



## **Utah Transit Authority Board Policies**

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**Effective December 18, 2024**

*All policies have been adopted by UTA's Board of Trustees and certified by signature.*



## Process For Establishing Board Policies

### Board of Trustees Policy No. 1.1

#### Application: Board of Trustees and Local Advisory Council


- I. Purpose: The purpose of this policy is to establish the process for the adoption of Board policies and for the approval of UTA policies that fall under the responsibility of the Executive Director.
  
- II. Policy:
  - A. The Board will adopt Board policies pursuant to the following process.
    1. At the Board's request, the Executive Director or designee will draft a proposed policy.
    2. The Executive Director or designee will present the proposed policy to the Board for discussion and direction.
    3. The Executive Director or Board of Trustees will consult with the Local Advisory Council regarding the proposed policy.
    4. The Executive Director or designee will present the proposed policy to the Board for final adoption by resolution.
  
  - B. The Board will review UTA policies pursuant to the following process.
    1. The Executive Director will submit the proposed UTA policy to the Board for review.
    2. The Board will approve the proposed UTA policy in a meeting of the Board of Trustees or direct the Executive Director to make further revisions to the proposed policy.
  
  - C. Exceptions to UTA Policies.
    1. Effective upon the approval of this policy, exceptions to UTA Policies will be approved by the Board of Trustees at a Board of Trustees meeting.
    2. The Board of Trustees may delegate authority to approve exceptions to UTA policies.
    3. Any UTA policy exception relating to the Executive Director or a chief officer will be approved by the Board.

D. Policy Review.

1. All policies and procedures including Board policies, UTA Policies, and Standard Operating Procedures will be reviewed for revision or confirmation as required by statute or at least every three years.

IV. Cross References: Utah Code §17B-2a-808.1(2)(b) and (t); UTA Policy 1.1.29 Exceptions to UTA Policies.

Approved this 11<sup>th</sup> day of October 2023


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Carlton Christensen - Chair, Board of Trustees

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Secretary of the Authority

Approved as to form and content:

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Counsel for the Authority

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
06-12-2019	R2019-06-01 (06-19-2019)	Revised and renumbered from Board Policy No. 4.1.3 – Process for Establishing Board Policies to Board Policy 1.1 – Process for Establishing Board Policies.
09-07-2022	R2022-12-07 (12-21-2022)	Clarified process for UTA Policy review at a Board of Trustees meeting.
09-27-2023	R2023-10-03 (10-11-2023)	Added policy review requirements.



## Ethics

### Board of Trustees Policy No. 1.2

#### Application: Board of Trustees and Local Advisory Council

- I. Purpose: The individuals comprising the Authority’s Board of Trustees and the Local Advisory Council commit themselves to observe high professional and ethical standards in order to maintain public confidence in the integrity of the Authority. The purpose of this policy is to set forth standards of ethical conduct for Trustees and Members.
  
- II. Definitions:
  - A. *“Conflict of Interest”* means a personal or economic interest, outside employment, outside interest or other circumstance or relationship that impairs the ability to discharge duties in an ethical manner consistent with the best interests of the Authority.
  
  - B. *“Ethics Officer”* means the individual appointed by the Board of Trustees to act in that capacity on behalf of the Authority.
  
  - C. *“Member”* means an individual appointed to the Local Advisory Council.
  
  - D. *“Relative”* means a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, grand parent, and grandchild, including in-laws, step relations and relationships through adoption, as well as individuals in a personal relationship of a romantic or intimate nature.
  
  - E. *“Trustee”* means an individual appointed to the Authority’s Board of Trustees.
  
- III. Policy:
  - A. Ethical Standards
    1. Members, Trustees, the Executive Director, Chief Officers, and employees of the Authority will comply with applicable statutory ethical requirements, including those set forth in the Utah Public Officers’ and Employees’ Ethics Act.
    2. Trustees, as employees of the Authority, will also comply with UTA Policy UTA.01.01 – Ethics.
  
  - B. Conflicts of Interest
    1. Members and Trustees will promptly disclose any Conflicts of Interest in writing to the applicable Chair and to the Authority’s Ethics Officer.
    2. The Ethics Officer will notify the appointing jurisdiction of a Member or Trustee in writing of any Conflicts of Interest disclosed or identified.

3. In the event a Member or Trustee becomes aware of a Conflict of Interest during or immediately prior to a Board of Trustees meeting or Advisory Council meeting, the Member or Trustee will verbally disclose the Conflict of Interest. The disclosure will be reflected in the meeting minutes.
4. A Member or Trustee having a Conflict of Interest will recuse himself or herself from deliberations and votes related to the Conflict of Interest and leave the meeting for the duration of that issue being discussed
5. If a Member or Trustee discloses a Conflict of Interest on an issue being considered and does not voluntarily recuse himself or herself, the Board of Trustees or Advisory Council, as applicable, may, by simple majority vote to:
  - a. Determine if the Member or Trustee with the Conflict of Interest will be recused from voting on the particular issue;
  - b. Determine if the Member or Trustee with the Conflict of Interest will participate in a discussion on the particular issue;
  - c. Determine if the Member or Trustee with the Conflict of Interest will leave the meeting room during discussions on the particular issue; or
  - d. Determine other conditions or actions as appropriate.
6. A Member or Trustee's ownership of investment property within a 0.5 mile radius, as the crow flies, from any FrontRunner, TRAX station, or transit-oriented development will be considered to be a Conflict of Interest requiring disclosure. The ownership of investment property within a 0.5 mile radius of a bus stop is not considered to be a Conflict of Interest.

C. Nepotism

1. The Authority will not hire Relatives of current Trustees and Members.
2. If a Trustee or Member is appointed and has a Relative who currently works for the Authority, the Trustee and Member will disclose the relationship to their appointing authority and take steps to mitigate any Conflict of Interest following their appointment. If the Trustee or Member fails to mitigate the Conflict of Interest regarding the Relative, the Board of Trustees or the Local Advisory Council may take any of the actions described in Section B(5).

D. Code of Conduct

1. As set forth in the Authority's Bylaws, Members and Trustees will complete and submit an Annual Certification of Code of Conduct prior to being seated and at least annually thereafter on October 31. If October 31 falls on a Saturday or Sunday, the Code of Conduct will be due on the Monday following October 31.
2. The Ethics Officer, in consultation with the Director of Board Governance and Legal Counsel, will revise the Annual Certification of Board Member Code of Conduct as needed.

E. Financial Disclosure Report

1. As set forth in the Authority's Bylaws, Members and Trustees will complete and submit a Financial Disclosure Report prior to being seated and at least annually thereafter on October 31. If October 31 falls on a Saturday or Sunday, the Financial Disclosure Report will be due on the Monday following October 31.

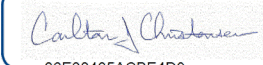
2. Members and Trustees will submit a revised Financial Report within ten business days if there is a material change in the information previously disclosed in the most recently completed Financial Report.
3. The Ethics Officer and Legal Counsel will review Financial Disclosure Reports for Conflicts of Interest. If Conflicts of Interest have been disclosed, the Ethics Officer and Director of Board Governance will attempt to resolve them with the Member or Trustee. If the issue cannot be resolved, the Ethics Officer will submit the disclosure to the Chair of the Board of Trustees and the Chair of the Local Advisory Council. If the issue involves the Chair of the Board of Trustees or the Chair of the Local Advisory Council, the Ethics Officer will submit the disclosure to the Audit Committee.
4. The Ethics Officer will notify the appointing jurisdiction of a Member or Trustee in writing of any Conflicts of Interest disclosed in the Financial Disclosure Report.
5. Financial Disclosure Reports will be classified as public records under the Government Records Access and Management Act.
6. The Authority's Ethics Officer, in consultation with the Director of Board Governance and Legal Counsel, will revise the Financial Disclosure Report as needed.

F. Ethics Complaints

1. Ethics complaints alleging violations of the Utah Public Officers' and Employees' Ethics Act against Trustees, Members, the Executive Director, Chief Officers, and employees will be referred to the Political Subdivision Ethics Review Commission for resolution.
2. Ethics complaints involving Trustees, Members, the Executive Director, Chief Officers, and employees that do not allege violations of the Utah Public Officers' and Employees' Ethics Act or do not meet the requirements for a complaint under the standards of the Political Subdivision Ethics Review Commission will be investigated by the Ethics Officer or an independent investigator appointed by the Ethics Officer, if necessary. The Ethics Officer will submit written findings of investigations involving Trustees and Members to the Chair of the Board of Trustees and the Chair of the Local Advisory Council. If the investigation involves the Chair of the Board of Trustees or the Chair of the Local Advisory Council, the Ethics Officer will submit the written findings of the investigation to the Audit Committee. The Executive Director will designate an investigator to investigate ethics complaints against the Ethics Officer.
3. Following the receipt of written findings of an ethics investigation from the Ethics Officer or the Political Subdivision Ethics Review Commission, the Local Advisory Council or the Board of Trustees may consider the adoption of a resolution of public censure and/or a resolution recommending the removal of a Member or Trustee as determined by a majority vote at a regularly scheduled meeting. If a resolution is adopted, a copy will be forwarded to the appropriate appointing authority.

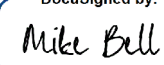
- IV. Cross References: Utah Public Officers' and Employees' Ethics Act, Utah Code §67-16-101; Political Subdivisions Ethics Review Commission Utah Code §63A-15-103; UTA Policy UTA.01.01 - Ethics.

Approved this 21st day of December 2022

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Carlton Christensen - Chair, Board of Trustees

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Secretary of the Authority

Approved as to form and content:

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Counsel for the Authority

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
06-12-2019	R2019-06-01 (06-19-2019)	Combined Board Policy Nos. 4.1.13 – Nepotism, 4.1.10 – Annual Certification of Board Member Code of Conduct, 2.1.9 – Financial Disclosure/Conflict of Interest, 4.4.1 – Actual and Potential Conflicts of Interest, and 4.4.7 – Ethics Review Commission into Board Policy 1.2 – Ethics.
09-07-2022	R2022-12-07 (12-21-2022)	Updated cross references and roles for key staff and counsel.



