



Minutes of the Regular Meeting of the  
**Utah Transit Authority (UTA) Board of Trustees**

Wednesday, August 7, 2019, 9:00 a.m.  
Utah Transit Authority Headquarters  
669 West 200 South, Salt Lake City, Utah  
Golden Spike Conference Rooms

**Board Members Present:**

Carlton Christensen, Chair  
Beth Holbrook  
Kent Millington

Also attending were members of UTA staff, as well as interested citizens and members of the media.

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**Call to Order, Opening Remarks, and Pledge of Allegiance.** Chair Christensen welcomed attendees and called the meeting to order at 9:00 a.m. Following Chair Christensen’s opening remarks, the board and meeting attendees recited the Pledge of Allegiance.

**Safety First Minute.** Chair Christensen yielded the floor to Amy Cornell-Titcomb, UTA Emergency Management Program Manager, for a brief safety message.

**Public Comment Period.** No public comment was given.

**Approval of July 31, 2019 Board Meeting Minutes.** A motion to approve the July 31, 2019 Board Meeting Minutes was made by Trustee Millington and seconded by Trustee Holbrook. By acclamation the motion carried unanimously.

Chair Christensen informed the attendees that this is Interim Executive Director, Steve Meyer’s last board meeting before his retirement on August 16, 2019. He thanked Mr. Meyer for stepping into the role and staying on board while they sought a permanent Executive Director.

**Agency Report.** Mr. Meyer provided an update of the University of Utah Union Building Bus Bay Construction. He said the team has been meeting with the university and has reached a consensus and approval on the design. He noted they are still working to close the funding gap; after which, the contractor is ready to begin work. Gray Turner, UTA Senior Program Manager, Engineering Project Developer, provided further details, including: the detoured route busses will take, that designated pathways will be provided for students, a lane of traffic will be open during construction, and production will take about 4-6 weeks.

Mr. Meyer then reported that the Federal Transit Administration (FTA) and their consultants were in town last week to do an audit of the state's safety oversight program. He informed the board the audit is performed triennially and that the FTA commented on the good relationship UTA and the Utah Department of Transit (UDOT) has. He noted one minor finding was received which UDOT feels is a misunderstanding and plans to clarify. The final report is expected in 45 days and will be then be shared with the board.

**R2019-08-01 – Resolution Establishing Oversight of Pension Committee.** Trustee Millington explained that this resolution establishes a process by which the Board, as the pension and 457 plan sponsor, receives regular updates on the plans and approves formal actions that are necessary for the administration of the plans. He also reported as Chair of the Pension Committee he will provide quarterly updates in public board meetings.

A motion to approve R2019-08-01 was made by Trustee Millington and seconded by Trustee Holbrook. The motion carried unanimously with aye votes from Trustee Millington, Trustee Holbrook, and Chair Christensen.

At 9:12 a.m. Trustee Holbrook informed Chair Christensen that due to her interest in attending the Rail-Volution conference she would recuse herself for the discussion and vote on resolution R2019-08-02. Trustee Holbrook then left the room.

**R2019-08-02 – Resolution Approving International Travel to the 2019 Rail-Volution Conference in Vancouver, British Columbia, Canada.** Chair Christensen pointed out that Board Policy 2.1 requires the board to approve work-related international travel for UTA employees. He reported the 2019 Rail-Volution Conference is scheduled for September in Vancouver, British Columbia, Canada and that Trustee Holbrook and UTA Transit Oriented Development (TOD) Project Manager, Jordan Swain, desire to participate.

A motion to approve R2019-08-02 was made by Trustee Millington and seconded by Chair Christensen. The motion carried unanimously with aye votes from Trustee Millington, and Chair Christensen.

Trustee Holbrook returned to the meeting at 9:15 a.m.

**R2019-08-03 – Resolution Authorizing Construction Amendments Under the Construction Manager/General Contractor Contract for First/Last Mile Connection Program of Projects (TIGER Grant).** Mary DeLoretto, UTA Acting Chief Service Development Officer, recapped the details for Phase 1 of the First/Last Mile contract and the requirement to execute contract amendments in Phase 2. She detailed the amendment process of current and upcoming Phase 2 amendments through 2019 and the specifics for this resolution being:

- Authorizes the Interim Executive Director, or Executive Director, to execute Phase 2 Construction Services Amendment for the projects anticipated through 2019.

- Restricts amendments to not exceed the TIGER Grant Construction budget without additional Board approval.
- Limits Stakeholder-sponsored projects to not exceed TIGER Grant funds and local match commitments; and,
- Directs the Executive Director to provide informational updates on all Phase 2 amendments.

