

U
CT

#CitiesWork

Legislative Policy Committee

January 22, 2024



AGENDA:

1. Appropriations
2. Infrastructure Funding
3. Housing & Land Use
4. Homelessness
5. Transportation
6. Retirement, public safety
7. Other Topics
8. Ratify Positions

REMINDERS:

- Make sure you are signed up for daily updates and Friday Facts
- Make sure you have your legislators contact information and contact them as needed

UPCOMING MEETINGS:

Legislative Policy Committee:

- January 29th @ 12 PM *(hybrid)*
- February 5th @ 12 PM *(hybrid)*
- February 12th @ 12 PM *(hybrid)*
- February 20th @ 12 PM *(hybrid)*

COMMITTEE MEETINGS



Social Services Appropriations Committee (1/19/2024)

Housing

- First Time Home Buyer Program
- Deeply Affordable Stabilization Grants
- Housing and Community Development Staff
- Utah Housing Preservation Fund
- Statewide Affordable Housing Construction
- Olene Walker Housing Loan Fund
- Deeply Affordable Housing Grants

Homelessness

- Low Barrier Shelter Development
- Low Barrier Shelters Operation for 3 Years
- Non-Congregate Shelter Operations for 3 Years
- Winter Response and System Stabilization for 3 Years
- Shelter Your Neighbor Public Education and Outreach
- Shelter Cities Mitigation
- Statewide Homeless System Support

Infrastructure



DRAFT LEGISLATION

HB 13 – Infrastructure
Financing Districts (Dunnigan)



- New form of special service district
- Initiated via petition with consent of 100% surface property owners
- Governed by an appointed board of trustees or elected body
- .0004 property tax levee (same as mosquito abatement district, cemetery district, etc.)
- Property tax cannot be used to repay bonds
- Bonds are repaid with an assessment.
- Debt must be repaid prior to issuance of C/O
- District is dissolved within 180 days of debt being repaid
- No eminent domain authority

Staff recommendation: TBD

DRAFT LEGISLATION

SB 86 – Local Government
Bonds Amendments (Fillmore)



*Staff recommendation: Oppose
but waiting on another draft*

- Prohibits local government entities from issuing lease revenue bonds unless:
 - The bond is issued to pay for correctional facilities construction, reconstruction, or remodeling; OR
 - The total amount of the bond is less than \$10m (for local governments other than school districts); OR
 - The total amount is less than \$30m (for school districts).

Housing & Land Use



DRAFT LEGISLATION

SB 13 – Education Entity
Amendments (Fillmore)



- Picked up from SB 166 last year
- Extends charter school permitted use (with standards) status to two types of entities:
 - Micro schools (<100 students)
 - Group E/B IBC Occupancy
 - Home schools (<16 students)
- Local governments maintain restrictions on setbacks, height, massing, off-site parking, curb cuts, traffic circulation, construction, etc.
- Local governments may require business licenses
- Local governments may impose regulations for traffic, parking, hours of cooperation, etc.
- Maintain health/safety/welfare regulations

Staff recommendation: Neutral

DRAFT LEGISLATION

HB 289– Property Rights
Ombudsman Amendments
(Birkeland)



Staff recommendation: Oppose

HB 289 adds **consequential damages** to for prevailing parties of land use disputes resolved in court if the decision is consistent with a Property Rights Ombudsman (PRO) opinion.

Property Rights Ombudsman Process (existing law)

- When a land use dispute arises, parties can request an opinion from the PRO.
- If parties disagree with the PRO opinion, they can still proceed to court.
- If the dispute is resolved consistently with the PRO's ruling, the prevailing party can collect reasonable attorneys fees.
- If the court finds that the municipality knowingly and intentionally violated the law governing the cause of action, awards a \$250/day fee.

