



**AGENDA OF THE REGULAR MEETING  
OF THE  
BOARD OF TRUSTEES OF THE UTAH TRANSIT AUTHORITY**

**PUBLIC NOTICE** is hereby given of the  
Regular Meeting of the  
Board of Trustees of the Utah Transit Authority at  
1:30 p.m. on Wednesday, March 22, 2017,  
at the Utah Transit Authority Headquarters located at  
669 West 200 South, Salt Lake City, Utah  
Golden Spike Conference Rooms

[www.rideuta.com/board](http://www.rideuta.com/board)

1. **Welcome to UTA Board Meeting** **Robert McKinley**, Board Chair
2. **Pledge of Allegiance** **Rebecca Cruz**, Board of Trustees Support
3. **Safety First Minute** **Dave Goeres**, Chief Safety, Security & Technology Officer
4. **General Public Comment Period** **Robert McKinley**  
(The Board of Trustees invites brief comments or questions from the public. Please note, in order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to two minutes per person per item. A spokesperson who has been asked by a group to summarize their comments may be allowed five minutes to speak.)
5. **R2017-03-01: 2016 Performance Report** **Jerry Benson**, President/CEO
  - a. [Presentation of Item](#)
  - b. *Public Input*
  - c. Board Discussion and Decision/Action
6. **Presentations/Informational Items** **Robert McKinley**
  - a. [2017 Risk Assessment Process](#)
  - b. [Public Hearing Report – April Change Day](#)
  - c. Board Member Event Participation
  - d. [Board Workshop Pre-work & Milestone Timeline of Activity](#)
  - e. Utah Legislative Session Overview

Riana De Villiers  
Eddy Cumins  
Erika Shubin  
Andrew Gray  
Sherrie Hall Everett  
Charles Henderson  
Matt Sibul

7. **Item(s) for Consent** **Robert McKinley**  
a. [Approval of February 22, 2017 Meeting Report](#)  
b. [Title VI Equity Analysis of April Service Changes](#)  
c. [CEO Performance Plan](#)
8. **Closed Session** **Robert McKinley**  
a. Discussion of the Purchase, Exchange, Lease or Sale of Real Property when Public Discussion would Prevent the Authority from Completing the Transaction on the Best Possible Terms  
b. Strategy Session to Discuss the Character, Professional Competence, Physical or Mental Health of an Individual  
c. Strategy Session to Discuss Collective Bargaining  
d. Strategy Session to Discuss Pending or Reasonably Imminent Litigation
9. **Action Taken Regarding Matters Discussed in Closed Session** **Robert McKinley**
10. **Other Business** **Robert McKinley**  
a. [Board Process Policy 4.4.1 – Actual and Potential Conflicts of Interest](#)  
b. SB174 Legislative Task Force Appointment
11. **Adjourn** **Robert McKinley**

**The Board Mission Statement**

*Utah Transit Authority strengthens and connects communities thereby enabling individuals to pursue a fuller life with greater ease and convenience by leading through partnering, planning, and wise investment of physical, economic, and human resources.*

Contact Regarding this Agenda:

*Rebecca Cruz, Board of Trustees Support Manager*  
*Utah Transit Authority*  
*801-287-2580*  
[\*rcruz@rideuta.com\*](mailto:rcruz@rideuta.com)

# Something Strange in Your Neighborhood? Who you gonna call? 801-287-EYES (3937)!!



**UTAH TRANSIT AUTHORITY**  
**Agenda Item Coversheet**

<b>DATE:</b>	March 22, 2017
<b>AGENDA ITEM:</b>	2016 Performance Report
<b>CONTACT PERSONS:</b>	Jerry R. Benson
<b>SUBJECT:</b>	<b>2016 Performance Report and R2017-03-01: Resolution Accepting Performance Incentive Achievement for 2016</b>
<b>BACKGROUND:</b>	<p>Each year the UTA Board of Trustees establishes performance targets for the agency. The 2016 targets were:</p> <ul style="list-style-type: none"><li>• Create and conduct a state-of-the-art survey process, combining qualitative and quantitative components designed to gauge sentiment regarding trust, accountability, and confidence in UTA.</li><li>• Develop and implement a blueprint for a comprehensive fare policy and products focused on electronic fare collection.</li><li>• Long-term positive growth using a 60 month moving average. Increase ridership to 47,741,595 – 2.5% over 2015 actual.</li><li>• Investment per rider (IPR) of \$4.23.</li><li>• \$15.2 million in non-small starts revenue development.</li><li>• Completion of two (2) station area plans in coordination with the metropolitan planning organizations.</li><li>• Complete three (3) projects identified in UTA’s first/last mile study.</li></ul> <p>The 2016 performance report summarizes outcomes relative to these targets, provides a breakdown of achievement percentages on the targets, and highlights additional 2016 opportunities and initiatives aligning with UTA’s True Norths (service, people, environment, community, and stewardship).</p> <p>The Board is being asked to consider the report based on employee merit and approve the rate of performance pay.</p>

<b>PREFERRED ALTERNATIVE:</b>	Approval of the resolution.
<b>STRATEGIC GOAL ALIGNMENT:</b>	All goals.
<b>FINANCIAL IMPACT:</b>	<p>Performance target achievement rate = 79 %  Performance pay total at 79% = \$929,735.30  Number of employees receiving incentive payment = 747</p> <p>Performance pay is available for administrative employees only; executives are exempt.</p> <p>Sufficient funds were accrued in the 2016 budget for the anticipated performance payments.</p>
<b>LEGAL REVIEW:</b>	Reviewed by UTA Office of General Counsel.
<b>EXHIBITS:</b>	<ul style="list-style-type: none"> <li>• R2016-03-01: Performance Incentive Achievement for 2016</li> <li>• 2016 Performance Report</li> </ul>

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE UTAH TRANSIT  
AUTHORITY ACCEPTING PERFORMANCE INCENTIVE ACHIEVEMENT FOR 2016**

No. R2017-03-01

March 22, 2017

WHEREAS, the Utah Transit Authority (the "Authority") is a public transit district organized under the laws of the State of Utah and was created to transact and exercise all of the powers provided for in the Utah Limited Purpose Local Government Entities-Local Districts Act and the Utah Public Transit District Act; and

WHEREAS, the Board of Trustees (the "Board") set certain goals for Authority staff to meet during 2016; and

WHEREAS, the Board is responsible for determining the proportionate accomplishment of the goals and reviewing incentive pay to Authority staff; and

WHEREAS, the Board has determined the goal accomplishment rate to be 79.0% and acknowledges that the eligible administrative employee incentive pay amount available will be \$929,736; and

WHEREAS, the Board has determined that the number of employees receiving incentive payment pursuant to the goal achievement will be 747 employees, consisting of administrative employees only, and not to include executives.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Utah Transit Authority:

1. That the Board hereby accepts the computations that 2016 goals were achieved at the rate of 79.0% as shown in Exhibit A attached hereto.
2. That the Board hereby approves payment of the incentive amount of \$929,735, with payment to 747 administrative employees, but exempting and excluding executives.
3. That this Resolution stay in full force and effect until amended or rescinded by further action of the Board.
4. That the corporate seal be attached hereto.

APPROVED AND ADOPTED this 22<sup>nd</sup> day of March, 2017.

\_\_\_\_\_  
Robert W. McKinley, Board Chair

ATTEST:

\_\_\_\_\_  
Robert K. Biles, Secretary/Treasurer

[SEAL]

CERTIFICATE

The undersigned duly qualified Chair of the Board of Trustees of the Utah Transit Authority certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of Trustees held on the 22<sup>nd</sup> day of March, 2017.

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Robert W. McKinley, Board Chair

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Robert K. Biles, Secretary/Treasurer

APPROVED AS TO FORM

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Legal Counsel

## Exhibit A

### 2016 UTA Strategic Objectives

Strategic Objective Type	Topic	Achieved?	% Awarded	Points (Weighting)	Points Awarded
Core	Public Trust & Accountability	Yes	100%	30	30.00
Core	Ridership	No	0%	15	0.00
Core	Investment per Rider (IPR)	Yes	100%	15	15.00
Core	Revenue Development	Partial	80%	10	8.00
<b>Subtotal Core Measures</b>				<b>70</b>	<b>53.00</b>
Strategic	Transit-Oriented Development	Yes	100%	10	10.00
Strategic	Leverage Technology in Fares	Partial	60%	10	6.00
Strategic	First/Last Mile	Yes	100%	10	10.00
<b>Subtotal Strategic Measures</b>				<b>30.00</b>	<b>26.00</b>
<b>Total Possible Points and Awarded Points</b>				<b>100.00</b>	<b>79.00</b>





# 2016 Performance Report

Jerry Benson, President/CEO

# Reforms

## COMPLETE

### Phase One: Foundational

- ✓ Board composition and departmental shifts
- ✓ Compensation and benefits
- ✓ Travel
- ✓ Revised long-term financial plan

## COMPLETE

### Phase Two: Overhaul of Policies, Procedures, and Personnel

- ✓ New ethics policies and goal setting
- ✓ Personnel changes and additions
- ✓ Internal audit
- ✓ Stakeholder engagement
- ✓ Service additions

## NEARLY COMPLETE

### Phase Three: Ongoing Transparency and Agency Culture

- ✓ Organizational restructuring
- Transparency and accountability
- Proactive communications

# 2016 Reforms

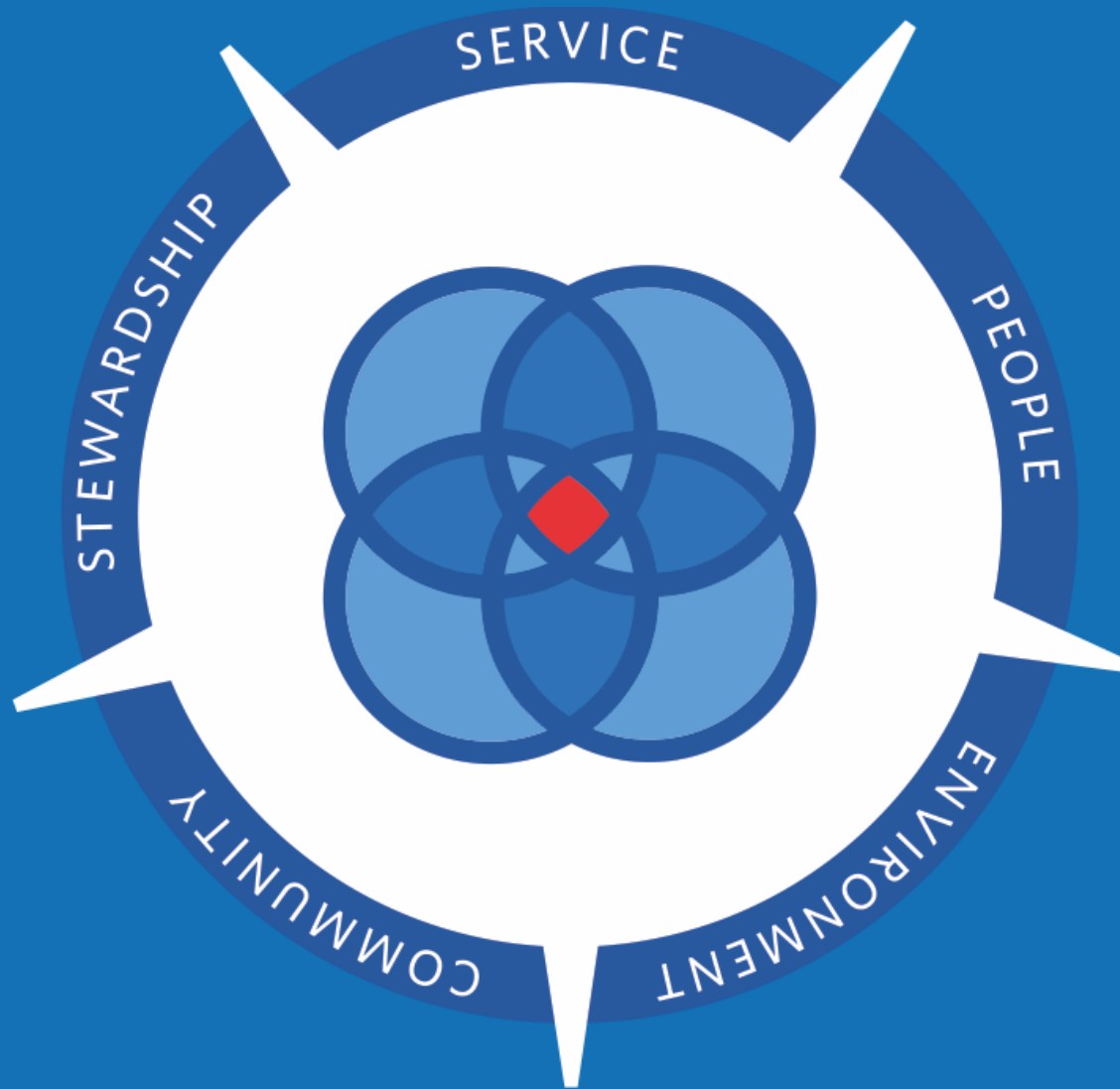
## Completed

- ✓ Baseline measure of public trust established
- ✓ Joint oversight process for major projects implemented
- ✓ Government relations reorganized and strategic approach developed
- ✓ President/CEO selected and engaged
- ✓ Internal audit staff hired
- ✓ Information shared with public increased
- ✓ Public dialog enhanced

## In Process

- Overhaul and simplify fare structure
- Live streaming board meetings
- Develop transit bill of rights

# 2016 Accomplishments by True North



# 2016 PROGRESS DASHBOARD - WEBER AND DAVIS COUNTIES

Prop. 1 Service Hours Increase    Prop. 1 Service Miles Increase



GOAL: Add 16,000 service hours



GOAL: Add 247,000 service miles

Prop. 1 Bus Stop Improvements



GOAL: 50 improvements  
ACHIEVED: 70 improvements

# 2016 PROGRESS DASHBOARD - TOOELE, GRANTSVILLE AND STANSBURY

Prop. 1 Service Hours Increase on Tooele Shuffle



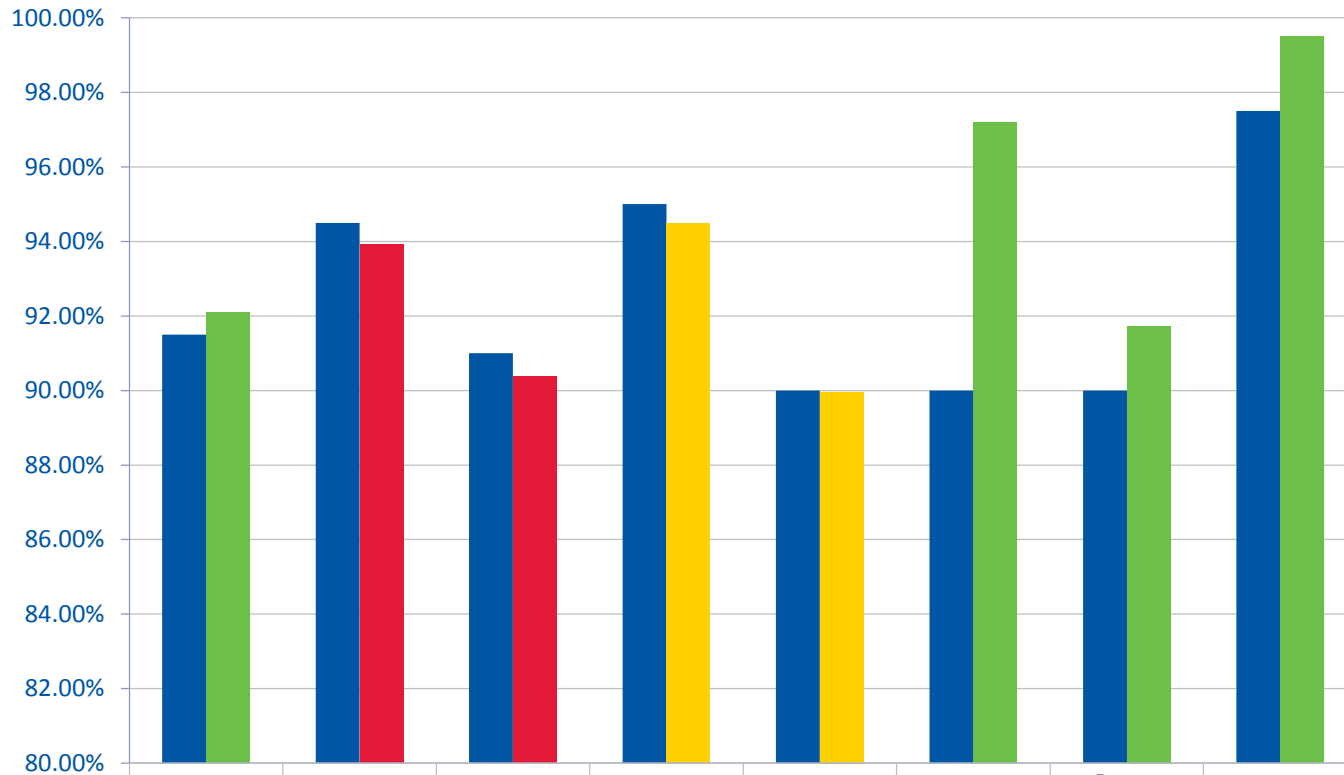
GOAL: Add 500 service hours

# Service: Proposition 1

- Weber and Davis Counties
  - 15% increase in annual bus service
  - New buses on order
  - 70 improved bus stops
  - 2 sidewalk projects
  - 2 bike lane projects (in partnership with North Ogden City)
  - 8 bike amenity improvements at park-and-ride lots
- Tooele County
  - 500 hours added to Tooele Shuffle route
  - 8 improved bus stops planned
  - 2 bike lanes planned and designed
  - Transit Master Plan in process with 2017 planned completion
  - Park-and-ride lot plans in place for 2019/2020

# Service: Reliability

YTD Goal vs. Actual Schedule Reliability (2016)



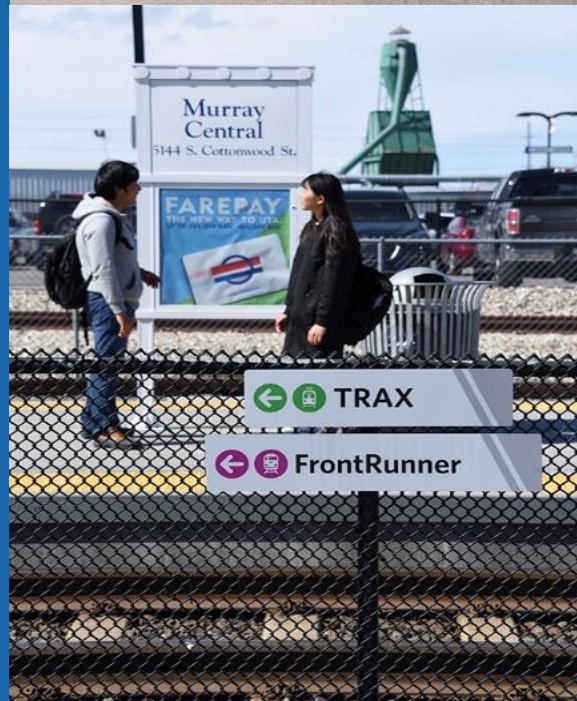
**93.66%**

overall  
reliability



# Service: Customer Information

- Website redesign
- Signage
  - Updated platform signage, strip maps on TRAX and FrontRunner, and destination maps at Airport Station
  - Developed and implemented a wayfinding signage plan for eight key stations



# Service



- Redesigned ski service
- Created new eco pass program
- Provided special event support
  - Warriors over the Wasatch Air Show
  - Veterans Administration Wheelchair Games
- Received 2016 APTA Rail Safety and Security Excellence Merit Award





# People



- Increased employee-generated improvement submissions in FrontRunner by 440% and increased implemented improvements by 211%
- Hired 482 new employees
- Streamlined operations customer comments process



# Environment

**35,212,486 lbs.**

reduced in greenhouse gas emissions from vanpooling

**63,744,032**

commuter mile emissions eliminated with FrontRunner service

**62%**

of bus fleet in clean fuel vehicles  
(clean diesel, clean diesel electric hybrid, or CNG)

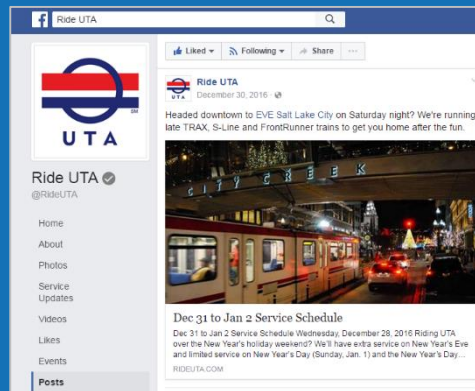
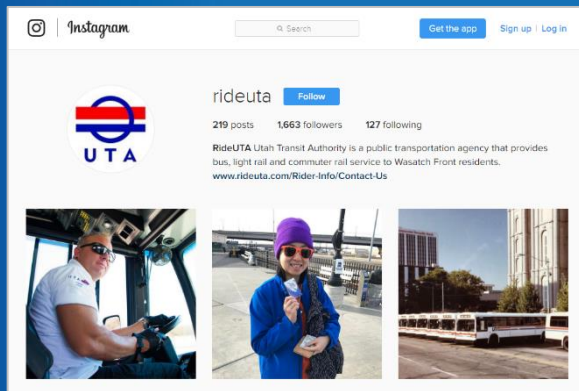
**0**

noncompliance findings in ISO:14001 environmental certification renewal



# Community

- Completed camera installation at all FrontRunner stations and park-and-ride lots
- Presented outline of new transit-oriented development policy
- Increased public communication
  - Engaged in proactive media relations
  - Increased social media posts and interaction
  - Increased public, stakeholder, and employee communications



# Community: Relationships

## 2016 Leadership Meetings with Stakeholders

UTA Leadership	Federal Delegation	Governor and State Legislators	Local Elected Officials	MPOs	Other (e.g., federal and state agencies)	TOTAL BY EMPLOYEE
Jerry Benson	6	47	68	14	36	171
Nichol Bourdeaux	1	5	29	5	9	49
Todd Provost	6		12		15	33
Bob Biles			10		1	11
Dave Goeres		5	24	6	11	46
Steve Meyer	1	1	40	7	9	58
Matt Sibul	3	58	61	11	23	156
Eddy Cumins			122		26	148
Bruce Cardon				4	15	19
Lorin Simpson		1			3	4
Mary DeLaMare-Schaefer		15	9	11	6	41
Cherryl Beveridge (incl. Jaron Robertson and Ryan Taylor)	5		10	33		48
<b>TOTAL BY CATEGORY</b>	<b>22</b>	<b>132</b>	<b>385</b>	<b>91</b>	<b>154</b>	<b>784</b>

