

MINUTES OF THE UTAH LEAGUE OF CITIES & TOWNS
BOARD OF DIRECTORS MEETING
UTAH STATE CAPITOL, CAPITOL BOARD ROOM, 350 NORTH STATE STREET
SALT LAKE CITY, UT 84111
MONDAY, FEBRUARY 12, 2018 – 9:00 AM

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

EXECUTIVE BOARD

Council Member Beth Holbrook, President, Bountiful
Mayor Jon Pike, 1st Vice President, St. George
Council Member Mike Mendenhall, 2nd Vice President, Spanish Fork
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 Richard Barnett, Richfield
Council Member Jewell Allen, Grantsville

EX-OFFICIO MEMBERS

Teresa Harris, Logan City Recorder, UMCA
Ben Reeves – Santaquin, UCMA
David Church, ULCT Legal Counsel

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 9:00 am and called for introductions.

2. Review and Approval of Minutes – Council Member Beth Holbrook, ULCT President

The Board reviewed the minutes of the December 11, 2017 and January 8, 2018 ULCT Board Meeting.

ACTION: Council Member Cann moved to approve the minutes of the December 11, 2017 and January 8, 2018 ULCT Board Meeting as presented. The motion was seconded by Steve Hiatt. The motion carried unanimously.

3. Conflict of Interest Disclosure – Council Member Beth Holbrook, ULCT President

Council Member Cann disclosed that he has an affiliation with the Institute of Government and Politics at Utah State University.

There were no further Conflict of Interest items brought forward.

4. Review and Approval of Check Register – Nick Jarvis, Chief Operating Officer

Nick Jarvis reported on the League's check register and credit card statement for January 2018.

Council Member Allen asked who signs off on the check register.

Mr. Jarvis explained there are a number of levels in place. If the League is invoiced, the invoice goes to him and he approves. From there it goes to Operations Coordinator Abby Bolic who enters the check, he prints the check and the check is reviewed by Director Diehl and Treasurer Mayor Arave. When checks are signed by Director Diehl and Treasurer Mayor Arave they also look at the overall check register and approve. For credit card transactions, Operations Coordinator Abby Bolic has the only credit card and Mr. Jarvis and Treasurer Mayor Arave reviews all credit card receipts.

Past President Hiatt added that the Board should ask questions and review the financial statements because if something goes wrong it is the Board that is ultimately responsible. The League has a competent staff that is reviewing and providing these documents for the Board's review.

ACTION: Mayor Dean Baker moved to approve the January 2018 Check Register as presented. The motion was seconded by Council Member Allen. The motion carried unanimously.

5. ULCT Board of Directors Vacancy – Council Member Mike Mendenhall, ULCT 2nd Vice President

Council Member Mendenhall stated that according to Article IV Section 7 of the ULCT Constitution, "In the event of a vacancy on the Board, it shall appoint a member to fill the vacancy until the next Convention of the League when such position shall be filled by election of the members of the League for the unexpired term." Council Member Mendenhall stated that in his role as ULCT 2nd Vice President, he will chair the Board of Nominations Committee that will

select a slate of candidates to be voted on by the membership in September 2018, and therefore presents his recommendation to fill the vacancy until that time.

Council Member Mendenhall recommended that Council Member Steve Fairbanks of Sandy City fill the seat vacated by Mayor Brent Taylor in January 2018. Council Member Fairbanks has previously served on the Board (including on the Executive Board and as ULCT President), and has remained active with the League through the Legislative Policy Committee. He was nominated for the Board this last September and garnered significant consideration from the Nominations Committee.

ACTION: Mayor Caldwell moved to approve Council Member Steve Fairbanks of Sandy City to fill the seat vacated by Mayor Brent Taylor as presented. The motion was seconded by Council Member Beerman. The motion carried unanimously.