Discussion ensued. Questions on what happens if the project budget is exceeded, and reasons this item would return to the board through 2019 were posed by the board and answered by Ms. DeLoretto.

A motion to approve R2019-08-03 was made by Trustee Holbrook and seconded by Trustee Millington. The motion carried unanimously with aye votes from Trustee Millington, Trustee Holbrook, and Chair Christensen.

**Awarding of Lifetime Transit Passes to Jerry Benson and Spouse in Recognition of 33 Years of Service to UTA.** Mr. Meyer recognized Mr. Benson for his dedication and service to the organization. Having performed as the interim executive director for a period of time now, Mr. Meyer noted he has a much greater appreciation for the work Mr. Benson and others in the previously titled chief executive officer position performed on the authority's behalf. He also stated the recognition and passes are appropriate but require the board's approval.

A motion to approve the passes was made by Trustee Millington and seconded by Trustee Holbrook. By acclamation the motion carried unanimously.

### **Contracts, Disbursements, and Grants.**

**Change Order: Depot District Clean Fuels Tech Center Design and Engineering Services (Stantec Engineering).** Ms. DeLoretto, was joined by Greg Thorpe, UTA Project Manager III. Together they informed the board the purpose of this change order was for Stantec to design a new maintenance building in lieu of re-purposing the old locomotive building for the Depot District Clean Fuels Technology Center. Ms. DeLoretto also noted the new design will significantly reduce the costs of the project and that the contract will still go through the end of 2021.

Discussion ensued. The Board expressed a desire to see the design prior to construction starting. Mr. Meyer reported Salt Lake City has been informed of the project, and UTA has worked closely with the contractor on the cost of the project. Questions on whether or not previous design and architectural elements would be incorporated, and what level of lead certification would be pursued were posed by the board and answered by Ms. DeLoretto and Mr. Thorpe.

A motion to approve the change order was made by Trustee Holbrook and seconded by Trustee Millington. The motion carried unanimously with aye votes from Trustee Holbrook, Trustee Millington, and Chair Christensen.

**Change Order: Airport Station Relocation Constriction Manager and General Contractor (Kiewit Infrastructure West).** Ms. DeLoretto and Mr. Thorpe together reminded the board that Phase 1 which was previously approved covered pre-construction costs and that this change order is for Phase 2, construction costs.

Discussion ensued. Questions regarding how Mr. Thorpe's name on the agreement will be handled following his retirement, and what is the basis for fees if construction is not completed by the 2021 date specified in the agreement were posed by the board and answered by staff.

A motion to approve the change order was made by Trustee Millington and seconded by Trustee Holbrook. The motion carried unanimously with aye votes from Trustee Millington, Trustee Holbrook, and Chair Christensen.

**Change Order: FrontRunner Positive Train Control Construction Management and General Contractor (Rocky Mountain Systems Services).** Eddy Cumins, UTA Chief Operating Officer was joined by Dan Hofer, UTA Manager State of Good Repair. They explained this change order is for additional work associated with the implementation of the federally-mandated positive train control system on UTA's FrontRunner system. The change order will extend the contract to December 31, 2020 and see the project through completion. Additionally, they provided details associated with its scope.

Discussion ensued. Questions regarding how the need for this change order came about and if the seismic guidelines were state or federally required were posed by the board and answered by staff.

A motion to approve the change order was made by Trustee Holbrook and seconded by Trustee Millington. The motion carried unanimously with aye votes from Trustee Holbrook, Trustee Millington, and Chair Christensen.

**Pre-procurement: Auto-Body and Collision Repair.** Mr. Cumins informed the board that the proposed procurement is a 5-year, multiple vendor contract, on an as-needed basis to provide collision and auto-body repair for UTA's ride share and van pool vehicles, FLHQ white fleet, and any third-party vehicle claims. He also reported the contract will help ensure best price repairs, and that the estimated contract amount is based on evaluations of repairs for the previous five years.

A brief discussion ensued. The question of what determines where vehicles are sent was posed by the board and answered by staff.

## **Discussion Items.**

### **Independent Monitor Report. Rees Morgan and Sean Coyle, Coblenz Patch Duffy & Bass LLP (CPD&B)**

Mr. Morgan greeted the board and noted the purpose of their visit was to share findings from the monitorship's Initial Report and discuss plans for phase two. Using the Initial Report as a guide, he explained how the monitorship came about, and stated the non-prosecution agreement (NPA) is the basis for CPD&B's work, sets the guidelines, and establishes their charter. He outlined the legislative audit's and U.S. Attorney's investigation as well as their focus on the following four core subjects.

