

# ULCT 2015: Your Advocates on Capitol Hill



WHO WE ARE  
WHAT WE DID  
WHERE WE ARE GOING  
AND OTHER MUSINGS



# Who we are: 72+ years of legislative experience



**Ken Bullock, Executive Director**

- 30 years ULCT experience

**Cameron Diehl, Dir. Gov't Relations**

- 7 years ULCT experience

**Roger Tew, Sr. Policy Analyst**

- 20 years ULCT experience & 30+ years municipal experience

**Jodi Hoffman, Land Use Analyst**

- 11 years ULCT experience & 20+ years municipal experience

**Nick Jarvis, Dir. of Research**

- 5 years ULCT experience

**Brandon Smith, Legislative Research Analyst**

- 1 year ULCT experience

# Tracking Sheet/Daily Update/[www.ulct.org](http://www.ulct.org)



The screenshot shows the homepage of the Utah League of Cities and Towns. At the top, the logo and name "Utah League of Cities and Towns" are visible, along with a search bar and the slogan "MAKING BETTER". A navigation menu includes links for Home, About, Legislative Advocacy, Research & Resources, Land Use, Training & Events, Multimedia, and Job Bank. A large red arrow points to the "Utah League of Cities and Towns" text in the header.

The main content area features a large section titled "The League at the Capitol: 2013" with a photo of the Utah State Capitol. Below this are four smaller images. To the right, a "Connect with ULCT" section displays three tweets. Further down, "The City Café: ULCT Blog" section includes a link to a "Tracking Sheet" with the text "Below is tracking sheet ULCT Tracking 3-14-13 ULCT Tracking...". At the bottom, the "ULCT Calendar" section lists events like the "Midyear Conference" and "ULCT Road School".

Red arrows point to the "The League at the Capitol: 2013" section, the "Connect with ULCT" section, and the "The City Café: ULCT Blog" section.

# Tracking Sheet/Daily Update/[www.ulct.org](http://www.ulct.org)



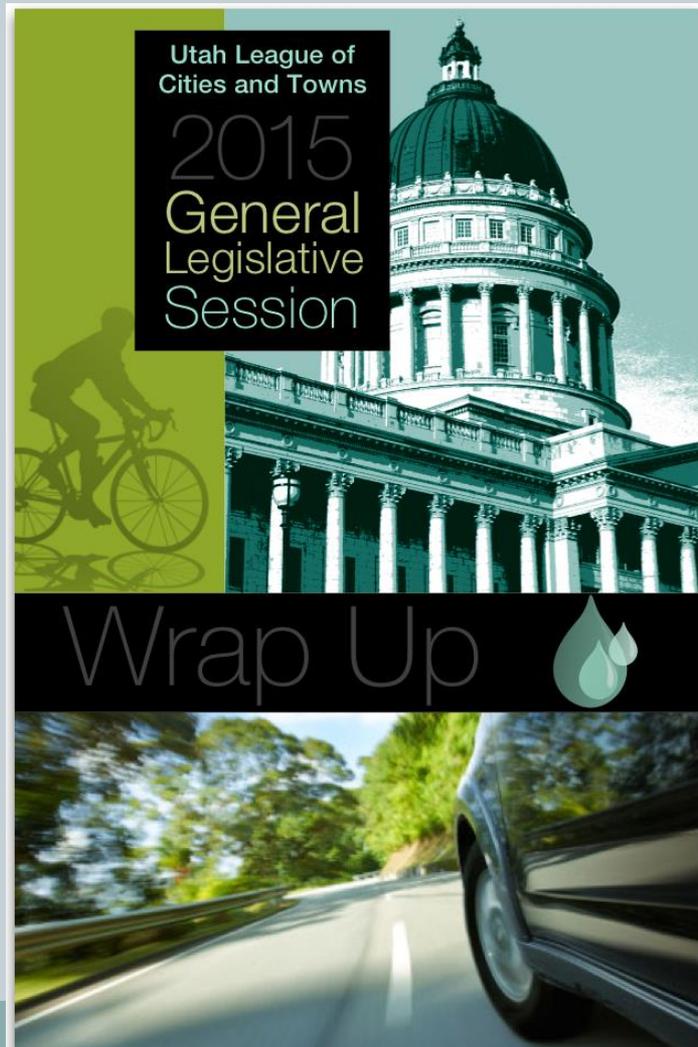
## House Bill (98)

Use the drop down to the left to select the next 25 bills to display.

