



Utah Transit Authority

Board of Trustees

MEETING MINUTES - Final

669 West 200 South
Salt Lake City, UT 84101

Wednesday, May 22, 2024

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 9:00 a.m.

2. Pledge of Allegiance

Attendees recited the Pledge of Allegiance.

3. Safety First Minute

Trustee Beth Holbrook delivered a brief safety message.

4. Public Comment

In Person/Virtual Comment

No in person or virtual comment was given.

Online Comment

No online comment was received.

5. Consent

a. Approval of May 8, 2024 Board Meeting Minutes

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

6. Reports

a. Executive Director Report

- **May 12th TRAX Derailment**
- **Officer Ken Bush**
- **Sergeant Rich Clawson**

May 12th TRAX Derailment

Jay Fox, UTA Executive Director, reported on a TRAX train derailment that occurred on May 12, 2024, at Decker Lake and 3100 South. The train was comprised of a four-car consist and the fourth car derailed and slid into a catenary pole. Fortunately, no passengers were in the derailed car and no one on the train sustained injuries. Operations rerailed the car and took it to the Jordan River Rail Service Center for repairs. The catenary pole was replaced, and TRAX was back in service within 18 hours. The cause is under investigation, though it has been determined there was no issue with track integrity.

Officer Ken Bush

Fox stated Ken Bush, UTA Transit Police Officer IV, experienced a cardiac arrest while on the job. Two fellow officers were on scene and provided assistance. Officer Bush survived the incident and is recovering.

Sergeant Richard Clawson

Fox commented on the funeral services of Richard Clawson, UTA Police Sergeant. Clawson died as the result of a terminal illness.

Supplemental Service

Fox corrected a public statement he made during the May 8, 2024, board meeting that the Amalgamated Transit Union leadership was notified of the currently-posted supplemental service procurement before employees were notified. This was not accurate.

b. Investment Report - First Quarter 2024

Rob Lamph, UTA Comptroller, reported UTA investments in the first quarter of 2024 were performing at an average yield of 5.12%, which is slightly lower than the federal funds rate benchmark return rate of 5.33%.

Discussion ensued. Questions on anticipated interest rates at the federal level were posed by the board and answered by Lamph. Chair Christensen commented on the success of the investment portfolio.

7. Resolutions**a. R2024-05-03 - Resolution Approving and Reauthorizing the Transit Agency Safety Plan (TASP)**

Sheldon Shaw, UTA Director of Safety & Security, was joined by David Wilkins, Assistant Attorney General.

Shaw reviewed general and reauthorization requirements for the TASP.

Discussion ensued. Questions on safety hotline usage and anticipated updates in the 2024 iteration of the TASP were posed by the board and answered by Shaw.

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

b. R2024-05-04 - Resolution Authorizing the Execution of a Cooperative Agreement with the Utah Department of Transportation for Grant Reimbursement for the Acquisition of Real Property in Weber County, Utah

Spencer Burgoyne, UTA Manager of Property Administration, was joined by Tracy Young, UTA Grants Director.

Burgoyne outlined the resolution, which authorizes the execution of a cooperative agreement with the Utah Department of Transportation (UDOT) for grant reimbursement for the acquisition of the Tinslee Meadows property in Harrisville, Utah. Specifically:

- In 2021, UTA was awarded \$1.5 million in Surface Transportation Block Grant (STBG) funds for corridor preservation by the Wasatch Front Regional Council (WFRC)
- In 2022, WFRC reallocated UTA's Award from STBG Funds to Surface Transportation Program (STP) COVID Funds administered by UDOT
- UTA and WFRC identified 23.66 acres of land available for purchase at 400 West North Street in Harrisville for a future Business District Ogden (BDO) station site
- UTA purchased the Tinslee Meadows property with UTA funds for \$1,656,200 and is seeking reimbursement of \$1.5 million allocated from STP-COVID funds
- UTA and UDOT have prepared a cooperative reimbursement agreement to receive those funds

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

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

c. R2024-05-05 - Resolution Approving the Title VI Service and Fare Equity Analysis for August 2024 Change Day

Heather Barnum, UTA Chief Communications Officer, was joined by Alex Beim, UTA Manager of Long-Range Strategic Planning; Megan Waters, UTA Community Engagement Director; and Janelle Robertson, UTA Acting Planning Director.

Staff reviewed the resolution, which approves the Title VI service and fare equity analysis performed for changes to be implemented in August 2024, specifically:

- Regular fare will be implemented on the Utah Valley Express (UVX)

- Reduced fare income eligibility will be expanded to 200% of the poverty level
- The 20% discount on FAREPAY will be eliminated
- A new fare capping program will be implemented on FAREPAY, setting a daily and weekly maximum fare
- Routes 39, 201, and 218 will remain at their current level of service
- Route 606, which has been suspended, will be permanently discontinued

Staff then provided an overview of the public process associated with the changes, including public comment feedback themes.

