



PROVO MUNICIPAL COUNCIL

Work Meeting

1:00 PM, Tuesday, October 20, 2020

Electronic meeting: [youtube.com/provocitycouncil](https://www.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](https://www.youtube.com/provocitycouncil). If you do not have access to the Internet, you can join via telephone following the instructions below.

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

To listen to the meeting by phone: October 20 Work Meeting: Dial 346-248-7799. Enter Meeting ID 832 2081 5574 and press #. When asked for a participant ID, press #.

Agenda

Roll Call

Prayer

Business

1. A presentation regarding the 2020 4th Quarter Financial Report. (20-137)
2. An update from Fire Chief Miguel regarding protective equipment purchased with CARES Act funding, plans for Fire Station 21, and needs for the Airport. (20-136)
3. A discussion regarding proposed amendments from the Sign Committee to Provo City Code regarding electronic sign hold times and permitted locations. (20-101)

Policy Items Referred from the Planning Commission

4. An ordinance amending the zone map classification of approx 5.33 acres of real property, generally located at 1724 S State St, from Agricultural (A1.5) & Residential (R1.6) to Community Shopping Center (SC2). Spring Creek Neighborhood. (PLRZ20190426)

Business

5. A discussion regarding a Council policy intent statement for Center Street. (20-138)
6. A presentation regarding the Central Corridor Transit Study's findings. (20-133)
7. A discussion regarding the renewal of certain requirements related to the COVID-19 pandemic responses, including face coverings and public gatherings. (20-118)

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.

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:

- Since March 6, 2020, Utah has been in a declared state of emergency due to novel coronavirus disease 2019 (COVID-19), a disease outbreak which the World Health Organization has characterized as a pandemic. On October 13, 2020, Governor Herbert stated that declaration would be replaced with a public health emergency order.
- Utah's coronavirus task force rates Utah County as an area with a High level of coronavirus transmission.
- The Centers for Disease Control and Prevention state that COVID-19 is easily spread from person to person between people who are in close contact with one another.
- Federal, state, and local authorities have recommended, even required, that individuals limit the size of public gatherings, wear facemasks, and follow social distancing guidelines.
- Provo City has adopted a COVID-19 response ordinance that requires facial coverings, social distancing, and limits on public gatherings.
- Physical distancing measures will be difficult to set up and maintain in the Provo City Municipal Council Chamber and other meeting rooms.

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, October 13, 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, October 13, 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: 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 Transportation Retreat will be held on Tuesday, October 27, 2020. The meeting will be conducted virtually. Work Meetings generally begin between 12 and 4 PM. Council Meetings begin at 5:30 PM. The start time for additional meetings or retreats may vary. All meeting start times are 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.

PROVO MUNICIPAL COUNCIL STAFF REPORT



Submitter: JOHNB
Department: Administrative Services
Requested Meeting Date: 10-20-2020

SUBJECT: A presentation regarding the 2020 4th Quarter Financial Report. (20-137)

RECOMMENDATION: Presentation only.

BACKGROUND: Staff will provide to the Municipal Council a high level overview of the revenues and expenses for the fourth quarter of fiscal 2020.

FISCAL IMPACT: None anticipated

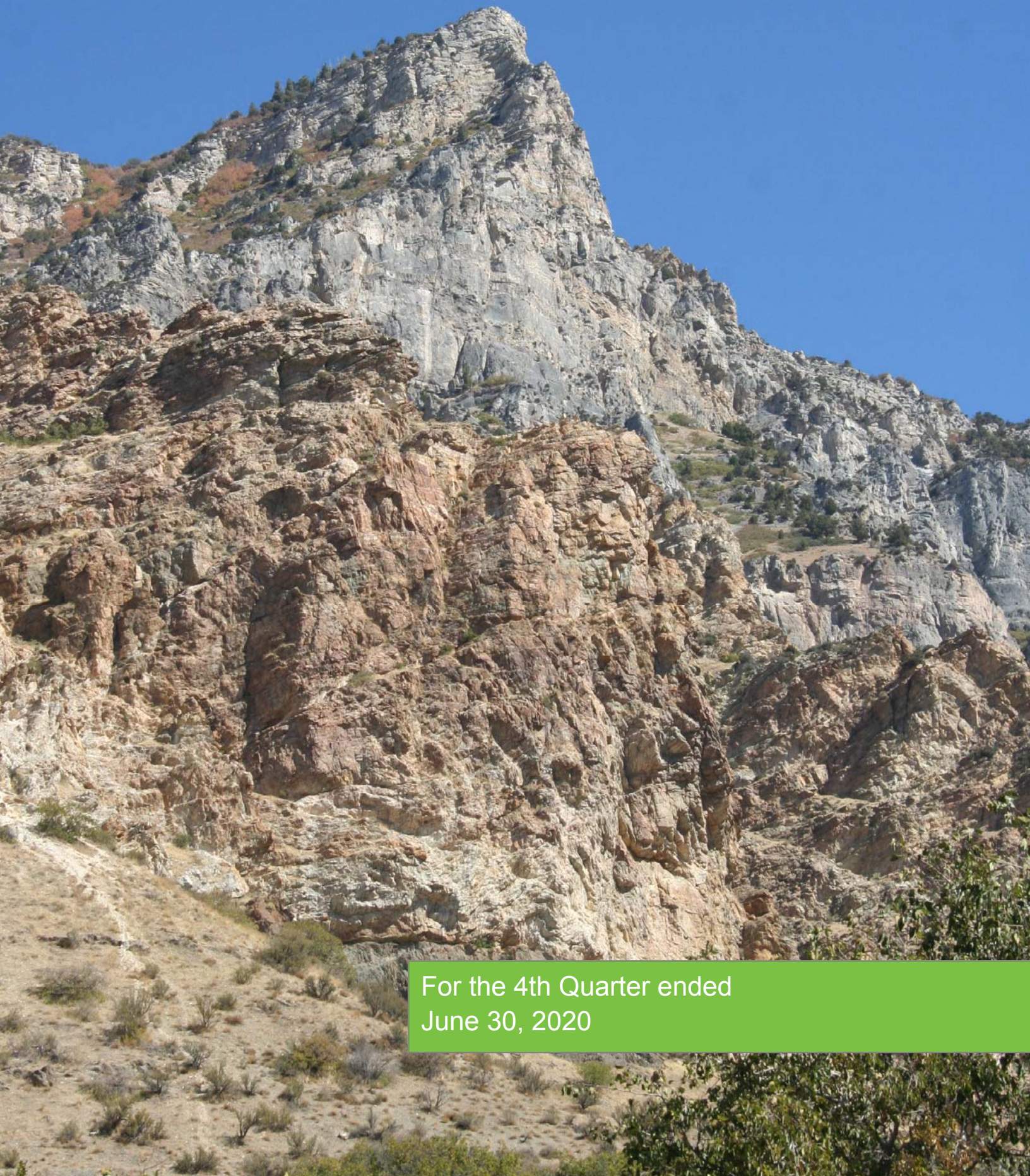
PRESENTER'S NAME: John Borget

REQUESTED DURATION OF PRESENTATION: 15 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 20-137

PROVO CITY QUARTERLY REPORT



For the 4th Quarter ended
June 30, 2020

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Introduction

Purpose

The Quarterly Report is intended to give unaudited, summary information to the reader about Provo City's revenue and expenses for the fourth quarter of fiscal year 2020 ended June 30, 2020. The report includes information about the City's General Fund, Special Revenue funds (Library), and Enterprise funds (Golf Course, Water, Waste Water, Energy, Storm Drain, Sanitation). This report ensures that the City Municipal Council and City Administrators can consistently monitor the City's financial and budgetary transactions, providing timely and transparent financial information that can lead to educated decisions about the City's present and future.



