CVTD BOARD MEETING AGENDA
August 28, 2024

Notice is hereby given that the Cache Valley Transit District will hold its regular meeting beginning at: 5:30 pm on Wednesday, August 28, 2024. The meeting will be at the Logan Library, 285 N. Main St., Logan, Utah, Community Room A. The public may also participate via the link below.

Estimated time of consideration

5:30 PM **BOARD MEETING AGENDA**

1. Call to Order
2. Pledge of Allegiance lead by Flor Estrada
3. Consent agenda
   a - approval of agenda
   b - approval of minutes - June 26, 2024
   c - next meeting - September 11, 2024 (budget workshop)
4. Public comments

5:35 PM 5. **Board Business**

A. District email - Patrick Jenkins, Board Chair
B. Second quarter financial report - Glen Schmidt, Budget Committee Chair
C. Facility update - Dave Geary, Facility Committee Chair
D. Consideration of bylaws - Patrick Jenkins, Board Chair
E. FY 2025 draft budget priorities - Curtis Roberts, Administration Director

6:00 PM 6. **Management Report**

A. Report on Triennial review -Mindy Spackman, Accounting & Procurement Officer
B. Low/No emission vehicle study - Jody Kimball, Operations Manager
C. Hosting Congressional Staff - Todd Beutler, CEO

7. **Board Chair Report**

A. Recognition of employee anniversaries - Patrick Jenkins, Board Chair

8. Public comments

6:15 PM 9. **Adjourn**

The public may join the meeting by calling: 1-669-900-9128 and using the following meeting ID and passcode. Meeting ID: 878 2690 2078 Passcode: 919386

The public may join the meeting by pasting the meeting Link below into their browser: https://us02web.zoom.us/j/87826902078?pwd=QmxiV1JONCtKVFdHSXFGWks5MzFWdz09

Regular Board Meeting Minutes
Cache Valley Transit District
Wednesday, June 26, 2024
5:30 pm
Logan Library
285 North Main Street, Logan, Utah
Community Room A

Present: Patrick Jenkins, David Geary, Flor Estrada, Lieren Hansen, Mike Arnold, Glen Schmidt, and Jeff Turley

Excused: Shaun Bushman and Ron Bushman

Others: Todd Beutler, Curtis Roberts, and Charise VanDyke

<u>Regular Meeting Agenda</u>

1. *Call to order*: Board Chair Patrick Jenkins

2. Pledge of Allegiance lead by Dave Geary

3. Consent Agenda: Patrick Jenkins asked for a motion to approve the consent agenda. Dave Geary moved; Jeff Turley seconded. Vote unanimous.
   A. Approval of Agenda
   B. Acceptance of Minutes – May 22, 2024
   C. Next Board Meeting – August 28, 2024 (July 17 canceled)

4. Public comments: No questions or comments.

<u>Board Business</u>

5. **Board Business:**
   A. Home travel survey results – Jeff Gilbert, Executive Director of Cache Metropolitan Planning Organization (CMPO): The CMPO covers 10 cities from Smithfield to Hyrum and is tasked with long range planning in regard to transportation. Multiple agencies partnered together on Utah's 2023 Statewide Household Travel Survey to get better data and to reach more of Utah. A Household Travel Survey collects the who, where, why, and how of day-to-day travel among residents in a region. There were three core parts to 2023's overall survey: a demographics survey (household characteristics, travel options, etc.); a travel log (a 1–7-day log for all trips made by selected survey takers); and follow-up surveys that included long distance trips and transportation related attitudinal

questions. There were a lot of questions about public transit, so there is an opportunity for transit agencies to mine this data. There was also statistical weighting to ensure representation and to correct for reporting biases (if a demographic was not represented). The information for Cache County is statistically valid and includes USU students. In the survey, any leg of a trip constituted a separate trip (i.e., Trip 1 – dropping kids off at school, Trip 2 – drive to work, etc.). A trip by any mode is reflected (car, walking, biking, carpooling, busing, etc.). In Cache, the average household makes 14 trips a day, which is the highest in the state; this number is up 13 percent compared to the data collected in 2012. The number of trips taken is affected by household size. The household trip rate in Cache County uses public transit more than anyone else in the state; this is affected in part by a zero fare and a university. The survey spanned the warmer months, but also included cold months. Cache County had the second highest number of trips taken by those without a car (after Wasatch Front). Most of the trips in Cache County are less than 5 miles (nearly 80%); this bodes well for public transit because the trip lengths are shorter than in other locations. Telecommuting has really changed assumptions (36% of respondents in Cache County telecommute at least occasionally). Those surveyed were also asked if they had 100 dollars where they would spend it on transportation; they answered 43 dollars on roadways, 30 dollars on active transportation, and 27 dollars on public transit. People in the state want multimodal transportation and are willing to pay for it. When asked if they wanted a more reliable commute time or a faster commute time with occasional delays – 79 percent wanted a reliable commute vs 21 percent who wanted a faster commute. Those who use public transit at least one or more days a week were mostly in the lower income category (under $25,000), but there was an interesting spike of ridership amongst those who make $200,000 or more. The lower income demographic likely needs the service, while the upper income levels may want to lower their carbon footprint. When those in Cache were asked what would encourage them to use public transit to travel to work, the top three that were named were closer transit stops (closer to home/work), more frequent transit service, and faster arrival at their destination. Discussion about recommendations. Overall, this reaffirms what steps are being taken by the District. Another key takeaway is that people are willing to pay for better transportation; people are generally self-serving – which is why they want to fund roads more – but they want all modes addressed. Discussion about future steps. Researchers and others are being encouraged to use the data while it's fresh. Overall, the data is reflective of where priorities have been.