Staff also reported on the Title VI equity analysis for the changes. With respect to the proposed service changes, there were three potential findings (one of disparate impact and two of disproportionate burden) for the continuation of service reductions on routes 39, 201, and 218, and two potential findings (one of disparate impact and one of disproportionate burden) for the discontinuation of service on route 606. UTA plans to restore frequency on routes 39 and 201 in April 2025.

Additionally, staff indicated there were two potential findings (one of disparate impact and one of disproportionate burden) on the implementation of a UVX fare. They said while the agency is making efforts to mitigate the adverse effects of this policy change, UTA has “substantial legitimate justification to proceed” to 1) maintain consistency in fare collection across the system, 2) avoid degradation of service through onboard fare collection, and 3) avoid significant costs associated with the purchase and deployment of ticket vending machines.

Discussion ensued. Questions on public comment themes, timing of planned community engagement and outreach, and impact of UVX fare change on non-pass holders were posed by the board and answered by staff. The board recommended including communication on low-income pass options in the community outreach efforts, evaluating the possibility of offering students short-term passes during times when their education passes are not active, and being thorough and specific in communications regarding the UVX fare change.

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

8. Contracts, Disbursements and Grants

a. Contract: Construction Services Agreement for Jordan River Bldg #2 Remodel (Paulsen Construction LLC)

Jared Scarbrough, UTA Director of Capital Design & Construction, was joined David Osborn, UTA Project Manager III.

Osborn requested the board approve a \$7,266,150.78 contract with Paulsen

Construction LLC for the remodel of Jordan River Building #2 and associated site improvements.

Discussion ensued. Questions on the structural integrity of the building, contingency, anticipated lifespan of updates, and building age were posed by the board and answered by Osborn.

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: Bus Camera System License (Tivitri Inc)

Cody Steffensen, UTA Video Security Supervisor, requested the board approve a \$552,672 contract with Tivitri Inc for camera system software licenses.

Discussion ensued during which Steffensen clarified the cost center has been consolidated internally and the licensing is an annual cost.

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. Change Order: On-Call Infrastructure Maintenance Contract Task Order #24-004 - FrontRunner Gap Filler Installation (Stacy and Witbeck, Inc.)

Jared Scarbrough was joined by Jacob Wouden, UTA Rail Infrastructure Project Manager.

Wouden requested the board approve a \$654,623 change order to the contract with Stacy and Witbeck, Inc. for the installation of gap filler on all FrontRunner station platform edges.

Discussion ensued. Questions on the need for gap filling, remaining installation efforts, and construction material integrity were 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.

d. Change Order: On-Call Infrastructure Maintenance Contract Task Order #24-014 - 7200 S Grade Crossing (Stacy and Witbeck, Inc.)

Jared Scarbrough was joined by Jacob Wouden.

Wouden requested the board approve a \$422,166 change order to the contract with Stacy and Witbeck Inc. for the removal and replacement of the TRAX grade crossing located at 7200 South. (Note: Jay Fox reported during the May 8, 2024, board meeting that he issued a Direction or Authorization to Proceed, or DAP, for this grade crossing replacement project so the project could commence in the early morning hours of May 22, 2024.)

The total value for the contract with Stacy and Witbeck, Inc., including the two change orders addressed in this board meeting, is \$38,011,625.

Discussion ensued. Questions on the traffic impacts of the replacement and construction timeline were posed by the board and answered by staff.

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

e. Contract: Sponsorship Agreement (GREENbike SLC Bike Share)

Hal Johnson, UTA Director of Innovative Mobility Solutions, requested the board approve a three-year, not-to-exceed \$225,000 sponsorship agreement with GREENbike SLC Bike Share.

Discussion ensued. Questions on the nature of the sponsorship and GREENbike expansion plans were posed by the board and answered by Johnson.

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

f. Contract: HB322 (2022) Fund Transfers and Work Designation Agreement (UDOT)

Jared Scarbrough was joined by Janelle Robertson.

Scarbrough requested the board approve the HB322 (2022) Fund Transfers and Work Designation Agreement with the Utah Department of Transportation (UDOT).

Key components of the agreement for UTA include:

- The transfer of \$51 million back to UDOT (this amount was transferred to UTA pursuant to a pass-through agreement executed in 2021 for double tracking strategic sections of the FrontRunner commuter rail system)
- The transfer of \$3 million back to UDOT (this amount was transferred to UTA pursuant to pass-through agreement executed in 2021 for the Sharp-Tintic railroad consolidation project)

Key components of the agreement for UDOT include:

- The transfer of \$1.25 million to UTA for the Point of the Mountain appropriation
- The transfer \$3 million to UTA for the S-Line streetcar appropriation
- The transfer of \$2.75 million to UTA for the Midvalley Express (MVX) Bus Rapid Transit (BRT) project appropriation

Staff then listed items that will be addressed in future agreements.

Discussion ensued. Questions on the timeframe for completing the future agreements were posed by the board and answered by staff.

