



## PROVO MUNICIPAL COUNCIL Work Meeting Minutes

12:00 PM, Tuesday, March 10, 2020  
Room 310, Provo City Conference Room  
351 W. Center Street, Provo, UT 84601

### Agenda ([0:00:00](#))

#### Roll Call

The following elected officials were present:

Council Chair George Handley, conducting  
Council Vice-chair David Harding  
Councilor Shannon Ellsworth  
Councilor Bill Fillmore, arrived 3:06 PM  
Councilor Travis Hoban  
Councilor David Sewell  
Councilor David Shipley, arrived 12:08 PM  
Mayor Michelle Kaufusi

#### Prayer

The prayer was given by David Mortensen.

#### Approval of Minutes

October 29, 2019 Work Meeting  
November 12, 2019 Work Meeting  
November 19, 2019 Work Meeting  
December 10, 2019 Work Meeting  
January 7, 2020 Work Meeting  
*Approved by unanimous consent.*

#### Business

1. **A presentation regarding the Provo Police Department's FY 2020-2021 budget.**  
(20-007) ([0:03:14](#))

Police Chief Rich Ferguson presented. He addressed several questions regarding the budget and their plans for the fiscal year, which the Council had sent to all departments in advance of their budget presentations. Chief Ferguson highlighted several specific functions of the Police Department and their approach to crime-fighting, as stated in their mission statement.

Chief Ferguson shared that with 34 neighborhoods in the city, the community policing program is a strong focus of the Provo Police Department. He explained more about their approach to

neighborhoods and community policing. He also addressed the new public safety facility and thanked the Council and Administration for their support of the bond to build the new facility. Chief Ferguson also gave an overview of the Special Operations Division, which includes major crimes. He highlighted the work of the narcotics team in the last year; the total value of street narcotics seized throughout the County which were connected to Provo or Provo officers was a street value totaling \$21.8 million. He explained that the drugs taken off the street also represent crimes that did not happen as a result—fewer crimes happen as a result, because the availability of drugs impacts users who may otherwise steal or commit petty crime to buy drugs; it has a huge community impact.

Chief Ferguson highlighted other operations of the Provo Police Department:

- The school resource officers work with several Provo schools to address fights, crimes of threat, theft, concerns about mass shootings, and issues with sexting and pornography.
- The Provo PD crime analyst does a tremendous job in helping to identify trends and forecast where they should focus enforcement or patrol efforts.
- Volunteer police officers handle traffic assignments on special events, traffic accidents, and unlocking car doors. Volunteer officers provided over 3000 volunteer hours in the last year, or an equivalent of \$80,000 in services.
- The calls of service for transient issues have nearly doubled in the last year.
- Patrol is their busiest division. They concentrate their efforts in areas where accidents happen the most. Every Sunday night, Sgt. Nisha King will put out a warning that they're patrolling more in a certain area. These posts have been effective in reducing incidents.
- Animal control responds not only to animal-related calls, but the staff also assist with crossing guard details and special events.
- The cyber-crimes targets identity theft and other digital fraudulent activity. They work closely with the FBI cyber-crime team.
- In 2019, the Criminal Investigations Division conducted 562 investigations and the Special Victims Unit conducted 430 investigations.
- The PD's victims advocate team is made up of both city employees and grant-funded positions. In the last year, they have served over 1400 residents. They help victims navigate the many confusing or traumatic parts of the criminal justice system.
- The Operations Support Division includes records, evidence, training, internal affairs, fleet, budget, and body-worn cameras. Most civilian staff are part of this division.
- The K-9 division includes some EOD bomb-sniffing dogs, who provide critical services and fast response times to the Provo Airport and other locations in the City. The Department anticipates that they will likely need to replace two K-9s this year.

