AGENDA

TRANSPORTATION GOVERNANCE AND FUNDING TASK FORCE

Tuesday, May 16, 2017 • 1:00 p.m. • Room 210 - State Senate Building

1. Committee Opening Business

- Call to order
- Introductions
- Overview of 2017 S.B. 174
- Overview of duties and processes

2. Introductory Comments

- Rep. Mike Schultz
- Sen. Wayne Harper

3. Historical Review of Transportation Governance and Funding in Utah

The task force will receive presentations from various transportation-related state and local agencies. These will provide the task force with a historical perspective of how transportation systems in Utah have evolved to where they are today.

- Utah Department of Transportation
- Utah Transit Authority
- Salt Lake City Department of Airports
- Wasatch Front Regional Council
- Mountainland Association of Governments
- Utah Department of Transportation presents: “Utah, the Transportation and Economic Development Crossroads of the West”

4. Task Force Goals and Objectives

The task force co-chairs will present a draft list of goals and objectives for the task force and hear feedback from task force members.

- Sen. Wayne Harper
- Rep. Mike Schultz

5. Committee Concluding Business – Adjourn

- Requests for future presentations
- Discussion of potential task force subgroups
- Future meeting schedules/agendas
- Adjourn
SB174 Transportation Governance and Funding Task Force
Bill Summary

- Creates a Transportation Governance and Funding Taskforce to **evaluate best practices** regarding multimodal transportation investments that support mobility, safety, economic growth and quality of life.

- The Taskforce would study, review best practices, and make recommendations on a wide variety of topics, including:
  
  o **Governance**, coordination, oversight and operational structures of transportation in Utah
  o **Funding** needs, current state and local funding sources, future projections, and alternative transportation revenue mechanisms
  o **Interrelationship of growth, land use, capital development, and transportation**
  o **Impacts of transportation on economic development**
  o **Prioritization** of transportation projects
  o **Subgroups** could be created to study issues including:
    o Improvements in governance and transparency of transportation districts
    o The allocation of resources based on population, including considering underserved areas

- The **16-member Taskforce** would be comprised of the following appointments:
  
  o Senate President- three members, including two senators, one of whom will be a co-chair, and one private sector representative: **Sen. Wayne Harper, co-chair; Sen. Gregg Buxton; one private sector TBD**
  o House- three members, including two senators, one of whom will be a co-chair, and one private sector representative: **Rep. Mike Schultz, co-chair; Rep. Kay Christofferson; Sophia DiCaro**
  o Governor- three members, at least one of whom will represent the private sector: **Lane Beattie, Salt Lake Chamber of Commerce; Robert Grow, Envision Utah; Pat Jones**
  o Utah Transportation Commission- one member: **Commission Chair TBD**
  o Utah Transit Authority Board- one member: **Davis County Commissioner Bret Millburn**
  o Utah League of Cities and Towns- one member: **TBD**
  o Utah Association of Counties- two members, with one representing a rural county: **Salt Lake County Mayor Ben McAdams; Weber County Commissioner James Ebert**
  o Mountainland Association of Governments- one member: **American Fork Mayor James Hadfield**
  o Wasatch Front Regional Council- one member: **Ogden Mayor & WFRC Chair Mike Caldwell**

- The Taskforce would **report findings and recommendations** to the Legislature’s Transportation Interim Committee and the Governor by **December 1, 2017**.

- SB174 also requires UTA:
  - To create:
    - an **Office of Constituent Services**, for a central point of contact for UTA customers and residents
    - a **12-member Citizens’ Advisory Board** appointed by the UTA Board, to provide citizen input to the UTA management and Board
    - an **Office of Coordinated Mobility**, to coordinate human services transportation
  - For **transit oriented developments**, UTA must perform cost-benefit and return on investment analyses, including review of effects on service and ridership, MPO regional plans, local economy, air quality, affordable housing, and integration with other modes of transportation.
PUBLIC TRANSIT AND TRANSPORTATION

GOVERNANCE AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Mike Schultz

LONG TITLE

General Description:

This bill amends the governance of certain public transit districts, restricts powers of some public transit districts, and creates a task force.

