



PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

11:00 AM, Tuesday, April 12, 2016
Room 310, Provo City Conference Room
351 West Center, Provo, Utah

Access to Public Documents:
<http://publicdocuments.provo.org/sirepub/docs.aspx>

THE FOLLOWING ELECTED OFFICIALS WERE PRESENT:

Council Member David Sewell
Council Member Kim Santiago
Council Member Vernon K. Van Buren
Council Member Gary Winterton
Mayor John R. Curtis
Council Member David Harding
Council Member David Knecht
Council Member George Stewart
Council Chair Kim Santiago

Conducting:

Tour

1. **A tour of the Public Works Water Reclamation Facility. (16-031)**

Agenda

Roll Call

Opening Prayer

Brian Jones, Council Attorney, offered the opening prayer.

Approval of Minutes

July 16, 2015 Provo/Orem Municipal Council Joint Meeting minutes
January 7, 2016 Council Retreat Minutes
January 19, 2016 Work Meeting Minutes

March 15, 2016 Work Meeting Minutes
February 11, 2016 Provo/Orem Municipal Council Joint Meeting Minutes

Motion: Council Member Gary Winterton moved to approve the above listed minutes. Seconded by Council Member David Knecht.

Roll Call Vote: The motion passed 7:0

Mayor's Items and Reports

- 1. A discussion regarding the approval of a lease agreement between Provo City and Utah Transit Authority regarding various Provo City streets for the purpose of constructing a Bus Rapid Transit (BRT) System. (15-110)**

Wayne Parker, CAO, introduced this item. The project design is 90% completed.

Grey Turner, Utah Transit Authority, introduced Janelle Erickson, who will be reporting on project update, and Chris McBride, who will report on public involvement.

PROJECT UPDATE, PROVO-OREM TRANSPORTATION IMPROVEMENT PROJECT (Provo/Orem TRIP project)

The BRT route is 10.5 miles long with 18 stops, 51% exclusive lanes, 1.5 miles of roadway widening, 2 bridge replacements, pedestrian friendly crossings, bike lanes and trail improvements. The system starts at Orem Intermodal and hits Utah Valley University, Brigham Young University, Southgate Center and back to Orem. UTA is currently working with Provo on a BRT station design. Also work on the details of bike racks at the platforms, which is something UTA has never done before. Work and input continues on the need for trees and where to strategically put parking. The lighting of the stations and lighting at crossings is currently being discussed.

Ms. Erickson reviewed the street designs for University Avenue, 700 North and 900 East.

Key Milestones:

Spring 2016	Design 90% Complete
Early Summer 2016	Final Design Complete
Early Summer 2016	Final Pricing from Contractor

Mid-Summer 2016	Start of Construction
Summer 2018	Completion of Construction
Winter 2018	Testing and Startup Complete
Early Spring 2019	Operational

Ms. Erickson reviewed the Construction Phasing Map:

Phase 1	University Parkway – 800 East to University Avenue
Phase 2	University Parkway – 400 West to 800 East
Phase 3	700 North - 700 East to University Avenue
Phase 4	University Parkway – University Avenue – 900 East – 700 North
Phase 5	University Avenue – 700 North – 400 South
Phase 6	Provo Mall to Novell
Phase 7	UVU Section

Chris McBride reviewed the Communications Plan which included reaching out to Local and Elected Officials and staff, Businesses, Orem and Provo residents, and the media.

Wayne Parker, CAO, gave a brief history of the Bus Rapid Transit project and the Lease Agreement and the Interlocal Agreement. Funding for the project are as follows:

- 1) \$75 million Federal Transit Administration grant
- 2) \$65 million local cash match
 - a) Funded by Utah County
 - b) Pledges existing transportation sales tax dollars
 - c) Will be fully repaid to the County by UTA after 12 years (principle and interest) from the ¼% sales tax for transit
- 3) \$10 million match in value from lease agreements
- 4) \$40 million from UDOT for University Parkway

In 2014, a Joint Resolution was signed to address:

- Business and residential access
- Pedestrian Safety
- Bicycle safety
- Parking
- Noise abatement

- School security
- Landscaping
- Other factors

Mr. Parker outlined the particulars of the Lease Agreement:

- 50 year lease of city property and right of way for the project
- Two additions to project baseline
 - 900 East frontage road from Birch to Fir
 - Pedestrian safety improvements on 700 North and near MTC
- Three priority enhancement projects
 - Landscaped median on 900 East
 - Pedestrian lighting on 700 North
 - Street improvements on 900 North for BYU transit stations/center.

