

Utah League of Cities and Towns

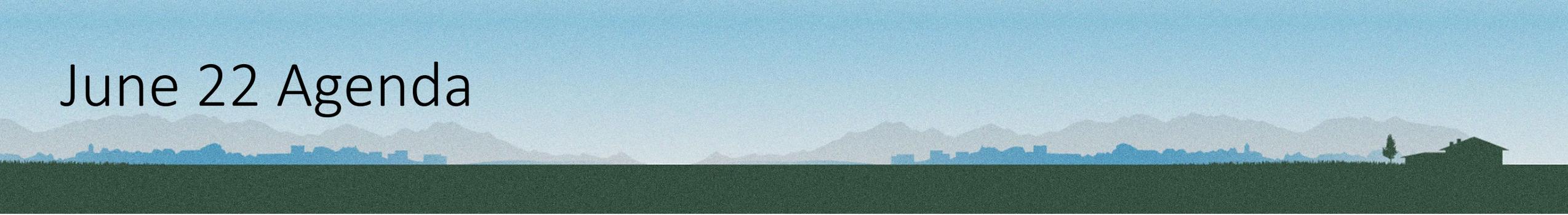
Legislative Policy Committee

June 22, 2020

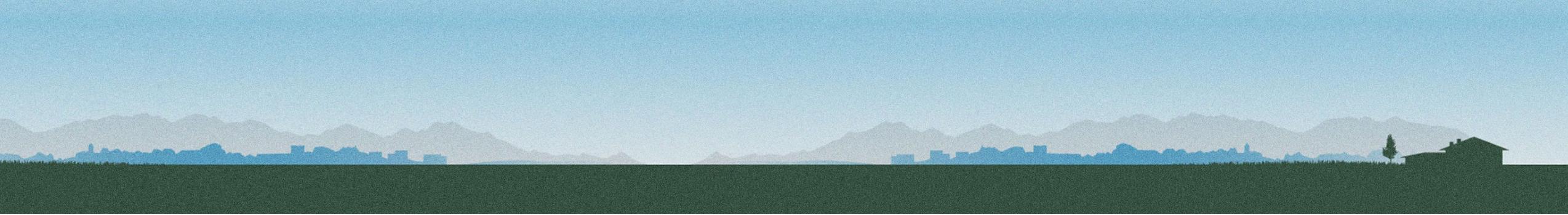
#citieswork



June 22 Agenda



- Legislative items: June special session update
- 2020 Interim Issues
- Community Trust in Public Safety



June 2020 Special Session

I.e. COVID just keeps giving



HB 5002 Open and Public Meetings Act Amendments

Rep. Potter

- Narrow exception to the anchor location requirement in the Open and Public Meetings Act
- If the public body chair makes a written determination that meeting together creates a substantial risk to health and safety, the public body may hold an electronic meeting without the anchor location.
- Determination/suspension of anchor limited to 30 days then must be renewed with another determination
- Public body must put link to meeting in notice



Sub 1 HB 5007 Peace Officer Amendments

Rep. Hollins

- Prohibits approval of peace officer training curriculum containing the use of chokeholds or other restraints that may cause unconsciousness
- Prohibits training peace officers to use chokeholds, carotid restraints, or other methods impeding breathing or blood circulation
- Bans peace officers from using “knee on the neck” restraint
 - Violation is a felony



SB 5006 Public Safety Worker Protection Amendments

Sen. Mayne

- Expands an existing statute that allows a court to order an individual to submit to testing in cases where the individual has potentially exposed a first responder to a disease to now include COVID-19
- Criminal penalties for intentionally exposing public safety workers to a disease



Sub 1 SB 5004 Municipal Annexation Amendments

- HB 393 GS Municipal Annexation Amendments (Rep. Waldrip)
 - UCA 10-2-403(5) A petition [to annex] ~~proposing annexation of an area located in a county of the first class~~ may not propose the annexation of an area that includes some or all of an area proposed to be incorporated in a request for a feasibility study under Section 10-2a-202 if:
 - (a) the request was filed before the filing of the annexation petition; and
 - (b) the request, or a petition under Section 10-2a-208 based on that request, is still pending on the date the annexation petition is filed.
- Bill in April SS to reverse failed

Sub 1 SB 5004 Municipal Annexation Amendments

Sen. Buxton, Sen. McCay SB 5004 Sub 1

- **Does not apply to 1st class counties**
- Prohibits filing an annexation petition if an incorporation feasibility request is filed and pending

UNLESS

- An annexation petition is filed on or before August 5, 2020 and notice of intent includes a map

AND

- An annexation petition is filed on or after November 15, 2020.



