

**Commission on Housing Affordability**  
**Minutes for October 14, 2020**  
Electronic Webinar - Via Zoom

**Members Present**

Senator Jacob Anderegg  
Representative Joel Briscoe  
Representative Val Potter  
Ben Hart  
Beth Holbrook  
Chris Gamvroulas  
Grant Whitaker  
Jaycee Skinner  
Janice Kimball  
Jeff Jones  
Julie Humberstone  
Matt Dahl  
Michele Weaver  
Mike Akerlow  
Mike Gallegos  
Mike Ostermiller

**Representing**

Senator  
Representative  
Representative  
Economic Development  
UTA  
Utah Homebuilders Association  
Utah Housing Corporation  
Salt Lake Chamber  
Housing Connect  
Summit County Economic Development  
Policy Analyst with LRGC  
Utah Redevelopment Association  
Rural Community Assistance Corporation  
Community Development Corporation of Utah  
Salt Lake County  
Summit County Economic Development

**Staff Present**

Jonathan Hardy	Director, HCD
Holly Taing	HCD
Rebecca Banner	HCD
Keith Heaton	HCD
David Fields	HCD
Elias Wise	HCD
Christina Davis	HCD
Tricia Davis	HCD

**Visitors**

Danielle Stevens  
Peter Asplund  
Austin Kimmel  
Dave Spatafore  
Ashley Spatafore  
Angela Price  
Bill Tibbits  
John Drew

Karson Eilers  
LaNiece Davenport  
Melia Dayley  
Michelle Larsen  
Pauline Zvonkovic  
Shule Bishop  
Steve Erickson  
Susan Olson  
Tara Rollins  
Meredith Roberts  
Kaitlyn Pieper  
Michelle Flynn  
Michael Parker  
Otelo Reggy-Beane  
Andrew Gruber  
Francisca Blanc

### **Welcome and Introductions**

The Commission on Housing Affordability meeting was held electronically via Zoom on October 14, 2020. Senator Anderegg called to order at 10:03am.

### **Review of the OPMA guidelines (see attached)**

### **No Public comments**

**Approval of September 23, 2020 Minutes** – Motion by Rep. Val Potter. Motion carries.

**Senator Anderegg:** We'll go ahead and start with the report from the working group with Dave and Ashley Spatafore.

### **Ashley Spatafore:** (See attached)

Thank you again for having us and allowing our work groups to continue to develop some possible proposals for this commission, if you remember last time we had a lot of different options from our 3 groups, we had landlord/tenant reform and eviction law modifications, housing production and preservation and rental assistance. We've limited it down to one concept for each of these subgroups and these are the proposals that we want to dive into a little deeper to see if we can get some traction, get your feedback and to see how to potentially move forward. I will start out with the landlord/tenant reform and eviction law modifications, the one thing that our group got a little bit of feedback from you all the last time was some sort of expanded mediation program, we're in the process of putting together a little more detailed proposal but we're not quite ready to present that, but we wanted to give you an update that we're working on a mutually beneficial program for landlords and tenants, something that expands something that we already have that could be a state wide program and we'll also include a

little bit of legislative strategy, we have our rough draft that we put together that we can present at the next meeting, so we'll jump to housing production and preservation proposal and I'll let Dave take the lead on this.

**Dave Spatafore:** (See attached)

Thank you, I appreciate the opportunity of presenting, one of the things I'd like to add on to the mediation that Ashley mentioned is the goal of the group is to make it mutually beneficial to both landlords and tenants, a year ago Senator Cullimore made a presentation to United way saying there are roughly in Salt Lake County, 400 evictions a month and 80% of the evictions state wide are financial only, so what we want to do with that mediation is a couple of things, we want to focus on the financial only and if there are other reasons, like criminal activity or nuisance issues then that wouldn't be part of the mediation but if its financial only, it benefits both the landlord and the tenants to do mediation which allows the tenants to stay in the unit. I know mediation is going to cost money because someone has to pay for it and the reason why we're not quite there yet is, we've put some concepts together and now we're trying to figure out what cost is and maybe a cost benefit ratio, so that's what we're working on. As we move over to production and preservation, our group has worked primarily on the housing reinvestment zone and I know that Jess has sent our document out to everyone and I'd like to highlight some key points on the housing reinvestment zone. What we're trying to do is put together a systematic approach to how this would work realizing this is relatively a new concept, so we're trying to identify a legislative frame work for the housing reinvestment zone that is effective and that can actually reserve and resolve its intended purpose. We've had transportation reinvestment zones now for a couple years but we haven't had one created, it's great to say we've done something and great to say it's in the books and part of the Utah code, and great to say we're progressive but if it can't be accomplished and we can't hit the goals then all we're doing is spinning our wheels and frustrating people who expect for something to be done, so how do we get this worked? What we're thinking right now is it may be a twostep approach, the first year put in the frame work together and start dipping our toes so to speak in two or three of the issues and put everything on paper to make it more effective and useful down the road. Who creates and HRZ? Is it a municipality, county or the state? Who administers it? Who participates?