6. ULCT Board and Commission Reports – Council Member Beth Holbrook, ULCT President

President Holbrook stated that she serves on the Utility Facility Review Board and they meet as needed. She also serves as ex-officio on the Wasatch Front Regional Council. She appreciates the opportunity to get feedback and feels it's very valuable as a Board to know what entities are out there and how to provide the best representation.

Director Diehl said the League has spent the last several months updating their internal records to determine who serves on the various boards and commissions. He wants to have two-way communication and asked if board members want a full page every time there is an update or let staff be the gatekeeper. Also, does the Board want the information shared on the ULCT website and provide updates.

Mayor Caldwell said there is a lot of information that won't be relevant to the group as a whole and he would like the ULCT staff to be the gatekeeper and extract information they feel is important for the membership.

President Holbrook added that once a year a list can be provided.

Mayor Baker said a list on the ULCT website would be helpful to show that we are staying current with this information.

Director Diehl commented that the League has encouraged various mayor and council members to get involved with the ULCT and by having a list of all the boards and commissions available for everyone to see will be helpful.

Mayor Pike said this is a standing agenda item so updates will be reported at each Board meeting.

7. ULCT Board and Commission Appointments - Cameron Diehl, Executive Director

Executive Director Diehl stated the Utah League of Cities and Towns has historically been responsible for various Board and Commission membership seats. In some cases, this responsibility was created by legislation. In others membership arose through practice or requests from the organizations themselves. The Executive Director makes recommendations to the Board for these seats.

Director Diehl continued and said as part of an ongoing modernization process, ULCT initiated a review of its constitution, bylaws, and governing and operating structures. The recommendations of this process will be presented to the Board with the goals of presenting the reforms to ULCT general membership at the April Conference. As part of this review, and at the recommendation of membership, the process by which seats are chosen for this position is being considered as well. Therefore, he feels it would be prudent to see this part of the reforming process to conclusion before filling all of the current vacancies. However, given the current attention on the Point of the Mountain Development Commission, and to ensure that cities continue to have their voice heard as an unbroken part of the discussion on this issue, he recommended that this vacancy be quickly filled.

Additionally, the commission has asked to fill the vacancy created by former Sandy Mayor Tom Dolan as soon as possible, and Sandy City staff and current Mayor Bradburn reached out to ULCT immediately after the election to express their wishes to continue Sandy City's service on the commission. Therefore, he recommended that Mayor Bradburn be appointed to this seat.

Director Diehl said he received an email this morning from South Jordan City requesting that Mayor Dawn Ramsey be considered for the Point of the Mountain Commission. He met with Mayor Ramsey of South Jordan, West Jordan, Herriman and Riverton and they expressed frustration that there is not a West side mayor in Salt Lake County serving on the Point of the Mountain Commission. Director Diehl said the fact that there isn't a representative from the West side is really the collective responsibility rather than the League's responsibility. He told them he had already made the recommendation to the ULCT Board that Mayor Bradburn serve on the Commission. He talked with Mayor Bradburn and urged him that if his appointment is approved by the Board today that he reach out to those other cities to make sure there is communication as he serves on the Commission.

Council Member Christensen reported in a legislative meeting he attended with cities on the West side, one of the legislators mentioned the appointment on the Commission and encouraged those in attendance to have someone from the West side serve on the Commission.

Director Diehl said there is not a process for evaluation to serve on the Commission. Sandy City reached out proactively and Mayor Bradburn is willing to serve so that's why it made sense to make this recommendation to the Board.

The proposed action would be the appointment of Sandy Mayor Kurt Bradburn to the Point of the Mountain Development Commission.

ACTION: Mayor Caldwell moved to appoint Mayor Kurt Bradburn as presented. The motion was seconded by Mayor Pike. The motion carried unanimously.

8. The First Hundred Days – Cameron Diehl, Executive Director

Director Diehl reported on the First Hundred Days as he has served as the ULCT Executive Director.