HJR 504 Joint Resolution Further Extending the State of Emergency Due to the Infectious Disease COVID-19 Novel Coronavirus

Rep. Peterson

- Extends the declared state of emergency to August 20, 2020



Policy Issues Prioritization

OBJECTIVE

Create a mechanism for ULCT staff and Board prioritization of ULCT advocacy resources

Priority Tiers

Objective:

Create a mechanism for board and staff prioritization of ULCT advocacy resources

➤ Action: staff assign issues to tiers, engage appropriately; Board review tiers and sift

Tier 1

- Policy has direct and measurable or significant impact on local control and/or revenue OR
- Politics require immediate attention
- Full investment of ULCT staff resources

Tier 2

- Policy has substantial impact on local control and/or revenue OR
- Politics require ready attention
- Medium investment of ULCT staff resources

Tier 3

- Policy has minimal impact on local control and/or revenue
- Policy concern is principle-based and/or is localized in impact OR
- Politics require minimal attention or are not pressing
- Minimal investment of ULCT staff resources

2020 Issues

Tier 1

Tier 2

Tier 3

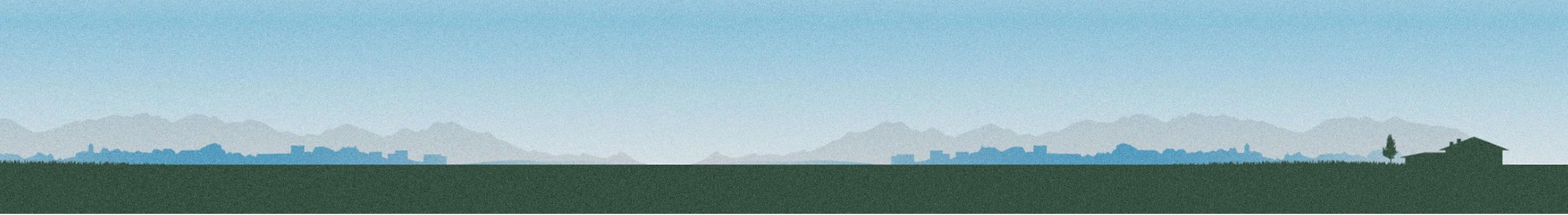
CARES Act funding	Gravel pits	Sales tax study	Rainy day funds
Water Conservation	*Inland Port Amicus	Demolition waste	Law enforcement retirement & retention
Public Infrastructure Districts	Metro townships	Plastic bags	Opioids
HB 374	Land Use Task Force	Public safety privacy	Prosecution issues
Community trust in public safety	EMS	RDA/EDA	Gun preemption
	*Transportation utility fee		
	*Justice courts		*external tasks forces or litigation

2020 Working Groups

- PIDS
- Gravel Pits
- LUTF
- Community Trust in Public Safety
- Water efficiency
- Metro Townships
- Transportation Utility Fee
- Annexation

Please email Karson if you would like to volunteer for a particular working group: keilers@ulct.org





Highlighted Issues



Public Infrastructure Districts (PID) – Status Quo

- PIDs are Independent taxing districts that issue public bonds to finance infrastructure in new development or redevelopment
- PIDs may be a useful tool for some communities to decrease the cost of new infrastructure by using a public bond rate
- Local governments serve as the “creating entity”
- As the creating entity, local governments are empowered to:
 - Choose whether or not to accept an application for a PID,
 - Regulate PIDs by imposing restrictions in the governing document, and
 - Appoint the PID’s initial governing body.

