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 Craig Christensen
Councilor Gary Garrett	Councilor Travis Hoban
Councilor George Handley	Councilor Katrice MacKay
Councilor Rachel Whipple	Mayor Michelle Kaufusi
Chief Administrative Officer Scott Henderson	Council Executive Director Justin Harrison
City Attorney Brian Jones	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

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.

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.

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.

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.

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

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-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
- 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 Chiristensen.

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.

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.

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.

These minutes were approved by unanimous consent on the 14th day of July, 2026.

X _____
Heidi Allman
City Recorder