



LPC

January 31, 2022

Session Logistics - Communication

Staying up to speed

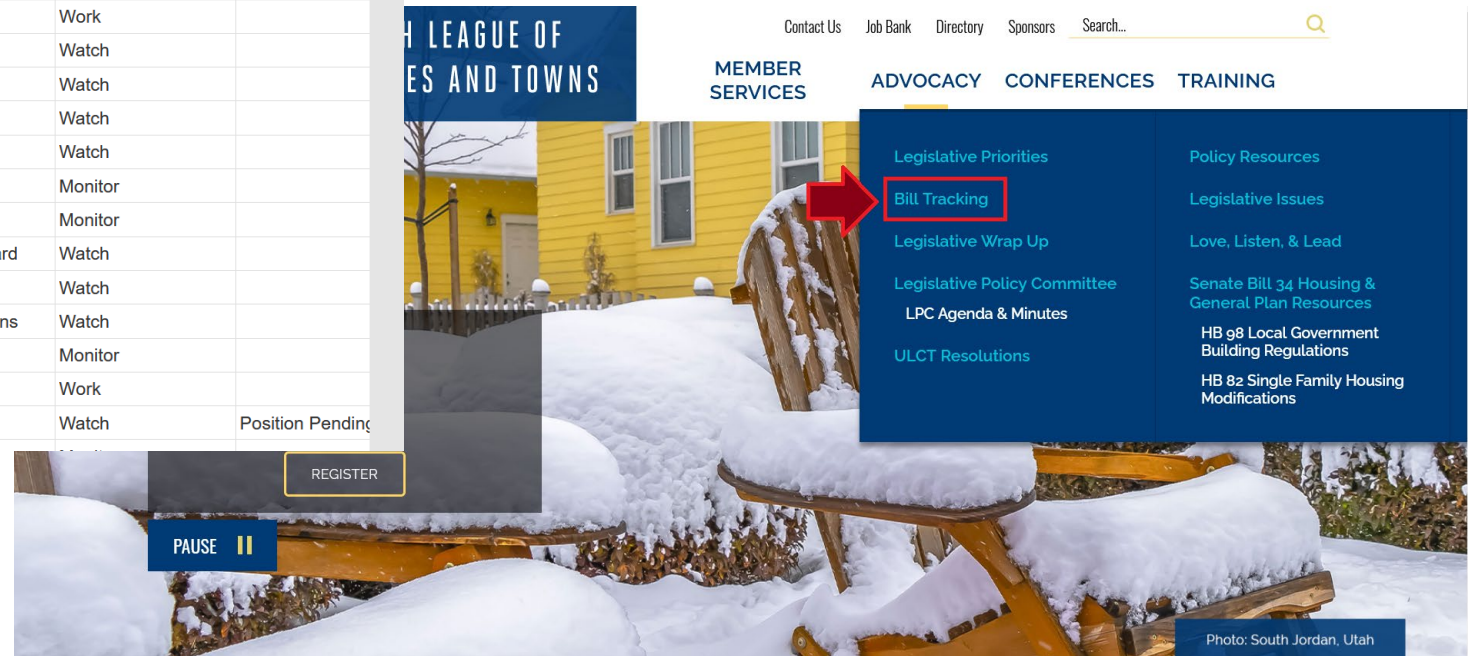
- Friday Facts
 - Who: all subscribers of Friday Facts (entire ULCT email list)
 - Content: highlights legislative priorities or the most significant events of the week, along with non-legislative information and the usual sports trivia
- Nightly email
 - Who: all subscribers of Friday Facts.
 - Content: highlights priority bills or significant events of the day
- Action Alerts (issue specific)
 - Who: LPC members or targeted outreach to cities with legislators on a given committee.
 - Content: talking points/concerns, relevant information about upcoming votes on a bill

Session Logistics – Bill Tracking

Click here to download this report in [PDF](#) or [Excel](#).

