

UTAH LEAGUE OF CITIES AND TOWNS

What happened in 2016?

What will happen in 2017?

What do we all need to do?

ULCT mantra as your advocates

- **BRING PEOPLE ALONG**

- FRIDAY FACTS
- Conferences/trainings

- **PROBLEM SOLVERS**

- Have a local issue with residents or other levels of government? Let us know

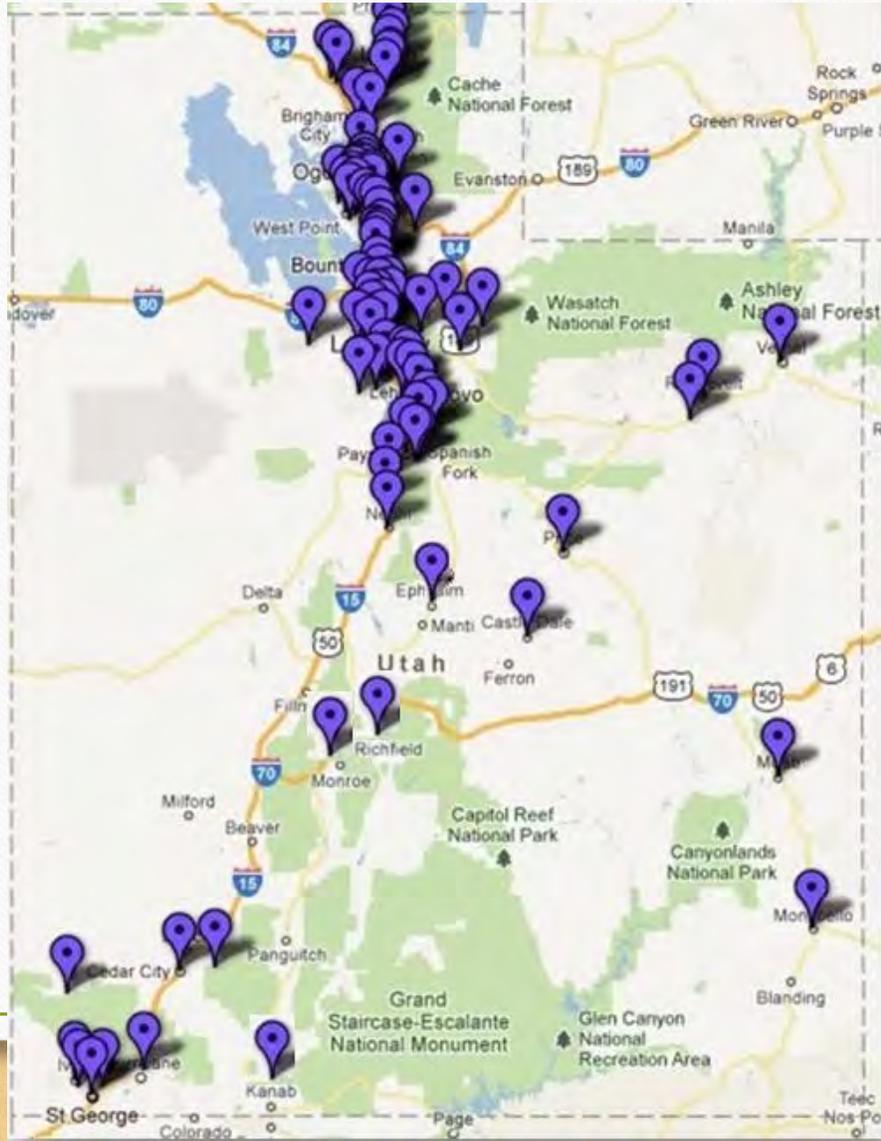
- **PARTNERS**

- with legislators, county officials, members of Congress, & the Governor

Legislative Policy Committee

Body that gives ULCT staff legislative direction

- 273 members
 - Average attendance: 130+
- 107 cities and towns
 - Every city/town entitled to 3 voting members
- ULCT-USU partnership
 - 202 people, 53 cities & towns
 - Hatch to Vernal and Nibley to Ephraim
- CHECK THE ROSTER on www.ulct.org



www.ulct.org (legislative advocacy)

The screenshot shows the website for the Utah League of Cities and Towns (ULCT). The header includes the ULCT logo, the text "Utah League of Cities and Towns", a search bar, and the slogan "MAKING LIFE BETTER". A navigation menu contains the following items: Legislative Advocacy, Research & Resources, Land Use, Training & Events, Multimedia, Job Bank, and Directory. A red arrow points to the "Legislative Advocacy" menu item.

The main content area features a large article titled "Municipal Officials Training 2015-2016". The article includes a cartoon illustration of a woman saying "CONGRATULATIONS ON YOUR VICTORY, NED!" and a man replying "THANKS! SO WHAT DO I DO NOW?". The text describes a half-day seminar for newly elected officials. Below the article are several smaller sections: "Local Officials Day", "Capitol Conversation", "City Solutions", "What's DC Thinkin?", and "About Town".

On the right side, there is a "Connect with ULCT" section with social media links for Twitter and Facebook. Below this is a "The City Café: ULCT Blog" section with a RSS feed icon.

Bill tracking: www.ulct.org

The screenshot shows the ULCT website interface. At the top, there is a navigation menu with links for Home, Legislation, Officials, Login, Help, and Overview Page. Below the menu, the page title is "House Bill (98)" with a "Print" button. A dropdown menu is set to "HB 0017s01" and a message says "Use the drop down to the left to select the next 25 bills to display." Below this, it states "Last Legislative Day: 3/11/2014" and has buttons for "Tracking Level Sort" and "Overview Page". The main content is a table of bills with columns for bill number, status, description, and sponsor. The table lists three bills: HB 0017s01 (Watch), HB 0019 (Monitor), and HB 0044s01 (Monitor). Each bill entry includes a date and a note "Governor Signed in LTGOV".

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

That's a wrap!

