

MINUTES OF THE UTAH LEAGUE OF CITIES & TOWNS
BOARD OF DIRECTORS MEETING
50 SOUTH 600 EAST, SUITE 150
SALT LAKE CITY, UT 84102
FRIDAY, JANUARY 8, 2016
12:00 PM

CONDUCTING: ULCT Board of Directors President, Council Member Lynn Pace, Holladay.

EXECUTIVE BOARD

Council Member Lynn Pace, President, City of Holladay
Council Member Beth Holbrook, 2nd Vice President, Bountiful
Mayor JoAnn Seghini, Treasurer, Midvale

BOARD OF DIRECTORS

Council Member Margie Anderson, Ephraim City
Mayor Dean Baker, Naples
Mayor Mike Caldwell, Ogden City
Mayor Carmen Freeman, Herriman
Mayor Gary Gygi, Cedar Hills
Council Member Mike Mendenhall, Spanish Fork
Mayor Dave Sakrison, Moab
Mayor Jon Pike, St. George

EX-OFFICIO MEMBERS

JJ Allen, Clearfield, UCMA
David Church, Legal Counsel
Thieda Wellman, UMCA Pres.

ULCT STAFF

Kenneth Bullock, Executive Director
Cameron Diehl, Director of Legislative Affairs
Michelle Reilly, Director of Administrative Services
Susan Wood, Director of Communications and Training
Brandon Smith, Legislative Research Analyst
Meg Ryan, Planning Consultant
Nick Jarvis, Director of Research and Technology
Doug McDonald, Economic Policy Analyst
Krysten Olson, Executive Assistant
Peter Lara, Editor/Videographer
Roger Tew, Senior Policy Analyst
Ashley Morfin, Executive Assistant and Staff Photographer

OTHERS PRESENT

Leigh Ann Warnock, UMCA Vice President
Locke Ettinger, IHC

WELCOME AND INTRODUCTIONS

President Lynn Pace opened the meeting at 12:21 p.m. President Pace invited attendees to introduce themselves.

After introductions, President Pace announced a vacancy on the Board as Jim Ortler, representative from Brian Head, lost his seat in the November election. The vacancy must be filled, and as per the ULCT Board Bylaws, the replacement must also be from a town. The Executive Board has reviewed a pool of applicants including Harris Sondak of Alta and Curtis Ludvigson from Sterling. He recommend the task of selection be delegated to Council Member Holbrook as 2nd Vice President, and has asked her to visit with the two and bring back a recommendation for a vote.

It was hoped the audit would be ready for approval today, however due to issues beyond anyone's control it will not be presented. A brief follow-up Board Meeting has been scheduled after the Local Official's Day luncheon on January 27th for the purpose of approving the audit. As a quorum of eight members is required to approve the audit, President Pace conducted a count of those planning to attend that meeting. Ten members committed.

REVIEW AND APPROVAL OF MINUTES

Board Member Gary Gygi moved to approve the minutes of the previous ULCT Board Meeting as presented. Board Member Mike Caldwell seconded the motion. The vote was unanimous. The motion carried.

BOARD MEMBER TRAINING

David Church was present to go over the duties and responsibilities of the Board officers as opposed to Board Members and Staff.

The League has been organized as a cooperative and is subject to audit rules for governmental entities. A constitution has been adopted as well as Bylaws and standing ordinances. All members of the Board are required to complete training on the Public and Open Meetings Act. Under the Constitution, the Board is the governing body of the Utah League of Cities and Towns and the policy makers, being as active or passive as wished. The Board will set the policy for the League for 2016. The Executive Committee consists of officers. They carry out the directions of the Board and their power is limited to acting in place of the Board between meetings as later ratified by the Board. The Treasurer is not part of that executive group. There is not a minimum or maximum number of meetings required. There are, however, a minimum number of things to be accomplish dealing with the budget and approving audits of financial statements as need arises.

There are some required standing committees that meet once a year, including the Legislative Policy Committee, of which this Board is an automatic member. The LPC is not a constitutionally required committee, but created by bylaws that may be adjusted or changed. A minimum of 50 people must be on this committee, though it has no quorum, and meets as necessary during the legislative session and sets policy for the League dealing with legislature.

Ken Bullock commented as the end of the legislative session nears and it is impractical to attend LPC meeting, the Board will make sure to have access to them and will make sure the League

President is aware of when decisions need to be made on the go. The League President will make those decisions and if everyone is not available, will take a poll of individuals present. The LPC is the functioning group during the legislative sessions as adopted in the Bylaws by this Board.

The Treasurer is appointed by the Board. There are no term limits for this position and the Constitution states it may also be a Secretary/Treasurer. It is also defined as filled by an elected official, not a League staff member. The Treasurer is not in the regular rotation of the other officers.

