



WASATCH FRONT REGIONAL COUNCIL

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MINUTES

Wasatch Front Regional Council Meeting of March 22, 2007

Mayor Petroff, Chairman, called the meeting of the Wasatch Front Regional Council to order at 3:10 p.m. in the Regional Council offices at 295 North Jimmy Doolittle Road, Salt Lake City, Utah.

Members Present

Ken Bischoff	Commissioner, Weber County
Bruce Burrows	Mayor, Riverdale
Carlton Christensen	Councilmember, Salt Lake City
Peter Corroon	Mayor, Salt Lake County
J. Lynn Crane	Mayor, Herriman
Tom Dolan	Mayor, Sandy
Louenda Downs	Representative, Utah Association of Counties
Robert Grow	Representative, Envision Utah
Michael H. Jensen	Councilman, Salt Lake County
Joe L. Johnson	Mayor, Bountiful
Bret Millburn	Commissioner, Davis County
Kent Money	Mayor, South Jordan
John Petroff, Jr.	Mayor, West Point
Ron Russell	Mayor, Centerville
Bruce Sanders	Councilman, Morgan County
JoAnn B. Seghini	Mayor, Midvale

Members Not Present

Byron Anderson	Mayor, Grantsville
Craig L. Dearden	Commissioner, Weber County
George Garwood, Jr.	Mayor, South Ogden / ULCT
Matthew Godfrey	Mayor, Ogden
Dennis Nordfelt	Mayor, West Valley City

Alternate Members Present

Claudia Anderson	Mayor, Bluffdale
Bill Applegarth	Mayor, Riverton
Neka Roundy	Mayor, Kaysville City
Darrell H. Smith	Mayor, Draper
Todd Stevenson	Mayor, Fruit Heights
Jenny Wilson	Councilwoman, Salt Lake County

Other Elected Officials Present

Gordon Thomas Cottonwood Heights

Others Present

Donald Adams	City of Taylorsville
Loveit Baumgardner	WFRC Staff
Wayne Bennion	WFRC Staff
Roger Borgenicht	Future Moves
Melanie Bowen	Office of Senator Hatch
Carlos Braceras	UDOT
Steve Call	FHWA
Chuck Chappell	WFRC Staff
Mick Crandall	UTA
LaNiece Dustman	WFRC Staff
Sharon Gray	WFRC Staff
Ned Hacker	WFRC Staff
Val John Halford	WFRC Staff
Doug Hattery	WFRC Staff
Cheryl Heying	Utah State Division of Air Quality
John Hiskey	Sandy City
Jory Johner	WFRC Staff
Sam Klemm	WFRC Staff
Kane Loader	Midvale City
Rick McKeague	Utah Department of Air Quality
Glenn J. Mecham	Senator Bob Bennett
John Patterson	Ogden City
Greg Scott	WFRC Staff
Mary Taylor	Office of Senator Hatch
Barbara Thomas	WFRC Staff
Butch Waidelich	FHWA
Rob Wall	South Jordan
Ben Wuthrich	WFRC Staff
Daniel Young	UDOT

Public Comment

No public comment.

Consent Agenda

ACTION – Minutes of the WFRC meeting of January 25, 2007: Commissioner Louenda Downs requested that the January 25, 2007 minutes reflect updates to the list of current appointments to the WFRC Committees that were made after the list was included in Council members' packets.

Councilman Jensen moved to approve the minutes of the WFRC meeting of January 25, 2007, with the appointment list updated. The motion was seconded by Councilman Christensen and passed unanimously.

ACTION – Financial Statement and Check Register for January, 2007: Councilman Jensen moved to approve the financial statement and check register for January, 2007. The motion was seconded by Mayor Burrows and passed unanimously.

Chairman's Report

ACTION - Water Committee Chairman Appointment: Mayor Petroff reported that with Councilman Hancock no longer serving on the Council, a new Water Committee Chairman needs to be appointed to fill the position vacated by Councilman Hancock.

Commissioner Millburn moved that Councilman Bruce Sanders be appointed as the Water Committee Chairman for the Wasatch Front Regional Council. The motion was seconded by Councilman Jensen and passed unanimously.

