



PROVO MUNICIPAL COUNCIL

Work Meeting

1:30 PM, Tuesday, July 14, 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: July 14 Work Meeting: Dial 346-248-7799. Enter Meeting ID 862 2273 1990 and press #. When asked for a participant ID, press #.

Roll Call

Approval of Minutes

September 23, 2025 Council Meeting
December 16, 2025 Council Meeting
May 26, 2026 Council Meeting
June 23, 2026 Work Meeting

Business

- 1 A presentation regarding the Mountainland Association of Governments (MAG) (26-055)
- 2 A presentation regarding an update from Intermountain Health Care (26-059)
- 3 A resolution amending the HOME-ARP allocation plan (26-025)
- 4 A resolution approving an interlocal agreement between Provo City and Utah County regarding funding for Orem 2000 S storm drain project; and authorizing the mayor to sign that agreement on behalf of the city. (26-056)
- 5 An ordinance vacating a section of 1600 West to deed back to the adjoining property owners (PLSV20250636)
- 6 An ordinance requiring members of boards and commissions to be Provo residents. (26-057)
- 7 A discussion regarding a proposed text amendment to allow tow truck parking in residential zones and on public streets. (26-058)
- 8 An ordinance repealing the Planning Commission's authority to grant parking requirement reductions. (PLOT20260080)

Adjournment

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

Materials and Agenda: agendas.provo.org

Council meetings are broadcast live and available later on demand at youtube.com/ProvoCityCouncil.

The next Work Meeting will be held on Tuesday, August 11, 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 at least three working days prior to the meeting. Council meetings are broadcast live and available for on demand viewing at 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. Council meeting agendas are available through the Utah Public Meeting Notice website at 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 Minutes

5:30 PM, Tuesday, September 23, 2025

Council Chambers (Room 100)

Hybrid meeting: 445 W. Center Street, Provo, UT 84601 or

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

Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Councilor Becky Bogdin

Councilor Gary Garrett

Councilor Travis Hoban

Councilor Rachel Whipple

Chief Administrative Officer Scott Henderson

Council Executive Director Justin Harrison

Councilor Craig Christensen

Councilor George Handley

Councilor Katrice MacKay

Mayor Michelle Kaufusi

City Attorney Brian Jones

City Recorder Heidi Allman

Conducting: Chair Gary Garrett

Prayer – Jessie Oiler

Pledge of Allegiance – Councilor Whipple

Presentations, Proclamations, and Awards

1 A recognition of Provo City's Employee of the Month (25-007) [00:01:27](#)

Mayor Kaufusi spoke of the importance of having quality employees. Director of Human Resources Daniel Softley recognized Tami Olsen as Employee of the Month for September 2025.

Public Comment

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

Andrew Thompson, Provo resident, said he had a vision of a world where accessibility was not an issue. He gave examples of areas in Provo that needed to be addressed.

With no other public comments, Chair Garrett closed the public comment period.

Action Agenda

2 A resolution consenting to board and commission appointments (25-031) [00:13:39](#)

Motion: An implied motion to approve Resolution 2025-45, as currently constituted, has been made by Council rule.

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Mayor Kaufusi recommended the following for appointment:

David Taylor	Airport Board
Jared Cobia	Airport Board
Mel Leseberg	Airport Board
Susan Krueger-Barber	Landmarks Commission
Jon Lyons	Planning Commission

Chair Garrett opened the meeting for public comment, and closed public comment seeing no one come forward.

Councilor Christensen said he knew the individuals recommended for appointment to the Airport Board were very qualified.

Chair Garrett called for a vote.

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

3 An ordinance amending Provo City Code regarding the area where accessory dwelling units are permitted (PLOT20250238) [00:16:55](#)

Motion: An implied motion to approve an Ordinance, as currently constituted, has been made by Council rule.

City Planner Jessica Dahneke presented a proposal to add the property at 3080 Bannock Drive (R1.10 Zone) to the area in which accessory dwelling units (ADUs) were allowed. If the proposed text amendment was approved, any future owner of the property would be able to go through the process to apply to have an ADU. The application did not apply to any other properties in the area. Ms. Dahneke said the property owners gathered signatures of support from 66% of their surrounding neighbors.

Ms. Dahneke said City Code required owner occupancy on a property for an ADU to be allowed, with owner occupancy defined as occupancy as a primary residence by an owner of 50% or more of the property. One of the two owners on the property title, Christina Gibson, indicated intent to make the property her primary residence; however, required documentation showing income or tax deduction on the property was not provided. Staff recommended denial of the request. At a neighborhood meeting, 24 neighbors indicated they were in favor and 5 were against. The Planning Commission recommended approval based on the fact that the property owners had not owned the property long enough to have tax documents to show.

Joseph Faucett, husband of applicant Christina Gibson, read aloud a letter from Christina requesting approval of the proposed text amendment, and stating she believed the request aligned with the spirit of the City's housing goals. She said affordability of the home investment had been based on a long-term plan to rent out the main unit while living in the ADU. The letter stated her intention to remain on the property long-term and eventually move into the main home as her family grew, and said she had no

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intention of using the property as short-term housing. While she was in the process of purchasing the home, the property was within the area in which ADUs were allowed; however, while the purchase was in escrow, laws and area boundaries changed, and she did not learn of the change until after the sale was complete. Mr. Faucett showed a timeline of the process, and shared that the other individual on the title was Ms. Gibson's father, who helped with the purchase of the home. He said the property could comfortably park seven vehicles, and said the home was already set up for a compliant ADU with no construction necessary. Mr. Faucett said they were aware of several unauthorized ADUs in the neighborhood, but wanted to go through the process in good faith to be compliant.

Councilor Bogdin asked if the home was currently being rented, and Mr. Faucett said it was.

Chair Garrett opened public comment.

Rhoda Gauvin, Provo resident, said she was representing Indian Hills. She said she did an informal survey of the neighbors, with more than 70% of respondents in favor. Ms. Gauvin said the property owners were trying to be compliant, and suggested the City consider the application under a special use permit.

Jennifer Knapp, Provo resident, said she was the first homeowner to do an overlay zone in Provo and it had been a huge blessing to her family. She spoke in favor of approval.

Sharron Memmott, Provo resident, said she voted against the proposal at the neighborhood meeting. She said she was opposed to spot zoning, and said she did not remember the ability to have ADUs in the neighborhood having been cancelled.

Ben Eyre, Provo resident, said he lived in an adjacent neighborhood. He spoke in opposition to spot zoning, and said he hoped the Council would be extremely careful with making exceptions to Code.

David Taylor, Provo resident, said he lived in the Oak Hills neighborhood. He asked the Council to carefully consider spot exemptions.

Chair Garrett closed public comment and invited Council discussion.

City Attorney Brian Jones explained previous accessory dwelling unit and supplementary dwelling unit overlays available in Provo, and described changes made as a result of State legislation. Mr. Jones said it was the special use permit option that was eliminated while the applicant was going through the purchase process. He emphasized that if the request was approved, subsequent owners of the property would be eligible for an ADU rental dwelling license if all requirements were met. Mr. Jones said it was his understanding that the current applicants did not meet the owner-occupancy requirements for a rental dwelling license.

Councilor Whipple asked if Ms. Gibson would be able to qualify if her father signed a quit-claim deed. Mr. Jones said the suggestion would work as long as doing so did not violate the City's sham transaction rule. The ownership interest would truly need to be transferred. Councilor Whipple said she knew a lot of young people would not be able to purchase a home without help from parents and the ability to rent out a portion of their property, and said the requirement that all people on title as owners had to occupy the

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property made the ability impossible. She said it was a policy question for the Council to consider, and said she thought it interesting that neighbors were supportive of the arrangement with the current applicants.

Chair Garrett reopened public comment for William Gibson, father of the applicant (participating remotely).

William Gibson, resident of Rohnert Park, California and father of applicant, said the wording of the Code was confusing regarding owner occupancy to qualify for an ADU. He said staff interpreted Code to indicate 100% owner occupancy was required, and asked why the Code said 50% if 100% owner occupancy was required.

Chair Garrett closed public comment.

Councilor Hoban said the only option available at the moment was permanent, which he felt was not ideal. Responding to a question from Councilor Hoban, Mr. Jones said even if the property were added to the map as having potential for an ADU, the applicant would not qualify for a rental dwelling license because of current owner-occupancy restrictions. Mr. Jones said he suspected the 50% owner occupancy requirement was written in Code, and the subsection with the 100% owner occupancy requirement was added later without removing or changing the 50% language. He said he did not know if the mortgage company would allow Mr. Gibson to quit claim his interest.

Councilor MacKay said the sham transaction law was enacted because a lot of investors had found a way around having owner-occupied ADUs. She said the City was in a constant battle to keep housing as affordable as possible. Councilor MacKay emphasized that any decision made by the Council would not be a reflection on the character of the applicants.

Councilor Bogdin asked what percentage of Provo was ADU eligible, and staff responded that approximately half of the residential zones were ADU allowable.

Councilor Handley said the situation was complicated, and said he had been supportive of allowing Citywide access to ADUs. Councilor Handley said spot zoning was now the only way to address the current situation, and said he believed it was a mistake for the Council to have taken away the special use permit option. He said he felt the Council needed to do more and be more innovative and creative to make ownership for young people as flexible as possible. He expressed the opinion that the issue would not go away. He said he would not be comfortable voting in favor of the application because of spot zoning and because of the current owner occupancy rule.

Councilor Hoban said the Council took away the special use permit to be able to review the situations on a case-by-case basis. He said the property had ample parking and neighborhood support, did not seem to be a sham transaction, and seemed to be a good location for an ADU.

Motion: Councilor Hoban made a motion to continue the matter until the applicant was able to meet the owner occupancy requirement. The motion was seconded by Councilor Handley.

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Chair Garrett called for a vote on the substitute motion.

Vote: The motion failed 3:4 with Councilors Handley, Hoban, and Whipple in favor, and Councilors Bogdin, Christensen, Garrett, and MacKay opposed.

Councilor Whipple commented that Provo Code currently allowed occupancy of a head of household and all individuals related to them, as well as rental of space to two more related or unrelated persons, all occupying the home as a single unit. She said the option would not work for an external ADU, but could work for an internal ADU with a connection between the two units. She said a young couple moving into a home would be permitted to bring in a couple of roommates with a rental dwelling license.

Chair Garrett said he was impressed with the applicant's presentation. He said he was in favor of allowing neighborhoods to decide to participate in an overlay zone, instead of spot zoning single properties. Councilor Bogdin said she would be supportive of a neighborhood choosing to participate rather than spot zoning.

Councilor Christensen said the issue was not about character, but was very commercial. He said spot zoning the property would change the value of the property, since it would essentially be a duplex instead of a single-family home. He said there were no easy answers to the housing crisis, and said he felt strongly that neighborhoods mattered. Councilor Christensen said ADUs were allowed in half of Provo, and the applicant chose to buy where ADUs were not allowed. He said he did not feel spot zoning was the answer, and did not think spot zoning was the appropriate way to address the particular issue. He said he would not vote in favor.

Councilor Hoban said he did not like the idea of large swaths of the City having ADUs, and preferred the idea of the Council having more discretion with the location of ADUs. He said it appeared a majority of the neighborhood was supportive of the application. He said he struggled with the logic of allowing two-thirds of a neighborhood to decide ADUs should be allowed in an entire neighborhood, versus allowing the Council to decide on a case-by-case basis.

Councilor Whipple said the General Plan called for gradual infill throughout the City, and the application before the Council, especially with neighborhood support, was exactly that type of gradual increase. She said the application, if approved, would have much less impact on a neighborhood than making an entire neighborhood subject to ADUs.

Chair Garrett called for a vote on the implied motion.

Vote: The motion failed 2:5 with Councilors Hoban and Whipple in favor, and Councilors Bogdin, Christensen, Garrett, Handley, and MacKay opposed.

- 4 An ordinance amending the Zone Map classification of real property, generally located at 920 S 1020 W from the One-Family Residential (R1.8) and Residential Agricultural (RA) Zones to the One-Family Residential (R1.7) Zone, Sunset (PLR220250388) [01:21:47](#)**

PENDING APPROVAL - DRAFT MINUTES

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Motion: An implied motion to approve Ordinance 2025-49, as currently constituted, has been made by Council rule.

Ms. Dahneke presented an application to rezone property located at 920 South 1020 West from R1.8 and RA to R1.7 to allow for creation of one additional lot to develop one additional family dwelling.

Chair Garrett opened public comment, and closed public comment seeing no one come forward. With no Council discussion, he called for a vote.

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

Chair Garrett moved to item 11 on the agenda.

11 A public hearing for the Consolidated Annual Performance and Evaluation Report (CAPER) (25-096) [01:24:19](#)

Melissa McNalley, Community Grant Administrator, presented a Consolidated Annual Performance and Evaluation Report for FY2025. She showed overall progress toward five-year plan goals, and answered questions from the Council.

Chair Garrett opened a public hearing, and closed the public hearing seeing no one come forward. Ms. McNalley added that comments would be accepted on the website until Sunday, September 28, 2025.

Chair Garrett moved back to item 5 on the agenda.

5 An ordinance amending the Zone Map classification of real property, generally located at 3200 W Bulldog Lane, from the OSPR and R1.20 Zones to One-Family Residential with Performance Development Overlay (R1.6(PD)) Zone, Lakeview North (PLRZ20250397) [01:29:27](#)

Motion: An implied motion to approve Ordinance 2025-50, as currently constituted, has been made by Council rule.

Bill Peperone, Director of Development Services, presented the request for rezone to the R1.6(PD) Zone. He explained the Performance Development Overlay allowed housing to be moved off environmentally sensitive areas by clustering housing units. He said the project was a joint venture between Nilson Homes and Provo City to provide workforce housing. Mr. Peperone said helping to enable first responders who worked in Provo to live in Provo would benefit both the City and worker quality of life.

Responding to a question from Chair Garrett, Mr. Peperone said 34 of the proposed 68 units would be workforce homes. Chair Garrett said the Council had heard from residents about the need for commercial space in the area. Mr. Peperone said staff were aware of the desire for commercial amenities on the west side. He said the City tried for several years to get a Smith's at Geneva Road and Center Street. Mr. Peperone said space had been reserved for commercial at 2000 North and Lakeview Parkway.

PENDING APPROVAL - DRAFT MINUTES

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Chair Garrett asked the developer about planned traffic mitigation. Matt Meyer, Engineer with Nilson Homes, said the traffic had been well studied, and said the City Traffic Engineer had indicated the proposed development would not add significantly to area traffic. Mr. Meyer explained planned accesses and site lines.

Councilor Christensen asked Mr. Meyer to explain why Nilson Homes was uniquely qualified for the project. Mr. Meyer said the mission of Nilson Homes was to provide single-income homes, and described a previous Nilson Homes project in Weber County with a mix of market-rate homes and starter-home product.

Chair Garrett opened public comment.

David Gail, Provo resident, thanked the Council for considering the workforce housing proposal, and said he supported the goal of creating more affordable housing. He expressed concern with the location, and said the west side was quickly running out of sites that could support everyday neighborhood services in west Provo. He encouraged the Council to amend the plan to reserve space for a small restaurant, café, dance or fitness studio, or hair salon. Mr. Gail emphasized that families needed places to meet daily needs close to home.

Adam Borrowman, Provo resident, said he agreed with the goal of affordable housing, but felt there had not been enough effort or investigation into a small business or grocer for the property. Mr. Borrowman said he believed more investigation needed to be done into the desires and needs of the residents of west Provo.

Christina Borowman, Provo resident, urged the Council to reconsider the proposal, pause the resolution, and work with residents to find a more balanced plan with both housing and service options for the community.

Janice Knuckles, Provo resident, urged the Council to reconsider the proposal. She said she was concerned about the environmental impact, and concerned about how critical Provo workers would be accommodated by the development. Ms. Knuckles said she did a quick search on the internet and found homes for sale in Provo for under \$500,000 with more square footage, more bedrooms, and more bathrooms. She said she did not understand how the proposed project would be affordable housing for a median worker in Provo.

Steve Zuckerman, Provo resident, said the Bulldog development had designated wetlands on it. He asked if the required land use permit had been submitted for the portion of the development designated wetlands. Mr. Zuckerman mentioned a study of Utah Lake.

Sarah Van Cleve, Executive Director of Utah Community Land Trust, spoke of the importance of land trusts. She emphasized that the cost of the land affected the cost of the home, and removing the cost of the land made buying a home more affordable for first time homebuyers. She said there would be deed restrictions, resale requirements, and income restrictions that would support workforce housing. Deputy Executive Director Jessie Ostler emphasized that the workforce housing would require owner occupancy.

PENDING APPROVAL - DRAFT MINUTES

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Keaka Hanamaikai, Provo resident, said things on the west side like the Provo Airport, Epic Sports Park, and Walmart were not for Provo residents. He said they were used by people from outside Provo. Mr. Hanamaikai said getting to the grocery store for residents on the west side was nuts, and said he shopped in Orem. He expressed the opinion that the City had not done anything for residents on the west side.

Chair Garrett closed public comment.

Councilor MacKay said the Council knew food services were needed on the west side. She said she received a lot of comments about grocery stores from residents of southeast and southwest Provo. Councilor MacKay said she heard from many that they shopped at Walmart because other stores were too expensive, and said the City had tried hard to get Smith's to come. She emphasized that a total of 139 acres were slated for commercial use on the west side. Councilor MacKay said the City could not force commercial to come before it was ready, and the proposed development would help by adding rooftops. She said conversations had taken place with the School Board and with Intermountain about land trusts and workforce housing. She said the median income in the County was used to determine if applicants qualified. Councilor MacKay said the area designated wetlands would remain undeveloped with addition of a boardwalk trail.

Councilor Bogdin said west side resident committees had been involved in west side planning, and said there had been a robust public interface. Mr. Peperone described the public process used when developing a plan for the west side, and said great effort was taken with neighborhood meetings and public hearings. Councilor Bogdin said the public input meetings had been well attended. Mr. Peperone said Public Works would make sure all environmental regulations were followed in the next stage of the process.

Councilor Bogdin said she had been impressed with the current Council, and said there was a lot for the Council to balance. She said every member of the Council listened to and tried to address each concern they heard, and tried to figure out what was best for every part of the City.

Councilor MacKay said Provo City had the lowest income in the State, and about 52% of the City was non-profit and did not pay property taxes, which affected whether a company wanted to locate in Provo. The City had needed to make some of its own economic drivers, including the airport and sports complex, to help keep property taxes lower and local businesses stronger.

Responding to a question from Chair Garrett, Mr. Peperone said there were 39 City employees on a waiting list wanting to prequalify for the workforce housing opportunity.

Councilor Whipple asked about the size of the homes. Mr. Meyer said the workforce homes would be a maximum of 1,500 square feet, and all would have attached garages. The garages would not be included in the square footage calculation.

Chair Garrett called for a vote.

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

6 A resolution accepting an annexation petition for further consideration for approximately 2.13 acres of property generally located at 5490 N Canyon Road (PLANEX20240291) [02:19:14](#)

Motion: An implied motion to approve Resolution 2025-46, as currently constituted, has been made by Council rule.

Ms. Dahneke said the two residential properties addressed with the petition for annexation each had one single-family dwelling, with no further development plans.

Councilor Bogdin asked about the motivation for annexation, and Ms. Dahneke said an applicant was in attendance and could answer questions. She said she believed the applicants wanted to be part of the City and have access to first responder services. Councilor Whipple asked if the Public Works Department had any concerns about the proposed annexation, and Ms. Dahneke said Public Works reviewed the petition and had no concerns.

Sandy White, applicant, said the homes were built in 1974 and had been part of the County since that time. She said surrounding properties were all now in the City, and the applicants chose to petition for annexation instead of waiting for the City to do it.

Chair Garrett opened public comment.

Scott Smith, Provo resident, said he lived adjacent to the White/Hall properties. He mentioned police response time, and said his property had been annexed two years prior.

Chair Garrett closed public comment and invited Council discussion. With no Council discussion, he called for a vote.

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

7 A resolution accepting an annexation petition for further consideration for approximately 144.98 acres of property generally located at 5078 N Canyon Road (PLANEX20240331) [02:25:35](#)

Motion: An implied motion to approve Resolution 2025-47, as currently constituted, has been made by Council rule.

Ms. Dahneke said the subject 144.98 acres were located adjacent to the White/Hall properties. She said there was an intention of development, and the applicant would come back with a proposed development plan. Responding to a question from Councilor Bogdin, Ms. Dahneke said Public Works concerns would be addressed with the annexation agreement. She said the applicant had been working with Public Works to mitigate concerns.

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Councilor Christensen asked about sewer capacity. Zach Hartman with Utah Land Advisors, representing the lender that foreclosed on a big portion of the property, said the development plan would match the City's plan for the area. He said he was comfortable with the sewer capacity. Councilor Christensen referred to a previous project that ended up having significant sewer problems, and asked how the subject property was different. Ms. Dahneke said the proposed resolution before the Council would accept an annexation petition. The applicant would need to come back with a project plan showing capacity. Councilor Christensen said he was not pushing against the project, but was curious to know what was different about the property.

City Recorder Heid Allman emphasized that the proposed resolution was only to accept an annexation petition for further consideration.

Councilor Handley asked if the desire to annex into the City would change if the City chose not to pursue development. Mr. Hartman said he was moving through the process in good faith, and wanted to annex into Provo regardless of the treatment. He said he was excited about working with Provo.

Chair Garrett opened public comment.

Scott Smith, Provo resident, said his property bordered the subject property for almost a mile. He said there had not been anyone like the applicants looking at the subject property in a long time, and said he liked everything he had heard from them. He said he would like to see homes on the subject property.

Sharron Memmott, Provo resident, said she was curious if the developer had looked at what could be done as part of the County. She said she wanted to keep as much open space in the area as possible.

Ginny Smith, Provo resident, said she knew the neighbors wanted a reasonable residential neighborhood that was respectful of the environment. She expressed concerns about access to public trails, and concerns about infrastructure. Ms. Smith encouraged the Council to approve the resolution so the process could move forward.

Chair Garrett closed public comment and invited Council discussion. With no Council discussion, he called for a vote.

Vote: The motion passed 6:0 with Councilors Bogdin, Christensen, Garrett, Handley, MacKay, and Whipple in favor, and Councilor Hoban excused.

8 An ordinance amending the Zone Map classification of real property, generally located at 2858 West Center Street, from the Agricultural (A1.1) Zone to the One-Family Residential (R1.7) Zone, Fort Utah neighborhood (PLRZ20250384) [02:46:50](#)

Motion: An implied motion to approve Ordinance 2025-51, as currently constituted, has been made by Council rule.

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Planning Supervisor Aaron Ardmore said the applicants were hoping to rezone the subject property to be able to subdivide. The existing home would remain on Lot 2, with three new building lots for a total of four. He explained proposed access easements, and said the Planning Commission and staff supported the proposed rezone.

Councilor Bogdin asked if surrounding property owners had been asked if they wanted to join in the rezone. Kevin Peterson, representing the applicant, said they had not. He said they were not aware such a request would be made. Mr. Peterson said the existing home was currently occupied by the owner/applicant. Rocky Williams, applicant, said he might develop Lot 1 himself, and already had a potential developer for Lots 3 and 4, which he would sell.

Chair Garrett opened public comment. With no public comment, he closed public comment and invited Council discussion.

Councilor Hoban asked the size of the parcel. Mr. Ardmore said the parcel was 1.04 acres.

Chair Garrett called for a vote.

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

9 An ordinance amending Provo City Code Title 14 to remove data centers as permitted or conditional uses (PLOT20250458) [02:52:40](#)

Motion: An implied motion to approve Ordinance 2025-52, as currently constituted, has been made by Council rule.

City Planner Hannah Salzl said the Council had reviewed and discussed the proposed ordinance at previous meetings. She presented the ordinance, and said it was a cleanup item in preparation for creating a data center overlay zone that would allow for more targeted application.

Chair Garrett opened the item for public comment, and closed public comment seeing no one come forward. He invited Council discussion, and seeing none, called for a vote.

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

10 An ordinance enacting Provo City Code Chapter 14.34A to create a data center overlay zone (PLOT20250182) [02:54:37](#)

Motion: An implied motion to approve Ordinance 2025-53, as currently constituted, has been made by Council rule.

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Ms. Salzl presented a proposed Data Center Overlay that could be applied only to M1 and PIC Zones. She explained proposed requirements, and presented areas of concern addressed by the overlay. Councilor Bogdin emphasized the Council had gone through the proposed ordinance at length.

Councilor Handley said he believed the City should be creative and aggressive in asking for more than offered by potential applicants concerning energy sources.

Chair Garrett opened public comment.

David Gail, Provo resident, asked how the locations of the zones were determined.

Chair Garrett closed public comment and invited Council discussion. With no Council discussion, he called for a vote.

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

Adjournment

The meeting was adjourned by unanimous consent at approximately 8:35 pm.

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 Redevelopment Agency Governing Board Stormwater Service District Governing Board Regular Meeting Minutes

5:30 PM, Tuesday, December 16, 2025

Council Chambers (Room 100)

445 W. Center Street, Provo, UT 84601 or

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

Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Councilor Becky Bogdin

Councilor Gary Garrett

Councilor George Handley

Councilor Rachel Whipple

Chief Administrative Officer Scott Henderson

City Attorney Brian Jones

Councilor Craig Christensen

Councilor Travis Hoban

Councilor Katrice MacKay

Mayor Michelle Kaufusi

Council Executive Director Justin Harrison

City Recorder Heidi Allman

Conducting: Chair Gary Garrett

Prayer – Richard Bowler

Pledge of Allegiance – Councilor Handley

Presentations, Proclamations, and Awards

1 A presentation recognizing outgoing elected officials for their years of service to Provo City (25-007) [00:02:51](#)

Chief Administrative Officer Scott Henderson recognized and thanked Mayor Michelle Kaufusi for eight years of serving the community as Mayor. Council Executive Director Justin Harrison recognized and thanked Councilor George Handley for his eight years of service on the Provo City Council. Mr. Harrison presented Councilor Handley with a gift, and the Council took the opportunity for a photo.

Councilor Handley thanked his family for their support, and thanked staff, Mayor Kaufusi, fellow Councilmembers, and Provo residents. Mayor Kaufusi said it had been an honor and privilege to work alongside staff, residents, and the Council, and thanked her husband for his support.

2 A ceremony recognizing Provo City Employee of the Month (25-007) [00:19:26](#)

Mr. Henderson said the Mayor's Office chose a group recognition for December Employee of the Month under the leadership concept of One Provo. He said with the concept of collective talent, there was no issue that could not be solved. A photograph was taken of the Council and City staff.

Public Comment

PENDING APPROVAL - DRAFT MINUTES

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

Jeremiah Maughan, Mapleton resident and Provo landlord, said he learned that his personal information was to be made available to renters, and said he was not personally comfortable with his personal address and information being included on a lease. He asked the Council to reconsider the policy.

Catherine Hall, Provo resident, referred to illegal rentals, and asked about the next step after court to bring people into compliance.

With no other comments, Chair Garrett closed public comment.

Action Agenda

3 A resolution consenting to board and commission appointments (25-031) [00:32:20](#)

Motion: An implied motion to approve Resolution 2025-54, as currently constituted, has been made by Council rule.

Mayor Kaufusi recommended the following appointments:

Ryan Koller	Transportation and Mobility Advisory Committee
James Brookhart	Transportation and Mobility Advisory Committee
Fred Bandley	Energy Board
Carol-Lyn Jardine	Energy Board

Chair Garrett opened public comment, and closed public comment seeing no one come forward. With no Council discussion, Chair Garrett called for a vote.

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

4 A resolution authorizing a conservation easement for City-owned parcels in Provo Canyon (25-086) [00:35:02](#)

Motion: An implied motion to approve Resolution 2025-55, as currently constituted, has been made by Council rule.

Melia Dayley, Council Policy Analyst, said years of work had gone into putting together a conservation easement for three City-owned parcels in Bunnell's Canyon. Utah Open Lands would be the easement holder (grantee), and Provo City would be the grantor, with no ongoing cost to the City or taxpayers. Ms. Dayley recognized City staff for putting a lot of work into the conservation easement.

Chair Garrett invited public comment.

PENDING APPROVAL - DRAFT MINUTES

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Kaye Nielson, Provo resident and Executive Director for Conserve Utah Valley, said she had been working with Provo City for almost five years to get the conservation easement to the finish line. She said she was excited for the conservation easement to be approved. Ms. Nielson thanked staff for all their work.

Wendy Fischer, Executive Director of Utah Open Lands, expressed support for the conservation easement.

Brennen Lee, Provo resident and member of the Sustainability Committee, expressed support for the conservation easement. He thanked the Mayor, Council, and City staff.

Taylor Money, Orem resident, expressed support for the conservation easement. He said he hoped the conservation easement would serve as an example to the rest of the State and the Country, and said he was impressed with the progress the City had made over the years with parks and recreation.

Daniel Jensen, volunteer with Utah Valley Trails Alliance, expressed support for the conservation easement and appreciation for everyone who had worked on it.

Catherine Hall, Provo resident, expressed support and said she hoped the conservation easement would open the door for other areas to be considered.

Chair Garrett closed public comment and invited Council discussion.

Councilor Handley thanked Ms. Dayley for her coordination efforts, and thanked all groups involved. Councilor Christensen thanked everyone involved in making the conservation easement happen, and said the conservation easement was one of the reasons he ran for elected office.

