



Utah Transit Authority

Board of Trustees

MEETING MINUTES - Final

669 West 200 South
Salt Lake City, UT 84101

Wednesday, June 26, 2024

9:00 AM

FrontLines Headquarters

Present: Chair Carlton Christensen
Trustee Beth Holbrook
Trustee Jeff Acerson

Board Chair Carlton Christensen joined the meeting virtually.

Also attending were UTA staff and interested community members.

1. Call to Order and Opening Remarks

Due to Chair Christensen's virtual participation, Trustee Beth Holbrook conducted the meeting. Trustee Holbrook 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

Viola Miller, UTA Chief Financial Officer, delivered a brief safety message.

4. Public Comment

(To view public comment in its entirety, see the meeting video located at https://rideuta.granicus.com/player/clip/306?view_id=1&redirect=true.)

In person comment was given by Rod Dunn, Amalgamated Transit Union Local 382 President, and Norm Blessant with Amalgamated Transit Union Local 382.

Rod Dunn: Dunn thanked Jay Fox for correcting misinformation that was shared in the May 12, 2024 board meeting and reiterated that the union was not informed of the RFP on supplemental service prior to the May 12, 2024, board meeting. Dunn also stated, in advance of that board meeting, Ogden management was told the RFP had been cancelled and employees did not attend the board meeting. Dunn stated, management is not meeting with the union to resolve issues and there are several unresolved grievances and other concerns that need to be addressed.

Dunn shared a list of specific grievances and concerns during his comments.

Norm Blessant: Blessant stated, there are several unresolved grievances and other concerns that need to be addressed with the union.

Blessant shared a list of specific grievances and concerns during his comments.

Note: The May Board meeting referenced by Dunn was held on May 8, 2024, rather than May 12, 2024 as stated in Dunn's comments.

Online Comment

No online comment was received.

5. Consent

a. Approval of June 12, 2024 Board Meeting Minutes

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

6. Reports

a. Executive Director Report

- **Strategic Plan Minute**
- **Polarized Infrared Optical Imaging Transit Infrastructure Project Update**
- **Employee Memorial - Sergeant Rich Clawson**

Strategic Plan Minute

Jay Fox, UTA Executive Director, highlighted a live video monitor pilot on the bus system. The agency is testing the technology to determine if it will improve safety. Fox indicated if the pilot is successful, the video monitors will be implemented more broadly.

Polarized Infrared Optical Imaging Transit Infrastructure Project Update

Fox was joined by Hal Johnson, UTA Director of Innovative Mobility Solutions.

Johnson provided an update on polarized infrared optical imaging, which is a new technology UTA is using to conduct more thorough track inspections. The imaging technology is being tested at UTA as part of a public-private partnership focused on improving safety in the rail industry. Johnson introduced the project team, and members of the team opined on the benefits of the technology.

Discussion ensued. The board recommended communicating the results of the initiative locally, nationally, and internationally.

Employee Memorial - Sergeant Rich Clawson

Fox was joined by Cheryl Beveridge, former UTA Chief Operating Officer; Dalan Taylor, UTA Chief of Police & Public Safety Manager; and Glenda Clawson, UTA Expeditor -

Junior Buyer.

Taylor recognized the service of Rich Clawson, UTA Police Sergeant, who recently passed away following a terminal illness.

Labor Relations

Fox assured the board that all matters related to labor relations are processed and addressed by the labor relations team.

b. Committee on Accessible Transportation (CAT) - Annual Report

Amanda Salmon, UTA Civil Rights Compliance Officer - ADA, was joined by Willie Black, UTA CAT Chair.

Salmon and Black outlined the CAT objectives, significant contributions, initiatives, and feedback provided to the agency.

Discussion ensued during which the board expressed appreciation to the CAT for its contributions to UTA.

c. Discretionary Grants Report

Gregg Larsen, UTA Manager of Grant Services, was joined by Alma Haskell, UTA Grants Development Administrator.