ULCT daily legislative email:

2,918 recipients

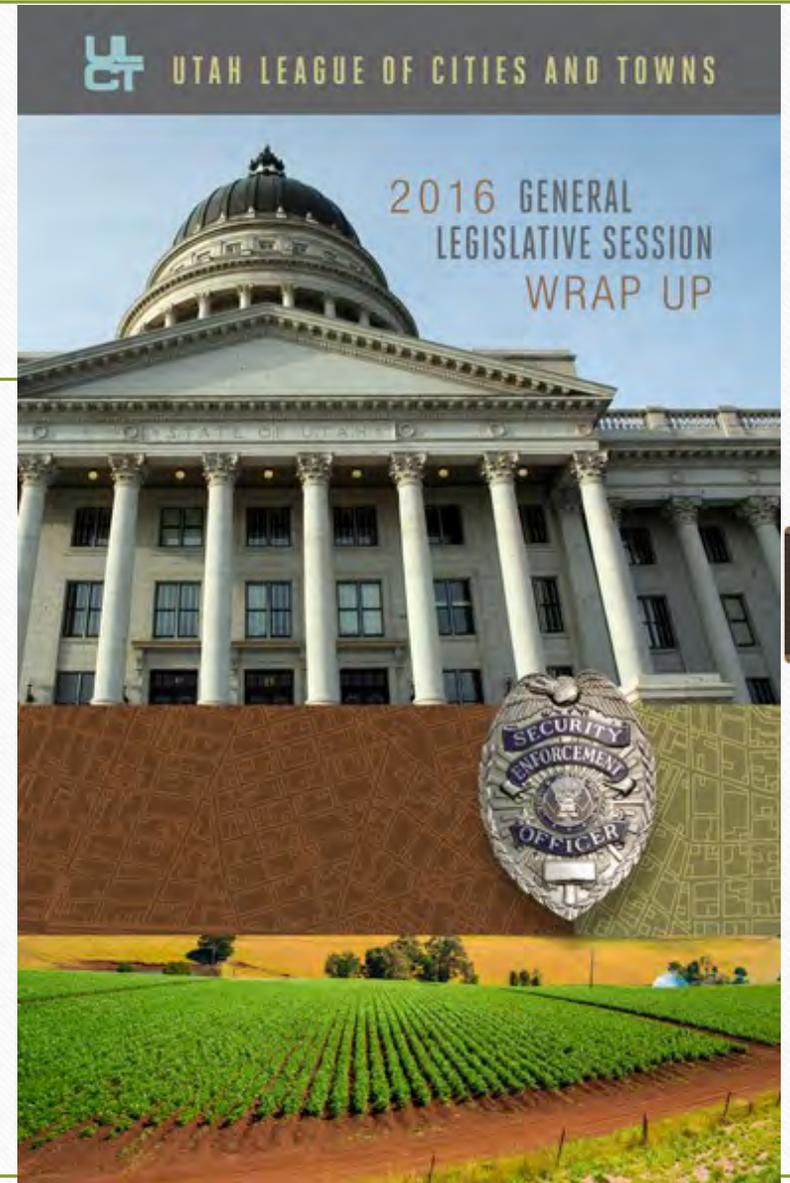
- ULCT open rate is 50% higher than comparable orgs
- 30% of the legislature read it daily

Land use: Entrada BC, Thur, 1:30 pm (Jodi Hoffman)

- What happened in 2016/Land Use Task Force 2016-2017

What you must do post-session: Sunbrook AB, Thur, 2:40

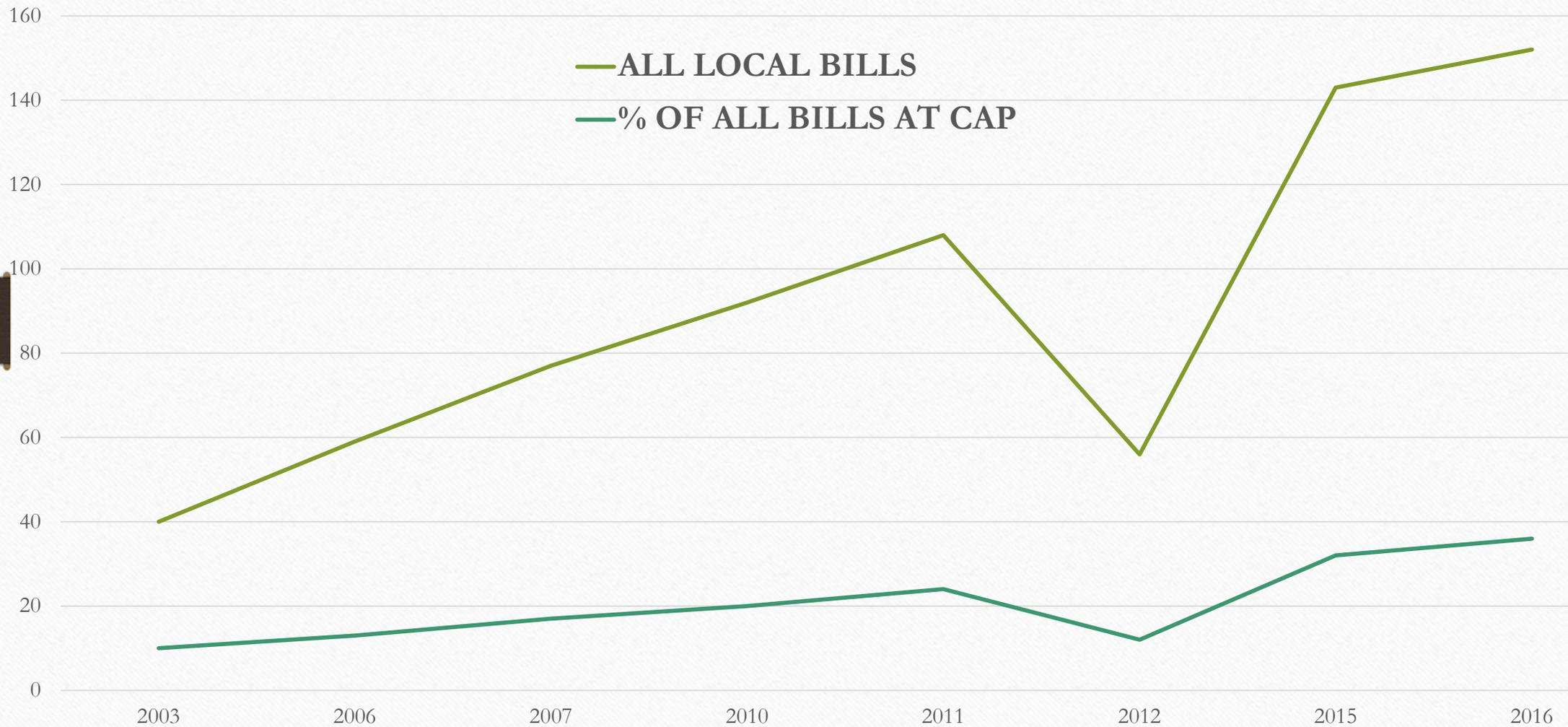
(Cameron Diehl, Roger Tew, UMAA President Ryan Loose)