PID: PRC Proposal



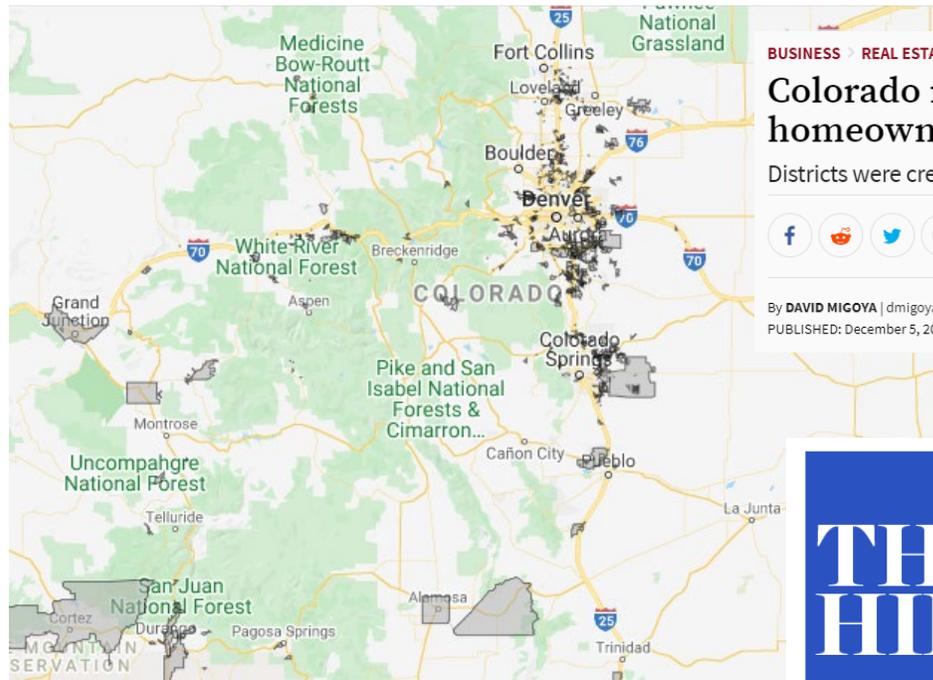
- On April 24, 2020 the PRC wrote a letter to the ULCT Board inviting a discussion of PID expansion.
- The PRC's proposal contained two key provisions:
 - 1) Restrict the creating entity from imposing additional limitations on the PID if the proposed mill rate is four mills or less.
 - 2) Mandate local governments approve a PID proposal if the proposed mill rate is four mills or less.
- ULCT's Board of Directors responded that they were willing to discuss PIDs in the Land Use Task Force. In response the PRC warned they may push the legislation during the Special Session.

PRC Proposal: Immediate concerns

- ULCT took a neutral position on SB 228 on the condition that **local governments could decline to create PIDs and that local governments had oversight in their creation.**
- Accountability – the proposal would hold local elected officials responsible for the PID's creation while restricting their ability to decline or regulate the PID.

PIDs: Colorado cautions

- PIDs, known as Metro Districts in Colorado, have drawn heavy criticism for carrying substantial debt without sufficient transparency



BUSINESS • REAL ESTATE • Investigative

Colorado metro districts and developers create billions in debt, leaving homeowners with soaring tax bills

Districts were created as answer to TABOR, give developers enormous power



By **DAVID MIGOYA** | dmigoya@denverpost.com | The Denver Post
PUBLISHED: December 5, 2019 at 6:00 a.m. | UPDATED: December 12, 2019 at 11:27 a.m.



As metro districts continue to grow in popularity across Front Range, homeowners question oversight



Metro districts are piling up debt in Colorado

BY ANDREW MARCHESSEAU, OPINION CONTRIBUTOR — 08/01/18 10:00 AM EDT
THE VIEWS EXPRESSED BY CONTRIBUTORS ARE THEIR OWN AND NOT THE VIEW OF THE HILL

16 COMMENTS



Water Conservation: 2020 Legislation

2020 Session: Water Conservation Legislation

- HB 40 “Water Loss Act”
 - Passed: Amended
- HB 41 “State Water Policy Amendments”
 - Passed
- HB 331 “Water Infrastructure Safety and Maintenance”
 - Failed
- SB 51 “Secondary Water Requirements”
 - Passed: Amended
- SB 84 “Public Entity Water Users Amendments”
 - Failed

Water Conservation- Being proactive

Working Group

- The working group will be small. They will be asked to 1) develop a strategic conservation strategies with all the operational details considered (such as: legal, budget, public relations, vision, objectives, timeline, communications, organizational structure)

Review Team

- As the working group is developing the plan, they will periodically check in with a Review Group charged with feedback, guidance and course corrections.