Chief Ferguson briefly highlighted the supplemental requests which the Police Department received in the last fiscal year. They were funded for seven new police officer positions, which have been filled—this has brought their total number to 115, though they are still short a few due to attrition. Chief Ferguson explained some of the challenges to recruitment and retention and shared a recent recruitment video they worked with Channel 17 to produce. He noted additionally that call volumes for police-only and emergency response calls have both increased substantially since 2012. Though they are making a positive impact, he does not think the increasing volume is sustainable. Despite the increase in call volume, they have seen decreases in these crimes: vehicle theft, burglary, criminal mischief, vehicle burglary, and bike theft. He

credits those decreases to their use of continuous crime data to drive enforcement and police work in determining their response and areas of focus. They are using technology to improve their work. He also noted that their online reporting feature for non-violent crimes has diverted 762 calls, as these issues were addressed online instead.

Captain Brandon Post shared current and past figures illustrating Provo's population, workload analysis, and police staffing rates. He highlighted the recommendations of the PERF (Police Executive Research Forum) study completed in 2012 and comparisons with comparable local jurisdictions. He highlighted disparities with Provo's current police staffing and suggestions for future benchmarks. Captain Post explained in detail the measures and population growth projections the Department had used to calculate their recommended benchmark of 141 sworn officers (an increase of 26 officers) by 2025.

Captain Brian Wolken shared that Chief Ferguson was going to receive the Police Chief of the Year Award later that month. Captain Wolken highlighted the Police's most important needs:

- Funding new officer positions
- Officer car equipment (their actuals are consistently double the budgeted amount; these equipment needs are critical, much of the officers' work is electronic and automated in their vehicles)
- Overtime budget (due to coverage of special events)
- Portable radio replacement (past funding replaced dispatch radios; this could be spread out over the next three years)
- Equipment budget
- Auxiliary vehicle storage building (to store and protect specialty police vehicles)

Chief Ferguson reiterated their budget priorities and requests before inviting questions from Councilors. Councilor Travis Hoban asked how the Council should most effectively examine the budget with this level of detail? Staff explained that these presentations are meant to be preliminary discussions of critical needs of different departments in the City. The Council can better expect what to look for in the draft budget they will receive later on, as they become familiar with the supplemental requests of departments. The Administration will include in the budget their recommendations of which supplemental requests should be funded and how. The process provides a format that guides how the Council will later evaluate the budget. Mr. Handley thanked Chief Ferguson for his excellent service and the dedicated service of his many staff members. He is glad to know that they feel supported and this is a good place to work; they help make our community a wonderful and safe place to live. *Presentation only.*

## **2. A presentation regarding the Capital Improvement Projects (CIP) for FY 2020-2021. (20-045) ([0:54:55](#))**

David Mortensen, Budget Officer, presented an update on the CIP plan for the coming fiscal year. The plan gives a review of large capital projects or purchases the City is planning over the next five years of over \$5000 that will depreciate over time (including vehicle or large equipment purchases, infrastructure projects, etc.). He shared details on the format for the report and provided an overview, focusing on projects new to this year's plan which were not on past plans. He also shared details on the projects' funding status, priority level, and effect on the

operating budget. John Borget, Administrative Services Director, indicated directors from various departments were present to provide more detail in the event of questions.

Several highlights of the presentation and questions included:

- Brian Torgersen, Public Services Division Director, noted that much of the funding for the Airport projects was in the form of grants from the Federal Aviation Administration.
- The Provo River Parkway has been split into several items to account for unique phases or elements of the project.
- The Provo 360 project includes a new human capital management system, which Administrative Services would present on in more detail.
- Mr. Mortensen noted that the wastewater CIP list had previously had some calculation errors, which have been revised and corrected.
- Dave Decker, Public Works Director, provided some clarification on the funding sources for the parallel water line on Canyon Road. *Presentation only.*

**3. A presentation regarding the Administrative Services FY 2020-2021 budget (Finance and Human Resources Divisions only). (20-007) ([1:17:52](#))**