Chair Garrett called for a vote.

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

5 An ordinance amending Provo City Code regarding the Neighborhood District Program Map (25-093) [00:50:32](#)

Motion: An implied motion to approve Ordinance 2025-67, as currently constituted, has been made by Council rule.

Rachel Breen, Neighborhood District Program Coordinator, presented proposed changes to the Neighborhood District Map. The first proposed change was to split the Carterville neighborhood along the Provo River, creating Carterville (population 4,480) and Brickyard (population 4,866). She said the residents and District 4 Board were in favor.

The second proposed change would rename Neighborhood Districts to be lettered instead of numbered to avoid confusion with Council Districts 1-5. Ms. Breen said five Neighborhood District Executive Board Members had said they would prefer descriptive names for the Neighborhood Districts instead of letters: North, East, West, Northwest, and Central.

Chair Garrett opened public comment.

PENDING APPROVAL - DRAFT MINUTES

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Catherine Hall, Provo resident, expressed the opinion that descriptive names would be better than letters.

Aaron Wheatley, Provo resident, said he was in favor of descriptive names.

Jack James, Provo resident, said he was in favor of descriptive names.

Chair Garrett closed public comment and invited Council discussion.

Motion: Councilor MacKay made a substitute motion to amend Ordinance 2025-67 to use descriptive names to describe each Neighborhood District. The motion was seconded by Councilor Whipple.

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

Chair Garrett called for a vote on the amended implied motion.

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

6 An ordinance amending Provo City Code Chapter 5.09 (Recreation, Arts, and Parks Tax) providing for the imposition, collection, and distribution of a local sales and use tax to fund recreation, arts, and parks (25-076) [01:00:46](#)

Motion: An implied motion to approve Ordinance 2025-68, as currently constituted, has been made by Council rule.

City Recorder Heidi Allman said almost 86% of voters voted in favor of the RAP Tax in the last election. The last step to implement the RAP Tax was to update City Code.

Chair Garrett invited public comment, and closed public comment seeing no one come forward.

Councilor Hoban said the RAP Tax directly benefited members of the public, and captured revenue from those visiting, as well as living in Provo. Councilor Hoban said he was excited to renew the RAP Tax.

Chair Garrett called for a vote.

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

7 An ordinance amending the authority to settle claims under Provo Code Section 3.10.050 (25-111) [01:03:16](#)

Motion: An implied motion to approve Ordinance 2025-69, as currently constituted, has been made by Council rule.

PENDING APPROVAL - DRAFT MINUTES

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City Attorney Brian Jones presented a proposed amendment to Code Section 3.10.050 to add the ability for the Mayor to select a designee to settle claims in situations of potential conflict of interest, and to update numbers in the section.

Chair Garrett opened the item for public comment, and closed public comment seeing no one come forward. He opened the item for Council discussion, and with no discussion, called for a vote.

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

8 An ordinance amending Provo City Code Chapter 9.51.010 (25-101) [01:05:50](#)

Motion: An implied motion to approve Ordinance 2025-70, as currently constituted, has been made by Council rule.

Fire Marshal Lynn Schofield presented Ordinance 2025-70 to enact the 2026 Wildland Urban Interface (WUI) Code as required by HB48. He said the WUI Code would only apply to new construction, not to existing homes. Mr. Schofield answered questions from the Council, and said the WUI area would be reassessed every three years. He said provisions of HB48 provided some protection for homeowners in the WUI area from being dropped by their insurance companies or having their rates exorbitantly increased.

Councilor Bogdin said that evening was Mr. Schofield's last Council presentation before retirement, and thanked Mr. Schofield for his service. Mr. Schofield said it had been a great honor to serve in Provo City.

Chair Garrett opened the item for public comment. With no public comment, and no Council discussion, he called for a vote.

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

9 An ordinance amending Provo City Code 4.04.100 to allow pension-eligible employees to receive matching 401(k) contributions from the City (25-109) [01:24:25](#)

Motion: An implied motion to approve Ordinance 2025-71, as currently constituted, has been made by Council rule.

Director of Human Resources Daniel Softley presented a proposed amendment to City Code to allow post-retirement employees to participate in the City's matching 401(k) program if allowed by Utah Retirement Systems (URS). This would include sworn police officers and firefighters.

Chair Garrett opened the item for public comment, and closed public comment seeing no one come forward. With no Council discussion, he called for a vote.

PENDING APPROVAL - DRAFT MINUTES

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

Chair Garrett called a ten-minute recess.

10 A public hearing to receive input from the public with respect to the issuance of up to \$20,000,000 of transportation sales tax revenue bonds for the purpose of financing construction of the Airport terminal expansion (25-020) [01:27:21](#)

Brian Torgersen, Airport Director, said the proposed bond would provide a bridge to bring incremental funding allocated for the project forward for construction. Mr. Torgersen explained phasing for the terminal expansion project, and answered questions from the Council.

Chair Garrett opened a public hearing, and closed the public hearing seeing no one come forward. Chair Garrett invited Council discussion.

Councilor Christensen thanked airport staff, and said he knew operations of the project were very complex.

11 A resolution authorizing issuance of transportation sales tax revenue bonds of Provo City; approving related indenture and documents; and authorizing all other actions necessary to complete the transactions (25-020) [01:40:38](#)

Motion: An implied motion to approve Resolution 2025-56, as currently constituted, has been made by Council rule.

Director of Administrative Services Dan Follett said the proposed resolution set parameters for transportation sales tax revenue bonds for construction of the airport terminal expansion. He emphasized the revenue bonds would not increase resident property tax rates. Responding to a comment from Councilor Bogdin, Mr. Torgersen said the sales tax revenue would come to Provo City through a County option sales tax.

Chair Garrett opened public comment.

Aaron Wheatley, Provo resident, said he loved the Provo Airport and appreciated the benefit to the community.

Chair Garrett closed public comment and invited Council discussion. With none, he called for a vote.

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

12 A resolution appropriating \$20,000,000 in the Airport Fund for airport terminal expansion applying to the fiscal year ending June 30, 2026 (25-020) [01:47:54](#)

PENDING APPROVAL - DRAFT MINUTES

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Motion: An implied motion to approve Resolution 2025-57, as currently constituted, has been made by Council rule.

Mr. Torgersen thanked the Council for approval of the bond with the previous agenda item, and said proposed Resolution 2025-57 would allow bond funds to be spent.

Chair Garrett invited public comment. With no public comment and no Council discussion, Chair Garrett called for a vote.

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

13 An ordinance amending the Consolidated Fee Schedule to update fees related to business licenses and rental dwelling licenses (25-072) [01:48:58](#)

Motion: An implied motion to approve Ordinance 2025-72, as currently constituted, has been made by Council rule.

Laramie Gonzalez, Customer Service Business Analyst, explained how licensing fees had changed in Provo since 1984, and emphasized that rental dwelling license fees had not changed since 2006. He said a fee study was conducted in 2010, and updated in 2011, with fees proposed to cover City costs, but not adopted.

Aaron Sanborn with Zions Public Finance presented a Business License and Rental Dwelling License Study, and emphasized that license fees were intended to recover the City's cost of providing a service. He explained the revenue sufficiency model and methodology used, explained calculation of disproportionate costs, and showed comparative fees of other cities in the area. Mr. Sanborn said including disproportionate costs in the business license fee would put Provo around the average comparatively. He showed the following revenue projection:

Current Business License Revenue with no changes to the fee structure	\$505,202.00
Estimated Fee Revenue, Base Fee Only	\$640,693.20
Estimated Fee Revenue, Base Fee + Disproportionate Fee	\$968,872.95

Mr. Sanborn explained calculation of rental dwelling license fees, and showed the following base administrative costs:

LICENSE TYPE	CURRENT FEES	CALCULATED FEE
Extra Living Space (Elderly)	\$50	\$38.15
Rental Dwelling License	\$20	\$86.42
Rental Dwelling License Multiple Unit (MU)	\$60	\$53.27 + \$67.96 per unit

Councilor Whipple said the City had not been charging per unit, and asked if inspections had been occurring in multi-unit complexes. Mr. Gonzalez said upon initial application, every rental dwelling license did incur an inspection from the Development Services team, with an additional inspection during a three-

PENDING APPROVAL - DRAFT MINUTES

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year period as needed. Mr. Gonzalez explained average time spent by staff, and said inspectors were booked solid with the number of inspections needed.

Councilor Whipple said the Council was getting significant push back on the rental dwelling license fees from people who operated rental complexes, and said she had been told that inspections were not being done. Mr. Gonzalez said it was his understanding that every application received an initial inspection. Councilor Whipple pointed out the inspection was not done every year, and asked why the full cost of inspection would be included in the annual fee. Mr. Gonzalez said the amount for inspection included in the proposed fee anticipated an initial inspection and a subsequent inspection within three years.

Councilor Whipple asked if staff knew of other cities that charged a price per unit instead of charging by type of apartment complex. Mr. Sanborn said there were some cities in Davis County that charged a per unit cost, and said many cities did not have rental dwelling licenses. Councilor Whipple asked why the inspection cost was included in the base cost and not the disproportionate cost. Mr. Sanborn said disproportionate costs captured impact on City services such as emergency response and traffic. He said the inspection was an administrative cost.

Councilor Whipple said she had been under the impression the City only looked at a couple of representative units and not all units in a large complex. Two other individuals said they had the same understanding. Mr. Gonzalez said it was his understanding that part of a rental dwelling license approval was inspection of each unit by Development Services.

Mr. Jones noted that the Council had questions that might be best answered by other members of staff, and reminded the Council that they had the option to continue the agenda item to a future meeting for more information. Mr. Sanborn was asked to finish his presentation.

Mr. Sanborn showed the following rental dwelling license fee revenue projection:

Rental Business License Revenue with no changes to fee structure	\$121,030
Estimated Fee Revenue, Base Fee Only	\$545,142
Estimated Fee Revenue, Base Fee + Disproportionate Fee	\$822,716

Mr. Sanborn explained that under State Code, a municipality could not adopt a new disproportionate rental fee unless the municipality provided a disproportionate rental fee reduction and utilized a Good Landlord Program.

For business licensing, Mr. Gonzalez said Customer Service Staff recommended the City adopt the new proposed fee structure based on business classification (currently based on employee count), and adopt the new proposed base fee plus disproportionate fee.

For rental dwelling licensing, Customer Service Staff recommended the City adopt the new proposed base fee, but not the disproportionate fee at that time. Staff recommended further discussion of a Good Landlord Program and the disproportionate fee. He presented the following pros and cons of a Good Landlord Program:

PROS

- May encourage landlords to raise rental standards

PENDING APPROVAL - DRAFT MINUTES

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- Would allow the City to charge a disproportionate fee

CONS

- Tracking the program would require extra resources
- Not enforceable
- Offering a discount for participation would be a loss of revenue below actual costs to the City
- Research and survey data showed no increase of rental standards were realized

Councilor Hoban asked which department facilitated and processed licenses. Mr. Gonzalez said Customer Service facilitated the process.

Motion: Councilor Hoban moved to split the item to remove the Rental Dwelling License portion from the exhibit. Councilor Christensen seconded the motion.

Councilor Christensen said he appreciated the work that had gone into ensuring services were paid for by those who used them. He said he wanted to spend more time on the rental dwelling license.

Councilor Whipple suggested individuals in the audience attending to comment on the rental dwelling license portion of the item send their comments and questions to the Council by email to ensure their concerns were considered before a vote was taken. Councilor Hoban said his motion to separate the rental dwelling license from the implied motion was to allow more time for discussion and public input.

Councilor MacKay said the goal was for tax payers to not be subsidizing fees. She said she knew the City did not have the staff or the time to inspect every unit in large complexes.

Chair Garrett called for a vote on the motion to separate the licensing items.

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

Councilor Whipple asked if businesses received a bill for fire services rendered at their sites. Mr. Gonzalez said he was unsure. Councilor Whipple said a disproportionate fee did not make sense if costs were directly billed for individual services. Mr. Sanborn said the question did not come up through the process of the study. Councilor Bogdin said it was her understanding that ambulance services were directly billed.

Mr. Gonzalez said the proposed effective date was April 1, 2026 to allow for software changes and updates.

Chair Garrett opened public comment for business licensing fees. With none, he closed public comment and invited Council discussion. With none, he called for a vote on the amended implied motion.

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

Motion: Councilor Hoban made a motion to continue the Rental Dwelling License issue. The motion was seconded by Councilor Christensen.

PENDING APPROVAL - DRAFT MINUTES

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Chair Garrett said the Council received an email that morning from the Government Affairs Director of the Rental Housing Association of Utah, Justin Allen, stating that in the past whenever Provo was considering issues concerning rental property operations, previous elected officials and staff had invited the RHA to participate in the process. Mr. Jones said he believed a member of the Council had consulted the RHA regarding rental-specific regulations in the past. Mr. Gonzalez said he knew the RHA had good information concerning implementation of a Good Landlord Program.

Councilor Whipple said she wanted to make sure the City took exempt businesses into account when considering disproportionate fees. She asked to see what the base fee would be without a per-unit cost, and asked for clarification on unit inspections. Councilor Whipple said if inspecting every unit would result in better units for tenants, there could be value, but pointed out that more staff would be needed to carry out the inspections. She said she did not want to charge for inspections that were not being done. Councilor Whipple asked how much staff time was spent on document review, how much on checking County records, and how much time was spent on inspections. Mr. Gonzalez said he would try to get the information.

Councilor Christensen said he wanted to make sure the fee charged added value for landlords, said he wanted to feedback from landlords, and wanted to make sure inspections done by the City were helpful to landlords.

Mr. Jones referred to Councilor Whipple's request to take exempt businesses into account with the disproportionate fee, and pointed out staff's recommendation was to not implement the disproportionate fee. Councilor Whipple responded that her request was partially meant to make sure numbers generated were consistent with Code. Mr. Jones commented that numbers generated for the disproportionate fee were irrelevant if the disproportionate fee was not implemented. Councilor Whipple said she was trying to check whether a per-unit charge was something that fell under disproportionate fees. She said she liked the idea of a well-functioning Good Landlord Program, and said she did not want to foreclose discussion of a disproportionate fee and Good Landlord Program. Mr. Jones said he believed the Council voted in the work session to follow the recommendation of staff and not include the disproportionate fee in the final ordinance. Councilor Whipple said she would drop the question.

Chair Garrett called for a vote on the motion to continue.

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

14 A resolution approving the appropriation of \$10,000 to pay for a public safety impact fee study for the fiscal year ending June 30, 2026 (25-105) [03:04:07](#)

Motion: An implied motion to approve Resolution 2025-58, as currently constituted, has been made by Council rule.

Budget Controller Kelsey Zarbock explained the request to appropriate \$10,000 for a public safety impact fee study for FY2026. She said the last study was done in 2017, and staff wanted to make sure fees were up to date.

PENDING APPROVAL - DRAFT MINUTES

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Chair Garrett opened the item for public comment, and closed public comment seeing no one come forward. With no Council discussion, he called for a vote.

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

15 A resolution approving the transfer of up to \$500,000 from Provo City's Disaster Recovery Fund to the Stormwater Service District for the fiscal year ending June 30, 2026 (25-106) [03:05:46](#)

Motion: An implied motion to approve Resolution 2025-59, as currently constituted, has been made by Council rule.

Ms. Zarbock said the Public Works Department had been able to absorb a lot of costs related to the fire and mudslide disaster in the Buckley Draw area, but excavation of the debris channel was expensive, and Public Works requested up to \$500,000 from the Disaster Recovery Fund to help with the expense. The Disaster Recovery Fund currently had a balance of about \$1.9 million.

Chair Garrett asked if the exact amount of the transfer was known. Ms. Zarbock said the costs to date had been tracked to over \$433,000. Responding to a question from Councilor Bogdin, Jimmy McKnight with the Public Works Department said the tracked costs did not include any City equipment, staff time, or gas. Mr. McKnight said there was still material to be removed, so a total cost was not available. He said he would provide the total cost as soon as he could.

Chair Garrett opened public comment, and closed public comment seeing no one come forward. With no Council discussion, he called for a vote.

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

With no objections, the Provo Municipal Council adjourned and reconvened as the Stormwater Service District Governing Board of Provo City with Chair Garrett conducting.

Stormwater Service District Governing Board

16 A resolution appropriating up to \$500,000 in the Stormwater Fund for flood mitigation efforts for the fiscal year ending June 30, 2026 (25-106) [03:09:56](#)

Motion: An implied motion to approve 2025-SSD-12-16-1, as currently constituted.

Ms. Zarbock said the previous agenda item transferred money from the Disaster Recovery Fund to the Storm Water Fund. The proposed resolution would appropriate the funds for spending.

Chair Garrett opened the item for public comment. With none, he invited Board discussion. With none, he called for a vote.

PENDING APPROVAL - DRAFT MINUTES

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Vote: The motion passed 7:0 with Board Members Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

With no objections, the Stormwater Service District Governing Board adjourned and reconvened as the Redevelopment Agency Governing Board of Provo City with Chair Whipple conducting.

Redevelopment Agency of Provo

17 A resolution approving a development agreement for real property, generally located at 3200 W Bulldog Lane, between the Provo City Redevelopment Agency and Nilson Homes (25-115) [03:11:29](#)

Motion: An implied motion to approve 2025-RDA-12-16-1, as currently constituted.

Melissa McNalley, Redevelopment Director, presented a proposed development agreement between the Provo RDA and Nilson Homes for Delta Vista. Under the development agreement, the RDA would transfer property to Nilson Homes in exchange for 34 deed restricted workforce homes to be overseen by the Utah Community Land Trust.

Responding to a question from Board Member Bogdin, staff said the proposed resolution was the final legislative step. All subsequent approvals would be done by staff.

Chair Whipple opened the item for public comment, and closed public comment seeing no one come forward. Chair Whipple invited Board discussion.

Board Member Christensen expressed support, and said he was grateful for administrative leadership in getting the development agreement put together. Board Member MacKay said she was thrilled. Board Member Garrett said he was excited for the innovation shown by the concept, and said he hoped it could be duplicated. Board Member Bogdin spoke of a need for affordable workforce housing statewide, and said she excited.

Chair Whipple called for a vote.

Vote: The motion passed 7:0 with Board Members Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

Adjournment

The meeting was adjourned by unanimous consent at approximately 9:02 pm.

PENDING APPROVAL - DRAFT MINUTES

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PROVO MUNICIPAL COUNCIL

Regular Meeting Minutes

5:30 PM, Tuesday, May 26, 2026

Council Chambers (Room 100)

445 W. Center Street, Provo, UT 84601 or

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

Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Councilor Becky Bogdin

Councilor Gary Garrett

Councilor Katrice MacKay

Councilor Jeff Whitlock

Council Executive Director Justin Harrison

City Attorney Brian Jones

Councilor Craig Christensen

Councilor Travis Hoban

Councilor Rachel Whipple

Mayor Marsha Judkins

Chief Administrative Officer Scott Henderson

Conducting: Chair Katrice MacKay

Prayer – Gavin Whiting

Pledge of Allegiance – Councilor Travis Hoban

Presentations, Proclamations, and Awards

1 A ceremony recognizing the Provo City Employee of the month: Communications (26-007)

01:33

Barbara Smith, Director of Communications, recognized Cassidy Clegg Smith, Graphic Designer in the Communications Division, as the May 2026 Employee of the Month. She highlighted Cassidy's creativity, exceptional customer service, professionalism, and dedication to serving City departments and residents through her graphic design work. Ms. Smith noted Cassidy's significant contributions to City publications, branding, events, and communications, and congratulated her on the well-deserved recognition.

Public Comment 07:34

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

David Spencer, a candidate for Utah County Commissioner Seat B, introduced himself and shared his background as a former Orem City Council member. He said his priorities include improving communication and collaboration between the County and its cities, increasing transparency and accountability in county government, and ensuring local governments have opportunities to share their needs and priorities.

PENDING APPROVAL - DRAFT MINUTES

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Gavin Whiting, a Provo resident, said he was attending his first Council meeting to become more involved in local government. He expressed concern about the approval process for a proposed data center in another county, stating he believed public input had been limited. He asked how the Council would ensure that corporate interests and political donations would not take precedence over the interests of Provo residents.

Action Agenda

The Council considered Items 2–5 together.

2 A resolution approving the appropriation of \$13,509.21 in the General Fund for a contractual sales tax increment post-performance payment to Day's Market. (26-036) [10:18](#)

Motion: An implied motion to approve Resolution 2026-14, as currently constituted, has been made by council rule.

Cody Hill, Economic Development Division Director, explained that the City entered into sales tax increment reimbursement agreements with the four shopping centers between 2016 and 2019 to encourage reinvestment in aging commercial properties. He said each agreement reimburses owners with a portion of the sales tax generated above an established base-year amount after qualifying improvements are completed. Mr. Hill reported that each development has significantly exceeded its base-year sales tax revenue, demonstrating the success of the program and the City's investment in revitalizing the properties.

Councilor Garrett asked why the reimbursement payments had not been made by the deadlines identified in the staff reports.

He explained that the delayed reimbursements resulted from a staff transition when he assumed responsibility for the agreements at the end of March, after the payment deadlines had passed. He accepted responsibility for the oversight and said he had implemented annual calendar reminders to ensure future payments are made on time.

Councilor Whitlock asked whether future reimbursement payments would be incorporated into the City's budget and how the City ensures sufficient funds are available for the payments.

Brian Jones, City Attorney, explained that the reimbursement amounts cannot be determined until the qualifying sales tax revenue has been generated, which is why the City has historically used annual appropriations rather than budgeting estimated amounts. He further explained that the reimbursements are funded by the additional sales tax generated through the developments' performance, and staff was not aware of any timing issues between receiving the revenue and making the payments due to the City's healthy fund balance.

Councilor Bogdin expressed her preference for continuing to approve the reimbursements through annual appropriations rather than including them in the budget, stating that the process provides greater transparency and accountability. She also thanked Mr. Hill for providing detailed performance data and sales tax comparisons, noting that the information clearly demonstrated the effectiveness of

PENDING APPROVAL - DRAFT MINUTES

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the reimbursement agreements and would help both the Council and the public evaluate future requests.

Chair MacKay opened public comment. With no public comments or Council discussion, she called for individual votes on items 2-5.

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

3 A resolution approving the appropriation of \$31,033.33 in the General Fund for a contractual sales tax increment post-performance payment to the Shops at Riverwoods. (26-035) [10:18](#)

Motion: An implied motion to approve Resolution 2026-15, as currently constituted, has been made by council rule.

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

4 A resolution approving the appropriation of \$83,851.50 in the General Fund for a contractual sales tax increment post-performance payment to Parkway Village. (26-034) [10:18](#)

Motion: An implied motion to approve Resolution 2026-16, as currently constituted, has been made by council rule.

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

5 A resolution approving the appropriation of \$57,765.50 in the General Fund for a contractual sales tax increment post-performance payment to East Bay Shopping Center (26-033) [10:18](#)

Motion: An implied motion to approve Resolution 2026-17, as currently constituted, has been made by council rule.

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

6 An ordinance amending Provo City code to add a caretaker dwelling as a permitted accessory use in the general commercial zone. (PLOT20260119) [19:23](#)

Motion: An implied motion to approve Ordinance 2026-15, as currently constituted, has been made by council rule.

Aaron Ardmore, Planning Supervisor, presented. He explained that caretaker dwellings are already permitted in several other commercial, industrial, and public facility zones, and the amendment was

PENDING APPROVAL - DRAFT MINUTES

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requested by a commercial property owner seeking an on-site residence to improve security, maintenance, and property oversight. He noted that the Planning Commission recommended approval.

Councilor Whitlock asked for additional information about the general commercial zone.

Mr. Ardmore explained that the general commercial zone serves as the City's standard commercial zoning district, allowing a broad range of retail, office, and commercial uses, but historically has not permitted residential uses. He said the Planning Commission supported the proposed amendment and discussed potential revisions to the standards for caretaker dwellings, noting those changes could be considered in a future code update.

Councilor Whitlock confirmed that the Council could approve the amendment while considering revisions to the caretaker dwelling standards at a later date.

Chair MacKay opened public comment.

Cheri Soelberg, a Provo resident, expressed concern about parking impacts associated with zoning changes. She described a recent emergency response in her neighborhood that was hindered by parked vehicles and asked the Council to continue considering parking availability and emergency access when evaluating future land use proposals.

With no other public comments, Chair MacKay invited a council discussion.

Councilor Bogdin voiced her support for the proposed amendment, noting that she had seen similar caretaker arrangements at hotels while attending college. She said having an employee reside on-site to provide security and oversee the property during non-business hours could be beneficial for commercial properties.

Chair MacKay called for a vote.

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

7 An ordinance prohibiting virtual currency kiosks within Provo City. (26-027) [25:23](#)

Motion: An implied motion to approve Ordinance 2026-15, as currently constituted, has been made by council rule.

Melia Dayley, Council Policy Analyst, presented. In response to questions raised during a previous work meeting, she reported that the Police Department had identified one fraud call specifically involving a cryptocurrency kiosk, while noting that additional fraud reports may have involved cryptocurrency but were not specifically categorized. She also explained that research indicates time pressure is a significant factor in the success of fraud schemes, suggesting that reducing immediate access to cryptocurrency kiosks could help prevent scams. Ms. Dayley clarified that the ordinance would prohibit businesses from hosting or operating virtual currency kiosks but would not prohibit residents from conducting cryptocurrency transactions through other means, such as mobile devices or computers.

PENDING APPROVAL - DRAFT MINUTES

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Councilor Whipple asked whether staff had spoken with businesses that host virtual currency kiosks and whether prohibiting the kiosks could create contractual issues for existing operators.

Ms. Dayley explained that one business owner indicated the kiosk was installed through a leasing arrangement that generated rental income for the business. She noted that the Council could establish a delayed effective date for the ordinance to allow businesses time to comply and address any contractual obligations.

Councilor Whipple expressed support for a delayed implementation period to minimize impacts on existing businesses.

Councilor Whitlock thanked Ms. Dayley for her follow-up research and asked whether cryptocurrency kiosks are typically used as a payment method in broader fraud schemes rather than being the source of the fraud itself.

Ms. Dayley agreed that this is generally the case.

Councilor Whitlock also confirmed that the proposed ordinance would not prohibit prepaid cards or similar products, and Ms. Dayley clarified that those items are not considered digital currency under the ordinance.

Chair MacKay opened public comment. With none, she invited a council discussion.

Councilor Whitlock said he had initially been undecided about the proposed ordinance because of concerns about its impact on small businesses. However, after conducting additional research and speaking with a business owner, he concluded that the kiosks provide minimal financial benefit to businesses while posing a significant risk to the public through their use in fraud schemes. He stated that, although additional regulations could potentially improve safety, prohibiting the kiosks was the more practical approach given their limited use and the potential for substantial financial harm to victims.

Councilor Hoban expressed reservations about the proposed ordinance, stating that he did not believe virtual currency kiosks pose a greater risk of fraud than many other methods of conducting financial transactions. He suggested that most transactions conducted through the kiosks are likely legitimate and questioned whether prohibiting them was an appropriate role for government. While acknowledging that the ordinance would have a limited impact because relatively few kiosks operate in Provo, he said he did not see a compelling need to ban them.

Councilor Garrett asked whether Councilor Hoban had conducted any additional research regarding residents who are unbanked or rely on virtual currency kiosks as a financial service, referencing discussion from the earlier work meeting.

Councilor Hoban responded that he had not conducted additional research for the meeting but was speaking generally based on his understanding of cryptocurrency users. He said virtual currency is often used by younger individuals, people who are unbanked or underbanked, and others who prefer

PENDING APPROVAL - DRAFT MINUTES

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alternatives to traditional banking. He noted that his comments were informed by his personal interest in blockchain technology and cryptocurrency.

Councilor Whitlock asked Councilor Hoban whether individuals who are unbanked primarily use virtual currency kiosks to convert cash into cryptocurrency and transfer it to their own digital wallets.

Councilor Hoban explained that some individuals who are unable to obtain traditional bank accounts due to their banking history may rely on alternative financial services, including virtual currency kiosks. He said these users often convert cash into cryptocurrency through the kiosks and transfer it to digital wallets on their phones to conduct transactions.

Chair MacKay noted that the proposed ordinance originated from concerns raised by a resident regarding cryptocurrency-related fraud. She emphasized that public input could help identify issues for Council consideration and encouraged residents to continue sharing concerns with the Council. She then called for a vote on the pending motion.

Motion: Councilor Whipple made a motion to amend Part 2, Paragraph C of the ordinance to provide that the ordinance would take effect four months after its passage. Councilor Christensen seconded the motion.

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

Councilor Hoban asked whether the City could notify businesses currently operating virtual currency kiosks about the ordinance and its delayed effective date.

Ms. Dayley said staff would coordinate with the Administration to determine an appropriate notification process and follow up with the affected businesses.

Chair MacKay called for a vote on the implied motion.

Vote: The motion passed 5:2 with Councilors Christensen, Garrett, MacKay, Whipple, and Whitlock in favor. Councilors Bogdin and Hoban opposed.

Adjournment

The meeting was adjourned by unanimous consent at approximately 6:15 PM.

