



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

The Four Hundred and Thirteenth meeting of the Board of Trustees of the Utah Transit Authority was held on June 25, 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	Charles Henderson
Robert A. Hunter, Vice President	Gregory Hughes
Michelle Baguley	J. Kent Millington
Keith Bartholomew	A. DeMar Mitchell
Burtis Bills	Frederick W. Oates
Necia Christensen	Steven K. Randall
Terry C. Diehl	Michael Romero
Larry Ellertson	Gregory Simonsen

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 called the meeting to order at 2:37 p.m. and welcomed those in attendance.

Vice President Hunter expressed his appreciation for the service that President Colby has done as President of the Board. He stated that due to this being President Colby's last meeting as President he wanted to present him with a gift. He presented President Colby with a book entitled, *Humankind*, and passed it around for the Board Members to sign.

President Colby thanked Vice President Hunter for the presentation.

Resolutions

- Resolution of the Board of Trustees of the Utah Transit Authority Authorizing the General Manager To Implement and Administer the Transit 2015 Employee Retention Policy

Trustee Diehl stated that this Resolution authorized the General Manager to implement a program for the retention of employees working on the 2015 plan.

Bruce Jones stated that this allows the General Manager to create this policy and implement it within the guided limitations set forth in the Resolution. He discussed the limitations and that it allows for the General Manager to make the Planning and Development Committee aware of any retention awards given.

Trustee Bartholomew stated that because this involves the budget he would like to see the addition of reporting to the Finance and Operations Committee.

Trustee Ellertson stated that as a member of the Finance and Operations Committee he would see that as a friendly amendment.

Trustee Diehl made a motion to accept this Resolution with the addition of the reporting of the awards given to the Finance and Operations Committee. Trustee Bartholomew seconded the motion.

Mr. Jones clarified that this would allow the General Manager to develop the policy and report, before the awards are given, to the Finance and Operations Committee and the Planning and Development Committee.

The motion passed unanimously with 15 voting members present.

- Resolution of the Board of Trustees of the Utah Transit Authority Adopting an Interlocal Agreement Between Utah Transit Authority, Salt Lake County and Murray City

Trustee Diehl stated that this Resolution is an Interlocal agreement with Murray City and Salt Lake County for a one time contribution towards the wetland mitigation along the Mid-Jordan TRAX line.

Trustee Diehl made a motion to adopt this Resolution. Trustee Christensen seconded the motion.

Mr. Jones discussed the values that are included on Exhibit B.

Michael Allegra stated that all of the documentation had been finalized. He discussed that the wetland mitigation is advancing through Salt Lake County under the ownership of Murray City.

The motion passed unanimously with 15 voting members present.

- Resolution of the Board of Trustees of the Utah Transit Authority Authorizing the Sixth Amendment to the Employee Retirement Plan and Trust Agreement

Trustee Ellertson stated that this Resolution makes amendments to the Employee Retirement Plan to bring it under compliance with the new statutes.

Trustee Ellertson made a motion to adopt this Resolution. Vice President Hunter seconded the motion.

President Colby stated that this Resolution had no financial impact.

Discussion took place on the unfunded mandates in the Employee Retirement Plan and the steps that UTA is taking to make these as minimal as possible.

The motion passed unanimously with 15 voting members present.

- Resolution of the Board of Trustees of the Utah Transit Authority Adopting the Eighth Amendment to the Utah Transit Authority Asset Management Plan and Trust Agreement.

Trustee Ellertson stated that this Resolution is to adopt the amendments to the Asset Management Plan to bring it under compliance with new statutes. He stated that these changes are similar to the changes in the above Resolution. He stated that this has no monetary impact.

Trustee Ellertson made a motion to adopt this Resolution. Trustee Baguley seconded the motion.

The motion passed unanimously with 15 voting members present.

- Resolution of the Board of Trustees of the Utah Transit Authority Authorizing the 2008 Employer Contribution to the Utah Transit Authority Employee Retirement Plan.

Trustee Ellertson stated that this Resolution has to do with the funding for the current year for the Retirement Plan. He stated that this is within the budget that was adopted by the Board.

Trustee Ellertson made a motion to adopt this Resolution. Trustee Romero seconded the motion.

Discussion took place on how the funding is determined.

Discussion took place on what is included in the employee pension plan and how employees can contribute to this.