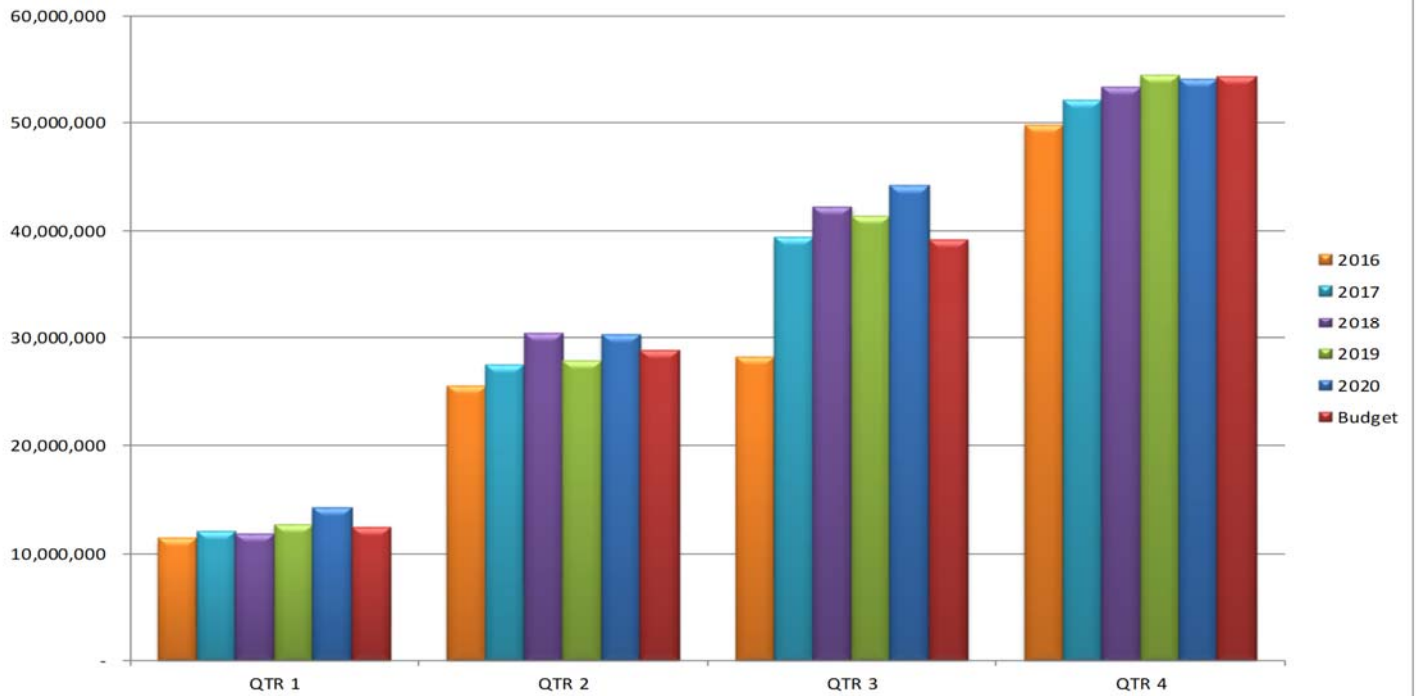
Content

The Quarterly Report contains financial data comparing previous-year revenue and expenditures to current-year actual revenue and expenditures, along with a five-year comparison for each fund. Summaries for significant appropriations done throughout the year are also included. The information in this report is the most accurate and up-to-date information available at the time of publication. Any adjustments required by the City's annual financial audit will be done at the end of the fiscal year, and the numbers are subject to change as the year progresses. No data on revenue and expenditures is final until the City has completed its annual financial audit and issued the Comprehensive Annual Financial Report (CAFR).