The Utah League of Cities and Town's staff will carry out whatever the Board votes to adopt. Ken Bullock added the policy is an evolving thing and the Board and Staff are in constant communication.

DISCUSSION OF BOARD GOALS AND PRIORITIES

Lynn Pace led the discussion regarding Board goals and priorities. He reiterated this Board is the governing authority, but because everyone has other day jobs, most policy direction gets left to the LCP. If there are problems, officers or staff take over not to assume control, but to fill in the gaps.

President Pace asked, "As a Board, what is our long term policy vision?" He asked everyone to think about this question and bring ideas back to the next meeting. "Is there a broader picture necessary at the Board level?" One example given: more transportation funding. Gas taxes have not been raised since 1997. It is a slow process. The Board can send the message over and over again and eventually it will accomplish that long-range objective and get transportation funding. "Staff knew that and the Board knew that and finally authorization was granted and we got an increase in the gas tax and local option in some communities." He requested the Board help the officers and staff to develop some long-term objectives and policy visions that won't necessarily be accomplished during this year, but are critical to what the League does.

Other examples given:

1. Internet sales tax. 40% of shopping is done online. What needs to be done at the Federal level? Who should be interacted with to reach that long-range objective?
2. Modifying current Truth-in-Taxation rules in order to not be accused of raising taxes when taxes are not being raised. Even when tax rates are kept the same, they must be reported and a quarter-page add published, confusing the public into thinking it is an increase. The reports would be more effective if it could be stated clearly whether there is an increase in the tax or if there is merely a proposal to maintain the current rate which may raise more revenue, but be more truthful and understandable to the public.

Neither of these issues will be resolved this year or next year or anytime soon, but in the long term, they are objectives.

Mayor Gygi suggested metering secondary water as a long-range objective. The State may someday mandate metering secondary water. It would not be desirable to get out in front of that if the State is going to mandate it at some future time.

Jon Pike brought up whole county taxes and revenues as opposed to what cities get from hotels and restaurants. This is a long-term issue to consider.

Mayor Gygi also commented GRAMA is an issue nobody wants to touch because people think government is trying to hide. If there are vexed litigants in a city, it is crucial to have a clearer path and to have them designate the need for the GRAMA request and someone determine if it is legitimate.

Mayor Sakrison suggested taking a Look at Justice Courts.

David Church reminded the Board two items on the agenda had been skipped and he wished to address them at this time.

The Auditors require yearly verification that Board Members have been trained on the Open and Public Meetings Act. Each member should e-mail proof of that certification to Michelle at the League. Individual City trainings or League trainings are sufficient to meet this requirement. It was suggested that certificates be requested for these trainings in the future. By show of hands, it appeared eight Board Members had been trained to date. A training will added to a future agenda.

The Auditors are also requesting an officially adopted Uniform Fee Schedule for GRAMA Requests. The Fee Schedule was prepared by Staff Member Michelle Reilly.

Board Member Mike Caldwell moved to adopt a Uniform Fee Schedule for GRAMA Requests as presented. The motion was seconded by Board Member Carmen Freeman. The vote was unanimous. The motion carried.

COMMUNITY GRANT FROM INTERMOUNTAIN HEALTHCARE

Ken Bullock introduced Intermountain Representative Locke Ettinger, who educated the Board on a community grant offered by Intermountain Health Care. He commented Brand Ionics has been present at the last few meetings to discuss what is happening in the state relative to growth and asked, "What are the bigger issues? We are missing the boat if we don't understand how we fit in with the bigger picture with the legislature and try to show them we are partners." He pointed out IHC does not deal with education.

When it comes to health care, they rejected the governor's plan; they were not happy that the entire discussion was focused on 30,000 people as opposed to the 3 million in the state. They want benefits that relate to all citizens and are working on a program that will involve a lot of providers in Utah communities. With regards to health care, it is important to realize health is an outcome of activity and when it comes to premiums and costs, those are an outcome of a certain type of

behavior. It is important to help the legislature understand that we are part of the solution as it relates to managing their health care costs.

The idea was presented of forming a partnership on a program between IHC and the League. Mr. Ettinger is from St. George; he is a therapist with a PhD in health promotion and wellness and has been very involved in coming up with programs that are meaningful and change how people go about becoming more healthy.

IHC has awarded the League \$900,000 over the next four years to help promote health and wellness at the local level. They want to start to look at why people adopt healthy behaviors. Society has come to focus on individuals without an understanding of the cultural impact. One area IHC feels needs more investigation is the process of bringing in groups collectively at the local level to discuss difficult social issues and come away with good ideas and opportunities. They want to proceed with this project with research behind it and find what the impact has been and demonstrate that impact over a three-year period. The selected committee will be a representation of the diversity of the cities in Utah. Funds have been turned over to the League and this body from IHC.

