



PROVO MUNICIPAL COUNCIL

Redevelopment Agency of Provo

Regular Meeting Agenda

5:30 PM, Tuesday, October 06, 2020

Electronic meeting: youtube.com/provocitycouncil

This meeting will be conducted entirely via electronic means. The meeting will be available to the public for live broadcast and on-demand viewing at: youtube.com/provocitycouncil. If you do not have access to the Internet, you can join via telephone following the instructions below about making public comments.

For more information regarding the City Community Safety Plan for COVID-19 and related City facility closures, please visit: provo.org/covid19

TO MAKE A PUBLIC COMMENT:

To participate in the public comment portion(s) of the meeting, call in as an audience member as the presentation is wrapping up. Be sure to mute/silence any external audio on your end to reduce feedback (if you are viewing the live proceedings on YouTube, mute the YouTube video; you will be able to hear the meeting audio through the phone while you are on the line).

Press *9 from your phone to indicate that you would like to speak. When you are invited to speak, the meeting host will grant you speaking permission, calling on you by the last four digits of your phone number. Please begin by stating your first and last name, and city of residence for the record. After you have shared your comment, hang up. If you wish to comment on a later item, simply re-dial to rejoin the meeting for any subsequent comment period(s).

October 06 Council Meeting: Dial 346 248 7799. Enter Meeting ID 891 0282 9589 and press #. When asked for a participant ID, press #.

Decorum

The Council requests that citizens help maintain the decorum of the meeting by turning off electronic devices, being respectful to the Council and others, and refraining from applauding during the proceedings of the meeting.

Opening Ceremony

Roll Call
Prayer
Pledge of Allegiance

Presentations, Proclamations, and Awards

1. A presentation by Counselor Shannon Ellsworth commemorating the ratification of the 19th Amendment of the United States Constitution. (20-236)

Public Comment

Fifteen minutes have been set aside for any person to express ideas, concerns, comments, or issues that are not on the agenda:

Please state your name and city of residence into the microphone.

Please limit your comments to two minutes.

State Law prohibits the Council from acting on items that do not appear on the agenda.

Consent Agenda

Approval of Minutes

- o March 10, 2020 Council Meeting Minutes
- o August 18, 2020 Council Meeting Minutes
- o September 1, 2020 Council Meeting Minutes

2. Qwest Corporation d/b/a CenturyLink QC Franchise Agreement (20-091)
3. A resolution of the Provo City Municipal Council outlining support for the Provo School District General Obligation Bond. (20-115)

Redevelopment Agency of Provo

4. Blue Sky Tax Increment Proposal (20-230)
5. Riverwoods Community Reinvestment Project Area Interlocal Agreements. (20-231)

Action Agenda

6. Blue Sky Tax Increment Proposal. (20-230)
7. Riverwoods Community Reinvestment Project Area Interlocal Agreements. (20-231)
8. A resolution authorizing the issuance of Wastewater Revenue Bonds of Provo City, Utah. (20-102)
9. An ordinance amending the zone map classification of approximately 2.31 acres at 4100 N Canyon Road and 3.42 acres at 3956 N Canyon Road from Residential Agriculture (RA) to Residential (R1.10). North Timpview Neighborhood. (PLRZ20200217)
10. An ordinance amending Provo City Code relating to condominiums. Citywide Application. (PLOT20200228)
11. An ordinance amending the Zone Map classification of approximately 0.5 acres of real property, generally located at 2022 W Center Street, from Residential Agriculture (RA) To General Commercial (CG). Fort Utah Neighborhood. (PLRZ20200275)
12. An ordinance amending Provo City Code regarding swimming pool fencing and

covering. Citywide Application. (PLOT20200286)

13. An ordinance amending the Low Density Residential (LDR) and Very Low Density Residential (VLDR) Zones. Citywide Application. (PLOT20200274)
14. An ordinance amending the zone map classification of approximately 0.25 acres of real property, generally located at 189 S 500 W, from Residential Conservation (RC) to Very Low Density Residential (VLDR). Franklin Neighborhood. (PLRZ20200124)
15. ***CONTINUED*** D. R. Horton, Inc. requests a Zone Change from A1.20 to the Low Density Residential (LDR) zone for approximately 18 acres, located at 1920 S 500 W. Lakewood Neighborhood (PLRZ20190182)
16. ***CONTINUED***The Development Services Dept. requests a Zone Change from Neighborhood Shopping Center (SC2) to Medium Density Residential for approximately 11 acres, located at 1920 W Center Street. Fort Utah Neighborhood (PLRZ20200282)