Last Legislative Day: 3/11/2014

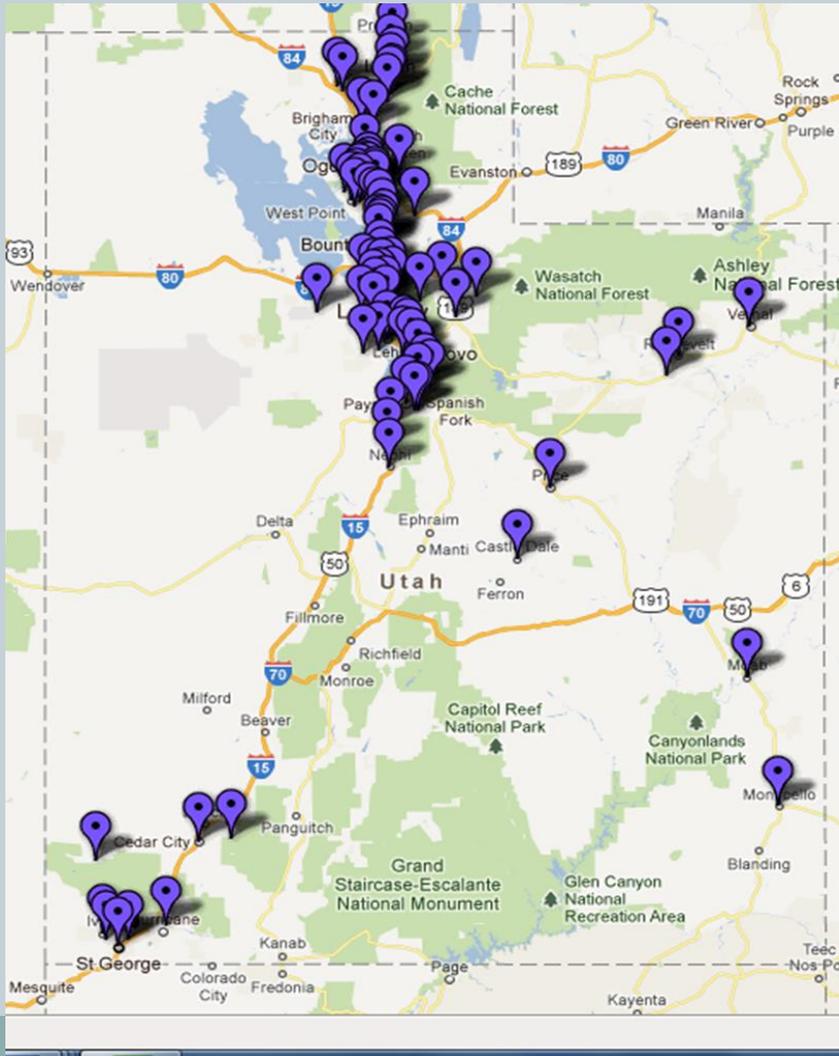
<a href="#">HB 0017s01</a>	<b>Watch</b>	Interlocal Act Amendments	<a href="#">Anderson, Johnny</a>
	3/29/2014	Governor Signed in LTGOV	-
		<a href="#">Amend</a> <a href="#">General Government</a> <a href="#">ULCT</a>	
<a href="#">HB 0019</a>	<b>Monitor</b>	Electric Vehicle Battery Charging Service Amendments	<a href="#">Arent, P.</a>
	3/20/2014	Governor Signed in LTGOV	-
		<a href="#">Support</a> <a href="#">ULCT</a> <a href="#">Utilities</a>	
<a href="#">HB 0044s01</a>	<b>Monitor</b>	Interstate Electric Transmission Lines	<a href="#">Handy, S.</a>
	2/21/2014	House - House/ substituted in HSUB	-
		<a href="#">Land Use</a> <a href="#">ULCT</a> <a href="#">Utilities</a>	
<a href="#">HB 0049s01</a>	<b>Hot</b>	Water Rights - Change Application Amendments	<a href="#">McIff, K.</a>
	3/3/2014	House - House/ substituted in HSUB	-

# ULCT 2015 Wrap Up [www.ulct.org](http://www.ulct.org)



# Legislative Policy Committee

## Roles and responsibilities



- 255 members (Apr 1)
  - Average attendance: 130+
- 98 cities and towns
  - Every city/town entitled to 3 voting members
- ULCT-USU partnership
  - 60+ people, 40 cities & towns
  - From Ivins to Vernal and Smithfield to Ephraim
- **CHECK THE ROSTER**