John Borget, Administrative Services Director, presented. This presentation would be focused on Finance and Human Resources; the other functions of Administrative Services would be discussed in April. Regarding the question of how they would proceed if faced with potential budget reductions, Mr. Borget said they would evaluate the services they currently provide, what services are not essential, where they can consolidate rather than duplicate efforts, what services residents and other city departments rely on, and what the consequences of eliminating a particular service would be. Mr. Borget said that they received one of their supplemental requests last year and have hired an information security analyst who reports directly to Administrative Services and has worked to get cyber-security controls in place. They have reviewed each department's security needs, established cyber-security policies, and strengthened the security controls that are in place. Mr. Borget also highlighted where the Council and public can find information about financial reporting, the city budget, and the city debt. Regarding the Finance division's budget, Mr. Borget indicated that their budget was adequate and they did not recommend any additional funding.

Daniel Softley, Human Resources Division Director, presented on the HR operations. He highlighted the various functions of HR. Recently, HR has enhanced trainings by developing a live harassment training, tracking training and developing new training courses, and they hope to enhance training opportunities for non-supervisors as well. HR also continues their efforts for fair compensation; they conduct an annual compensation study and their findings are reflected in adjustments each year in the proposed budget. Mr. Softley explained changes to the Utah State Retirement system's Tier 2 Public Safety and Firefighter program. Based on legislation passed during the last couple of years by the state legislature, changes would go into place in July.

Mr. Softley highlighted how Tier 2 had operated historically, the recent changes, and what the implications were for the City. He recommended a course of action that would be internally consistent (matching the approach for Tier 1 firefighters' retirement) and that would also keep the City's position competitive compared to competing employers. A decision would need to be

finalized and put into action by the City by July 1, 2020. Mr. Softley explained that other retirement plans for regular city employees would remain static. Councilor David Shipley asked whether this was a one-time cost and how many employees it would impact. Mr. Softley said the total budget impact would be about \$154,000 and would impact 50-60 employees. Wayne Parker, CAO, added that it would be an ongoing expense, but they did not expect it to be that large going forward. Councilors were generally supportive. Mr. Borget invited them to discuss the changes further with both the Police and Fire Chiefs for more insight.

Mr. Softley shared more detail on the new human capital management (HCM) system for HR. They were currently going through the selection and recommendation process to choose the final system. Current HR uses a number of disparate software programs for many different functions, which results in data redundancies and lost efficiency. They have followed the guiding philosophies of the Provo 360 project in identifying the system requirements, how they might consolidate them, and how they can streamline the employee experience. Mr. Softley shared information about the RFP process, vendor selection, demonstrations, the determining factors in their final choice, software longevity, past savings, and the associated costs for a new program. Their final choice was the program Workday and May 2021 is the projected go-live date. In response to a question from Councilor Travis Hoban about implementation fees, Mr. Parker explained that typically, they conduct a financial analysis making comparisons over a 10-year period, considering the implementation costs, staffing costs, cost savings from eliminating redundant systems, and yearly maintenance costs. Based on this analysis, Workday was the best solution; it also was the best for functional requirements. The budget impact for implementation was about \$2,184,800, which would be less than upgrading the current system to keep it viable.

Mr. Borget explained that the main challenge with this solution was funding the implementation costs. The Provo 360 executive steering committee has explored doing a five-year interfund loan with the Energy Department at an interest rate of 2.5%. Mr. Borget reviewed the state guidelines for interfund loans and how this loan would comply with the requirements. Under the terms of the interfund loan, there would be annual payments of \$470,271 over five years (with 50% of the payments funded by the General Fund, 25% from Energy, and 25% from Public Works—the same formula used for Provo 360). If the Council was supportive, Mr. Borget indicated that a resolution authorizing the interfund loan would be presented at the next Council Meeting. The Administration wanted to be clear about the impacts of doing an interfund loan, as it would mean that less funding would be available in the enterprise funds for other purposes. However, they felt the benefits were critical—a viable HR system is an essential part of the city organization and their current solution is not sustainable.