**Senator Anderegg:** Yeah, I had this big discussion yesterday on TOD's and TRZ's about why nobody's stepped up to the plate to do this and it still comes down to the old model so say you were to set up an inner local agreement with 6 cities around these several TOD's and you set up and HRZ, without there being kind of a State component to help drive it, there's really not the incentive on a city level for them to do something, unless they're doing it and it's a captured audience in just the one TOD right in their own area, in which case are you getting enough out of your value added capture from that one area to justify doing what? Because the cost associated with let's say, electrification of the existing line or potential expansion of existing services of new rail lines or whatnot is so absorbent the amount you would get from a single site is problematic being able to utilize that and justify a tax increment large enough to repay a bond or public private partnership investment or whatnot and so we don't have under this scenario this TRZ, we don't have it worked out yet unless, and this is something Senator Harper and I discussing later today, do we set up a TRZ across the entire 110 mile section, that's goes

into let's say, the TIF where those funds can be utilized on a systematic approach with prioritized projects that we hit through, where we have UTA and UDOT on board, I think that would probably be the first time that we would see a TRZ implemented, in my mind the HRZ is somehow overlaid on top of the TRZ concept and I want to be careful that we're not cannibalizing ourselves but we figure out what the tax increment amount would be, and how it would be administered and this is what I wanted the working group discussion to be is, how do we put that together so that we can write the policy and to actually have something that comes to play. Are we complicating it when we don't quite have the alignment right with the TRZ's in the first place?

**Dave Spatafore:** Senator, you're absolutely right and from a municipal perspective why would a city want to create a TRZ when a CRA is more beneficial to them? So what we want to do here with an HRZ is make sure that this is put together in a way that it can be utilized and your discussion leads to the next point, which is how will the revenue be generated?

**Senator Anderegg:** Hold on real quick, I know that Beth Holbrook needed to weigh in on this real fast.

**Beth Holbrook:** I just wanted to add a couple things to what Senator Anderegg was saying in terms of the funding mechanisms established for TOD's. On the TOD's side, he's right about these projects are very very expensive, even bus rapid transit and the UVX line for instance was 200 million dollars, so when you create a zone that's going to do a capture, how we look at it as an organization that receives federal funding is we look at whatever that portion is, that it's going to be a local match because that's where we can go in and do federal funding, I just want people to understand that it is the local match portion that this would theoretically cover, whether it's a TRZ or an HRZ just to clarify that. The other thing I wanted to talk about and put it out there, this whole dialog about the TIF and having that structure in place that says, a city that doesn't want to contribute and cities that do around it, how do we manage that and suggestion and thought to kind of look at this is, if you can look at TRZ and say, what's the regional impact, maybe that could be something of analysis and I don't mean regional as our entire region of UTA but that particular region irregardless of city boundaries.

**Dave Spatafore:** You know Beth, maybe we call it multi-governmental

**Senator Anderegg:** Yeah because in theory you could set it up under inner local agreement between let's say, a section of the tracks line with 5 different cities participating but therein still lies the problem, so if I'm talking about Draper, Sandy, Bluffdale, and Lehi, there are haves and there are have nots when it comes to a tax increment there, even though the whole line benefits.

