



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

The Four Hundred and Twentieth meeting of the Board of Trustees of the Utah Transit Authority was held on February 25, 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	Frederick W. Oates
Michelle Baguley	Michael Romero
Keith Bartholomew	
Burtis Bills	Absent:
Necia Christensen	Christopher R. Bleak
J. Stephen Curtis	Gregory Hughes
Terry C. Diehl	J. Kent Millington
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 2:36 p.m.

Public Comment

- Mayor Claudia Anderson, City of Bluffdale. Mayor Anderson stated that she was attending the meeting on behalf of the citizens of Bluffdale. She stated that the citizens of Bluffdale would like to continue to work with UTA in getting the FrontRunner South stop located in the city. She stated that the city is still looking at options and is working with UDOT to build the roads necessary. She asked the Board to continue to pursue a stop in Bluffdale.
- Kent England, JFRG at the Lake Point Corporate Center. Mr. England expressed his concern for the possible condemnation process UTA may begin on the property along Decker Lake Drive, needed for the TRAX line in West Valley City. He stated that the property and business owners in this area are not opposed to TRAX or the roads in the area but the designs being used for the transit options conflict with the designs for the property. He stated that the property owners and UTA have been working to come to an agreement but have not reached one yet. He stated that he and those he is representing have wanted to find a way to add one more crossing to give a left turn access along the road. He reported this could add a significant cost but the cost would be less than the damages to the property owner and the traffic, both foot and automobile, if the current design UTA has is used. He stated that an equitable solution is sought for both sides.

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Trustee Bartholomew asked Mr. England to what extent is the future office park taking advantage of the future TRAX line and what design changes are being made to compensate for the TRAX line.

Mr. England stated that the businesses are very appreciative of having the TRAX line come to the park but the benefits might not be quite as high as expected because of the location of the stops. He stated that having the stops for the business park located at the ends creates a significant walk for most of those who will travel there. He stated that a stop in the middle might have been a better option. Mr. England stated that the property designs are not changing to accommodate the TRAX stops.

President Ellertson thanked Mayor Anderson and Mr. English for coming and addressing the Board.

Resolutions

- Resolution of the Board of Trustees of the Utah Transit Authority Adopting the 2009 Goals and Measures.

Trustee Diehl made the motion to adopt the Resolution of the 2009 Goals and Measures. Trustee Baguley seconded the motion.

The motion passed unanimously with 14 voting members present.

Trustee Bartholomew stated his appreciation for UTA looking at the future and for taking time to develop goals and plans beyond the 2015 plan. He stated that he looked forward to more discussion about the future and hope that the Board would continue to be proactive in setting goals that go past the 2015 plan.

- Resolution of the Board of Trustees of the Utah Transit Authority Accepting the Finance and Operations Committee's Recommendation on Goal Achievement for 2008.

President Ellertson stated that the Finance and Operations Committee is forwarding the Goal Achievement recommendations, finding that the goals were met, to the full Board for approval.

Mr. English made a presentation to the Board that discussed the achievements of the 2008 goals. He discussed how each goal was accomplished.

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

The motion passed unanimously with 14 voting members present.

President's Report

President Ellertson stated that UTA has many exciting things happening. He stated that he attended the Electronic Fare Collection Reception Tuesday night and found that many people from across the country are interested in what is happening at UTA, and the EFC program is no exception. He stated that he was even able to help educate someone on the use the new cards that are being used.

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President Ellertson stated that the Utah County Commission took a tour of the Commuter Rail South project. He stated that the Commission is very excited about the progress taking place and the great amounts of work being done. He stated that in talking with the contractors, he found that they are happy to be working with the staff at UTA. He stated that UTA's projects are among the very few projects that are still being worked on, which is significant in today's economy. He stated that UTA will be applauded for the foresight in developing the transit projects.

General Manager's Report

- EFC Cards for the Board. Mr. English reported that the Board member received their "tap on tap off" cards today.
- EFC Reception. Mr. English stated that the reception, Tuesday night, was very successful and thanked the members of the Board for attending. He stated that interest in UTA's EFC system is generating across the nation and the reception allowed staff to demonstrate the new system.
- Transit Beyond 2015. Mr. English stated that part of the 2009 goals for UTA is to develop a vision and plan for transit beyond 2015. He stated that one way of accomplishing this is the establishment of a stakeholder group that will provide guidance and input for this process. He stated that Board members are going to be called on to participate in this group.
- UTA Participates in UofU Panels. Mr. English stated that UTA has been asked to participate in panel discussions hosted by the University of Utah's Sustainability Office. He stated his excitement for the opportunity.
- Two APTA Conferences in Salt Lake. Mr. English reported that UTA will be partnering with APTA as the host agency for two conferences that will be held in Salt Lake. He stated the first will be the Transit Initiatives Conference, May 31 – June 2 and the APTA Sustainability Conference, August 2 – 5.
- Dan Jones Survey. Mr. English reported that in a recent survey conducted by Dan Jones & Associates, exploring the public's views about taxes, government services and other policy issues relating to the current economic situation, it was found that the public is very positive in their support for continued investment of transit.