Increased and improved relationships with key stakeholders, legislators, and local officials



# Stewardship

**\$146 million**

in long-term,  
fixed-rate debt  
replaced  
\$156 million in  
short-term  
notes

**\$1.3 million**

in net cost  
savings on  
rebuilt  
components

**\$400,000**

in fuel savings  
from CNG  
fueling station



# Stewardship: Grants

**\$71 million**

awarded in small starts funds for Provo-Orem bus rapid transit

**\$20 million**

announced in TIGER funds for first/last mile solutions

**\$2.4 million**

awarded in discretionary funds



# Stewardship: State of Good Repair

**100**

bus stops improved or upgraded

**4**

tactile replacement projects completed at TRAX stations

**17**

pedestrian rail crossings upgraded

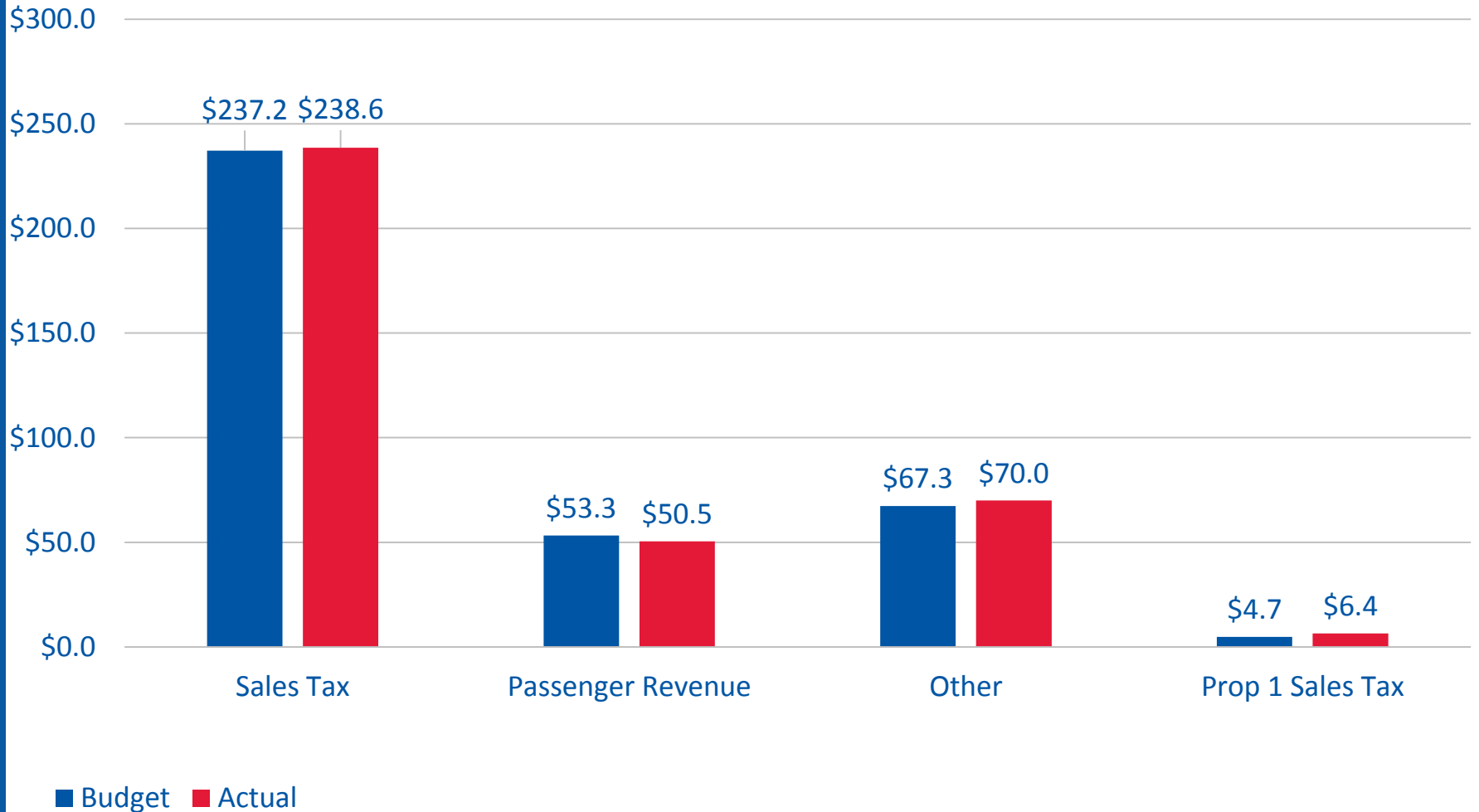
**5**

grade crossings refurbished



# 2016 Operating Revenues

Budget vs. Actual (in millions)





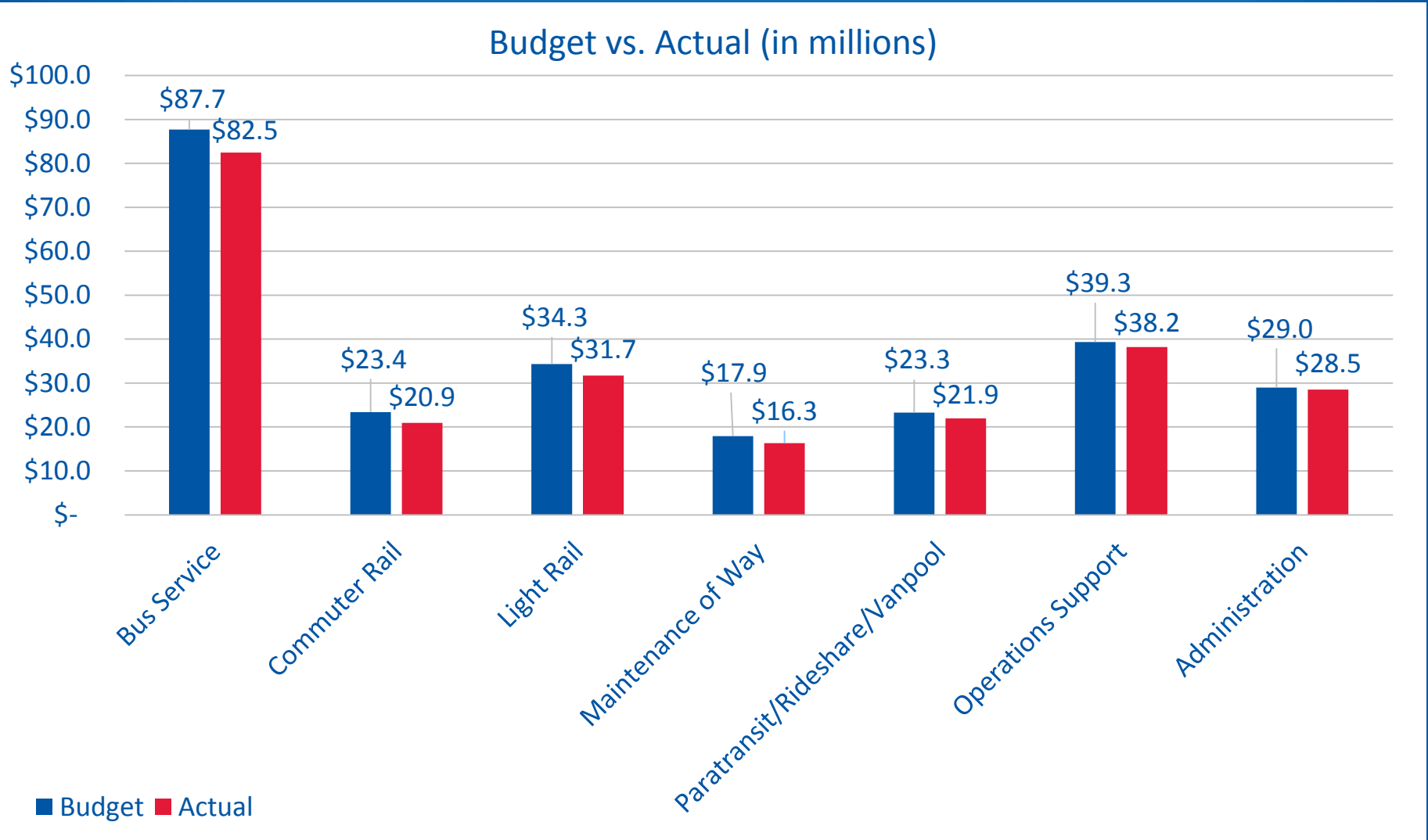
# 2016 Operating Expenses

Budget vs. Actual (in millions)

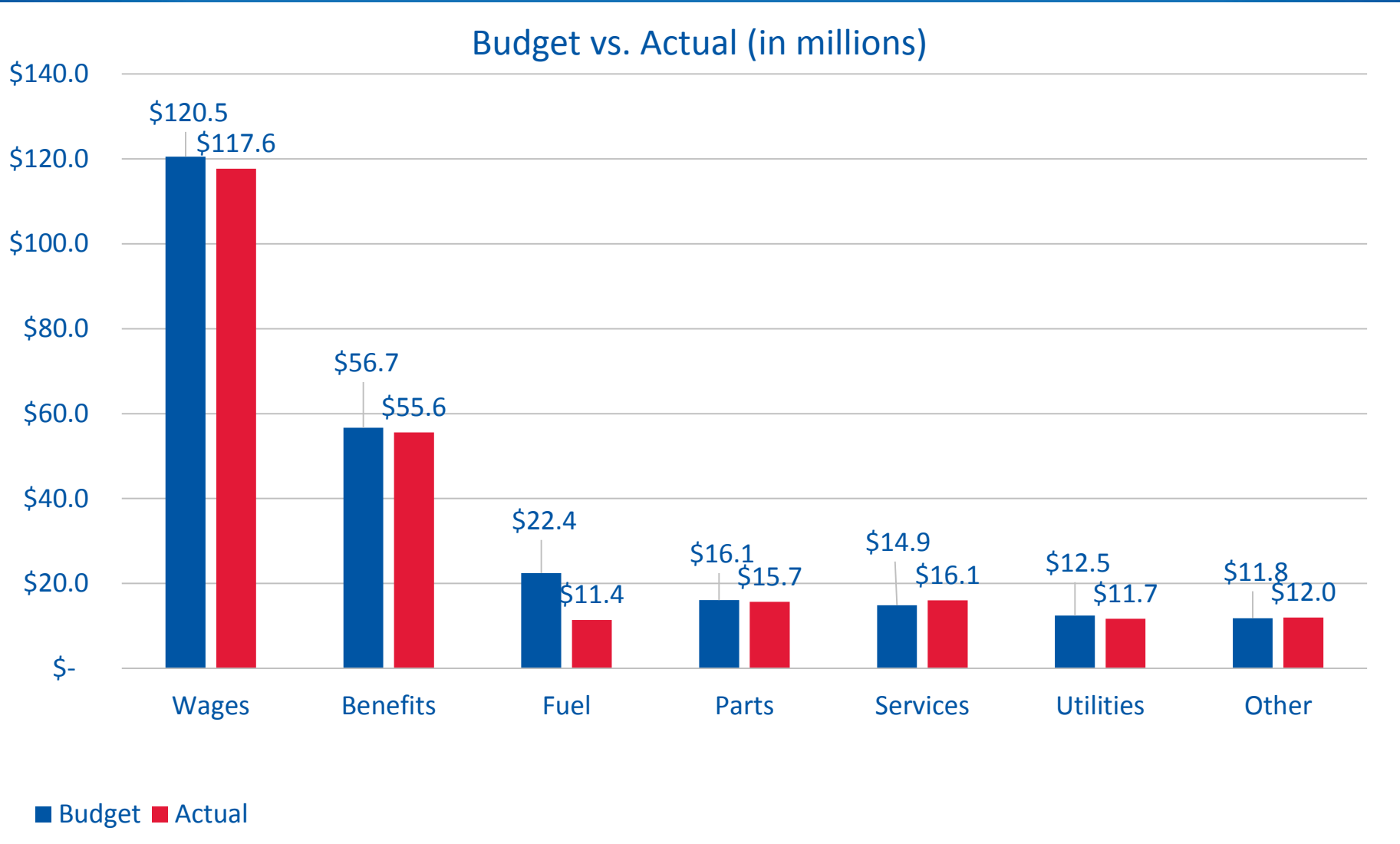


■ Budget ■ Actual


# 2016 Operating Expense by Mode



# 2016 Operating Expense by Category




# UTA Board Goals & Results

<b>Core Goal #1</b>	<b>PUBLIC TRUST &amp; ACCOUNTABILITY</b>	<i>Executive</i>
	CREATE & CONDUCT A STATE-OF-THE-ART SURVEY PROCESS, COMBINING QUALITATIVE & QUANTITATIVE COMPONENTS DESIGNED TO GAUGE SENTIMENT REGARDING TRUST, ACCOUNTABILITY, AND CONFIDENCE IN UTA.	NICHOL BOURDEAUX
	<i>Current Issues</i>	<i>Rating</i>
	The annual Benchmark Survey was completed with the addition of new questions pertaining to stewardship, accountability, and trust. UTA staff developed and implemented a comprehensive, proactive communications and outreach plan for 2016. Under the new organizational structure, the external affairs division is preparing to conduct the Benchmark Survey again and is developing communication plans and strategies for 2017.	




# UTA Board Goals & Results

RIDERSHIP		Executive
LONG-TERM POSITIVE GROWTH USING A 60 MONTH MOVING AVERAGE. INCREASE RIDERSHIP TO 47,741,595 - 2.5% OVER 2015 ACTUAL.		TODD PROVOST
Current Issues		Rating
Core Goal #2	Ridership in 2016 decreased by 2.16% compared to 2015. Transit ridership nationwide is down due to low gasoline prices and an increase in private automobile sales. However, Weber and Davis counties gained nearly 86,844 riders on routes improved with Proposition 1 funds.	
	In December 2016, ridership on Salt Lake County ski bus routes increased by 23% on weekdays, 24% on Saturdays, and 50% on Sundays over that of December 2015. The comparison includes only the days when ski bus service operated, as the service started on different dates in December 2015 and 2016.	
	In January 2017, ski bus ridership increased by 33% on weekdays, 31% on Saturdays, and 48% on Sundays over January of last year. In February, ridership on these ski bus routes saw even more dramatic growth, increasing by nearly 50% on weekdays, 76% on Saturdays, and 88% on Sundays over February 2016.	




# UTA Board Goals & Results

Core Goal #3	INVESTMENT PER RIDER (IPR)	<i>Executive</i>
	INVESTMENT PER RIDER (IPR) OF \$4.23.	BOB BILES
	<i>Current Issues</i>	<i>Rating</i>
	IPR as of December 31, 2016 = \$4.16 (without fuel savings = \$4.38).	




# UTA Board Goals & Results

Strategic Goal #1	<b>TRANSIT-ORIENTED DEVELOPMENT</b>	<i>Executive</i>
	<b>COMPLETION OF TWO (2) STATION AREA PLANS IN COORDINATION W/THE METROPOLITAN PLANNING ORGANIZATIONS.</b>	BOB BILES
	<i>Current Issues</i>	<i>Rating</i>
	UTA coordinated with the Wasatch Front Regional Council (WFRC) and local municipalities to complete two station area plans in 2016. The plans were completed for the Pleasant View Frontrunner Station area and in South Salt Lake for the area around the 2100 South Central Point TRAX Station. Both plans received support from WFRC's new Transportation and Land Use Connections grant program.	




# UTA Board Goals & Results

<b>Strategic Goal #2</b>	<b>LEVERAGE TECHNOLOGY IN FARES</b>	<i>Executive</i>
	<b>DEVELOP &amp; IMPLEMENT A BLUEPRINT FOR A COMPREHENSIVE FARE POLICY &amp; PRODUCTS FOCUSED ON ELECTRONIC FARE COLLECTION.</b>	NICHOL BOURDEAUX
	<i>Current Issues</i>	<i>Rating</i>
	An extensive outreach and research effort was conducted in 2015 and 2016 as part of the Fare Analysis Study. A working group developed a new fare proposal which was vetted internally. Based on internal review, additional analysis of impacts on minority and low income populations, additional ridership modeling, and incorporation of the results of the latest on-board survey are being completed.	






# UTA Board Goals & Results

Strategic Goal #3	<b>IMPROVE FIRST/ LAST MILE ACCESS TO UTA'S SYSTEM</b>	<i>Executive</i>
	<b>COMPLETE THREE(3) PROJECTS IDENTIFIED IN UTA'S FIRST/LAST MILE STUDY.</b>	TODD PROVOST
	<i>Current Issues</i>	<i>Rating</i>
	First/Last Mile Study Phase II work has been completed. UTA continues to implement recommendations from the First/Last Mile Study including new bike racks (testing on one car) on Frontrunner, a new bike share station at North Temple, and several new bus shelters and amenities. UTA will continue to complete projects throughout the year, including Proposition 1 projects. UTA is currently working with its partners to lay out an implementation plan for the first/last mile projects identified in the TIGER grant award and hope to begin that work in 2017.	



# UTA Board Goals & Results

<b>Core Goal # 4</b>	<b>REVENUE DEVELOPMENT</b>	<i>Executive</i>
	<b>\$15.2 MILLION IN NON-SMALL STARTS REVENUE DEVELOPMENT.</b>	BOB BILES
	<i>Current Issues</i>	<i>Rating</i>
	Revenue developed as of December 31, 2016 was \$10,161,767. In addition, UTA was awarded a small starts grant for the Provo Orem BRT project in the amount of \$71 million. In addition, UTA received notice of award of at \$20 million TIGER grant in July, 2016. The final grant scope and agreement are being reconciled with the project partners.	



# Goal Results by Percentage

Strategic Objective Type	Topic	Achieved?	% Awarded	Possible Points (Weighting)	Points Awarded
Core	Public Trust & Accountability	Yes	100%	30	30.00
Core	Ridership	No	0%	15	0.00
Core	Investment per Rider (IPR)	Yes	100%	15	15.00
Core	Revenue Development	Partial	80%	10	8.00
<b>Subtotal Core Measures</b>				<b>70</b>	<b>53.00</b>
Strategic	Transit-Oriented Development	Yes	100%	10	10.00
Strategic	Leverage Technology in Fares	Partial	60%	10	6.00
Strategic	Improve First/Last Mile Access to UTA's System	Yes	100%	10	10.00
<b>Subtotal Strategic Measures</b>				<b>30.00</b>	<b>26.00</b>
<b>Total Possible Points and Awarded Points</b>				<b>100.00</b>	<b>79.00</b>



**UTAH TRANSIT AUTHORITY BOARD OF TRUSTEES**  
**Agenda Item Coversheet**

<b>DATE:</b>	<b>March 22, 2017</b>
<b>TITLE:</b>	<b>2017 Risk Assessment Process</b>
<b>UTA EXECUTIVE/RESPONSIBLE STAFF MEMBER:</b>	<b>Riana De Villiers</b>
<b>SUBJECT:</b>	<b>Risk Assessment Process</b>
<b>BACKGROUND:</b>	<p>The International Standards for the Professional Practice of Internal Auditing require that the Internal Audit Plan be based on a risk assessment, undertaken at least annually, with consideration from senior management and the board as part of the process.</p> <p>The Chief of Internal Audit would like to provide you with information on the process followed to create a risk based audit plan.</p>
<b>ALTERNATIVES:</b>	N/A
<b>PREFERRED ALTERNATIVE:</b>	N/A
<b>STRATEGIC GOAL ALIGNMENT:</b>	Accountability
<b>FINANCIAL IMPACT:</b>	None
<b>LEGAL REVIEW:</b>	N/A
<b>EXHIBITS:</b>	a. Ppt: 2017 Risk Assessment process, 03.22.17



# 2017 Risk Assessment Process

March 22, 2017

Riana de Villiers, Chief of Internal Audit

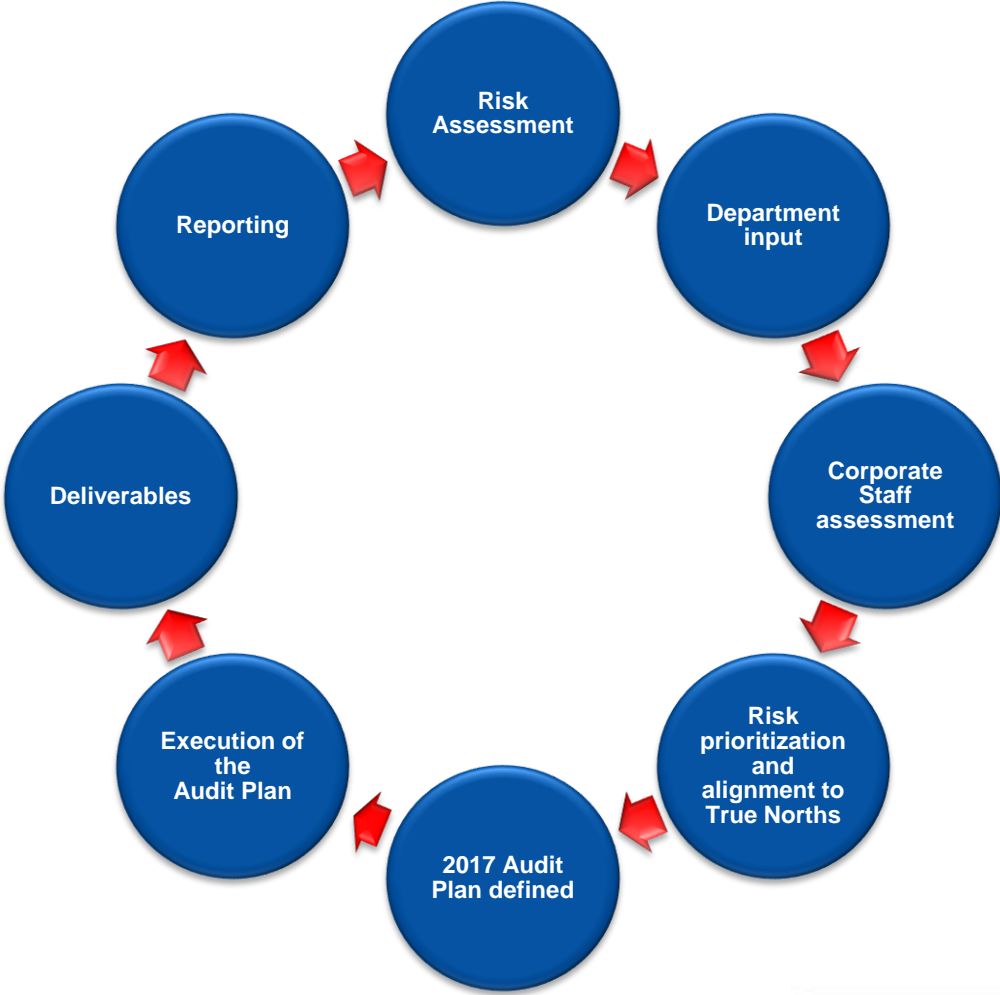
# Internal Audit Mission Statement

The mission of Internal Audit is to improve UTA's operations and systems of internal controls and add value through independent, objective assurance, and consultative support. Internal Audit helps UTA accomplish its objectives through a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

