



**PROVO MUNICIPAL COUNCIL
Redevelopment Agency of Provo
Regular Meeting Minutes**

5:30 PM, Tuesday, April 09, 2019
Room 200, Municipal Council Chambers
351 W. Center Street, Provo, UT 84601

Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Council Member David Harding	Council Member David Knecht
Council Member David Sewell	Council Member Gary Winterton
Council Member George Handley	Council Member George Stewart
Council Member Vernon K. Van Buren	Mayor Michelle Kaufusi
Council Executive Director Cliff Strachan	Wayne Parker, Chief Administrative Officer
Council Attorney Brian Jones	

Conducting: Council Chair David Harding

Prayer	John Borget
Pledge of Allegiance	Dustin Grabau

Approval of Minutes

o February 19, 2019 Council Meeting Minutes

The meeting minutes for February 19, 2019, were approved unanimously.

Presentations, Proclamations, and Awards

1. A presentation on funding for the Provo City Airport expansion. (19-028)

Isaac Paxman, Deputy Mayor, presented an update on the funding for the Provo City Airport expansion. The Transportation Infrastructure Bond Amendment bill (S.B. 268) had been signed into effect on April 1; this secured \$9 million in federal funding that would be available in July. The City would also receive funding from the County, \$4.3 million would be available upon completion of the project.

Mr. Paxman explained that the airport was currently only large enough to facilitate one commercial airplane at a time. This has limited the number of flights that were available, as well as the airlines that could service Provo. He displayed the design plan and said the first phase would be completed now but there were plans for a second phase in the future. Phase one included four gates, and phase two would add six more gates. An engineer and architect had been selected (Jviation and MHTN Architects).

Mr. Paxman provided a summary of the funding sources:

- Federal: \$9.1 million in FAA grants; \$2.1 million was currently available and the remaining \$7.0 million would be available sometime after October 2019.
- County: \$4.3 million in County funding from the Tourism, Recreation, Cultural and Convention Tax Fund.
- City: Approximately \$19 million which included the value of the land.

There would be future opportunities for community input. Following a fall groundbreaking, construction would begin in spring 2020 with completion in spring of 2021.

Councilor Winterton said this was a big deal and he was very appreciative of the opportunity. He noted that Provo would also be required to provide funding for the project. Brian Torgerson, Public Services Director, said his division was scheduled to present the details of the City portion of the funding at a future work meeting. Provo had previously received matching grants based upon the value of the land at the airport, but Mr. Torgerson noted this project would deplete the remaining value that was available for grants. The City could purchase more property for the airport that would be eligible for additional matching grants.

There were no further questions or comments from the Council. This item was presentation only.

Public Comment

Chair Harding opened public comment, there was no response.

Redevelopment Agency of Provo

2. A resolution authorizing the Chief Executive Officer of the Provo City Redevelopment Agency to modify certain contracts with NeighborWorks Provo. (18-076)

This item had been continued as David Walter, Redevelopment Agency Director, was not available to present.

Action Agenda

3. Ordinance 2019-14 granting New Cingular Wireless PCS, LLC a non-exclusive franchise to operate a telecommunications network in Provo City, Utah. (19-009)

Motion: An implied motion to adopt Ordinance 2019-14, as currently constituted, has been made by council rule.

Marcus Draper, Assistant City Attorney, presented. He explained that AT&T wanted to place small cell wireless facilities in Provo and a franchise agreement had been negotiated to permit this. Small cell technology would make 5G service available in Provo.

A standard agreement template had been used with a minor change pertaining to audit rights. Typically, the City and State both have audit rights, but this agreement eliminated Provo's right. The State collect Provo's portion of the tax revenue, 3.5 percent, and then distribute it to Provo. Mr. Harding noted this seemed like a logical change and he asked if the standard template ought to be updated to include this change. Mr. Draper said this was the first company to request this change so he did not know if the template should be modified based upon this sole request.

Chair Harding opened public comment, there was no response. There was no council discussion. He called for a vote on the implied motion.

Vote: The motion approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

4. Resolution 2019-18 approving the execution of a Master Tax-Exempt Lease Purchase Agreement for the purchase of Fire apparatus. (19-043)

Motion: An implied motion to adopt Resolution 2019-18, as currently constituted, has been made by council rule.

