

**UTAH LEAGUE OF CITIES & TOWNS BOARD OF DIRECTORS MEETING**  
VIA ZOOM: [HTTPS://US02WEB.ZOOM.US/WEBINAR/REGISTER/WN\\_v7HxxUKoTLiCwQOdDUMWRA](https://us02web.zoom.us/webinar/register/WN_v7HxxUKoTLiCwQOdDUMWRA)  
(ANCHOR LOCATION: ULCT OFFICE, 50 S 600 E, SUITE 150, SALT LAKE CITY, UT 84102)  
MONDAY, MAY 20, 2024 @ 8:30 AM  
(TIMES ARE APPROXIMATE)

- 1) **Welcome and Introductions – Mayor Michelle Kaufusi, ULCT President** 8:30 AM
  
- 2) **Administrative Items – Mayor Michelle Kaufusi, ULCT President** 8:32 AM

ACTIONS: Review & approval of Minutes, call for conflict-of-interest disclosure  
HANDOUTS: [DRAFT April 17, 2024 Board Minutes](#)  
[ULCT Conflict of Interest Form](#)
  
- 3) **ULCT Board & Commission Reports & Appointments – Liam Thraikill, Policy Analyst & Program Manager** 8:35 AM
  - Utah Communications Authority update
  - Utah Land Use Institute
  - Water Operator Certification Commission

ACTION: Recommendation to appoint Alex Jensen to Utah Communications Authority, Meg Ryan to the Utah Land Use Institute Board, Stacie Olson to the Water Operator Certification Commission  
HANDOUT: [Boards & Commissions Memo](#)
  
- 4) **FY 2025 Tentative Budget – Cameron Diehl, Executive Director & Nick Jarvis, Chief Operating Officer** 8:40 AM
  - Filing of FY 2025 tentative budget with Board
  - Review, consider, and adopt tentative budget
  - Establish time and place for public hearing on tentative budget

ACTIONS: Review, consider, and adopt FY 2025 Tentative Budget; Establish time and place for public hearing on tentative budget  
HANDOUT: [Proposed ULCT FY 2025 Tentative Budget](#)
  
- 5) **ULCT Procurement Policy Update RE: HB125 from the 2024 session – Nick Jarvis, Chief Operating Officer** 9:05 AM

ACTION: Review & approval of ULCT Procurement Policy Update  
HANDOUT: [Procurement Policy Update](#)
  
- 6) **Executive Director Report – Cameron Diehl, Executive Director** 9:15 AM
  - Regional meeting update (with ULCT’s Molly Wheeler)
  - Board op-ed plan of attack (with ULCT’s Cassidy Hansen)
  - June board meeting logistics and Disagree Better/Dignity Index with Dr. Danya Rumore (with ULCT’s Molly Wheeler)
    - Final budget, strategize on advocacy priorities based on ULCT spring training
  - August board meeting timing and location and LPC timing
  - September Board Meeting timing (currently scheduled for 9/4 @ 4:00 PM)
  - Board Nominations & Vacancies timeline and process
  - Tentative: summer meetings of the large city caucus, resort community caucus

ACTION: Confirm modified board meeting times  
HANDOUT: [2024 Board Vacancies](#)

7) Advocacy Update – ULCT Advocacy Staff

9:22 AM

- Proposal to create advisory groups for 2024 interim on key policy topics to provide input to ULCT Board, LPC, staff, and negotiators (listed below in alphabetical order)
  - 1) Commission on Housing Affordability (several CHA interim work groups)
    - Will include a variety of topics
  - 2) Economic Development/Financing
  - 3) GRAMA/privacy (HB 491 next steps)
  - 4) Gravel (HB 502, SB 174 next steps)
  - 5) Storm water (HB 507 next steps)
  - 6) UDOT coordination
- Re-affirm questions/principles for advocacy within the Commission on Housing Affordability/UEOC and board objectives
- Policy priorities, research priorities, and LPC bylaw updates at a future board meeting

ACTION: Approve creation of advisory groups

HANDOUTS: [Memo on board objectives, CHA/UEOC questions/principles](#)  
[Gov. Cox gives local communities one year to make progress on less expensive starter homes | KSL.com](#)  
[Inside Utah's Plan to Build 35,000 Starter Homes in a Hurry | Builder Magazine \(builderonline.com\)](#)  
[Utah's tax boss fires warning shot over legislature's stadium, development deals \(fox13now.com\)](#)

8) Closed Session as per Utah Code 52-4-205

9:30 AM

ACTION: Vote required to enter closed session (as per Utah Code 52-4-204)

9) Adjourn

9:45 AM

**Monday, June 10, 2024 @ 11:00 AM In person only (adoption of FY 2025 budget & work session w/ Dr. Danya Rumore)**

**Monday, August 12, 2024 @ 9:30 AM**

**Wednesday, September 4, 2024 @ 4:00 PM (in conjunction with ULCT Annual Convention)**

UTAH LEAGUE OF CITIES & TOWNS  
BOARD OF DIRECTORS MEETING MINUTES

LOCATION: ENTRADA ROOM, DIXIE CENTER (1835 S CONVENTION CENTER DR., ST. GEORGE, UT 84790) & VIA ZOOM  
WEDNESDAY, APRIL 17, 2024 @ 2:00 PM

IN ATTENDANCE:

EXECUTIVE BOARD

Mayor Michelle Kaufusi, President, Provo  
Mayor Troy Walker, 1<sup>st</sup> Vice President, Draper  
Council Member Kate Bradshaw, 2<sup>nd</sup> VP, Bountiful  
Mayor Jeff Silvestrini, Im. Past President, Millcreek  
Seth Perrins, UCMA & Spanish Fork

BOARD OF DIRECTORS

Council Member David Baird, Roosevelt  
Mayor Dirk Burton, West Jordan  
Council Member Dan Dugan, Salt Lake City  
Council Member Jessica Egbert, Mapleton  
Mayor Donia Jessop, Hildale  
Council Member Kari Malkovich, Woodland Hills  
Council Member Tawnee McCay, Riverton  
Mayor Logan Monson, Blanding  
Mayor Lyndsay Peterson, North Logan  
Council Member R. Scott Phillips, Cedar City  
Mayor Michele Randall, St. George  
Mayor Mark Shepherd, Clearfield  
Mayor Tami Tran, Kaysville  
Council Member Mary Wintch, Manti  
Mayor Mickey Wright, Torrey

EX OFFICIO MEMBERS

Roger Tew, General Counsel & Senior Policy Advisor  
Pamela Spencer, UMCA & Vineyard  
Mayor Dawn Ramsey, UEOC, South Jordan

ULCT STAFF

Cameron Diehl, Executive Director  
Justin Lee, Deputy Director  
Molly Wheeler, Deputy Director  
Nick Jarvis, Chief Operating Officer  
Angela Adam, Operations Coordinator  
Karson Eilers, Policy Director  
Cassidy Hansen, Marketing Communications  
Manager  
Katie Harley, Events Manager  
Meg Ryan, Senior Land Use Manager  
Liam Thrailkill, Policy Analyst & Program Manager  
Jared Tingey, Legal Director  
Todd Godfrey, Legal Advisor

EXCUSED:

Mayor Brett Hales, Murray, ULCT Treasurer  
Mayor Mark Johnson, Lehi

Welcome and Introductions –Mayor Michelle Kaufusi, ULCT President

Administrative Items –Mayor Michelle Kaufusi, ULCT President

- [LINK: Substance of matters proposed, discussed, or decided](#)
- Conflict of interest disclosure: None

MOTION: Mayor Dirk Burton  
Approve March 18, 2024 Minutes

SECOND: Mayor Tami Tran

VOTE: Unanimous Approval

ULCT Board & Commission Reports & Appointments –Liam Thrailkill, Policy Analyst & Program Manager

- Updates: Utah Communications Authority, MIHP Appeal Board, Water Operating Certification Commission

Engagement Update –Molly Wheeler, Deputy Director

- Midyear 2024 preview
  - i. Olympics theme, largest total attendance ever, 133 first time attendees
- Regional trainings in May/June
- September Annual Convention update
- Utah Policy/op-ed update
- ULCT-focused Dignity Index/Disagree Better efforts update
- **Discussion questions:** Should ULCT staff continue to explore this programming option for FY 2025? Would the Board like to have an in-person only May board meeting with up to 90 minutes dedicated to a discussion with Professor Danya Rumore who leads a conflict resolution program at the University of Utah?

Advocacy Update–Justin Lee, Deputy Director & ULCT Advocacy Staff

- Potential special session update
  - i. Veto letter on SB 161, see March board packet
- Unified Economic Opportunity Commission, Commission on Housing Affordability, and legislative interim brief preview
- **Discussion question (hold for future meeting):** At the March meeting, we posed this question but didn't finish answering it: What should our next steps be on the bigger issue of state-created districts that negatively impact how cities function?

