales tax measure (Measure A) using this process, but the measure ultimately failed). Recently, it was reported that Governor Newsom and state lawmakers filed a lawsuit challenging the validity of the proposed initiative, arguing it violates the state's constitution by fundamentally restructuring the state's balance of power.

Legislation of Interest

SB 273 (Wiener) Tidelands and submerged lands: City and County of San Francisco. (SUPPORT)

Existing law grants to the City and County of San Francisco rights to certain tidelands and submerged lands and establishes the San Francisco Bay Conservation and Development Commission. Under existing law, the State Lands Commission is authorized to approve a mixed-use development on the San Francisco waterfront at Piers 30-32, which would include a multipurpose venue for events and public assembly. This bill would revise those provisions to instead authorize the State Lands Commission to approve a mixed-use development that includes general office use and general retail use. **This bill is on the Governor's desk.**

SB 537 (Becker) Open Meetings: Multijurisdictional, Cross-County Agencies: Teleconferences.

The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance and the number of public comments on its internet website within 7 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The bill would require the legislative body to identify in the agenda each member who plans to participate remotely and to include the address of the publicly accessible building from each member will participate via teleconference. The bill would prohibit a member from participating remotely pursuant to these provisions unless the remote location is the member's office or another location in a publicly accessible building and is more than 40 miles from the location of the in-person meeting. The bill would repeal these alternative teleconferencing provisions on January 1, 2028. **This is a two-year bill.**

AB 321 (Wilson) Sales and Use Tax Exemptions: Zero-Emission Public Transportation Ferries. (SPONSOR)

This bill would until January 1, 2034, exempt from those taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, zero-emission public transportation ferries. **This bill was held in the Assembly Appropriations Committee.**

AB 463 (Hart) Electricity: Prioritization of Service: Public Transit Vehicles. (SUPPORT)

This bill would provide transit agencies with priority access to electricity when facing grid disruptions caused by natural or man-made disasters, rolling blackouts, utility company "Public Safety Power Shutoffs" (PSPS), and increasing demand on California's electrical grid. **This bill was held in the Assembly Appropriations Committee.**

AB 557 (Hart) Open Meetings: Local Agencies: Teleconferences.

Beginning on January 1, 2024, this bill would extend the existing teleconferencing/remote-meeting authority that can be used when a declared state of emergency is in effect and would also extend the

period for a legislative body to make the required findings related to the continuing state of emergency and social distancing from 30 days to 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet. **This bill is on the Governor's desk.**

AB 610 (Holden) Youth Transit Pass Pilot Program: Free Youth Transit Passes.

This bill would create the Youth Transit Pass Pilot Program for the purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free youth transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes, and administering and participating in the program. The bill would authorize a transit agency to submit a grant application in partnership with one or more educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare free program. **This is a two-year bill.**

AB 761 (Friedman) Transit Transformation Task Force.

This bill would require the Secretary of the California State Transportation Agency, on or before July 1, 2024, to establish and convene the Transit Transformation Task Force to include representatives from the department, the Controller's office, various local agencies, academic institutions, nongovernmental organizations, and other stakeholders. The bill would require the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit ridership and improve the transit experience for all users of those services. The bill would require the secretary, in consultation with the task force, to prepare and submit a report of findings based on the task force's efforts to the appropriate policy and fiscal committees of the Legislature on or before January 1, 2025. **This bill was incorporated into SB 125 (Committee on Budget and Fiscal Review).**

AB 1379 (Papan) Open Meetings: Local Agencies: Teleconferences.

This bill also provides a broad interpretation of the Brown Act for all legislative bodies to participate in meetings via teleconferencing outside of a declared state of emergency without posting the physical location of members or requiring a quorum to be present at a meeting location but would require a local agency to have a physical meeting location open to the public and follow certain notification procedures and meeting procedures. **This is a two-year bill.**

ACA 1 (Aguiar-Curry) Lower-Vote Threshold.

This measure would authorize a local government, including a special district, to impose, extend, or increase a sales and use tax or transactions and use tax imposed, or a parcel tax, for the purpose of funding the construction, rehabilitation, or replacement of public infrastructure, defined to include improvements to transit and streets and highways and projects for the protection of property from the impacts of sea level rise, as well as for affordable housing, if the proposition proposing that tax is approved by 55% of its voters. **This measure was approved by the Legislature and will appear on the November 2024 ballot.**

ACA 13 (Ward) Higher-Vote Threshold to Change Local Funding Thresholds

This measure would require an initiative constitutional amendment to comply with any increased voter approval threshold that it seeks to impose on future ballot measures. Guarantees in the state constitution the ability of local governments to submit advisory questions to voters. Specifically, this measure: 1) Provides that an initiative measure that includes one or more provisions that amend the

California Constitution, and that increases the voter approval requirement to adopt any state or local measure, must receive a proportion of votes in favor of the initiative that is equal to or greater than the highest voter approval requirement imposed by the initiative for the adoption of a state or local measure. 2) Permits a local governing body, at any election, to hold an advisory vote concerning any issue of governance for the purpose of allowing voters within the local jurisdiction to voice their opinions on the issue. Provides that an advisory question is approved only if a majority of the votes cast on the question are in favor. Provides that the results of the advisory vote are not controlling on the local governing body. ***This measure was approved by the Legislature and may appear on the November ballot.***

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Kevin Connolly, Planning & Development Manager
Timothy Hanners, Maintenance & Operations Manager
Gabriel Chan, Transportation Planner
Joseph Ramey, Operations Analyst

SUBJECT: Monthly Operations, Ridership, and Recovery Report – October 2023

Background
Operations

Following the implementation of the new Swiftly system for ridership and service operations data in January 2023, staff are now able to develop accurate and real-time on-time performance and reliability reports.

The following metrics are included in this report:

- **On-Time Trips:** Trips arriving early, on-time, or less than five minutes after the scheduled arrival time.
- **Late Trips:** Trips arriving five minutes or more past the scheduled arrival time.
- **Cancelled Trips:** Cancelled trips not replaced by a substitute (backup) vessel.
- **On-Time Performance (OTP):** The percentage of total trips that arrived early, on-time, or less than five minutes after the scheduled arrival time.
- **Service Reliability:** The percentage of scheduled trips that were operated, after adjusting for trips cancelled.

In addition, staff will compare on-time performance and service reliability metrics of other ferry operators to those of WETA moving forward. On-time performance and reliability data will be sought from the following public ferry operators:

- Golden Gate Ferry
- Washington State Ferries
- Kitsap Transit
- Staten Island Ferry
- NYC Ferry
- Massachusetts Bay Transportation Authority (MBTA) Ferry

This component of the monthly report will also inform potential initiatives that staff can pursue to improve on-time performance and reliability along with input from the Board and others.

Ridership Recovery

The WETA Pandemic Recovery Plan (Plan) began on July 1, 2021 with the enhancement of the Vallejo, Oakland & Alameda, and Richmond routes, the restart of the suspended Harbor Bay route, and the launch of the new Alameda Seaplane route. The following weekend also marked the relaunch of weekend service on the Vallejo, Oakland & Alameda, and Richmond routes. WETA relaunched the South San Francisco service in November 2021.

The Plan enhanced service during midday and weekend periods to reflect changing demands from regular commuters and recreational riders. Lower fares, more in line with parallel transit options such as BART or Transbay buses, is an additional feature of the Plan. This report provides a monthly update on ridership trends, comparisons to historical data and other regional transit operators, as well as upcoming service adjustments.

Discussion

Operations

Highlights:

- Overall, WETA's on-time performance and service reliability remains consistently high from month-to-month.
- Year-to-date **on-time performance** for January to September 2023 averaged 97.0% systemwide. On-time performance for September averaged 96.8%, a slight increase compared to August on-time performance of 95.1%.
- On-time performance is generally consistent for weekends and weekdays, and across routes, with minor variations from month-to-month.
- Year-to-date **service reliability** for January through September 2023 averaged 99.3% systemwide, with less than 1% of total scheduled trips cancelled. Service reliability for September averaged 99.8%, a slight increase compared to August service reliability of 99.6%.
- There was a total of 253 trip segments cancelled over the period January to September 2023 compared to 37,855 trip segments provided over this period.
- WETA has similar, if not higher, levels of on-time performance and reliability compared to other public ferry operators analyzed. WETA's year-to-date on-time performance through July 2023 averaged 97% compared to 93% for other selected public ferry operators considered in this report (August 2023 data will be included in the November 2023 Board report). WETA's average year-to-date reliability performance was similar to the average for the other public ferry operators analyzed, both averaging roughly 99%.

Ridership Recovery

Overall, ridership continues to trend up year-over-year. Summer 2023 saw even higher ridership compared to 2022 with large weekend crowds for major events driving the ridership surge. Weekday ridership has slipped as we enter the fall months with Tuesdays, Wednesdays, and Thursdays remaining the strongest weekday ridership days. Weekend ridership remains strong and near pre-pandemic levels.

Highlights:

- WETA continues to outperform other regional transit operators in pandemic ridership recovery.
- Fiscal year to date ridership remains slightly above the cumulative ridership budget projection.
- Ridership has slipped with weekdays underperforming expectations.
- South SF ridership has remained stagnant since March.