# Internal Audit Responsibilities

- The scope of audit coverage is agency-wide including all departments and business units of UTA
- Provide independent and objective assessments of the following to the Board of Trustees and UTA leadership:
  - The design and operational effectiveness of UTA's internal control environment in areas that present the greatest risk to the achievement of UTA goals
  - Compliance with select regulations and contractual obligations
  - Organizational and operational performance

# Internal Audit Plan Development





# Internal Audit Plan Development

- Risk assessment completed
  - Business unit and department risk assessments – November 18
  - UTA risk assessment – December 6
- Draft Audit Plan prepared – December 19
- Audit Plan approved by the Chairman of the Board and the President/CEO – January 9

**Questions?**

**UTAH TRANSIT AUTHORITY BOARD OF TRUSTEES  
Agenda Item Coversheet**

<b>DATE:</b>	<b>March 22, 2017</b>
<b>TITLE:</b>	<b>April Change Day 2017 Presentation</b>
<b>UTA EXECUTIVE/RESPONSIBLE STAFF MEMBER:</b>	<b>Todd Provost/Jayne Blakesley</b>
<b>SUBJECT:</b>	Presentation to Board regarding April 2017 Change Day
<b>BACKGROUND:</b>	<p>Several changes were proposed for the April 2017 change day, two of which were considered major changes. This presentation will go over the proposed major changes, the outreach done to ensure community participation and the Title VI analysis that was done.</p> <p>The two major changes are the elimination of route 477 and a change in route and scheduling of route 667. Both changes take place in the Ogden Business Unit.</p>
<b>ALTERNATIVES:</b>	N/A
<b>PREFERRED ALTERNATIVE:</b>	<ul style="list-style-type: none"> <li>• Information Only</li> </ul>
<b>STRATEGIC GOAL ALIGNMENT:</b>	
<b>FINANCIAL IMPACT:</b>	None
<b>LEGAL REVIEW:</b>	The proposed item has been reviewed by UTA Legal staff.
<b>EXHIBITS:</b>	a. April 2017 Change Day Presentation Slides

## UTA's April 2017 Change Day & Title VI Analysis

March 22, 2017



## Objectives

- Define Major Service Change
- Review Major Changes for April Change Day
- Review Public Outreach Process and Activities
- Overview of Outreach Summary
- UTA's Title VI commitment
- Define Disparate Impact & Disproportionate Burden
- Overview of Title VI Analyses for April Change

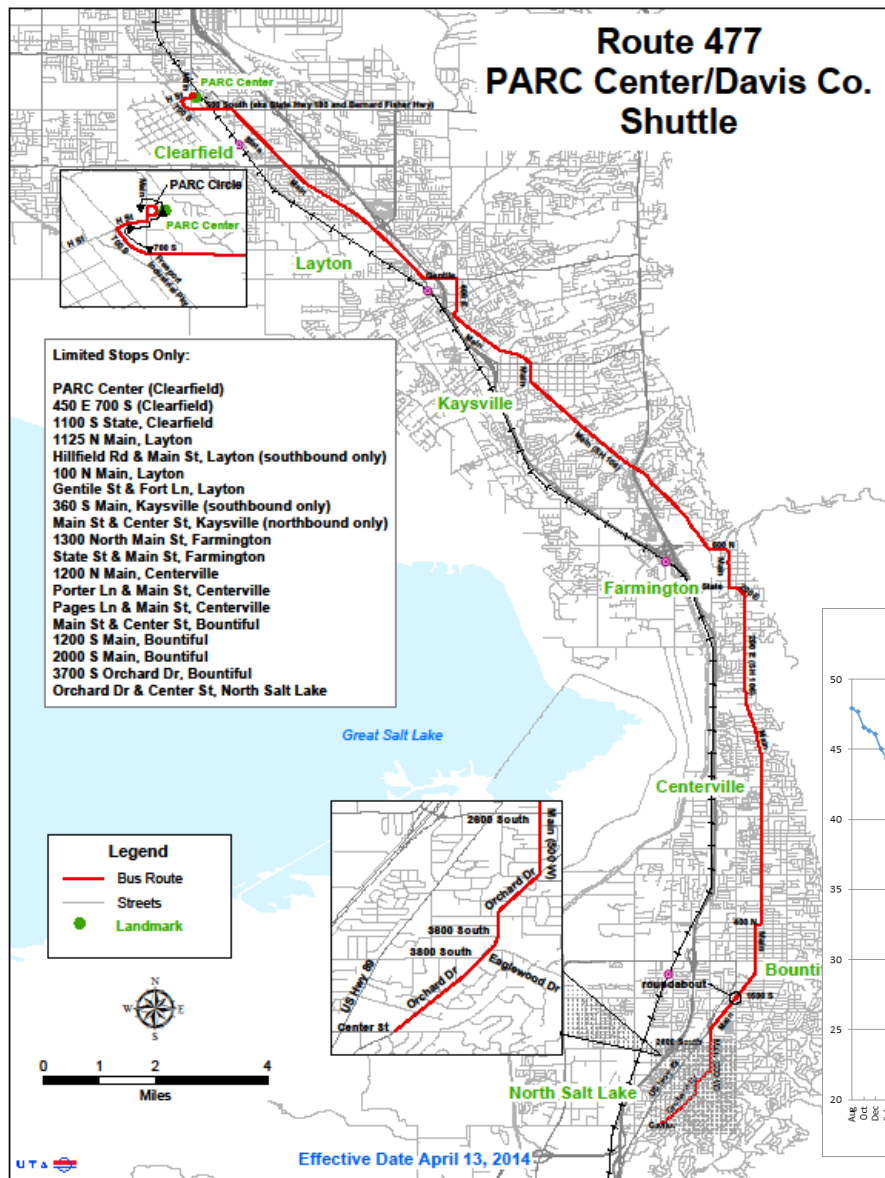


## Major Service Change

- UTA will consider the following types of changes to be “major changes”, which require *public outreach* and an *equity analysis* be performed
- UTA Policy -
  - The Addition of Service;
  - A proposed service level reduction in miles, hours, or trips of thirty three percent (33%) or more of any route;
  - The elimination of all service during a time period (peak, midday, evening, Saturday, or Sunday);
  - A proposed twenty-five (25%) or greater change in route alignment;
  - A proposed fare change.

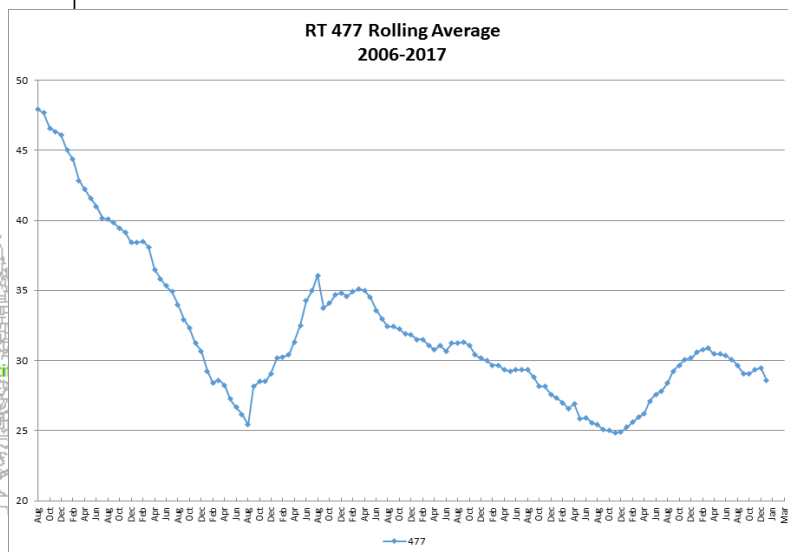


# April Change Day 2017



## Route 477

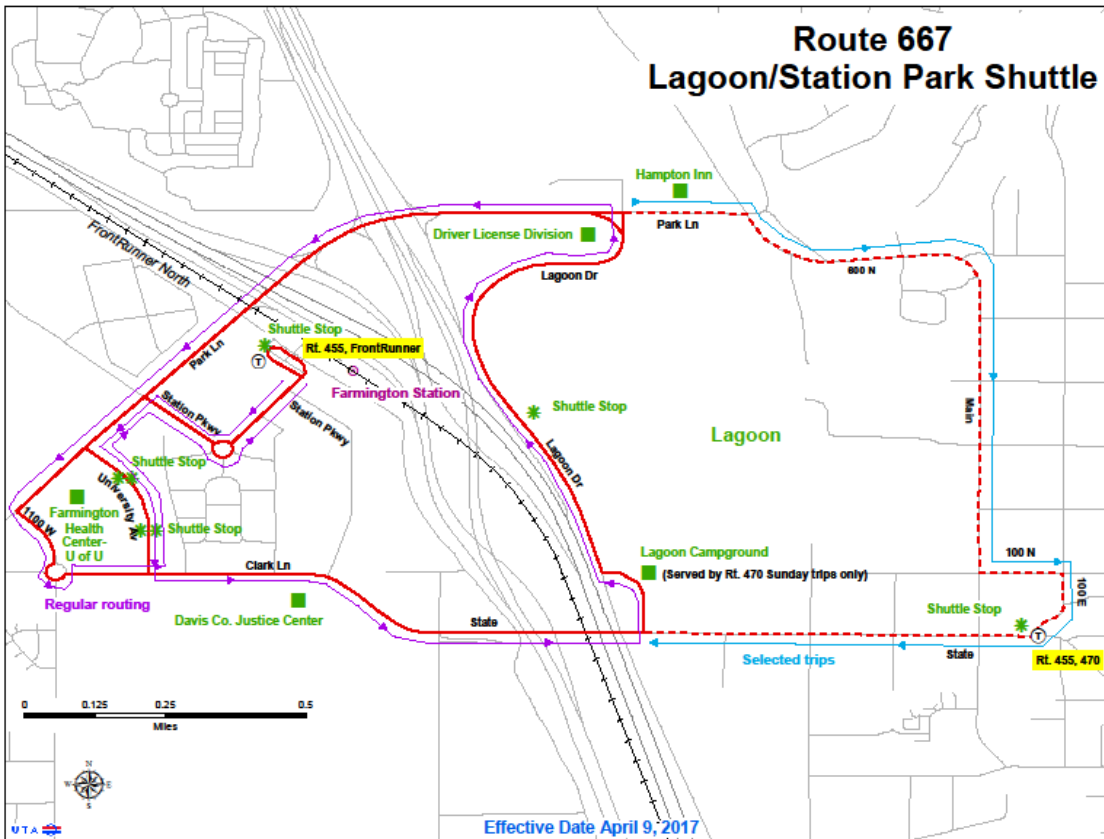
- Two Trips/Day – 1 Am and 1 Pm
- Proposed elimination
- Public hearing held at PARC Center
- Decreasing Ridership
- All riders contacted and qualify for Paratransit



# April Change Day 2017

## Route 667

- Proposed adjustments to increase frequency and decrease travel time from Farmington FrontRunner Station to Lagoon Amusement Park





## Public Outreach

Erika Shubin



## Public Outreach Process

- Public comment period from January 5 to February 5, 2017
- Public notice in the *Ogden Standard Examiner*, the *Davis County Clipper*, Utah.gov and UTA's home page
  - Notice and hearings also publicized on UTA's blog and social media channels
- Two public hearings
  - January 19, 2017 – PARC Center, Clearfield
  - January 26, 2017 – Farmington City Hall
- Comments accepted via mail, email, at public hearing, Open UTA (for route 667) and by phone
- Additional outreach conducted on both routes



## Additional Outreach Activities

### Route 477

- All known riders' care providers were identified and directly contacted by UTA's Special Services Business Unit
- PARC Center was notified and directly invited clients and care providers to the public hearing
- UTA Special Services BU worked directly with each rider on paratransit eligibility and made arrangements for transport through paratransit services
- Riders who did not contact UTA regarding paratransit eligibility were followed up via phone



## Additional Outreach Activities

### Route 667

- Direct contact made with Farmington City, Station Park, Lagoon, Hampton Inn and the local University Medical Center
- Riders were directly contacted and invited to review the proposed schedule.
- Open UTA survey, along with proposed schedule, placed on [rideuta.com](http://rideuta.com) (28 unique visitors)
- Additional blog and web banner posted to increase feedback



## Outreach Summary

- Eight people attended the public hearings (7 in Clearfield, 1 in Farmington)
- Two comments were received via email and six comments received via Open UTA
- Feedback was mostly positive
  - Route 667
    - Responses from Lagoon, Farmington City, Station Park, Hampton Inn and University Medical Center were overwhelmingly positive
    - One email commenter was in support of proposed changes, one disagreed and offered an alternative proposal
    - Three Open UTA comments were in support of the proposal, three were opposed
  - Route 477
    - Feedback supportive of proposed changes
    - One email commenter was somewhat supportive but offered alternative proposals



## Title VI of the Civil Rights Act of 1964

Andrew Gray

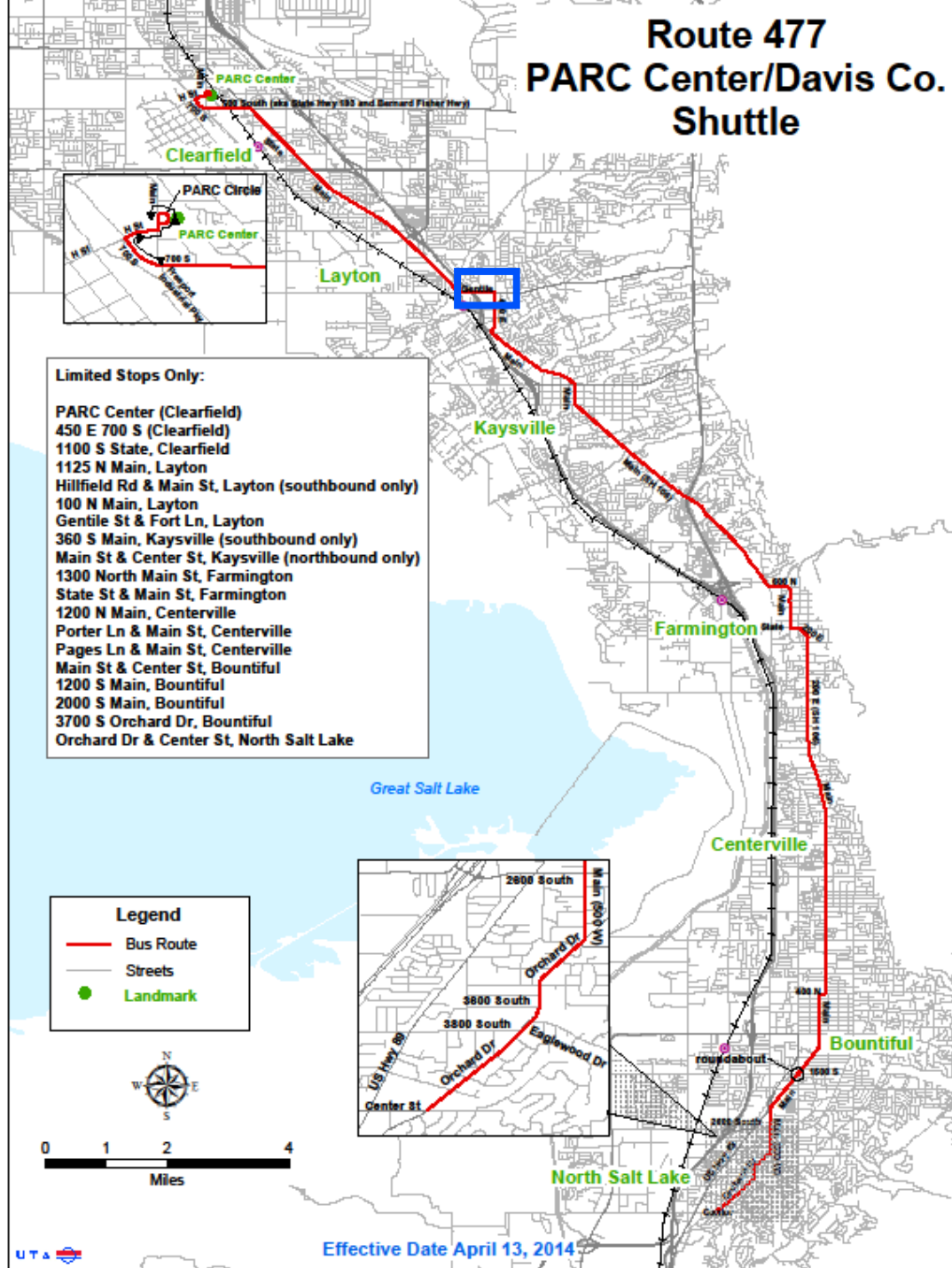


## UTA & Title VI

- UTA is committed to avoiding unfair treatment and discrimination in the allocation of public transit services.
- UTA has developed policy for measuring and mitigating negative impacts on minority and low-income populations.
- UTA performs an analysis on any major change to measure potential impacts
- Analyses are presented to the Board of Trustees






# Route 477 PARC Center/Davis Co. Shuttle





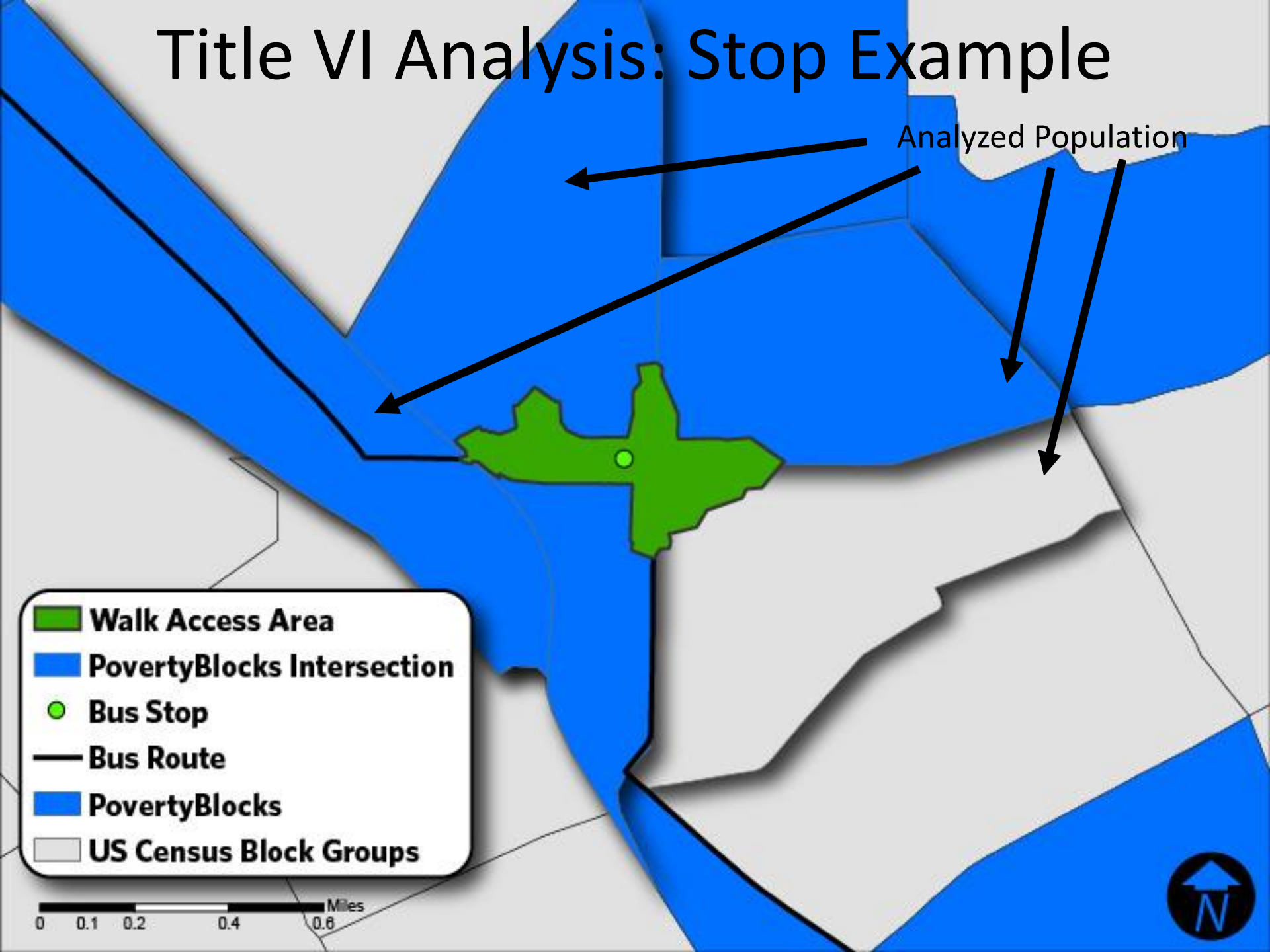
# Title VI Analysis: Stop Example

Poverty Blocks are those Census Block Groups where 20.6% or more of the households are low-income.

