

**MINUTES OF THE UTAH LEAGUE OF CITIES & TOWNS**  
**BOARD OF DIRECTORS MEETING**  
**SHERATON HOTEL, 150 WEST 500 SOUTH, SALT LAKE CITY, UT 84101**  
**TUESDAY, SEPTEMBER 11, 2018 @ 9:45 AM**

**CONDUCTING:** ULCT Board of Directors President, Council Member Beth Holbrook, Bountiful

**EXECUTIVE BOARD**

Council Member Beth Holbrook, President, Bountiful  
Mayor Jon Pike, 1<sup>st</sup> Vice President, St. George (participated electronically)  
Council Member Mike Mendenhall, 2<sup>nd</sup> Vice President, Spanish Fork  
Former Mayor, Steve Hiatt, Past President, Kaysville,

**BOARD OF DIRECTORS**

Council Member Don Christensen, West Valley City  
Mayor Dean Baker, Naples  
Council Member Andy Beerman, Park City  
Mayor Mike Caldwell, Ogden City  
Council Member Damon Cann, North Logan  
Council Member Jewell Allen, Grantsville  
Mayor Len Arave, North Salt Lake City  
Council Member Nicole Martin, Herriman  
Mayor Kelleen Potter, Heber City  
Council Member Richard Barnet, Richfield  
Council Member, Steve Fairbanks, UMMA President, Sandy City  
Council Member Bob Stevenson, Layton

**EX-OFFICIO MEMBERS**

David Church, ULCT Legal Counsel  
S. Annette Spendlove, North Ogden City  
Recorder, UMCA VP

**ULCT STAFF**

Cameron Diehl, Executive Director  
Rachel Otto, Director of Government Relations  
Nick Jarvis, Chief Operating Officer  
Roger Tew, Senior Policy Analyst  
Susan Wood, Director of Communications and Training

### **1. Welcome and Introductions – Council Member Beth Holbrook, ULCT President**

President Beth Holbrook called the meeting to order at 9:56 am and called for introductions.

### **2. Conflict of Interest Disclosure – Council Member Beth Holbrook, ULCT President**

There were no Conflict of Interest items brought forward.

### **3. ULCT Resolutions – Cameron Diehl, Executive Director**

Director Diehl reviewed the procedure for introducing a resolution. He also reviewed the procedure for the Board in recommending resolutions to the ULCT membership.

Director Diehl presented Resolution 2018-001 Medical Marijuana and proposed the following:

1. Cities and towns oppose any action, either via the legislative or a vote of the people, to preempt traditional local authority over land use planning and zoning with respect to medical marijuana.
2. Cities and towns oppose any action to preempt traditional local authority over business licensing of medical marijuana.
3. Cities and towns oppose any action to preempt traditional local authority to enact ordinances that are vital to the health, safety and welfare of our communities.

Be it further resolved that,

1. If Proposition 2 does not pass, cities and towns urge the Utah State Legislature, the Governor, and stakeholders to consider our concerns about a preemption of traditional local authority over land use, legislative policymaking, and licensing in future legislation or initiatives about medical marijuana.
2. If Proposition 2 passes, cities and towns urge the Utah State Legislature, the Governor, and stakeholders to address ULCT concerns in statute about the current initiative language that preempts traditional local authority over land use, legislative policymaking, and licensing.

Mayor Pike joined the Board meeting by phone.

Mayor Pike stated that he is not sure how all Board Members feel about this issue, but he does know that this is a heated discussion throughout the State. He also feels when this resolution is presented to the ULCT membership that there will be vastly different opinions. He suggested that the Board make their concerns known as the resolution is presented

Bountiful Chief Ross and President of the Utah Chiefs of Police Association addressed the Board. He said there has been a lot of discussion about the medical marijuana issue and the Chief's Association has spent a lot of time going through the Proposition. He read a letter from the Utah Chiefs of Police Association who voiced their concerns and their opposition to Proposition 2. He said from an enforcement standpoint the marijuana proposition makes it very difficult for law enforcement from doing anything to prevent marijuana being used illegally.

Mayor Pike feels it would be appropriate to reference the letter of opposition that was just read by Chief Ross in the resolution.

Director Diehl said he can add more law enforcement language to the resolution but it broadens the scope of what the Board would be presenting to the ULCT membership

Council Member Allen asked if comparisons have been made of what is happening in other States in regards to the marijuana proposition.

