

## **LPC MINUTES**

### **Monday, February 6, 2017**

#### **1. Welcome, logistics and adoption of minutes (ULCT 1<sup>st</sup> VP Beth Holbrook)**

Motion: Jewel Allen from Grantsville motioned to accept minutes. There was a second, and the minutes were approved.

#### **3. HB 164 Enterprise Fund Amendments (Cameron Diehl & Roger Tew)**

This is Representative Jeff. Moss' bill. A key provision is the restriction on how enterprise fund revenues could be transferred to general fund. House Rev. and Tax passed out the bill with a 6-3 vote. Mayor Peterson of Logan, Seth of Spanish Fork, and Murray City all came to testify against the bill. This has been our top priority. There is a compromise concept on the table, but it has not yet been drafted. The concepts of the compromise are as follows:

- Bill would not restrict the transfer from enterprise fund to general fund
- Will have enhanced transparency requirements including
  - 1**-Independent hearing notice with detailed overview of enterprise funds of the city with costs.
  - 2**-Clearly define amount being transferred with a separate report to the state auditor.
  - 3**-Overlaps current requirement of annual letter to residents that is also posted on a website, and includes a breakdown. The key here: this mirrors what is already in state law. This is clarification language about the annual requirement. There was then discussion about what would qualify as a letter, and about newsletter inclusion and online formats. The key point being that it be a meaningful communication to residents.
  - 4**-Identify on each enterprise fund the total cost and dollar amount.

There was then discussion from members about some key problems and concerns, including discussion about computer system issues, the feasibility and practicality of putting the information on every utility bill every month, reporting dollar amounts vs percentages, and concerns about overhead transfers vs dividend transfers.

There was a motion by Gary Hill of Bountiful City to support items 1-3. There was opposition to item #4, stating that it was not practical. There was also discussion about opposing item #4 or letting negotiation occur. There was then a clarified motion to support 1-3, and point out to sponsor #4 is not practical, but if we can present another way we will review that. There was a second and a unanimous vote.

#### **2. HB 20 Political Activities of Public Entities Amendments (Representative Brad Daw)**

Representative Daw shared that there has been some discussion about the referendum and initiative process, stating that there is some ambiguity to clear up, along with outright contradictions. There has been a working group to straighten this out:

The Representative said that rather than try to push a bill now, we will take a measured approach to let all parties contribute and have all concerns addressed. We want to have the same set of rules for everybody.

Some of the identified issues include, timelines are unclear, don't want one party favored over another, and the approach needs to be even handed. If there are any concerns-all the issues are adjudicated before signature gathering begins. He applauded ULCT for their acknowledging concerns on both sides. What they have proposed is even handed and desire to ensure we have a fair process and reflects intent of legislature and the State Constitution so citizens have opportunity to engage.

There was a question from Lynn Pace on whether or not the range of issues-are matters that will be inserted in the bill this year, or longer discussion next year

Representative Daw said that the bill this year will not move ahead.

Cameron & Roger: Acknowledged Rep. Daw's willingness to work with ULCT, UAC and others to look at the broad variety of issues regarding initiatives. Cameron thanked Gary Hill, Gary Crane, Rachelle from Draper City, Mark Christiansen, and Nicole Cottle for working on this issue. We have committed to come to table and work on this in good faith. We will continue to bring HB 20 to LPC as issue matures.

#### **4. SB 94 Local District Revision (Cameron Diehl & Roger Tew)**

This bill was mentioned during the legislative briefing. Areas that were addressed include how special districts can raise property tax (the current law). This is the third piece. Directly elected Individuals would have to report back and articulate tax during open and public meeting. If there is more than one trustee must have majority. There will be a Trustee Report rather than vote before property tax could be raised. Discussion included the following:

- User fees included as well as property tax
- not enough teeth/report back but would prefer the vote
- ULCT understands only applies to Property Tax
- Proposal from Association of Special Districts, that Senator Fillmore is comfortable with.
- approach has support from some members already taking similar steps.
- Calendar built into approach
- Percentage of municipalities portion removed. No weighted portion added but discussed.
- This is in addition to Truth and Taxation for District.