-  **Bus Stop**
-  **Walk Access Area**
-  **Bus Route**
-  **Poverty Blocks**
-  **US Census Block Groups**



# Title VI Analysis: Stop Example



Analyzed Population

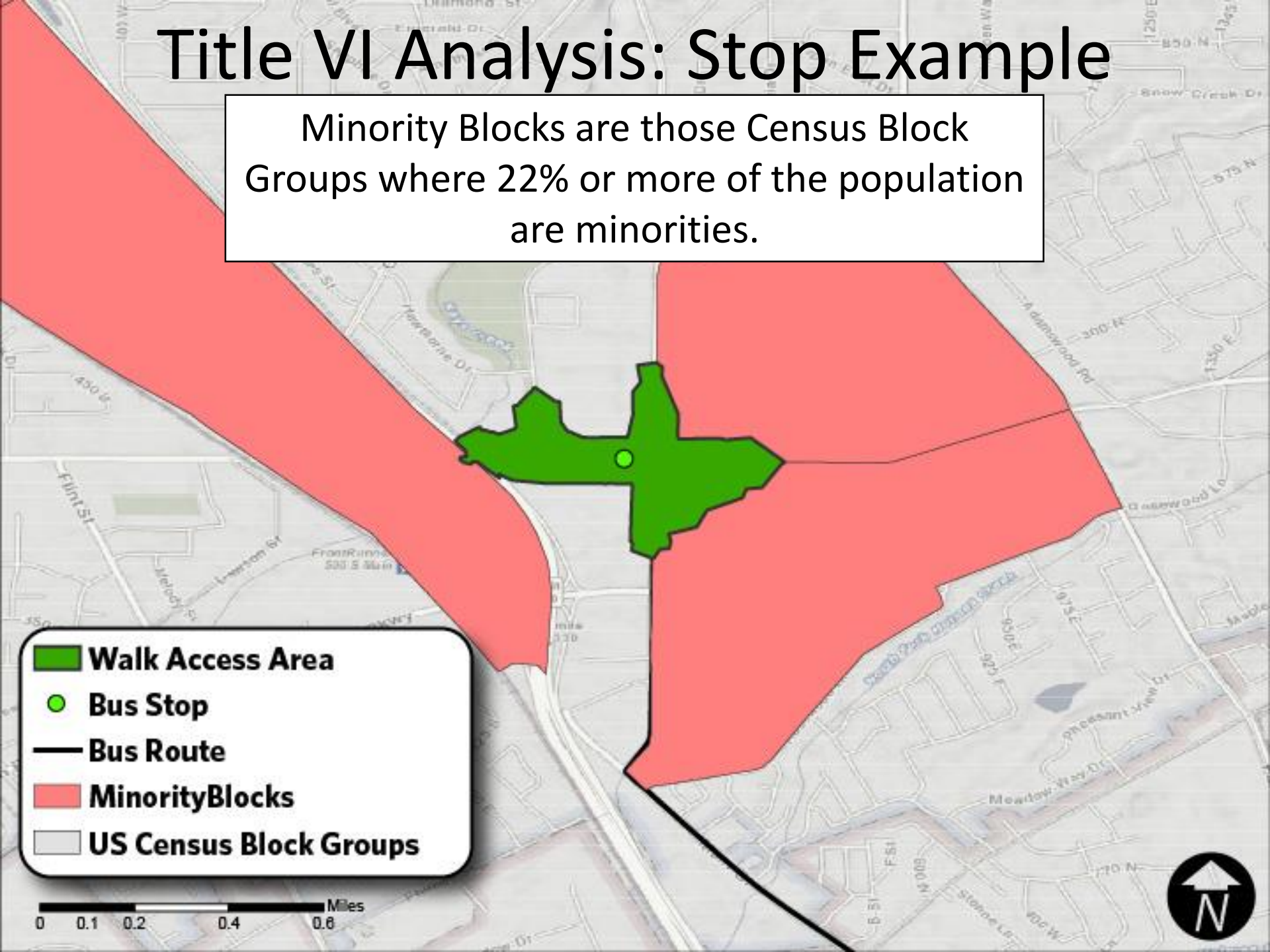
- Walk Access Area
- PovertyBlocks Intersection
- Bus Stop
- Bus Route
- PovertyBlocks
- US Census Block Groups

0 0.1 0.2 0.4 0.8 Miles



# Title VI Analysis: Stop Example

Minority Blocks are those Census Block Groups where 22% or more of the population are minorities.

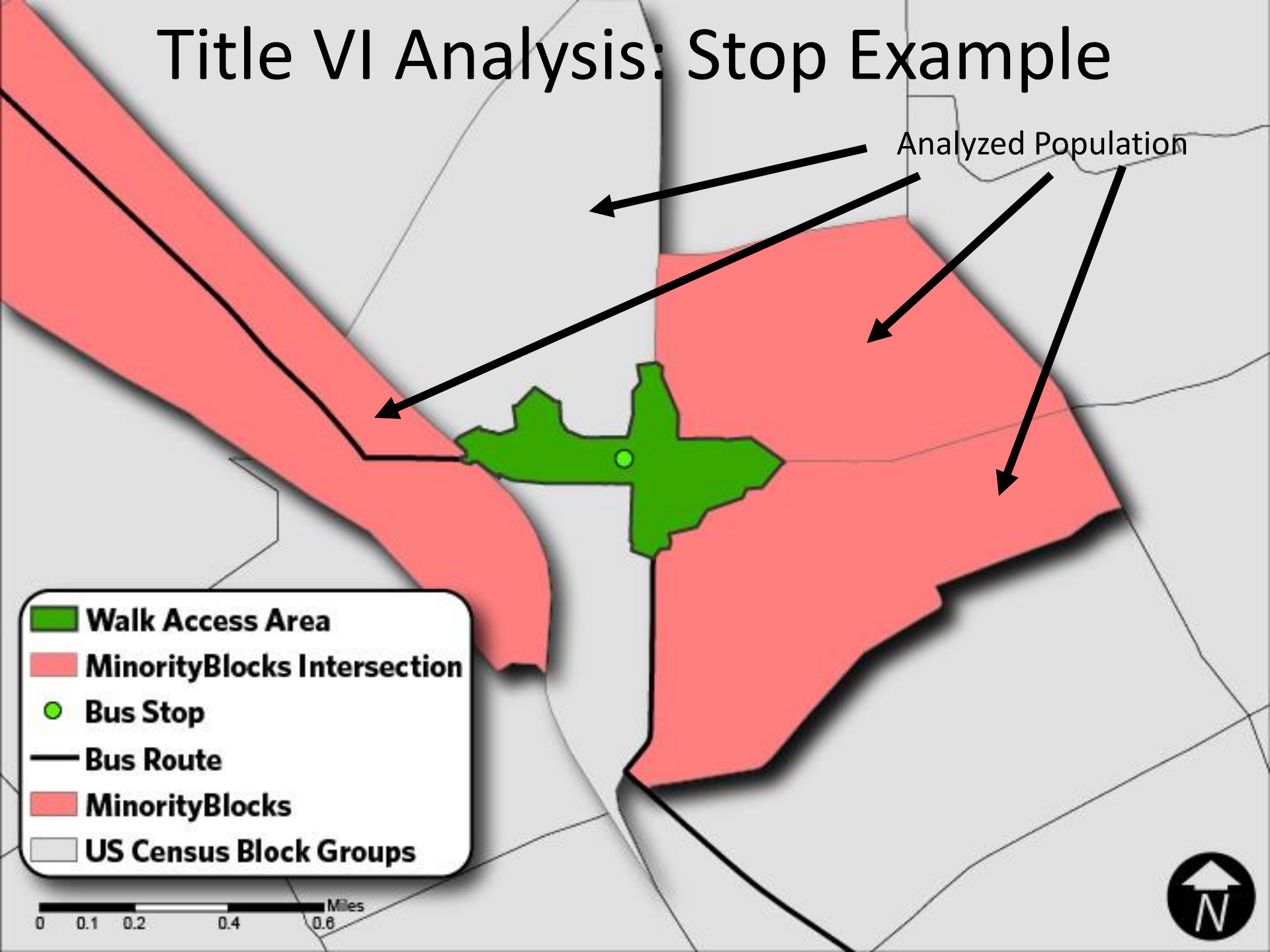


-  **Walk Access Area**
-  **Bus Stop**
-  **Bus Route**
-  **Minority Blocks**
-  **US Census Block Groups**

0 0.1 0.2 0.4 0.8 Miles



# Title VI Analysis: Stop Example



Analyzed Population

-  **Walk Access Area**
-  **MinorityBlocks Intersection**
-  **Bus Stop**
-  **Bus Route**
-  **MinorityBlocks**
-  **US Census Block Groups**

0 0.1 0.2 0.4 0.6 Miles



## Disparate Impact/Disproportionate Burden

- Major service changes, even if they appear equitable and/or neutral, are analyzed for potential negative impacts on protected groups
- Disparate Impact: Negative effect on *minority populations*
- Disproportionate Burden: Negative effect on *low-income populations*
- UTA's policy regarding DI/DB is that any changes resulting in a 5% negative impact on minority or low-income populations (relative to the system average) requires further analysis and justification in order to proceed with proposed changes



## Low-Income Analysis

### System Average:

Low-Income System Average:	
Number of Households:	703,314
Low-Income Households:	144,649
Percent Low-income:	20.6%

### Route 477

Low-Income Population	
Number of Households:	8,904
Low-Income Households:	2,175
Percent Low-income:	24.4% (+3.8%)

### Route 667

Low-Income Population	
Number of Households:	717
Low-Income Households:	69
Percent Low-income:	9.6%

Because the changes to Routes 477 and 667 do not result in a 5% negative impact (relative to the system average) to low-income populations, no further analysis is required

Note: anything negative in excess of 5% requires additional review of these proposed changes



## Minority Analysis

### System Average:

Minority System Average:	
Population:	2,273,056
Minority Population:	499,458
Percent Minority:	21.97%

### Route 477

Minority Population	
Population:	25,202
Minority Population:	4,814
Percent Minority:	19.1%

### Route 667

Minority Population	
Population:	3,213
Minority Population:	175
Percent Minority:	5.4%

Because the changes to Routes 477 and 667 do not result in a 5% negative impact (relative to the system average) to minority populations, no further analysis is required

Note: anything negative in excess of 5% requires additional review of these proposed changes



## Conclusion

- Route 477: No findings of inequity to minority or low-income populations
  - PARC and UTA worked collaboratively to provide options for alternate transportation to those with disabilities impacted by this route cancellation
- Route 667: No findings of inequity to minority or low-income populations





## Questions?

**Eddy Cumins**

General Manager

Ogden BU

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**Erika Shubin**

Public Hearing

Officer

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**Andrew Gray**

Title VI Compliance

Officer

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**UTAH TRANSIT AUTHORITY BOARD OF TRUSTEES**  
**Agenda Item Coversheet**

<b>DATE:</b>	<b>March 22, 2017</b>
<b>TITLE:</b>	<b>Board Workshop Pre-Work &amp; Milestone Timeline of Activity</b>
<b>UTA EXECUTIVE/RESPONSIBLE STAFF MEMBER:</b>	<b>Nichol Bourdeaux</b>
<b>SUBJECT:</b>	<b>2017 Board of Trustees Workshop</b>
<b>BACKGROUND:</b>	<p>The Board of Trustees meet annually to strategize regarding objectives and goals for the Authority. As part of the Planning &amp; Long-Term Vision Committee, this meeting has been set for June 2 &amp; 3rd, 2017. The location is yet to be finalized.</p> <p>There is a significant amount of work that needs to be accomplished during this two day workshop. We will be revisiting the Agency's vision and strategic plan; clarify roles and responsibilities; orient new members; reconnect and re-energize the board; and address the top critical issues and/or opportunities.</p> <p>An important part of this retreat will be for several pre-work items (detailed in this packet) to be completed by each trustee of the board. The first item will be a face to face meeting with appointing authorities by the designated dates. The talking points are attached in this packet.</p>
<b>ALTERNATIVES:</b>	N/A
<b>PREFERRED ALTERNATIVE:</b>	<ul style="list-style-type: none"> <li>• Approve as part of the consent calendar</li> </ul>
<b>STRATEGIC GOAL ALIGNMENT:</b>	Identify the timeline and next series of strategic goals and priorities for the Utah Transit Authority
<b>FINANCIAL IMPACT:</b>	None
<b>LEGAL REVIEW:</b>	N/A
<b>EXHIBITS:</b>	<ul style="list-style-type: none"> <li>• Draft Agenda: Planning &amp; Long-Range Visioning Workshop</li> <li>• Strategic Plan Development Schedule</li> <li>• Board Workshop Pre-Work</li> <li>• 2017 Face-to-face Discussion with Appointing Authority</li> </ul>

# Board of Trustees Planning and Long Range Visioning Workshop: DRAFT Agenda

## Day One

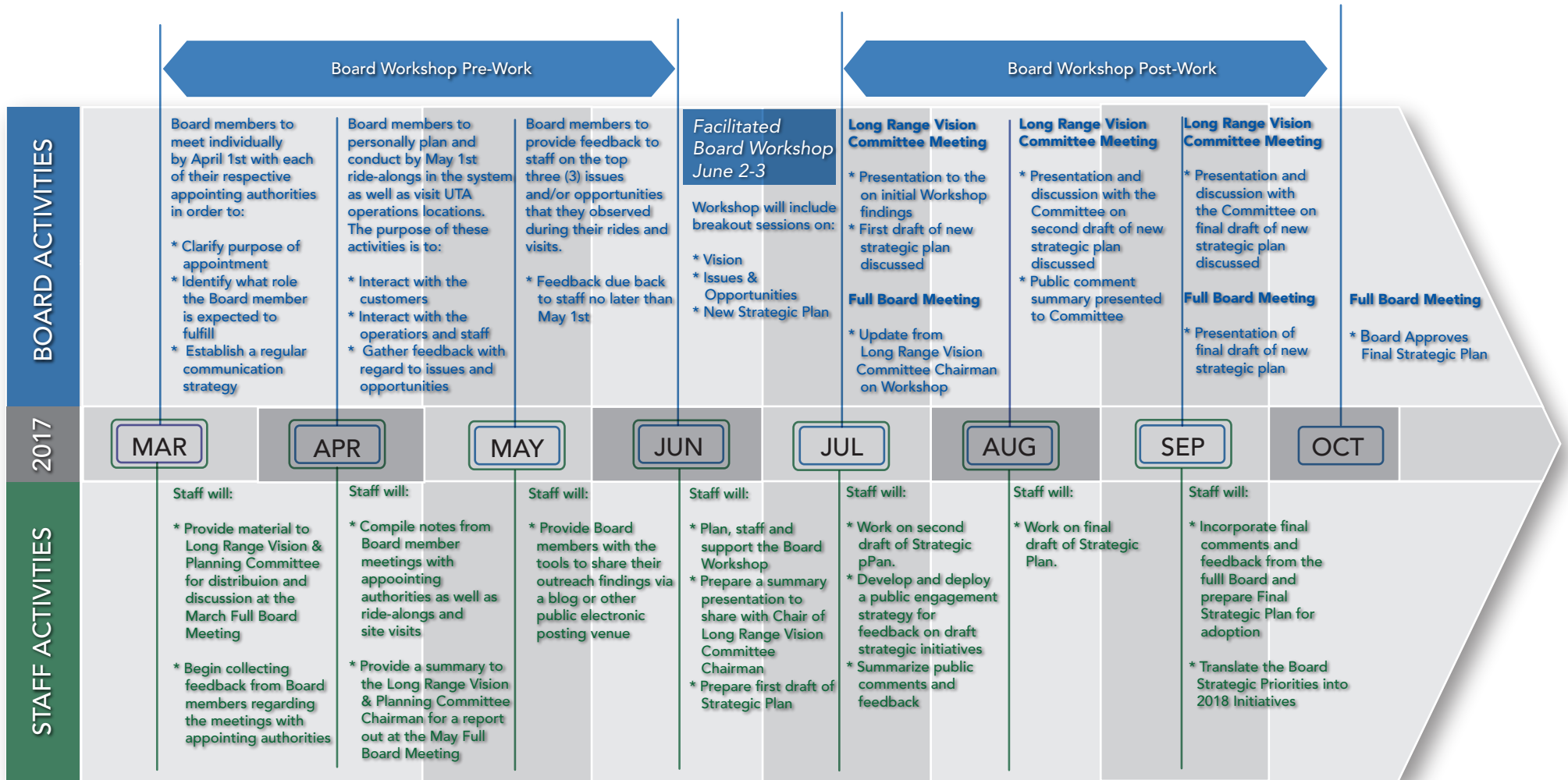
- 8:00 – 8:30 a.m. Breakfast (provided)
- 8:30 – 9:30 a.m. Welcome and Ground rules
- 9:30 – 10:15 a.m. Overview of Purpose and Introductions
- 10:15- 12:00 noon Breakout Topics
- 12:00 – 1:00 p.m. Lunch (provided)
- 1:00 – 2:15 p.m. Group Discussion
- 2:15 – 2:30 p.m. Break
- 2:30 – 4:15 p.m. Breakout Topics
- 4:15 – 5:00 p.m. Summary of Days Discussions, Review of Agenda for Day 2
- 6:00 – 8:00 p.m. Dinner and Social Time for the Group

## Day Two

- 8:00 – 8:30 a.m. Breakfast (provided)
- 8:30 – 8:45 a.m. Brief Review of Day 2 Agenda
- 8:45 – 10:15 a.m. Breakout Topics
- 10:15- 12:00 noon Group Discussion
- 12:00 – 1:00 p.m. Lunch (provided)
- 1:00 – 2:15 p.m. Breakout Topics
- 2:15 – 2:30 p.m. Break
- 2:30 – 3:30 p.m. Finalize Decisions and Discussions/Next Steps

**\*\*Breakout topics will be clarified and determined based upon discussions and pre-work of the board.**

# UTA 2017 Board Workshop and Strategic Plan Development Schedule



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## 2017 Board of Trustees Planning & Long Range Visioning Workshop

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Overall Workshop Objective: Revisit the organization's vision and strategic plan; clarify roles and responsibilities; orient new members; reconnect and re-energize the board; and address the top critical issues and/or opportunities.

Workshop Deliverables: Clear understanding of current and desired future state of UTA. Updated vision and Long Range Plan. Specific strategies to deploy in order to achieve desired future state.

### Pre- Work for Board Workshop

- Coordination will be handled by UTA Staff
- Estimated time required to complete appointing authority face-to-face = 2 hours
- Estimated time required to complete both Ride-a-longs and site visit = 4 hours

### Face-to-Face Discussion with Appointing Authority: Mandatory

Objective- Facilitate dialogue between the board member and their appointing authority. Discussion will be focused on sharing the board member's role and obligation to UTA as well as what UTA's expectations are of the appointing authority. This discussion will also allow for board members to identify their appointing authority's preferences for communication and feedback.

- Talking points and questions for the appointing authority will be provided

### Ride-a-Longs:

Objective- Create an opportunity for board members to use the system as a rider allowing them to participate in the rider experience. While interacting and using the system, board members will also be able to interact with our customer-facing employees who deliver the service.

- Modes to be ridden: Bus, Trax, FrontRunner, Special Services: Flex, Paratransit and Vanpool

### Site Visits:

Objective- Board members will be paired up to visit various departments throughout the organization to gain an understanding of the complex work required to provide service. Site visits will also allow board members to meet our dedicated employees.

- Recommended sites: Customer Service, TCC, Maintenance Bus/Rail, Operations Planning and Police/Safety, TOD locations

Synthesize and summarize results of ride-a-longs, site visits and appointing authority meetings prior to workshop.

Objective- Facilitate dialogue and discussion amongst board members to share their learnings, experiences and help streamline the top critical issues and/ or opportunities to be addressed during the retreat.

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## *2017 Face-to-Face Discussion with Appointing Authority*

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Objective- Facilitate dialogue between the board member and their appointing authority. Discussion will be focused on sharing the board member's role and obligation to UTA as well as what UTA's expectations are of the appointing authority. This discussion will also allow for board members to identify their appointing authority's preferences for communication and feedback.

Talking Points:

*Utah Transit Authority, Appointing Authorities and Trustee Members*

- The Utah Transit Authority is a public agency, we operate on tax dollars and are part of special service district. We have a lot in common with cities, counties and the state, we too are accountable to the public. Unlike the state or county however we are accountable for all aspects of the agency. We oversee the managing policies, financials, infrastructure, development and day to day operations.
- Role of Appointing Authority and Trustee- The role of the Appointing Authority is to appoint a person to represent their area as well as fulfill the responsibility of representing the entire district as well as help be the voice for their communities' championing the needs and challenges of the system. The role of the appointed trustee is to both balance the needs and resources for their appointing authority while maintaining a systemic view of the Utah Transit Authority, creating a transit system that lives beyond their time on the board.
- Role of the Board- The purpose of the Board of Trustees of the Utah Transit Authority is to be a steward and guardian on behalf of taxpayers who contribute to the transit district, and of all who benefit from services provided by the Authority – in pursuing and upholding the Authority's vision, mission and values, and in providing strong leadership in strategic planning and policy governance.<sup>1</sup> Board members are also expected to be open and transparent about their actions and decisions. All decision making and policy governance is made with integrity, accountability and transparency.

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<sup>1</sup> Overview of Trustee Expectations

### *Recent Events & Focus Points*

- The Utah Transit Authority has made significant strides over the last few years to reset expectations and standards. In late 2014 a 3 phase reform plan was developed.
  - Phase 1-2014-2015: Foundation Reform (Board Composition & Departmental Shifts, Compensation & Benefits, Travel Approval Process, Revised Long-Term Financial Plan)
  - Phase 2- Late 2015: Overhaul Policies, Procedures and Personnel (New Ethics Policies & Goal Setting, Two new vice chairs named, New Chief Internal Auditor, Stakeholder Engagement, Added service to 15 min routes.)
  - Phase 3-2016 Onward: Transparency and Accountability, Organizational Restructuring, Proactive Communications
  
- The Utah Transit Authority has recently finished the chapter of building and large expansion projects. We are starting a new era focused on debt management, state of good repair, and a high performing organization culture. We are getting back to the basics. In late 2016 Utah Transit Authority executive leaders rolled out our core 5 areas of focus, which we call our True Norths. They are: Service, People, Environment, Community and Stewardship. The immediate emphasis is on Service, People and Stewardship. (see below initiatives<sup>2</sup>.)
  - Service:
    - Implement Proposition 1 service improvements in Davis, Weber & Tooele Counties.
    - Assess and adjust key routes and schedules to improve service.
    - Update website to provide more and better information.
    - Install faster, more reliable Wi-Fi on FrontRunner trains.
    - Explore innovative partnerships that expand and enhance UTA service and improve customer conceive and experience.
    - Simplify fare system and improve reliability of ticket vending machines.
  
  - People:
    - Reorganize personnel functions under Chief People Officer
    - Strengthen employees' professional development opportunities
    - Increase public engagement opportunities
    - Provide more and better information
    - Live-stream Board meetings
    - Build partnerships with communities, stakeholders.
  
  - Stewardship (Money):
    - Revamp budget practices: limit borrowing, leasing and dipping into reserves.
    - Manage current debt prudently.
    - Scour the budget for opportunities to reduce costs.
    - Carefully and transparently evaluate budget implications of potential new commitments.