DRAFT LEGISLATION

HB 306 – Residential Housing
Amendments (Ward)



Applies to cities in all first & second class counties and cities of 15k+ in third class counties

Cities have to allow 8 units to acre

Starter home = 5 year deed restriction to be owner-occupied; must be initially sold to first time buyer

~~Cities can only impose impact fees for roads, sewer, and fire protection~~

Staff recommendation: Oppose

First Homes Initiative

Governor Cox's objectives:

- 35,000 "first homes"
- Owner-occupied
- Affordable

ULCT Board (Jan 17):

- If cities stretch on zoning, then builders must stretch to provide affordable home ownership
- Opposed to by right zoning
- Uncomfortable with all of proposals to date

Rumbling 1

Key Provisions:

- All residential areas shall allow 8 single family detached units to the acre SO LONG AS 6 units are deed restricted at some AMI

Board principles: *Oppose*

Fillmore update

Key Provisions:

- Cities shall allow at least 8 units to acre (single family, townhomes, condos) in a proportion of residential zones citywide
- builders would access the zoning so long as they build affordable, owner-occupied units
- limited "credit" for existing/plan housing
- Third party review of zoning for "accountability"

Board principles: TBD

Rumbling 5 TBD

Key Provisions:

- TBD

Staff recommendation:
TBD

DRAFT LEGISLATION

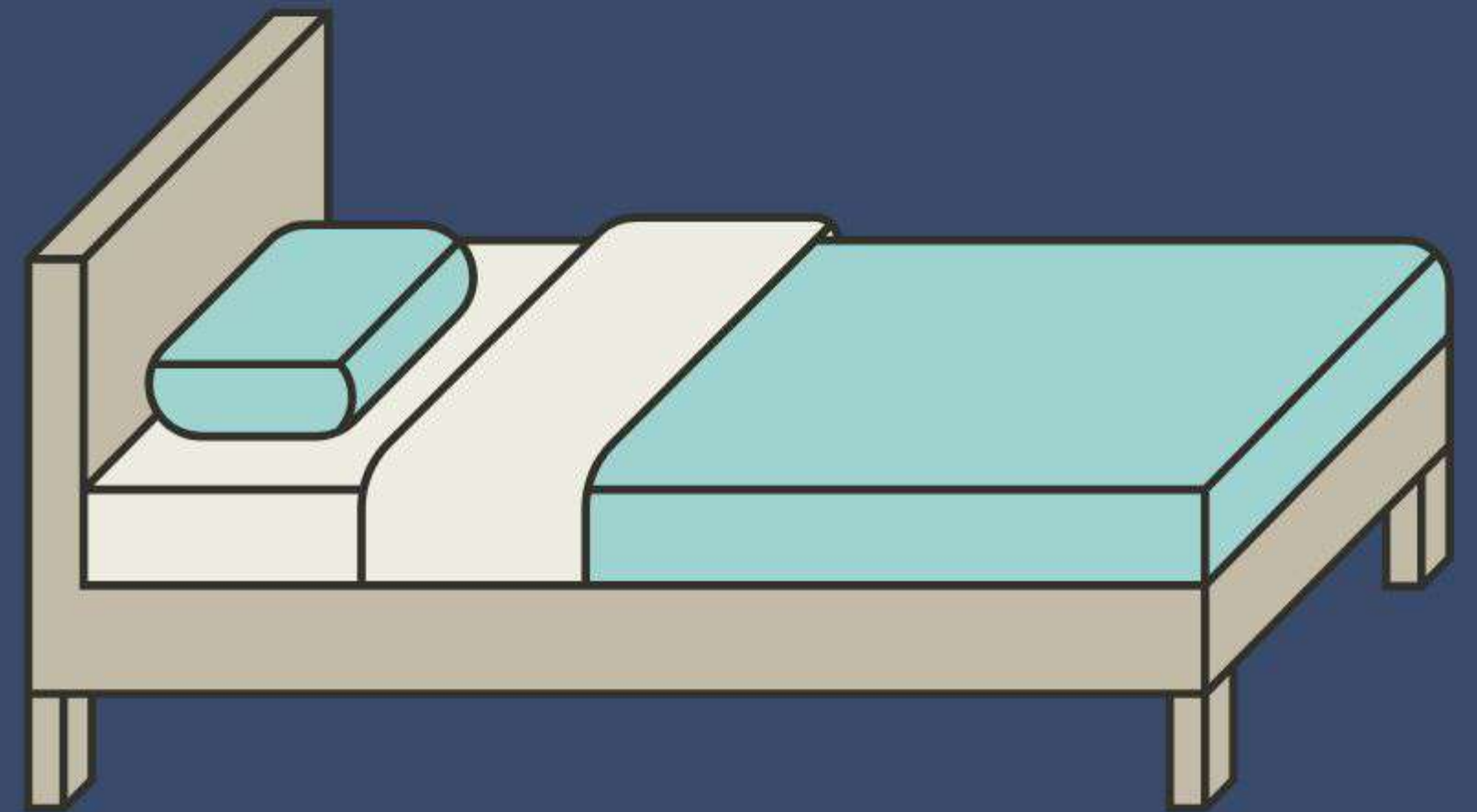
HB 256 - Military Compatible
Land Use Amendments (V.
Peterson)



