

Utah League of Cities and Towns Legislative Policy Committee
January 30, 2017 DRAFT MINUTES

1. Welcome: Logistics & Adoption of Minutes (ULCT 1st Vice President Beth Holbrook)

Motion to Approve Minutes: Mayor Randy Lewis from Bountiful made the motion and Margie Anderson seconded the motion from Ephraim and the motion was approved.

2. Fiscal Notes and Bill Tracking: (Brandon Smith)

Fiscal Notes: We have the opportunity to look at every bill that might impact Cities and Towns fiscally. When they send us a bill we review it and then reach out to you. Thank you for providing information quickly. You are the frontline to know how these bills will impact you. Contact Brandon if you would like to engage in that process. We will add you to list of contact people to reach out to.

Bill Tracking: Quick training and walk through off Bill Tracking software on ULCT website. Steps to track bills, and find out Senators or what Representatives are working on. Bills are tracked by importance.

2017 Legislative Handout available for those that want some items to review with legislators.

4. Justice Reinvestment Initiative next steps and municipal impacts: (Utah Association of Counties: Adam Trupp, CEO)

Request & Research: UAC has spent a couple of years working on these changes and how to respond. UAC realized the only way to make progress on concept of justice realignment was if the local governments involved in these mental health and social issues with treatment and rehabilitation. The only way it works is if there is local buy in-and a change in the way we view how this will work in our individual communities. UAC is glad to be here and want to partner with all of you.

Lincoln Shurtz: (UAC)

Backdrop:

- 2015 summary- the left and right worked together nationally and locally to bring social justice and the cost of the exponential growth in the prison population.
- 2015 HB 348 Eric Hutchings attempt to look at this issue.
- The crux is Sentencing Reform: low level drug offenders from felonies to misdemeanors
- Part of the discussion was using Medicaid expansion funds to serve this group/this population.
- Single men not qualified for Medicaid-without expansion they fall into public system with no funding source.

Why:

- In Utah, we experienced 18% increase incarceration rate while the population was only growing 15%. This was a concern to the state.
- Two-thirds of those incarcerated are low level drug offender or parole violation
- PEW report-anticipated saving ½ billion dollars by just changing guidelines. The critical piece is the reinvestment of those funds.
- Critical piece how to reinvest savings-not being repurposed. No plan for how to reinvest that savings-not being used for alternatives to incarceration.

What do we recommend?

- Statewide Screen Tool-Score for Recidivism (already being implemented)
- Risk Assessments
- Treatment (very limited resources to date)

What is happening?

- Pre JRI: 2600 felonies per quarter; Post JRI: 1300 felonies (47% reduction).
- We have also seen a 20% increase in charges being filed for drug offenses.

What are we (UAC) asking?

- Increased funding for the actual treatment: 4.5 million dollars, of which 2.2 million is to implement the screening tool.
- 94K people are uninsured for behavioral health or illness.
- 31k of them are involved in the criminal justice system (within 18 months); of that population twenty thousand (70%) mental illness or substance abuse.
- Current system: 15,000 of 94,000 uninsured fall into the Medicaid system; those that don't qualify for any assistance: 7,000 individuals
- Outside Medicaid: 7,000 individuals at \$3,100 per person to get treatment outside system.
 - \$20 million unfunded need for that population
 - Treating 15,000 but 7,000 not being treated and ineligible for service.

Keep in mind there is no inflationary increase and no case load increase. Thus, we are \$5-6 million short in that system

25 Million Un-funded problem what we recommend

- Supervising these individuals at the county and community policing level.
- UAC Study with Sorenson Impact Center will hopefully get a handle of the cost and then we have the "wrap around" costs currently not funded such as educational services, housing services, many, many wants and needs. The list of wants and needs can go on indefinitely

Keep in mind we haven't even talked about the homeless Issue: homelessness received \$27 million in state dollars over the next three years. The reinvestment needs to be just that *reinvestment* into alternative efforts.

We are asking for support of sheriffs, law enforcement, prosecutors and let us do the ask.

- \$5 Million for existing system we feel ok about
- \$16 Million to fund behavioral health system.
- We will circulate our materials and all of the cities can add their logos. Local Government knows and understands the issue.
- We are trying to contextualize what we are trying to accomplish for all of you.

If these folks are not in jail they can be menacing to our communities so we need to make sure that we are taking care of this issue.

Cameron Diehl and Roger Tew:

- Request for data from cities and towns to determine what the costs are-if you have info on JRI share information so that State resources can be reinvested on the local level.
- JRI has fundamentally changed our reality and JRI is not going to be repealed. ULCT needs to incrementally deal with funding going forward.
- We can help the legislature see this is a priority and that Local Government stands together.
- During our meeting with the Speaker of the House, his request was to assist in JRI and Homelessness crisis. We need to show the legislature the impact JRI is having on the local level.
- Roger: Original funding plan very different-didn't happen-so question now how to go forward.

3. Senator Jerry Stevenson: Executive Appropriations Chair

Comment on Utah's State Budget "We are NOT broke we just don't have much money".

- Revenue up about 4.5% growth.
- We don't have the revenue that we have had in previous 2-3 years.
- We are trying to build reserves but they are not adequate if we go into another recession
- No one-time money-if we do less it's less than 1 Million dollars so projects will have difficulty this year.
- Legislative priorities: Fund WPU (weighted pupil unit), Growth, Medical Insurance, Salary increases for teachers and state employees, higher education as well
- Starting out at less than zero

- We have to become more efficient: Staff looking at where we could take cuts.
- We are paying off \$300 million per year in bonding costs
- Need another \$90-100 million for infrastructure
- State owes on highway bonds until 2027
- No appetite currently to bond additionally for infrastructure, and we have \$300 million in cash going into new transportation projects

The legislature is very concerned about the business initiative to raise income tax, but the business community is holding the legislature's feet to the fire. The 7/8th % potential increase would be the equivalent of a 20-25% income tax increase.