Councilor David Shipley expressed his concern about approving this interfund loan when the Council did not yet know the full scope of the fiscal year 2021 budget; it was challenging to know just what impact the annual loan payments had when the Council did not know the budget requests and total amount. Mr. Borget acknowledged the difficulty and they hoped to report back to the Council with more information soon to help inform their decision. ***Presentation only. This item would be brought back to the Work and Council Meetings on March 31, 2020.***

**4. A presentation regarding Library Services' FY 2020-2021 budget. (20-007) (2:14:41)**



Gene Nelson, Library Director, presented. The library is an unusual entity for new Councilors, as it has its own funding sources through property tax (about 80% of their revenue) and fees, which protects their services and allows them to weather tough economic times. The library also has a legacy endowment fund, in which they have significant savings invested. He introduced Carla Gordon, Assistant Director, and Cindy Rowe, Executive Assistant who were also present. Mr. Nelson shared details from their strategic plan, which would be presented to the Library Board later that week. Mr. Nelson explained that their measure of success over the next several years was getting kids interested in the library and its offerings.

Mr. Nelson outlined elements of the library budget, of which about 62% is devoted to staff. The library relies heavily on part-time staff with some full-time staff, which provides the necessary support and sustainable staffing levels. Operating expenses account for 28% of their budget and 11% is spent on new materials and resources for physical and digital circulation. Mr. Nelson highlighted other areas in which the library is a community and cultural asset, providing many events and cultural experiences and opportunities. The library is also involved with raising awareness about Provo history, and local arts, dance, music, and drama organizations. Mr. Nelson shared information about current exhibits on display, recent author events, and more information about the kinds of programs the library runs. *Presentation only.*

## **5. A presentation regarding the regulation of short-term rentals. (20-049) ([2:33:15](#))**

John Magness, Policy Analyst, presented. Mr. Magness shared details about short-term rentals, which are a modern version of vacation rentals, most of which happen peer-to-peer rather than through a real estate agent. These rentals may be an entire residence, a spare bedroom, secondary apartment, or even an RV trailer. Hosts tend to be older owners nearing retirement, who may have extra space or secondary homes. Guests tend to be younger; Gen Z makes up about 14% of the rental market despite being a smaller proportion of the population. Mr. Magness highlighted several economic models of short-term rentals; sometimes, they are a result of a homeowner looking to make extra revenue. The more troubling model is when investors buy homes in desirable areas and turn them into short-term rentals exclusively (moving them thereby from the long-term to short-term market). This latter scenario often happens in highly touristed areas. While there are economic benefits such as increased revenue and home value for homeowners, increased tourism, and more hotel/bed taxes for the local jurisdiction, it can also cause a loss of affordable housing and gentrification in areas with high tourism. Neighborhoods may experience increased traffic, noise, bad guests, or bad hosts (who may be absent and not properly care for the property).

Mr. Magness highlighted some of the legal issues regulating short-term rentals. There could be equal protection issues if short-term rentals are treated differently than bed-and-breakfasts. Utah State Code also prohibits municipalities from using rental listings to enforce on rentals.

Mr. Magness shared data from Provo's short-term rentals and the enforcement data. He outlined several options for regulating short-term rentals:

- Keep it as it is currently
- Expand the bed and breakfast ordinance to include short-term rentals
- Create a new ordinance specifically to address short-term rentals

Councilors shared comments and asked questions about short-term rental policies:

- Councilor George Handley felt that the most consequential negative impact was when investors buy up multiple properties exclusively for short-term rentals. He thought that there were definite positive benefits economically and locally. He suggested a flexible system that would retain these positive benefits while not disrupting quality of life.
- Councilor Travis Hoban felt that the current number of short-term rentals was not troubling, but if the City expected to see dramatic growth, then it seemed like more of a problem. Mr. Magness commented that short-term rentals tend to cluster, so there were concerns with gentrification and artificially inflated housing prices. Wayne Parker, CAO, shared further comments about specific issues and the City's enforcement response.
- Councilor David Harding shared concerns about protecting neighborhoods, while maximizing the benefits and minimizing the negative effects of short-term rentals.
- Councilor Shannon Ellsworth noted that in her neighborhood, she has a home that was historically not well-kept but dramatically improved its appearance after becoming an Airbnb. She noted similar things in other areas of the City.
- Gary McGinn, Community and Neighborhood Services Director, recommended that short-term rentals be regulated or licensed in some manners.