Legislative Update: Mr. Sam Klemm reported that there were several bills dealing with transportation interests this past session. He distributed copies of and discussed the following ***Legislative Update***, dated March 1, 2007:

1. **HB 81**—Highway Jurisdictional Transfer—Representative Jim Bird sponsored this bill which would have re-designated SR 48 (New Bingham Highway) as a local road and move the state highway designation to 7800 South upon completion of a limited access facility on the Mountain View Corridor. The bill died in the House without a hearing.
2. **HB 98**—County Option Sales Tax For Highways and Transit—Rep. Craig Frank sponsored a bill that would primarily affect Utah County. The bill will allow the County to bond using funds from the 'Alexander' or second quarter sales tax for transportation facilities that it does not own. This is being done for the benefit of state and city roads. The bill passed the Legislature.
3. **HB 108**—East/West Transportation Corridor Study—Rep. Ron Bigelow sponsored a bill that requires UDOT to perform a study of all primary and secondary state and local highways west of 1-15 in Salt Lake County. The bill was amended to require similar studies in counties of the second class and passed the Legislature on February 26th. The Legislature also appropriated \$3.5 million to fund the studies.
4. **HB 158**—Amendments to Transportation Provisions—Rep. Wayne Harper sponsored this bill to re-allocate the \$10 vehicle registration fee for corridor preservation along with the 'quarter of the quarter' (1/16th cent) from the second or 'Alexander Quarter' and the recently adopted 'quarter of the quarter' from the voter approved third quarter cent for transportation to the debt service of a \$300 million bond. The proceeds from the bond will be used to purchase right-of-way for the Mountain View Corridor. The bill was amended the last day of the session to take 'only' 70% of the \$10 fee money and restrict the bond to \$100 million. The bill passed on the last day of the session.

5. **HB 166**—Transportation Revisions—Sponsored by Rep. Wayne Harper, this bill would have eliminated UTA as a stand alone entity and folded it into UDOT. The bill was defeated in the House Political Subdivisions Committee.
6. **HB 226**—Amendments to Sales Tax Provisions for Highways and Public Transit - Rep. Dougall sponsored a bill to allow municipalities to levy and expend a local sales tax for the purpose of public transportation whether or not they are already part of a public transit district. The bill also changes the split on the second quarter cent sales tax for transportation in Salt Lake County. The current division of 75 percent for transit and 25 percent for state highways was changed to 80/20. This last provision along with small increase allowed in SB 223 discussed below, keep UTA financially whole, for the most part, in the loss of sales tax on food. The bill passed and is awaiting the Governor's signature.
7. **HB 266**—Designation of a New State Highway—Rep. Kerry Gibson sponsored this bill which would have created a new state highway on Pioneer Road in Weber County between SR-126 and 1200 West. The bill died in the House without a hearing.
8. **HB 282**—Elimination of State and Local Sales Tax on Food—Rep. Merlynn Newbold sponsored a bill to eliminate the sales tax on food from the state, 'boutique' and transit portions. It would have cost UTA approximately \$17 million per year and would almost certainly have impacted the completion of many of the transit projects recently approved. The bill passed the House and was then subsumed into the larger tax revision in SB 223 discussed below.
9. **HB 314** - Transfer of Automobile Related Sales Tax to the Transportation Fund. Representative Becky Lockhart sponsored a bill that would have dedicated the entire portion of state sales tax attributable to automobiles, 16.6%, to the Transportation Fund. Presently, half of automobile related sales tax, 8.3%, is transferred to the transportation fund. The bill was substituted in the Senate and substantially altered. The percentage of the general fund dedicated to transportation was left as is and, in its place, a bond in the amount of \$1 billion was authorized to be paid for by an appropriation of \$90 million per year from the general fund.

The Dept. of Transportation must take a prioritized list of projects to be funded by the bond to the Executive Appropriations Committee for review and comment. The Department must also develop a scope of work and finance plan for the reconstruction of I-15 in Utah County. The bill passed and is awaiting the Governor's signature.
10. **HB 383**—Rep. Becky Lockhart sponsored a bill to shift the 1/16 cent sales tax previously dedicated to the B & C Road Fund to UDOT. In return, the split of the transportation fund between UDOT and the B & C Road Fund was shifted from a 75/25 division to 70/30. The bill passed and is on the Governor's desk.
11. **SB 12**—Bonding Authority for the Purchase of Land for Corridor Preservation—Sen. Howard Stephenson sponsored a bill that that would have authorized up to \$500 million in general

obligation bonding for the purpose of corridor preservation. The bill died in the House at the end of the session.