B. Consideration of update to CEO Compensation Policy – Patrick Jenkins, Board Chair: Four years ago, the Board wanted to create a process around how we do annual compensation adjustments at every level, but especially at the CEO level. The CEO's salary is adjusted inside the budget, but then approved by the

Executive Committee. Four years ago, the Board adopted a process of taking salary averages from Logan City, Cache County, and the State of Utah to make sure we're in line for CEO compensation. Part of the process is to also do a salary survey every 5 years to make sure we're still in the middle of the market and appropriately compensating. This policy is just to formalize that process. Discussion about the policy. One revision is using the term salary adjustment instead of COLA, as it is outdated (and hard to get information on anymore because of how compensation has changed). Essentially, we're trying to keep up with the market, inflation, performance, and occupation. Discussion about organizational compensation. For most of the positions within the organization, salary.com is used as a source of information because staff can use it to write up what the job is and match it to different job descriptions (percentages can be applied to the jobs that have mixtures). Salary.com also has Ogden/Cache as one of their data sets. Patrick Jenkins asked for a motion to approve the CEO Compensation Policy. Dave Geary moved; Mike Arnold seconded. Vote unanimous.

6. **Management Report:**
   A. Hosting Congressional Staff – Todd Beutler, CEO: There were a couple of members from Senator Romney's staff who visited. They toured the facility and had an opportunity to drive a bus around the yard. Visits like this are a great opportunity to build relationships. We are expecting to host congressional staff in July as well.

   B. Employee BBQ – Todd Beutler, CEO: A reminder to the board about the Employee BBQ.

7. **Board Chair Report:**
   A. Recognition of employee anniversaries – Patrick Jenkins, Board Chair: Employee anniversaries include 5 years for Josh Jackman, 8 years for John Cherry, 10 years for Rick Rose, and 19 years for Leah Atkins.

8. Public comments: No questions or comments.

9. **<u>Adjourn:</u>** Board Chair Patrick Jenkins adjourned the meeting.

Cache Valley Transit District
Budget vs. Actual
Through June 30, 2024

	Actual	Budget	Variance	Percent of year Lapsed =50.00%
Income				
Sales tax	3,947,669.79	8,679,000.00	(4,731,330.21)	45.49%
Charges for services	38,713.84	100,000.00	(61,286.16)	38.71%
Interest income	326,060.50	300,000.00	26,060.50	108.69%
Federal and state grants	9,009,849.00	19,987,000.00	(10,977,151.00)	45.08%
Other	33,471.51	10,000.00	23,471.51	334.72%
Total Income	13,355,764.64	29,076,000.00	(15,720,235.36)	
Expense				
Operations				
Payroll and benefits	2,845,897.79	6,847,000.00	4,001,102.21	41.56%
Professional and technical	341,647.70	703,000.00	361,352.30	48.60%
Insurance and surety bonds	88,520.28	196,000.00	107,479.72	45.16%
Public outreach/community engagement	7,646.49	40,000.00	32,353.51	19.12%
Subscriptions and memberships	9,973.20	33,000.00	23,026.80	30.22%
Software	69,515.19	161,000.00	91,484.81	43.18%
Supplies	42,092.52	129,000.00	86,907.48	32.63%
Fuel	347,490.77	1,072,000.00	724,509.23	32.42%
Tires	6,103.45	139,000.00	132,896.55	4.39%
Training and travel	36,477.17	68,000.00	31,522.83	53.64%
Utilities	105,001.75	215,000.00	109,998.25	48.84%
Equipment purchases <$5,000	4,252.24	53,000.00	48,747.76	8.02%
Total Operational expenses	3,904,618.55	9,656,000.00	5,751,381.45	40.44%
Preventative Maintenence				
Payroll and benefits	275,071.13	657,000.00	381,928.87	41.87%
Professional services	1,910.42	11,000.00	9,089.58	17.37%
Parts and other operating costs	201,466.76	466,000.00	264,533.24	43.23%
Other maintenance costs	7,457.61	23,000.00	15,542.39	32.42%
Total Preventative Maintenence	485,905.92	1,157,000.00	671,094.08	42.00%
Facilities Maintenence				
Payroll and benefits	49,096.07	102,000.00	52,903.93	48.13%
Professional services	39,009.37	120,000.00	80,990.63	32.51%
Other maintenance costs	15,434.58	87,000.00	71,565.42	17.74%
Total facilities maintenance	103,540.02	309,000.00	205,459.98	33.51%
Capital Outlay				
Bus purchases	-	-	-	#DIV/0!
Equipment purchases	-	1,431,000.00	1,431,000.00	0.00%
Real property	9,856,671.47	26,750,000.00	16,893,328.53	36.85%
Total Capital Outlay	9,856,671.47	28,181,000.00	18,324,328.53	34.98%
Total Expense	14,350,735.96	39,303,000.00	24,952,264.04	36.51%
Net Income (loss)	**(994,971.32)**	**(10,227,000.00)**	**9,232,028.68**	

Cache Valley Transit District

Budget Change Explanations: Second Quarter – Expenditures FY2024

Operations

Supplies

2024 Budget	129,000.00
2nd Quarter Amount	42,092.52
Percentage used	32.63%

Explanation: Most of this budget relates to uniform purchases and other items related to the introduction of "Connect" as the brand name. This amount will be spent in the next quarter.

Public outreach/community engagement

2024 Budget	40,000.00
2nd Quarter Amount	7,646.49
Percentage used	19.12%

Explanation: Most of this budget was planned to be used for the rebranding effort. We expect that the budget will be used in the third quarter.

Fuel

2024 Budget	1,072,000.00
2nd Quarter Amount	347,490.77
Percentage used	32.42%

Explanation: Fuel prices remained relatively low through the first quarter. The average price per gallon for the year so far was $2.87 and we budgeted $4.25.