***Presentation only. The Council discussed the possibility of creating an ad hoc committee to address issues for short-term rentals.***

**6. A presentation regarding Stormwater Quality Updates. (20-050) ([2:55:06](#))**

Rob Hunter, Engineer, presented. He highlighted past presentations, noting the State standard for MS4 permits which went into effect on March 1. The change introduces permitting requirements which must be met before water is discharged to state waters, in order to limit the impact of development on downstream systems. Mr. Hunter shared more details of low-impact development and how this would be implemented in Provo. In response to a question from Councilor George Handley regarding bioretention cells, Mr. Hunter explained that they are designed with desert-sustainable, drought-tolerant plants. Mr. Hunter reviewed specific sections of the drainage manual and plan and he highlighted specific changes, which were meant to bring the City's policies into alignment with state code. ***Presentation only.***

**7. A discussion regarding licensing for restaurants with ancillary breweries. (20-057) ([3:11:19](#))**

Hannah Salzl, Policy Analyst, presented. Ms. Salzl provided an update to the Council, sharing details on different alcohol license types and the state requirements which are regulated by the DABC. Brian Jones, Council Attorney, clarified that the local consent is required to be done by the governing body; Provo City ordinance passed by the Council delegates that authority to the Mayor. Wayne Parker, CAO, noted that a few standards in Provo are not in compliance with the State code, as they are stricter than what is required by State code.

Councilors shared comments and questions during the discussion, including:

- Councilor Shannon Ellsworth wondered how much the Council was going to change the City's alcohol ordinances in the next few months. She wondered whether it was limited

- to creating a licensing structure and definitions for brewpubs, or more extensive updates.
- Several Councilors felt that a comprehensive look which would address changes holistically was ideal.
  - Councilor George Handley expressed that he has heard concerns about alcohol consumption and public safety downtown; he felt that a broad look would demonstrate that the Council took those concerns seriously.
  - Ms. Ellsworth felt it was also important to consider transparency in the context of the timeline. She worried that having much of the discussions in the committee would create pushback from the public about transparency. She suggested addressing brewpubs first, then moving on to consider the rest of the City's alcohol regulations. She was also concerned that the committee's work would be politicized due to the contentious issue.
  - Councilor Bill Fillmore felt that brewpubs needed to be consistent with the rest of the City's alcohol ordinance and he felt that merited a comprehensive review.
  - Mr. Handley did not want anyone to have the perception that there is a rush or that the process was closed-door. Rather, he felt it would be important to reassure the public that the Council or committee was examining the broader issues as well as the brewpub licensing regulations.
  - Councilor David Sewell suggested that based on public interest, perhaps it might be helpful or important to do this as a committee of the whole (or more than three Councilors) in order to have public committee meetings. Ms. Ellsworth supported this idea as well. Mr. Handley expressed concern about fitting more discussions into Work Meetings; having a committee of the whole generally means that things take longer.

In response to Ms. Ellsworth's initial question, staff recommended first addressing brewpub licensing given that it was a time-sensitive issue. Cliff Strachan, Council Executive Director, suggested a tight scope was recommended so the changes could be implemented soon. Mr. Jones noted the potential for one or more voter referendums on the licensing regulations. He clarified the timelines and requirements for referendums on land use laws versus on different types of laws. Mr. Strachan also noted that the committee simply brings prepared recommendations to the Council, at which point the Council has an open process of review, as well as soliciting comments via Open City Hall and getting more public coverage by the Daily Herald.