Big Picture at the 2016 Session

- **Utah budget: \$15.1 billion**
 - No tax increases or shifts (2015: education, transportation)
 - Medicaid extension to 16,000 of poorest Utahns
 - \$440 million in new public and higher education spending
 - State investment in homelessness facilities
 - Transfer of funds from transportation earmarks to general fund/water earmarks
 - Public lands, Oakland port, Rocky Mountain Power bill
- **Senate:** death penalty repeal, marijuana, hate crimes, online sales tax
- **Election year:** full House, half of Senate, and Governor; rules in flux (HB 54)

Bills that impact local gov't



2016 bills: 1258 filed, 824 considered (177 in final 3 weeks), 475 passed, 6 vetoed

ULCT tracked **261 (32%)**

Proactively passed:

- SB 122: Wildland fire
- HB 300: Body cams for police officers

Amended:

- *HB 132: Home occupation business license*
- SB 99/SB 164: Financial transparency

Opposed:

- *HB 133: Form of government*
- *SB 100: Traffic fines*

#leaguearmy



UCMA

ULCT THEMES ... NOT TRENDS

45-320-365

(I) Relationship between state and local government

(a) Partnerships

(b) Law enforcement

(c) Friction on local authority, “death by a 1000 cuts”

- Sometimes, we give them a reason

- Libertarian streak

(II) Transparency/accountability/objectivity

(III) Disruptive innovation comes home

We've seen this before...

2004 presentation on friction between state/local:

Legislative perception that State heavily subsidizes local government

2006 presentation on local authority:

SB170 lesson: Important to implement SB 60

2008 presentation on friction & local credibility:

Is all change bad? Can we just say NO? Should we just say NO?

2009 presentation on transparency:

What it Means: This ship has sailed. Lets guide the ship.

ULCT THEMES: (I)(a) partners with state

Offseason work pays off

- Indigent defense/judiciary
 - SB 155, Commission
 - State funding
 - Best practices, 6th Amendment
 - Public defender flat fee contracts
 - HB 160, Justice court judges
 - Counties of 1st/2nd class
- Wildland fire, SB 122
 - State covers fire suppression cost; locals responsible for prevention & mitigation
 - Locals may enter cooperative agreement w/state; effective Jan 1, 2017
 - SB 212, State funding for wildland fire suppression

ULCT THEMES: (I)(a) partners with state

- Infrastructure

- HB 52, Active recreation \$
- HB 183, Local option sales tax
 - Cache, Duchesne, Iron, Summit, Uintah
 - County consults w/city & transit on .075
- SB 80, water infrastructure
- SB 177, Night time construction (UDOT)

- Homelessness

- HB 328, Data analysis
- HB 436, State funding for collective impact & dispersed sites
 - \$9 million this year; \$27 potential
- SB 169, Olene Walker and Midvale

ULCT THEMES: (I)(a) partners with state

- Taxes

- HB 25, New growth changes
- *HB 235/SB 182, Online sales tax (failed)*
- SB 151, RDA changes
- SB 258, Alta, Brian Head, Garfield Co.

- Elections

- HB 10, referendum & initiative
- HB 21, report absentee ballot results
- HB 83, municipal candidate disclosure
- HB 198, Prop 1 lessons
- SB 25, ballot amendments (ordering)
- SB 26, election notice (online w/mail or news)
- SB 27, absentee ballot date change
- SB 114, non-binding opinion question



(I)(a) Partners with state
luau.utah.gov

Training videos on land use
and planning for council
members, planning
commissioners, & public

Meg Ryan: mryan@ulct.org

ULCT THEMES: (I)(b) Law enforcement

- Body-worn cameras, HB 300 (Rep. Dan McCay/Sen. Dan Thatcher)
 - If you have cameras, you must comply with minimum standards for:
 - Use/display (“clearly visible”)
 - Activation (“law enforcement encounter or as soon as practicable”)
 - Notice upon entering home (“reasonable/clearly visible”)
 - **GRAMA: BWC recordings presumed private within a home, except for commission of a crime, critical incident, or officer misconduct**
 - Retention TBD (archives)

ULCT THEMES: (I)(b) law enforcement

- Postretirement

- *HB 86, would allow post-retired employee to return to work in 60 days instead of 1 year*
 - *HB 47/50, geographic flexibility*
 - *More salary, but not other benefits*
- SB 208, employer must increase contribution rates to cover postretirement benefit enhancement cost