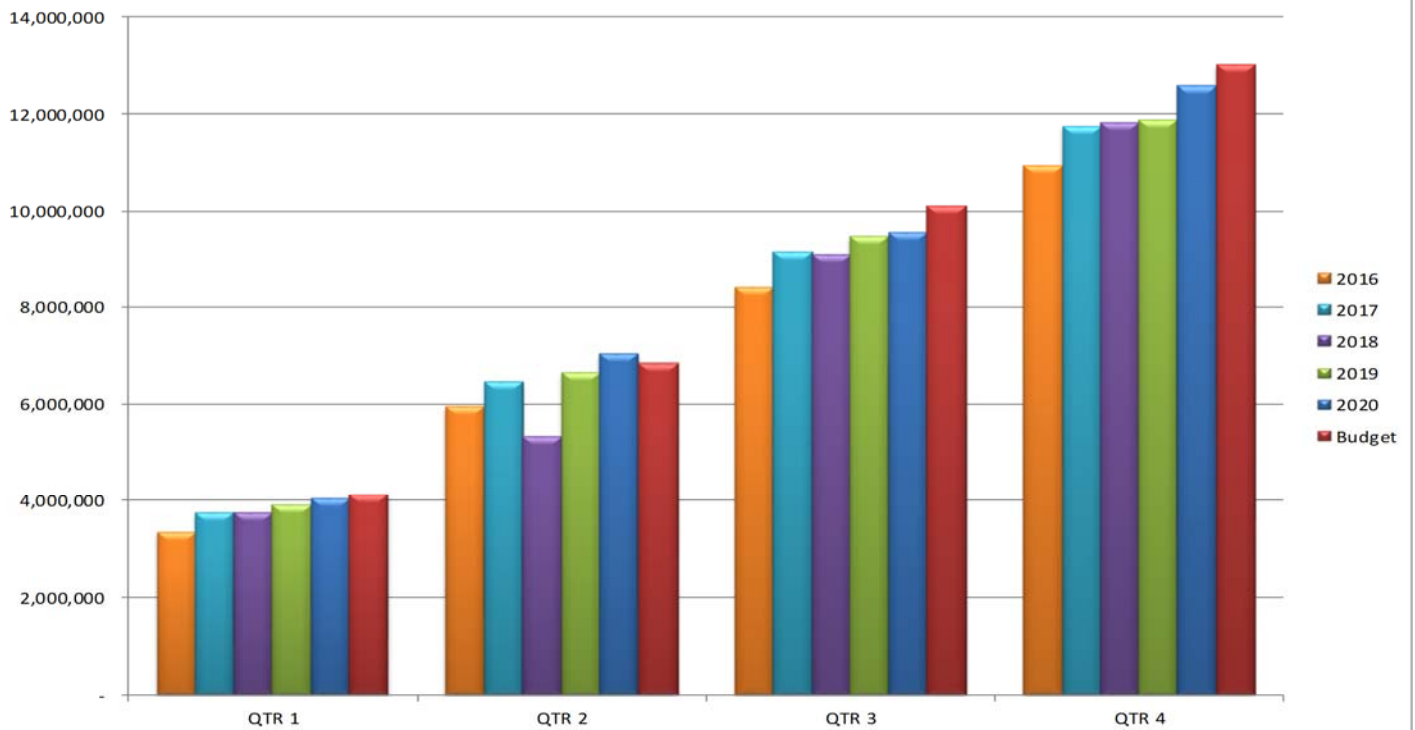
General Fund Revenues and Transfers-in

	Current Month	Current YTD	Prior YTD	Budget	YTD-Budget Difference	%
Revenues:						
CURRENT PROPERTY TAXES	(154,089)	4,781,318	4,580,372	4,848,615	(67,297)	99%
VEHICLE TAXES	(10,621)	314,283	317,293	325,000	(10,717)	97%
TAX REDEMPTION - PRIOR YEAR	(570,582)	403,847	291,684	285,000	118,847	142%
SALES & USE TAXES	1,979,239	20,675,621	19,582,083	19,850,000	825,621	104%
LODGING TAX	30,677	420,979	510,471	495,000	(74,021)	85%
RAP TAX	137,108	1,433,495	1,349,125	1,325,000	108,495	108%
MUNICIPAL ENERGY TAX	51,071	318,089	314,715	200,000	118,089	159%
FRANCHISE FEES	900,619	9,608,480	9,547,031	10,385,575	(777,095)	93%
LICENSE	159,190	1,588,017	1,577,817	1,593,000	(4,983)	100%
INTERGOVERNMENTAL	591,570	5,119,456	5,509,388	4,344,000	775,456	118%
CHARGES FOR SERVICES	387,479	7,662,418	8,756,285	9,045,400	(1,382,982)	85%
FINES	27,813	633,265	661,184	663,791	(30,527)	95%
INVESTMENT INCOME	8,175	279,595	544,293	425,000	(145,405)	66%
MISCELLANEOUS	75,009	769,616	844,273	502,173	267,443	153%
Total	3,612,658	54,008,477	54,386,013	54,287,554	(279,077)	99%
Transfers in:						
TRANSFER FROM ERP DEBT SERVICE	34,929	419,151	398,456	419,151	-	100%
TRANSFER FROM ENGINEERING CIP	4,167	50,000	50,000	50,000	(0)	100%
TRANSFER FROM WATER	182,348	1,650,358	1,506,577	1,583,560	66,798	104%
TRANSFER FROM WASTEWATER	151,127	1,825,236	1,227,236	1,859,550	(34,314)	98%
TRANSFER FROM ENERGY	558,325	7,341,740	7,565,482	7,822,446	(480,706)	94%
TRANSFER FROM SANITATION	58,357	674,779	602,757	651,404	23,375	104%
TRANSFER FROM STORM DRAIN	53,516	627,764	535,609	617,760	10,004	102%
Total	1,042,770	12,589,027	11,886,117	13,003,871	(414,844)	97%

