



Utah Transit Authority

Board of Trustees

MEETING MINUTES - Draft

669 West 200 South
Salt Lake City, UT 84101

Wednesday, January 12, 2022

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 Christensen welcomed attendees and called the meeting to order at 9:07 a.m., following a slight delay due to technical issues. He then yielded the floor to Jana Ostler, UTA Board Manager, who read the electronic board meeting determination into the record as required by statute. The complete electronic board meeting determination is included as Appendix A to these minutes.

2. Pledge of Allegiance

Since an electronic format is not conducive to a group recitation of the Pledge of Allegiance, this agenda item was deferred to a future meeting.

3. Safety First Minute

Sheldon Shaw, UTA Director of Safety & Security, provided a brief safety message.

4. Public Comment

No live public comment was given. Online comments received were distributed to the board for review prior to the meeting and are included as Appendix B to these minutes.

5. Consent

a. Approval of December 15, 2021 Board Meeting Minutes

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

6. Oath of Office

a. Oath of Office: Executive Director and Officer of the Board - Jay Fox

The oath of office was administered to Jay Fox.

7. Reports**a. Agency Report**

Jay Fox, UTA Executive Director, expressed appreciation for the welcome he has received at UTA and in Utah. He thanked Mary DeLoretto for her service as UTA Interim Executive Director, and the executive team for their assistance in the transition to his new role.

Vaccination Clinic at Salt Lake Intermodal Hub

Mr. Fox noted the pop-up vaccination clinic at the Salt Lake Intermodal Hub will now be in place through February 28, 2022.

Commendations

Mr. Fox Shared two commendations received from the public expressing appreciation and support for public transportation and UTA.

b. Financial Report - November 2021

Bill Greene, UTA Chief Financial Officer, was joined by Brad Armstrong, UTA Senior Manager - Budget & Financial Analysis, and Daniel Hofer, UTA Manager - Capital Assets & Project Controls. Mr. Armstrong reviewed the financial dashboard, sales tax revenue, sales tax collections by county, passenger revenues, stimulus funding, and operating financial results. Mr. Hofer discussed capital spending (including spending by project type) and provided some project highlights.

Discussion ensued. A question on state of good repair was posed by the board and answered by staff.

8. Resolutions**a. R2022-01-01 - Resolution Giving Special Tribute, Due Honor, and Recognition to Interim Executive Director Mary DeLoretto**

On behalf of the UTA Board of Trustees, Chair Christensen recognized the service of Mary DeLoretto as UTA Interim Executive Director. Trustee Holbrook read the resolution for the record.

Discussion ensued during which Trustees Holbrook and Acerson also expressed their appreciation for Ms. DeLoretto's efforts.

A motion was made by Trustee Acerson, and seconded by Trustee Holbrook, that this resolution be approved. The motion carried by the following vote:

Aye: Chair Christensen, Trustee Holbrook, and Trustee Acerson

Following the vote, Chair Christensen yielded the floor to Ms. DeLoretto for a few brief

remarks.

b. R2022-01-02 - Resolution Authorizing Execution of Supplement No. 3 to an Interlocal Cooperation Agreement with West Valley City for the West Valley Bike Lane Project as Part of the TIGER First/Last Mile Program.

David Hancock, UTA Director of Capital Construction, was joined by Grey Turner, UTA Manager of Civil Engineering & Design. Mr. Turner summarized the resolution, which authorizes execution of a third supplement to the interlocal cooperation agreement with West Valley City for the West Valley Bike Lane Project. The supplement adds \$154,369.17 from West Valley City to the project budget. The total project budget, including the supplement, is \$3,807,701.82.

Discussion ensued. Questions on project materials and parking strip requirements were posed by the board and answered by staff.

A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, that this resolution be approved. The motion carried by the following vote:

Aye: Chair Christensen, Trustee Holbrook, and Trustee Acerson

c. R2022-01-03 - Resolution Authorizing Continuation of Specific Employee Paid Benefit Programs for Fiscal Years 2021 and 2022

Kim Shanklin, UTA Chief People Officer, was joined by Ann Green-Barton, UTA Manager of Total Rewards. Ms. Shanklin described the resolution, which authorizes the Chief People Officer to sign non-procurement agreements with benefit providers for programs or services that meet certain criteria for benefit years beginning May 1, 2021 and ending April 30, 2023. The benefits are generally 100% paid by the employee and require minimal expenditure of public funds. Ms. Green-Barton outlined the benefits currently offered to employees.

Discussion ensued. Chair Christensen recommended an expanded education campaign to help employees understand the value of the benefits offered.

