

Members of the Board

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

Thursday, July 1, 2021 at 1:30 p.m.

VIDEOCONFERENCE

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AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. REPORT OF BOARD CHAIR **Information**
 - a. Chair's Verbal Report
4. REPORTS OF DIRECTORS **Information**

Directors are limited to providing information, asking clarifying questions about matters not on the agenda, responding to public comment, referring matters to committee or staff for information, or requesting a report to be made at another meeting.
5. REPORTS OF STAFF **Information**
 - a. Executive Director's Report on Agency Projects, Activities and Services
 - i. Bay Area Blue Ribbon Transit Recovery Task Force
 - ii. Vallejo Low Tide Episodes
 - iii. Pandemic Recovery Program Implementation
 - b. Monthly Review of Financial Statements
 - c. Federal Legislative Update
 - d. State Legislative Update
 - e. Monthly Ridership and Recovery Report
6. CONSENT CALENDAR **Action**
 - a. Board Meeting Minutes – June 3, 2021
7. AUTHORIZE RELEASE OF A REQUEST FOR PROPOSALS FOR SIX-MONTH PILOT PROGRAM BETWEEN SOUTH SAN FRANCISCO AND DOWNTOWN SAN FRANCISCO FERRY TERMINAL **Action**

**Water Emergency Transportation Authority
July 1, 2021 Meeting of the Board of Directors**

8. APPROVE CONTRACT AWARD TO CURTIN MARITIME CORP. FOR DREDGING AND MARINE CONSTRUCTION SERVICES FOR THE VALLEJO TERMINAL DREDGING PROJECT

Action

9. APPROVE EMPLOYMENT OF LYNNE YU AS ACTING CHIEF FINANCIAL OFFICER FOR A LIMITED DURATION APPOINTMENT

Action

10. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

ADJOURNMENT

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

CHANGES RELATED TO COVID-19

Consistent with Governor Gavin Newsom's Executive Orders N-25-20 and N-29-20, effective immediately and until further notice, meetings will be conducted through virtual participation to promote social distancing and reduce the chance of COVID-19 transmission.

PUBLIC COMMENTS WETA welcomes comments from the public.

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

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

Non-Agenda Items: A 15-minute period of public comment for non-agenda items will be held at the end of the meeting. Please indicate on your speaker card that you wish to speak on a non-agenda item. No action can be taken on any matter raised during the public comment period.

Upon request, WETA will provide written agenda materials in appropriate alternative formats to individuals with disabilities. In addition, WETA will arrange for disability-related modifications or accommodations including auxiliary aids or services to enable individuals with disabilities to participate in public meetings. Please send an email with your request to: contactus@watertransit.org or by telephone: (415) 291-3377 as soon as possible and no later than 5 days prior to the meeting and we will work to accommodate access to the meeting.

AGENDA ITEM 1
CALL TO ORDER

AGENDA ITEM 2
ROLL CALL

AGENDA ITEM 3
REPORT OF BOARD CHAIR

AGENDA ITEM 4
REPORTS OF DIRECTORS

NO MATERIALS

TO: WETA Board Members

FROM: Seamus Murphy, Executive Director

DATE: July 1, 2021

RE: Executive Director's Report

SERVICE DEVELOPMENT UPDATE:**San Francisco Giants Baseball Ferry Service**

July 2021 Update: WETA offered service for the three games hosted by the San Francisco Giants at Oracle Park on June 25, 26, and 27 from the East Bay and Vallejo. This was a preview of permanent baseball Ferry service, which will resume in July at the Giants next home stand.

Berkeley Ferry Terminal

The proposed Berkeley Ferry Recreational Pier and Ferry Terminal is a joint project proposed by the City of Berkeley and WETA that will rebuild a recreational pier at the Berkeley Marina, which would also include ferry terminal infrastructure. The project is in the initial planning stages and is part of a larger master planning effort focusing on the Berkeley Marina.

July 2021 Update: The project team has been preparing both landside and waterside concepts to share with stakeholders and the general public at public workshops that will take place in July. In addition, WETA staff has engaged a consultant team to initiate a Berkeley Ferry Business Plan that will develop a 10-year forecast of ridership and fare revenues for ferry service at a potential Berkeley Terminal.

Redwood City Ferry Terminal

The proposed Redwood City Ferry Terminal would be located at the eastern end of the Port of Redwood City and would be a destination for ferry services from San Francisco and/or Oakland. The Port and City of Redwood City, with participation from WETA, recently completed a ferry feasibility study that found the project feasible and recommended the project develop a business plan as next step towards development. The study estimated the project could open in 2025, provided funding is secured.

July 2021 Update: The Redwood City Port Commission approved a contract with the San Mateo Transportation Authority at its June 23 meeting that will provide funding for a Redwood City Ferry Business Plan. A consultant team will lead the effort for the Business Plan, which is expected to be completed in the Fall.

Treasure Island Ferry Service

The Treasure Island real estate development project includes a ferry terminal that is currently under construction. The Treasure Island Mobility Management Authority (TIMMA), a division of the San Francisco Transportation Authority, is developing a program that will fund transportation services, including public ferry service. Staff from TIMMA has indicated that WETA is the desired provider of Treasure Island public ferry service.

July 2021 Update: A Memorandum of Understanding (MOU) between WETA and the Treasure Island Mobility Management Authority (TIMMA) was approved by a TIMMA Committee and the full Board at their meetings in June. The WETA Board previously approved the MOU at its May 6 meeting.

PLANS, STUDIES & INITIATIVES

MTC's Blue Ribbon Transit Recovery Task Force

The Metropolitan Transportation Commission (MTC) has created a Blue Ribbon Transit Recovery Task Force (Task Force) to guide the future of the Bay Area's public transportation network as the region adjusts to new conditions created by the COVID-19 pandemic. The Task Force includes local elected officials; transportation advocates; representatives from the state Senate and Assembly; the California State Transportation Agency; transit operators; business and labor groups; and transit and social justice advocates. Chair Wunderman is a member of the Task Force through his role at the Bay Area Council.

July 2021 Update: At the beginning of the pandemic, transit operators coordinated to develop the Riding Together: Bay Area Healthy Transit Plan, which includes a baseline set of measure to protect the health of riders and transit workers. On June 16, the region's transit General Managers informed MTC that June would mark the last monthly report on agencies' efforts to implement the Healthy Transit Plan and that the Plan's website, www.healthytransitplan.com, would transition to support the region's joint marketing campaign, "All Aboard Bay Area Transit".

MTC and transit operators are collaborating on a joint regional marketing campaign currently slated for August and September. MTC has committed funds to execute the "All Aboard Bay Area Transit" campaign. The campaign will include radio, out-of-home, and digital channels. WETA staff has remained engaged in the campaign development and will leverage its own marketing campaign to amplify messaging around the safe return to transit for Bay Area travelers.

The Blue Ribbon Task Force also involves consideration of options for enhanced integration of transit services throughout the region. On June 21, MTC invited board members from the region's small operators to hear an update on the Task Force's efforts to evaluate network management alternatives and develop a Transformation Action Plan. Director Alba participated on behalf of WETA and reported out on the implementation of WETA's Pandemic Recovery Program, which embraces many of the principles and improvements being discussed by the Task Force. MTC has hired a bench of consultants charged with evaluating and recommending transit network management alternatives for the Task Force to consider over the next two months.

San Francisco Bay Ferry Marketing Campaign

In May 2021, staff presented its plan to market the Pandemic Recovery Program during the summer months in an effort to boost San Francisco Bay Ferry ridership.

July 2021 Update: WETA launched its digital marketing campaign for the relaunch of San Francisco Bay Ferry service on June 23, with radio and out-of-home marketing commencing on June 28 in advance of July 1 fare decreases, service enhancements and route launches. The campaign will continue through mid-August. Adjustments to messaging, scale and focus will be made as necessary based on marketing and ridership data. Staff will report to the Board in the coming months on the performance of the marketing campaign and marketing priorities for the remainder of FY22.

511 Contra Costa Ticket Promotion

WETA is partnering with 511 Contra Costa, a transportation demand management program of the West Contra Costa Transportation Advisory Committee (WCCTAC), to provide six one-way tickets on the Richmond ferry to solo drivers commuting between West Contra Costa (El Cerrito, Hercules,

Pinole, Richmond, and San Pablo) and San Francisco. Funding for the program is provided by the Contra Costa Transportation Authority (CCTA) and the Bay Area Air Quality Management District (BAAQMD). WETA is providing tickets to WCCTAC for the program at a discounted rate of \$4.50 per ticket to help convert solo-driver commuters to the ferry. The ticket distribution is being implemented via Hopthru, WETA's mobile ticketing partner. The program is capped at \$20,000 in tickets to be paid by WCCTAC. This would allow approximately 740 commuters to take advantage of the promotion. The program is set to run through June 2021, aligning with service and fare changes scheduled for July 2021.

July 2021 Update: The promotion concluded on June 17 with a total of 1,986 tickets distributed to 331 recipients. Tickets will expire on July 15. Richmond ridership has grown throughout the promotion, indicating a potential increase of awareness of active Richmond ferry service during the promotion.

Solano Mobility First/Last-Mile Program

The Solano Transportation Authority (STA) has an existing partnership with Lyft to provide discounts on rides to and from public transit hubs in Solano County through the Solano Mobility First/Last-Mile Program. Thanks to funding from the BAAQMD and using mapping technology, STA is able to subsidize 80 percent of participants' Lyft rides to or from transit hubs, up to \$25. The Vallejo and Mare Island ferry terminals are included in the promotion.

WETA has partnered with STA to promote the program specifically around the Vallejo ferry route to lower first/last-mile barriers for potential ferry passengers, especially those without access to private transportation. As the program is funded by BAAQMD and administered by STA, WETA's costs are limited to staff time and a small paid marketing effort. WETA staff plans to use lessons from this effort as it continues to explore ways to improve access to ferry terminals and increase ferry ridership.