Q: Brian Braithwaite-Highland-Amazon Deal are those numbers added in or are they additive?

A: Not added in-\$20 plus million-could be as high as 40 million projections-we will know about-but not in now. People thought Obama was going to increase Capital Gain Tax-now people are doing the opposite.

4. UPDATE: HB 115/ HB 164 Cameron Diehl & Roger Tew: ULCT

SB110 in committee tomorrow afternoon-urge their support of Rep. Bramble-SB110 (members H. Stephenson, Bramble, Fillmore, Hemmert, Dabakis, Harper, Henderson)

- Nexus defined-show support. In committee Senator Bramble asked to pack the room with supporters. Sen Rev and Tax.

5. Woodbury Corporation Proposed Changes to Sign Ordinances (Wade Budge, and Mr. Woodbury):

2016 session-legislation passed that added language to Unified Commercial Development: We saw this but didn't understand the impact to real estate developers

At Stake: In Danger of losing project sign: these are one or two on a property that advertise key anchor tenants of the new project.

Proposing: Modifications to the bill to avoid un-intended consequences of last year's bill.

- Last year Utah identified a "unified commercial development" as a large scale project. We all thought it would be only one project in the State: Traverse Mountain Sign along 1-15
- UDOT is now enforcing the new law and signs that do not fit the definition of Unified Comm. Development may be targeted now for removal.

GOALS:

1) Power back in cities hands 2) How the Rules will be applied 3) Retail Projects that we are working on to bring them to cities and counties.

Examples Shown: Sandy Auto Mall, Riverton: Dollar Tree and Kohl's, Draper Peaks, Intermountain Hospital (located on Costco parcel), Jordan Landing, Kimball Junction in Park City, Lehi-Fast Food, The Meadows in American Fork, Ken Garff Dealership, Valley Station in Heber City, Spanish Fork-Walmart.

The proposal would not affect off premise sections. Whether you have a UCD site is determined by the city, either by amendment or in first land use application to get approval.

Questions:

Q: Rob Wall-Sandy City-Interpret legislation counties other counties other than counties of 1st class. UDOT saying now precluded?

A: Definition didn't exist until last year and it applied to areas outside of counties of the 1st class. The problem is UDOT thinks they are obligated to look at people that look like UCD but are not.

Q2: Limited definition of Public Assembly Facility to 10,000 seats. Do you know why and are you looking at lowering that?

A: Meant to handle signs at Maverick and Real facility –set limit to have project sign you had to have at least 10k seats. Due to new RSL facility in Herriman, the bill would lower the threshold to 5000 seats.

Q: Dave Millheim-Farmington-Confused about on road / off road distinction- How are you dealing with this?

A: Federal Highway Admin taken position that even if not on parcel it is considered on premises if part of unified development. Subsections 504.5 and 504.6. We are trying to clarify the code so the definition is clear. Look at certain factors like easements, and other things required by code.

Q: Lynn Pace-Salt Lake City-Were the signs legal when they were constructed? What about unintended consequences and asked why it didn't go before the Land Use Task Force.

A: The bill does not impact Title 10 or 17 and only impacts Title 72.

Q: Dama Barbour – Taylorsville - Is there a Bill Number on this?

A: Rep. McKell will be sponsoring the bill in the House and he is close to having it out.

6. HB 115 (Rep. McKell) Solid Waste Revisions (Cameron Diehl and Roger Tew)

Background: HB 155 is an attempt to equalize the fee to DEQ by public and private landfills and nobody can articulate the justification for two different fees. The .33 per ton was picked to make the fee revenue neutral. We have pushed back on .33 number aligned to what it actually costs to administer program. The ULCT Position currently to amend the bill.

Q: Craig Smith, Duchesne-There is a project for Resource Recovery in Davis County that may be affected, and is that an intended consequence of the bill?

A: Pick up some monofills that are not picking up the costs. Cameron said he would follow up with Craig.

7. HB 164 Municipal Enterprise Fund Amendments (Cameron Diehl and Roger Tew) Moss Bill

Issue: Rep. Moss had experience as a City Council member. His bill would make it difficult for cities to transfer funds from an enterprise fund to the general fund. Roger said if a city properly notifies its citizenry, then the transfer should be fine. This is why local decision making is important.

8. Licensing bills (Cameron Diehl, Roger Tew, and Brandon Smith)

Sen Bill 81-Home Occupation Bill-Sen Anderegg has agreed to make amendments to redefine business. The city still has authority to license. If the home business has no impact, then no fee required.

Food Truck-not yet drafted: Sen Henderson desires reciprocity for business licenses, consistent standards, better definition of events, remove buffer zone.

Q: Mark Christensen, Saratoga Springs asked about parking lots and public rights of way.

Cameron: Buffer Zones were overturned in lower courts in other states. For reciprocity, the food truck in City A & B could have the inspection done twice/fire inspection twice. Reciprocity and fee waiver could be offered if the inspection was done elsewhere based on a uniform standard

Mark: he agreed on the upfront fees, but the per site inspection (such as blocking fire lanes/set up of grills) is necessary.

Cam: Fire Lanes is a Land Use issue rather than truck reciprocity.

Matt Dias of Park City asked for an update on STR, and Cameron replied that Rep. Knotwell will have a bill. Staff is waiting to see it and then will follow up with LPC. We will need to see the definitions.

9. Other legislative issues from ULCT staff or LPC membership and ratification of staff

recommendations: None

Motion to Adjourn: Gary Hill, Bountiful

Second Gary Crane, Layton

Adjourned