Tires

2024 Budget	139,000.00
2nd Quarter Amount	6,103.45
Percentage used	4.39%

Explanation: As in prior years, we will try to replace the tires closer to the fall and winter in preparation for the winter driving season.

Equipment Less Than $5,000

2024 Budget	53,000.00
2nd Quarter Amount	4,252.24
Percentage used	8.02%

Explanation: Many of these equipment purchases are scheduled for the fourth quarter when we are closer to moving to the new facility. They relate to computers, monitors, etc.

Preventative Maintenance

Professional Services

2024 Budget	11,000.00
2nd Quarter Amount	1,910.42
Percentage used	17.37%

Explanation: We plan an annual deep cleaning of the buses. This cleaning is usually scheduled for late in the third quarter or early in the fourth quarter.

Facility Maintenance

Other Maintenance Costs

2024 Budget	87,000.00
2nd Quarter Amount	15,434.58
Percentage used	17.74%

Explanation: We planned money for new bus stop signs (part of rebranding), new bus shelters, benches and pads. The bus stop signs will be spent in the third quarter. Other items are designed to be more reactive to community requests or route realignments. We anticipate more funds will be spent later in the year.

Capital Outlay

Equipment Purchases

2024 Budget	1,431,000.00
2nd Quarter Amount	0.00
Percentage used	0.00%

Explanation: Most of this line item relates to equipment and furnishing for the new facility. We anticipate that most of this amount will be spent in the fourth quarter.

Real Property

2024 Budget	26,750,000.00
2nd Quarter Amount	9,856,671.47
Percentage used	36.85%

Explanation: As expected, the construction activity has increased. The construction spending is consistent with our expectations. The overall project is still under budget. We still anticipate the completion of the facility in January 2025.

Budget Change Explanations: Second Quarter – Revenue FY2024

Sales Tax

Explanation: Sales tax has slowed. We budgeted for sales tax to increase 3.8%. The current increase is only about 1.5%. We will continue to monitor based on economic trends.

Interest Income

Explanation: The interest rate that we are earning is over 5.3%.

Federal and State Grants

Explanation: As construction costs are incurred in upcoming months, the grant revenue will also increase. The revenue from operational grants is consistent with expectations.

We may consider a budget amendment for the state appropriation that was awarded to us. We expect that some of the funds will be received in the third quarter.

Other

Explanation: The other category captures a few miscellaneous items which includes insurance reimbursements for accident costs. The typical insurance recovery happens when another vehicle causes damage to a District vehicle (bus). We obtain a repair estimate that is approved by our insurance company. Our insurance company provides funds to us for the repairs and we are required to report the insurance proceeds as revenue. We incur the repair expense costs in "Preventative Maintenance" and usually in the category of "Parts and other operating costs". The insurance company negotiates with the other vehicle owner's insurance for settlement. In the process, the District is made "whole" meaning that usually the proceeds from insurance equal the costs of the repairs.

Other Information

At the end of June and the first part of July, we had two buses involved in significant accidents when other vehicles ran stop signs and hit the bus. One bus is repairable with an insurance estimate over $30,000. The other bus was not repairable. We worked with the insurance to determine the remaining value of the vehicle which was over $184,000. We are required to work with the FTA to use the funds to replace the bus. We do not have a current contract with a bus provider. We will work to find a suitable replacement while complying with federal requirements.

Cache Valley Transit District
Financial Summary
New Facility Project
As of:

Description	Budget	Contract (Hard costs)	Estimates (Soft costs)	Total Obligation	Costs incurred to date	Remaining
Design	3,050,000.00	2,778,156.40	271,843.60	3,050,000.00	2,132,967.34	645,189.06
Construction	37,000,000.00	38,359,650.95	-	38,359,650.95	29,129,939.05	9,229,711.90
Building permit and utility connections	400,000.00	483,208.18	-	483,208.18	483,938.08	(729.90)
Bus lifts	550,000.00	548,657.14	-	548,657.14	486,657.14	62,000.00
Inspections and commissioning	225,000.00	249,987.00	-	249,987.00	117,196.90	132,790.10
Construction contingency	2,900,000.00	-	1,550,587.91	1,550,587.91	-	-
Other - FFE, moving, administrative, etc.	1,300,000.00	321,510.75	938,489.25	1,260,000.00	3,006.14	318,504.61
Total costs	**45,425,000.00**	**42,741,170.42**	**2,760,920.76**	**45,502,091.18**	**32,353,704.65**	**10,387,465.77**
Percentage Spent		76%				

Funding

Federal grants	33,962,487.00	-	33,962,487.00
Required match on federal grants - paid by State	5,000,000.00	-	5,000,000.00
Required match on federal grants - paid by CVTD	3,102,107.00	-	3,102,107.00
Extra paid by CVTD	676,577.00	3,221,316.00	3,897,893.00
Total funding	**42,741,171.00**	**3,221,316.00**	**45,962,487.00**
Difference	**0.58**	**460,395.24**	**460,395.82**

BYLAWS OF THE

CACHE VALLEY TRANSIT DISTRICT

DBA Connect Public Transit

DRAFT

MISSION

Connect Public Transit connects our passengers and communities to the people and places that matter most to them.

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ARTICLE I — **CONNECT PUBLIC TRANSIT**

Section 1. Creation.

The Cache Valley Transit District (hereinafter the "District or Connect") was created pursuant to the Utah Limited Purpose Local Government Entities - Local Districts Act, Title 17B, Chapter One – and the Utah Public Transit District Act, Chapter 2(a), Part 8 of the Utah Code Annotated 1953, as amended (hereinafter the "Act"), and is a public transit district organized under the laws of the State of Utah. Connect, comprised of its Board of Trustees (hereinafter the "Board"), officers, management and employees, is a political subdivision of the State of Utah; with those powers specifically granted in the Utah Public Transit District Act and with implied powers necessary to carry out the objectives and purposes of a public transit district.