## Executive Relationships and Meeting Protocols

Board of Trustees Policy No. 1.3

Application: Board of Trustees and Local Advisory Council

- I. Purpose: The Board of Trustees, Local Advisory Council and Executive Director commit to comply with Utah’s Open and Public Meetings Act (OPMA) and perform their duties as defined in Utah’s Public Transit District Act and according to the requirements of this policy.
- II. Definitions:
  - A. “*Executive Team*” means the administrative staff appointed by and reporting directly to the Executive Director as chief level officers.
  - B. “*Officer of the Authority*” means an officer of the public transit district as prescribed in the Utah Public Transit District Act and appointed by the Board of Trustees.
- III. Policy:
  - A. Open and Public Meetings – Meetings of the Board of Trustees, its committees, and the Local Advisory Council will be open to the public and comply with the State of Utah’s Open and Public Meetings Act (OPMA) and as outlined in the Authority’s Bylaws.
  - B. Administrative Meetings – In alignment with OPMA, an open and public meeting with members of the Board of Trustees, who hold both legislative and executive responsibilities, will not include:
    1. Administrative meetings where neither a tentative or final vote on the matter that is the subject of the conversation is made; or
    2. Administrative meetings that pertain only to managerial or operational matters.
  - C. Executive Relationships – The relationship of the Board of Trustees, Local Advisory Council and Executive Director will reflect the requirements of Utah’s Public Transit District Act.
    1. The Board of Trustees (the “Board”) is the governing body of the Authority. The Board will manage and conduct the business and affairs of the Authority and will determine all questions of policy. The Board will:
      - a. Appoint all Officers of the Authority required in Utah’s Public Transit District Act by resolution including the Executive Director, Secretary, Treasurer, Comptroller, and Internal Auditor.
      - b. Appoint and hire other officers, assistants, or deputies the Board considers necessary, including the offices of Board Governance, Internal Audit and



Government Relations.


- c. Develop and approve a Strategic Plan for the Authority every four years, including developing and evaluating performance targets annually of the Executive Director and Executive Team.
  - d. Fix the compensation of all Officers and employees of the Authority by resolution, excluding the Board of Trustees.
  - e. Fulfill all other powers and duties defined in Utah's Public Transit District Act and Board Policies.
2. The Local Advisory Council (the "Council") is an advisory body to the Board of Trustees. The Local Advisory Council will meet at least quarterly with and consult with the Board of Trustees and advise them regarding the operation and management of the public transit district. The Local Advisory Council will:
- a. Consult with or review, approve and recommend items required in Utah's Public Transit District Act and Board Policies.
    - i. Statutorily required consultation from the Council to the Board will be done in a public meeting as defined in OPMA for the purpose of sharing information and providing comment prior to a decision or action of the Board.
    - ii. The Council's review, approval, and recommendation to the Board will be made by resolution of the Council in a public meeting as defined in OPMA. The Board will be advised of the Council's resolution prior to the Board's final decision and action.
  - b. Set the compensation packages of the Board of Trustees by resolution.
  - c. Fulfill all other powers and duties defined in Utah's Public Transit District Act and Board Policies.
3. The Executive Director is the highest-ranking administrative leader of the Authority. The Executive Director will serve at the pleasure of the Board of Trustees and be a full-time Officer of the Authority. In consultation with the Board of Trustees, the Executive Director is responsible for the day-to-day administration of the Authority's business affairs, including the appointment of the Authority's Executive Team and employees (excluding Officers and staff defined in paragraph III(C)(1) above).
- a. Consultation between the Board of Trustees and Executive Director means reports by the Executive Director at public Board meetings as described in paragraph III(A) above, administrative meetings as described in paragraph III(B) above and communicating other reasonable information necessary for the

Board of Trustees to execute their powers and duties as defined under Utah's Public Transit District Act.


- b. The Executive Director will:
  - i. Provide leadership and management of the Executive Team and administrative staff in alignment with the governing and strategic direction set by the Board.
  - ii. Provide timely reports required in statute and UTA Board policies.
  - iii. Present to the Board for evaluation the annual goals and outcomes of the Executive Director and Executive Team.
  - iv. Report quarterly and annual progress on the Authority's Strategic Plan.
  - v. Secure Board approval by resolution for the organization of chief level offices and the organization structure of the Authority, including the Executive Director and chief level offices.
  - vi. Fulfill all other powers and duties defined in Utah's Public Transit District Act and Board Policies.

Cross References: Utah Open and Public Meetings Act, Utah Code §52-4-101; Utah Public Transit District Act, Utah Code §17B-2a-808.1; Utah Special Districts Act - Board of Trustees Power, Utah Code §17B-1-301; Utah Transit Authority Bylaws.


Approved this 18th day of December 2024

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Secretary of the Authority

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Carlton Christensen - Chair, Board of Trustees

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Counsel for the Authority

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
09-27-2023	R2023-10-03 (10-11-2023)	New Policy
11-06-2024	R2024-12-05 (12-18-2024)	Updated policy language for Administrative Meetings with the Board of Trustees to align with legislative updates to OPMA in 2024 (HB36).



## Financial Management

### Board of Trustees Policy No. 2.1

#### Application: Board of Trustees and Local Advisory Board

- I. Purpose: The purpose of this policy is to provide financial oversight of the Authority; plan for its long-term financial needs; maintain and protect Authority assets and infrastructure; and develop, communicate, and implement appropriate internal controls regarding financial and risk management.
  
- II. Policy:
  - A. Reserves
    1. The Authority will maintain the following reserves:
      - a. General operating reserves, including the risk reserve, funded at a level equal to at least twelve percent (12%) of the Authority's budgeted operating expense, excluding non-operating expense, to be used as a working capital account throughout the year. The Treasurer will manage the use of the funds in the general operating reserve.
      - b. Service stabilization reserve funded at a level equal to three percent (3%) of the Authority's budgeted operating expense, excluding non-operating expense, to be used to avoid service reductions at such times as the Authority faces a revenue shortfall or cost overrun due to extraordinary circumstances. The Board of Trustees must give its prior approval before funds in the service stabilization reserve are used.
      - c. Bond reserves funded at a level required by bond covenants to be used for the payment of debt service in the event that the Authority fails to make scheduled bond principal and interest payments. The Board of Trustees must give its prior approval before funds in the bond reserve are used.
      - d. Capital replacement reserve to reach a level equal to one percent (1%) of the property, facilities, and equipment cost as reported in the comprehensive annual financial report to be used for capital repair or replacement costs due to extraordinary circumstances. The Board of Trustees must give its prior approval before funds in the capital replacement reserve are used.
      - e. Self-insurance/catastrophic reserve established annually through the budget process to reflect claims outstanding from risk management and estimable and presumed liability on open legal cases in coordination with the Attorney General's office. The amount in this reserve is reported to the Department of Public Safety annually. An element of

the reserve will fund a catastrophic loss reserve for vanpool claims over existing insurance coverage. The funding of the catastrophic loss reserve may be funded by vanpool fees to mitigate large claims.

- f. Debt reduction reserve fund for the purpose of retiring outstanding bonds or long-term obligations, with advance approval by the Board of Trustees, may be used to supplement the general operating reserve.
2. The Board of Trustees may establish other reserves and make additional contributions to existing reserves.
3. Reserve balances will be reported on the Authority's monthly financial statements.
4. Upon the use of any service stabilization, bond or capital replacement reserves, or debt reduction reserve the Board of Trustees will, by resolution, establish a timeline for the full reimbursement of the reserves within 60 months after their first use and begin to restore reserves used no later than 24 months after their first use.

#### B. Investments

1. The Board of Trustees will, after consultation with the Advisory Council, control investment of all Authority funds and funds held as part of the Authority's retirement system, and employee deferred compensation 457 plans.
2. The Authority's Pension Committee will manage the investment of the Authority's retirement system funds pursuant to the Pension Committee's Investment Policy, which shall be reviewed and approved by the Board of Trustees prior to adoption.
3. The Treasurer will manage the investment of all non-retirement Authority funds in compliance with applicable laws.

#### C. Debt

1. The Board of Trustees will, after consultation with the Advisory Council and with the approval of the State Financial Review Commission, approve all bond issuances.
2. The Board of Trustees will approve contracts for bond counsel, financial advisors, and bond underwriters.
3. The Board of Trustees will approve the method of sale and parameters for each bond issuance.
4. The Board of Trustees will, after consultation with the Advisory Council, approve the issuance of all other financial instruments.
5. The Executive Director will manage the debt and other financial instruments issuance processes.

D. Financial Reporting

1. UTA's books and accounts will be maintained with generally accepted accounting principles set by the Governmental Accounting Standards Board for governmental enterprise funds.
2. The Chief Financial Officer will prepare and present to the Board a summary of investments, investment activity, and investment performance compared to benchmarks as soon as practical after the end of each calendar quarter.
3. The Chief Financial Officer will present monthly financial statements stating the Authority's financial position, revenues, and expenses to the Board of Trustees as soon as practical. Monthly and year-to-date budget versus actual reports will be included in the monthly financial report to the Board.
4. Other required financial reports, including the National Transit Database and State Transparency, will be prepared in accordance with federal and state reporting requirements and made on a timely basis.

E. Risk Management

1. The Executive Director will submit an annual report to the Board of Trustees on the status of the Authority's risk management program.
2. The Authority will maintain Public Officials Errors and Omissions Insurance in an amount determined to adequately protect the Authority.
3. The Executive Director will, as necessary, procure other insurance to compensate for losses that would adversely affect the Authority.

F. Internal and External Controls

1. The Authority will maintain a system of internal controls to safeguard its assets against loss, check the accuracy and reliability of its accounting data, and promote operational efficiency.
2. The Director of Internal Auditor will develop an internal audit program that complies with the International Standards for the Professional Practice of Internal Auditing.
3. The Treasurer is responsible for the opening and closing of bank accounts and ensuring that only authorized users are provided access to bank accounts.
4. As provided for in the Authority's Bylaws, the Board of Trustees will select a qualified independent auditing firm to conduct an annual financial audit. The auditing firm will present the results of its annual audit to the Authority's Audit Committee and the Board of Trustees.

G. Long-term Financial Planning

1. The Executive Director will develop a long-term (5 years or longer) financial plan incorporating the Board of Trustees' strategic plan, identifying the Authority's long-term financial challenges and proposed solutions based upon reasonable projections of revenue and expense including operations and maintenance, reasonably anticipated new funding programs, capital expansion, maintenance of a state of good repair of existing assets, asset replacement, and debt issuance. The Executive Director will update the long-term financial plan three times a year.
2. The Board of Trustees will review the long-term financial plan annually and report it to the State Bonding Commission.

H. Budgeting

1. As provided for in the Authority's Bylaws, the Authority will prepare an annual budget and the Board of Trustees, after consultation with the Advisory Council, will approve the budget.
2. The Board of Trustees may amend or supplement the budget at any time after its adoption.
3. The Executive Director may make administrative adjustments to an adopted budget without Board of Trustee approval as long as those changes will not have a significant policy impact or affect budgeted year-end fund balances.

I. Capital

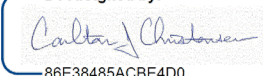
1. The Executive Director will develop a Five-Year Capital Plan to be approved by the Board of Trustees annually after consultation with the Local Advisory Council where they approve and recommended adoption by the Board of Trustees. The plan will be updated every year for inclusion in the annual budget process discussions and approvals. The Five-Year Capital Plan will be fiscally constrained and will maintain all assets at a state of good repair to protect the Authority's capital investment and minimize future maintenance and replacement costs.

