



# PROVO MUNICIPAL COUNCIL

## Work Meeting

1:00 PM, Tuesday, April 28, 2026  
Provo Peaks Conference Room (Room 110)  
445 W. Center Street, Provo, UT 84601 or  
<https://www.youtube.com/provocitycouncil>

The in-person meeting will be held in the **Council Chambers**. **The meeting will be available to the public for live broadcast and on-demand viewing on YouTube and Facebook at: [youtube.com/provocitycouncil](https://www.youtube.com/provocitycouncil) and [facebook.com/provocouncil](https://www.facebook.com/provocouncil).** If one platform is unavailable, please try the other. If you do not have access to the Internet, you can join via telephone following the instructions below.

**To listen to the meeting by phone: April 28 Work Meeting: Dial 346-248-7799. Enter Meeting ID 817 4924 4830 and press #. When asked for a participant ID, press #.**

## Agenda

### Roll Call

### Approval of Minutes

March 24, 2026 Council Meeting  
April 14, 2026 Work Meeting  
April 14, 2026 Council Meeting

### Business

- 1 A resolution amending the Council Audit Committee Charter and Internal Audit Charter (26-030)
- 2 A presentation regarding conservation easements (26-026)
- 3 A presentation regarding a Slate Canyon conservation easement. (26-026)
- 4 A resolution appointing public members to a council standing committee. (26-031)
- 5 A presentation regarding the FY26 - FY27 Budgeted Revenue Comparison (26-001)
- 6 A presentation regarding the Victim Services Program (26-028)
- 7 An ordinance prohibiting virtual currency kiosks within Provo City. (26-027)
- 8 An ordinance amending power generation, evaporative cooling, and environmental reporting requirements for data centers. (PLOTA20250458)

## **Closed Meeting**

The Municipal Council or the Governing Board of the Redevelopment Agency will consider a motion to close the meeting for the purposes of holding a strategy session to discuss pending or reasonably imminent litigation, and/or to discuss the purchase, sale, exchange, or lease of real property, and/or the character, professional competence, or physical or mental health of an individual in conformance with 52-4-204 and 52-4-205 et. seq., Utah Code.

## **Adjournment**

If you have a comment regarding items on the agenda, please contact Councilors at [council@provo.gov](mailto:council@provo.gov) or using their contact information listed at: [provo.gov/434/City-Council](http://provo.gov/434/City-Council).

Materials and Agenda: [agendas.provo.org](http://agendas.provo.org)

Council meetings are broadcast live and available later on demand at [youtube.com/ProvoCityCouncil](http://youtube.com/ProvoCityCouncil).

The next Work Meeting will be held on Tuesday, May 12, 2026. The meeting will be held in the Council Chambers, 445 W. Center Street, Provo, UT 84601 with an online broadcast. Work Meetings generally begin between 12 and 4 PM. Council Meetings begin at 5:30 PM. The start time for additional meetings may vary. All meeting start times are noticed at least 24 hours prior to the meeting.

### **Notice of Compliance with the Americans with Disabilities Act (ADA)**

In compliance with the ADA, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting are invited to notify the Provo Council Office at 445 W. Center, Provo, Utah 84601, phone: (801) 852-6120 or email [kmartins@provo.gov](mailto:kmartins@provo.gov) at least three working days prior to the meeting. Council meetings are broadcast live and available for on demand viewing at [youtube.com/ProvoCityCouncil](http://youtube.com/ProvoCityCouncil).

### **Notice of Telephonic Communications**

One or more Council members may participate by telephone or Internet communication in this meeting. Telephone or Internet communications will be amplified as needed so all Council members and others attending the meeting will be able to hear the person(s) participating electronically as well as those participating in person. The meeting will be conducted using the same procedures applicable to regular Municipal Council meetings.

### **Notice of Compliance with Public Noticing Regulations**

This meeting was noticed in compliance with Utah Code 52-4-207(4), which supersedes some requirements listed in Utah Code 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at [agendas.provo.org](http://agendas.provo.org). Council meeting agendas are available through the Utah Public Meeting Notice website at [utah.gov/pmn](http://utah.gov/pmn), which also offers email subscriptions to notices.

# PENDING APPROVAL - DRAFT MINUTES

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.



## PROVO MUNICIPAL COUNCIL

### Regular Meeting Agenda

5:30 PM, Tuesday, March 24, 2026

Council Chambers (Room 100)

445 W. Center Street, Provo, UT 84601 or

<https://www.youtube.com/provocitycouncil>

1

#### Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Councilor Becky Bogdin	Councilor Craig Christensen
Councilor Gary Garrett	Councilor Travis Hoban
Councilor Katrice MacKay	Councilor Rachel Whipple
Councilor Jeff Whitlock	Deputy Mayor Kyle Friant
Chief Administrative Officer Scott Henderson	Council Executive Director Justin Harrison
City Attorney Brian Jones	City Recorder Heidi Allman

Conducting: Chair Katrice MacKay

2

**Prayer** – Doug Robins

3

**Pledge of Allegiance** – Chair Katrice MacKay

4

#### Presentations, Proclamations, and Awards

5

#### 1 A ceremony recognizing the Provo City employee of the month (26-007) [00:02:02](#)

6

Tad Smallcomb, Acting Director of Energy, introduced Mr. Alfonso Cardenas as Employee of the Month. He noted that Mr. Cardenas joined Provo Power in 2012 with extensive experience in electrical work and engineering. Mr. Smallcomb highlighted Mr. Cardenas' contributions to improving system automation, including implementing technologies that help monitor the electrical system and reduce the impact and duration of outages. He also noted his work in upgrading communication systems and advancing other infrastructure improvements. Mr. Smallcomb stated that Mr. Cardenas is a dedicated and solution-oriented employee who consistently supports both staff and customers. He expressed appreciation for his efforts and congratulated him on the recognition.

15

#### 2 A ceremony recognizing Provo City's Epic Sports Park as the Utah Sports Complex of the Year (26-007) [00:06:26](#)

16

Mr. Dan Farnes, Senior Director of Fields and Grounds for Real Salt Lake and President of the Intermountain Chapter of the Sports Field Management Association, presented the Sports Complex of the Year award to Epic Sports Park. Mr. Farnes stated that the park was selected from five entries and recognized for its high-quality, well-designed fields, including sand-based construction that supports proper drainage and playability. He also commended staff for their work in maintaining and operating

21

# PENDING APPROVAL - DRAFT MINUTES

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.

22 the facility since its opening. Mr. Farnes presented the award to staff and congratulated them on the  
23 recognition.

24  
25 Rylin Patterson, Sports Complex Manager, expressed appreciation for the award and stated it was an  
26 honor to receive the recognition in Provo. He acknowledged the many past councils, mayors,  
27 employees, and partners who contributed to the development of the Epic Sports Park. Mr. Patterson  
28 invited those involved in the project to stand and join for a group photo.  
29

### 3       **A presentation of a \$1,000,000 contribution from the Metropolitan Water District of Provo to support the new drinking water treatment plant project (26-007) [00:11:26](#)**

30  
31 Ryan York, Water Division Director, introduced Dan Johnson and provided background on the  
32 Metropolitan Water District of Provo. He explained that the District was established in 1938 to assume  
33 the debt obligation for Deer Creek Reservoir and has since played a key role in supporting Provo City's  
34 water system. Mr. York noted that the District has contributed to water supply efforts through  
35 purchasing canal shares, supporting well development, and helping finance projects such as Big Springs  
36 in South Fork. He stated that the District continues to support Provo City's water needs and invited Mr.  
37 Johnson to present on the drinking water treatment plant.  
38

39 Mr. Johnson, Manager of the Metropolitan Water District, presented a letter on behalf of the District  
40 regarding support for the City's new drinking water treatment plant. He explained that the Board of  
41 Directors has had ongoing discussions with Provo City about assisting with future water needs and  
42 identified the treatment plant as an opportunity to contribute. Mr. Johnson stated that the Board  
43 unanimously approved a \$1 million contribution toward costs associated with the new drinking water  
44 treatment plant. He indicated the funds would be transferred electronically and expressed appreciation  
45 for the continued partnership with Provo City.  
46

### **Public Comment**

47  
48 Chair MacKay read the public comment preamble, opened the public comment period, and, with no  
49 comments received, closed public comment.  
50

### **Action Agenda**

51  
52       **4       An ordinance amending Provo City Code to require planning commissioners running for public office to take a leave of absence (26-006) [00:15:53](#)**

**Motion:**    An implied motion to approve Ordinance 2026-10, as currently constituted, has been made by council rule.

53  
54 Tanner Taguchi, Council Policy Analyst, presented a council-sponsored proposal brought forward by  
55 Chair MacKay and Vice Chair Christensen. He explained that the purpose of the proposed ordinance is to  
56 ensure the Planning Commission remains a non-political advisory body and is not used as a platform for  
57 campaigning during an election year. Mr. Taguchi stated that while past practice has been for  
58 commissioners running for office to voluntarily resign, the proposed change would instead require a  
59 leave of absence during their candidacy. He noted that similar provisions already exist for the

## PENDING APPROVAL - DRAFT MINUTES

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.

60 Neighborhood District Executive Board and that the Planning Commission has a higher level of meeting  
61 frequency and public engagement. He clarified that the leave of absence would begin upon filing for  
62 candidacy and would continue until the individual's campaign concludes. If a candidate is no longer  
63 running, they may resume their role on the commission. Mr. Taguchi concluded by recommending  
64 adoption of the ordinance as presented and offered to answer questions.

65  
66 Councilor Garrett asked for clarification on whether a Planning Commissioner who loses in a primary  
67 election would be allowed to return to their position and resume service on the commission.

68  
69 Mr. Taguchi responded that a commissioner would retain their seat during their candidacy and could  
70 return to service if they are no longer running, such as after losing in a primary election. He noted that  
71 there is no provision to temporarily fill the seat during the leave of absence, meaning the position would  
72 remain vacant during that time. He acknowledged concerns regarding maintaining a quorum and stated  
73 that if multiple commissioners were absent and a quorum could not be met, action by the Council or  
74 Mayor could be taken to remove and replace members as needed.

75  
76 Chair MacKay opened the item for public comment. With none, she closed public comment and invited a  
77 council discussion.

78  
79 Councilor Whitlock expressed support for the proposal and appreciation for the work put into it. He  
80 shared that, based on his own experience serving on the Planning Commission while running for City  
81 Council, the lack of clear guidance had been challenging. He stated that establishing a structured  
82 process, including the option to return after a campaign, is a positive approach that helps preserve the  
83 Planning Commission's role as a non-political body.

84  
85 With no other comments, Chair MacKay called for a vote.  
86

**Vote:** The motion passed 7:0 with Councilors Bogdin, Christensen, Garrett, Hoban, MacKay,  
Whipple, and Whitlock in favor.

87  
88 **5** **[An ordinance enacting anti-idling restrictions for certain commercial trucks. \(26-021\)](#)**  
**[00:21:23](#)**

**Motion:** An implied motion to approve Ordinance 2026-11, as currently constituted, has been  
made by council rule.

89  
90 Mr. Taguchi presented a proposed ordinance sponsored by Councilor Bogdin and seconded by Councilor  
91 Whipple. He explained that the purpose of the ordinance is to limit potential negative impacts from  
92 heavy truck idling while not discouraging truck parking within the city. Mr. Taguchi noted that due to  
93 limited designated truck parking along the Wasatch Front, drivers often use commercial lots or public  
94 roadways to take required breaks, which can create impacts for nearby residential areas. He stated that  
95 the ordinance is intended to address concerns such as noise and odors associated with idling,  
96 particularly in locations where commercial and residential uses are in close proximity. He explained that  
97 the proposed ordinance would streamline enforcement compared to the existing noise ordinance by not  
98 requiring decibel measurements and by specifically addressing idling and related impacts. Mr. Taguchi  
99 added that enforcement would be complaint-based, with a warning issued prior to any citation,

# PENDING APPROVAL - DRAFT MINUTES

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.

100 consistent with state requirements. Mr. Taguchi concluded by recommending adoption of the ordinance  
101 as written and offered to answer questions.

102  
103 Chair MacKay opened public comment. With none, she closed public comment and invited a council  
104 discussion.

105  
106 Councilor Bogdin provided additional context for the proposed ordinance, noting that the City has  
107 received complaints regarding trucks idling in various areas. She emphasized the importance of not  
108 discouraging truck drivers, as they are essential for goods and services and require places to stop,  
109 especially given limited capacity at existing truck stops. She stated that areas such as Springville and East  
110 Bay have begun to experience impacts and that the proposal is intended to proactively address concerns  
111 related to noise and diesel emissions affecting nearby residents. Councilor Bogdin expressed that the  
112 ordinance represents a balanced approach and a good starting point to address these issues.

113  
114 Councilor Whipple expressed support for the proposal and noted that the concern was initially raised by  
115 Councilor Bogdin. She shared a personal experience with a smaller refrigerated truck idling near her  
116 home, which created noticeable noise, and stated that larger trucks in commercial areas near residential  
117 neighborhoods could have an even greater impact. She emphasized concerns related to noise and  
118 localized air quality and expressed appreciation that the ordinance provides a balanced response while  
119 equipping law enforcement with tools to address resident concerns.

120  
121 Councilor Garrett asked whether trucks are permitted to leave their engines running at designated truck  
122 stops, particularly in winter conditions when drivers may need to keep warm.

123  
124 Councilor Bogdin responded that advancements in technology are reducing the need for trucks to idle,  
125 noting that alternatives are becoming more common. She stated that some truck stops, such as Flying J,  
126 are incorporating plug-in options that allow drivers to power their vehicles without running engines. She  
127 explained that while the idea of requiring additional services at truck stops was considered, it was  
128 ultimately determined not to be necessary as part of this proposal.

129  
130 Councilor Whitlock shared feedback based on discussions with his father, a truck driver, noting that  
131 newer trucks often switch from diesel engines to auxiliary power systems after a short period. He  
132 expressed support for the intent of the ordinance but suggested that a one-minute idling limit may be  
133 too restrictive. He stated that a timeframe of two to three minutes may be more practical for truck  
134 operations, while acknowledging that enforcement is typically complaint-based rather than proactive.

135  
136 With no other discussion, Chair MacKay called for a vote.

137  
**Vote:** The motion passed 7:0 with Councilors Bogdin, Christensen, Garrett, Hoban, MacKay,  
Whipple, and Whitlock in favor.

138  
**6** **[An ordinance requiring payment of civil fines to renew a rental dwelling license. \(26-022\)](#)**  
**[00:29:41](#)**

139  
**Motion:** An implied motion to approve Ordinance 2026-12, as currently constituted, has been  
made by council rule.

## PENDING APPROVAL - DRAFT MINUTES

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.

140

141 Mr. Taguchi presented a proposed ordinance sponsored by Chair MacKay and Vice Chair Christensen  
142 related to residential dwelling licenses (RDL). He explained that the ordinance would add failure to pay  
143 civil fines, accrued from zoning violations, as grounds for denial, suspension, or revocation of an RDL.

144 Mr. Taguchi illustrated the limited scope of the amendment through several examples. He stated that a  
145 property owner who resolves a violation promptly and does not incur fines would not be impacted.  
146 Similarly, a property owner who remains out of compliance would see no change, as existing code  
147 already allows for denial or revocation of a license. He explained that the primary impact would be on  
148 property owners who correct a violation but fail to pay any associated civil fines, who would now be  
149 subject to potential denial or revocation of their license. He added that the amendment is intended to  
150 incentivize timely payment of fines and strengthen the City's position during appeals by clearly  
151 identifying nonpayment as a basis for enforcement.

152

153 Councilor Whitlock asked if this ordinance could incentivize faster compliance.

154

155 Mr. Taguchi responded that the impact may vary depending on the property owner's circumstances, but  
156 emphasized that the potential loss of a residential dwelling license serves as a significant incentive to  
157 both come into compliance and pay outstanding fines. He explained that if a license is revoked and the  
158 property owner continues to operate the rental, additional violations and fines could accumulate,  
159 further increasing the financial and legal consequences.

160

161 Councilor Whitlock noted for the benefit of the public that, as discussed in a prior work session, the City  
162 may work with property owners who have accrued significant fines by establishing a payment plan. He  
163 asked for confirmation that if a property owner is in compliance with such an agreement, they could still  
164 retain or obtain a residential dwelling license.

165

166 Mr. Taguchi confirmed that property owners who are working with the City on an approved payment  
167 plan and making efforts to address outstanding fines would not be subject to denial or revocation of  
168 their residential dwelling license. He clarified that the ordinance is intended to apply in cases where a  
169 property owner refuses to pay outstanding fines despite the City's efforts to work with them.

170

171 Chair MacKay opened public comment. With none, she closed public comment and invited a council  
172 discussion.

173

174 Councilor Christensen expressed support for the proposed ordinance, stating that it clarifies existing  
175 expectations rather than creating an additional penalty. He noted that the changes help simplify  
176 enforcement and ensure that individuals who are not following established rules are held accountable.

177

178 With no other discussion, Chair MacKay called for a vote.

179

**Vote:** The motion passed 7:0 with Councilors Bogdin, Christensen, Garrett, Hoban, MacKay,  
Whipple, and Whitlock in favor.