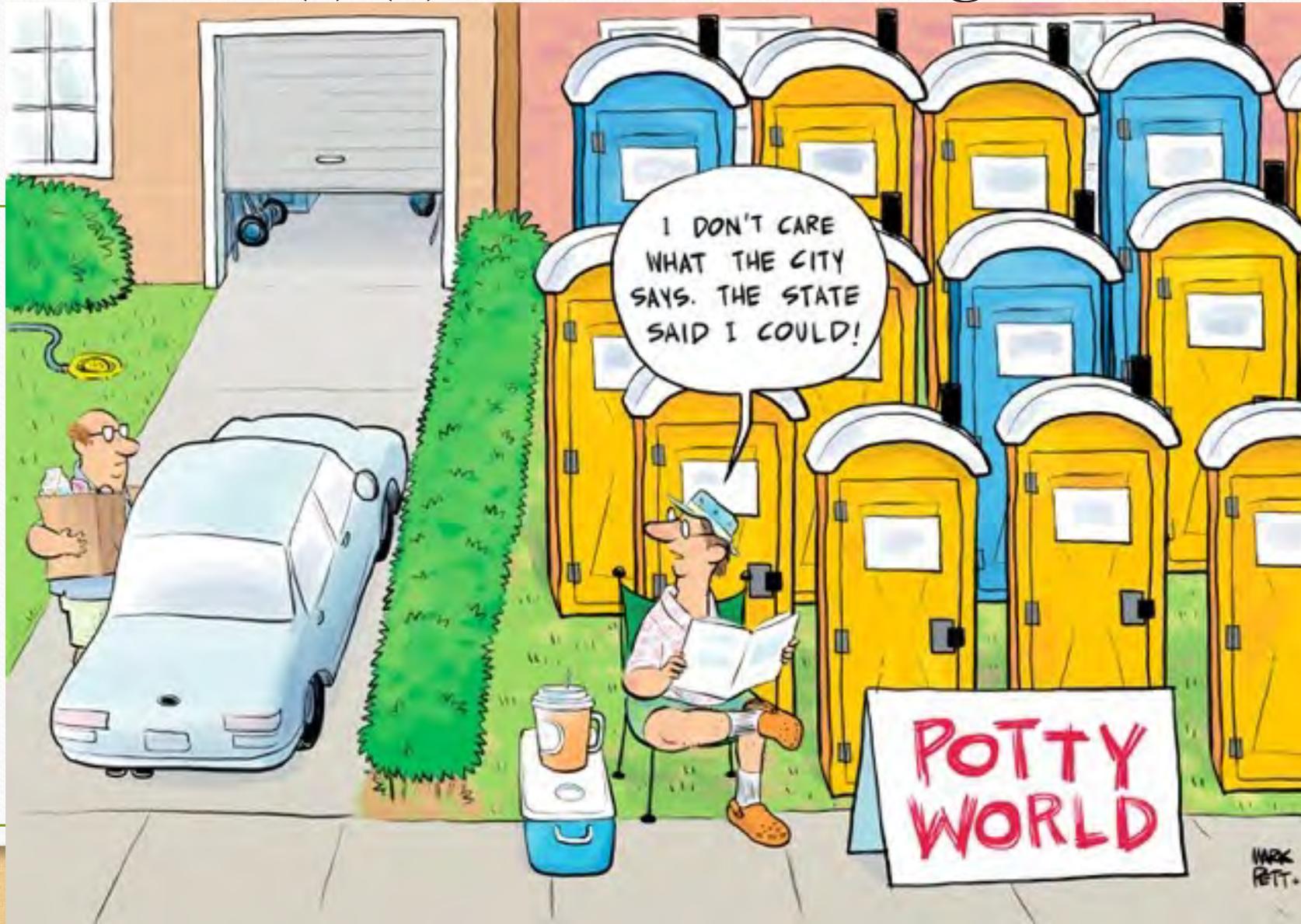
- Marijuana

- SB 73/SB 89

- Utah Communications Authority

- HB 380, creates advisory committees that consists of users and providers
- UCA board expands (2); UCA chair serves Governor; director serves board

THEMES: (I)(c) State & local gov't friction...



ULCT THEMES: (I)(c) “death by 1000 cuts” (most—italics—did not pass this year)

PREEMPT LOCAL AUTHORITY

HB 115 Beekeeping modifications

HB 132 Business licensing

HB 145, Municipal energy tax

HB 223, Historic district amendments

HB 409, Short term rental moratorium

SB 73, Medical Cannabis Act

SB 92, Water conservation/ landscaping restrictions

SB 100, Traffic fines (Mantua)

NO LAND USE TASK FORCE INPUT

HB 10, Initiative/referendum

HB 224, Impact fees

HB 248, Municipal disconnection

HB 360, Land use notification amendments

HB 409, Short term rental moratorium

HB 414, Zoning amendments

SB 44, Agricultural temporary bldgs

What is the best approach to preserve autonomy & flexibility for local gov't?

- What are the competing interests on the chess board?
 - Legislators
 - Other bills/appropriations
 - Other city priorities (bills/approps)
- Should we defend absolute discretion for cities under all circumstances?
 - Nike's political slogan: "Just kill it!"
- Should we seek compromise so that ULCT/local gov't maintain **credibility**?
- Zealous advocate? Political advisor? Legal advisor?
Nice guy?



Sometimes we give them a reason

HB 132 Local Government Licensing Amendments

- "Business:" any enterprise for the purpose of gain or economic profit
- City may **license** for the purpose of regulation and revenue, any business within the limits of the municipality and may **regulate** that business
- City A: \$40
- City B: \$89
- City C: \$200
- City D: \$350
- Guess which cities became the targets?

