



Minutes of the Four Hundred and Tenth Meeting
Of the Utah Transit Authority Board of Trustees

The Four Hundred and Tenth meeting of the Board of Trustees of the Utah Transit Authority was held on March 26, 2008, in the Board Room of the Meadowbrook Facility located at 3600 South 700 West, Salt Lake City, Utah.

Members of the Board of Trustees in attendance:

Orrin T. Colby, Jr., President	J. Kent Millington
Robert A. Hunter, Vice President	A. DeMar Mitchell
Michelle Baguley	Frederick W. Oates
Keith Bartholomew	Steven K. Randall
Burtis Bills	Michael Romero
Necia Christensen	Gregory Simonsen
Larry Ellertson	
Charles Henderson	Absent:
Gregory Hughes	Terry C. Diehl

Also in attendance were John English, General Manager and CEO; Bruce Jones, General Counsel; Celeste Burningham, Corporate Office Specialist, as well as interested citizens, UTA staff and media representatives.

Welcome – President Colby welcomed those in attendance and called the meeting to order at 2:33 p.m.

Trustee Bartholomew made a motion to move Agenda Item 4A to the beginning of the agenda to allow staff in New York City to move forward on the bonding. Trustee Baguley seconded the motion.

Motion passed with 12 voting members present.

- Resolution of the Board of Trustees of the Utah Transit Authority (the "Authority") Finalizing the Terms and Conditions of the Issuance and Sale By the Authority of its Sales Tax Revenue Bonds, Series 2008A in the Aggregate Principal Amount of \$700,000,000; Awarding and Confirming the Sale of Said Series 2008A Bonds; Authorizing the Execution by the Authority of a Sixth Supplemental Indenture of Trust, a Bond Purchase Contract and Other Documents Required In Connection Therewith; Authorizing

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and Approving an Official Statement; Ratifying and Approving the Use of a Preliminary Official Statement; and Authorizing the Taking of all Other Actions Necessary to the Consummation of the Transaction Contemplated by this Resolution; Providing a Severability Clause; Repealing Resolutions and Orders in Conflict; Providing an Effective Date; and Related Matters.

Trustee Ellertson stated that this is a Resolution dealing with bonds that will fund the 2015 projects. Trustee Ellertson made a motion to approve the Resolution as presented. Ken Montague joined the meeting by phone. He confirmed that the principle amount is the \$700 million. Trustee Ellertson reported on the details of the Bonding Resolution and what it allowed staff to do. Trustee Simonsen seconded the motion.

Trustee Ellertson clarified the interest rate and distributed a paper with the terms and interests rates listed.

Brian Baker with Zions Bank stated that the underwriting team did a great job and the 5.01% interest rate was a good rate.

Mr. Montague stated that the team working on the bonding issue in New York City has worked hard and has found favorable reception at the bonding market.

Trustee Hughes arrived at 2:43 p.m.

Mr. Baker reported on the bond ratings and insurance rates from the different agencies.

Trustee Bartholomew stated that this Resolution has been reviewed and debated for a number of months in the Finance and Operations Committee and that members of the Board had also been reviewing the terms of the bonds for months. He stated that the Resolution was a reflection of the time put into it and that the Resolution was fiscally sound.

Trustee Randall clarified the bonding capacity that UTA has. He discussed the current bonds that UTA has and went over the amount of bonds that UTA would have with the acceptance of this Resolution.

Trustee Simonsen stated that the Finance and Operations Committee has been discussing bonding for months. He stated that the money with which the tax payers had entrusted UTA is going towards services to improve the quality of life along the Wasatch Front. He stated his

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gratitude for being entrusted with this money and that this Resolution is appropriate and fiscally sound.

Mr. Millington stated that he had met with the Federal Highway Administrator and discussed these investments in transportation. He stated that the Administrator said that this may sound like a lot of money now but it won't be in twenty years. He stated that he was glad to see this investment which will benefit the entire area.

The motion passed unanimously with 13 voting members present.

Swearing in of Board Member – Gregory Hughes was sworn in by Irene Huntsman, Board Administrator. President Colby stated his appreciation for all Trustee Hughes does being on the Board at UTA.