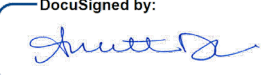
J. Travel

1. The Board of Trustees will approve work-related international travel for the Authority's employees in a public meeting.

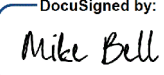
- III. Cross Reference: Utah Public District Transit Act, Utah Code §17B-2a-804 and 808.1; Utah State Money Management Act, Utah Code §51-7-1 et. seq.; Audit Committee Charter.

Approved this 21st day of December 2022

DocuSigned by:  
  
 86E38485ACBE4D0  
 Carlton Christensen - Chair, Board of Trustees

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 Secretary of the Authority

Approved as to form and content:

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 Counsel for the Authority

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
6-12-2019	R2019-06-01 (6-19-2019)	Combined Board Policy Nos. 1.26 – Debt Service Reserve and Rate Stabilization Fund, 2.1.8 – Service Stabilization Fund, 2.2.1 – Asset Protection, 2.2.3 – Insurance and Indemnification, 2.3.2 – Financial Conditions and Activities, and 2.3.3 - Budgeting into Board Policy 2.1 – Financial Management.
09-07-2022	R2022-12-07 (12-21-2022)	Added Self-insurance/catastrophic reserve and Debt reduction reserve; moved Grants section to Board Policy 2.2; removed Pension Committee from managing the investments of 457 plan (retaining oversight by the Board); updated 2022 statutory changes for State Financial Review Commission functions; clarified role of Advisory Council in approving and recommending Five-Year Capital Plan to the Board for adoption.





## Contract Authority, Procurement and Grants

### Board of Trustees Policy No. 2.2

#### Application: Board of Trustees and Local Advisory Council

- I. Purpose: The purpose of this policy is to establish the authority, duties, and responsibilities of the Board of Trustees and Chief Procurement Officer related to the Authority's procurement activities. It also establishes contracts, change orders, and disbursements that must be approved by the Board of Trustees.
  
- II. Definitions:
  - A. *"Chief Procurement Officer"* means the individual designated by the Board to oversee the Authority's procurement related activity.
  
  - B. *"Former Employee"* means a company regardless of the business formation (e.g. sole proprietorship, partnership or corporation) where at least 50% of the ownership is held by a former employee; or a company where a former employee serves in an executive or managerial role
  
- III. Policy:
  - A. Delegation of Authority
    1. The Board of Trustees designates the Chief Financial Officer as the Authority's Chief Procurement Officer.
  
    2. The Chief Procurement Officer will establish policies and procedures to ensure the Authority's procurements are carried out in compliance with applicable state and federal laws and the Authority's policies.
  
    3. The Chief Procurement Officer will establish a Code of Conduct to govern the actions and performance of all Authority employees and designated agents of the Authority engaged in procurement activities.
  
  - B. Procurement Protest Appeals
    1. The Chief Procurement Officer will review and decide procurement protests submitted by vendors.
  
    2. An appeal of the Chief Procurement Officer's decision on a procurement protest must be submitted in writing to the Board of Trustees within five business days following the date of the decision.
  
    3. The Board of Trustees will review the appeal and the decision of the Chief Procurement Officer, hear information from the appellant and the Chief Procurement Officer, and issue a final determination in writing to the Chief Procurement Officer and the appellant.

C. Former Employees

1. The Authority may procure goods and services from former employees after one year of separation. The Authority may procure goods and services from former employees within the first year of separation under the following conditions:
  - a. There is no personal or organizational conflict of interest
  - b. The term of the contract does not exceed six months
  - c. The amount obligated does not exceed \$25,000
  - d. The procurement conforms to applicable laws
  - e. The Executive Director provides written notification to the Board of Trustees in advance.
2. The Board of Trustees must approve procurement of any goods or services with entities that hire former employees or who are represented by former employees within the twelve months following the employee's separation from UTA if the situation creates a Conflict of Interest as determined by the Chief Procurement Officer.

D. Contract, Change Order, and Disbursement Authority

1. The Board of Trustees will review and approve contracts that exceed a total value of \$200,000 over the life of the contract, including any option years.
2. The Board of Trustees will review and approve the following contract change-orders:
  - a. change orders that increase the total contract value to \$200,000 or more
  - b. change orders for contracts with a total value over \$200,000 that increase the total contract by 15% or more
  - c. all change orders over \$200,000
3. The Board of Trustees will review and approve payment disbursements with a value of \$200,000 or more. The Board may preapprove disbursements equal to or great than \$200,000 by resolution.
4. The Executive Director may approve change orders, contracts, and disbursements described above in order to meet an urgent need for goods and services prior to approval by the Board of Trustees if the Authority will sustain serious injury if the change order, contract, or disbursement is not approved immediately. The Executive Director will report the approval of any change order, contract, or disbursement resulting from an urgent need to the Board of Trustees at its next scheduled meeting.

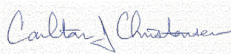
E. Grants


1. The allocation of anticipated federal formula fund grants will be determined during the annual budget process and approved by the Board of Trustees in its annual operating and capital budget.
2. Any discretionary grant pursued by the Authority will be consistent with the Authority's mission and strategic priorities.

- a. The Executive Director will notify the Board of Trustees if a discretionary grant of \$200,000 or more is being sought.
- b. A discretionary grant award of \$200,000 or more will be presented to the UTA Board for approval at the time of the notice of award.
- c. A discretionary grant project must be approved in the agency budget prior to the Board's approval defined in paragraph III(E)(2)(b) above.
- d. The Executive Director, after receiving the Board's approval defined in paragraph III(E)(2)(b) above will be authorized to execute the grant agreement.

IV. Cross References: Utah Public Transit District Act, , Utah Code §17B-2a-804; Utah Procurement Code§63G-6a-101 et .seq. ; UTA Policy UTA.01.01 – Ethics; UTA Policy UTA.02.02 Contracting Authority; UTA Policy UTA.02.25 Procurement; UTA Policy UTA.02.01 Spending Authority; UTA Corporate Policies 1.2.2 – Technology Hardware and Software Procurement Policy; Corporate Policy 1.2.3 – Purchase Card Policy; Corporate Policy 1.2.4 – Health Insurance Requirements in UTA Design and Construction Contracts; Corporate Policy 1.1.7 – Procurement and Contracting Code of Conduct; Corporate Policy 1.2.2 – UTA Procurement Desk Reference; FTA Master Agreement v30-2022-1102.0; FTA Third Party Contracting Circular 4220.1F, Board Resolution R2020-01-03 Authorizing the Filing of Grant Applications with the FTA.

Approved this 21st day of December 2022

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Carlton Christensen - Chair, Board of Trustees

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Secretary of the Authority

Approved as to form and content:

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Counsel for the Authority

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
06-12-2019	R2019-06-01 (06-19-2019)	Combined Board Policy Nos. 1.2.4 – Procurement, 2.1.5 – Procurement, 3.3.2 – Procurement, and 4.5.1 – Procurement Appeal into Board Policy 2.2 – Contract Authority and Procurement.
09-07-2022	R2022-12-07 (12-21-2022)	Added definition of “Former Employee”; added Grants section.



## Budget

### Board of Trustees Policy No. 2.3

#### Application: Board of Trustees and Local Advisory Council

- I. Purpose: The purpose of this policy is to define the requirements, duties, and responsibilities for developing, proposing, and amending annual budgets of the Authority.
  
- II. Definitions:
  - A. "Annual Budget" means a financial plan for the fiscal year which includes estimates of operating revenues and expenses, capital revenue and expenses, debt service, required reserves, undesignated cash balance, and the projected Fund Balance at the beginning and end of the fiscal year.
  
  - A. "Authority" means the Utah Transit Authority or UTA.
  
  - B. "Board of Trustees" or "Board" means the UTA Board of Trustees established in Utah's Public Transit District Act (17B-2a-801 *et seq.*)
  
  - C. "Budget Amendment" means an adjustment that increases the appropriation authority of the Annual Budget.
  
  - D. "Capital Budget" means the budget for capital projects including preservation of the system to keep it in a state of good repair, purchase of capital equipment (including vehicles), construction of new facilities, equipment, maintenance machinery, information technology, system expansion and improvement, and off-site improvements as approved in the Capital Plan required in Board Policy 2.1 Financial Management. The Capital Budget tracks discrete projects, Safety & Security, State of Good Repair (preservation of the transit infrastructure), expansion of and improvements to the system, and Information Technology.
  
  - E. "Capital Carryforward" means unexpended or encumbered capital funds that have been authorized by the Board of Trustees through a Technical Budget Adjustment to extend appropriation authority to the following fiscal year.
  
  - F. "Constituent Entity" means any county, city, or town that levies taxes for transit within the geographic boundaries of the Authority's transit district.
  
  - G. "Contingency" or "Unallocated Expense" means funds held in Operating or Capital Budgets that have not been allocated for a defined purpose or project, and that require a Technical Budget Adjustment to receive appropriation authority.

- H. “Executive or Chief Office” means the Office of the Board of Trustees, the Office of the Executive Director, or any office of a Chief Officer who is a direct report to the Executive Director.
  - I. “Fiscal Year” means January 1 through December 31 of each calendar year, as defined in the Authority’s Bylaws.
  - J. “Final Budget” means the Annual Budget approved by the Board of Trustees after completion of the public comment period and consultation by the Local Advisory Council.
  - K. “Fund Balance” means the definition given under generally accepted accounting principles as reflected in the Uniform Accounting Manual for Special Districts.
  - L. “Local Advisory Council” means the UTA Local Advisory Council established in Utah’s Public Transit District Act (17B-2a-801 *et seq.*)
  - M. “Mode” means type of transit service including bus, light rail, commuter rail, paratransit, rideshare/vanpool, on-demand, or any future type of transit service that the Authority adopts.
  - N. “Operating Budget” means the budget that tracks operating expenses by Mode as well as direct operations support, general management and support, and administration. The budget also tracks operating expenses by Executive or Chief Office classification. The Operating Budget should outline expenditures and revenue sources in support of current operations. The Operating Budget does not include debt service, capital, or reserve monies.
  - O. “Public Engagement Report” means a document comprising all public comments received during the public comment period for the Authority’s annual budget.
  - P. “Technical Budget Adjustment” means the process of allocating contingency or unallocated expenses to an approved capital project or line item in the operating budget, or an action that reallocates funds from one executive or chief office classification to another.
  - Q. “Tentative Budget” means the annual budget approved by the Board of Trustees before the public comment period and consultation by the Local Advisory Council. The Tentative Budget is replaced by the Final Budget after that is adopted by the Board of Trustees.
- III. Policy: The development, review and approval of the Authority’s Annual Budget will proceed as follows:
- A. Budget Development
    - 1. As provided for in the Authority’s Bylaws, the Authority will prepare an Annual

Budget and the Board of Trustees, after consultation with the Local Advisory Council, will approve the budget prior to the end of each fiscal year.