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<sup>2</sup> Media Release: 'Back to Basics' Focus on People, Money and Service Will Guide UTA Through 2017 and Beyond-Remi Barron

- Set expectation with partners that UTA can't bankroll new projects without new funding.
  - Maintain the network in a state of good repair: replace buses, overhaul elements of TRAX.
- We want to share with you, as a state we are falling behind in transit. The capacity doesn't currently exist to meet the growing demands of the state. We need to invest in infrastructure and transit. We cannot afford to lose sight of investing in our future, we need to be funded at \$0.01 per dollar and right now even if every option passed we won't be anywhere near the \$0.01 per dollar target. See below summary of maximum local contribution.<sup>3</sup>

<b>Local Contribution</b>							
Tax Type	Mass Transit Tax	Mass Transit Fixed Guideway	Additional Mass Transit Tax	County Option Transportation Tax	Supplemental State Sales Tax	Transportation Infrastructure (Prop 1)	<b>TOTAL RATE</b>
Utah State Code	§59-12-2213	§59-12-2216	§59-12-2214	§59-12-2217	§59-12-2003	§59-12-2218	
Abbreviation	MT	MF	MA	CT	SM	AT	
Box Elder County	0.300%		0.250%*				0.550%
Davis County	0.250%		0.250%		0.050%	0.100%	0.650%
Salt Lake County	0.300%		0.200%	0.188%			0.688%
Tooele County	0.300%					0.100%	0.400%
Utah County	0.250%	0.276%					0.526%
Weber County	0.250%		0.250%		0.050%	0.100%	0.650%

<sup>3</sup> Utah's Transportation Plan\_ Wasatch Front Regional Council Presentation  
<http://le.utah.gov/interim/2017/pdf/00000972.pdf>



**Transition Statement:** As a board member I represent you and your interests while simultaneously fulfilling my obligations as a trustee member to the Utah Transit Authority's system as whole. I have a couple of questions I would like to ask you in preparation for our Board of Trustee Workshop where we plan to update our vision, long range plan and strategies.

**Questions for Appointing Authority:**

1. How are you feeling about the Utah Transit Authority and their current leadership?
2. Ten years from now, what would you like to see transit accomplish?
3. As your appointee what items would you like me to be aware of/focus on?
4. As your appointee what methods would you prefer for communication, updates and follow-up/feedback?
5. It has been recommended we meet on a quarterly basis, can you confirm how often would you like to meet/coordinate with me as your trustee?

**UTAH TRANSIT AUTHORITY BOARD OF TRUSTEES**  
Agenda Item Coversheet

<b>DATE:</b>	<b>March 22, 2017</b>
<b>CONTACT PERSON:</b>	<b>Robert W. McKinley, Chair</b>
<b>SUBJECT:</b>	<b>Minutes of the UTA Board Meeting</b>
<b>BACKGROUND:</b>	The minutes were distributed to the Board and any revisions or changes have been incorporated. The minutes are presented for approval.
<b>ALTERNATIVES:</b>	<ul style="list-style-type: none"><li>• Approve as presented</li><li>• Amend and approve</li><li>• No action</li></ul>
<b>PREFERRED ALTERNATIVE:</b>	Approve as presented.
<b>RATIONALE FOR PREFERRED ALTERNATIVE:</b>	The minutes have been reviewed by the Board.
<b>FINANCIAL IMPACT:</b>	None
<b>LEGAL REVIEW:</b>	The minutes have been reviewed by legal staff and found to have no obvious legal ramifications.
<b>EXHIBITS:</b>	<ul style="list-style-type: none"><li>• 02-22-17 Board Meeting Report</li></ul>



**Report of the Meeting  
of the  
Board of Trustees of the Utah Transit Authority (UTA)  
held at UTA FrontLines Headquarters located at  
669 West 200 South, Salt Lake City, Utah  
February 22, 2017**

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**Board Members Present:**

Robert McKinley, Chair

Sherrie Hall Everett, Vice Chair

Jeff Acerson

Cortland Ashton

Keith Bartholomew

Gregory Bell

Necia Christensen

Karen Cronin

Babs De Lay

Charles Henderson

Dannie McConkie

Bret Millburn

Michael Romero

Brent Taylor

Troy Walker

**Board Members Excused/Not in Attendance:** Jeff Hawker

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

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**Welcome and Call to Order.** Chair McKinley welcomed attendees and called the meeting to order at 1:35 p.m. with thirteen voting board members present. The board and meeting attendees then recited the Pledge of Allegiance.

**Safety Minute.** Chair McKinley yielded the floor to Dave Goeres, UTA Chief Safety, Security & Technology Officer, for a brief safety message.

**Swearing in of New Trustee.** The oath of office was administered to Brent Taylor by Rebecca Cruz, UTA Board of Trustees Support Manager.

Following Trustee Taylor's oath of office, Chair McKinley read for the record a letter written and signed by Utah State Representatives Justin Fawson, Mike Schultz, Gage Froerer, and Utah State Auditor John Dougall regarding the appointment of Brent Taylor to the UTA board, specifically as his appointment relates to UTA's anti-nepotism policies. (Trustee Taylor's father is an employee of the Utah Transit Authority.) A copy of the letter is attached hereto.

A motion to include in the official meeting minutes the letter from Representatives Fawson, Schultz, Froerer, and Mr. Dougall as well as the two letters sent by Chair McKinley to Korry Greene as chair of the Weber Area Council of Governments regarding Trustee Taylor's appointment was made by Vice Chair Everett and seconded by Trustee Christensen. The motion carried by majority consent with twelve aye votes and one abstention from Trustee Taylor.

Trustee Ashton joined the meeting at 1:43 p.m.

**Policy 4.4.1 Actual and Potential Conflicts of Interest.** Vice Chair Everett asked Jayme Blakesley, UTA General Counsel, to review conflicts of interest and recusal procedures with the board. Mr. Blakesley indicated that there are two board process policies on conflicts of interest. He explained that Board Process Policy 4.1.10 requires an annual certification of board member conduct. As part of this policy, trustees are required to complete and submit two forms, Certification of Board Member Code of Conduct and Confidential Financial Disclosure Report, annually. Once submitted, the forms are then evaluated for actual or potential conflicts of interest by the general counsel and the chief of internal audit.

Mr. Blakesley then read the introductory paragraph of Board Process Policy 4.4.1 Actual and Potential Conflicts of Interest. This policy establishes a process for addressing any substantial conflicts of interest of trustees, including allowing the board executive committee to bring before a quorum of the board a recommendation to 1) require a trustee with a potential conflict to recuse himself/herself from voting on particular issues, 2) determine whether that same trustee should participate in discussions on particular matters, 3) determine whether that same trustee should leave the meeting room during discussion of specific issues, or 4) determine any other conditions or actions regarding that same trustee as the circumstances dictate. Upon recommendation of the executive committee, a quorum of the board then votes by secret ballot or otherwise to determine participation on particular issues by the trustee with the potential conflict of interest. Members of the quorum may make a motion to act on the

recommendation of the executive committee or to take another action regarding the potential conflict.

Mr. Blakesley outlined a process for determining how policies on recusal would apply to Trustee Taylor due to his father's employment with UTA. He recommended that Trustee Taylor submit the Certification of Board Member Code of Conduct and Confidential Financial Disclosure forms for review. He indicated that during the next board executive committee meeting matters will be identified from which Trustee Taylor should recuse himself to avoid actual or potential conflicts of interest. (Mr. Blakesley recommended these matters include collective bargaining, budget line items, employee compensation, benefits, and service changes). The executive committee will then present its recommendations to the full board for a vote.

Discussion ensued. Trustee Christensen expressed a desire to include in-laws and step-family relationships in Board Process Policy 4.4.1. Trustee McConkie suggested it would be best to make it a matter of practice to have potential appointees vetted for conflicts of interest by their appointing authorities prior to an appointment to UTA's board. Mr. Blakesley suggested it might be appropriate to amend the board anti-nepotism policy on the agenda for consideration today to include making formal notice to appointing authorities informing them of UTA's policies and procedures. He also suggested including language to allow UTA to exceed the ethics requirements in state law when prudent. Chair McKinley suggested that a packet including UTA's conflicts of interest policies be sent to appointing authorities near the expiration of an appointee's term. He also mentioned that some conflicts could remain unknown to UTA until the Certification of Board Member Code of Conduct and Confidential Financial Disclosure forms are submitted and reviewed. Vice Chair Everett then suggested the packet include the Certification of Board Member Code of Conduct and Confidential Financial Disclosure forms. Trustee De Lay asked that language in Board Process Policy 4.4.1 be strengthened as it relates to contractors and vendors. Chair McKinley suggested the policy be reviewed next month by the appropriate board committee.

Mr. Blakesley stated policies are preventative measures and that the ultimate responsibility for raising conflicts lies with trustees. He recommended any potential conflicts from trustees be raised with the board chair, the general counsel, and the chief of internal audit.

Trustee Taylor stated that the only reason he is on the UTA board is that he was duly appointed by his appointing authority. He then opined that he feels the board is a representative body and that he does not feel it is appropriate to require the decision of an appointing authority to be overturned when there are "reasonable controls" that can be put in place. He further opined that UTA's anti-nepotism policy refers to the hiring of relatives and does not apply to existing

employees. He said there are recusal processes outlined in state law and he fully intends to comply with them. He then reiterated that he was on the board under the “principle of representative democracy.”

Chair McKinley stated the board would like to make it absolutely clear what its policies are and will address that through the committee process. Trustee Millburn recommended comprehensively reviewing and streamlining all board policies. Trustee Walker requested that if a policy exception is to be made for Trustee Taylor, an exception be made all current trustees to allow them to be grandfathered into any new or updated anti-nepotism policy. Trustee Taylor stated he does not feel his appointment is an exception to UTA’s current anti-nepotism policy. He then read sections I and IIB from UTA’s Corporate Policy 6.1.4 Employment of Relatives (a copy of the policy is attached hereto). Trustee Taylor indicated his interpretation of the policy is that since his father was already hired at the time of his appointment, the anti-nepotism policy does not apply. He acknowledged that the policy would apply if his father were to be promoted or apply for a new position within the organization. Vice Chair Everett stated that the intent of the policy is clear, which is that the board wishes to eliminate any nepotism within the organization.

Trustee Christensen requested that Trustee Taylor introduce himself and share some personal details about his life and family. Trustee Taylor then provided some biographical information.

**General Public Comment Period.** In-person public comment was given by George Chapman.

**President/CEO Report.** Jerry Benson, UTA President/CEO, delivered his monthly report to the board which included:

- A new publication called *Rider’s Digest*
- Information from the American Public Transportation Association CEOs Seminar, including a video clip on the future of autonomous vehicles

**CEO Performance Planning and Review Process.**

**Presentation of Item.** Jerry Benson reviewed the document titled “CEO Performance Planning and Review Process” contained in the meeting packet.

**Public Input.** No in-person comment was given. No comment was received online.

**Board Discussion and Decision/Action.** Vice Chair Everett requested the draft CEO Performance Planning and Review Process document be posted on UTA’s website.

Trustee Taylor made a suggestion to live stream board meetings. Chair McKinley indicated developing a process to live stream meetings is already underway. A motion to tentatively approve the CEO performance planning and review process subject to further review in March 2017 was made by Trustee Christensen and seconded by Trustee Henderson. The motion carried by unanimous consent.

**Resolution: R2017-02-01: UTA Bylaws.**

**Presentation of Item.** Jayme Blakesley, UTA General Counsel, reviewed proposed changes to the UTA Bylaws and indicated the changes were being made to allow the board more flexibility in determining its committee structure.

**Public Input.** No in-person comment was given. No comments were received online.

**Board Discussion and Decision/Action.** A motion to approve the resolution was made by Trustee Christensen and seconded by Trustee McConkie. The motion carried by unanimous consent.

**Resolution: R2017-02-02: Board Process Policy 4.1.13 Employment of Relatives.**

**Presentation of Item.** Mr. Blakesley compared and contrasted what currently exists by way of policy on employment of relatives with the proposed policy in the resolution. He indicated passage of the proposed policy would not be applied retroactively to any currently seated trustee.

**Public Input.** No public comment was given on this item.

**Board Discussion and Decision/Action.** Vice Chair Everett suggested that staff prepare a packet of information to send to appointing authorities prior to approving this resolution and reference such a process in the policy. A motion to table the resolution and bring it back before the board after it has been reviewed in committee was made by Trustee Millburn and seconded by Trustee Henderson. Discussion ensued. Trustee Bell asked that issues related to the employment status of Trustee Taylor's father not be discussed in closed session. The motion carried by unanimous consent.

**Resolution: R2017-02-03: Clearfield Property Disposition.**

**Presentation of Item.** Robert Biles, UTA Vice President of Finance, indicated that UTA staff recommends disposing of Phase 1B of the property, which consists of 9.8 acres, at the Clearfield transit-oriented development (TOD) site.

**Public Input.** In-person comment was given by George Chapman. No comments were received online.

**Board Discussion and Decision/Action.** Action on this item was deferred until after closed session.

**Resolution: R2017-02-04: South Jordan Transit-Oriented Development Property.**

**Presentation of Item.** Robert Biles, UTA Vice President of Finance, explained a proposal to 1) trade 0.25 acres of property and acquire approximately 0.4 acres of property and to 2) dispose of an additional 0.6 acres to the joint development at market value at the South Jordan TOD site. Questions were posed by the board and answered by staff.

**Public Input.** No in-person comment was given. No comments were received online.

**Board Discussion and Decision/Action.** Action on this item was deferred until after closed session.

**Resolution: R2017-02-05: Jordan Valley TOD Phase 2 Financial Plan.**

**Presentation of Item.** Robert Biles, UTA Vice President of Finance, spoke to Resolutions R2017-02-05 and R2017-02-06 concurrently and provided a visual representation of the property.

**Public Input.** No in-person comment was given. No comments were received online.

**Board Discussion and Decision/Action.** Action on this item was deferred until after closed session.

**Resolution: R2017-02-06: Jordan Valley TOD Phase 3 Financial Plan.**

**Presentation of Item.** Robert Biles, UTA Vice President of Finance, spoke to Resolutions R2017-02-05 and R2017-02-06 concurrently and provided a visual representation of the property.



**Public Input.** No in-person comment was given. No comments were received online.

**Board Discussion and Decision/Action.** Action on this item was deferred until after closed session.

**Resolution: R2017-02-07: New Committee Structure.**

**Presentation of Item.** Vice Chair Everett presented the new committee structure as outlined in the meeting packet and indicated that all committee meetings would be scheduled on an as-needed basis and open to the public. She further indicated that Chair McKinley may revise committee assignments for Trustee Taylor.

**Public Input.** In-person comment was given by George Chapman. No comments were received online.

Trustee De Lay requested that Mr. Blakesley explain items the board is authorized to discuss in closed session pertaining to real estate. Vice Chair Everett requested that committee meeting packets be posted online. Trustee Taylor suggested that public comment be included on all committee agendas.

**Board Discussion and Decision/Action.** A motion to approve the resolution was made by Trustee De Lay and seconded by Trustee Henderson. The motion carried by unanimous consent.

**Items for Consent.** Consent items were comprised of the following:

- Approval of January 25, 2017 Meeting Report

A motion to approve the consent items was made by Vice Chair Everett and seconded by Trustee Romero. The motion carried by majority consent with two abstentions from Trustees De Lay and Taylor.

**Closed Session.** Chair McKinley indicated there were matters to be discussed in closed session relative to real property and personnel. A motion to move into closed session was made by Trustee Millburn and seconded by Trustee Walker. Trustee Bell objected to closing the session to discuss matters relative to the anti-nepotism policy, Trustee Taylor's appointment, or the employment of Trustee Taylor's father. Chair McKinley requested the motion be split.

A motion to move into closed session to discuss matters related to real property was made by Trustee De Lay and Trustee Millburn. The motion carried by unanimous consent.

Trustee Walker withdrew his second to the initial motion to go into closed session on matters relative to real property and personnel and indicated he only intended to second a motion related to real property. Chair McKinley stated that there were matters to discuss relative to personnel and litigation. A motion to move into closed session to discuss matters related to personnel and litigation was made by Trustee Walker and seconded by Trustee Bartholomew. Discussion ensued. Mr. Blakesley confirmed that the personnel and litigation matters to be discussed in closed session pertained to topics raised in Trustee Bell's objection. Trustee Bell indicated he was not persuaded that these matters were appropriate for closed session because litigation is not real or threatened. Mr. Blakesley stated that while he has no personal opinion on the matter, it would be permissible for the board to discuss the personnel and litigation items in closed session should they opt to do so because the question would be whether to invoke the anti-nepotism policy, whether that might result in the termination of an employee, and should the board choose to terminate an employee (which he noted was uncertain), there are litigation risks related to that choice that should be known by the board before it elects to take action. Trustee Bell said his understanding is that in order for a litigation topic to be appropriate for closed session, the litigation needs to be actual or threatened. Mr. Blakesley responded that in this circumstance litigation would likely be threatened. Trustee Bell replied that it would not be appropriate to discuss it in closed session until it is threatened. Chair McKinley stated that from the discussions he has had, litigation is threatened. Trustee Bell again stated that he would resist going into closed session to address personnel matters or litigation related to Trustee Taylor's father because the conversation would be about a political issue and would not relate to the employee's competence or performance. Trustee Bell said he feels the board's response on this issue should be public. Trustee Millburn asked if the issue was moot because the board voted to table the proposed anti-nepotism policy. Chair McKinley responded that the board is still bound by the existing policy. Trustee Millburn expressed support for Trustee Bell's position. Trustee De Lay requested that Trustee Taylor recuse himself from the personnel and litigation discussion. Chair McKinley said that would be appropriate. Trustee Taylor stated that he agreed with Trustee Bell's opinion that the discussion should be public. Chair McKinley told Trustee Taylor that he should not participate in the discussion. Trustee Taylor then said he should be able to participate in any discussion on what trustees should say publicly about this issue. Mr. Benson reminded the board that employment and management decisions relative to UTA personnel are in the President/CEO's purview. Chair McKinley responded that the board is responsible for its policies. Trustee Walker withdrew his motion to move into closed session to discuss personnel and litigation. No further motions

were made. The board moved into closed session at 3:32 p.m. to discuss matters related to real property.

Trustee Acerson left the meeting during closed session at 4:43 p.m.

**Open Session.** A motion to return to open session was made by Trustee De Lay and seconded by Trustee Romero. The motion carried by unanimous consent and the board returned to open session at 5:12 p.m.

**Action Taken Regarding Matters Discussed in Closed Session.**

**Resolution: R2017-02-03: Clearfield Property Disposition.** A motion to approve the disposition of the Phase 1B property at the Clearfield Station site on the terms and conditions discussed during closed session was made by Trustee Bartholomew and seconded by Trustee Walker. On recommendation from Mr. Blakesley, Chair McKinley asked if any of the trustees has a conflict of interest on the Clearfield property. No conflicts were raised. Trustee Millburn asked if he should recuse himself from voting on this item due to his status as a Davis County Commissioner. Mr. Blakesley replied that Trustee Millburn did not need to recuse himself. The motion carried by majority consent with one abstention from Trustee Taylor.

**Resolution: R2017-02-05: Jordan Valley TOD Phase 2 Financial Plan.** A motion to approve the Phase 2 financial plan for the Jordan Valley TOD site on the terms and conditions discussed during closed session was made by Trustee Bartholomew and seconded by Vice Chair Everett. Chair McKinley asked if any of the trustees has a conflict of interest on the Jordan Valley TOD property. No conflicts were raised. The motion carried by majority consent with one nay vote from Trustee De Lay two abstentions from Trustees Taylor and Henderson.

**Resolution: R2017-02-06: Jordan Valley TOD Phase 3 Financial Plan.** A motion to approve the Phase 3 financial plan for the Jordan Valley TOD site on the terms and conditions discussed in closed session was made by Trustee Millburn and seconded by Trustee Walker. Chair McKinley asked if any of the trustees has a conflict of interest on the Jordan Valley TOD property. No conflicts were raised. The motion carried by majority consent with one nay vote from Trustee De Lay and one abstention from Trustee Taylor.

**Resolution: R2017-02-04: South Jordan Transit-Oriented Development Property.** A motion to approve 1) the exchange of properties at the South Jordan Station to facilitate parking and access to the TOD site and 2) conveyance of a property interest in the former restaurant parcel to the adjacent property on the terms and conditions discussed in closed session including completion of an appraisal to ensure fair market value is achieved for both land and building, that UTA preserve access across the restaurant parcel for future expansion of the FrontRunner Station, and that construction and demolition costs associated with the transfer of the restaurant parcel to parking be borne by the purchaser was made by Trustee Bartholomew and seconded by Trustee Romero. Chair McKinley asked if any of the trustees has a conflict of interest on the South Jordan TOD property. No conflicts were raised. The motion carried by majority consent with one abstention from Trustee Taylor.

Trustee Walker left the meeting at 5:25 p.m.

#### **Presentations/Informational Items.**

**2017 Risk Assessment Process.** In the interest of time, Chair McKinley asked that this item be deferred.

**Utah Legislative and Federal Updates.** Matt Sibul, UTA Government Relations Director, Spoke about government relations items of interest including:

- Depot District bus facility appropriation
- Food and internet sales tax
- SB174 Public Transit and Governance Amendments
  - Mr. Sibul indicated a task force may be assigned to review UTA's governance structure
- Bills sponsored by Senator Karen Mayne
- Drug free zone definitions and a seatbelt exemption for paratransit assistants
- Meeting with Senator Hatch on federal appropriations and funding opportunities for the Salt Lake airport

Questions were posed by the board and answered by Mr. Sibul.

#### **Other Business.**

**Board Retreat Dates.** It was noted that board retreat was set for June 2-3, 2017.

**Adjournment.** The meeting was adjourned at 5:40 p.m. by motion.

Transcribed by Cathie Griffiths  
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Utah Transit Authority  
[cgriffiths@rideuta.com](mailto:cgriffiths@rideuta.com)  
801.237.1945

UNAPPROVED

HOUSE OF REPRESENTATIVES  
STATE OF UTAH

REPRESENTATIVE  
JUSTIN L. FAWSON  
DISTRICT 7  
WEBER COUNTY



1205 E. 2325 N.  
NORTH OGDEN, UT 84414  
HOME (801) 781-0016  
email: justinfawson@le.utah.gov

UTA Board of Trustees  
669 W. 200 S.  
Salt Lake City, UT 84101

February 21, 2017

Dear Trustees:

Thank you for the thoughtful and careful manner in which you have resolved the issues regarding appointment of Mayor Brent Taylor to the Utah Transit Authority (UTA) Board of Trustees (Board, collectively; Trustee, singularly). We recognize that UTA was seeking to balance two competing goals, both of which are in the public interest.