ULCT Review

- A larger group to provide high feedback to the review and working group.

Water Conservation



- The Goal is to make it unnecessary for the State to take actions to direct local government on water conservation.
- Timeline:
 - July/August: Create working group, review team, and ULCT review
 - August: survey general public on water conservation
 - August-Dec: Develop strategies
 - Jan-March: Session
 - April 2021: Present at Spring Conference
- Join the ULCT Review Team: wbradshaw@ulct.org

RDA/EDA



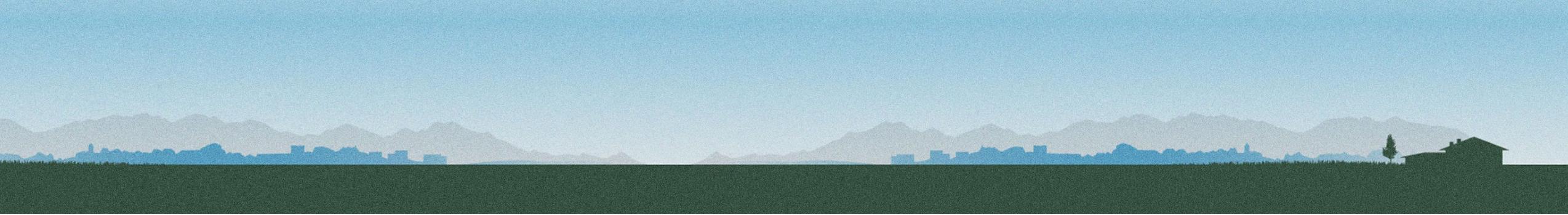
Rep. Winder/Sen. Harper

- Allow a one-year extension on project areas subject to specified criteria.

HB 374 Local Government Building Regulation



- ULCT gathering information
- Keep track of plan review/inspection times
- Contact Meg mryan@ulct.org or Spencer intern@ulct.org



Community Trust in Public Safety Update



Community Trust in Public Safety

- ULCT Board approved 3-prong plan: ***“Love, Listen, and Lead”***
 - Internal task force to listen to stakeholders, communication w/public, and work on policy recommendations
 - Endorsed unanimously HB 5007 (Rep. Hollins)
 - **Key principles:**
 - transparent about what cities do
 - balance of autonomy of police departments, ability to respond responsibly and with due process, and accountability for officer action
 - improve listening to enhance trust
 - improve training
 - improve process for use of force
 - invest in mental health
 - data-driven
- State work group to come... plan on more legislation



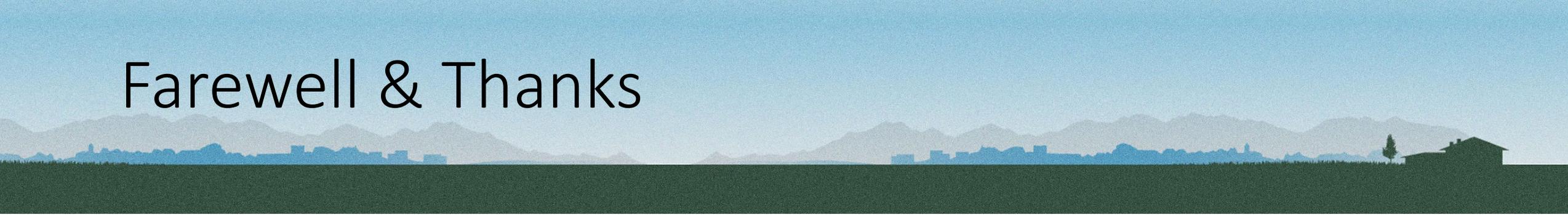
Tentative 2020 LPC schedule

Dates are Tentative

- Aug. 17
- Sept. 23-25 Annual Convention
 - Resolutions submission deadline and meeting information to come
- Oct. 12
- Nov. 16
- Dec. 14
- Jan. 11



Farewell & Thanks



Thank you, John Hiskey!



Contact us and join us!

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