180

### Adjournment

181

182 The meeting was adjourned by unanimous consent at approximately 6:08 PM.

*Please note: These minutes have been prepared with timestamps linking the agenda items to the video discussion.*



# PROVO MUNICIPAL COUNCIL

## Work Meeting Minutes

12:00 PM | April 14, 2026  
Provo Peaks Conference Room (110)  
445 W. Center Street, Provo, UT 84601

### Roll Call

Council Chair Katrice MacKay, conducting  
Council Vice-Chair Craig Christensen  
Councilor Gary Garrett  
Councilor Jeff Whitlock  
Councilor Becky Bogdin  
Councilor Travis Hoban  
Councilor Rachel Whipple  
Mayor Marsha Judkins

### Approval of Minutes

The March 24, 2026 Work Meeting Minutes were approved by unanimous consent.

### Business

A presentation regarding the FY2027 Budget: Airport [00:01:05](#)

Airport Director Brian Torgersen presented the FY2027 budget for the airport. The budget includes several key changes from the previous year: addition of three full-time firefighters that were added mid-year to maintain FAA compliance for Aircraft Rescue and Firefighting (ARFF) requirements, moderate increases to several line items in anticipation of new terminal operations by the end of FY27, a request for a full-time systems analyst position, and promotion of a part-time administrative assistant to full-time.

Director Torgersen reported that the airport achieved over 540,000 passenger enplanements in 2025, representing a 20.4% increase from the previous year. He is confident that this will put them well within small hub status range. March 2026 was their busiest month ever with over 103,000 passengers. The airport added three non-stop routes: Raleigh, North Carolina (starting October), Las Vegas, and Burbank.

Key accomplishments included completing construction of the terminal apron, beginning construction of North Taxiway Charlie for 12 additional private hangars, and installing automatic exit lane doors to eliminate the need for dedicated TSA monitoring.

The airport is effectively at full 5-gate capacity during peak periods, the current work could bring it to 8 total gates, ultimate practical buildout is around 12 gates, and they may still be about \$10 million short of completing the full envisioned expansion.

Councilor Whitlock inquired about the airport's fee structure compared to other airports. Director Torgersen explained they are extremely low compared to Salt Lake City and rank as the sixth lowest in Allegiant's entire network. The airport is planning to take over payment of the Durant property purchase from the general fund, with four years remaining on that obligation.

The airport operates as a self-sustaining enterprise with revenues looking strong, though they face challenges with increasing fuel prices affecting airlines. Director Torgersen confirmed they should be able to handle the additional financial obligations if current trends continue without requiring significant rate increases.

#### A presentation regarding the FY2027 Budget: Power [00:38:09](#)

Interim Energy Director Tad Smallcomb and Management Analyst Charlie Little presented the power department budget. The department's goals focus on being the most reliable power provider while maintaining fiscal responsibility and environmental stewardship. They reported no injuries or vehicle accidents this fiscal year and maintain healthy cash reserves with 189 days cash on hand.

The department is currently rebuilding the Gillespie substation, replacing transformers from 1964 with newer, higher-capacity equipment. They also started the Draper substation project and implemented a new 5-year strategic plan tracking system. Over the past 10 years, they have invested over \$70 million in capital projects to maintain system reliability.

Charlie Little detailed the financial aspects, noting they are recommending fee and rate increases to align with cost of service. The department has 65% of operating costs going to UMPA for power purchases, which they cannot control. Personnel costs represent 14% of the budget, and the department has streamlined from over 100 employees to 69.

A significant challenge is the changing power market, where UMPA can no longer contract a year ahead for power sales due to market volatility. This created uncertainty in budgeting, but they kept power costs flat rather than incorporating unpredictable market sales revenue.

The proposed rate increases include no changes for residential customers, 4% increase for small commercial customers (about \$20/month average increase), 7% increase for large commercial customers (about \$1,700/month average), and 10% increase for BYU industrial service (about \$71,000/month increase).

Councilor Whitlock questioned whether projected 2% annual increases would be needed in future years. Little explained this depends on continued cost pressures, though they hope to avoid year-over-year increases. A cost of service study will help determine fair distribution of any future increases among customer classes.

The department also proposed fee increases, including banner installation/removal fees and parkway strip tree fees, with the tree fee increasing to \$510 to better cover actual costs.

### A presentation regarding the FY2027 Budget: Library [01:13:21](#)

Library Director Carla Gordon reported the library has successfully balanced its budget for FY27 and ended FY25 with a \$424,000 surplus. The ending fund balance improved from around \$1.5 million to nearly \$2 million, representing about 36% of their operating budget.

For FY27, the library needs to replace one elevator and their boiler, planning to use \$140,000 from the library legacy endowment and requesting a \$285,000 appropriation from the ending fund balance. They have \$1.8 million in unfunded future CIP needs over the next five years, including additional elevator work, air handlers, parking structure improvements, and brickwork.

The library has increased fundraising efforts, though not budget-changing amounts, and conducted a comprehensive staff efficiency audit. They launched the "ABC This Book's for Me" initiative to help patrons find appropriate materials and implemented evaluation processes for programming.

Director Gordon addressed concerns about reduced circulation, attributing a 10% decrease to the 10% cut in materials budget from two years ago. They cut streaming services (\$40,000 total for music and video), receiving significant community feedback requesting restoration of video streaming services.

Councilor Whitlock inquired about the endowment, which generates approximately \$100,000 annually in good interest rate environments. The endowment has historically been used as needed for major projects, with the goal of maintaining the principal at \$2 million while using interest for building maintenance.

The library board, rather than the city council, technically approves the library's budget, though there was some discussion about the exact authority structure under state code.

### A presentation regarding the FY2027 Budget: Parks and Recreation [01:40:14](#)

Interim Parks and Recreation Director Foster Watabe presented the department budget, emphasizing their responsibility to residents and noting only two supplemental requests.

**Peaks Ice Arena** operates at 98% booking capacity and is 100% self-sustaining with 109% cost recovery. They're preparing for 2034 Olympics hosting with state assistance and had a record-

setting revenue year. The arena hosts about seven tournaments annually, generating approximately \$5 million in economic impact.

**Sports and Epic Sports Park** requested a part-time sports coordinator for additional programming including pickleball, ultimate frisbee, and rugby. The fees would cover employee costs with no net budget increase. The complex generates approximately \$18.5 million in economic impact and operates at 80-90% evening utilization, though they maintain one field open for community use.

**Recreation Center** performance measures show declining membership and revenue compared to previous years, attributed to increased competition from Spanish Fork's new recreation center, Springville's facility, and other fitness options. The center remains self-sustaining by adjusting expenses to match revenues, though they face challenges meeting their target cost recovery.

**Covey Center** receives approximately \$500,000 in subsidy plus RAP tax funding. They're focusing more on rentals versus performances due to disappointing ticket sales for major shows, despite high-quality productions. They've secured sponsorship and donor support and plan partnerships with renters for next year's season rather than city-funded programming.

**Cemetery** requested \$14,000 for their water line item budget and conducted 311 interments this year while hosting Memorial Day celebrations and wreath-laying ceremonies.

**Golf Course** is performing well with nearly 100,000 rounds expected this year, generating about \$4.5 million in economic impact through tournaments. They completed facility improvements including new driving range netting, 100% electric golf cart fleet, renovated sand bunkers, and use zero gallons of culinary water.

**Parks and Grounds** continues maintaining increasing acreage efficiently without additional requests, utilizing over 3,500 volunteers contributing \$184,000 in value and recording over 460,000 trips to Provo River Trail.

Councilor Bogdin questioned charging for Epic Sports Park parking, which only occurs during certain tournaments as negotiated contractually.

A presentation regarding the RAP tax [02:22:54](#)

Parks Project Manager John Bunderson presented the RAP tax distribution, addressing previous council questions about funding breakdown. The RAP tax historically averaged \$1.5 million annually over the past 10 years, enabling over 100 park capital improvements affecting 21 existing parks, 5 new parks, 10 playground replacements, 15 restroom improvements, and 6 miles of trail work.

With the renewed tax now generating approximately \$2 million annually, the department targets 18% for arts (increased from 12%), including \$330,000 for Covey Center improvements, \$75,000 for community arts grants (increased from \$25,000), and \$10,000 for library art gallery (new allocation).

The department leverages internal funding sources with grants, contributing \$13 million in local funds over six years to generate \$27 million in additional grant funding, accomplishing over \$40 million in projects.

Councilor Bogdin questioned the library receiving five times their previous arts grant allocation, suggesting \$10,000 was excessive compared to their historical \$2,000 awards. The allocation was made to avoid the library having to apply competitively for funds they consistently requested for art exhibits.

Discussion ensued about the Arts Council's role in reviewing grants versus predetermined allocations, with clarification that community arts grants continue going through the Arts Council while specific allocations like the library's art gallery funding are predetermined.

### A presentation regarding debts and revenues [02:44:39](#)

Administrative Services Interim Director Daniel Follett presented the city's debt portfolio as of June 30, 2025. The city maintains excellent credit ratings, with most issuances rated AAA or AA+, reflecting strong financial management. Utah municipalities are generally well-managed and conservatively operated, with Provo leading within the state.

The debt includes general obligation bonds for the recreation center and city hall/fire station 2, both refinanced in 2017 saving taxpayers approximately \$2.8 million. Telecom sales tax bonds from 2004 that financed the fiber network later operated by Google Fiber were recently paid off.

The city maintains various revenue bonds for utilities and airport improvements, all backed by respective system revenues. Fire apparatus and golf course equipment are financed through tax-exempt leases, while golf carts use regular lease arrangements.

Director Follett emphasized the city continually monitors refinancing opportunities, though current interest rate environments are unfavorable. The city maintains very low debt levels compared to state-allowed limits and receives consistently positive rating agency feedback.

Councilor Bogdin noted the city operates well below both debt and taxation limits allowed by state law, indicating efficient financial management. Rating agencies regularly review the city's financial position and consistently provide positive assessments.

### A presentation regarding property tax [03:01:24](#)

Council Executive Director Justin Harrison presented property tax information, explaining that property tax rates are calculated as prior year revenue divided by taxable property values. As property values increase, rates automatically decrease to maintain flat revenue minus new growth.

Provo residents pay approximately 60% of property tax dollars to the school district, with only 14.6 cents of each dollar going to Provo City. The city's portion breaks down into three

categories: library (0.000419 mill rate), general operations (0.000534 mill rate), and bonds (automatically calculated).

Compared to other Utah cities, Provo's general operations rate is very low. The library uses 42% of its state-allowed cap rate, while general operations uses only 7.6% of the maximum allowed rate.

Harrison reviewed recent legislative changes from HB 236 requiring additional transparency when proposing property tax increases, including impact schedules, separate agenda items, and specific notification requirements. These changes apply to any tax increase proposals between May 1 and June 13.

General fund revenues come primarily from sales tax (30%), with property tax representing only 8% of general fund revenue, making property tax a more stable but smaller revenue source compared to volatile sales taxes.

**A resolution appropriating \$75,000 in the General Fund for an economic development study for the fiscal year ending June 30, 2026 [03:23:27](#)**

Economic Development Division Director Cody Hill presented the request for \$75,000 to fund a citywide economic development study. This has been a high priority identified by city council and administration from the beginning of the year.

The Request for Proposals is currently out and closes on April 18. Twenty-six entities have downloaded the RFP, with one complete application submitted and another group indicating intent to respond. Director Hill expects most responses to arrive on the final day, which is typical for RFP processes.

The selection committee will evaluate responses based on criteria outlined in the RFP, including entity experience, longevity, and qualitative factors. Director Hill indicated that any more than 10 responses would be considered a good outcome, while all 26 would be overwhelming to review.

**A presentation regarding the Provo City and Utah Valley HOME Consortium Program Year 2026 Annual Action Plan [03:26:58](#)**

Community Grants Administrator Melissa McNalley presented the 2026 Annual Action Plan, reporting final HUD funding amounts: \$1,130,200 in Community Development Block Grant funds (slight decrease) and \$1,428,425 in HOME funding (slight increase), totaling approximately \$3.9 million.

McNalley explained the annual process including fall applications, pre-applications for HUD compliance verification, staff interviews for capacity assessment, and citizen committee scoring. The Mountain Land Continuum of Care point-in-time count showed a 34% increase in homelessness, with more unhoused families than ever before.

HOME funding allocations include the largest amount going to loan-to-own programs, with changes allowing increased down payment assistance up to \$60,000 for Provo residents through the Home Purchase Plus program. Building Beginnings receives funding for tenant-based rental assistance, particularly serving individuals transitioning from correctional facilities.

CDBG funding supports various community organizations, with final amounts slightly adjusted from initial recommendations due to funding changes. The public comment period is currently open through the city website, with public hearings scheduled for the 28th of this month and in June for final adoption.

### Closed Meeting [03:39:44](#)

Councilor Garrett moved to close the meeting to discuss the character, professional competence, or physical or mental health of individuals. Councilor Christensen seconded the motion.

**Vote:** Approved 7-0 (Councilors Garrett, Bogdin, Hoban, MacKay, Christensen, Whitlock, and Whipple all voted in favor).

### Adjournment

# PENDING APPROVAL - DRAFT MINUTES

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.



## PROVO MUNICIPAL COUNCIL

### Regular Meeting Agenda

5:30 PM, Tuesday, April 14, 2026

Council Chambers (Room 100)

445 W. Center Street, Provo, UT 84601 or

<https://www.youtube.com/provocitycouncil>

1

#### Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

- |  |  |
|--|--|
| Councilor Becky Bogdin                       | Councilor Craig Christensen                |
| Councilor Gary Garrett                       | Councilor Travis Hoban                     |
| Councilor Katrice MacKay                     | Councilor Rachel Whipple                   |
| Councilor Jeff Whitlock                      | Mayor Marsha Judkins                       |
| Chief Administrative Officer Scott Henderson | Council Executive Director Justin Harrison |
| City Attorney Brian Jones                    | City Recorder Heidi Allman                 |

Conducting: Chair Katrice MacKay

2

**Prayer** – Joanne Osmond

3

**Pledge of Allegiance** – Councilor Whipple

4

#### Public Comment

5

Chair MacKay read the public comment preamble and opened the public comment period.

6

7  
8 Joshua Johns, a Provo resident, addressed the Council regarding his two daughters, Amelia and Sophia,  
9 who he stated have been missing since July 2025 following an alleged abduction by their mother. He  
10 explained that he is the sole custodial parent and has expended significant personal resources, including  
11 hiring private investigators and attorneys, and attempting to work with federal authorities to locate  
12 them. Mr. Johns expressed concern with his interactions with the Provo Police Department, stating that  
13 he felt the responses he received were dismissive and that efforts to locate his daughters had been  
14 insufficient. He further stated that, despite obtaining a court-issued writ of assistance directing law  
15 enforcement to aid in locating the children, he was informed the matter was civil in nature and no  
16 action would be taken. Mr. Johns initially requested that the Council encourage local law enforcement  
17 to take additional action and follow established procedures for missing children cases but indicated that  
18 his confidence in that approach had diminished. He concluded by asking the Council and the public to  
19 help raise awareness of his daughters' situation and to share information through community networks  
20 and social media in hopes of assisting in their safe return.

21

22 Glen Johns, a Springville resident and grandfather of Amelia and Sophia, addressed the Council  
23 regarding the ongoing absence of his granddaughters, who he stated have been missing for  
24 approximately nine months. He shared concerns about the responses he and his family have received  
25 from local and federal officials, noting they had been told the situation was a civil matter, that no laws

# PENDING APPROVAL - DRAFT MINUTES

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.

26 had been broken, and that the children were believed to be with their mother. He expressed frustration  
27 that, despite these responses, the children have not been seen or heard from during that time. Mr.  
28 Johns referenced guidance from the National Center for Missing and Exploited Children, emphasizing  
29 that family abduction should be treated as a serious matter due to its potential long-term emotional  
30 harm to children. He requested that the Council encourage the Provo Police Department to prioritize the  
31 case and allocate appropriate resources, use official and personal communication channels to raise  
32 public awareness, and support future efforts to strengthen state laws related to missing children cases.

33  
34 With no other comments, Chair MacKay closed public comment.  
35

## Action Agenda

36  
37 **1           A resolution approving the appropriation of \$96,547 to pay for three new firefighters and  
              their equipment between May and June for the fiscal year ending June 30, 2026 (26-024)  
              [00:07:14](#)**

**Motion:**   An implied motion to approve Resolution 2026-7, as currently constituted, has been  
              made by council rule.

38  
39 Fire Chief Headman presented a request to the Council for a one-time appropriation of \$96,547.60 to  
40 hire three seasonal firefighters for the months of June and July. He explained that the funding would  
41 cover both personnel costs and necessary equipment to prepare the new hires for service. Chief  
42 Headman stated that adding one firefighter per shift would help address current staffing needs and  
43 improve overall operational readiness. He further explained that hiring the firefighters at this time  
44 would allow them to be trained together through the department's eight-week training program,  
45 avoiding the need to run multiple training sessions later in the year. Additionally, he noted that the  
46 department has recently completed a hiring process and currently has qualified candidates available but  
47 expressed concern that delays could result in losing additional candidates to other fire departments, as  
48 has already occurred with two individuals.