- Requires municipalities and counties to deny land use applications (excluding individual residential building permit) if the Dept. of Veterans and Military Affairs determines the application to be incompatible with military activity.
- Makes technical corrections.
- Substitute language will instead require municipality to consider military compatibility

Staff Recommendation: Oppose as written

Homelessness



HB 207 Homeless Council Amendments

(Jack)

Key Provisions:

- Allows a mayor's designee to sit on the Utah Homelessness Council (UHC)

Staff recommendation:

Support

HB 298 Homelessness Services Amendments

(Clancy)

Key Provisions:

- Removes mayors on UHC and replaces with county commissioners
- Removes buffers around existing shelters
- Amendments to code blue

Staff recommendation:

Oppose

HB 314 Homeless Revisions

(Abbott)

Key Provisions:

- Removes mayors on UHC and replaces with county commissioners
- Reduces local contributions to mitigation fund back to 1.8% / \$200k

Staff recommendation:

Oppose

The image features a repeating pattern of pink piggy banks with yellow bows on their heads, arranged in a grid against a solid pink background. In the center, a white rectangular box contains the word "Retirement" in a large, bold, black sans-serif font.

Retirement

DRAFT LEGISLATION

HB 251 – Postretirement
Reemployment Restrictions
Amendments (Gwynn)



URS Systems affected with this bill:

1. Public Employees Contributory
2. Public Employees Non-Contributory
3. Tier II Hybrid Retirement System
4. Public Safety Employees Contributory
5. Public Safety Employees Non-Contributory
6. Firefighters Retirement Act

Fiscal Impacts to Local Government

Unfunded Actuarial Accrued Liability will initially increase by \$196.6 Million, but this will be offset over time by employers paying the **normal cost** for retirees and retirees accepting decreased retirement benefits/cost of living adjustments.

The combination of employer and employee user fees offset this benefit change keeping contribution rates the same. Without the user fees, contribution rate increases would have ranged between 0.02% and 2.05% for the systems.

Staff recommendation: Neutral

DRAFT LEGISLATION

HB 251 – Postretirement Reemployment Restrictions Amendments (Gwynn)



What Does the Bill Do:

1. Creates an alternative method for a retiree to be eligible to return to work with a URS participating employer and receive a retirement allowance.
2. **Establishes a cooling off period for those wanting to return to work with a URS participating employer before one year.**
 - a. 90 days for a public employee retiree
 - b. 60 days for a public safety or firefighter retiree
3. **Sets Terms for leaving the URS system before one year of separation.**
 - a. **20% less** than the retirement allowance entitled to retiree (all public employee systems including Tier II)
 - b. **15% less** than the retirement allowance entitled to retiree (all public safety systems, all firefighter systems including Tier II)
 - c. During the period of reemployment, retiree **does not** receive any annual cost-of-living adjustments
 - d. Employer has to **pay the "Normal cost rate" to URS**. The normal cost rate, as defined in Section 49-11-102, to be applied to the system that would have covered the retiree if the retiree's reemployed position were deemed to be an eligible, full-time position within that system. Otherwise revenue neutral.
 - e. Once the retiree completely retires the penalty for early retirement is lifted and the earned benefit at the time retiree left early will then apply.