July 2021 Update: WETA continues to leverage the First/Last-Mile Program to mitigate impacts from low tides episodes affecting Vallejo ferry service. STA staff indicated 35 new participants had joined the program after WETA's initial marketing and outreach push, a significant increase. WETA will continue to work with STA to promote its First/Last-Mile Program and investigate potential partnerships at other terminals.

OTHER BUSINESS

Tideline Marine Group Application to CPUC

On June 10, Tideline Marine Group, Inc. dba Tideline Water Taxi (Tideline) has filed an application to amend its vessel carrier certificate ("VCC-93"), impacting both its scheduled and unscheduled services.

With regard to its scheduled service, Tideline seeks more flexibility in setting rates. Currently, Tideline operates scheduled service between Berkeley and San Francisco for \$25 per round trip (or \$18.75 when a monthly pass is purchased) subject to a 20% adjustment up or down upon notice to the California Public Utilities Commission (CPUC) and the public. Tideline proposes a one way fare of \$12.50, with the opportunity to adjust fares without further approval by the CPUC so long as they are capped at \$15.

Tideline's application also seeks to broaden the definition of its unscheduled service area to be "between points and places in the San Francisco Bay and its navigable tributaries," rather than "between points in San Francisco, Marin and the East Bay." Tideline's current fares for unscheduled service are \$50 per passenger between any two points served, and \$80 roundtrip, and may be adjusted within 20 percent up or down upon notice to the CPUC and the public. Tideline proposes to provide unscheduled service on a de-tariffed basis. It contends that most of its unscheduled roundtrip sightseeing service or special event service is pre-arranged charter service that is exempt from the

CPUC's regulations. If the application is approved, fares for Tideline's unscheduled service would be assessed on a vessel mileage or time of use basis, or combination of the two, and could vary in accordance with the size of the passenger group or the capacity of the vessel.

Vallejo Low Tide Schedule Adjustment

Due to increase silt levels at the Vallejo Ferry Terminal, extreme low tide events have forced some temporary schedule changes to the Vallejo ferry route. Operation of regular service under these conditions would risk damaging critical vessel systems that are susceptible to clogging and overheating.

Similar to the May episode, WETA instituted several schedule changes for morning service in Vallejo from Wednesday, June 23 through June 25. The 6:30 a.m. Vallejo departure was moved to 6:00 a.m. and both 7:45 a.m. and 8:45 a.m. departures from Vallejo departed instead from the Mare Island Ferry Terminal. Early northbound trips from San Francisco were routed to Mare Island. In order to accommodate afternoon return trips, a vessel was deployed to shuttle passengers from Vallejo to Mare Island.

The final low tide event will occur on Thursday, July 22 through Sunday, July 25. Given increased ridership and service levels, WETA is developing a plan to further supplement morning service and adjust weekend schedules to avoid potential vessel issues and maintain customer experience.

Dredging at the Vallejo Ferry Terminal is anticipated to start in August 2021. Staff has investigated options to accelerate this dredge cycle but due to permitting and pile driving windows August 2021 is the earliest that work can occur.

Passenger notifications included:

- Flyers distributed on board vessels and at the Vallejo Ticket Office
- Graphics posted on the onboard screens the week prior to the low tide event
- Daily announcements from captains on every trip the week prior to the low tide event
- Passenger notifications through BayAlerts, the San Francisco Bay Ferry website, signage at the Vallejo Ferry Terminal and Ticket Office and social media channels.

In addition, crews were deployed at both the Mare Island and Vallejo Ferry Terminals during the low tide event to assist with notifications, parking and crowd control.

END

Attachment A

Monthly Operating Statistics Report May 2021

			Alameda/ Oakland	Harbor Bay †	Richmond	South San Francisco †	Vallejo	Systemwide
Boardings	vs. last month	Total Passengers May 2021	14,847		3,149		15,124	33,120
		Total Passengers April 2021	11,635		2,535		13,677	27,847
		Percent change	27.61%		24.22%		10.58%	18.94%
	vs. same month last year	Total Passengers May 2021	14,847		3,149		15,124	33,120
		Total Passengers May 2020	1,675				2,855	4,530
		Percent change	786.39%				429.74%	631.13%
	vs. prior FY to date	Total Passengers Current FY To Date	81,180		20,424		116,804	218,408
		Total Passengers Last FY To Date	1,002,446	246,657	157,520	103,798	776,467	2,286,888
		Percent change	-91.90%	-100.00%	-87.03%	-100.00%	-84.96%	-90.45%
		Avg Weekday Ridership May 2021	707		150		687	1,544
Ops Stats		Passengers Per Hour May 2021	109		26		46	56
		Revenue Hours May 2021	136		122		330	588
		Revenue Miles May 2021	1,863		2,195		9,298	13,355
		Farebox Recovery Year-To-Date	5%		3%		7%	5%
		Cost per Available Seat Mile – May 2021	\$0.95		\$0.62		\$0.32	\$0.43
		Average peak hour utilization, AM – May 2021	14%		13%		14%	14%
		Average peak hour utilization, PM – May 2021	24%		14%		21%	20%
		Fuel Used (gallons) – May 2021	15,807		21,482		89,641	126,930
		Avg Cost per gallon – May 2021	\$2.68		\$2.68		\$2.62	\$2.64

† Service suspended on the Harbor Bay and South San Francisco routes due to COVID-19 effective May 17, 2020

MEMORANDUM

TO: Board Members

**FROM: Seamus Murphy, Executive Director
Lynne Yu, Finance & Administration Manager
Deborah Tragsiel-Seidenberg, Accountant**

SUBJECT: Monthly Review of FY 2020/21 Financial Statements for Eleven Months Ending May 31, 2021

Recommendation

There is no recommendation associated with this informational item.

Summary

This report provides the attached FY 2020/21 Financial Statements for eleven months ending May 31, 2021.

Operating Budget vs. Actual

	Prior Actual	Current Budget	Current Actual
Revenues - Year To Date:			
Fare Revenues	\$16,975,557	\$1,915,283	\$1,560,643
Federal - CARES Act	3,099,597	13,971,283	14,376,246
Bridge Toll Revenues	15,987,146	19,122,675	11,871,206
Contra Costa Measure J	2,140,524	3,289,458	3,197,184
Alameda Measure B/BB	500,000	1,431,192	-
Alameda Tax & Assessment	45,901	3,543,559	-
Other Revenues	26,470	-	-
Total Operating Revenues	\$38,775,194	\$43,273,450	\$31,005,279
Expenses - Year To Date:			
Planning & Administration	\$2,471,018	\$2,750,000	\$2,174,429
Ferry Services	36,304,176	40,523,450	28,830,850
Total Operations Expenses	\$38,775,194	\$43,273,450	\$31,005,279
System-Wide Farebox Recovery %	47%	5%	5%

Capital Actual and % of Total Budget

	YTD Actual	% of FY 2020/21 Budget
Revenues:		
Federal Funds	\$4,242,948	
State Funds	8,503,594	
Bridge Toll Revenues	444,842	
Other Revenues	1,201,870	
Total Capital Revenues	\$14,393,254	38.69%
Expenses:		
Total Capital Expenses	\$14,393,254	38.69%

Fiscal Impact

There is no fiscal impact associated with this informational item.

END

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San Francisco Bay Area Water Emergency Transportation Authority
FY 2020/21 Statement of Revenues and Expenses
For Eleven Months Ending 5/31/2021

		Year - To - Date			% of Year Elapsed	92%
	May-21 Actual	FY2019/20 Actual	FY2020/21 Budget	FY2020/21 Actual	Total FY2020/21 Budget	% of Total Budget
OPERATING EXPENSES						
FERRY OPERATIONS:						
<u>Harbor Bay FerryService (AHBF)</u>						
Purchased Transportation	\$144,292	\$1,756,635	\$1,966,708	\$1,294,302	\$2,145,500	60.3%
Fuel - Diesel & Urea		394,079	451,642	-	492,700	0.0%
Other Direct Operating Expenses	26,268	427,367	780,725	250,863	851,700	29.5%
Admin Overhead Expense Transfer		84,240	117,608	-	128,300	0.0%
Total Harbor Bay	\$170,560	\$2,662,321	\$3,316,683	\$1,545,164	\$3,618,200	42.7%
Farebox Recovery - AHBF	0%	42%	4%	0%	4%	
<u>Alameda/Oakland Ferry Service (AOFS)</u>						
Purchased Transportation	\$382,796	\$8,613,011	\$7,028,542	\$5,767,995	\$7,667,500	75.2%
Fuel - Diesel & Urea	42,391	1,437,265	1,488,392	296,927	1,623,700	18.3%
Other Direct Operating Expenses	140,603	1,783,047	2,168,100	1,433,136	2,365,200	60.6%
Admin Overhead Expense Transfer	27,555	434,159	371,342	287,484	405,100	71.0%
Total Alameda/Oakland	\$593,345	\$12,267,481	\$11,056,375	\$7,785,542	\$12,061,500	64.5%
Farebox Recovery - AOFS	12%	48%	4%	5%	4%	
<u>Vallejo FerryService (Vallejo)</u>						
Purchased Transportation	\$839,891	\$10,105,757	\$9,362,283	\$9,905,498	\$10,213,400	97.0%
Fuel - Diesel & Urea	235,294	3,791,378	3,517,067	1,799,203	\$3,836,800	46.9%
Other Direct Operating Expenses	214,654	1,832,126	2,632,483	2,267,515	2,871,800	79.0%
Admin Overhead Expense Transfer	39,655	350,265	410,208	449,566	447,500	100.5%
Total Vallejo	\$1,329,494	\$16,079,526	\$15,922,042	\$14,421,783	\$17,369,500	83.0%
Farebox Recovery - Vallejo	10%	52%	7%	7%	7%	
<u>South San Francisco FerryService (SSF)</u>						
Purchased Transportation	\$86,348	\$1,583,181	\$1,601,233	\$1,003,805	\$1,746,800	57.5%
Fuel - Diesel & Urea	-	278,888	258,225	-	281,700	0.0%
Other Direct Operating Expenses	20,289	363,081	438,167	197,307	478,000	41.3%
Admin Overhead Expense Transfer	-	37,060	16,317	-	17,800	0.0%
Total South San Francisco	\$106,637	\$2,262,211	\$2,313,942	\$1,201,112	\$2,524,300	47.6%
Farebox Recovery - SSF	0%	34%	1%	0%	1%	
<u>Richmond FerryService (Richmond)</u>						
Purchased Transportation	\$229,832	\$2,226,306	\$3,104,842	\$2,826,592	\$3,387,100	83.5%
Fuel - Diesel & Urea	57,609	353,184	538,358	374,758	587,300	63.8%
Other Direct Operating Expenses	39,136	410,715	603,075	515,228	657,900	78.3%
Admin Overhead Expense Transfer	6,945	42,432	36,117	69,587	39,400	176.6%
Total Richmond	\$333,521	\$3,032,637	\$4,282,392	\$3,786,165	\$4,671,700	81.0%
Farebox Recovery - Richmond	6%	29%	77%	3%	1%	
<u>Seaplane Lagoon FerryService (SPL)</u>						
Purchased Transportation	\$0	\$0	\$0	\$0	\$0	0.0%
Fuel - Diesel & Urea	-	-	365,017	-	398,200	0.0%
Other Direct Operating Expenses	17,660	-	3,112,267	91,084	3,395,200	2.7%
Admin Overhead Expense Transfer	-	-	154,733	-	168,800	0.0%
Total Seaplane Lagoon	\$17,660	\$0	\$3,632,017	\$91,084	\$3,962,200	2.3%
Farebox Recovery - SPL	0%	0%	5%	0%	91%	
Sub-Total Ferry Operations	\$2,551,217	\$36,304,176	\$40,523,450	\$28,830,850	\$44,207,400	65.2%
FAREBOX RECOVERY - SYSTEMWIDE	9%	47%	5%	5%	5%	