**Dave Spatafore:** As you mentioned the tracks line, I also want to remind us all that we can do bus lines as well because we changed that definition in SB34 and we ought not look away from an area that doesn't have a tracks line if it has access or can have adequate better bus service, so as we look at those questions, we need to take a better look at how we can put this together, so how will the revenue be generated, if its solely going to be like a CRA then why create an HRZ, that makes no sense because you've got the CRA as the tool, also with revenue generation, is it property tax financed, is it sales tax

financed, how can we put all that together? If its property tax financed, I can guarantee you based of what's happening with CRA and as a CRA a lot of school districts don't want to fund housing, so how can we either encourage schools to participate if its property tax or how do we look at other revenue streams, and those are key things that we have to deal with and at least with the first year, we can put together a formatted matrix of how the statute looks and put it into code, for example maybe we look at who administers, we look at how its created and then we look at some of the responsibilities and duties. The first thing is to create a vacant and/or underutilized property and building database, if we utilize Wasatch reginal council and utilize Mountain lands and UTA, we take this and point to where the tracks lines are and bus routes and say whatever State agencies and school districts and ask what properties are along these transportation routes that are vacant or underutilized and then create that database and then utilize that database and the next part, right now in order for any government to divests itself of unused or underutilized property, right now they have to get fair market value and we may want to change that in statute to allow the divesture property for less than fair market value if the difference between fair market value and what they're divesting the property of, is what part of the funding stream, to fund housing on that location along that transportation route.

**Senator Anderegg:** There is probably one other aspect we need to throw on this for Rural and I don't know how we do this but counties of the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> class should or could in doing their evaluation of this potential surplus property, they would need to have some sort of designation that was a little bit broader when we talk about fixed guide rails, dedicated bus service areas under BRT or a contractual dedicated bus service, I would imagine that most of the main streets through some of the places like Richfield, they become that transit investment corridor which we define for Rural in SB34, however there isn't a bus service, there isn't a fixed guide rail so we need to think through Rural on top of this of how they would designate what it would look like, so say within a certain area of this main street they would then qualify under, for lack of a better term setting up a straight HRZ on property and if you couple that HRZ with the surplus property where we're talking about what you just discussed then how does that look like, that's what I would like to do from today's discussion, is put together a working group to really flush out and dive into the weeds and what that needs to look like, on Rural, along the Wasatch front, in Washington County, up in Cache County and how we make sure that what the policy we tailor can meet the terms and conditions with the unique nuance that's going to happen and making sure we are meeting those tailored needs.

**Dave Spatafore:** Great point Senator, the next thing we want to do is create an intelligence ranking system, somethings similar to UTA's prioritization of land development, categories can include access to opportunities, jobs and services etc, access to increased walkability like retail or other activities and access to transportation, or opportunities reducing transportation needs and you know one of the things we're going to have to do and you know I'm a city government guy, how can we provide governmental incentives for the individual governments to sell their property or to deed their property if the legislature passes and why would they participate in an HRZ, we'll need to identify a large enough incentive for the project to be created and for the governmental partners to be created, how can you incentivize any city to participate, how? You incent with revenue and what happens now is, what if an HRZ you encourage municipalities or counties to allow for higher density and say those residents in an

HRZ may count for 10 people on population distribution of BNC road funds or sales tax, cities you play ball here, you effect the density and you still have to provide more of the infrastructure services but you benefit in the long term because now if they're 1,000 residents in that multi-family housing, now it counts for 10,000 or if you have 200 people, now it counts for 2,000 or some sort of multiplier.

**Ashley Spatafore:** One thing to throw in there, is to make sure that it's really achieving what it's supposed to, is the deed restriction because there has to be so many units that they are deed restricted for a certain level of affordability.

**Senator Anderegg:** Can I just ask a question real quick, if we're going to set up this HRZ that has a financial incentive component, likewise we're going to put on it the land use requirements that would allow a city or multiple cities under an inner local agreement to set up this HRZ, so they get the benefit but they also have to do these things like, reduce the number of parking stalls or whatever going down that list of what it needs to be with a higher density component and tying the two together, is that what you're suggesting?

**Dave Spatafore:** Without trying to offend my friends at the League of Cities and Towns, Yes.

**Senator Anderegg:** Which I think can be done but we'll need to bring the league with us and say, we're not forcing a city to do this, but if we're going to do this then here's the benefit it is to the city, the benefit it is to the housing stock but here are the requirements that would need to be under this scenario for you to be able to participate this way and we just need to work through the cities so that they understand what the requirements would be and there will be cities that will be good with that.

**Michele Weaver:** Thank you. David you said that TIF and transportation dollars are the only thing and I don't know what's in legislation right now but what about broadband and I realize in the city, it's not much of an issue as it is in rural area's but I think there's probably some lack of capacity going on even in urban areas, so I'm wondering if that could be tied to the incentive?