Executive Director Report and strategic session–Cameron Diehl, Executive Director and ULCT Team

- 2023-2024 Advocacy, Engagement, & Operations Annual Report
- Check in on organizational objectives, 2023 Board of Directors recommended advocacy, engagement, and operations tactics, and feedback from ULCT members from the 2023 Midyear Conference
  - **Discussion question part A and part B:** Is there anything that we are missing in the objectives or takeaways/tactics?
- Small group discussion (with committee of the whole to summarize the discussion)
  - **Question 1:** What are the biggest challenges that your city and region will face between now and 2034 (Olympics)?
  - **Question 2:** What keeps you up at night as a mayor/council member/city manager?
  - **Question 3:** How can ULCT help you and your city colleagues address those challenges?
- Caucus plan for Midyear Conference and board participation therein
  - Planned question 1: What are the biggest challenges that your city/town is facing?
  - Planned question 2: What do you wish state leaders knew about your city/town and what you need to face those challenges?
  - Planned question 3: What are some potential approaches to address those challenges?

Other Business

Adjourn

- [LINK: Substance of matters proposed, discussed, or decided](#)

MOTION: Mayor Troy Walker  
Adjourn  
SECOND: Council Member Kate Bradshaw  
VOTE: Unanimous Approval



**ANNUAL CONFLICT OF INTEREST DISCLOSURE 2024-2025**

**Personal information**

Name:

Address:

Title:

**ULCT POLICY**

I will abide by the ULCT Code of Ethical Business Conduct.

I will not directly or indirectly benefit improperly from my position or from any ULCT activity.

I will not allow any outside business or personal relationship create a conflict of interest by influencing decisions within ULCT.

I will not place my personal interests in conflict with the interest of ULCT.

I will disclose any perceived, potential, or actual conflicts of interest with the ULCT Executive Director immediately.

Please list any organization, entity, or person with which you have a personal or business relationship that you believe could present a perceived, potential, or actual conflict of interest. Mere disclosure of such a relationship may not be used as grounds for discipline or termination. (Use an additional sheet if necessary.)

Briefly describe what you believe could be the perceived, potential, or actual conflict. (Use an additional sheet if necessary.)

I ACKNOWLEDGE THAT I HAVE RECEIVED THIS DISCLOSURE & UNDERSTAND THAT I AM RESPONSIBLE FOR ADHERING TO THE PRINCIPLES HEREIN.

**SIGNATURE:**

**Date Signed:**



**TO:** ULCT Board of Directors  
**FROM:** Liam Thrailkill, Policy Analyst & Program Manager  
**DATE:** May 16, 2024  
**SUBJECT:** Boards and Commissions Vacancies

This memo will update you on current Boards and Commissions vacancies that are to be filled by the Utah League of Cities and Towns.

**Boards and Commissions Vacancies to be Filled:**

- **Utah Communications Authority**

The Utah Communications Authority (UCA) provides administrative and financial support for statewide 911 emergency services, including the provision of an i-3 compliant, NG911 network. Additionally, UCA offers radio network to Utah's public safety community and ensures the communication systems remain operational. UCA also, through its Interoperability Division, works to enhance and promote interoperable, emergency communications at the State, Local, Federal, and Tribal levels. On top of all those services, UCA also offers training to multiple different levels of government. Previously, this position was held by Gary Whatcott prior to his passing. ULCT staff is recommending the Board appoint Alex Jensen, City Manager for Layton, Utah to the UCA. Alex was appointed City Manager in Layton, Utah in September of 1992 at the age of twenty-nine. He has a bachelor's degree in political science and a master's degree in public administration, both from Brigham Young University. He previously served as the president of the Utah city Manger's Association, Chairman of the Board of the Utah risk Management Mutual Association, Chairman of the Board of UTOPIA Fiber, and chairman of the Utah infrastructure Agency.

- **Utah Land Use Institute Board**

The Utah Land Use Institute was created in 2007. Its mission is to raise the professionalism of those involved in the land use arena, including planning and legal professionals, civic leaders, and citizens. ULUI sponsors an annual fall conference, spring conference, and periodic seminars on various land use topics. ULCT has long been a sponsor of ULUI, participating often in their conferences as sponsors and presenters. ULUI reached out to ULCT and asked Meg Ryan, Senior Land Use Planner for ULCT, to serve on their board. Meg has over 30 years of experience in land use planning and holds a master's degree in city planning from UC Berkley. She has worked in Boston, New York, the Bay Area, and for Utah municipalities.



- **Water Operator Certification Commission**

The Operator Certification Commission consists of seven members, which includes higher education representatives, a treatment operator, a distribution operator, a service district representative, a metropolitan water district representative, and a rural water system representative. This group serves as an advisory committee on proposed rules, modifications, changes, and interpretation of the rules by which operators must abide. These rules, following the public hearing process, are adopted by the Division of Drinking Water Board. ULCT staff is recommending the Board nominate Stacie Olson, Assistant Public Works director of Riverton City, to the Water Operator Certification Commission. Stacie began her career in Riverton City in 2002 and moved her way through the city from City Court Clerk to City Recorder and Mayors Assistant, to Water Supervisor, to Water and Storm Water Manager, to her current role as Assistant Public Works Director. She has a great background in water as she has achieved her certifications in State of Utah Water Operator Distribution Grades 2 and 4, Water Rights, and being a Registered Storm Water Inspector.

**Staff Recommendations:**

Staff recommends the ULCT Board appoint and accept the appointment of the following individuals:

- Alex Jensen to the Utah Communications Authority
- Meg Ryan to the Utah Land Use Institute
- Stacie Olson to the Water Operator Certification Commission





**TO:** ULCT Board of Directors  
**FROM:** Cameron Diehl, Executive Director  
Nick Jarvis, Chief Operating Officer  
**DATE:** May 16, 2024  
**SUBJECT:** FY 2025 Tentative Budget

We are proposing a FY 2025 budget of \$5,343,895 of which \$3,695,000 is ongoing general revenue, \$1,580,000 is an ongoing state appropriation (the Local Administrative Advisor program), and \$68,895 is from grants and special projects. **This is a decrease of 3.66% from the FY 2024 adopted budget.** This memo outlines the highlights, adjustments, and priorities of the FY 2025 budget.

#### Part 1: Revenue

##### A) General Revenue: increase of \$55,000 (1.51% more than FY 24 Budget)

Ongoing ULCT revenues come primarily from three sources: membership dues, conference registration (members and exhibitors), and private sector sponsorships.

The Board voted on January 17, 2024 to reduce the rates applied to the population and property value components of membership dues and maintain the rate of the sales tax component at the FY 2024 level. For FY 2025, we have budgeted \$2,600,000 in dues revenue (100% membership would yield \$2,616,233) and this adjustment translates to a 4% or \$100,000 total increase in membership dues revenue.

Though we had record attendance at our 2024 Midyear Conference, we are budgeting an 11.5 % reduction in total conference revenue because of changes we are making to the 2024 Annual Convention. Based on Board and member feedback, the Annual Convention will now span two full days on Wednesday and Thursday, rather than two and half days Wednesday through Friday, and we will reduce the cost of attendee registration accordingly. We have taken the half-day from Annual and replaced the training time with regional meetings across the state. Team ULCT is partnering with the associations of governments (AOGs) to host half-day regional trainings in each AOG in May and June. Those meetings are scheduled for May 20, 21, 22, and June 5 and 26. As of May 16, we are anticipating several hundred city and town officials to attend the five regional meetings. We are also budgeting \$10,000 more in sponsorship revenue based on current-year receipts.





**B) Grant & Special Project Revenue: decrease of \$258,105 (78.93% less than FY 24 budget)**

Most of our grants and special project revenues from the previous few years are either winding down or ending for FY 2025. The Land Use Academy of Utah (LUAU) website is in the process of being handed over to the Office of the Property Rights Ombudsman and the limited remaining funds from the ARPA Assistance Assessment and the “Your Land, Your Plan” Public Asset Grant will be recognized in FY 2025.

**A) Ongoing State Appropriation: no change**

In the 2023 legislative session, the State Legislature approved an ongoing appropriation to ULCT through the Governor’s Office of Planning and Budget (GOPB) of \$1,580,000 to fund the Local Administrative Advisor (LAA) program beginning in FY 2024. Approximately \$1.2 million of this appropriation is subgranted by ULCT to the state’s associations of governments (AOGs) to hire in-house or contract advisors to provide support on a regional basis to the over 140 cities and towns in Utah without sufficient administrative and management staff. As such, the ULCT operates as a pass-through organization. The remainder of the funds stay with ULCT to run the program and provide centralized resources to these applicable municipalities. Please note that ULCT had hired Gary Whatcott to be our Senior Advisor to oversee the Local Administrative Advisor program. Gary passed away suddenly in January and we are still in the process of replacing him within the LAA program.