Staff recommendation: Neutral

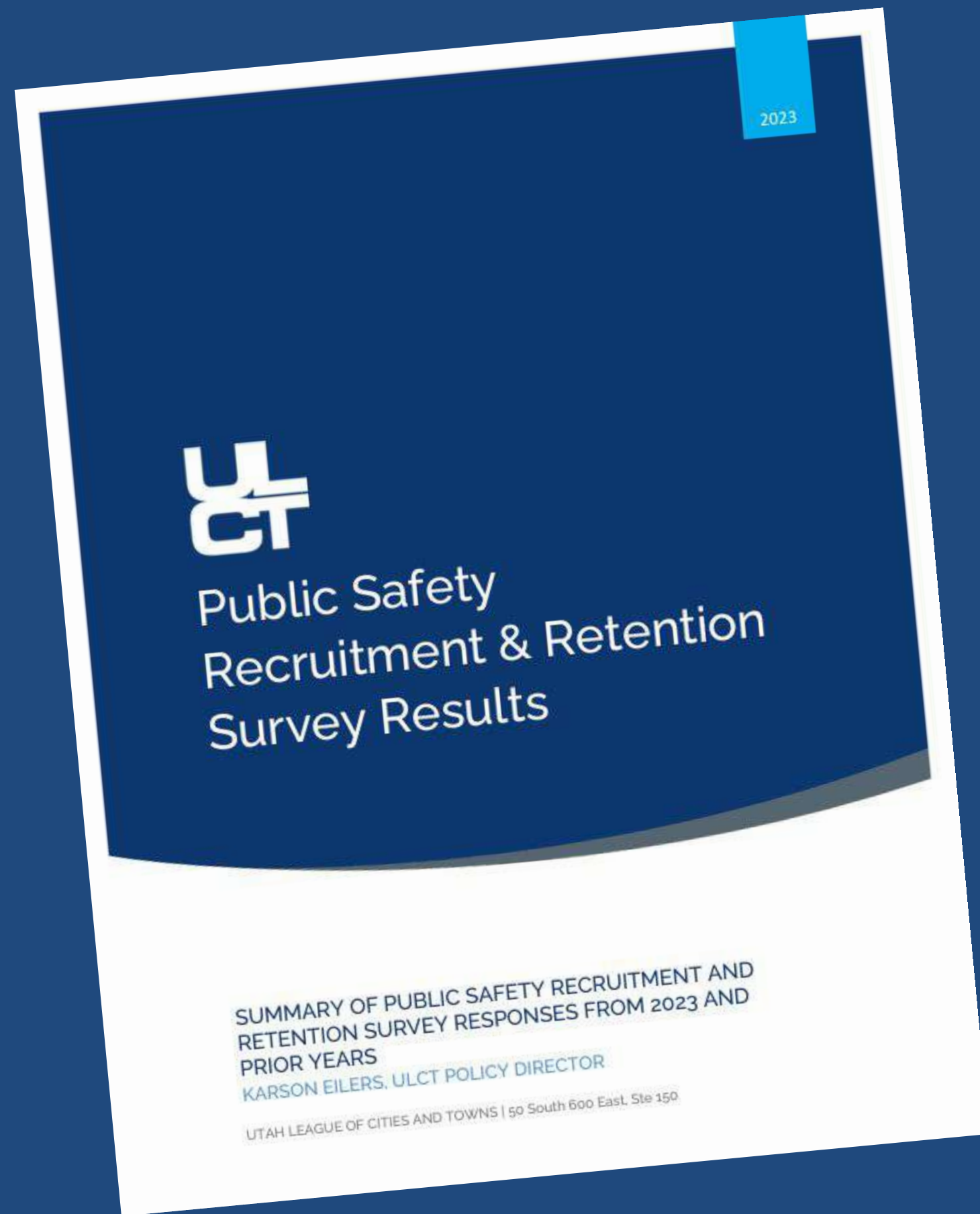
DRAFT LEGISLATION

SB 34 – Utah Retirement
System Revisions (Harper)



Staff recommendation: Neutral

- 1st sub.
- Specifies that URS-participating employers who fail to keep records of employee service are liable for the cost of employees reduced pension benefits.
- **LELC** Voted to Hold for more Discussion with Sponsor



**2023 Public Safety
Recruitment and Retention
Survey results available now!**





Transportation







DRAFT LEGISLATION

SB 28 – Scenic Byway Program Amendments (Harper)



Staff recommendation: TBD

- Modifies the process for designating a state scenic byway
- Restructures Utah Scenic Byway Committee:
 - 1 rep. appointed by the Office of Tourism
 - 1 rep. appointed by the UDOT
 - 1 rep. from the counties with the proposed scenic byway
 - 1 rep. appointed by ULCT
 - 1 rep. appointed by outdoor advertising industry
- Legislature would give final approval to scenic byway designations