Chief Ross responded they have looked at what has been happening in other States and he can't make a guess on if the proposition will pass, people don't understand the repercussions. He has been in discussions about medicinal marijuana over the last four years and he does feel there are some medical benefits but, he also concerned about the impact on society. There should be fair and balanced information given so the public can make an informed decision.

Director Diehl stated that when he met with League Directors around the country he found that the use of medical marijuana passed in approximately 30 cities. The use of recreational marijuana primarily passes but there have been a few States where it did not pass for the reason of it did not get enough campaigning. In those States where it did not pass it was expected that it would be on the ballot again. Approval ratings are still very high in the State for medical marijuana even after the LDS Church announced their opinion. There is a very strong and organized support for medical marijuana

Council Member Beerman suggested that the League strengthen their statement acknowledging the concerns by law enforcement.

**ACTION: Council Member Beerman moved to approve *Resolution 2018-001 Medical Marijuana* as presented. The motion was seconded by Council Member Cann. The motion carried unanimously.**

Director Diehl presented Resolution 2018-002 Water. He met with a subcommittee who reviewed the amendments and proposed the following to the Board:

1. Utah cities and towns support the attached proposed amendment to Article 11 Section 6 of the Utah State Constitution.
2. Utah cities and towns support the narrow ability for a municipality to convey water works to another governmental entity that is a public water supplier.
3. Utah cities and towns support equal protection for all water customers within a designated water service area established by a municipality.
4. Utah cities and towns support increased transparency and opportunities for public input regarding retail water rates in a designated water service area.
5. Utah cities and towns oppose any state effort to verse or regulate the municipal legislative responsibility of setting water rates or the designation of designated water service areas.
6. Utah cities and towns support the continued ability of municipalities to protect all of their sources of culinary water from contamination.

**ACTION: Council Member Bob Stevenson moved to approve *Resolution 2018-002 Water* as presented. The motion was seconded by Council Member Steve Fairbanks. The motion carried unanimously.**

Director Diehl presented Resolution 2018-003 Our Schools Now and proposed the following to the Board:

1. Cities and towns support legislative action, either through the legislature or directly by the people, that would result in an increase of the gas tax.
2. Cities and towns support efforts to inform the general public about local transportation funding needs in order to repair, replace, or construct vital road infrastructure.
3. Cities and towns urge the Utah State Legislature, if voters approve Question 1, to increase the gas tax by ten cents.
4. Cities and towns urge the Utah State Legislature to allocate the ten-cent gas tax increase according to consensus formulas.

**ACTION: Council Member Cann moved to approve *Resolution 2018-003 Our Schools Now* as presented. The motion was seconded by Council Member Berman. The motion carried unanimously.**

Director Diehl presented Resolution 2018-004 Population Growth and turned the time over to Rachel Otto to present more information about the proposed resolution.

Ms. Otto stated that this resolution is an attempt to bring forward the issues that the League has been working on for the past year in regards to population growth, housing affordability, affordable housing and the referendum process. The resolution has six parts which are the following:

1. Population growth and the housing gap
2. Housing affordability
3. Affordable housing
4. Direct democracy
5. Legislative authority
6. Revenues for infrastructure and services

**ACTION: Council Member Jewel moved to approve *Resolution 2018-004 Population Growth* as presented. The motion was seconded by Council Member Fairbanks. The motion carried unanimously.**

#### **4. Communications Plan and Research – Cameron Diehl, Executive Director; Y2 Analytics & Penna Powers**

Director Diehl stated that the League has entered into a partnership with Y2 Analytics to ask the question of what residents perceive about population growth. He introduced Scott Riding from Y2 to present information from their survey.

Mr. Riding reported they have done a series of focus groups and a quantitative study was also completed. The goal of the study was to try and understand the scope of public opinion about the housing crisis and as a secondary goal to try and find avenues for communication which they are still working on.

Mr. Riding reported on the following:

- 1- Housing affordability is the top issue in many cities throughout the State of Utah
- 2- Those who currently own homes are conflicted
- 3- There are 2/3<sup>rd</sup> of the voters who currently see their community growing too quickly
- 4- There are 2/3<sup>rd</sup> of the votes who are aware of new multifamily developments in their neighborhoods and their reaction to these new developments is negative.

Mr. Riding said the question was asked, who should take the role of planning and then communicate what those plans should be. The majority of respondents believe that planning for long term growth needs communication and falls on local organizations which combines local government and community groups such as HOA's. The respondents feel the decisions need to be made locally and that growth is happening too quickly.