Recommendations

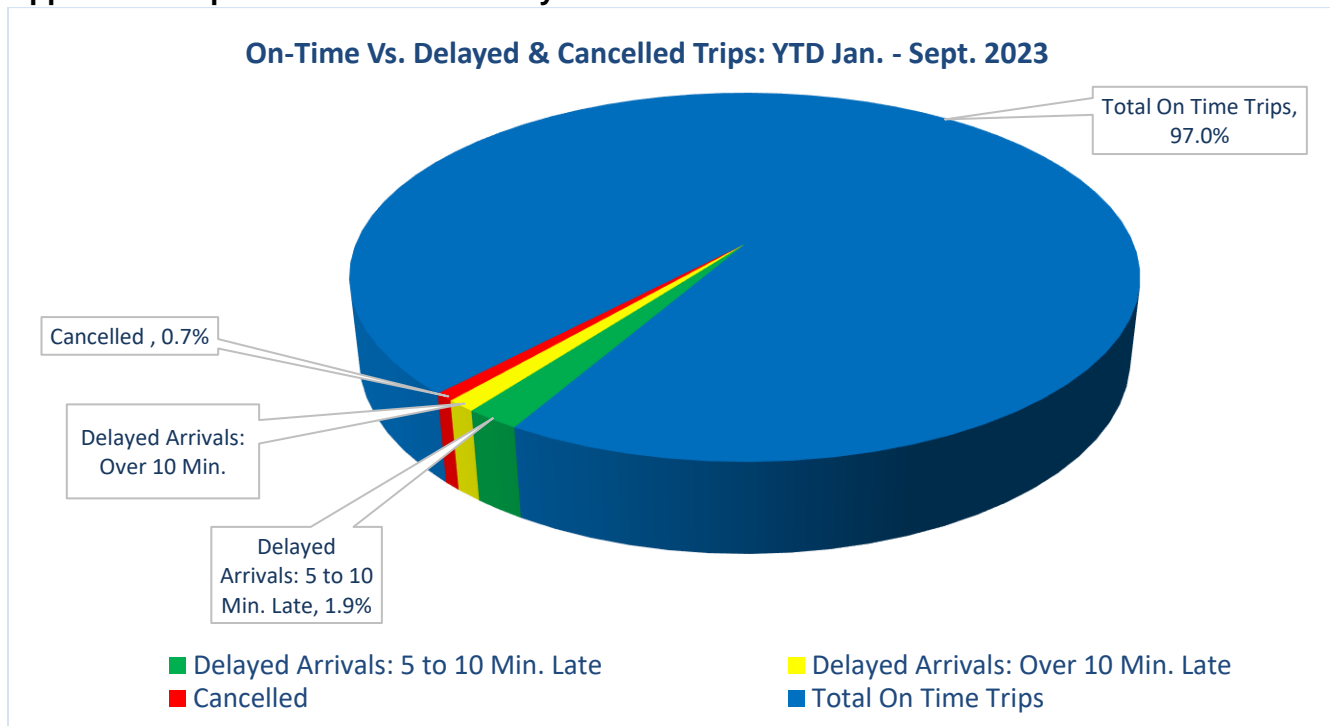
Operations

None at this time.

Ridership Recovery

None at this time.

Appendix A. Operations Data Summary



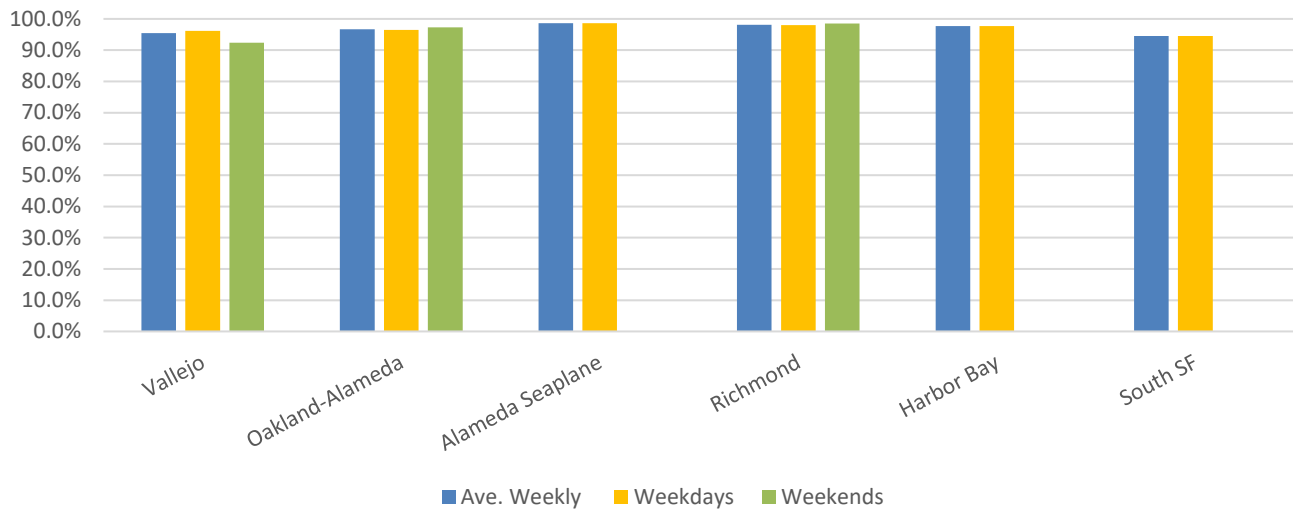
Percentage of Trips On-Time: Year-to-Date (Jan-Sept. 2023)

Route	Ave. Weekly	Weekdays	Weekends
Vallejo	95.5%	96.2%	92.4%
Oakland-Alameda	96.7%	96.4%	97.3%
Alameda Seaplane	98.6%	98.6%	Not Provided
Richmond	98.1%	98.0%	98.5%
Harbor Bay	97.8%	97.8%	Not Provided
South SF	94.5%	94.5%	Not Provided
Total System	97.0%	97.1%	96.3%

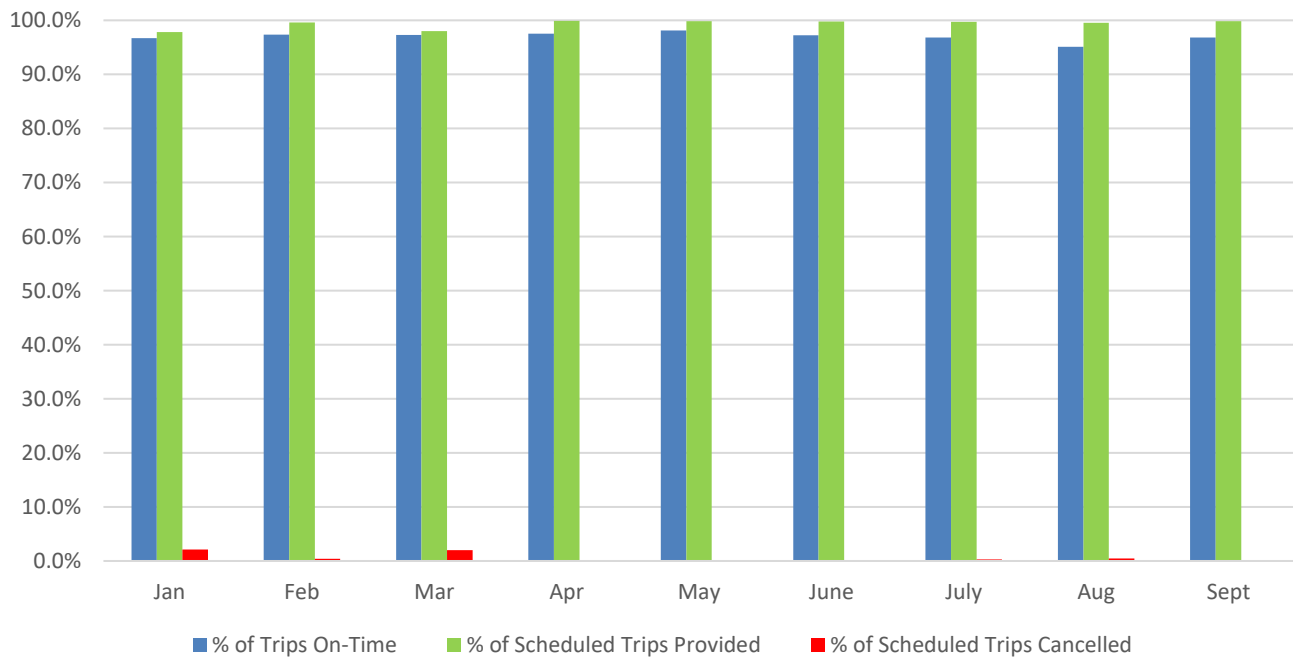
On-Time Performance & Reliability by Month (Jan-Sept. 2023)

	% of Trips On-Time	% of Scheduled Trips Provided	% of Scheduled Trips Cancelled
January	96.7%	97.9%	2.1%
February	97.3%	99.6%	0.4%
March	97.3%	98.0%	2.0%
April	97.5%	99.9%	0.1%
May	98.1%	99.9%	0.1%
June	97.2%	99.8%	0.2%
July	96.8%	99.7%	0.3%
August	95.1%	99.6%	0.4%
September	96.8%	99.8%	0.2%
Average (YTD)	97.0%	99.3%	0.7%

Percentage of Total Trips On Time by Route, Weekdays vs. Weekends



Percentage of Total Trips On-Time, Provided and Cancelled by Month

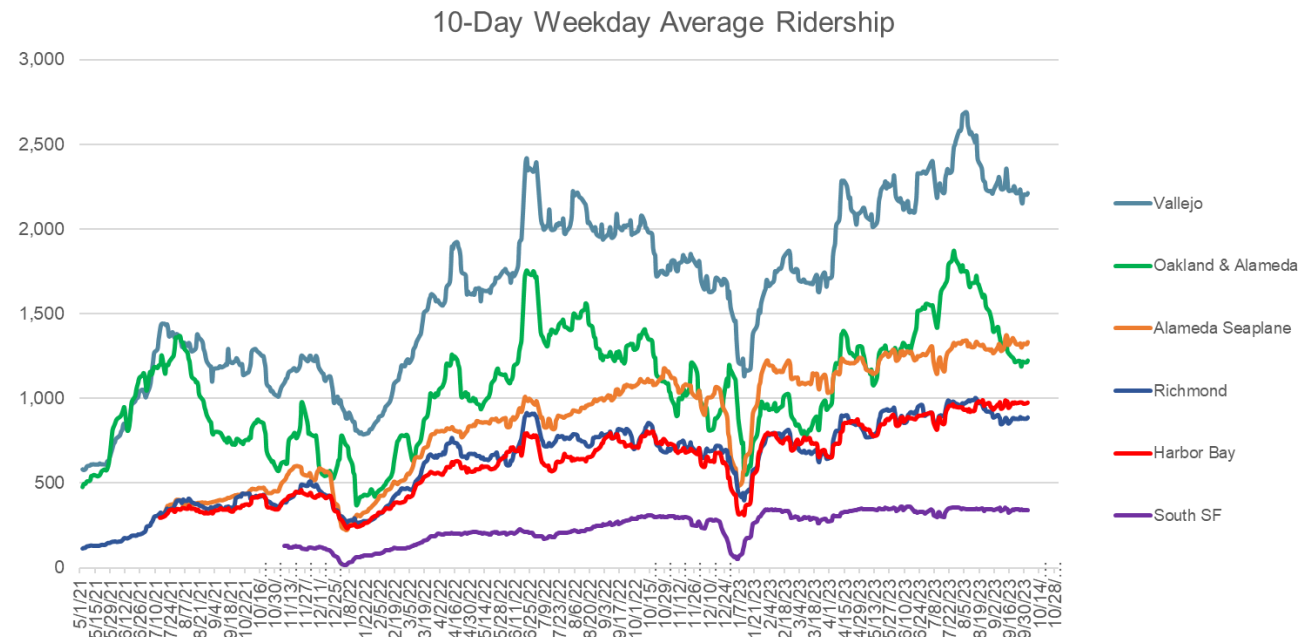


WETA On-Time Performance & Reliability Compared to Other Ferry Operators, YTD Jan. – July, 2023*