2. The budget will be developed in compliance with Chapter 1, Part 7 of the Special Districts Act.
3. The agency will incorporate the following plans while developing the Annual Budget:
  - a. UTA's Strategic Plan; and
  - b. UTA's Long-Term Financial Plan (as required in Board Policy 2.1. Financial Management); and
  - c. UTA's Five-Year Capital Plan (as required in Board Policy 2.1 Financial Management). The Annual Budget will reflect the first year of the approved Capital Plan as adopted annually or amended.
4. The Tentative and Final Operating Budgets will include detailed summaries of revenue by source, operating expense by Mode, operating expense by Executive or Chief Office classification, full-time employee (FTE) equivalent by Mode, FTE equivalent by Executive or Chief Office classification, debt service, contribution to reserves, and transfer to capital.
5. Tentative and Final Capital Budgets will include detailed summaries of revenue by source, major capital expense categories, and capital expense by project and project category.

**B. Budget Review and Approval**

1. A Tentative Budget will be presented to the Board of Trustees for discussion in a public meeting prior to the Tentative Budget being presented to the Board for approval. The Tentative Budget will be adopted by resolution.
2. Following the Board's adoption of the Tentative Budget:
  - a. The Authority will distribute the Tentative Budget for feedback from constituent and customer entities as required in Chapter 1, Part 7 of the Special Districts Act.
  - b. The Tentative Budget will be presented at a public meeting of the Local Advisory Council for their consultation to the Board.
  - c. A public budget hearing will be held with the Board of Trustees within 30-days of the adoption of the Tentative Budget and at least 30-day before the Board adopts a Final Budget.

3. A Final Budget will be presented to the Board of Trustees in a public meeting for discussion, along with a Public Engagement Report, prior to the Final Budget being presented to the Board for approval. The Final Budget will be adopted by resolution prior to the end of the fiscal year.
4. A copy of the final budget will be sent to the Office of the State Auditor within 30 days after its adoption.

C. Budget Adjustments and Amendments

1. The Board of Trustees may amend or supplement the budget at any time after its adoption as follows:
  - a. Technical Budget Adjustment – the Authority may request the Board’s approval to reallocate existing resources in the Annual Budget when the request does not increase budget authority. A Technical Budget Adjustment must be placed on a public meeting agenda for the Board’s action by a voice vote.
  - b. Contingency and Unallocated Resources in the Annual Budget will require the Board’s approval through a Technical Budget Adjustment to provide appropriation authority for those funds.
  - c. Budget Amendment – after consulting with the Local Advisory Council, the Board may authorize a Budget Amendment for the current fiscal year to increase the Annual Budget appropriation authority. A Budget Amendment will be adopted in a public meeting by resolution.
2. The Executive Director may make administrative adjustments to an adopted budget without Board approval under the following circumstances:
  - a. The Executive Director may make Operating Budget adjustments within the same Mode or Executive or Chief Office.
  - b. The Executive Director may make a Capital Budget adjustment within the same respective Capital project in the approved Capital Plan.
  - c. The Executive Director may reassign existing headcount approved in the Annual Budget to another Mode, Executive or Chief Office as long there is a neutral (net zero) impact to the Annual Budget, and the Board is notified of the adjustment.
  - d. The administrative adjustments authorized in this section will not have a significant policy impact or affect budgeted year-end Fund Balances.




- e. Excluding the circumstances authorized above, administrative adjustments which seek to reallocate funds across Mode, Executive and Chief Offices, or between capital projects will be brought to the Board for a Technical Budget Adjustment consideration.


D. Lapse of Appropriation

- 1. All unexpended or unencumbered appropriations, except capital project fund appropriations, lapse at the end of the fiscal year to the Fund Balance.
- 2. Unexpended capital appropriations may be authorized, by project, for Capital Carryforward through a Technical Budget Adjustment approved by the Board in the following fiscal year.


Cross References: Utah Public Transit District Act, Utah Code §17B-2a-801 *et seq.*; Utah Special Districts Act, Part 7, Utah Code §17B-1-701 *et seq.*; UTA Bylaws; Board Policy 1.3 Executive Relationships and Meetings; Board Policy 2.1 Financial Management.

Approved this 11<sup>th</sup> day of October 2023

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 Chair, Board of Trustees

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 Legal Counsel

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
09-27-2023	R2023-10-03 (10-11-2023)	New Policy



## Advertising and Naming

### Board of Trustees Policy No. 3.1

#### Application: Board of Trustees and Local Advisory Council

I. Purpose: The Board of Trustees allows for advertising on the Authority's facilities, vehicles, and electronic media in compliance with contractual agreements, local ordinances, and State and federal laws to provide information to the public and to generate additional revenue to support the Authority's public transit operations. This policy establishes the standard for advertising appearing on the Authority's vehicles and facilities. It also establishes the process for naming stations, facilities, and service brands.

II. Policy:

A. Advertising

The agency will not allow advertising on Authority vehicles, electronic media, or transit facilities that:

1. Is false, misleading, or deceptive
2. Promotes or depicts an illegal activity, good, or service
3. Contains explicit sexual material, obscene material, or material harmful to minors as set forth in state law
4. Promotes alcohol in a manner inconsistent with federal and state law
5. Promotes tobacco products in a manner inconsistent with federal and state law
6. Depicts violence, anti-social behavior, sexual conduct, nudity, or sexual excitement as those terms are defined in state law
7. Includes language that is obscene, vulgar, indecent, or profane
8. Promotes or depicts materials, instruments, devices, items, products, or paraphernalia that are designed for use in connection with sexual conduct as defined in state law
9. Contains images or information that demeans an individual or group of individuals on account of race, color, religion, national origin, gender, age, disability, or sexual orientation
10. Constitutes libel as defined in state law
11. Is inconsistent with any contractual agreement between the Authority and any governmental entity
12. Promotes subject matter other than that relating to a commercial transaction, or relating to a product or service sponsored by a governmental entity located in the state of Utah, including the Utah Transit Authority, that does not otherwise conflict with the Authority's mission and goals
13. Is contrary to any applicable local ordinance

B. Naming of Authority Stations, Facilities, and Service Brands

1. The Board of Trustees will approve naming of stations, facilities, and service brands.
2. The Authority will select primary station names that assist customers in navigating its transit system, such as names that incorporate geographical coordinates.
3. The Authority will select secondary station names that relate to geographical landmarks, public activities, or names that have historical or cultural significance to the immediate area in which the station is located.
4. The Authority will not name any stations, facilities, or service brands after any individual, either living or deceased.

C. The Board of Trustees will approve requests for sponsorships.

D. The Board of Trustees will approve all advertising and sponsorship pricing and fees.

E. The Board of Trustees will be consulted in a public board meeting on new or revised UTA Standard Operating Procedures related to advertising and/or naming.

III. Cross References: Utah Public Transit District Act, Utah Code §17B-2a-808.1.

Federal Advertising Statutes:

Alcohol Advertising Restrictions: 27 USC 205, 215

Tobacco and/or Smokeless Tobacco Advertising Restrictions: 15 USC 4402; 15 USC 1331;

Nationwide Tobacco Master Settlement Agreement.

Deceptive Advertising 15 USC 45; 15 USC 1125 (Lanham Act)

State Statutes:


Deceptive Advertising: Utah Code Section 13-11-3

Truth in Advertising: Utah Code Section 13-11a-1


Cannabis Advertising Restrictions: Utah Code Section 4-41a-403

Alcohol Advertising Restrictions: Utah Code Section 32B-1 -206.


Approved this 11<sup>th</sup> day of October 2023

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Secretary of the Authority

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 Carlton Christensen - Chair, Board of Trustees

Approved as to form and content:

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 Counsel for the Authority

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
6-12-2019	R2019-06-01	Combined Board Process Policy Nos. 2.1.6 – Naming of Authority Rail Stations, Facilities and Branding of Service, 1.2.2 – Advertising, and 2.1.3 – Advertising into Board Policy 3.1 – Advertising and Naming.
10-27-2023	R2023-10-03 (10-11-2023)	Reviewed and clarified policy; added Board approval of fees, and consultation on agency procedures.



## Service Planning

Board of Trustees Policy No. 3.2

Application: Board of Trustees and Local Advisory Council

- I. Purpose: The purpose of this policy is to establish a uniform process for planning, implementing, and managing the Authority's transit service planning to ensure transparency and collaboration with communities, regional partners, and stakeholders, and compliance with the Federal Transit Administration (FTA) and Utah Public Transit District Act requirements.
  
- II. Definitions:
  - A. "Baseline Service" means regularly scheduled transit service provided by the Authority or its contractors on all modes of transit including bus, demand response, paratransit, rail, contracted service, or any future type of transit service that the Authority adopts.
  
  - B. "Change Day" means scheduled dates where changes in transit service are implemented.
  
  - C. "Charter Service" means (1) transportation provided at the request of a third party for exclusive use of UTA vehicles, including service that is not part of UTA's regularly scheduled service and is not available to the general public, and (2) all other forms of charter service as defined by the Federal Transit Administration's Charter Service Regulations (49 CFR Part 604).
  
  - D. "Complimentary Service" means transit service provided by the Authority that is not included in Baseline Service for which no operation costs are collected.
  
  - E. "Event Service" means expansion of hours, frequency, and capacity to Baseline Service to meet the increased ridership demand during an event or time-limited situation.
  
  - F. "Major Service Change" means a service change that requires an equity analysis or equity briefing to be performed in compliance with the FTA Title VI Circular (FTA C 4702.1B).
  
  - G. "Metropolitan Planning Organization" ("MPO") means an organization designated to carry out the federally mandated metropolitan transportation planning process.
  
  - H. "Sponsored Service" means Baseline Service paid in part or in full by a third party for service that is not Charter Service.
  
  - I. "Transit Service Planning" means the act of identifying, evaluating, and implementing public transit services on all modes including bus, demand response, paratransit, rail, contracted service, and any future type of transit service the Authority adopts.
  
- III. Policy: The approval and implementation of Transit Service Planning will proceed as described below and on Exhibit A.

