



Utah Transit Authority

Board of Trustees

MEETING MINUTES - Draft

669 West 200 South
Salt Lake City, UT 84101

Wednesday, February 22, 2023

9:00 AM

FrontLines Headquarters

Present: Chair Carlton Christensen
Trustee Beth Holbrook
Trustee Jeff Acerson

Also attending were UTA staff and interested community members.

1. Call to Order and Opening Remarks

Chair Carlton Christensen welcomed attendees and called the meeting to order at 9:04 a.m.

2. Pledge of Allegiance

Attendees recited the Pledge of Allegiance.

3. Safety First Minute

Beth Holbrook, UTA Trustee, delivered a brief safety message.

4. Public Comment

In-Person/Virtual Comment

No in-person or virtual comment was made during the meeting.

Online Comment

No online public comment was received for the meeting.

5. Consent

a. Approval of February 08, 2023 Board Meeting Minutes

A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, to approve the consent agenda. The motion carried by a unanimous vote.

6. Reports

a. Executive Director's Report

- NBA All-Star Service

Mary DeLoretto, UTA Acting Executive Director, was joined by Jay Fox, UTA Executive Director, who participated virtually; Nichol Bourdeaux, UTA Chief Planning & Engagement Officer; and Cheryl Beveridge, UTA Chief Operating Officer. Ms.

Bourdeaux reported UTA employees contributed more than 1,500 volunteer hours to support the NBA All-Star Game and related events.

Discussion ensued during which staff mentioned no significant operations issues occurred during the NBA All-Star service period.

Mr. Fox and the trustees expressed appreciation for the efforts of the entire agency in supporting the event. Mr. Fox then left the meeting.

b. Government Relations and Legislative Update

Shule Bishop, UTA Government Relations Director, who joined the meeting virtually, reported Senate Bill 227 passed the Senate and the HTRZ bill passed the House and Senate.

Mr. Bishop highlighted several resolutions and bills favorable to UTA, including:

- House Joint Resolution 26, Joint Resolution on Transit Operator Safety Awareness (Representative Cutler and Senator Riebe), which supports prosecuting to the fullest extent of the law any person who assaults a transit operator
- House Bill 243, Public Transit Employee Collective Bargaining Amendments (Representative Hawkins), which passed the legislature and is awaiting the governor's signature
- House Bill 433, Public Land Geographic Data Amendments (Representative Spendlove), which requires an annual statewide geographic information system (GIS) accounting of all government-owned property
- House Bill 439, Railroad Drone Amendments (Representative Wilcox), which passed the House of Representatives on its consent agenda
- Senate Bill 125 S01, Transportation Infrastructure Amendments (Senator Wilson), which designates the ASPIRE Engineering Research Center at Utah State University as the center for strategic planning for transportation electrification for the state
- House Bill 500, County Sales Tax Amendments (Representative Christofferson), which allows the "5th fifth" tax increment to be apportioned to transit, county, and cities at percentages dependent on the county
- Senate Bill 185 S02, Transportation Amendments (Senator Harper), which creates an Active Transportation Investment Fund (ATIF) and extends the deadline for implementing the "5th fifth" by three years

A motion was made by Trustee Acerson, and seconded by Trustee Holbrook, to support the legislation as outlined by Mr. Bishop. The motion carried with a unanimous vote.

Mr. Bishop also mentioned bills of concern to UTA:

- Senate Bill 250, Public Surveillance Amendments (Senator McCay), which

prohibits a government entity from creating, operating, or using a public surveillance footage network or contracting with a private person to obtain, use, or copy private surveillance footage. UTA has an extensive camera system in place and would like the bill to be amended to exempt transit facilities. Mr. Bishop noted Senator McCay is willing to consider revised language in the bill.

- Senate Bill 260 Transportation Funding Requirements (Senator Cullimore), which apportions the “5th Fifth” in counties of the first class at a percentage of .05% to the county and .15% to the County of the First Class Highway Projects Fund. Chair Christensen said Senator Cullimore is willing to converse with UTA about the bill.

A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, to oppose the current iterations of the legislation outlined by Mr. Bishop. The motion carried with a unanimous vote.

c. Preliminary Financial Report - December, 2022

Bill Greene, UTA Chief Financial Officer, who participated virtually, was joined by Brad Armstrong, UTA Director of Budget & Financial Strategy, and Daniel Hofer, UTA Director of Capital Assets & Project Controls. Mr. Armstrong reviewed the financial dashboard, sales tax revenue, sales tax collections by county, passenger revenues, headcount totals, and operating financial results. Mr. Hofer discussed capital spending and project variance, including spending and variance by project type. He also provided highlights on the traction power substation (TPSS) rehabilitation and replacement project.