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



PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

1:00 PM | June 23, 2026

Provo Peaks Conference Room (110)

445 W. Center Street, Provo, UT 84601

Agenda

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

- June 9, 2026 work meeting
Approved by unanimous consent

Business

1. A Resolution Approving Urban Deer Control Plan (26-054) [00:01:12](#)

Nicholas Muhlestein, Assistant City Attorney, presented the item alongside Greg Hooke, BYU Managing Director of Building Operations and Grounds. Muhlestein noted that if the resolution is approved, a formal contract between Provo City and BYU would be required, under which BYU would conduct daily operations of the deer management program while remaining subject to state registration requirements. The contract would include a broad indemnification clause in favor of Provo City, given that BYU is the requesting party. Muhlestein also clarified that the plan as currently written references firearms for euthanasia; however, upon further review and consultation with police officials from both entities, the intent is to use captive bolt pistols rather than firearms, reducing public safety risk and potential disturbance.

Hooke explained that the current estimated deer population on BYU's campus is approximately 60, though potentially higher. The goal is not to eliminate the herd entirely, but to reduce it to a manageable level of approximately 20 animals. Culling would take place in August when student population on campus is lowest, using walk-in traps baited with apples. Deer would be

euthanized on-site and the venison donated to a pre-coordinated list of 20 recipients. Antlers would be collected by the state wildlife division. Motivations cited included safety concerns for students and campus visitors, as well as inbreeding issues within the isolated herd that have resulted in visible physical deformities.

Muhlestein noted that the program, if approved, would run through 2029 with a maximum of 20 deer removed per year, though actual numbers may vary based on annual conditions. The plan remains subject to future modification. This item is scheduled for formal action at a subsequent evening meeting.

2. An Ordinance Amending the General Plan to Add the Storm Drain Master Plan (PLGPA20260193) [00:11:12](#)

Shane Winters, Public Works Division Director – Public Services, introduced the item, with the primary presentation delivered by Kayson Shurtz of Hansen Allen & Luce and Carlos Garcia, Public Works Storm Drain Engineer. Winters provided context, explaining that the City updates its stormwater master plan every five to ten years to assess system capacity, integrate new regulatory requirements, close out completed impact fee projects, and identify new capital projects.

Shurtz outlined key differences between this update and the prior master plan. The updated model uses a finer resolution of drainage basin delineation, distinguishing between directly connected and unconnected impervious surfaces to more accurately predict runoff. The city employed AI-assisted impervious surface delineation technology to map hard surfaces citywide with greater precision than traditional lookup tables. Shurtz described the modeling process, which combines hydrologic and hydraulic analysis to identify where the system is at or over capacity. Modeled problem areas were cross-referenced with field observations from city staff to prioritize capital improvement projects.

The total capital improvement need identified was approximately \$76.8 million, of which approximately \$25.8 million is eligible for impact fee funding. The remainder would address existing system deficiencies and aging infrastructure.

A significant policy change presented was a proposed shift in how stormwater impact fees are assessed—from a gross acreage basis to an Equivalent Residential Unit (ERU) basis. Shurtz explained that the current gross acreage approach charges all developments equally regardless of the amount of impervious surface created, whereas the ERU approach ties fees directly to the volume of runoff a development will generate. Under the ERU method, an average residential lot's impervious area establishes the baseline unit, and commercial or higher-intensity developments pay proportionally more. The proposed per-ERU fee was calculated at approximately \$1,477, compared to the current rate of approximately \$8,200 per gross acre. Winters acknowledged that while the ERU approach is more equitable, it introduces greater variability in annual impact fee revenue, particularly depending on the mix of commercial versus residential development in any given year.

Councilor Whitlock questioned whether the proposed ERU count of 17,580 remaining units is time-sensitive, and Shurtz confirmed it is based on the current General Plan; deviations from that plan would necessitate an update to the fee calculation. The City also noted its intent to update impact fees annually, which would allow for incremental adjustments rather than large periodic increases.

3. An Ordinance Amending the General Plan to Update the Wastewater Collection Master Plan (PLGPA20260191) [00:55:34](#)

City Planner Hannah Salzl introduced the item. Keith Larson from Bowen and Collins consulting firm presented the findings of the updated Wastewater Collection Master Plan. Larson noted that this update addresses system capacity and infrastructure age, and does not include impact fees or rate changes, both of which are under separate review and expected to return to the Council in the fall.

Larson reported that the existing sewer system is generally in good condition, with one major trunk line on the west side approaching capacity. Future modeling with anticipated development shows additional areas of concern emerging over time. He also addressed infrastructure age, noting that approximately 20 percent of the system predates the 1950s. Typical pipeline lifespan is 70 to 90 years, meaning a significant portion of the system is approaching the end of its useful life. A statistical analysis was performed to estimate replacement timing based on pipe age, material, and location, and a recommended capital facilities plan was developed accordingly.

Larson indicated that the capital improvement and replacement funding needs represent an increase over historical funding levels, though specific rate implications will be presented alongside the upcoming rate study. Councilor Whitlock noted that the survey's responses indicating insufficient staffing and revenues for replacement purposes were of interest, and Winters and Jimmy McKnight, Public Works Business Manager, clarified that day-to-day operations and maintenance are being managed adequately, but long-term replacement capacity remains underfunded. McKnight noted the current budget includes an additional collections position to assist.

4. A Resolution Attesting to the Review of the Municipal Wastewater Planning Program (MWPP) Survey for Calendar Year 2025 in Accordance with the Utah Pollutant Discharge Elimination System Permit (26-051) [01:04:03](#)

David Torgersen, Water Reclamation Manager, presented the annual Municipal Wastewater Planning Program survey, a self-assessment required by the Utah Division of Environmental Quality as a condition of the City's state stormwater permit. The survey covers financial health, collection system condition, staffing levels, sanitary sewer overflows (SSOs), and related topics. Torgersen noted the survey was submitted late this year because the notification email had been

directed to a retired employee's account; the issue has been corrected and the state extended the submission deadline accordingly.

Torgersen highlighted the City's low SSO rate as a point of pride. Discussion touched on the contractor-caused SSO, which goes through the City's claims and legal process for cost recovery. Council Chair MacKay raised questions regarding the average monthly use charge and sinking fund, which McKnight clarified are reflective of all customers including commercial accounts, and that the City does not maintain a designated sinking fund.

Regarding biosolids, Torgersen explained that the City's 30-year arrangement to land-apply treated solids as fertilizer at a farm on the far side of Utah Lake is set to expire at the end of 2026. Negotiations have been ongoing for approximately four years, and the City intends to formally request an extension, though acceptance by the farm is not anticipated. The nearest alternative identified is a facility in Logan, which is not cost-effective. The current contingency plan is to haul biosolids to a landfill, though Torgersen noted cost and long-term sustainability concerns with that approach, including the emerging issue of PFAS content in biosolids and potential tightening of landfill acceptance regulations. Winters noted that composting is under evaluation as a potential future option, though it involves operational complexity and community acceptance challenges.

5. A Presentation Regarding the Action Plan from the 2026 Growing Water Smart Workshop (26-053) [01:23:26](#)

City Planner Hannah Salzl presented an update on the City's participation in the 2026 Growing Water Smart Workshop, hosted by a collaborative of partners including the Utah League of Cities and Towns. The workshop brought together representatives from multiple communities for facilitated sessions on water management policy and best practices. Provo City sent an interdepartmental team including the Mayor and Councilor Whipple, and was recognized as the first Utah city to participate in the workshop twice. A representative from the Central Utah Water Conservancy District also participated in Provo's breakout sessions.

The workshop produced five long-term goals organized around the central question of how Provo can maintain adequate water delivery as the city grows: (1) regional collaboration on water resources, including centralized reuse, graywater use, water rights protection, and legislative engagement; (2) sustainable funding for aging infrastructure through ongoing impact fee assessments and candidate education; (3) community members as water stewards, including refinement of existing water-wise programs and exploration of a Waterwise demonstration garden at the wastewater treatment plant; (4) thriving community green space, in coordination with the new Parks Director; and (5) water-wise new development, exploring code updates intended to build conservation into new construction with minimal added cost burden.

Salzl noted that most near-term action items are administrative in nature and will not require legislative action. Code-related updates, including possible exploration of a stretch code for water-wise development, could come before the Council in approximately three to six months.

Councilor Bogdin raised a concern about the Yoppify billing notification software being explored, noting that comparisons to neighboring users need to be meaningful and properly contextualized to be useful to residents. Salzl acknowledged the concern and confirmed it would be a factor in any decision to adopt that tool.

6. An Ordinance Amending Provo City Code Regarding the Requirements for an Agricultural Protection Area (PLOT20260120) [01:33:44](#)

Planner Jessica Dahneke presented the proposed ordinance text amendment, which would reduce the minimum acreage requirement for an Agricultural Protection Area (APA) from five acres to one acre, and remove the requirement that the property be receiving the greenbelt tax benefit. Dahneke explained that the greenbelt designation requires a minimum of five acres, whereas urban farming—a nearly equivalent tax benefit administered by Utah County—requires only one acre, aligning with the proposed new minimum. Both programs are administered entirely through the county. The change was requested by the City's agricultural commission.

Applications for APA designation are reviewed three times: by the Planning Commission, the County Agricultural Advisory Board, and finally by the City Council, which makes the final recommendation. Councilor Bogdin noted that she has no concern with the change given the county's existing requirements, including irrigation requirements for properties between one and five acres. Councilor Whitlock asked whether APA-designated properties provide any shield from adjacent nuisance complaints, and Dahneke and City Attorney Brian Jones clarified that state code protects normal, reasonable agricultural practices from nuisance claims arising from encroaching development, though standard tort liability still applies for issues such as property damage. The item is scheduled for formal action at a subsequent evening meeting.

7. An Ordinance Amending Provo City Parking Standards for Specific Uses and Locations (PLOT20260080) [01:42:21](#)

Development Services Director Bill Peperone provided context, and Planning Supervisor Aaron Ardmore presented the proposed ordinance. The amendments address three areas: reduced parking ratios for student housing near BYU campus, reduced parking ratios for housing near UVX transit stations, and allowance for off-site parking to count toward residential parking requirements.

Peperone noted that staff is aware of at least four development projects currently on hold pending the outcome of this amendment, including Park Plaza and the Bill Harris block. He cited cost of structured parking as a primary barrier to higher-density student housing near campus, and referenced data from a major developer partner showing that parking ratios at comparable university developments nationwide range from 0.24 to 0.51 spaces per bed, compared to Provo's current requirements. He also described recent projects where the economics of structured parking caused developers to reduce unit counts significantly.

Council discussion was extensive. Councilor Christensen expressed concern that the proposal is too broad and risks negatively impacting neighboring residents, noting that parking is among the most frequent concerns he hears from constituents citywide. He preferred a more surgical, project-by-project approach rather than a uniform reduction across wide geographic areas. Councilor Hoban, participating remotely, expressed support for addressing Park Plaza specifically and for allowing off-site parking subject to a long-term lease requirement, but also preferred a more targeted approach for other provisions. Councilor Bogdin raised concerns about past experiences where reduced parking ratios led to spillover into surrounding neighborhoods and blocked driveways, and cautioned against assuming transit proximity meaningfully reduces car ownership among students.

Councilor Whitlock expressed support for the Park Plaza redevelopment specifically, noting upon a personal visit that the site is blighted, is directly adjacent to BYU, and does not have immediately adjacent neighborhood street parking that would be impacted. He requested data on the current effective parking ratio in the south-campus area when accounting for the existing mix of single-family homes occupied by students, and asked whether redevelopment at a lower ratio might actually result in a net increase in parking for the area. He also requested analysis on whether savings from reduced parking are passed on to renters, and suggested that additional data would strengthen future decision-making. Councilor Whipple, who arrived during the discussion, expressed support for the proposal, emphasizing that the affected geographic area near BYU is already very constrained—approximately one to two blocks south of campus—and that this presents an opportunity to test the approach in a limited area while working toward a long-stated goal of south-campus redevelopment.

Mayor Judkins noted that several developers had already expressed interest upon learning the item was on the agenda and had existing plans ready to present. She encouraged the Council to remain open to hearing from the developers at the evening meeting, and noted that requiring full parking under current code at Park Plaza would result in a structure with approximately four stories of parking and only two stories of housing.

Jones advised against an immediate motion to repeal the existing Transportation Demand Management (TDM) program from code without further analysis, as doing so could undermine enforcement of existing TDM agreements that are already in place. Ardmore confirmed he would return to the evening meeting with available data and noted that the developers invited to present had been asked to address how they manage lower parking ratios and what tools they use to limit car ownership among tenants.

Following discussion, it was agreed that no formal motion would be made at this time, and the item would continue to the evening meeting for additional input from developers. Council consensus indicated a preference for a more geographically limited and surgically targeted approach, with interest in hearing specific proposals before taking legislative action.

8. An Ordinance Rezoning Property at 5450 N Canyon Road from A1.5CH and OSPR to A1.1CHPD, R1.20CHPD, and RACHPD Zones. North Timpview Neighborhood (PLRZ20260115) [02:56:43](#)

The Council acknowledged familiarity with this item. No questions were raised. The item is scheduled for formal action at a subsequent evening meeting.

9. A Discussion on Picking Up Required URS Member Contributions on Behalf of Tier II Public Safety Officers and Firefighters (26-050) [02:57:17](#)

Human Resources Director Daniel Softley presented the item, noting that the URS contribution pickup rate has increased by 1.25 percent since last addressed in 2024, that Mayor Judkins has signed the required documentation, and that the cost is included in the adopted budget. Jones clarified that this item requires a formal motion from the governing body, and that the resulting minutes documenting the motion would serve as the required formal record for the state.

Council Vice-Chair Christensen moved to approve the pickup of required URS member contributions on behalf of Tier II public safety officers and firefighters. Councilor Bogdin seconded the motion. The motion passed: 7–0.

Closed Meeting

Jones advised that two items warranted a closed session: one regarding the character, professional competence, or physical or mental health of an individual, and one regarding the potential sale of real property, both of which are approved grounds for closed session under Utah Code 52-4-204 and 52-4-205.

Councilor Whipple moved to close the meeting. Council Vice-Chair Christensen seconded the motion. The motion passed: 7–0.

The Council recessed the work meeting and reconvened in closed session in the pre-function room.

Provo City

July 14, 2026

*Partnering to Plan our Region's
Future Together*



Mountainland Association of Governments (MAG) at a Glance

Why We Exist

- To empower communities to achieve their vision
- One of Utah's 7 Associations of Governments

What We Do

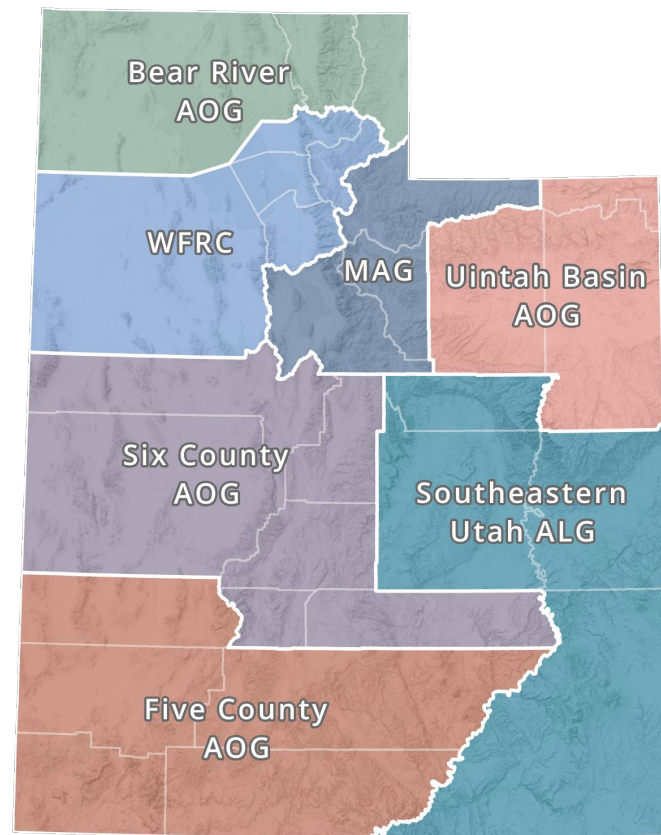
- Collaborate regionally
- Connect communities to funding and services
- Advocate for local priorities
- Facilitate solutions

Focus Areas / Departments

- Aging Services
- Community & Economic Development
- **Planning for Growth**

Who We Serve

- Summit, Utah, and Wasatch Counties



Planning Department at a Glance

Our Core Functions

- **Regional Planning & Management**

- Manage the Metropolitan Planning Organization (MPO) for Utah County and the Rural Planning Organization (RPO) for Summit & Wasatch Counties
- Develop the Regional Transportation Plan for urban Utah County.
- Administer the regional Transportation Improvement Program

- **Program Administration**

- Administer planning programs for community planning and economic development
- Offer technical assistance to local governments for coordinated transportation and land use plans, visions, studies

- **Strategic Vision**

- Implement and promulgate the Wasatch Choice Vision to maintain high quality of life for our region

- **Collaboration**

- Provide a vital forum for regional discussion and inter-agency collaboration

Metropolitan Planning Organization (MPO) at a Glance

Who We Are

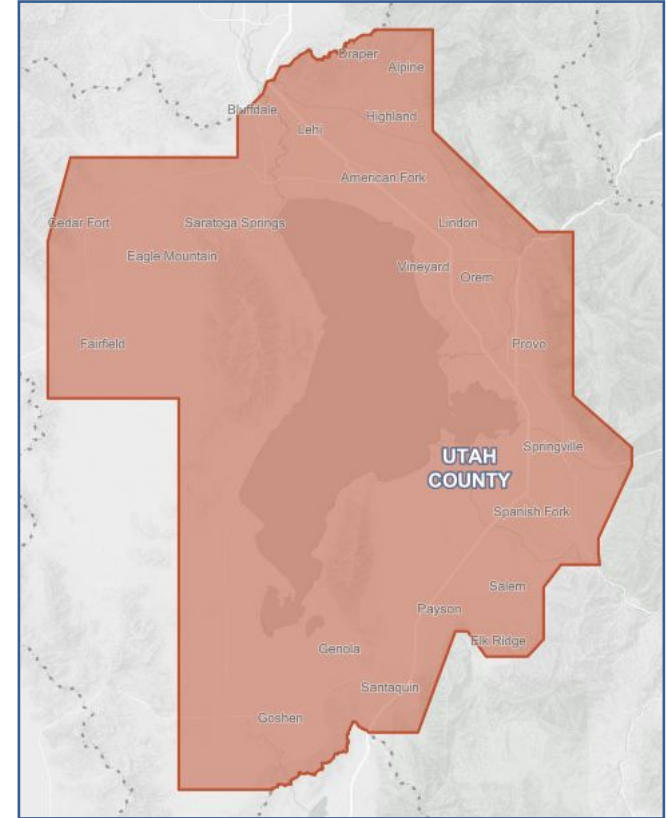
- Federally designated MPO for urban Utah County

What We Do

- Develop and maintain the **Regional Transportation Plan** and **Transportation Improvement Program**
- Governed by locally elected officials and key partners including UDOT, UTA, DAQ, and FHWA
- Staffed by professional planners, data analysts, and transportation experts

Why It Matters

- Transportation projects must be in the RTP to receive federal and/or state funding



Regional Transportation Plan (RTP) at a Glance

Purpose

- Plans roads, transit and active transportation in Utah County
- Ensures the safe/efficient movement of people and goods, improves mobility, and prepares for growth

Development

- Plans across city boundaries - supports and informs local planning efforts
- Uses qualitative and quantitative data
- Identifies long-range needs
- Aligns transportation projects with regional trends, goals, and member and partner input

Updates

- Updated every 4 years to address changing conditions and emerging trends
- In-progress RTP: "2055 RTP"



RTP at a Glance

The RTP is:

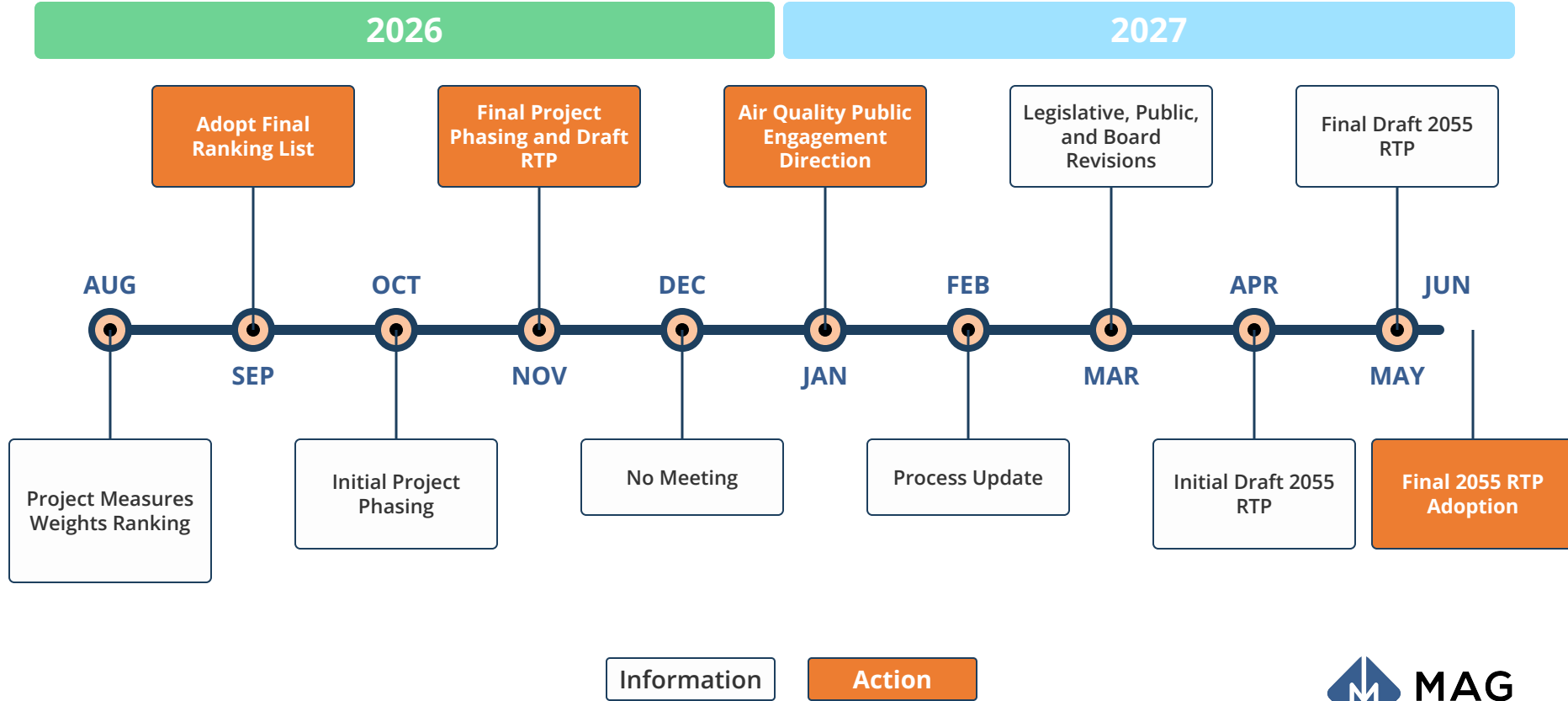
- A unified transportation blueprint for Utah County
- A plan that aids cities in planning for growth
- A plan that improves regional mobility for all modes
- A regional plan that reflects local plans
- Projects financial needs & funds

The RTP is not:

- A mechanism to allocate specific dollars to specific projects (that's the TIP)
- Local land use policy
- Intended for local streets

Projects receiving state and federal funding must be in the RTP.

2055 RTP TAC and Board Schedule



Transportation Improvement Program (TIP) at a Glance

Purpose

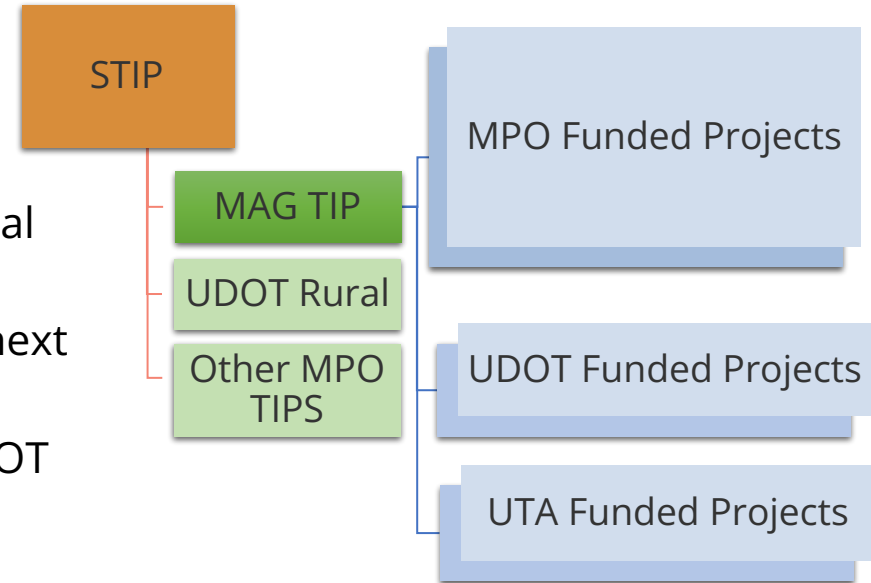
- Federally required
- Implements the RTP

Key Factors

- Lists **Regionally Significant** projects for all transportation modes
- Identifies funding sources to maintain "Fiscal Constraint"
- Includes projects to be constructed in the next 4-5 years
- Encompasses projects funded by MAG, UDOT and UTA

Updates

- Updated annually
- Biennial selection process for projects



Project Development: Project Need to Programming

1. Identify Needs

- Address Congestion Issues
- Address Safety Issues
- Accommodate Growth & New Modes
- Close Gaps in Regional Infrastructure



2. Develop & Prioritize in RTP

- Aligns with Wasatch Choice Vision
- Data Driven Evaluation
- Phases Projects Over 30+ Years
- Ensures Air Quality Conformity
- Engages Public & Partners



3. Program & Fund (TIP)

State Prioritized Funding (UDOT)

- ~ \$1 Billion Annually
- Major Projects (freeways, interchanges)
- Annual Selection by

Regionally Selected Funding (MAG)

- ~ \$115 Million Biennially
- Regional Projects (arterials, transit, trails)
- Biennial Selection by MPO

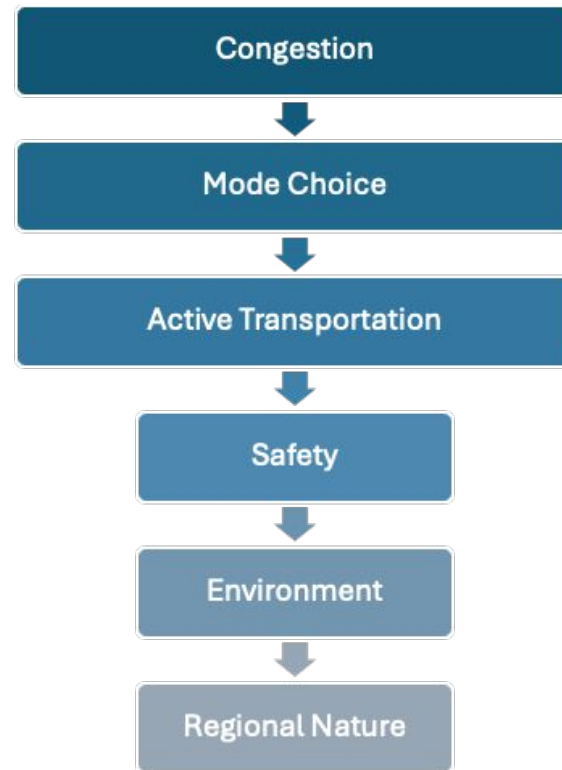
Board (spring/summer)



2026 TIP Selection Schedule

Milestones	Date	Committee
Kickoff	January 8	Board
Project Idea Meetings with Staff	January 19 - 22	TAC
Final Ideas Due	February 2	TAC
Project Idea Meeting	February 23	TAC
Concept Report Meetings with Staff	March 23-26	TAC
Final Concept Reports Due	April 6	TAC
Staff Scoring	April 23	MAG
Concept Review and Scoring Meeting	April 27	TAC
Ranked List Recommendation	May 4	TAC
Ranked List Review	May 14	Board
Ranked List Approval	June 11	Board
Project Funding and TIP Recommendation	August 3	TAC
Project Funding and TIP Approval	August 13	Board

Selection Priorities



What Can MAG Planning Department Do for You?

- Provide demographic and socioeconomic **data**
- Provide land use and growth **projections**
- Offer GIS/**mapping** assistance
- Assist with **federal eligibility** guidance
- Help **align projects with regional priorities**
- Funds for **preserving future transportation corridors**
- **Wasatch Choice Vision alignment**
- Provide regional forum for transportation and **growth related issues and opportunities**
- Governmental and **technical planning assistance**
- Conduct **small-area studies**
- Help **position projects for funding**
- Fund a variety of **planning & technical assistance** projects
- **Economic development** assistance

Links to MAG's Planning Dept Programs & Projects

- [Community Development Block Grants](#)
- [Corridor Preservation Program](#)
- [Economic Development](#)
- [Local Administrative Advisor](#)
- [Metropolitan Planning Organization](#)
- [Public Engagement Plan](#)
- [Regional Transportation Plan](#)
- [Station Area Plan Program](#)
- [Technical Assistance to Governments](#)
- [Transportation Improvement Program](#)
- [Unified Planning Work Program](#)
- [Utah's Unified Transportation Plan](#)
- [Wasatch Back Rural Planning Organization](#)
- [Wasatch Choice Vision](#)

Who Is There to Help You?