Special District of Taxation:

This system of experts going back to board for approval works well. If you don't like what someone on your board is doing, then you can take them off. This allows cities to maintain control and have representation. Ken Motion to Approve that was seconded. Mark Christiansen seconded. Vote to Approve. Bill in concept form if Trustee not available the cities can wait or appoint someone. Report is either in favor or opposed. Member must vote according to report.

#### **5. Law Enforcement Bills (Bountiful Police Chief, Tom Ross)**

Law Enforcement is engaged in our communities and bridging gaps. They want to be talking about what has changed in law enforcement, there is a substantial shift in philosophy and what the expectations are. It has become more clouded. Officers want to know the expectations.

**Review of SB 87-Civil asset forfeiture:** Thatcher/Supporting Bill SB87 and Opposing Rep. Green 19. Difference in Green Bill-identifies an innocent owner too easily. Difficulty to deny returning funds. Creates difficulty-ties money to charge or suspect. If someone is gaining funds thru criminal enterprise-everyone believes that the money should be taken. Have good record of taking care of innocent owners. Not a large group of owners opposing. Both out of committees. Need to work these bills worked out and bring together. Green- gives 75 days to file criminal charges on a case \$10,000 or more. Below or above has timeline. 75 days is difficult-crosses jurisdictions or large amounts it is difficult. Thatcher wants us to find common ground-may not be possible. Still working this out.

**Review of SB70 Civil asset forfeiture:**

Lots of concern about burden and tracking, may be so onerous and difficult for law enforcement. The motivation for bills may be sentiment that law enforcement is working against the communities they serve. The Legislators believe they are doing the right thing by holding people accountable for what they do and treating people that need help. There is support from law enforcement, but the shift of the work that law enforcement engages in needs to be looked into to resolve the deeper issues. League members expressed concern for Law Enforcement and support of their efforts.

**Off Duty Law Enforcement Employment (No Bill Released Yet)**

Agencies contract with security services. Costs trying to manage all contracts. Not all-but large agencies do-Agreement to do both. Job Description provided to find out what our people are being asked to do-Law Enforcement/ (run 28's for non-criminal purposes). Must provide workers comp. when doing job not part of Public Safety Issue-can do more law enforcement role. No limit to officers if involves public safety issue-they roll back to law enforcement agency. Wear Uniform-only to perform law enforcement function. Worked with Security Industry Rep. Dayton are in agreement. More clarity than we have ever had.

**Utah Comm. Authority Bill:**

Lot of moving pieces: Single dispatch center push. Same platform for CADS, can take away funding. Some other factors: 911 funds dispersed by population(now)-to Call for service. 50% lose and 50% gain. Hybrid proposed-interested more looking into that. Looking at ways to increase funding-meetings will be happening to talk about these items.

**Drones:**

In discussion/several meetings. May have an agreement. Piece removed about public spaces is good news. Non-criminal activity/public expressing concern/law enforcement being careful.

**6. Week 2 Update (Cameron Diehl & Roger Tew)**

List of bills league is working on with City Attorneys, City Managers, City Officials. League Army has been effective this session.

SB 174: Lynn-UTA Bill we are monitoring. Board makeup change.

SB 139 50%-100% school tax portion

SB 142

HB 115-Landfill DEQ's

Roger: Food Truck Issue: Outline of acceptable issues. Framework put together. Submitted to Senator Henderson-Concept put forward-discussed in LPC. When filled in we will circulate.

Motion by Stephenson 2<sup>nd</sup> by Cronin-to ratify new bills.

**7. Other legislative issues from ULCT staff or LPC membership**

Current League positions on bills were adopted.

## **8. Adjourn**

The meeting adjourned.