49  
50 Chair MacKay opened public comment. with none, she closed public comment and invited a council  
51 discussion.

52  
53 Councilor Whitlock clarified for the benefit of the public that the proposed hiring of additional  
54 firefighters would not increase ongoing costs. He explained that the positions would be funded through  
55 reductions in overtime expenses, resulting in a budget-neutral impact over time.

56  
57 Chair MacKay called for a vote.  
58

**Vote:**       The motion passed 7:0 with Councilors Bogdin, Christensen, Garrett, Hoban, MacKay,  
              Whipple, and Whitlock in favor.

59  
**2           \*\*\*CONTINUED\*\*\* PEG Development requests Ordinance Text Amendments to Provo City  
              Code 14.23 (ITOD Zone) in association with a proposed mixed-use redevelopment project  
              in a proposed ITOD  
              Zone. Citywide Application. PLOTA20250243**

## PENDING APPROVAL - DRAFT MINUTES

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.

60

- 3        \*\*\*CONTINUED\*\*\* Brixton Capital requests a General Plan Map Amendment from the (C) designation to the (TOD) designation for 23 acres of land located at 1095 S 500 W and 1200 S Towne Centre Boulevard. (PLGPA20250235)**

61

- 4        \*\*\* CONTINUED\*\*\* Brixton Capital requests a Zone Map Amendment from the RM and SC3 Zones to the ITOD Zone for 23 acres of land located at 1095 S 500 W and 1200 S Towne Centre Blvd. Franklin South and East Bay Neighborhoods. (PLRZ20250236)**

62

### **Adjournment**

63

64        The meeting was adjourned by unanimous consent at approximately 5:41 PM.

DRAFT

# PROVO MUNICIPAL COUNCIL WORK SESSION STAFF REPORT



**Submitter:** TTAGUCHI  
**Presenter:** Tanner Taguchi, Council Policy Analyst  
**Department:** Recorder  
**Meeting Date:** 4/28/2026  
**Requested Duration (Minutes):** 15 minutes  
**CityView or Issue File Number:** 26-030

**SUBJECT:** 3 A resolution amending the Council Audit Committee Charter and Internal Audit Charter (26-030)

**ADMINISTRATIVE RECOMMENDATION:** Council should consider hearing this item in a Municipal Council meeting.

**ADMINISTRATIVE MEMO:** On April 20, 2026, the audit committee met to discuss the merit of certain changes to the Audit Committee Charter and Internal Audit Charter. According to comments made in that meeting staff substantively revised portions of those documents which are presented in the attached exhibits. Staff also made some technical wording changes that were directly requested by the committee to clarify language throughout both documents. Below is a summary of changes made to both documents:

## Council Audit Committee Charter

1. Substituted the word "financial" for "external" when attached to the word auditor. This makes it clear that this function refers to the annual audit of our financial statements as opposed to any type of audit that is conducted by an employee outside of an organization.
2. Substituted the word "performance" for "internal" when attached to the word auditor. This clarifies that this function refers to audits of program outcomes and not an audit performed by someone inside the organization.
3. Changed the committee composition language to allow more flexibility in the number of Councilors and un-elected citizens (e.g., Councilor to resident ratio: 2-1, 3-1, 3-2)
4. Added a section clarifying the hierarchical relationship of the committee, the director, and the staff
5. Added a section about mandatory OLAG training every two years
6. Added a reference to the Audit Charter when the Hotline is mentioned
7. Substituted the word "Council" for "governing body" when referring to the Council
8. Added a clause about agreeing to confidentiality expectations upon being appointed

## Audit Charter

1. Deleted the word "internal" when attached to the word auditor. This clarifies that this refers to any type of audit, either financial or performance
2. Clarified the hierarchical relationship between the committee, the director, and the staff
3. Substituted the word "contracted" for "external" when referring to auditors. This clarifies that this refers to any auditor that is not employed by the Council Office.
4. Added a subsection listing out the general process of investigating a Fraud Hotline complaint.
5. Added language throughout emphasizing the leadership of the committee and the director.

**FISCAL IMPACT:** There is no fiscal impact expected from taking action on this item.

**COUNCIL STAFF MEMO:** This is a Council sponsored item and all information on this item is included in the administrative memo.

1 RESOLUTION <<Document Number>>

2  
3 A RESOLUTION AMENDING THE COUNCIL AUDIT COMMITTEE CHARTER  
4 AND INTENRAL AUDIT CHARTER (26-030)

5  
6 RECITALS:

7  
8 It is proposed that the Provo City Municipal Council amend the documents that govern  
9 the Council Audit Committee and that Committee’s audit function; and

10  
11 The Provo Municipal Council desires to receive independent advice, assistance, and  
12 recommendations in the oversight of the performance and financial audit functions of Provo  
13 City; and

14  
15 The Council Executive Director and Council Office staff as well as the current members  
16 of the Council Audit Committee have had two years to evaluate the Committee’s structure and  
17 the performance of the Council’s audit function; and

18  
19 The Audit Committee Charter includes a provision requiring the committee to “assess  
20 and report to the Council on the adequacy of this Charter at least annually. [And] Charter  
21 modifications, as recommended by the committee, should be presented to the Council in writing  
22 for its review and action”; and

23  
24 On May 12, 2026, the Municipal Council met to consider the facts regarding this matter  
25 and receive public comment, which facts and comments are found in the public record of the  
26 Council’s consideration; and

27  
28 After considering the facts presented to the Municipal Council, the Council finds that the  
29 Council Audit Committee Charter and Internal Audit Charter should be amended, and such  
30 action furthers the health, safety, and general welfare of the citizens of Provo City.

31  
32 THEREFORE, the Municipal Council of Provo City, Utah resolves as follows:

33 PART I:

34  
35 The committee's structure, processes, and membership requirements as they are described  
36 in the Council Audit Committee Charter are amended as presented in Exhibit A.

37  
38 PART II

39

40           The scope of the Council’s audit function as it is described in the Internal Audit Charter  
41   are amended as presented in Exhibit B.

**Exhibit A**

Due to document format this exhibit will be added at a later date. It can be viewed on OnBase Agenda or at the request of the Council office.

**Exhibit B**



May 12, 2026

PROVO CITY MUNICIPAL COUNCIL  
COUNCIL AUDIT COMMITTEE

# Council Audit Committee Charter

## Audit Committee Authority

Pursuant to resolution number 2024-4, dated January 23, 2024, the Provo Municipal Council (the “Council”) has established the Council Audit Committee (the “committee”) to assist the Council in the oversight of both the [internal performance](#) and [external financial](#) audit functions, [collectively known as the audit function](#). Resolution number 2024-4 also states that the committee is governed as set forth in this charter.

## Mission

The Council has established the committee to provide [independent](#) advice, assistance, and recommendations to the Council in the oversight of the [internal financial](#) and [external performance](#) audit functions of Provo City (the “City”).

## Composition and Requisite Skills

The committee is comprised of a subset of Councilors and members of the public. This ensures that investigations regarding the work of management, [external financial](#) auditors, and [internal performance](#) auditors remain confidential until reports are made public to the [governing body the Council](#). The [committee includes](#) composition of the committee must meet the following parameters:

- 1) ~~Two to three Councilors; and~~
- 2) ~~At least two members of the public.~~
- 1) [It shall be composed of at least three members, but no more than five members.](#)
- 2) [At least 60% of the members shall be elected members of the Council currently serving.](#)
- 3) [At least one member shall not be an elected member of the Council currently serving.](#)

Committee members serve terms of two years and are not limited in the number of terms that may be served. The positions of Committee Chair and Vice-Chair will be held by Councilors on the committee. The committee will decide which Councilor serves and Chair and which as vice-chair.

The committee members collectively should possess the knowledge in accounting, auditing, and financial reporting needed to understand and evaluate City financial statements, the **external financial** audit, and the City's **internal** audit activities. Accordingly, the committee's members, collectively, should:

- 1) Possess the requisite knowledge necessary to understand technical and complex financial **and performance** reporting issues;
- 2) Have the ability to communicate with auditors, public finance officers and the **governing body and the Council**; and
- 3) Be knowledgeable about internal controls, financial statement audits and **management/operational performance** audits.
  - a. If no committee members have sufficient personal internal control or finance knowledge, the committee must gain this knowledge via a financial expert (either volunteer or paid) advisor.
    - i. The financial expert advisor must:
      1. Be independent of management;
      2. Be present for meetings;
      3. Not be a member of the committee; and
      4. Not vote on committee actions.

## Committee Structure and Staff

Having been selected by the Council, the committee shall serve as the governing board of the audit function with the responsibility of recommending amendments to the committee charter, making amendments to the audit charter, approving the audit plan, and providing audit resources as needed.

In relation to the audit function, the Council Executive Director (the "director") shall report directly to the committee and serve as the chief audit executive. They will be responsible for assigning Council Office staff (the "staff") or contracted auditors to carry out the audit function. Staff and contracted auditors shall conduct audits according to the audit charter and the audit plan as presented by the director and approved by the committee.

## Required Training

All members of the committee, upon being appointed or reappointed, shall receive training on auditing law, professional standards, and best practices by representatives from the Government Excellence Division of the Utah Office of the Legislative Auditor General.

All employees of the Council Office who support the Council Executive Director or the committee in fulfilling the responsibilities listed in this charter or the audit charter shall receive the same training at least every two years.

## Duties and Responsibilities

The duties and responsibilities of the committee include the following:

1) ~~External~~ Financial Audit Focus

- a. Providing recommendations regarding the selection of the ~~external~~ financial auditor;
- b. Meeting with the ~~external~~ financial auditor prior to commencement of the audit to, among other things, review the engagement letter;
- c. Reviewing and discussing with the ~~external~~ financial auditor any risk assessment of the City's fiscal operations developed as part of the auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards, if applicable;
- d. Receiving and reviewing the draft annual audit report and accompanying draft management letter, including the ~~external~~ financial auditor's assessment of the City's system of internal controls, and, working directly with the ~~external~~ financial auditor, assisting the ~~governing body~~ Council in interpreting such documents;
- e. Making a recommendation to the ~~governing body~~ Council on accepting the annual audit report; and
- f. Reviewing every corrective action plan developed by City administration and assisting the ~~governing body~~ Council in the implementation of such plans;

2) ~~Internal~~ Performance Audit Focus

- a. Making recommendations to the ~~governing body~~ Council regarding the audit ~~appointment of the internal auditor~~ performance audit function;
- b. Assisting in the oversight of the ~~internal~~ audit function, including reviewing the annual ~~internal~~ audit plan to ensure that high risk areas and key control activities are periodically evaluated and tested, and reviewing the results of ~~internal~~ audit activities;
- c. Reviewing significant recommendations and findings of the ~~internal auditor~~ function;
- d. Monitoring the administration's implementation of the ~~internal auditor's~~ audit recommendations;
- e. Participating in the evaluation of the performance of the ~~internal~~ audit function; and
- f. Overseeing Hotline complaints received and investigated ~~by the internal auditor~~ according to the process listed in the audit charter; and

3) Administrative Matters

- a. Holding regularly scheduled meetings; and

- b. Reviewing and revising this Charter, as necessary.

## Individual Duties

The individual duties of the members of the committee include the following:

- 1) Good Faith – Members of the committee must perform their duties in good faith, in a manner they reasonably believe to be in the best interests of the committee and the City with such care as a generally prudent person in a similar position would use under similar circumstances;
- 2) Independence – An individual may not serve on the committee if he or she:
  - a. Is employed by the City (other than City Councilors);
  - b. Currently provides, or within the prior two years, has provided, goods or services to the City;
  - c. Is a family member of an employee or officer of the City; or
  - d. Is the owner of or has a direct and material interest in a company providing goods or services to the City; and
- 3) Confidentiality – During the exercise of duties and responsibilities, the committee members may have access to confidential information. The committee members have an obligation to the City to maintain the confidentiality of such [information and accept that obligation upon being appointed](#).

## Meetings and Notification

The committee will meet a minimum of two times each year. An agenda for each meeting should be clearly determined in advance and the committee should receive supporting documents in advance, for reasonable review and consideration.

The committee will create meeting notes which include the meeting:

- 1) Agenda;
- 2) Time, date, and location;
- 3) Attendance;
- 4) Findings requiring further investigation, [if needed](#); and
- 5) Items to report to the ~~governing body~~ [Council, if needed](#).

## Recommendation Process

The committee is tasked with reviewing various issues and making recommendations to the Council. A quorum constitutes a simple majority of the total membership, and meetings will not be conducted unless a quorum is present wither [in person or virtually](#).

## Reporting Requirements

The committee has the duty and responsibility to report its activities to the Council at least annually, and more often as needed. Periodic written reports of committee activities are an important communication link between the committee and the Council on key decisions and responsibilities. The committee's reporting requirements are to:

- 1) Report on the scope and breadth of committee activities so that the Council is kept informed of its work;
- 2) Provide notes or a summary of notes of meetings that clearly record the considerations and recommendations of the committee;
- 3) Report on its review of the City's draft annual audit report and accompanying management letter and its review of significant findings;
- 4) Report on suspected fraud, waste or abuse, or significant internal control findings and activities of the internal control function;
- 5) Report on indications of material or significant non-compliance with laws or City policies and regulations; and
- 6) Report on any other matters that the committee believes should be disclosed to the Council.

## Charter Review

The committee will assess and report to the Council on the adequacy of this Charter at least annually. Charter modifications, as recommended by the committee, should be presented to the Council in writing for its review and action.



May 12, 2026

PROVO CITY MUNICIPAL COUNCIL  
COUNCIL AUDIT COMMITTEE

# ~~Internal~~ Audit Charter

## Introduction

The ~~internal~~ audit function was established by ordinance 2024-4 on January 23, 2024. Furthermore, resolution 2024-4 passed on January 23, 2024, approved this charter as a means of governing ~~internal~~ auditing activities.

## Purpose

The purpose of ~~an-internal~~ the audit ~~function~~ is to provide an independent, objective assurance and is designed to add value and improve Provo City (the “City”) risk management efforts. It helps the City and the Municipal Council (the “Council”) accomplish their objectives by bringing a systematic, disciplined approach to evaluating and improving the effectiveness of processes and controls designed to manage risk.

## Independence

To help ensure independence and objectivity, ~~internal~~ audit functions are carried out by the Council ~~Office~~ Executive Director (the “director”), ~~which~~ who reports to the Council Audit Committee (the “Audit Committee”). The Council Executive Director controls and supervises the ~~internal~~ Audit activities of Council Staff (“the “staff”) and contracted consultants. Staff and contracted consultants shall conduct audits only under the authority of this audit Charter and under the direction of the director.

## Authority

Council Staff and ~~/or-internal~~ contracted auditors are authorized, under the direction of the Council Executive Director, to:

- Request access to the records, property, and personnel of all City departments, boards and commissions, in order to conduct **internal** audits [with the approval of the committee](#);
- Request access to all documents and records of organizations receiving funds originating or passed through by the City to ensure that adequate internal controls are in place and operating effectively, regarding the expenditure of those funds relating to the City;
- Have full and free access to the committee; and
- Obtain the necessary assistance of personnel in departments of the City where they perform audits, as well as other specialized services from within or outside the City.

To maintain an independent status, Council Staff and/or **Internal** [contracted](#) auditors are not authorized to:

- Perform any operational duties for Provo City Administration or its boards and committees;
- Initiate or approve accounting policies and procedures or transactions external to the Council Office; or
- Direct activities of any city employees not employed by Council Office, except to the extent such employees have been appropriately assigned to auditing teams or to otherwise assist the **internal** auditors.

## Scope and Responsibilities

~~Council Staff/Internal auditors~~ [the Council Executive Director](#) will:

1. Develop an annual audit plan using appropriate risk-based methodology, and considering risks or concerns identified by the Council ~~Executive Director~~ [office and the committee](#), to be submitted to the committee for approval. The annual audit plan will include at a minimum, the following information:
  - a. The scope of each proposed audit, including a summary of the nature, records, and time period covered by each audit to be conducted;
  - b. Identification of the department(s), board(s), service(s), program(s), function(s), or policies to be audited; and
  - c. **Each** Potential audit objectives to be addressed;
2. Implement the annual audit plan as approved, including any requested special projects as approved by the committee;

3. Conduct investigations of alleged or suspected impropriety, fraud, misappropriation, or other misuse of City funds, and seek advice from the City attorney as appropriate and provide required reports to appropriate authorities;
4. Coordinate with ~~external~~ contracted auditors and monitor the implementation of corrective actions recommended by ~~external~~ auditors as appropriate;
5. Submit reports to the committee indicating audits completed, major findings, corrective actions taken by management, and significant findings that have not been fully addressed by City administration;
6. ~~Maintain~~ Ensure access to a qualified, competent audit staff having the necessary knowledge, skills, and disciplines to perform this function;
7. Request adequate resources necessary to accomplish audit objectives;
8. Coordinate with the State Auditor and ~~external auditors~~ others to minimize duplication of efforts and maximize efficient audit coverage; and
9. Receive, track, and report hotline complaints to the committee according to the following process:
  - ~~a. First, always allow committee members direct and immediate access to all hotline complaints.~~
  - ~~b. Second, organize all relevant complaint and complainant information into a table to be discussed at the next committee meeting.~~
  - ~~c. Third, at committee meetings seek direction from the committee on the involvement of the city administration and other necessary auditing resources.~~
  - ~~d. Fourth, carry out a response to the complaint according to the direction of the committee.~~

~~The Internal Auditor~~ Under the direction of the Council Executive Director, auditors may:

1. Subject to the approval of the committee, conduct special reviews and programmatic reviews at the request of the Council, finance officer, department heads, boards, or committees;
2. Subject to the approval of the committee, provide assistance to departments, boards, and committees for evaluation of financial controls and other audit related matters;
3. Amend the annual audit plan, subject to the approval of the committee; and
4. Initiate, conduct, or expand the scope of an audit or investigation if a finding requires expansion of the scope, or if a determination has been made that fraud, abuse, or an unlawful act may have occurred.