1. Structure of the ULCT

- Board Retreat on April 25
- Constitution Review Committee – Bylaws Review still to come
- LPC Procedures for 2018 Session
- Staff outreach to all big cities and UCMA
- Two-way communication with ULCT board/commission appointments with Board of Directors and members

2. Sponsor and Partner Outreach

- One-on-one meetings with 13/16 sponsor/partners (others scheduled)
- Sponsor grid for first time ever – Appreciated frequently by sponsors
- First real discussion about ROI
- Growing partnerships with WFRC, Gardner, EDCUtah and more

3. Research and Data

- Gardner Institute rebuttal
- Operation Rio Grande impact
- Moderate Income Housing Plans
- Powers and Duties 2017-2018
- More to Come

4. Training

- Elected Officials Essentials – Collaboration
- Land Use Academy of Utah appropriation (1%)
- National League of Cities
- Midyear Conference changes
- Rural Summit, August 16-17

5. Legislative Outreach

- Recruited John Hiskey as a Senior Advisory, hired Rachel Otto as Director of Government Relations, and hired Karson Eilers as a Legislative Research Analyst
- Published first-ever legislative guide jointly with UAC
- Public policy guide, in house lobbyist, League Army
- Daily conference calls for members

6. Communications Strategy

- Expanded social media presence on Twitter and Facebook
- Attended and promoted nearly 20 inaugurations
- Started Wednesday Webchats
- Meetings with KSL/Deseret News editorial board, Salt Lake Tribune reporters, and Channel 4's Inside Utah Politics
- Created new Friday Facts template
- Zions Bank "Speaking on Business"

Mayor Caldwell said this is a very impressive list, he thanked Director Diehl and the League staff for their efforts.

Director Diehl added that staff has been very aggressive in making changes and he applauded the League staff for their hard work and thanked the Board for their support.

Past President Hiatt commented when the Board was considering who would serve as the Executive Director, it was very clear who should be selected as Director and he thanked Director Diehl for all his hard work.

President Holbrook said there are a lot of ways to connect with the National League of Cities that haven't been done in the past. She received several comments from others at the National level who had been in contact with Director Diehl and they were very complimentary of how he reached out to them.

9. ULCT Constitution and Bylaws Update – Council Member Mike Mendenhall, ULCT 2nd Vice President and Cameron Diehl, Executive Director

Council Member Mendenhall said there are three sections of the ULCT Constitution that he would like the Board to review.

Article II – Objects and Purpose – Cleaned up language to make sure it is concise and to the point of the League's purpose.

Article III – Membership

Article IV – Directors and Officers

Council Member Mendenhall said the proposed changes have been reviewed by the ULCT Constitution Review Committee and Director Diehl has provided insight and facts.

Director Diehl recognized and thanked those who worked on the Constitution Review Committee. He feels there is untapped potential within the League membership to create policy groups and caucus where people with unified interest or who have levels of expertise can band together under the League umbrella and bring forward proactive agendas and ideas. The policy groups that have been suggested are Land Use, Community Development, Transportation, Infrastructure, Administration, Public Safety, Natural Resources and Environment. There was also a caucus suggestion for Women in Local Government along with other caucus groups.

Director Diehl said in order for an amendment to be considered by the League membership, the Board has to either affirm the amendment first at a Board meeting that happens up to the day before the conference. The amendments can also be mailed out to the cities for their review before the conference.

Director Diehl referred to Article II – Objects and Purpose. A representative from the Metro Townships requested membership in the League. The current Constitution, is vague on whether or not they can have full membership, including voting rights like a city or town. They do exist under Title 10 but they are not cities or towns. The Constitution Review Committee

recommended striking the vague language regarding full membership in the League and recommended that members be either from a city or town and strike the language referring to other political subdivision. Regarding Associate Members, proposed language was added that Any political subdivision having purposes compatible with the League, organization of public officials, organization of employees or similar entity may qualify as associate members. Associate members will not have voting privileges.