Public Comment

- Michael Packer distributed a handout and stated that he has been bringing concerns to the UTA Board for a while. (In spite of information to the contrary, Mr. Packer continues to accuse UTA of deliberately reporting erroneous data which was used to encourage people to vote for tax increases and to get federal grant money.)

Resolutions

- Resolution of the Board of Trustees of the Utah Transit Authority Accepting the Finance and Operations Committee's Computation and Recommendation on Goal Achievement for 2007.

Trustee Ellertson stated that this is a Resolution associated with the goal achievement for 2007.

Trustee Henderson arrived at 3:01 p.m.

Trustee Ellertson stated that the Finance and Operations Committee went over the goals in detail and had a good discussion on each. He stated that they arrived at the total for eligible bonus rate as 34% of goal accomplishment and the detail for how the Committee arrived at this goal is in the Finance and Operations Committee Report. Vice President Hunter seconded the motion.

Discussion took place on what was included in the 34% and what goals the Committee determined were not met.

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President Colby stated that there was an error in the Finance and Operations Report. He stated that the transit trips per capita states a 5% but it should be changed to 20%.

Trustee Christensen stated her concern with holding staff accountable for details out of their control. Discussion took place on stating future goals more clearly.

Representative Hughes stated that the Committee felt it needed to stick to what the goals stated and to grade accordingly. Discussion took place on why some of the goals were considered unaccomplished and what outside influences affected the accomplishment.

John English stated that staff will still work hard to accomplish every goal set forth by the Board and that he understands why the Committee made the decisions it made.

The Motion passed with 13 aye votes and 1 dissenting vote made by Trustee Christensen. Trustee Christensen stated that staff deserved more and that the Board needs to be careful about creating certain bench marks.

- Resolution of the Board of Trustees of the Utah Transit Authority Amending the Bylaws of the Utah Transit Authority

Bruce Jones stated that in reviewing the bylaws it was noted that two items needed to be addressed, the clarifying of the terms and conditions for the Board Officers and Chairs and the technical changes from laws passed by the Legislature. Mr. Jones discussed the changes in detail as shown by the redline draft of the Bylaws. He stated that Committee Chairs would be allowed to serve multiple terms which would be limited by their terms of service on the Board.

Trustee Christensen made a motion to adopt the bylaws as presented. Trustee Oates seconded the motion.

- Resolution of the Board of Trustees of the Utah Transit Authority Authorizing the Execution of an Interlocal Agreement with Sandy City Regarding the Pedestrian Crossing at 9400 South

Trustee Christensen stated that this is a Resolution to execute the study and design for the 9400 South light rail stop and crosswalk. She discussed the details for the crossing and stated that Sandy City is matching the funds. Michael Allegra stated that this was an approved

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grant and discussed the funding details. Discussion took place on the full cost and how it would be covered.

Trustee Christensen made a motion to approve the Resolution. Trustee Oates seconded the motion.

Mr. Allegra stated that this project would be completed in less than a year. He discussed the designs and studies that have been completed for the project.

The motion passed unanimously with 14 voting members present.

- Resolution of the Board of Trustees of the Utah Transit Authority Authorizing the General Manager to Implement and Administer the Transit 2015 Program Incentive Plan

Trustee Christensen made a motion to lift this Resolution, Item 4e, from the agenda. Trustee Baguley seconded the motion.

The motion passed unanimously with 14 voting members present.

- Resolution of the Board of Trustees of the Utah Transit Authority Amending the Board Executive Limitations Policy 2.2.2 Regarding Property

Trustee Christensen stated that this Resolution is to amend the current Executive Limitations Policy regarding property items that are brought before the Board for approval. She explained the current policy states that property items exceeding \$100,000 be brought before the Board for approval. This amount has been in place for a while and so with inflation rates and the price of property increasing, the Planning and Development Committee is recommending that the amount be changed to \$250,000. She stated that this will allow UTA to move faster on property issues but still has the same specification to hold staff accountable to the Board.

Trustee Christensen made a motion to approve this Resolution. Trustee Bartholomew seconded the motion.

