



Parks, Recreation and Waterfront

CITY OF BERKELEY MEMORANDUM

To: Dee Williams-Ridley, City Manager

From: Scott Ferris, Director of Parks, Recreation & Waterfront
Liza McNulty, Capital Improvement Program Manager

Date: June 17, 2024

Subject: City of Berkeley Letter to Metropolitan Transportation Commission (MTC)
Berkeley Water Transportation Pier-Ferry Project

DS
SF

In May, 2024, the City of Berkeley (City) amended the Berkeley Water Transportation Pier Ferry Project Memorandum of Understanding (MOU) and funding agreement with the Water Emergency Transportation Authority (WETA) to reflect Phase 2 of the Project (Resolution No. 71,325-N.S.).

The funding agreement between the City and WETA includes up to \$3M in reimbursement for City expenses to complete this Phase of work. These WETA funds are generated from Regional Measure 3 (RM3), and the funding agreement includes a commitment to comply with all applicable rules and regulations of the MTC governing the use of Regional Measure 3 (RM3) funds. In order to allocate this \$3M in funding to the Berkeley Pier-Ferry Project, MTC requires that the City acknowledge the TOC Policy compliance requirement and commit to compliance in a letter signed by the City Manager.

Although some of the TOC Policies related to commercial and housing land uses are not applicable for the Berkeley Pier-Ferry Project due to its location and surrounding, TOC Policy goals to prioritize bus transit, active transportation, and shared mobility to/from the Project area, particularly to Equity Priority Communities, are consistent with City goals and policies for the Berkeley waterfront and Pier-Ferry Project. City staff have been working with WETA and MTC to develop specific actions to comply with the applicable TOC Policy areas. These actions primarily relate to analysis and implementation of active transportation, transportation demand management and access and mobility planning for the Berkeley waterfront and Pier-Ferry Project. MTC staff have confirmed that the City's planned approach is consistent with meeting the TOC requirements (see attached).

Given the Council Resolution authorizing execution of the Funding Agreement including compliance with MTC rules governing the use of RM3 funds and confirmation from MTC staff that the City's approach to compliance is acceptable, I am requesting City Manager signature on the attached letter acknowledging the TOC Policy compliance requirement and committing to compliance.

From: [Gillian Adams](#)
To: [McNulty, Liza](#); [Eli Kaplan](#); [Jennifer Raupach](#)
Cc: [Chad Mason](#); [Michael Gougherty](#); [Gabriel Chan](#); [Daniel Saver](#)
Subject: RE: City of Berkeley/WETA Pier-Ferry Project - TOC Policy Compliance
Date: Friday, June 14, 2024 2:15:22 PM

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Hi Liza,

Thank you for sharing this summary of the City's proposed approach for complying with the TOC Policy. It is helpful to have a better understanding of how you will advance the planning needed to support the Pier-Ferry Project. The steps you have outlined are consistent with meeting the TOC requirements.

We look forward to receiving your TOC Policy acknowledgment letter for inclusion in the agenda packet for the RM3 allocation request.

Regards,
Gillian

Gillian Adams
Principal Planner
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BAY AREA METRO | BayAreaMetro.gov
Association of Bay Area Governments
Metropolitan Transportation Commission

From: McNulty, Liza <lmcnulty@berkeleyca.gov>
Sent: Tuesday, June 11, 2024 10:49 AM
To: Gillian Adams <gadams@bayareametro.gov>; Eli Kaplan <ekaplan@bayareametro.gov>; Jennifer Raupach <Raupach@watertransit.org>
Cc: Chad Mason <mason@watertransit.org>; Michael Gougherty <gougherty@watertransit.org>; Gabriel Chan <chan@watertransit.org>
Subject: City of Berkeley/WETA Pier-Ferry Project - TOC Policy Compliance

External Email

Hi Gillian et al,

Thanks again for your offer to review our planned approach to compliance with the TOC Policy for the Berkeley Water Transportation Pier-Ferry Project.

Attached please find a memorandum outlining our planned approach to compliance with the TOC Policy for this Project. I have the letter for City Manager drafted and ready for routing; as soon as I get your concurrence that the approach outlined here is generally acceptable, I'll send that letter to the City Manager for signature.

Please let me know if you have any questions or concerns with our planned approach outlined here.
I'm happy to jump on a call if that's helpful.

Best,

Liza McNulty, PE

Capital Improvement Program Manager

City of Berkeley Parks, Recreation & Waterfront Department

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