Dan Follett, Division Director of Finance, presented. The Fire Department had identified the need to replace a ladder truck and heavy rescue truck. The Council was being asked to approve the financing of the trucks through lease financing. There had been an RFP and 12 responses were received. The rates ranged from 2.63 percent to 3.25 percent. Zions Bank offered the lowest rate. The repayment would occur over an eight-year term and would be tax exempt. Mr. Follett felt this was a very competitive option. There would be no penalty for early repayment with Zions.

Mr. Winterton asked why the term “lease” was used if it was a purchase. Mr. Follett explained it is a lease with an option to purchase (usually for \$1) at the end of the term. It was the City’s intent to purchase at the end of the term.

Mr. Harding noted it would take eight years to repay the loan, he wanted to know what the service life of the trucks would be. Deputy Chief Headman responded the service life was typically eight to ten years, but the trucks being replaced were 12 and 18 years old.

Mr. Harding also wanted to understand why this type of purchase was not included in the budget. Other departments would use pool replacement funds to replace vehicles. Deputy Headman explained most of the apparatus had been purchased at once, so it was all coming due for replacement at the same time. He said the department was making an effort to stagger the replacement so that replacements were made every year or every other year, but it was taking some time to get on this schedule.

Dustin Grabau, Budget Officer, explained that a purchase like this is difficult to budget for because they do not know how much money is needed until they receive and review the RFP responses. He said if council preferred, in the future they could try to put a baseline in the budget, then come back to council for any difference. Mr. Grabau further explained that the annual payments were included in the budget, this was just the one-time appropriation of the lease proceeds.

If approved, an appropriation for the full amount, \$2.4 million, would need to be made at the next meeting after adequate public notice had been given.

Chair Harding opened public comment, there was no response. He called for a vote on the implied motion.

Vote: The motion approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

5. Resolution 2019-19 authorizing the Mayor to create an interlocal agreement with Utah County for vote-by-mail election for municipal primary and general elections to be held on Tuesday, August 13, 2019 and Tuesday, November 5, 2019. (19-044)

Motion: An implied motion to adopt Resolution 2019-19, as currently constituted, has been made by council rule.

Amanda Ercanbrack, City Recorder, provided an overview of the agreement. The agreement would allow the City to contract with Utah County to conduct a vote-by-mail election in 2019. The agreement was similar to agreements that had been authorized in previous years. It consisted of two main parts: the scope of work which defined the responsibilities for each party and Exhibit B which included a cost break down. The cost would not exceed \$1.80 per voter, per election (municipal and primary). The total estimated cost for both elections was \$147,085.20, this was based upon the number of active registered voters as of March 1, 2019.

Ms. Ercanbrack provided an overview of the upcoming 2019 election:

- Vote-by-Mail Election
- Candidate Declaration: June 3-7, 8 a.m. to 5 p.m.
- Primary Election: Tuesday, August 13
- General Election: Tuesday, November 5
- Pre-Election Day Service Center available at Utah County Building
- New vendor (ES&S) and additional equipment to improve efficiency
- Improved counting and signature verification processes
- Reduced number of provisional ballots on Election Day
- Non-provisional ballots cast at service center will be scanned and counted onsite at service center
- Newly purchased drive-up drop box to be installed at Provo City Library

Councilor Knecht said he liked the idea of the drive-up drop box but wanted to know if there would be other drop box locations. Ms. Ercanbrack replied there would also be indoor drop boxes at the City Center for the three weeks prior to election day and on at the Recreation Center on election day. Mr. Knecht suggested the drop box at the Recreation Center should be there throughout the voting period, not just on election day. Ms. Ercanbrack said she would make this request to the County.

Chair Harding opened public comment.

Beth Alligood, Provo resident, was also in favor of a drop box at the recreation center. She also suggested there should be a ballot drop box somewhere on the west side of the City.

Mr. Parker explained one of the reasons drive-up drop box was installed at the library instead of the recreation center was because the library already had a drive-up island. There was not a place at the recreation center where it could be installed without impeding traffic.

Chair Harding closed public comment. There was no further council discussion. Chair Harding called for a vote on the implied motion.

Vote:	The motion approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.
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Adjournment

The meeting was adjourned by unanimous consent at approximately 6:21 p.m.