Section 2. Officers.

The officers of Connect consist of the trustees when acting collectively as the Board, a Chair, a Vice Chair (or more if so, determined by action of the Board), a CEO\General Manager, a General Counsel, a Secretary, a Treasurer, and a Comptroller. The Chair and Vice Chair of Connect may also be referred to as the Chair and Vice Chair of the Board.

Section 3. Duties.

a. Officers of Connect shall act in the best interest of Connect and in accordance with the constitutions and laws of the United States of America and the State of Utah, and with all policies adopted by the Board.

b. Officers of Connect shall have a duty to exercise due care and to act with reasonable skill and diligence and perform their duties honestly, faithfully and to the best of their respective abilities.

c. Officers of Connect shall have a solemn fiduciary duty to the entire transit district. They have a duty of loyalty and shall consider and take actions based upon the best interests of Connect.

d. Officers of Connect have a duty to promptly disclose any conflicts of interests and recuse themselves from discussing or voting on issues for which they may have a conflict of interest.

e. Officers of Connect have a duty to comply with the State of Utah Government Records Access and Management Act (GRAMA) and to maintain business records consistent with applicable Utah Code (see generally Utah Code Sec. 63G-2-1 through 63G-2-9).

f. Officers of Connect have a duty to comply with the Utah Open and Public Meetings Act as prescribed by Utah Code (see generally Utah Code Sec. 52-4-101 through 52-4-305).

g. Officers of Connect have a duty to comply with the State of Utah Public Officers' and Employees' Ethics Act (see generally Utah Code Sec. 67-16-1 through 67-16-15).

h. Officers of Connect have a duty to comply with the Utah Public District Transit Act (Utah Code Sec. 17B-21-801 through 17B-2a-827).

i. Officers of Connect have a duty to maintain the confidentiality of non-public information for actual or anticipated personal, economic, or political gain, or for the actual or anticipated personal, economic, or political gain of any other person. Officers of Connect shall not rely on non-public information obtained in an official capacity to acquire a pecuniary interest in any property, transaction, or enterprise.

Section 4. Oath of Office.

The oath of office set forth in the Utah Constitution Article IV, Section 10, shall be given to all officers of Connect before commencing the duties of the office. The oath of office shall be taken, subscribed and filed with the Secretary at any time after the officer has notice of the appointment but not later than fifteen days after the commencement of the term of office.

Section 5. Indemnification.

Each officer of Connect shall be defended by Connect against any action, suit or proceeding arising from an act or omission alleged to have been committed by such officer within the scope of the individual's official capacity with Connect to the full extent allowed by applicable law.

Section 6. Compensation of Officers.

In accordance with 17B-1-1-103(q) of the Act, the Board has established a monthly payment of $200 for themembers and a monthly payment of $400 for the Board Chair because of the additional meetings and responsibility.the. Board Members are also eligible for travel expenses for meetings attended in accordance with Section 11-55-103.

ARTICLE II — **THE BOARD OF TRUSTEES**

Section 1. Appointment and Number

Board members will be selected without partisan political consideration. The Cache Valley Transit District is classified as a small public transit district under the Utah Code. The Board shall consist of members appointed by the legislative bodies of each municipality and the county within Connect's boundaries.

Current Representation

A. The Board of Trustees is composed of members that represent the following cities/governments:

A- Lewiston
B- Richmond
C- Smithfield
D- Hyde Park
E- North Logan
F- Logan
G- Providence
H- River Heights

I- Nibley
J- Millville
K- Hyrum
K- Cache County

B. The legislative bodies have determined that the transit district board is comprised of nine voting members. The nine members represent the following regions: There is one (1) member representing Lewiston, Richmond, Smithfield, one (1) member representing North Logan and Hyde Park, four (4) members representing Logan, one (1) member representing Providence and River Heights, one (1) member representing Nibley, Millville, Hyrum and one (1) member representing unincorporated Cache County.

Section 2. Term and Vacancies

A. The terms of office of the members of the board shall be no less than two years and no more than four years as determined by the legislative bodies. Once a board member's term expires they may continue to serve until re-appointed or until a successor is appointed, qualified, seated, and has taken the oath of office in accordance with Section 17B-2a-810(4) of the Act. The Board of Trustees has established that members may serve no more than eight (8) years consequetively.

B. Vacancies for members shall be filled by the legislative bodies appointing the member creating the vacancy for the unexpired term. If the legislative bodies fail to fill the vacancy within ninety (90) days, the Board of Trustees of Connect may fill the vacancy. Notification of vacancies shall be under the direction of the chair.

Section 3. Board Member Conduct

A. Standards of conduct for Board members and requirements for members to disclose actual or potential conflicts of interest between their public duties and their personal interests are as set forth in the Municipal Officers' and Employees' Ethics Act, Title 67, Chapter 16, of the Utah Code Annotated 1953, as amended.

B. Board members are expected to be present at all regularly scheduled Board meetings. In the event that a member has a pattern of unexcused absences, the Chair may contact the member's Mayors or County Executive to make them aware of the situation.

C. No member of the Board will interfere directly with the conduct of any District employee or the operations of the transit system. All recommendations to Connect administration shall come from the majority of the quorum of the Board at regular or special meetings and shall be delivered to the CEO through the Chair.