# General Tenor of 2015 Session



- **Healthy Utah and Utah Cares**
  - Tension between the Governor/Senate and House
- **Legislative priorities and collaboration**
  - Budget
    - ✦ Education
    - ✦ Health care
    - ✦ Criminal justice/prison/law enforcement
    - ✦ Transportation
  - Nondiscrimination
- **831 bills/resolutions filed (most ever)**
  - ULCT tracked 256
- **528 bills passed (most ever)**

# #leaguearmy

Proactively passed (ULCT Sep. resolutions):

- **HB 362: Transportation**
- **HB 25: Water**
- **HB 288: Appeal security**

Changed:

- **SB 157: GRAMA**
- **SB 69: Fleet (vehicles)**
- **SB 82: Forcible entry**

Opposed:

- **HB 61: Business license**
- **HB 142: Form of government**
- **HB \_\_\_: Video streaming**
- **HB 386: Body-worn cameras**



# #leaguearmy: thank you!



- Garden City
- Bear River City
- Tremonton
- Logan
- Hyde Park
- Nibley
- Brigham City
- Perry
- Pleasant View
- North Ogden
- Ogden
- South Ogden
- Washington Terrace
- South Weber
- Roy
- Clearfield
- Clinton
- West Point
- Layton
- Kaysville
- Farmington
- Centerville
- Bountiful
- West Bountiful
- Woods Cross
- North Salt Lake
- Park City
- Morgan
- Independence
- Heber
- Vernal
- Nephi
- Moab
- Castle Valley
- Delta
- Ephraim
- Manti
- Monroe
- Richfield
- Parowan
- Enoch
- Cedar City
- Tropic
- Brian Head
- La Verkin
- Hildale
- Washington
- St. George
- Ivins
- Tooele
- Salt Lake City
- South Salt Lake
- Murray
- Midvale
- Holladay
- West Valley
- Taylorsville
- Cottonwood Heights
- West Jordan
- South Jordan
- Draper
- Herriman
- Bluffdale
- Sandy
- Alta
- Eagle Mountain
- Saratoga Springs
- Pleasant Grove
- Lindon
- Lehi
- Orem
- Provo
- Spanish Fork
- Springville
- Payson