MAG Staff

- Conduct studies, evaluate proposals, and manage federal transportation funds
- Ensure fiscal realism, regulatory compliance, and public engagement
- Coordinate with local governments, UDOT, UTA, and community members
- Provide technical expertise and recommendations

MPO Committees (Board & TAC)

- MPO Board: Policy Committee (all mayors and county commissioners in Utah Co.)
- MPO TAC: Technical Advisory Committee to the MPO Board - Composed of engineers, planners, and transportation professionals of Cities, Towns, and Utah Co.
- Committees meet monthly (public meetings)

What We Need from You?

- Early identification of project needs and priorities
- Participation in RTP workshops and other program/project events
- Feedback on draft plans
- Cost estimates for projects
- Clear local funding commitments
- Alignment with adopted regional vision, Wasatch Choice Vision
- Alignment with adopted Regional Transportation Plan
- Ensure information flow between Mayor, City Council members, and City Staff members

Staff Contact Information

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Questions?

RTP and TIP Map

**PROVO MUNICIPAL COUNCIL
WORK SESSION
STAFF REPORT**



Submitter: KMARTINS
Presenter: LaNiece Davenport, MPO Director of MAG
Department: Recorder
Meeting Date: 7/14/2026
Requested Duration (Minutes): 20 minutes
CityView or Issue File Number: 26-055

SUBJECT: 1 A presentation regarding the Mountainland Association of Governments (MAG) (26-055)

ADMINISTRATIVE RECOMMENDATION: Presentation only

ADMINISTRATIVE MEMO: Representatives from the Mountainland Association of Governments (MAG) will provide an overview of MAG's Planning Department, including its role as the federally designated Metropolitan Planning Organization for urban Utah County. The presentation will explain MAG's regional planning functions, the Regional Transportation Plan, the Transportation Improvement Program, project funding and prioritization processes, and opportunities for Provo City to coordinate with MAG on transportation, growth, economic development, technical assistance, and regional planning priorities. This item is intended as an informational orientation and discussion regarding Provo's participation in regional planning efforts.

FISCAL IMPACT: NA

COUNCIL STAFF MEMO:

**PROVO MUNICIPAL COUNCIL
WORK SESSION
STAFF REPORT**



Submitter: KMARTINS
Presenter: Kyle Hansen, Administrator for Intermountain Health Care
Department: Recorder
Meeting Date: 7/14/2026
Requested Duration (Minutes): 15 minutes
CityView or Issue File Number: 26-059

SUBJECT: 2 A presentation regarding an update from Intermountain Health Care (26-059)

ADMINISTRATIVE RECOMMENDATION: Presentation Only

ADMINISTRATIVE MEMO: An update from Intermountain Health Care

FISCAL IMPACT: NA

COUNCIL STAFF MEMO:

**PROVO MUNICIPAL COUNCIL
WORK SESSION
STAFF REPORT**



Submitter: MMCNALLEY
Presenter: Melissa McNalley, Community Grants Administrator
Department: Development Services
Meeting Date: 7/14/2026
Requested Duration (Minutes): 10 minutes
CityView or Issue File Number: 26-025

SUBJECT: 2 A resolution amending the HOME-ARP allocation plan (26-025)

ADMINISTRATIVE RECOMMENDATION: Recommend approval of the change in amounts allocated to activities in the HOME-ARP Allocation Plan.

ADMINISTRATIVE MEMO: A subrecipient of the HOME-ARP funding is requesting transfer of funds from their tenant-based rental assistance (TBRA) allocation to their supportive services allocation. This item is subject to a 30 day public comment period and a public hearing at the end of the 30 day period.

FISCAL IMPACT: No overall impact as funding is being moved from one use to another.

COUNCIL STAFF MEMO:

UTAH VALLEY HOME CONSORTIUM

HOME-ARP ALLOCATION PLAN SUBSTANTIAL AMENDMENT

Background

The Utah Valley HOME Consortium (UVHC) received HOME Investment Partnerships Program – American Rescue Plan (HOME-ARP) funds to address the housing and service needs of HOME-ARP Qualifying Populations, as defined in HUD Notice CPD-21-10.

Following implementation of the HOME-ARP program and evaluation of community needs, the Consortium has determined that a reallocation of HOME-ARP funds will better address the immediate housing stability needs of Qualifying Populations by expanding access to short-term rental assistance and supportive services intended to prevent homelessness and promote long-term housing stability.

This amendment constitutes a Substantial Amendment to the HOME-ARP Allocation Plan in accordance with HUD Notice CPD-21-10 and the Consortium’s Citizen Participation Plan.

Summary of Amendment

The Consortium proposes to reallocate a portion of an existing HOME-ARP Tenant-Based Rental Assistance (TBRA) award administered by Community Action Services and Food Bank to include:

1. HOME-ARP TBRA Assistance for Housing Stability and Eviction Prevention; and
2. HOME-ARP Supportive Services consisting of Case Management.

The total HOME-ARP funding allocation for the project remains unchanged. No additional HOME-ARP funds are being requested.

Existing Allocation

Activity	Amount
HOME-ARP Tenant-Based Rental Assistance (TBRA)	\$420,000
Total	\$420,000

Proposed Allocation

Activity	Amount
HOME-ARP TBRA Assistance	\$160,000
HOME-ARP TBRA Assistance – Housing Stability / Eviction Prevention	\$160,000
HOME-ARP Supportive Services – Case Management	\$100,000
Total	\$420,000

Description of Activities

HOME-ARP TBRA Assistance

HOME-ARP TBRA funds will continue to provide rental assistance, utility assistance, security deposits, and other eligible TBRA costs authorized under 24 CFR §92.209 and HUD Notice CPD-21-10.

HOME-ARP TBRA Assistance – Housing Stability / Eviction Prevention

HOME-ARP TBRA funds will provide short-term rental assistance, including rental arrears and prospective rental assistance, to HOME-ARP Qualifying Population households experiencing housing instability, housing insecurity, rent burden, or risk of homelessness. The purpose of this activity is to prevent homelessness and support housing stability.

HOME-ARP Supportive Services – Case Management

HOME-ARP Supportive Services funds will be used to provide case management services to HOME-ARP Qualifying Populations. Services may include intake and assessment, housing stabilization planning, service coordination, referrals to community resources, benefits navigation, landlord mediation, and follow-up services designed to assist households in obtaining and maintaining stable housing.

Qualifying Populations Served

All activities funded through this amendment shall be limited to HOME-ARP Qualifying Populations as defined in HUD Notice CPD-21-10, including:

- Individuals and families who are homeless;
- Individuals and families at risk of homelessness;
- Individuals and families fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking;
- Other populations for whom providing supportive services or assistance would prevent homelessness or would serve those with the greatest risk of housing instability; and
- Veterans and families that meet one of the HOME-ARP Qualifying Population definitions.

The Consortium and its subrecipients shall maintain documentation sufficient to verify eligibility for all households assisted.

Need for Amendment

Since approval of the original HOME-ARP Allocation Plan, the Consortium and community partners have identified increased demand for homelessness prevention assistance and housing stabilization services among HOME-ARP Qualifying Populations. Community Action Services and Food Bank has reported a growing need for rental arrears assistance, short-term rental assistance, and case management services to prevent households from entering homelessness and to support successful housing retention.

The proposed reallocation will provide greater flexibility to address current community needs while remaining consistent with HOME-ARP statutory and regulatory requirements.

Expected Outcomes

The amendment is expected to:

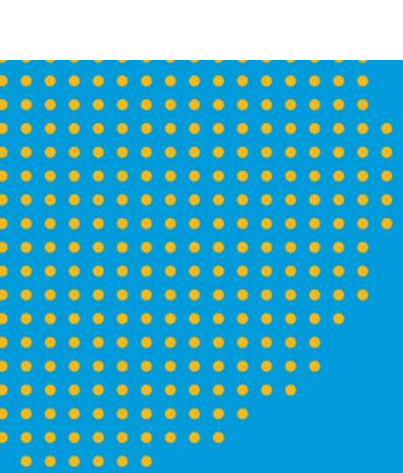
- Increase housing stability for HOME-ARP Qualifying Populations;
- Prevent homelessness among households experiencing housing insecurity;
- Reduce barriers to obtaining and maintaining permanent housing;
- Improve access to supportive services and community resources; and
- Support long-term housing retention and self-sufficiency.

Public Participation

This Substantial Amendment was made available for public review and comment in accordance with the Utah Valley HOME Consortium Citizen Participation Plan. Public comments received during the comment period were considered by the Consortium prior to adoption of this amendment.

Adoption

The Utah Valley HOME Consortium hereby adopts this HOME-ARP Allocation Plan Substantial Amendment and authorizes submission to HUD as required.



2000 NORTH INTERLOCAL AGREEMENT

By Danielle Nixon, Engineer

July 14, 2026



Existing Agreement

4. **Utilities.** Provo and Orem shall both have the ability to use the 2000 Street roadway corridor for the installation of water, sewer, storm drainage, street lighting, communication lines and other utilities as becomes necessary. The cities agree to work together to determine the appropriate location of utilities which will accommodate the needs of each city. The Cities will work together to create a joint storm drain utility that will meet the needs of the storm water runoff created by 2000 Street, as well as convey storm water generated by development

pg. 3

adjoining 2000 Street. Street lighting design, location and operation shall be coordinated between the cities to ensure, insofar as is practical, uniformity in both form and function. Any other public or private utilities will require the review and approval of each city within their respective jurisdictions.

Location of Work



- 2000 North between Geneva Road and UTA tracks

Proposed Agreement

1. **Orem Stormwater Mainline.** Orem will design and pay for the installation of a stormwater mainline on the north side of the road along 2000 Street between Geneva Road and the UTA railroad track according to the plans depicted in Exhibit B. Orem will own and maintain the stormwater mainline.

As part of the install of the stormwater mainline, Orem will install a lateral pipe for Provo connecting Provo's existing storm drain pump to the stormwater mainline as depicted in Exhibit C. Provo will pay Orem \$16,520.49 for the costs to install this lateral. Orem will send Provo an invoice after the storm drain mainline is installed. Provo will pay within 30 days of receipt of the invoice.

4. **Limited Discharge.** Orem is prohibited from discharging storm water through this main, except for street drainage collected from 2000 Street between Geneva Road and the UTA railroad track, until Orem has established a discharge point to Utah Lake.



Exhibit B –Project Plans

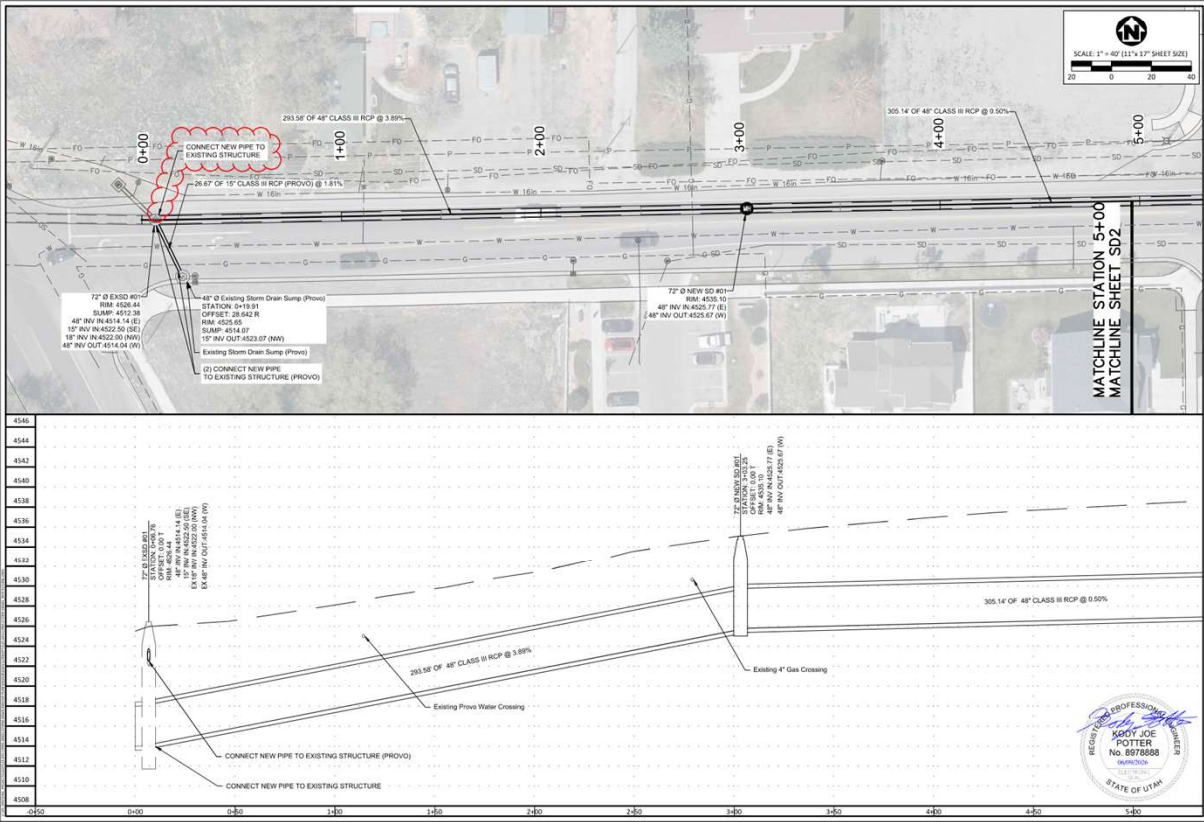
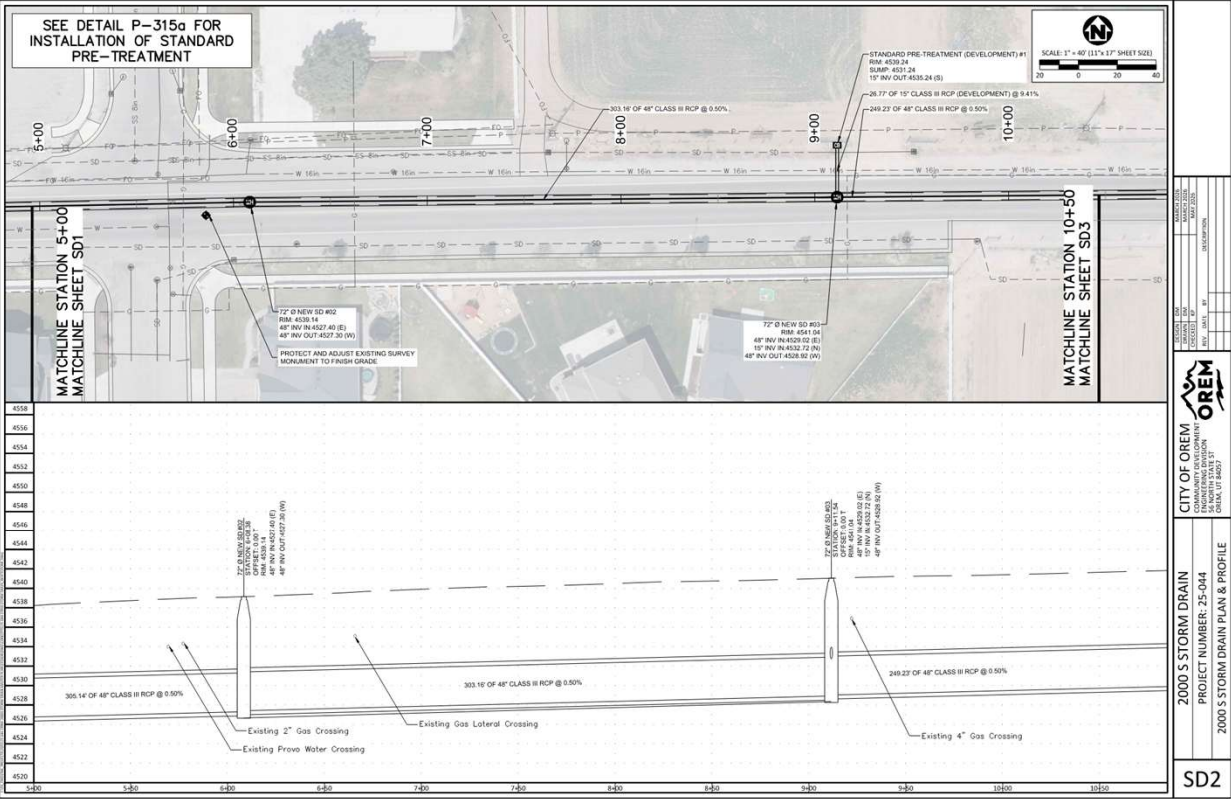


Exhibit B – Continued

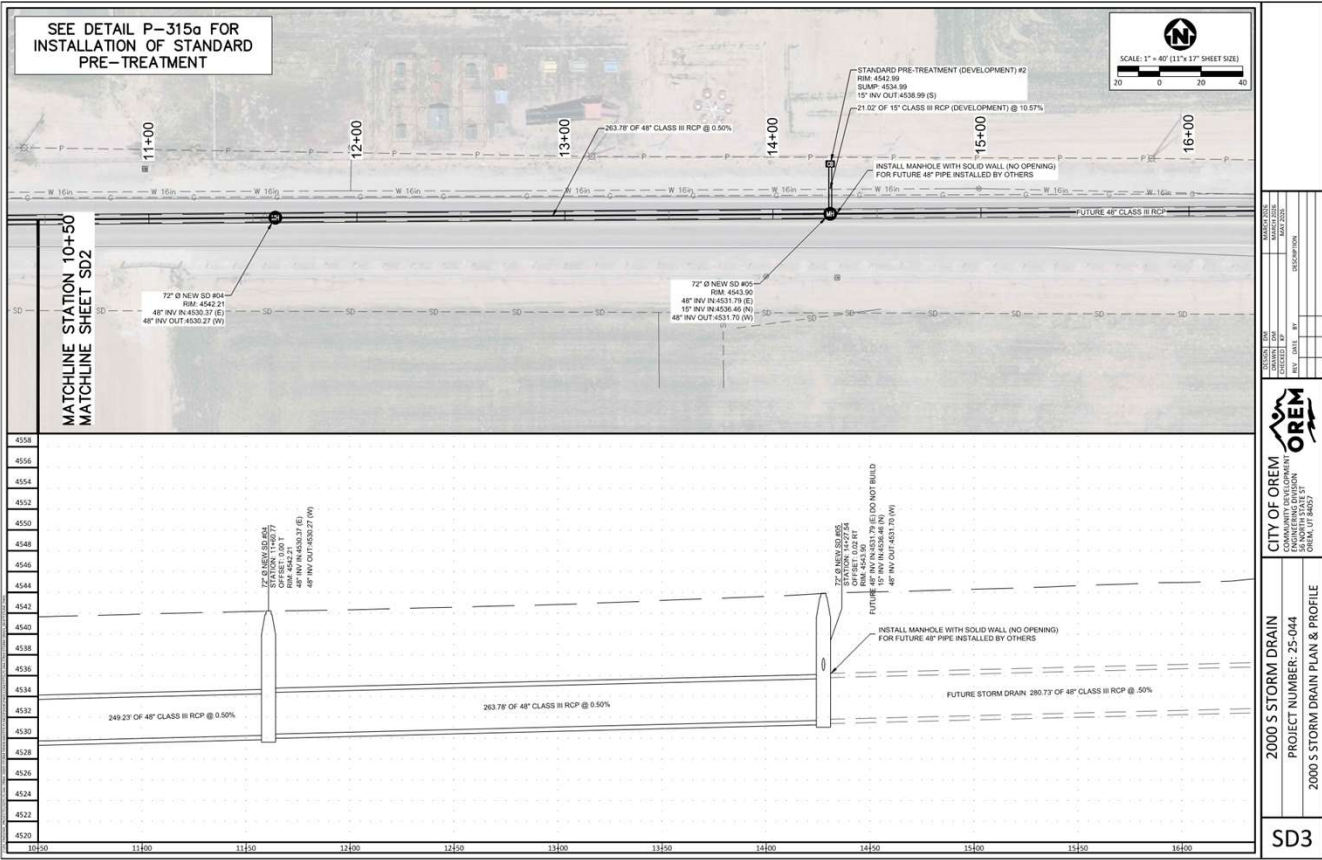
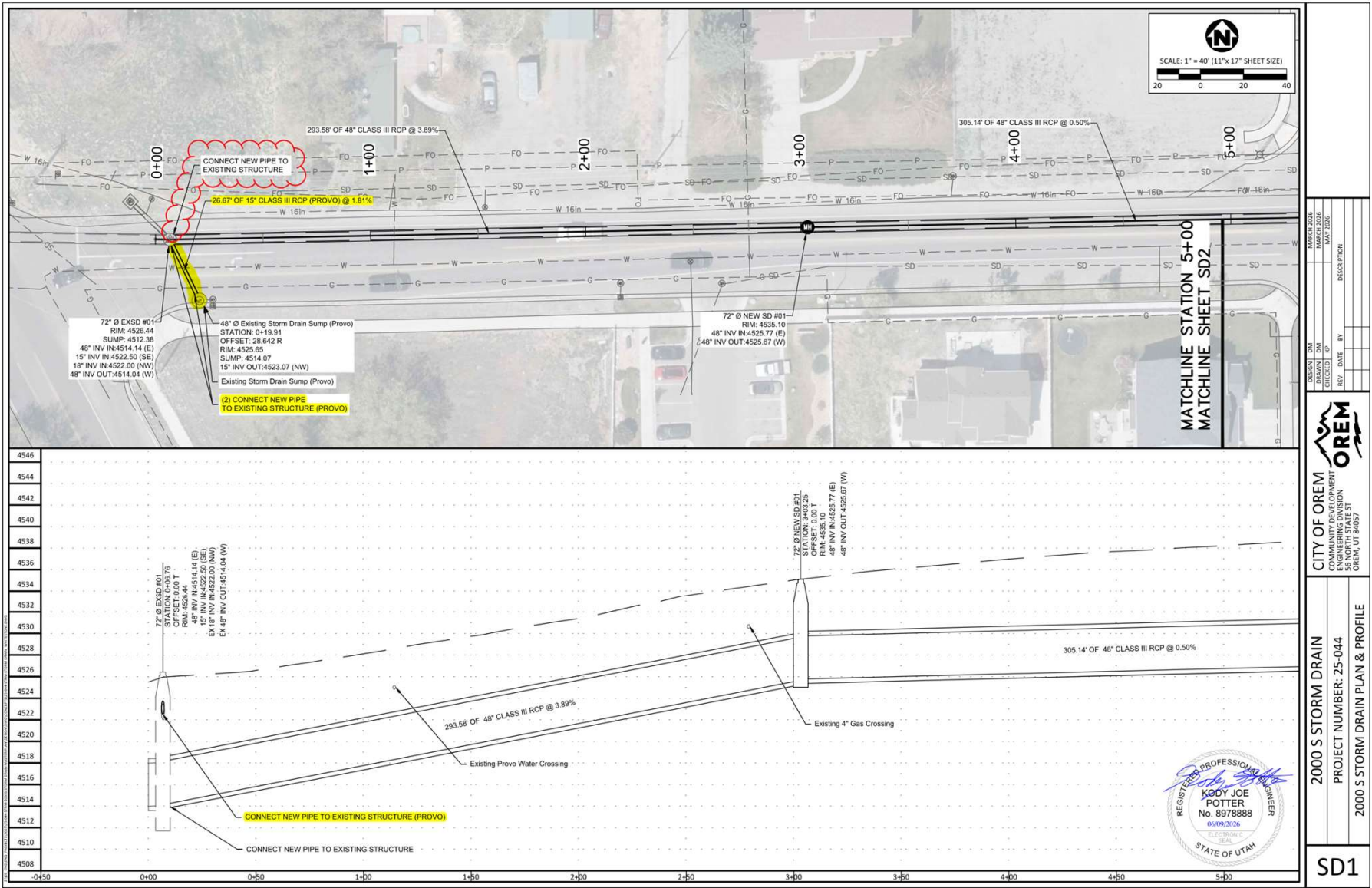


Exhibit C – Connection to Provo Sump



Cost Breakdown

- Overall contract total: \$900,108.16
 - Agreement Amount/Provo's Cost:
 - Material and Labor Cost: \$13,924.42
 - Overall Contract Share Cost: \$2,596.07 (~2%)
 - Total: **\$16,520.49**

Summary

- Storm drain needs to be installed as part of Orem's master plan and for the future Whitestone Estates development.
- Provo has agreed to the bid prices and the contractor
- Both Orem and Provo City staff approve of this agreement
- If approved, work will begin immediately

**PROVO MUNICIPAL COUNCIL
WORK SESSION
STAFF REPORT**



Submitter: JMCKNIGHT
Presenter: Danielle Nixon, Public Works Engineer
Department: Public Works
Meeting Date: 7/14/2026
Requested Duration (Minutes): 10 minutes
CityView or Issue File Number: 26-056

SUBJECT: 3 A resolution approving an interlocal agreement between Provo City and Utah County regarding funding for Orem 2000 S storm drain project; and authorizing the mayor to sign that agreement on behalf of the city. (26-056)

ADMINISTRATIVE RECOMMENDATION: Approve the resolution

ADMINISTRATIVE MEMO: Provo and Orem entered into an agreement in 2015 defining the border between the two cities on Provo's 2000 N west of I-15. The agreement states that the cities will work together to create a joint storm drain utility. Orem now intends to install a storm drain between Geneva Road and the UTA railroad track. An interlocal agreement has been drafted to define the responsibilities of the two cities for construction, use, and maintenance of that pipe. Provo will pay Orem \$16,520.49 as our responsibility for the installation cost.

FISCAL IMPACT: \$16,520.49

COUNCIL STAFF MEMO:

1 RESOLUTION <<Document Number>>

2
3 A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN
4 PROVO CITY AND UTAH COUNTY REGARDING FUNDING FOR OREM
5 2000 S STORM DRAIN PROJECT; AND AUTHORIZING THE MAYOR TO
6 SIGN THAT AGREEMENT ON BEHALF OF THE CITY. (26-056)
7

8 RECITALS:
9

10 It is proposed that Provo City enter an interlocal agreement with the City of Orem for the
11 contract amount of \$16,520.49 for the installation of a storm drain main in 2000 North between
12 Geneva Road and the Utah Transit Authority (UTA) railroad tracks;
13

14 Orem City will allow Provo street drainage to be conveyed through the storm drain main;
15 and
16

17 Orem City will own and maintain the storm drain main located within Provo's right-of-
18 way of 2000 North between Geneva Road and the UTA railroad tracks; and
19

20 Orem City is prohibited from discharging storm water through the proposed storm drain
21 main, except for street drainage collected from 2000 North between Geneva Road and the UTA
22 railroad tracks, until Orem has established a discharge point to Utah Lake; and
23

24 On August 11, 2026, the Municipal Council met to consider the facts regarding this
25 matter and receive public comment, which facts and comments are found in the public record of
26 the Council's consideration; and
27

28 After considering the facts presented to the Municipal Council, the Council finds that (i)
29 the proposed action should be approved as described herein, and (ii) such action furthers the
30 health, safety, and general welfare of the citizens of Provo City.
31

32 THEREFORE, the Provo Municipal Council resolves as follows:
33

34 PART I:
35

- 36 1. The City Council hereby resolves to approve the City's entrance into the Interlocal
37 Agreement with the City of Orem regarding the installation of a storm drain main
38 within 2000 North, between Geneva Road and the UTA railroad track.
39 2. The Mayor is authorized to sign and execute all necessary and appropriate documents
40 in conjunction with this agreement..
41

42 PART II:
43

44 This resolution takes effect immediately.

AGREEMENT

This Agreement is entered into as of _____, 202__, by and between Provo City, a municipal corporation, and the City of Orem, a municipal corporation.

RECITALS

Whereas, Provo and Orem entered into Agreement A-2015-0098 on June 15, 2015 (hereinafter “the 2015 Agreement”), attached as Exhibit A; and

Whereas, the 2015 Agreement defined the border between Provo and Orem along the street alternatively known as 2000 South, Orem and 2000 North, Provo (hereinafter “2000 Street”) west of 1-15 and outlined the Cities’ rights and obligations as to use, occupation, and maintenance of 2000 Street; and

Whereas, ¶ 4 of the 2015 Agreement states that “the Cities will work together to create a joint storm drain utility that will meet the needs of the storm water runoff created by 2000 Street, as well as convey storm water generated by development adjoining 2000 Street;” and

Whereas, in accordance with ¶ 4 of the 2015 Agreement, Orem intends to install a storm drain mainline along 2000 Street between Geneva Road and the Utah Transit Authority (“UTA”) railroad track; and

Whereas, the Parties desire to outline the respective rights and obligations relating specifically to the new storm drain mainline that Orem will install.

Now, therefore, in consideration of the promises and conditions contained herein, the Parties agree as follows:

1. **Orem Stormwater Mainline.** Orem will design and pay for the installation of a stormwater mainline on the north side of the road along 2000 Street between Geneva Road and the UTA railroad track according to the plans depicted in Exhibit B. Orem will own and maintain the stormwater mainline.