A. Service Design Standards

1. The Authority will develop Service Design Standards to be approved by the Board.
2. Service Design Standards will be developed in compliance with the FTA requirements, including FTA Title VI Circular (FTA C 4702.1B).
3. Service Design Standards will establish service change standards based on best practices in the transit industry and impartial measures that guide service planning decisions that are equitable, systematic, and timely to achieve objectives in the Authority's Strategic Plan and Long-Range Transit Plan ("LRTP").
4. Service Design Standards will establish a framework to design, monitor, and evaluate transit service to best meet customer needs.
5. Service Design Standards will be updated every four years and must be approved by a resolution of the Board of Trustees in a public meeting.

B. Regional Planning

1. Regional Transit Plans ("RTPs") are transit plans developed by Metropolitan Planning Organizations ("MPOs") within the Authority service area. RTPs primary purpose is to phase the implementation of regionally significant transportation investments and to guide federal funding priorities.
2. RTPs are developed through collaborative processes with input from state, regional, and local leaders. The Authority participates in the development of RTPs by identifying transit needs and providing technical expertise including scenario planning tools.
3. RTPs are updated every four years and approval authority resides with the MPO technical and policy committees.

C. Long-Range Transit Plan

1. A Long-Range Transit Plan ("LRTP") will be developed by the Authority, approved by the Local Advisory Council, and adopted by the Board.
2. The LRTP will be a 30-year plan with a focus on preparing for the future transit needs of the communities served by the Authority.
3. The LRTP will provide a comprehensive, unconstrained, system-wide vision that guides service planning. The LRTP will inform and be informed by the applicable RTPs.

4. The LRTP will be updated every four years and must be approved by a resolution of the Local Advisory Council and adopted by a resolution of the Board of Trustees.

D. Service Planning - Comprehensive System Analysis

1. The Authority will conduct a Comprehensive System Analysis of the entire service network every two years. The analysis will include an evaluation of existing services against established Service Design Standards to determine if a service is meeting minimum performance thresholds.
2. At the conclusion of the Comprehensive System Analysis, the Authority will determine if a service not meeting minimum performance thresholds should be modified, discontinued, or receive additional marketing promotion. Services meeting or exceeding minimum performance thresholds will be evaluated to determine if they warrant additional resources, frequency, or span.
3. Recommendations from the Comprehensive System Analysis will be incorporated into the next update to the Five-Year Service Plan.

E. Service Planning - Five-Year Service Plan

1. A Five-Year Service Plan will be developed by the Authority, approved by the Local Advisory Council and adopted by the Board.
2. The Five-Year Service Plan will be updated every two years to guide the near-term transit plans for the Authority's service area. The Five-Year Service Plan will incorporate priorities set in the RTP and LRTP, include all modes of the Authority's transit system, and be financially constrained.
3. Authority staff will collaborate with the Board, counties, local municipalities, and the community to prepare and update the Five-Year Service Plan. Authority staff will:
  - a. Organize engagement opportunities to establish transit service goals and explore service network design scenarios with counties, local municipalities, and members of the community to inform the creation of a Five-Year Service Plan.
  - b. Consult with Trustees in meetings that are compliant with the Utah Open and Public Meetings Act prior to a draft Five-Year Service Plan being prepared for comment by counties and the public.
  - c. Present a draft Five-Year Service Plan to each County within the Authority's service area to request feedback for consideration in the final Five-Year Service Plan.
  - d. Conduct a public comment period of at least thirty (30) calendar days to receive comment on the draft Five-Year Service Plan.
4. A final Five-Year Service Plan; a report on feedback received from counties, local

municipalities and the community; and a report on financial and resource assumptions of the plan including personnel, vehicles, and facility assumptions will be prepared for consideration and action by the Local Advisory Council and Board of Trustees.

5. The Five-Year Service Plan, and any amendments to the Five-Year Service Plan, must be approved by a resolution of the Local Advisory Council and adopted by a resolution of the Board of Trustees.

F. Annual Service Plan

1. An Annual Service Plan will be prepared and approved by the Board of Trustees.
2. The Annual Service Plan will develop operations and budget plans for annual changes to Baseline Service that will be implemented on a scheduled Change Day.
3. The Authority will review the Five-Year Service Plan annually to prepare and update the Annual Service Plan.
4. The Annual Service Plan will be vetted through the annual budget process for resource and operational feasibility. Service changes may be presented to the Board during the annual service process and prior to Change Day.
5. If the proposed Annual Service Plan differs from what is in the Five-Year Service Plan, Authority staff must consult with the Trustees and any impacted local government prior to moving forward with the recommended service changes in the Annual Service Plan.
6. In compliance with federal requirements, the Authority must conduct a public hearing on any Major Service Changes and conduct a Title VI Service Equity Analysis.
7. The Board of Trustees must approve the Title VI Service Equity Analysis by resolution and determine if the implementation of proposed service changes should proceed.
8. The Annual Service Plan, and any amendments to the Annual Service Plan, must be approved by a resolution of the Board of Trustees.

G. Annual Service Implementation

1. Upon approval of the Annual Service Plan, the Authority may proceed with implementing the Annual Service Plan.
2. Annual Service implementation will occur on a designated service Change Day.

H. Additional Service




1. The Executive Director or designee will establish administrative policies, to be approved by the Board, that:
  - a. Set service policies in accordance with FTA requirements, including FTA Title VI Circular (FTA 4702.1B).
  - b. Set standard criteria for determining equitable allocation of Event Service.
  - c. Define criteria for approving requests for additional service, including Sponsored Service and Complimentary Service.
  
2. The following requests for service must be presented to the Board for consideration and approval in a public meeting:
  - a. Requests for Sponsored Service
  - b. Requests for Complimentary Service
  - c. Requests for transit service beyond Baseline Service approved in the Five-Year Service Plan
  
3. The Authority does not provide Charter Service and will refer interested parties to private transportation providers.

Cross References: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); FTA Charter Service Regulations (49 CFR Part 604); Private Sector Participation in Public Transportation (49 USC 5315); Title VI Requirements and Guidelines for Federal Transit Administration Recipients (FTA C 4702.1B.); Public Transit District Act (Utah Code 17B-2a-804, 808.1, and 808.2); Board Policy 1.3 Executive Relationships and Meeting Protocols; UTA.01.06 Title VI Compliance; UTA.04.02 Additional Services Request

Approved this 25<sup>th</sup> day of September 2024

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Chair, Board of Trustees

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Secretary of the Authority

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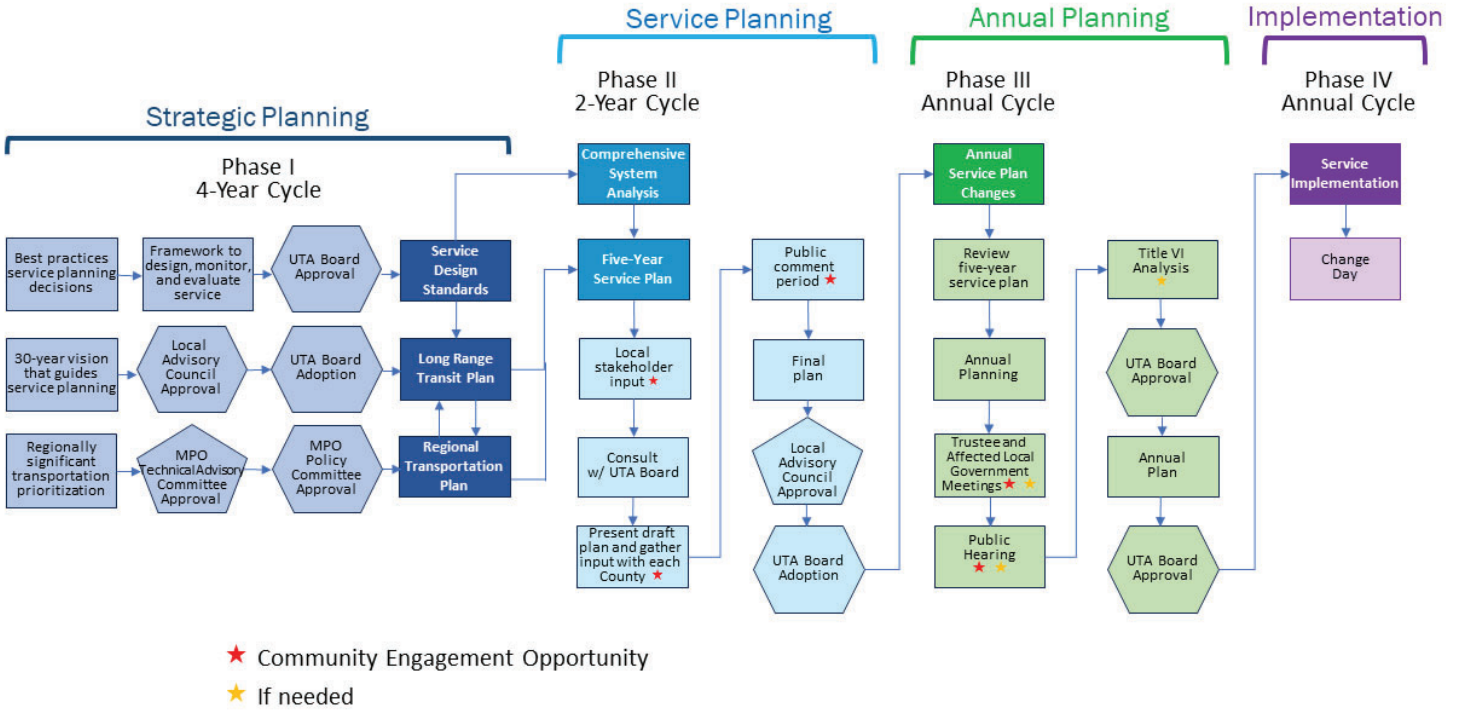
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Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
02-20-2019	R2019-02-03	Revised to reflect process changed, renamed, and renumbered from Executive Limitations Policy No. 2.1.4 – Changes to Levels of Service and Routing to Executive Limitations Policy No. 1.4.2 – Service Planning Implementation.
06-12-2019	R2019-06-01	Renumbered and renamed from Executive Limitations Policy No. 1.4.2 – Service Planning Implementation to Board Policy No. 3.2 – Service Planning Implementation; reformatted and revised to reflect name change from Local Advisory Board to Local Advisory Council.
09-07-2022	R2022-12-07 (12-21-2022)	Revised naming of Five-Year Plan from Mobility Plan to Service Plan.
08-28-2024	R2024-09-04 (09-25-2024)	Revised and clarified UTA’s service planning process; added additional requirements for Service Design Standards, LRTP, Board consultation and approval requirements, and community engagement; provided directive for development of administrative policies; clarified UTA does not provide Charter Service.

Exhibit A

## UTA Service Planning and Implementation Process





# Capital Development Project Implementation

Board of Trustees Policy No. 3.3

Application: Board of Trustees and Local Advisory Council

I. Purpose: This policy establishes how Capital Development Projects are advanced from the planning study phase through development and implementation. It also establishes the process by which the Local Advisory Council and the Board of Trustees approve Capital Project Development Plans as required in the Utah Public Transit District Act.