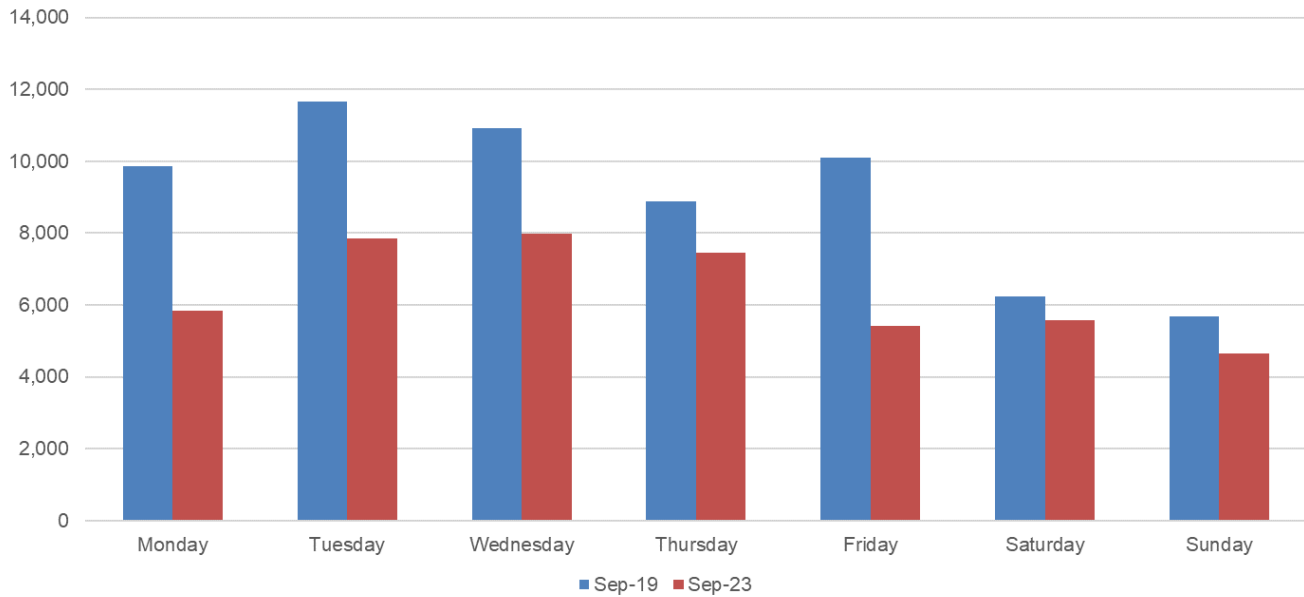
	% of Trips on Time	% of Scheduled Trips Provided
Golden Gate	96.6%	98.9%
Washington State Ferries	83.7%	97.9%
Kitsap Transit	98.2%	98.5%
Mass. Bay Transportation Authority	99.2%	99.4%
NYC Ferry	83.3%	97.4%
Staten Island Ferry	94.3%	99.4%
Average of Comps	92.6%	98.6%
WETA	97.3%	99.2%
BART	68.8%	n/a
MUNI	83.3%	n/a
AC Transit	74.0%	n/a

* **Note:** The definition of on-time performance varies among the other ferry and transit operators considered in this analysis. Some operators consider on-time performance based on late departures instead of late arrivals. Most operators define on-time trips as trips departing or arriving within 5 minutes of the scheduled departure or arrival time.

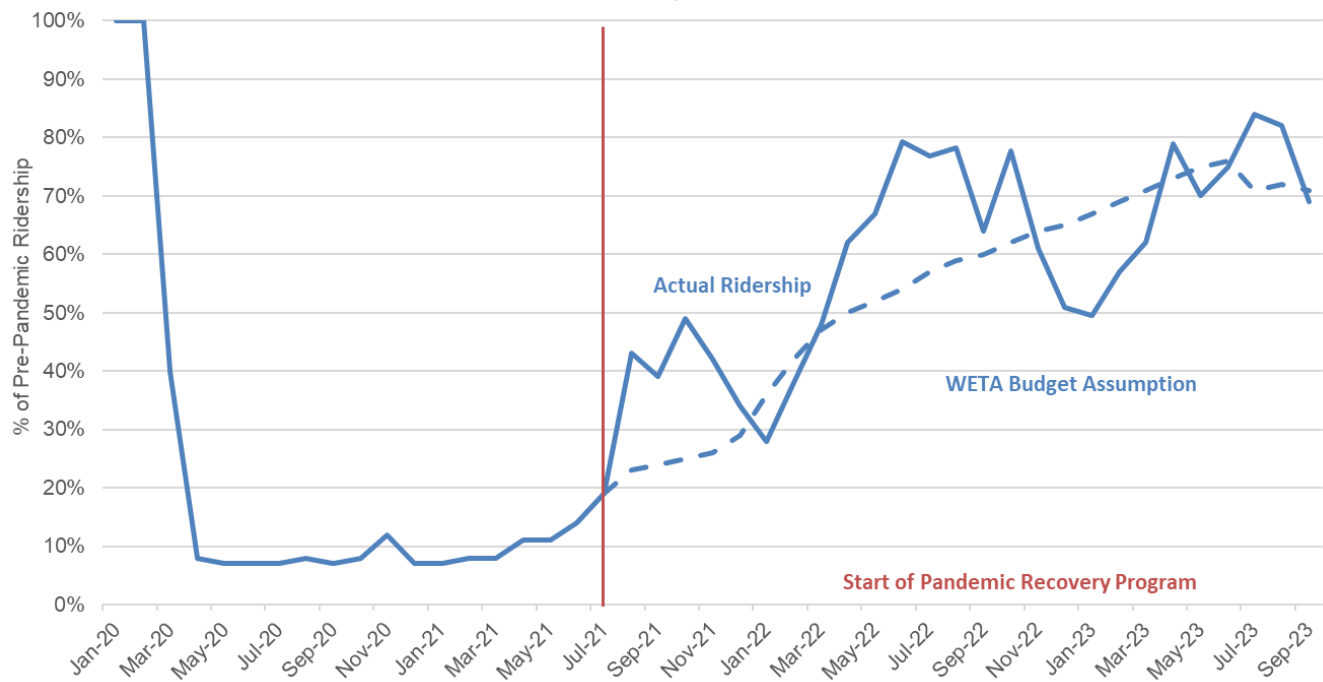
Appendix B. Ridership Recovery Data Summary



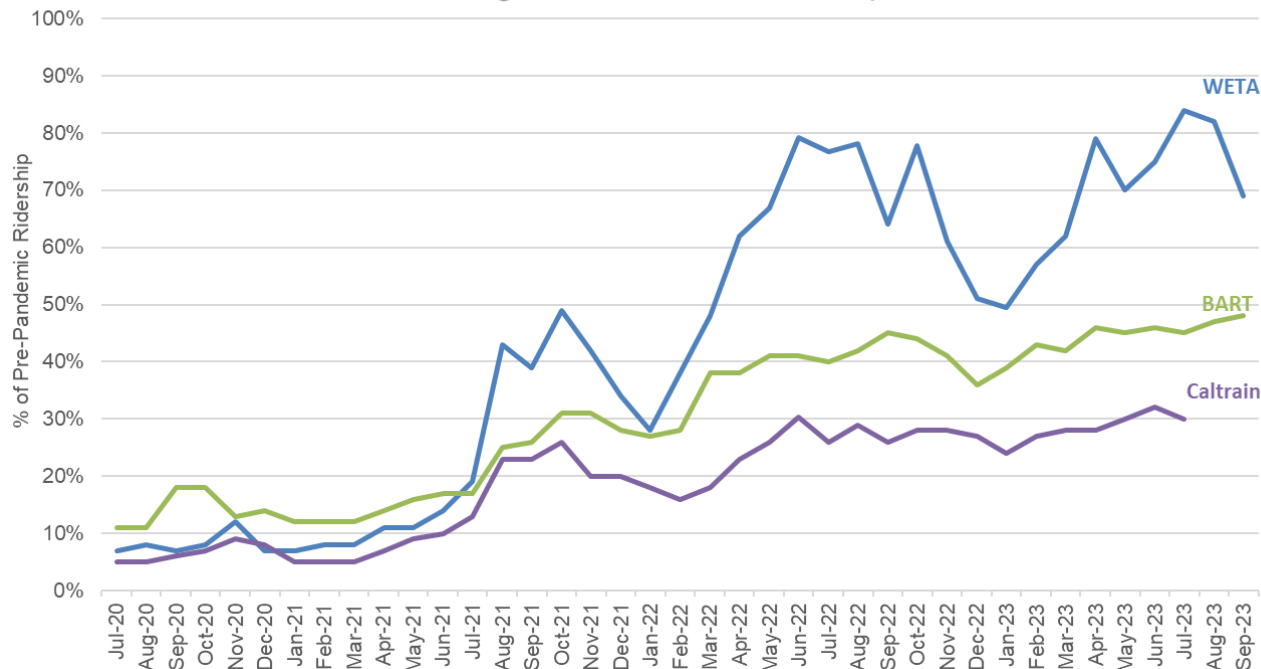
Average Boardings by Day of Week
Systemwide



Actual vs. Budgeted Ridership



Regional Transit Ridership



Note: Caltrain ridership for August will be available following their October meeting.