**Part 2: Expenses**

**A) Personnel Expenses: increase of \$150,500 (8.14% more than FY 24 budget)**

The proposed budget contemplates an overall increase in personnel expenses of just over 8%. This includes merit-based and market-based increases to compensation for existing staff, and flexibility to be competitive in hiring potential vacancies. We continue to focus on our Board-adopted organizational goals to guide how to maximize our staff bandwidth in a financially sustainable and prudent manner. Our success at the Capitol and ability to provide resources and training throughout the state is dependent on retaining and recruiting talented and capable staff, as well as the partnership with our elected officials and extended family in our cities and towns.

**B) Operations & Engagement Expenses: decrease of \$13,000 (1.93% less than FY 24 budget)**

This budget anticipates a 1.93% reduction in operations & engagement expenses. Management continues to maximize the use of our limited funding through keeping our operational costs as low as possible, while still investing in staff professional development and ensuring our workspace and equipment remain adequate to accomplish our mission.



**C) Event Expenses: decrease of \$90,000 (19.32% less than FY 24 budget)**

The change in the Annual Convention from two and a half days to two days comes with significant savings in facility & special equipment rental and food and beverage costs. However, we are proposing an increase in the convention programming portion of this category to ensure that the Annual Convention remains a valuable and worthwhile experience for attendees through the procurement of top-notch speakers and the overall feeling of professionalism for which our events have become known.

**D) Grants and Special Projects: decrease of \$233,105 (59.24% less than FY 24 budget)**

As described in the revenue section, the LUAU, ARPA assistance, and “Your Land, Your Plan” programs are coming to an end in FY 2025, resulting in the significant decrease in this category. However, this section of the budget also includes programs like our 4<sup>th</sup> and 7<sup>th</sup> grade essay contest and the Healthy Utah Communities partnership with Get Healthy Utah, as well as funds for continued organization modernization.

At Board direction we are adding the currently named “Dignity Index/Disagree Better ULCT Project” in FY 2025 centered on civility, conflict resolution, and turning down the temperature in public discourse. ULCT will be working with other partners including the University of Utah S.J. Quinney School of Law’s Dr. Danya Rumore to develop and brand the program which will help ULCT members navigate and improve the current environment.

**Part 3: Conclusion & Requested Action**

We believe the budget we are proposing to you fulfills the ULCT mission in a financially responsible way and will give us the resources we need to increase staff bandwidth and performance. Management is proposing a long-term strategy to ensure fiscal sustainability with the modest dues increase adopted this year. Staff asks the Board to adopt the proposed FY 2025 tentative budget, and requests that the Board provide feedback to be incorporated into the final FY 2025 budget. The Board must also schedule the time and place that a public hearing will be held on the adopted tentative budget before the official adoption of the final budget. Given that the Board only meets once in May and once in June, staff recommends scheduling the public hearing on the same day that the Board will consider and adopt the FY 2025 budget (June 10, 2024.)

# UTAH LEAGUE OF CITIES AND TOWNS FY 2025 TENTATIVE BUDGET

REVENUES	FY 2023 Prior Year Actual	FY 2024 YE Estimates	FY 2024 Adopted Budget	FY 2025 Tentative Budget	\$ Change FY 24-FY 25 Budgets	% Change FY 24-FY 25 Budgets
<b>General Revenue</b>						
Membership Dues	\$ 2,287,951	\$ 2,508,778	\$ 2,500,000	\$ 2,600,000	\$ 100,000	4.00%
Sponsors/Donations	\$ 386,370	\$ 404,610	\$ 390,000	\$ 400,000	\$ 10,000	2.56%
Advertising	\$ -	\$ -	\$ -	\$ -	\$ -	-
Registration Fees	\$ 537,619	\$ 544,279	\$ 545,000	\$ 460,000	\$ (85,000)	-15.60%
Exhibit Space	\$ 111,405	\$ 131,870	\$ 105,000	\$ 115,000	\$ 10,000	9.52%
Interest	\$ 97,133	\$ 161,848	\$ 80,000	\$ 100,000	\$ 20,000	25.00%
Publications	\$ 4,791	\$ 7,514	\$ 15,000	\$ 15,000	\$ -	0.00%
Miscellaneous Income	\$ 840	\$ 84	\$ 5,000	\$ 5,000	\$ -	0.00%
<b>General Revenue</b>	<b>\$ 3,426,109</b>	<b>\$ 3,758,983</b>	<b>\$ 3,640,000</b>	<b>\$ 3,695,000</b>	<b>\$ 55,000</b>	<b>1.51%</b>
<b>Grants &amp; Special Projects</b>						
Land Use Academy of Utah	\$ -	\$ -	\$ 15,000	\$ -	\$ (15,000)	-100.00%
ARPA Assessment	\$ 93,008	\$ 19,770	\$ 29,500	\$ 8,895	\$ (20,605)	-69.85%
"Your Land, Your Plan" Public Asset Grant	\$ 253,538	\$ 186,426	\$ 282,500	\$ 60,000	\$ (222,500)	-78.76%
<b>Grants &amp; Special Projects</b>	<b>\$ 346,546</b>	<b>\$ 206,195</b>	<b>\$ 327,000</b>	<b>\$ 68,895</b>	<b>\$ (258,105)</b>	<b>-78.93%</b>
<b>Reserves</b>						
Reserves	\$ -	\$ -	\$ -	\$ -	\$ -	-
<b>Ongoing State Appropriation</b>						
Local Administrative Advisor	\$ -	\$ 1,281,192	\$ 1,580,000	\$ 1,580,000	\$ -	0.00%
<b>TOTAL REVENUE</b>	<b>\$ 3,772,655</b>	<b>\$ 5,246,371</b>	<b>\$ 5,547,000</b>	<b>\$ 5,343,895</b>	<b>\$ (203,105)</b>	<b>-3.66%</b>

EXPENSES	FY 2023 Prior Year Actual	FY 2024 YE Estimates	FY 2024 Adopted Budget	FY 2025 Tentative Budget	\$ Change FY 24-FY 25 Budgets	% Change FY 24-FY 25 Budgets
<b>Personnel Services</b>						
Staff Salaries	\$ 973,710	\$ 1,160,000	\$ 1,160,000	\$ 1,280,000	\$ 120,000	10.34%
Employee Benefits	\$ 1,378,631	\$ 515,000	\$ 515,000	\$ 550,000	\$ 35,000	6.80%
Payroll Fees	\$ 3,852	\$ 4,500	\$ 4,500	\$ 5,000	\$ 500	11.11%
Car Expense	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000	\$ -	0.00%
Contract Labor	\$ 212,786	\$ 119,700	\$ 160,000	\$ 155,000	\$ (5,000)	-3.13%
<b>Personnel Services Subtotal</b>	<b>\$ 2,577,979</b>	<b>\$ 1,808,200</b>	<b>\$ 1,848,500</b>	<b>\$ 1,999,000</b>	<b>\$ 150,500</b>	<b>8.14%</b>
<b>Operations &amp; Engagement</b>						
Office Supplies	\$ 6,645	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	0.00%
Postage and Freight	\$ 1,871	\$ 8,742	\$ 5,000	\$ 5,000	\$ -	0.00%
Printing Expense	\$ 30,149	\$ 38,000	\$ 35,000	\$ 35,000	\$ -	0.00%
Equipment purchases	\$ -	\$ 25,000	\$ 8,000	\$ 8,000	\$ -	0.00%
Equipment Repairs and Maint.	\$ -	\$ 200	\$ 3,000	\$ 3,000	\$ -	0.00%
Building Repairs & Condo Dues	\$ 53,181	\$ 27,870	\$ 20,000	\$ 30,000	\$ 10,000	50.00%
Building Utilities	\$ 5,829	\$ 3,815	\$ 6,500	\$ 6,500	\$ -	0.00%
Telephone-Internet Expense	\$ 8,793	\$ 9,236	\$ 9,500	\$ 9,500	\$ -	0.00%
Computer & Website Services	\$ 39,862	\$ 14,575	\$ 45,000	\$ 42,500	\$ (2,500)	-5.56%
Travel and Lodging	\$ 83,172	\$ 70,000	\$ 100,000	\$ 100,000	\$ -	0.00%
<b>Operations Subtotal</b>	<b>\$ 229,502</b>	<b>\$ 207,439</b>	<b>\$ 242,000</b>	<b>\$ 249,500</b>	<b>\$ 7,500</b>	<b>3.10%</b>
Dues & Subscriptions	\$ 62,049	\$ 67,000	\$ 67,000	\$ 67,000	\$ -	0.00%
Accounting Expenses	\$ 37,000	\$ 38,700	\$ 39,000	\$ 40,000	\$ 1,000	2.56%
Legal Expenses	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ -	0.00%
Insurance	\$ 9,749	\$ 12,000	\$ 12,000	\$ 12,000	\$ -	0.00%
Credit Card Processing/Bank Fees	\$ 36,478	\$ 43,000	\$ 40,000	\$ 38,000	\$ (2,000)	-5.00%
Board Expenses	\$ 4,726	\$ 10,000	\$ 5,000	\$ 5,000	\$ -	0.00%
Professional Development & Tuition Aid	\$ 14,465	\$ 25,000	\$ 25,000	\$ 25,000	\$ -	0.00%
League Relations/Engagement	\$ 2,100	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	0.00%
<b>Professional Costs &amp; Fees Subtotal</b>	<b>\$ 191,566</b>	<b>\$ 225,700</b>	<b>\$ 218,000</b>	<b>\$ 217,000</b>	<b>\$ (1,000)</b>	<b>-0.46%</b>
Policy Research & Outreach	\$ 73,146	\$ 105,000	\$ 95,000	\$ 95,000	\$ -	0.00%
Legal Services	\$ 94,800	\$ 101,400	\$ 104,000	\$ 105,000	\$ 1,000	0.96%
Muniversity (New Training)	\$ 30,000	\$ -	\$ 15,000	\$ -	\$ (15,000)	-100.00%
<b>Programs Subtotal</b>	<b>\$ 197,946</b>	<b>\$ 206,400</b>	<b>\$ 214,000</b>	<b>\$ 200,000</b>	<b>\$ (14,000)</b>	<b>-6.54%</b>
<b>Operations &amp; Engagement Subtotal</b>	<b>\$ 619,014</b>	<b>\$ 639,539</b>	<b>\$ 674,000</b>	<b>\$ 666,500</b>	<b>\$ (7,500)</b>	<b>-1.11%</b>
<b>Events</b>						
Convention Programming	\$ 126,300	\$ 160,000	\$ 150,000	\$ 175,000	\$ 25,000	16.67%
Facility & Special Equip. Rental	\$ 327,553	\$ 305,000	\$ 365,000	\$ 310,000	\$ (55,000)	-15.07%
Food & Beverage	\$ 434,322	\$ 470,000	\$ 535,000	\$ 475,000	\$ (60,000)	-11.21%
<b>Events Subtotal</b>	<b>\$ 888,175</b>	<b>\$ 935,000</b>	<b>\$ 1,050,000</b>	<b>\$ 960,000</b>	<b>\$ (90,000)</b>	<b>-8.57%</b>