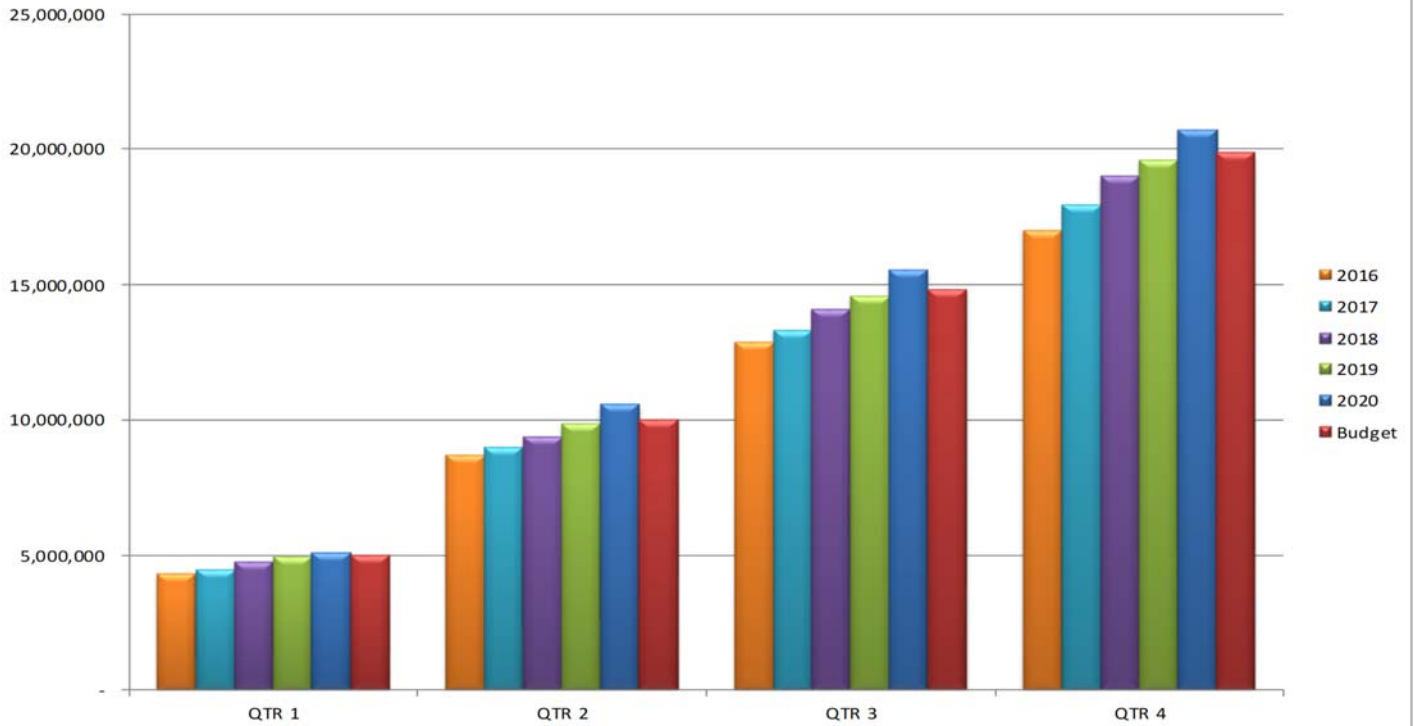
General Fund Revenues



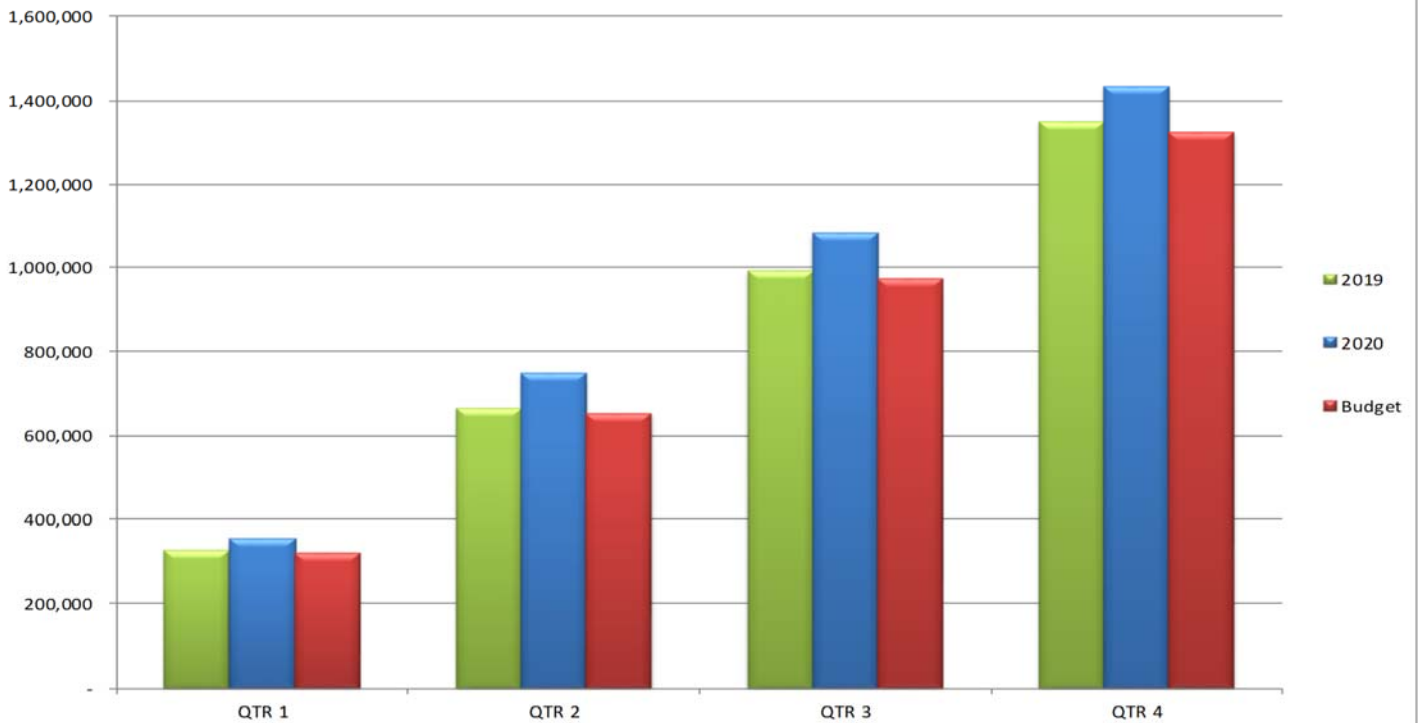
General Fund Transfers in



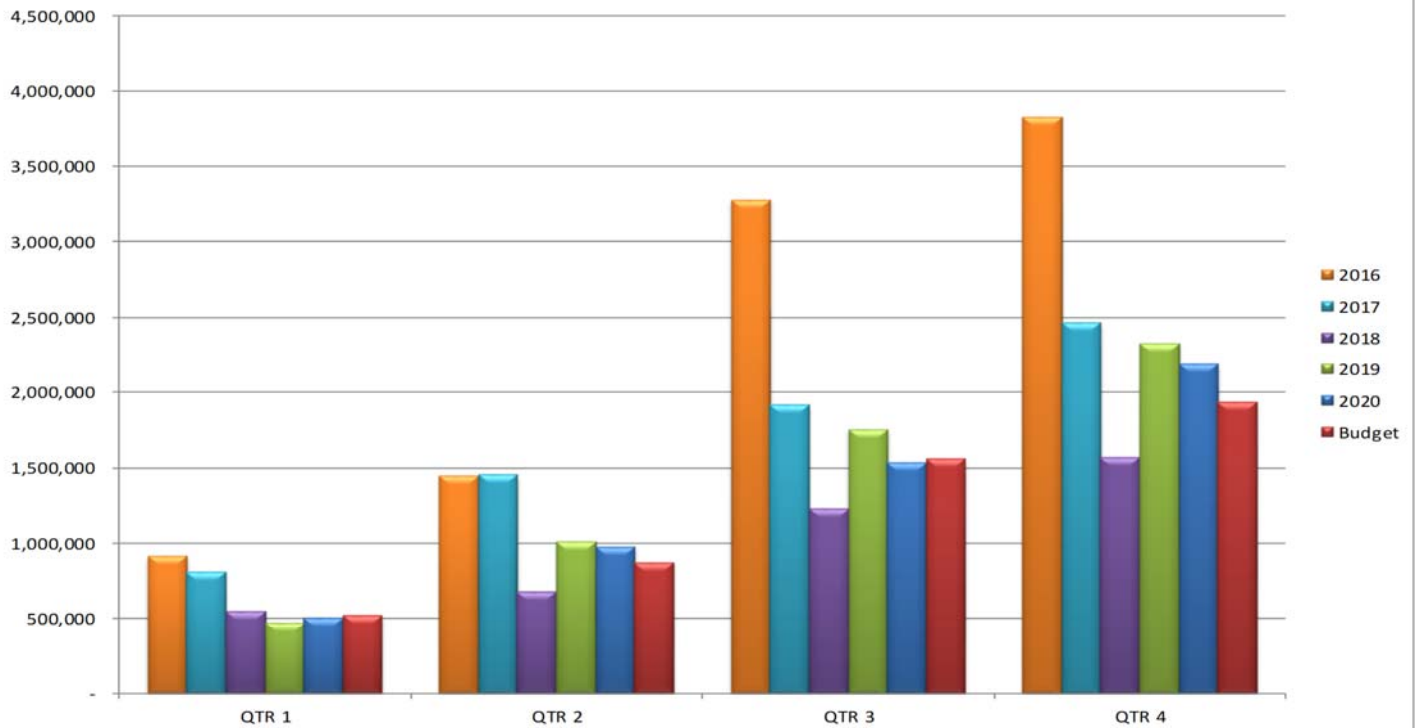
General Fund Sales Tax



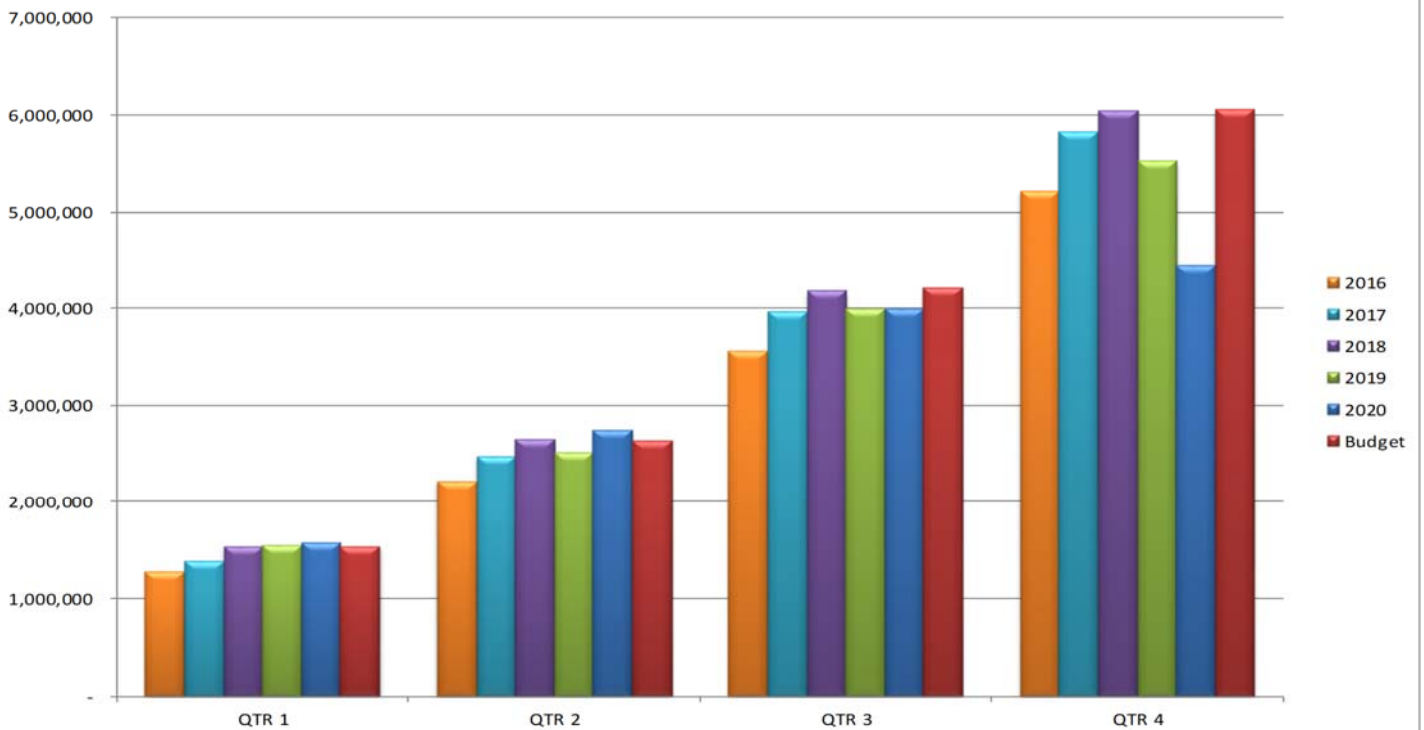
General Fund Recreation, Arts & Parks Tax