Highlighted Provisions:

This bill:

- amends provisions relating to the authority of a public service district that serves a population over 200,000 people to develop transit oriented developments;
- requires a public transit district that serves a population over 200,000 people to have a citizens' advisory board, an office of constituent services, and an office of coordinated mobility;
- creates the Transportation Governance and Funding Task Force;
- provides an automatic repeal date for the task force; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17B-2a-804, as last amended by Laws of Utah 2016, Chapter 387

631-2-272, as last amended by Laws of Utah 2016, Fourth Special Session, Chapter 2
Be it enacted by the Legislature of the state of Utah:

Section 1. Section 17B-2a-804 is amended to read:

17B-2a-804. Additional public transit district powers.

(1) In addition to the powers conferred on a public transit district under Section 17B-l-103, a public transit district may:

(a) provide a public transit system for the transportation of passengers and their incidental baggage;

(b) notwithstanding Subsection 17B-l-103(2)(g) and subject to Section 17B-2a-817, levy and collect property taxes only for the purpose of paying:

(i) principal and interest of bonded indebtedness of the public transit district; or

(ii) a final judgment against the public transit district if:

(A) the amount of the judgment exceeds the amount of any collectable insurance or indemnity policy; and

(B) the district is required by a final court order to levy a tax to pay the judgment;

(c) insure against:

(i) loss of revenues from damage to or destruction of some or all of a public transit system from any cause;

(ii) public liability;

(iii) property damage; or

(iv) any other type of event, act, or omission;

(d) acquire, contract for, lease, construct, own, operate, control, or use:

(i) a right-of-way, rail line, monorail, bus line, station, platform, switchyard, terminal, parking lot, or any other facility necessary or convenient for public transit service; or

(ii) any structure necessary for access by persons and vehicles;
(e) (i) hire, lease, or contract for the supplying or management of a facility, operation, equipment, service, employee, or management staff of an operator; and
(ii) provide for a sublease or subcontract by the operator upon terms that are in the public interest;
(f) operate feeder bus lines and other feeder or ridesharing services as necessary;
(g) accept a grant, contribution, or loan, directly through the sale of securities or equipment trust certificates or otherwise, from the United States, or from a department, instrumentality, or agency of the United States;
(h) study and plan transit facilities in accordance with any legislation passed by Congress;
(i) cooperate with and enter into an agreement with the state or an agency of the state or otherwise contract to finance to establish transit facilities and equipment or to study or plan transit facilities;
(j) issue bonds as provided in and subject to Chapter 1, Part 11, Local District Bonds, to carry out the purposes of the district;
(k) from bond proceeds or any other available funds, reimburse the state or an agency of the state for an advance or contribution from the state or state agency;
(l) do anything necessary to avail itself of any aid, assistance, or cooperation available under federal law, including complying with labor standards and making arrangements for employees required by the United States or a department, instrumentality, or agency of the United States;
(m) sell or lease property;
(n) except as provided in Subsection (2)(b), assist in or operate transit-oriented or transit-supportive developments;
(o) establish, finance, participate as a limited partner or member in a development with limited liabilities in accordance with Subsection (1)(p), construct, improve, maintain, or operate transit facilities, equipment, and, in accordance with Subsection (3), transit-oriented developments or transit-supportive developments; and
(p) subject to the restrictions and requirements in Subsections (2) and (3), assist in a transit-oriented development or a transit-supportive development in connection with economic development or community development as defined in Section 17C-1-102 by:

(i) investing in a project as a limited partner or a member, with limited liabilities; or

(ii) subordinating an ownership interest in real property owned by the public transit district.

(2) (a) A public transit district may only assist in the development of areas under Subsection (1)(p):

(i) in the manner described in Subsection (1)(p)(i) or (ii); and

(ii) on no more than eight transit-oriented developments or transit-supportive developments selected by the board of trustees.