Information has been circulated and IHC will be open for receipt of applications from cities to be a part of the demonstration project in February. Mr. Ettinger said he would leave the document with the League to review and select a test group.

Nick Jarvis commented on the collective impact model. Cities must show how well they can demonstrate that model to either create an active lifestyle program, or build or improve an existing program. Cities may come forth with proposals outlining how they will establish a strategy for their community that will be sustainable into the future rather than just a program.

It was asked if there will be equal allocation between the cities selected. Mr. Ettinger said this has not yet been decided; a lot of things are still in the works. The first step is to select a committee consisting of IHC and the University of Utah, using PhD students to help research and formulate programs. The Department of Health will also be on the committee. Six individuals will establish some criteria to present on the 27th so the information can be put out to communities. The main reason IHC wishes the program to be offered in select communities is so they will be able to learn and apply that knowledge across all communities and to disseminate this information into the future.

Nick Jarvis committed to e-mail the document to all on the Board for review and editing.

DECEMBER FINANCIAL STATEMENT

Mayor JoAnn Seghini, ULCT Treasurer, presented the December Financial report. She commented it is critical she knows who payment requests are being made for, what they are being paid for, and making sure receipts are kept for each expenditure. She reported revenues make up 90% of the budget at the end of December. Mayor Seghini reviewed the budget with the Board Members, a copy of which is available upon request.

The budget will be opened and amended when the first installment is received from IHC as discussed above.

Board Member JoAnn Seghini moved to accept the December Financial Statement as presented. The motion was seconded by Board Member Jon pike. The vote was unanimous. The motion carried.

LEGISLATIVE PREVIEW 2016

Staff members Cameron Diehl, Nick Jarvis, Brandon Smith, and Susan Wood conducted a preview discussion regarding upcoming 2016 Legislative items.

Cameron said Brandon will be updating the website. Nick will handle research and public safety and the law enforcement survey. Cameron is leading the efforts on the hill. There are two primary issues they are focusing on:

1. **Public safety body cameras/Retirement.** It was requested the Board review both proposals regarding cameras. There are some rules that local policies would be required to adopt. Board members were asked to listen and speak up and let staff members know the direction they should take. GRAMA is a huge part of the body cam issue.

As for Retirement, the League supported a compromise bill to change Tier 1 and Tier 2. In recent years, consequences have come up because of the initial change. It is hard to get qualified recruits to work for the amount of retirement now being offered. Only 8% of those surveyed say it is not difficult to get qualified law enforcement recruits. A part of the survey focused on determining how many applications are received and it is certainly a downward trend. Retirement is not the only issue, but also dealing with recruitment retention issues in law enforcement. There are multiple bills that will be presented at LPC on Monday.

Post-retirement for police officers and educators under certain circumstances could shorten the time required to wait before rehire. The multiplier for Tier 2 public safety employees may be changed so that the end benefit after 25 years would be the same as Tier 1 after 20 years. Staff are seeking direction from the Board and LPC on how to move forward on these bills.

2. **Land Use.** Attacks have been made on land use issues such as short-term rental regulation. Efforts have made to prohibit municipal ability to regulate in residential zones. This could devastate some cities. HB362 affects Cache, Summit, Uintah, Duchesne and Iron Counties' transit systems and all those 3rd class and smaller. It would delegate funds to county bodies to determine a new allocation formula. The remaining portion would be distributed 50/50 to cities within Uintah County and the cities determined by voters. This will be discussed in LPC on Monday and whether or not the League should proceed one way or the other.

UPCOMING ULCT EVENTS

Susan Wood and Brandon Smith led discussions on the following:

- Regional Municipal Official training – Trainings will be held tomorrow in Logan with a broadcast to participants in Moab. One more training will be held the following weekend in Provo and again in SLC. Broadcasts will be sent from Utah State to Vernal, Moab and Blanding. Thanks was expressed to USU for helping with that training opportunity.
- Local Official's Day at the Legislature – January 27th, all must register, and all were encouraged to get their Youth Councils to sign up. Great speakers have been scheduled.

A Board Meeting will be held prior to the conference in April.

An e-mail was sent out with a link to David Church's YouTube video containing the Open Meeting training. Certificates were sent around for signatures of those who have already received training. All those who train were reminded to send verification to the League.

ADJOURN

There being no further discussion, Board Member Mike Caldwell moved the meeting adjourn. The motion was seconded by Board Member Margie Anderson. The vote was unanimous. The motion carried.