Trustee Millington stated his concern that staff could break down all property issues to fit under the \$250,000 limit. He stated the Board should receive updates on all property acquisitions.

Discussion took place on how and when to bring a property report to the Board. Mr. English stated that he would like this recommendation to go

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through a Committee and to the Board to make this report official so that staff does not overlook bringing it forward to the Board in the future.

The Board decided to have Mr. English make a formal recommendation for bringing a property report to the Planning and Development Committee, the Committee would then approve a formal reporting schedule for property items, adding it to the Executive Limitations reports.

Trustee Simonsen stated his concern for property issues that are under the \$250,000 limit but could exceed the budget that was set by the Board. He stated it could be in the project budget but if it is not in the annual budget it could exceed what has been set by the Board.

Discussion took place on the language in the policy that addresses this issue. Trustee Christensen stated that it has been very helpful to have Trustee Diehl on the Board to help with property issues.

Trustee Henderson suggested that we add the language to specifically address Trustee Simonsen's concern about whether the property issue fits with the project budget or the annual budget set forth by the Board and staff. Discussion took place on whether it can be added with out a formal Board process and where the language would be added. Trustee Simonsen made the motion to add the language "or the annual budget" to the end of the paragraph in the Property Policy 2.2.2 paragraph 3A. Trustee Ellertson seconded the motion.

The Motion passed unanimously with 14 voting members present.

The Motion to accept the Resolution passed unanimously with 14 voting members present.

President's Report

- President Colby reported that the letter the Board received last month from Rhinehart Oil contesting UTA's decision on a contract has been resolved. He stated when the Board received the letter the formal process to review the bid had not yet been completed, since then it was completed and UTA has entered into a contract with this vendor for their oil product.
- President Colby stated that on April 25 and 26 the Grand Opening events for FrontRunner will be taking place which is the same week as the regularly scheduled Board Meeting which is scheduled for April 23. Discussion took place on moving Board Meeting to Ogden on April 25, just before the VIP Reception on that same

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night. Discussion took place on the logistics of having the Board Meeting changed to this date.

Trustee Simonsen made a motion to move the April 23, 2008 Board Meeting to April 25, 2008 at 3:30 in Ogden. Trustee Bills seconded the motion.

The motion passed unanimously with 14 voting member present.

General Manager's Report.

- John English distributed a picture of the new Vanhool buses that will be used on the new BRT line. He discussed some of the details of the bus.
- Report on Safety: Mr. English stated that this was one of the required reports he had to make to the Board. He distributed the report and discussed some of the highlights. He reported that security is working very hard to reduce burglaries/thefts which have led to an increase in arrests. He stated that with the public's help security has been able to reduce the number of thefts. Staff is working hard on the safety and operational management for FrontRunner. He discussed the safety system installed on the FrontRunner and how it will keep all trains at a safe distance from each other.

Mr. English reported that the Federal Rail Administration has been touring the FrontRunner facilities making sure that everything is done correctly. He stated that discussions are still taking place on conductors versus station hosts. He stated that training is still ongoing with operators and station hosts to make sure everything is run appropriately.

Mr. English reported that bus operations has seen an improvement in reliability but an increase in bus accidents. He stated that staff is working to address this problem.

Mr. English reported that the contractors and staff working on the projects have done a great job and for the second year in a row they have won a national construction safety award.

- Compliance Reports to the Board: Mr. English reported that staff has been reviewing the list of reports that are required to be given to the Board. He stated that corrections are being made and that the month to month guide is being revised.
- Grand Opening: Mr. English reported that the Grand Opening event will be a big event with a large amount of work involved to make it happen.

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- Mr. English reported that contractors have been given notice that they have been selected for the five new lines going in. Construction is getting close to beginning for these projects.
- Mr. English reported that the South Davis Locally Preferred Alternative has been selected. This will include a street car system originating in Farmington and ending in downtown Salt Lake. He stated that this is not on the list of projects for right now but it is looking at the future of UTA.
- Mr. English reported that next week the Future Search group would be meeting to discuss issues of transportation for all people, including those with disabilities, to increase awareness of the issues. He went over some of the details for the conference and some of the issues that will be discussed.