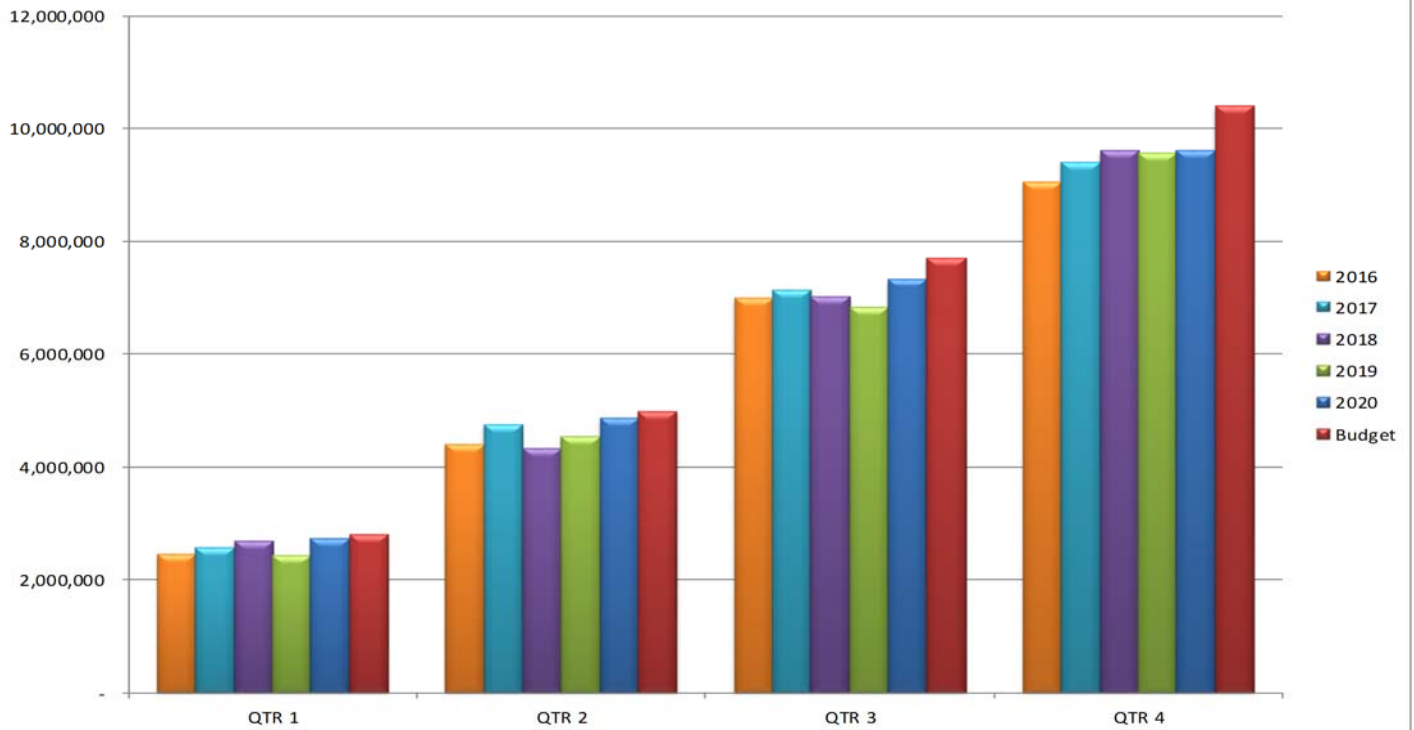
General Fund Community Development Fees



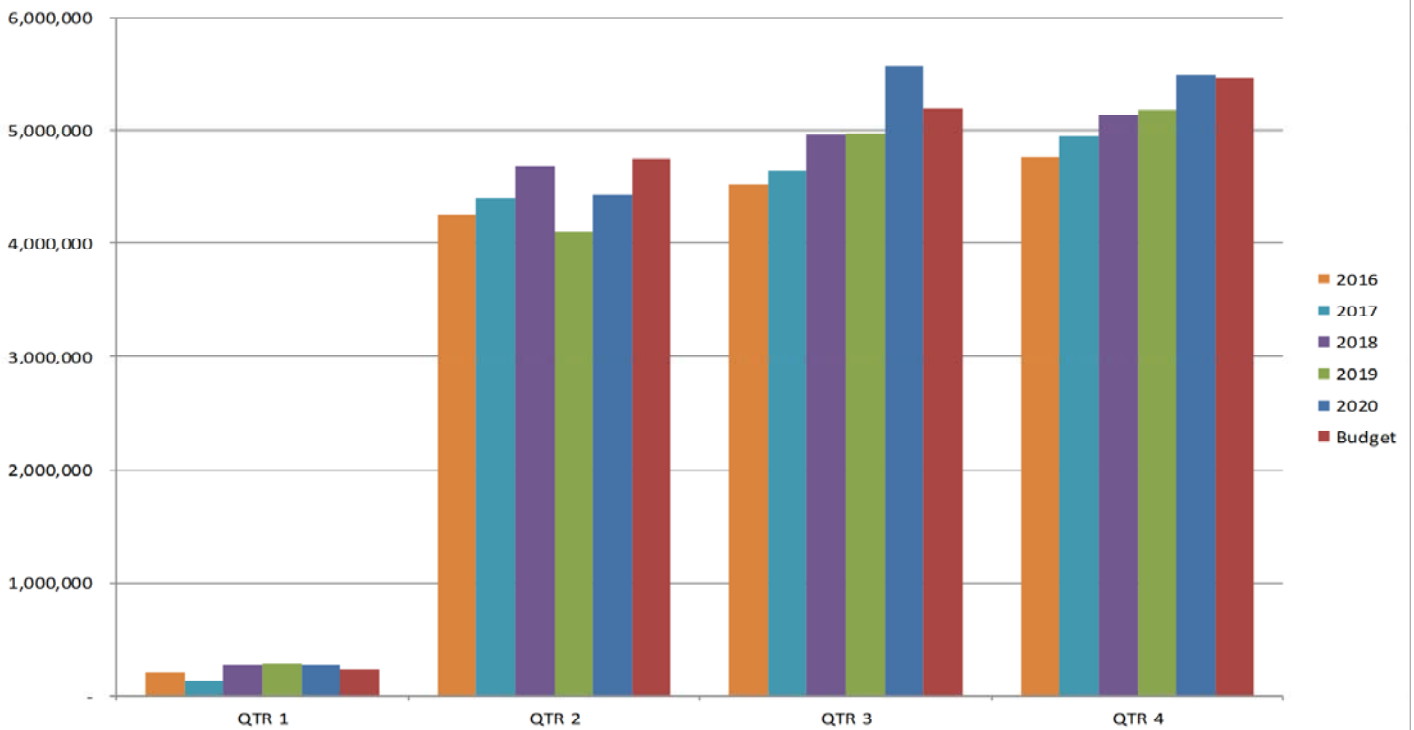
General Fund Parks and Recreation Fees



General Fund Franchise Fees



General Fund Property Tax & Vehicle Fees



General Fund Summary

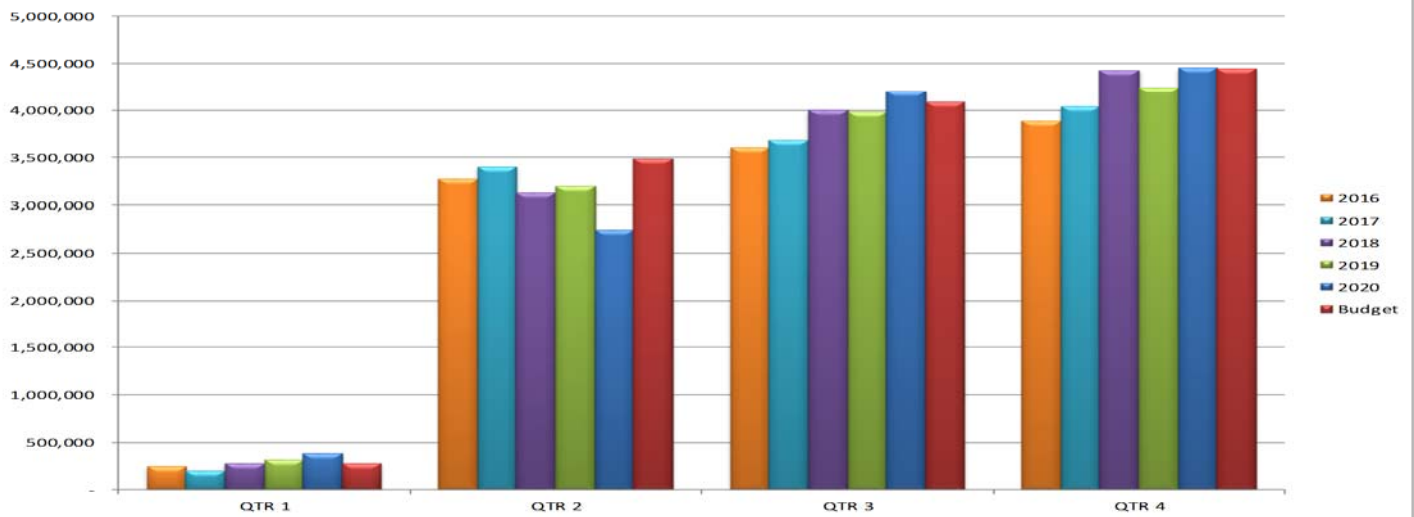
	Current Month	Current YTD	Prior YTD	Budget	YTD-Budget Difference	%
Beginning Fund Balance	N/A	15,805,429		15,805,429	N/A	N/A
Revenues:						
Taxes	2,363,421	37,958,405	36,518,471	37,719,490	238,915	101%
Licenses	159,190	1,588,017	1,577,817	1,593,000	(4,983)	100%
Intergovernmental	591,570	5,119,456	5,509,388	4,344,000	775,456	118%
Charges for services	387,479	7,662,418	8,756,285	9,045,400	(1,382,982)	85%
Fines	27,813	633,265	661,184	663,791	(30,527)	95%
Investment income	8,175	279,595	544,293	425,000	(145,405)	66%
Other financing	(5,000)	-	5,475	-	-	N/A
Misc.	80,009	767,322	835,973	496,873	270,449	154%
Total	3,612,658	54,008,477	54,408,886	54,287,554	(279,077)	99%
Expenditures:						
Council	119,435	1,065,867	1,034,599	1,141,694	75,827	93%
Mayor's office	209,312	1,831,038	2,284,439	1,875,749	44,711	98%
Human resources	101,499	919,258	955,705	954,634	35,376	96%
Finance	166,726	1,260,963	1,289,374	1,336,416	75,453	94%
Recorder	15,429	231,366	119,622	315,138	83,772	73%
Information systems	548,322	3,904,774	3,470,925	4,254,258	349,484	92%
Legal	206,489	1,586,670	1,535,921	1,616,332	29,662	98%
Communiity development	185,605	1,526,923	2,667,377	1,760,209	233,286	87%