Monthly Operating Statistics Report

August 2023		Oakland & Alameda*	Vallejo*	Richmond	Harbor Bay	Alameda Seaplane	South San Francisco**	Systemwide
Boardings	vs. last month	Total Passengers August 2023	73,420	75,126	26,260	22,409	30,562	235,956
		Total Passengers July 2023	89,173	78,471	24,729	17,345	23,998	240,057
		Percent change	-17.67%	-4.26%	6.19%	29.20%	27.35%	-1.71%
	vs. same month last year	Total Passengers August 2023	73,420	75,126	26,260	22,409	30,562	235,956
		Total Passengers August 2022	57,052	62,755	21,217	15,989	22,547	184,986
		Percent change	28.69%	19.71%	23.77%	40.15%	35.55%	27.55%
	vs. prior FY to date	Total Passengers Current FY To Date	162,593	153,597	50,989	39,754	54,560	476,013
		Total Passengers Last FY To Date	119,799	126,655	40,295	28,229	39,771	364,042
		Percent change	35.72%	21.27%	26.54%	40.83%	37.19%	30.76%
Ops Stats	Avg Weekday Ridership August 2023		3,192	3,266	1,142	974	1,329	10,259
	Passengers Per Hour August 2023		144	98	71	107	138	106
	Revenue Hours August 2023		510	765	368	210	222	2,220
	Revenue Miles August 2023		7,180	21,621	6,849	4,334	2,530	46,183
	Farebox Recovery Year-To-Date							21%
	Peak hour utilization, AM – August 2023							#DIV/0!
	Peak hour utilization, PM – August 2023							#DIV/0!
Fuel	Fuel Used (gallons) – August 2023							0
	Avg Cost per gallon – August 2023							

* Includes special event ridership to/from Oracle Park and/or Chase Center

** Service suspended on the South San Francisco route until November 2021

Note: September 2023 operating stats will be available at next month's Board meeting.

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Thomas Hall, Public Information & Marketing Manager

SUBJECT: Marketing Update

Background

In July 2023, WETA staff provided an update on marketing campaigns in progress for the peak 2023 summer season. Staff committed to providing a summary report at the conclusion of those campaigns.

Discussion

WETA executed three marketing campaigns over the 2023 peak season.

- An over-the-top streaming video and audio campaign targeted to potential recreational and family riders
- A Latino-focused social media influencer campaign
- An out-of-home display campaign focused on East Bay-to-San Francisco commuters

Streaming Video and Audio Campaign

WETA worked with Underground Agency, a local advertising firm on WETA's on-call marketing and public relations services list, to develop a set of three animated 15-second ads to run on various over-the-top streaming platforms. Over-the-top streaming advertising offers greater audience targeting and analysis than traditional broadcast and cable television advertising, and at a much lower price point.

In addition, Underground Agency developed two 15-second audio ads to run on Spotify, the leading audio streaming app. Underground partnered with Next Steps Marketing on the media buy for the campaign.

The focus for this campaign was raising awareness of ferry service as an option for recreational riders to experience San Francisco and the Bay more broadly. The campaign messaging dovetailed with ongoing campaigns in San Francisco focused on painting the city in a good light for tourists and building community pride. By using illustration, the ads were able to universalize the potential audience in a way that is made difficult by live actors. Following a creative development phase, Underground Agency worked with Toronto-based illustrator Cookie Moon to develop the artwork for the video ads. The audio ads were developed in-house with some outside work from voice actors.

The video ads were delivered primarily on the Hulu, Peacock and Tubi platforms. These platforms provided matches for the target audience (young, diverse East Bay and San Francisco residents) and competitive delivery costs. The Max service was included briefly, but the delivery cost was significantly higher so delivery of the ads there was suspended.

The video campaign delivered 1.3 million impressions to 330,000 unique viewers over the course of eight weeks. The media buy for the video campaign was \$45,000, resulting in a total cost per 1,000 impressions (known as CPM) of \$35. The reported industry standard CPM for streaming services is \$25-40.

The audio streaming effort was considerably smaller. Just \$5,000 was spent on the Spotify ad buy, resulting in 1.1 million impressions to 180,000 unique listeners. The resulting CPM was \$4.51.

Social Media Influencer Campaign

Social media influencer advertising is difficult but increasing in popularity. Connecting with authentic voices with local followings can help humanize a brand like San Francisco Bay Ferry in a way that traditional advertising struggles to do. Finding the right influencers and ensuring the message is received as authentic is key.

WETA worked with D&A Communications, a local firm on WETA's on-call marketing and public relations services list, to develop and execute the social media influencer campaign. The focus for this campaign was specifically around engaging Latino residents, who have typically been underrepresented among ferry riders based on prior surveys.

D&A Communications created a list of potential influencers based on the audience targets developed by WETA, and together the agencies selected three influencers with whom to work.

The campaign was completed in May and June 2023. The campaign consisted of 16 posts on various social media channels (primarily Instagram and TikTok), plus an additional 11 amplification posts leveraging the organic content created by the influencers. The campaign delivered 1.3 million total impressions and 230,000 engagements (likes, shares and comments) across the platforms. Because of the nature of social media advertising, the campaign was also able to deliver 31,000 clicks to the San Francisco Bay Ferry website. Through an attached promotional offer, 525 free roundtrip vouchers were redeemed by those who saw the posts.

The organic posts and amplification costs totaled \$14,000, leading to a total CPM of about \$11.

Out-of-Home Display Campaign

The final campaign of the 2023 peak season was WETA's out-of-home display campaign, developed with longtime consultant MacKenzie Communications. This campaign targeted commuters from the East Bay heading into San Francisco with short, direct messages aimed to raise awareness of ferry service and build on positive San Francisco Bay Ferry brand sentiment.

This 4-week campaign in July and August included 11 billboard advertisements using four different messages with stylized images of ferries in the fleet. The four messages were:

- You Could Be On A Boat Right Now
- Goodbye Gridlock
- Your Traffic Cheat Code
- A Better Commute Awaits

The intent with these messages was to contrast what was likely to be a bad commute experience for drivers seeing the billboards with the well-known high ride quality of the ferry. However, care was taken in message development to avoid any sense of chastisement or snark toward the decisions these drivers made.

Locations where the billboards were placed included:

- Bay Bridge Toll Plaza
- San Leandro
- Berkeley
- Oakland (multiple placements)
- San Pablo

The media buy for the campaign was \$30,000 and the billboards delivered an estimated 21.3 million impressions over the course of the four weeks, for a CPM of \$1.41. Because of the nature of out-of-home display advertising, audience targeting and analysis is very difficult and limited to geography. However, for widely relevant messages, it does provide substantial scale at a very competitive delivery cost.

FY24 Campaign

WETA will be conducting an integrated marketing campaign from November 2023 through June 2024. MacKenzie Communications will be the lead creative consultant on the campaign, with other on-call agencies tagged in as needed. A full presentation on the strategy, tactics and message for the FY24 integrated campaign will be provided at the November Board of Directors meeting.

END

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

[September 12, 2023]

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at Hanson Bridgett LLP, 425 Market Street 26th Floor, San Francisco, CA and via videoconference.

1. CALL TO ORDER

Chair James Wunderman called the meeting to order at 2:00 p.m.

2. ROLL CALL

Chair Wunderman, Vice Chair Monique Moyer, Director Jessica Alba, Director Jeffrey DelBono, and Director Pippin Dew were in attendance.

WETA Attorney Steven Miller of Hanson Bridgett LLP noted that Chair Wunderman was participating remotely for the record under the just cause exception of the Brown Act teleconference requirements.

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.

Chair Wunderman proposed moving Item 12 – Public Comment for Non-Agenda Items ahead of Item 10 – Recess into Closed Session with the approval of the Directors to give guests the opportunity to provide public comment for non-agenda items without having to wait through the entire closed session.

3. REPORT OF BOARD CHAIR

Chair Wunderman stated that he was participating remotely because he was recovering from hip replacement surgery. He said that he had been riding the ferry regularly before the surgery and noticed the increase in ridership and the resulting challenges to the service with missed runs. He was pleased to see WETA at the very top of the list in terms of ridership recovery and wanted to maintain that reputation of being the best provider of transit with the goal of getting back to 100 percent pre-pandemic ridership.

Before turning the discussion over to the Directors, he thanked Vice Chair Moyer for covering the meeting for him last month in his absence.

4. REPORTS OF DIRECTORS

Vice Chair Moyer noted that it was especially busy around her offices with the Dreamforce Conference. She reported that her clients were making a concerted effort to require staff to return to the office and noted the impact of the return to office on ridership.

Chair Wunderman said moving the Dreamforce Conference out of San Francisco (City) would be a huge loss for the City and the Bay Area.

Director Alba thanked staff for being transparent and sharing information about the mechanical failures and the plan of action with the Board and the ferry riders.

Chair Wunderman congratulated Director DelBono on his reappointment. Director DelBono said that he too has noticed the increase in ridership especially on the weekends during his ferry rides.

The Directors thanked Chair Wunderman for being at the meeting and wished him a smooth and speedy recovery.

5. REPORTS OF STAFF

Executive Director Seamus Murphy began by introducing two new staff members, Digital Communications Specialist Alexis Matsui and Transportation Planning Intern Noelani Fixler. He said that Ms. Matsui was most recently the senior multimedia producer for an advocacy organization and would be working with the Public Information and Marketing group utilizing her graphics expertise to enhance marketing and customer communications including social media.