Trustee Simonsen stated that the Union has representatives that sit on the Pension Committee and he felt that they favor this Resolution.

The motion passed unanimously with 15 voting members present.

President's Report

- President Colby reported that John English had been asked to Chair the Sustainability Committee for the International Transportation Commission. The Executive Committee had approved that he proceed with this.
- President Colby stated that Commissioner Stuart Adams sent a letter to the Board thanking them for the Honor Roll Award.
- President Colby stated that the Salt Lake Conference of Mayors would be meeting to discuss efforts to have the police forces across the valley develop ways to work together. He stated that he will be attending this meeting along with the UTA Transit Police Chief.
- President Colby reported that the Finance and Operations Committee is completing a Fraud Risk Assessment which includes and internal audit and peer review.
- President Colby reported that UDOT has just made a transportation report available. He stated that UDOT is looking for input on transportation issues facing the State of Utah. John English stated that this was a great opportunity to address issues that are effecting the transportation of the community. He stated that he would like to bring people together to address the issues.

General Manager's Report.

- John English reported that the Transit Development Conference, sponsored by UTA, was successful. He stated that there were more then 300 people that attended and the conference was able to have keynote speaker, Eduardo Guimaraes, Secretary of International Relations for the city of Curitiba, Brazil, speak.
- Mr. English reported that the fuel surcharge will be implemented on July 1. He stated that information is available for the public and that other transit systems are studying what is being done here and looking to implement similar programs to deal with the fuel price increases.

- Mr. English reported that the groundbreaking event for the West Valley Line was last week and that it was a successful event.
- Mr. English reported that UTA and Salt Lake City signed the Interlocal agreement for the Airport light rail line.
- Mr. English reported that the Amalgamated Transit Union held elections and a new executive board will be in place on July 1. He stated that the new President is Mr. Rod Dunn and the new Vice President is Mr. Doug Sappie.
- Mr. English distributed a Fare Policy Overview. He stated that this is a mandatory report that looks at the different issues to address when setting fares and how they are managed. He reported that by the end of the year the electronic fare collection will go into effect which will help in the collection and managing of the fares. He discussed some of the benefits of the electronic fare collection system.

Discussion took place on when a new fare policy would be developed and having the Board become involved with developing the new policy.

Mr. English stated that UTA will have a unique system for fares because other agencies with electronic fare collections have their own cards but UTA will be using a fully standard credit card.

Discussion took place on what other agencies are doing around the world and how they are moving forward with technology like this.

Discussion took place on how to address the issues if people do not have access to the credit cards.

Trustee Bartholomew stated that in the bus maintenance and operations part of the financials it was under budget. He asked for clarification on this because the Board just passed a resolution implementing a fuel surcharge.

Mr. English stated that fuel is going up and UTA is taking measures to cover some of the shortfall.

Dan Harps stated that funding was transferred from other budgets within UTA to Maintenance and Operations to cover the shortfall.

Trustee Simonsen stated that the Finance and Operations Committee has asked to see a report on the shortfalls and the fuel prices monthly. He stated that the Committee will be watching this issue closely.

General Counsel's Report.

- Bruce Jones discussed the Notice of Claims and Complaints. He went over the details for the three complaints and the two notices of claims.
- Mr. Jones reported on a smalls claims hearing that involved filing for loss of use which is a fee of \$150 per day. He went over the details of the case.
- Mr. Jones reported that the Tax Review Commission is discussing congestion pricing and potential sources and amounts of funding for mass transit and highway construction and maintenance.
- Mr. Jones stated that with the 2015 projects the legal department is involved with capital development in numerous property acquisitions and title matters. He discussed some of the issues that the legal department is facing.
- Mr. Jones reported that UTA entered into a Letter of Intent with LNC Investments. He stated that this deals with the development of a transit oriented development project in Clearfield.

Trustee Oates made a motion to move the Board into Closed Session. Trustee Christensen seconded the motion.

The motion passed unanimously and the Board moved to Closed Session at 3:42 p.m.

The Board moved back into Open Session at 3:53 p.m. on a motion by Trustee Oates and a second by Trustee Christensen.

Action Taken Regarding Matters Discussed in Closed Session.

Trustee Diehl made a motion to allow staff to enter into the condemnation process for the Nielson property by Gardner Village that is appraised for \$340,000. Trustee Baguley seconded the motion.

The motion passed unanimously with 15 voting members present.