General services	1,744,482	902,776	747,138	1,949,510	1,046,734	46%
Police	2,606,557	18,725,937	17,554,806	19,670,511	944,574	95%
Fire	1,141,391	11,210,895	11,069,823	11,344,578	133,682	99%
Streets	242,416	2,088,973	1,923,200	2,266,014	177,042	92%
Engineering	275,763	2,262,813	2,219,333	2,407,496	144,683	94%
Parks and recreation	1,753,596	10,652,193	10,316,815	12,310,930	1,658,738	87%
Total	9,317,021	58,170,445	57,189,076	63,203,468	5,033,023	92%
Transfers:						
Transfers in	(1,042,770)	(12,589,027)	(11,886,117)	(13,003,871)	(414,844)	97%
Transfers out	459,988	7,540,253	7,426,858	8,023,881	483,628	94%
Total	(582,782)	(5,048,774)	(4,459,259)	(4,979,990)	68,784	101%
Net Income (Deficit)	(5,121,581)	886,806	1,679,068	(3,935,924)	4,822,730	-23%
Ending Fund Balance		16,692,235		11,869,505		
Working Capital Reserve		8,143,133		8,143,133		
Unreserved Fund Balance		8,549,102		3,726,371		

General Fund Budget Appropriations

Council Date	Department	Reason	Amount
7/9/2019	Council	Urban Deer Program	\$ 7,500
7/9/2019	Mayor	Urban Deer Program	7,500
9/24/2019	Multiple	FY20 Budget Corrections	20,751
10/29/2019	Development Services	Econ Dev Division Director Position	98,431
2/18/2020	Development Services	Econ Dev - Pkwy Village Provo Holdings Reimb	26,820
2/18/2020	Community & Neighborhood Services	Bike Rack Expansion Project	15,000
5/19/2020	Fire	Fire Services Master Plan	33,500
			<u>\$ 209,502</u>

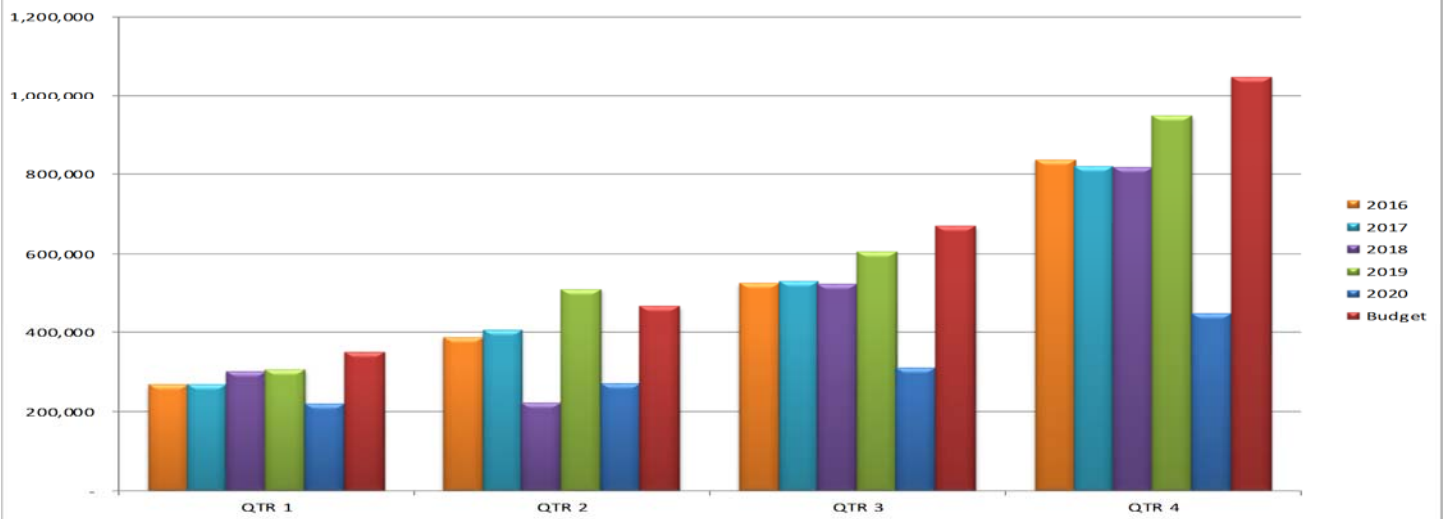
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Library Revenues



