



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

The Four Hundred and Eighteenth meeting of the Board of Trustees of the Utah Transit Authority was held on January 28, 2009, in the Golden Spike rooms of the FrontLine Headquarters Facility located at 669 West 200 South, Salt Lake City, Utah.

Members of the Board of Trustees in attendance:

Larry Ellertson, President	Robert A. Hunter
Gregory Simonsen, Vice President	P. Bret Millburn
Justin Y. Allen	J. Kent Millington
Michelle Baguley	Michael Romero
Keith Bartholomew	
Burtis Bills	Absent:
Necia Christensen	Christopher R. Bleak
J. Stephen Curtis	Gregory Hughes
Terry C. Diehl	Frederick W. Oates
Charles Henderson	

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

---

**Welcome** – President Ellertson called the meeting to order at 2:32 p.m. and welcomed those in attendance.

**Swearing in of Board Members** – Irene Huntsman conducted the swearing in of Terry C. Diehl for his appointment by the Speaker of the Utah State House of Representatives.

**Resolutions**

- Resolution of the Board of Trustees of the Utah Transit Authority Approving the Interlocal Agreement between the Utah Transit Authority and Eagle Mountain City.

Trustee Baguley stated that this Resolution has been discussed in the Internal/External and that there are a few non-substantive changes that need to be made that Bruce Jones reviewed.

Bruce Jones stated that the agreements attached to both of the Resolutions have two concerns. He stated that they have been executed by the cities but since the corrections are not substantive, the concerns should be able to be addressed and corrected. He stated that the first correction that needs to be made is that in the Resolution for Saratoga Springs has the city listed as Eagle Mountain, which will need to be corrected to say Saratoga Springs City. He stated the second concern was in the agreement in the fifth “Where As” section on the first page of the agreement, last sentence, the language needs to be change from “within the City;” to “serving the City;”.

## Board Meeting Report January 28, 2009

Trustee Baguley made the motion to approve the Resolution approving an ILA with Eagle Mountain City with the correction to the agreement stating "serving the City" instead of "within the City." Trustee Curtis seconded the motion.

Discussion took place on the CMAQ funding to clarify that the funding will be used to fund the transit for the cities of Eagle Mountain and Saratoga Springs.

Trustee Bills stated that he has discussed with the Mayors from Utah County that currently do not have the UTA service in their area. He stated that he has not found any objection from them about having Utah County pursue bringing the entire county into the transit district. He stated that the mayors are excited for this possibility.

Mr. Jones stated that he met with Commissioner White, from Utah County, and the Legislative leadership from the state to discuss this issue. He stated that they are working on a bill that would give the County Commissioners the right to vote on bringing the entire county into the transit district.

The motion passed unanimously with 14 voting members present.

Trustee Bartholomew called for a point of order to make sure that the Resolution voted on was just the Resolution approving the ILA with Eagle Mountain. Mr. Jones stated that it was.

- Resolution of the Board of Trustees of the Utah Transit Authority Approving the Interlocal Agreement between the Utah Transit Authority and Saratoga Springs. Trustee Baguley made the motion to adopt the Resolution approving the ILA with Saratoga Springs with the correction in the Resolution, changing the term "Eagle Mountain" to "Saratoga Springs" and the change in the Interlocal Agreement from "within the City" to "serving the city." Trustee Bills seconded the motion.

The motion passed unanimously with 14 voting members present.

### **President's Report**

President Ellertson thanked the Board for their efforts and hard work. He encouraged the Board Members to continue to be accessible so that they can address concerns and share information with their appointing authorities.

### **General Manager's Report**

- External ISO Audit Complete. John English reported that last month UTA had the triennial audit of UTA's ISO programs. He stated that this process is taken very serious and it is a rigorous process. He discussed some of the details and issues involved with becoming ISO certified and discussed some of the details of the audit. He stated that the auditors had many positive comments about the process and that it will recommend UTA be granted re-registration to the ISO standards in 2009. He stated that UTA was issued a zero non-conformities.
- EFC Update. Mr. English stated that the EFC system is in operation. He stated that it has limitations right now but that it is installed and working on all systems. He stated transit organizations across the nation are looking at our

## Board Meeting Report January 28, 2009

technology and hoping to develop something similar for their own organizations. He stated that this would give UTA more opportunities to manage fares and to collect data. He stated that people are still trying to get use to the “tap on tap off” and that staff is looking at how to make this transition smoother.