Trustee Diehl made a motion to allow staff to enter into a friendly condemnation for the EMJ property in West Jordan that UTA has an appraisal for \$6.4 million and the property owner has an appraisal for \$7.8 million. Trustee Oates seconded the motion.

The motion passed unanimously with 15 voting members present.

Trustee Diehl made a motion to authorize staff to enter into contract to purchase the Seal property for \$4,334,000. Trustee Simonsen seconded the motion.

The motion passed unanimously with 15 voting members present.

Other Business

- Response from Board regarding Board Packets. Trustee Baguley stated that the Internal & External Committee has been working hard to come up with solutions to making the Board packets electronic. She stated that the Committee would like to hear from all the members of the Board on their experience accessing the packet information on the intranet.

Discussion took place on the experiences that some of the members are having with accessing the information and the organization of the information.

Consent

- Approval of Financial Statements of April 30, 2008. The Financial Statements were approved by consent.
- Approval of Minutes of Board Meeting of May 28, 2008. The Minutes were approved by consent.

Election of Officers

- Vice President Hunter thanked the Board for their hard work. He stated his appreciation for being able to work with each of the members in the capacity of Vice President and to serve with President Colby. He stated that he looks forward to continuing his service on the Board.
- President Colby stated his appreciation for Vice President Hunters' hard work and his dedication to fulfilling assignments. President Colby discussed personal issues that his family is facing. He stated his gratitude for the hard work of the Board and staff.
- Vice President Hunter stated that Alan Maughan would be in charge of distributing, collecting, and counting of the ballots. He stated that the vote for President would be first and that each member would vote for one candidate. He stated that Trustee Larry Ellertson and Trustee Terry Diehl were the candidates nominated thus far. He opened the floor for further nominations.

Trustee Bartholomew made the motion to close nominations for President. Trustee Henderson seconded the motion.

The motion passed unanimously with 15 voting members present.

Balloting was opened.

Trustee Baguley reported that she attended the Conference of Minority for Transportation Officials. She stated that many of the transportation associations and agencies were present and the discussion was on the effects of the increase in fuel costs.

- Vice President Hunter reported that the ballots had been counted and that Trustee Larry Ellertson was elected as the new President of the Board.

Trustee Diehl withdrew his name for the election of Vice President.

- Vice President Hunter stated that Trustee Michelle Baguley and Trustee Gregory Simonsen were the nominations for Vice President. He opened the floor for further nominations.

Trustee Bartholomew made a motion to close nominations for Vice President. Trustee Oates seconded the motion.

The motion passed unanimously with 15 voting members present.

- Vice President Hunter reported that the ballots had been counted and that Trustee Gregory Simonsen was elected as the new Vice President of the Board.

Vice President Hunter stated that elections for the Chairs of the Committees would be held next month in Committee meetings. He stated that the Chairs serving currently do a great job. He thanked Trustee Diehl for the hard work he has done with the Planning and Development Committee. He stated that Trustee Diehl has had to work very hard on the issues that UTA has faced with the fast growth and the many projects included in the 2015 Plan. He stated that Trustee Diehl also worked hard on the Davis and Weber County issues that faced UTA a few months ago and that his service was invaluable. He stated that Trustee Baguley is a hard worker and positive individual on the Board. He stated that she continues to handle the many challenges that are presented to her Committee.

Trustee Simonsen stated he was stunned by the honor. He stated that he has enjoyed his experience working with Board members. He thanked President Colby and Vice President Hunter for their service. He stated

that Trustee Ellertson will do a great job as President. He thanked Trustee Baguley for her hard work and her nomination for this position and he looks forward to serving the Board in this capacity.

Trustee Ellertson stated that he was humbled by this vote of confidence and he will work hard to uphold that. He stated that UTA is at an interesting and critical junction and that each of the members of the Board has a great responsibility. He stated that he looks forward to continuing the work and using the knowledge that each member brings to the Board. He stated his gratitude for working with President Colby for several years and the wisdom that President Colby brings to the issues. He expressed his appreciation for the hard work that Vice President Hunter had done in behalf of the Board. He stated his appreciation for the opportunity to continue his service on the Board.

Adjournment

Trustee Oates made the motion to adjourn. Trustee Bills seconded the motion.

The motion passed unanimously with 15 voting members present.

The Board adjourned at 4:32 p.m.