Staff reviewed grant applications that were submitted but not selected, applications that were submitted and are awaiting selection, and applications that were selected as of June 2024. Selected grants and appropriations include:

- FY23 Federal Transit Administration (FTA) Transit-Oriented Development (TOD) Planning - FrontRunner Corridor TOD Market, Housing, and Economic Impact Analysis: \$360,000
- FY23 Community Project Funding (CPF) - 5600 West Core Route: \$3.5 million
- FTA Small Starts - Midvalley Connector (allocated): \$54.7 million
- FY23 FTA Low and No Emission Vehicles - 25 Compressed Natural Gas (CNG) Buses: \$17.1 million
- FY24 CPF - Electric Bus Charging Implementation: \$2 million
- FY 20, 21, 22 & 23 Congestion Mitigation and Air Quality (CMAQ) SL/OL/PO - Rideshare/Vanpool & UVX Operations: \$3.7 million
- FY22 & 23 Mountainland Association of Governments (MAG) CRP - UVX 900 East Station: \$4 million
- FY19 Wasatch Front Regional Council (WFRC) Transportation Alternatives Program (TAP) - Bus Bike Racks & FrontRunner Bike Car Installations: \$80,000
- FY19, 20 & 21 WFRC Surface Transportation Block Grant (STBG)/CMAQ - OGC Capital: \$7.4 million
- FY23 WFRC STBG - Point of the Mountain Environmental: \$2 million

- FY23 WFRC CRP OL - OGX On-Route Charging: \$1.4 million
- FY23 WFRC STBG SL - Transit Signal Priority Equipment for Buses: \$238,000
- FY23 WFRC CRP SL - On-Route Electric Bus Infrastructure: \$580,000
- FY23 WFRC CRP SL - Locomotive Overhaul: \$325,000
- FY23 WFRC CMAQ SL - 5600 West Core Route Construction: \$2 million
- FY23 WFRC STBG OL - Transit Signal Priority Equipment for Buses: \$79,000
- FY23 WFRC CRP OL - Locomotive Overhaul: \$1 million
- FY19 WFRC CMAQ - Intelligent Transportation System Signage & 3300/3500 South Bus Stops: \$4.1 million

Discussion ensued. A question on the timing of work related to grant-funded projects was posed by the board and answered by staff.

7. Resolutions

a. R2024-06-08 - Resolution Designating the Midvale Center Station a Transit Oriented Development Site

Paul Drake, UTA Director of Real Estate & Transit-Oriented Development, reviewed the transit-oriented community (TOC) planning and development process and outlined the Midvale Center Station area concept, along with implementation plans and market feasibility.

Drake explained UTA signed an exclusive negotiation agreement (ENA) with a developer for the Midvale Center Station site. The ENA does not convey permanent rights or have any monetary value but will result in a master plan and master development agreement. (Note: The ENA agreement was entered into without board approval. Staff has acknowledged this omission will be rectified in UTA's processes moving forward.)

Drake requested the board approve the resolution, which designates the Midvale Center Station as a transit-oriented development (TOD) site.

Discussion ensued. Questions on the ENA were posed by the board and answered by Drake.

A motion was made by Trustee Acerson, and seconded by Chair Christensen, 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: Outside Legal Services - Public and Project Finance (Chapman and Cutler)

David Wilkins, Director for Transit Law with the Office of the Attorney General, was joined by Tim Merrill, Assistant Attorney General.

Wilkins explained the need for an outside legal services contract pool and indicated he is seeking approval on several contracts for these legal services. All contracts in the legal services contract pool share a not-to-exceed value of \$500,000 over five years.

Discussion ensued. A question on the public finance and bond counsel selections was posed by the board and answered by counsel.

Wilkins then requested the board approve a contract with Chapman and Cutler for outside legal services related to public and project finance. The contract has a three-year base term with two additional one-year options. The total not-to-exceed value of the contract, including the options, is \$500,000.