- Mid-Jordan FFGA. Mr. English stated that on January 9 UTA hosted an event where the Acting FTA Administrator Sherry Little came to sign the Full Funding Grant Agreement for the Mid-Jordan light rail project. He stated that staff has been working for five years to get this to happen.
- UTA Contractors Receive Safety Awards. Mr. English reported that UTA has great contractors and many of them are receiving awards recognizing their great work. He reported on some of the most recent awards that the contractors have received.
- Fuel Surcharge/Fare Increase. Mr. English reported that on April 1 the fare structure will change and the two fuel surcharges will be removed. He stated that the fuel surcharge was a great help to offset the high cost in fuel and that UTA acted early in response to the increase in prices.

### **General Counsel’s Report**

- Notice of Claims. Mr. Jones reported that since last month UTA has had one notice of claim. He discussed the details of the claim.
- Legislative. Mr. Jones stated that the Legislative Session has begun. He stated that many at the Capitol are complimenting UTA on the receiving of the funds from the Full Funding Grant Agreement, the technology used in the “tap on tap off” Electronic Fare Collection System, and many want to find ways of funding transit projects in their areas. He stated that his office is monitoring a number of bills. He discussed bills related to rails issues, bus operation issues, transparency in government, open meetings act, and GRAMA issues. He discussed the details regarding a bill aimed at railroad coupling and decoupling. He stated that the bill has not been released yet so staff does not know the full impact of it on UTA but that it is expected to have difficulties complying with federal laws. He stated that UTA is working with the sponsor of the bill.

Vice President Simonsen stated that this bill came about because of an issue in his area. He stated that the people living in the area where the coupling is taking place are losing their quality of life because of the noise of the coupling and decoupling of the train cars at night. He stated that this is happening because the rail lines are being used in different ways than they were before. He stated his concern for the families living in this area.

- Litigation. Mr. Jones stated that his report shows the detailed break down of the Litigated Claims during the 2008 year. He discussed the process that claims go through and stated that very few cases go to trial because his staff works hard to settle a case before it gets to that point.

### **Board Training**

Mr. Jones introduced Ruth Hawes from the Legal Department.

Ms. Hawes discussed Eminent Domain. She discussed the process UTA goes through in obtaining property and the process that is taken when the acquisition of the property fails.

## Board Meeting Report January 28, 2009

Discussion took place on how often UTA uses the eminent domain process and when it is considered friendly condemnations.

Mr. Jones discussed the Board Member Liaison Responsibility Policy. He discussed attendance, written reports, and verbal reporting. He discussed the Board Member Code of Conduct Annual Certification Purpose. He stated that this is where Board Members can disclose issues that could pose a conflict of interest.

### **Other Business**

- Status of the Potential Federal Stimulus Program. Michael Allegra made a presentation on the potential federal stimulus program. He discussed the issues behind the potential funding and the committees and people involved in the program.
- Board Packets. Trustee Baguley stated that there has been a slight change to the way the Board will be receiving information for their packets. The Board will receive one binder in which they will replace the contents monthly. She stated that the contents will be the Board Meeting information but will only include the Resolutions and any attachments to those, financial statements and any other issues that the Board will need to take action on. Discussion took place on other ideas being discussed to alleviate the costs and paper waste of the Board Packets.

### **Consent**

- Approval of Financial Statements of November 30, 2008. The financial statement was approved by consent.
- Approval of Minutes of Board Meeting of December 17, 2008. The minutes were approved by consent.

Mr. Jones stated that there is a need to have an emergency meeting of the Board to discuss and vote on an Interlocal Cooperation Agreement with Salt Lake County regarding the Redwood Nature Center. He stated that the city would like UTA to vote on this before they vote on it. He stated that he would like to see the meeting set for Friday, January 30. He stated that the financial obligation and the terms of the agreement will be placed on the intranet for the Board to review before the meeting on Friday. He stated that it is seen as uncontroversial.

The meeting was set for Friday, January 30, 2009 at 2:30 p.m. as a teleconference.

### **Adjournment**

Trustee Bills made the motion to adjourn. Trustee Christensen seconded the motion. The motion passed unanimously. The Board adjourned at 4:09 p.m.

Report Transcribed by:  
Celeste Burningham  
Corporate Office Specialist  
Email: [cburningham@rideuta.com](mailto:cburningham@rideuta.com)  
Telephone: 801-287-2369