

Utah League of Cities and Towns
Legislative Policy Committee Minutes – February 3rd, 2020, 12:00 p.m.
Utah State Capitol – Senate Building Room 210 (and Zoom webcast)

1. Welcome, introductions, logistics, and adoption of December 16, 2019 minutes
 - a. ULCT Executive Director Cameron Diehl welcomed the committee. Cameron explained the LPC's purpose and process. The LPC provides a forum for ULCT staff to give an overview of legislation, solicit feedback, and vote on official positions. ULCT may take support, neutral, oppose, amend, or TBD positions on bills. The LPC is chaired by ULCT's first vice president, Mayor Caldwell of Ogden. He further explained that each city has three voting members but board members do not count for one of those three. Cameron emphasized that the definition of consensus is 60% of the LPC vote.
2. Introduction to the LPC and city affiliate group
 - a. Cameron Diehl introduced ULCT's new Director of Government Relations, Victoria Ashby.
 - b. Cameron Diehl explained that there are several city affiliate groups that ULCT works with closely. There are also other governmental organizations that do not necessarily provide municipal services but have overlapping interests like MPOs and AOGs, the Utah Association of Counties, the Utah Association of Special Districts, the Utah Association of School Boards, and chambers of commerce.
3. Legislative items:
 - a. Cameron Diehl briefly gave an overview of ULCT's large policy issues in the past few years, including: tax reform, UDOT restructuring, UTA restructuring, gas tax increase and 4th/5th sales tax quarters for transportation, housing and transportation elements of general plans, local referendum modernization, GOED restructuring, homeless services and funding restructuring, Tier 2 public safety retirement changes, and body-worn camera policies.
 - b. UPDATE: Litigation updates
 - i. Inland Port - Cameron Diehl updated the LPC on two litigation decisions which may result in legislation during the legislative session. First, a decision was made in the Inland Port case brought by Salt Lake City. He explained that the court found that the state's compelling interest in the port meant the Ripper Clause didn't apply. Cameron emphasized that ULCT has not taken a position on the port itself, but has concerns about the underlying legal framework.
 - ii. Transportation Utility Fees – Libertas sued Pleasant Grove over their transportation utility fee, claiming it is a tax not a fee and should have gone through the Truth in Taxation process. Oral argument occurred on January 22nd and the judge said he hoped to have a decision issued within 2-4 weeks. Cameron added that there will likely be a bill to prohibit transportation utility fees, depending what and when the court decides.
 - c. UPDATE: Upcoming land use legislation
 - i. Victoria Ashby updated the LPC on current land use legislation:

1. Gravel pits – The Land Use Task Force (LUTF) agreed they needed more time to come to consensus and there will be no legislation this year.
 2. TOD zoning change notification – the bill requires that a city inform UTA when a plat change impacts a major transit corridor. The objective of the bill is to improve collaborative planning with UTA.
 3. Subdivisions - The LUTF was unable to come to consensus on the major issues of the bill so they will spend another year working on it. There may be a subdivisions bill that contains minor changes.
 4. Design standards, impact fees, damages/penalties – several bill concepts have been hovering but have yet to be seen. ULCT staff will monitor for legislation.
- d. DISCUSSION: Code enforcement nuisance legislation
- i. Local Government Nuisance Ordinance Reform-- HB 202 ULCT Director of Policy Wayne Bradshaw explained that Representative Moss' policy intent was to reduce the penalty for minor code violations. Cameron Diehl added that the bill fits into the JRI framework. Wayne suggested that comprehensively studying the issue over the interim may be preferable. He asked for general feedback on the legislation.
- e. UPDATE: Water conservation legislation
- i. Wayne Bradshaw briefed the committee on two upcoming water conservation bills:
 1. Secondary Water Requirements – SB 51 would require all public water suppliers in 1st and 2nd class counties to meter all secondary water. It includes a waiver for communities that could not get a warranty for their meters. The bill also creates an account the state could use to fund the project but the bill has no actual funding attached. ULCT staff recommends an oppose position.
 2. Public Entity Water Users Amendments – SB 84 would require all public entity water users to create a conservation plan for their water use. The bill would also require metering of all public water uses. And it gives the DEQ the authority to reject a city's water plan. ULCT staff recommends an oppose position.
 - ii. Cameron added that in meetings with leadership, ULCT was asked to be more proactive on water conservation. The question was raised whether an SB 34-like approach would be possible on water conservation. Cameron responded that it could be an option. Wayne said that the ULCT Board of Directors requested ULCT staff be more proactive in informing the legislature and other stakeholders about conservation measures cities are already acting on.
- f. UPDATE: Upcoming issues
- i. Cameron Diehl briefly listed some upcoming legislative issues including HB 231 Genetic Information Amendments, HB 190 Local Government Cooperation Contracts, body worn cameras, and the use of biometrics.

4. Other legislative issues from membership (*ULCT 1st Vice Pres. Mike Caldwell*)
 - a. Cameron Diehl answered questions about SB 84, HJR 10, a possible CRA bill, a possible rural economic development bill, and first responder funding. ULCT Senior Advisor John Hiskey added fringe gambling as an upcoming issue.
5. Ratify staff recommendations
 - a. The LPC ratified staff recommendations.
6. Adjourn
 - a. The LPC adjourned

DRAFT