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

b. Contract: Outside Legal Services - Public and Project Finance and Tax (Gillmore Bell)

David Wilkins was joined by Tim Merrill.

Wilkins requested the board approve a contract with Gillmore Bell for outside legal services related to public and project finance and tax. The contract has a three-year base term with two additional one-year options. The total not-to-exceed value of the contract, including the options, is \$500,000.

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

c. Contract: Outside Legal Services - Labor and Employment, Environmental, Litigation, Bankruptcy, Public and Project Finance, Commercial Lease Law, Policy Drafting (Fabian VanCott)

David Wilkins was joined by Tim Merrill.

Wilkins requested the board approve a contract with Fabian VanCott for outside legal services related to labor and employment, environmental, litigation, bankruptcy, public and project finance, commercial lease law, and policy drafting. The contract has a three-year base term with two additional one-year options. The total not-to-exceed value of the contract, including the options, is \$500,000.

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

d. Contract: Outside Legal Services - Pension, Labor and Employment, Immigration, Transportation Law (Jackson Lewis PC)

David Wilkins was joined by Tim Merrill.

Wilkins requested the board approve a contract with Jackson Lewis PC for outside legal services related to pension, labor and employment, immigration, and transportation

law. The contract has a three-year base term with two additional one-year options. The total not-to-exceed value of the contract, including the options, is \$500,000.

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

- e. **Contract: Outside Legal Services - Environmental Law, Railroad Law, Surface Transportation Board (STB), National Transportation Safety Board (NTSB), Transportation Law (Kaplan, Kirsch and Rockwell LLP)**

David Wilkins was joined by Tim Merrill.

Wilkins requested the board approve a contract with Kaplan, Kirsch and Rockwell LLP for outside legal services related to environmental law, railroad law, STB, NTSB, and transportation law. The contract has a three-year base term with two additional one-year options. The total not-to-exceed value of the contract, including the options, is \$500,000.

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

- f. **Contract: Outside Legal Services - Labor and Employment, Environmental, Litigation, Railroad Law, Bankruptcy, Tax Law, Transportation Law, Intellectual Property Law, and Construction Law (Parsons, Behle and Latimer, PLC)**

David Wilkins was joined by Tim Merrill.

Wilkins requested the board approve a contract with Parsons, Behle and Latimer, PLC for outside legal services related to labor and employment, environmental, litigation, railroad law, bankruptcy, tax law, transportation law, intellectual property law, and construction law. The contract has a three-year base term with two additional one-year options. The total not-to-exceed value of the contract, including the options, is \$500,000.

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

- g. **Contract: Outside Legal Services - Officer Involved Critical Incidents, Bankruptcy, Construction Law, Commercial Leasing Law (Spencer Fane LLP)**

David Wilkins was joined by Tim Merrill.

Wilkins requested the board approve a contract with Spencer Fane LLP for outside legal services related to officer-involved critical incidents, bankruptcy, construction law, and commercial leasing law. The contract has a three-year base term with two additional one-year options. The total not-to-exceed value of the contract, including the options, is \$500,000.

A motion was made by Chair Christensen, and seconded by Trustee Acerson, that this