Section 4. Powers and Duties of Board Members

A. The Board's job is to properly govern the District, setting direction and seeing to it that the District achieves what it should and avoids unacceptable situations. It has all the powers and duties provided in the Act, including, but not limited to: managing and conducting the business and affairs of the District; determining all questions of District policy; fixing the location of the District's principal place of business and the times of meetings of the Board; selecting and using an official District seal; employing employees and agents for the operation of the District and its properties or delegating to District officers the power to do the same; prescribing the duties, compensation, and terms and conditions of employment of all employees and agents or delegating to District officers the power to do the same; contracting for or employing professionals to perform work or services for the District; through counsel, prosecuting or defending the District in all court actions or other proceedings in which the District is a party or is otherwise involved; adopting bylaws for the orderly functioning of the board; adopting and enforcing rules and regulations for the orderly operation of the District and for carrying out the District's purposes; prescribing a system of civil service for District employees; entering into contracts on behalf of the District that the Board considers to be for the benefit of the District; acquiring constructing, operating, occupying, controlling, and using buildings, works, or other facilities for carrying out the purposes of the District; acquiring, using, holding, managing, occupying, and possessing property necessary to carry out the purposes of the District; disposing of property when the Board considers it appropriate; instituting and maintaining in the name of the District any action or proceeding to enforce, maintain, protect, or preserve rights or privileges associated with District property; delegating to a District officer, including the CEO, the exercise of a District duty and requiring that officer to remain compliant with the Act; and exercising all powers and performing all functions in the operation of the District and its properties as are ordinarily exercised by the governing body of a political subdivision of the State of Utah and as are necessary to accomplish the purposes of the District. However, it exercises its managing authority through proper delegation to a CEO.

B. In addition to the general powers and duties listed in Section 5.A. above, the Board shall specifically do the following: appoint and fix the salary of the CEO; determine the transit facilities that the District should acquire or construct; supervise and regulate each transit facility the District owns and operates; control the investment of all funds assigned to the District for investment; invest all funds according to the procedures and requirements of Title 51, Chapter 7, State Money Management Act; report at least annually to the Utah Transportation Commission the District's short-term and long-range public transit plans, including the transit portions of applicable regional transportation plans adopted by a metropolitan planning organization established under 23 U.S.C. Sec. 134; and direct the Internal Auditor to conduct audits that the Board determines to be the most critical to the success of the District and to hear reports of the same audits.

C. The Board may make and pass ordinances, resolutions and orders not repugnant to the Constitution of the United States or of the State of Utah, or of the provisions of the Act, necessary for the government and management of the affairs of the District for the execution of the powers vested in the District and for carrying into effect the provisions of the Act. The Board shall fix the location of all offices and departments.

D. The Board shall cause an annual audit made of all books and accounts of the District by an independent certified public accountant, and shall as soon as practicable after the close of each fiscal year submit, if requested, to the chief administrative officers and legislative bodies of cities and counties within the District a financial report showing the result of operations during the preceding fiscal year and the financial status of the District on the final day thereof. Copies of the report shall be supplied to the general public, upon request, in the quantity deemed appropriate by the Board.

E. The Board may provide by resolution, under terms and conditions it considers fit, for the payment of demands against the District, without prior specific approval by the Board if the demand is for a purpose for which an expenditure has been previously approved by the Board and in an amount no greater than the amount so authorized, and if the demand is approved by the CEO or such other officer or deputy as the Board may prescribe. The Board may also appoint a custodian for the funds and securities under its control.

F. The Board may hold public hearings and appoint other officers of the District to conduct a hearing and require officers to make findings and conclusions and report them to the Board. Each member of the Board or designated hearing officer may administer oaths and affirmations in any District investigation or proceeding.

ARTICLE III -- ELECTION AND/OR APPOINTMENT OF OFFICERS AND EMPLOYEES; TERM; REMOVAL; RESPONSIBILITIES

Section 1. Election and/or Appointment of Officers; Other Employees.

A. The Chair, and Vice Chair. At the completion of an elected term, or in the event of a vacancy in the position of Chair, and Vice Chairthe Board shall entertain nominations from the members of the Board to fill any such vacancies for the term or the remainder of a term. Board Members having served 12 or more months may be considered for nomination. If two or more members of the Board are nominated for one office, the vote shall be by secret ballot. In the case of a single nominee for any one office, the vote may be by voice. A locally elected public official may not serve as the Chair, Vice Chair, or Secretary of the Board as stated in Utah Code 17B-sa-807(6)(d). Regularly scheduled elections shall occur in the quarter preceding the end of the officers' term and as soon as reasonably possible in the case of an unplanned vacancy.

B. Other Officers and Employees. The CEO, General Counsel, Treasurer, Comptroller and Secretary shall be appointed by the Board.

C. Other Employees. All officers and employees other than those set forth in Article III Sections 1.A and 1.B above, shall be appointed by the CEO.

Section 2. Term of Office.

A. The Chair, and Vice Chair. In accordance with 17B-2a-810(a)(ii), the Board shall elect from its body a Chair and Vice Chair that shall serve a minimum term of two years.

B. Other Officers and Employees. The CEO, General Counsel, Treasurer, Secretary and Comptroller shall serve at the pleasure of the Board as outlined in 17B-2a-810.

C. Other Employees. All officers and employees other than those set forth in Article III Section B shall serve at the pleasure of the CEO.

Section 3. Removal of Officers or Other Board Personnel.

A. All Officers Except the CEO. All officers listed in Sections 1.A and 1.B of this Article III, except for the CEO, may be removed from office by an affirmative vote of a majority of all Board members. A motion made at a regular meeting shall initiate such action, but the vote shall not be called for until the next regular meeting or at a special meeting called for that purpose. The Secretary, or the Vice Chair if the Secretary is the subject of removal, shall cause to be delivered to the affected officer a copy of the resolution to remove such officer at least seven days prior to the meeting at which the resolution is to be considered.