EXPENSES (Continued)	FY 2023 Prior Year Actual	FY 2024 YE Estimates	FY 2024 Adopted Budget	FY 2025 Tentative Budget	\$ Change FY 24-FY 25 Budgets	% Change FY 24-FY 25 Budgets
<b>Grants &amp; Special Projects</b>						
Land Use Academy of Utah	\$ -	\$ -	\$ 15,000	\$ -	\$ (15,000)	-100.00%
Essay Contest Expenses	\$ 6,351	\$ 6,500	\$ 6,500	\$ 6,500	\$ -	0.00%
Website Redesign	\$ -	\$ -	\$ -	\$ -	\$ -	-
Organization Modernization	\$ 40,580	\$ 26,985	\$ 50,000	\$ 25,000	\$ (25,000)	-50.00%
Healthy Utah Communities Award	\$ 9,240	\$ 34,612	\$ 10,000	\$ 25,000	\$ 15,000	150.00%
ARPA Assistance	\$ 93,008	\$ 19,770	\$ 29,500	\$ 8,895	\$ (20,605)	-69.85%
"Your Land, Your Plan" Public Asset Program	\$ 241,038	\$ 173,926	\$ 282,500	\$ 60,000	\$ (222,500)	-78.76%
Dignity Index/Disagree Better ULCT Project	\$ -	\$ -	\$ -	\$ 50,000	\$ 50,000	-
<b>Grants &amp; Special Projects Subtotal</b>	<b>\$ 390,217</b>	<b>\$ 261,792</b>	<b>\$ 393,500</b>	<b>\$ 175,395</b>	<b>\$ (218,105)</b>	<b>-55.43%</b>
<b>Miscellaneous</b>						
Miscellaneous	\$ 288	\$ 1,000	\$ 1,000	\$ 1,000	\$ -	0.00%
Depreciation	\$ 65,905	\$ -	\$ -	\$ -	\$ -	-
<b>Miscellaneous Subtotal</b>	<b>\$ 66,193</b>	<b>\$ 1,000</b>	<b>\$ 1,000</b>	<b>\$ 1,000</b>	<b>\$ -</b>	<b>0.00%</b>
<b>Capital</b>						
Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	-
Capital Improvements - Office remodel	\$ -	\$ -	\$ -	\$ -	\$ -	-
<b>Capital Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>
<b>Ongoing State Appropriation</b>						
Local Administrative Advisor	\$ -	\$ 1,263,993	\$ 1,580,000	\$ 1,542,000	\$ (38,000)	-2.41%
<b>TOTAL EXPENSES</b>	<b>\$ 4,541,577</b>	<b>\$ 4,909,524</b>	<b>\$ 5,547,000</b>	<b>\$ 5,343,895</b>	<b>\$ (203,105)</b>	<b>-3.66%</b>
<b>TOTAL ALL REVENUES</b>	<b>\$ 3,772,655</b>	<b>\$ 5,246,371</b>	<b>\$ 5,547,000</b>	<b>\$ 5,343,895</b>	<b>\$ (203,105)</b>	<b>-3.66%</b>
<b>REVENUES (Under) Over EXPENSES</b>	<b>\$ (768,922)</b>	<b>\$ 336,847</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>



**TO:** ULCT Board of Directors  
**FROM:** Nick Jarvis, Chief Operating Officer  
**DATE:** May 16, 2024  
**SUBJECT:** ULCT Purchasing Policy update to comply with HB125 Procurement Code Amendments

### Background

During the 2024 session of the Utah State Legislature, HB 125 was adopted enacting procurement code amendments related to interlocal entities. In short, interlocal entities are required, "...to adopt rules or policies for the competitive public procurement of goods and services for the operation of the interlocal entity." Changes enacted in HB125 provide that an interlocal entity procurement will be governed by Title 63G, Chapter 6a, Utah Procurement Code, unless the board rules or policies include certain provisions. HB125 became effective on May 1, 2024.

The proposed changes to the ULCT Procurement Policy, previously "Purchasing Policy," include the provisions required by HB125 to exempt the ULCT from being governed by the Utah Procurement Code. The ULCT staff chose to update the ULCT policy rather than follow the Utah Procurement Code because the needs of the ULCT are unique and the ULCT is better served by enacting a procurement policy tailored to the types of goods and services necessary to operate the organization.

In addition to the proposed changes required to comply with HB 125, other proposed changes are intended to resolve inconsistencies and ambiguities between ULCT practice and policy as well as inconsistencies between different parts of the procurement policy.

Over the course of the coming months, ULCT staff has contracted with Kerri Nakamura & Associates to review and update the entirety of the ULCT operational policies and procedures. This exercise will result in additional changes to the ULCT Procurement Policy. The May 1 effective date of HB 125 necessitated making the changes proposed in the attached document now rather than waiting for the comprehensive review process to adopt all changes.

### Synopsis of Proposed Changes

**Part I: Title and definition updates** The title and some key definitions were updated to reflect the language of the Utah Code and to improve clarity and readability.





- the document will now be titled “Procurement Policy” rather than “Purchasing Policy;”
- the term “purchasing agent” has been updated to “procurement officer” throughout;
- the definition of “adequate appropriation balance” was updated for clarity;
- “the League” has been updated to “ULCT” throughout;
- “protest officer” was added to comply with HB125.

**Part II: Administration updates** A preamble that all budgeted purchases must be approved by the Executive Director or Procurement Officer was added to this section. The section preamble also states that contracts cannot be entered into for non-budgeted items/services and must first be approved by the ULCT Board of Directors as a budget amendment. Both statements allow elimination of duplicated language throughout the document.

- language requiring documentation for cancelled solicitations and the purchasing system generally was added to comply with HB125;
- language adding ULCT Legal Director to consultation was added to resolve ambiguity;
- language regarding contract limits was eliminated to resolve ambiguity;
- language requiring that all procurement transactions be shared with the board was added.

**Part III: Competitive Bidding Requirements** Five paragraphs were added to the beginning of this section to comply with HB 125. The concepts of the paragraphs and other changes to this section to comply with HB 125 include:

- disallow the splitting of procurement or invoices into smaller pieces to avoid limit thresholds and related processes;
- creation of a request for information process;
- disallow cost-plus and cost-reimbursement contracts with exceptions;
- establishment of standard terms and conditions for ULCT contracts, including limitations on the length of a contract and allowing for documented exceptions;
- disallow use of minimal purchase process for ongoing, continuous, and regularly scheduled procurements that exceed the annual cumulative threshold as identified;
- disallow use of small purchase process for ongoing, continuous, and regularly scheduled procurements that exceed the annual cumulative threshold as identified;
- creation of a request for proposal process that includes the use of an evaluation committee to score proposals;
- creation of a process to create a list of qualified vendors;
- clear outline of procurement processes that include both objective and subjective criteria;
- adding requirement for publication of procurement notification.



Additional changes included in Part III are intended to resolve ambiguity, including:

- adding “event services” to policy language;
- changing small purchase limits to differentiate from minimal purchase limits;
- changing paragraph order under small purchase solicitation and awards to mirror outline of previous section;
- requiring that the ULCT Executive Director approve informal purchase procurements and that informal purchases of construction work, construction related supplies, professional services, or event services shall be formalized by an agreement.