Discussion ensued. Questions on headcounts in asset management, contributions to capital reserves, utilities cost tracking, remaining costs on the Ogden/Weber State University Bus Rapid Transit (BRT), passenger information project delays, and Tooele bus electrification project status were posed by the board and answered by staff.

d. Investment Report - Fourth Quarter 2022

Troy Bingham, UTA Comptroller, delivered the fourth quarter 2022 investment report. As of December 31, 2022, the combined yield for UTA’s accounts was 2.782% and the agency’s investments were underperforming against benchmarks but trending upward overall.

Discussion ensued. Questions on the liquidity of the Public Treasurer’s Investment Fund (PTIF) and economic forecasts were posed by the board and answered by staff.

9. Discussion Items

a. Central Wasatch Commission Update

Chair Christensen made a change to the agenda order and invited the Central Wasatch Commission representatives to provide their update.

Chris Robinson, Summit County Council Member; Lindsay Nielsen, Central Wasatch Commission Executive Director of Policy; and Blake Perez, Central Wasatch Commission Executive Director of Administration, joined the meeting virtually and presented an update on the Central Wasatch Commission (CWC). They spoke about the CWC's mission, membership, and stakeholders, as well as efforts in which the CWC is engaged, such as the regional mountain transportation system, visitor-use study, environmental dashboard, and other short-term projects.

Chair Christensen called for a break at 10:36 a.m.

The meeting reconvened at 10:45 a.m.

7. **Contracts, Disbursements and Grants**

a. **Contract: Oil, Lubricant, and Fluid Products for Bus and Rail Maintenance (Crus Oil, Inc.)**

Nathan Hess, UTA Fleet Engineering Supervisor, requested the board approve a five-year contract with Crus Oil, Inc. for oil, lubricant, and fluid products required for bus and rail maintenance. The total estimated contract value is \$530,915.

A motion was made by Trustee Acerson, and seconded by Trustee Holbrook, that this contract be approved. The motion carried by a unanimous vote.

b. **Contract: Oil, Lubricant, and Fluid Products for Bus and Rail Maintenance (Rhinehart Oil)**

Mr. Hess requested the board approve a five-year contract with Rhinehart Oil, Inc. for oil, lubricant, and fluid products required for bus and rail maintenance. The total estimated contract value is \$939,721.

A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, that this contract be approved. The motion carried by a unanimous vote.

c. **Contract: Oil, Lubricant, and Fluid Products for Bus and Rail Maintenance (VGP Holdings, LLC/Valvoline)**

Mr. Hess requested the board approve a five-year contract with VGP Holdings, LLC/Valvoline for oil, lubricant, and fluid products required for bus and rail maintenance. The total estimated contract value is \$4,108,987.

A motion was made by Trustee Acerson, and seconded by Trustee Holbrook, that this contract be approved. The motion carried by a unanimous vote.

d. **Contract: Oil, Lubricant, and Fluid Products for Bus and Rail Maintenance (Solutions Plus, Inc.)**

Mr. Hess requested the board approve a five-year contract with Solutions Plus, Inc. for fluid products required for bus and rail maintenance. The total estimated contract value is \$349,739.

A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, that this contract be approved. The motion carried by a unanimous vote.

e. **Change Order: Point of the Mountain Transit Project Contract - Stage 2, Amendment 6 (Parametrix)**

David Hancock, UTA Director of Capital Development, was joined by Marcus Bennett, UTA Project Manager III. Both joined the meeting virtually. Mr. Hancock requested the board approve a \$1,193,045.22 amendment to the contract with Parametrix for additional analysis of multiple rail-based alternatives, additional conceptual engineering, environmental documentation for additional modes, validation of costs, and additional public outreach on the Point of the Mountain transit project. The total contract value, including the change order, is \$5,437,227.22.

Mr. Bennett indicated the additional work is required by legislation passed by the Utah State Legislature during the 2022 session. The project is being led and managed by the Utah Department of Transportation (UDOT), which has opted to progress the project utilizing UTA' existing consultant selections and contracts. Funding allocated to the project prior to 2022 resides at UTA and sufficient funds are available for the services outlined in the amendment.

Discussion ensued. A question on funding was posed by the board and answered by staff.

A motion was made by Trustee Acerson, and seconded by Trustee Holbrook, that this change order be approved. The motion carried by a unanimous vote.

f. **Change Order: On-Call Infrastructure Maintenance Contract Task Order #22-89 - S-Curve Track Slab Design (Stacy and Witbeck, Inc)**

Kyle Stockley, UTA Rail Infrastructure Project Manager, joined the meeting virtually. Mr. Stockley requested the board approve a \$339,342 change order to the contract with Stacy and Witbeck, Inc. for direct fixation track slab design to upgrade the S-curves on the University TRAX line (Red Line).

