

SAN FRANCISCO BAY AREA WATER TRANSIT AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS MEETING

(January 25, 2007)

The Board of Directors of the San Francisco Bay Area Water Transit Authority met in regular session at the Port of San Francisco, Bayside Conference Room, Pier 1 on the Embarcadero, San Francisco, CA.

1. CALL TO ORDER, ROLL CALL AND PUBLIC COMMENT

A meeting of the Board of Directors began at 1:40 p.m. Directors present were President Johnson, Directors Fang, Intintoli, Mancinelli, Rapport, Wagner and Withington. President Johnson further reviewed the protocol for public comment.

2. REPORT OF BOARD PRESIDENT

President Johnson had no report to make but expressed pleasure at the presence of Directors Fang and Wagner. She mentioned the absence of Director Secchitano due to recent surgery and expressed her hope for a speedy recovery.

3. REPORT OF DIRECTORS

Director Rapport mentioned a meeting with Steve Heminger (MTC), Steve Castleberry (WTA) and himself for the purpose of discussing an emergency response plan for the Bay Area. It was noted that the emergency response committee would probably not meet until legislation is introduced about emergency response.

4. REPORTS OF STAFF

CEO Steve Castleberry reviewed the CEO report highlighting the following issues:

- A contract with Nichols Brothers boat builders to begin building the Authority's first two vessels was executed, as witnessed by President Johnson.
- The Authority's quarterly newsletter is out.
- Tiburon – Discussion with regard to the Tiburon ferry service are ongoing and will be reported on as soon as a determination has been made.
- Berkeley/Albany – The Albany City Council voted at its recent meeting to oppose studies for terminal sites in Albany.
- Staff has been contacted by developers for the Pier 27-31 project (SF) regarding WTA facilities at that location.

5. FEDERAL LEGISLATIVE AGENDA FOR 2007 (Item 8)

Mr. Peter Friedmann, the Authority's Federal Legislative Representative, gave a brief report on the goals of his firm in Federal advocacy in Washington DC.

Director Rapport asked if the Vallejo fuel depot was eligible to obtain federal funding for emergency response and if FEMA would be involved with that. Mr. Friedmann answered that the only funding he is aware of for such projects is through one time grants but he will look into the potential for FEMA funding.

Director Withington moved to approve the item. Director Mancinelli seconded the motion and the item carried unanimously.

6. STATE LEGISLATIVE AGENDA FOR 2007 (Item 9)

Mr. Barry Broad, the Authority's State Legislative Representative, gave a brief report on the goals of his firm in relation to support and funding for the Authority at the State level. He noted that the focus is on bonds for funding and that Senator Don Perata is writing legislation that may affect the Authority but there is no information now available on what changes may be proposed.

Director Withington moved to approve the item. Director Mancinelli seconded the motion and the item carried unanimously.

6 CONSENT CALENDAR (Items 6 and 7)

There were no comments on the consent calendar. Director Intintoli moved to approve the consent calendar. Director Mancinelli seconded the motion and the item carried unanimously.

7 CLOSED SESSION (Items 10 and 11)

The Board recessed into closed session at 2:10 pm. Upon reopening session at 2:20 pm, it was noted that no action was taken in closed session.

Mr. John Sindzinski, Planning and Development manager summarized the proposed agreement with the Harbor District. The San Mateo Harbor District will serve as the lead agency to work with Treadwell and Rollo and Moffatt and Nichol Engineers, for a total amount not to exceed \$300,000 for dredging and geotechnical studies at the Oyster Point ferry terminal site. A motion was made by Director Withington to approve the Authority entering into an agreement with the San Mateo Harbor for the South San Francisco ferry terminal project at Oyster Point. Director Intintoli seconded the motion and the item carried unanimously.

8 AUTHORIZATION TO APPLY TO MTC FOR \$12 MILLION RM2 FUNDS FOR SOUTH SAN FRANCISCO VESSELS PROJECT (Item 12)

Ms. Nina Rannells, Grants Manager, gave a brief review of the request for authorization for RM2 funding for the South San Francisco vessels project.

Director Intintoli moved to authorize the application to MTC for \$12 million in RM2 funds for South San Francisco vessels project. Director Mancinelli seconded the motion and the item carried unanimously.