**Part IV: Exemptions to Competitive Bidding Requirements** Changes were made to language regarding the use of State Cooperative Contracts to bring language into compliance with HB 125. An exemption for Procurement for Services at Price set by ULCT was added to allow for the procurement of services through a competitive process when ULCT has predetermined a price we are willing to pay for certain services and are looking for the best vendor to perform the services (e.g. we will pay \$X/hour for curriculum development and training on a particular topic). Additional changes to this section are minimal.

**Part V: Procurement Appeal Process** This section was added in its entirety to comply with HB 125.

**Part VI: Unlawful Conduct and Penalties Related to Procurement** This section was added in its entirety to comply with HB 125.

## Conclusion

The changes, as outlined, bring the ULCT policy into compliance with the requirements of HB 125 and provide needed updates that cannot realistically wait until a more comprehensive update in early 2024-25.

## Recommendation

ULCT staff recommends that the Board adopt the Procurement Policy updates as proposed.



# PURCHASING-PROCUREMENT POLICY

## Part I: DEFINITIONS

Unless the context requires otherwise, the terms as used in this policy, or the rules and regulations adopted pursuant to this policy shall have the following meaning:

- a) "Supplies"-any and all articles or things which shall be furnished to or used by the League.
- b) "Nonprofessional Services" – Those services that are provided by someone who does not belong to or possess training in a particular profession; someone who engages in or practices some craft or art without previous training, professional status, or professional certification.
- c) "Professional Services" - Those services that are provided by a person or firm skilled in the practice of a learned or technical discipline. Providers of professional services often require prolonged and specialized intellectual training and profess attainments in special knowledge as distinguished from mere skills.
- d) "Event Services" - Those services that are provided by a person or firm which entail the coordination of comprehensive aspects of ULCT conferences, conventions, or other large events.
- e) "Construction Work" - The process of building, altering, repairing, improving, or demolishing any ULCT structure or building, or other improvements to any ULCT real property. It does not include the routine repair, or maintenance of existing structures, buildings, or real property.
- f) "Building Improvements" - The construction or repair of a public building or structure.
- g) "Procurement"- The buying, purchasing, renting, leasing, or otherwise acquiring of any supplies, services, or construction, including description of requirements, selection, and solicitation of sources, preparation and award of agreement, and all phases of agreement administration.
- h) "Purchasing Agent"- "Procurement Officer"- The person or persons designated in this section to procure supplies, services, or construction on behalf of ULCT.
- i) "Bidding" -procedure used to solicit quotations on price and delivery from various prospective suppliers of supplies and services.
- j) "Responsible Bid" -an offer, submitted by a responsible bidder to furnish supplies or services in conformity with the specification, delivery terms and conditions and other requirements included in the invitation for bids.
- k) "Responsible Bidder or Offeror" - A person or entity with the capability in all respects to perform fully the agreement requirements, and the experience, integrity, reliability, capacity, facilities, equipment, and credit which will assure good faith performance.
- l) "Adequate Appropriation Balance" -sufficient fund balance which must exist in the in the current year adopted budget line item appropriation of the account number against which the purchase is to be charged.
- m) "League-ULCT Property" -any item of real or personal property purchased by or donated to the LeagueULCT.
- n) "Request for Proposals" (RFP) - All documents, whether attached or incorporated by reference, utilized for soliciting proposals.
- o) "Request for Statement of Qualifications" (RFQ) – All documents used to solicit information about the qualifications of a person or entity interested in responding to a potential procurement, including all other documents attached to that document or incorporated in that document by reference.
- p) "Invitation for Bids" (IFB) – All documents, whether attached or incorporated by reference, utilized for soliciting sealed bids.
- q) "Protest Officer" means a person designated by the ULCT Executive Director to hear and decide protests and appeals of procurement decisions.

## Part II: ADMINISTRATION

All budgeted purchases must be approved by the Executive Director or Procurement Officer. Contracts cannot be entered into for non-budgeted items/services and must first be approved by the ULCT Board of Directors as a budget amendment.

Unless otherwise designated by the ~~League-ULCT~~ Executive Director, the Chief Operating Officer shall act as the ~~Procurement Officer~~Purchasing Agent. The ~~Procurement Officer~~Purchasing Agent shall:

- a) Procure or supervise the procurement of all supplies, services, and construction needed by ULCT;
- b) Manage and supervise the procurement to ensure to the extent practicable that ULCT receives the best supplies, services and construction for the best value;
- c) Prepare and issue standard specifications for procurement items;
- d) Sell, trade, or otherwise dispose of surplus supplies belonging to ULCT;
- e) Review agreements, coordinate agreement compliance, conduct agreement audits, and approve change orders, subject to approvals required by law;
- f) Correct, amend, or cancel a procurement at any stage of the procurement process. ~~if the procurement does not comply with ULCT standards~~ If a solicitation is cancelled, the reason for cancellation is documented;
- g) After consultation with the ULCT General Counsel or Legal Director, correct, amend or cancel an agreement at any time during the term of the agreement subject to providing appropriate notice and payment to the vendor ~~if the agreement does not comply with ULCT standards and the Purchasing Agent~~ the Procurement Officer determines that correcting, amending or cancelling the agreement is in the best interest of ULCT;
- h) Attempt to resolve an agreement dispute in coordination with the ULCT General Counsel or Legal Director;
- ~~i) Serve as the hearing officer to review and make a decision regarding a protest involving procurement by ULCT;~~
- ~~ii) Recommend such new or revised purchasing rules and regulations as desirable and in conformance with other statutory requirements, and to interpret the provisions of this policy.~~
- ~~iii) Negotiate and recommend execution of contracts for the purchase of supplies and services as provided in policy.~~
  - ~~• Contracts cannot be entered into for non-budgeted items/services.~~
  - ~~• Contracts over \$50,000 require the written concurrence of the ULCT Board President~~
  - ~~• Contracts over \$100,000 require the approval of the League Board of Directors or its Officers acting on its behalf~~
- ~~iv) Keep informed of current developments in the field of purchasing by attending Utah Division of Purchasing and General Service Public Education Procurement trainings~~
- ~~v) Prescribe and maintain such forms as reasonably necessary to the operation of this policy.~~
- ~~vi) Supervise the inspection of all supplies and equipment to assure conformance with specifications.~~
- ~~vii) Document and maintain records as needed for the efficient operation of the Purchasing System.~~
- ~~viii) Verify that all purchases are made with adequate approvals and appropriation balance.~~
- ~~ix) Report all procurement transactions and associated agreements to the board as part of the budget report at least quarterly.~~

## Part III: COMPETITIVE BIDDING REQUIREMENTS

A single procurement shall not be divided into multiple, smaller procurements, including dividing an invoice or purchase order into multiple purchase orders or invoices if it is done with the intent to fall

below certain thresholds to avoid the use of other procurement processes that would be required for a single procurement without the division. The total value of a contract over the entire term of the contract determines the procurement threshold.

The Procurement Officer may, at any time, request information before initiating a procurement process by publishing a Request for Information on the Utah Public Procurement Portal (UP3) and the ULCT website.

Cost-plus-percentage-of-cost contracts and cost-reimbursement contracts are prohibited subject to exceptions under Section 63G-6a-1205(5)(6) of the Utah Code.

All ULCT contracts shall include, but not be limited to, the following standard terms and conditions:

- All contracts shall be subject to annual appropriation of funds.
- All contracts shall allow termination by either party with proper notice and/or payment.
- All contracts shall prohibit disclosure of non-public records as defined under Utah law.
- The term of a contract shall not exceed five (5) years unless it is determined that a longer-term contract is necessary and in the best interest of the ULCT. The reasons for an extended term shall be in writing and maintained by the Procurement Officer.

Before entering into a construction contract the Procurement Officer shall have authority to require a performance bond in such amount as it shall find reasonably necessary to protect the best interest of the ULCT. The form and amount of said bond shall be described in the solicitation of quotes, request for proposals, or notice inviting bids.

Except as hereinafter provided, purchases of ~~supplies~~ procurement items and letting of contracts shall follow one of the following procedures:

- A. **Minimal Purchase** – No solicitation process is required for items when 1) the individual procurement items ~~that~~ cost less than \$1,000; 2) the total procurement purchase is less than \$5,000; and 3) the total spend per fiscal year is less than \$50,000 ~~for any supplies, and/or nonprofessional Services, but only with prior approval of the Purchasing Agent.~~ This rule cannot be used for ongoing, continuous, and regularly scheduled procurements that exceed the annual cumulative threshold. ~~ongoing services.~~
- B. **Small Purchase** – This section applies to the procurement of supplies, nonprofessional services, professional services, event services, building improvements, construction work and construction related supplies subject to the limitations in this section. This rule cannot be used for ongoing, continuous, and regularly scheduled procurements that exceed the annual cumulative threshold.