Number	Title	Sponsor	Tracking Level	Position
HB 0006	Executive Offices and Criminal Justice Base Budget	Cheryl Acton	Monitor	
HB 0012	Public Safety Retirement Amendments	Matthew Gwynn	Work	Position Pending
HB 0021	School and Child Care Center Water Testing Requirements	Stephen Handy	Monitor	
HB 0022	Open and Public Meetings Act Modifications	Doug Welton	Watch	
HB 0023	First Responder Mental Health Services Amendments	Ryan Wilcox	Work	
HB 0033	Instream Water Flow Amendments	Joel Ferry	Watch	
HB 0036	Commission on Housing Affordability Amendments	Steve Waldrip	Watch	
HB 0037	State Water Policy Amendments	Keven Stratton	Watch	
HB 0039	State Construction Code Amendments	Joel Ferry	Watch	
HB 0045	Justice Court Judge Elections Amendments	Jon Hawkins	Monitor	
HB 0046	Utah Energy Infrastructure Amendments	Carl Albrecht	Monitor	
HB 0057	Government Records Access Amendments	Andrew Stoddard	Watch	
HB 0061	Postretirement Reemployment Amendments	Kera Birkeland	Watch	
HB 0064	Drinking Water Amendments	Christine Watkins	Watch	
HB 0071	Utah Fair Housing Act Amendments	Clare Collard	Monitor	
HB 0085	Eminent Domain Amendments	Mike Petersen	Work	
HB 0093	Juror and Witness Fee Amendments	Mike Winder	Watch	Position Pending

<https://www.ulct.org/bills>



Partnership not preemption

- Action alerts will pick up and your advocacy matters for all cities
 - Texts/calls/in-person
 - 1000s of emails from special interest groups so use your relationships!
- Social media engagement
 - Make sure your residents know how the legislature is impacting cities

Coming soon:

- Rep. Wilcox bill to address GRAMA status of *Garrity* interviews
 - House Law Enforcement Committee
 - Members: Jeff Burton, Joel Ferry, Matt Gwynn (Roy Police Chief), Sandra Hollins, Marsha Judkins, Kelly Miles, Angela Romero, Mike Schultz, Andrew Stoddard, Stephen Whyte, Ryan Wilcox
 - Talking points coming once the bill draft is public
- Rep. Wilcox hosting a Fallen First Responders event on Thur., Feb. 3 at 2:00 pm]
- Discussion with Sen. Ipson about recruitment & retention of officers

HB 151 (retail incentives): why we oppose

Intent of bill:

- 1) End city v. city competition for retail (“zoning for dollars”)
- 2) Tie retail incentives to planning for housing
- 3) Let the market dictate how retail develops

ULCT Board direction:

- Support new limits on incentives for big boxes, vehicle dealers, etc. but with some flexibility
- ULCT prepared counter proposal but was rejected
 - No direct incentives for regional retail of 30,000 gross sales floor area square feet unless meets an exception
 - Direct incentives: property & sales tax
 - Development impediments (RDAs), housing (mixed use), infrastructure (system), low-income areas
 - No new cause of action

Substance of HB 151

Exceptions we negotiated into HB 151 via the UEOC:

May use incentives for retail if:

- Ancillary retail
- Counties of 5th & 6th class (and cities/towns therein)
- Demolition
- Energy efficiency
- Environmental mitigation
- Low income areas
- “Main Street program”
- Mixed use
 - Housing: 1 unit for every 2,000 square feet
 - 50% of units must be moderate income
- Public safety mitigation
- Small business (30 FTEs)
- Water conservation

Specific concerns with HB 151:

- 1) Bans the use of all public funds to incentivize any retail unless it meets an exception**
 - 1) More potential exceptions
 - 1) i.e. historic preservation
- 2) Housing definition for mixed use exception**
 - 1) Expecting amendment on density req't
 - 2) 50% threshold for moderate income housing is almost impossible to meet
- 3) Curtails authority of RDAs**
 - 1) Deletes “development impediments”
 - 1) At least four of the following: dilapidation, unsafe, environmental hazards, excessive vacancy, threat to public health/safety, criminal activity, defective
 - 2) Only “demolition” and limited “environmental hazards” acceptable
- 4) New cause of action** to sue a city about incentives