As part of the install of the stormwater mainline, Orem will install a lateral pipe for Provo connecting Provo’s existing storm drain pump to the stormwater mainline as depicted in Exhibit C. Provo will pay Orem \$16,520.49 for the costs to install this lateral. Orem will send Provo an invoice after the storm drain mainline is installed. Provo will pay within 30 days of receipt of the invoice.

2. **Provo Laterals.** Provo will be permitted to connect to the stormwater mainline, and Provo will own and maintain all storm drain inlets and lateral lines connecting said inlets to the stormwater mainline. Provo will pay any costs associated with such connections.
3. **Inspections.** Both parties agree to have inspectors on site periodically during the installation of the utility to verify that Orem's contractor is installing the stormwater main and inlets to the proper specifications and standards identified by Provo and Orem standards and specifications.
4. **Limited Discharge.** Orem is prohibited from discharging storm water through this main, except for street drainage collected from 2000 Street between Geneva Road and the UTA railroad track, until Orem has established a discharge point to Utah Lake.
5. **Amendment to 2014 Agreement.** This Agreement amends the terms of the 2015 Agreement. However, all terms of the 2015 Agreement not in conflict with this Agreement shall remain in force.
6. **Indemnification.** The parties to this Agreement are political subdivisions of the State of Utah. The parties agree to indemnify and hold harmless the other for damages, claims, suits, and actions arising out of a negligent error or omission of its own officials or employees in connection with this Agreement. It is expressly agreed between the parties that the obligation to indemnify is limited to the dollar amounts set forth in the Utah Governmental Immunity Act, Section 63G-7-604. The Parties also hereby reserve any available procedural or substantive defenses provided by the Utah Governmental Immunity Act.
7. **Amendment.** This Agreement may be modified or amended only by a written instrument executed by the parties or all their successors as applicable.
8. **Governing Law.** This Agreement shall be construed, interpreted, and applied in accordance with the laws of the State of Utah.
9. **Non-Waiver.** No covenant or condition of this Agreement may be waived by any Party, unless done so in writing. Forbearance or indulgence by any Party in any regard whatsoever shall not constitute a waiver of the covenants or conditions to be performed by the other.
10. **Severability.** If any provision of this Agreement is held to be illegal, inoperative, or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative, or unenforceable.

11. **No Presumption.** Should any provision of this Agreement require judicial interpretation, the Court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against the party, by reason of the rule of construction that a document is to be construed more strictly against the person who himself or through his agents prepared the same, it being acknowledged that each of the parties have participated in the preparation hereof.
12. **Assignment.** The Parties to this Agreement shall not assign this Agreement, or any part hereof, without the prior written consent of all other Parties of this Agreement. No assignment shall relieve the original Parties from any liability hereunder.
13. **Electronic Signature.** Each Party agrees that the electronic signatures, whether digital or encrypted, of the Parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means any electronic sound, symbol, or process attached to or logically associated with a record and executed and adopted by a Party with the intent to sign such a record, including facsimile or email electronic signatures.
14. **Entire Agreement.** This Agreement, together with the 2015 Agreement, constitutes the entire agreement between the Parties concerning the stormwater mainline discussed herein and supersedes all prior agreements, understandings, negotiations, and discussions, whether oral or written, of the Parties.

-- Signature Page to Follow --

The City of Orem and Provo City have read and understand the terms of this Agreement for Stormwater Mainline in 2000 Street. Both Parties have demonstrated their intent to enter this Agreement as of the date above by having their authorized representatives sign below.

City of Orem

Provo City

Brenn Bybee – City Manager

Marsha Judkins - Mayor

ATTEST AND COUNTERSIGN:

ATTEST AND COUNTERSIGN:

Orem City Recorder

Provo City Recorder

EXHIBIT A
2015 AGREEMENT

AGREEMENT

This Agreement ("Agreement") is entered into as of June 15, 2015, by and between Provo City ("Provo"), a municipal corporation and the City of Orem ("Orem") a municipal corporation.

RECITALS

- A. Provo and Orem have historically considered the street known as 2000 North, Provo and 2000 South, Orem to be the existing and/or future boundary between both cities from the western boundary of Interstate 15 (I-15) right of way to Geneva Road. For ease of reference, the entire width of that street located west of I-15 and alternately known as 2000 North, Provo and 2000 South, Orem (and including future extensions of that street to the west of Geneva Road) is hereinafter referred to as "2000 Street."
- B. Provo and Orem have historically worked together regarding annexation issues to ensure that their common boundaries are mutually beneficial to both cities.
- C. Provo has adopted an annexation policy plan which includes the area west of I-15 and south of Provo's 2000 North Street in Provo's future annexation area.
- D. Orem has adopted an annexation policy plan which includes the area west of I-15 and north of Orem's 2000 South Street in Orem's future annexation area.
- E. Provo has previously accepted annexation plats that border on the south of 2000 North including an annexation plat known as the "Lakeview Addition No. 8" in March of 2004. This annexation plat included a portion of 2000 North Street within Provo's boundaries.
- F. Orem has received a request to annex an area of property located west of I-15 that borders on 2000 South consisting of approximately 227.59 acres.
- G. There is uncertainty as to where the common boundary between Provo and Orem should be for that area west of I-15.
- H. The parties desire to enter into this Agreement to establish the location of a common boundary which is mutually beneficial and agreeable to each city. The parties further desire to enter into this agreement to establish the duties and responsibilities of each city pertaining to operation and maintenance of each city's portion of 2000 Street.

AGREEMENT

In consideration of the promises contained herein, the parties agree as follows:

1. **Common Boundary Established.** Provo and Orem agree that the street alignment and right of way of 2000 Street shall be established as follows:

- a. The centerline for 2000 Street shall be defined as per the attached Exhibit B.
- b. The street right of way of 2000 Street from the west boundary line of the UTA (L.A. & S.L. RR) property easterly shall reside in Orem City. The city boundary on the south side of 2000 Street shall be defined as the back of curb along the south side of the street.
- c. The street right of way of 2000 Street from the west boundary line of the UTA (L.A. & S.L. RR) property westerly shall reside in Provo City. The city boundary on the north side of 2000 Street shall be defined as the back of curb along the north side of the street.
- d. Each city shall take such actions as may be reasonably necessary to establish the common boundary as described above and to locate the above-described sections of 2000 Street within each city as described above. Each city agrees that such actions may include the execution of boundary line agreements and the approval of annexations and/or disconnections, all as may be necessary to establish the common boundary. In the event that the appropriate approving authority of one city fails to execute and/or approve any necessary action or documents necessary to accomplish the establishment of the common boundary and the inclusion of the sections of 2000 Street in each city as described above within a reasonable period of time, then the other city shall have the right to declare this Agreement null and void and neither city shall have any further right or obligation under this Agreement.

2. Design, Construction and Maintenance of 2000 Street. In order to ensure that the entire width of 2000 Street is designed, constructed and maintained in a manner satisfactory to both parties, Provo and Orem agree that 2000 Street shall be designed, constructed and maintained as set forth below.

2.1 Design. 2000 Street shall be designed with an asphalt pavement width of fifty-four (54) feet, curb and gutter, a seven foot wide landscaped strip on each side of the street and a six foot wide sidewalk on each side of the street, all as shown on Exhibit "A" which is attached hereto and by reference is made a part hereof. The street improvements (asphalt and curb and gutter) shall be designed in accordance with Standards and Specifications for each city within their respective jurisdictions. Each city agrees to coordinate street design with the other to provide uniform functionality and appearance of the street.

2.2. Construction Standards. The parties agree that any new construction, improvements and repairs made to either side of 2000 Street shall be made in conformance with the design and standards shown in Exhibit A.

2.3. Construction. Each city will be responsible to provide inspection and monitor progress throughout roadway construction to determine that construction meets applicable City specifications and is performed in accordance with the final design documents within their

respective jurisdictions. Both Cities shall have continuous access to 2000 Street during any construction activities and will work together to coordinate such activities.

2.4. Intersection of 2000 Street and Geneva Road. The parties acknowledge and agree that 2000 Street may need to be widened at the intersection of 2000 Street and Geneva Road and that a traffic signal may need to be installed at such intersection at a yet to be determined date. At such time as warrants justify signalization at 2000 Street and Geneva Road, the parties anticipate that UDOT will assume responsibility for all or a majority of the cost of widening the intersection and installing the signalization. However, any cost of such traffic signalization that is not paid by UDOT shall be paid 75% by Provo and 25% by Orem. This allocation is based on the fact that $\frac{3}{4}$ of said intersection (the south leg of Geneva Road and the east and west legs of 2000 Street) will lie within the boundaries of Provo City and $\frac{1}{4}$ of said intersection (the north leg of Geneva Road) will lie within the boundaries of the City of Orem. The parties agree to work together to facilitate the installation of such traffic signalization.

2.5. Maintenance. Except as may later be agreed upon in writing by the Parties, each city will maintain its own portion of 2000 Street together with all street improvements within their respective jurisdictions as defined above. This shall include both routine and non-routine maintenance, including, but not limited to asphalt pavement, snow removal, striping, signage, markings, street sweeping, and curbs and gutters.

2.6. New Street Dedication. Each city shall be responsible for acquiring any property dedication that may be necessary for the construction, improvement, maintenance and extension of that portion of 2000 Street that is located within that city's boundaries or future boundaries as set forth in this Agreement.

3. Access. Each city shall be entitled to any access to 2000 Street that it deems reasonable and necessary. However, before approving any access to 2000 Street, each city agrees to coordinate with the other to discuss the proposed access location and to receive input from the other city. For safety and traffic flow reasons, driveway access to single family residential property is highly discouraged and shall only be permitted when no other means of safe access can be provided. Each city shall have the right to make final decisions regarding access locations from their respective cities. All accesses shall be designed to conform to sound engineering principles.

4. Utilities. Provo and Orem shall both have the ability to use the 2000 Street roadway corridor for the installation of water, sewer, storm drainage, street lighting, communication lines and other utilities as becomes necessary. The cities agree to work together to determine the appropriate location of utilities which will accommodate the needs of each city. The Cities will work together to create a joint storm drain utility that will meet the needs of the storm water runoff created by 2000 Street, as well as convey storm water generated by development

adjoining 2000 Street. Street lighting design, location and operation shall be coordinated between the cities to ensure, insofar as is practical, uniformity in both form and function. Any other public or private utilities will require the review and approval of each city within their respective jurisdictions.

5. Permitting. Each city shall be responsible for reviewing and approving any permits for utility construction within that portion of 2000 Street located within its respective jurisdiction. Any permit or inspection fees for publicly owned utilities shall be waived by either city for city utilities needing to be installed in the other city's right of way.

6. Ownership of Improvements. Orem will own and control the right of way for 2000 Street from the west boundary line of the UTA (L.A. & S.L. RR) to the west boundary line of I-15. Orem will own all street improvements from the back of curb and gutter along the south side of 2000 Street to the north right of way line. Provo will own all street improvements from the back of curb and gutter along the south side of 2000 Street to the south right of way line in this section of 2000 Street.

Provo will own and control the right of way for 2000 Street from the west boundary line of the UTA (L.A. & S.L. RR) property westerly. Provo will own all street improvements from the back of curb and gutter along the north side of 2000 Street to the south right of way line.

7. Amendment. This Agreement may be modified or amended only by a written instrument executed by the parties and/or all their successors, as applicable.

8. Enforcement. Each city will provide enforcement as required for 2000 Street within their respective jurisdictions as defined above.

9. Governing Law. This Agreement shall be construed, interpreted and applied in accordance with the laws of the State of Utah.

10. Non-Waiver. No covenant or condition of this Agreement may be waived by any party, unless done so in writing. Forbearance or indulgence by any party in any regard whatsoever shall not constitute a waiver of the covenants or conditions to be performed by the other.

11. Severability. If any provision of this Agreement is held to be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever.

12. Binding Agreement. This Agreement is binding upon all of the assigns, grantees and successors in interest to each of the parties, and shall remain in full force and effect until amended as provided herein.

13. Further Assurances. The parties shall execute such other documents and take such other actions as may be reasonably necessary or proper to achieve the intent and purposes hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

OREM CITY

By: James P. Dwyer
CITY MANAGER

ATTEST AND COUNTERSIGN:

By: Norma R. Weaver
City Recorder

APPROVED AS TO FORM AND LEGALITY:

Steven C. Earl



PROVO CITY

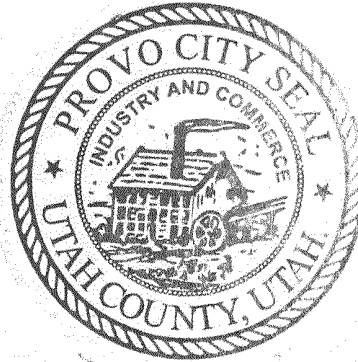
By: [Signature]

ATTEST AND COUNTERSIGN:

By: Jaune Seiss
City Recorder

APPROVED AS TO FORM AND LEGALITY:

[Signature]



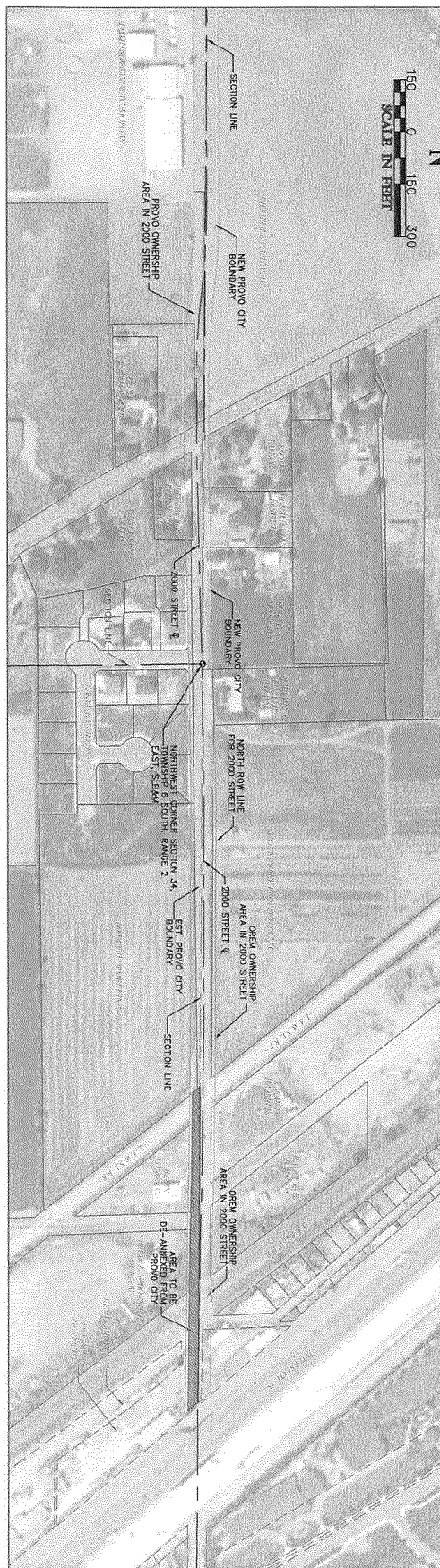
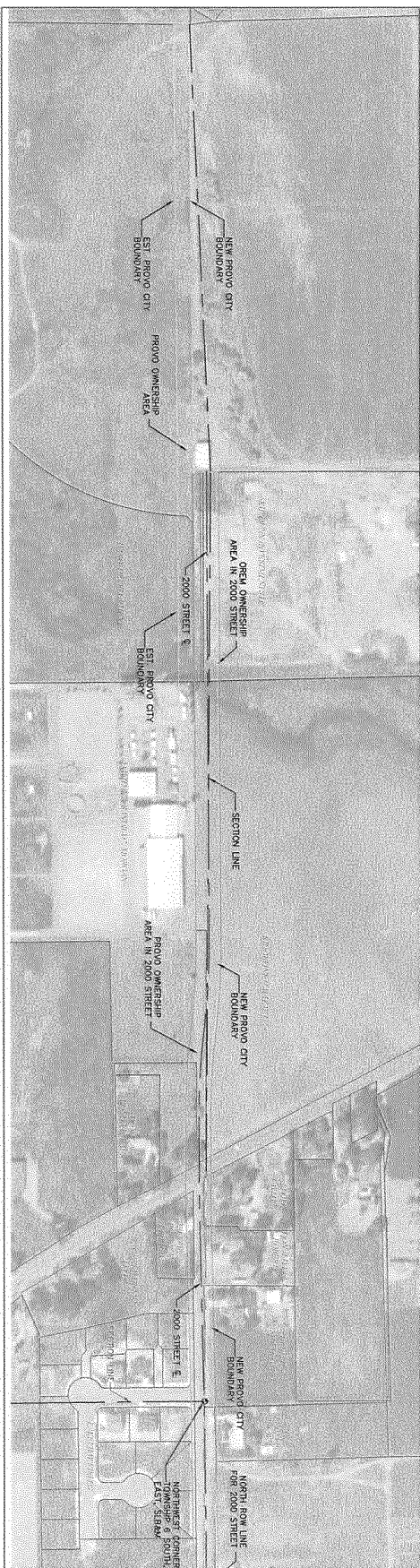
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2000 STREET CENTERLINE

LEGAL DESCRIPTION

A CENTERLINE OF A FIFTY-FOUR (72) FOOT RIGHT-OF-WAY DESCRIBED FOR 2000 STREET, LOCATED IN THE NORTHWEST QUARTER SECTION 34 AND THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, LOCATED IN PROVO, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED N89°31'52"W ALONG THE SECTION LINE 2670.26 FEET AND SOUTH 13.04 FEET FROM THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE N89°48'22"E 1350.23 FEET; THENCE EASTERLY ALONG THE ARC OF A 2050.00 FOOT RADIUS TO THE RIGHT 256.44 FEET (CHORD BEARS: S86°36'36"E 256.28 FEET); THENCE EASTERLY ALONG THE ARC OF A 2050.00 FOOT REVERSE CURVE RADIUS TO THE LEFT 258.63 FEET (CHORD BEARS: S86°38'27"E 258.46 FEET); THENCE N89°44'42"E 154.09 FEET; THENCE N89°44'42"E 89.57 FEET; THENCE EASTERLY ALONG THE ARC OF A 200.00 FOOT RADIUS TO THE LEFT 3.68 FEET (CHORD BEARS: N89°13'03"E 3.68 FEET); THENCE N88°41'24"E 586.67 FEET; THENCE EASTERLY ALONG THE ARC OF A 536.00 FOOT RADIUS TO THE RIGHT 5.17 FEET (CHORD BEARS: N88°57'57"E 5.17 FEET); THENCE N89°14'31"E 362.05 FEET; THENCE EASTERLY ALONG THE ARC OF A 500.00 FOOT RADIUS TO THE RIGHT 7.83 FEET (CHORD BEARS: N89°41'25"E 7.83 FEET); THENCE S89°51'40"E 646.69 FEET; THENCE EASTERLY ALONG THE ARC OF A 500.00 FOOT RADIUS TO THE RIGHT 5.93 FEET (CHORD BEARS: S89°31'16"E 5.93 FEET); THENCE S89°10'52"E 454.47 FEET; THENCE EASTERLY ALONG THE ARC OF A 500.00 FOOT RADIUS TO THE RIGHT 7.57 FEET (CHORD BEARS: S88°44'50"E 7.57 FEET); THENCE S88°18'49"E 126.13 FEET; THENCE EASTERLY ALONG THE ARC OF A 500.00 FOOT RADIUS TO THE LEFT 7.29 FEET (CHORD BEARS: S88°43'53"E 7.29 FEET); THENCE S89°08'58"E 474.84 FEET TO THE POINT OF TERMINUS, SAID POINT IS LOCATED S89°34'24"E ALONG THE SECTION LINE 2125.59 FEET AND SOUTH 0.82 FEET FROM THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN



REMARKS



2000 STREET LAYOUT
2000 NORTH EAST OF 1-15
JUNE 2015

2000 STREET EXHIBIT

Engineering File
Number

Drawing: 1
Sheet: 1 of 3

Agreement Approval Tracking

Description

Common Boundary

Agreement with: Provo City

Brought by: Sam Kelly

Department DS

Budget Account # N/A

	Initials	Comments
City Recorder	BB	
Purchasing	ly	
Finance	Bn	
City Attorney	SCE	
Risk Mgmt	JL	
Dept. Director		
City Manager		
City Recorder	DRW	

EXHIBIT B
STORMWATER MAINLINE PLANS

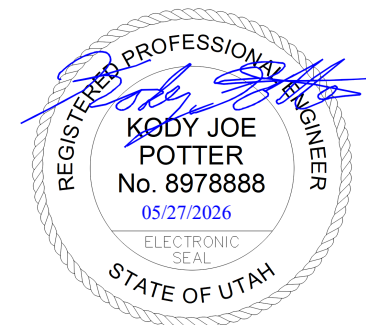


CITY OF OREM, COMMUNITY DEVELOPMENT, ENGINEERING DIVISION

DRAWINGS FOR THE CONSTRUCTION OF:

2000 S STORM DRAIN

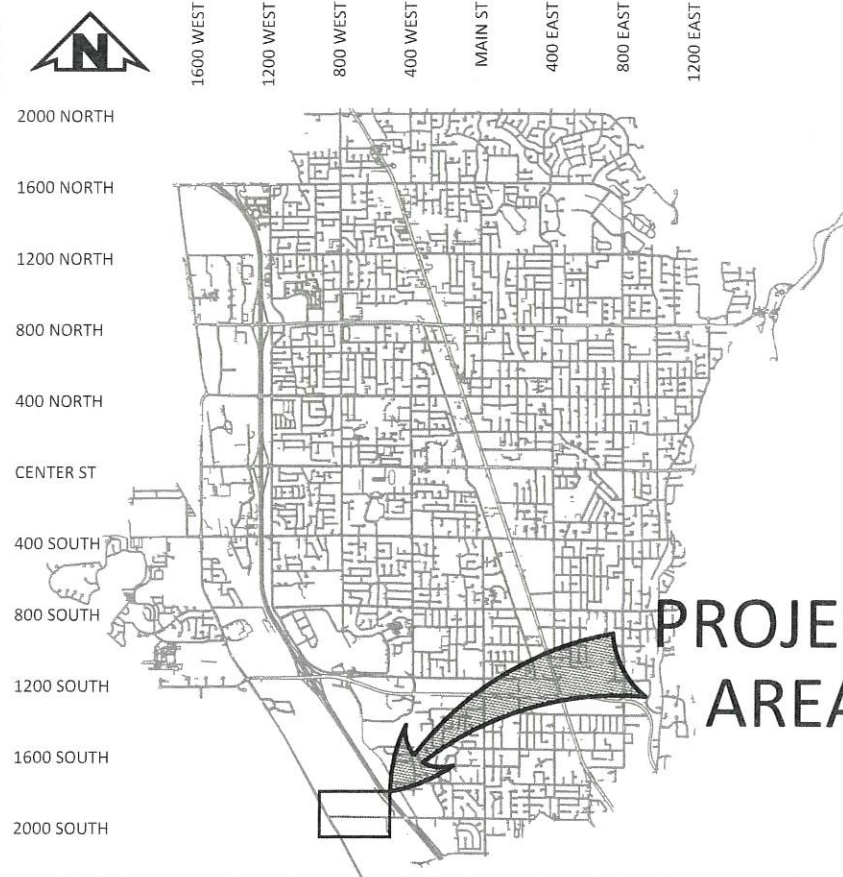
- GENEVA ROAD TO UTA TRACKS -



MAY 2026

CITY OF OREM
DEVELOPMENT SERVICES
ENGINEERING DIVISION
56 NORTH STATE ST
OREM, UT 84057

PROJECT VICINITY MAP



SYMBOLS

EXISTING UTILITIES		NEW UTILITIES	
	EXISTING CATCH BASIN		NEW CATCH BASIN
	EXISTING CLEANOUT		NEW CLEANOUT
	EXISTING MANHOLE		NEW MANHOLE
	EXISTING PRESSURE REDUCER		NEW PRESSURE REDUCER
	EXISTING SUMP		NEW SUMP
	EXISTING WATER METER		NEW WATER METER
	EXISTING FIRE HYDRANT		NEW FIRE HYDRANT
	EXISTING WATER VALVE		NEW WATER VALVE
	SECTION CORNER		NEW WATER CROSS
	CONTROL POINT		NEW WATER TEE
	SIGN		NEW WATER ELBOW
	EXISTING STRUCTURE OR FACILITY		NEW WATER SLEEVE
	EXISTING POLE WITH ANCHOR		NEW WATER REDUCER
	EXISTING POLE		NEW WATER PLUG
	EXISTING STREETLIGHT		NEW STREETLIGHT
	CONIFEROUS TREE		DECIDUOUS TREE

ABBREVIATIONS

AC	ASPHALT CONCRETE	OC	ON CENTER
AP	ANGLE POINT	OD	OUTSIDE DIAMETER
BC	BEGIN CURVE	P	POLE, POWER
BCR	BEGIN CURB RETURN	PC	POINT OF CURVATURE
BM	BENCH MARK	PI	POINT OF INTERSECTION
BVC	BEGIN VERTICAL CURVE	POC	POINT ON CURVE
CB	CATCH BASIN	PRV	PRESSURE REDUCING VALVE
CG	CURB & GUTTER	PT	POINT OF TANGENCY
CG&SW	CURB, GUTTER & SIDEWALK	PVC	POLYVINYL CHLORIDE
CI	CAST IRON	R/W	RIGHT OF WAY
CL	CENTERLINE	RCL	ROAD CENTERLINE
CMP	CORRUGATED METAL PIPE	RCP	REINFORCED CONCRETE PIPE
CO	CLEANOUT	SD	STORM DRAIN
CONC	CONCRETE	SS	SANITARY SEWER
CP	CONTROL POINT	STA	ENGINEERING STATION
CTV	CABLE TV	SW	SIDEWALK
DI	DUCTILE IRON	T	TELEPHONE
EC	END CURVE	TA	TOP OF ASPHALT
ECR	END CURB RETURN	TC	TOP OF CONCRETE
EL	ELEVATION	TW	TOP OF WALK
EOA	EDGE OF ASPHALT	TYP	TYPICAL
EVC	END VERTICAL CURVE	W	WATER
FH	FIRE HYDRANT		
FL	FLOW LINE		
FO	FIBER OPTIC		
G	GAS		
HDPE	HIGH-DENSITY POLYETHYLENE		
ID	INSIDE DIAMETER		
INV	INVERT ELEVATION		
IRR	IRRIGATION		
LG	LIP OF GUTTER		
MH	MANHOLE		
NIC	NOT IN CONTRACT		
NTS	NOT TO SCALE		

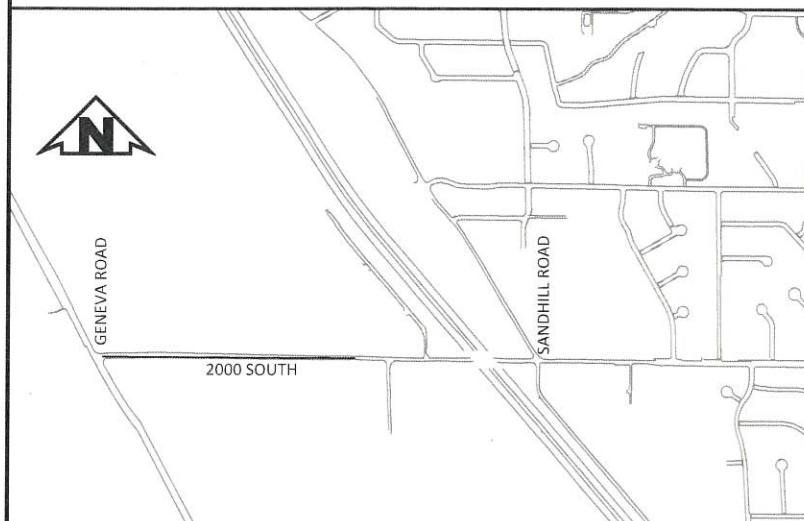
DRAWING INDEX

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CONTACTS

DESIGN ENGINEER	DALLIN MARSH	229-7478
PROJECT MANAGER	JOHN WIRTHLIN	229-7336
SEWER	CHAD JOHNSTON	229-7485
WATER	QUINN FENTON	229-7546
STORM DRAIN	RICK SABEY	229-7545
STREETS	BILL PETERSON	229-7537
STREET LIGHTS	JUSTIN GAINES	229-7527
SIGNS	TRENT MALLINSON	229-7519
TRAFFIC CONTROL	JOHN DORNY	229-7320
SWPPP	RYAN CASPER	229-7573