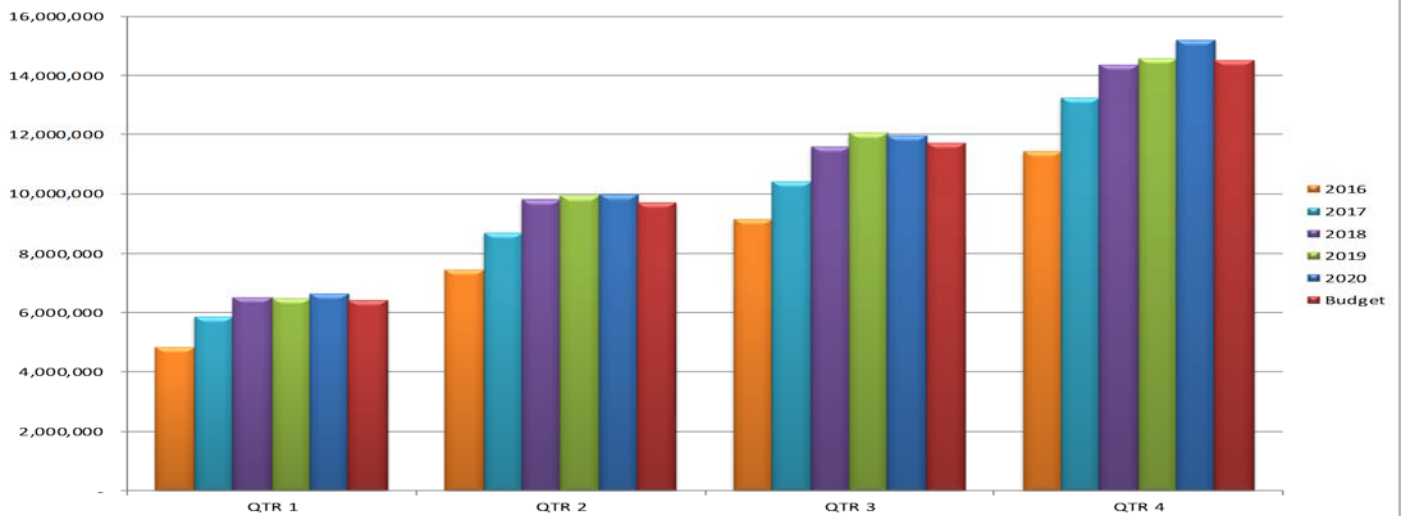
	Current Month	Current YTD	Prior YTD	Budget	YTD-Budget Difference	%
Beginning Fund Balance	N/A	3,278,899		3,278,899	N/A	N/A
Revenues:						
Taxes	178,658	4,079,332	3,766,247	4,028,373	50,959	101%
Grants	2,269	33,167	31,000	-	33,167	N/A
Charges for services	5,782	243,926	340,337	362,000	(118,074)	67%
Investment income	2,712	82,548	95,115	50,000	32,548	165%
Misc.	144	7,251	5,019	2,000	5,251	363%
Total	189,566	4,446,224	4,237,718	4,442,373	3,851	100%
Expenditures:						
Personnel	324,511	2,729,704	2,696,458	2,746,331	16,627	99%
Operations	149,179	1,122,815	1,263,681	1,278,699	155,884	88%
Capital	-	38,011	-	90,000	51,989	42%
Chargebacks	41,371	469,991	479,542	477,337	7,346	98%
Interest expense/other	-	108,141	63,954	558,827	450,686	19%
Total	515,061	4,468,662	4,503,636	5,151,194	682,532	87%
Net Income (Deficit)	(325,496)	(22,438)	(265,918)	(708,821)	686,382	3%
Ending Fund Balance		3,256,461		2,570,078		
Working Capital Reserve		666,356		666,356		
Unreserved Fund Balance		2,590,105		1,903,723		

Golf Course Operating Revenues



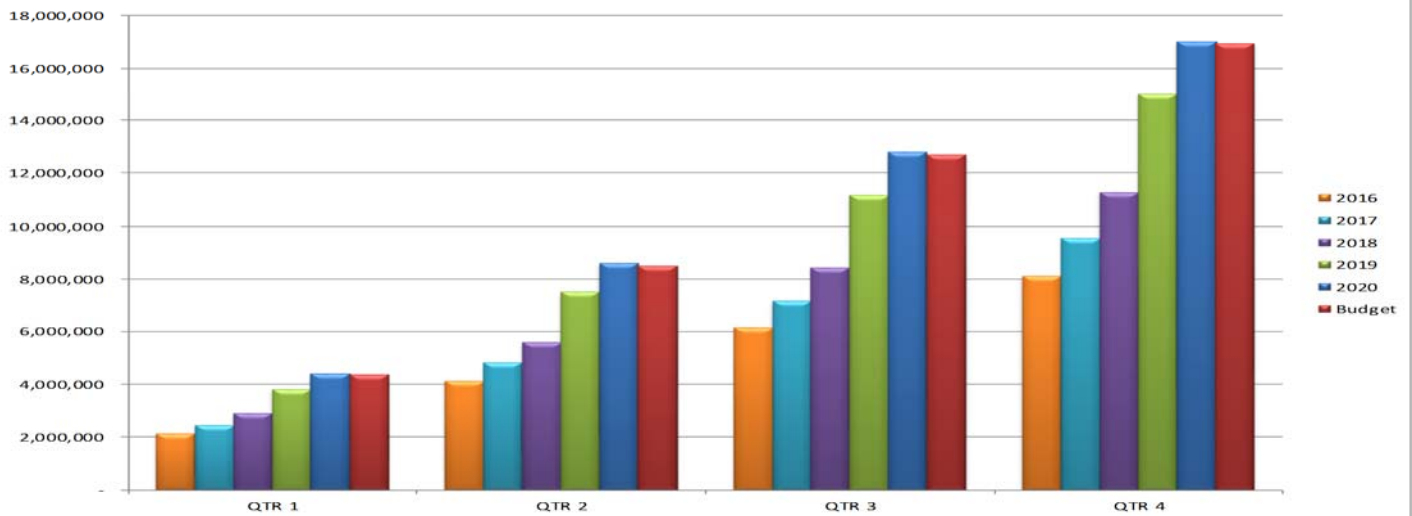
	Current	Current	Prior		YTD-Budget	
	Month	YTD	YTD	Budget	Difference	%
Beginning Fund Balance	N/A	103,012		103,012	N/A	N/A
Operating revenues:						
Charges for services	142,846	438,324	933,195	1,046,400	(608,076)	42%
Misc	(3,808)	12,095	13,325	750	11,345	1613%
Total	139,038	450,420	946,521	1,047,150	(596,730)	43%
Expenditures:						
Personnel	67,884	483,964	526,852	580,160	96,196	83%
Operations	55,522	267,197	326,738	318,398	51,201	84%
Chargebacks	54,574	81,205	82,555	82,152	947	99%
Total	177,979	832,365	936,144	980,710	148,345	85%
Transfers:						
Transfer in	(33,109)	(56,737)	(256,958)	(56,737)	-	100%
Total	(33,109)	(56,737)	(256,958)	(56,737)	-	100%
Operating income	(5,833)	(325,208)	267,334	123,177	(448,385)	-264%
Nonoperating:						
Investment income	-	-	(788)	-	-	N/A
Capital	(663,517)	1,604,138	149,975	6,217,549	4,613,410	26%
Interest expense/other	60,882	60,882	-	60,882	-	100%
Total	(602,635)	1,665,020	149,187	6,278,431	4,613,410	27%
Net Income (Deficit)	596,802	(1,990,229)	118,147	(6,155,254)	4,165,025	32%
Ending Fund Balance		(1,887,217)		(6,052,242)		
Working Capital Reserve		157,073		157,073		
Unreserved Fund Balance		(2,044,289)		(6,209,314)		