B. CEO. The CEO may be removed from his or her position by an affirmative vote of a majority of all Board members. A motion made at a regular meeting shall initiate such action, but the vote shall not be called for until the next regular meeting or at a special meeting called for that purpose. The CEO will be given at minimum seven days' notice of the Board's intent. The Secretary shall cause to be delivered to the affected officer a copy of the proposed resolution to remove such officer at least seven days prior to the meeting at which the proposed resolution is to be considered and voted upon by the Board. Before the Board may vote on the resolution, and at the written demand of the CEO, the Board shall give the CEO a written statement of the reasons alleged for the CEO's removal and shall allow the CEO to be publicly heard at a meeting of the Board. Notwithstanding the foregoing, the Board may suspend a CEO from office pending and during the meeting at which the CEO is publicly heard.

C. Limitation on Reduction of CEO's Salary. As stated in Section 17-B2a-811(4) of the Act, the Board may not reduce the CEO's salary below the amount fixed at the time of original appointment unless it adopts a resolution by the vote of a majority of all members and, if the CEO demands in writing, the Board gives the CEO the opportunity to be publicly heard at a meeting of the Board before the final vote on the resolution reducing the CEO's salary.

D. Other Employees. All officers and employees other than those set forth in Article III Sections A and B shall be subject to removal in accordance with management policy and in keeping with applicable law.

Section 4. Responsibilities.

A. The Chair. The Chair will preside at all meetings of the Board. The Chair may sign Board resolutions, correspondence and other documents of the Board. The Chair will serve as the official head of the Board, will serve as the leader in the activities and duties of the Board and will speak about the aim, policies and programs of the Board. The Chair, in conjunction with the CEO, will develop the agenda for Board meetings. The Chair, with the participation of the CEO, will conduct or assign an orientation for new Board members. This orientation will include a briefing on transit issues, these Bylaws, and the manner of conducting Board business. The Chair is a liaison to the CEO related to advice on existing Board policy. The Chair shall cast the final vote in the event that voting, including elections, by the Board results in a tied vote. The Chair may delegate a Vice Chair to cast a vote to break a tie vote, including elections. The Chair will work with the CEO and Board to develop and implement strategic plans, work with elected officials to educate and advocate for CVTD. The Chair may delegate assigned responsibilities, as necessary or desired.

B. The Vice Chair. The Vice Chair will perform the duties of the Chair in his or her absence or incapacity. In case of the departure of the Chair, the Vice Chair will perform the duties of the Chair until the Board elects a new Chair. In the absence of both the Chair and Vice Chair, the majority of the Board may select a member to act as Chair until the Chair or Vice Chair is able to resume his/her duties or is replaced.

C. The CEO. The CEO shall be the full-time chief executive officer of the District and shall have all of the powers, duties, and responsibilities granted and imposed by the Act including, but not limited to: ensuring that all district ordinances are enforced; preparing and submitting to the Board, as soon as practical but not less than 45 days after the end of each fiscal year, a complete report on the District's finances and administrative activities for the preceding year; keeping the Board advised as to the District's needs; preparing or causing to be prepared all plans and specifications for the construction of District works; causing to be installed and maintained a system of auditing and accounting that completely shows the District's financial condition at all times, and attending all meetings of the Board. The CEO shall be the official spokesperson of the District, unless otherwise delegated by the CEO. The CEO shall also act as a non-voting representative of the Board and is entitled to participate in the deliberations of the Board as to any matter before the Board.

D. The General Counsel. The General Counsel shall provide legal counsel to the Board and the CEO as needed or requested by the Board or CEO and shall perform any other duties specifically assigned or delegated by the Board or CEO. The General Counsel shall be a person admitted to the practice of law in the State of Utah and shall have been actively engaged in the practice of law for not less than seven (7) years next preceding his/her appointment.

E. The Treasurer. The Treasurer shall be the custodian of the funds of the district and make payments only upon warrants duly and regularly signed by the Chair, Vice Chair, CEO, Secretary or other person authorized by the Board. The Treasurer shall keep an account or all receipts and disbursements.

F. The Comptroller. The Comptroller shall be responsible for accounting practices of the District and shall perform other duties specifically assigned or delegated by the Board including but not limited to the following: preparing a statement of revenues and expenditures for the fiscal year just ended, in the detail that the Board may prescribe; and transmit a copy of the statement to the chief executive office of each municipality within the District and each county with unincorporated areas within the District. The Comptroller shall have been actively engaged in the practice of accounting for not less than seven (7) years next preceding his/her appointment.

ARTICLE IV — **BOARD COMMITTEES**

By appointment of the Chair, standing or ad hoc committees may be established from among Board members to review, study and make recommendations to the full board. The Secretary will meet with the committees as directed by the Chair.

Section 1. Standing Committees.

The Board has established the following standing committees:

A. Budget and Audit Committee. The Budget and Audit Committee will study and review issues relating to the revenues and expenses of Connect, including the Quarterly Budget Report, the operations and capital budget, and other matters referred by the Chair of the Board. The committee Chair will present to the Board the committee's review on each item reported out of the committee.

B. Executive Committee. The Executive Committee will meet and report to the Board, as directed by the Chair. This committee will support the Chair, assisting with oversight of committees and the Board. This committee will ensure that policies are followed, and appropriate support and training are available to Board members. This committee will provide the General Manager with his or her annual review, annual goals, and set the salary adjustment in the annual budget prior to the budget's approval by the Board.

Section 2. Membership.

Members of standing or ad hoc committees are appointed by the Chair and serve at the pleasure of the Chair.

Section 3. Election and Term of Committee Chairs.