San Francisco Bay Area Water Emergency Transportation Authority
FY 2020/21 Statement of Revenues and Expenses
For Eleven Months Ending 5/31/2021

					% of Year Elapsed	92%
		Year - To - Date			Total	% of
	May-21 Actual	FY2019/20 Actual	FY2020/21 Budget	FY2020/21 Actual	FY2020/21 Budget	Total Budget
OPERATING EXPENSES (continued)						
PLANNING & GENERAL ADMIN:						
Wages and Fringe Benefits	\$145,321	\$1,917,458	\$1,718,475	\$1,630,661	\$1,874,700	87.0%
Services	62,190	1,047,299	1,609,942	932,008	1,756,300	53.1%
Materials and Supplies	56	8,785	34,283	(2,901)	37,400	-2.7%
Utilities	2,690	41,037	48,492	32,058	52,900	60.6%
Insurance	-	1,046	25,667	582	28,000	2.1%
Miscellaneous	1,745	46,331	59,767	24,160	65,200	37.1%
Leases and Rentals	33,439	357,218	359,700	364,496	392,400	92.9%
Admin Overhead Expense Transfer	(74,155)	(948,156)	(1,106,325)	(806,637)	(1,206,900)	66.8%
Sub-Total Planning & Gen Admin	\$171,286	\$2,471,018	\$2,750,000	\$2,174,429	\$3,000,000	72.5%
Total Operating Expenses	\$2,722,503	\$38,775,194	\$43,273,450	\$31,005,279	\$47,207,400	65.7%
OPERATING REVENUES						
Fare Revenue	\$230,131	\$16,975,557	\$1,915,283	\$1,560,643	\$2,089,400	74.7%
Federal Operating Assistance	275,412	3,099,597	13,971,283	14,376,246	15,241,400	94.3%
Regional - Bridge Toll	1,864,271	15,987,146	19,122,675	11,871,206	20,861,100	56.9%
Regional - Contra Costa Measure J	352,689	2,140,524	3,289,458	3,197,184	3,588,500	89.1%
Regional - Alameda Measure B/BB	-	500,000	1,431,192	-	1,561,300	0.0%
Regional - Alameda Tax & Assessment	-	45,901	3,543,559	-	3,865,700	0.0%
Other Revenue		26,470	-	-	-	0.0%
Total Operating Revenues	\$2,722,503	38,775,194	\$43,273,450	\$31,005,279	\$47,207,400	65.7%

San Francisco Bay Area Water Emergency Transportation Authority
FY 2020/21 Statement of Revenues and Expenses
For Eleven Months Ending 5/31/2021

Project Description	Total Project Budget	Total Prior Expense	Total FY2020/21 Budget	Total FY2020/21 Expense	Total Future Year	% of Total Project Budget Spent
CAPITAL EXPENSES:						
<u>FACILITIES:</u>						
Terminal Construction						
Downtown Ferry Terminal Expansion - South Basin	\$98,965,000	\$94,792,877	\$4,172,123	\$1,227,887	-	97%
Operations and Maintenance Facilities						
Ron Cowan Central Bay Operations & Maintenance Facility	64,932,400	64,348,080	584,320	14,301	-	99%
North Bay Facility Improvement - Fuel System	530,450	-	530,450	130,299	-	25%
Terminal Improvement						
Install Mooring Piles - Harbor Bay Terminal	446,500	59,927	386,573	340,689	-	90%
Terminal Rehabilitation - Engineering & Design Main Street	395,000	-	395,000	19,563	-	5%
Shoreside Infrastructure for All-Electric Vessel	4,760,000	-	2,002,000	-	2,758,000	0%
<u>FERRY VESSELS:</u>						
Vessel Construction						
445-Pax Expansion (Waterjet) Vessels - 2 vessels	46,745,000	43,324,292	3,420,708	1,608,885	-	96%
New Commuter Class High-Speed Vessels - 2 vessels	30,082,500	11,758,345	12,063,155	6,815,568	6,261,000	62%
Vessel Replacement - M/V Bay Breeze & MV Solano	34,600,000	251,717	9,158,283	3,015,406	25,190,000	9%
New All-Electric Vessel	4,300,000		1,834,000	-	2,466,000	0%
Vessel Rehabilitation and Refurbishment						
Vessel Engine Overhaul - M/V Argo and M/V Carina	240,000	125,730	114,270	-	-	52%
Vessel Engine & Reduction Gear Overhaul - MV Pisces	525,200	-	525,200	3,728	-	1%
Vessel Engine & Reduction Gear Overhaul - MV Bay Breeze	491,400	-	491,400	49	-	0%
Vessel Engine & Reduction Gear Overhaul - MV Peralta	1,400,000	-	1,400,000	1,130,682	-	81%
Vessel Engines Conversion - Gemini Class Vessels	5,524,100	-	52,000	15,914	5,472,100	0%
<u>CAPITAL EQUIPMENT / OTHER:</u>						
Purchase Service Vehicles	101,000	28,125	72,875	70,282	-	97%
Total Capital Expenses	\$294,038,550	\$214,689,094	\$37,202,356	\$14,393,254	\$42,147,100	
CAPITAL REVENUES:						
Federal Funds	\$64,819,199	\$34,857,846	\$9,881,250	\$4,242,948	\$20,080,103	60%
State Funds	177,887,690	139,493,840	20,645,693	8,503,594	17,748,157	83%
Regional - Bridge Toll	43,123,284	39,100,555	965,562	444,842	3,057,166	92%
Regional - Alameda Sales Tax Measure B / BB	3,132,827	16,926	1,854,228	621,181	1,261,673	20%
Regional - Alameda TIF / LLAD / HBBPA	446,500	59,927	386,573	340,689	-	90%
Regional - San Francisco Sales Tax Prop K	1,400,000	1,160,000	240,000	240,000	-	100%
Other - Proceeds from Sale of End-of-Life Vessels	3,229,050	-	3,229,050	-	-	0%
Total Capital Revenues	\$294,038,550	\$214,689,094	\$37,202,356	\$14,393,254	\$42,147,100	

TO: WETA Board Members

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

SUBJECT: WETA Federal Legislative Board Report – July 2021

This report covers the following topics:

1. House Transportation and Infrastructure Committee Passes Surface Transportation Bill
 - a. Increases Funding for FHWA and FTA Ferry Programs
 - a. Mission Bay Funding
 - b. Other Items of Interest – Eligibility for Hovercraft
2. WETA Opposes Provisions to Open Up Surface Transportation Block Grant Program to Private Ferries
3. WETA Supports Legislation: Stronger Communities through Better Transit Act

House Transportation and Infrastructure Committee Passes Surface Transportation Bill

Earlier this month, the House Transportation and Infrastructure (T&I) Committee took up and passed the INVEST in America Act, a new five-year surface transportation bill that would replace the FAST Act, which is the current surface transportation bill and which expires on September 30, 2021. The bill includes a number of items that will benefit WETA and which are detailed below. The INVEST in America Act will likely be combined with legislation coming out of other Congressional committees to form a larger “infrastructure bill” that Speaker Pelosi has indicated the House will take up and pass in the coming weeks.

The Senate is moving at a slower pace with their surface transportation reauthorization bill. Whereas all aspects of the surface bill in the House are under the jurisdiction of the House T&I Committee, in the Senate, jurisdiction is split between three committees: the Senate Environment and Public Works (EPW) Committee, covering the Federal Highway Administration (FHWA) portion of the bill; the Senate Commerce Committee, covering the rail and safety portion of the bill; and the Senate Banking Committee, covering the Federal Transit Administration (FTA) portion of the bill. While the EPW and Commerce Committees have both taken up their respective portions of the bill, the Banking Committee has yet to act.