9 MID-YEAR FY 06/07 BUDGET UPDATE (Item 13)

Ms. Rannells gave a brief review of the budget adjustment for fiscal year 2006/2007, highlighting some of the project changes listed in the memorandum.

Director Withington asked if staff tracks time per project when shifting funding from salary and benefits to capital costs and if the Authority will continue to shift salaries to capital projects in future years. Ms. Rannells answered that in order to balance out operating expenditures in FY 2006/07, such as for the Pier 9 move, the shift to capital needed to occur, that staff time is tracked toward projects on timesheets and that we anticipate similar shifts in salaries toward capital in future years.

Director Withington moved to approve the budget update. Director Intintoli seconded the motion and the item carried unanimously.

10 APPROVAL OF AMENDMENT NUMBER 5 TO AGREEMENT WITH NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP FOR LEGAL SERVICES (Item 14)

Mr. Castleberry gave a brief report on the status of the ongoing contract with Nossaman, Guthner, Knox & Elliott, LLP (NGKE) for legal services, noting that due to the recent large projects requiring legal counsel, the firm has exceeded its regular budget amount for the quarter. Mr. Stanley Taylor, legal counsel, added that the lease space negotiations in South San Francisco, spare vessel contract negotiations and Pier 9 lease agreement negotiations contributed significantly to the higher than usual legal costs.

Director Rapport asked the nature of legal dispute on the design-build contract for the boats. Mr. Taylor responded that there were several issues contributed to many hours of negotiations, namely bonding issues, warranty coverage and builders' indemnity.

Director Withington requested staff and legal counsel continue to work together to maintain a reasonable level of spending for legal services.

Director Intintoli moved to approve the item. Director Mancinelli seconded the motion and the item carried unanimously.

11 TRANSPORTATION EMERGENCY RESPONSE PLANNING AND MANAGEMENT (Item 15)

Mr. Castleberry and Mr. Keith Stahnke, Manager of Operations, jointly presented this item, noting efforts made by the Authority with regard to its role in emergency response planning in the Bay Area.

Director Mancinelli complimented staff on their work and asked if other agencies have done anything like it to determine their own roles in the process. Mr. Castleberry answered that he is not aware of any other agencies' plans and noted that Mr. Stahnke continues to attend interagency meetings to discuss coordinating emergency response efforts.

Director Rapport also complimented staff on this effort and noted that we are waiting for a bill to come out to put the plan into motion.

12 AMENDMENT NUMBER 1 TO AGREEMENT WITH ROMA DESIGN GROUP FOR CONCEPTUAL PLANNING FOR SOUTH SAN FRANCISCO FERRY TERMINAL

Mr. Sindzinski presented this item for approval, briefly reviewing the terms of Roma Design Group's current contract with the Authority and noting additional funding is needed in order to study the condition of the Agricultural Building in San Francisco. This work is necessary to understand the implications of the construction of new ferry terminals behind the building for disaster preparation as well as commuter service purposes.

Director Withington made a motion to approve the amendment. Director Mancinelli seconded the motion and the item carried unanimously.

13 OPEN TIME FOR PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Mr. William Alich, MAGLEV Group, commented on his firm's desire to cooperate with the Authority and current ferry operators on emergency response. His company has designed a high-speed, low cost, low-pollution people-mover for Marin and Sonoma Counties that can

transport hundreds of passengers from the ferry through Marin County and up to Sonoma County. He added that the same model people-mover is being planning for the Olympics in China.

14 ADJOURNMENT

All business having concluded, the meeting was adjourned at 3:05 P.M.

Respectfully Submitted,

A handwritten signature in black ink that reads "Karen Shelver". The signature is written in a cursive, flowing style.

Karen Shelver,
Board Secretary



Members of the Board

Charlene Haught Johnson, President
Captain Nancy Wagner, Vice President
Albert Boro
James Fang
Anthony J. Intintoli, Jr.
Beverly Johnson
Dr. Rocco Mancinelli
Gavin Newsom
Ezra Rapport
Marina V. Secchitano
Anthony Withington

MEETING AGENDA FOR THE WTA BOARD OF DIRECTORS

Thursday, March 22, 2007, 1:30 P.M. to 4:30 P.M.
Port of San Francisco, Bayside Conference Room
Pier 1 on the Embarcadero, at the foot of Washington Street
San Francisco

PLEASE NOTE TIME CHANGE

AGENDA

This information will be made available in alternative formats upon request. To request an agenda in an alternative format, please call the Board Secretary at least five working days prior to the meeting to ensure availability.