Just because you can, does not mean you should

HB 132 compromise (did not pass)

- HB 132: no license req't for home occupation business operated *occasionally* by a minor
- HB 132: license req't for home occupation business, but city may require a fee ONLY if the *offsite business impact materially exceeds the residential use*
 - Local authority to define in italics
- HB 132: purpose of regulation is NOT revenue, but health/safety/welfare
- Rogue cities tried to amend HB 132 after ULCT negotiated compromise
- Passed House 57-17
- ULCT expects the bill again in 2017

Sometime we give them a reason

SB 100 Traffic Fines Amendments

- Would have restricted the ability of local governments to receive funds from traffic fines that exceed 25% of the total general fund revenues
- Any traffic fine revenue exceeding 25% would be remitted to the state
- ULCT analysis: only one town with 25%+
- **Local facts + precedent of state dictating local budgets = ULCT victory**

ULCT THEMES: II) Transparency

From auditor to activist, someone is watching

- *HB 326, city can audit district*
- SB 99, all local entities shall provide financial info to the Utah Public Finance Website
 - \$100,000 or less must comply by 7/1/2017
- SB 164, state auditor compliance
- *SB 235, direct elections of district board*



ULCT THEMES: II) Transparency, SB 164

- Town clerk shall prepare and present to the council:
 - Quarterly financial report; or
 - Upon request by the council, a more frequent financial report
- If there is a deficit fund at the close of the last fiscal year, the governing body shall include an item of appropriation for the deficit in the current fund budget equal to at least 5% of total revenue of fund or entire amount (if less than 5% of total fund revenue)

ULCT THEMES: II) Transparency

more data, more access, more accountability

**2008: Utah Public
Finance Website
created (SB 38)**

**2009: UPFW
extended to cities,
with small entity
exceptions (SB 18)**

**2016: Small entity
exception ends;
July 1, 2017 (SB 99)**

2009



"Come outside and breathe the fresh air of open government."

ULCT Commitments for the 2016 Interim

- **Disruptive**

- Online sales tax
- Short term rentals
- Drone regulation

- **Accountability**

- Auditor, financial compliance (coming to a town near you)
- Districts (SB 235)
- Fees (business licenses, impacts, road cuts, etc.)

- **Law Enforcement/Judiciary**

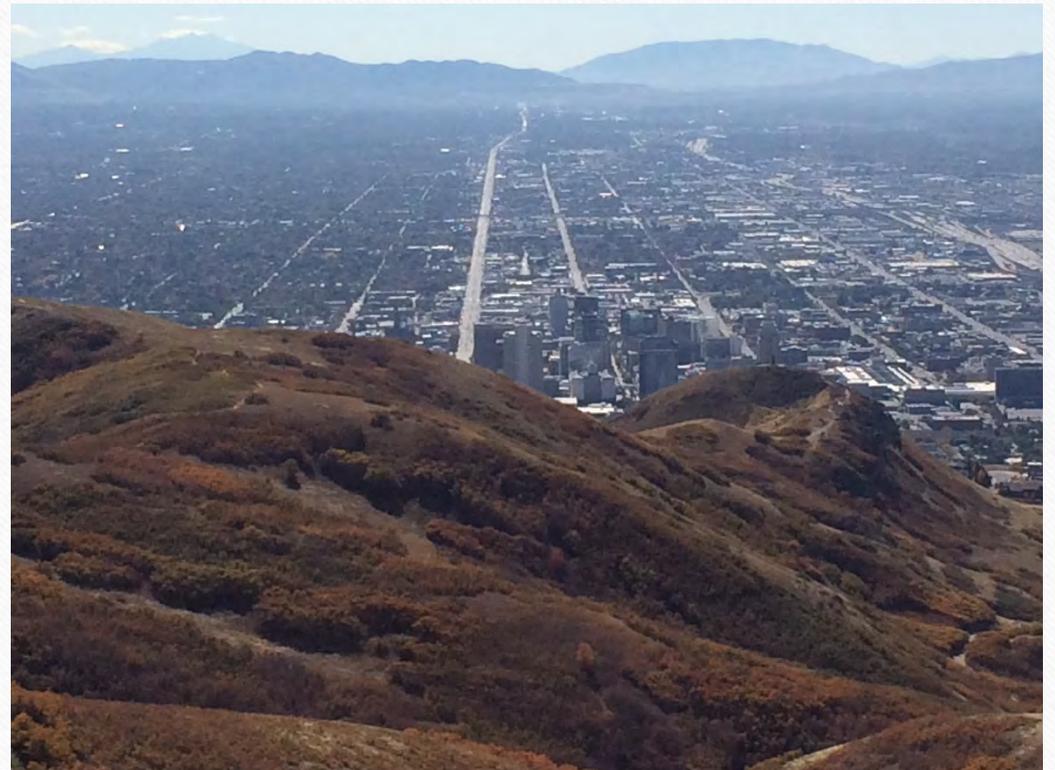
- Body camera policies
- Indigent defense contracts
- Justice Reinvestment Initiative
- Government immunity

- **Other**

- Homelessness facilities/aff housing
- Elections w/UAC
- Wildland fire participation match
- And much, much more...

Land Use Task Force 2016 ambitious agenda:

- Administrative/legislative
 - Standards of review
 - Judicial deference to local decision
- Impact fees/all fees
- Short term rentals (Jodi research)
- Conditional use permits
- Subdivision/LUDMA
- Water conservation/metering



ULCT THEMES: III) Disruptive Innovation

- Remote sales
- Sharing economy:
 - Lodging
 - Travel/cars
- Medical technology/telemedicine
- Alternative energy
- Delivery/drones
- Vote by mail
- Battery powered cars/driverless cars
- Phone apps/cameras (privacy)



