

UTA Board Meeting Report  
September 26, 2007



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

The Four Hundred and Fourth meeting of the Board of Trustees of the Utah Transit Authority was held on September 26, 2007, in the Conference Room of the Davis County Court House located at 28 E State Street, Farmington, Utah.

Members of the Board of Trustees in attendance:

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

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.

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**Welcome** – President Colby called the meeting to order at 2:30 p.m. and welcomed those in attendance. He excused Trustee Diehl, Trustee Christensen, and Commissioner Millington. President Colby expressed appreciation for the use of the Davis County Courthouse facilities.

**Swearing in of New Board Members** - Larry Ellertson was sworn in by Irene Huntsman, Board Administrator. Trustee Ellertson expressed his enjoyment of being on the Board. He stated that he has enjoyed his time and looks forward to the next term.

**Public Comment** - President Colby expressed his gratitude for the public coming and expressed his desire to keep the comments to 2 minutes.

- Jon Robinson stated his concern with the 600 West Alignment for the Airport TRAX line. He asked the Board to reconsider the decision because the neighborhood does not want the over pass

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that would have to be constructed for that option. The community believes that it would be better to reconstruct the North Temple over pass because it would make improvements for all segments of the neighborhood.

- Terry Hurst stated his concern with the 600 West Alignment option for the Airport TRAX line. He stated that his community had worked hard to make that area a decent place to live. He gave an overview of the activities and the neighborhood organizations that were formed to deal with the problems in the community. Mr. Hurst stated that the area along 600 West was a hope for them to bring in new developments and business to that area which he fears will not be an option if UTA builds a viaduct there.
- Ernie Willmore, representing Bridge Development, a company that develops condos, stated that he has met many times with UTA staff and is disappointed with the 600 West alignment plan. He stated that the 400 West alternative would have little impact on the neighborhoods and it would be more beneficial to companies at the Gateway and others because it would increase the number of people that see the businesses. He reported that UDOT and the City has had a bad record at maintaining viaducts and other transportation areas. He reconfirmed that it was very important to the neighborhood to keep the 400 West option so that development can take place along 600 West.
- David Galvan stated his concerns about the 600 West Alignment option for the Airport TRAX line. He stated that he has served on numerous Board and with many governmental agencies. He went over the process that should be followed with reviewing ideas such as the alignment and that some of the steps were missed. He stated that minority businesses and low income families will be greatly affected by the 600 West alignment. He expressed his understanding of the position that UTA is in and the time they have to make this decision but stated that there are other alternatives that need to be researched.
- Maria Garcia, Executive Director of Salt Lake Neighborhood Housing Service, distributed copies of a letter sent to the Board. She stated that the letter shows the impact of the 600 West alignment option. She stated that it would hurt the community and stated her hope that the Board would reconsider this option.

President Colby stated that the Board has made no decision on the Airport TRAX line alignment and that the comments are being recorded to be used as part of the consideration of the project. He thanked the public for attending the meeting.

**Resolutions**

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Resolution of the Board of Trustees of the Utah Transit Authority  
Nominating The General Manager For Consideration For The 2007  
Distinguished Manager's Award Sponsored By The Utah Association Of  
Special Districts.

Trustee Oates reported that the Planning Commission unanimously recommended John English to receive the Distinguished Manager's Award because of his dedication to transportation and the Wasatch Front.

Trustee Oates moved that the Board approve the Resolution as presented. Chair Baguley seconded the motion.

President Colby stated that this is an indication of how the Board feels about Mr. English.

Mr. English stated that he would be happy to accept the nomination but hopes that it is with the understanding that it is on behalf of everyone at UTA. Everyone has worked hard to make UTA a success.

Trustee Randall stated the Board wants to recognize Mr. English and that the Board does understand that everyone at UTA works hard.

The motion passed unanimously with 13 voting members present.

- Resolution of the Board of Trustees of the Utah Transit Authority Adopting the Amended and Restated Utah Transit Authority Employee 457 Deferred Compensation Plan.

Chair Ellertson reported that there have been changes made to the law affecting the Employee 457 Plan. This Resolution comes to the Board because of those changes. He reported on the changes to the retirement plans and the contributions for employees on active duty for the military. He stated that this will give more flexibility to those employed over the age of 70 and that it was consistent with the Collective Bargaining Agreement.

Chair Ellertson made the motion that the Board approve the Resolution as presented. Trustee Oates seconded the motion.

President Colby clarified that this Resolution did not affect the budget, it is a non-cost item.

The motion passed unanimously with 13 voting members present.

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**Update on Bonding**

- Chair Ellertson reported that the Bonding issue was discussed in committee and deals with active construction. Chair Ellertson discussed that the bonding was in line with the recommendations made by the Board to start development of the South lines. He reported that to keep up with the goals set by the Board UTA would need to issue more bonds. Chair Ellertson discussed some of the details of the bonds and stated that by the end of the year the Board will be seeing Resolutions dealing with bonding issues.
- President Colby further clarified that this was in line with the goals set forth by the Planning and Development Committee.
- Discussion took place on the amount of the bonds and what they would be used for.

**Presidents Report**

President Colby thanked Trustee Randall for being the host at the luncheon the Board had with the local elected officials. He apologized for being absent from the commuter rail tour. He reminded Board members about the Workshop on Land Use and Quality Growth on October 16. He urged the members to attend, if possible.

- Vice President Hunter thanked staff for the commuter rail tour and the demonstration on security. He stated that this is evidence that UTA is doing things the way they should be done and that they are constantly aware of the things that need to be done. He reported that at the Meadowbrook facility a press conference was taking place for those that have a disability, creating awareness of UTA's service for them. He also thanked those that made public comments for being prepared and taking the time to share their information with the Board. He stated that when teaching his Political Sciences courses he tries to get his students to be aware of things going on around them and wished that his students were there to see the participation of those involved during the Board Meeting and at the press conference.