Director Diehl stated the Board does not vote on the amendments today but he would like the Board to review, make comments and staff will prepare the amendments and send out to the membership.

Council Member Allen said regarding townships, she feels it would be nice to have a process implemented where we know who can vote.

Director Diehl stated the LPC is an open, public meeting and one requirement when attending LPC is to sign in so when votes are taken, others know they are members because they have signed in both online and in person. Staff considered electronic voting but they were not able to put this in place in time for the legislative session. There are other voting methods that staff is reviewing at this time. There is currently not a mechanism for a proxy vote and each City has three votes and Board Members are the fourth vote.

Director Diehl referred to Article IV – Directors and Officers. The proposed amendment is the League shall be governed by a Board of Directors (hereinafter “Board”), consisting of five officers and 16 directors. One of the five officers shall be a representative from and selected by the Utah City Management Association. The four officers and 16 directors shall be elected officials of a municipality which is a member in good standing of the League. All directors and officers shall serve for a term of two years commencing on election at the Annual Convention and continuing until the election and qualification of their successors at the Annual Convention. The terms of the directors shall be staggered so that approximately half of the directors are elected annually.

Section 3. Representation – At least one town shall be represented on the Board and the town representative may also fulfill a geographic area requirement. At least two cities of the first or second class must be represented on the Board. The two cities of the first and second-class representatives are in addition to the eight geographic area requirements.

Section 4. Officers – The five officers of the League shall consist of a President, First Vice President, Second Vice President elected for terms of one year, a representative from the Utah City Management Association, and the Immediate Past President.

President Holbrook stated there was a lot of input from larger cities on how they can get more representation and how they can be part of the process.

Mr. Reeves commented that the City Manager's Association is very appreciative of the opportunity to have participation on the Board and provide continuity to the leadership going forward. The City Manager's Board of Directors have met and plan to create a board member position for a four-year term and their specific purpose would be to work with the League and city managers to better align both resources. They are planning to amend their bylaws to create this board position.

Director Diehl said if the amendments are presented in April, he suggested the effective date be September so there would be time to update the bylaws, recruit people and increase the size of the Board to 21 members.

Council Member Mendenhall said if there are other suggestions regarding the Constitution please send them to Director Diehl.

Director Diehl said the proposed amendments will be presented to the Board at the April Board meeting and then presented to the membership. The next step will be to make the bylaws consistent with the amendments to the ULCT Constitution.

Director Diehl said the bylaws are silent about a quorum requirement for special meetings and is something the Board can revisit. The average number attending Local Officials Day is 250, Midyear Conference is approximately 420 and attendance at the Annual Conference is approximately 650.

10. Legislative Update (Attacks on Local Authority, Homelessness/Housing, Gardner Institute Research) – Rachel Otto, Director of Governments Relations

Director Diehl said regarding the bill being proposed by Representative Stratton (HB 175), it's important to note that the League has opposed his bill from day one. He and Rachel Otto met with Representative Stratton who indicated that he was upset and frustrated that, "The League had been so unhelpful on his bill and unwilling to negotiate or compromise". Representative Stratton also said his bill could have fixed the problem the League had last year without needing an audit because the committee could have just taken care of it. Director Diehl said it was important that the Board attended this morning's meeting to hear the rhetoric from Representative Stratton. This is a high priority bill for the House leadership and is a bill that must be stopped. The Governor's Office is also very concerned about the bill and Director Diehl has been meeting with them regarding potential vetoes if it gets to that point.

Director Diehl referred to a handout that was given to each of the Board members titled "Nix the Six." Throughout his time at the League, since 2006 he has heard the concerns and at times the frustrations from elected officials that the League is too quick to compromise or too quick to negotiate. There are times when we need to draw the line in the sand and there are times when it's good to negotiate. Every year after the session a report is completed regarding legislation that will affect cities and towns. Staff has made it a point this year to be proactive in their response to those bills. They sat down and went through the 221 bills they are tracking and 25 of them fit in the category of eroding local authority. He feels it's appropriate for the League to speak and voice their concern and oppose bills that affect local authority. From the 25 they have identified

they have narrowed it down to 6 bills they are following closely. He said it's imperative that legislators know that the League is willing to draw lines in the sand. He feels it's important that instead of tackling these bills one by one that we demonstrate they are part of the overall trend and theme of the legislature.