**Motion:** David Harding moved to recommend creating a committee to look at beer licensing, comprised of three Council members (two of whom voted in favor of the land use change, with one who voted against it), with the mission statement: "to review current city policy regarding beer licenses, study best practices and options for regulation, recommend city policy and regulations for beer licenses to the council, and make a recommendation or an update by April 21. Seconded by George Handley.

There was some discussion of the proposed timeline. Mr. Strachan indicated that staff could work with the committee to have a recommendation coming back to the Council at the March 31 Work Meeting. Regarding the question of public notice and open committee meetings, Mr. Jones expressed that it was up to the Council to determine what process they felt was right and what the intent for that process is. He noted that often, subcommittees are designed to allow brainstorming sessions where frank and open discussions can be had about whether certain ideas were even permissible; these types of conversations did not work as well in the public eye.



Mr. Jones also noted that if the Council did not approve licensing before April 15, then any referendum action would be deferred until the 2021 election. With the current referendum on the land use law, there could be referendum elections in both 2020 and 2021. The timeline was up to the Council, but he simply wanted to register the consequence of not acting before April 15. Mr. Jones noted that even if the Council wanted the committee to do a comprehensive review, there may be a benefit in addressing the brewpub licensing in its own ordinance. Ms. Ellsworth supported that approach; she felt the committee could be more efficient addressing the brewpub ordinance initially, then moving on to a broader review after that.

**Amended Motion:** David Harding amended the motion to make a recommendation by March 31<sup>st</sup>. Seconded by George Handley.

Councilors shared additional comments and discussion:

- Mr. Harding felt there was value in revisiting the ordinance comprehensively.
- Mr. Sewell suggested finding a compromise that appealed to both sides of the issue.
- Mr. Strachan explained that as staff, they were trying to help the Council with the decision they had made and to help protect that decision. If the Council did a comprehensive ordinance and it went to a referendum, they would still be left with the existing licensing structure that already exists.
- Councilor Travis Hoban thought a three-week timeline was unrealistic as there was a lot the committee hoped to accomplish in that time by focusing on so much.
- Ms. Ellsworth commented that she noticed an underlying assumption about wanting to limit alcohol in our community; she felt this was a dangerous assumption. Mr. Handley noted that it was certainly expressed as a concern by several Councilors and members of the community at the time of the earlier decision. Ms. Ellsworth did not feel that was the intent or motive of wanting to revisit the entire ordinance; she felt it could be one of the considerations, but it was troubling to her if it was the whole basis.
- Several Councilors were supportive of addressing brewpub licensing in the coming weeks, with the broader review to follow. Because the issue has been so contentious, several Councilors were anxious to reach consensus and not drag out the process.

**Substitute Motion:** Bill Fillmore moved to substitute alcohol for beer in the wording of the original motion. Seconded by David Harding.

Mr. Jones clarified that all the City's regulations are about only beer, but all existing regulations for alcohol are regulated by the State. Mr. Fillmore clarified that he was simply suggesting a look at the big picture. Councilor David Shipley shared his thoughts, echoing the need to move quickly on the brewpub licensing component. He was fine with the committee taking a broader look at all beer and alcohol licensing.

**Motion:** David Harding moved to approve the substitute motion to substitute alcohol for beer in the original motion. Seconded by George Handley.

**Vote:** Approved 7:0.

The original motion was updated to reflect the agreed-upon changes:

**Motion:** David Harding moved to recommend creating a committee to look at alcohol licensing, comprised of three Council members (two of whom voted in favor of land use change, with one who voted against it), with the mission statement: “to review current city policy regarding alcohol licenses, study best practices and options for regulation, recommend city policy and regulations for alcohol licenses to the Council, and make a recommendation or an update by March 31. Seconded by George Handley.

**Vote:** Approved 7:0.

**Motion:** David Sewell moved to have Dave Harding serve as chair, Dave Sewell as Vice-chair, and Shannon Ellsworth as a committee member. Seconded by Bill Fillmore.