Three quotes (by phone, email, or online) are required when:

1. Purchases of supplies or nonprofessional services are more than one thousand dollars (\$1,000) and have a total value of not more than five-ten thousand dollars (~~\$105,000.00~~), but only with prior approval of the Purchasing Agent.
2. Purchases of construction work and building improvements, and construction related supplies haveing a total value of not more than twenty-five thousand dollars (~~\$25,000.00~~), but only when such purchase is approved in writing in advance by the Executive Director and Purchasing Agent.
3. Purchases of professional or event services haveing a total value of not more than fifty thousand dollars (~~\$50,000.00~~), but only when such purchase is approved in writing in advance by the Executive Director and the Purchasing Agent.

~~Any purchases of professional services under this section shall be formalized using an agreement, and such agreement shall state the minimum terms necessary to protect ULCT interest.~~

**Solicitation and Award:** Purchases shall be made by soliciting ~~bids-quotes~~ from no less than three (3) ~~businesses vendors~~:

a. For purchases of supplies or nonprofessional services, the ~~businesses vendors~~ shall submit telephone, electronic or written quotations to meet ULCT described needs. Award shall be made to the ~~business vendor~~ offering the lowest acceptable quotation.

~~be.~~ For construction work, including building improvements, ~~and construction related supplies~~ the ~~businesses vendors~~ shall submit telephone, electronic or written quotations to meet ULCT described needs, and if requested by the ~~Purchasing Agent~~ Procurement Officer, shall submit qualifications in the manner described ~~below~~ for professional services. Award shall be made to the qualified ~~business vendor~~ submitting the lowest acceptable quotation.

~~cb.~~ For professional or event services, the ~~Purchasing Agent~~ Procurement Officer shall prepare a brief statement of needs. The ~~Purchasing Agent~~ Procurement Officer may communicate this statement to the businesses in writing, electronically or verbally, and the businesses shall submit their qualifications ~~and pricing~~ to meet the described needs. Award shall be made to the ~~business vendor~~ presenting the best overall ~~qualifications and~~ value to ULCT.

~~c.~~ For construction work, including building improvements, the businesses shall submit telephone, electronic or written quotations to meet ULCT described needs, and if requested by the ~~Purchasing Agent~~, shall submit qualifications in the manner described for professional services. Award shall be made to the qualified business submitting the lowest acceptable quotation.

C. **Informal Purchase** - This section applies to the procurement of supplies, nonprofessional services, professional services, event services, building improvements, construction work and construction related supplies subject to the limitations in this section. Three quotes (by phone or email) are required when:

1. Purchases of operational ~~or construction related~~ supplies or nonprofessional services are more than ~~ten five~~ thousand dollars (\$105,000) and not more than fifty thousand dollars (\$50,000.~~00~~).
2. Purchases of construction work, construction related supplies, and building improvements (not including architectural and engineering services) having a total value of more than twenty-five thousand dollars (\$25,000) and not more than one hundred thousand dollars (\$100,000.~~00~~).
3. Purchases of professional or event services are more than fifty thousand dollars (\$50,000) and not more than one hundred thousand dollars (\$100,000.~~00~~).

**Solicitation and Award:** The process for informal purchases shall be the same as provided in Part III Section B for small purchases, except that informal purchases must be approved by the Executive Director and informal purchases of construction work, construction related supplies, professional services, or event services under this section shall be formalized by an agreement.

~~Informal purchases shall be 1) approved in writing by the Executive Director and the Purchasing Agent; 2) a formal agreement between the vendor and ULCT is executed; 3) the Executive Board is notified via email of the signing of the agreement; and the Board of Directors is notified at its next meeting~~

D. **Formal Purchase** - This section applies to the procurement of supplies, nonprofessional services, professional services, building improvements, construction work and construction related supplies subject to the limitations in this section. Formal solicitation process is required ~~(e.g. Invitation to Bid, Request for Proposal, Statement of Qualification) are required~~ when:

1. Purchases of supplies or nonprofessional services are more than fifty thousand dollars (\$50,000).
2. Purchases of professional or event services and construction work, construction related supplies, and building improvements having a total value of more than one hundred thousand dollars (\$100,000.00).
- ~~3. Purchases of building improvements are more than the standard state bid limit (\$49,072 plus lesser of 3% or CPI for each year after).~~

E. **Formal Procurement Solicitation Processes**

~~Formal purchases require a competitive, sealed, public notice request which shall be published online for a minimum of 7 days on U3P and shall be 1) approved in writing by the Executive Director and Purchasing Agent; 2) a formal agreement between the vendor and ULCT is executed; and 3) the Board President to write a letter of concurrence.~~

The Procurement Officer may cancel any formal solicitations or reject any or all bids or proposal responses in whole or in part as may be specified in the solicitation when it is in the best interest of the ULCT. The reasons for cancellation or rejection shall be made a part of the ULCT record.

1. Request for Proposals (RFP) Notice requesting proposals shall include a description of the supplies, services, or improvements to be purchased, and the objective and subjective criteria on which the purchase shall be based. Published notices requesting proposals shall be published for at least seven (7) business days on the Utah Public Procurement Portal (UP3) and the ULCT website.

**Evaluation Committee** The Procurement Officer shall appoint an evaluation committee of at least three members to evaluate proposals using the objective and subjective evaluation criteria stated in the RFP. The Procurement Officer shall ensure that a member of the evaluation committee does not have a conflict of interest with any of the vendors submitting proposals. The evaluation committee will not have access to information relating to the cost of the proposal until after the evaluation committee submits independent scoring based on individual scores of all criteria other than cost. At the conclusion of the evaluation process, the evaluation committee shall prepare and submit to the Procurement Officer their independent scoring. The Procurement Officer will factor in the cost based on the weight given to the cost criteria.

**Rejection of Proposals** The Procurement Officer shall reserve the right to accept or reject all proposals or any portion thereof and waive any deficiencies in the proposal in the interest of the ULCT.

**Award of Contracts** Except as otherwise provided herein, contracts shall be awarded by the Procurement Officer, based on the independent scoring of the evaluation committee and weighted costs.

**Performance Bonds** Before entering into a contract the Procurement Officer shall have authority to require a performance bond in such amount as it shall find reasonably necessary to protect the best interest of the ULCT. The form and amount of said bond shall be described in the notice requesting proposals.

**Creating a List of Approved, Qualified Vendors** The Procurement Officer may create a list of approved, qualified vendors by following the Request for Proposal Process provided above. The Procurement Officer will establish the criteria, including but not limited to, minimum qualifications and cost.

**1-2. Invitation for Bids (IFB)** Notice inviting bids shall include a general description of the supplies, services, or improvements ~~articles~~ to be purchased, and the objective criteria on which the purchase shall be based. The notice shall state where bid ~~blanks information~~ and specifications may be ~~secured~~ obtained, and the time and place for opening bids. Published notices inviting bids shall be published at least seven (7) business days before the date of opening of the bids. Notices shall be published on the Utah Public Procurement Portal (UP3) and the ULCT website.

~~i. Published Notices inviting bids shall be published at least seven (7) business days before the date of the opening of the bids. Notices shall be published on the Utah Public Procurement Portal (UP3).~~

~~2. Bid Opening Procedure~~ Sealed bids shall be submitted as designated in the Notice with the statement "bid for (item)" bid number, time and date on the envelope. Bids shall be opened by the Purchasing Agent in public (online or in person) at the time and place stated in the public notice. A tabulation of all bids received shall be available for public inspection during regular business hours for a period of not less than that required by law.

~~3. Rejection of Bids~~ The ~~Procurement Officer~~ Purchasing Agent shall reserve the right to accept or reject all bids or any portion thereof and waive any deficiencies in the bidding in the interest of the ~~League~~ ULCT.

~~4. Award of Contracts~~ Except as otherwise provided herein, contracts shall be awarded by the ~~Procurement Officer~~ Purchasing Agent to the lowest responsive and responsible bidder, ~~best value bidder, or in the appropriate instance, to the best responsive and responsive bidder whose bid meets the requirements and criteria set forth in the request for bids.~~

~~5. Tie Bids~~ If two or more bids received are for the same total amount of unit price, quality and service being equal and if the public interest will not permit the delay of the re- advertising for bids, the League shall accept the lowest bid made by and after negotiation with the Tie bidders ~~at the time of the bid opening.~~

~~6. Performance Bonds~~ Before entering into a contract the ~~Procurement Officer~~ Purchasing Agent shall have authority to require a performance bond in such amount as it shall find reasonably necessary to protect the best interest of the ~~League~~ ULCT. The form and amount of said bond shall be described in the notice inviting bids.