12. **SB 69**—Local Transportation Corridor Preservation Fund Amendments—Sen. Sheldon Killpack sponsored a bill that requires the county councils of governments to prepare a prioritized list of corridors to be preserved prior to any purchases using a local corridor preservation fund. This list will also have to be approved by the county legislative body. This approval may be done only once per year. The priority list does not have to be followed, however, in actual purchases of property. The bill also requires that the funds be available for highways only. The bill passed at the end of the session.
13. **SB 223**—Tax Amendments—Sen. Neiderhauser—This is the big tax recodification bill that received considerable attention during the legislative session. As part of the bill, sales tax was removed from food on the transit portion of the tax. As partial compensation, and in an effort to hold the transit districts harmless, the cities and counties that levy a sales tax may raise the tax rate slightly on the remainder of sales. UTA has indicated that they will still lose a small amount of money, but should be able to complete the planned rail projects on schedule using this money and that discussed in HB 226 above. The bill passed and is awaiting the Governor's signature.
14. **Appropriation for Urban Metropolitan Planning Organizations**—The Regional Council and the Mountainland Association of Governments made a request for \$70,000 each for the purposes of meeting our match requirements (7%) for the consolidated planning grant that funds most of our operations. The matter was approved by the Legislature as part of the appropriations adjustments bill, SB 3 which passed.

Study with UTA on Governance: Mr. Chappell reported that a study has been proposed by WFRC and MAG to look into the oversight and accountability of UTA. The study will hopefully dispel rumors and show that local officials have oversight over UTA. He stated that this study could be conducted by WFRC and MAG, or an independent consultant. He noted that the Legislature is currently working on a parallel audit/study on UTA. The results will be reported to an interim committee of the Legislature in September, 2007.

Mr. Chappell suggested that interviews be conducted with key Legislators to find out what their concerns and key issues are.

Council members discussed concerns that the study could become a political "hot bed". They expressed the need to proceed cautiously, gather data, and to be able to respond to Legislative questions with background information, not recommendations or conclusions.

Mr. Chappell stated that WFRC and MAG will go slow on the study. We may need to be prepared to respond to the Legislative audit in September or October, 2007.

Councilman Christensen and Councilman Jensen agreed to work with Mr. Chappell on this study.

ACTION - Recommend re-allocation of money from the Community Development Block Grant (CDBG) program: Ms. Dustman reported that the Wasatch Front Regional Council has \$61,582 in previous years un-executed CDBG funds which need to be reallocated to one or all of the four counties; Davis, Morgan, Tooele, Weber. Copies of the 2007 Wasatch Front Region CDBG Allocations were included in Council member's packets. Ms. Dustman also distributed updated copies of the 2007 Community Development Block Grant Funding allocation to Council members.

Ms. Dustman explained that Davis, Morgan, and Weber Counties were able to fund 100% of their projects this year. She asked the Council to consider allocating the money to Tooele County, as they were only able to fund two or their nine projects. She noted that if Tooele County receives the money it would go to a project in Grantsville City that would create a safe sidewalk for an area that currently does not have a sidewalk and is a major connective route for the elementary school. She added that Grantsville City can match 18% of the total project cost.

Mayor Seghini moved that the Council re-allocate the \$61,582 to Tooele County for Grantsville City's safe sidewalk project. The motion was seconded by Mayor Corroon and passed unanimously.

Budget Committee Report

ACTION - Distribution of draft budget and Unified Planning Work Program: Mayor Petroff asked Mr. Chappell to report on the Council's *draft* Budget and Summary of the Unified Planning Work Program for FY 2008, copies of which were included in Council members' packets.

Mr. Chappell reported that the Council's draft Budget for FY 2008 includes County contributions at FY 2007 levels. He stated that those contributions are used to provide local match for the Council's Federal transportation planning funds and to fund Council expenses not eligible for federal funding.

Mr. Chappell reported that the Council's draft Work Program for FY 2008 includes efforts to develop a Transportation Improvement Program, distribute the new 2030 Regional Transportation Plan and associated brochures, develop processes to support local funding options as requested, and provide service to local communities. He stated that the WFRC staff will actively participate in several studies, such as the North Legacy Supplemental Corridor Study, the South Davis Transit EIS, and the Foothill Drive Corridor Study. He noted that the draft Work Program has been jointly developed by the WFRC, UTA, and UDOT and must be submitted to the Federal Highway and Transit Administrations.

Mr. Chappell stated that the Budget also includes funds from city and county sources to fund a Legislative Consultant for the 2008 State Legislative Session. He noted that because of the suggestions by the Legislature for oversight of UTA, he felt it would be in the Council's best interest to not take \$15,000 from UTA as partial payment for the lobbyist. Therefore, the Council's budget would be reduced by \$15,000 on both the revenue and expense sides. He noted that Mr. Rob Jolley is the Council's contract lobbyist.