## Charter Review

The committee will assess and report to the Council on the adequacy of this Charter at least annually. Charter modifications, as recommended by the committee, should be presented to the Council in writing for its review and action.



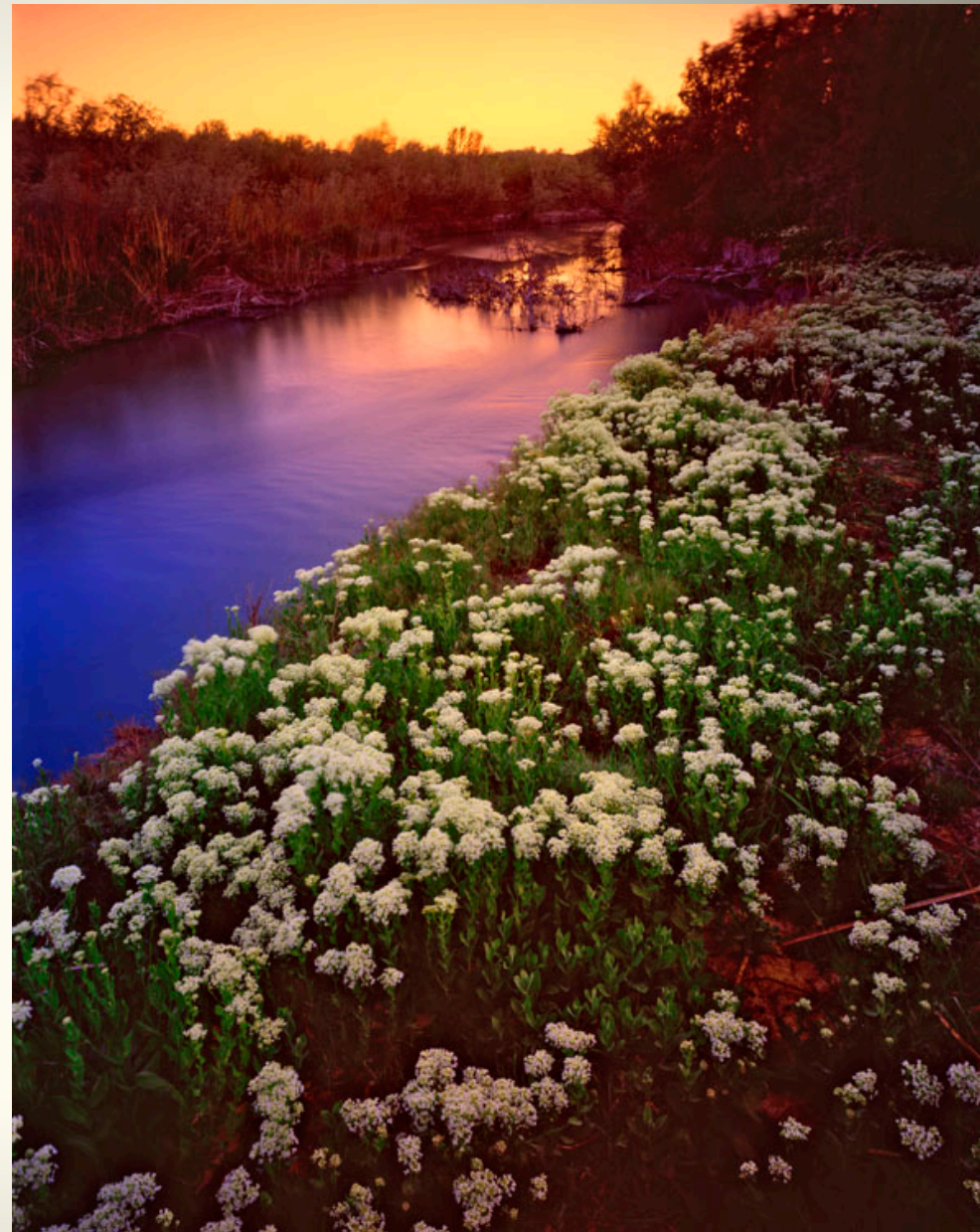
## Utah Open Lands

---

Utah's Local Statewide Land Trust

Conservation Easement UOL holds on  
Governmental Partner lands

- Wasatch Mountain State Park
- Gene and Deane Wheadon Park
- Galena Soo'hkahni Preserve
- North Round Valley Preserve
- Willow Ranch Preserve
- Willow Creek Preserve
- Kem C Gardner Midway Legacy Preserve
- Bridle Veil Falls
- Bonanza Flat
- **Bunnels Fork**





## Governmental Entity Land Partners

- State of Utah
- Salt Lake County
- Salt Lake City
- Park City
- Utah County
- Midway City
- Snyderville Basin  
Special Recreation  
District
- Summit County
- North Salt Lake City
- Cottonwood Heights
- **PROVO CITY**

*1995 Snake Creek  
Canyon Conservation  
Easement*



## Utah Open Lands - Background

---

- Established 1990
- First Local Land Trust in the State
- 501(c)3 Public Charity with special designation in the Federal Code: Conservation Easement Statute (170)(



### Awards

- Utah State University - Environmental Stewardship Award
- NRCS Leadership Award
- ALA Merit Award
- Park City Rotary - Professional Citizen of the Year Award





## A Conservation Easement

---

Definition: An encumbrance on land for the purpose of preserving areas in a scenic, natural or open condition this includes recreational, cultural, wildlife or agricultural purposes. It is a legally binding agreement entered into voluntarily.

- Runs with the land in perpetuity
- Each Conservation Easement is specific to the needs of the landowner and the protection of the conservation values
- Does not Provide Utah Open Lands with ownership of the land
- Encumbrance that provides Utah Open Lands with rights to enforce the protection of the conservation values attendant to the land

### Governmental Entity Conservation Easements

- Partnership in Management strategies
- Partnership in Protection Priorities
- Guards against rash decisions
- Guards against private benefits- insures Public Benefit
- Codifies Intention for treasured community landscapes

## Conservation Easement Components

- **Recitals** \_ Intentions for protecting the land and statement of Conservation Values
- **Rights of Grantee** \_ Provides enforcement and annual (or more) monitoring
- **Conservation Purpose** \_ Underscores over all purpose to protect the conservation value of the land and the benefit to the general public in its permanent protection
- **Baseline Documentation** \_ Inventory of conditions and conservation values
- **Permitted Uses** \_ Reserves the rights of the landowner to utilize the property commensurate with its protection of the attendant Conservation Values
- **Prohibited Uses** \_ restricts uses that would harm natural, open land value the land conveys to the public
- **Management Plan Provision** \_ Allows for dynamic and Adaptive management decisions
- **Limitations on Amendments | Safeguards against Extinguishment** \_ Underscores intentional protection in perpetuity of the lands conservation features



### **SECTION III – BASELINE DOCUMENTATION REPORT**

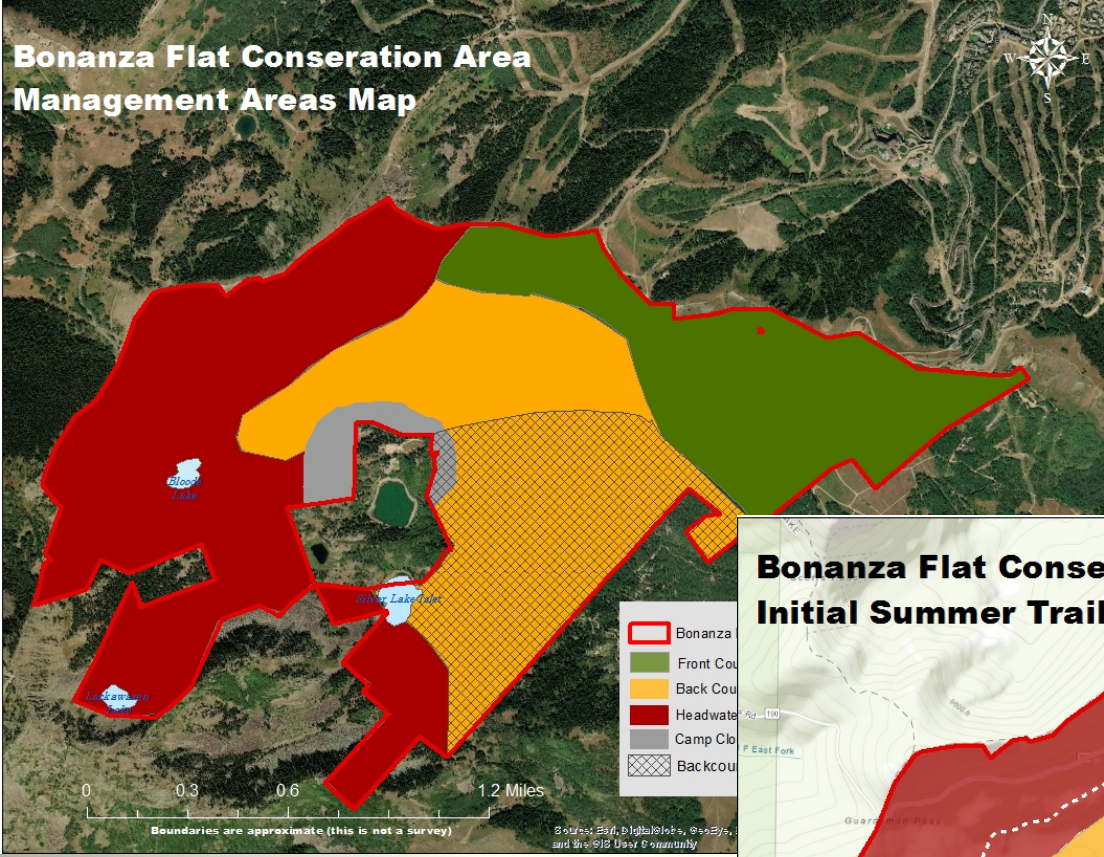
The Conservation Easement Baseline Documentation Report, Bonanza Flat Conservation Area, prepared by Grantee, dated January 29, 2020, signed by Steven Joyce, Mayor pro tem of Grantor, Heinrich Deters, Trails and Open Space Manager for Grantor, Wendy E. Fisher, Executive Director of Grantee, and Seychelle Marcus, Stewardship Coordinator for Grantee, and by this reference made a part hereof, contains a collection of baseline data (including the Bonanza Flat Conservation Area Resource Inventory) that establishes the condition of the Property and its natural resources as of the effective date of this Easement in accordance with Treasury Regulation §1.170A-14(g)(5)(i) (“Baseline Documentation Report”). The Parties acknowledge that the Baseline Documentation Report has been completed by competent professionals familiar with the Property and agree that the Baseline Documentation Report provides an accurate representation of the Property as of the effective date of this Easement. The Parties further agree that all updates to the Baseline Documentation Report will be signed by both Grantee and Grantor and attached to the Baseline Documentation Report. A copy of the original Baseline Documentation Report and all updates thereto shall remain on file in Grantee’s offices. Notwithstanding the foregoing, should a future controversy arise over the condition of the Property or compliance with this Easement, the Parties may use all relevant documents, surveys, reports, and other information to assist in resolving the controversy.

### **SECTION IV – BFAMS PLAN, BFCAT MAPS, AND TRAILHEAD LOCATION MAP**

A. BFAMS Plan. Grantor and Grantee developed a Bonanza Flat Adaptive Management and Stewardship Plan, which was approved by the Park City

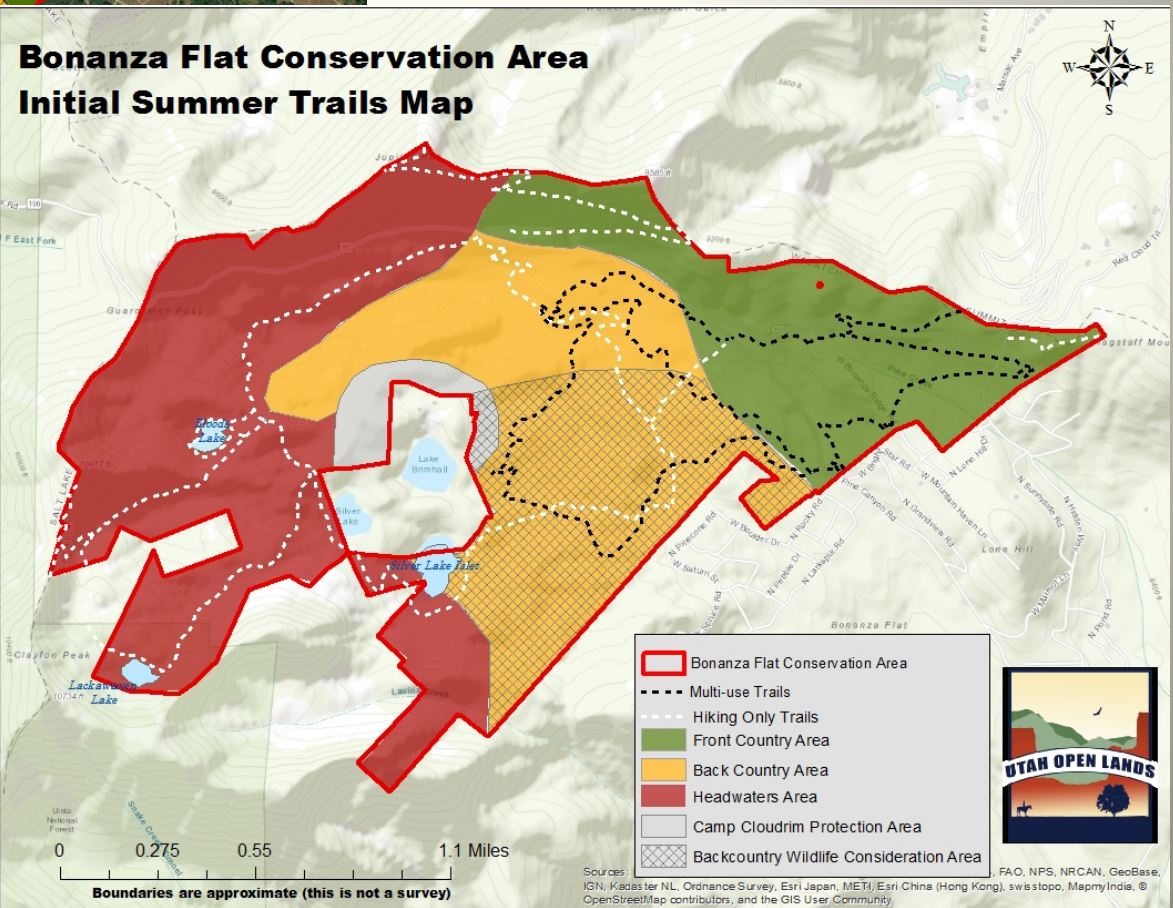
Utah Open Lands provides the Baseline Documentation and Conservation Easement Drafting Support. Utah Open Lands can work with staff to develop Management plan goals, objectives and action plans.

# Bonanza Flat Conservation Area Management Areas Map



- Bonanza
- Front Cou
- Back Cou
- Headwater
- Camp Clo
- Backcou

# Bonanza Flat Conservation Area Initial Summer Trails Map



- Bonanza Flat Conservation Area
- Multi-use Trails
- Hiking Only Trails
- Front Country Area
- Back Country Area
- Headwaters Area
- Camp Cloudrim Protection Area
- Backcountry Wildlife Consideration Area



Sources: IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community. FAO, NPS, NRCAN, GeoBase.



## The Role of the Land Trust

---

Stewardship is an ongoing relationship with the land and the landowner. Every conservation easement held by a land trust comes with a permanent responsibility for the land trust to safeguard the conservation values and the land from development forever.



Questions ???



**PROVO MUNICIPAL COUNCIL  
WORK SESSION  
STAFF REPORT**



**Submitter:** MDAYLEY  
**Presenter:** Wendy Fisher, Executive Director of Utah Open Lands  
**Department:** Recorder  
**Meeting Date:** 4/28/2026  
**Requested Duration (Minutes):** 20 minutes  
**CityView or Issue File Number:** 26-026

**SUBJECT:** 1 A presentation regarding conservation easements (26-026)


**ADMINISTRATIVE RECOMMENDATION:** A discussion regarding the process for a conservation easement on city-owned land.

**ADMINISTRATIVE MEMO:** Utah Open Lands (UOL) is a 501c(3) nonprofit accredited land trust conservation association. Their mission is to preserve, protect and steward open space in order to maintain Utah's natural heritage and quality of life for present and future generations. This is achieved by assisting private landowners, government agencies and communities in the voluntary preservation of the agricultural, scenic, recreational, historic and wildlife values of open land.