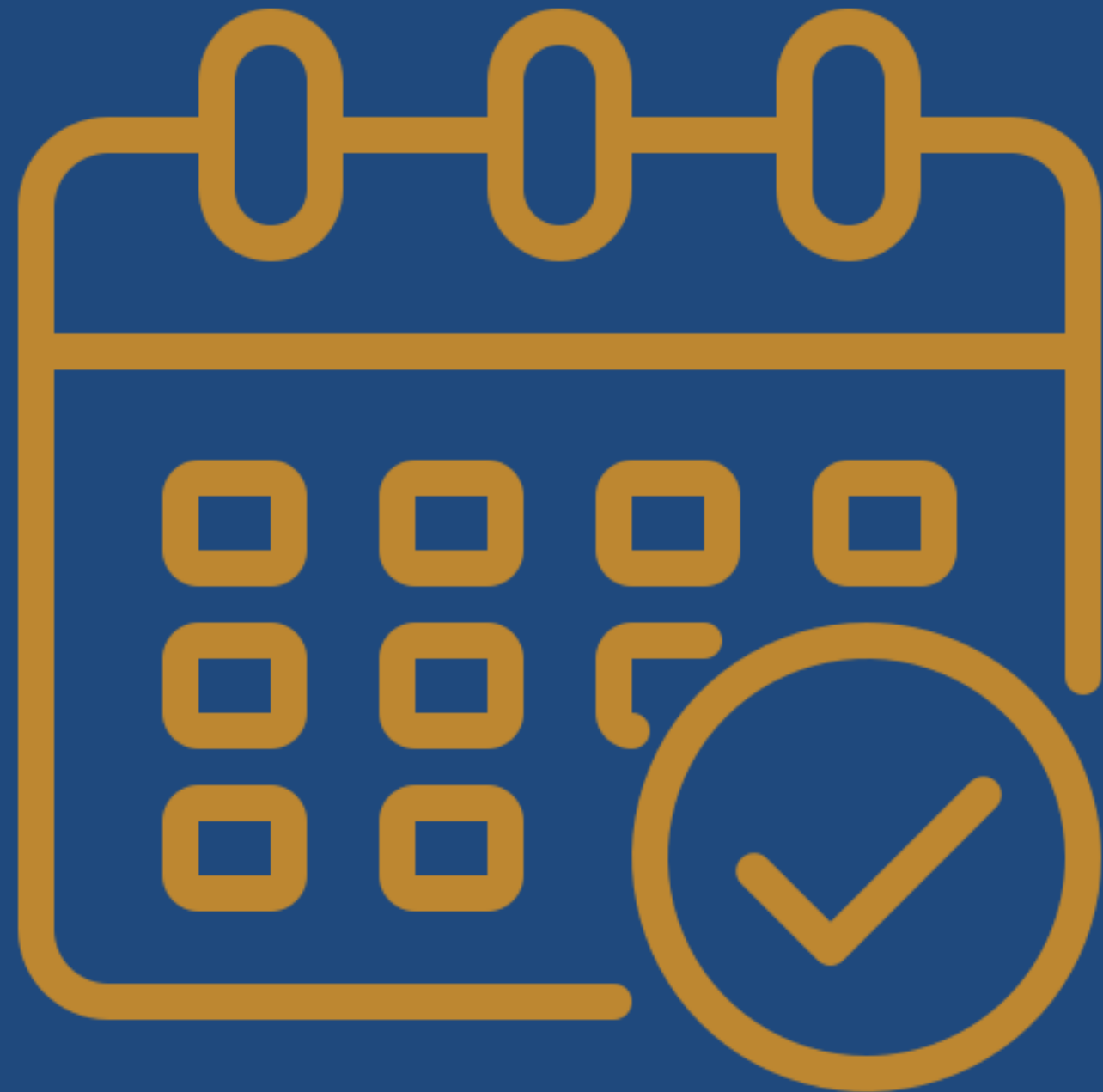
 Hot	Oppose
 Work	Support
 Watch	Position Pending
 Monitor	Neutral

Bill

Tracker

Ratify Positions

IMPORTANT DATES



Legislative Policy Committee:

- January 29th *(hybrid)*
- February 5th *hybrid)*
- February 12th *(hybrid)*
- February 20th *(hybrid)*
- February 26th *(hybrid)*

Stay connected



**Sign up for Friday Facts &
Daily Legislative Recap**

Facebook:

**Utah League of Cities and
Towns**

X:

@ULCTcitycafe