It remains unclear when, and in what form, a surface transportation bill or larger infrastructure package will be sent to the President's desk. While many liberal Democrats are pushing for the use of budget reconciliation, which is not subject to the filibuster and would allow for a majority vote in the Senate (i.e. the Democrats could take up and pass a reconciliation bill without Republican support), reconciliation doesn't allow for policy changes or earmarks, meaning that much of the House and Senate surface transportation bills would be cut out. On the other hand, if Congressional Democrats and Republicans (and the White House) seek to pass an infrastructure bill through regular order (meaning that at least 10 Republicans would need to vote in favor of the bill), there would need to be agreement on how to pay for the bill, which has been elusive in Congress going back to at least 1993, which is the last time the gas tax was increased.

Increases Funding for FHWA and FTA Ferry Programs

The House surface transportation bill includes a number of items for which we lobbied Congress and which would benefit WETA. The bill includes additional funding for both the Federal Highway Administration (FHWA) Ferry Boats and Ferry Terminal Facilities Formula-Grant Program and the Federal Transit Administration (FTA) Passenger Ferry Competitive Grant Program. In particular, the bill increases FHWA program funding from \$80 million/year to \$120 million/year and more than doubles FTA program funding from \$30 million/year to \$63,832,511 by FY26. This funding increase is a direct result of our lobbying, and support from the Bay Area Congressional delegation.

The House T&I surface bill also includes language that places priority for funding on low or zero emission ferries and includes language we requested to ensure that retrofits would qualify for that funding. In addition, the bill requires the Government Accountability Office (GAO) to conduct a study and issue a report on the capital needs of public ferries. Because ferries are not included in the DOT conditions and performance report, we didn't have good data to back up our advocacy for additional funding for the FHWA and FTA program. While we were still able to be successful in increasing program funding, this study is intended to validate the billions of dollars of investment that is needed around the country and allow us to seek even higher funding levels in the future.

Mission Bay Funding

Although Speaker Pelosi made the Mission Bay terminal project one of her priority project requests, the committee limited the amount of money that could be provided to any Congressional district – the Speaker submitted \$32.45 million in requests, and the Committee chose to only fund \$20 million per Member. In talking with the Speaker's staff, they pointed out that leadership and committee members got larger amounts under previous bills, but that was not the case this time. With that being said, the Speaker's staff also pointed out the process is fluid and that they want to continue working with us to find opportunities to fund this project, especially if there is additional money made available for projects during negotiations with the Senate.

Altogether, 2,383 projects were submitted by lawmakers. The committee only accepted 1,473 projects. Thousands more projects were submitted to members of Congress and never forwarded to the Committee.

Other Items of Interest – Eligibility for Hovercraft

Congressman John Garamendi offered an amendment to the INVEST in America Act – which was accepted by the Committee – which allows states to use their federally awarded Surface Transportation Block Grant funding for public projects for “hovercraft” ferries/facilities. Note that this would not make hovercraft eligible under either the FHWA formula or FTA competitive grant programs and would restrict funding to public entities (i.e no money for private operators). Under current law, only “watercraft” ferry projects are available for USDOT funding, not hovercrafts performing the same overwater transit service. In pushing for this amendment, Garamendi noted that the Bay Area Council has long championed deploying hovercraft services and pointed to a December 2020 feasibility study completed by WETA on expanding water transit options in the Bay Area, particularly to areas with shallow depths unreachable by conventional ferries.

WETA Opposes Provisions to Open Up Surface Transportation Block Grant Program to Private Ferries

WETA has conveyed their opposition to Senators Dianne Feinstein and Alex Padilla to Section 1109 of the Surface Transportation Reauthorization Act (STRA), which was taken up and passed by the Senate Environment and Public Works (EPW) Committee on May 26, 2021. Section 1109 amends 23 USC 133 (Surface Transportation Block Grant Program) to allow for Surface Transportation Block Grant Program funding to be used by private operators for the construction of ferry boat and terminal facilities. The program has traditionally restricted funding to public ferry agencies.

WETA Supports Legislation: Stronger Communities through Better Transit Act

WETA sent letters to members of the Bay Area Congressional delegation in support of the *Stronger Communities through Better Transit Act* (H.R. 3744), legislation that would provide funding to transit systems for their operating budgets to provide more frequent transit service and to prioritize that service to places with existing poor service, including disadvantaged communities and areas of persistent poverty. In particular, H.R.3744 provides \$20 billion annually for transit operations around the country over the next four years and requires that funds directly boost transit service in “underserved communities” and “areas of persistent poverty.” Funding would be in addition to existing state, local and farebox revenue and would support additional service above and beyond what is currently being provided.

Respectfully Submitted,
Peter Friedmann and Ray Bucheger



NOSSAMAN LLP | Memorandum

TO: WETA Board of Directors

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

DATE: June 22, 2021

RE: June 2021 - Legislative Update

Legislative Update

The Assembly and Senate passed hundreds of measures out of their respective houses by the June 4th deadline. Policy committees are currently hearing bills from the other house in advance of the July 14th policy committee deadline. Legislators will go on summer recess from July 14 to August 16, then finish hearings and votes by the September 10 adjournment deadline.

Budget Update

The legislature passed a budget on June 14 but has not reached a final deal with Governor Newsom. Negotiations continue and a deal is expected in the coming days since a vote needs to take place by the end of June so the Governor can sign the budget by the start of the new fiscal year on July 1. We are exploring funding opportunities for the Mission Bay Ferry Terminal as part of the budget. We have contacted key legislators from the region as well as budget staff and legislative leadership and are seeking specified state funding for the remaining funds needed for the project. We're also pursuing funding eligibility for the project from various state sources such as infrastructure and electric transportation transition.

Bills of Interest

AB 629 became a two-year bill and did not advance out of the Assembly Appropriations Committee by the May 21 deadline. It will likely advance through the legislative process starting in January 2022. The bill tasks the Metropolitan Transportation Commission with creating a transit priority network, studying fares, and the creation of a standardized regional transit mapping and wayfinding system.

CARB Regulations

We continue to communicate with CARB and legislators regarding CARB's proposed harbor craft regulations to make sure they are implemented in a way that allows WETA to transition to electric ferries for certain routes in a reasonable way.

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Kevin Connolly, Planning & Development Manager
Taylor Rutsch, Transportation Planner

SUBJECT: Monthly Ridership and Recovery Report

Background

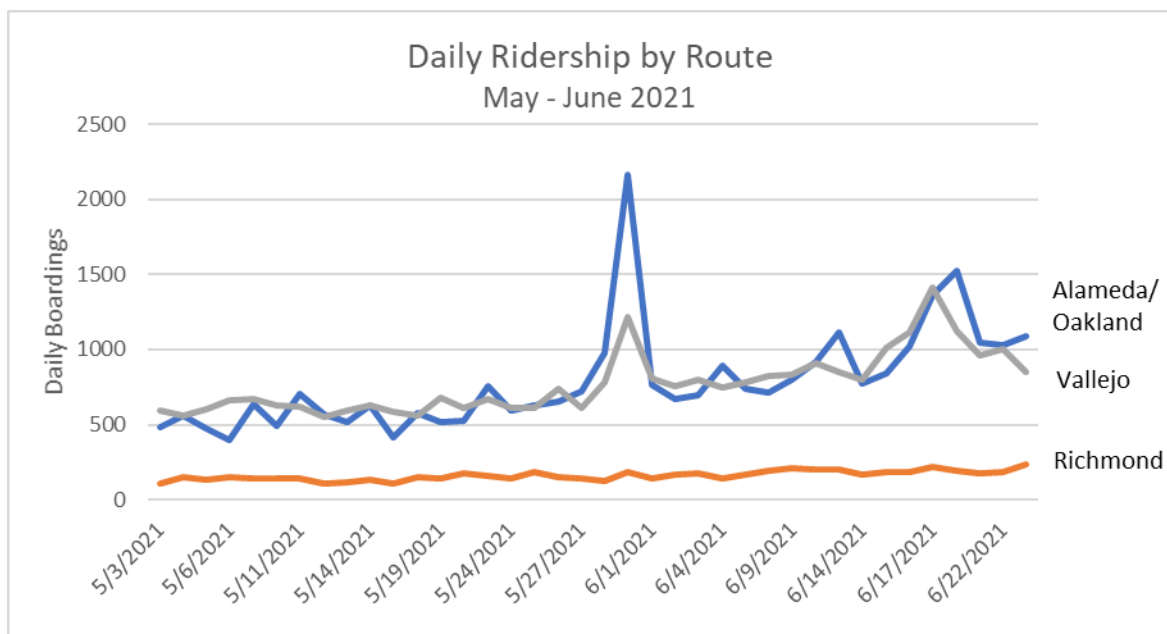
The WETA Ferry Service Recovery Plan (Plan) states that ferry service will restart at minimum levels to match expected reduced demand. Modifications in service will generally follow state guidelines for reopening the economy and subsequent changes in demand. The Plan calls for a monthly evaluation of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