First is the goal to ensure that the public is represented in appointments to the Board. The Weber Area Council of Governments (WACOG) is the appointing body for the Trustee representing Weber County. WACOG chose Mayor Taylor to represent the citizens of Weber County.

Second is the goal to prevent actual or perceived conflicts of interest by Trustees in the performance of their duties. UTA has an anti-nepotism policy that prevents hiring of employees who are relatives of Trustees or from employing relatives in supervisor-subordinate relationships.

We recognize the steps UTA has taken and is taking to ensure that the public interest is safeguarded in the actions and decisions of the Board. We support anti-nepotism policies in public agencies. We understand that UTA's position is that the existing policy would be violated by Mayor Taylor's service as a Trustee since his father is a UTA employee. We also understand the current situation was not anticipated when the policy was drafted. It is our opinion that the current nepotism policy would not preclude the appointment of Mayor Taylor nor require UTA to terminate his father. We understand UTA's position that the policy was intended to prevent the existence of a family relationship between an employee and a Trustee. The dilemma this presented was challenging for the Trustees. We appreciate how you have been able to resolve the issue while accomplishing both of the goals listed above.

It is our understanding that WACOG has sent UTA an official appointment letter and that Mayor Taylor will be sworn in as a Trustee at the Board meeting on February 22, 2017. We also understand that Mayor Taylor's father will not be terminated.

UTA has an existing Board policy regarding conflicts of interest related to specific Board actions and decisions. We expect the Board to apply that policy to all Trustees. We expect Mayor Taylor to abide by the same. Also, we expect Mayor Taylor to recuse

himself from all Board decisions regarding collective bargaining, specific budget line items, employee compensation and benefits, and service changes, to the extent these items affect the work of his father, just as we expect all Trustees to recuse themselves whenever they have conflicts of interest. This will allow the Board to avoid any actual or perceived conflicts of interest that may arise. Further, we encourage UTA to clarify and strengthen its anti-nepotism policies in the future, provided the new policy does not conflict with the current term of a Trustee's appointment. It is appropriate for UTA to establish policies that exceed state law, as the Board sees fit, to avoid actual or perceived conflicts of interest.

We appreciate Chairman McKinley and Vice Chairwoman Hall-Everett discussing these issues with us and finding a resolution that best meets the interest of the public.

Sincerely,



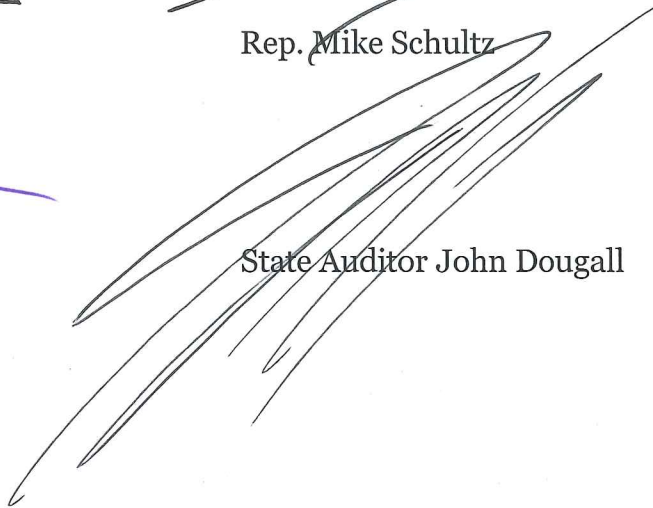
Rep. Justin Fawson



Rep. Mike Schultz



Rep. Gage Froerer



State Auditor John Dougall

# W eber A rea C ouncil o f G overnments

Mayor Lee Dickmore - Mayor Bruce Richins - Mayor Korry Green - Mayor Jim Truett - Mayor Keith Butler - Mayor Brent Taylor - Mayor Mike Caldwell  
Council Person Marcia White - Mayor Bruce Higley - Mayor Toby Mileski - Mayor Norm Searle - Mayor Willard Cragun - Mayor James Minster  
Mayor Lawrence Flitton - Mayor Mark Allen - Mayor Sharon Bolos - Commissioner James Ebert - Commissioner Jim Harvey - Commissioner Kerry Gibson

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February 20, 2017

Chairman Robert McKinley  
UTA Board of Trustees  
669 West 200 South  
Salt Lake City UT 84101

Re: Appointment of Mayor Brent Taylor to UTA Board of Trustees

Chair McKinley,

Thank you for the explanation of your position on the issue concerning our Weber Area Council of Government's appointment to the Utah Transit Authority Board. It is a difficult situation for all involved.

As you are aware and to restate our position, in our January 2017 WACOG meeting Mayor Brent Taylor, by majority vote, was elected to be WACOG's appointment as a trustee to the UTA Board. We were later made aware of the conflict as stated in your January 19<sup>th</sup> letter. In response to that letter we again put the UTA trustee appointment on February 2017 WACOG agenda. The council, after discussion and by majority vote, allowed Mayor Taylor to pursue his seat on the UTA board and as was stated "To allow Mayor Taylor to resolve the issue."

As it stands now, Mayor Taylor is the WACOG appointment to the UTA Board of Trustees. As requested, we formally request and anticipate that he be sworn in as a trustee to the UTA Board at the February 22<sup>nd</sup> meeting.

In the event that Mayor Taylor resigns his appointment or otherwise is not seated on the 22<sup>nd</sup>, then we will again address the issue in our March 6<sup>th</sup> WACOG agenda.

Thank you,  
Korry Green, WACOG Chair





669 West 200 South  
Salt Lake City, UT 84101

January 19, 2017

Mayor Korry Green  
Hooper City  
5580 West 4600 South  
Hooper, Utah 84315

Re: Appointment of Mayor Brent Taylor to UTA Board of Trustees

Dear Mayor Green:

The Weber Area Council of Governments, which you chair, recently acted to name North Ogden Mayor Brent Taylor to be its representative to the Utah Transit Authority (“UTA”) Board of Trustees, which I chair. I write to express an issue with Mayor Taylor’s appointment and to make myself available to answer any questions you may have about the same.

The issue is that appointing Mayor Taylor to the UTA Board of Trustees would violate our anti-nepotism policy. Mayor Taylor’s father is currently employed by UTA as a FrontRunner operator. The policy prohibits the employment of relatives of UTA executives or of members of UTA’s Board of Trustees. This prohibition exists because of the inherent conflicts that arise when managing employees whose relatives are in a position to potentially influence employment actions. Although the policy specifically contemplates a conflict arising with a sitting Trustee, the same conflict exists in the event an individual with a relative working at UTA were to join the Board.

As you may be aware, UTA is in a period of change and reform. We are committed to a culture of integrity, accountability, and service, with a focus on our riders and stakeholders. We have completed reforms to bring executive pay within market norms, reduce bonuses, limit travel, and require disclosure and independent review of financial and organizational conflicts of interest. Our new leadership team—President & CEO, General Counsel, and Internal Auditor—is advancing this reform effort and working to earn the trust of our stakeholders.

Our commitment to trustworthiness and accountability is so strong that many of our policies go beyond what is required by the law. For example, according to a policy adopted in 2015, UTA board members, executives, and senior staff now make annual disclosures of financial and organizational interests. These disclosures are reviewed independently by UTA’s General Counsel and Internal Auditor to identify and resolve conflicts of interest if and when they do exist. While not required legally, this policy provides a solid assurance that when UTA acts, it is acting only in the best interest of the people it serves.



UTA's longstanding anti-nepotism policy is another such protection against conflicts of interest. UTA established this policy more than ten years ago. The policy applies to all UTA employees and members of the UTA Board of Trustees. It avoids the potential for conflicts of interest by prohibiting employees and members of the board from hiring or supervising their relatives. I have enclosed a copy of the policy for your reference.

UTA has applied its anti-nepotism policy consistently. I offer as evidence of this consistent application the fact that, because of the policy, then Utah County Commissioner Larry Ellertson—a long-time member (and former chair) of the UTA Board of Trustees—resigned his position in fall of 2015 when his son decided to seek employment with UTA. He did so with more than a year remaining on his term as a member of the board. I respect him for the dignity with which he handled the situation; he placed the success and integrity of UTA above his personal desire to continue serving on the Board of Trustees.

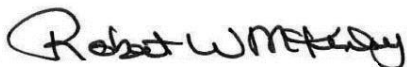
I visited with Mayor Taylor earlier this week to inform him of UTA's anti-nepotism policy. It is my conclusion as Board Chair, and as a practicing labor and employment lawyer of approximately forty years, that if Mayor Taylor were to serve on the board it would create a conflict of interest and violate both the spirit and the letter of UTA's policy. To honor the policy and UTA's commitment to the public trust, I asked Mayor Taylor to remove himself from consideration for an appointment to the Board of Trustees. To date, he has declined to do so.

Please know that aside from this conflict Mayor Taylor would be a welcome addition to the UTA Board of Trustees. UTA's request that he not serve on the board is solely because doing so would create a conflict of interest. UTA's motivation is purely driven by a commitment to public trust and accountability. Our anti-nepotism policy was established to support this commitment and adhering to it is imperative for us.

In light of these concerns, I respectfully request that the Weber Area Council of Governments consider appointing someone other than Mayor Taylor to serve on the UTA Board of Trustees.

Please feel free to contact me at any time if you would like to discuss this matter further.

Sincerely,



Robert McKinley  
Chair, UTA Board of Trustees



February 18, 2017

Mayor Korry Green  
Hooper City  
5580 West 4600 South  
Hooper, Utah 84315

*Re: Appointment of Mayor Brent Taylor to UTA Board of Trustees*

Dear Mayor Green:

On behalf of the Utah Transit Authority (“UTA”) Board of Trustees, I write to follow up on my letter dated January 19, 2017, regarding the potential appointment of Mayor Brent Taylor to the Board. UTA remains concerned that Mayor Taylor’s appointment to the Board would create a conflict of interest and trigger UTA’s anti-nepotism policy.

In a meeting convened by Representative Justin Fawson yesterday afternoon, Mayor Taylor said he disagrees with UTA’s interpretation of its anti-nepotism policy. He expects to be sworn in as a member of UTA’s Board of Trustees at its meeting next Wednesday, February 22, 2017. Please know that UTA cannot swear Mayor Taylor in until it receives formal notification from the Weber Area Council of Governments (“WACOG”).

The UTA Board of Trustees regrets the conflict created by Mayor Taylor’s appointment. We are concerned members of WACOG may not have known about UTA’s anti-nepotism policy (or that it would be triggered because Mayor Taylor’s father is employed by UTA as a FrontRunner operator) when they considered Mayor Taylor as someone who could represent them on the UTA Board. We did not know of the conflict ourselves and apologize for not informing you of the policy earlier.

UTA wishes to avoid confronting this conflict head-on. Please consider the following before finalizing your choice of representative.

1. **Public Trust.** UTA is committed to a culture of integrity, accountability, and service. An anti-nepotism policy is one of several measures used by UTA to ensure that when the Board acts, it is acting only in the best interest of the people it serves, and not for personal (or filial) gain. The UTA Board has applied this policy in the past and will continue to abide by it in the future. Public trust is paramount to UTA.
2. **Avoid harming a UTA employee unnecessarily.** UTA’s anti-nepotism policy prohibits someone from serving on the Board while a close relative is employed by UTA. If Mayor Taylor joins the UTA Board, a likely result would be the termination of his father’s employment as a FrontRunner operator. Mayor Taylor’s father is a valued employee. UTA would prefer not to be forced with this choice.





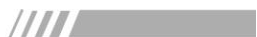
- 3. Representation of WACOG on the UTA Board.** The UTA Board of Trustees respects WACOG, wishes to honor the appointment of whomever it selects as its representative, and desires for WACOG to be fully represented on the Board. Mayor Taylor's father is a member of the Amalgamated Transit Union. As such, he is protected by the terms of UTA's Collective Bargaining Agreement ("CBA"). In the event that Mayor Taylor joins the Board, the anti-nepotism policy is triggered, but UTA is unable to terminate the employment of Mayor Taylor's father due to the protections of the CBA, the Board's only alternative will be to force Mayor Taylor to recuse himself from any matter affecting the conditions of his father's employment. At a minimum, Mayor Taylor would have to recuse himself from Board decisions regarding collective bargaining, budget, employee compensation and benefits, and service changes. This would result in WACOG being without effective representation on these matters.

It is our understanding that WACOG decided to allow a month for Mayor Taylor to attempt to resolve the issue and, failing that, to take up the appointment at the March meeting. We have not come to a resolution and would appreciate the opportunity to address WACOG in person at its March meeting before the appointment is finalized.

Please feel free to contact me at any time if you would like to discuss this matter further.

Sincerely,

Robert McKinley, Chair  
UTA Board of Trustees



**UTAH TRANSIT AUTHORITY BOARD OF TRUSTEES**  
**Agenda Item Coversheet**

<b>DATE:</b>	March 22, 2017
<b>TITLE:</b>	Title VI Analysis
<b>UTA EXECUTIVE/RESPONSIBLE STAFF MEMBER:</b>	Jayne Blakesley
<b>SUBJECT:</b>	April 2017 Title VI Service Equity Analysis
<b>BACKGROUND:</b>	<p>Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. The Utah Transit Authority has committed to the Federal Transit Administration (FTA) to analyze all major changes to service to ensure that all proposed changes are not discriminatory.</p> <p>The two major changes proposed for the April 2017 Chang Day are the elimination of route 477 and a change in route and scheduling of route 667. Both changes take place in the Ogden Business Unit.</p> <p>After analyzing the population data of those effected by the changes, it was determined that neither change disproportionately or negatively impacted low-income nor minority populations.</p>
<b>ALTERNATIVES:</b>	N/A
<b>PREFERRED ALTERNATIVE:</b>	<ul style="list-style-type: none"> <li>• Approve as part of the consent calendar</li> </ul>
<b>STRATEGIC GOAL ALIGNMENT:</b>	
<b>FINANCIAL IMPACT:</b>	None
<b>LEGAL REVIEW:</b>	The proposed item has been sent to UTA Legal staff.
<b>EXHIBITS:</b>	<ul style="list-style-type: none"> <li>• April 2017 Title VI Service Equity Analysis</li> </ul>



# Title VI Service Equity Analysis

April 2017

Utah Transit Authority  
Prepared by: Andrew Gray

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## Introduction

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. The Utah Transit Authority has committed to the Federal Transit Administration (FTA) Title VI objectives set forth in Circular 4702.1B ensuring that FTA-assisted benefits and related services are made available and are equitably distributed without regard to race, color, or national origin.

The following analysis is of proposed changes to be implemented in April of 2017. These changes are being proposed to improve service delivery. Though the proposed changes are facially neutral, this analysis, in accordance with FTA requirements, will ensure that these changes will not have disproportionate and negative impacts on minority and low-income populations within UTA's service area. If these changes are found to be discriminatory, UTA will take all steps necessary to ensure services are equitable and compliant with federal guidelines and requirements.

## Summary of Proposed Changes

### *Route 477 – Cancellation of Route:*

Route 477 connects Center Street in North Salt Lake to The Pioneer Adult Rehabilitation Center (PARC) in Clearfield. The proposed change will eliminate this route due to changes in partner needs, a historic decline in ridership and present low ridership.

The reduction of the mileage of any route in excess of 33% meets the major service change definition and must have a Title VI Analysis performed. This proposed change meets this definition.

### *Route 667 – Change in Routing and Schedule:*

Route 667 is a "Free Fare Shuttle" in Farmington, which loops through the Farmington FrontRunner Station, Lagoon (amusement park) and downtown Farmington. Due to heavy loads in the summer and connection issues with FrontRunner, the proposal is to modify the schedule to provide better transfers to and from Frontrunner and spread passenger loads across trips. In order to accomplish this, there would be a reduction in services. Rather than a bus coming by roughly every 30 minutes from 8:09 am to 8:13 pm, no service will run to downtown Farmington in the AM and PM peak periods, and every 60 minutes during the mid-day.



Any changes proposing a change in alignment of 25% or greater meet the major service change definition and must have a Title VI analysis performed. This proposed change meets this definition.

## UTA Policy and Definitions

UTA has developed corporate policy 1.1.28 Title VI Compliance Policy to evaluate the impacts of proposed major services changes on minority and low-income populations. The following policy references refer to subsections of the aforementioned corporate policy and were created to ensure that all equity analyses are performed using the same parameters.

### *Definitions*

- A. *"Disparate Impact"* refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.
- B. *"Disproportionate Burden"* refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations.
- C. *"Low-income Population"* refers to any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/ transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FTA program, policy or activity.
- D. *"Minority Person"* include the following:
  - 1. American Indian or Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
  - 2. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
  - 3. Black or African American, which refers to people having origins in any of the Black racial groups of Africa.
  - 4. Hispanic or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

5. Native Hawaiian or Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- E. "Minority Population" means any readily identifiable group of minority persons who live in geographic proximity.
- F. "National Origin" means the particular nation in which a person was born, or where the person's parents or ancestors were born.
- G. "System Average" The system average is the averages of minorities and low-income persons within the total populous of the geographic regions that UTA serves. The present system averages are expressed below in tabular format using 2011-2015 5-year population estimates provided by American Community Survey (ACS) data.

<i>Low-Income System Average:</i>	
Number of Households:	703,314
Low-Income Households:	144,649
Percent Low-income:	20.6%

<i>Minority System Average:</i>	
Population:	2,273,056
Minority Population:	499,458
Percent Minority:	21.97%

### *Major Service Change*

UTA will consider the following types of changes to be "major changes", which require public input and a Title VI equity analysis in compliance with FTA's Circular 4702.1B

- a) The Addition of Service;
- b) A proposed service level reduction in miles, hours, or trips of thirty three percent (33%) or more of any route;
- c) The elimination of all service during a time period (peak, midday, evening, Saturday, or Sunday);
- d) A proposed twenty-five (25%) or greater change in route alignment;
- e) A proposed fare change.

### *Evaluation and Analysis of Service and Fare Changes*

1. UTA will analyze proposed major changes to service and any proposed fare changes in accordance with FTA's Circular C 4702.1B as amended.
2. UTA will evaluate the impacts of all major service changes cumulatively when there is more than one route being affected for a service change period
3. UTA will primarily utilize American Community Survey (ACS) Data, block group data and/ or ridership data to evaluate and analyze any proposed major service and fare changes. This data will be analyzed with Geographic Information System (GIS) software.

4. UTA will rely on population data and use the smallest geographic area that reasonably has access to the stop or station effected by the proposed major service change. This will be translated into a one-quarter mile radius to a bus stop, one-half mile to a light rail station and three miles to a commuter rail station.

### *Disparate Impact and Disproportionate Burden*

1. UTA will measure the burdens of service and fare changes on minority riders to determine when minority riders are bearing a disparate impact from the change between the existing service or fare and the proposed service or fare.
2. UTA will measure the burdens of service and fare changes on low-income riders to determine when low-income riders are bearing a disproportionate burden of the change between the existing service or fare and the proposed service or fare.
3. A threshold of 5% will be used to determine disparate impact on minority populations and disproportionate burden on low-income populations. This 5% is based on the margin of error from the US Census data that UTA uses to determine the populations in the service area. This means that if the burden of the service or fare change on minority or low-income populations is more than 5% worse than it is for the non-protected populations, then the change will be considered either a disparate impact or a disproportionate burden.

### *Finding a Disparate Impact*

1. At the conclusion of UTA's Analysis, if UTA finds a disparate impact on the basis of race, color, or national origin, UTA shall seek to modify the proposed changes in a way that will mitigate the adverse effects that are disproportionately borne by minorities. Modifications made to the proposed changes must be reanalyzed in order to determine whether the modifications actually removed the potential disparate impacts.
2. If UTA chooses not to alter the proposed services changes despite the potential disparate impact on minority populations, or if UTA finds, even after the revisions, that minority riders will continue to bear a disproportionate share of the proposed service or fare change, UTA may implement the change only if:
  - a. UTA has substantial legitimate justification for the proposed change; and
  - b. UTA can show that there are no alternatives that would have a less disparate impact on the minority riders but would still accomplish the transit provider's legitimate program goals. In order to show this, UTA must consider and analyze alternatives to determine whether those alternatives would have less of a

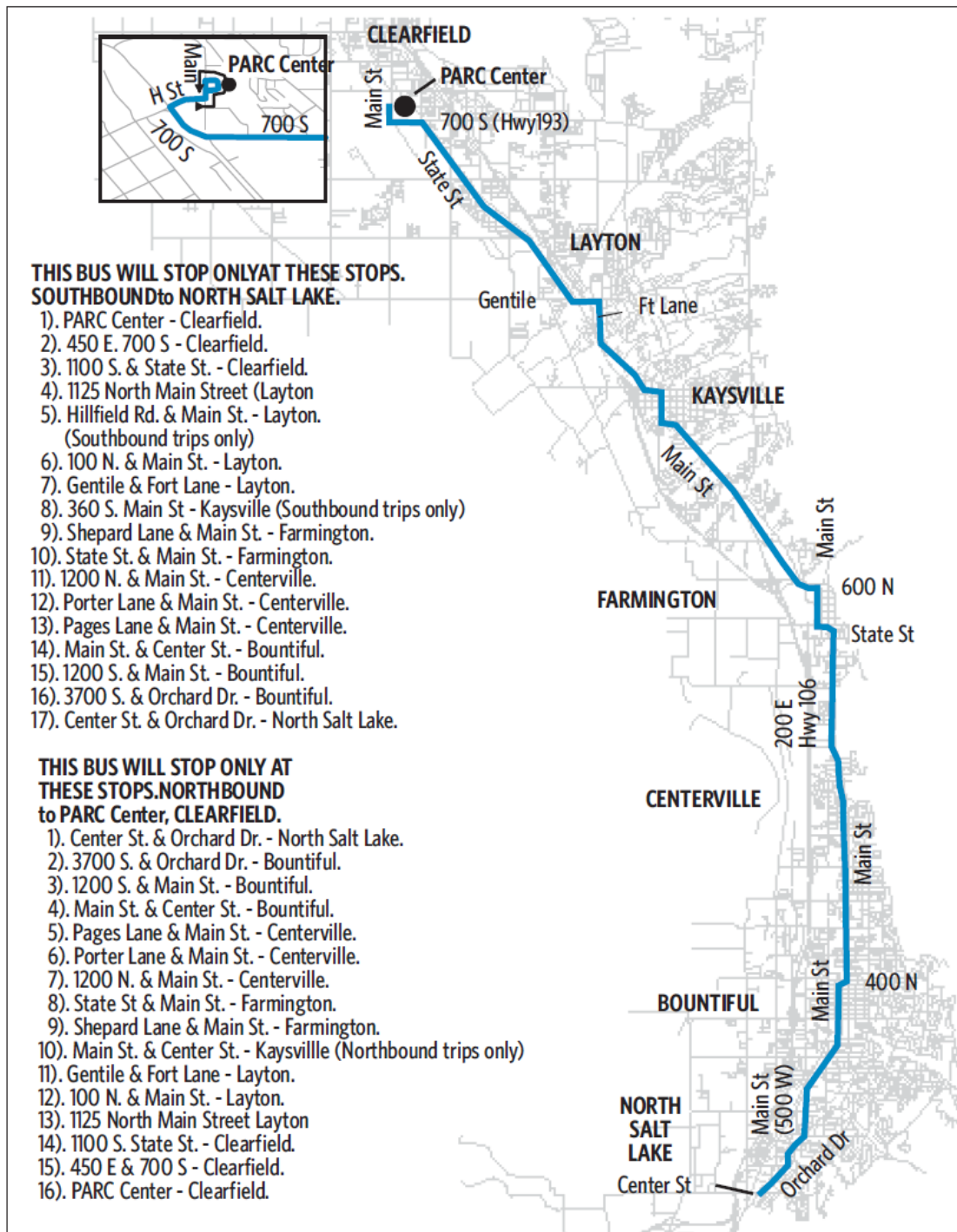
disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative

### *Finding a Disproportionate Burden*

If at the conclusion of the analysis, UTA finds that low-income populations will bear a disproportionate burden of the proposed major service change, UTA will take steps to avoid, minimize, or mitigate impacts where practicable. UTA will also describe alternatives available to low-income passengers affected by the service changes.