Director Diehl stated this information will be presented during the business meeting on Friday at the ULCT Conference.

Mr. Riding said the goal is to get everyone on the same page and to be disciplined in how the information is presented.

Director Diehl introduced Wendy Hansen from Penna Powers who he stated will talk about the communication strategy and what we do as a local government to reboot the term, "local control".

Ms. Hansen asked, how many have a Youth City Council in their City? The majority of the Board raised their hand.

Ms. Hansen said one of the best ways that communities can be educated and learn how their City works is to educate high school students.

Ms. Hansen asked in regards to the term "Local Control." How have the different cities heard this term used?

The following responses were given by the Board: Housing and Land Use, use a softer word other than "control" which draws a negative connotation, represent the needs of those we serve, needs to be about community based decision making versus centralized decision making and use the word community instead.

Council Member Martin said the fundamental message the Board has discussed is to express the voice of the citizen on the issues that matter to them. They need to know they are being heard but there also needs to be a reality check and citizens need to know there has to be growth and that growth is coming but it can be managed.

Council Member Mendenhall said we also need to convey sympathy and understanding with our constituents when they come to us regarding their concerns about growth.

Council Member Allen says it comes down to citizens being educated.

Ms. Hansen asked how does the legislature see cities, city officials and how do constituents see city officials.

Council Member Christensen said he feels the legislature represents the will of the people as they see it not as city officials see things who are closer to the people.

Council Member Martin said when it comes to the housing issue, the legislators feel that city officials are pandering to the clamor and are unable to set forward an outline/plan for population growth where, we all have to do our part. The legislators feel they are doing things for the greater good and that city officials lack the political courage to do the same on the local level.

Council Member Barnet said the legislature tends to treat city officials the same way they accuse the federal government of treating them but, they don't see it that way.

Council Member Fairbanks said the challenge is the constant turnover with elected officials. The legislature created municipalities to take care of the day-to-day business of a community. In Sandy City, the two biggest problematic issues are short term rentals and fireworks which they have very little control over and yet citizens are demanding that city officials have more control.

Ms. Hansen asked if city officials could have it their way, how would they want their citizens and the legislature to feel?

Council Member Fairbanks responded that city officials would like to feel they are competent.

Council Member Cann said speaking of the legislature specifically, one thing that helps him realize the legislature feels he is competent is working as partners on a project and reaching the goals of both.

Council Member Mendenhall said quality of life is a concern of his citizens.

Ms. Hansen asked as a Board, what is the comfort level of making changes to the way they partner with the legislature?

Council Member Martin responded that no one city council member can do anything so there has to be a spirit of collaboration and partnership. There are going to be moments where we disagree but city officials have to protect their citizens.

Mayor Arave said city officials and the legislators are elected by the same citizens but cities are challenged by the implementation.

Council Member Beerman feels the League has already taken steps to improve the partnership with the legislature.

Council Member Allen said she appreciates that in the past, the League have said that certain issues are non-negotiable.

Director Diehl said there will be some who will not be on the ULCT Board in October but he would welcome any further comments or feedback.

## **5. ULCT Board & Commission Reports & ULCT Board Update – Council Member Beth Holbrook, ULCT President**

Council Member Fairbanks reported on the Privatization Board and said this Board is looking at all State operations and verifying how much involvement there is from the private sector. The Board meets quarterly.

## **6. ULCT Board and Commission Appointments – Cameron Diehl, Executive Director**

Director Diehl reported on the following:

**Emergency Management Administration Council** – The Emergency Management Administration Council (EMAC) was created to provide advice and coordination for State and local government agencies on government emergency prevention, mitigation, preparedness, response, and recover actions and activities. Hugh Daniels of Park City has recently retired, leaving a vacant ULCT seat on EMAC. Hugh has been replaced by ‘Mike’ McComb as the City’s Emergency Program Manager. The vacant ULCT seat on the EMAC only needs to be appointed by the ULCT Board of Directors to be filled. Director Diehl recommended that Mike be appointed to fill this vacancy.

**Joint Highway Committee** – The Joint Highway Committee (JHC) provides coordination and yearly project recommendations to the Utah Transportation Commission for the use of federal funds. Jeffrey L. Snelling formerly with Salt Lake City, has been replaced by Matt Cassel as the City Engineer for Salt Lake, leaving a vacant ULCT seat on the JHC for Region 2. The seat only needs to be appointed by the ULCT Board of Directors to be filled. Director Diehl recommended that Matt be appointed to fill this vacancy.