Discussion

1. Ridership and Forecasting

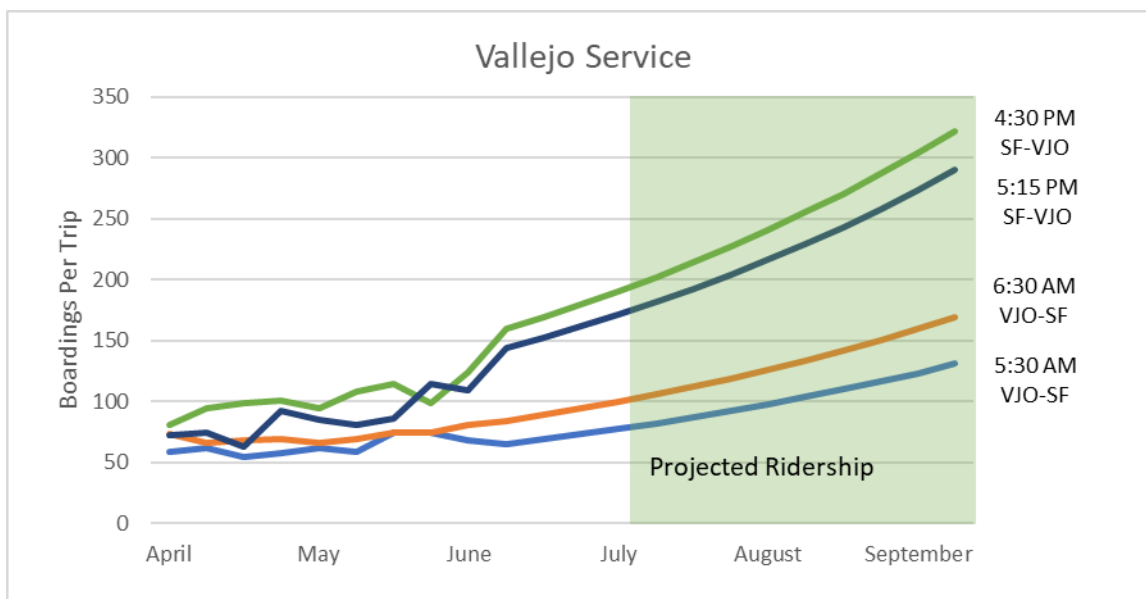
Systemwide

Systemwide average daily boardings increased 39 percent from May to June.



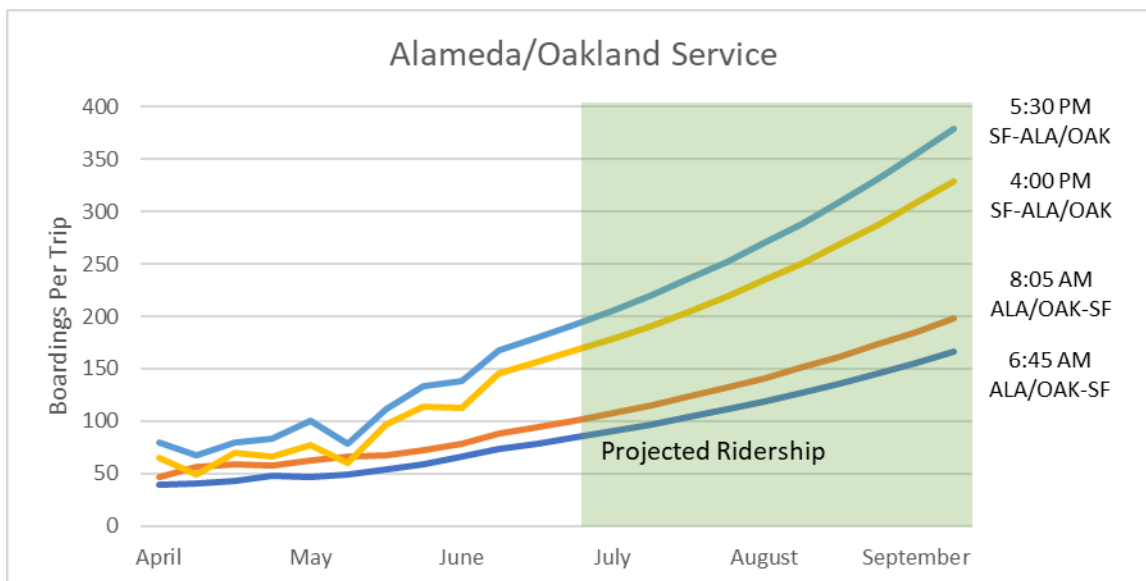
Vallejo

Ridership in Vallejo continued to grow steadily throughout June. Vallejo ridership is projected to continue to grow 6 percent per week, based on its rolling ridership average. On June 15, the State lifted all social distancing requirements, WETA vessels are now operating at normal capacity. This allowed significantly higher maximum capacity on board WETA's vessels.



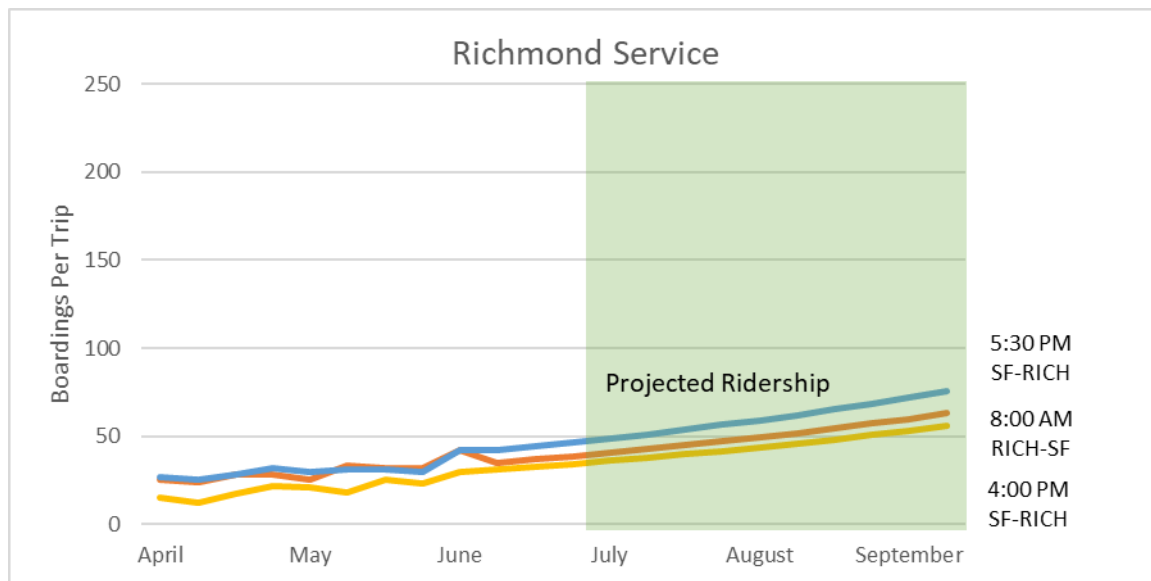
Alameda/Oakland

Alameda/Oakland ridership has experienced a similar pattern as Vallejo, with ridership growing in June. Alameda/Oakland ridership is projected to grow 7 percent per week, based on its rolling ridership average.



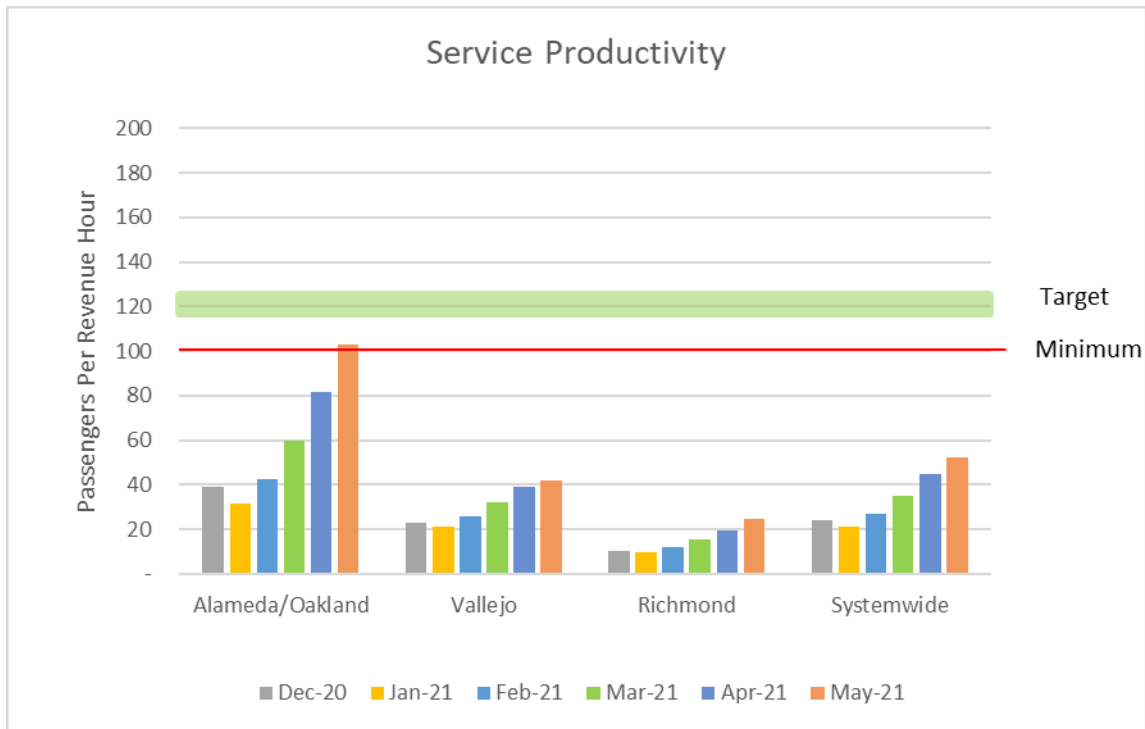
Richmond

Richmond ridership also grew throughout June. Richmond ridership is projected to grow 4 percent per week, based on its rolling ridership average.