II. Definitions:

A. *“Capital Development Project”* means a project that creates new assets that:

1. Expand transit service through construction of new or extended rail lines or bus rapid transit systems, including associated acquisition of new revenue service vehicles (*“Transit Corridor Project”*); or
2. Involve the construction of new or replacement transit-related facilities that include structures (e.g. maintenance facilities, pedestrian bridges, parking structures, stations, etc.) or other major infrastructure components (e.g. intermodal centers, bus hubs, etc.) (*“Transit Facilities Project”*); and
3. Are not transit-oriented development projects.
4. For purposes of this policy, Capital Development Projects do not apply to ongoing maintenance, state of good repair, safety and security, or information technology projects, unless those projects fit into the definition of Capital Development Projects.

B. *“Capital Project Development Plan”* means a plan for a Transit Corridor Project that includes the following information: project overview, purpose and needs, ridership and benefits, initial cost estimates, and funding potential.

III. Policy:

A. Transit Corridor Projects - The planning, construction, and approval of the Authority’s Transit Corridor Projects will proceed as described below and on Exhibit A.

1. Systems Planning

- a. During the systems planning process, the Authority considers the long-range regional transportation plans developed by the Metropolitan Planning Organizations (MPOs), local master plans and transportation plans, community

needs, and community support for potential capital projects. This visioning effort leads to the identification of specific projects to be studied further.

2. Project Study

- a. During the project study phase, the Authority identifies the purpose of a project and assesses the need for and the benefits of a project. The Authority also evaluates initial cost estimates and funding potential and develops a proposed Capital Project description.
- b. The Authority will present the proposed Transit Corridor Project description to the Local Advisory Council and the Board of Trustees for informational purposes as it advances to the development phase.

3. Environmental Analysis

- a. After a proposed Transit Corridor Project moves to the development phase, the Authority begins the environmental analysis and conceptual engineering for the project. The environmental process identifies a preferred alternative, including alignment and mode and/or site selection. Capital, operating and maintenance cost estimates are also refined and developed. Public and stakeholder involvement will occur throughout the environmental analysis phase.
- b. Once affected MPO(s) approve the locally-preferred alternative (LPA) for the project and presentations are made to affected City Councils, a Capital Project Development Plan will be prepared.

4. Capital Project Development Plan

- a. The Capital Project Development Plan will include the LPA, the project's impacts, benefits, costs, and a funding plan that identifies local funding partners, grant opportunities, and other funding sources.
- b. For Transit Corridor Projects that are under the authority of the Utah Department of Transportation (UDOT) as described in Utah Code § 72-1-2, et seq., the Authority's Board of Trustees will approve a Capital Project Development Plan that is 1) primarily funded by state funds or federal grants awarded to UDOT; and 2) has been assigned by UDOT to the Authority to perform specified work on a Transit Corridor Project. The Capital Project Development Plan will be presented to the Board of Trustees in a public meeting for review, along with comments from affected partners. At a subsequent public meeting, the Capital Project Development Plan will be presented to the Board of Trustees for adoption by resolution.
- c. For all other Transit Corridor Projects not governed by III.A.4.b. above, the Capital Project Plan, along with comments received from affected partners, will be presented to the UTA Local Advisory Council for their approval by resolution

and recommendation for adoption by the Board of Trustees. The Capital Project Plan will then advance to the UTA Board of Trustees for its final approval and adoption by resolution, and to the federal funding agency if federal funding is being sought.

5. Funding

- a. Any funding agreements between local partners will be approved by the UTA Board of Trustees. Applicable grant applications will be initiated at this time.

6. Procurement

- a. After funding is secured or expenditure authority is received from a funding agency, the Authority may begin procurement efforts, select project designers and contractors, and initiate the purchase of vehicles and equipment.
- b. All contracts will be approved in accordance with the policies of the Board of Trustees.

7. Design/Construction

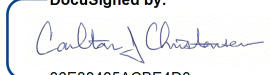
- a. Once design is underway, the Authority is authorized to acquire necessary rights of way, begin project construction, and commence operation after the appropriate activation steps are completed, in accordance with the policies of the Board of Trustees.

B. Transit Facilities Projects - The planning, construction, and approval of the Authority's Transit Facilities Projects will be developed and approved as part of the Five-Year Capital Plan as defined in Board Policy 2.1 Financial Management.

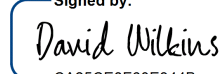
IV. Cross References: Utah Public Transit District Act, Utah Code § 17B-2a-804 and 808.2; Utah Code § 72-1-2, *et seq* Board Policy 2.1 Financial Management; Board Policy 2.2 Contract Authority, Procurement and Grants.

Approved this 18th day of December 2024

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 Secretary of the Authority

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 Carlton Christensen - Chair, Board of Trustees

Approved as to form and content:

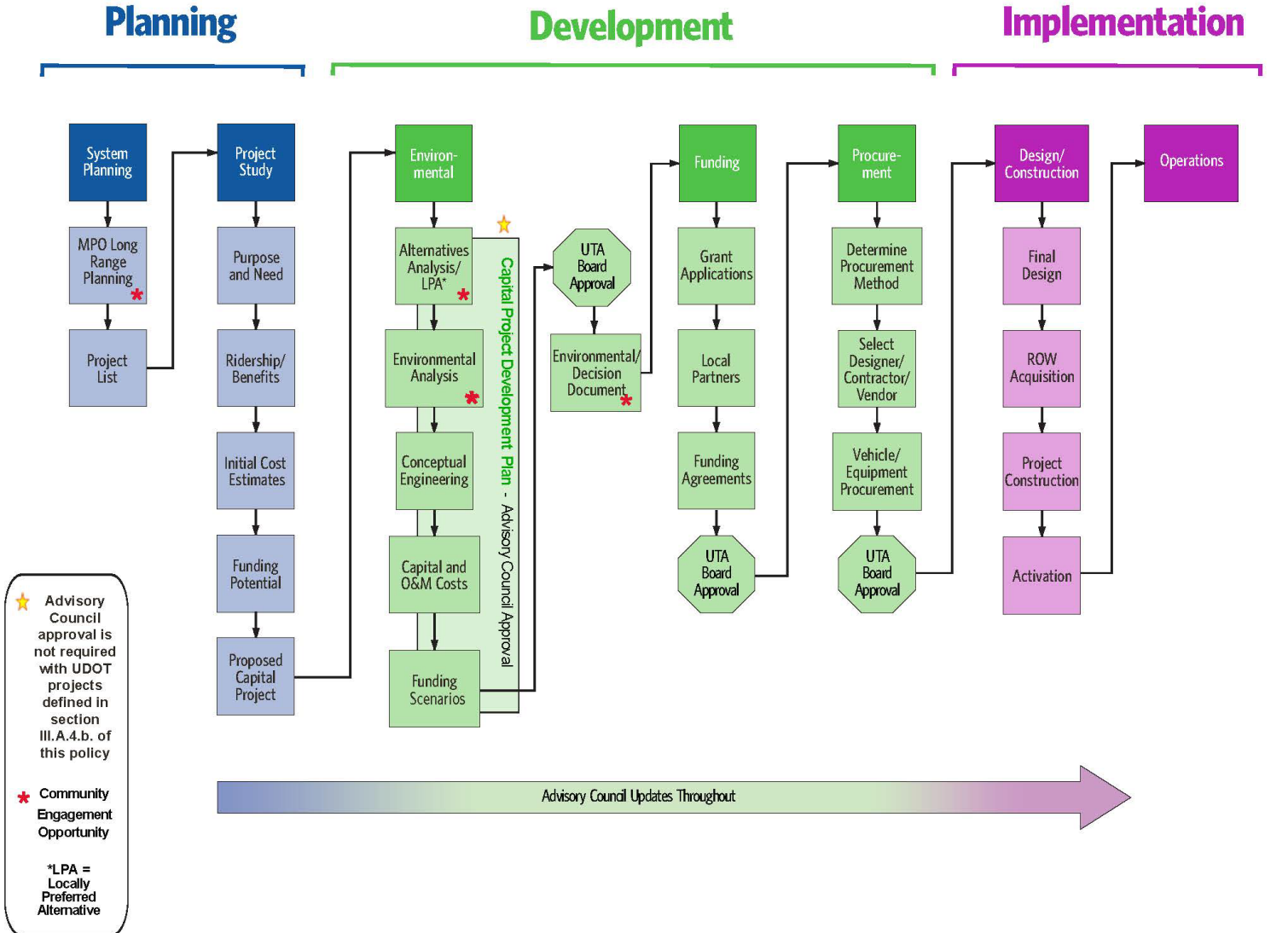
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 Counsel for the Authority

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
02-20-2019	R2019-02-04	Revised, renamed, and renumbered from Ends Policy No. 1.4.2 – Planning, Designing, Funding and Construction of Transportation Infrastructure and Services to Policy 1.4.2 – Capital Development Project Implementation.
06-12-2019	R2019-06-01	Reformatted, renumbered to Board Policy 3.3, and revised to reflect name change from Local Advisory Board to Local Advisory Council.
09-07-2022	R2022-12-07 (12-21-2022)	Clarification added on definitions and processes for Capital Project Plans and Transit Corridor Projects; added correlation to Five-Year Capital Plan defined in Board Policy 2.1 Financial Management.
11-06-2024	R2024-12-05 (12-18-2024)	Provided policy revisions in response to updates in Utah Code § 72-1-2, <i>et seq</i> regarding transit related Capital Project Plans under the authority of UDOT.

Exhibit A

# UTA Capital Development / Transit Corridor Project Implementation Process







## Fares

### Board of Trustees Policy No. 4.1

#### Application: Board of Trustees

I. Purpose: The purpose of this policy is to establish and maintain an effective fare system for the Authority.

II. Definitions:

*“Charter Service”* is transportation provided by the Authority at the request of a third party for the exclusive use of a bus or van for a negotiated price.

*“Complimentary Passes”* are free passes granting access to the Authority’s transportation services.

*“Complimentary Service”* is free transportation service provided by the Authority for which no fares or operation costs are collected.

*“Sponsored Fare”* means transportation fares paid for in part or in full by a third party for service that is not Charter Service.

*“Sponsored Service”* means transportation service paid in part or in full by a third party for service that is not Charter Service.

III. Policy:

A. The Board of Trustees will evaluate and establish the Authority’s base fare rates in compliance with federal and state requirements.