Mr. Murphy said that Ms. Fixler was most recently the Lead Senior Transportation Network Management Intern for the University of California, (UC) Berkeley Parking and Transportation Department and that her resume read more like a seasoned transportation professional than a planning intern. He added that Ms. Fixler was appointed the Vice Chair of the Berkeley Transportation and Infrastructure Commission and will be honored at the WTS San Francisco Bay Area Chapter Annual Scholarships and Awards Gala for being awarded the WTS Molitoris Leadership Scholarship which serves to motivate and reward women who demonstrate leadership in the transportation industry to ensure essential leadership skills and perspectives of women are included in planning transportation systems of the future.

Mr. Murphy congratulated Director DelBono on his reappointment.

Mr. Murphy introduced Customer Experience Specialist Rafael Regan to summarize the changes and implementation of the new ticket validation process that were recently put in place intended to help smooth the loading and unloading of riders.

Mr. Murphy reported that no trends were emerging related to the financial statements but that fuel prices were on the rise and that a \$3 million federal Congressional spending request was successfully added to the House Appropriations bill by Congressman John Garamendi.

Mr. Murphy introduced Transportation Planner Gabriel Chan to provide the ridership report. Mr. Chan introduced Operations Analyst Joe Ramey who shared his presentation on tracking ferry on-time performance and service reliability generated by WETA's real-time vessel tracking system, Swiftly. Mr. Ramey clarified that late trips were any trips that arrived five minutes or more past the scheduled arrival time, noting that 97 percent of noncancelled trips were arriving on time within the five minutes of the scheduled arrival time in comparison to 93 percent for other selected public ferry operators.

Mr. Ramey introduced Blue & Gold Fleet (Blue & Gold) Operations Manager Aden Anderson who explained the common service disruption causes and Blue & Gold's response process.

Chair Wunderman thanked staff for their report and the detailed presentation on the cause and effects of WETA's service disruptions.

In response to Director DelBono, Mr. Murphy recognized that last-minute cancellations are disruptive to passengers and said that WETA offers a benefit such as free rides or free concessions to acknowledge the inconvenience. Mr. Murphy commended Mr. Anderson and the Blue & Gold team for doing a tremendous job focusing on recovering from these issues as quickly as possible.

Mr. Murphy said that WETA would be doing an independent review of its engineering and maintenance program to understand if there is anything that can be done to minimize the mechanical breakdowns and to notify passengers as soon as possible of service disruptions enabling passengers to make

alternative transportation arrangements. He noted that WETA offers a new text message- based notification tool that does not require the use of the San Francisco Bay Ferry application software.

Operations and Maintenance Manager Timothy Hanners explained that vessels are required to be dry docked every two years for Coast Guard certification. He said that WETA has requested an extension on the dry dock work due to limited vessel availability from ongoing projects including the Gemini class conversion and other vessel upgrades. He added that reliability should improve once engine and gearbox issues have been fixed.

The Directors thanked staff for the operations and ridership report.

Vice Chair Moyer said that she was excited to see WETA's participation in the Bay Ferry VI Exercise and in Fleet Week's annual Defense Support of Civil Authorities (DSCA) exercise.

Mr. Murphy commented that WETA has been pushing to get all the issues resolved with the Sea *Change* to get it into operation. He said that the issues are related to the software and other equipment on board and not to the hydrogen propulsion.

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

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

6. CONSENT CALENDAR

Director DelBono made a motion to approve the consent calendar:

- a. Approve Board Meeting Minutes – July 13, 2023
- b. Approve Amendment to Agreement with Jacobs for Construction Management Services Related to the Alameda Main Street Ferry Terminal Refurbishment Project
- c. Ratify Contract Award to Bay Ship and Yacht Co. for MV *Intintoli* Dry Dock and Jet Work
- d. Approve a Contract Award to Bay Ship and Yacht Co. For MV *Lyra* Dry Dock and Jet Work
- e. Approve Sole Source Contract Award to Northern Lights Power & Energy, Inc. for MV *Gemini* Class Swing Main Engine
- f. Approve Sole Source Contract Award to HamiltonJet Inc. for MV *Pyxis* Class Waterjet Control System Upgrades

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

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

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

7. AWARD CONTRACT TO WARTSILA NORTH AMERICA, INC. FOR FLEET ELECTRIFICATION AND SYSTEMS INTEGRATOR SERVICES

Mr. Hanners introduced this item recommending approval of contract award to Wartsila North America, Inc. for Fleet Electrification and Systems Integrator Services, and authorize the Executive Director to negotiate and execute an agreement and take any other related actions to support this work before introducing team members Aurora Marine Design President Shaun Green, Wartsila Senior Sales Manager Dave Adams, and Principal Consultant Ellen Joslin Johnck, RPA to present the item.

Mr. Green shared his presentation including an overview of the four phases of the electrification program, explained the needs and responsibilities of the electrical system integrator, the criteria that resulted in the selection of Wartsila, and the electrification project team organizational chart. Mr. Adams clarified Wartsila's role and the purpose of the systems integrator.

Chair Wunderman recalled that the Board had determined that the system integrator was needed for this new technology.

The Directors thanked staff for their efforts on presenting this complex subject and expressed their excitement about the project.

Vice Chair Moyer made a motion to adopt Resolution No. 2023-35 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, Dew, Moyer, Wunderman. Nays: None. Absent: None.

8. APPROVE ENTERING INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF ALAMEDA AND OTHER PARTIES FOR A HARBOR SEAL HAUL-OUT MONITORING CAMERA AND RIGHT OF ENTRY AGREEMENT AT THE CENTRAL BAY OPERATIONS AND MAINTENANCE FACILITY

Planning and Development Manager Kevin Connolly introduced this item recommending approving the following actions relative to the Harbor Seal Haul-Out Monitoring Camera at the Central Bay Operations and Maintenance Facility:

1. Authorize the Executive Director to enter into a Memorandum of Understanding (MOU) with the City of Alameda, Teknosocial LLC, Alameda Unified School District (AUSD), the College of Alameda, and the Alameda Point Harbor Seal Monitors for the conduct of a project to install and use a camera on the roof of the Central Bay Operations and Maintenance Facility to monitor harbor seal haul-out activity; and
2. Authorize the Executive Director to grant a Right of Entry Permit for installation and maintenance of a camera and associated equipment on the roof of the Central Bay Operations and Maintenance Facility.

Mr. Connolly introduced Teknosocial LLC Manager Andrew Wiedlea to talk about the project. Mr. Wiedlea said that the project is an effort to create a participatory science framework which would be used to enhance education opportunities for students.

The Directors thanked Mr. Wiedlea and looked forward to regularly hearing about the study findings.

Director DelBono made a motion to adopt Resolution 2023-36 approving this item.

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

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

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

9. MAIN STREET TERMINAL CLOSURE SERVICE ADJUSTMENTS

Mr. Connolly introduced this informational item on the Main Street Terminal service adjustments that were being made to accommodate riders during the closure of the Main Street Terminal for renovation and replacement of key waterside components.

Mr. Connolly said that the adjustments being made were an important consideration to minimize any disruptions to Oakland riders. He noted that the closure of the Main Street Terminal created an opportunity to develop a new pilot service between Mission Bay and South San Francisco with existing

vessels and crews which can be accomplished within existing budget limits. He asked Public Information and Marketing Manager Thomas Hall to discuss passenger notification.

Mr. Hall said that a robust communication plan was developed to ensure that passengers were aware of the disruption. He noted that Customer Experience Specialist Rafael Regan would be hosting onboard ferry chats on many of the South San Francisco runs.

The Directors appreciated the efforts to create clarity and the opportunity for transit alternatives.

Mr. Murphy added there was a second pilot with the TNC partnership. Mr. Hall confirmed that WETA would be reaching out to the Oyster Point employers.

PUBLIC COMMENT

Member of the public Christi thanked staff for suggesting alternatives but preferred avoiding the drive to Oakland.

10. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

No public comments were shared.

11. RECESS INTO CLOSED SESSION

- a. Conference with Legal Counsel – Pending Litigation
- b. Public Employee Performance Evaluation; Conference with Labor Negotiator
Pursuant to Government Code Sections 54957(b)(1) and 54957.6
Title: Executive Director
Agency Designated Representative: Jim Wunderman

Chair Wunderman stated that WETA would not be holding a closed session for pending litigation. The Directors recessed into closed session at 3:40 p.m.

12. REPORT OF ACTIVITY IN CLOSED SESSION

The Directors returned to open session at 5:01 p.m.

Chair Wunderman reported that the Board met in closed session to discuss the compensation and terms of agreement of Mr. Murphy.

The Board offered the following:

- a. Extend the term of the contract by five years to December 31, 2028
- b. Increase compensation by 6 percent from \$304,080 to \$322,325
- c. Change the timing of the performance evaluation consistent with the fiscal year

Chair Wunderman made a motion to adopt Resolution 2023-37 approving this item.

Chair Wunderman 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

With all business concluded, Chair Wunderman adjourned the meeting at 5:04 p.m.

- Board Secretary

END

MEMORANDUM

TO: Board Members

**FROM: Seamus Murphy, Executive Director
Kevin Connolly, Planning & Development Manager
Chad Mason, Senior Planner/Project Manager**

**SUBJECT: Authorize Pile Removal Agreement with the City of Alameda for the
Alameda Main Street Ferry Terminal Refurbishment Project**

Recommendation

Staff recommends the Board:

1. Authorize the Executive Director to enter into a Pile Removal Agreement (Agreement) with the City of Alameda for the Alameda Main Street Ferry Terminal Refurbishment Project (Project), and
2. Authorize the Executive Director to take any additional actions necessary to support this Agreement.

Background

The Project requires approval from several regional, state and federal environmental resource agencies. These permits are typically required for WETA facility projects that require in-water construction, resulting in potential effects to protected species and habitat. The permitting process for the Project has been underway since 2022. To date, WETA has received permits from the following agencies:

- California Department of Fish and Wildlife, Incidental Take Permit
- National Marine Fisheries Service, Incidental Harassment Authorization
- National Marine Fisheries Service, Endangered Species Act, Section 7 Consultation
- National Marine Fisheries Service, Magnuson-Stevens Fishery Conservation and Management Act, Essential Fish Habitat Consultation
- San Francisco Bay Area Regional Water Quality Control Board (RWQCB), Clean Water Act Section 401, Water Quality Certification
- U.S. Army Corp of Engineers ACOE (ACOE), Provisional Nationwide Permit Authorization

The Bay Conservation and Development Commission (BCDC) requires a minor amendment to an existing permit for the Project. BCDC cannot issue the permit amendment until the RWQCB issues the water quality certification (WQC). The WQC was received in the last week of September 2023 and staff are coordinating with BCDC to finalize the minor permit amendment. The final authorization will be from the ACOE. The ACOE will finalize the Nationwide Permit Authorization after the BCDC permit is issued.