Uber to ground chopper flights around Sundance Film Fest

Sales tax base eroding because of disruption



**E-Commerce in US: 7.4% of all retail sales and growing
States lost \$23.2 billion in 2012**

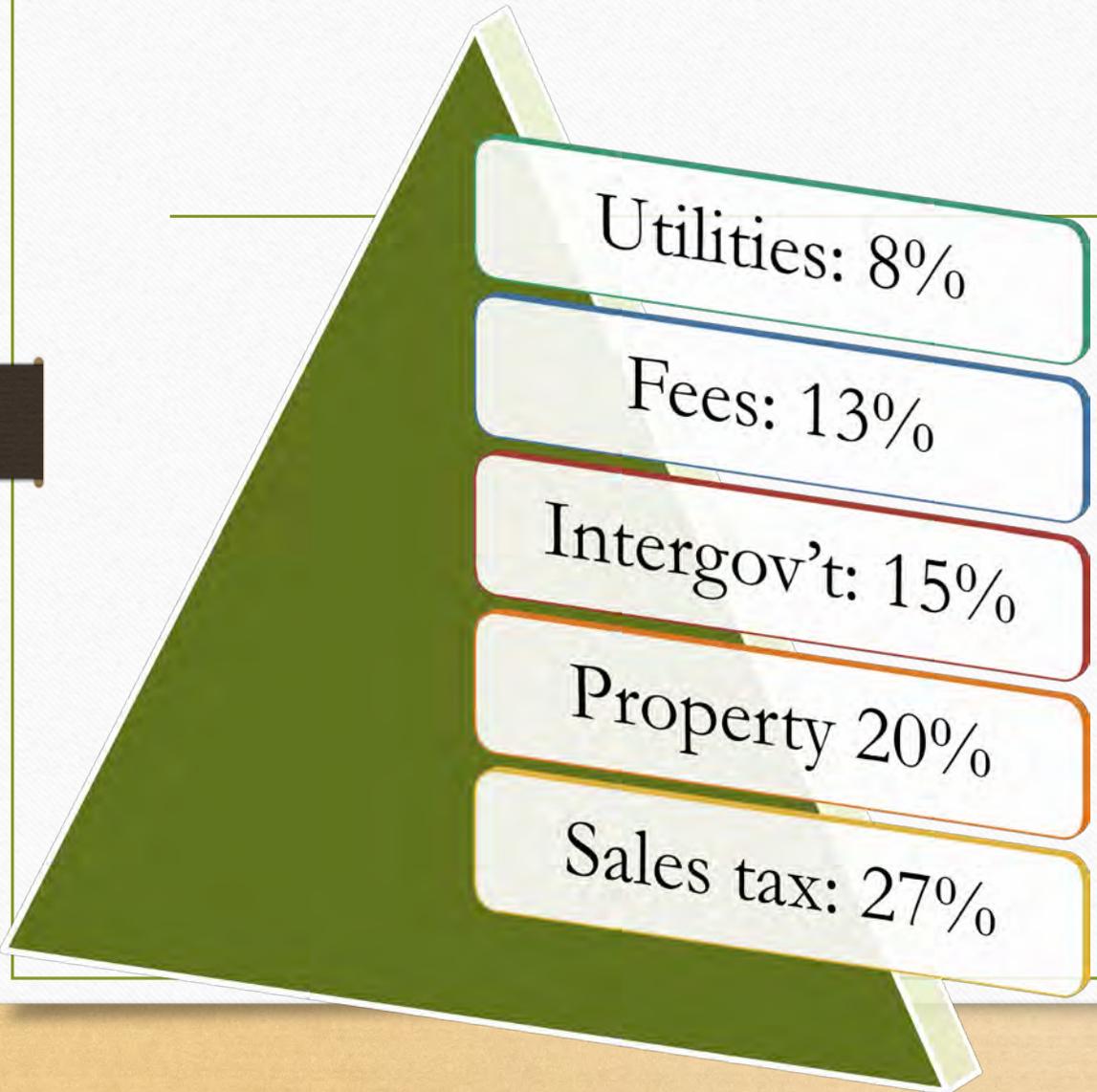
2014: UT residents paid \$200,000 in online sales tax

Fiscal Analyst: \$80-300 million owed in online sales tax in UT

Utah cities: \$17-63 million impact and growing



Your 2015 city budget... but what about 2030?



Utilities: 8%

Fees: 13%

Intergov't: 15%

Property 20%

Sales tax: 27%

Utilities: new technology

Fees: impact fee, disprop. service, business licenses, roads

Intergov't: motor fuel, feds

Prop: primary residential exemption

Sales: Internet sales, sharing economy

What do we have to consider to modernize?

- Bureaucracies/staff
- Community standards
- Local regulations/licensing
- Slow public process
- Transparency
- Policing/enforcement
- Objective/predictable
- Siloed revenue
- Existing businesses/uses
- Planning/zoning/referenda
- Outdated ordinances/code
- Density, amenities, “sense of place”
- Affordable/accessible housing
- Infrastructure demands
- Connectivity
- Air/water quality; public health

2016 interim: let's get to work

- Wrap up book SOON!
- Land Use Academy of Utah
- Conferences/ULCT summer “Tour of Utah”
- Working groups/Land Use Task Force/ULCT interim commitments
- ULCT Legislative Policy Committee resumes in May or June (monthly)
- **AN ELECTION YEAR IS A TERRIBLE THING TO WASTE**
- **ENGAGE WITH LEGISLATORS/CANDIDATES ABOUT LOCAL ISSUES!!!**

ULCT Legislative Team

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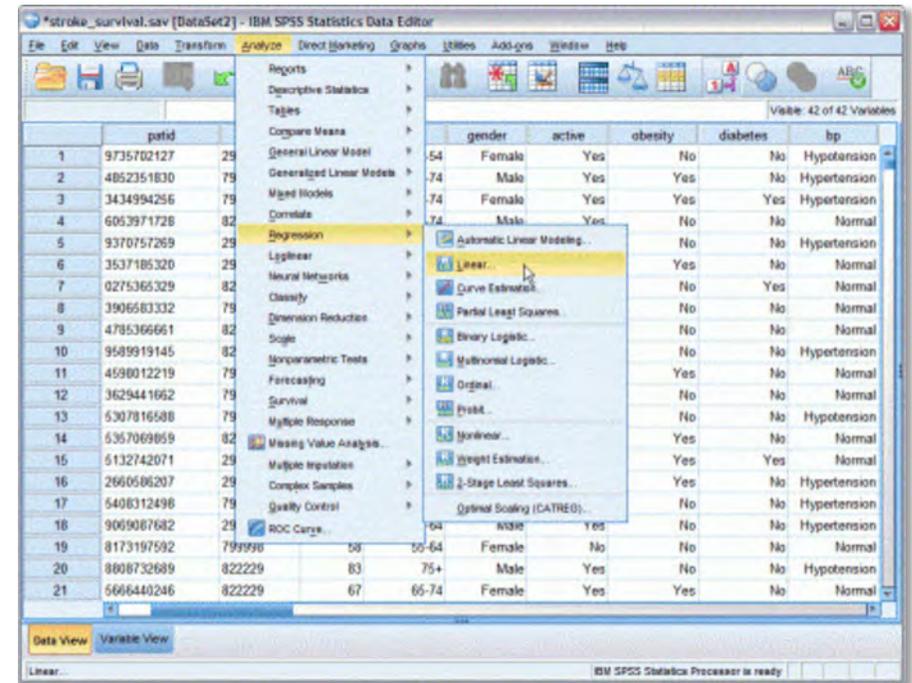
Roger Tew: rtew@ulct.org