LOCATION MAP



GENERAL NOTES

1. THE CONTRACTOR IS TO READ AND UNDERSTAND THE M&P SPECIAL CONDITIONS LOCATED IN THE SPECIFICATIONS. EACH LINE ITEM IS COVERED IN DETAIL WITH EXTRA INFORMATION THAT MAY NOT BE FOUND ON THE PLANS. THE COMPLETION DATE IS SEPTEMBER 19, 2026.
2. UNDERGROUND UTILITIES ARE APPROXIMATE. THE CONTRACTOR IS RESPONSIBLE TO POTHOLE, LOCATE AND PROTECT ALL EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE TO POTHOLE EXISTING UTILITIES TO VERIFY ELEVATION AND LOCATION.
3. THE CONSTRUCTION SURVEY STAKING IS TO BE PROVIDED BY THE CONTRACTOR. ALL SURVEY ACTIVITIES SHALL BE PERFORMED WITHIN THE CITY'S "OREM97" SURVEY DATUM, UNLESS OTHERWISE NOTED.
4. THE CONTRACTOR IS REQ'D TO DEVELOP AND IMPLEMENT A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) ACCORDING TO SPECIFICATION 01 57 00 BEFORE CONSTRUCTION BEGINS. THE SWPPP IS TO BE SUBMITTED TO THE CITY OF OREM AND PROVO CITY FOR APPROVAL.
5. CONTACT TRENT MALLINSON (229-7519 OREM CITY SIGN SHOP) TO COORDINATE OREM CITY STREET SIGN REMOVAL AND RELOCATION. THE CITY WILL BE RESPONSIBLE TO MOVE ANY AND ALL OREM CITY SIGNS. THE SIGN SHOP HOURS ARE 7:00 AM TO 3:30 PM. NOTIFICATION FOR RELOCATION OR REMOVAL WILL NEED TO BE BY 9:00 AM TO INSURE REMOVAL OR RELOCATION BY 3:30 PM.
6. THROUGHOUT CONSTRUCTION THE CONTRACTOR IS REQUIRED TO NOTIFY AND COORDINATE WITH THE UTAH TRANSIT AUTHORITY (UTA) CONCERNING BUS ROUTES, BUS STOPS, AND UTA ROUTE SIGNS.
7. IMPORTED PIPE BEDDING IS REQ'D. IF EXCAVATED MATERIAL IS FOUND TO BE SUITABLE FOR BEDDING, THE CITY WILL ASK THE CONTRACTOR FOR A CREDIT. IMPORTED BACKFILL REQUIREMENTS PER PROVO CITY SPECIFICATIONS.
8. HIGH GROUNDWATER CONDITIONS EXIST. AS GROUNDWATER IS ENCOUNTERED WELL POINTS MAY BE REQUIRED.
9. THIS PROJECT MAY HAVE EXISTING UTILITIES THAT ARE NEAR THE LOCATIONS OF STORM DRAIN LINES, MANHOLES, AND INLETS. IT MAY BECOME NECESSARY TO MAKE FIELD ADJUSTMENTS TO THE EXACT GRADE OF THE LINES TO AVOID EXISTING UTILITIES. THE CONTRACTOR SHALL MAKE ADJUSTMENTS WITH THE PROJECT MANAGER AND ENGINEER. NO PRICE ADJUSTMENT SHALL BE MADE FOR INCIDENTAL CHANGES.
10. THE CONTRACTOR IS REQ'D TO MAINTAIN DRIVEWAY PARKING ACCESS TO ALL APARTMENT BUILDINGS, BUSINESSES, HOMES, ETC. DURING CONSTRUCTION. STEEL PLATES ARE REQ'D WHILE THE NEW CONCRETE CURES FOR THE CURB, GUTTER, AND SIDEWALK FOR ANY DRIVEWAY ENTRANCES AFFECTED.
11. THE CONTRACTOR IS RESPONSIBLE TO SURVEY AND LOCATE ALL MANHOLE COVERS AND WATER VALVES IF NEEDED DURING PAVING. ALL MANHOLES AND WATER VALVES ARE TO BE RAISED BY THE CONTRACTOR WITH CONCRETE COLLARS TO BE FLUSH WITH THE NEW ASPHALT SURFACE.
12. WHENEVER FEASIBLY POSSIBLE THE CONTRACTOR IS REQUIRED TO HAVE ALL ASPHALT JOINTS PLACED AT THE STRIPING LOCATIONS AND NOT IN THE WHEEL PATH LOCATIONS.
13. ALL SECTIONS CORNERS MUST BE PROTECTED DURING THE CONSTRUCTION PROCESS. ANY DAMAGED OR DISTURBED SECTION CORNERS MUST BE RE-SURVEYED AT THE CONTRACTORS EXPENSE AND VERIFIED WITH THE CITY SURVEYOR.
14. ROAD CLOSURES WILL ONLY BE ALLOWED WITH APPROVAL FROM PROVO AND OREM CITY ENGINEERS AS WELL AS UDOT. FOR ANY ROAD CLOSURES CONTRACTOR MUST NOTIFY PUBLIC SAFETY, WASTE MANAGEMENT, POST OFFICE, ANY SCHOOL DISTRICTS AFFECTED, AND UTA.
15. CONTRACTOR TO VERIFY GAS AND WATER UTILITY DEPTHS BEFORE INSTALLATION OF NEW PIPE.



CITY OF OREM
COMMUNITY DEVELOPMENT
ENGINEERING DIVISION
56 NORTH STATE ST
OREM, UT 84057
(801) 229-7107

APPROVAL CITY ENGINEER

APPROVAL COMMUNITY DEVELOPMENT DIRECTOR

DESIGN: DALLIN MARSH

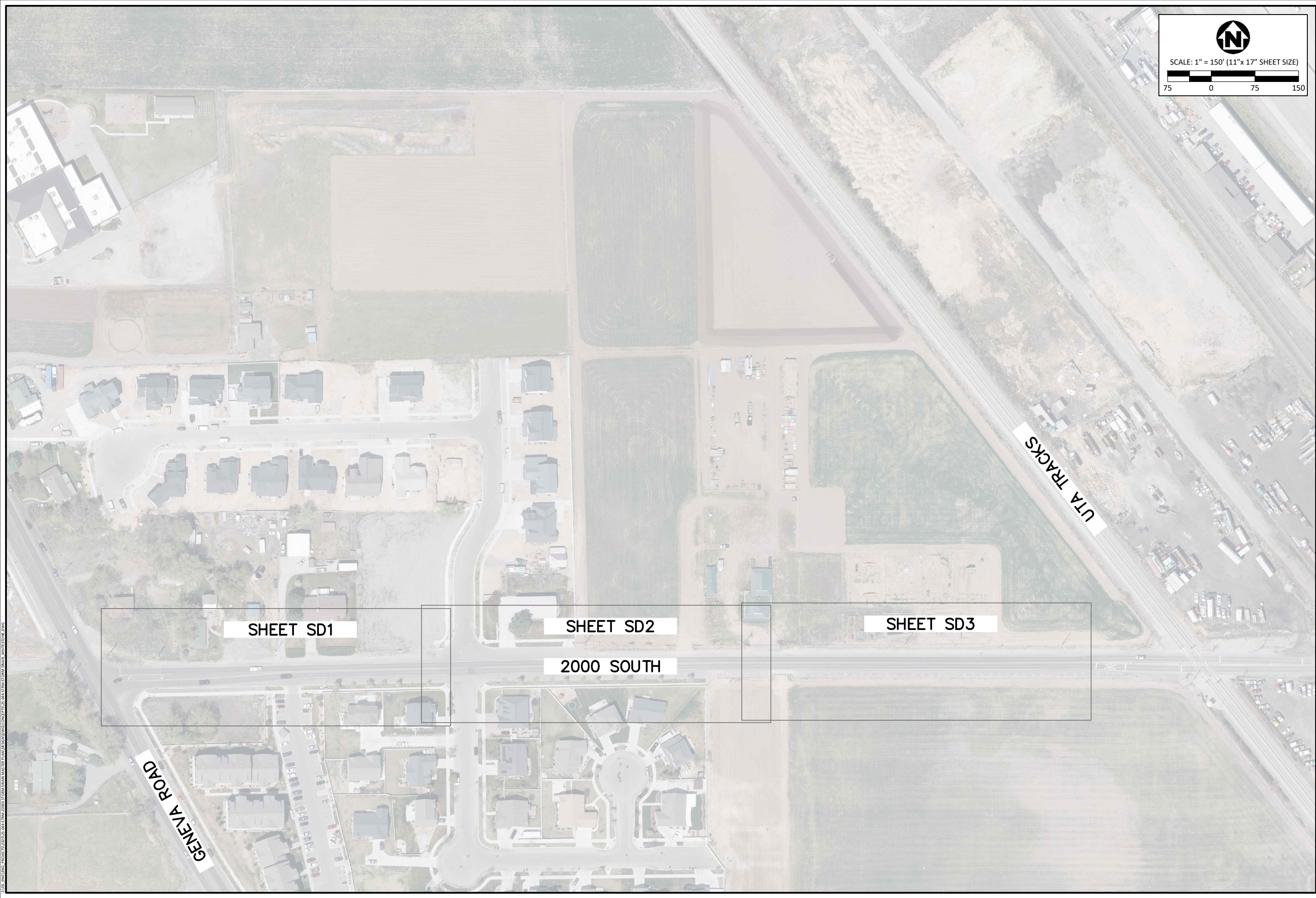
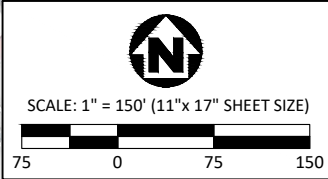
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2026 2000 S STORM DRAIN

- GENEVA ROAD TO UTA TRACKS -

PROJECT NUMBER: 25-044

GENERAL INFORMATION



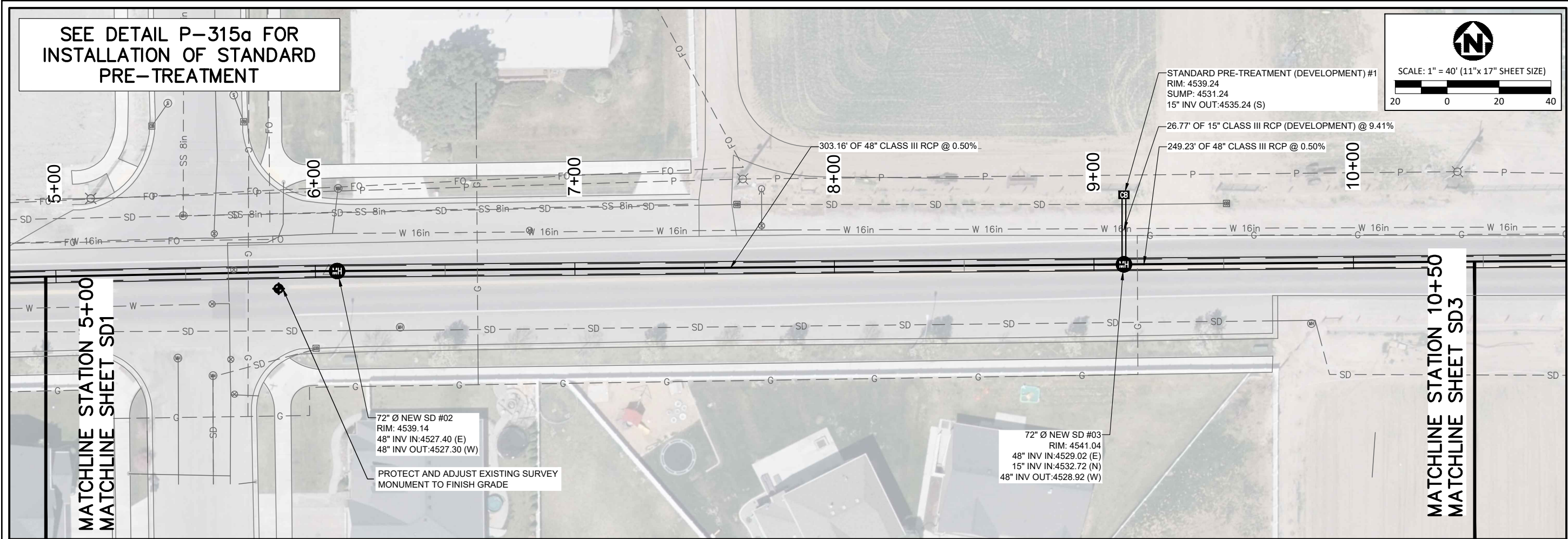
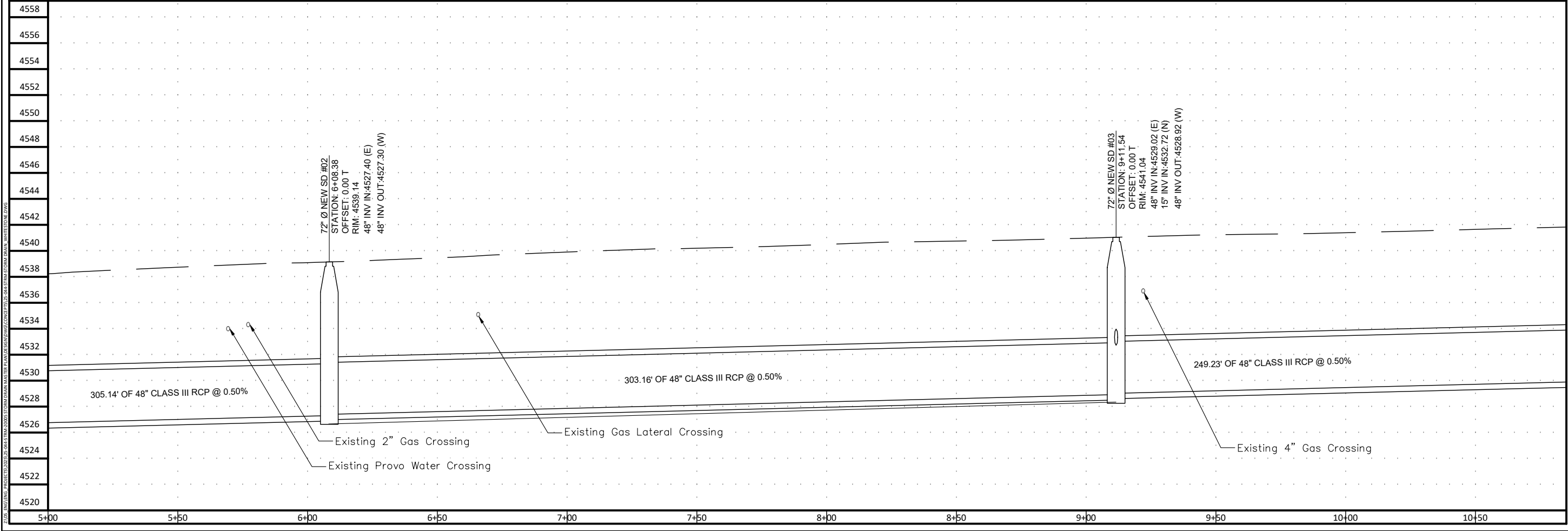
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G1

2000 S STORM DRAIN
PROJECT NUMBER: 25-044
2000 S STORM DRAIN PLAN & PROFILE

CITY OF OREM
COMMUNITY DEVELOPMENT
ENGINEERING DIVISION
56 NORTH STATE ST
OREM, UT 84057

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DRAWN	DM	DM	MARCH 2026
CHECKED	KP	KP	MAY 2026
REV	DATE	BY	DESCRIPTION



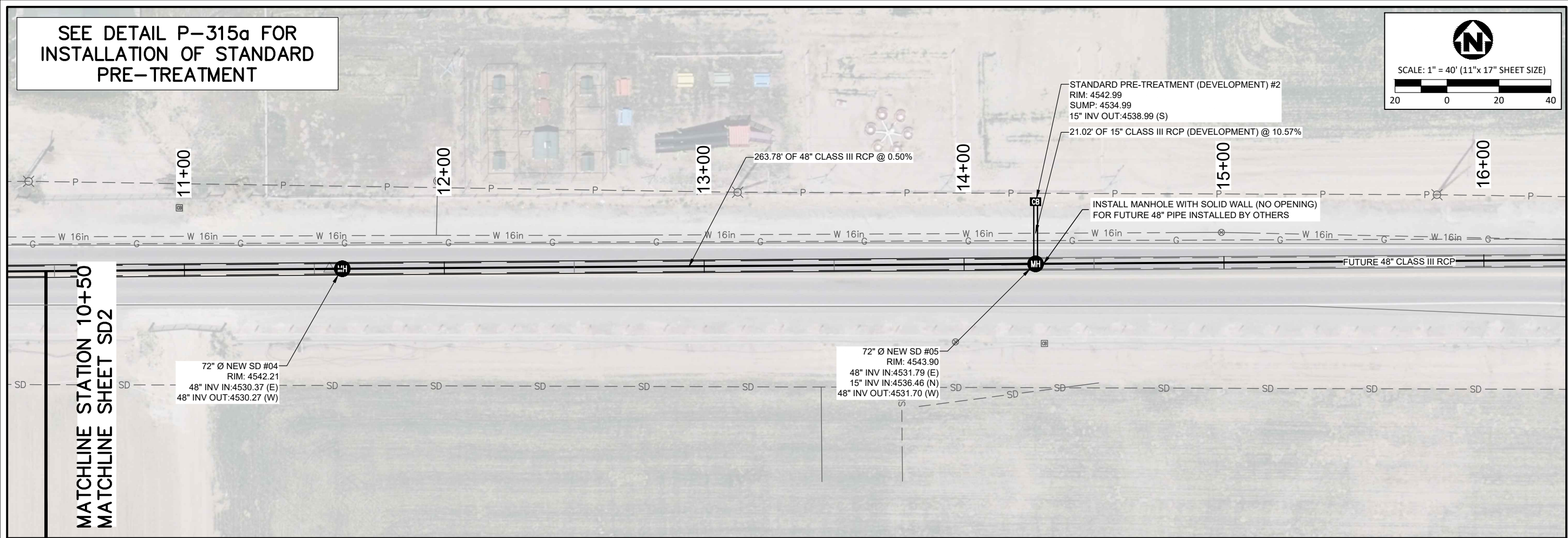
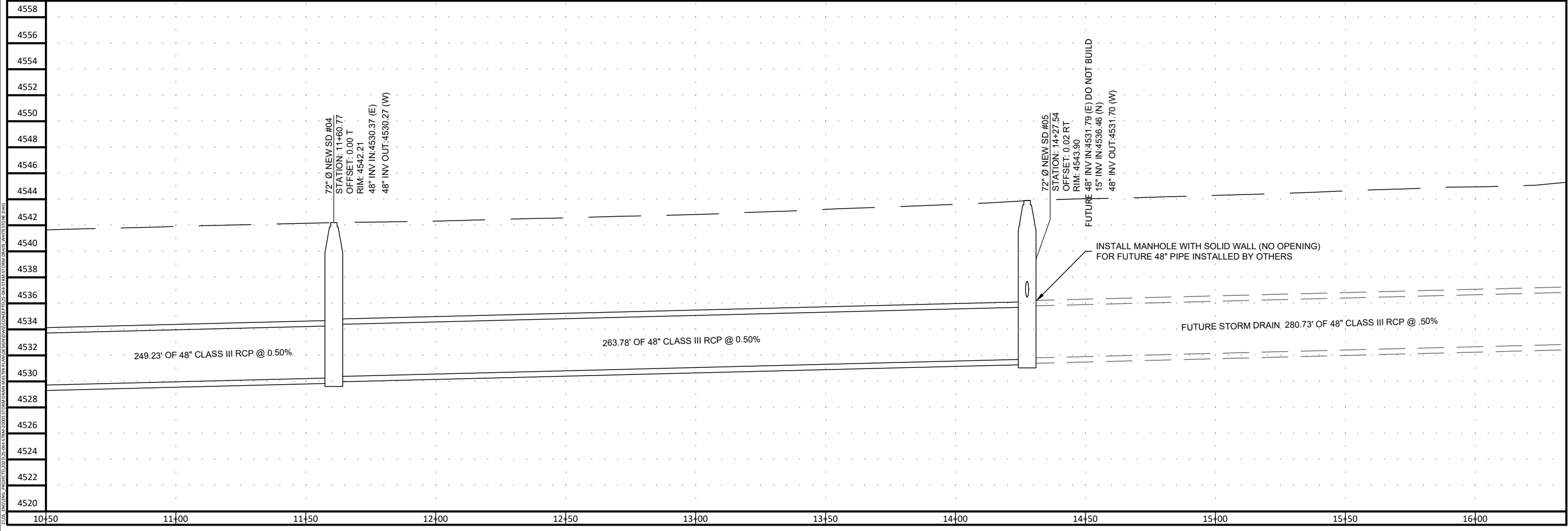
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		DESCRIPTION

CITY OF OREM
COMMUNITY DEVELOPMENT
ENGINEERING DIVISION
56 NORTH STATE ST
OREM, UT 84057

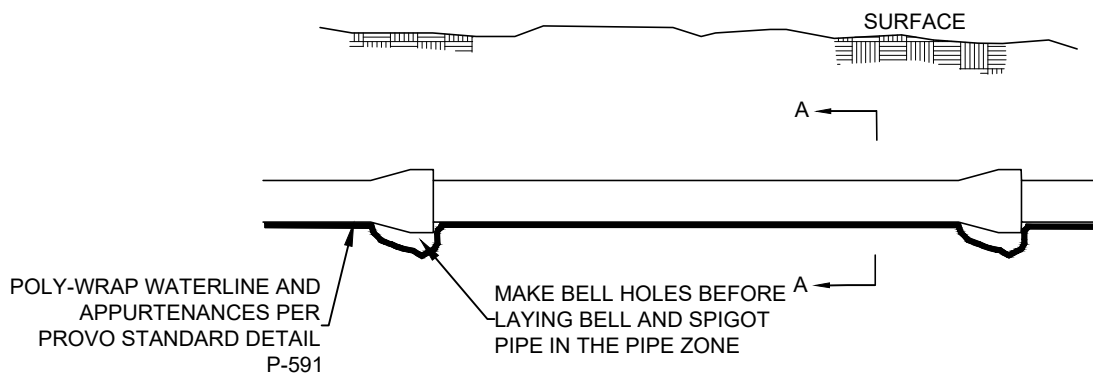
2000 S STORM DRAIN
PROJECT NUMBER: 25-044

2000 S STORM DRAIN PLAN & PROFILE

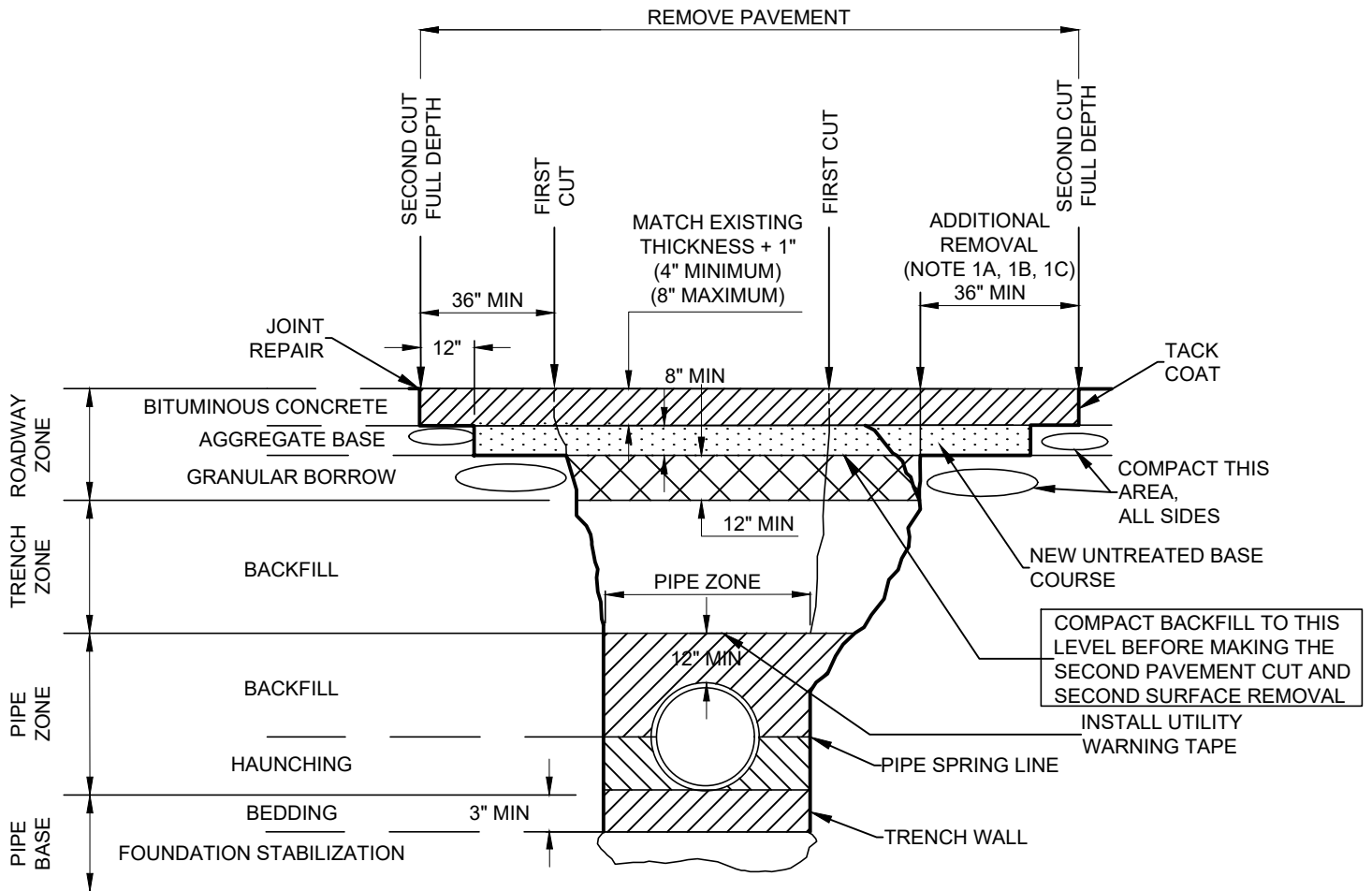
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PROJECT: 25-044
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DRAWN: JLD
CHECKED: JLD
REVISIONS: 1. 03/2025
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ELEVATION VIEW



STORM DRAIN	
LOCATION IN TRENCH	REQUIRED MATERIAL
PIPE BASE	
FOUNDATION STABILIZATION	COMMON FILL
BEDDING	GRAVEL OR UNTREATED BASE COURSE
PIPE ZONE	
HAUNCHING	GRAVEL
BACKFILL	GRAVEL
TRENCH ZONE	
BACKFILL	BORROW OR FLOWABLE FILL*
ROADWAY ZONE	
GRANULAR BORROW	GRANULAR BORROW
AGGREGATE BASE	UNTREATED BASE COURSE
BITUMINOUS CONCRETE	BITUMINOUS CONCRETE

WATER LINE	
LOCATION IN TRENCH	REQUIRED MATERIAL
PIPE BASE	
FOUNDATION STABILIZATION	COMMON FILL
BEDDING	SAND
PIPE ZONE	
HAUNCHING	SAND
BACKFILL	SAND
TRENCH ZONE	
BACKFILL	BORROW OR FLOWABLE FILL*
ROADWAY ZONE	
GRANULAR BORROW	GRANULAR BORROW
AGGREGATE BASE	UNTREATED BASE COURSE
BITUMINOUS CONCRETE	BITUMINOUS CONCRETE

SANITARY SEWER	
LOCATION IN TRENCH	REQUIRED MATERIAL
PIPE BASE	
FOUNDATION STABILIZATION	COMMON FILL
BEDDING	GRAVEL OR UNTREATED BASE COURSE
PIPE ZONE	
HAUNCHING	GRAVEL
BACKFILL	GRAVEL
TRENCH ZONE	
BACKFILL	BORROW OR FLOWABLE FILL*
ROADWAY ZONE	
GRANULAR BORROW	GRANULAR BORROW
AGGREGATE BASE	UNTREATED BASE COURSE
BITUMINOUS CONCRETE	BITUMINOUS CONCRETE

SHEET 1 OF 2

Trench Backfill & Surface Restoration

1. GENERAL

- A. The offset for the second asphalt cut shall be measured from the edge of the final trench wall which may result from undermining of the asphalt or sloughing of the trench wall during the construction process as shown in the detail.
- B. If a saw cut in the direction of vehicular travel is within a wheel path, ENGINEER may order additional pavement removal so saw cut falls outside of a wheel path.
- C. If the width of existing pavement left in place between trenches and/or curb and gutter, waterways, edge of pavement, etc. is less than 3 feet, CONTRACTOR shall remove the additional existing pavement and restore pavement according to the typical pavement restoration details.
- D. Install pipe in the center of the trench or no closer than 6-inches from the wall of the pipe to the wall of the trench.

2. PRODUCT

- A. Common Fill: Section 31 05 13M. Maximum particle size 2-inches.
- B. Gravel: Section 31 05 13M. Do not use pea gravel or recycled RAP aggregate.
- C. Untreated Base Course: Untreated base course, Grade $\frac{3}{4}$, APWA Section 32 11 23.
- D. Sand: Section 31 05 13M. Do not use pea gravel or recycled RAP aggregate.
- E. Flowable Fill: APWA Section 31 05 15. Target is 60 psi in 28-days and 90 psi maximum in 28 days. Material must flow easily requiring no vibration for consolidation.
- F. Borrow: Section 31 05 13M. Maximum particle size 3-inches.
- G. Granular Borrow: Section 31 05 13M. Maximum particle size 3-inches.
- H. Tack Coat: APWA Section 32 12 13.
- I. Bituminous Concrete: AC-10-DM-3/4. Section 32 12 05M.
- J. Utility Warning Tape: Install between pipe zone and trench zone. Minimum tape width 3-inches.