**Dave Spatafore:** Michele, I think any incentives we could provide to encourage development in an HRZ's along transportation routes, we ought to consider.

**Michele Weaver:** I don't know if there's legislation in place right now or if there's state dollars that are going towards broadband but I really think that's an important aspect when we think about the changing landscape and I know that rural areas are really struggling with broadband, they just don't have the same capacity.

**Beth Holbrook:** There was some changes to legislation in terms of a public transit agency and counties of the 3<sup>rd</sup> class, right now in UTA's area that is Box Elder and Tooele County only that are the 3<sup>rd</sup> class, they are allowed to have some type of expanded options to have discussions with a public transit agency, which ever that may be so think about St. George and Washington area and they are allowed to have options in their transit discussions, and this could be an excellent segway for those more rural and I

recognize that a class 3 county's probably not traditionally rural but it is an expansion of that, so I just wanted to bring that to attention because that can ultimately help some of these communities.

**Dave Spatafore:** The last two points I want to make that if any of these things were put together, land is sold or given at less than fair market value, there has to be deed restriction with some of the units and we have to figure out how that relationship is because we have to allow for, how many units are deed restricted and for how long and we also need to consider in this new legislation, is this only for new development or is this also to preserve existing housing, so all of those should be on the table.

**Matt Dahl:** I think there's some really good stuff here, especially around the idea of identifying those properties and the ranking of them, the one thing I also think needs to be considered as we look at these issues, often times we end up putting multi-family with affordable housing into areas that don't have access to parks and schools and I know as we're talking about transit that its already a big step but I think providing tools to help integrate and do neighborhood development around the housing associated with this will also be important, one of the challenges we do see with CRA is that we have to go to the different taxing entities and ask them to participate in our project and every one of those taxing entities have different goals and objectives and not all of them are economic development, community development and neighborhood development, for example in Midvale, we have a fire district who are great partners but they have different concerns. As Dave said, many of the school districts indicate that they don't want housing to be built and it makes it harder to use that tool to achieve the infill type neighborhood development, as we look at this one and if there's a way to integrate those other supporting development infrastructure around that housing, I think that would be really useful as part of the project.

**Dave Spatafore:** Matt, you raised a couple of issues that we need to put on that matrix and that's access to schools, parks, other amenities and those are key ingredients because there's no sense in putting this together in a commercial center if there's nothing else for these folks to do with a walkable neighborhood.

**Senator Anderegg:** You almost need to have an analysis on the index on the matrix that helps us prioritize these surplus properties, under the scenario of commercial centers with schooling and recreation and the truth is, that's going to limit the number of projects that are going to be the low hanging fruit, like if we say there's 2,000 surplus properties but really there's only seven that are ideal throughout the state of Utah but then we can categorize what's the next tier and the tier after that and we can tailor the policy around certain divisions of things so that we're really meeting those nexus of those things. I want to ask Matt, isn't the CRA process currently opened to municipality city wide or are they constrained under certain parameters that they have to fit in these types of scenarios?

**Matt Dahl:** A CRA can be created in any part of a city, different sizes etc. typically the biggest restriction is getting the partners to participate and fund the projects that need to be done.

**Chris Gamvroulas:** As I've been listening to the conversation, a couple things occurred to me and one thing is, if some of this development is done and if we're talking about incentivizing a redevelopment area, you don't really have to do much incentivizing if you've got a commercial center that is de-flunked and the idea years ago is, if you can redevelop a commercial center with housing just as long as a portion of it was set aside for some kind of modern income housing and it could be done by right. I think there are some nuances when we help dig into this but I don't see the CRA thing being the biggest obstacle, I see municipalities having to give away a development authority by right in some instances.

**Senator Anderegg:** I will say with the benefit of the commission, obviously since September 23<sup>rd</sup> I haven't been very legislatively active with COVID and everything like that, I am looking at next week which is interim week for us and potentially having a working group of a select few of you with the League of cities and towns with our drafting attorney either Thursday or Friday the 22<sup>nd</sup> or 23<sup>rd</sup>. Like what we did with SB34, we need to put a working group together with our drafting attorney where we'll take these ideas and put them down to the drafting attorney and really start working out what the language looks like, so we can come back in our subsequent meetings and really start looking at language and give the details of what we're intending it to do.