PUBLIC COMMENT The Authority welcomes comments from the public. Speakers' cards and a sign-up sheet are available. Please give filled out speaker cards to the Board Secretary.

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. Speakers will be limited to a maximum of 3 minutes and will be heard in order of sign-up.

Agenda Items: Speakers on individual agenda items will be called in order of sign-up, during the discussion of each agenda item and will be allowed a maximum of 3 minutes. You are urged to submit public comments in writing to be distributed to all Directors. If many people wish to speak, speaking time may be limited to less than 3 minutes.

1. CALL TO ORDER *Information*
2. ROLL CALL *Information*
3. REPORT OF BOARD PRESIDENT *Information*
President Charlene Haught Johnson
4. REPORTS OF DIRECTORS *Information*
5. REPORTS OF STAFF *Information*
1 Chief Executive Officer's Report
2 Legislative Report – Federal and State

Water Transit Authority
March 22, 2007 Meeting of the Board of Directors

6. COMMENT ON CONSENT CALENDAR **Information**
Opportunity for Board Members to remove items from Consent Calendar for separate consideration

7. CONSENT CALENDAR **Action**
All Consent Calendar items will be approved by a single motion

A. MEETING MINUTES – January 25, 2007 Board meeting
(Action)

8. SCHEDULE OF ACTIONS PRIOR TO OPERATION OF SOUTH SAN FRANCISCO FERRY SERVICE **Information/Action**

9. AUTHORIZATION TO RELEASE A REQUEST FOR QUALIFICATIONS FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE SOUTH SAN FRANCISCO TERMINAL PROJECT **Action**

OPEN TIME FOR PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

ADJOURNMENT

San Francisco Bay Area Water Transit Authority meetings are wheelchair accessible. Call (415) 291-3777 to request a sign-language interpreter. Five days' notice is required. Under Cal. Gov't. Code sec. 84308, Commissioners are reminded that they must disclose on the record of the proceeding any contributions received from any party or participant in the proceeding in the amount of more than \$250 within the preceding 12 months. Further, no Commissioner shall make, participate in making, or in any way attempt to influence the decision in the proceeding if the Commissioner has willfully or knowingly received a contribution in an amount of more than \$250 within the preceding 12 months from a party or such party's agent, or from any participant or his or her agent, provided, however, that the Commissioner knows or has reason to know that the participant has a financial interest in the decision. For further information, Commissioners are referred to Gov't. Code sec. 84308 and to the applicable regulations.



April 10, 2007

NOTICE OF MEETING CANCELLATION

**This is to advise that the regularly scheduled meeting
of the**

**ADMINISTRATIVE/LEGISLATIVE/FINANCE
COMMITTEE**

For

TUESDAY, APRIL 10, 2007

**has been
CANCELLED.**

**The next regularly scheduled meeting of the
ADMINISTRATIVE/LEGISLATIVE/FINANCE
COMMITTEE**

**will be held on
TUESDAY, MAY 8, 2007**

A handwritten signature in black ink that reads "Karen Shelver". The signature is written in a cursive style with a horizontal line underneath it.

Karen Shelver, Board Secretary



April 5, 2007

NOTICE OF RESCHEDULING OF MEETING

**This is to advise that the regularly scheduled meeting
of the**

PLANNING AND DEVELOPMENT COMMITTEE

for

WEDNESDAY, APRIL 11, 2007

has been

RESCHEDULED TO

WEDNESDAY, APRIL 18, 2007

A handwritten signature in black ink that reads "Karen Shelver". The signature is written in a cursive style with a large, flowing "K" and "S".

Karen Shelver, Board Secretary



Members

Anthony Withington (Chair)
Charlene Haught Johnson (ex officio)
James Fang
Anthony Intintoli, Jr.
Rocco Mancinelli
Ezra Rapport
Marina Secchitano

**NOTICE OF MEETING AND AGENDA
WTA PLANNING AND DEVELOPMENT COMMITTEE AND
MEETING OF THE BOARD AS A COMMITTEE OF THE
WHOLE***

Wednesday, April 18, 2007, 1:00-3:00 P.M.
WTA Offices, Pier 9, Suite 111, San Francisco

AGENDA

This information will be made available in alternative formats upon request. To request an agenda in an alternative format, please call the Board Secretary at least five working days prior to the meeting to ensure availability.

