

LPC Minutes: June 19th, 2017

1. Transportation Task Force
 - a. The Transportation Task Force started meeting in May. In one meeting, Senator Niederhauser said affordable housing and transportation needs “may require the state to take over planning functions now left to local governments.”
 - b. It is important that league members speak with their legislators about the needs of their communities and maintain an open line of communication. Diehl cautioned local officials to watch for anti-local government movements.
 - c. Diehl identified the League’s on-going message in the task force subgroups:
 - i. Planning and zoning must remain with local government; no “one-size-fits-all” solutions,
 - ii. Generational preparation,
 - iii. Willingness to discuss state transportation incentives.
2. Growing anti-local government sentiment
 - a. League staff shared an interview with Libertas faulting the league for training local officials and accused local officials of being “co-opted” and lacking principle.
 - b. President Steve Hiatt stated that local governments and the league are under attack and that the league should not let anyone deny the positive difference they are making.
3. Referendum working group
 - a. Diehl explained the background of the working group.
 - i. The group is composed of city attorneys, city managers, city recorders, county officials, Lt. Governor’s office.
 - ii. Rep. Brad Daw proposed HB 20 last year, which would have ‘handcuffed’ local cities and officials from providing referenda information to the public during the signature gathering phase.
 - b. Diehl highlighted the league’s priorities for referendum reform:
 - i. modify referendum timeframe to make it more workable.
 - ii. Incorporate 15-day window to adjudicate whether a referenda is based on a legislative or administrative act
 - iii. Under current state law, legal/fiscal analysis is not produced until signature gathering has already begun. Diehl proposed incorporating a pause for cities to prepare legal/fiscal analysis before signature gathering begins.
 - iv. Provide due process for individuals accused of lobbying for referenda.
 - c. Roger Tew stated that “we [the working group] won’t be able to solve every problem, but we can make things better.”
4. Land Use Task Force
 - a. Gary Crane briefed the committee on the Land Use Task Force updates:
 - i. The development community is interested in density, not affordability
 - ii. The legislature has taken a position that either municipalities will solve the shortage of affordable housing or the state will.
 - iii. Possibilities of reducing infrastructure funding unless cities and towns comply with state objectives.

- b. Crane highlighted the importance of municipalities checking their own ordinances for compliance with newer state laws. Local governments do not want the legislature changing laws because of the actions of a handful of cities.
5. Tax Reform
- a. Roger Tew briefed the committee about tax reform discussions.
 - i. Adjustments to taxes at the state level are driven largely by Our Schools Now and transportation costs on the general fund
 - ii. Local governments shouldn't be concerned about fair allocation of online sales tax because the 9-digit zip code used for billing is accurate up to a city block.
 - iii. Some legislators have begun discussing whether Truth in Taxation places too many restrictions on local governments.
6. Removal of elected officials (HB 364) (Authorizes local option without state default)
- a. Diehl explained the concerns about removal policy as a state default. Since there's no other forms of recall in the state of Utah, a state default option is dangerous.
 - i. Instead, municipalities could write their own guidelines for removing elected officials if mental fitness is in question.
 - ii. Guidelines must provide due process, comply with ADA requirements, and have privacy protections for the individual in question.
 - b. The league is working with disability advocates to figure out process for properly removing individuals with a mental illness that inhibits their official performance of duties.
 - i. The underlying issue is driven from the Salt Lake County Recorder, Gary Ott, whose mental fitness is in question.
7. Other issues
- a. HB 115 – Solid Waste fees
 - i. The ULCT has taken part in a coalition to examine solid waste fee schedules and take input from various stakeholders.
 - ii. The coalition filed GRAMA requests to identify the actual costs of state regulation.
 - iii. Rep. McKell is still driving the discussion about new fees but he's letting other stakeholders figure details out.
 - iv. Part of the landfill fee is diverted to the general fund
 - b. Enterprise Funds
 - i. Libertas has expressed concern about enterprise funds and frustrations that they were not impeded during last session.
 - c. Executive Director Recruitment Process (President Hiatt)
 - i. President Hiatt explained that the committee is accepting applications through July 2nd and already has 116 applicants.
8. Adjournment