They will be presenting on their mission and conservation easements 101.

**FISCAL IMPACT:** N/A

**COUNCIL STAFF MEMO:**

A stylized graphic on the left side of the slide. It features a blue diagonal shape at the top left, a grey circular area containing a blue sunburst and white mountain peaks, and a yellow triangular shape at the bottom right. The background is white.

# **Slate Canyon Conservation Easement**

---

April 28, 2026

# The Details

---

## What/Where?

Place city-owned parcels in Slate Canyon & surrounding foothill area

Parcels are within city boundaries

---

## How?

Utah Code 10-8-2(1)(a)(v) authorizes the city to provide “non-monetary” assistance to qualifying nonprofits w/out receiving fair market value compensation

Utah Open Lands would hold the easement with no initial or ongoing monetary commitment from the city

Conserve Utah Valley, local 501c(3), has offered to cover initial stewardship costs (~\$10K)

---

## Who?

Provo City (landowner)

Utah Open Lands  
(easement holder)

---

## Why?

Conserve & protect open space in Provo city limits

- Supports General Plan goals
- Hillsides and Canyons Plan goals
- Conservation & Resiliency Plan goals
- Parks & Rec Master Plan goals & vision

Issue sponsor request from Councilors Whitlock & Christensen

Support from Mayor Judkins & administration



# The Process (simplified)



## **MOU between Provo City & UT Open Lands**

- Administration & Legal
- UT Open Lands

## **Prepare public interest valuation study**

- Council staff
- Administrative staff

## **Provo City & UT Open Lands draft easement**

- Administration, Legal, Public Works, Parks & Rec, Development Services, Fire
- UT Open Lands

## **Pass resolution authorizing City to place property into a conservation easement after a noticed public hearing**

- Council

# Next Steps



---

## Council motion

- Seeking support for continuing in outlined process

---

## Public Open House

- Education on conservation easements
- Education on Slate Canyon history and importance
- Answer questions from the public
- Group hike & snacks

**PROVO MUNICIPAL COUNCIL  
WORK SESSION  
STAFF REPORT**



**Submitter:** MDAYLEY  
**Presenter:** Melia Dayley, Council Policy Analyst; Councilors Whitlock & Christensen; Mayor Judkins  
**Department:** Recorder  
**Meeting Date:** 4/28/2026  
**Requested Duration (Minutes):** 20 minutes  
**CityView or Issue File Number:** 26-026

**SUBJECT:** 2 A presentation regarding a Slate Canyon conservation easement. (26-026)

**ADMINISTRATIVE RECOMMENDATION:** Presentation and discussion seeking Council motion on the conservation easement process.

**ADMINISTRATIVE MEMO:** The administration, Council staff, and Councilors Whitlock and Christensen have been working on outlining a process to place city-owned parcels in Slate Canyon and surrounding foothills into a conservation easement.

This discussion will review that process with the Council and a seek a motion on whether efforts should continue.

**FISCAL IMPACT:** The easement process and continued maintenance presents no fiscal impact to Provo City.

**COUNCIL STAFF MEMO:**

# PROVO MUNICIPAL COUNCIL WORK SESSION STAFF REPORT



**Submitter:** TTAGUCHI  
**Presenter:** Tanner Taguchi, Council Policy Analyst  
**Department:** Recorder  
**Meeting Date:** 4/28/2026  
**Requested Duration (Minutes):** 5 minutes  
**CityView or Issue File Number:** 26-031

**SUBJECT:** 4 A resolution appointing public members to a council standing committee.  
(26-031)

**ADMINISTRATIVE RECOMMENDATION:** Move to hear this item in the next Municipal Council Meeting

**ADMINISTRATIVE MEMO:** Upon passage of ordinance 2024-4 on January 23, 2024, the statutory authority to conduct audits was taken from the City Treasurer and given to the Council Executive Director. In the same meeting, resolution 2024-4 established the Council Audit Committee according to the Audit Committee Charter. The Audit Committee Charter requires citizen members, not serving on the Council, to sit on the Council Audit Committee. Each citizen member is to serve a two-year term. Since April 30, 2024, David Shipley and Rick Anderson have served as citizen members of the committee. After discussions with both members, only Rick Anderson has the availability to continue serving on the committee.

The current purpose of the Council Audit Committee is to "provide independent, advice, assistance, and recommendations to the Council in the oversight of the internal and external audit functions of Provo City."

In addition to his experience on the Council Audit Committee, Rick Anderson was a member of the city's audit committee when the audit function was run by the City Treasurer. His career in finance also qualifies him to advise the Council on financial standards and best practices. After attending Brigham Young University, Rick had an extensive career in banking. He worked as the Senior Vice President of Special Projects at the Bank of American Fork for seven and half years. He was then promoted to be the bank's president in 2015. During his time as bank president, in addition to regular duties, he oversaw the acquisition of a smaller bank, a transaction of over \$15 million.

It's proposed that the Council consider reappointing Rick Anderson to serve as a citizen member of the Council Audit Committee. Due to proposed changes in the Audit Committee Charter, his appointment is being addressed separately from other potential citizen members.

**FISCAL IMPACT:** There is no fiscal impact expected from taking action on this resolution.

**COUNCIL STAFF MEMO:** This is a Council sponsored item and all relevant information is included in the Administrative Memo section of this item.

1 RESOLUTION <<Document Number>>

2  
3 A RESOLUTION APPOINTING PUBLIC MEMBERS TO A COUNCIL  
4 STANDING COMMITTEE. (26-031)

5  
6 RECITALS:

7  
8 The Municipal Council of Provo City, acting pursuant to its statutory authority, has  
9 reviewed the qualifications for appointment to the Council Audit Committee; and

10  
11 On May 12, 2026, the Municipal Council met to ascertain the facts regarding this matter  
12 and receive public comment, which facts and comments are found in the public record of the  
13 Council’s consideration; and

14  
15 After considering the facts presented to the Municipal Council, the Council finds that the  
16 appointments listed below will reasonably further the health, safety, and general welfare of the  
17 citizens of Provo City.

18  
19 THEREFORE, the Provo Municipal Council ordains as follows:

20  
21 PART I:

22  
23 1. Pursuant to Provo City Resolution 2024-04 and the Council Audit Committee Charter,  
24 22 the Municipal Council appoints the person(s) listed below to serve on the Council Audit  
25 Committee for the prescribed term:

<u>Appointee’s Name</u>	<u>Board</u>	<u>Term Expiration Date</u>
Rick Anderson	Audit Committee	April 30, 2028

26  
27  
28  
29  
30  
31 2. Following this appointment, there are two members of the public on the Council Audit  
32 Committee, as shown on the attached Exhibit A.

33  
34 PART II:

35  
36 This resolution and the appointments take effect immediately.

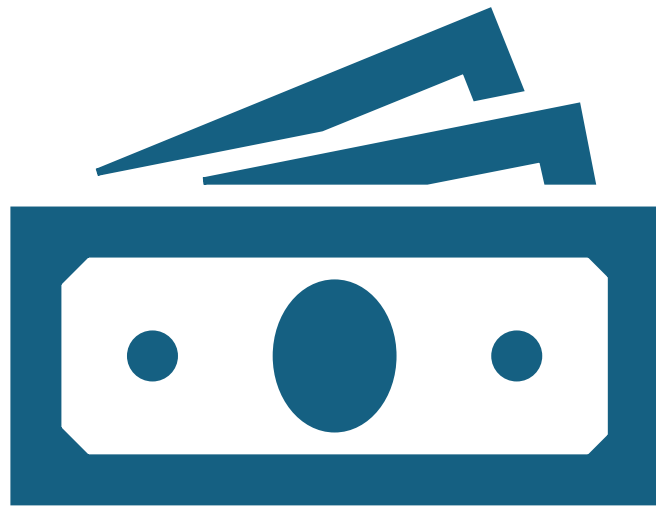
**Exhibit A<sup>1</sup>**

**Council Audit Committee Appointments**

Name	Seat	Term Expiration	Appointing Resolution
Rick Anderson	1	April 30, 2028	Attached

---

<sup>1</sup> This Exhibit includes the Council Audit Committee appointees in the resolution to which it is attached. Anyone not so appointed should be removed from the Exhibit.



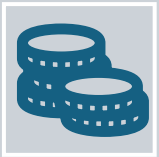
# Provo City FY2027 Budgeted Revenue Comparison

---

# Budgeted Changes in Revenues



General Fund

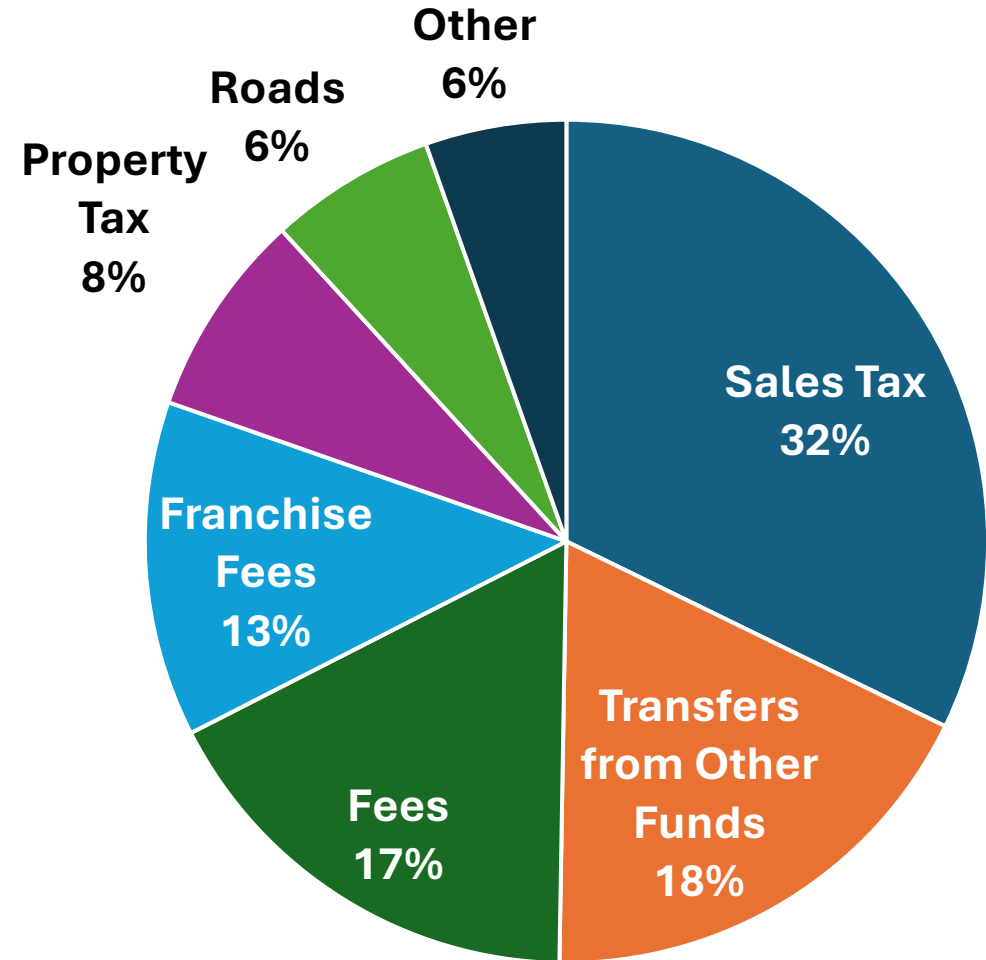


Enterprise Funds

# FY 2027 General Fund Budgeted Revenues

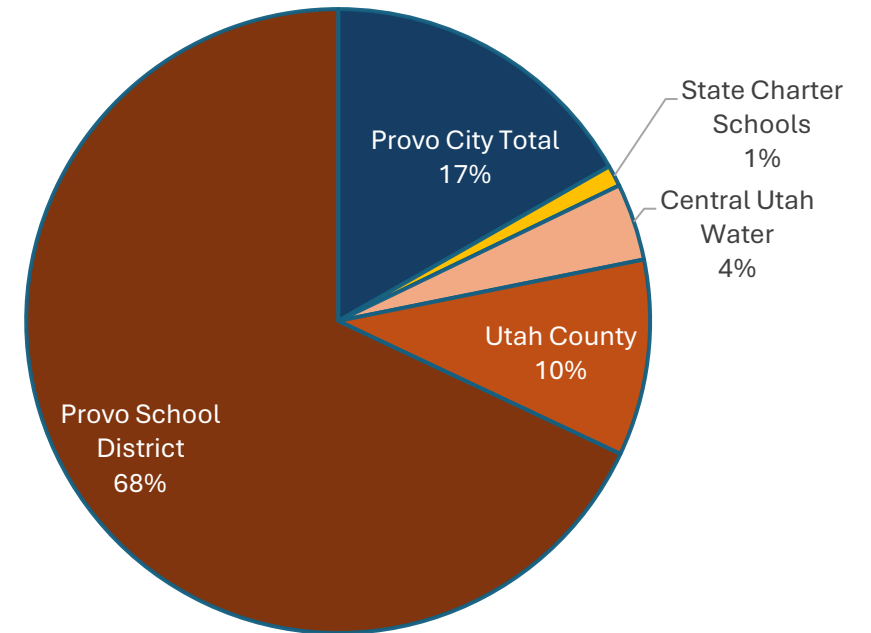
## FY 2027 General Fund Budgeted Revenues

Sales Tax	\$ 30,715,575	32%
Transfers from Other Funds	17,190,486	18%
Fees	16,416,356	17%
Franchise Fees	12,260,416	13%
Property Tax	7,484,939	8%
Roads	6,083,147	6%
Other	5,157,580	5%
<b>Total</b>	<b>\$ 95,308,500</b>	<b>100%</b>



# Property Tax Bill Breakdown

Debt Service Fund	\$ 174.29	7%
General Fund	128.38	5%
Library Fund	100.73	4%
<b>Provo City Total</b>	<b>403.40</b>	<b>17%</b>
State Charter Schools	26.44	1%
Central Utah Water	96.16	4%
Utah County	244.97	10%
<b>Provo School District</b>	<b>1,637.64</b>	<b>68%</b>
<b>Total Tax Burden for a home with a market value of \$437,100</b>	<b>\$2,408.61</b>	<b>100%</b>



# Impact of Budgeted Utility Sales on Transfers to General Fund

<b>Fund</b>	<b>FY 2026 Transfer</b>	<b>FY 2027 Transfer</b>	<b>Difference</b>
Energy Fund	9,464,329	9,810,611	346,282
Sanitation Fund	874,125	889,375	15,250
Wastewater Fund	3,250,000	3,250,000	-
Storm Drain Fund	743,750	762,500	18,750
Water Fund	2,285,500	2,408,000	122,500
<b>Total</b>	<b><u>\$ 16,617,704</u></b>	<b><u>\$ 17,120,486</u></b>	<b><u>\$ 502,782</u></b>

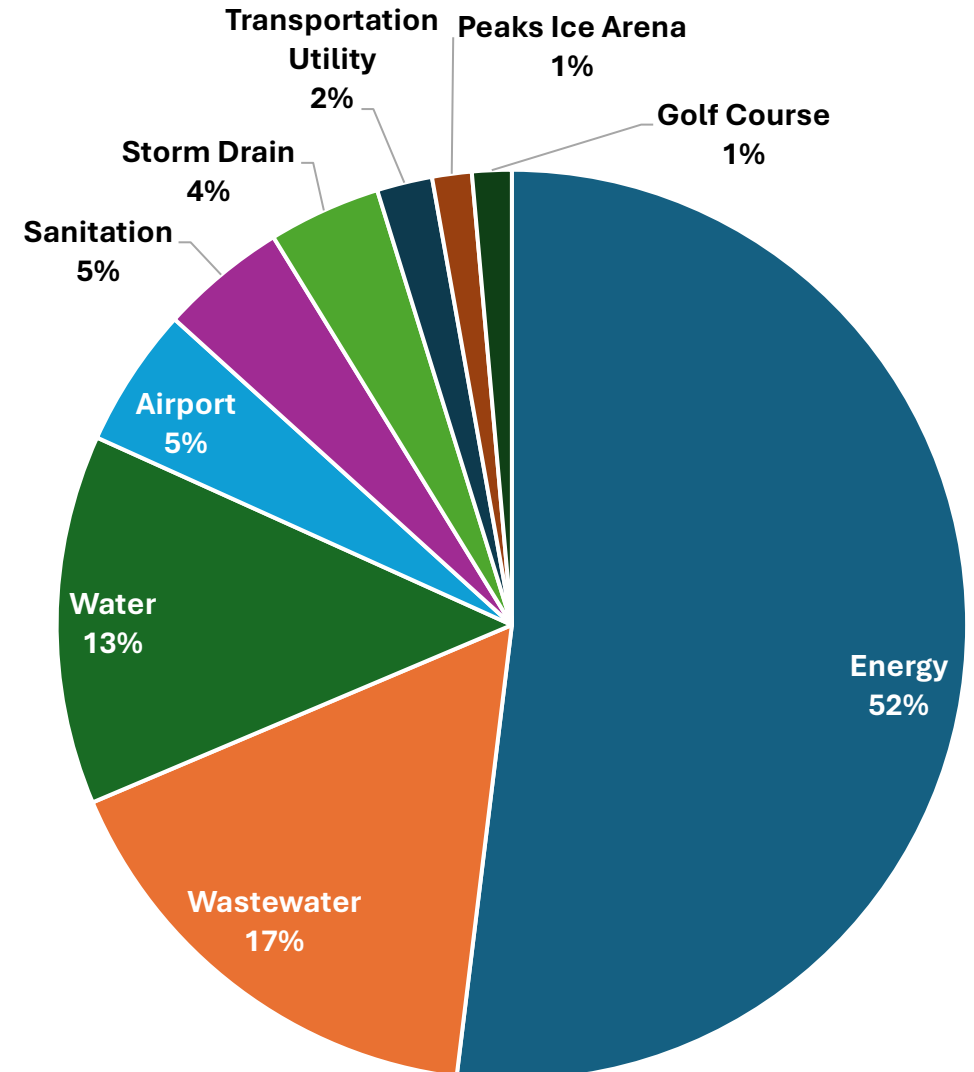
# General Fund Changes in Budgeted Revenue

