

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL LEGISLATIVE WORK SESSION HELD THURSDAY, MARCH 3, 2022, AT 9:00 A.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD**

**Members Present:** Mayor Mike Weichers, Council Member Douglas Petersen, Council Member Scott Bracken

**Staff Present:** City Manager Tim Tingey, Records Culture and Human Resources Director Paula Melgar, Finance and Administrative Services Director S. Scott Jorges, Network Administrator Matt Ervin, Community and Economic Development Director Michael Johnson

**City Lobbyists:** Greg Curtis, Brian Allen, Chantel Nate

**Excused:** Council Member Ellen Birrell, Council Member Shawn E. Newell

**1. Welcome and Determination – Mayor Weichers.**

Mayor Mike Weichers called the meeting to order at 9:02 a.m. and welcomed those present.

**2. Legislative Update and Discussion with City Manager, Tim Tingey, and City Lobbyists Mr. Greg Curtis, Mr. Brian Allen, and Ms. Chantel Nate.**

City Lobbyist, Brian Allen, presented the Legislative update and stated this Legislative Session has been interesting due to the focus and movement of funding.

Policy items still being discussed included House Bill 440, the Homeless Bill, which is near the top of the Senate’s second reading calendar. The Utah League of Cities and Towns (“ULCT”) has been working on variations to the Bill and changes could be forthcoming. He believed they were working toward a positive solution. The fail-safe language details a square footage allotment that allows for one homeless person per 40 square feet of a facility. Existing facilities will need to reach that number at which time there will be a preference to utilize motels or hotels initially as temporary shelters.

Mr. Allen reported that House Bill 442 is also near the top of the Senate reading calendar.

House Bill 462 regarding Housing Affordability has been negotiated heavily and Mr. Allen believed it was near the end. Representative Waldrip was trying to build a consensus and believed it will pass out of the Senate. City Lobbyist, Greg Curtis, noted that they need to remain cognizant of the Statute when reviewing transit hubs associated with the Canyons and other developments to avoid it being used against the City at that time.

House Bill 151, the Retail Facilities Amendment, was on the second reading calendar on the Senate and likely to pass.

House Bill 474, Municipal County Land Use Development, was pulled by Representative Waldrip who will continue working on it in the interim.

House Bill 303, Downsizing Notice Amendments, was on its second Senate reading. Mr. Allen noticed a third substitution but had yet to review the changes.

House Bill 305, Bonneville Shoreline Trail Program, passed the Senate. It was amended and was currently on the House Concurrence Calendar. It was expected to pass out of the House.

House Bill 357, Eminent Domain Appraisal Amendments, was amended in the Senate Committee to allow for the defendant or property owner to waive the appraisal if they wish to speed the process along.

House Bill 476, Local Agricultural Regulations, addressed statewide preemption for any type of commercial animal-related development. Mr. Allen stated that they are opposing the Bill. They have been in communication with Senators and found that most are opposed. It was not being prioritized and there were efforts to prevent the Bill from being heard.

Mr. Allen explained that the Garrity Bill will be prioritized on a list and is expected to be placed at the top and passed.

Council Member Petersen raised a question regarding the Bonneville Shoreline Trail Bill and the allocation of funds. Mr. Allen stated that this is a natural resource Bill that includes the Bonneville Shoreline Program. It is intended to allocate funds to acquire property to complete the trail. The program was designed to fill gaps in the trail to ensure that it is fully connected.

In response to a concern with the Secondary Water Bill, Mr. Allen explained that any existing secondary water system that is not currently metering may qualify for a grant that would allow a recovery of 70% of the cost of installation. He confirmed that the penalties were reduced and changes do not allow any of the grant money to go toward a system that expands or starts after April 1, 2022. He had discussions with water groups who have addressed heavy allotment with those with heavy use. It was believed that a tiered fee will generally reduce consumption. He emphasized the seriousness of water shortage issues and stated that the \$200 million allocated is the highest line-item appropriation for any single issue.

Mr. Curtis reported that the Legislature intends to designate significant funds to the Utah Department of Transportation (“UDOT”) with the majority to accelerate and prioritize existing projects. During the 2021 Legislative Session, there was \$12 million to \$14 million in the Quarter of a Quarter Fund. Rather than try to capitalize that fund, they statutorily determined that based on population, sales tax, and other political factors, money was directed to cities. Mr. Curtis reported that Cottonwood Heights currently receives \$400,000 per year for 15 years. Spending was reviewed. The intent is to capitalize on the State Infrastructure Bank where a municipality or political subdivision can approach UDOT and request its revenue stream be capitalized on for specific projects.

City Manager, Tim Tingey, reported that the City has utilized the funds for road infrastructure projects. They previously discussed the need for capitalization and an Interlocal Agreement with the State but decided against moving in that direction. The City has focused on road projects, especially with upcoming rebuild projects.

Mayor Weichers thanked the City Lobbyists and asked that they keep the City apprised informed regarding House Bill 440.

**3. Adjourn.**

**MOTION:** Council Member Petersen moved to adjourn. The motion was seconded by Council Member Bracken. The motion passed with the unanimous consent of the Council.

The Work Session adjourned at 9:35 a.m.

*I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Legislative Work Session held Thursday, March 3, 2022.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes Approved: March 22, 2022