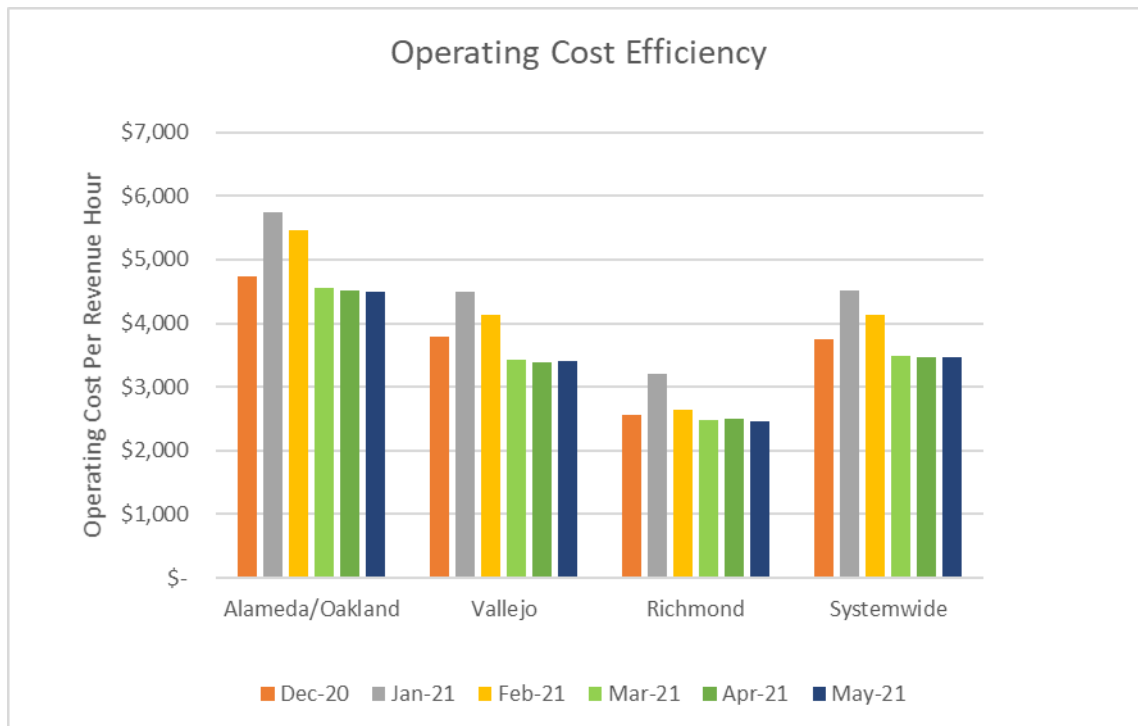


2. Service Productivity and Efficiency

Systemwide passengers per revenue hour increased from 45 to 52 from April to May.



Systemwide operating cost per revenue decreased 5 percent from April to May.



3. Regional Context

The state removed all social distancing restrictions on June 15, 2021.

WETA ridership, BART ridership, and bridge traffic all continued to grow in June.

Agency	% of normal ridership/traffic levels June 2021
WETA	22%
BART	20%
BATA Bridges (7-total)	93%

4. Outlook and Recommendations

Ridership grew steadily through May and June, with a spike on Memorial Day Holiday. It is likely that ridership will continue to grow because of the lifted lockdown, the increased rollout of vaccinations, and as weather improves. Staff will continue to monitor ridership levels to be prepared for service increases that may be warranted after the launch of the Pandemic Recovery Program on July 1st.

END

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

(June 3, 2021)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session via videoconference consistent with California Governor Gavin Newsom's Executive Orders N-25-20 and N-29-20 to ensure social distancing and help mitigate the transmission of COVID-19.

1. CALL TO ORDER

Chair James Wunderman called the meeting to order at 1:00 p.m. He welcomed directors, staff, and meeting guests and noted that the meeting was being recorded. Chair Wunderman advised guests about offering public comment and how guests could sign up to speak throughout the meeting.

2. ROLL CALL

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

3. REPORT OF BOARD CHAIR

Chair Wunderman informed all participants that Director Jeffrey Del Bono had an emergency situation that required his attention and is regrettably unable to attend today's meeting.

Chair Wunderman stated there are a lot of encouraging positives on the horizon with the state officially opening up on June 15 affording less restrictions. He thanked Executive Director Seamus Murphy and staff for the informative and relevant updates included in the Board packet and mentioned that the August Board meeting was canceled.

Chair Wunderman reflected on the heartbreaking, tragic event at the Santa Clara Valley Transportation Authority (VTA) and offered WETA's deepest condolences to the victims loved ones, friends, and the entire VTA family. He asked his fellow directors to support adjourning today's meeting in solidarity and honor the loving memory of the victims.

4. REPORTS OF DIRECTORS

The Directors agreed to adjourn the meeting in honor of the fallen.

Director Moyer added that she was looking forward to the emergency response item.

Director Alba reported that she had the opportunity to attend the Berkeley Parks and Waterfront Commission meeting on May 12 with Mr. Murphy, Senior Planner/Project Manager Michael Gougherty, and other staff to discuss the proposed ferry and pier project along the waterfront and was looking forward to exploring the next steps on the project. She thanked staff and the City of Berkeley for including WETA in the discussion.

5. REPORTS OF STAFF

Mr. Murphy said that the Riding Together: Bay Area Healthy Transit Plan called for a minimum 3-foot social distancing and that WETA had recently received approval from San Francisco to move to 3-foot social distancing which WETA had implemented on May 26 noting that it helped with the huge increase in ridership on Memorial Day. He said that the 3-foot social distancing would be in place as long as it was needed with the understanding that the state would be easing the social distancing on board transit on June 15, though counties could still decide to be more restrictive.

Mr. Murphy reported that the Metropolitan Transportation Commission (MTC) Blue Ribbon Transit Recovery Task Force (Task Force) met to discuss network management roles and responsibilities and potential solutions to include in AB 629 which was held over for this session.

He stated that WETA had its first low tide episode that restricts the ability to operate service to the Vallejo terminal. He thanked Blue & Gold Fleet (Blue & Gold), Operations & Maintenance Manager Timothy Hanners and his team, and Public Information & Marketing Manager Thomas Hall for putting together the customer outreach program to notify customers of the event and about the contingencies that were put in place. He said that these efforts would be duplicated for the second low tide event that was expected this month and that a third and final low tide event would occur during the third week of July when more service would be operating.

Mr. Murphy stated that staff had intended on presenting a conceptual special event service plan followed by a more formal rollout for Giants' service, but with the announcement of full capacity at Oracle Park, Giants direct service will begin on June 25 before the implementation of the Pandemic Recovery Program (Program). He said that reservations can be made to help control capacity and that existing fares would be maintained from June 25 through the end of the season. He added that the need for direct service to weekday games would be minimized and that staff proposed that riders depend on the enhanced regular service with a 20-minute walk to get to and from the ballpark. He said that staff is proposing a pilot program for a free, short hop transfer service for weekend day games between the Ferry Building and Oracle Park to maximize utilization of crews to provide regular service. He credited Mr. Hanners and Planning & Development Manager Kevin Connolly for this new idea.

On emergency response, Mr. Murphy reported that staff was going through an intensive training program reflecting the mandate of the WETA. He said that live training is scheduled for the end of summer and that staff would bring a comprehensive item to the Board for discussion.

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

Mr. Hall said that the Giants expressed the need for additional transit service especially for evening games given that BART closes before the end of the games, so staff is hoping that the new service plan would be well received in response to Chair Wunderman. Mr. Murphy confirmed that the pilot, short hop from the Ferry Building to Oracle Park would be provided as a free service for the nine games to minimize waiting times if there are significant crowds in response to Director Alba.

Director Moyer commended everybody involved especially Blue & Gold, the harbor and ferry staff, and the passengers for their agility and flexibility in dealing with the Vallejo low tide and was delighted to hear that there were no dramatic impacts. She said that she looked forward to the item on emergency response and commended all for participating in all the exercises.

She expressed concern that ballpark parking was going to be much cheaper than a roundtrip ticket for two from Alameda to San Francisco and wanted to know how pricing was determined. Mr. Murphy explained that the fares were built around a Board adopted policy that recaptures all costs

associated with special event service and one of the Program principles which maintains special event pricing. He said that evaluating ridership on direct service compared to the Program fares for regular service and connecting to the short hop would be an opportunity to review the special pricing policy.

Director Intintoli said that he has dealt with the dredging issues in the past and was satisfied with the efforts that were in place address the low tide situation.

Mr. Connolly provided an update on the Monthly Ridership and Recovery Report. Mr. Connolly reported that there was double digit ridership for the sixth week in a row with a steady increase. He said that it was encouraging to see a 40 percent increase in ridership on Memorial Day and an increase in reverse travel during the midday reflecting a trend in higher demand for recreational time ridership. He said that staff would continue to monitor ridership.

PUBLIC COMMENT

Seamless Bay Area Advocacy Director Adina Levin supported preserving virtual participation at Board meetings.

6. CONSENT CALENDAR

Director Intintoli made a motion to approve the consent calendar:

- a. Board Meeting Minutes – May 6, 2021
- b. Board Meeting Minutes – May 20, 2021
- c. Approve Purchase of Commercial Insurance Policies for FY 2021/22
- d. Receive the Independent Auditor's Engagement Letter for the Fiscal Year 2020/21 Financial Audit

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

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

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

7. APPROVE PROPOSED FISCAL YEAR 2021/22 OPERATING AND CAPITAL BUDGETS

Mr. Murphy presented this item recommending approval of the proposed Fiscal Year (FY) 2021/22 Operating and Capital Budgets. He expressed his appreciation of the Board's feedback from the May 20 meeting on the budget item and shared his presentation on follow up line items related to increased expenses which included fuel, crew, engineers, insurance, and other Blue & Gold support.

Chair Wunderman said that he was satisfied with the models and felt the assumptions were reasonable.