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- contract be approved. The motion carried by a unanimous vote.
- h. Contract: Outside Legal Services - Pension, Immigration, Intellectual Property (Kutak Rock LLP)**
- David Wilkins was joined by Tim Merrill.
- Wilkins requested the board approve a contract with Kutak Rock LLP for outside legal services related to pension, immigration, and intellectual property. The contract has a three-year base term with two additional one-year options. The total not-to-exceed value of the contract, including the options, is \$500,000.
- A motion was made by Chair Christensen, and seconded by Trustee Acerson, that this contract be approved. The motion carried by a unanimous vote.
- i. Contract: Outside Legal Services - Construction Law (Nossaman LLP)**
- David Wilkins was joined by Tim Merrill.
- Wilkins requested the board approve a contract with Nossaman LLP for outside legal services related to construction law. The contract has a three-year base term with two additional one-year options. The total not-to-exceed value of the contract, including the options, is \$500,000.
- A motion was made by Chair Christensen, and seconded by Trustee Acerson, that this contract be approved. The motion carried by a unanimous vote.
- j. Contract: Outside Legal Services - Railroad Law, Surface Transportation Board (STB), National Transportation Safety Board (NTSB), and Communications Law (Venable LLP)**
- David Wilkins was joined by Tim Merrill.
- Wilkins requested the board approve a contract with Venable LLP for outside legal services related to railroad law, STB, NTSB, and communications law. The contract has a three-year base term with two additional one-year options. The total not-to-exceed value of the contract, including the options, is \$500,000.
- A motion was made by Chair Christensen, and seconded by Trustee Acerson, that this contract be approved. The motion carried by a unanimous vote.
- k. Contract: Program Management Right of Way Acquisition Services (Horrocks Engineers, Inc.)**
- Jared Scarbrough, UTA Director of Capital Design & Construction, was joined by Janelle Robertson, UTA Acting Planning Director.
- Robertson requested the board approve a contract with Horrocks Engineers, Inc. for program management right-of-way acquisition services. The contract has a three-year base term with a value not-to-exceed \$1,875,000, with two additional one-year options with a value not-to-exceed \$625,000 per year. Exercise of the options will require
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additional board approval.

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

i. Change Order: South Jordan Downtown TRAX Station Construction Services Change Order No. 1 - Phase 2 Construction (Paulsen Construction LLC)

Jared Scarbrough was joined David Osborn, UTA Project Manager III.

Osborn requested the board approve a \$3,960,921.54 change order to the contract with Paulsen Construction LLC for phase 2 construction on the TRAX South Jordan Downtown Station. The total contract value, including the change order, is \$4,011,021.54.

Discussion ensued. Questions on the project completion timeline and supply chain risks were posed by the board and answered by staff.

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

m. Change Order: Avenues Bus Stop Improvements Change Order No. 1 - Phase 2 Construction (Landmark Companies, Inc.)

Jared Scarbrough requested the board approve a \$101,782 change order to the contract with Landmark Companies, Inc. for Avenues bus stop improvements. The total contract value, including the change order, is \$458,388.05.

Discussion ensued. Questions on grouped bus stop construction procurements and project timeline were posed by the board and answered by Scarbrough.

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

n. Change Order: Master Task Ordering Agreement for Bus System Enhancement Design Services Consultant Pools A, B, C - Change Order No. 1 - Exercise Option Years 1 and 2 (Focus Engineering and Surveying, LLC)

Jared Scarbrough requested the board approve a change order to the master task ordering agreement with Focus Engineering and Surveying, LLC to exercise the two option years on the contract. The option years have a not-to-exceed value of \$550,000 per year. The total contract value, including the change order, is \$1,600,000.

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

o. Change Order: Master Task Ordering Agreement for Bus System Enhancement Design Services Consultant Pools A, B, C - Change Order No. 1 - Exercise Option Years 1 and 2 (Kimley Horn and Associates, Inc.)

Jared Scarbrough requested the board approve a change order to the master task ordering agreement with Kimley Horn and Associates, Inc. to exercise the two option years on the contract. The option years have a not-to-exceed value of \$550,000 per year. The total contract value, including the change order, is \$1,600,000.

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

p. Change order: On-Call Infrastructure Maintenance Contract Task Order #24-022 - 1700 S TRAX Grade Crossing (Stacy and Witbeck, Inc.)

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

Wouden requested the board approve a \$332,276 change order to the contract with Stacy and Witbeck, Inc. for a grade crossing replacement on the TRAX alignment at 1700 South. The total contract value, including the change order, is \$1,202,881.