**General Managers Report**

- John English reported that UTA has received the Mid-Jordan Record of Decision. He stated that Michael Allegra and staff worked hard to get this to happen and this line is right on schedule. He reported that UTA has been receiving bids for construction of this line.
- Mr. English reported on news headlines that have come out on UTA receiving the half billion dollars of federal funds. He stated that UTA is becoming the system to develop and demonstrate new ideas for transit and that UTA is receiving federal funding to complete

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these projects. This funding is allowing UTA to complete all five projects at the same time.

- Mr. English reported that IHC would be hosting an event for the grand opening of its new facility located at the 5300 South TRAX Station. He stated that UTA worked with the city of Murray to create a new vision for the 5300 South site. Mr. English discussed the process and the people that had worked on this project. He stated that UTA is working with IHC because TRAX will be a great resource for their patrons and employees. IHC is providing passes for TRAX to allow as many people to come to their grand opening as possible.
- Mr. English reminded the Board about the Workshop about Land Use and Quality Growth and encouraged them to attend. This workshop will be recorded and sent to APTA as an example to get communities involved in setting goals for the transit industry and where it should be in 15-20 years.
- Mr. English encouraged the Board members to view APTA's website and webinars.
- Mr. English passed out a report on Safety and Security. He discussed some of the progress being made and the implementation of new programs.
- Mr. English introduced Mayor Christensen of Brigham City. Mr. English gave a brief history of how UTA was started and the increases of sales tax to fund transportation projects. He stated that the progress of transportation took courage of political figures over the years. Mayor Christensen has come to UTA to continue the progress of transit. She has been working hard to develop a Brigham City Transportation Plan. He stated that UTA is working with Brigham City and thanked the Mayor for her hard work.

Mayor Christensen thanked UTA and the Board for their time. She gave an update on a study that her city completed. Mayor Christensen stated the problems that will be facing Brigham City and the residence of Box Elder and Cache Counties by 2020. She stated that in many of the areas in Northern Utah they have passed resolutions allowing the voters to vote on a quarter cent sales tax increase for transportation. She stated that Brigham City is working hard to get these passed. Mayor Christensen reported that Brigham City officials have been working with Cache Valley officials to transport passengers from Cache Valley to Salt Lake. This would require cooperation between Cache Valley's transit system and the UTA system used in Brigham City. She stated that Brigham City is the link to connect the Wasatch Front communities. Mayor Christensen expressed her desire to move forward developing these plans and the need to have UTA there to help get these ideas in motion.

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President Colby stated that this was exciting to watch the power of the community and the vision they bring.

Mr. English stated that UTA is excited to work to make all this happen. He stated that transit is at a crossroads and that these are alternatives that Utah needs to keep pushing. He stated that Mayor Christensen and her staff are leading the way in keeping the transit alternatives going.

**General Counsels Report**

- Bruce Jones passed out the Report of the Office of General Counsel and reported that, under the Notice of Claims, UTA has a few claims involving fender benders and other small issues.
- Mr. Jones reported on the status of a previously reported case. He stated that the 10<sup>th</sup> Circuit Court of Appeals issued its ruling in the Etsitty case. He reported the ruling was in favor of UTA.
- Mr. Jones reminded the Board that the legislative session is approaching. He discussed some of the issues that might arise during the session involving transit and UTA.
- Mr. Jones reported on the Draper Referendum issue. The Utah Supreme Court will hear an appeal by the Citizens for Responsible Transportation over the TRAX alignment. He reported that there has not been a ruling yet but he will keep the Board abreast of what happens as the case progresses.

Trustee Hughes gave a brief background of the Draper Referendum. He stated that on the whole, the citizens of Draper want the TRAX line however, there are a few that are being very vocal and passionate because the line will be going through their property. He reported that the city and others are working to educate the people of Draper about the right away being purchased before all but 12 residents purchased their property and that the TRAX line is needed. He stated that this issue could be going on for a while and that getting the true information out is key in gaining the support. Trustee Hughes stated that Draper does want the TRAX line and is very excited to see it develop.

Mr. Jones, at the request of Members of the Board, reported on the background of the Etsitty case and the filing deadlines for the Supreme Court case.

Trustee Bartholomew stated that the Draper issue could set precedent on how agreements for other alignments are to be made. He voiced his concern that UTA could be targeted if the courts rule that UTA was involved in making legislative action.

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Mr. Jones reported on the legal issues that are taken into consideration with this case.

**No items for Closed Session**

**Other Business**

- President Colby stated that he received a letter from the Office of Legislative Auditor. He reported that the letter indicated UTA was helpful and positive during the audit process. President Colby reported that the state auditor has told him personally how pleased his office is when the UTA report comes in.
- Trustee Bartholomew stated his concern about educating the public about alignment decisions. He stated that UTA needs to continue to educate the public that the local staff and elected officials are the people making the recommendations for the alignments. He stated that the UTA Board receives the final recommendations and approves the project.

**Consent**

Approval of Financial Statements of July 2007. The Financial Statements were approved by consent.

Approval of Minutes of Board Meeting of August 22, 2007. The minutes were approved by consent.

**Assignment of Committee Work**

- Chair Baguley reminded the Board that October Committee Meeting dates and times have been changed. Discussion took place on the correct times for these meetings.

**Adjournment**

Chair Baguley moved that the meeting be adjourned. Trustee Oates seconded the motion.

The motion passed unanimously. The Board adjourned at 3:55 p.m.