**Private Activity Bond Review Board** – The Private Activity Bond Review Board makes allocations of volume cap to issuing authorities and determines the amount of volume cap to be allocated with respect to approved applications. The board also maintains a record of all applications filed, and of all bonds issued by issuing authority during each year. They will also determine the amount of volume cap to be treated as a carryforward and allocate this carryforward to one or more qualified carry forward purposes. Finally, they will promulgate rules for the allocation of volume cap. Currently, the Private Activity Bond Review Board has a vacant ULCT seat which needs to be filled. The two current members are Chip Dawson, South Jordan Treasurer, and Wally Ritchie, Ivins Assistant City Manager. They had their names submitted by the ULCT Board of Directors in the spring and have since been appointed by the Governor and confirmed by the Senate. Those nominated by the Board of Directors for the current vacancy will be proved to the Governor for his appointment, followed by confirmation of the Senate. Director Diehl recommended that Dean Lundell, Finance Director of Lehi, and Bruce Riddle, Assistant City Administrator and Finance Director for Springville be nominated to the Governor’s Office for consideration.

**Utah Communications Authority Board** – The Utah Communication Authority (UCA) Board governs the UCA, which is responsible for the operation of the 800 and 150 MHz radio networks, and statewide interoperability which serves to enhance and promote inter-operable and emergency communications at the State, regional, local and tribal levels. It also oversees the management of the 911 program, which includes oversight for the next generation 911 systems, and promulgating minimum standards and best practices. Finally, it performs FIRSTNET coordination within the State of Utah to establish a nationwide, high speed, and wireless broadband network dedicated to public safety use. John Park of Cottonwood Heights has recently retired, leaving a vacant ULCT seat on the UCA Board. The vacant ULCT seat requires nomination by the ULC Board of Directors to the Governor for his appointment, followed by confirmation of the Senate. Director Diehl recommended that Wayne Parker, Provo City Chief Administrative Officer, and Adam Cowie, Lindon City Administrator, be considered for this position.

**ACTION: Council Member ?? moved to approve the appointments as presented. The motion was seconded by Council Member??. The motion carried unanimously.**

#### **7. National League of Cities Endorsements – Cameron Diehl, Executive Director**

Director Diehl reported on the National League of Cities endorsements. Clearfield Mayor Mark Shepherd who is running for the NLC Board of Directors and Amy Fowler from Salt Lake City. The process of the NLC is an endorsement from ULCT.

**ACTION: Council Member ?? moved to approve the endorsements of Council Member Amy Fowler and Mayor Mark Shepherd to the National League of Cities Board of Directors as presented. The motion was seconded by Council Member??. The motion carried unanimously.**

#### **8. Review & Approval of Check Registers – Nick Jarvis, Chief Operating Officer**

Nick Jarvis reviewed the check register from August 2018 and the credit card statement for July and August 2018. He said there are two charges for the Rural Mayor's Summit that include alcohol.

Mayor Arave said in regards to the alcohol purchase, there was a contribution from Rocky Mountain Power in the amount of \$2,500 for the reception.

Director Diehl added that alcohol is also served at the Midyear and Annual Conference and ULCT was on budget for the Rural Mayor's Summit.

Mayor Hiatt suggested making an amendment with an exception or isolated statement regarding alcohol being served with the pre-approval of the Director.

Director Diehl clarified that alcohol is not against League policy as long as its approved in advance and is for business meals.

Council Member Allen stated that whether it's allowed or not she suggested that it's something the Board should review and she is not comfortable using taxpayer funds for alcohol.

**ACTION: Council Member Jewell Allen moved to approve the Check Registers as presented. The motion was seconded by Council Member Nicole Martin. The motion carried unanimously.**

**9. ULCT – Annual Convention 2018 Preview – Susan Wood, Director of Communication & Technology**

Susan Woods addressed the Board regarding the Annual Convention and asked the Board if they would like to introduce the presenters.

President Holbrook responded that she feels if they able, she would like the Board to make the introductions.

**10. Closed Session (if needed) As per Utah Code 52-4-205**

No closed session was held by the Board.

**11. Other Business**

**12. Adjourn**

**ACTION: Motion by Council Member Fairbanks moved to adjourn the ULCT Board of Directors meeting of September 11, 2018. The motion was seconded by Council Member Barnet. The motion carried unanimously.**

**MINUTES APPROVED**