(b) A public transit district may not invest in a transit-oriented development or transit-supportive development as a limited partner or other limited liability entity under the provisions of Subsection (1)(p)(i), unless the partners, developer, or other investor in the entity, makes an equity contribution equal to no less than 25% of the appraised value of the property to be contributed by the public transit district.

(c) (i) For transit-oriented development projects, a public transit district shall adopt transit-oriented development policies and guidelines that include provisions on affordable housing.

(ii) For transit-supportive development projects, a public transit district shall work with the metropolitan planning organization and city and county governments where the project is located to collaboratively seek to create joint plans for the areas within one-half mile of transit stations, including plans for affordable housing.

(d) A current board member of a public transit district to which the board member is appointed may not have any interest in the transactions engaged in by the public transit district pursuant to Subsection (1)(p)(i) or (ii), except as may be required by the board member's fiduciary duty as a board member.
(3) For any transit-oriented development or transit-supportive development authorized in this section, the public transit district shall:
(a) perform a cost-benefit analysis of the monetary investment and expenditures of the development, including effect on:
(i) service and ridership;
(ii) regional plans made by the metropolitan planning agency;
(iii) the local economy;
(iv) the environment and air quality;
(v) affordable housing; and
(vi) integration with other modes of transportation; and
(b) provide evidence to the public of a quantifiable positive return on investment, including improvements to public transit service.

[(3)] (4) A public transit district may be funded from any combination of federal, state, local, or private funds.

[(4)] (5) A public transit district may not acquire property by eminent domain.

Section 2. Section 17B-2a-826 is enacted to read:

17B-2a-826. Public transit district office of constituent services, citizens' advisory board, and office of coordinated mobility.

(1) (a) The board of trustees of a public transit district serving a population over 200,000 people shall create and employ an office of constituent services.
(b) The duties of the office of constituent services described in Subsection (1)(a) shall include:
(i) establishing a central call number to hear and respond to complaints, requests, comments, concerns, and other communications from customers and citizens within the district;
(ii) keeping a log of the complaints, comments, concerns, and other communications from customers and citizens within the district; and
(iii) reporting complaints, comments, concerns, and other communications to management and to the citizens' advisory board created in Subsection (2).
(2) (a) A public transit district serving a population over 200,000 people shall create and oversee a citizens' advisory board.

(b) (i) The board of trustees of the public transit district shall select up to 12 members for the public transit district citizens' advisory board with membership representing the diversity of the public transit district area.

(ii) The board of trustees shall ensure that each member of the citizens' advisory board regularly uses the public transit district services.

(c) The public transit district citizens' advisory board shall meet as needed or quarterly in a meeting open to the public for comment, to discuss the service, operations, and any concerns with the public transit district operations and functionality.

(d) The public transit district management shall meet at least quarterly with and consult with the citizens' advisory board and take into consideration the input of the citizens' advisory board in managing and operating the public transit district.

(3) (a) A public transit district serving a population over 200,000 people shall create and employ an office of coordinated mobility.

(b) The duties of the office of coordinated mobility shall include:

(i) establishing a central call number to facilitate human services transportation;

(ii) coordinating all human services transportation needs within the public transit district;

(iii) receiving requests and other communications regarding human services transportation;

(iv) receiving requests and other communications regarding vans, buses, and other vehicles available for use from the public transit district to maximize the utility of and investment in those vehicles; and

(v) supporting local efforts and applications for additional funding.

Section 3. Section 631-2-272 is amended to read:

631-2-272. Repeal dates -- Title 72.

(1) On July 1, 2018:
In Subsection 72-2-108(2), the language that states "and except as provided in Subsection (10)" is repealed;

(b) in Subsection 72-2-108(4)(c)(ii)(A), the language that states ", excluding any amounts appropriated as additional support for class B and class C roads under Subsection (10)," is repealed; and

(c) Subsection 72-2-108(10) is repealed.