# Proposed Changes

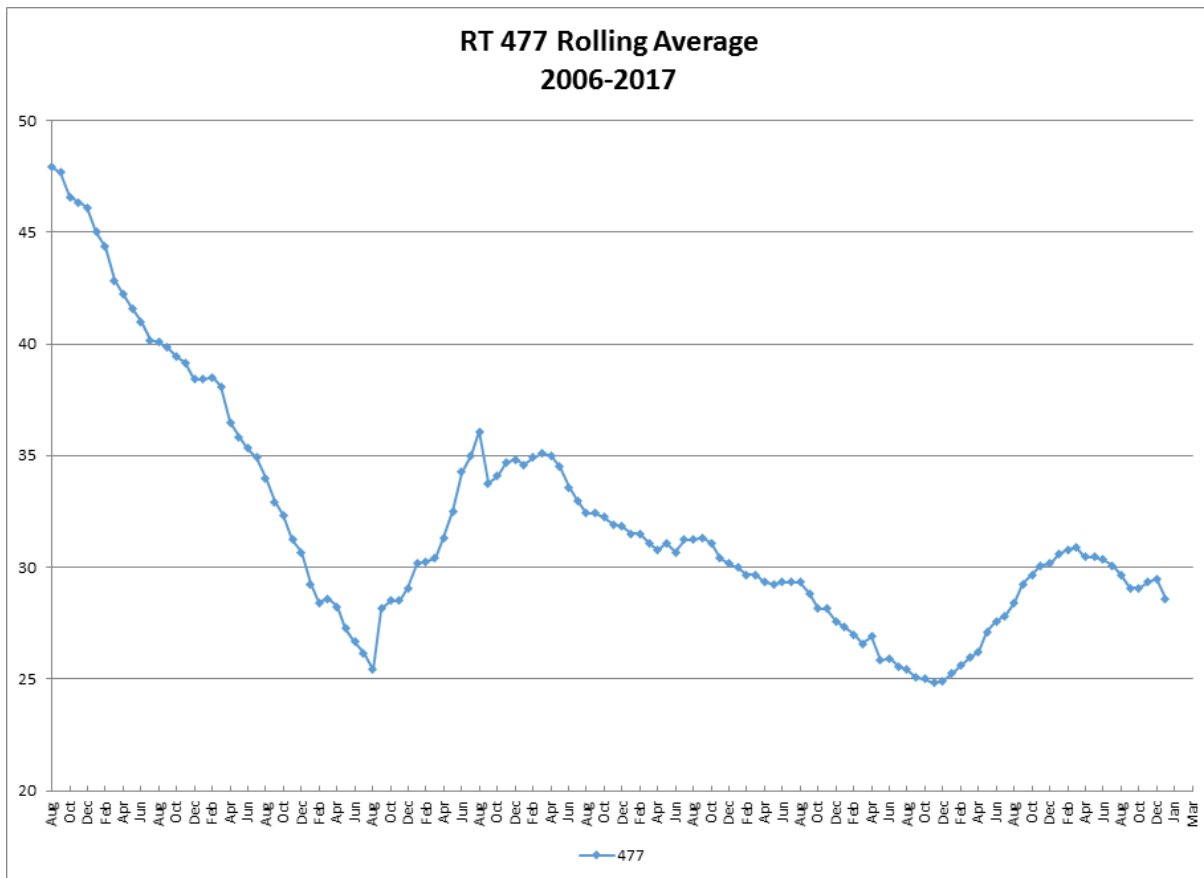
## Route 477



Route 477 makes two trips every weekday and does not run weekend service. The first trip departs from Center & Orchard Dr. in North Salt Lake at 7:55 AM and concludes at PARC Center at 9:02 AM. The second trip departs from PARC Center at 3:05 pm and concludes at Center & Orchard Dr. at 4:04 PM.

The original intent of route 477 was to provide service to those who participate in Pioneer Adult Rehabilitation Center (PARC). PARC provides services to people with disabilities along the Wasatch Front. Route 477 was created when Davis County school buses stopped providing transportation. When Davis County discontinued its service, the paratransit services at the time did not have capacity to accommodate the number of riders needing transportation, which prompted a fixed-route solution. This is why route 477 only runs once in the morning heading north to PARC and once south from PARC in the evening with no weekend service.

Since the formation of the route, roughly half of the participants at PARC have transferred to paratransit and ridership has declined. The average ridership for calendar year 2016 is 30 per day compared to 46 when the route was first created in August of 2005. See the line graph below for a month-by-month breakdown of route utilization over an 11 year period.



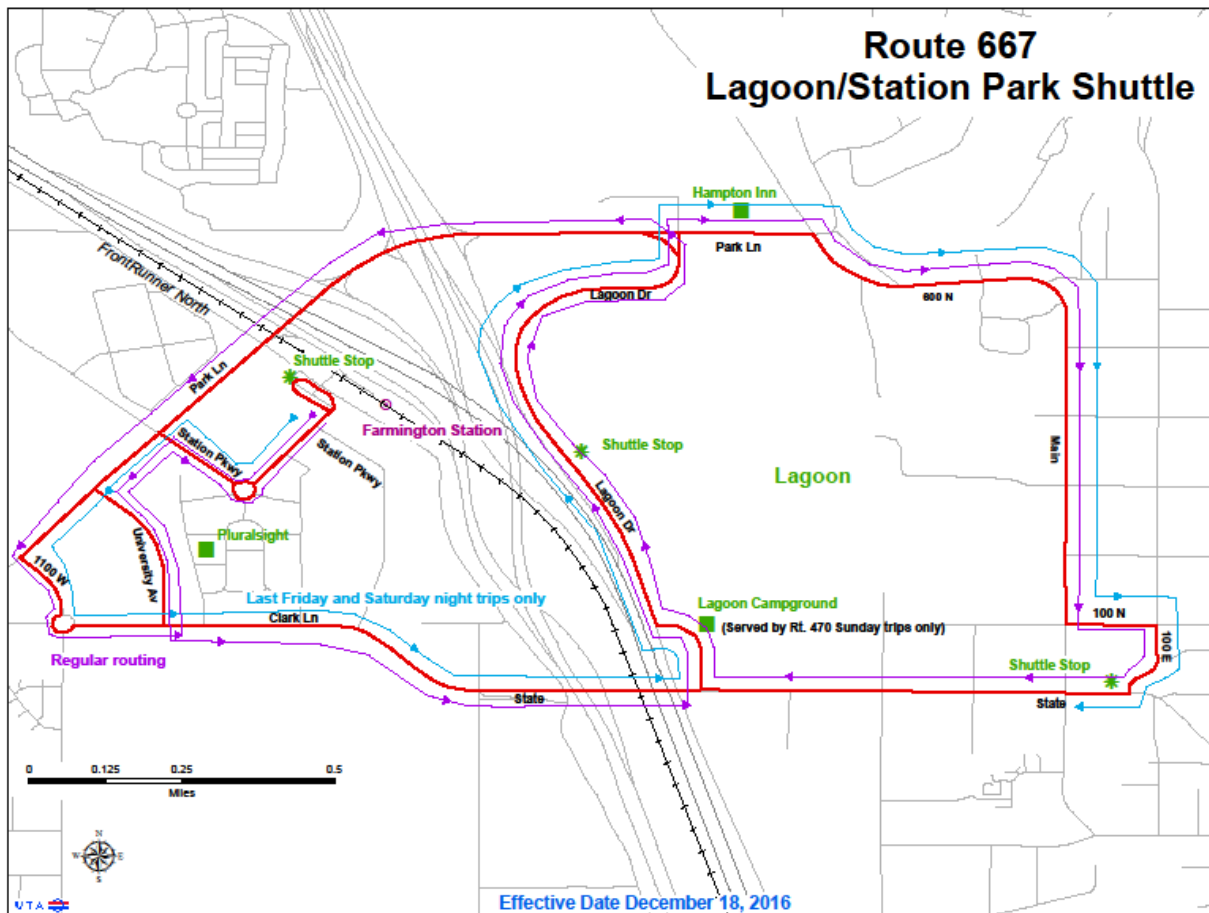
At the request of PARC, a meeting was held between UTA and PARC on October 24, 2016 to discuss public transit options for those who were participating in their services. Through this discussion it was determined that riders who use route 477 to get to PARC may be best served through paratransit services rather than the fixed-route services. UTA and PARC reviewed participant ridership and determined all present riders would be eligible for paratransit. UTA and PARC proceeded to conduct a public outreach campaign to gather input from riders and relevant caretakers as to whether paratransit would more adequately address the needs of 477 riders. PARC took responsibility to ensure that all effected participants were informed of the change and assisted with the paratransit eligibility process.

### *Public Outreach*

The public comment period for this change was from January 5 to February 5 of 2017. Notice was listed on UTA's website, Utah.gov, the Ogden Standard Examiner and the Davis County Clipper, both local newspaper. Comments were accepted via mail, email, at the public hearing and by phone. The public hearing was held on January 19<sup>th</sup>, 2017. It was publicized by and held at the PARC facility. Seven people attended this meeting and there was no opposition to the proposed changes. One respondent was somewhat supportive, but offered alternative proposals. This information was provided to planning for consideration.

In addition to the public hearing and public comment period, all known riders' care providers were identified and directly contacted by UTA's Special Services Business Unit.

## Route 667



Route 667 is a free fare shuttle from the Farmington FrontRunner station, Station Park shopping complex, Lagoon amusement park, The Hampton Inn, and downtown Farmington in a figure 8 loop. The purpose of this route is to connect riders to recreational facilities from easily accessible locations. To better accomplish this purpose, UTA has proposed to modify the schedule to provide better transfers to and from FrontRunner and to spread passenger loads across route 667 trips. The proposed changes would eliminate service to downtown Farmington in the AM and PM peak periods, and every 60 minutes during the mid-day.

This route's fare is a sponsored fare, meaning that the individual riders are not required to pay fare to ride. The sponsorship is led by Farmington City who seeks partners who benefit from the shuttle and to contribute a portion of the costs.

The table below shows the stops on Route 667 that have a proposal to decrease the headways and fall out the downtown Farmington Loop. The time frame for both tables' average boardings



are calculated using the data from June 2016 through August 2016. This time frame was selected because it is the time frame when the route is used most and would have the most impact on riders and little data exists for off-season running since it had not run off season trips until after August 2016.

<b>Name of Stop <i>Decreasing</i> Frequency</b>	<b>Average Weekday Boardings</b>	<b>Average Saturday Boardings</b>
105001 MAIN ST 479 N	0.00	0.00
105003 MAIN ST 305 N	0.00	0.00
106001 STATE ST 398 W	0.00	0.00
107064 STATE ST 108 W	0.00	0.00
107065 STATE ST 220 W	0.00	0.00
301012 STATE ST 45 E	0.33	1.00
301333 600 N 111 W	0.14	0.00
301410 PARK LN 331 W	0.48	0.91

The following table shows those stops that fall on the Lagoon, FrontRunner and Park Station loop and will have proposed increased headways.

<b>Name of Stop <i>Increasing</i> Frequency</b>	<b>Average Weekday Boardings</b>	<b>Average Saturday Boardings</b>
105021 LAGOON DR 375 N	97.31	169.45
106007 100 N 873 W	0.00	1.56
106008 STATE ST 720 W	0.04	0.22
301055 450 N 850 W	266.98	542.00
301056 850 W 450 N	12.14	26.73
301313 PARK LN 189 N	0.00	0.00
301422 UNION AVE 184 N	2.00	0.00
301423 UNION AVE 185 N	0.81	0.89

According to the route 667 bus stop level ridership information above, Lagoon is the largest market draw on the route and there is very little ridership on Main Street in downtown Farmington. In addition, there is large growth potential at the Station Park and University of Utah hospital stations. The proposed schedule changes aim to improve the transit experience for the biggest markets and increase connectivity timing to the FrontRunner schedule, while still providing some level of service to downtown Farmington.

Even with shortening the route on selected trips throughout the day, the 667 still can't meet every train perfectly. The revised schedule is based on observed travel patterns and available ridership data.

### *Public Outreach*

The public comment period for this change was from January 5 to February 5 of 2017. Notice was listed on UTA's website, Utah.gov, the Ogden Standard Examiner and the Davis County Clipper, both local newspaper. The public hearing was held on January 19<sup>th</sup>, 2017. Comments were accepted via mail, email, at the public hearing, phone and Open UTA which is an online forum for discussion. The public outreach hearing was held January 26<sup>th</sup>, 2017 at the Farmington City Hall. In addition to this, there was direct contact with Farmington City, Station Park, Lagoon, Hampton Inn and the University Medical Center in the region.

Response from Farmington City and local businesses were all positive and 50% of community members were in support of the changes. 50% of community responses were opposed. The three respondents in opposition to the changes expressed concern regarding access to Lagoon and downtown Farmington locations during peak times. Alternative routes, specifically routes 455 and 470, are able to provide transportation to the specified locations. One respondent suggested running a second route to downtown or having the 667 resume a more frequent downtown schedule during Lagoon's off-season. UTA Planning is considering both options for future proposed changes.

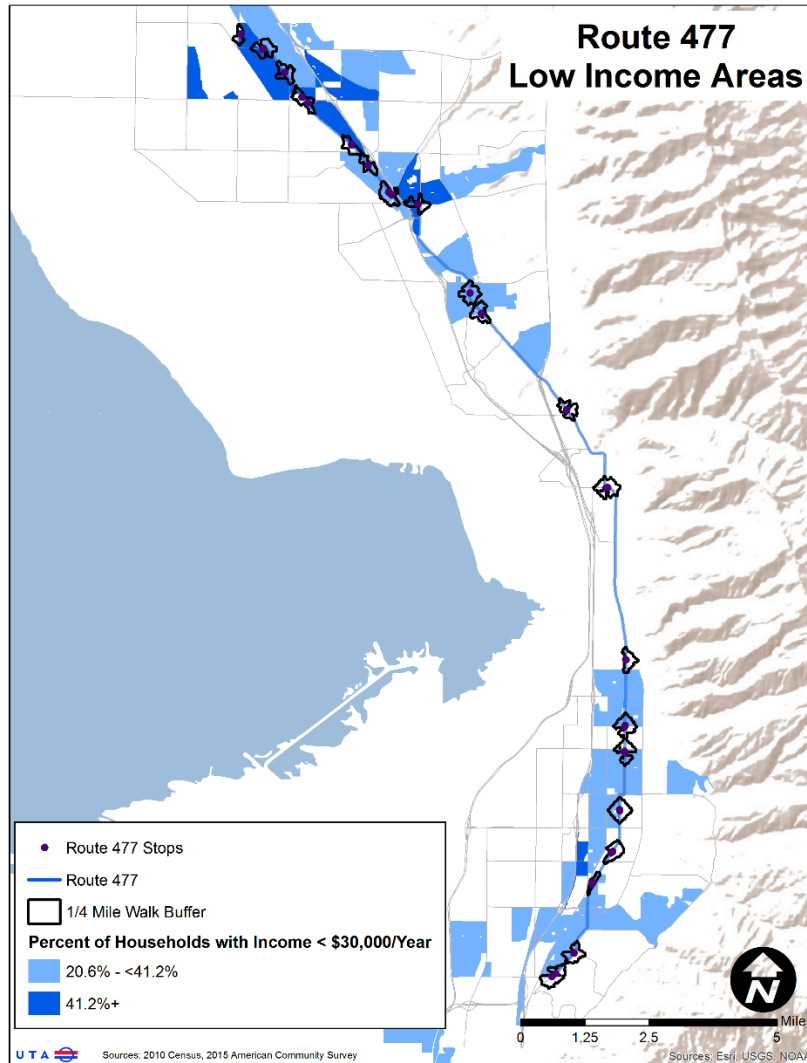
## Analysis of Proposed Changes

UTA is required to analyze the potential impacts of any major service change as it relates to Low-income populations and minority populations. Pursuant to this requirement, UTA has created the following maps, tables and related data. The data in this section was compiled utilizing American Community Survey (ACS) 2011-2015 5-year estimates, which was dispersed into census blocks, in lieu of the larger block groups. This was done in order to use the smallest geographic area possible for the analysis. The distribution was dictated by population ratios from 2010 Census Data. Analysis was done based on the stops of the route. All stops have had a one quarter mile radius applied to them based on the actual accessibility of the route by road. Any census block that is overlapped by this “walkability radius” has its population included as those effected by the proposed changes. These aggregated numbers are compiled as a comparison group to the service area average to determine disparate impact and disproportionate burden.

The maps in this section will show the route, individual stops with a walkability radius, and census blocks with concentrations of low-income households or minority individuals above the system average, which are shaded according to density.

# Route 477

## Low-Income Analysis



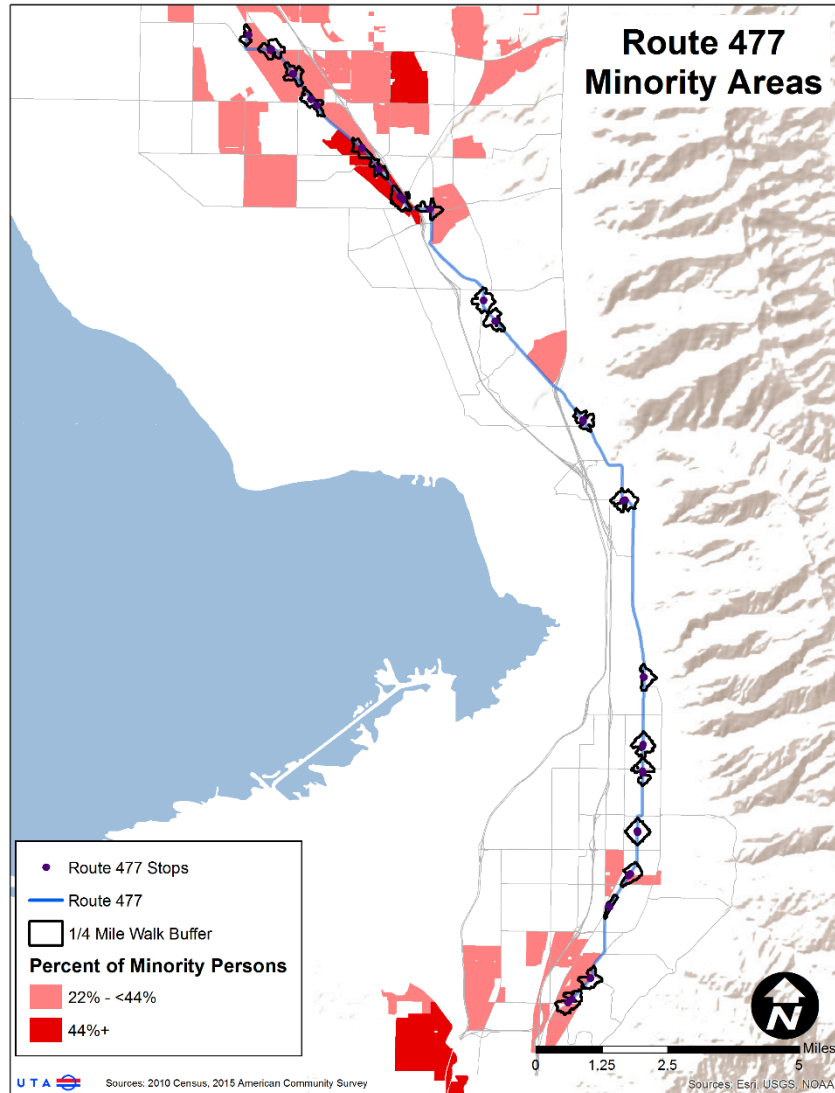
The total effected population by the proposed elimination compared to the system average are shown below in tabular format below.

<i>Low-Income System Average:</i>	
Number of Households:	703,314
Low-Income Households:	144,649
Percent Low-income:	20.6%

<i>Route 477:</i>	
Number of Households:	8,904
Low-Income Households:	2,175
Percent Low-income:	24.4% (+3.8%)

As expressed in the table above, the total low-income households negatively impacted by this elimination is 3.8% greater than the system average. This is still below the 5% threshold.

## Minority Analysis



The total effected population by the proposed elimination compared to the system average are shown below in tabular format below.