Trustee Simonson stated that he has some safety concerns from his experience riding the system, particularly TRAX. He stated that in the last six months he has been riding he has not seen security or had his ticket checked. He stated that during that time he has seen two very scary things happen. He stated that those witnessing these events have probably had second thoughts about riding TRAX. He stated that he understands staff is addressing the security concerns but more might need to be done to avoid losing more riders due to security concerns. Other Trustees indicated they have experienced both seeing and having tickets checked by security routinely.

General Counsel's Report.

- Bruce Jones reported on the Notice of Claims and Complaints. He discussed the details behind the four claims.
- Mr. Jones reported on the issue going before the Utah Supreme Court regarding the Draper TRAX Line. He discussed the issues behind the case and stated that it will be argued on May 6. He is very confident in the outcome of this.
- Mr. Jones reported on the outcome of the Legislative session. He discussed some of the bills that were passed and how they affect UTA. He discussed Senator Killpack's bill that passed, adding 3 new members to the Board and making the Transportation Commission member a voting member. He stated that this will go into effect July 1, 2008. Mr. Jones reported on issues that have been sent to study during the interim session.

Discussion took place on implementing congestion pricing for peak traffic periods on congested highways and interstates. Mr. English reported on some of the ways that congestion pricing has been measured around the world and nation.

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- Mr. Jones discussed the Mountain View Corridor and the participation of UTA during the specific phases of the project.

Other Business.

- Honor Roll Nomination. Trustee Baguley stated that the Internal/External Committee, on a quarterly basis, reviews possible nominations for the UTA Honor Roll. She stated that the Committee would like to present Stuart Adams as a nominee for this honor. She stated that he is currently the Chair of the Transportation Commission and has been a great advocate for transit issues.

Trustee Mitchell stated that Mr. Adams was suggestion as a possible nominee with the original four names that were suggested. He stated his support for this nomination. Trustee Baguley discussed Mr. Adams qualifications and accomplishments, addressing why he should be nominated for this award. Trustee Baguley made a motion to nominate J. Stuart Adams for the Honor Roll for UTA. Trustee Mitchell seconded the motion.

Trustee Hughes stated his support for the nomination. He stated that he had worked with Mr. Adams in the Legislature and went over some of the issues that Mr. Adams worked hard to address.

Trustee Millington stated that he currently works with Mr. Adams and that it is very clear that he has a broad understanding of transportation issues. He stated his support of the motion.

The motion passed unanimously with 14 voting members present.

Discussion took place on when to present Mr. Adams with the Honor Roll Award.

- 2008 Goal Amendment for BRT. Trustee Christensen reported that with the problems that arose during the manufacturing of the BRT vehicle staff was not able to begin the new BRT route in West Valley on April 30. She stated that Mayor Nordfelt, from West Valley City, felt it was important to have the line open correctly. Trustee Christensen stated because of these factors the goal to open the BRT Line needs to be adjusted and the Planning and Development Committee recommends that the new goal be August 20. Trustee Christensen made a motion to adjust the BRT goal

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from April 30, 2008 to on or before August 20, 2008. Trustee Baguley seconded the motion.

Discussion took place on why the goal of April 30 is not being met and when the buses are expected to arrive. Mr. English reported the difficulties that have arisen in obtaining the buses. Trustee Christensen stated that she did not want to hold staff accountable for what other entities are doing.

The motion passed unanimously with 14 voting members present.

Discussion took place on the FrontRunner opening and the reasons for it not being open all the way to Pleasant View. Mr. English stated that there will be a bus bridge connecting the Ogden and Pleasant View Stations until the complications are worked out with Union Pacific.

Consent.

- Approval of Revised Financial Statements of December 31, 2007. The Financial Statements were approved by consent.
- Approval of Financial Statements of January 31, 2008. The Financial Statements were approved by consent.
- Approval of Minutes of Board Meeting of February 27, 2008. The Board Minutes were approved by consent.

Adjournment.

Trustee Baguley made a motion to adjourn. Trustee Bartholomew seconded the motion.

The motion passed unanimously. The meeting adjourned at 4:36 p.m.