# HB 362 and the 2015/2016 Election Cycles



**WHAT TO CONSIDER**  
(AS OF MAY 1)

# Transportation election: What to consider?

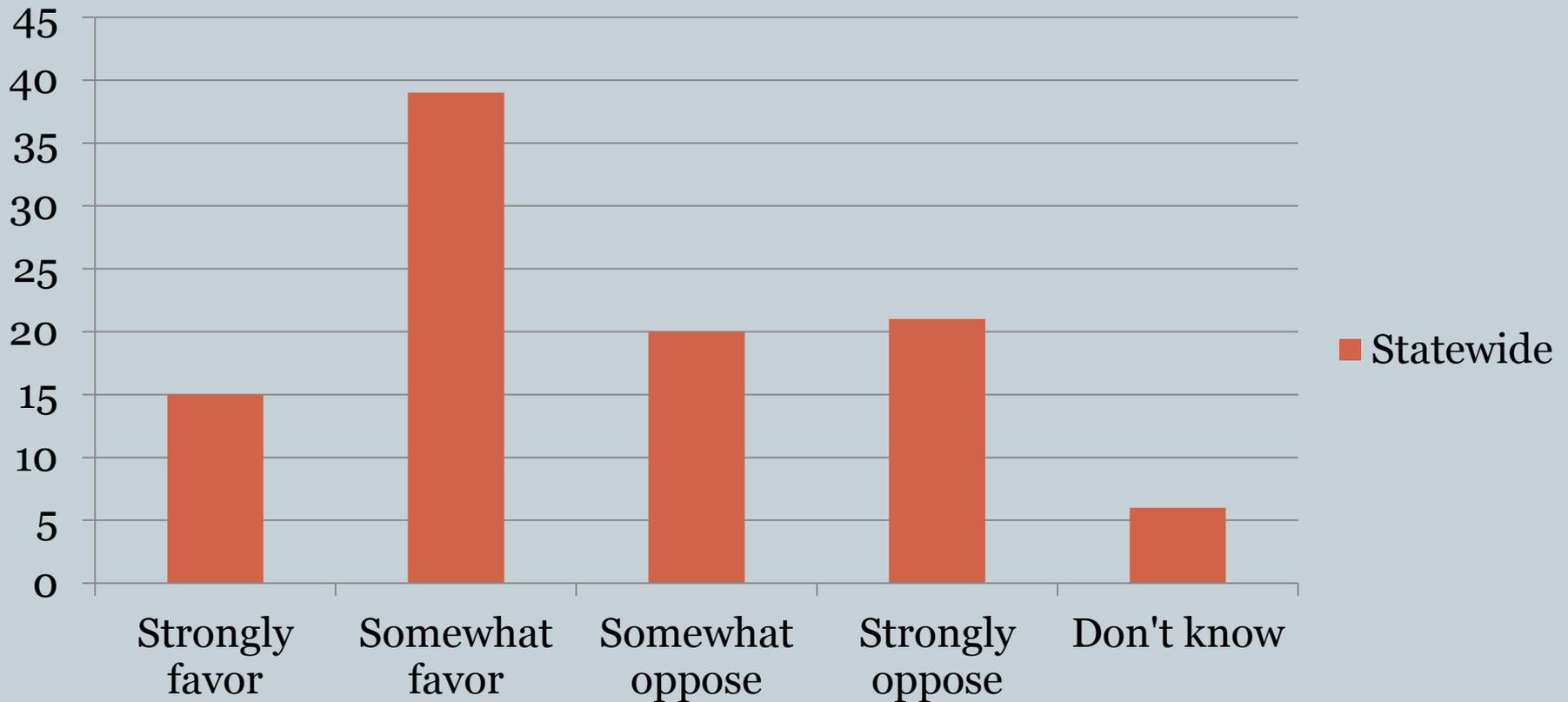


- Two parts: 1) 4.9 cent gas tax & 2) county imposed, voter approved .025% local option sales tax for transportation
  - .10 to cities/towns, .10 to transit, .05 to counties (.15 to counties w/o transit)
  - .10 municipal portion: 50% point of sale, 50% population
- HB 362 top priority for counties: imposition authority
- UAC/ULCT: many counties undecided for 2015 election
- Pre-session: 72 cities/towns in Utah passed ULCT resolutions requesting more transportation funding
- **ULCT April survey: 72% of respondents from 122 cities and towns in 24 counties want to proceed in 2015**

# Transportation election: What to consider?



## Increase sales tax for transportation? (Utah Policy, Apr 22, 2015)



# Transportation election: What to consider



## 1) Timeline

- Dates and county official/voter education

## 2) Voter turnout

- Municipal or general cycle

## 3) Public entity participation

- What you can and cannot do

## 4) Campaign organization

- Utah Transportation Coalition

## 5) Election administration

- Municipal cycle, county administration

## 6) Images of each entity

- Cities, counties, transit, media

## 7) Other issues on ballot

- Bonds, taxes, other elections

# Transportation election: What to consider

## 1) General timeline



JUN

- June 1-8: Municipal filing deadline
- June 22: Municipal budgets must be approved

AUG

- Aug 11: Municipal primary election
- Late Aug: County deadline to enact

NOV

- Oct 6: VBM ballots
- Nov 3: Election Day! **Maintenance of effort**

APR

- Apr 1: 90 days expire
- June/July: money arrives

# Transportation election: What to consider

## 1) Suggested timeline (if you move)



JUN

- June 1-8: Municipal filing deadline
- June 9-19: Cities pass resolutions (budget)
- June 23: Cities deliver resolutions to county

JUL

- Momentum for other counties to join
- (Weber likely; Davis, others are watching)

AUG

- Aug 11: Municipal primary election
- Mid Aug: big press event for all county actions
- Late Aug: County deadline to enact

# Transportation election: What to consider

## 2) Salt Lake County turnout

### 2015:

- Lower turnout
- Smaller ballot
- 8 of 16 cities have districts
  - 40% of electorate in those cities not expecting a ballot
- Township vote
  - 62,000+ potential voters
- Vote by Mail in all cities = higher turnout than usual

### 2016:

- Higher turnout
- Larger ballot

Past cycle:	2008	2011
SL County	369,884 votes	70,554 votes
SL County	71% turnout	19% turnout



# Transportation election: What to consider

## 3) Public entity limits



- “Public entity may **not** make an expenditure from public funds to influence a ballot proposition”
  - Utah Code 20A-11-1203(1)
- **Ballot proposition = effective upon county action**
- Public entity **may provide factual info so long as equal access** to opponents & proponents; encourage voting
  - Utah Code 20A-11-1203(3),(4)
- A person may not send an email using the email of a public entity for a political purpose or to advocate for or against a ballot proposition” (\$250, \$1000)
  - Utah Code 20A-11-1205(1),(2) ... new code
- **ULCT sample resolution coming**

# Transportation election: What to consider

## 4) Campaign organization

- Coalition: spent \$450,000 over past two years
- Coalition will re-load IF a critical mass of counties proceeds in the same election cycle
- Critical mass = “SL Co. plus”
- Coalition donors?