## Part IV: EXEMPTIONS TO COMPETITIVE BIDDING REQUIREMENTS

### Agreements with other Governmental Entities

~~State Cooperative Contracts:~~ ULCT may obtain a procurement item directly from another public entity as defined in 63G-6a-103 of Utah Code. ULCT may obtain a procurement item under state cooperative

contract, as defined in Section 63G-6a-103 of Utah Code, or another government approved contract that results from a competitive process. ULCT may obtain a procurement item from a State cooperative contract without signing a participating addendum if the solicitation issued by the State to obtain the contract includes a statement indicating that the resulting contract will be issued for the benefit of public entities. ULCT may, in accordance with the provisions of Utah Code section 63G-6a-2105, as amended, enter into a cooperative procurement, and an agreement that is awarded as a result of a cooperative procurement with another state, a cooperative purchasing organization, or any public entity inside or outside the State. ~~ULCT may obtain a procurement item from a State cooperative contract without signing a participating addendum if the solicitation issued by the State to obtain the contract includes a statement indicating that the resulting contract will be issued for the benefit of public entities.~~

## Sole Source

A. Sole Source Procurement: Without limitation, sole source procurement may arise when:

1. ULCT needs a supply or service of a unique or specialized nature, and only one known supplier is reasonably available to meet the need.
2. Specific parts, accessories, equipment, materials, services, proprietary items or other items are necessary to meet ULCT needs, and there are no comparable items reasonably available.
3. Items are procured for resale.

B. Process: For all sole source procurements:

1. A request for a sole source procurement shall be submitted to or initiated by the Procurement Officer.~~Purchasing Agent.~~ The request shall include: a) a description of the procurement item; b) the total dollar value of the procurement item, including where applicable, the actual or estimated full life cycle cost of maintenance and service agreements; c) the duration of the proposed sole source agreement; d) information documenting that there are no other competing sources for the procurement item; and e) any other information required by the Procurement Officer~~Purchasing Agent~~; and

2. The ~~Purchasing Agent~~Procurement Officer, shall ~~place~~make a written determination ~~in the procurement file~~, after conducting a good faith review of available sources, stating why no other sources are reasonably available, or why competition would not be likely to produce other acceptable offers. Sole source procurement shall not be used only to accommodate a desire for a particular proprietary item unless ULCT has a need for such specific item, which can be justified in writing pursuant to the provisions of subsection A of this section. The Procurement Officer ~~Purchasing Agent~~ shall negotiate and use appropriate means to obtain the best price available for the item being procured.

## Procurement to meet Existing Needs

A. Existing Needs: Procurement to meet existing needs may arise when there is a need to procure matching or compatible supplies and services when other similar supplies and services would not reasonably meet ULCT needs in connection with existing equipment or facility.

B. Process: To use existing needs procurement, the Procurement Officer~~Purchasing Agent~~, shall ~~place~~make a written determination ~~in the procurement file~~ specifying the existing items, and explaining the need to match or service them. The Procurement Officer~~Purchasing Agent~~, or Executive Director, shall negotiate and use appropriate means to obtain the best price available for the item being procured.

## Procurement for Specialized Services

A. Specialized Services: Without limitation, the need to procure very specialized services, or services as a part of confidential matters, may arise when:



1. ULCT needs are of a specific and highly specialized nature, and a general solicitation would not reasonably produce a contractor who can meet those needs because of the scarcity of service providers, nature of the expertise needed, conflicts of interest, or other reason; or

2. The services relate to confidential matters, and a solicitation process might disclose or result in adverse consequences with respect to information that is private or confidential. These matters may arise in connection with legal issues, political issues, security issues, and similar matters.

B. Process: Except as otherwise provided by the Board of Directors, to procure on this basis, the ~~Procurement Officer~~~~Purchasing Agent~~, shall ~~place~~~~make~~ a written determination ~~in the procurement file~~ stating the required service, and explaining why a solicitation process would not be beneficial or would damage confidential interests. The ~~Procurement Officer~~~~Purchasing Agent~~, or Executive Director, shall negotiate and use all appropriate means to obtain the best price available.

#### Procurement for Services at Price set by ULCT

A. Services at Price set by ULCT: ULCT may solicit services through a competitive process when the cost for such services is predetermined and set by ULCT.

B. Process: Except as otherwise provided by the Board of Directors, to procure on this basis, the Procurement Officer shall post the solicitation for services on the ULCT website and document the solicitation and award processes.

#### **Procurement for Emergency**

A. The Executive Director, ~~Procurement Officer~~~~Purchasing Agent~~, or designee, may make, or authorize others to make, emergency procurement of supplies, services, or construction items when there exists a threat to public health, welfare, or safety but where a declaration of local emergency has not been issued; provided that such emergencies and public threats shall be made with such competition as is practicable under the circumstances. Procurement made on this basis shall be issued as set forth in this section.

B. Definitions: The conditions specified in this section are defined as follows:

EMERGENCY CONDITIONS: Immediate and serious needs for supplies or services that cannot adequately be addressed using normal procurement methods. Such needs may arise by reason of a natural disaster, epidemic, riot, equipment failure or other reason.

C. Process: The Executive Director, ~~Procurement Officer~~~~Purchasing Agent~~, or designee, shall examine the circumstances and determine whether they constitute a condition set forth above. If so, the ~~Procurement Officer~~~~Purchasing Agent~~, or designee, may take any action required by such condition. The ~~Procurement Officer~~~~Purchasing Agent~~, or designee, shall ~~place in the procurement file~~~~make~~ a written determination and explanation of the condition. Procurement should be as competitive as possible under the circumstances, but priority shall be given to meeting the needs of the emergency conditions or public threat. Only those supplies and services impacted by the conditions in question may be acquired under this section.

D. Declaration of Emergency: The issuance of a declaration of emergency affecting the location of the League offices shall empower the Executive Director to make emergency procurement of supplies or services, if necessary, within the context of the emergency.

#### **Unforeseen Conditions**

A. Definition: An "unforeseen condition" creates a need to procure supplies or services within time frames that could not reasonably be anticipated or accommodated under normal procurement methods.

For example, such a need may arise when ULCT must implement a change that is beneficial to the league in a time frame that will not allow normal procurement methods, and the benefit of proceeding outweighs the benefit of using processes under this chapter.

B. Process: The ~~Procurement Officer Purchasing Agent~~ shall require the employee making such a request to justify in writing why the condition was unforeseen and shall make a decision based upon the written justification as to whether the condition was reasonably unforeseen. After determining that such a condition exists, the ~~Procurement Officer Purchasing Agent~~ may take any action required by such condition and shall ~~place in the procurement file~~ make a written determination and explanation of the waiver. If the ~~Procurement Officer Purchasing Agent~~ determines that the condition was foreseen, or reasonably could have been foreseen, the procurement shall proceed under the normal provisions of this chapter.

### **Market Commodities**

The ~~Procurement Officer Purchasing Agent~~ may exempt commodity purchases when ULCT's internal, written market analysis, a copy of which shall be maintained ~~in the procurement file~~, indicates that such procurements are in the best interests of ULCT. The ~~Procurement Officer Purchasing Agent~~ shall take into account opportunities to take advantage of seasonal and supply/demand influences when determining whether to exempt commodity purchases.

### **Part V: PROCUREMENT APPEAL PROCESS**

A protest or appeal of any decision under this procurement policy shall comply with the provisions of Section 63G-6a Parts 16 and 19, provided however that the protest officer specified therein shall be appointed by the ULCT Executive Director.

### **Part VI: UNLAWFUL CONDUCT AND PENALTIES RELATED TO PROCUREMENT**

Under Section 63G-6a-2404 of the Utah Code, it is unlawful for a person who has or is seeking a contract with the ULCT to knowingly give, offer, promise, or pledge to give a gratuity or kick-back to the ULCT, the ULCT Purchasing Official, or their family member with the intent to induce the ULCT, in exchange, to award a contract, make a procurement decision, or take an action related to the administration of a contract.

It is unlawful for a Purchasing Official, or their family member, to knowingly receive or accept, offer or agree to receive or accept, or ask for a promise or pledge of, a gratuity or kickback from a person who has or is seeking a contract from the ULCT with the intent that the ULCT, in exchange, will award a contract, make a procurement decision, or take action relating to the administration of a contract.

Notwithstanding the above, it is not unlawful for a person to give or receive, offer to give, or receive, or promise or pledge to give or ask for a promise or pledge of, a hospitality gift if the total value of the hospitality give is less than \$10; and the aggregate value of all hospitality gifts from the person to the recipient in a calendar year is less than \$50.