**Ashley Spatafore:** So I wanted to touch on the last thing which is the financial assistance subgroup, one thing we've been talking about over and over again is this program of housing assistance program and is created by the state legislature with the COVID Cares Act dollars, first it was SB3006 then modified to SB6009 which added that other portion that allows a landlord to seek rental assistance for a renter and the last we've heard with the program is that everyone is struggling to keep up with all the requests that have been coming in, I think that's indicative of a rental assistance program and can be a very useful tool. What we're thinking is to continue to monitor how this CARES Act rental assistance program is doing, how it's operating, what the benefits are, who's accessing it and where the money is going and do that through December because that's how long the program will currently run. We are seeing an opportunity and this could be a really great spring board to generate a program that is focused to help both landlords and tenants instead of saying it's just a rental voucher program or rental assistance program for renters, it is a rental assistance and a financial assistance that can be used by both renters and landlords, I think we could potentially work together with say the apartment association to take this as a pilot and transition it into a potentially future program, whether it's a general state rental assistance program or a targeted rental assistance program. If this program is being utilized and the landlord is accessing funds that there are not additional fees being added onto the tenant that could potentially get them evicted at the end of the program, so if we could clarify a few of those things. What we are asking really is, can we look at this program and monitor it for the next couple of months and come up with some things to streamline and simplify and improve the program, and if there's an appetite for it then create a state rental assistance program once the COVID dollars run out and that's what we're looking at and we think there needs to be a real strong legislative and political strategy working with the apartment association or any of the other organizations that we could work hand in hand to create a program that's beneficial to both parties.



**Senator Anderegg:** This is one of those that has some political issues with it and not because people aren't recognizing what the issues are but the problem we're having politically is between the individuals and the issues they're dealing with that are causing them to be displaced and the weight of the typical landlord who in most cases, doesn't own their own property outright, they usually have their own mortgages on the property and they have to meet a payment schedule with their lending institutions and what not, so it's this trickledown effect and trying to balance what those two are looking for where the money is, and the money going for this is all money from the CARES Act that's going to have to be spent all by December, so whatever happens federally then we need to be able to function independently no matter what. We need to look at this as a Utah's solution and figure out what a funding source could be. One of the problems that myself, Rep. Potter and Rep. Briscoe ran into last session on SB39 was quite literally, in a republican dominated legislature is we're setting up the biggest entitlement program the states ever done with rental assistance with 5million dollars and so on and it was almost a non-starter within our republican caucuses and I'm not doing you any services to pretend that, that wasn't the discussion and that was the buzz saw we ran into, so as we have these conversations, for me a solution has to generate around a funding source that we can go, "that could work" and until we can figure out what a funding source might look like that, that could work from, I'm going to have a hard time selling it to a super majority republican caucus in the house and the senate.

**Ashley Spatafore:** We very much understand and I think some of the data we're looking at is really, what evictions do to landlords right, I mean unpaid rent, property taxes and there's a huge trickledown effect for landlords if people are not paying their rent and that's what we're trying to look at and another interesting thing we're looking at the data is the people that are evicted, how many of them go directly to the homeless resource center and what is the cost of someone staying overnight in a resource center for 12 days vs. a monthly stipend, so we get it and if we can identify a revenue source then that's the goal but we want to throw it out there because we do see merit in a rental assistance program and we see whether it's people staying in their homes and what else their money could be used for, like keeping the economy going and all these things, we know how big of a hurdle it would be but we do see the current COVID CARES Act the federal dollars, we are seeing what the impact does for rental assistance program and what the impact is on a local level.

**Senator Anderegg:** Do we not have an annual report on these issues of the data that you're talking about and the status because it would be really nice to show a monthly displacement and what the numbers are, to have an assessment of an add on cost associated for those displaced people and then gets brought back to different committees, such as annually we put in a requirement, the data's collected, the report is put together and then it helps answer these x amounts of key variables that we can then come back and see how're we doing.

**Ashley Spatafore:** It similar to think about when Senator Kitchen had his bill the mitigation plan last year and initially it was, if you get rid of the housing unit then you've got to replace the housing unit and it was too expensive and just died on its own because of what the cost would be, but what we did was step back and started with a report with how much housing we're losing and maybe that's what we do here as a first step of putting together a framework of what data points we actually need to create the

report and to be sure not to duplicate it but maybe we can go back and work on 5 of 6 different data points that really help to show the breakdown and details of it.