<b>General Fund Revenues</b>	<b>FY 2026 Budget</b>	<b>FY 2027 Budget</b>	<b>Difference</b>
Sales Tax	\$ 26,631,797	\$ 30,715,575	\$ 4,083,778
Transfers from Other Funds	16,907,704	17,190,486	282,782
Franchise Fees	12,709,000	12,260,416	(448,584)
Fees	15,914,143	16,416,356	502,214
Property Tax	7,033,554	7,484,939	451,385
RAP Tax	1,825,895	2,087,011	261,116
Lodging Tax	676,000	676,000	-
Road Taxes	4,700,000	6,083,147	1,383,147
Intergovernmental	451,460	496,664	45,204
Miscellaneous	1,171,086	1,001,867	(169,219)
Interest Income	1,050,000	896,038	(153,962)
<b>TOTAL</b>	<b>\$ 89,070,639</b>	<b>\$ 95,308,500</b>	<b>\$ 6,237,861</b>

# Enterprise Funds Budgeted Revenues

## FY 2027 Enterprise Funds Budgeted Revenues

Energy	\$ 86,450,621	52%
Wastewater	27,782,000	17%
Water	21,844,000	13%
Airport	8,268,000	5%
Sanitation	7,500,000	5%
Storm Drain	6,649,000	4%
Transportation Utility	3,275,000	2%
Peaks Ice Arena	2,340,000	1%
Golf Course	2,339,500	1%
<b>Total</b>	<u><u>\$166,448,121</u></u>	<u>100%</u>



# Enterprise Funds Changes in Budgeted Revenues

<b>Enterprise Fund Revenues</b>	<b>FY 2026 Budget</b>	<b>FY 2027 Budget</b>	<b>Difference</b>
Energy	\$ 82,620,506	\$ 86,450,621	\$ 3,830,115
Wastewater	27,777,000	27,782,000	5,000
Water	20,654,000	21,844,000	1,190,000
Airport	8,001,580	8,268,000	266,420
Sanitation	7,368,000	7,500,000	132,000
Storm Drain	6,491,000	6,649,000	158,000
Transportation Utility	2,925,000	3,275,000	350,000
Peaks Ice Arena	2,340,000	2,340,000	-
Golf Course	1,936,004	2,339,500	403,496
<b>TOTAL</b>	<b>\$ 152,111,510</b>	<b>\$ 158,180,121</b>	<b>\$ 6,068,611</b>

# Questions?



**PROVO MUNICIPAL COUNCIL  
WORK SESSION  
STAFF REPORT**



**Submitter:** KMARTINS  
**Presenter:** Kelsey Zarbock, Budget Officer  
**Department:** Recorder  
**Meeting Date:** 4/28/2026  
**Requested Duration (Minutes):** 15 minutes  
**CityView or Issue File Number:** 26-001

**SUBJECT:** 5 A presentation regarding the FY26 - FY27 Budgeted Revenue Comparison (26-001)

**ADMINISTRATIVE RECOMMENDATION:** Presentation only; no action requested

**ADMINISTRATIVE MEMO:** Council staff have requested an update on how budgeted revenues for Fiscal Year 2026 – 2027 (FY27) are trending compared to what was approved in the current fiscal year budget. None of the revenues shown in the presentation will be final until the tentative budget is presented to the Council on May 5th; however, the current outlook, particularly for the general fund, is positive due to strong sales tax numbers.

**FISCAL IMPACT:** The strong general fund revenue outlook will likely lead to a positive fiscal impact on the upcoming fiscal year.

**COUNCIL STAFF MEMO:**

## **Memo: Fiscal Year 2026 -2027 Budgeted Revenue Comparison**

### **April 14<sup>th</sup> Work Meeting**

#### **Presenter: Kelsey Zarbock**

Council staff have requested an update on how budgeted revenues for Fiscal Year 2026 – 2027 (FY27) are trending compared to what was approved in the current fiscal year budget.

None of the revenues shown in the presentation will be final until the tentative budget is presented to the Council on May 5<sup>th</sup>; however, the current outlook, particularly for the general fund, is positive due to strong sales tax numbers.

Sales tax numbers for the FY27 budget are higher than sales tax numbers in the FY26 budget due to a) higher-than expected actual revenue received in FY25 and b) encouraging projections based on actuals already received in FY26. Part of the reason sales tax is trending better than last year is due to adjustments the State made to the population numbers used in the sales tax distribution calculations. Previously, the State relied on Census Bureau population estimates; however, in the 2025 Utah Legislative Session, HB379 changed State code so that locally produced numbers by the Kem C. Gardner Policy Institute would be basis for population estimates. The adjustment, along with an overall growth in sales tax revenue on a local and state-wide basis, have worked in Provo's favor in the FY27 budgeted revenues.

In addition to showing the increase in budgeted sales tax revenue, this presentation will highlight the two sources of revenue Provo has the most control over – transfers to the general fund and property taxes. There will also be a brief overview of budgeted revenues for the enterprise funds.

Ultimately, while these budgeted revenue numbers are still being analyzed and are subject to change, the current outlook is positive for FY27.

**PROVO POLICE VICTIM  
SERVICES**

APRIL 2026

# WHO WE ARE

## *Mission Statement*

*To provide crisis intervention, emotional support and critical service referrals to aid victims and their children; as well as to promote community awareness on victimization issues.*

We are located within the Provo Police Department and are assigned to the Criminal Investigation Division.



**OUR TEAM**

# WHO WE SERVE

## VICTIMS OF CRIME INCLUDING:

- DOMESTIC VIOLENCE
- SEXUAL ASSAULT
- ASSAULT
- STALKING/HARASSMENT
- CRIMES AGAINST CHILDREN
- HATE CRIMES
- ELDER ABUSE
- HOMICIDE/SUICIDE/UNEXPECTED DEATH
- EMERGENCIES/TRAUMATIC EVENTS

# WHAT WE DO

- ASSIST WITH WRITING PROTECTIVE ORDERS & STALKING INJUNCTIONS
- CRISIS SUPPORT:
  - SAFETY PLANNING
  - SHELTER PLACEMENT
  - MENTAL HEALTH SUPPORT
  - NECESSARY COMMUNITY RESOURCES
- EDUCATE VICTIMS ABOUT THE COURT/CRIMINAL JUSTICE PROCESS
- ACCOMPANY VICTIMS TO COURT/DETECTIVE INTERVIEWS
- OBTAIN VICTIM INPUT FOR PROSECUTORS
- DEATH NOTIFICATION/SUDDEN DEATH CRISIS SUPPORT
- COMMUNITY OUTREACH AND EDUCATION
  - UNIVERSITY AND SCHOOL PRESENTATIONS
  - PARTNERING AGENCY PRESENTATIONS
  - INFORMATION BOOTHS

# 2025 STATISTICS

VICTIMS SERVED: 1558

- DOMESTIC AND/OR FAMILY VIOLENCE - 546
- ADULT SEXUAL ASSAULT - 206
- CHILD SEXUAL ASSAULT - 184
- CHILD ABUSE - 123
- STALKING/HARASSMENT - 374
- ADULT PHYSICAL ASSAULT - 183

TO THOSE 1558 VICTIMS, WE PROVIDED 9015 SERVICES

**QUESTIONS?**

**PROVO MUNICIPAL COUNCIL  
WORK SESSION  
STAFF REPORT**



**Submitter:** KMARTINS  
**Presenter:** Kim Thayne and the Victim Services Team  
**Department:** Recorder  
**Meeting Date:** 4/28/2026  
**Requested Duration (Minutes):** 15 minutes  
**CityView or Issue File Number:** 26-028

**SUBJECT:** 6 A presentation regarding the Victim Services Program (26-028)


**ADMINISTRATIVE RECOMMENDATION:** No action needed

**ADMINISTRATIVE MEMO:** Biannual presentation from Provo Police Victim Services to fulfill grant reporting requirements and provide an update on program services, efforts, and community impact.

**FISCAL IMPACT:** None

**TIME SENSITIVITY:** This report must be given on a six month basis in order to ensure grant funding.

**COUNCIL STAFF MEMO:**



**PROHIBITING**  
**VIRTUAL CURRENCY**  
**KIOSKS**

---

28 April 2026



# CRYPTOCURRENCY ATMS

Virtual currency kiosks, often called bitcoin or crypto ATMs, allow the user to pay cash for cryptocurrency or sell cryptocurrency for cash

The kiosks are a viable and secure way for users to access their crypto wallets and complete transactions.

## Cryptocurrency ATMs/Kiosks

### Crypto ATM/Kiosk Use Reported by Age Group

13,460 Complaints; \$389 million in Losses

-----  
 23% Increase in Complaints from 2024  
 58% Increase in Losses from 2024  
 -----

The FBI Warns of Fraudulent Schemes Leveraging Cryptocurrency ATMs and QR Codes to Facilitate Payment

Age Group	Count	Losses
Under 20	58	\$124,013
20 - 29	825	\$6,474,240
30 - 39	1,275	\$10,936,943
40 - 49	1,472	\$20,826,227
50 - 59	1,524	\$44,584,724
60+	6,188	\$257,466,130

Cryptocurrency ATMs offer anonymous, hard to trace and often nonrefundable ways for scammers to defraud victims

# CRYPTOCURRENCY ATMS & PROVO, UT

**~6 virtual currency kiosks in Provo located in gas stations, Towne Center Mall, various small shops**

**Utah ranked 26<sup>th</sup> in the nation for cryptocurrency related scam complaints in 2025 and it ranked 24<sup>th</sup> in losses to victims at \$107.5 million**



UTAH

# PROPOSED DEFINITIONS

New section under 9.14 "Miscellaneous Criminal Provisions"

"Virtual Currency" - a digital representation of value that is used as a medium of exchange, a unit of account, or a store of value, but does not have legal tender status as recognized by the United States Government

"Virtual Currency Kiosk" - an electronic terminal or any other similar automated device, located in places of business, or areas generally accessible to the public, which acts as a mechanical agent of the Virtual Currency Kiosk Operator, enabling the exchange of Virtual Currency for money, bank credit, or other Virtual Currency.

Does not include personal technology such as a personal computer, tablet, mobile device, or digital wallet used by an individual for personal, non-commercial purchase, sale, or storage of virtual currency or digital assets

"Virtual Currency Kiosk Operator" - a person or entity that:

- i. Knowingly permits the use or installation of a Virtual Currency Kiosk on property owned, leased or controlled by the person or entity;
- ii. Operates a Virtual Currency Kiosk within the corporate limits of Provo City; or
- iii. Owns a Virtual Currency Kiosk that is either located or operated within the corporate limits of Provo City.

# PROPOSED CODE

---

New section under 9.14 "Miscellaneous Criminal Provisions"

It is unlawful for any person or entity to host, allow, operate, permit, locate, or place a Virtual Currency Kiosk within the corporate limits of Provo City.

All Virtual Currency Kiosks existing in the City as of the Effective Date of this Ordinance must be removed within 60 days after the Effective Date.

Failure to remove a Virtual Currency Kiosk within the 60-day period is unlawful with each day of continued violation constituting a separate offense.

This Section may not be construed to regulate, restrict, or prohibit the personal possession, storage, or transfer of Virtual Currency by an individual, provided such activity does not involve the use of a Virtual Currency Kiosk as defined in this Section.

This Section does not apply to transactions conducted via personal computers, mobile devices, or software-based virtual currency wallets that are not part of a Virtual Currency Kiosk located within the City.

# COUNCIL OPTIONS

---

**Motion to vote on ordinance at upcoming Council meeting**

Amended OR as written

**Direct staff to conduct additional research and bring back item for Council discussion**

**No action on item**

**PROVO MUNICIPAL COUNCIL  
WORK SESSION  
STAFF REPORT**



**Submitter:** MDAYLEY  
**Presenter:** Melia Dayley, Council Policy Analyst  
**Department:** Recorder  
**Meeting Date:** 4/28/2026  
**Requested Duration (Minutes):** 15 minutes minutes  
**CityView or Issue File Number:** 26-027

**SUBJECT:** 7 An ordinance prohibiting virtual currency kiosks within Provo City. (26-027)

**ADMINISTRATIVE RECOMMENDATION:** Discussion- seeking Council motion to proceed to Council meeting vote.

**ADMINISTRATIVE MEMO:** This is a Council initiated item.

**FISCAL IMPACT:** No anticipated fiscal impact on expense or revenue side.

**COUNCIL STAFF MEMO:**

# PROVO CITY MUNICIPAL COUNCIL

Staff Memorandum

Melia Dayley, Policy Analyst

## Virtual Currency Kiosks

April 20, 2026



Councilors MacKay and Christensen submitted an issue request regarding cryptocurrency ATMs and reviewing a potential ban on their operation within the city.

[Layton City recently passed an ordinance](#) that made it “unlawful to host, allow, operate, permit, locate or place a virtual currency kiosk” within city limits citing its residents having lost \$2 million in fraud schemes since January 2021.

The proposed ordinance, reviewed by Provo Legal’s team, mirrors Layton’s and would make it Class B misdemeanor for anyone to host, allow, operate, permit, locate or place a virtual currency kiosk within Provo. Like other provisions of [Provo criminal code](#), this would be enforced by the Provo police department. The ordinance would not prohibit or regulate individuals using personal technology to engage in cryptocurrency-based selling, buying, and other investments.

### Virtual Currency Kiosks: Background

Virtual currency kiosks, often called bitcoin or crypto ATMs, allow the user to pay cash for cryptocurrency or sell cryptocurrency for cash. The cash component is the main component of the appeal for those dealing in cryptocurrency transactions; using cash to send or receive crypto without having to set up a bank or other financial institution connection. The kiosks are a viable and secure way for users to access their crypto wallets and complete transactions.

The cash-only convenience and security/privacy of the kiosks are also what make them a prime venue for scammers to commit fraud. Cryptocurrency transactions at these cash-only ATMs offer anonymous, hard to trace and often nonrefundable ways for scammers to defraud victims. According to a 2025 FBI report, victims lost \$11.36 billion to cryptocurrency scams with \$389 million of the total coming from ATM transactions.

Cryptocurrency ATMs/Kiosks	Crypto ATM/Kiosk Use Reported by Age Group		
	Age Group	Count	Losses
13,460 Complaints; \$389 million in Losses			
-----			
23% Increase in Complaints from 2024	<b>Under 20</b>	58	\$124,013
58% Increase in Losses from 2024	<b>20 - 29</b>	825	\$6,474,240
-----			
<a href="#">The FBI Warns of Fraudulent Schemes Leveraging Cryptocurrency ATMs and QR Codes to Facilitate Payment</a>	<b>30 - 39</b>	1,275	\$10,936,943
	<b>40 - 49</b>	1,472	\$20,826,227
	<b>50 - 59</b>	1,524	\$44,584,724
	<b>60+</b>	6,188	\$257,466,130

Source: [2025 FBI Internet Crime Report](#)

Utah ranked 26<sup>th</sup> in the nation for cryptocurrency related scam complaints in 2025 and it ranked 24<sup>th</sup> in losses to victims at \$107.5 million.

For more info: [2025 FBI Internet Crime Report](#), Cryptocurrency Crimes begin on page 51

In Provo, there are approximately 6 crypto kiosks. You can find [locations here](#).