The Interlocal Agreement:

- Establishes what happens if UTA stops operating
- City waives development fees
- Work on signal coordination with UDOT
- Sets up maintenance responsibilities between City and UTA
- Standard language required by FTA.
- Establishes governance and management of the overall project
 - UTA portion
 - UDOT portion
- Executive Committee (Gives Provo a voice)
 - Provo Mayor
 - Orem City Manager
 - UDOT Region Director
 - Utah County Commission Chair
 - MAG Executive Director
 - UTA General Manager

This Governance model is new for UTA. It will give meaningful seats at the table for cities, county and UDOT. BRT will become “our project” not just UTA’s project. This will give a big step forward for future UTA partnership projects (including light rail and/or more BRT lines in Utah County). Mr. Parker went on to explain what will happen without the agreements.

Council Members addresses some key elements of the Lease Agreement and gave

suggestions for inclusion.

2. A discussion on the Parks and Recreation Capital Improvement Plans and the plans for the RAP Tax. (16-032)

Scott Henderson, Director of Parks and Recreation, briefed the Council on a short history that led to updating outside facilities so that subsidizing is not necessary. He compared the Recreation Center, Peaks Arena, Golf Course, Cemetery and Covey Center as all having gone through the same process of reducing subsidies. The City has had great success in upgrading these facilities, increasing their use, and improving the quality and efficiency of these operations. The success of the Recreation Center, as well as the other facilities, comes from hard work on the part of City Staff. The public has endorsed, through their approval of the RAP tax referendum, a high priority on recreation and quality of life issues. Mr. Henderson suggested that livability truly makes a community unique.

Doug Robins, Assistant Director of Parks and Recreation, spoke of the importance they place on public input and perform the duties they want. He discussed a brief history that led up to the Recreation and Parks Tax. A brochure was developed before the proposed tax showing the RAP tax distribution which the referendum was approved by the voters.

1. 45% Existing Facility Upgrades
2. 22% Existing Trails/Pathways/Trailheads
3. 15% Operation & Maintenance Costs
4. 12% Arts
5. 5% Long-term Projects

Thomas McKenna, Parks Project Coordinator, discussed the following Parks and Recreation 5 Year Capital Improvement Projects (CIP) that the RAP tax will be funding:

1. Provo River Trail, surface and width of trail, bridge crossings and signage.
2. Arts (Covey Center, Arts Programming, Library)
3. Park Restroom Renovations
4. Trailhead Renovation/Expansion
5. Sport Facility Renovations
6. Parking Lot Resurfacing
7. Tennis Court Renovations
8. Pavilion Renovations
9. Signage/Wayfinding
10. Downtown Streetscape Improvements
11. Irrigation Central Control System
12. Playground Replacements
13. Slate Canyon Park

14. Franklin Park
15. Spring Creek Park
16. Cemetery Expansion
17. Utah Lake Beach Park Study
18. Kiwanis Park Playground
19. Lions Park Stairs
20. Bicentennial Park
21. Stutz Park
22. Off-leash Dog ark
23. Canyon Road Park

Upcoming Policy Items referred from the Planning Commission

- 3. A discussion regarding Eagle Summit Construction, LLC request for a zone change from One-Family Residential (R1.10) to Low Density Residential (LDR) for property located at approximately 2470 West 1160 North. Lakeview North Neighborhood. (16-0001R)**

Robert Mills, Planner, presented. This zone change application will allow for a proposed 26 unit development, consisting of 24 twin homes and 2 single family homes. At the Planning Commission meeting, the applicant indicated these units are being marketed for buyers of 55 years and older. This is currently designated in the General Plan as residential. The change to LDR is to allow the twin homes.

The applicant attended a neighborhood meeting and there were no concerns. Since then, some neighbors have expressed concerns about traffic. Community Development staff has found this item consistent with the General Plan and is geared towards the missing middle. The applicant has proffered a Development Agreement (DA) and is willing to commit to this type of development and density. The DA state that the development needs to be completed in ten years and if not the City has the option to terminate the agreement and zoning.

This item is scheduled to be heard at the April 19, 2016 Council Meeting.

Break

Council Business: Governance Process and Rules

- 4. Council Rules Policy Amendment: Items Referred from the Planning Commission. (16-020)**

David Knecht, presented. At a previous work meeting, the Rules Committee was asked to review the wording in the Handbook regarding “items referred from the Planning Commission to Work Meeting Agenda”. The wording allows the Council more discretion and control over their agendas by allowing for continuance of Planning Commission items.