Mr. Chappell reported that the draft Budget and Unified Planning Work Program will be distributed to the County Councils of Government for discussion and comment. He stated that the WFRC staff will be available to provide explanation and answer questions regarding the Budget and Work Program at the COG meetings.

Mr. Chappell reported that the draft Budget and Unified Planning Work Program will be discussed at the Council's May meeting for adoption.

Regional Growth Committee

ACTION - Financial Plan for Regional Transportation Plan (RTP): BACKGROUND: Mr. Chappell reported that as part of the development of the Regional Transportation Plan (RTP), the WFRC staff has made reasonable financial assumptions for the next 23 years. He added that the RTP is required by federal law to be financially constrained. As such, identified revenue sources have been projected to the year 2007 out to the planning horizon of the plan, 2030.

Mr. Chappell distributed a handout listing two motions that emerged from the March 15, 2007 Regional Growth Committee meeting, as follows:

Motion 1: Commissioner Downs moved to approve the draft Regional Transportation Plan project list and project phasing scheme, to release them for public review, and to recommend the project list and phasing to the Regional Council for its consideration, with the caveat that the Plan project list and phasing scheme may still be amended and refined as local government councils' actions and public comments are received.

Motion 2: Mayor Money moved to recommend to the Regional Council that the financial assumptions that the WFRC staff had been using for the Plan be modified such that they would include an increase in the sales tax by .20 cent starting in 2026 to a total of one and one-quarter penny (1.25 cents), so that more transportation projects could be funded in the third phase of the Plan, which would include Salt Lake, Davis, and Weber Counties, with the recommendation that 75 percent of the increase be used for transit, but that the final determination would be made by the Councils of Governments of the respective counties.

Mr. Chappell discussed several funding assumptions that have been identified for highway and transit, and distributed a handout titled ***Financial Revenue Increases*** listing the following assumptions:

New Funding Assumptions for Highways — 2030 RTP

Statewide

- 8.3% (the rest) Auto Related Sales Tax in 2011
- \$.05 Fuel Tax in 2016 and 2026

Local

- \$10 Registration Fees in Davis County and Weber County in 2008
- Salt Lake County Local Option Sales Tax .30 cent total by 2026

- Davis County Local Option Sales Tax .30 cent total by 2026
- Weber County Local Option Sales Tax .48 cent by 2026

New Funding Assumptions for Transit — 2030 RTP

Local

- Salt Lake County Local Option Sales Tax .95 cent by 2026
- Davis County Local Option Sales Tax .95 cent by 2026
- Weber County Local Option Sales Tax .77 cent by 2026

Preliminary Revenue by Phase Available for New Capacity Projects or Service Highway (New Capacity Only)

- Phase 1 (2007-2015)	\$ 3,016,000,000
- Phase 2 (2016-2025)	\$ 6,771,000,000
- Phase 3 (2026-2030)	\$ 5,009,000,000
- Total:	\$14,796,000,000

Transit (New tracks, equipment and operations)

Phase 1 (2007-2015)	\$ 3,656,000,000
Phase 2 (2016-2025)	\$ 6,196,000,000
Phase 3 (2026-2030)	\$ 5,048,000,000
Total	\$ 14,901,000,000

Council members discussed the need for local money, which helps obtain federal funds for road and transit projects.

Council members discussed the possibility that without the increase by 2026 to 1.25 cents in sales tax for transportation, some transit and highway projects will need to be taken off Phase III of the Plan.

Mr. Chappell stated that UTA will need to borrow from the future by bonding beyond the year 2030 (the last year of the Plan). He noted that when the Plan is approved, the total costs of needs will be shown higher than revenues projected.

Mayor Seghini stated that with Air Quality standards being lowered considerably, the Council won't have federal funding if they can't come into compliance.

Mayor Seghini moved that the Council approve the same wording in the two motions recommended by the Regional Growth Committee at their meeting, with the following changes:

Motion 1: **Mayor Seghini** ~~Commissioner Downs~~ moved to approve the draft Regional Transportation Plan project list and project phasing scheme **and funding plan**, to release them for public review, and to recommend the project list, ~~and~~ phasing, **and funding plan** to the Regional Council for its consideration, with the caveat that the Plan project list and phasing scheme may still be amended and refined as local government councils' actions and public comments are received.

Motion 2: **Mayor Seghini** ~~Mayor Money~~ moved to recommend to the Regional Council that the financial assumptions that the WFRC staff had been using for the Plan be modified such that they would include an increase in the sales tax by .20 cent starting in 2026 to a total of one and one-quarter penny (1.25 cents), so that

more transportation projects could be funded in the third phase of the Plan, which would include Salt Lake, Davis, and Weber Counties, with the recommendation that 75 percent of the increase be used for transit, but that the final determination would be made by the Councils of Governments of the respective counties.