Council Member Allen thanked Cameron for being proactive and suggested that to make an impact of how the Board feels about a certain bill that they literally stand and let everyone know how they feel.

Director Diehl said it would be considered "out of order" to stand and to have President Holbrook address the audience. A good visual at the meeting this morning was the show of hands. The League staff will continue updating everyone on the issues that affect local authority.

President Holbrook said it's good to be unified and to draw the line in the sand and to get information out so that everyone is aware of the issues that affect them.

Director Diehl said the Gardner Institute is working on a study about the housing gap and housing units in comparison to the State's population. They have identified several choke points for the housing gap. One is the cost of land, cost of labor materials and local government regulation. They presented to the League in November that they intend to highlight several cities where impact fees and local government regulations have increased significantly since 2007. The League has been aggressively pushing back based on their underlying assertion that they are only looking at the costs that cities levy as opposed to land, material and labor costs. Staff has met with the research on several occasions and expressed concern. The Institute has stated that before they publish their findings they will give the League a chance to review the language and how it's being presented. Director Diehl asked Karson Eilers to reach out to the 20 cities that are listed in the research to gather their data because the Gardner data originated from the Ivory Homes database and he feels there is faulty data at play. Director Diehl would like to be able to address the Gardner Policy Institute with a letter from the ULCT Board of Directors raising concerns about this underlying data, not about the overall report regarding the housing gap or the increased cost of housing.

The Board all agreed and asked Director Diehl to move forward in sending a letter to the Gardner Institute.

11. ULCT Events (2019 Annual Convention, NLC) – Cameron Diehl, Executive Director

Director Diehl said according to the ULCT Constitution, the Board sets the date and time of the Annual Convention. The Board will need to decide today where they would like to hold the 2019 Convention. The options for the Board to consider are to continue holding the Convention at the Sheraton Hotel in Salt Lake City. There are multiple frustrations with holding the Convention at the Sheraton but it does provide continuity and the Convention can remain on the dates of September 11-13. If the convention is moved to another venue within Salt Lake City, the only venue the League can afford and that is large enough is the Salt Palace but the dates would have to move to August or October. The pros of the Salt Palace is there is unlimited exhibit space the cons are the hotel is the Radisson and he feels the Convention will get swallowed up in the size

of the Salt Palace. Other venues considered were Park City who did not have a venue large enough and neither did the Ogden Conference Center. Two other potential locations are the Davis Conference Center and the Utah Valley Convention Center in Provo. He said the membership likes having the Convention in Salt Lake and take advantage of what the City has to offer and that would not happen if the Convention were moved to Layton or Provo. There are also more hotel rooms in Salt Lake. The League has also arranged to use the Capitol Theatre as the performance venue.

The Board discussed the various pros and cons of the proposed Convention locations. They want to keep the dates the same during the month of September and most prefer keeping the Convention at the Sheraton although the exhibit space is not large enough, but it can be managed.

ACTION: Council Member Allen moved to hold the 2019 ULCT Annual Convention at the Sheraton in Salt Lake City and explore other options for 2020 and beyond. The motion was seconded by Council Member Beerman. The motion carried unanimously.

11. Closed Session (if needed) as per Utah Code 52-4-205

No Closed Session was held by the Board.

12. Other Business

No further business was discussed by the Board and the meeting adjourned at 11:00 am.

ACTION: Council Member Allen moved to adjourn the ULCT Board of Directors meeting of February 12, 2018. The motion was seconded by Mayor Baker. The motion carried unanimously.