Some of the permits outlined above can be applied for and processed concurrently while others require approvals from other agencies prior to the issuance of the respective permits. As a result, some permit consultations and authorizations are anticipated to occur close to the start of construction. The process often results in permitting agencies requiring different types and levels of environmental mitigation as WETA navigates through the permitting process.

Discussion

The RWQCB, in its review of projects under Section 401 of the Clean Water Act must consider a project's effect on waters of the State regarding in-water fill and overwater shading. The Project results in a net increase of 78 square feet of in-water fill and a net increase in overwater shading of 465 square feet. As a result, during the final stages of consultation for the WQC, the RWQCB requested WETA mitigate these effects by removing a dilapidated pier structure in the vicinity of the Project. The dilapidated structure is located along the shoreline to the west of the Project site on City of Alameda property.

WETA coordinated with the City to receive permission to remove the structure. WETA and the City have negotiated a Pile Removal Agreement (Agreement) to allow WETA and its construction contractor to remove the structure. The Agreement allows right of entry to the property, requires implementation of construction mitigation measures, and use of best management practices to protect natural resources. The Agreement provides that WETA is responsible for certain remediation and indemnification obligations

WETA entered into a similar agreement with the City of Vallejo for mitigation required for the North Bay Operations and Maintenance Facility. The Downtown San Francisco Ferry Terminal Expansion Project and the Richmond Ferry Terminal were also required to provide similar mitigation but with a different mechanism.

WETA's construction contractor will perform the work to remove the dilapidated structure. The work scope has been included in an encroachment permit application for the Project as requested by the City. Construction work is scheduled to commence during the last week of October with the pile removal work planned to occur first prior to demolition of the existing facility.

Staff recommends the Board authorize the Executive Director to enter into the Pile Removal Agreement with the City of Alameda and to take any additional actions necessary to support this Agreement.

Fiscal Impact

There is no fiscal impact associated with this item.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2023-38

**AUTHORIZE PILE REMOVAL AGREEMENT WITH THE CITY OF ALAMEDA FOR THE
ALAMEDA MAIN STREET FERRY TERMINAL REFURBISHMENT PROJECT**

WHEREAS, the Alameda Main Street Ferry Terminal Refurbishment Project (Project) requires approval from several regional, state and federal environmental resource agencies, including the San Francisco Bay Area Regional Water Quality Control Board (RWQCB); and

WHEREAS, the RWQCB requests that WETA mitigate the Project's effect on in-water fill and overwater shading by removing a dilapidated pier structure in the vicinity of the Project on City of Alameda (City) property; and

WHEREAS, WETA and the City have negotiated a Pile Removal Agreement (Agreement) to allow WETA and its construction contractor to remove the structure; and

WHEREAS, staff recommends the Board authorize the Executive Director to enter into the Agreement and to take any additional actions necessary to support the Agreement; now therefore, be it

RESOLVED, the Board of Directors authorizes the Executive Director to enter into a Pile Removal Agreement with the City of Alameda for the Alameda Main Street Ferry Terminal Refurbishment Project (Project); and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director to take any additional actions necessary to support this Agreement.

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 12, 2023.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2023-38

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Timothy Hanners, Operations & Maintenance Manager
Jeffery Powell, Engineering & Maintenance Administrator

SUBJECT: Authorize Release of a Request for Proposals for the MV *Dorado* Jet Work and Drydock

Recommendation

Authorize release of a Request for Proposals (RFP) for the MV *Dorado* Jet Work and Drydock.

Background

The MV *Dorado* capital maintenance plan includes drydocking the vessel to service the currently installed jets. Removing the jets and servicing them in a controlled environment instead of servicing each jet in place reduces the amount of planned out of service time for the vessel while mitigating some of the risk associated with discovering unplanned maintenance during inspection. In conjunction with performing the jet removal and installation work, the shipyard selected as a result of this RFP will perform the required USCG Drydock inspections to renew the COI.

Discussion

Staff anticipates returning to the Board with a recommendation for contract award in January 2024.

Fiscal Impact

There is no fiscal impact associated with this item. The release of an RFP does not commit the agency to make an award, which will be the matter of subsequent Board action.

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Kevin Connolly, Planning & Development Manager
Michael Gougherty, Principal Planner

SUBJECT: Authorize Agreement with Uber for Alameda Main Street Terminal
Rideshare Program

Recommendation

Staff recommends the Board:

1. Authorize the Executive Director to execute an agreement with Uber Technologies, Inc. (Uber) for an amount not to exceed \$60,000 for the Alameda Main Street Terminal Rideshare Program that will coincide with closure of the terminal for rehabilitation, and
2. Authorize the Executive Director to take any related actions to implement rideshare trip vouchers for the Alameda Main Street Terminal Rideshare Program.

Background

Last month staff provided a report to the Board summarizing its plan to minimize disruptions to ferry riders during the 10-week construction closure of the Alameda Main Street Terminal slated to begin later this month. A key part of this plan is a program to offer vouchers that cover the full cost of a trip, excluding tip, from Transportation Network Companies (TNCs) for South San Francisco-bound Alameda riders that normally board the ferry at the Alameda Main Street Terminal. This would create a new option for Alameda Main Street riders to get to and from the Oakland terminal and continue using the South San Francisco service, particularly for bicyclists and other riders that cannot or prefer not to drive.

Discussion

Staff reached out to the City of Alameda and City of Oakland for feedback on the proposed rideshare program. The cities indicated concern that providing vouchers for free rideshare trips could potentially increase congestion on surface streets unless such vouchers were offered only for “shared” rides, whereby a single ride can be shared by multiple riders traveling along similar paths. If the vouchers were limited to shared rides only, the cities indicated they would support the program for the limited duration of the construction project at the Alameda Main Street Terminal.

Staff met with both Lyft and Uber to discuss the feasibility of participating in the proposed program. Both TNCs confirmed having experience running similar types of programs for other transit operators. Each TNC also demonstrated flexible, user-friendly, and convenient platforms capable of customizing the types of vouchers provided and eligibility constraints for such programs. In terms of ride options, only Uber currently offers a shared ride option (UberX Share), which allows multiple riders to share the same vehicle. Lyft formerly offered a similar service; however, it is no longer available in the Bay Area market.

Since only Uber currently offers shared rides, staff recommends moving forward with just Uber to implement the proposed rideshare program. The recommended agreement with Uber will offer vouchers for free rideshare trips that meet certain criteria established for the program. First, rides must travel between the main island of Alameda and the immediate vicinity of the Oakland ferry terminal. Second, rides must occur during operating hours of the South San Francisco service, limited to weekday AM and PM commute periods. Third, the vouchers will be offered only during closure of the Alameda Main Street Terminal, which is expected to occur for approximately ten weeks beginning on October 23, 2023. Riders seeking to use a voucher will need to have an account with Uber and may be subject to usage thresholds designed to discourage program misuse.

The not-to-exceed amount for the proposed agreement with Uber is \$60,000, however, the actual cost of the Alameda Main Street Terminal Rideshare Program will be calculated based on the actual number and value of trips made.

Pending implementation of the Main Street Terminal Rideshare Program, staff will closely track and monitor usage to assess the outcome and gain insight regarding potential benefits of offering rideshare vouchers as part of a broader future program to improve terminal access. Should similar programs be pursued in the future, staff will reach out to all viable TNCs again to confirm each company's offerings.

Fiscal Impact

The fiscal impact of authorizing this agreement for the Main Street Terminal Rideshare Program is estimated to not exceed \$60,000. The actual cost of the program will be calculated based on the actual number and value of trips made. Funds to support the program are included in the FY 24 Ferry Operations Budget.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2023-39

**AUTHORIZE AGREEMENT WITH UBER TECHNOLOGIES, INC.
FOR ALAMEDA MAIN STREET TERMINAL RIDESHARE PROGRAM**

WHEREAS, to minimize disruptions to ferry riders during the construction closure of the Alameda Main Street Terminal beginning on October 23, 2023, staff proposes to offer vouchers for free rideshare trips (cost of trip, excluding tip) as part of an Alameda Main Street Terminal Rideshare Program that will coincide with closure of the Alameda Main Street Terminal for rehabilitation; and

WHEREAS, the Alameda Main Street Terminal Rideshare Program would create a new option for Alameda Main Street riders to get to and from the Oakland terminal and continue using the South San Francisco service, particularly for bicyclists and other riders that cannot or prefer not to drive; and

WHEREAS, Uber Technologies, Inc. (Uber) has experience running similar types of programs for other transit operators, provides a flexible, user-friendly, and convenient platform capable of customizing the types of vouchers provided and eligibility constraints for such programs, and offers a shared ride option; and

WHEREAS, the proposed agreement with Uber will offer vouchers for free rideshare trips that meet certain criteria established for the Alameda Main Street Terminal Rideshare Program; and

WHEREAS, the not to exceed amount for the proposed agreement with Uber is \$60,000, however, the actual cost of the Alameda Main Street Terminal Rideshare Program will be calculated based on the actual number and value of trips made; and

WHEREAS, staff recommends the Board authorize the Executive Director to execute an agreement with Uber for an amount not to exceed \$60,000, and to take any related actions to implement rideshare trip vouchers, for the Alameda Main Street Terminal Rideshare Program; now, therefore, be it

RESOLVED, the Board of Directors authorizes the Executive Director to execute an agreement with Uber Technologies, Inc. for an amount not to exceed \$60,000 for the Alameda Main Street Terminal Rideshare Program; and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director to take any related actions to implement rideshare trip vouchers for the Alameda Main Street Terminal Rideshare 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 12, 2023.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2023-39

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Kevin Connolly, Planning & Development Manager

SUBJECT: Adopt Fares for Temporary Service Between Mission Bay and South San Francisco

Recommendation

Adopt a Zone One adult fare of \$4.60 (\$2.30 Discounted) for temporary service between Mission Bay and South San Francisco to operate during the closure of the Alameda Main Street Terminal.