The two motions were seconded by Mayor Johnson and passed unanimously.

ACTION - draft Regional Transportation Plan (RTP) for comment: Mr. Val Halford reported that in January, the WFRC staff presented to the Wasatch Front Regional Council a series of *draft* 2030 Regional Transportation Plan (2030 RTP) highway and transit project lists and corresponding maps. He stated that these project lists and maps have been distributed to elected officials, regional planners and engineers, and interested members of the general public. Copies of the *draft* 2030 RTP Highway Project Phasing Map, the *draft* 2030 RTP Transit Project Phasing Map, the *draft* RTP 2030 Highway Project Phasing List, and the *draft* RTP 2030 Transit Project Phasing List, were included in Council members' packets.

Mr. Halford reported that the WFRC staff has received a number of comments on different highway and transit projects, which have been compiled by the WFRC staff. He stated that a written response to the various issues and concerns raised has been provided and in some cases, changes to the draft RTP 2030 project lists have been made to include facilities that need to be part of the region's overall highway and transit networks. Two of the changes include a highway Corridor Preservation project for Sheep Lane, and a street car/TRAX project for Sugarhouse in Phase III.

Mr. Grow asked that consideration be given to extending the Street Car/TRAX project in Sugar House two blocks north, to Westminster College.

Mr. Halford reviewed the staff's focus on defining the projects by assigning each to a specific phase for eventual construction. He stated that the Regional Growth Committee recommended increased funding and several changes in project priority at its meeting on March 15th. He added that the development of the RTP will continue through March in preparation for a 30 day public review and comment period beginning on April 6th and continuing through May 7th.

Mr. Halford reported that a series of RTP Open Houses have been scheduled, as follows:

- Wednesday, April 11th, at Centerville City Hall
- Thursday, May 3rd, at the Salt Lake County Government Center, 2001 South State Street, Salt Lake City, North Building, Center Atrium, from 3:00 p.m. to 5:30 p.m.
- Thursday, May 3rd, at Draper Elementary, in conjunction with the UDOT I-15 EIS team, 1080 East 12660 South, from 6:00 p.m. to 8:30 p.m.
- Monday, May 7th, at the Weber County Government Center, Commission Chambers Breakout Room, 2380 South Washington Blvd, Ogden City, from 4:00 p.m. to 6:30 p.m.

Mayor Seghini moved that the Council release the draft 2030 RTP for public review and comment. The motion was seconded by Mayor Johnson and passed unanimously.

Transportation Committee (Trans Com)

ACTION - Transportation Improvement Program (TIP) Amendments: Commissioner Bischoff reported that the WFRC has received a request from UDOT for a Board Modification to the 2007-2012 TIP. Copies of a Resolution to amend the 2007-2012 TIP were included in Council members' packets. He asked Mr. Ben Wuthrich to report on the modification.

Mr. Wuthrich stated that the request is to increase the CMAQ funding available for a project to improve the intersections on Redwood Road with 4700 South and 5400 South. He stated that although Trans Com has not reviewed this request, the Salt Lake Area Technical Committee did review the request at its March 7 meeting and recommended its approval. He stated that no projects will be delayed because of this request.

Mayor Dolan moved that the Regional Council approve the additional \$1,050,000 in CM/AQ funds for the two projects requested along with the Resolution amending the 2007-2012 TIP. The motion was seconded by Councilman Jensen and passed unanimously.

Executive Director's Report

Air Quality Report: Mr. Chappell briefed Council members on air quality standards and issues that are related to planning needed highway and transit projects in the region. He stated that in 2011 there will be a new PM_{2.5} standard. He stated that the source of PM_{2.5} is evenly distributed between industry, non-road mobile sources, cars and trucks.

Council members discussed better technology that is being developed. They also discussed the region's weather conditions, including inversions that affect air quality analysis.

Ms. Cheryl Heying from the Utah State Division of Air Quality stated that there has been good news on PM₁₀ values. She also briefly discussed several strategies that will be implemented in the future.

Other Business

Attendance Sheets: After a brief discussion on the Council member attendance sheets that are included in the monthly meeting packets, Councilman Christensen moved that they be discontinued. The motion was seconded by Mayor Dolan and passed unanimously.

Next Meeting: Mr. Chappell noted that the next WFRC meeting will be held on May 24, 2007.

There being no further business, the meeting was adjourned at 4:40 p.m.