**Vote:** Approved 7:0.

## **Redevelopment Agency**

**8. A discussion regarding Interlocal Agreements regarding the Medical School project between the Redevelopment Agency of Provo City and Provo City, Utah County, Provo School District, and the Central Utah Water Conservancy District. (20-051, 54-56) This item was already scheduled for the Council Meeting on March 10, 2020. The presentation was continued to the evening meeting.**

**9. A discussion regarding the Project Area Plan and budget for The Mix Community Reinvestment Project Area. (20-052) This item was already scheduled for the Council Meeting on March 10, 2020. The presentation was continued to the evening meeting.**

## **Policy Items Referred from the Planning Commission**

**10. A discussion regarding the Utah County Health Department’s preparations for COVID-19 (novel coronavirus). (20-061) ([4:00:07](#))**

Ralph Clegg, Executive Director of the Utah County Health Department, presented. Mr. Clegg shared details about the worldwide statistics and details of COVID-19 or novel coronavirus. He highlighted vulnerable populations who may have more concerns. The virus is spread primarily through droplets in the air; Mr. Clegg clarified several misconceptions which have been dispelled by recent research findings. The scientific and medical community considers that individuals are at the most risk if they have been within six feet of an individual infected with the virus. Mr. Clegg highlighted challenges that may occur in different industries; industries or occupations with generous sick leave policies will be better off, but others may have to quarantine their full staff if someone is exposed to the virus. Mr. Clegg clarified the meaning of two technical terms; “isolated” is used to refer to someone’s actions who has the disease. “Quarantine” is used for individuals who are observing to see whether they develop symptoms.

Currently, the COVID-19 pandemic constitutes most of what the Health Department is doing right now. Their officials meet with regularly with other County officials and emergency managers, as well as several times weekly with the State Health Department. They are trying to distribute a uniform message throughout the state, particularly as regards mass gatherings or meetings. He noted that social media has been very helpful in getting word out quickly. He

invited questions from Councilors. Councilors' questions and comments included:

- Councilor Bill Fillmore asked about testing kits and how it is determined if an individual or group should be quarantined or isolated. Mr. Clegg indicated that the local jurisdiction makes those types of calls. He noted that most doctor's offices have testing kits now, at an adequate supply level for testing individuals who meet the testing criteria. He suspected that the testing supply was inadequate for testing everyone in the area.
- Fire Chief Jim Miguel offered clarification on how the Fire Department handles contagious diseases when they have employees living in shared quarters. He noted that the department was equipped with exposure precautions. Mr. Clegg added the extra steps in place for first responders and the proactive approach being used to determine if EMTs or other responders should enter a home wearing personal protective equipment.
- Councilor Shannon Ellsworth expressed concern about whether the County Health Department was sufficiently equipped due to County budget cuts.

Council Chair George Handley expressed appreciation for the County Health Department's efforts as well as the Council's interest in any precautions they recommend. Mr. Clegg indicated that once guidelines were finalized, they would be sharing those with cities. In the meantime, he suggests staying home if you are sick and practicing good personal hygiene. *Presentation only.*

**11. An ordinance amending the Provo City General Plan relating to The Transportation Master Plan. Citywide Application. (PLGPA20200038) ([4:11:17](#))**

Robert Mills, Planner, presented. The Transportation Master Plan (TMP) is required to be updated every five years. The TMP will be adopted as a part of the General Plan. Cliff Strachan, Council Executive Director, asked several clarifying questions about the process. Mr. Mills explained that the Council can make specific recommendations about sections of the TMP. Councilor Bill Fillmore asked about the timing of approving the plan; Mr. Mills explained that the TMP is very important for future planning for Provo and it deserved a great deal of examination.