Mr. Murphy said that it would be welcome news if ridership increased a lot more than expected and that funds would be available to carry over into FY 2022/23 in response to Director Intintoli. He added that some stress testing had been done on the budget and stated that WETA was depending on the \$3.7 million from the American Rescue Plan Act (ARPA) being distributed by MTC to balance the budget if ridership does not materialize as expected. He said that MTC was expecting that agencies might be relying on the federal support from ARPA to balance the budget and was therefore, proposing multiple tranches of funding to be made available throughout the FY2021/22 and 2022/23 budget cycles. He said that service and fares may need to be

reevaluated and other subsidy opportunities including Regional Measure (RM3) would need to be identified if ridership does not return to pre-pandemic levels.

Mr. Murphy said that staff would be prepared to make recommendations about evolving service based upon ridership patterns in response to Director Intintoli.

Director Moyer thanked Finance & Administration Manager Lynne Yu for her hard work and for providing answers to the budget questions that were addressed.

Director Alba said that it was reassuring that WETA was utilizing the Coronavirus Aid, Relief, and Economic Security Act (CARES) and Coronavirus Response and Relief Supplemental Appropriations Act (CRSAA) funds well into FY 2021/22 and not dependent on the ARPA funds early in the process.

PUBLIC COMMENT

Inlandboatmen's Union of the Pacific Regional Director Robert Estrada thanked WETA management for their deftly leadership and stewardship in maneuvering through very difficult financial times and managing to preserve the workforce and the emergency response capacity.

Director Intintoli made a motion to approve the item.

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

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

8. AUTHORIZE FILING APPLICATIONS WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR FISCAL YEAR 2021/22 REGIONAL MEASURE 1 AND REGIONAL MEASURE 2 FUNDS

Ms. Yu presented this item recommending approval of the following actions relative to securing operating and capital grant funds to support WETA's Fiscal Year 2021/22 Operating and Capital Budget:

1. Authorize the Executive Director to submit an allocation request to the Metropolitan Transportation Commission (MTC) for a total of \$620,080 FY 2021/22 Regional Measure 1 Two Percent Bridge Toll Revenue (RM1 – 2%) funds; and
2. Authorize the Executive Director to submit an allocation request to MTC for a total of \$15,555,000 FY 2021/22 Regional Measure 2 (RM2) operating funds; and
3. Authorize the Executive Director to take any other related actions as may be required to secure these funds.

Ms. Yu said that the terms were the same as in previous years in response to Chair Wunderman. She explained that indemnify MTC meant WETA would hold MTC harmless – that MTC would not be liable for the construction if something goes wrong with the project, that WETA would not go after MTC for any liabilities, and that indemnify did not include MTC's failure to transfer funds or reduce funds in response to Director Moyer. WETA Legal Counsel Madeline Chun of Hanson Bridgett LLP added that the indemnification was a standard clause that relates to the acts or omissions of the WETA and were confined to things that were within the scope of WETA's control.

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

Director Alba made a motion to approve the item.

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

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

**9. APPROVE AMENDMENT TO AGREEMENT WITH NEMATODE MEDIA, LLC
FOR FERRY TICKET SALES AND INFORMATION SERVICES FOR FISCAL
YEAR 2021/22**

Mr. Hall presented this item recommending approval of Amendment No. 14 to Agreement No. 04-205 with Nematode Media, LLC (Nematode) in the amount of \$83,000 for July 1, 2021 through June 30, 2022.

Bay Crossings, a division of Nematode Media, LLC, is a retail shop inside the downtown San Francisco Ferry Building Marketplace adjacent to the Downtown San Francisco Ferry Terminal. Bay Crossings provides transit-related services to the public including the operation of a Clipper Customer Service Center, selling San Francisco Bay Ferry tickets and MUNI Day Passes, and disseminating public transit and visitor information. Clipper Customer Service Center functions are funded under a contract with MTC. Other services provided, such as the sale of other transit tickets and passes, are supported through separate agreements with individual transit agencies.

Chair Wunderman expressed his appreciation for the partnership, efforts, and passion of Bay Crossings and the information and services provided.

PUBLIC COMMENT

Manager at Bay Crossings Jonathan D'Agostin said he strongly believed in public transit and the importance of the services provided to make public transit easy to understand and accessible to people from all walks of life, especially those that rely on public transit.

Director Moyer made a motion to approve the item.

The Directors were supportive of the partnership and appreciative of services that Bay Crossings provides.

PUBLIC COMMENT

Jerry Bellows endorsed continuing the partnership.

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

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

10. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

No further public comments were shared.

With all business concluded, Chair Wunderman adjourned the meeting in memory of the VTA victims at 2:04 p.m.

- Board Secretary

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Timothy Hanners, Operations & Maintenance Manager

SUBJECT: Authorize Release of a Request for Proposals for Six-Month Pilot Program
between South San Francisco and Downtown San Francisco Ferry Terminal

Recommendation

Authorize release of a Request for Proposals (RFP) for a six-month, weekday ferry service Pilot Program between South San Francisco and the Downtown San Francisco Ferry Terminal.

Background/Discussion

WETA previously offered limited service (one roundtrip) between South San Francisco and the Downtown San Francisco Terminal from October 2016 to July 2018. The service was operated with minimal cost to WETA by converting deadhead runs to revenue service. The service was minimal and was designed to cater to South San Francisco residents travelling to San Francisco. It was cancelled due to less than anticipated ridership.

Since then, Oyster Point has continued to become one of the region's fastest growing employment centers. The area is home to over 200 biotech companies and is expected to add 13 million square feet of office, and 27,000 employees over the next two decades. Approximately half of this growth is already entitled or under construction.

Transportation, congestion, and mobility issues continue to pose a significant challenge to planned growth at Oyster Point. Vehicle access is limited, bottlenecks are common, and public and active transportation options are scarce.

Some of the most intense new development and job growth is under construction adjacent to the South San Francisco Ferry Terminal, where a 421,000 square foot campus, planned for 1,000 employees is expected to open in January 2022.

Approximately 25 percent of Oyster Point's 28,000 pre-pandemic employees commuted to work from San Francisco and roughly 79 percent of commuters drove alone. As employers prepare to welcome workers back to the office and open new campuses, South San Francisco employers have expressed interest in WETA initiating service between Oyster Point and San Francisco.

A WETA-scale ferry service, consistent with WETA's System Expansion Policy, can take 5-7 years to develop, and requires a robust planning and study process to assess ridership, financial, environmental, permitting, and construction feasibility of a proposed project. Given this extended timeframe and the limited availability of WETA vessels to operate a new route, staff is proposing an alternate approach to assessing the feasibility of a Downtown San Francisco to South San Francisco Ferry Service by proposing that the service be offered on a pilot project basis using vessels and crew owned and operated by a private ferry operator. The implementation of this service will provide WETA with a relatively fast and cost-efficient way to

assess the ridership and financial potential of this service and will help guide decisions about further planning and study.

Staff is proposing that an RFP be released to solicit proposals to operate a pilot service that would start in January 2022 and would operate through the end of June 2022. The RFP for this project will seek qualified individuals or firms to plan and operate a pilot ferry service between South San Francisco and Downtown San Francisco. The scope of services for the pilot program includes, but is not limited to the following:

- Provide a minimum of three morning and three afternoon weekday peak period round-trips (using WETA defined fares and fare collection methods) between South San Francisco and Downtown San Francisco Terminals. Respondents will also have the opportunity to propose enhancements or modifications to the minimum service concept.
- Provide all crew labor, fuel, supervision, materials, supplies, and vessels necessary to operate the service pursuant to WETA requirements, including on-time performance and service reliability.
- Provide vessel access to passengers with disabilities or mobility constraints.
- Implement marketing plan including marketing strategies, subject to WETA approval.

The RFP will set forth a “best value” procurement whereby, an evaluation committee will be established by the Executive Director to review and evaluate the proposals. Proposals submitted in response to this RFP will be evaluated based on project understanding and approach (10%), technical proposal (10%), proposer’s qualifications and experience (10%), and cost proposal (70%). The cost proposal will be evaluated based on the level of operating subsidy required by the Proposers, defined as the total operating cost less the amount of fare revenue projected for the service by the Proposer.

Pending the Board’s authorization to release the RFP, staff anticipates returning to the Board in September with a potential recommendation for a contract award.

Fiscal Impact

There is no fiscal impact associated with the release of the RFP. This project is not included in the FY 2022 Operating Budget. If approved, Staff will come back to the Board to request a budget amendment consistent with a recommendation for award of a contract.

END

MEMORANDUM

TO: Board Members

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

SUBJECT: Approve Contract Award to Curtin Maritime Corp. for Dredging and Marine Construction Services for the Vallejo Terminal Dredging Project

Recommendation

Approve the following actions relative to the *Terminal Dredging – Vallejo* project (Project):

1. Approve contract award to Curtin Maritime Corp. (Curtin) of Long Beach, California for Marine Construction Services in the amount of \$1,332,597.50 and authorize a contract contingency of 15 percent for a total sum of \$1,532,487.13; and
2. Authorize the Executive Director to enter into a contract and take any other related actions as may be necessary to support the Project.

Background

The Vallejo terminal ferry basin requires maintenance dredging every three to four years to support ongoing service operations. A full dredge of the Vallejo terminal area is due in 2021. Maintenance dredging is required to ensure that the passenger float is buoyant at all tidal levels and to ensure access is maintained for WETA ferry vessels. The scope of work for the Project includes:

- Removing the passenger float for access to the dredging site
- Relocation of the spare passenger float from Pier 48 ½ in San Francisco to Vallejo where it will serve as a temporary terminal
- Installation of the temporary ferry terminal including the passenger float, pilings, and gangway
- Dredging of the ferry terminal basin
- Miscellaneous repairs to the permanent passenger float
- Delivery and reinstallation of the spare passenger float at Pier 48 ½ in San Francisco

The Project will be implemented over a six-week period during the summer/fall 2021 dredge window and is expected to begin on or around the first week of August 2021.