# Transportation election: What to consider

## 5) Election Administration



- All municipalities in SL, Weber, & Box Elder will contract County for election
- Is your city/town?
- In SL Co., 8 of 16 cities/town have districts (not at-large), so cities may have only budgeted for 60% of electorate
  - Cottonwood Heights
  - Herriman
  - Holladay
  - Midvale
  - Murray
  - Riverton
  - South Jordan
  - Taylorsville
- 362 election = 100% of electorate

# Transportation election: What to consider

## 6) Image of entities: “All in it together”

### The Salt Lake Tribune

- **“House, Senate pass competing gas tax bills”**
  - Mar 8 headline
- **“Legislature approves 5 cent a gallon gasoline tax hike, local sales-tax vote”**
  - Mar 13 headline
- **“As voters decide sales tax hike, will UTA controversies hurt?”**
  - Mar 19 headline



- **UTA cuts executive bonuses, salaries in hopes of boosting public confidence**
  - Mar 17 headline
- UTA officials must continue assuring Utahns of their credibility and prove themselves with higher quality of service. **“There’s still a lot of work to be done by cities, counties and especially transit to get the voters to be willing to approve the local option** and show that they’re being responsible with the funds that they currently have,” (Rep.) Anderson said.

# Transportation election: What to consider

## 7) Other financial items on the ballot



- SL Co: SLC RAP, others
- Davis Co: SDs, city RAPs, others
- Utah Co: city RAPs
- Weber Co: binding opinion, city RAPs, G/O bond, initiative
- Sanpete Co: recreation bond
- Sevier Co.: recreation bond
  
- 20 ballot items from 2011 to 2014:
  - 70% passed, 30% failed regardless of cycle

# Transportation election: What to consider

## Suggested timeline (if you move)



JUN

- Jun 1-8: Municipal filing deadline
- Jun 9-19: Cities pass resolutions (budget, MOE)
- Jun 23: Cities deliver resolutions to County

JUL

- Momentum for other counties to join SL County
- (Weber likely; Davis, others are watching)

AUG

- Aug 11: Municipal primary election
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# SB 157 GRAMA Amendments



WHAT TO KNOW  
WHAT TO DO

# SB 157: Changes



- 63G-2-400.5: definitions change
  - “Any person aggrieved” became “a requester or interested party”
- 63G-2-401: Gov’t entity denies a record request and the access denial appealed to CAO
  - If CAO affirms gov’t entity, then the requester or interested party has right to appeal to:
    - ✦ District court
    - ✦ Records committee
    - ✦ Local appeals board (membership TBD)
- 63G-2-501: State Records Committee membership change

# SB 157: Local Appeals Board



- **63G-2-701(5)(b): Local Appeals Board membership**
  - 3 members
  - One political subdivision employee
  - Two members of the public, at least one of whom with professional experience requesting or managing records

# SB 157: Benefits of the Local Appeals Board



- 63G-2-403(10)(c)(i): If a “requester or interested party” appeals the CAO decision to the State Records Committee, the review shall be ***de novo***
- 63G-2-403(10)(c)(ii): If a “requester or interested party” appeals the decision of a local appeals board, the State Records Committee ***shall review and consider the decision*** of the local appeals board

# SB 157: Local Appeals Board summary



- Deference: “shall review and consider”
- 63G-2-701(5)(b): Local Appeals Board membership
  - 3 members
  - One political subdivision employee
  - Two members of the public, at least one of whom with professional experience requesting or managing records
- Step 1: If the political subdivision establishes an appeals board, any appeal of a CAO decision **shall be made to the appeals board**
- Step 2: The political subdivision or requester may appeal an appeals board decision to the State Records Committee or in District Court

OR

- Step 2 only: If the political subdivision does not establish an appeals board, the appeal process shall go to the State Records Committee

# In conclusion, issues coming in 2015-2016



- Air quality (fleet)
- Annexation/incorporation
- Building/fire code
- Districts/assessment areas
- Good landlord
- Health care
- Impact fees
- Law enforcement (rural, body-cams, use of force)
- Local control (1 city issue = statewide bill)
- Municipal code!
- Public safety communication
- Sales tax distribution
- Subdivision bonds
- Transparency
- Water financing
- Water quality
- Wildland fire