Committee members shall elect a committee chair from the membership of each committee. The term of a committee chair shall be for one year or until his or her successor is elected. A committee chair shall be eligible to serve consecutive terms. In the event an election results in a tied vote, the Chair of the Board will cast the final vote.

ARTICLE V — **MEETINGS OF THE BOARD AND BOARD COMMITTEES**

Section 1. Meeting Types.

A. Regular Board Meetings. A regular Board meeting schedule shall be established annually by the Board at the beginning of each fiscal year. Unless otherwise established, Board meetings shall be held on the fourth Wednesday of each month at the time and place set by the Board.

B. Special Board Meetings. Special meetings of the Board may be called at the Chair's discretion, or whenever the same is requested in writing to the Chair by three or more members of the Board.

C. Emergency Board Meetings. Emergency meetings of the Board to consider matters of an urgent nature may be called at the discretion of the Chair.

D. Board Committee Meetings. Committee meetings of the Board may be called at the discretion of the Chair or the chair of any Board committee.

Section 2. Open and Public Meetings.

All meetings of the Board shall be open to the public to the full extent required by the Utah Open and Public Meetings Act, Title 52, Chapter 4, of the Utah Code Annotated 1953, as amended. Notwithstanding the foregoing, the Board may meet in closed session in accordance with the provisions of the Utah Open and Public Meetings Act, Title 52, Chapter 4, Part 2, of the Utah Code Annotated 1953, as amended.

Section 3. Notice of Meetings.

A. Notice of regular Board meetings, special Board meetings shall be in writing and shall be delivered by electronic means to each member's last known electronic mail address as shown in the records of Connect. The notices shall be delivered at least three calendar days prior to the day of any meeting when practical.

B. Notice of emergency Board meetings shall be given to each member at least 24 hours before the meeting, if possible. In the event 24-hour notice is not possible, each member shall receive the best notice which practically can be given. Notice for emergency meetings may be oral, written, or electronic.

C. Any notice required to be given under this Section shall contain the date, time, place, and an agenda for the meeting.

D. Notice of meetings of the Board and agenda shall be provided to the chief administrative officers and legislative bodies of each municipality and unincorporated county area within Connect at the same time as the notice is provided to the Board. Delivery of notices may be submitted by electronic mail if agreed to by the entity involved. Notice of meetings of the Board shall also be given to the public as required by the Utah Open and Public Meetings Act, Title 52, Chapter 4, Part 2 of the Utah Code Annotated 1953, as amended.

E. A member may waive the right to receive notice of a meeting by expressing his or her consent to the holding of the meeting and having such consent recorded in the minutes of the meeting. The meeting shall be valid for all purposes and any otherwise permissible action may be taken.

Section 4. Minutes of Meetings.

Minutes of meetings will record only formal actions taken by the Board and a summary of important reports and discussions. Board members may request that specific comments be included in the minutes. Minutes of meetings of the Board shall be provided to the chief administrative officers and legislative bodies of each municipality and unincorporated county area within Connect within five working days following approval of the minutes by the Board. Delivery of minutes may be submitted by electronic mail if agreed to by the entity involved. Before the next meeting, the Secretary shall furnish the prior meeting's minutes to Board members for review and approval at the next meeting.

Section 5. Absence from Meetings.

Each member of the Board, when sworn, is a duly authorized public servant with responsibility to represent the best interests of Connect and to report the business of Connect to the jurisdiction that appointed the member. Each member is expected to serve faithfully, attend all meetings and perform other assignments in compliance with Board policy.

Section 6. Electronic Attendance at Meetings.

With the consent of the Chair, a member may attend a meeting via electronic means. At the request of the Chair or committee chair, a member attending a meeting electronically shall verbally signify his or her vote for each motion being considered during the meeting until such time as the member verbally indicates his or her desire to withdraw from the meeting. Such withdrawal shall be recorded in the minutes as part of the official records. A member attending a meeting electronically shall be counted as present for purposes of a quorum and may fully participate and vote.

Section 7. Agenda Development.

The final Board agenda and appropriate supporting documents will be produced by the staff, with approval from the Chair of the Board. Any item for which supporting materials are not received by Board members prior to the day of the Board meeting may be deleted from the agenda. An item may be deferred or removed from the agenda at the request of a voting Board member and with the concurrence of the majority of the quorum. Any changes to the agenda or other Board materials will be clearly highlighted and documented in the minutes. No less than 48 hours prior to each Board meeting, the agenda will also be posted in Connect's offices and transmitted to the media.

Section 8. Parliamentary Authority.

Robert's Rules of Order, Newly Revised will be the parliamentary authority at all meetings of the Board.

ARTICLE VI — **CONDUCT OF BUSINESS**

Section 1. Voting Rights and Quorum.

A. Each Board member may cast one vote on all questions, orders, resolutions and ordinances coming before the Board. All votes will be counted as outlined in Article II ((2)(c)) of these by-laws

B. A majority of all voting members constitutes a quorum for the transaction of Board business.

C. Except as otherwise provided in these Bylaws or applicable State law, an affirmative vote of a majority of a quorum is sufficient to carry any order, resolution, ordinance or proposition before the Board.

D. A quorum is not required for adoption of a motion to adjourn.

E. The Board may not fix or alter the rates and charges for services provided by Connect except by two-thirds (2/3) vote of the Board, as outlined in Article II Section2(C).

Section 2. Order of Business.

The business of all meetings of the Board shall be transacted as far as practicable in the order of business set forth in the agenda. At any meeting where a new member is to take the oath of office and be seated, such ceremony shall be conducted prior to the determination of a quorum.

Section 3. Resolutions, Orders and Ordinances — Vote Recorded.

