

Utah League of Cities and Towns
Legislative Policy Committee Minutes – January 29, 2018, 12:00PM
Utah State Capitol (and USU webcast)

1. Welcome, introduction, and adoption of January 8, 2018 minutes.

- a. Mayor Pike welcomed the LPC participants.

2. Update on first week's bills

- a. Rachel Otto, ULCT's Director of Government Relations, updated the committee on bills the League was tracking throughout the first week of the session. The League tracked 162 bills in the first week of the session. Otto invited LPC members to participate in the small-group issue discussions.

3. Retirement Update

- a. ULCT Senior Policy Advisor, John Hiskey, provided the committee with updates on public employee retirement legislation. He explained that there are several agencies currently negotiating legislation for increasing the Tier 2 retirement rate for public safety officials. Tier 1 public safety officers may currently retire with 50% of their salary after 20 years of service. Tier 2 employees may only receive 37.5% after 25 years of service. Law enforcement groups are discussing a strategy to an increase Tier 2 employee rate to 50% after 25 years, but mentioned some municipal governments still have budgetary concerns. Hiskey also discussed Senator Jani Iwamoto's legislation to allow teachers to maintain their retirement accounts after leaving work and returning to work for a different agency if the original agency agreed to continue paying out retirement amounts.

4. Transportation Governance Amendments

- a. Rachel Otto briefed the committee on the upcoming Transportation Task Force legislation. She explained the context of the bill, including the preliminary discussion of investment and land use incentives/disincentives. The draft legislation has several large policy changes including Transportation Investment Fund (TIF) flexibility, changes to the TIF prioritization process, and incentives for adhering to UDOT initiatives. She emphasized that the draft bill has no disincentives or penalties for land use.
- b. Otto also discussed the draft bill's changes to UTA governance. The bill will reduce the size of the governing board from 16 part-time members to three full-time trustees with a nine-member local advisory board.
- c. Rachel Otto and Andrew Gruber, Executive Director of Wasatch Front Regional Council, explained revenue changes to transportation funds included the possibility of a road usage fee, and a state deployment of the quarter option sales tax.
- d. Rachel encouraged members of the LPC to fully consider the proposal before arriving on a position.

5. Updates

- a. Referendum
 - i. ULCT Senior Policy Advisor Roger Tew explained that Representative Brad Daw is sponsoring legislation to clean up the state's referendum statutes. Representative Daw has solicited feedback from several groups and will soon

release the legislation. Tew mentioned there still may be some policy concerns but the legislation offers a lot more clarity.

- b. Fireworks (HB 38)
 - i. Rachel Otto updated the committee on current fireworks reform legislation. The current draft restricts the number of days which fireworks may be launched and creates a 350 ft. buffer zone around fire-sensitive areas.
- c. Small Cells
 - i. Roger Tew explained emerging discussions on small cell wireless regulation. He said that 12 states have already passed legislation that would preempt the ability of local governments to regulate small cell placement. The League is engaged in on-going discussions on small cell wireless.
- d. Housing
 - i. Rachel Otto stated that Representative Steve Eliason's housing legislation has yet to be released but that the League continues to monitor for it.
- e. Extraterritorial Jurisdiction (HB 135)
 - i. Councilmember Lynn Pace of Holladay briefed the committee on extraterritorial water jurisdiction. He explained that jurisdiction varies by city but that there are some state-wide standards (e.g. jurisdiction over 300 feet on either side of the body of water). This bill would shift regulatory authority to the state's Department of Water Quality. Pace suggested the League oppose the bill and consider discussing water management over the interim.
 - ii. Pace also spoke about Representative Kim Coleman's bill that would place certain disclosure requirements for cities who provide surplus water to customers outside of their jurisdictional boundaries. Pace recommends the League oppose the legislation as drafted, and continue to study the issue over the interim.

6. Ratify Staff Positions

- a. Councilmember Lynn Pace moved to oppose HB 111 as currently written. Shawn Guzman of St. George seconded the motion. The motion was approved.
- b. Councilmember Lynn Pace moved to oppose SB 55 as currently written. The motion was seconded. The motion was approved.
- c. Councilmember Lynn Pace moved to oppose HB 135. The motion was seconded. The motion passed.
- d. Councilmember Lynn Pace moved to oppose HB 124. The motion was seconded. The motion passed.
- e. Gary Hill of Bountiful moved to support HB 38. The motion was seconded. The motion passed.
- f. Councilmember Brian Braithwaite of Highland moved to oppose SB 52. The motion was seconded. The motion passed.

7. Adjournment