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

g. Contract: FrontRunner Double Track Project Funding and Reimbursement Agreement (UDOT)

Jared Scarbrough was joined by Janelle Robertson.

Robertson requested the board approve the FrontRunner Double Track Project Funding and Reimbursement Agreement with UDOT.

Key components of the agreement include:

- Both parties will comply with the Federal Transit Administration (FTA) Master Agreement and FTA capital investment grants (CIG) program requirements
- UDOT is responsible for the fiscal management of the project
- UTA agrees to execute, to the extent of its legal authority, annual certifications and assurances
- UTA agrees that UDOT will rely on UTA to meet federal compliance obligations, particularly those made pursuant to any full funding grant agreement
- Both parties agree that during the period commencing on the effective date of the pass-through agreement executed in 2021, and ending on the project development approval date, UTA incurred expenses for the project that would be eligible for reimbursement from state funds awarded for the project
- Both parties agree that UDOT and state and federal regulators that have authority in connection with the project, each have the right to audit all cost records and accounts of UTA pertaining to the project in accordance with their auditing procedures
- UTA will retain complete and readily accessible records

Discussion ensued. Questions on reimbursement requirements, cost estimates, and agreement term were posed by the board and answered by Robertson.

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

h. Contract: Pass-Through Funds Agreement for Designated Work - FrontRunner Extension to Payson (UDOT)

Jared Scarbrough was joined by Janelle Robertson.

Robertson requested the board approve the Pass-Through Fund Agreement for Designated Work - FrontRunner Extension to Payson with UDOT.

Key components of the agreement include:

- UDOT will transfer \$5 million in funds to UTA in four quarterly installments beginning June 1, 2024, and extending through March 1, 2025 (\$1.25 million will be paid in each installment)
- UTA will spend 100% of the funds by December 31, 2028
- The funds will be used to complete the alternatives analysis, project scope, National Environmental Policy Act (NEPA) documentation in coordination with the FTA, 30% design, 25% Union Pacific design, advanced right of way acquisitions, and funding options evaluations
- The project objective is to extend the existing FrontRunner system to Payson City in the same approximate rail corridor that UTA currently owns
- There are 3 stations identified in Springville, Spanish Fork, and Payson cities
- A light maintenance facility location will be identified
- UTA is subject to UDOT oversight and supervisory responsibility
- UTA will provide written report of the project status by the completion of the project
- UTA will provide UDOT with a final itemized written report detailing expenditures of funds
- UTA may be responsible to submit reports or respond to inquiries from the Utah State Legislature and Governor's Office and respond to requests for information about the project funds

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

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

The meeting reconvened at 10:46 a.m.

9. Service and Fare Approvals

a. Fare Agreement: Special Events Agreement (Utah Asian Festival)

Jordan Eves, UTA Manager of Fare Strategy, requested the board approve a special events agreement valued at \$3,000 with the Utah Asian Festival. UTA will partner with the Utah Asian Festival to provide complimentary ticket-as-fare to event attendees on June 8, 2024. In exchange, the Utah Asian Festival agrees to provide in-kind marketing to UTA.

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

b. Fare Agreement: Special Events Agreement (Utah Pride Center)

Jordan Eves requested the board approve a special events agreement with the Utah Pride Center. UTA will partner with the Utah Pride Center to provide complimentary ticket-as-fare, valued at \$26,000, to the Pride Festival on June 1-2, 2024. In exchange,

the Utah Pride Center agrees to provide an in-kind "Topaz" sponsorship, valued at \$60,000, to UTA.

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

10. Discussion Items

a. Issuance and Sale of the Authority's Sales Tax Revenue Refunding Bonds

Viola Miller, Chief Financial Officer, was joined by Rob Lamph and Brian Baker with Zions Public Securities.

Baker discussed unique financial market conditions that may allow UTA to refinance all or a portion of its Build America Bonds (BABs) to achieve savings and reduce risk. The market conditions may also allow the agency to execute a bond tender refunding certain additional outstanding bonds to improve results. Benefits to UTA include risk reduction, debt service savings, future optionality, and lower overall debt. Refunding all outstanding Series 2009B and 2010 BABs would result in an aggregate debt service cash flow savings of approximately \$4.4 million.

Discussion ensued. Questions on the potential for litigation, State of Utah plans for its BABs, and transaction timeline were posed by the board and answered by staff.

11. Other Business

- a. Next Meeting: Wednesday, June 12th, 2024 at 9:00 a.m.

12. Adjourn

A motion was made by Trustee Acerson, and seconded by Trustee Holbrook, to adjourn the meeting. The motion carried by a unanimous vote and the meeting adjourned at 11:08 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 or audio located at <https://www.utah.gov/pmn/sitemap/notice/914621.html> for entire content. Meeting materials, along with a time-stamped video recording, are also accessible at https://rideuta.granicus.com/player/clip/298?view_id=1&redirect=true.

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

Approved Date: June 12, 2024

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Carlton J. Christensen
Chair, Board of Trustees