B. The Executive Director will present the following to the Board of Trustees for approval:

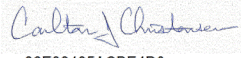
1. Special fare rates including pilot programs, promotions, bulk fare purchases, period pass fare products, specially priced programs and products, and pre-paid fare products
2. Discounts to base fare rates
3. Market segments or groups that are exempt from fare payment
4. Adoption of new fare media and modifications to existing fare media
5. Requests for Charter Service
6. Requests for Sponsored Fare
7. Requests for Sponsored Service
8. Requests for Complimentary Service
9. Requests for complimentary passes that exceed \$5,000
10. Requests to authorize lifetime transit passes to individual(s) will be approved by the Board of Trustees by resolution


- C. The Executive Director will provide notice to the Board of Trustees of the following:
  - 1. The status of Education Pass negotiations with public colleges and universities
  - 2. The status of negotiations for bulk pass purchases over \$200,000
  - 3. Fare suspensions or reductions resulting from a declared emergency

D. The Board of Trustees may delegate approval authority under this Policy to a designee.


IV. Cross References: Urbanized Area Formula Grants, 49 United States Code §5307; Americans with Disabilities Act, 42 United States Code §12101 et seq.; Charter Service 49 CFR Part 604; Environmental Justice Guidance, FTA Circular 4703.1; Fare Equity Analysis, FTA Circular 4702.1B; Public Transit District Act, Utah Code § 17B- 2a-808.1; UTA Policy UTA.02.03 – Fares; UTA Corporate Policy 4.2.1 – Emergency and Disaster Preparedness; UTA R2020-01-04 Complimentary Service.

Approved this 21st day of December 2022

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Carlton Christensen - Chair, Board of Trustees

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Counsel for the Authority

Revision/Review History:

Local Advisory Council Review	Board of Trustees Approval (Resolution Number)	Action
07-17-2019	R2019-07-03 (07-31-2019)	Revised and adopted new Board Fare Policy and rescinded the following Board Policies: Executive Limitations Policy No. 2.1.2 – Fare Discounts; Executive Limitations Policy No. 2.4.2 – Review of Rates and Charges for Service; and Executive Limitations Policy No. 2.1.7 – Pilot Programs and Innovative Services.
09-07-2022	R2022-12-07 (12-21-2022)	Updated Section III(B) identifying fare products requiring Board approval.



## Public Records

### Board of Trustees Policy No. 4.2

#### Application: Board of Trustees and Local Advisory Council

- I. Purpose: The purpose of this policy is to describe the Authority's commitment to the Governmental Records Access and Management Act ("GRAMA"), establish the appeals process for GRAMA Requests that have been denied, and identify the provisions of GRAMA that do not apply to the Authority due to its status as a political subdivision.
  
- II. Definitions:
  - A. "GRAMA Request" means a request for records submitted under the provisions of the Governmental Records Access and Management Act.
  
- III. Policy:
  - A. Requests for Records
    1. To request records from UTA, a requester must submit a written request to an Authority Records Officer on forms provided by the Authority or submit an electronic request to GRAMA@rideuta.com or openrecords.utah.gov. Requests must include the information required by GRAMA.
  
    2. Requested records will be classified and produced in compliance with the provisions of GRAMA.
  
  - B. Appeal Process
    1. A requester or interested party may appeal the Authority's denial of a GRAMA Request to the Authority's Executive Director within thirty days of the decision.
  
    2. If the Executive Director denies the appeal, the requester or interested party may appeal the decision to the State Records Committee within thirty days of the Executive Director's decision.
  
  - C. Fees
    1. Changes to the Authority's GRAMA Fee Schedule, available on the Authority's website, will be approved by the Board of Trustees.
  
    2. Individuals requesting records may inspect public records free of charge during the Authority's business hours.


E. Applicability of GRAMA

As a political subdivision, the following sections of GRAMA do not apply to the Authority.

1. 63G-2-104. Administrative Procedures Act not applicable.
2. Title 63G, Chapter 4, Administrative Procedures Act, does not apply to this chapter except as provided in Section 63G-2-603.
3. 63G-2-208. Public repository of legislative email.
4. 63G-2-702. Applicability to the judiciary.
5. 63G-2-703. Applicability to the Legislature.
6. 63G-2-704. Applicability to the governor and lieutenant governor.

IV. Cross References: Governmental Records Access and Management Act, Utah Code, §63G-2-101, *et seq.*

Approved this 11<sup>th</sup> day of October 2023.


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Legal Counsel

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
06-12-2019	R2019-06-01 (06-19-2019)	Revised, renumbered, and renamed from Board Policy No. 4.4.8 – Records Access and Management Policy to Board Policy 4.2 – Public Records.
09-27-2023	R2023-10-03 (10-11-2023)	Policy review and reconsideration – updated statutory references in Section III(E) Applicability of GRAMA.



## Transit Oriented Development

### Board of Trustees Policy No. 5.1

Application: Board of Trustees and Local Advisory Council

- I. Purpose: The purpose of this policy is to establish a uniform method to guide the pre-development, development, and management of transit-oriented development projects that the Authority has a property or financial interest in, and to guide the projects in a manner that is transparent and involves communities, regional partners, and stakeholders.
  
- II. Definitions:
  - A. Concept Plan means an illustrative map depicting proposed infrastructural and land use improvements within a station area that corresponds with a Station Area Plan (“SAP”) and Implementation Plan (“IP”).
  - B. Design Review Committee (“DRC”) means the multi-disciplinary committee responsible for reviewing Master Plans and Site Designs proposed by development partners. The DRC consists of representatives from various departments within the Authority, as well as other stakeholders as necessary.
  - C. Development Team means a team consisting of assigned authority personnel, development partners, consultants, and contractors.
  - D. Implementation Plan means a list of tasks necessary to implement improvements described within a Station Area Plan, along with anticipated timing, budget, and responsible stakeholders.
  - E. Metropolitan Planning Organization (“MPO”) means an organization designated to carry out the metropolitan transportation planning process.
  - F. Moderate Income Housing Plan (“MIHP”) means a plan required by Utah state statute that mandates each municipality make efforts to minimize regulatory barriers to moderate income housing and take actions to encourage preservation of existing moderate-income housing and development of new moderate-income housing.
  - G. Station Area means the physical extents expected to be materially impacted by the presence of a transit station. A station area begins with a half-mile radius and is refined by local context.
  - H. Station Area Plan (“SAP”) means a shared vision, concept plan, and implementation plan illustrating recommendations to optimally integrate infrastructure, transit services, and land uses within a station area.

- I. Transit-Oriented Communities (“TOC”) means a series of transit-oriented developments that are configured to increase access to opportunity via transit, walking, biking, or other alternative modes of transportation.
  - J. Transit-Oriented Development (“TOD”) means a mixed-use real estate development occurring near a transit station, designed to increase access to and from transit.
- III. Policy: The approval and implementation of Authority Transit-Oriented Development (“TOD”) projects will proceed as described below and on Exhibit A.
- A. Transit-Oriented Communities (“TOC”) Planning and Design Principles
    - 1. TOC Planning and Design Principles are general guidelines developed by the Authority that provide a framework of an ideal transit-oriented community (e.g., connectivity, transit supportive land uses, building orientation).
    - 2. TOD Design Standards are included in the TOC Planning and Design Principles. TOD Design Standards are specific recommendations developed by the Authority to guide developers, cities, and design consultants to meet the TOC Planning and Design Principles (e.g., street sections, block sizes, architectural standards).
    - 3. TOC Planning and Design Principles, including the TOD Design Standards, must be approved by a resolution of the Board.
  - B. Station Area Plan (“SAP”)
    - 1. The Authority collaborates with local municipalities to prepare an SAP for areas around transit hubs.
    - 2. SAPs guide the Authority and the applicable municipality to establish:
      - a. Appropriate land use regulations
      - b. Desired land uses
      - c. Infrastructural improvements to optimize access to transit, other critical opportunities, and services
    - 3. The Authority and the applicable municipality discuss existing conditions, including affordable housing needs within the station area, consistent with the municipality’s Moderate Income Housing Plan (“MIHP”). Recommendations may be included in the SAP.
    - 4. The SAP includes a Vision, a Concept Plan, and an Implementation Plan.

5. The SAP is approved by the applicable municipality, approved by a resolution of the Local Advisory Council and adopted by a resolution of the Board of Trustees prior to procurement of a development partner for the associated site. Municipal and Local Advisory Council approvals must occur prior to SAP adoption by the Board of Trustees.

C. Site Selection

1. The Authority analyzes findings from SAPs, including feasibility of the Concept Plan and progress of the Implementation Plan, to determine if sites are prepared for development efforts.
2. Sites are selected for development by a resolution of the Board of Trustees.

D. Developer Procurement

1. The Authority prepares developer criteria derived from the findings of the applicable SAP. This Authority criteria is used to inform developer procurements and design reviews.
2. Upon site selection and authorization from the Board of Trustees, the Authority solicits developers through a process consistent with procurement law and policies. Developer skills and expertise must align with the vision and Concept Plan identified in the SAP.
3. Developer responses to solicitation are evaluated by a selection committee comprised of Authority personnel, municipality personnel (at the discretion of the applicable municipality), and other stakeholders (as necessary). Based on the evaluations, the selection committee selects a development partner for the project.
4. The Authority enters an exclusive negotiation period, per the terms of an Exclusive Negotiation Agreement (ENA), with the selected development partner. ENAs must be appropriate for the size and scope of the TOD project.
5. The ENA governs the relationship between the Authority and development partners during pre-development. ENAs do not convey any permanent rights and do not have any monetary value.

E. Master Plan

1. For TOD projects requiring more than one development phase, the development team creates Master Plans for TOD projects in collaboration with municipality staff to ensure that the ultimate build-out of the TOD site is consistent with the applicable SAP.



2. If the SAP recommends residential uses for Authority property, the Development Team meets with municipality representatives to discuss opportunities to incorporate affordable housing, consistent with the municipality's MIHP.
3. The Master Plan provides a general description of the development program for all phases of development, site layout, development phasing, and projected schedule.
4. The Design Review Committee (DRC) ensures that Master Plans adhere to criteria defined in section III(F)(2) and (3) below.
5. The Master Plan is accompanied by a corresponding Master Development Agreement that establishes general terms between the Authority and the development partner. The Master Development Agreement governs all phases of development.
6. When there is a federal interest in the real property, the Development Team creates a project that meets the requirements of the Federal Transit Administration ("FTA") Joint Development program. Prior to construction, Authority staff obtains FTA concurrence for development proposals at sites involving federal interest.
7. If a Master Plan is required, the Master Plan must be approved by a resolution of the Local Advisory Council and adopted by a resolution of the Board of Trustees.
8. If a Master Development Agreement is required, the Master Development Agreement must be approved by a resolution of the Board of Trustees.