Brian Jones, Council Attorney, suggested adding a sentence stating “the council chair may also continue such an item for scheduling purposes”. He suggested striking the last sentence “at a work meeting”. Also add “continued beforehand”.

Copy of final document....

Motion: Council Member David Harding moved to adopt these changes to the handbook. Seconded by Council Member George Stewart.

Roll Call Vote: The motion passed 7:0

5. A discussion regarding the Council Executive Director's duties. (16-046)

This item was continued.

6. A discussion and review of the Development Review Process. (16-023)

This item was continued.

Council Business: Outcomes and Ends Policies

7. A follow-up discussion regarding the Community Development fees identified for review from the Consolidated Fee Schedule. (15-118)

This item was continued.

8. A discussion regarding Public Works infrastructure in Provo City. (16-031)

David Decker, said the focus of the discussion today is on the Wastewater Treatment plant.

Summary of Study Findings

Corey Christiansen, Waterworks Engineer, Waterworks Engineers, presented. There are three drivers that were evaluated in the review of the Master Plan for the Wastewater Facility:

- Regulations. The State has set regulations for phosphorus and nitrogen. The phosphorus regulations are intended to take place by 2020. Provo is at 3 millimeter and must be at 1 millimeter by 2020. Nitrogen regulations are to be in place by 2025. Some concessions have been made that state if a facility is moving towards the goal of reducing their phosphorus, 2020 can be put back to 2025. Nitrogen is going to be backed by science first and then a goal limit will be known.
- Capacity. The current plant is rated at 20 MGE, which is build-out for the facility.
- Age of Facility. Trickling filters are at the end of their useful life. These account for 1/3 of the plant's capacity. The City needs to expand the facility.

Upgrades at the Treatment Plant

The plan is to de-commissioning the trickling filters, expansion of aeration basins over time, add clarifiers. Additional digester needed, new facility to address water from solids, Bio-gas utilization (energy source turning it into compressed gas to service provo's fleet). Upgrades to security of plant and health of operators is also included.

Or

A new facility. Two sites near the bay were looked into.

Between all the options (upgrading current plant or new facility), the end result in cost is close to the same. Using the existing facility benefit is using infrastructure that is already built in. Building a new structure Provo would need to come up with a large amount of money early on. He then reviewed all the non-financial pros and cons of each option.

Finances and Impact to Provo's Rates and New Concept

Jimmy McKnight, Management Analyst III, presented. As a result of the discussion at a previous Work Meeting regarding the development of the West Side, we would like to show how 36" sewer main that would parallel to existing 36" is currently planned in the CIP Budget. Where the wastewater treatment plant is located will drive some of the collections system improvements. Gravity flow would go to the old treatment plant or a possible new plant.

Mr. McKnight reviewed the wastewater financials. They have had higher than expected revenue than the current budget and looking at the philosophy in the current rate structure of how to apply the base rate to multi-housing complexes. We would have a base rate for each unit.

Provo's Current Structure

- \$7.31 Base Rate per water connection
- \$2.00 Commodity charge per 1,000 gallons used

(based on winter average)

- Base Rate brings in about \$1.6 Million annually, which is 32% of \$4.9 Million Wastewater operating budget

Base Rates for Multi-Units

- Provo currently charges one \$7.31 sewer base rate per water connection.
 - * Single Family Home with one water connection - \$7.31
 - * 12-Plex with one water connection - \$7.31
- Both pay the commodity charge per 1,000 gallons used, but argument can be made that their potential for output justifies multi-unit paying higher base rate than single family home.

Base Rate Recommendation

- Moving to a charge per unit, phased in over three years.
 - * Year one pay 50% of base rate per unit
 - * Year two pay 75% of base rate per unit
 - * Year three pay full base rate per unit
- This would create potential to pay for reclamation plant master plan projects within current 5-year rate increase plan

Mr. Decker said the Council will be addressing updated fees in the upcoming Budget Review and rate increases as a result of today's report.

The Public Works Department will come back in a few months to receive direction from the Council on the location of the treatment plan. Also, to receive direction on the multi-unit base rate for potential inclusion in the FY 2017 Budget.

This was a report only.

Closed Meeting

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

Brian Jones, Council Attorney, requested a closed meeting for the purpose of discussing the purchase, sale, exchange or lease of real property.

Motion: Council Member Kay Van Buren moved to close the meeting.
Seconded by Council Member David Sewell.

Roll Call Vote: The motion passed 7:0

Motion: Council Member Gary Winterton moved to adjourn. Seconded by
Council Member David Knecht.

Roll Call Vote: The motion passed 7:0