(2) Section 72-3-113 is repealed January 1, 2020.

(3) Section 72-14-101 is repealed on March 31, 2018.

Section 4. Section 72-14-101 is enacted to read:

72-14-101. Creation of the Transportation Governance and Funding Task Force.

(1) As used in this section:

(a) "Task force" means the Transportation Governance and Funding Task Force created in Subsection (2).

(b) "Transportation" includes:

(i) state transportation systems as defined in Section 72-1-102;

(ii) public transit as defined in Section 17B-2a-802;

(iii) active transportation, including walking, cycling, and other modes of human powered transportation; and

(iv) any other modes of transportation in this state.

(2) There is created the Transportation Governance and Funding Task Force consisting of the following members:

(a) (i) two members of the Senate appointed by the president of the Senate; and

(ii) one member representing the private sector appointed by the president of the Senate;

(b) (i) two members of the House of Representatives appointed by the speaker of the House of Representatives; and

(ii) one member representing the private sector appointed by the speaker of the House of Representatives;
(c) three members appointed by the governor, with at least one member representing the private sector;

(d) one member designated by the Transportation Commission;

(e) one member designated by the board of trustees of any public transit district serving a population over 200,000 people;

(f) one member designated by the Utah League of Cities and Towns;

(g) two members designated by the Utah Association of Counties, with one member representing a rural county;

(h) one member who is an elected member of the Mountainland Association of Governments; and

(i) one member who is the elected chair of the Wasatch Front Regional Council.

(3) (a) The president of the Senate shall designate a member of the Senate appointed under Subsection (2)(a)(i) as a cochair of the task force.

(b) The speaker of the House of Representatives shall designate a member of the House of Representatives appointed under Subsection (2)(b)(i) as a cochair of the task force.

(4) (a) Salaries and expenses of the members of the task force who are legislators shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 2, Lodging, Meal, and Transportation Expenses, and Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.

(b) A member of the task force who is not a legislator may not receive compensation for the member’s work associated with the task force, but may receive per diem and reimbursement for travel expenses incurred as a member of the task force at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(5) The Office of Legislative Research and General Counsel shall provide staff support to the task force.

(6) (a) A vacancy shall be filled by appointing a replacement member in the same manner as the member creating the vacancy was appointed under Subsection (2).

(b) Each member of the task force shall serve until a successor is appointed and
qualified.

(7) (a) A majority of the members of the task force constitutes a quorum.
(b) The action of a majority of a quorum constitutes the action of the task force.
(8) The task force shall review, evaluate, study, prepare a report, and make
recommendations on transportation and related topics, including:
(a) evaluation of statewide governance, configuration, and organization strategies to
coordinate management and oversight of all forms of transportation in this state;
(b) evaluation of and implementation of best practices in:
(i) functionality, funding, and operations of transportation in this state and other states;
(ii) governance, coordination, oversight, and operational structures of transportation in
this state and other states;
(iii) meeting funding needs, including consideration of current state and local
transportation funding sources, and future projections; and
(iv) evaluating the interrelationship of growth, land use, capital development, and
transportation;
(c) evaluation of alternative transportation revenue mechanisms available or currently in
use in this state and around the country, including an evaluation of:
(i) existing sales and use tax funding; and
(ii) other funding sources, including taxes, fees, and user charges, as part of the
transportation funding balance;
(d) evaluation and study of best practices to meet multimodal mobility and safety needs
in this state that support economic growth and quality of life;
(e) impacts of transportation on economic development; and
(f) evaluation of best practices in prioritization of transportation projects.
(9) The task force may designate and assign subgroups within the task force to address,
study, evaluate, and discuss certain issues, including:
(a) improvement in governance and transparency of transportation agencies and
districts; and
(b) allocation of resources based on population, including consideration of previously underserved areas.

(10) The task force shall report the task force's findings and recommendations to the Transportation Interim Committee and the governor before December 1, 2017.