www.ulct.org

Friday Facts (email) Facebook Twitter

City Cluster Update

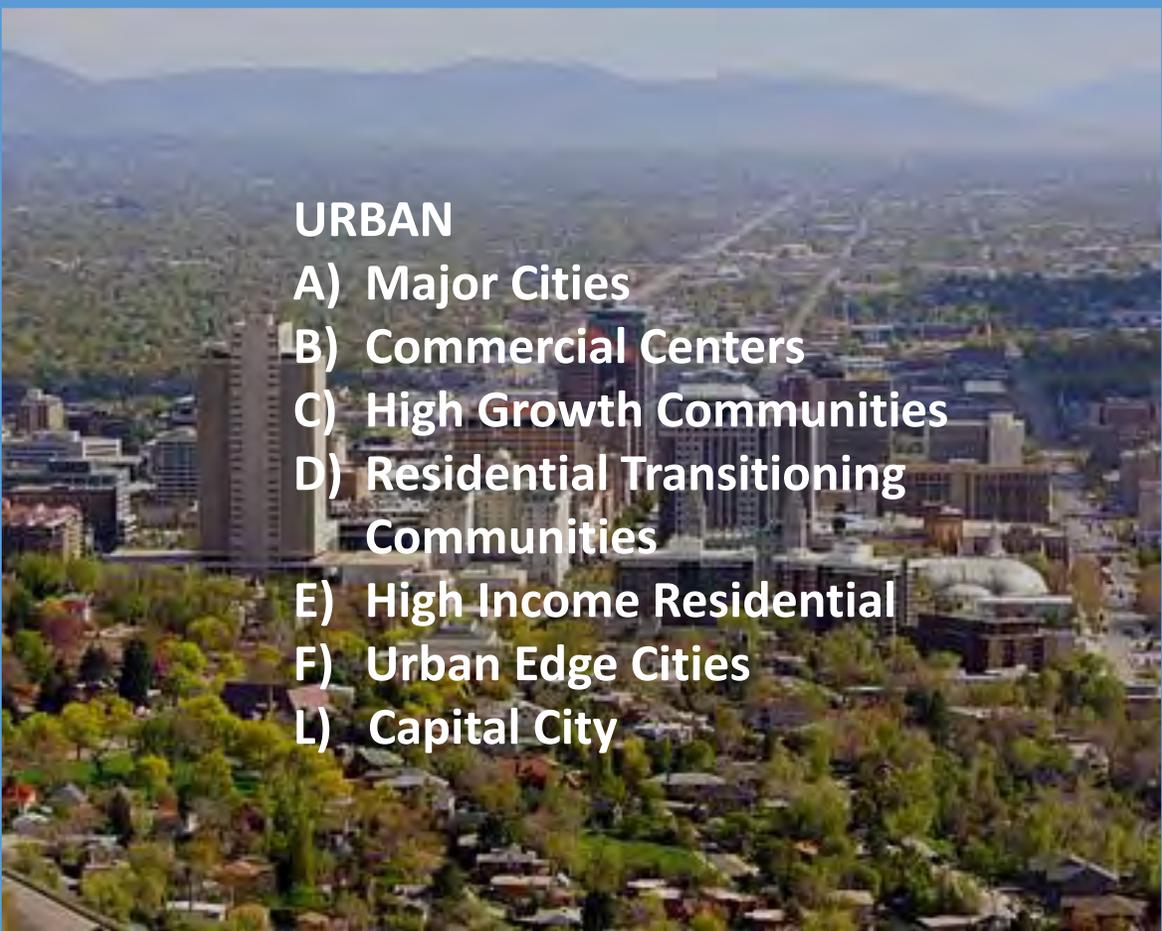
- A statistical procedure that groups cities together based on demographic, financial, and economic characteristics
- First done in 2007 (2003 & 2005 Data)
- Cities and towns grouped into 11 clusters (w/ SLC as an outlier)
- Allows for useful comparison beyond simply looking to neighboring communities



The 11 variables used for clustering are:

- 2014 population
- Percent population change 2010-2014
- Household median income (2010 Census data)
- 2013 Primary residential land value
 - Per capita residential land value
- 2013 Commercial and industrial land value
 - Per capita commercial and industrial land value
- 2013 Property tax revenue
 - Per capita property tax revenue
- 2013 Sales tax revenue
 - Per capita sales tax revenue

The SPSS logo is displayed in white, bold, sans-serif capital letters on a red square background. The letters are thick and have a slightly rounded, modern feel. A small registered trademark symbol (®) is located to the upper right of the final 'S'.

An aerial photograph of a city, likely Denver, showing a dense urban core with numerous high-rise buildings and a surrounding residential area. The city is set against a backdrop of hazy mountains under a clear sky.

URBAN

- A) Major Cities
- B) Commercial Centers
- C) High Growth Communities
- D) Residential Transitioning Communities
- E) High Income Residential
- F) Urban Edge Cities
- L) Capital City

A photograph of a rural landscape. In the foreground, there is a wooden fence and a dirt road. In the middle ground, a large, weathered wooden barn stands in a field. The background features rugged, rocky mountains under a blue sky with scattered white clouds.