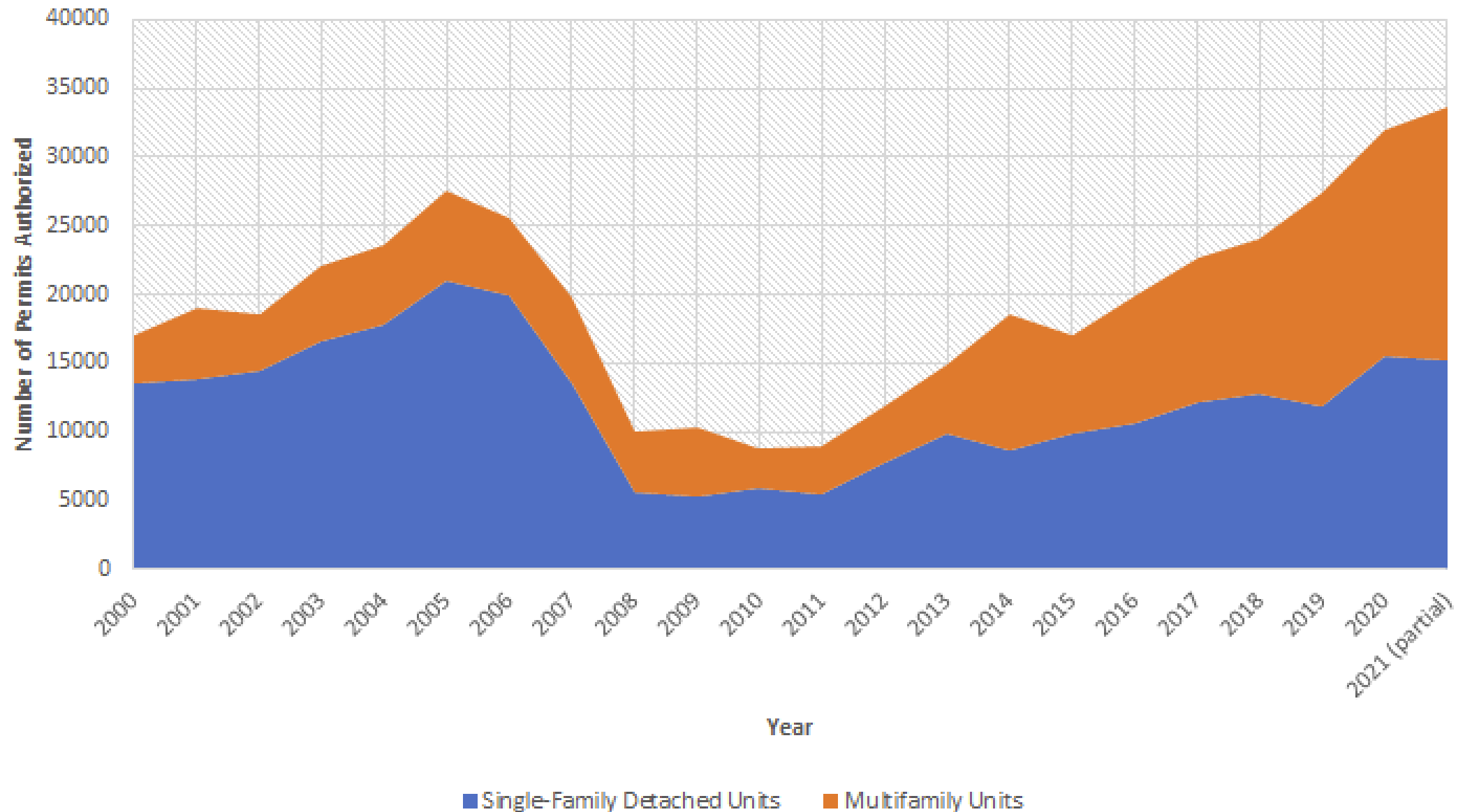
HB 151 next steps: House Business & Labor

- Rep. Walt Brooks (Vice Chair)
- Rep. Brady Brammer
- Rep. Jim Dunnigan
- Rep. Joel Ferry (Chair)
- Rep. Tim Hawkes
- Rep. Jon Hawkins
- Rep. Brian King
- Rep. Cory Maloy
- Rep. Ashlee Matthews
- Rep. Jefferson Moss
- Rep. Calvin Musselman
- Rep. Mark Strong
- Rep. Jordan Teuscher
- Rep. Norm Thurston
- Rep. Mark Wheatley