Adjournment

Provo City Municipal Council Chair's Statement re Open and Public Meetings Act

In accordance with Utah Code 52-4-207(4)* I have determined that conducting meetings of the Municipal Council with an anchor location, such as the Municipal Council Chamber, presents a substantial risk to the health and safety of those who may be present there. These are the facts upon which I have made this determination:

- Utah has been in a declared state of emergency due to novel coronavirus disease 2019 (COVID-19) since March 6, 2020, a disease outbreak which the World Health Organization has characterized as a pandemic.
- The Centers for Disease Control and Prevention (CDC) state that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes, or talks, and it may be spread by people who are non-symptomatic.
- Federal, state, and local authorities have recommended that individuals limit public gatherings, wear facemasks, and follow social distancing guidelines.
- The Provo City Council has adopted a local mask requirement "in indoor areas accessible to the public, including without limitation businesses and City buildings, where social distancing is not possible, reasonable, or prudent."
- As reported by the Utah Department of Health, reported COVID-19 cases (as measured by the number of cases per 100,000 people) in Provo continue to rise at a significantly higher rate than reported rates for the county and the state.
- Physical distancing measures will be difficult to set up and maintain in the Provo City Municipal Council Chamber.

Therefore, for the next 30 days, all meetings of the Municipal Council will be conducted entirely via electronic means:

- Council meetings are broadcast live and available later on demand at [youtube.com/provocitycouncil](https://www.youtube.com/provocitycouncil).
- Agendas and support materials are available at agendas.provo.org.
- To make a public comment or to join a meeting via telephone, follow the instructions provided on public notices of each meeting.

- To send comments to the Council or weigh in on current issues, visit opencityhall.provo.org or email the Council at council@provo.org.

-George Handley, Chair, September 8, 2020

I have determined that conducting meetings of the Governing Board of the Redevelopment Agency of Provo City is subject to the same risks identified above based on the facts stated herein. Therefore, I adopt the same procedures listed above for meetings of the RDA Governing Board.

-David Sewell, RDA Chair, September 8, 2020

* As amended by HB5002, *Open and Public Meetings Act Amendments*, (2020 Fifth Special Session), Utah Code Annotated (UCA) 52-4-207(4) provides that a public body may convene and conduct an electronic meeting without an anchor location if the chair of the public body:

- (a) makes a written determination that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location;
- (b) states in the written determination described in Subsection (4)(a) the facts upon which the determination is based;
- (c) includes in the public notice for the meeting, and reads at the beginning of the meeting, the information described in Subsections (4)(a) and (b); and
- (d) includes in the public notice information on how a member of the public may view or make a comment at the meeting.

UCA 52-4-207(5) states that a written determination described in Subsections (4)(a) and (b) expires 30 days after the day on which the chair of the public body makes the determination.

<https://le.utah.gov/~2020S5/bills/static/HB5002.html>

If you have a comment regarding items on the agenda, please contact Councilors at council@provo.org or using their contact information listed at: <http://provo.org/government/city-council/meet-the-council>

Materials and Agenda: agendas.provo.org

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To send comments to the Council or weigh in on current issues, visit OpenCityHall.provo.org.

The next scheduled Council Meeting will be held on 10/20/2020 5:30:00 PM. The meeting will be streamed on YouTube, unless otherwise noticed. The Work Meeting start time is to be determined (typically between 12:00 and 4:00 PM) and will be noticed at least 24 hours prior to the meeting.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the ADA, individuals needing special accommodations (including auxiliary communicative aides and services) during this meeting are invited to notify the Provo Council Office at 351 W. Center, Provo, Utah 84601, phone: (801) 852-6120 or email evanderwerken@provo.org at least three working days prior to the meeting. Council meetings are broadcast live and available for on demand viewing at youtube.com/ProvoCityCouncil.

Notice of Telephonic Communications

One or more Council members may participate by telephone or Internet communication in this meeting. Telephone or Internet communications will be amplified as needed so all Council members and others attending the meeting will be able to hear the person(s) participating electronically as well as those participating in person. The meeting will be conducted using the same procedures applicable to regular Municipal Council meetings.

Notice of Compliance with Public Noticing Regulations

There will be no anchor location for this meeting; it will be conducted exclusively using online means and will be available to view on YouTube at youtube.com/ProvoCityCouncil. This meeting was noticed in compliance with Utah Code 52-4-207(4), which supersedes some requirements listed in Utah Code 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at agendas.provo.org. Council meeting agendas are available through the Utah Public Meeting Notice website at utah.gov/pmn, which also offers email subscriptions to notices.