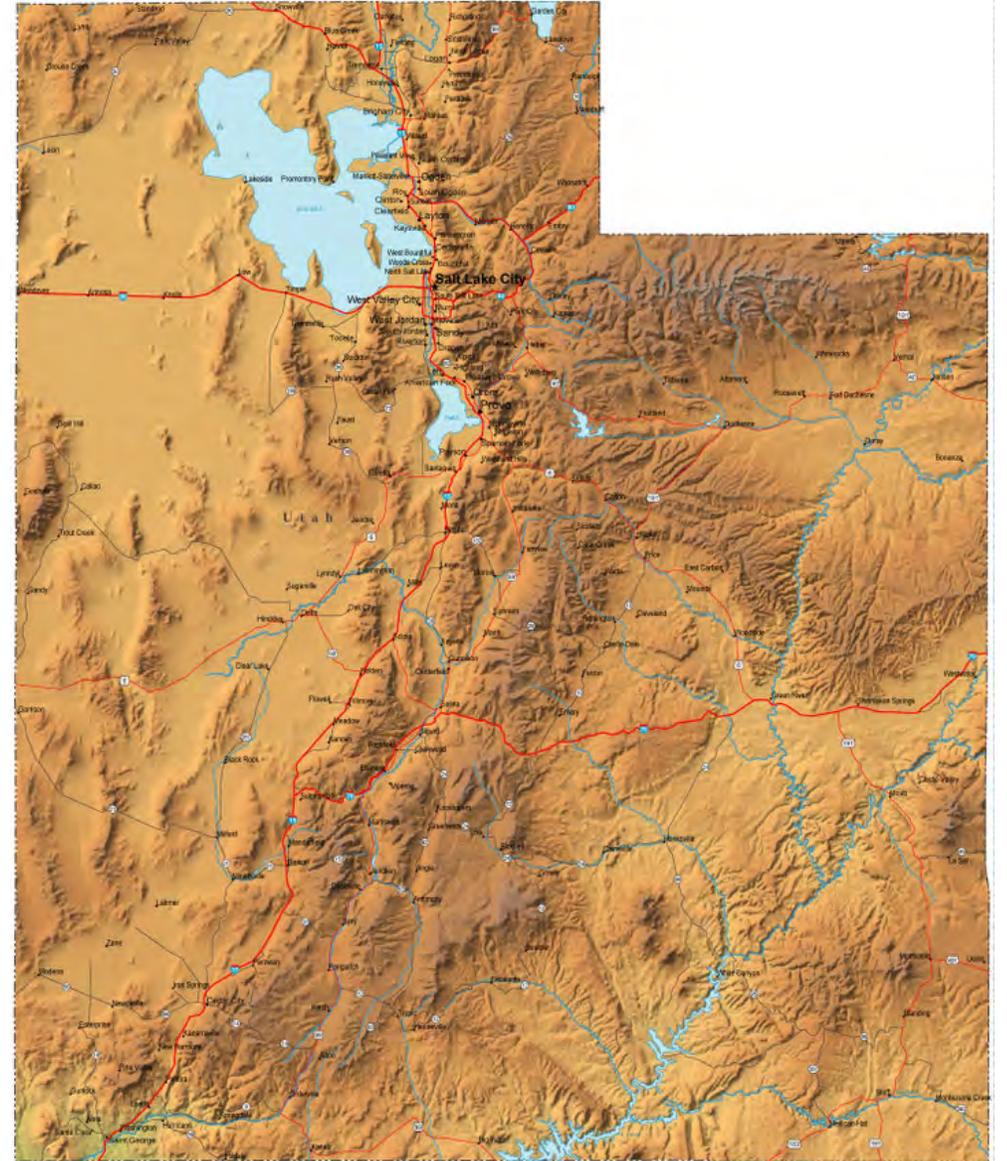
RURAL

- G) Resort Communities
- H) Natural Resource/
Mining Based Communities,
- I) Old Established Communities
- J) Traditional Agriculture
- K) Small Towns

	Cluster Name	Description	No. of Cities	Example City
A	Major Cities	Largest population base, minimal growth, established communities, large commercial centers	10	Provo, St. George
B	Commercial Centers	Larger population, significant commercial and industrial regional centers, growing communities,	22	Cedar City, Taylorsville
C	High Growth Communities	Communities with highest growth rates, high household income, low commercial	9	Saratoga Springs, Bluffdale
D	Residential Transitioning	Modest commercial property, increasing growth, many transitioning communities	31	Nibley, Santaquin
E	High Income Residential	Highest median household income, moderate growth, low commercial	18	Highland, Fruit Heights
F	Urban Edge Cities	High per capita commercial and industrial property, moderate population size and population growth	15	North Logan, South Ogden
G	Resort Communities	Low population, high commercial property, high per capita revenue	7	Park City, Alta
H	NR/Mining Based	Older, low growth rural communities, small commercial property	23	Duchesne, Price
I	Old Established Communities	Older communities, low or declining population, some commercial component	19	Lewiston, Manti
J	Traditional Agricultural	Traditional agricultural communities, primarily residential with increasing population, some growing commercial element	30	Ephraim, Nephi
K	Small Towns	Smallest population, older established communities with low or declining growth, low commercial property	66	Hatch, Scofield
L	Capital City	Economic center of the state	1	Salt Lake City

- 37 communities moved
 - High growth and transitioning communities
- 7 new communities (-1 merger)
- Old clusters “pre-recession”
- State continues to grow
- Your cluster does not strictly define your community

www.ulct.org



Utah Benchmarking Project

- Partnership between ULCT, UCMA, U of U, BYU, and USU
- Supports cities in strategic planning, performance improvement, & service delivery efficiency
- An on-line system that member cities use to input data and to pull data to do their own analysis
- Cluster analysis



Utah Local Law Enforcement Survey

- Data in from 75 local law enforcement agencies
- Over 50% response rate
- 88 questions
- Working with Utah Chiefs of Police Association to put together the most pertinent data into an executive summary
- All responses maintained in ULCT database



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www.ulct.org

thecitycafe.wordpress.com

Friday Facts

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Thanks!