## Upcoming ULCT Board of Directors & Vacancies for 2024-2025

Term Expires	First	Last	Title	Organization	Board Position	Board Area	Size
2026	Troy	Walker	Mayor	Draper	President	3	
2027	Kate	Bradshaw	Council Member	Bountiful	1st Vice President	2	
2028					2nd Vice President		
2025	Michelle	Kaufusi	Mayor	Provo	Immediate Past President	4	1st or 2nd Class
N/A	Seth	Perrins	City Manager	Spanish Fork	UCMA Representative	4	

Term Expires	First	Last	Title	Organization	Board Position	Board Area	Size
2025	David	Baird	Council Member	Roosevelt	Board of Directors	5	
2024	Dirk	Burton	Mayor	West Jordan	Board of Directors	3	1st or 2nd Class
2025	Dan	Dugan	Council Member	Salt Lake City	Board of Directors	3	1st or 2nd Class
2025	Jessica	Egbert	Council Member	Mapleton	Board of Directors	4	
2025	Donia	Jessop	Mayor	Hildale	Board of Directors	7	
2024	Mark	Johnson	Mayor	Lehi	Board of Directors	4	1st or 2nd Class
2024	Kari	Malkovich	Council Member	Woodland Hills	Board of Directors	4	
2024	Tawnee	McCay	Council Member	Riverton	Board of Directors	3	
2024	Logan	Monson	Mayor	Blanding	Board of Directors	8	
2025	Lyndsay	Peterson	Mayor	North Logan	Board of Directors	1	
2024	R. Scott	Phillips	Council Member	Cedar City	Board of Directors	7	
2024	Michele	Randall	Mayor	St. George	Board of Directors	7	1st or 2nd Class
2025	Mark	Shepherd	Mayor	Clearfield	Board of Directors	2	
2024	Tamara	Tran	Mayor	Kaysville	Board of Directors	2	
2024	Mary	Wintch	Council Member	Manti	Board of Directors	6	
2025	Mickey	Wright	Mayor	Torrey	Board of Directors	6	Town

Ex officio	First	Last	Title	Organization	Board Position	Board Area	Size
N/A	Brett	Hales	Mayor	Murray	Treasurer	3	
N/A	Dawn	Ramsey	Mayor	South Jordan	UEOC Appointment	3	
N/A	Pamela	Spencer	City Recorder	Vineyard	UMCA Representative	3	
N/A	Roger	Tew	General Counsel	ULCT	Ex officio	N/A	

**Current representation needed:**

*Area 8 (Carbon, Emery, Grand, & San Juan Counties)*

8 "at-large"



**TO: ULCT Board of Directors**  
**FROM: Cameron Diehl**  
**DATE: May 16, 2024**  
**SUBJECT: Re-affirm ULCT Board objectives and takeaways**

As we discussed at the Midyear Conference, ULCT staff has reviewed the Board objectives from our 2023 spring outreach and recommends renewing them. We are still updating the takeaways and the policy input from our 2024 spring outreach. We also recommend using the same key questions for our advocacy within the Commission on Housing Affordability and the Unified Economic Opportunity Commission. As such, ULCT staff intends to spend time at a future board meeting to discuss the takeaways (part 2 below) and policy priorities (part 3 below). At the May meeting, ULCT staff recommends approving:

- CHA/UEOC questions from spring 2023
  - A) How does the proposal preserve the **quality of life** of current and future residents?
  - B) How does the proposal allocate the current and future costs and ensure the **sustainability of infrastructure**?
  - C) Will the proposal result in more housing units that are more **directly affordable** to the buyer or renter?
  - D) Will the proposal result in more **home ownership**?
- Part 1 below, objectives as amended

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**TO: ULCT Board of Directors**  
**FROM: ULCT Advocacy & Engagement Staff**  
**DATE: May 12, 2023**  
**SUBJECT: Takeaways from board members from the April meeting, member input from caucuses/slido/surveys, and updated Board of Directors objectives.**

#### **Part 1: Board of Directors Objectives**

##### **Ongoing:**



- 1) Ensure that the ULCT policy platform and priorities focus on collaborative outcomes and respect the role of municipalities
- 2) Provide direction to maximize the political capital at the capitol for municipalities
- 3) Engage with ULCT membership in the geographic regions and/or communities of commonality that you represent to unify and elevate them
- 4) Ensure conferences and trainings are relevant, worthwhile, and productive for all attendees
- 5) Ensure League operations are accountable, efficient, and transparent
- 6) Target membership dues to cover 95% of ongoing nonconference operations and personnel costs by FY 2024 and beyond

## Part 2: Board breakout takeaways

### 1) Advocacy

#### A) Capitol-facing:

- General messaging
  - What is the problem that we are trying to solve? (prism)
  - One size misfits all, particularly in land use (prism)
  - Unfunded mandates/chipping away of local revenues (prism)
  - We need time to implement what the legislature has passed
- Tactics
  - Make “quality of life,” affordable home ownership, and sustainable infrastructure a the focus of our advocacy (UEOC questions)
  - Show metrics about infrastructure (scope, cost, etc.) (UEOC questions)
  - Be proactively solution oriented with local flexibility and don’t fight everything (UEOC questions)
  - Show legislators how #citieswork to solve problems—basics on land use, budgeting, infrastructure costs, public safety, etc.—so that they don’t have to run bills
  - Have more difficult discussions at LPC; use Board to prioritize topics
  - Show detailed breakdown of impacts of bills by city class (LPC, survey, etc.)
  - Use different communication tools
  - “We as a group are too nice”

#### B) Member-facing:

- Give members direct assignments at interim and session (DIDs at LPC) to facilitate relationship-building year-round
- Educate members on worst-case alternatives if we are not proactively solutions-oriented
- Use different communications tools as appropriate and necessary, including:
  - Grass roots tools to our members to engage the public on bills (residents as League Army)



- Fight “political cover;” we would have acted differently but for preemption
  - Use the media to tell our story (e.g. surplus, preemption)
  - Social media platforms/press releases
    - “give me some memes and I’ll use them”
  - City council meetings (IADUs in Bountiful, SAP in Draper)
  - [Urge our members to play hardball](#) with endorsements of legislators, others in [2024](#)
- Educate city leaders on the legislative process and historic successes
- 2) Engagement (caucus report, survey report)
- Connect board members with ULCT members and legislators in their regions
  - Enhance training for planning commissioners
  - Provide training for [ULCT-focused Disagree Better/Dignity Index program civility, meeting etiquette, unified message for all cities](#)
  - Utilize clustering data (closer look at cities by growth trends)
- 3) Operations
- Help small cities with their operations, [primarily through the Local Administrative Advisor \(LAA\) program](#)

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### Part 3: ULCT membership policy input from the 2023 Midyear Conference

There are five caucuses: cities of the first and second class, established midsize, rapid growth, traditional rural towns, and resort communities. Topics included flooding/disaster preparation strategies, legislative issues, and what “quality of life” means in different communities.

#### Land Use, Housing, and Growth

1. **Homeownership:** participants across caucuses expressed concerns about reduced opportunities for homeownership. One common theme was a concern about institutional investors purchasing large volumes of homes and converting them to rentals. Those units are subject to rent increases, which displaces residents and undermines a sense of community. Participants identified liability insurance rates and statutes of limitations for condos as an obstacle to developing condos instead of rentals. The conversion of residential units to short-term vacation rentals undermines local government housing efforts. Fractional ownership is a growing problem in resort communities.
2. **Ensure affordability:** government incentives and cost reductions offered to builders and developers should result in direct affordability for the buyer or renter.
3. **Implementation:** cities need time to implement recently passed bills and determine whether new approaches are working before changing them again. It’s difficult to calibrate policies for success when the underlying requirements are changing constantly.
4. **Respect the role of local government:** cities control the plan, not the market outcome. The MIHP model of potential solutions instead of specific mandates is a good approach.





5. **Resource sharing:** allow local government redevelopment projects to share housing set aside regionally. This enables small project areas to without sufficient resources to contribute to a regionally significant housing project.
6. **SB 174 implementation:** rural communities are very interested in a template for updating subdivision ordinances.
7. **Redevelopment barrier:** Alcohol licensing is a helpful economic development tool. The community location proximity requirement can be an obstacle.
8. **Building design standards:** HB 1003 restricted municipal authority to impose aesthetic design requirements of residential construction. This affects communities who leverage unique community appearance for tourism and economic development.

### Transportation

1. **Alternative transportation options:** existing roads cannot handle higher traffic volumes. Communities are seeing more congestion. Many cities want expanded transportation options.
2. **State transportation resources, local planning:** local governments are best situated to determine the specific needs in their communities. For example, free fare transit works well in some communities and not others. Some communities need more transit access points, others need improved/enhanced access points to increase ridership. Some east bench communities in Salt Lake County do not have direct transit access to employment areas.
3. **Electronic micro mobility:** Some communities are having difficulty educating guests and residents about safe/appropriate places to ride electric bikes, scooters, and other micro mobility devices. People frequently ride on the sidewalk and create dangerous conditions for pedestrians.

### **Slido results from the Friday general session, in response to the question of “what policies do you want the legislature to consider on housing and growth?” (numbers are the quantity of responses that ULCT staff grouped together)**

- Let locals lead (local decision-making/local control) (55)
- Growing frustration with builders/developers, particularly those in the legislature (22)
- Give local governments time to implement existing laws before passing new ones (14)
- Partner on infrastructure (14)
- Partner, don't preempt (14)
- Preserve local planning/zoning (12)
- Help with funding (10)
- Owner occupied housing (10)
- Deregulate cities (5)
- Re-enable local building code/design standards (5)
- Ensure affordability is passed to owners/renters (4)
- Pass state or enable local tenant protections (3)
- No DIDs/LIDs/PIDs (2)
- One size misfits all (2)
- Consider the impact on current residents (1)