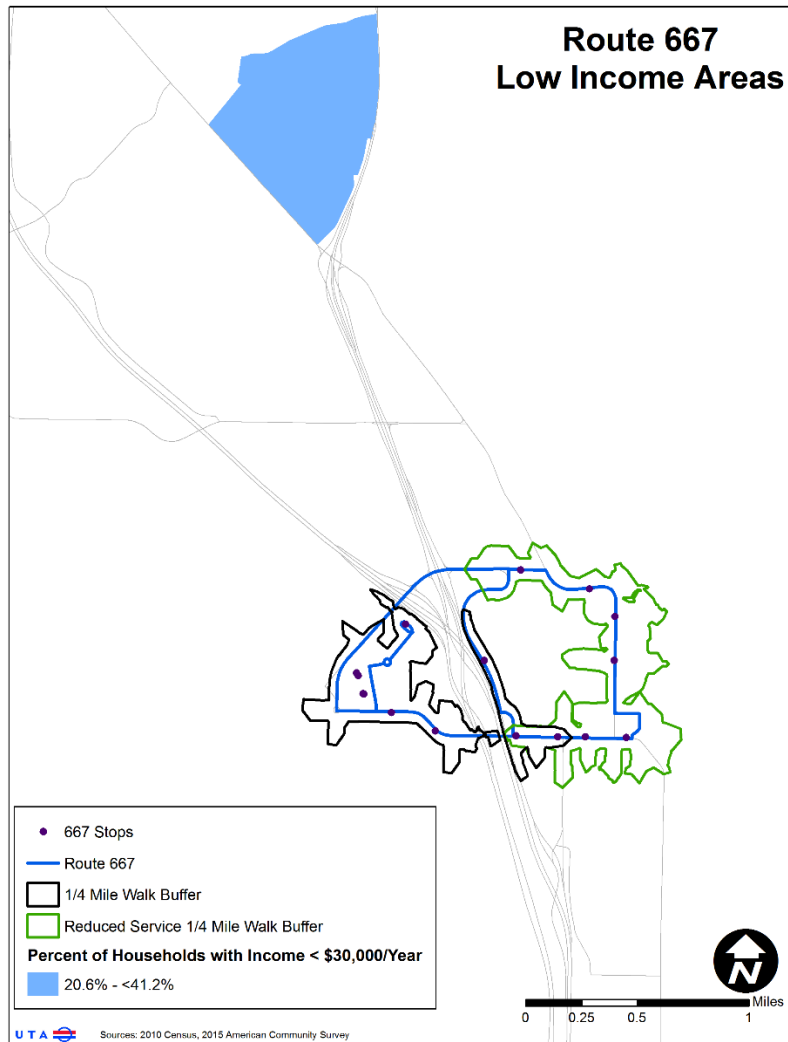
<i>Minority System Average:</i>	
Population:	2,273,056
Minority Population:	499,458
Percent Minority:	21.97%

<i>Route 477:</i>	
Population:	25,202
Minority Population:	4,032
Percent Minority:	19.1% (-2.87%)

As expressed in the table above, the low-income households negatively impacted by this elimination is 2.87% below the system average.

# Route 667

## Low-Income Analysis



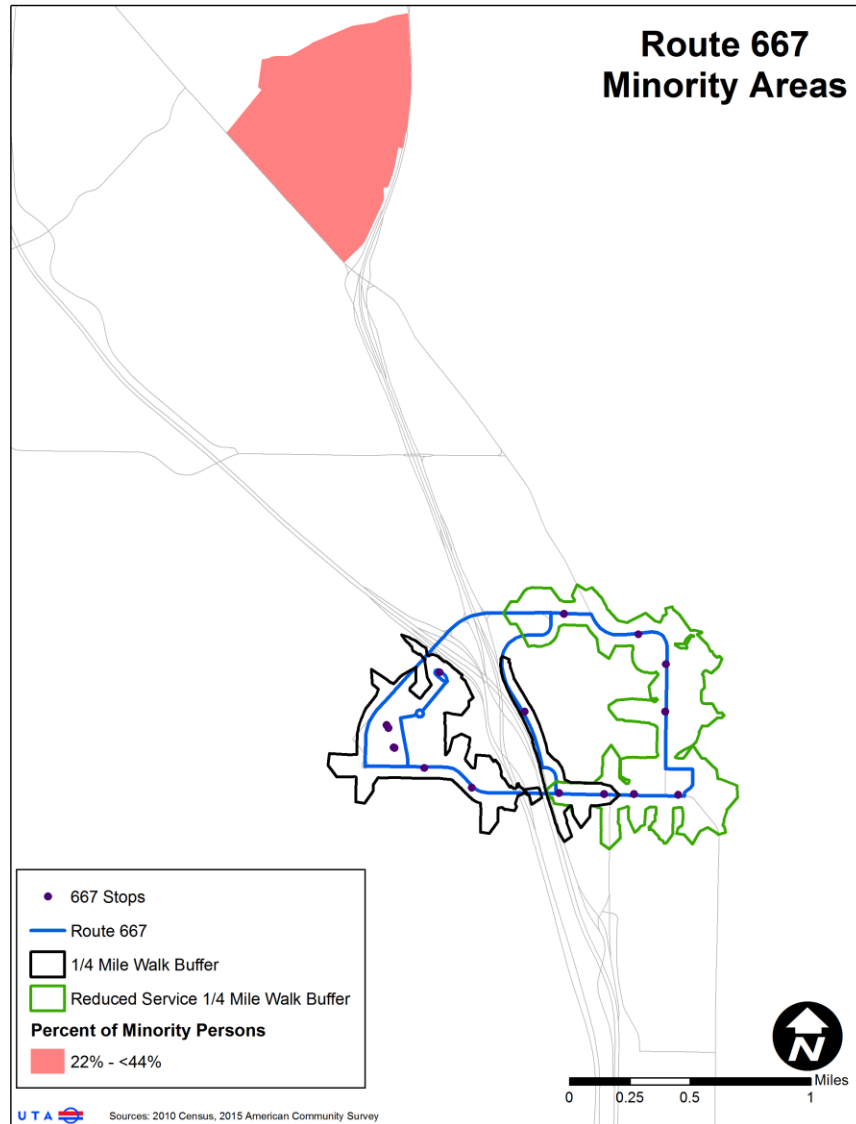
The total effected population by the proposed elimination compared to the system average are shown below in tabular format below.

<i>Low-Income System Average:</i>	
Number of Households:	703,314
Low-Income Households:	144,649
Percent Low-income:	20.6%

<i>Route 667:</i>	
Number of Households:	717
Low-Income Households:	69
Percent Low-income:	9.6% (-11%)

As expressed in the table above, the total low-income households negatively impacted by this elimination is 11% below the system average.

## Minority Analysis



The total effected population by the proposed elimination compared to the system average are shown below in tabular format below.

<i>Minority System Average:</i>	
Population:	2,273,056
Minority Population:	499,458
Percent Minority:	21.97%

<i>Route 667:</i>	
Population:	3,213
Minority Population:	175
Percent Minority:	5.4% (-16.57%)

As expressed in the table above, the low-income households negatively impacted by this elimination is 16.57% below the system average.

## Findings of Analysis

### Route 477

There were no disparate impacts or disproportionate burden found in the analysis of this service change. While there were more low-income households in the area impacted by these changes than the system average, it did not exceed the 5% threshold that would require additional steps to minimize, mitigate or offset the adverse effects.

In spite of not having negative impacts to minority or low-income populations beyond the 5% threshold, there was still concern regarding the riders of this route who had disabilities. UTA has been sensitive to the needs of those riders, which is why there was more outreach than is typical for a standard change. UTA collaborated with PARC to be as inclusive of those impacted as possible and to hear their concerns. All riders were offered and qualified for paratransit services. Since Utah's Division of Services for People with Disabilities (DSPD) is paying the cost of transportation, there is no increased cost to the individual rider and feedback received through public outreach was overall positive. The replacement service of paratransit will provide a more personalized experience to the individuals. After reviewing all of these factors, UTA does not feel that these changes will negatively impact riders, but will likely make their transportation experience better.

### Route 677

There were no disparate impacts or disproportionate burden found in the analysis of this service change. The proposed changes will take place in a predominantly non-minority and non-low-income area.



**UTAH TRANSIT AUTHORITY BOARD OF TRUSTEES**  
**Agenda Item Coversheet**

<b>DATE:</b>	March 22, 2017
<b>TITLE:</b>	<b>CEO Performance Planning and Review Process for 2017</b>
<b>UTA EXECUTIVE/RESPONSIBLE STAFF MEMBER:</b>	<b>Chair Robert McKinley</b>
<b>SUBJECT:</b>	<b>CEO Performance Planning and Review Process for 2017</b>
<b>BACKGROUND:</b>	This process is designed to establish clear performance expectations between the Board of Trustees and the CEO, objectively assess CEO performance against established expectations, clearly communicate both positive and critical feedback to the CEO, enable higher levels of CEO performance, and provide a basis for changes in compensation and continued employment.
<b>ALTERNATIVES:</b>	<ul style="list-style-type: none"> <li>• Accept by consent</li> </ul>
<b>PREFERRED ALTERNATIVE:</b>	<ul style="list-style-type: none"> <li>• Accept by consent</li> </ul>
<b>STRATEGIC GOAL ALIGNMENT:</b>	The process aligns with all strategic goals: service effectiveness and efficiency, accessibility of the system, health and sustainability of the system, promoting transit-oriented communities, and public trust and accountability.
<b>FINANCIAL IMPACT:</b>	N/A
<b>LEGAL REVIEW:</b>	N/A
<b>EXHIBITS:</b>	a. CEO Performance Planning and Review Process

# CEO Performance Planning and Review Process

*“A good leader is not the person who does things right, but the person who finds the right things to do.”*

- Anthony T. Padovano, theologian and author

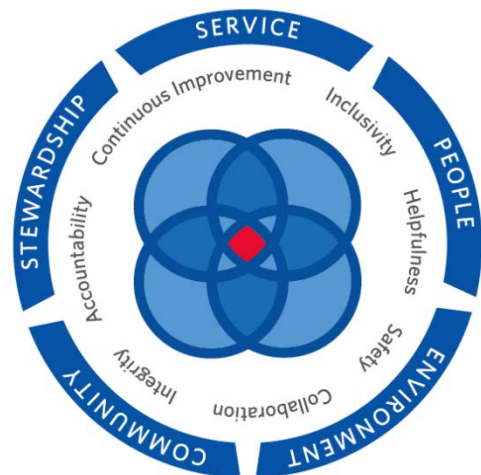
## Purpose

This process is designed to establish clear performance expectations between the Board of Trustees and the CEO, objectively assess CEO performance against established expectations, clearly communicate both positive and critical feedback to the CEO, enable higher levels of CEO performance, and provide a basis for changes in compensation and continued employment.

The performance of UTA’s CEO will reflect and be grounded in the agency’s True Norths – Service, People, Environment, Community, and Stewardship – and its Values – Integrity, Accountability, Continuous Improvement, Inclusivity, Helpfulness, Safety, and Collaboration.

In addition, the performance plan reflects related goal areas for 2017 as adopted by the Board of Trustees. These are:

- Service effectiveness and efficiency
- Accessibility of the system
- Health and sustainability of the system
- Promoting transit-oriented communities
- Public trust and accountability



Performance plan actions have been further informed by feedback received by UTA CEO Jerry Benson during a two month “listening tour” conducted in late 2016. During this tour, the CEO traveled on all of the system’s modes of transit to hear directly from customers about their experiences, expectations and desires for the agency. The CEO also met with a wide variety of state and local elected and appointed officials, partner agencies, UTA employees, and other stakeholders. These discussions identified a number of gaps in how the agency operates, as well as opportunities for UTA to improve and make the system work better for more people.

## Process & Timeline

The CEO Performance Planning and Review Process will take place in three phases throughout each calendar year.

**Phase 1** will establish performance expectations.

**Phase 2** will be an assessment.

**Phase 3** will be feedback and improvement.

The process must be flexible enough to allow adjustments and corrections if changes during the year warrant them. For example, in 2017 the UTA Board of Trustees will complete a new strategic plan that may include new and revised multiyear strategies. CEO performance expectations should be updated after the new strategic plan is adopted. The process must also be as transparent to the public as possible, while providing opportunities for honest and confidential feedback when needed.

Annual activities for the CEO performance review process include the following:

### **February 2017**

CEO presents a first draft of performance expectations to the Board of Trustees. For 2017 – the CEO’s first full year in this position – these performance expectations will be based on feedback gained from the CEO’s listening tour conducted in the fall of 2016, and the CEO’s subsequent observations and assessment of the agency, as summarized in the “State of UTA” presentation made at the November 2016 Board Meeting. Trustees submit comments to the Executive Committee. The CEO and Executive Committee will meet in February to discuss and agree on final expectations, including the frequency and format of reporting on performance, on receiving interim feedback from Trustees throughout the year, and on the process and format for assessing the CEO’s performance in the fourth quarter of each year. This will be presented for approval at the February Board Meeting.

### **March-December 2017**

The CEO will report on performance throughout the year, according to the schedule and format approved at the February Board Meeting.

### **October-December 2017**

During the last quarter of the year, the Executive Committee will oversee a process to assess the CEO’s performance during the calendar year-to-date. Each Trustee will be assigned one area of the CEO’s role and responsibilities to review and assess (such as a department, division or function of the agency). Each Trustee will be assigned to meet with and discuss the CEO’s performance with at least one senior executive, one employee, and one customer or

stakeholder related to the area being assessed by that Trustee. The Executive Committee will develop an assessment form based on the CEO performance expectations for use by Trustees to document their observations during the review process. This will also help provide consistency to the evaluations, and it may include a rating scale (e.g. 1-5), a “pass/fail” metric, narrative observations, and/or other evaluation methods.

***Mid-December 2017***

The CEO will prepare a UTA Performance Report and CEO Self-Assessment, to be submitted to Trustees in advance of the December Board Meeting.

***By December 31, 2017***

Trustees will submit to the Executive Committee a brief written summary of their performance assessments by the end of the year.

***January 2018***

In the board meeting of January 2018, the Executive Committee will present a summary of the Trustees’ compiled assessments in each of the categories of CEO performance expectations. This assessment will take into consideration the CEO’s self-evaluation report and the Trustees’ assessments. The CEO and Trustees may also discuss the assessments to make sure there is clear, mutual understanding.

***February 2018***

In the February 2018 board meeting, the CEO will present a summary of the feedback received – both positive and critical – and a draft of performance expectations for the rest of the year, including items the CEO must not fail to do, as well as any corrections and development needed to address areas of concern.

***Annually***

This CEO performance review and assessment process will be repeated each year. Adjustments to the process may be suggested by the CEO and/or Trustees. Proposed changes will then be considered by the Executive Committee and recommended for approval by the full Board of Trustees.

## Performance Categories & Expectations

CEO performance planning and assessment will be organized in the categories listed below. Following descriptions of the primary activities of each area are draft performance expectations for 2017.

### **Leadership**

Organizing, communicating, and culture-building; setting and demonstrating values; proactive problem-solving; timely and effective decision-making; effective interaction with the Board of Trustees; ensuring executive team members have the tools and resources to effectively lead their areas of responsibility; working with executive team members to define and measure what “winning” looks like in each of their areas of responsibility, and then holding them accountable to achieve those goals and objectives.

#### **CEO Performance Expectations for 2017**

- Lead the executive team in the completion of the organizational restructuring started in November 2016, and the filling of all key management positions with highly qualified, high-performing individuals.
- With the close consultation of executive team members, define the “UTA High Performance Culture” and develop an ongoing program to nurture internal culture improvements.

### **Strategy**

Developing and implementing community-connected, future-oriented approaches and policies with the involvement of Trustees, executive team members, employees and stakeholders (as appropriate); focusing and guiding the agency’s purpose and direction; and promoting agency-wide clarity about purpose, direction, priorities, policies and strategies.

#### **CEO Performance Expectations for 2017**

- Develop vision, values, strategies and leadership behaviors with executive team. Communicate throughout the agency and develop aligned objectives in every area.
- Together with the Board of Trustees, develop and begin implementation of a new strategic plan to provide UTA with visionary guidance over the next three years (through 2019).
- Develop and implement a continuous improvement process to allow better alignment of UTA’s human, physical and financial resources with the agency’s purpose and strategy.

### **External Relationships**

Building UTA’s credibility, confidence and trust with customers, members of the public, and stakeholders, including community, government and agency partners; promoting the continual improvement of the agency’s ability to gather and provide timely, transparent, and useful information; and providing the tools and resources to enhance the agency’s expertise and capacity to provide proactive communications and outreach.

#### **CEO Performance Expectations for 2017**

- Develop new relationships with federal, state and local government officials, community organizations, and other stakeholders, while strengthening existing relationships.
- Support the executive team in the development and implementation of a robust, proactive and flexible communications structure, strategy and plan.
- Ensure the continuous improvement of UTA's efforts to provide easy-to-access information and increase engagement with the public and stakeholders.

#### ***People***

Ensuring the agency and executive team members have the tools and resources needed to recruit and retain talented employees, and to create effective systems of accountability, communication and development.

#### **CEO Performance Expectations for 2017**

- Settle upcoming labor agreements in a financially responsible manner that also preserves positive employee relations.
- Working closely with executive team members, achieve full staffing of all service-critical positions.
- Support the executive team in the successful implementation of a new performance management system with lateral and downward accountability.

#### ***Finance and Operations***

Ensuring the agency and executive team members have the tools and resources needed to support the responsible financial management of UTA revenues and expenditures, and the responsible stewardship of UTA's assets; overseeing changes to improve budget-management practices; overseeing the continuous improvement of service quality, efficiency, and reliability throughout UTA's system; and working with executives to build organizational capability.

#### **CEO Performance Expectations for 2017**

- Ensure that expenses stay within approved budget.
- Lead the executive team to develop and implement strategies to improve budget practices, reduce costs, and decrease agency debt.
- Support the executive team in the successful implementation of updated service standards and reporting of performance.
- Lead the executive team to improve customer value through service redesigns, external partnerships, better reliability, and enhanced convenience.

## Board Process Policy No. 4.4.1

### Actual and Potential Conflicts of Interests

Members of the Board of Trustees of the Utah Transit Authority have a duty to avoid any actual or potential conflicts of interest which would compromise the relationship between the individual Board member and the Authority on matters coming before the Board. Board members will conduct the Authority's business with the highest professional and ethical standards. Accordingly:

1. Board members, relatives of Board members (defined as parent, spouse, child, grandparent, grandchild, great grandparent, great grandchild, or sibling), or any business or organization in which the Board member has a financial interest of more than 5% of the stocks and bonds, shall not participate directly or indirectly in an Authority contract or in the profit derived from any contract with the Authority unless such interest is disclosed to the Board as required by Paragraphs 8 and 9 of this Policy.
2. Board members shall not retain or offer to retain a person, or solicit or secure an Authority contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee.
3. Board members shall not accept any payment or gratuity or offer of employment made on behalf of a contractor or a subcontractor under a contract to the prime contractor or higher tier subcontractor or any associated person as an inducement for the award of a contract or order.
4. Board members or their relatives (as defined in Paragraph 1 above) shall not be employed by any person or entity contracting with the Authority unless full disclosure has been made as provided herein and approval given by the Board.
5. Board members shall not be employed by the Authority in any capacity during his or her tenure on the Board, and for a period of not less than one year after leaving the Board unless full disclosure has been made to, and approval given by the Board.
6. Board members shall not solicit or accept directly or indirectly, any gift, gratuity, favor, entertainment, food, lodging, loan, or other item of value if:
  - a. It tends to influence them in the discharge of their official duties; or
  - b. They have recently been, or are now, or in the near future may be involved in any official act or action directly affecting the donor or lender; or
  - c. In their official capacity and/or area of responsibility, the Board member has or appears to have influence over actions of the Authority affecting the donor or lender.
7. Paragraph six (6) shall not be applicable to:

- a. An occasional or infrequent non-pecuniary gift valued at under \$50 such as accepting food or refreshment in the ordinary course of a breakfast, luncheon, or dinner business meeting; or
  - b. A gratuity, favor, entertainment, or other thing of nominal value when the circumstances make it clear than an obvious long-standing social or family relationship rather than the business of the persons concerned is the motivating factor; or
  - c. Unsolicited advertising or promotional material such as pens, pencils, note pads, calendars, or other business-related items of nominal value.
8. Board members shall promptly disclose any actual or potential conflict of interest in writing to the President of the Board of Trustees, the Secretary and General Counsel. In the event a Board member becomes aware of a conflict of interest during or just prior to a Board meeting, he or she may verbally disclose such potential conflict to the quorum of the Board during the meeting. Any Board member may, in his or her discretion, similarly disclose a potential conflict of interest of another Board member in the same manner.
9. The President of the Board of Trustees shall disclose the potential conflict to the Executive Committee (recessing the quorum of the Board of Trustees and closing the meeting pursuant to the Open and Public Meetings Act, if necessary). Unless the Board member with the conflict of interest elects recusal, the Executive Committee, upon information provided, shall:
  - a. Determine if the quorum of the Board of Trustees should vote to require the Board member with the potential conflict be recused from voting on the particular issue; and/or
  - b. Determine if the Board member with the potential conflict shall participate in discussion on the particular issue; and/or
  - c. Determine if the Board member with the potential conflict shall leave the meeting room during discussions on the particular issue; and/or
  - d. Determine other conditions or actions as the circumstances dictate.
10. The Executive Committee shall present the disclosure of a potential conflict of interest, Board member recusal, if applicable or the recommendation of the Executive Committee, to the quorum of the Board of Trustees and the quorum of the Board of Trustees may then:
  - a. Hold a vote by secret ballot to determine participation on the particular issue by the Board member with the potential conflict; or
  - b. Continue the meeting of the quorum without action; or
  - c. Make a motion to act upon the recommendation of the Executive Committee or take another action regarding the potential conflict.
11. The Secretary of the Board shall review annual disclosure statements made to determine whether a material financial interest has been disclosed. When a material financial interest has been disclosed, either in the annual disclosure statement or otherwise, the Secretary shall promptly submit to the chair of the



Board’s Executive Committee, or if the interests involve the chair of the Executive Committee, another member of the Executive Committee, such disclosure forms together with any additional information about the current or proposed transaction or business relationship that may give rise to a conflict of interest that the Secretary in consultation with the Executive committee believes may be informative.

12. The disclosure of a conflict of interest, whether made to the Executive Committee through the Secretary of the Board or to the Board at a Board meeting, shall be reflected in the minutes of the Board meeting during which the potentially conflicting transaction or arrangement is discussed and voted upon and considered by the Board as required by the Utah Open and Public Meetings Act. Following the disclosure, the Board member is encouraged to inform the full Board of information he or she may have on the conflicting matter.
13. No transaction or action undertaken by the Authority shall be void or voidable, or may be challenged as such by an outside party by reason of having been undertaken in violation of this Policy or the principles set forth herein.

Revision History	
Rescinds	Board Process Policy 4.4.1 Actual and Potential Conflicts of Interest, previously adopted by R2007-04-01
Rescinds	Board Process Policy No. 4.4.1 Actual and Potential Conflicts of Interests, previously adopted by R2005-02-03
Effective Date:	October 22, 2008
Adopted by:	R2008-10-06