**Dave Spatafore:** If we use this project using the CARES Act funding as a pilot project and if we utilize it to get whatever data we can and what we do is collect all that data and show the quantifiable benefits and in addition to you Senator, Rep Potter, Rep. Briscoe and we have Senator Hamrick who was the senate sponsor of SB6009 and Rep. Spendlove who was the house sponsor of SB6009 and now we can have more advocates to try to come up with a program that can keep Ostermiller and apartment association making money by keeping people in apartments and show the benefit to the general tax payer.

**Jonathan Hardy:** If I could chime in on this and I think it's great that we're thinking about this but I can tell you most people who face an eviction crisis, do not show up to the homeless shelters in very short order, there is usually several steps beyond that, that happen and a lot of people resolve their situation whether they go live with someone else and we don't have hardly any information about people who are evicted and currently tracking the other associated costs which I know are many but we do have a way to find out if people showed up at the homeless shelter because for the most part, we capture that information, we don't have a lot of that matching data of people that are experiencing housing crisis so I think that is an important gap to recognize and it's important to understand that the cost we'll really be selling on, there's a lot of them before they even show up to the homeless shelter and are probable more relevant to that particular conversation and most people have some sort of a safety net or social support system that helps them out before they end up at the homeless shelter.

**Senator Anderegg:** I think it's also important to share with the commission that I'm also the sponsor of the homeless shelter coordinating council bill that Rep. Eliason and myself are running that bill, I'd be happy to recommend a data collection requirement if we can analyze what the hurdles would be and collecting the data and the source points and things like that.

**Michele Weaver:** I think we just need to be careful and I hear what you're saying about that trickle-down effect to landlords who have a bill that they need to pay as well so they're wanting to keep people in the homes but a couple weeks ago before the CDC mandate there was a big influx of evictions and those primarily came from big organizations that have a ton of property so when we're thinking about this, it's really important that we aren't just feeding those huge property management companies that are evicting people and that don't need someone in their property to pay their monthly bill, and I wanted to add on and I believe in the data collection realm, there's been some analysis done on cost of homelessness vs. cost of being in a home and I'd like Tara Rollins to correct me if I'm wrong but I do believe that there is some data out there that discusses this very point.

**Tara Rollins:** Just a couple things and I know Jonathan is probably aware but we're adding whether or not if someone shows up at the shelter if they have been evicted in the last 6 months and the HMIS team has been working on some HUD information that they have to have in the database, so this is kind of taking a back seat for a little bit but they assured me in November that it would be up and running, that they'd be asking that question and I think that's important, We also have another non-profit that is

able to track some of this information whether or not people are going to the shelters and we have some of that data, so I would hope in the next month that the data will come out to the group as well, it'll be small data but good data because it's going to come from the courts and from a lawyer and so there are some mechanisms that are put in place that is tracking that information.

**Senator Anderegg:** I think it might be beneficial as well to have part of the Spatafore's working group to have a session to bring these different partners together to analyze who's originating the data, meaning who's collecting the information, how's it being put into the HMIS system or system we might need and making sure the data that's being collected is meeting what we're looking for, and if not then possibly contemplating the input of what information in addition to other things that might need to be collected and possibly in policy putting together a reporting requirement based upon that information. I understand what I'm suggesting is incrementalism but this is our process, if I have the good data and whether we do it now in this bill or in separate bill from now or we start getting the data compiled.

**Dave Spatafore:** Senator if I may, what we ought to do is start working on the data with our group and then maybe try to encourage others and start with a core group and expand if we need but the data collection as indicated and you so smartly grabbed is the key if we're able to continue with any sort of rental assistance.

**Senator Anderegg:** Dave and Ashley if that concludes your portion of today, moving on, we've got Andrew Gruber who had some comments or questions regarding your presentation.

**Andrew Gruber:** The comments I have are related back to the earlier portion of the conversation and I'll be brief here, the emphasis that this group is placing on coordinating the location of housing and transportation and as Matt said other amenities, mixed use development etc. I think it's a really good policy framework for us to continue focusing on and the more we can have that mix of uses and the coordination of infrastructure, the more value that is actually going to be generated in areas, the more access people are going to have and to that point, we've been talking a lot about data in this conversation and we have a really rich source of data of spatial location and those different components and measuring the access to opportunities, measuring the relationship and how people are able to get from home to job to shopping to open space etc. As we go forward when we think about policies, let's make sure we're bringing that information about data so we don't just encourage x type of housing to occur anywhere if people aren't going to have access to jobs or critical services, so let's think about that relationship and try to make sure development happens in the right place.