1. Inadequate Controls Over Federal Funds and Drawdowns from Federal Grants;
2. Improper Handling and Disclosure of Property Acquisitions and Disposition;
3. Non-Compliance with Ethical Standards Resulting in Benefits to UTA Employees and Board Members; and,
4. Improper Approval of Executive Bonuses.

Mr. Morgan outlined the steps taken during their assessment, noted CPD&B had retained transportation auditor consultants to assist with federal grant management requirements, and stated the purpose of phase one was to assess the current status of the 2016 reforms. Mr. Morgan pointed out the NPA was premised in part on twelve reforms and touched on a few of them. He discussed the results and recommendations of phase one of the monitorship, and advised of specific items they intend to focus on in phase two.

Throughout Mr. Morgan's review he was very complimentary of the current UTA personnel, staff's desire for ethical management, and the authority's implementation of controls and procedures. He also expressed appreciation for the strong cooperation from UTA.

Mr. Coyle advised that the monitorship will now transition into the second phase where they will test concerns, reach recommendations, and rule out items that are no longer of concern. He explained they intend to accomplish this with four semi-annual reports. The first of which will be issued in December 2019. Each report will focus on specific aspects of the reform and will be broken-down by complexity, organized, and staged. He noted the first report will focus on the transition from in-house general counsel to reliance of the legal team from the Attorney General's Office, implementation of new TOD procedures, and travel documentation. He advised they intend to begin looking at the lifecycle of a TOD as well as internal audits later in phase two and anticipate those items to run throughout the entire phase. Concluding, Mr. Coyle pointed out they will not study the turnover in leadership or Local Advisory Council until later in phase two.

Chair Christensen called for a brief recess at 10:07 a.m.

The meeting resumed at 10:22 a.m.

**Service Choices Coverage Scenarios.** Laura Hanson, UTA Director of Planning, and Alex Beim, UTA Strategic Planner III, explained what coverage service is and provided an overview of reasons to consider providing it. They also reviewed how to measure the success of coverage service.

Discussion ensued. Questions on how flex routes adhere to schedules compared to microtransit, whether microtransit is designed to be app-based, and what the planning department's recommendation is were posed by the board and answered by staff.

**Bus Stop Master Plan.** Ms. Hanson was joined by G.J. LaBonty, UTA Manager of Customer Experience, and Robert Brothersen, UTA Bus Stop Administrator. She touted their work and thanked them, along with Joe Taylor, UTA Active Transportation Planner, for being big contributors to the bus stop master plan. Ms. Hanson reminded the trustees the bus stop master plan is one of several pieces within the service planning toolbox her department has been developing. She reviewed the details of the master plan, August change day 2019, bus stop inventory, benefits due to bus stop improvements, stop level amenities, average cost per bus stop, bus stop prioritization, funding for bus stops, 5-year capital budget strategy, and the Taylorsville agreement for the bus stop improvements.

Discussion ensued. Questions regarding whether or not businesses in Taylorsville knew they could have been contributors for the bus stop improvements, costs associated with the installation of electronic displays at bus stops, and the number of stop improvements and bus stops on the east versus west sides of Salt Lake County were posed by the board and answered by staff.

Trustee Holbrook requested that planning advise the board when electronic displays are installed.

**Health and Wellness Program Report.** Kim Ulibarri, UTA Chief People Officer was joined by Jacob Gomez, UTA Manager of Total Rewards. They provided an overview of strategic approach to healthcare, implementation and the current state of the UTA clinic, participation in wellness over time, UTA wellness, and planning for 2019 and beyond. It was also noted they are always looking at the high deductible options.

**Other Business.**

**Next Meeting.** The next meeting of the board will be on Wednesday, August 21, 2019 at 9:00 a.m.

**Closed Session.** Chair Christensen stated there were matters to be discussed in closed session related to collective bargaining.

A motion for a closed session was made by Trustee Holbrook and seconded by Trustee Millington. By acclamation the motion carried unanimously and the board moved to the closed session at 11:34 a.m.

**Open Session.** A motion to return to open session was made by Trustee Millington and seconded by Trustee Holbrook. By acclamation the motion carried unanimously and the board returned to open session at 12:12 p.m.

**Adjournment.** A motion to adjourn was made by Trustee Holbrook and seconded by Trustee Millington. By acclamation the meeting was adjourned at 12:14 p.m.

Transcribed by Angie Olsen  
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*This document is not intended to serve as a full transcript as additional discussion may have taken place; please refer to the meeting materials, audio, or video located at [www.utah.gov/pm/sitemap/notice/550117.html](http://www.utah.gov/pm/sitemap/notice/550117.html) for entire content.*

*This document along with the digital recording constitute the official minutes of this meeting.*