A. Resolutions and orders may be adopted by voice vote, but on demand of any member, the roll shall be called.

B. On all ordinances, the roll shall be called and the ayes and nays recorded. No ordinance shall be adopted unless:

   a. The ordinance is introduced at least 24 hours prior to the time of adoption;

   b. The ordinance is mailed by registered mail, postage prepaid, to each member of the Board at least five days prior to the day upon which the ordinance shall be presented for adoption. All ordinances shall take effect upon their adoption by the Board, unless otherwise provided therein; or

   c. All members of the Board present at a meeting at which there is present not less than 3/4 of all members adopt the ordinance by unanimous vote.

C. All resolutions, ordinances or orders passed by the Board shall be authenticated as soon as practicable after their passage by the signature of the Chair, or Vice Chair and attested by the Secretary, Vice Chair or by his/her designee, and kept in the official records of Connect.

D. A record of meetings of the Board shall be made and maintained for inspection as provided by law.

ARTICLE VII — **GUIDELINES FOR TRAVEL**

Section 1. Board members in good standing may travel as representatives of Connect on official business with the prior approval of the Board Chair. Board members shall seek reimbursement only for expenses directly related to the trip, in accordance with Utah Administrative Code R25-7-1 et. Seq. and UCA 17B-2a-807(5).

Section 2. Board members requesting travel authorization on District business should submit a written request to the Board Chair. The written request shall include the reason for the trip, the destination, and a proposed budget.

Section 3. Board members shall report the results of a trip at the Board meeting following the conclusion of travel.

ARTICLE VIII – **BOARD OF TRUSTEES MEMBER REQUESTS**

All budget, service and policy requests made by the Board will be directed to the CEO. Copies of requests will be provided to all Board members for discussion of merit. If determined significant, the Board shall form an ad hoc committee to study and review the topic. All responses to Board member requests are distributed to all Board members. Copies of all significant District correspondence are forwarded to the Chair, upon request, for information purposes.

ARTICLE IX – **AMENDMENT OF BYLAWS**

At any Board meeting, a majority vote can recommend an action item for amendment of these Bylaws. Upon this vote or at the request of the Board Chair, the Legislative Committee will be assigned to review any suggested changes to the Bylaws and present to the Board their recommendation for change. The Board can then change the Bylaws by majority vote.

Key Budget Priorities

Transit Operations

- Continue to maintain transit service (Fixed route & LOOP, Call-A-Ride, POOL)
- Implement Facility Transition Plan:
    - Training
        - Drivers, Maintenance, Service Workers, Facilities, Dispatch
    - Address staffing adjustments
    - Revise preventative maintenance inspection processes
    - Relocate to new facility
    - Decommission current facility

Financial Planning

- Operating expenses do not exceed revenues (operating revenues exceed operating expenses)
    - One-time costs vs. ongoing
    - Federal share of operating expenses

Capital Improvements

- Finish construction on the new maintenance/administration facility, completion scheduled for January 2025 (Capital Outlay)
- Design a Training Course
- Evaluate and acquire property for transfer stations
- Replace bus that was totaled
- Replace support vehicle
- Equipment needs for new facility:
    - Forklift
    - Copy machine
    - Floor scrubber

Focus on public education and outreach

- Continue the public education campaign (Professional Services)

Planning Activities

- Perform a study for service during low-demand times
- Perform research and prepare a report on the economic impact of Connect on the local economy (Professional Services)

U.S. Department
of Transportation
**Federal Transit
Administration**

REGION VIII
Colorado, Montana,
North Dakota,
South Dakota,
Utah and Wyoming

1961 Stout Street
Suite 13301
Denver, Colorado 80294
(303) 362-2400 (voice)

August 8, 2024

Mr. Todd Beutler
General Manager / Chief Executive Officer
Cache Valley Transit District (CVTD)
754 West 600 North
Logan, Utah 84321

Re: Fiscal Year 2024 Triennial Review – Draft Report

Dear Mr. Beutler:

I am pleased to provide you with a copy of this Federal Transit Administration (FTA) report as required by 49 U.S.C. Chapter 53. The enclosed draft report documents the results of the FTA's Fiscal Year 2024 Triennial Review of the Cache Valley Transit District (CVTD). Although not an audit, the Triennial Review is the FTA's assessment of CVTD's compliance with Federal requirements, determined by examining a sample of award management and program implementation practices. As such, the Triennial Review is not intended as, nor does it constitute, a comprehensive and final review of compliance with program funding requirements.

Due to the Coronavirus 2019 (COVID-19) Public Health Emergency, the review was expanded to address CVTD's compliance with the administrative relief and flexibilities FTA granted and the requirements of the COVID-19 relief funds received through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) of 2021, and the American Rescue Plan (ARP) Act of 2021.

The Triennial Review focused on CVTD's compliance in 23 areas. No deficiencies were found with the FTA requirements in 22 areas. A deficiency was found in the following area: Public Transportation Agency Safety Plans (PTASP). CVTD had no repeat deficiencies from the FY2021 Triennial Review.

Please review this draft report for accuracy and provide your comments to both the reviewer and your FTA regional contact **within ten business days from the date of this letter**. A final report that incorporates your comments to the draft report will be provided to you within 14 business days of your response.

Thank you for your cooperation and assistance during this Triennial Review. If you need any technical assistance or have any questions, please do not hesitate to contact Kristina Evanoff, General Engineer, at (303) 362-2396 or via email at Kristina.Evanoff@dot.gov, or Jay Van Esley, your reviewer, at (224) 935-0362 or by email at jmv@ieitransit.com.

Sincerely,

Cindy Terwilliger
Regional Administrator

cc: Curtis Roberts, CVTD, Administrative Director
Kristina Evanoff, FTA Region 8, General Engineer
Jay Van Esley, IEI, Lead Reviewer


HARRIS