A motion was made by Trustee Acerson, and seconded by Trustee Holbrook, that this resolution be approved. The motion carried by the following vote:

Aye: Chair Christensen, Trustee Holbrook, and Trustee Acerson

d. R2022-01-04 - Resolution Authorizing the Petitioning of the Utah Department of Transportation to use Eminent Domain for the Acquisition of Property necessary for the Ogden-Weber State Bus Rapid Transit Project - Parcels 147, 147:2, 147:E, 147:E2, 147:CE and 147:CE2

Paul Drake, UTA Director of Real Estate & Transit-Oriented Development, was joined by Spencer Burgoyne, UTA Manager of Property Administration; Andrea Pullos, UTA Project Manager III; and Tim Merrill, Assistant Attorney General. Mr. Drake summarized the resolution, which authorizes petitioning the Utah Department of Transportation (UDOT) to initiate eminent domain proceedings on Parcels 147, 147:2, 147:E, 147:E2, 147:CE, and 147CE2 located at 3257 South Harrison Boulevard in Ogden. The property

is needed for construction of the Ogden-Weber State Bus Rapid Transit Project and has an appraised value of \$34,800.

Discussion ensued. A question on the current property use was posed by the board and answered by Mr. Drake.

A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, that this resolution be approved. The motion carried by the following vote:

Aye: Chair Christensen, Trustee Holbrook, and Trustee Acerson

9. Contracts, Disbursements and Grants

a. **Contract: Roof Replacements - Timpanogos Buildings 3 and 4, Midvale Rail Service Center, and Partial Warm Springs Facility (All Weather Waterproofing, Inc.)**

Cherryl Beveridge, UTA Acting Chief Operating Officer, was joined by Kevin Anderson, UTA Director of Maintenance Support. Mr. Anderson requested the board approve a contract in the amount of \$557,475 with All Weather Waterproofing, Inc. for roof replacements at Timpanogos Buildings 3 and 4, Midvale Rail Service Center, and part of the Warm Springs facility. Ms. Beveridge noted the intent of the request is to authorize the executive director (rather than the interim executive director) to execute the contract.

Discussion ensued. Questions on the competition in the bidding process, experience with the selected company, references, life expectancy, and anticipated completion dates were posed by the board and answered by staff.

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: FrontRunner Forward Environmental Services Pool (Parametrix, Inc.)**

Todd Provost, UTA Director of Capital Development, was joined by Janelle Robertson, UTA Project Manager II. Ms. Robertson indicated the agency would like to establish a pool of vendors to perform environmental and preliminary design work on the FrontRunner Forward projects. A request for qualifications (RFQu) was issued and two consultants were selected: Parametrix, Inc. and HDR Engineering, Inc. (see agenda item 9.c.). Ms. Robertson requested the board authorize execution of five-year master task ordering agreements (MTOA) with each of these two entities. The budget for each MTOA is \$2,500,000.

Discussion ensued. A question on the environmental work timelines was posed by the board and answered by Ms. Robertson.

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: FrontRunner Forward Environmental Services Pool (HDR Engineering, Inc.)**

(See minutes for agenda Item 9.b.)

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: Professional Design Services for Electric Bus Charging Infrastructure (Spectrum Engineers)

Mr. Provost was joined by Hal Johnson, UTA Manager - Project Research & Development. Mr. Johnson asked the board to approve a contract with Spectrum Engineers for design services related to UTA's electric bus charging infrastructure. The contract term is from January 15, 2022 through October 31, 2023 with an additional option year from November 1, 2023 through October 31, 2024. The total not-to-exceed contract value, including the option, is \$546,280.

Discussion ensued. Questions on the procurement selection process and designer for the Salt Lake Central Station charging infrastructure were posed by the board and answered by Mr. Johnson.

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. Contract: Real Estate Purchase - Parcel 1072 on 750 North, Willard, Utah (Terry M. Deru)

Mr. Drake requested the board approve a contract with Terry M. Deru for a transaction related to Parcel 1072 on 750 North in Willard. The parcel consists of 3.77 acres of land needed for a future transit corridor between Ogden and Brigham City. The transaction involves a land exchange of 139,427 square feet (from Mr. Deru to UTA) for 83,811 square feet and \$210,800 in cash (from UTA to Mr. Deru).

Discussion ensued. A question on development plans for Mr. Deru's property was posed by the board and answered by Mr. Drake.

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

f. Grant Agreement: COVID-19 Local Assistance Matching Grant Program for the 300 North Salt Lake City Pedestrian Bridge (State of Utah Governor's Office of Planning and Budget)

Mr. Provost was joined by Patti Garver, UTA Manager - Environmental & Grant Services, and Mr. Turner. Ms. Garver asked the board to approve a grant agreement in the amount of \$1,500,000 with the State of Utah Governor's Office of Planning and Budget to fund a portion of the construction of a pedestrian bridge at 300 North in Salt Lake City. Other matching funds for the project include:

- Transportation Investment Generating Economic Recovery (TIGER) grant: \$1,634,797

- Salt Lake City: \$1,069,250
- Wasatch Front Regional Council Surface Transportation Program (STP): \$2,900,000
- Utah Department of Transportation Federal Section 130: \$500,000
- Union Pacific Railroad: \$500,000
- Additional local match to be covered by Salt Lake City and UTA: \$411,609

Discussion ensued. Questions on the current project status, contingency planning, and party responsible for the pedestrian bridge elevator maintenance were posed by the board and answered by staff.