Discussion ensued. Questions on the project completion timeline and construction coordination with Union Pacific Railroad were posed by the board and answered by staff.

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

q. Change Order: Next Generation Fare Collection System Change Order No. 4 - Media Converters (Scheidt & Bachmann USA, Inc.)

Kensley Kunkel, UTA Special Project Manager - Fares, requested the board approve a \$266,200 change order to the contract with Scheidt and Bachmann USA, Inc. for media converter kits needed for the next generation fare collection system. The total contract value, including the change order, is \$32,371,682.

Discussion ensued during which Chair Christensen requested an update on the project in a future board meeting.

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

9. Service and Fare Approvals

a. Fare Agreement: Medicaid Transit Pass Agreement - Amendment Two (Utah Department of Health)

Jordan Eves, UTA Manager of Fare Strategy, requested the board approve a \$3,630,000 amendment to the contract with the Utah Department of Health for the provision of transit passes to eligible Medicaid recipients for the remaining three years of the agreement. The total contract value, including the amendment, is \$6,016,850.

Discussion ensued. Questions on the pass agreement utilization were posed by the board and answered by Eves.

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

10. Budget and Other Approvals

a. **TBA2024-06-02 - Technical Budget Adjustment - Capital Funds Transfer from MSP263: TOD Working Capital Project to MSP262: SL FLHQ Project**

Daniel Hofer, UTA Director of Capital Programs & Support, was joined by Gregory Andrews, UTA Senior Capital Budget Analyst.

Hofer reviewed the technical budget adjustment, which reallocates \$3.16 million in the capital budget from the TOD working capital project to the Salt Lake FrontLines Headquarters (SL FLHQ) project.

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

11. Discussion Items

a. **2023-2024 Ski Service End of Season Update**

Camille Glenn, UTA Regional General Manager - Mt. Ogden Business Unit, was joined by Mary DeLaMare-Schaefer, UTA Regional General Manager - Timpanogos Business Unit. DeLaMare-Schaefer participated in the meeting virtually.

Glenn provided performance information on UTA's 2023-2024 ski service. Overall, ski bus ridership was 416,511, which is a 5.08% increase from the previous season, and van pool and ski resort employee shuttle ridership was an additional 208,842. One-way ridership on the Cottonwood Connect, a service provided by Visit Salt Lake and funded in part by UTA, was 11,878.

Discussion ensued. Questions on data on the Alta Town shuttle and service to Sundance Ski Resort were posed by the board and answered by staff.

b. **Transportation Infrastructure Amendments (2023 Senate Bill 125) and UTA Rocky Mountain Power Partnership Update**

Hal Johnson was joined by James Campbell with Rocky Mountain Power and Bartly Matthews with Utah State University.

Johnson and Campbell outlined the shared initiatives of the partnership between UTA and Rocky Mountain Power.

Johnson and Matthews then described transportation electrification objectives and provided an update on work that has been done in accordance with Senate Bill 125

(2023), which designated ASPIRE at Utah State University as the lead research center in developing a strategic action plan for the electrification of transportation infrastructure in Utah. They spoke about the ASPIRE vision and the shared electric echo system vision and highlighted key components of the Utah Electrified Transportation Action Plan, including coordinated multi-modal electrification.

Discussion ensued. Trustee Holbrook requested another update on electrification efforts in six months.

12. Other Business

- a. Next Meeting: Wednesday, July 10th, 2024 at 9:00 a.m.

13. Adjourn

A motion was made by Trustee Acerson, and seconded by Chair Christensen, to adjourn the meeting. The motion carried by a unanimous vote and the meeting adjourned at 11:33 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/923319.html> for entire content. Meeting materials, along with a time-stamped video recording, are also accessible at https://rideuta.granicus.com/player/clip/306?view_id=1&redirect=true.

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

Approved Date: July 10, 2024

DocuSigned by:

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Carlton J. Christensen
Chair, Board of Trustees