Trustee Bartholomew stated that he was pleased to attend the lecture Mr. English was involved with at the University of Utah. He stated that Mr. English made a strong case for transit development plans in the western style development patterns and that transit will help the community and the current economic problems.

Discussion took place on the importance of sustainability and how UTA is involved with this issue.

Vice President Simonsen stated that this week the community and UTA lost a great supporter of transit in the death of Larry H. Miller. He stated Mr. Miller will be missed in the community in many ways. Mr. English stated that Mr. Miller was a supporter of transit from the beginning. He stated that he will be missed as a great community leader.

General Counsel's Report

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- Notice of Claims and Complaints. Mr. Jones reported on 3 Notice of claims and complaints that have arisen since the January Board meeting. He discussed the details and stated that staff is working hard to settle these claims.
- Property and Operational Matters. Mr. Jones discussed the property and operational matters that his office is currently working on. He discussed the work being done after the recent approval to condemn 4 pieces of property in West Valley, the FRA Horn waiver applied for while UTA completes the petition for a Quiet Zone, UTA's status on the sales tax exemption, the revised internal policy for signature requirements, the privacy policy being drafted, and the education for UTA employees on the requirements for ADA and FLMA amendments.
- Legislation. Mr. Jones stated that during the Legislative Session his office closely watches the actions of the legislature. He introduced some of the people involved with this: Ruth Hawes, Justin Jones and Michelle Larsen.
 - Justin Jones discussed some of the 55 bills that UTA is actively tracking. He reported on SB 83, HB 414, SB 80, SB 382, HB 331 S2, HB 311 and other issues that are being discussed that could possibly become bills that need to be tracked such as: governance issues, background checks, safety issues, and the possibility of the entire Utah County joining the transit district.
 - Mr. Jones discussed the Draper/Bluffdale FrontRunner station issue. He stated that this issue is being brought up in HB 179 which might authorize the Department of Natural Resources to exchange a portion of a critical land parcel, if certain conditions are met, and authorize the Division of Facilities Construction and Management to donate certain land it owns to a public transit district for a specific purpose. He discussed some of the conditions and purposes of the bill. He stated that this does not mean that UTA will have a FrontRunner stop in Draper but that it could assist in the placement of a station if this is where it is determined to be located at.
 - Mr. Jones reported that there is discussion on expanding the terms and term limits for those that serve on the UTA Board. He stated that he has not seen language for this bill yet.

Trustee Hunter thanked staff for their work.

Trustee Oates made a motion to move to Closed Session. Trustee Millburn seconded the motion.

The motion passed unanimously with 14 voting members present.

The Board moved to Closed Session at 3:30 p.m.

Action Taken Regarding Matters Discussed in Closed Session

The Board moved back into Open Session at 3:56 p.m. on a motion by Trustee Bills and a second by Trustee Christensen.

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Trustee Diehl made a motion to authorize staff to start condemnation proceedings on the Lake Point properties and to allow staff to do what was prudent for litigation matters. Trustee Bartholomew seconded the motion.

The motion passed unanimously with 13 voting members present. Vice President Simonsen was out of the room.

Trustee Diehl made a motion to authorize staff to begin the condemnation process on the Sandleman property on the West Valley Trax line. Trustee Oates seconded the motion.

The motion passed unanimously with 13 voting members present.

Trustee Diehl made a motion to authorize staff to surplus the severed track property in order to complete the exchange with Gleason. Trustee Romero seconded the motion.

The motion passed unanimously with 14 voting members present.

Board Training

President Ellertson stated that the Board has begun the process of having a light Board Training session during the Board meetings. He stated that Mr. English would make a presentation regarding the organization of UTA.

Consent

President Ellertson moved to the consent agenda during the delay in readying the presentation for the Board Training.

- Approval of Financial Statements of December 31, 2008. The Financials were approved by consent.
- Approval of Minutes of Board Meeting of January 28, 2009. The Minutes were approved by consent.
- Approval of Minutes of the Special Meeting of the Board of January 30, 2009. The minutes were approved by consent.

Mr. English made a presentation regarding the organization of UTA. He discussed the organizational structure for both the past and current operations of UTA. He stated that the current structure being used took some time to develop but that it has been very beneficial to UTA.

Other Business

Trustee Baguley made a presentation on behalf of the Board recognizing Irene Huntsman for her accomplishment in completing her Bachelor's Degree.

President Ellertson expressed his appreciation for Mrs. Huntsman's hard work.

Vice President Simonsen recognized Trustee Henderson for his positive work and influence in his community following the tragic incident from a serious gang related murder.

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Trustee Henderson stated that as a member of the Kearns Community Council and a citizen of Kearns, he did not want the community to be defined by that tragedy. He stated he formed a community program to provide children an opportunity to come together and build a more positive outlook. He gave details about how the program is structured.

- Report on Albuquerque Rail Runner. Trustee Christensen made a presentation to the Board about the Albuquerque Rail Runner. She recently visited New Mexico and was able to use the Rail Runner.

Adjournment

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

The motion passed unanimously with 14 voting members present.

The Board adjourned at 4:35 p.m.

Report Transcribed by:

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The recording for this meeting had interference. It was not picked up on the recording device due to technical difficulties with the microphones.