- 1. Call to Order
- 2. Roll Call
- 3. Meeting minutes – March 14, 2007 **Information**
- 4. Approval to Release an RFQ for Emergency Planning Services **Action**
- 5. South San Francisco Service Assumptions **Information**
- 6. Reports of Committee members **Information**
- 7. Reports of Staff **Information**
- 8. Public Comment (See note below)
- 9. Adjournment

/s/Karen Shelver, Board Secretary

Meeting Note: This Committee meeting may be attended by Members of the Board of Directors who do not serve on this Committee. In the event that a quorum of the entire Board is present, this Committee shall act as a Committee of the Whole.

A vote of the Committee of the Whole does not constitute final Board action. All committee action must be ratified by the full Board of Directors.

All items appearing on the agenda are subject to action by the Committee.

Water Transit Authority
April 18, 2007 Meeting of the Planning and Development Committee

Public Comment Note: This portion of the meeting, not to exceed thirty (30) minutes, has been allocated for public comments concerning items of interest within the subject matter jurisdiction of the Committee. Each individual will be allotted three (3) minutes. Said time frames may be extended only upon approval of the Committee.

Upon request, the San Francisco Bay Area Water Transit Authority will provide written agenda materials in appropriate alternative formats to individuals with disabilities. In addition, the Authority 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 a written request, including your name, mailing address, telephone number and brief description of the requested materials, preferred alternative format, and/or auxiliary aid or service at least two (2) days before the meeting. Requests should be mailed to: Karen Shelver, Board Secretary, San Francisco Bay Area Water Transit Authority, Pier 9, Suite 111, San Francisco, CA 94111; or emailed to shelver@watertransit.org ; or by telephone at (415) 291-3377.



COMMUNITY ADVISORY COMMITTEE

AGENDA

Wednesday, April 18, 2007 -- 10:00 am to 12:00 pm

**Port Commission Room, San Francisco Ferry Building
Ferry Building, Second Floor Committee Room
Embarcadero at Market Street, San Francisco**

1. **Call to Order**
2. **Roll Call**
3. **Motion to Approve** - Minutes of September 20, 2006 meeting
4. **Report of CAC Chair Diane Howard and WTA CEO Steve Castleberry**
5. **Informational Presentations**
 - a. **Spare Vessel Update** – Mary Frances Culnane, WTA Manager of Marine Engineering
 - b. **South San Francisco Update** – John Sindzinski, WTA Manager of Planning and Development
 - c. **Berkeley/Albany Update** – John Sindzinski, WTA Manager of Planning and Development
6. **Community Outreach & Marketing**
 - **Report on Marketing and Community Outreach Activities** – Shirley Douglas, WTA Community Relations Manager
7. **Next Meeting**
 - Discussion of Proposed Next Meeting Date: August 15, 2007
8. **Public Comment** A 15-minute period of public comment will be held at the end of the meeting. Please fill out a speaker card. No action can be taken on any matter raised during the public comment period. Speakers will be limited to a maximum of 3 minutes and will be heard in order of sign-up.

PUBLIC TRANSPORTATION

FERRIES: Entrance to the Ferry Building Committee room is on the second floor of the Ferry Building on the Embarcadero side of the building. Enter the center doors to access the stairwell. Elevators are also provided.

BART/MUNI: Embarcadero Station is 1 1/2-blocks away, at the corner of **Market and Beale**.

CALTRAIN STATION: Approximately a 20-minute walk from **4th and Townsend**. Suggest connecting with Muni outbound N-Judah, getting off at Embarcadero Station.

GOLDEN GATE TRANSIT: Stops on **Fremont**, directly across from the Downtown Center. Walk 10 minutes to Embarcadero, cross Embarcadero and enter Ferry Building

PARKING GARAGES: There are many public garages near the Ferry Building around Market Street, but capacity is limited and they can be up to \$25 per day. Some charge hourly. Here are some options for parking near the Ferry Building:

- Parking is available at the north end of the Ferry Building at the Pier 1/2 and the Washington and Embarcadero Lot directly across from Pier ½, also at the 75 Howard Street Garage.
- There is usually plenty of metered street parking, however these spaces are \$1 per hour and meter maids are **strict** about ticketing.