**Senator Anderegg:** Thank you and with that, we will move on to Rep. Briscoe and Michele Weaver with the new sub-committee group for Rural and Michele if you will just give us a quick dialogue as to who needs to be on that group what specific things are we going to task that group to dive into, to come back with policy recommendations, Michele what are your thoughts as to what this group will do as part of honing the Rural aspect of this needs to look like?

**Michele Weaver:** I have a list of about 20 individuals that include Mayor Niehaus from Moab, Olene Walker Representatives, Dustin Jansen from the Director of Indian Affairs, some non-profit developers as well as a for profit developer and state director for USDA and basically what the intent is twofold, considering the proposals that are currently being put into place, in front of presented like the HRZ and I appreciate that you brought up how the main street needs to be expanded and broadened for the rural communities to be able to take advantage as well and you all have heard me for 3 years now say over and over that rural communities are all different, Vernal doesn't look anything like Moab and Park City doesn't look anything like Richfield and their all different but there are some commonalities like lack of capacity for development, lack of materials and financing and so determining the ones that are most common and which ones are the lowest hanging fruit that we can tackle. I'm hoping that Mayor Niehaus and Commissioner Wells who are both on this list can help us bring in additional commission and other political leaders from smaller areas, so we can get a good sense of what's needed.

**Senator Anderegg:** That's good, I want to make a quick recommendation to you and first and foremost you need to have the right people at the table and it sounds like you've already thought through that process and I'd like for you to share that via email to Jonathan Hardy and maybe discuss extending an official invitation to serve on this and also doing your best to keep it to a condensed group as much as possible and secondly, I'd say what you discussed is both broad aspects of rural needs that need to be kind of an ongoing discussion with this group but specific to what we're talking about for the policies of this legislation, we want to look at this next general legislative session and I think we need to get this group to discuss what TRZ looks like in rural, what the designation requirements would need to be upon a transit investment corridor and do they need to modify for what we did in SB34, what aspect of how we would access for a surplus property and so it's those specific discussion that I'd love to see if you could fair it out on what that looks like between now and January 25<sup>th</sup>. One more thing, I'd like to motion that we designate you Michele Weaver as the chair of the Rural Subcommittee group.  
~ Motion passes unanimously.

**Jonathan Hardy:** I think it would be really helpful for Michele and maybe she already has an idea on this but we don't really have a definition around Rural but I want to make sure she understands the scope of the issues of dealing with Rural and sometimes rural means not the Wasatch front, sometimes it means counties of a certain class and Michele did you have an idea of what you think you're trying to address from a rural perspective or is there some direction that we could probably think of in that regard?

**Michele Weaver:** With the original rural subcommittee that was formed in the first year of this commission, we discussed that as a group and that was definitely an agenda topic and there are about half a dozen different definitions for rural, so from anywhere between HUD, USCA, the State but I think what we had determined was anything outside the 6 heavily populated counties in Utah, which would be Utah Salt Lake, Weber, Washington and Davis but my only concern is there are some areas in Washington county that are rural and I hate that to leave any out but definitely the 5 counties along the Wasatch front. I just wanted to touch on another thing and that's the changing environment and we're really looking at a change in landscape for the whole nation I think, and people love Utah but they don't love the congestion that comes along with the Wasatch front and I think more people will be moving

outside of the Wasatch front and are going to be taking advantage of those more rural, more quiet areas and these areas are planning for that and not just becoming some kind of sprawl of poor infrastructure in housing and I think this rural subcommittee could address those things.

**Senator Anderegg:** I think that would be great and if there is a list you could create on what you want to tackle first and keep us informed on what those are, as well the long term issues you want to address, so as we look at those specific policy issues, we're looking at the general needs of rural and as a commission we can make sure that we are working with you as we guide the policy discussion.

**Rep Val Potter:** Thank you and just a point of clarification and some point of information, I know you mentioned 5 counties and Michele, I would really love to see you focus on all the counties in Utah with the exception of Weber, Davis, Salt Lake and Utah County and at this stage with Cache and Washington they are up and coming into the 2<sup>nd</sup> class but I'd like to see them still considered as rural and that may change next year but at this point, include them and see what happens.