Shane Winters, Traffic Engineer, explained that this master plan has been in progress for two years. He introduced Vern Keeslar, a consultant at Parametrix, who has been on the project since December 2018. Mr. Winters explained that this was a significant rewrite of the former TMP; 153 pages were completely redone, there were 33 changes to the major and local streets plan, and new and revised cross-sections. They have worked closely with the Planning Commission, Transportation and Mobility Advisory Committee, and Council at numerous meetings and hearings. They have also integrated governing documents for the City's impact fees. Mr. Winters highlighted the active transportation plan, which was completely new and quite extensive.

Mr. Keeslar noted that the City Council has adopted a couple segments of the TMP already. He highlighted these sections as well as previous versions of the TMP which included provisions for 820 North and 2230 North which were now raising ire in the community. Mr. Keeslar noted that one of his senior engineers was present to help answer questions; he wanted to make their presentation in the designated time, but he also wanted to be thorough in answering any questions the Councilors had. George Handley, Council Chair, suggested that Councilors ask questions during the presentation but defer receiving the answers until the Council Meeting that evening; he hoped that staff could gain insight into what information they should be prepared with to answer

those questions later. Councilors' questions included:

- Councilor Travis Hoban noted that the data did not show 820 North as needing five lanes at least through 2040. He wondered why a decision was made to go to five lanes without data to support that.
- Councilor Shannon Ellsworth asked if there were a more recent version of the TMP that was updated after it went to the Planning Commission.
- Councilor David Shipley asked how important it was for the Council to consider placeholders with a dollar-amount for impact fees for east-west connectivity. He wondered how critical this was to being able to accurately charge impact fees for new construction.

Charles Allen, engineer at Parametrix, and Mr. Winters responded to Mr. Hoban's question about 820 North. Mr. Allen highlighted the importance of 820 North as a future interchange in the context of the capacity of the Center Street and University Avenue interchanges. Mr. Winters explained that part of the issue with 820 North is that the bridge needs to be rebuilt in the coming years. If they will be spending significant funds on a bridge, they wanted to be sure to appropriately plan for future capacity or expansion needs, so that the bridge would not need to be redone again in a few years simply to meet those specifications. They have studied that entire corridor and UDOT has explored doing an interchange study of 820 North. In response to Mr. Shipley's question, Mr. Keeslar noted that only the segments in phase 1 of the 820 North corridor project were coming from impact fees; \$70 million was not a placeholder for impact fees. Mr. Winters also clarified that the TMP does not include an interchange at this time.

Councilor David Sewell asked how much the design of an interchange would impact the design of the 820 North expansion. Mr. Winters explained there was not yet a predetermined location. Councilor Bill Fillmore asked about the \$75 million price-tag for the full expansion and where that funding would come from. Mr. Winters explained that because it would be a regionally significant project, the City would likely receive a lot of funds from Mountainland Association of Governments; there would likely be federal, state, and county funds designated for the project.

Councilor David Harding expressed appreciation for the update which expanded the section on the active transportation network in west Provo. He commented that to him, the biggest gap in the street network is east-west connectivity at 600 South. Since the airport is to the west and the intermodal hub to the east, he would like to at least see this area identified for future consideration of solutions to address those issues. Mr. Winters said that there were no capacity issues there now, but there were likely mobility needs which should be addressed. ***Presentation only. This item was already scheduled for the Council Meeting on March 10, 2020.***

- 12. An ordinance amending the Provo City Code relating to the Professional Office (PO) Zone to allow private educational services as a conditional use. Citywide application. (PLOT20200047) *This item was already scheduled for the Council Meeting on March 10, 2020. The presentation was continued to the evening meeting.***
- 13. A discussion regarding ordinances approving various amendments to Provo City Code Title 14 for consistency and stylistic purposes (PLOT20200042) and amending Section 15.08.060 (Impact Fee Calculations). Citywide application. (PLOT20200042) *This item was already scheduled for the Council Meeting on***

***March 10, 2020. The presentation was continued to the evening meeting.***

### **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.

**Motion:** Bill Fillmore moved to close the meeting. Seconded by Shannon Ellsworth.

**Vote:** Approved 7:0.

### **Adjournment**

***Adjourned by unanimous consent.***