Background

The Alameda Main Street Terminal is undergoing renovation and replacement of key waterside components and will be closed during construction beginning October 23, 2023. The Terminal is scheduled to be reopened in January 2024 with the possibility that construction will be complete in late December 2023. Service at the Main Street Terminal will be temporarily suspended during the construction period.

During the Main Street Terminal closure, existing vessels and crews that would otherwise be serving the Main Street Terminal will instead be used to operate temporary service linking the Pier 48.5 temporary terminal in Mission Bay to South San Francisco. The service will be limited with only one late-morning departure and two evening return trips. While not an ideal commute schedule, the service is only designed to expose a potential new market (San Francisco residents living in Mission Bay or South of Market) to South San Francisco ferry service.

Discussion

The Mission Bay to South San Francisco temporary service is not included in the Fare Program the Board adopted in May 2023. However, based on a travel time consistent with Alameda and Oakland services, staff recommends applying the Zone One fare of \$4.60 for adults and \$2.30 for discounted groups for the temporary service. The anticipated travel time is 25 minutes, the same as Harbor Bay service.

The proposed fares are consistent with the goals of the WETA Fare Policy in that they promote equity, are transparent to riders, and encourage ridership, but also provide the balance of fostering financial sustainability for the WETA system.

Fiscal Impact

Operation of the Mission Bay-South San Francisco pilot will be accomplished using available resources and will not result in additional expenditures for operations.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2023-40

**ADOPT FARES FOR TEMPORARY SERVICE BETWEEN MISSION BAY
AND SOUTH SAN FRANCISCO**

WHEREAS, during the closure of the Alameda Main Street Terminal for renovation and replacement of key waterside components beginning on October 23, 2023, Main Street Terminal service must be adjusted temporarily and restored after construction is complete; and

WHEREAS, existing vessels and crews that would otherwise be serving the Main Street Terminal will operate a temporary service linking the Pier 48.5 temporary terminal in Mission Bay to South San Francisco during the Main Street Terminal closure; and,

WHEREAS, staff recommends applying the Zone One fare of \$4.60 for adults and \$2.30 for discounted groups for this temporary service because the travel time is consistent with Alameda and Oakland services; and

WHEREAS, staff has determined that the recommended fares are consistent with the goals of the WETA Fare Policy; and,

WHEREAS, staff recommends the Board of Directors adopt a Zone One adult fare of \$4.60 (\$2.30 Discounted) for temporary service between Mission Bay and South San Francisco to operate during the closure of the Alameda Main Street Terminal; now, therefore, be it

RESOLVED, that the Board of Directors hereby adopts a Zone One adult fare of \$4.60 (\$2.30 Discounted) for temporary service between Mission Bay and South San Francisco to operate during the closure of the Alameda Main Street Terminal.

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 12, 2023.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2023-40

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Erin McGrath, Chief Financial Officer
Jennifer Raupach, Grants Manager

SUBJECT: Authorize the Filing of an Application with the Metropolitan Transportation Commission for \$700,000 in Regional Measure 3 Capital Funds

Recommendation

Authorize the Executive Director to file an application, related assurances and allocation request with the Metropolitan Transportation Commission (MTC) for Regional Measure 3 (RM3) capital funds in the amount of \$700,000 to support the Mission Bay Ferry Landing project.

Background

On June 5, 2018, voters passed RM3, raising the toll for all vehicles on the seven State-owned toll bridges in the San Francisco Bay Area by a total of \$3.00, phased in through one-dollar increments. This toll increase is to fund various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 595 (Chapter 650, Statutes of 2017). Specifically, RM3 establishes the RM3 Expenditure Plan and identifies specific capital and operating projects and programs eligible to receive RM3 funding as identified in Sections 30914.7 (a) & (c) of the California Streets and Highways Code.

The Capital Program of the RM3 Expenditure Plan includes the Ferry Enhancement Program, totaling \$300 million. WETA is the designated recipient of funds under this program. The Mission Bay Ferry Landing project (Project), being implemented by the Port of San Francisco (Port), is eligible for consideration under the Ferry Enhancement Program of the RM 3 Expenditure Plan. The Port has requested \$25 million in capital funds from the RM3 Ferry Enhancement Program for the Mission Bay Ferry Landing project.

Discussion

As a part of MTC's RM3 Policies and Procedures, project applicants are required to adopt resolutions formally authorizing project applications with MTC and providing various assurances. The full list of certifications and assurances are contained in the Board Resolution associated with this item. These certifications and assurances effectively serve as a part of the contract between WETA and MTC for the requested funds.

The RM3 program for the Mission Bay Ferry Landing project includes \$700,000 to perform further engineering analysis, which will explore options to reduce construction costs of the existing design and examine the potential long-term future of the existing temporary Mission Bay terminal located at Pier 48.5. This phase will also include initial engineering for terminal electrification.

This item allows staff to move forward to request an allocation of funds from MTC for \$700,000 in Regional Measure 3 funds to support the additional engineering surrounding the Mission Bay Ferry Landing project.

Fiscal Impact

The *Mission Bay Ferry Landing* project is included in the FY 2023/24 Capital Budget at a cost of \$6,000,000 for the design phase of the project, funded with RM3 funds.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2023-41

**RM3 IMPLEMENTING AGENCY RESOLUTION OF PROJECT COMPLIANCE –
ALLOCATION REQUEST**

Project Title: Project 5.1 – Mission Bay Ferry Landing Project

WHEREAS, SB 595 (Chapter 650, Statutes 2017), commonly referred as Regional Measure 3, identified projects eligible to receive funding under the Regional Measure 3 Expenditure Plan; and

WHEREAS, the Metropolitan Transportation Commission (MTC) is responsible for funding projects eligible for Regional Measure 3 funds, pursuant to Streets and Highways Code Section 30914.7(a) and (c); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for Regional Measure 3 funding; and

WHEREAS, allocation requests to MTC must be submitted consistent with procedures and conditions as outlined in Regional Measure 3 Policies and Procedures (MTC Resolution No. 4404; and

WHEREAS, the San Francisco Bay Ferry Water Emergency Transportation Authority (WETA) is an eligible sponsor of transportation project(s) in the Regional Measure 3 Expenditure Plan; and

WHEREAS, the Mission Bay Ferry Landing Project is eligible for consideration in the Regional Measure 3 Expenditure Plan, as identified in California Streets and Highways Code Section 30914.7(a); and

WHEREAS, the Regional Measure 3 allocation request, attached hereto in the Initial Project Report and incorporated herein as though set forth at length, lists the project, purpose, schedule, budget, expenditure and cash flow plan for which WETA is requesting that MTC allocate Regional Measure 3 funds; now, therefore, be it

RESOLVED, that WETA, and its agents shall comply with the provisions of the Metropolitan Transportation Commission's Regional Measure 3 Policies and Procedures; and be it further

RESOLVED, that WETA certifies that the project is consistent with the Regional Transportation Plan (RTP); and be it further

RESOLVED, that the year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project; and be it further

RESOLVED, that the Regional Measure 3 phase or segment is fully funded, and results in an operable and useable segment; and be it further

RESOLVED, that WETA approves the allocation request and updated Initial Project Report, attached to this resolution; and be it further

RESOLVED, that WETA approves the cash flow plan, attached to this resolution; and be it further

RESOLVED, that WETA has reviewed the project needs and has adequate staffing resources to deliver and complete the project within the schedule set forth in the allocation request and updated Initial Project Report, attached to this resolution; and, be it further

RESOLVED, that WETA is an eligible sponsor of projects in the Regional Measure 3 Expenditure Plan, in accordance with California Streets and Highways Code 30914.7(a); and be it further

RESOLVED, that WETA is authorized to submit an application for Regional Measure 3 funds for the Mission Bay Ferry Landing Project in accordance with California Streets and Highways Code 30914.7(a); and be it further

RESOLVED, that WETA certifies that the projects and purposes for which RM3 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 15000 et seq.) and if relevant the National Environmental Policy Act (NEPA), 42 USC Section 4-1 et. seq. and the applicable regulations thereunder; and be it further

RESOLVED, that there is no legal impediment to WETA making allocation requests for Regional Measure 3 funds; and be it further

RESOLVED, that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of WETA to deliver such project; and be it further

RESOLVED, that WETA agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866; and be it further

RESOLVED, that WETA indemnifies and holds harmless MTC, BATA, and their Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any act or failure to act of WETA, its officers, employees or agents, or subcontractors or any of them in connection with its performance of services under this allocation of RM3 funds. WETA agrees at its own cost, expense, and risk, to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against MTC, BATA, and their Commissioners, officers, agents, and employees, or any of them, arising out of such act or omission, and to pay and satisfy any resulting judgments. In addition to any other remedy authorized by law, so much of the funding due under this allocation of RM3 funds as shall reasonably be considered necessary by MTC may be retained until disposition has been made of any claim for damages, and be it further

RESOLVED, that WETA shall, if any revenues or profits from any non-governmental use of property (or project) that those revenues or profits shall be used exclusively for the public transportation services for which the project was initially approved, either for capital

improvements or maintenance and operational costs, otherwise the Metropolitan Transportation Commission is entitled to a proportionate share equal to MTC's percentage participation in the projects(s); and be it further

RESOLVED, that assets purchased with RM3 funds including facilities and equipment shall be used for the public transportation uses intended, and should said facilities and equipment cease to be operated or maintained for their intended public transportation purposes for its useful life, that the Metropolitan Transportation Commission (MTC) shall be entitled to a present day value refund or credit (at MTC's option) based on MTC's share of the Fair Market Value of the said facilities and equipment at the time the public transportation uses ceased, which shall be paid back to MTC in the same proportion that Regional Measure 3 funds were originally used; and be it further

RESOLVED, that WETA shall post on both ends of the construction site(s) at least two signs visible to the public stating that the Project is funded with Regional Measure 3 Toll Revenues; and be it further

RESOLVED, that WETA authorizes its Executive Director or his/her designee to execute and submit an allocation request for the design phase with MTC for Regional Measure 3 funds in the amount of \$700,000 for the project, purposes and amounts included in the project application attached to this resolution; and be it further

RESOLVED, that the Executive Director or his/her designee is hereby delegated the authority to make non-substantive changes or minor amendments to the allocation request or IPR as he/she deems appropriate.