## Exhibit A

### 9.14.310 Virtual Currency Kiosks – Prohibitions.

#### (1) Definitions

- a. “Virtual Currency” means a digital representation of value that is used as a medium of exchange, a unit of account, or a store of value, but does not have legal tender status as recognized by the United States Government.
  - b. “Virtual Currency Kiosk” means an electronic terminal or any other similar automated device, located in places of business, or areas generally accessible to the public, which acts as a mechanical agent of the Virtual Currency Kiosk Operator, enabling the exchange of Virtual Currency for money, bank credit, or other Virtual Currency. The term "Virtual Currency Kiosk" does not include personal technology such as a personal computer, tablet, mobile device, or digital wallet used by an individual for personal, non-commercial purchase, sale, or storage of virtual currency or digital assets or point-of-sale terminals used by a merchant for the sole purpose of accepting virtual currency as payment for legal goods or services offered by the merchant.
  - c. “Virtual Currency Kiosk Operator” means a person or entity that:
    - i. Knowingly permits the use or installation of a Virtual Currency Kiosk on property owned, leased or controlled by the person or entity;
    - ii. Operates a Virtual Currency Kiosk within the corporate limits of Provo City; or
    - iii. Owns a Virtual Currency Kiosk that is either located or operated within the corporate limits of Provo City.
- (2) It is unlawful for any person or entity to host, allow, operate, permit, locate, or place a Virtual Currency Kiosk within the corporate limits of Provo City.
- (3) All Virtual Currency Kiosks existing in the City as of the Effective Date of this Ordinance must be removed within 60 days after the Effective Date. Failure to remove a Virtual Currency Kiosk within the 60-day period is unlawful with each day of continued violation constituting a separate offense.
- (4) This Section may not be construed to regulate, restrict, or prohibit the personal possession, storage, or transfer of Virtual Currency by an individual, provided such activity does not involve the use of a Virtual Currency Kiosk as defined in this Section. This Section does not apply to transactions conducted via personal computers, mobile devices, or software-based virtual currency wallets that are not part of a Virtual Currency Kiosk located within the City.

## \*ITEM 1

Development Services requests Ordinance Text Amendments to Title 14 to remove power generation as a permitted use in the Data Center Overlay Zone and update environmental impact requirements.

***Citywide Application***

PLOTA20250458

# SUMMARY OF PROPOSED AMENDMENTS

- Remove power generation as a permitted use
  - Caps data centers at 50 MW
  - Removes need for 500' setback from sensitive properties for data centers that require emissions credits
  - Removes requirement to report consideration of renewable energy on site
  - Replaces requirement for full air quality analysis and mitigation plan with an estimation of the amounts of listed pollutants and a comparison to a similarly sized office building
- Require non-evaporative cooling measures
  - Increases overall power load needed to cycle water
  - Prohibits discharge into municipal wastewater systems
- Remove requirement for third-party environmental analysis for data centers over 5 MW
  - Likely not necessary if the main sources of air pollutants and water use are prohibited

***Note: Otherwise preserves reporting requirements and City's high level of discretion.***

## \*ITEM 1

Development Services requests Ordinance Text Amendments to Title 14 to remove power generation as a permitted use in the Data Center Overlay Zone and update environmental impact requirements.

***Citywide Application***

PLOTA20250458

**PROVO MUNICIPAL COUNCIL  
WORK SESSION  
STAFF REPORT**



**Submitter:** HSALZL  
**Presenter:** Hannah Salzl, Planner and Sustainability Coordinator  
**Department:** Development Services  
**Meeting Date:** 4/28/2026  
**Requested Duration (Minutes):** 20 minutes minutes  
**CityView or Issue File Number:** PLOTA20250458

**SUBJECT:** 8 An ordinance amending power generation, evaporative cooling, and environmental reporting requirements for data centers. (PLOTA20250458)

**ADMINISTRATIVE RECOMMENDATION:** The Planning Commission recommended denial (5:0).

**ADMINISTRATIVE MEMO:** Provo City adopted the Data Center Overlay Zone on September 23, 2025. As staff processed the first application to apply the new zone, they noted a few amendments to streamline the code and bring it into better compliance with the City’s environmental goals.

First, the proposed amendments would remove power generation as a permitted use. This would limit data centers to 50 MW since UMPA policies require data centers over 50 MW to build an on-site power generating facility. This also removes the need for data centers that require emissions credits to be located at least 500 feet from sensitive properties (homes, schools, etc.), since no data center would be able to exceed state and federal limits without energy generation.

Second, the amendments would require data centers to use non-evaporative cooling methods. This nearly eliminates water concerns around data centers, since the high water use comes from using evaporation to cool server systems. The water, which is often treated with biocides that could disrupt municipal stormwater systems, would be required to be removed by a third party. This is already an available service in the industry.

Third, the amendments propose removing the requirement that data centers over 5 MW must pay for a third-party environmental analysis. Without power generation and with non-evaporative cooling, the environmental impact of a data center would be roughly the same as a comparable office space. Local environmental analysis companies have expressed that they would have very little to analyze for a data center with those specifications.

The proposed amendments significantly reduce the air pollution and water use from data centers while preserving the City's discretion to reject proposed data centers that do not align with the City's environmental goals.

**FISCAL IMPACT:** Not available

**TIME SENSITIVITY:** This item was previously noticed for April 28 on the March 25 Planning Commission agenda.

**COUNCIL STAFF MEMO:**

**\*ITEM 1** Development Services requests Ordinance Text Amendments to Title 14 to remove power generation as a permitted use in the Data Center Overlay Zone and update environmental impact requirements. Citywide Application. Hannah Salzl (801) 852-6423  
hsalzl@provo.gov PLOTA2025045

**Applicant:** Development Services

**Staff Coordinator:** Hannah Salzl

**Relevant History:** Provo City approved the Data Center Overlay Code on September 23, 2025. Now that staff has processed the first application for the DC Overlay, they propose a few environmental and procedural improvements.

**Neighborhood Issues:** There has not been a neighborhood meeting on this citywide item and staff has not received any feedback at the time of this report.

**Summary of Key Issues:**

- The proposed amendment would (1) remove power generation as a permitted use in the DC Overlay Zone, (2) require non-evaporative cooling measures, and (3) make minor procedural cleanups.

**POSSIBLE ACTIONS:**

1. **Approve** the requested appeal. *This action would be consistent with the recommendations of the Staff Report.*
2. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is April 8, 6:00 P.M.*
3. **Deny** the requested variance. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

## **OVERVIEW**

Provo City adopted the Data Center Overlay Zone on September 23, 2025. As staff processed the first application to apply the new zone, they noted a few amendments to streamline the code and bring it into better compliance with the City's environmental goals.

First, the proposed amendments would remove power generation as a permitted use. This would limit data centers to 50 MW since UMPA policies require data centers over 50 MW to build an on-site power generating facility. This also removes the need for data centers that require emissions credits to be located at least 500 feet from sensitive properties (homes, schools, etc.), since no data center would be able to exceed state and federal limits without energy generation.

Second, the amendments would require data centers to use non-evaporative cooling methods. This nearly eliminates water concerns around data centers, since the high water use comes from using evaporation to cool server systems. The water, which is often treated with biocides that could disrupt municipal stormwater systems, would be required to be removed by a third party. This is already an available service in the industry.

Third, the amendments propose removing the requirement that data centers over 5 MW must pay for a third-party environmental analysis. Without power generation and with non-evaporative cooling, the environmental impact of a data center would be roughly the same as a comparable office space. Local environmental analysis companies have expressed that they would have very little to analyze for a data center with those specifications.

The proposed amendments significantly reduce the air pollution and water use from data centers while preserving the City's discretion to reject proposed data centers that do not align with the City's environmental goals.

## **STAFF ANALYSIS**

Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments.

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

- (a) Public purpose for the amendment in question.

**Staff response: The amendment significantly reduces air pollution and water use from data centers.**

- (b) Confirmation that the public purpose is best served by the amendment in question.

**Staff response: Staff believe that the proposed amendment serves the public by allowing for a service that provides for an ever-increasing need.**

- (c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

**Staff response: The amendment furthers the following General Plan goals and strategies:**

- 1. Resource Management Strategy 1. Adopt best practices in water use reduction and reuse.**
- 2. Resource Management Strategy 2. Adopt policies to improve indoor and outdoor air quality, to the extent possible.**
- 3. Resource Management Strategy 3. Support the goals in the Conservation and Resiliency Plan.**
- 4. Resource Management Goal 1b. Promote the use of water conservative practices, including landscaping.**

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

**Staff response: There are no timing and sequencing issues related to this proposal.**

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

**Staff response: This proposal does not hinder or obstruct attainment of the General Plan's articulated policies.**

(f) Adverse impacts on adjacent landowners.

**Staff response: Staff do not foresee any adverse impacts on adjacent landowners if the proposed conditions and limitation included in this legislation are met.**

(g) Verification of correctness in the original zoning or General Plan for the area in question.

**Staff response: This proposal does not conflict with zoning or the General Plan.**

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

**Staff response: There is not a conflict.**

## **FINDINGS OF FACT**

1. The proposed amendments would limit the air pollution and water use of data centers.
2. The proposed amendments would limit data centers to 50 MW per UMPA policies on energy generation.
3. The proposed amendments preserve the Council's discretion to reject DC Overlay Zone rezone applications that do not meet the City's environmental goals.

## **CONCLUSIONS**

After having "field tested" the Data Center Overlay Code, staff feel the amendments would not be burdensome to data centers that would be good partners with the City. The amendments address the environmental concerns expressed by the Administration, Council, Planning Commission, and residents by significantly reducing the potential environmental impacts of data centers in Provo.

**ATTACHMENTS**

1. Proposed Language for the Data Center Overlay Zone Amendments

## **ATTACHMENT 1 – PROPOSED LANGUAGE FOR THE DATA CENTER OVERLAY ZONE AMENDMENTS**

### **Chapter 14.34A**

#### **DC – DATA CENTER OVERLAY ZONE**

Sections:

<b>14.34A.010</b>	<b>Purpose and Objectives.</b>
<b>14.34A.020</b>	<b>Permitted Uses.</b>
<b>14.34A.030</b>	<b>Lot Standards.</b>
<b>14.34A.040</b>	<b>Project Plan Approval.</b>
<b>14.34A.050</b>	<b>Development Standards for Data Centers of All Sizes.</b>
<b>14.34A.060</b>	<b>Development Standards for Large Data Centers.</b>
<b>14.34A.070</b>	<b>Other Requirements.</b>

#### **14.34A.010 Purpose and Objectives**

The Data Center Overlay Zone (DC Overlay) is established to provide prudent development standards for data centers and similar digital infrastructure facilities ~~as well as any associated power generation facilities~~. The provisions of this zone are intended to minimize the negative environmental effects of data centers ~~and power generation~~, especially to air quality, water use, and energy demands.

For the purposes of this Title, a “data center” is defined as a dedicated building or facility designed primarily for housing networked servers and computing infrastructure for continuous operation. It excludes computational facilities primarily engaged in cryptocurrency mining, blockchain validation, or other distributed ledger technology operations.

#### **14.34A.020 Permitted Uses**

The following principal uses and no others are permitted in the DC Overlay:

- (1) Data centers.;
- ~~(2) Energy generation facilities and transmission infrastructure, subject to Utah Municipal Power Authority (UMPA) policies.~~

#### **14.34A.030 Lot Standards**

Each lot or parcel in the DC Overlay must comply with PCC Section 15.03.100 (Adequate Public Facilities).

#### **14.34A.040 Project Plan Approval**

See PCC Sections 15.03.300 and 15.03.310.

#### **14.34A.050 Development Standards for Data Centers of All Sizes.**

- (1) The DC Overlay may only be combined with Light Manufacturing (M1) and Planned Industrial Commercial (PIC) Zones. Development within the DC Overlay must comply with the development standards of the underlying zone unless otherwise specified in this Chapter.
- (2) Data centers must also comply with all requirements listed in Provo City's Data Center Policy and Application Procedures as well as UMPA Data Center Policies.
- (3) No data center ~~or energy generation~~ may be located closer than two hundred (200) feet to any school, park, or residential property, measured in a straight line between the closest property lines of lots on which the respective uses are located.
  - ~~(a) Equipment that produces emissions in excess of state and federal base limits (or that requires emissions reduction credits to operate) may not be located closer than five hundred (500) feet to any school, park, or residential property, measured in a straight line between the closest wall enclosing the equipment and the closest property lines of lots on which the respective uses are located.~~
- (4) Data centers must establish a mechanism (e.g., performance bond, etc.) in accordance with UMPA Data Center Policies to offset risks to taxpayers.
- ~~(5) Applicants for data centers with aggregate power loads of five megawatts (5 MW) or more must cover the cost of having their application reviewed by an independent environmental expert of the City's choice.~~
- (5) Data centers must use non-evaporative cooling methods and may not discharge treated water used for cooling into the municipal systems.
- (6) The following additional information must be provided as part of the Zone Map Amendment application:
  - (a) A project narrative and development timeline, including construction milestones and phasing;
  - (b) Legal entity disclosures;
  - (c) A Community Benefit Plan including workforce training, infrastructure investments, renewable energy projects, and tax revenue projections;
  - (d) A statement of how the data center furthers the environmental goals in the Provo City General Plan and the Conservation and Resiliency Plan.
  - (e) An agreement with UMPA to ensure adequate compensation for the use of UMPA and Provo Power's transmission and distribution infrastructure;
  - (f) A detailed power load ~~and generation~~ plan;
  - (g) A site plan including all utility infrastructure (electric, water, wastewater);

- (h) ~~Noise studies to ensure compliance with PCC Section 9.06.040 and any requirements of the zone;~~
  - (i) An estimation of vibrations produced from operations and an explanation of strategies used to reduce vibrations (e.g., vibration isolation systems, floating floors, structural dampening);
  - (j) An environmental review that includes the identification and explanation of conservation strategies for the following resources, noting unused practical industry strategies and justification for not pursuing them on this project:
    - i. Energy efficiency (e.g., server clustering, high-efficiency cooling systems),
    - ~~ii. Renewable energy,~~
    - iii. Water and wastewater (e.g., ~~purple pipe irrigation, water alternatives~~ **water reuse strategies, pretreatment details**), and
    - iv. A comparison of water and power usage for data centers of similar scales and for other structures of similar size for different industries;
  - (k) An ~~air quality analysis and mitigation plan~~ estimation of the amount of pollutants that would be produced that includes CO<sub>2</sub>, NO<sub>x</sub>, VOCs, ozone, PM<sub>2.5</sub>, PM<sub>10</sub>, methane, and any other pollutants produced at the site **and compares them against the estimated emissions of a similarly sized office building**; and
  - (l) An end-of-life plan for all technological waste, which must be disposed of at an e-waste recycling facility licensed by the Department of Environmental Quality.
- ~~(7) The following additional standards apply to all energy generation facilities in the DC Overlay:~~
- ~~(a) Independent “islanded” power plants are prohibited. Any new power generation, whether renewable or non-renewable, produced by the data center to serve its own power demand must be interconnected with Provo City and follow UMPA policies.~~
  - ~~(b) Data centers may also provide on-site energy through renewable sources (e.g., geothermal, solar, etc.) and are encouraged to draw from energy produced on-site to meet demand during times of heightened grid demand. On-site battery energy storage systems (BESS) must be appropriately encased to prevent leaking. On-site BESS must comply with the latest safety standards and certifications.~~
- ~~(8) Confirmation of emissions credits, if required, must be submitted for verification before a building permit may be issued.~~

#### ~~14.34A.060 Development Standards for Large Data Centers.~~

- ~~(1) This section applies to all data centers with aggregate power loads exceeding fifty megawatts (50 MW), per UMPA Data Center Policies.~~

- ~~(2) A new power generation facility (plant) must be constructed and must be sufficient to cover the projected load.~~
- ~~(3) As part of the Zone Map Amendment application, the developers must submit a site plan that includes the details of the new power generation facility. The site plan must be reviewed and approved by UMPA.~~
- ~~(4) The construction of the plant may be scaled but must be completed and operational before the data center's load requirement exceeds fifty megawatts (50 MW).~~
- ~~(5) The developer is responsible for all costs associated with the development, design, construction, and operation of the new plant. The developer is also responsible for any costs to update the local power grid infrastructure to accommodate the increased load and for any associated system load studies. Once the construction and commissioning of the power plant are complete, operation of the plant will be transferred to UMPA, with ownership of the plant to be negotiated.~~

#### **14.34A.0760 Other Requirements**

- (1) *International Building Code.* The requirements of the International Building Code, as adopted by the Provo Municipal Council (the IBC), apply and must be met. If there is a conflict between the IBC and this Chapter, the IBC controls, unless the conflicting provision of this Chapter was adopted more recently than the Council's adoption of the IBC.
- (2) The operator of a use permitted in this Chapter must comply with all other license requirements of the City or any public agency related to the use.
- (3) Data centers must comply with the noise limits in PCC Section 9.06.040 and any requirements of the zone.

Provo City Planning Commission

# Report of Action

March 25, 2026

---

**\*ITEM 1** Development Services requests Ordinance Text Amendments to Title 14 to remove power generation as a permitted use in the Data Center Overlay Zone and update environmental impact requirements. Citywide Application. Hannah Salzl (801) 852-6423 hsalzl@provo.gov PLOTA20250048

---

The following action was taken by the Planning Commission on the above described item at its regular meeting of March 25, 2026:

## RECOMMENDED DENIAL

On a vote of 5:0, the Planning Commission recommended that the Municipal Council deny the above noted application.