Foth & Van Dyke and Associates Inc. (Foth, formerly CLE Engineering) has assisted WETA in providing technical dredging assistance on several previous dredging projects at the Vallejo terminal. Foth is assisting staff, under an on-call professional services contract with permitting, procurement, material sampling, and dredging surveys in preparation for the Project. Foth will also monitor the work and performance of the marine contractor performing the 2021 dredging work.

Discussion

On May 6, 2021, the Board of Directors authorized issuance of an Invitation for Bids (IFB) for the Project and the IFB was released to the public that day. A pre-bid conference was held on May 27 and was attended by seven marine construction firms. A total of five addendums were issued providing additional information, clarification, and answers to questions from bidders. Bids were due to WETA on or before June 11 at 2:00 p.m. A total of five bids were received in response to the IFB. The table below summarizes the base bid price for each submittal.

FIRM	BASE BID PRICE
Lind Marine, Inc.	\$612,686.86
Curtin Maritime Corp.	\$1,332,597.50
The Dutra Group	\$1,955,750.00
Power Engineering Construction Co.	\$1,778,500.00
Manson Construction Co.	\$2,200,000.00

The bid submitted by Lind Marine, Inc. (Lind Marine) was the apparent low bid based upon the price proposal submitted. However, staff, in consultation with legal counsel, has determined that Lind Marine was not responsive to the bid requirements and that WETA must reject its bid. Lind Marine's bid contained several irregularities. Most significantly, Lind Marine failed to sign its Bid Bond, which provided Lind Marine with an unfair advantage such that under California Law, WETA may not waive the irregularity.

Having rejected Lind Marine, the next lowest bidder is Curtin Maritime Corp. (Curtin). In accordance with the IFB process utilized for this Project, staff, in consultation with legal counsel, has reviewed the bid documents submitted by Curtin and has determined it is a responsive bidder. Additionally, staff has verified references submitted by Curtin and determined it to be responsible and acceptable for performing this work.

Staff has determined Curtin to be the lowest responsive and responsible bidder for the Project and recommends that the Board authorize award of a contract for this work in the amount of \$1,332,597.50. This bid amount is less than the Engineer's Estimate and within the budget for this Project. Staff also recommends that the Board establish a 15 percent owner's contingency for unanticipated work necessary to complete this Project.

WETA's overall annual Disadvantaged Business Enterprise (DBE) goal for Federal Fiscal Year 2021/22 is 0.24 percent and the Small Business Enterprise (SBE) goal is 7.5 percent for Federal Transit Administration (FTA) assisted contracts. Staff has reviewed the DBE/SBE materials provided by Curtin and has determined that 0 percent DBE 2021/22 participation and 47.6 percent SBE participation is anticipated during the performance of this contract.

Fiscal Impact

The *Terminal Dredging – Vallejo* project is included in the FY 2021/22 Capital Budget with a total project budget of \$2,787,600. The Project is funded with FTA grant funds, State Transit Assistance – State of Good Repair program funds, and AB664 Bridge Toll Revenues. Sufficient funds are included in the project budget to support the award of this contract.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2021-20

AWARD CONTRACT TO CURTIN MARITIME CORP. FOR VALLEJO TERMINAL DREDGING

WHEREAS, the WETA Board of Directors authorized staff to issue an Invitation for Bids for the *Terminal Dredging – Vallejo* project (Project) on May 6, 2021; and

WHEREAS, WETA issued an Invitation for Bids for the Project on May 6, 2021; and

WHEREAS, WETA followed established procedures in the agency's Administrative Code relating to the selection and contracting of Construction Services; and

WHEREAS, WETA followed the procedures in its Administrative Code regarding solicitation and evaluation of bids for the Project; and

WHEREAS, the apparent lowest bid submitted by Lind Marine Inc. was non-responsive because it contained multiple irregularities, in particular an unsigned bid bond; and

WHEREAS, WETA staff has recommended the award of a contract to Curtin Maritime Corp., the lowest responsive and responsible bidder, for the Project; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves entering into an agreement with Curtin Maritime Corp. for dredging and related services at the Vallejo Terminal in the amount of \$1,332,597.50 and authorizes a contract contingency of 15 percent for a total sum of \$1,532,487.13; and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director to execute the agreement and take any other related actions to support this work.

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 July 1, 2021.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2021-20

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director

SUBJECT: Approve Employment of Lynne Yu as Acting Chief Financial Officer for a Limited Duration Appointment

Recommendation

Approve the part-time employment of Lynne Yu, retired annuitant, as Acting Chief Financial Officer for a limited duration while recruiting a permanent replacement.

Background/Discussion

Lynne Yu retired as WETA's Finance & Administration Manager on February 1, 2021, after 11 ½ years with WETA. In January 2021, the Board approved Ms. Yu as Acting Finance & Administration Manager in a retired annuitant capacity to ensure that the critical functions of that position would be fulfilled while efforts to recruit a permanent replacement proceeded.

The Board-approved FY 2021/22 Operating Budget eliminated the Finance & Administration Manager position and added the position of CFO effective July 1, 2021. In order to continue Lynne's employment at WETA as a retired annuitant until the vacant CFO position is filled, Board action is necessary to approve her employment as Acting CFO.

The same rules as her previous appointment apply pursuant to California Government Code sections 7522.56 and 21221(h):

1. Appointment is necessary because Ms. Yu has special skills needed to perform work of a limited duration as the vacant position is in active recruitment;
2. Appointment cannot exceed 960 hours in any fiscal year;
3. Appointment provides for an hourly rate of pay that is neither less than the minimum nor more than the maximum monthly base salary paid by the employer to other employees who perform comparable duties, as listed on a publicly available pay schedule, divided by 173.33; and
4. Appointment does not provide for any other benefit, incentive, compensation in lieu of benefits, or other form of compensation.

In addition, under the Government Code, there is an exception to the ordinarily applicable 180 day waiting period between retirement and employment as an annuitant if:

1. The retiree did not receive any incentive to retire,
2. The appointment is necessary to fill a critically needed position before 180 days has passed, and is approved by the employer's governing body at a public meeting, and
3. The retiree has not received any unemployment compensation arising out her prior employment during the 12-month period preceding the appointment.

Approval of this item will allow Ms. Yu to continue to provide services that are critical to the agency on a temporary basis until a permanent CFO is hired.

Fiscal Impact

Sufficient funds are included in the FY 2021/22 Operating Budget to support this agreement as the cost of work completed under the agreement would be covered with budget savings from the vacant CFO position.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2021-21

**APPROVE EMPLOYMENT OF LYNNE YU AS ACTING CHIEF
FINANCIAL OFFICER FOR A LIMITED DURATION APPOINTMENT**

WHEREAS, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement Law, the Board of Directors (Board) of the San Francisco Bay Area Water Emergency Transportation Authority (WETA) must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement date; and

WHEREAS, Lynne Yu (Appointee) retired from the WETA in the position of Finance & Administration Manager effective February 1, 2021; and

WHEREAS, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is July 30, 2021 without this certification resolution; and

WHEREAS, Gov. Code section 7522.56 provides that an exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the Board and Lynne Yu certify that Lynne Yu has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, an appointment under Gov. Code section 21221(h) requires that retiree is appointed into the interim appointment during recruitment for a permanent appointment; and

WHEREAS, WETA Board of Directors has authorized the search for a permanent Chief Financial Officer (CFO) on June 3, 2021, with the approval of the FY 2021/22 Operating Budget; and

WHEREAS, WETA has a need for coverage of critical functions performed by the Chief Financial Officer so that work can continue during the period of recruitment and allow for a limited period of orientation for the new Chief Financial Officer once hired; and

WHEREAS, this Gov. Code section 21221(h) appointment shall only be made once and therefore will end no later than December 31, 2021; and

WHEREAS, the Board have determined that the Appointee has the specialized skills and experience necessary to fill the immediate critical need for certain financial and administrative services to maintain the operations of WETA during the limited duration of a period of recruitment and orientation of a new CFO, that the specialized skills of the Appointee in this position shall be needed only for a limited term, and that the Appointee's appointment to the position of acting CFO for such term is intended to meet all applicable requirements of Gov. Code sections 7522.56 and 21221(h), therefore, be it

RESOLVED, that the WETA Board of Directors approves, subject to WETA's customary employment practices and the specific terms and conditions of any offer of employment by WETA to the Appointee in connection therewith, the appointment of the Appointee to the position of acting CFO for up to a six-month term; and be it further

RESOLVED, that the Board approves, and authorizes the Executive Director of WETA to execute an agreement with the Appointee in accordance with this Resolution; and be it further

RESOLVED, that in accordance with sections 7522.56 and 21224 of the Code:

1. the Board of Directors hereby finds and certifies that the Appointee possesses extensive, highly specialized skills and experience needed to perform immediate critical finance and administration functions for WETA during the period of recruitment and orientation of a new CFO;
2. the Appointee's appointment to the position of acting CFO will not exceed 960 hours in any fiscal year for all PERS-covered agencies;
3. the Appointee's rate of pay in the position of acting CFO will be neither less than nor more than the monthly base salary paid by the agency to any of its other employees who perform comparable duties, divided by 173.333, and she will not receive any other benefit, incentive, compensation in lieu of benefits, or other form of compensation in excess of such hourly rate;
4. the Appointee has not received any unemployment compensation arising out of her prior employment with WETA during the 12-month period preceding her appointment; and subject to WETA's customary employment practices, the appointment of Appointee as acting CFO will continue only until the earlier of: (i) the end of the appointment's 6 month term, (ii) termination of the Appointee's employment by either the San Francisco Bay Area Water Emergency Transportation Authority or the Appointee for any other reason, or (iii) the successful hiring of a new CFO and orientation of such new CFO; and be it further

RESOLVED, that the Executive Director is hereby authorized and directed to execute all documents and take all other actions necessary or advisable to affect the purposes of this resolution.

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 July 1, 2021.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2021-21

END