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

g. Pre-Procurements

- **Fuel Price Risk Management**
- **Customer Relations Management Software**

Todd Mills was joined by Mr. Greene; Nichol Bourdeaux, UTA Chief Planning & Engagement Officer; Kathryn Nokes, UTA Customer Service Supervisor; and Samuel Horne, UTA Technical Business Analyst. Mr. Mills indicated the agency intends to procure goods and services as detailed on the meeting agenda.

Mr. Greene explained the need to utilize available financial tools to manage risks associated with fuel prices. He requested support for issuing a request for proposal (RFP) for a fuel price risk management strategy, including diesel fuel hedging, swaps, and futures, to ensure certainty in the fuel budget.

Discussion ensued. Questions on circumstances that make a fuel price risk management procurement desirable, costs associated with using risk management tools, overall propulsion/energy management strategy, and evaluation of integrating other customer relationship management systems already in use at the agency were posed by the board and answered by staff.

10. Other Business

- a. Next Meeting: Wednesday, January 26th, 2022 at 9:00 a.m.

11. Closed Session

a. Strategy Session to Discuss Pending or Reasonably Imminent Litigation

Chair Christensen indicated there were matters to be discussed in closed session relative to pending or reasonably imminent litigation.

A motion was made by Trustee Holbrook, and seconded by Trustee Acerson, for a closed session. The motion carried by a unanimous vote.

Chair Christensen called for a break at 10:43 a.m.

The meeting reconvened in closed session at 10:50 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 returned to open session at 11:28 a.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 11:28 a.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, audio, or video located at <https://www.utah.gov/pmn/sitemap/notice/727089.html> for entire content.

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

Approved Date:

Carlton J. Christensen
Chair, Board of Trustees

Appendix A

Electronic Meeting Determination

Consistent with the Utah Open and Public Meetings Act, (UTAH CODE Section 52-4-207 [4]), as the Acting Chair of the Board of Trustees ("Board") of the Utah Transit Authority ("UTA"), I hereby make the following written determinations in support of my decision to hold electronic meetings of the UTA Board without a physical anchor location:

Due to the resurgence of COVID -19 cases locally, conducting Board and Board Committee meetings with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location.

This written determination takes effect on January 12, 2022, and is effective until midnight on February 10, 2022 and may be re-issued by future written determinations as deemed appropriate.

Dated this 10th day of January 2022.

Beth Holbrook, Acting Chair of the Board of Trustees

Appendix B**Online Public Comment****From Chris Stout:**

I represent the Utah Transit Riders Union. I am commenting on several issues:

UTA On Demand - A rider has contacted the Union concerning problems associated with this service since its debut on the west side of Salt Lake City. These are ongoing issues and have not been resolved even though the rider has contacted both UTA and VIA. These issues include:

- Scheduled pick-ups cancelled even though rider is located at the designated location.
- Scheduled pick-ups being rescheduled 20-40 minutes after confirmed, and then cancelled.
- Riders being charged for these cancellations.
- Multiple interactions with VIA staff with contradictory information as to location and time to schedule rides.
- Drivers unable to converse in English.
- Unprofessional staff with VIA

Additionally, there have been reports that these same issues have occurred with the South Valley Service Area. The Union would like to see this service successful, but with current problems, fail to see how this can be achieved.

Elimination of Service - Routes have been downgraded from 15-minute to 30-minute service without sufficient public input or discussion. This includes routes 41, 45, 47, 54, and 220. Fast bus service has been cancelled. This is unacceptable. While service disruptions were expected during the pandemic, it appears that these changes will be made permanent. 30-minute service does not provide a level service necessary to maintain a healthy transit system. This service needs to be restored as soon as possible.

Union Contact with UTA - With the departure of Laura Hanson, we no longer have a line of communication open with UTA. We would like to have a point of contact with someone who can address issues.

I can be contacted at 801-892-1065 during regular business hours or at chris.stout@utru.org.

From George Chapman:

Board of Trustees meeting 12 Jan comments

UTA should not be attempting eminent domain at 3257S Harrison. This potentially hurts small business and could also significantly decrease affordable housing if the Harrison Apartments has to close. UTA should not be picking and choosing which businesses and/or residences win or lose their property. The BRT does not need more than a lane and UTA and UDOT should be able to modify plans to allow BLIP that would be just as effective as a BRT and be much more cost effective and less destructive and unethical taking of private property.

UTA should not be spending money on bus stop improvements until it can ensure that the bus stops

are accessible to riders. Ice and snow buildup make it almost impossible for riders to safely reach a bus and impossible for buses to get to the curb. Again, if buses do not get to the curb (the reason for low floor buses), ramps are needed for mobility challenged riders, which is discouraging their ridership.

Again, UTA should stop covering windows with ads and discouraging ridership. The second biggest reason for comfortable bus ridership is clear windows.

Finally, UTA, SLC and the Local Link Study appears to be recommending an enhanced bus (their term without justification). A real enhanced bus is with green light priority and a bus lane at the light. It requires a 4 lane road to not back up traffic and increase pollution. Highland Drive is no longer 4 lanes and is not a good candidate for enhanced bus. A clean window electric bus would provide more ridership and bus pullouts should be available to not increase pollution from traffic blocked while the bus stops. A silent bus is much more encouraging for ridership. It is even quieter than TRAX.