Discussion ensued. A question on the timeline for the S-curve replacement was posed by the board and answered by Mr. Stockley.

A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, that this change order be approved. The motion carried by a unanimous vote.

g. **Change Order: On-Call Infrastructure Maintenance Contract Task Order #22-90 - 2023 Construction Management Fees (Stacy and Witbeck, Inc)**

Mr. Stockley requested the board approve a \$574,080 change order to the contract with Stacy & Witbeck, Inc. for construction management fees associated with retaining the services of a full-time project manager and track superintendent for the 2023 calendar year. The total contract value, including both change orders presented in this

meeting, is \$23,286,090.

A motion was made by Trustee Acerson, and seconded by Trustee Holbrook, that this change order be approved. The motion carried by a unanimous vote.

8. Budget and Other Approvals

a. TBA2023-02-01 - Technical Budget Adjustment for 2023 Capital Budget

Mr. Greene was joined by Mr. Hofer and Dalan Taylor, UTA Chief of Police & Public Safety Manager.

Mr. Greene introduced the agenda item and noted the technical budget adjustment will not affect the agency's 2023 fund balance.

Mr. Hofer outlined the technical budget adjustment, which transfers \$9,504,000 from partnership projects and contingency to various projects as follows:

- \$8,000,000 from partnership projects to the S-Line extension (\$6,000,000) and grade crossing rehabilitation and replacement (\$2,000,000) projects
- \$1,504,000 from contingency to police vehicle replacement (\$349,000), bus camera overhaul and replacement (\$325,000), and Proposition 1 - bus amenity improvements in Davis County (\$830,000)

Discussion ensued. Questions on the police vehicle acquisition were posed by the board and answered by staff.

A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, that this technical budget adjustment be approved. The motion carried by a unanimous vote.

b. UTA Policy - UTA.03.05 Emergency and Disaster Preparedness

Sheldon Shaw, UTA Director - Safety & Security, described updates to the policy. Specifically, the policy:

- Removes positions and committee names that no longer exist at UTA
- Focuses on plans and roles that are recognized by federal, state, and local partners
- Allows UTA to plan for disaster situations with the flexibility required for a dynamic response
- Is compatible with the current emergency management environment
- Corrects the rescinding of Corporate Policy 4.3.2 Fire Prevention and Evacuation Plans and rescinds Corporate Policy 4.2.1 Emergency and Disaster Preparedness

A motion was made by Trustee Acerson, and seconded by Trustee Holbrook, that this policy be approved. The motion carried by a unanimous vote.

9. Discussion Items**b. Constituent and Customer Service - 2022 Annual Report**

Ms. Bourdeaux was joined by Cindy Medford, UTA Manager of Customer Service. Ms. Medford delivered a report on constituent and customer service in 2022, including a review of key performance indicators, top comments, item recovery, and upcoming initiatives.

Discussion ensued. Questions on staffing, servicing stop concerns, and customer education efforts were posed by the board and answered by staff.

10. Other Business

- a. Next Meeting: Wednesday, March 8th, 2023 at 9:00 a.m.

11. Closed Session

**a. Strategy Session to Discuss Pending or Reasonably Imminent Litigation
AND
Strategy Session to Discuss Collective Bargaining**

Chair Christensen indicated there were matters to be discussed in closed session relative to pending or reasonably imminent litigation and collective bargaining. A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, for a closed session. The motion carried by a unanimous vote and the meeting reconvened in closed session at 11:36 a.m.

12. Open Session

A motion was made by Trustee Acerson, and seconded by Trustee Holbrook, to return to open session. The motion carried by a unanimous vote and the board reconvened in open session at 12:09 p.m.

13. Adjourn

A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, to adjourn the meeting. The motion carried by a unanimous vote and the meeting adjourned at 12:09 p.m.

Transcribed by Cathie Griffiths
Executive Assistant to the Board Chair
Utah Transit Authority

This document is not intended to serve as a full transcript as additional discussion may have taken place; please refer to the meeting materials and audio located at <https://www.utah.gov/pmn/sitemap/notice/814307.html> for entire content. Meeting materials along with a time-stamped video recording may also be accessed at <http://rideuta.granicus.com/player/clip/216?>

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This document along with the digital recording constitute the official minutes of this meeting.

Approved Date:

Carlton J. Christensen
Chair, Board of Trustees