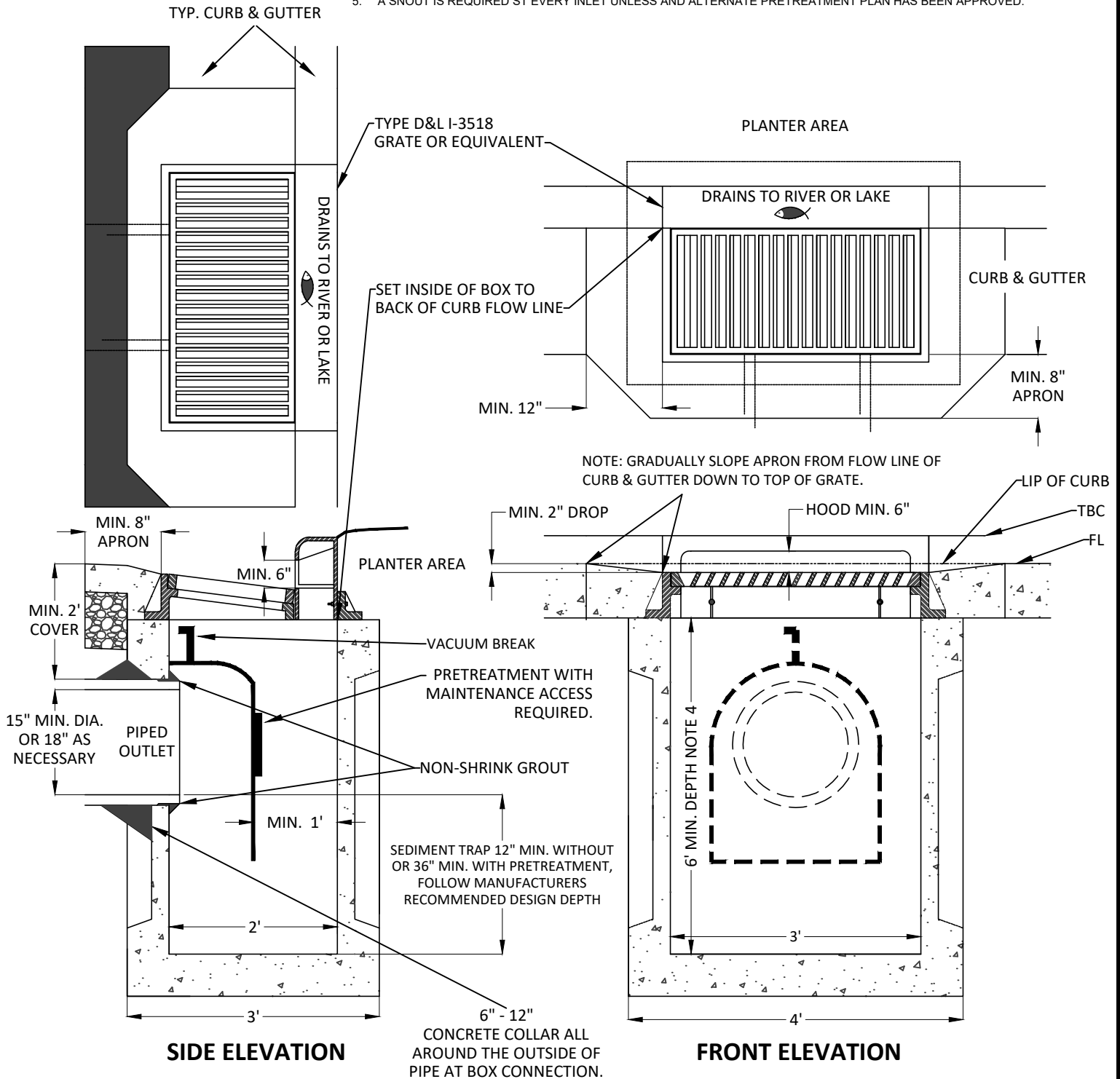
3. EXECUTION

- A. Excavate the Pipe Zone: Width is measured at the pipe spring line and includes an necessary sheathing. Provide width recommended by pipe manufacturer. Follow manufacturer's recommendations when using trench boxes.
- B. Foundation Stabilization: Get ENGINEER's permission before installing common fill. Vibrate to stabilize. Installation of stabilization-separation geotextile will be required to separate backfill material and native subgrade materials if common fill cannot provide a working surface or prevent soils migration.
- C. Pipe Base Placement: APWA Section 32 05 10. Maximum lift thickness before compaction is 8-inches when using riding equipment or 6-inches when using hand held equipment. Compaction is 95 percent or greater relative to a modified proctor density, APWA Section 31 23 26.
- D. Flowable Fill: Where Required, place controlled low strength material in the trench, APWA Section 31 05 15. Cure to initial set before placing aggregate base or asphalt pavement. Prevent pipe floatation by installing in lifts and providing pipe restraints as required by pipe manufacturer. Reset pipe to line and grade if pipe "floats" out of position.
- E. Trench Backfill: DO NOT USE sewer rock, pea gravel, or recycled RAP aggregate as trench backfill. Water jetting is NOT allowed. Submission of quality control compaction test result data developed for haunching areas may be requested by ENGINEER at any time. Provide results of tests immediately upon request. Native material obtained from excavation may be used as fill upon removal of organic material, rubbish, debris, and other objectionable materials are removed.
- F. Task Coat: Clean all horizontal and vertical surface. Apply full coverage.
- G. Asphalt Pavement: Match existing thickness plus 1 inch but not more than 6-inches on local streets or 8-inches on collector and arterial streets (as identified by Provo City). Install in lifts no greater than 3-inches after compaction. Compact to 94 percent of ASTM D 2041 (rice density) plus or minus 2 percent. If asphalt pavement is substituted for concrete substrate, omit rebar and provide 1.25-inches of pavement for each 1-inch of concrete substrate substituted.
- H. Concrete Substrate: Cure to initial set before placing new asphalt concrete patch.
- I. Reinforcement: Required if thickness of existing Portland-cement concrete substrate is 6-inches or greater. Not required if (1) less than 6-inches thick, (2) if existing concrete is deteriorating, (3) if excavation is less than 3 feet square, of (4) if asphalt pavement is substituted for Portland-cement concrete substrate.
- J. Surface Restoration:
 - J.A. Landscaped Surface: Rake to match existing grade. Replace vegetation to match pre-construction conditions. Follow APWA Section 32 92 00 (turf or grass).
 - J.B. Paved Surface: Do not install asphalt or concrete surfacing until trench compaction is acceptable to ENGINEER. Follow APWA Section 33 05 25 (asphalt surfacing).
- K. Joint Repair: If a Crack Occurs at a connection to the existing pavement or at any street fixture, flush and seal the crack per APWA Plan 265.
- L. Patch Repair: Repair patch if any of the following conditions within the patch occur.
 - L.A. Pavement surface distortion exceeds $\frac{1}{4}$ -inch deviation in 10-feet. Repair option: Plane off surface distortions. Coat planed surfaces with a cationic or anionic emulsion that complies with APWA Section 32 12 03.
 - L.B. Cracks at least 1-foot long and 1/4-inch wide occur more often than 1 in 10 square feet. Repair option: Crack seal, APWA Section 32 01 17.
 - L.C. Asphalt raveling is greater than 1 square foot per 100 square feet. Repair Option: Mill and inlay.

SHEET 2 OF 2

NOTE:

1. FOR GRATE & FRAME DETAILS SEE D.&L. SUPPLY CATALOG #I-3518 OR EQUIVALENT.
2. REQUIRED STAMPED HOOD, "DRAINS TO RIVER OR LAKE" WITH FISH LOGO.
3. ALL BOXES AND FRAMES MUST SUPPORT A HS-20 LOADING.
4. REFER TO THE APPROVED PROJECT PLANS FOR PIPE SIZE, LOCATION, SEDIMENT DEPTH, PRETREATMENT AND OTHER STRUCTURE DESIGN REQUIREMENTS.
- 4.1. 15" DIA. PIPE LATERAL MIN. BOX INSIDE DEPTH IS 6 FEET AND FOLLOWS PRETREATMENT MANUFACTURERS RECOMMENDATIONS.
- 4.2. 18" DIA. PIPE AS NECESSARY. BOX INSIDE DEPTH IS 7 FEET AND FOLLOWS PRETREATMENT MANUFACTURERS RECOMMENDATIONS.
- 4.3. 24" DIA. SPECIAL APPROVAL IS REQUIRED IN ADDITION TO INLET STRUCTURE DESIGN. THE MIN. DEPTH FROM OUT LET PIPE FLOW LINE TO FLOOR OF INLET BOX IS 6.0 FEET
5. A SNOOT IS REQUIRED ST EVERY INLET UNLESS AND ALTERNATE PRETREATMENT PLAN HAS BEEN APPROVED.



SHEET 1 OF 1

*PRE-CAST CURB FACE
AND INLET BOX*

STANDARD DETAIL

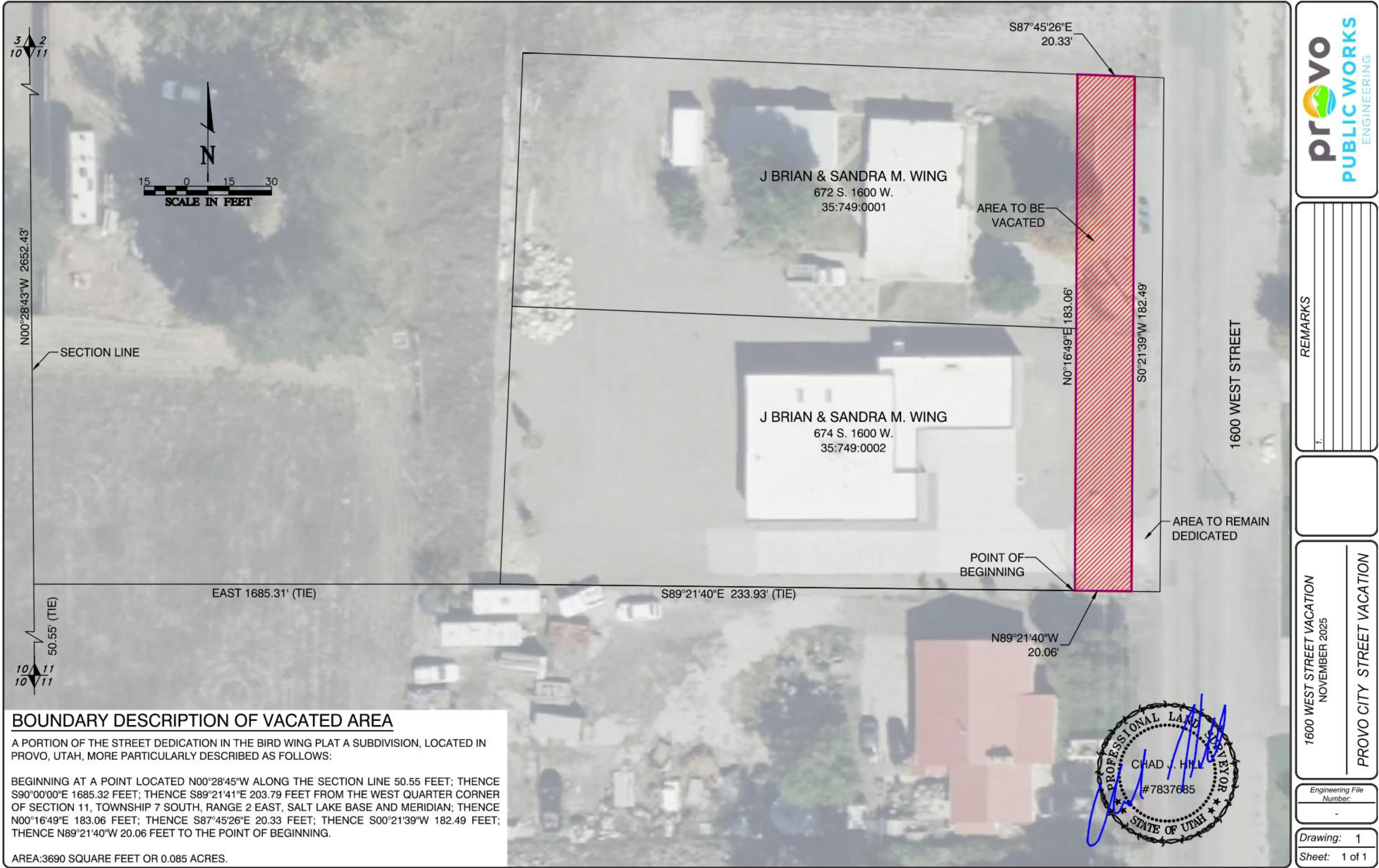
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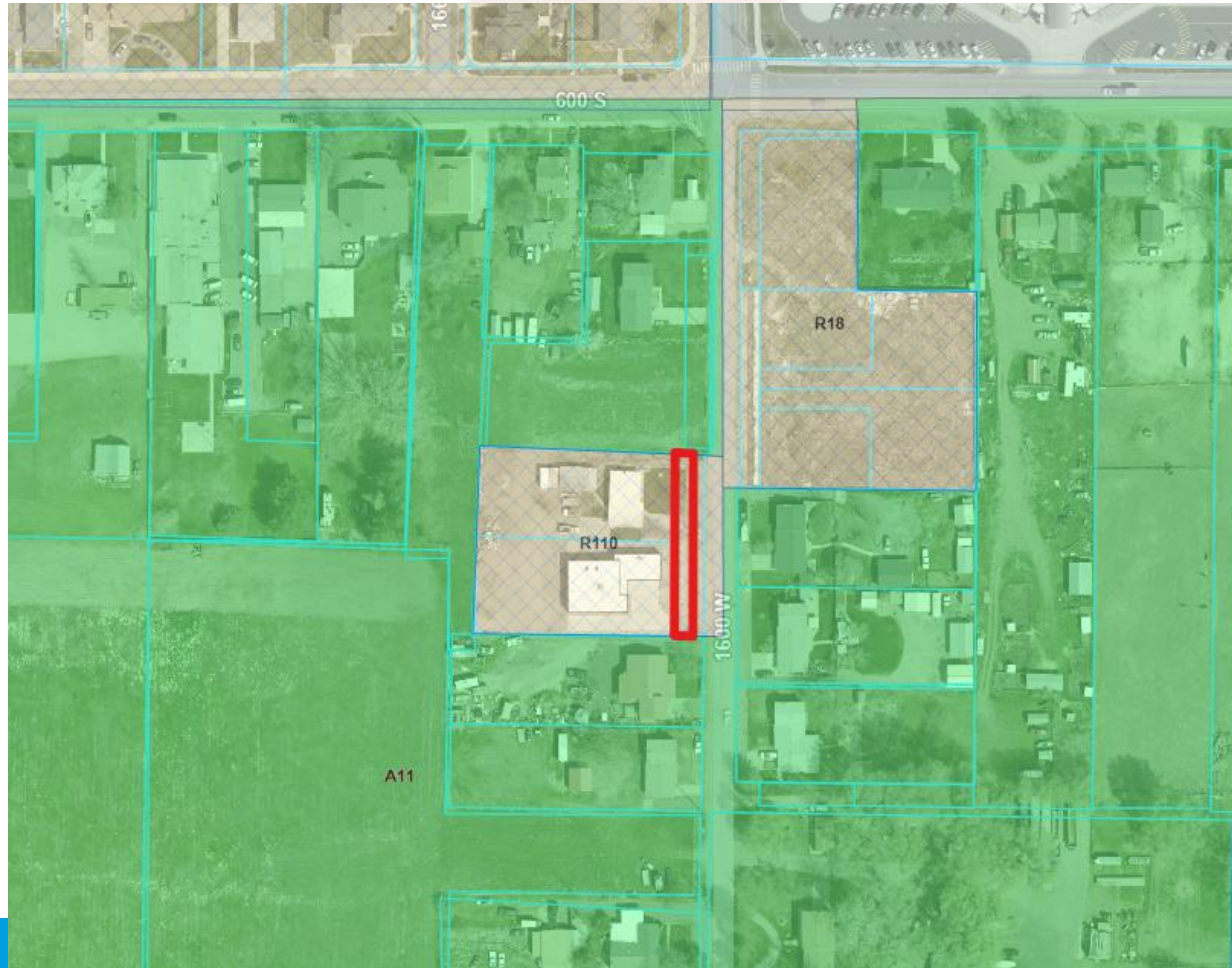
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EXHIBIT C
DEPICTION OF LATERAL PIPE CONECTING PROVO STORM DRAIN SUMP

Sunset Neighborhood Street Vacation



Sunset Neighborhood Street Vacation



PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: MEJENSEN
Presenter: Megan Jensen, City Planner
Department: Development Services
Meeting Date: 7/14/2026
Requested Duration (Minutes): 10 minutes
CityView or Issue File Number: PLSV20250636

SUBJECT: 3 An ordinance vacating a section of 1600 West to deed back to the adjoining property owners (PLSV20250636)

ADMINISTRATIVE RECOMMENDATION: Planning Commission recommended approval 6:0.

ADMINISTRATIVE MEMO: The Bird Wing Subdivision is located on 1600 West and was recorded in 2019. It had originally dedicated 30 feet to the city for right-of-way (ROW) improvements. Engineering has determined that 1600 West does not require all of the dedicated ROW and has moved forward with helping the owner install the improvements in front of the two lots in a new location.

The new location leaves an excess property behind the sidewalk that the city no longer needs for ROW. The improvements have been installed, and the city would like to vacate the remaining area to have it deeded back to the adjoining property owners. A street vacation plat will be recorded with the deed.

FISCAL IMPACT: No fiscal impact.

COUNCIL STAFF MEMO:

ORDINANCE <<Document Number>>

AN ORDINANCE VACATING A SECTION OF 1600 WEST TO DEED BACK
TO THE ADJOINING PROPERTY OWNERS (PLSV20250636)

RECITALS:

It is proposed that a section of 1600 West between 672 and 674 South be vacated and
deeded back to the adjoining property owners;

The Bird Wing Subdivision was recorded in 2019 and dedicated 30 feet to Provo City for
right-of-way improvements;

Provo has completed the right-of-way improvements and desires to deed the remaining
property back to the adjacent landowners;

On July 14, 2026, the Municipal Council met to consider the facts regarding this matter
and receive public comment, which facts and comments are found in the public record of the
Council's consideration; and

After considering the facts presented to the Municipal Council, the Council finds that (i)
the proposed action should be approved as described herein, and (ii) such action furthers the health,
safety, and general welfare of the citizens of Provo City.

THEREFORE, the Provo Municipal Council ordains as follows:

PART I:

The real property described in the attached Exhibit A is vacated by Provo City and the
Mayor is authorized to dispose of the property by deeding the property to J. Brian and Sandra M.
Wing.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted
ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,
sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of
the ordinance is not affected by that determination.

42 C. This ordinance takes effect immediately after it has been posted or published in accordance
43 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code
44 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.

45
46 D. The Municipal Council directs that this ordinance remain uncodedified.

47
48 END OF ORDINANCE
49

EXHIBIT A

BEGINNING AT A POINT LOCATED N00°28'45"W ALONG THE SECTION LINE 50.55 FEET; THENCE S90°00'00"E 1685.32 FEET; THENCE S89°21'41"E 203.79 FEET FROM THE WEST QUARTER CORNER OF SECTION 11, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE N00°16'49"E 183.06 FEET; THENCE S87°45'26"E 20.33 FEET; THENCE S00°21'39"W 182.49 FEET; THENCE N89°21'40"W 20.06 FEET TO THE POINT OF BEGINNING.

AREA:3690 SQUARE FEET OR 0.085 ACRES.

***ITEM 1** Provo City requests a Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners. Sunset Neighborhood. Megan Jensen (801) 852-6408 mejensen@provo.gov PLSV20250636

APPLICANT:	Provo City
PROPERTY OWNER:	Provo City
PARCEL ID:	35:749:0003
ACREAGE:	0.13
CURRENT LEGAL USE:	Public Right-of-Way
GENERAL PLAN DESIGNATION:	Residential
CURRENT ZONE:	R1.10
APPLICATION TYPE:	Legislative Decision – Planning Commission will make a recommendation to the City Council.

NEIGHBORHOOD FEEDBACK

No public comments have been received at the time of writing this report. This item was presented at the February 18, 2026, West District meeting.

PROJECT SUMMARY

The Bird Wing Subdivision is located on 1600 West and was recorded in 2019. It had originally dedicated 30 feet to the city for right-of-way (ROW) improvements. City Engineering has determined that 1600 West does not require all of the dedicated ROW and has moved forward with helping the owner install the improvements in front of the two lots in a new location.

The new location leaves an excess property behind the sidewalk that the city no longer needs for ROW. The improvements have been installed, and the city would like to vacate the remaining area to have it deeded back to the adjoining property owners. A street vacation plat will be recorded with the deed.

STAFF ANALYSIS

Before recommending an amendment, the Commission must find that the amendment serves the public interest and aligns with the General Plan, based on consideration of the following:

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

Staff/Applicant Response: The project will deed property back to the adjoining property owners that is not needed for ROW. The improvements that were intended for the property have been completed.

FINDING: Meets standard.

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

Staff/Applicant Response: Vacation of the ROW will allow the city to deed the property back to the adjoining property owners, which is a standard transaction to complete the proposed transfer of ownership.

FINDING: Meets standard.

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

Staff/Applicant Response: The General Plan goals support creating a system of transportation alternatives, including walking. The improvements created a new sidewalk which supports this goal. The proposed vacation will support this by returning property no longer needed for ROW improvements, and the Engineering Division does not anticipate this land will be needed in the future.

FINDING: Meets standard.

(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/Applicant Response: The proposed vacation will not change the residential use of the property.

FINDING: Meets standard.

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

Staff/Applicant Response: The proposed vacation will not hinder any General Plan policies.

FINDING: Meets standard.

(f) Adverse impacts on adjacent landowners; and

Staff/Applicant Response: Two adjacent properties will be affected by the vacation. These properties will each receive about a 20-foot strip of land on the front of their property. Both existing homes will have at least 23 feet from the new property line which meets the front yard setback of at least 14 feet behind the property line. This change is

not anticipated to have adverse impacts on these property owners.

FINDING: Meets standard.

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

Staff/Applicant Response: The zoning of R1.6, and General Plan designation of *Residential*, are correct.

FINDING: Meets standard.

(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/Applicant Response: No conflicts between the General Plan map and policies have been identified.

FINDING: Meets standard.

APPLICABLE ZONING CODES

Provo City Code 15.04.100 *Vacating or Changing a Subdivision Plat:*
<https://provo.municipal.codes/Code/15.04.100>

Provo City Code 14.10 *R1 – One-Family Residential:*
<https://provo.municipal.codes/Code/14.10>

POSSIBLE MOTIONS AND FINDINGS

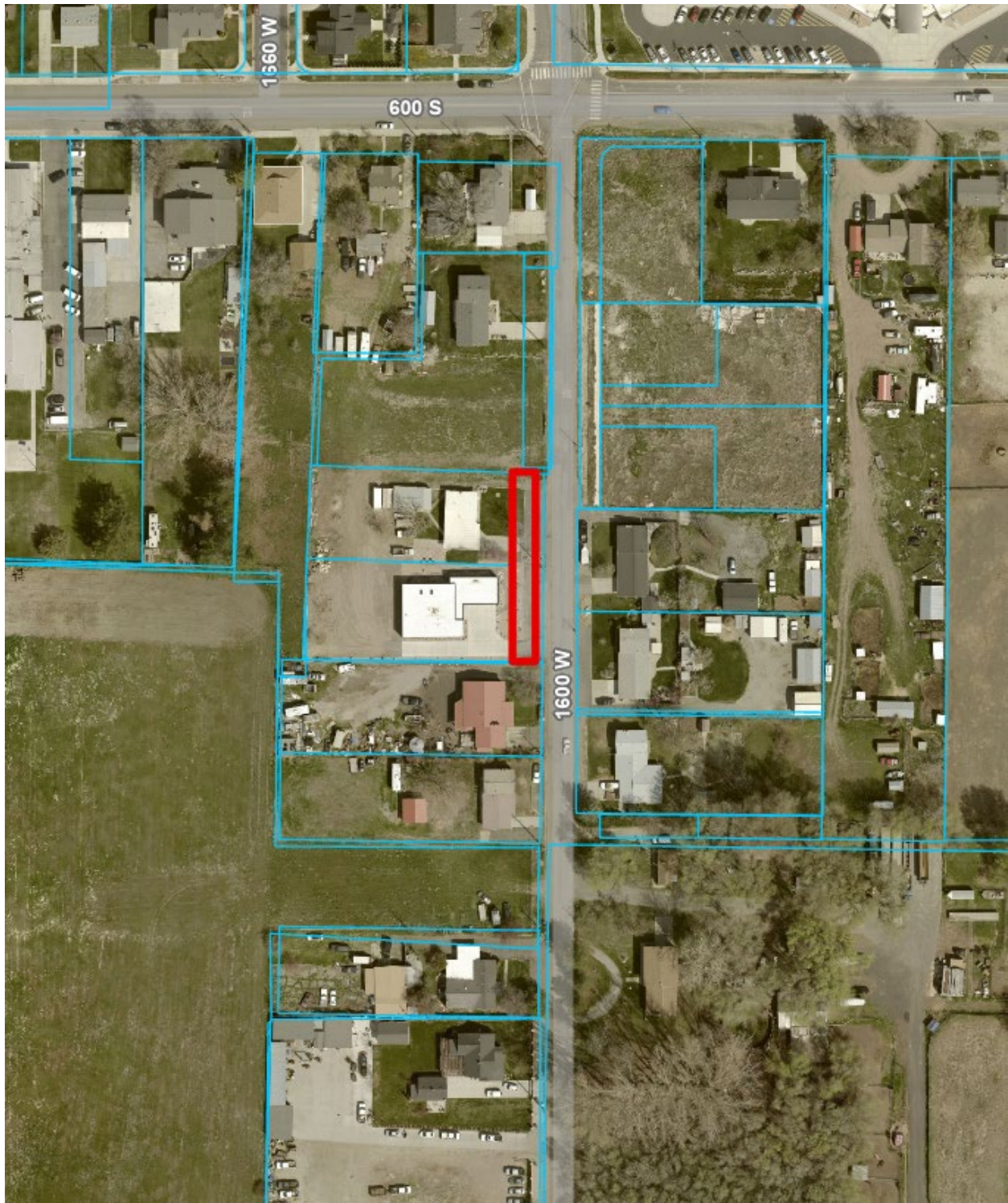
The Planning Commission may make any of the following findings:

1. **Recommend Approval:** The proposal is consistent with the General Plan. *“Make a motion to recommend approval of a Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners.”* (State findings)
2. **Recommend Denial:** The proposal is not consistent with the General Plan. *“Make a motion to recommend denial of a Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners.”* (State findings)
3. **Continue:** New information presented at the public hearing or additional study needs to be done. *“Make a motion to continue the proposed Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners.”* (State findings)

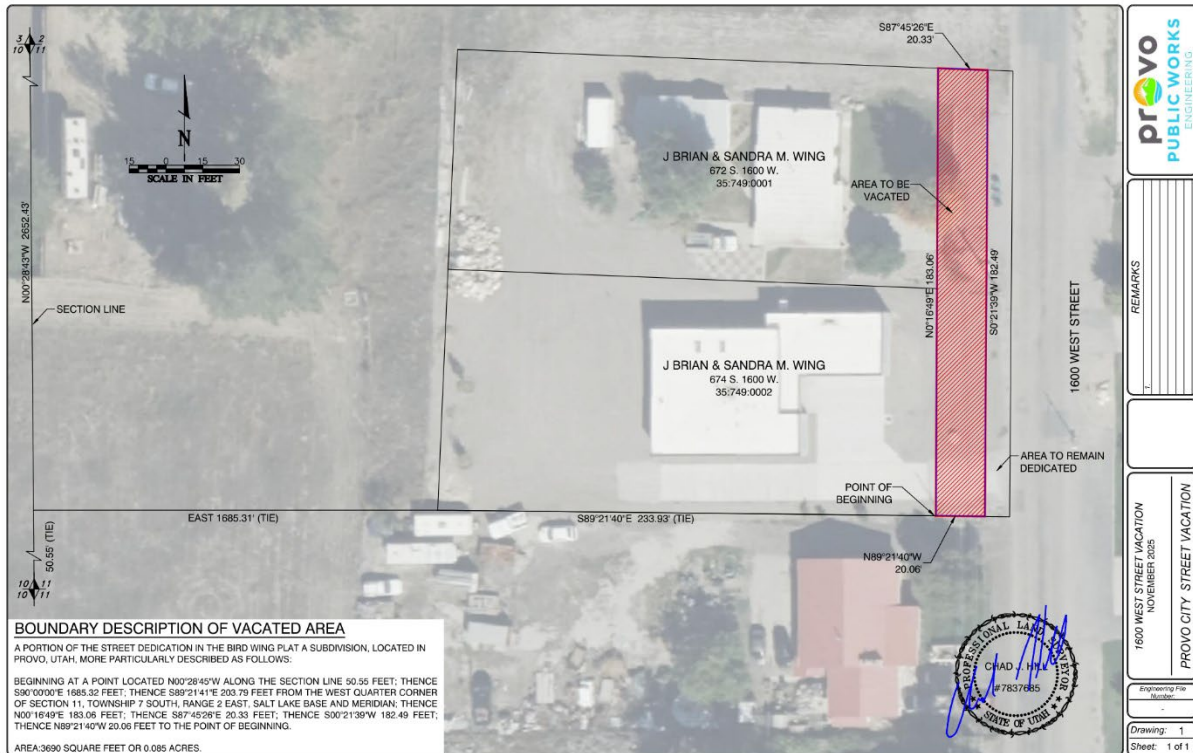
ATTACHMENTS

1. Area Map
2. Street Vacation Boundary Description
3. 2/18/2026 West District Meeting Minutes

ATTACHMENT 1 – AREA MAP



ATTACHMENT 2 – STREET VACATION BOUNDARY DESCRIPTION



ATTACHMENT 3 – 2/18/2026 WEST DISTRICT MEETING **MINUTES**

Presentation on a proposed street vacation for a section of 1600 West

Aaron Ardmore, Planning Supervisor, presented on a proposed street vacation for a section of 1600 West between 672-674 South. He explained that the property owners had dedicated more land than needed for the 1600 West right-of-way, and now that improvements have been completed, the remaining land would be deeded back to the family. Mr. Ardmore noted that this application would go to the City Council for final approval.