Motion By: Jonathon Hill

Second By: Anne Allen

Votes in Favor of Motion: Joel Temple, Matt Wheelwright, Jonathon Hill, Jon Lyons, Anne Allen

*Jonathon Hill was present as Chair.*

- New findings stated as basis of action taken by the Planning Commission or recommendation to the Municipal Council; Planning Commission determination is not generally consistent with the Staff analysis and determination.

### TEXT AMENDMENT

The text of the proposed amendment is attached as Exhibit A.

### STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis.

### CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

### NEIGHBORHOOD MEETING DATE

- Citywide application; all Neighborhood District Chairs received notification.

### NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods.
- Neighbors or other interested parties were present or addressed the Planning Commission.

### CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Jeff Chavez, a CEO of Volition Industries and Provo resident, is working to develop a large data center in Provo. He discouraged the Planning Commission on the grounds that (1) Volition intends to use islanded energy fuel cell power generation and (2) Volition's data center claims to be able to bring 2.5-4 million dollars in tax revenue every year. He cautioned Provo from turning away investment opportunities. It should be noted that the prohibition of islanded power generation comes from the Utah Municipal Power Agency (Provo's power provider) and was not an item addressed by the proposed amendment.

### PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Lyons expressed that it seemed premature to close the door on power generation without a fuller understanding of current and emerging power generation trends and potential economic impacts. He asked Jeff Chavez, the CEO of Volition Industries and Provo resident, about the potential tax revenue for the City and about the

credibility of the Bloom energy fuel cells. He responded that the fuel cells are fueled by natural gas but do not use combustion and so have lower emissions than traditional natural gas power stations. Bloom's fuel cells are safe and quiet, and Volition aims to be a good community partner with small-scale data centers near metro areas. Their potential data center would be 30-40 MW on Sierra Vista near the Vox Fulfillment property.

- Commissioner Hill felt that data centers are an increasingly important part of infrastructure that enable economic growth and job creation by supporting other industries. He worried that Provo could lose the opportunity to build cutting-edge data centers if the code were to be too conservative. Commissioner Allen noted that on the other hand, Provo could avoid old-fashioned data centers by being conservative about what they approve. Commissioner Hill gave an example of innovations in efficiency and operations in other fields that were lost to government over-regulation. He expressed that the proposed amendment went too far and closed off too many options.
- Commissioner Wheelwright agreed, noting that although technology will continue to improve, it would still be unwise to shut the door to the good opportunities available now.
- Commissioner Temple supported the idea of making power generation a conditional use within the Data Center Overlay Zone with strict performance standards. The other Commissioners agreed. Commissioner Temple also mentioned considering a Community Benefit Agreement, an agreement where developments that meet certain requirements must provide additional community benefits.

#### **FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION**

The Planning Commission identified the following findings as the basis of this decision or recommendation:

- A blanket ban is too strong. They recommend that the Council consider performance-based standards or other alternatives that would also mitigate the concerns of the public about data centers but that would allow projects that are good for the community to move forward and allow Provo to better react to changing technologies.



---

Planning Commission Chair



---

Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (\*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

# **EXHIBIT A**

## **Chapter 14.34A DC – DATA CENTER OVERLAY ZONE**

Sections:

- 14.34A.010 Purpose and Objectives.**
- 14.34A.020 Permitted Uses.**
- 14.34A.030 Lot Standards.**
- 14.34A.040 Project Plan Approval.**
- 14.34A.050 Development Standards for Data Centers of All Sizes.**
- 14.34A.060 Development Standards for Large Data Centers.**
- 14.34A.070 Other Requirements.**

### **14.34A.010 Purpose and Objectives**

The Data Center Overlay Zone (DC Overlay) is established to provide prudent development standards for data centers and similar digital infrastructure facilities ~~as well as any associated power generation facilities~~. The provisions of this zone are intended to minimize the negative environmental effects of data centers ~~and power generation~~, especially to air quality, water use, and energy demands.

For the purposes of this Title, a “data center” is defined as a dedicated building or facility designed primarily for housing networked servers and computing infrastructure for continuous operation. It excludes computational facilities primarily engaged in cryptocurrency mining, blockchain validation, or other distributed ledger technology operations.

### **14.34A.020 Permitted Uses**

The following principal [uses](#) and no others are permitted in the DC Overlay:

- (1) Data centers.;
- ~~(2) Energy generation facilities and transmission infrastructure, subject to Utah Municipal Power Authority (UMPA) policies.~~

### **14.34A.030 Lot Standards**

Each lot or parcel in the DC Overlay must comply with PCC Section 15.03.100 (Adequate Public Facilities).

### **14.34A.040 Project Plan Approval**

See PCC Sections 15.03.300 and 15.03.310.

### **14.34A.050 Development Standards for Data Centers of All Sizes.**

- (1) The DC Overlay may only be combined with Light Manufacturing (M1) and Planned Industrial Commercial (PIC) Zones. Development within the DC Overlay must comply with the development standards of the underlying zone unless otherwise specified in this Chapter.
- (2) Data centers must also comply with all requirements listed in Provo City’s Data Center Policy and Application Procedures as well as UMPA Data Center Policies.

- (3) No data center ~~or energy generation~~ may be located closer than two hundred (200) feet to any school, park, or residential property, measured in a straight line between the closest property lines of lots on which the respective uses are located.
- ~~(a) Equipment that produces emissions in excess of state and federal base limits (or that requires emissions reduction credits to operate) may not be located closer than five hundred (500) feet to any school, park, or residential property, measured in a straight line between the closest wall enclosing the equipment and the closest property lines of lots on which the respective uses are located.~~
- (4) Data centers must establish a mechanism (e.g., performance bond, etc.) in accordance with UMPA Data Center Policies to offset risks to taxpayers.
- ~~(5) Applicants for data centers with aggregate power loads of five megawatts (5 MW) or more must cover the cost of having their application reviewed by an independent environmental expert of the City's choice.~~
- (5) Data centers must use non-evaporative cooling methods and may not discharge treated water used for cooling into the municipal systems.
- (6) The following additional information must be provided as part of the Zone Map Amendment application:
- (a) A project narrative and development timeline, including construction milestones and phasing;
  - (b) Legal entity disclosures;
  - (c) A Community Benefit Plan including workforce training, infrastructure investments, renewable energy projects, and tax revenue projections;
  - (d) A statement of how the data center furthers the environmental goals in the Provo City General Plan and the Conservation and Resiliency Plan.
  - (e) An agreement with UMPA to ensure adequate compensation for the use of UMPA and Provo Power's transmission and distribution infrastructure;
  - (f) A detailed power load ~~and generation~~ plan;
  - (g) A site plan including all utility infrastructure (electric, water, wastewater);
  - ~~(h) Noise studies to ensure compliance with PCC Section 9.06.040 and any requirements of the zone;~~
  - (i) An estimation of vibrations produced from operations and an explanation of strategies used to reduce vibrations (e.g., vibration isolation systems, floating floors, structural dampening);
  - (j) An environmental review that includes the identification and explanation of conservation strategies for the following resources, noting unused practical industry strategies and justification for not pursuing them on this project:
    - i. Energy efficiency (e.g., server clustering, high-efficiency cooling systems),
    - ~~ii. Renewable energy,~~
    - iii. Water and wastewater (e.g., ~~purple pipe irrigation, water alternatives~~ water reuse strategies, pretreatment details), and

- iv. A comparison of water and power usage for data centers of similar scales and for other structures of similar size for different industries;
- (k) An ~~air quality analysis and mitigation plan~~ estimation of the amount of pollutants that would be produced that includes CO<sub>2</sub>, NO<sub>x</sub>, VOCs, ozone, PM<sub>2.5</sub>, PM<sub>10</sub>, methane, and any other pollutants produced at the site **and compares them against the estimated emissions of a similarly sized office building**; and
- (l) An end-of-life plan for all technological waste, which must be disposed of at an e-waste recycling facility licensed by the Department of Environmental Quality.

~~(7) The following additional standards apply to all energy generation facilities in the DC Overlay.~~

- ~~(a) Independent “islanded” power plants are prohibited. Any new power generation, whether renewable or non-renewable, produced by the data center to serve its own power demand must be interconnected with Provo City and follow UMPA policies.~~
- ~~(b) Data centers may also provide on-site energy through renewable sources (e.g., geothermal, solar, etc.) and are encouraged to draw from energy produced on-site to meet demand during times of heightened grid demand. On-site battery energy storage systems (BESS) must be appropriately encased to prevent leaking. On-site BESS must comply with the latest safety standards and certifications.~~

~~(8) Confirmation of emissions credits, if required, must be submitted for verification before a building permit may be issued.~~

#### **14.34A.060 Development Standards for Large Data Centers.**

- ~~(1) This section applies to all data centers with aggregate power loads exceeding fifty megawatts (50 MW), per UMPA Data Center Policies.~~
- ~~(2) A new power generation facility (plant) must be constructed and must be sufficient to cover the projected load.~~
- ~~(3) As part of the Zone Map Amendment application, the developers must submit a site plan that includes the details of the new power generation facility. The site plan must be reviewed and approved by UMPA.~~
- ~~(4) The construction of the plant may be scaled but must be completed and operational before the data center’s load requirement exceeds fifty megawatts (50 MW).~~
- ~~(5) The developer is responsible for all costs associated with the development, design, construction, and operation of the new plant. The developer is also responsible for any costs to update the local power grid infrastructure to accommodate the increased load and for any associated system load studies. Once the construction and commissioning of the power plant are complete, operation of the plant will be transferred to UMPA, with ownership of the plant to be negotiated.~~

#### **14.34A.0760 Other Requirements**

- (1) *International Building Code*. The requirements of the International Building Code, as adopted by the Provo Municipal Council (the IBC), apply and must be met. If there is a conflict between the IBC and this Chapter, the IBC controls, unless the conflicting provision of this Chapter was adopted more recently than the Council's adoption of the IBC.
- (2) The operator of a use permitted in this Chapter must comply with all other license requirements of the City or any public agency related to the use.
- (3) Data centers must comply with the noise limits in PCC Section 9.06.040 and any requirements of the zone.



46 Exhibit A

47 **Chapter 14.34A**

48 **DC – DATA CENTER OVERLAY ZONE**

49 Sections:

50 **14.34A.010 Purpose and Objectives.**

51 **14.34A.020 Permitted Uses.**

52 **14.34A.030 Lot Standards.**

53 **14.34A.040 Project Plan Approval.**

54 **14.34A.050 Development Standards for Data Centers of All Sizes.**

55 **14.34A.060 Development Standards for Large Data Centers.**

56 **14.34A.070 Other Requirements.**

57 **14.34A.010 Purpose and Objectives**

58 The Data Center Overlay Zone (DC Overlay) is established to provide prudent development standards for  
59 data centers and similar digital infrastructure facilities ~~as well as any associated power generation~~  
60 ~~facilities~~. The provisions of this zone are intended to minimize the negative environmental effects of data  
61 centers ~~and power generation~~, especially to air quality, water use, and energy demands.  
62

63 For the purposes of this Title, a “data center” is defined as a dedicated building or facility designed  
64 primarily for housing networked servers and computing infrastructure for continuous operation. It  
65 excludes computational facilities primarily engaged in cryptocurrency mining, blockchain validation, or  
66 other distributed ledger technology operations.  
67

68 **14.34A.020 Permitted Uses**

69 The following principal uses and no others are permitted in the DC Overlay, **in addition to the principal**  
70 **uses permitted in the underling zone: (1) Data centers.;**

71 ~~(2) Energy generation facilities and transmission infrastructure, subject to Utah Municipal Power~~  
72 ~~Authority (UMPA) policies.~~  
73

74 **14.34A.030 Lot Standards**

75 Each lot or parcel in the DC Overlay must comply with PCC Section 15.03.100 (Adequate Public  
76 Facilities).  
77

78 **14.34A.040 Project Plan Approval**

79 See PCC Sections 15.03.300 and 15.03.310.  
80

81 **14.34A.050 Development Standards for Data Centers of All Sizes.**

82 (1) The DC Overlay may only be combined with Light Manufacturing (M1) and Planned  
83 Industrial Commercial (PIC) Zones. Development within the DC Overlay must comply  
84 with the development standards of the underlying zone unless otherwise specified in this  
85 Chapter.  
86

87 (2) Data centers must also comply with all requirements listed in Provo City’s Data Center  
88 Policy and Application Procedures as well as UMPA Data Center Policies.  
89  
90

91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132

(3) No data center ~~or energy generation~~ may be located closer than two hundred (200) feet to any school, park, or residential property, measured in a straight line between the closest property lines of lots on which the respective uses are located.

~~(a) Equipment that produces emissions in excess of state and federal base limits (or that requires emissions reduction credits to operate) may not be located closer than five hundred (500) feet to any school, park, or residential property, measured in a straight line between the closest wall enclosing the equipment and the closest property lines of lots on which the respective uses are located.~~

(4) Data centers must establish a mechanism (e.g., performance bond, etc.) in accordance with UMPA Data Center Policies to offset risks to taxpayers.

~~(5) Applicants for data centers with aggregate power loads of five megawatts (5 MW) or more must cover the cost of having their application reviewed by an independent environmental expert of the City's choice.~~

(5) Data centers must use non-evaporative cooling methods and may not discharge treated water used for cooling into the municipal systems.

(6) The following additional information must be provided as part of the Zone Map Amendment application:

(a) A project narrative and development timeline, including construction milestones and phasing;

(b) Legal entity disclosures;

(c) A Community Benefit Plan including workforce training, infrastructure investments, renewable energy projects, and tax revenue projections;

(d) A statement of how the data center furthers the environmental goals in the Provo City General Plan and the Conservation and Resiliency Plan.

(e) An agreement with UMPA to ensure adequate compensation for the use of UMPA and Provo Power's transmission and distribution infrastructure;

(f) A detailed power load ~~and generation~~ plan;

(g) A site plan including all utility infrastructure (electric, water, wastewater);

~~(h) Noise studies to ensure compliance with PCC Section 9.06.040 and any requirements of the zone;~~

(hi) An estimation of vibrations produced from operations and an explanation of strategies used to reduce vibrations (e.g., vibration isolation systems, floating floors, structural dampening);

(ij) An environmental review that includes the identification and explanation of conservation strategies for the following resources, noting unused practical industry strategies and justification for not pursuing them on this project:

- i. Energy efficiency (e.g., server clustering, high-efficiency cooling systems),
- ~~ii. Renewable energy,~~
- iii. Water and wastewater (e.g., ~~purple pipe irrigation, water alternatives~~ **water reuse strategies, pretreatment details**), and
- iii.v. A comparison of water and power usage for data centers of similar scales and for other structures of similar size for different industries;
- (~~jk~~) An ~~air quality analysis and mitigation plan~~ estimation of the amount of pollutants that would be produced that includes CO<sub>2</sub>, NO<sub>x</sub>, VOCs, ozone, PM<sub>2.5</sub>, PM<sub>10</sub>, methane, and any other pollutants produced at the site **and comparison of those produced pollutants against the estimated emissions of a similarly sized office building**; and
- (~~kl~~) An end-of-life plan for all technological waste, which must be disposed of at an e-waste recycling facility licensed by the Department of Environmental Quality.

~~(7) The following additional standards apply to all energy generation facilities in the DC Overlay.~~

- ~~(a) Independent “islanded” power plants are prohibited. Any new power generation, whether renewable or non-renewable, produced by the data center to serve its own power demand must be interconnected with Provo City and follow UMPA policies.~~
- ~~(b) Data centers may also provide on-site energy through renewable sources (e.g., geothermal, solar, etc.) and are encouraged to draw from energy produced on-site to meet demand during times of heightened grid demand. On-site battery energy storage systems (BESS) must be appropriately encased to prevent leaking. On-site BESS must comply with the latest safety standards and certifications.~~

~~(8) Confirmation of emissions credits, if required, must be submitted for verification before a building permit may be issued.~~

#### **14.34A.060 Development Standards for Large Data Centers.**

~~(1) This section applies to all data centers with aggregate power loads exceeding fifty megawatts (50 MW), per UMPA Data Center Policies.~~

~~(2) A new power generation facility (plant) must be constructed and must be sufficient to cover the projected load.~~

~~(3) As part of the Zone Map Amendment application, the developers must submit a site plan that includes the details of the new power generation facility. The site plan must be reviewed and approved by UMPA.~~

~~(4) The construction of the plant may be scaled but must be completed and operational before the data center’s load requirement exceeds fifty megawatts (50 MW).~~

176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195

~~(5) The developer is responsible for all costs associated with the development, design, construction, and operation of the new plant. The developer is also responsible for any costs to update the local power grid infrastructure to accommodate the increased load and for any associated system load studies. Once the construction and commissioning of the power plant are complete, operation of the plant will be transferred to UMPA, with ownership of the plant to be negotiated.~~

**14.34A.0760 Other Requirements**

- (1) *International Building Code*. The requirements of the International Building Code, as adopted by the Provo Municipal Council (the IBC), apply and must be met. If there is a conflict between the IBC and this Chapter, the IBC controls, unless the conflicting provision of this Chapter was adopted more recently than the Council's adoption of the IBC.
- (2) The operator of a use permitted in this Chapter must comply with all other license requirements of the City or any public agency related to the use.
- (3) Data centers must comply with the noise limits in PCC Section 9.06.040 and any requirements of the zone.