Housing/land use bills en route

- Commission on Housing Affordability/SB 34+ (Waldrip)
 - ULCT Board provided direction on 16 points therein, but still awaiting language for official position
- Land Use Task Force consensus bill (Waldrip)
- Potential other land use preemption bills (lots of moving parts)

Single-Family Detached & Multifamily Residential Permits Authorized in Utah



Water Issues

- Land and Water Planning (Support)
 - SB110 – Water as Part of General Plan – McKell
 - Amendment to exempt Town (1 - 999 residents) and 5th class (1000 - 9,999 residents)

- Landscape – Turf (Oppose)

- HB95 - Landscape Requirement Prohibition – Ward
- Substitute Language

(2) A municipality may not enact an ordinance, resolution, or policy that requires, or has the effect of requiring, a property owner to plant or maintain only lawn or turf on any portion or percentage of the landscaped portion of the property owner's property.

(3) A municipality shall provide a property owner with landscaping alternatives to be used in place of lawn or turf.

- HB 242 –Secondary Water Metering Amendments

71 (b) By no later than January 1, 2030, a secondary water supplier
72 shall install and
73 maintain a meter of the use of pressurized secondary water by
74 each user receiving secondary
75 water service from the secondary water supplier.

- HB 242 –Secondary Water Metering Amendments

151 7) If a secondary water supplier fails to comply with Subsection (2)(b), the secondary water supplier:

(a) beginning January 1, 2030, may not receive state money for any purpose until the secondary water supplier completes full metering; and

(b) is subject to an enforcement action of the state engineer in accordance with Subsection (8).

- HB 242 –Secondary Water Metering Amendments

- 261 (A) for calendar year 2022, 70% of the costs of a project;
262 (B) for calendar year 2023, 70% of the costs of a project;
263 (C) for calendar year 2024, 65% of the costs of a project;
264 (D) for calendar year 2025, 60% of the costs of a project; and
265 (E) for calendar year 2026, 50% of the costs of a project.
266 (ii) Beginning with calendar year 2027, a grant under this section shall consist of
267 providing a meter or funding to obtain a meter, which may not exceed the following
for costs
268 associated with the project:
269 (A) for calendar year 2027, 40% of the costs of a project;
270 (B) for calendar year 2028, 30% of the costs of a project;
271 (C) for calendar year 2029, 20% of the costs of a project; and
272 (D) for calendar year 2030, 10% of the costs of a project.

Elections Issues

HB 178 – Ranked Choice Voting Amendments

Current (Oppose)

- Abolishes the RCV Pilot Project
- Requires RCV in primary and general elections.

Upcoming Sub (Neutral)

- Leaves choice to cities
- RCV to partisan primaries and presidential primaries

Other Bills

S.B. 115 -Firearm Preemption Amendments (Oppose)

S.B. 46 - Medical Cannabis Patient Protection
Amendments (Oppose)

H.B. 181 - Railroad Crossing Maintenance Amendments (Support)

H.B. 135 - Open and Public Meeting Comment Requirements

48 (3) (a) A public body holding a meeting that is open to the public shall allow a reasonable opportunity for the public to provide verbal comment during the meeting.

(b) No later than July 1, 2022, a public body shall adopt a resolution, rule, or ordinance that provides a reasonable opportunity for the public to provide verbal and written comments in a meeting of the public body that is open to the public.

-Working on amended language to exempt work session, administrative meetings, planning commission meetings

Other Bills ?

Bill Tracker – Ratify Positions

What do you need to do right now?

- Contact your legislator(s) about the need to respect the role of local government, *partnership not preemption*, and to discuss ULCT legislative priorities
- As bills arise, be ready to:
 - 1) Reach out immediately to legislator(s) to explain your city's position
 - 2) Use social media to explain the city's position to your residents and urge them to contact your legislator(s)
 - 3) Use social media to thank legislator(s)
- Follow up with ULCT staff or board members about specific bills or issues

Other key dates/info

- Upcoming LPCs
 - Monday, February 7
 - Monday, February 14
 - Tuesday, February 22
 - Monday, February 28
- Tuesday, March 8: GOP AND DEMOCRATIC CAUCUS NIGHT
 - Hold your legislators accountable
- February: UTA transit-free month!
- National League of Cities: March 14-16 in Washington, DC
- Midyear Conference: April 20-22 in St. George