F. Site Design

1. The Development Team generates Site Designs as individual phases of development are identified and readied for construction. Site Designs will include the final footprint and orientation of buildings, streets, plazas, amenities, landscaping, and other features to be constructed within the scope of that phase.
2. The DRC ensures that proposals:
  - a. Adhere to the applicable SAP
  - b. Adhere to the Authority's general TOC Planning and Design Principles
  - c. Meet requirements set forth in the procurement documents
  - d. Reflect community interests
  - e. Protect the transit-critical functions of the site
3. DRC reviews will complement and augment the existing city review process.

G. Financial Proposal and Phase Agreement

1. The Development Team produces a Financial Proposal for individual development phases including the development pro forma, that demonstrates a positive return to the Authority, and the applicable Phase Agreement (e.g. Operating Agreement, Ground Lease Agreement, or other).
2. The Financial Proposal is reviewed by a third-party expert consultant to ensure that the terms are market feasible, ethical, and provide the Authority with a reasonable return. The findings from the third-party expert review are provided to the Board of Trustees.
3. The Financial Proposal and the terms of the applicable Phase Agreement must be approved by the Board of Trustees in a public meeting prior to execution.

H. Conflict Avoidance

1. During all stages of the development process, including but not limited to pre-development, development, and management, Authority personnel must take proactive measures to avoid any actual or perceived conflict of interest. Authority personnel will comply with requirements of UTA Policy UTA.01.01 Ethics.
2. The personal financial interests of any public officer or employee (as defined by the Utah Public Officer's and Employee Ethics Act) may not directly influence any aspect of the SAP, Master Plan, Site Design, Financial Proposal, or any other TOD associated instrument. Board of Trustees, Officers of the Board and Local Advisory Council Members will comply with requirements of Board Policy 1.2 Ethics.
3. The ENA must contain an appropriate conflict avoidance disclosure and avoidance requirements.

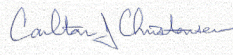
I. Management

1. During construction, the Development Team coordinates with the Authority and municipality staff to reasonably mitigate any negative effects to transit operations and Authority patrons due to construction activities.
2. After construction is complete, the Authority ensures compliance with all applicable agreements, tracks revenue distributions, and confirms that policies, procedures, and Federal obligations are met.
3. All revenue generated by FTA-approved Joint Development projects will be treated as Program Income.


4. All one-time revenues generated by a major capital event (such as a sale or refinancing of a TOD project) may be reserved and used for future TOD-supportive capital expenditures.

Cross References: 49 USC 5315 – DOT Private Sector Participation; FTA C 7050.1- FTA Joint Development Circular; Utah Code Section 17B-2a-804 - Public Transit District Act; Utah Code Section 67-16 - Utah Public Officers’ and Employees’ Ethics Act; Board Policy 1.2 Ethics; Board Policy 3.3 Capital Development Project Implementation; Board Policy 5.2 Real Property; UTA.01.01 Ethics Policy; UTA.06.03 Capital Asset Policy; Corporate Policy 2.2.1 Real Property

Approved this 13<sup>th</sup> day of March, 2024

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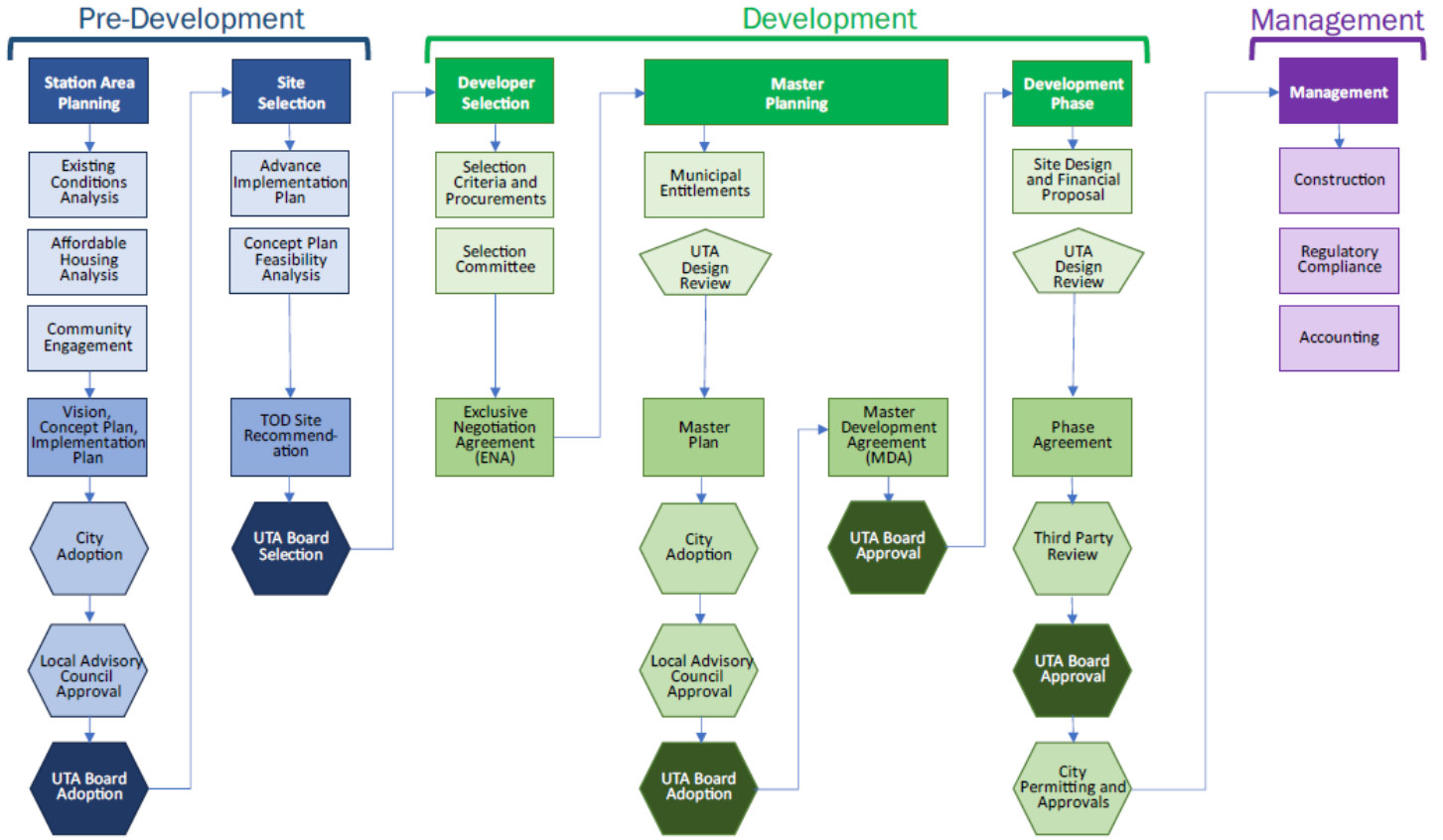
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 Legal Counsel

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
2-20-2019	R2019-01-04	Revised to reflect process changes
06-12-2019	R2019-06-01	Renumbered and renamed from Executive Limitations Policy 2.2.4 – Transit Oriented Development to Board Policy No. 5.1 – Transit Oriented Development; revised to reflect name change from Local Advisory Board to Local Advisory Council.
02-21-2024	03-13-2024 R2024-03-01	Incorporated changes due to 2022 HB462 to Station Area Plan process; adds board approval for TOD Design Standards; adds LAC approval of a Master Plan; adds requirements for conflict avoidance.

Exhibit A

# UTA TOD Planning and Development Process





## Real Property

Board of Trustees Policy No. 5.2

Application: Board of Trustees and Local Advisory Council

I. Purpose: The purpose of this policy is to guide the acquisition, disposition, encumbrance, or other commitment or contracts for control or use of real property.

II. Definitions:

A. "Approved Capital Development Project" means a capital development project, as defined in Board Policy 3.3 Capital Development Project Implementation, that has been approved by the Board of Trustees.

B. "Real Property Transaction" means the acquisition, disposition, encumbrance, or other commitment or contract for the control or use of real property.

III. Policy:

A. Real Property Transactions

1. The Board of Trustees must approve Real Property Transactions that:
  - a. have an aggregate value of \$200,000 or more, except when authority has been delegated for an Approved Capital Development Project as described in paragraph III.A.3. below
  - b. cause the Real Property Transaction line item in an Approved Capital Development Project budget to be exceeded
  - c. must be acquired through the use of eminent domain
  - d. result in a purchase price that exceeds the fair market value plus an administrative settlement permitted by federal regulations
  - e. convey property rights that interfere with the intended use of the property, transit operations, or continuing control of the property as required by federal requirements
  - f. result in the contracted sale or revenue amount previously approved by the Board of Trustees to decrease by fifteen percent (15%) or more
  - g. result in the contracted purchase or payment amount previously approved by the Board of Trustees to increase by fifteen percent (15%) or more
  - h. are for the acquisition, disposition or development of real property for the purpose of transit-oriented development, after consultation with the Local Advisory Council

2. The Board of Trustees must approve Real Property Transactions of \$1 million or greater by resolution.
3. The Board of Trustees may establish parameters, by resolution, that delegate authority to the Executive Director to approve Real Property Transactions of \$200,000 or more that have been included in an Approved Capital Development Project budget.

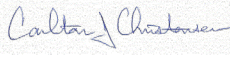
B. Annual Report

1. The Executive Director must present an annual report to the Board of Trustees that includes an inventory of real property and a summary of property acquisitions and dispositions occurring since the previous year report. The Authority will classify real property as Transit Critical, Transit-Oriented Development, or Surplus.

Cross References: 42 USC 4651– Uniform Acquisition Policy for Federally Assisted Programs; FTA C 5010.1E- FTA Award Management Circular; Utah Code Section 17B-2a-804 - Public Transit District Act; Board Policy 1.3 Executive Relationships and Meetings; Board Policy 3.3 Capital Development Project Implementation; UTA.02.01 Spending Authority Policy; UTA.06.01 Transit Asset Management and State of Good Repair Policy; UTA.06.03 Capital Asset Policy; Corporate Policy 2.2.1 Real Property; Corporate Policy 3.1.12 Capital Assets

Approved this 13<sup>th</sup> day of March, 2024

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Secretary of the Authority

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Legal Counsel

Revision/Review History:

Date of Local Advisory Council Consultation	Board of Trustees Approval (Resolution Number)	Action
6-12-2019	R2019-06-01	Combined Board Policy Nos. 1.4.1a – Property – Acquisition, 2.2.2 – Property, and 1.4.1b – Property – Encumbrance into Board Policy 5.2 – Real Property.
02-21-2024	R2024-03-01 (03-13-2024)	Added LAC consultation for acquisition, disposition or development of real property; revised requirement for classification of real property; aligned definition of “Approved Capital Development Project” to Board Policy 3.3 Capital Development Projects Implementation.