**Senator Anderegg:** As a chair, that's a motion without objection if you'll focus on all the counties except those 4 counties and the rest of this group will focus on them in addition to rural.

**Michele Weaver:** Rep. Potter, I wanted to ask a question regarding you mentioned that Cache and Washington are up and coming into the 2<sup>nd</sup> class, is there an annual review of that or can I leave it 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> class now because that would then compass both Washington and Cache Counties.

**Rep Val Potter:** There's a little bit of discussion going on right now, we passed a bill last session that changed the 2<sup>nd</sup> class to 140,000 people so that took Cache County and left them as a 3<sup>rd</sup> class county for now, to get things in order and put their plan to become a 2<sup>nd</sup> class county, and I believe Washington County is in the same situation but they'd be right on the border to a 2<sup>nd</sup> class county if they aren't already but they still have a lot of rural issues and the housing issues in both Cache and Washington are such that we should consider them for this special committee.

**Senator Anderegg:** It's also important to note that we modified not only the 3<sup>rd</sup> class going into the 2<sup>nd</sup> class but we also modified the 2<sup>nd</sup> class going into the 1<sup>st</sup> class because Utah County is pushing 700,000 and I think we increased it to 750,000 so that we can keep Utah County in the 2<sup>nd</sup> class, primarily because there's something like 175 statutes that effect only counties of the 1<sup>st</sup> class and there's only county of the 1<sup>st</sup> class and that's Salt Lake County and so any other county that becomes the county of the 1<sup>st</sup> class, all these things that were really tailor made for Salt Lake County now becomes effective to Utah County and so for the time being, let's keep the 3<sup>rd</sup> county classification where they are and the 2<sup>nd</sup> county classification where they are because the moving up of them are going to cause a headache when it comes to fixing the statute.

**Michele Weaver:** That brings up a really good point and there's a couple things I wanted to ask and was maybe instead of making it counties, making it cities but however; based on what you just said Senator,

I'm wondering what might be a better approach is USDA's approach which is rural in characteristic which essentially means that the services that are not available in an Urban area.

**Senator Anderegg:** I think Beth Holbrook might have an input on this.

**Beth Holbrook:** Thank you Senator, I was going to suggest that Brandy Grace with the Utah Association of Counties being incorporated in this and I think they could give some really good insight for these specific counties, I know that's a taxing level but I also think they can make that connection to the cities as well or at least give some perspective.

**Senator Anderegg:** Seeing that we only have a few more minutes, we need to assess what it's going to take to do a full fledged inventory across the state because in my mind what I had originally envisioned was all of the state property that is controlled by DCFM, all of the state property that is controlled by UDOT, all of the county property and who's going to do the county assessment, all the city properties and who's going to do that and how long is it going to take for us to do that? I know that UDOT has over 10,000 parcels throughout the state and doing a statewide assessment of what that looks like, and where they're located and if they fit in that matrix, how long is it going to take for us to do something like that? My concern is jumping the gun a little bit with our policy and contemplating the fact to doing this type of statewide inventory could take a year or two, in which case identifying where that low hanging fruit of potential properties are may be 24 months or further out. The second is we do have a procurement domain aspect in current statute and we'll have to think through the policy and how to modify it.

**Rep. Joel Briscoe:** Just a question that maybe someone could answer, would the county assessor, would their databases and some of the bigger counties be capable of marking those parcels? I'm guessing along the Wasatch front they'd have some fairly sophisticated GIS systems.

**Senator Anderegg:** Rep. Briscoe, can I assign you to find out that answer?

**Rep. Joel Briscoe:** Sure, I'm happy to.

**Senator Anderegg:** Any other thoughts or comments to this?

**Jonathan Hardy:** I'll just mention that, I'm not sure we're the right agency to do it but I think when we come back together in a couple weeks, we'll give it some thought and maybe talk to some other agencies to see if there's an efficient way to do this and I'm sure the assessors have a lot of the information and I'll take an assignment to think about some good options for when we come back together in a couple weeks.

**Senator Anderegg:** Seeing no other comments or questions, I'd like to personally thank all of you for today's meeting and somewhat of a deep dive we were able to do, thank you for your time and efforts and dedication, it's truly making a difference.

**Motion to adjourn by Rep. Joel Briscoe at 11:55am**

**Next Meetings:** October 28, 2020 at 10:00am