RESOLVED, that a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the WETA application referenced herein.

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 12, 2023.

YEA:

NAY:

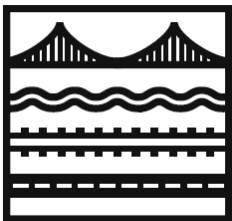
ABSTAIN:

ABSENT:

/s/ Board Secretary

2023-41

END



Regional Measure 3 Allocation Request

RM3 Project Information

Project Number	5
Project Title	Ferry Expansion Program
Project Funding Amount	\$300,000,000

Subproject Information (if different from overall RM3 project)

Subproject Number	5.1
Subproject Title	Mission Bay Ferry Landing Project
Subproject Funding Amount	\$25,000,000

RM3 Allocation History (Add lines as necessary)

	MTC Approval Date	Amount	Phase
#1:			
#2			
#3			

Total: \$0.00

Current Allocation Request:

Request submittal date	Amount	Phase
9/22/23	\$700,000	PS&E

I. RM3 Allocation Request Information

- Describe the current status of the project, including any progress since the last allocation request or IPR update, if applicable.

This is the first allocation request. The Project was paused during the COVID pandemic. Construction costs have increased, and a funding gap exists for construction. WETA and the Port of San Francisco are working to address future funding for this project.

- b. **Describe the scope of the allocation request. Provide background and other details as necessary. The scope must be consistent with the RM3 statute. If the scope differs from the most recent IPR for this project, please describe the reason for any changes here; a revised IPR may be necessary.**

This phase of the project will include a value engineering effort to explore options to reduce construction costs of the existing design. This process will examine other potential terminal sites including Pier 48.5. This phase will also include preliminary engineering for terminal electrification.

- c. **Deliverable segment budget – please fill out attached Excel file. If the budget differs from the most recent IPR for this project, please describe the reason for any changes here; a revised IPR may be necessary.**

This request is for \$700,000: \$600,000 consulting + \$100,000 staff time.

- d. **Schedule – what is the expected completion date of the phase for this allocation? Describe any significant milestones.**

Milestone completion date of December 2024.

- e. **If the project received an RM3 Letter of No Prejudice, how much has been spent against the approved RM3 LONP amount? (Note: the scope and RM3 amount for this allocation request should match the approved LONP)**

LONP Date Issued: March 25, 2020, MTC Resolution No. 4412.

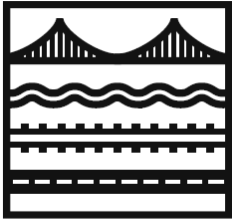
f. Request Details

Amount being requested	\$700,000
Project phase being requested	PS&E
Are there other fund sources involved in this phase?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Date of anticipated Implementing Agency Board approval of RM3 Allocation Request resolution for the allocation being requested	10/12/23

Month/year being requested for MTC commission approval of allocation	November 2023
----------------------------------------------------------------------	---------------

Note: Allocation requests are recommended to be submitted to MTC staff for review sixty (60) days prior to action by the Implementing Agency Board

g. List any other planned bridge toll allocation requests in the next 12 months - *No.*



Regional Measure 3

Initial Project Report

Project/Subproject Details

Basic Project Information

Project Number	5
Project Title	Ferry Expansion Program
RM3 Funding Amount	\$300,000,000

Subproject Information

Subproject Number	5.1
Subproject Title	Mission Bay Ferry Landing Project
RM3 Funding Amount	\$25,000,000

I. Overall Subproject Information

a. Project Sponsor / Co-sponsor(s) / Implementing Agency

San Francisco Bay Area Ferry Water Emergency Transportation Authority (WETA) and the Port of San Francisco (Port)

b. Detailed Project Description *(include definition of deliverable segment if different from overall project/subproject)*

The Mission Bay Ferry Landing will provide critical regional ferry service to and from the fast-growing Mission Bay neighborhood and surrounding Central Waterfront communities. It will also connect communities across the Bay to water recreation and maritime activity on the San Francisco waterfront.

The new ferry landing is within a half mile of approximately 11,000 new housing units, 7 million square feet of new office and commercial space, over 1 million square feet of new retail space and 70 acres of public open space. Additionally, the terminal is planned within one block from the T-Third line and Central Subway, which is underway for extension to San Francisco's Chinatown neighborhood. The terminal will be an easy walk to the Golden State Warriors Chase Center, the UCSF Mission Bay hospital and campus, and to San Francisco's related life sciences community.



Regional Measure 3 Initial Project Report

Mission Bay Ferry Landing will provide capability to berth two ferry boats simultaneously and it is estimated that the ferry landing will have the capacity to handle up to 6,000 passengers per day. The ferry landing is essential to alleviate current regional transportation overcrowding and provide transportation resiliency in the event of an earthquake, BART or Bay Bridge failure, or other unplanned events. Ferry service will reduce our community's carbon footprint and the landing is designed to accommodate the expected sea level rise.

The Port of San Francisco and Water Emergency Transit Authority (WETA) are leading the project with the support of other City and regional agencies.

In the upcoming fiscal year, WETA and the Port will update baseline cost estimates including scenarios for terminal electrification. After the cost estimates are complete, a value engineering study will commence to evaluate options to reduce project costs.

c. Impediments to Project Completion

Due to the delay in RM3 release of funds, cost updates to the project are needed and some original funding sources were recalled. The combination of the two is likely to reveal a larger need for funding which is yet unidentified. Updated cost estimates and value engineering will allow WETA and the Port to reevaluate the funding plan and project delivery schedule. WETA will coordinate with the Port and other City of San Francisco agencies to identify additional funding sources if necessary.

d. Risk Management *(describe risk management process for project budget and schedule, levels of contingency and how they were determined, and risk assessment tools used)*

The Project contracted a marine engineering firm that has recently built 2 facilities similar in the Bay Area and incorporated schedule and cost estimates into the project plans. The team has also solicited estimate peer reviews on the major portions of the project. The estimates originally included 10% design contingency and 10% construction contingency as well as applied an escalation appropriate for the Bay Area. These will be retained as the cost estimate is reexamined due to the timing delay. The value engineering study will be conducted with a marine engineering firm and could also involve coordination with marine construction contractors to evaluate options for cost reductions.

WETA and the Port will coordinate with permitting agencies if value engineering options would affect existing permits.

e. Operability *(describe entities responsible for operating and maintaining project once completed/implemented)*

WETA will be responsible for maintaining and operating the facility.



f. **Project Graphic(s)** (include below or attach)



II. Project Phase Description and Status

a. **Environmental/Planning**

Does NEPA apply? Yes ☐ No ☒

Port staff secured a CEQA Mitigated Negative Declaration in September 2018 and have received environmental project permits in late 2019 from National Marine Fisheries Service, Regional Water Quality Control Board, Bay Conservation Development Commission. The Port has been actively engaged with the United States Army Corp of Engineers and have already obtained the final permit environmental permit required for the project.

b. **Design**

The Project has completed all design required for bidding for a construction contract. The design includes provisions for Sea Level Rise through 2070- the design life of the landing. In the coming months, WETA and the Port plan to engage in a review of the design to confirm the cost of the project and identify any value engineering opportunities.



c. Right-of-Way Activities / Acquisition

ROW is fully owned by the Port of San Francisco, no ROW acquisition.

d. Construction / Vehicle Acquisition / Operating

Construction is planned for January 2025 to allow time for value engineering activities and identification of funding for any new cost estimates.

WETA will operate service to and from the Mission Bay Ferry Landing using the agency's fleet of ferry vessels.

III. Project Schedule

Phase-Milestone	Planned	
	Start Date	Completion Date
Environmental Studies, Preliminary Eng. (ENV / PE / PA&ED)	January 2017	December 2018
Final Design - Plans, Specs. & Estimates (PS&E)	December 2018	December 2024
Right-of-Way Activities /Acquisition (R/W)	N/A	N/A
Construction (Begin – Open for Use) / Acquisition (CON)	January 2025	November 2027

IV. Project Budget

Capital

Project Budget	Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)
Environmental Studies & Preliminary Eng (ENV / PE / PA&ED)	(included in PS&E Below)
Design - Plans, Specifications and Estimates (PS&E)	7,085
Right-of-Way Activities /Acquisition (R/W)	N/A
Construction / Rolling Stock Acquisition (CON)	38,525
Total Project Budget (in thousands)	45,610



Regional Measure 3 Initial Project Report

Deliverable Segment Budget (if different from Project budget)	Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)
Environmental Studies & Preliminary Eng (ENV / PE / PA&ED)	
Design - Plans, Specifications and Estimates (PS&E)	
Right-of-Way Activities /Acquisition (R/W)	
Construction / Rolling Stock Acquisition (CON)	
Total Project Budget (in thousands)	

Operating	Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)
Annual Operating Budget	FY25/26: \$2,020

V. Project Funding

Please provide a detailed funding plan in the Excel portion of the IPR. Use this section for additional detail or narrative as needed and to describe plans for any "To Be Determined" funding sources, including phase and year needed.

VI. Contact/Preparation Information

Contact for Project Sponsor

Name: Chad Mason
Title: Senior Planner/Project Manager
Phone: (415) 364-1745
Email: mason@watertransit.org
Mailing Address: Pier 9, Suite 111, The Embarcadero, San Francisco, CA 94111

Person Preparing Initial Project Report (if different from above)

Name: Jennifer Raupach
Title: Grants Manager
Phone: (510) 213-4898
Email: raupach@watertransit.org
Mailing Address: Pier 9, Suite 111, The Embarcadero, San Francisco, CA 94111