When asked about the potential need for the land in the future if road expansion becomes necessary, Mr. Ardmore indicated that engineering staff seemed confident in the current road width, though he couldn't personally guarantee it wouldn't be needed in the future.

Provo City Planning Commission

Report of Action

June 10, 2026

*ITEM 1 Provo City requests a Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners. Sunset Neighborhood. Megan Jensen (801) 852-6408 mejensen@provo.gov PLSV20250636

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 10, 2026:

RECOMMENDED APPROVAL

On a vote of 6:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Matthew Wheelwright

Second By: Jon Lyons

Votes in Favor of Motion: Melissa Kendall, Jonathon Hill, Lisa Jensen, Daniel Gonzales, Jon Lyons, Matthew Wheelwright

Jonathon Hill was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE VACATED

The property to be vacated is described in the attached Exhibit A.

STAFF PRESENTATION

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

CITY DEPARTMENTAL ISSUES

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

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on 02/18/2026.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was not present or did not address the Planning Commission during the hearing.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. No issues were received in written comments subsequent to the Staff Report or public comment during the public hearing.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Staff (the applicant) explained that the property was dedicated to the city in 2019 for right-of-way improvements. Those improvements have been completed and the leftover land will be deeded back to the adjacent property owners.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Jon Lyons and Lisa Jensen both stated it seemed straightforward.
- Matthew Wheelwright inquired about obtaining adjacent land along 1600 West. David Day from Public Works explained that no more right-of-way will be needed for improvements along this road.



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.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A



Residency Requirements for Board Appointees

Changing the Default Setting

Residency Is Not Required on All Boards

Only 5 of Provo's citizen boards require at least some members to be Provo residents.

Board	Requirement
Airport Board	All Must Be Residents
Arts Council	8/11 Must be Residents
Library Board	All Must be Residents
Planning Commission	All Must Be Residents
Transportation and Mobility Advisory Committee	5/7 Must Be Residents

There is no mention of residency in the general rules for all boards. (Provo Code 2.20.020)

The Proposal

1. The general rules for boards would include a residency requirement:

(c) City board members shall be residents of Provo City unless otherwise stipulated in the section of city code that describes the qualifications for an individual board.

2. Non-resident appointees allowed by the proposal:

- Up to three members of the Arts Council
- The FBO representative on the Airport Board
- City Employees on Board of Equalization

3. Incumbent non-resident members can finish out their terms

Residency Requirements May Limit Talent Pools

TMAC

- (1) member shall represent
 - College level transportation academia
- (1) member shall represent
 - A business or community-oriented organization

Landmarks Commission

- (3) professionals from the disciplines of
 - History
 - Archaeology
 - Planning
 - Law
 - Architecture
 - Architectural history

Design Review Committee

- (7) professionals in the fields of
 - Architectural design
 - Education
 - Landscape design
 - Interior design
 - Urban design
 - Architectural history
 - Art
 - Graphic design
 - Engineering
 - Planning

Other Cities Require Residency More Often

City	% of Boards Requiring Residency*
Springville	100
Orem	93
Payson	86
Spanish Fork	67
Lehi	67
Provo	45
Pleasant Grove	44

*Either in part or in all

Requirements If Adopted

Board	Requirements
Airport Board	6/7 Must Be Residents
Arts Council	8/11 Must Be Residents*
Board of Adjustment	All Must Be Residents
Civil Service Commissions	All Must Be Residents
Design Review Committee	All Must Be Residents
Energy Board	All Must Be Residents
Library Board	All Must Be Residents*
Landmarks Commission	All Must Be Residents
Parks and Recreation Board	All Must Be Residents
Planning Commission	All Must Be Residents*
TMAC	All Must Be Residents

*This proposal doesn't affect the requirements of these boards



Recommendation:

Hear This Item in Night Meeting

**PROVO MUNICIPAL COUNCIL
WORK SESSION
STAFF REPORT**



Submitter: TTAGUCHI
Presenter: Tanner Taguchi, Council Policy Analyst
Department: Recorder
Meeting Date: 7/14/2026
Requested Duration (Minutes): 15 minutes
CityView or Issue File Number: 26-057

SUBJECT: 4 An ordinance requiring members of boards and commissions to be Provo residents. (26-057)

ADMINISTRATIVE RECOMMENDATION: Consider the proposed ordinance in a future Municipal Council meeting.

ADMINISTRATIVE MEMO: See attached memo document.

FISCAL IMPACT: This proposal will have no fiscal impact on Provo City.

COUNCIL STAFF MEMO:

Municipal Council Policy Analyst Memo

To: Municipal Council

From: Tanner Taguchi, Council Policy Analyst

Re: Proposed Ordinance Requiring Residency for Board and Commission Appointments

Date: Tuesday July 14, 2026

Executive Summary

A minority of Provo's advisory boards require some of its members to be Provo residents. While the lack of a general residency requirement allows for a wider pool of candidates, especially for boards with additional professional requirements, it doesn't statutorily focus the mayor's attention on appointing Provo residents, who are most greatly impacted by the city's decisions. Because the choice before the Council can be described as a balancing of values, the proposal should be thoroughly debated prior to being heard in a Municipal Council meeting.

Proposal

This ordinance would enact a general residency requirement for city boards, except as specifically designated in other sections of code. If the proposed ordinance was adopted, the only exceptions would be that the Airport Board would allow one member to be non-resident and the Arts Council would allow up to three members to be non-residents.

Condition

Provo has 11 boards comprised of residents chosen by elected officials, either the Mayor or the Council, to serve as advisors on specific areas of public policy. In most cases, the mayor appoints residents for board membership and the Council will either grant or withhold its consent. All board appointments require a majority of the Council's approval.

There is no general rule requiring members of city boards to be Provo residents. Even though the Council is unlikely to consent to a board comprised primarily of non-residents, that scenario is legally possible. However, five of these boards currently have a Provo residency requirement:

1. The Airport Board
2. The Arts Council (except three members)
3. The Library Board
4. The Planning Commission
5. The Transportation and Mobility Advisory Committee (except two members)

Cause

Some boards require some members to possess professional knowledge or experience. For example, TMAC requires one member to represent transportation academia. While the intention of past Councils regarding not including a general residency requirement is unclear, it serves to increase the pool of possible applicants for boards requiring such professional experience. In

cases where boards have no such requirements, any potential residency requirement would be less limiting because all Provo residents would be eligible.

Criteria

Other cities in Utah Valley have mixed approaches to residency requirements for board appointments. Some cities have implemented residency requirement universally or nearly universally. Others have far fewer boards that require residency.

The Majority of Boards in Other Utah Valley Cities Require Partial Residency

City	# Requiring Residency	# of Boards	% Requiring Some Residency
Springville	6	6	100
Orem	13	14	93
Payson	6	7	86
Lehi	4	6	67
Spanish Fork	10	15	67
Provo	5	11	45
Pleasant Grove	4	9	44

Effect

Some Councilors may see value in an individual's professional expertise as it concerns boards with specific professional requirements, or where professional expertise is valuable. However, if the pool of possible candidates with professional experience *who live in Provo* is deemed to be sufficient, then the question of a smaller pool is less relevant.

Regardless of current professional requirements, some Councilors may put a premium on residency because the impact of Provo's public policy recommendations and changes will be felt primarily by city residents. The proposed language would have the effect of narrowing the mayor's *search for appointees* to residents because there is no other path forward.

As the code is written now, the mayor is permitted to appoint whomever they wish, with the exception of the five current residency requirements and any other professional requirements. The Council, though, maintains the power to *reject* any of those appointees for any reason, including non-residency.

This proposal would have the effect of constraining the mayor in their appointments. However, it would also constrain the Council from considering a non-resident appointee. It could be said that the current policy allows more flexibility but does not put a legal premium on Provo residency.

Recommendation/Conclusion

Because the merits of this proposal hinge on the value each Councilor places on flexibility of choice, appointee expertise, and appointee residency, this issue should be debated during the work meeting prior to a vote in a Municipal Council meeting. Such debate will determine whether requiring appointees to be residents is in the best interest of the city government and Provo residents.

ORDINANCE <<Document Number>>

AN ORDINANCE REQUIRNG MEMBERS OF BOARDS AND
COMMISSIONS TO BE PROVO RESIDENTS. (26-057)

RECITALS:

It is proposed that Provo City Code 2.20.020 be amended to require all board and commission members to be Provo residents unless otherwise stipulated in the code listing different qualifications for a specific board or commission;

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

After considering the facts presented to the Municipal Council, the Council finds that (i) the proposed action should be approved, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Provo Municipal Council ordains as follows:

PART I:

A. The Provo City Code 2.20.010 is amended as presented in Exhibit A.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.
- C. This ordinance takes effect immediately after it has been posted or published in accordance with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
- D. The Municipal Council directs that the official copy of Provo City Code be updated to reflect the provisions enacted by this ordinance.

Exhibit A

2.20.020

General Rules for Permanent City Boards, Commissions, Committees, Councils, Foundations and Agencies

- (1) Except as provided in Subsection (2) of this section, the rules set forth in this section shall apply to each board, commission, council, agency, foundation and district, created under the authority of Provo City which is not organized as a separate legal entity. Each of the foregoing is referred to in this section as a “City board”.
- (2) If a rule set forth in this section conflicts with a federal, state, or local law applicable to a particular City board, such law shall supersede the conflicting rule to the extent of the conflict.
- (3)
 - (a) Each City board shall be an advisory board only.
 - (b) Each City board shall consist of seven (7) members, each of whom shall serve a term of four (4) years.
 - (i) The terms of members shall be staggered.
 - (ii) Members may be appointed to a term of less than four (4) years when necessary to provide for staggered terms.
 - (iii) Unless reappointed, no City board member shall serve beyond the term for which the member was appointed.
 - (c) City board members shall be residents of Provo City unless otherwise stipulated in the section of city code that describes the qualifications for an individual board.
 - (d) ~~(e)~~ City board members shall be appointed by the Mayor, with the advice and consent of the Municipal Council.
 - (e) ~~(d)~~ City board members may be removed from office by the Mayor, without cause.
 - (f) ~~(e)~~ City board members shall receive no compensation for their services, but may be reimbursed for reasonable expenses incurred in the performance of their duties.
 - (g) ~~(f)~~ Each City board shall elect a chair and a vice-chair. Each person so elected shall serve for a term of one (1) year. No person may serve consecutive terms as chair, and no person may serve consecutive terms as vice-chair.
 - (h) ~~(g)~~ Meetings of each City board may be called by:
 - (iv) the chair;
 - (v) the vice-chair, if the chair is incapacitated, or otherwise cannot act;
 - (vi) a majority of the members of the board; or
 - (vii) the Mayor.
 - (i) ~~(h)~~ Written minutes and a recording shall be kept for all open meetings of a City board as provided in Section 52-4-203, Utah Code Annotated, as amended. The written minutes and recording of an open meeting are public records as follows:
 - (i) Written minutes are the official record of action taken at the meeting.
 - (A) Written minutes that have been prepared in a form awaiting only formal approval by a City board are a public record.
 - (B) Written minutes shall be available to the public within a reasonable time after the end of the meeting.

(C) Written minutes that are made available to the public before approval by a City board shall be clearly identified as “awaiting formal approval” or “unapproved” or with some other appropriate notice that the written minutes are subject to change until formally approved.

(D) Each City board shall establish and implement procedures for the board’s approval of the written minutes of each meeting.

(ii) A recording of an open meeting shall be available to the public for listening within three (3) business days after the end of the meeting.

(i) ⊕ Each City board may adopt reasonable rules, consistent with this section, by which it conducts its business.

Exhibit B

2.22.010

Created – Organization

- (1) A Provo Arts Council is hereby created.
- (2) The Provo Arts Council shall have eleven (11) members who shall be appointed by the Mayor with the advice and consent of the Municipal Council. Each member shall serve for three (3) years, except that members may be appointed to shorter terms to provide for staggered terms among members of the Arts Council. Due to the impact of Arts programs and facilities on all of Utah County, up to three (3) ~~or more~~ members may be non-residents of Provo.
- (3) The Provo Arts Council by majority vote shall elect from among its members a chair and a vice-chair, each of whom shall serve for a period of one (1) year. The election of the chair and vice-chair shall be held at the first regular meeting at which a quorum is present following July 1 of each year.

Exhibit C

2.21.020

Terms of Office – Compensation – Expenses

(1) If there are one (1) or more fixed-base operators (FBO) at the airport, one (1) member of the Board shall be an FBO representative. If only one (1) FBO serves the airport at a given time, the FBO representative may be appointed for a three-year term. If multiple FBOs serve the airport, the appointment shall be rotated equally among the FBOs serving the airport and the FBO representative shall be appointed for a one-year term. The remaining six (6) members of the Board shall be appointed for staggered terms of three (3) years each. All Board terms shall begin on July 1 and terminate on June 30. [The FBO representative need not be a resident of Provo.](#)

(2) No member of the board shall receive any salary or compensation of any kind for the performance of their duties as herein provided except that members of the board may be reimbursed for their reasonable expenses incurred in carrying out their duties, provided said expenses are approved by the Airport Director prior to the time the expenses are incurred.

Exhibit D

2.23.010

Board of Equalization and Review

- (1) The Municipal Council hereby elects under the option granted by Utah State law that the Board of Equalization and review required for processing special improvement district assessments shall consist of three (3) members as follows:
 - (a) ~~(1)~~ the City Recorder or the City Recorder's designee;
 - (b) ~~(2)~~ the City Engineer or Public Works Director; and
 - (c) ~~(3)~~ the City Attorney or the City Attorney's designee.
- (2) Members of this board need not be residents of Provo City.

Residential Parking Exceptions for Tow Trucks

Balancing Community and Individual Interests

Tow Trucks Operating in Provo

Police Utilizes Tow Trucks

Utah Code Title 41 - Motor Vehicles

Officers may seize a vehicle because of

- Registration, license, or insurance issues
- Involvement in a crime or accident
- Vehicle abandonment

Tow Trucks Must Respond Quickly

Required Response Time (minutes)

Entity	Light/Medium Duty	Heavy Duty
Provo Police	15*	15*
Utah County Sheriff	30	30
Utah Highway Patrol	25	40

*Based on informal understandings without contracts

Tow Trucks are Prohibited in Residential Areas

9.32.090 Parking of Trucks.

(1) No truck or truck trailer with a rated capacity of one and one-half (1 1/2) tons or more, or licensed for more than eighteen thousand (18,000) pounds gross, shall be allowed to be parked on the public streets in a residential area for a period of time in excess of two (2) hours except while actually loading or unloading merchandise. In no event shall it remain parked for longer than eight (8) hours.

(2) Except as in Subsection (1) of this Section, no truck with a rated capacity of one and one half (1 1/2) tons or more, or licensed for in excess of eighteen thousand (18,000) pounds gross weight shall be parked on any public street closer than thirty (30) feet to the entrance or exit or intersection with any private driveway, private street, alley or public street.

On Street

14.34.190 Storage of Commercial Vehicles - Residential Zone.



Off Street

No trucks, motor vehicles, or commercial trailers which exceed the rated capacity of one and one-half (1 1/2) tons shall be stored or parked on any lot or parcel within any residential zone, nor shall any contracting and/or earthmoving equipment be stored or parked on any lot or parcel in a residential zone.

Heavy Vehicle Enforcement Varies

June 2021 - 2026

On-street Violations (2 hours+)
Average Annual Cases: ~**25**

Off-street Violations
Average Annual Cases: ~**3**

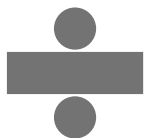
Tow Truck Violations
Average Annual Cases: ~**1**

Impact of Limiting Tow Parking

Requests for Tows are Widely Dispersed



1,841
Tow Requests
June 2025-June 2026



35
Tow Companies
Provo's Rotation



Per Year

Per Month

Per Week

Tows Per Company:

53

4

1

Companies May Have Multiple Contracts



Unoccupied Cars Can Threaten Safety and Movement



Blocked Traffic and Secondary Crashes



Vehicle Security and Crime Scene Integrity

Waiting for Handoffs Can Waste an Officer's Time

Until the tow truck arrives

The officer must wait with the vehicle to

- Ensure the safety of the roadway
- Ensure the security of the vehicle and its contents

Comparison Cities

Criteria

Cities Truck Parking Policies Vary

Heavy Duty Tow Trucks on Residential Parcels

Allow	Not Allow
Lehi	American Fork**
Spanish Fork	Orem
Lindon	<i>Provo</i>
Pleasant Grove	
Payson*	
Springville*	

Proposal

Exempt Tow Trucks from Residential Regulations

Revises Standards and Exempts Tow Trucks

- Lowers the maximum allowable weight for a vehicle in residential zones from 18,000 to 14,000 GVWR
- Exempts tow trucks from the requirements of other heavy vehicles in residential zones including parking
 - On street for more than 2 hours
 - Within 30 feet of a driveway/intersection
 - Anywhere on private parcels

Definitions

GVWR
Gross Vehicle Weight Rating

14,000 lbs.



(5) Tow truck is defined as, “a commercial vehicle designed, constructed, altered, or equipped primarily to tow or remove damaged, disabled, abandoned, seized, repossessed, or impounded vehicles with power or control from a highway, road, or other place using a crane, hoist, tow bar, tow line, dolly tilt bed, or other similar means of vehicle transfer.”



2026 Ford E-350 SRW Cutaway
GVWR: 10,050 lbs.



2026 Ford Transit 350 HD Cargo
GVWR: 11,000 lbs.



2026 Isuzu NPR Class 3
GVWR: 12,000 lbs.



2027 GMC Hummer Pickup
GVWR: 10,400 lbs.



2026 Cadillac Escalade IQ
GVWR: 10,500 lbs.



2026 Chevy Express 3500 HD
GVWR: 12,300 lbs.



2026 Ford F-350 Super Duty DRW
GVWR: 14,000 lbs.



2026 Ford F-450 Pickup
GVWR: 14,000 lbs.



Recommendation:
**Incorporate the
proposal into the
zoning rewrite**

**PROVO MUNICIPAL COUNCIL
WORK SESSION
STAFF REPORT**



Submitter: TTAGUCHI
Presenter: Tanner Taguchi, Council Policy Analyst
Department: Recorder
Meeting Date: 7/14/2026
Requested Duration (Minutes): 15 minutes
CityView or Issue File Number: 26-058

SUBJECT: 5 A discussion regarding a proposed text amendment to allow tow truck parking in residential zones and on public streets. (26-058)

ADMINISTRATIVE RECOMMENDATION: I recommend that the Council move that the language in the Proposed Ordinance Change Exhibit be incorporated into the zoning code rewrite.

ADMINISTRATIVE MEMO: See attached memo document

FISCAL IMPACT: This exemption for tow trucks will not have a fiscal impact on Provo City.

COUNCIL STAFF MEMO:

Municipal Council Policy Analyst Memo

To: Provo Municipal Council

From: Tanner Taguchi, Council Policy Analyst

Re: Proposed Text Amendment Allowing Tow Truck Parking in Residential Zones and on Public Streets

Date: Tuesday July 14, 2026

Executive Summary

This proposed text amendment is sponsored by Councilors MacKay and Bogdin. The basis for the proposal is a complaint the sponsors received from residents operating a tow truck business in the city and other parts of Utah County. It would have the effect of exempting tow trucks from existing regulation that prevents commercial vehicles from being stored on residential lots. This change would create consistency in city policy that requires tow trucks on its tow rotation to respond quickly during off hours by allowing the operators to park at their residence. I recommend that the language included as part of this item be incorporated into the upcoming zoning rewrite.

Condition

City Code

Currently tow trucks are classified as a commercial vehicle and are restricted from parking on parcels in residential zones (Provo Code 14.34.190). Commercial vehicles are functionally defined as vehicles with a rated capacity of 3,000 lbs. After discussing this definition with the city traffic engineer, using "rated capacity" to define a vehicle is outdated and will likely be removed from the code going forward.

The apparent intent of this ordinance is to keep bulky vehicles that could obstruct views and disrupt the character of the community from parking in residential areas. Tow trucks themselves vary in weight capacity. However, they're generally smaller than other commercial vehicles like cargo trucks or construction equipment.

Tow Truck Contracts

While towing services are used by private customers on a one-time basis, tow trucks also provide contracted public services requested by law enforcement agencies. From June 1, 2025, to June 15, 2026, the Provo Police utilized towing services 1,841 times, an average of once per day.

35 towing companies located within Provo provide these services. In addition to responding to the Provo Police Department, many of these towing companies also respond to requests from other cities, the County Sheriff, and the Utah Highway Patrol.

Both the dispatch data and interviews with all 35 Provo-contracted firms indicate that Provo calls on each towing company approximately once a week. However, firms with multiple contracts, could end up responding to various law enforcement agencies daily.

Currently Provo does not have written agreements with these towing companies. However, written agreements are used by other cities, Utah County, and the Utah Highway Patrol. After discussing the lack of written agreements with the police department, it said it's currently working on drafting agreements that'll go into effect soon. Despite not currently having written expectations of these companies the overwhelming expectation understood by both parties is that tow trucks arrive 15 minutes after accepting a request for services.

Commercial Vehicle Issues

The tension between the public need for towing services and the preservation of neighborhood character is the impetus for this exemption. However, official complaints involving tow trucks are relatively rare.

In the past five years, there have only been five mentions of tow trucks in the descriptions of zoning violations. In the same period, there were at least 16 violations of the commercial vehicle storage statute in question that did not involve a tow truck.

In addition to the commercial vehicle storage statute, I looked at all vehicle-related cases over the last five years in five zoning violation categories. Across those five categories, there've been 161 mentions of "trailer", 89 mentions of "RV", and 32 mentions of "boat."

Criteria

I spoke with eight other cities in Utah County about their policies on commercial vehicle storage on residential lots. Of those cities, six cities would allow a heavy wrecker tow truck in a residential driveway. Only two, Orem and American Fork, are like Provo and would prohibit it.

Effect

Tow Truck Companies

If the code in question was strictly enforced, tow truck operators in Provo could be prevented from parking their commercial vehicle at their home. If they can't commute to their business and respond to the call within the required 15 minutes, they effectively lose the ability to appear on the police departments rotation. In terms of money lost, each tow call would likely a few hundred dollars depending on the company. The tow costs are born by the vehicle owner, except in cases where the car is stored for evidence.

However, while Provo doesn't have a written agreement, according to the Provo Police department other cities have penalties for missing and refusing calls because of time constraints. If Provo Police were to adopt these penalties in its new policy, these tow companies could be subject to suspension or removal from the tow rotation if they refuse/missing calls too often.

Police

While the subject of this proposal centers on the fairness of requiring tow operators to respond quickly during off hours, but not keeping their vehicles nearby, it may be important to understand why the police require such rapid response.

Several scenarios may require a tow including motor accidents, abandoned vehicles, vehicles involved in a DWI, or vehicles linked to a crime. The impact of delays in towing services can vary depending on the reason they are required.

In the case of vehicles accidents, delays could pose direct risks to public safety, such as an increased risk of secondary accidents, as well as inconveniences like traffic delays. However, traffic delays could have a more serious impact if those delay impact the ability of other public safety personnel to respond to emergencies.

In non-accident cases, the car and its content can become a liability for the police. For example, if a driver is arrested for DWI, officer must ensure that the car isn't moved by anyone with access to the car and that the contents of the car are not tamper with or removed. Accordingly, the arresting officer must stay with the car until it can be removed to a secure impound lot.

Public

In the five instances where a code enforcement case involved a tow truck, none of them involved an immediate risk to public safety. While these cases are all legitimate in the sense that they violate the law, it is unclear the extent to which the presence of these trucks pose a threat to visibility that would affect public safety. Most reasons for complaints centered around the incompatibility of the vehicle with the character of the neighborhood or a possible imposition on a shared property line.

After speaking with the leadership of zoning enforcement, they made it clear that based on their experience that general complaints about the aesthetic impact on neighborhoods will increase as well as complaints from other large vehicles owners claiming unfairness for not having their vehicles, such as food-trucks and other equipment freed from the current restrictions.

Recommendation

Based, on the contents of this memorandum, I recommend that the municipal council move that these proposed changes be incorporated into the upcoming zoning rewrite according to the language in the exhibit included in this item.

Proposed Ordinance Change Exhibit

14.34.190

Storage of Commercial Vehicles – Residential Zone

No trucks, motor vehicles, or commercial trailers with a gross vehicle weighted rating exceeding 14,000 pounds ~~which exceed the rated capacity of one and one-half (1 1/2) tons~~ shall be stored or parked on any lot or parcel within any residential zone, nor shall any contracting and/or earthmoving equipment be stored or parked on any lot or parcel in a residential zone.

(2) Tow trucks owned by licensed operators with current agreements with any government entity in the state of Utah to provide towing services are exempt from the requirements of this section.

(3) Tow truck is defined as, “a commercial vehicle designed, constructed, altered, or equipped primarily to tow or remove damaged, disabled, abandoned, seized, repossessed, or impounded vehicles with power or control from a highway, road, or other place using a crane, hoist, tow bar, tow line, dolly tilt bed, or other similar means of vehicle transfer.”

PROVO MUNICIPAL COUNCIL WORK SESSION STAFF REPORT



Submitter: TTAGUCHI
Presenter: Tanner Taguchi, Council Policy Analyst
Department: Recorder
Meeting Date: 7/14/2026
Requested Duration (Minutes): 15 minutes
CityView or Issue File Number: PLOTA20260080

SUBJECT: 6 An ordinance repealing the Planning Commission's authority to grant parking requirement reductions. (PLOTA20260080)

ADMINISTRATIVE RECOMMENDATION: This item is brought to Council in response to a motion made in the previous work meeting. It can be debated again and, if desired, passed to a night meeting for a vote.

ADMINISTRATIVE MEMO: This item is a continuation of the discussion relating to the Mayor's previous proposal on parking requirements near bus rapid transit routes, BYU campus, and off-site parking for multifamily structures. The motion passed in the previous meeting was to draft language that ensured that existing the agreements made with property owners regarding granted reductions are maintained, but that removes the changes originally proposed and instead deletes the existing administrative paths for parking reductions found in Provo Code 14.37.050.

FISCAL IMPACT: There is no expected fiscal impact related to amending the statute relating to parking requirement reductions.

COUNCIL STAFF MEMO:

ORDINANCE <<Document Number>>

AN ORDINANCE REPEALING THE PLANNING COMMISSION'S
AUTHORITY TO GRANT PARKING REQUIREMENT REDUCTIONS.
(PLOT20260080)

RECITALS:

On May 27, 2026, the Planning Commission held a public hearing to consider proposed amendments to Provo Code 14.37.050, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 4-0;

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

After considering the facts presented to the Municipal Council, the Council finds that (i) Section 14.37.050 should be amended to keep in place TDM agreements signed before passage of this ordinance, (ii) repeal the means by which the planning commission can grant a parking reduction, and (iii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Provo Municipal Council ordains as follows:

PART I:

Provo City Code 14.37.050, as currently written, is repealed and replaced with the language shown in Exhibit A.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.
- C. This ordinance takes effect immediately after it has been posted or published in accordance with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.

43 D. The Municipal Council directs that the official copy of Provo City Code be updated to
44 reflect the provisions enacted by this ordinance.

Exhibit A

14.37.050

Reductions in Off-street Parking Requirements

- (1) Transportation Demand Management (TDM) program agreements recorded between property owners and Provo City governing the provision of parking on subject lots prior to August 11, 2026, are still in effect.
 - a. Those agreements shall run with the land and include provisions for:
 - i. Monitoring of parking lot adequacy on at least an annual basis, and
 - ii. Construction of additional parking spaces, implementation of parking demand mitigation measures, or compliance with the usual Provo City Code parking standards if trip generation rates for uses within the development change from those set forth in the TDM program and parking count justification study.
 - b. For property where a TDM agreement exists, failure by the property owner to abide by the agreement shall be unlawful. In addition to other legal remedies available to the City, a determination by the Planning Commission, after a duly noticed hearing, that the owner has violated the agreement, shall mean that any parking reduction allowed as the result of the TDM program is no longer allowed for that property and the property must meet the parking requirements otherwise required by Provo City Code at the time of project approval.