Water Operating Revenues



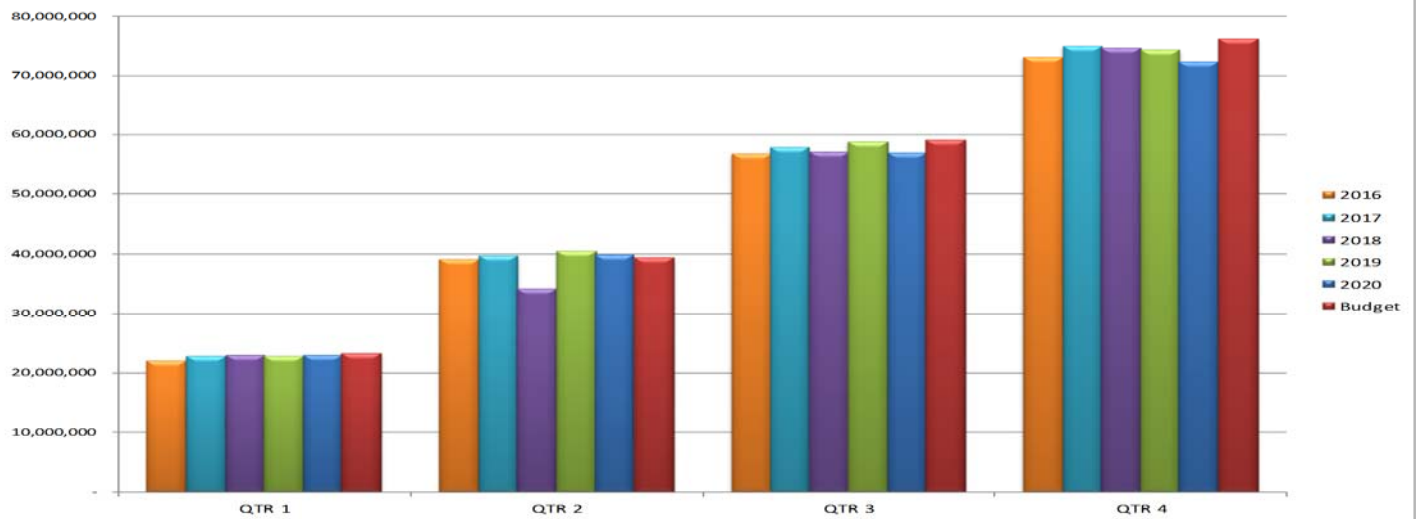
	Current Month	Current YTD	Prior YTD	Budget	YTD-Budget Difference	%
Beginning Fund Balance	N/A	9,537,384		9,537,384	N/A	N/A
Operating revenues:						
Utilities	1,729,347	15,074,888	14,356,667	14,396,000	678,888	105%
Misc.	(37,525)	127,814	200,837	106,800	21,014	120%
Total	1,691,822	15,202,701	14,557,504	14,502,800	699,901	105%
Expenditures:						
Personnel	500,189	3,545,598	3,269,249	3,566,604	21,006	99%
Operations	524,302	2,434,257	2,547,799	2,712,489	278,232	90%
Chargebacks	351,836	1,923,920	1,830,533	2,003,513	79,593	96%
Total	1,376,327	7,903,775	7,647,580	8,282,606	378,831	95%
Transfers:						
Transfers in	-	-	(583,820)	-	-	N/A
Transfers out	194,900	1,800,985	1,657,204	1,800,985	-	100%
Total	194,900	1,800,985	1,073,384	1,800,985	-	100%
Operating income	120,594	5,497,942	5,836,540	4,419,210	1,078,733	124%
Non operational						
Investment income	(7,605)	(197,796)	(202,167)	(100,000)	97,796	198%
Impact fee revenue	(72,777)	(682,549)	(338,248)	(632,002)	50,547	108%
Capital	2,361,040	5,597,181	3,576,625	14,257,310	8,660,129	39%
Interest expense/other	-	790,125	808,750	835,724	45,599	95%
Total	2,280,657	5,506,960	3,844,961	14,361,032	8,854,072	38%
Net Income (Deficit)	(2,160,063)	(9,018)	1,991,579	(9,941,822)	9,932,805	0%
Ending Fund Balance		9,528,366		(404,438)		
Working Capital Reserve		2,175,420		2,175,420		
Unreserved Fund Balance		7,352,946		(2,579,858)		

Wastewater Operating Revenues



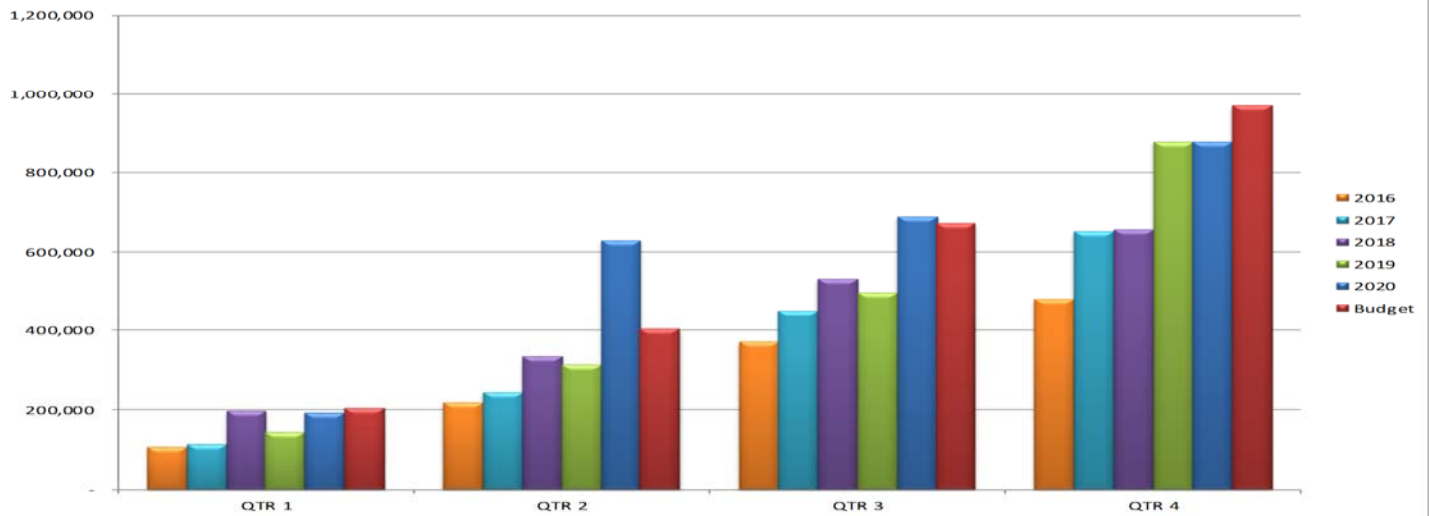
	Current Month	Current YTD	Prior YTD	Budget	YTD-Budget Difference	%
Beginning Fund Balance	N/A	6,958,552		6,958,552	N/A	N/A
Operating revenues:						
Utilities	1,452,652	16,671,826	14,812,212	16,905,000	(233,174)	99%
Misc.	227,285	322,058	171,518	31,500	290,558	1022%
Total	1,679,937	16,993,884	14,983,730	16,936,500	57,384	100%
Expenditures:						
Personnel	286,628	2,407,836	2,342,768	2,761,633	353,797	87%
Operations	254,190	1,408,192	1,385,858	1,449,329	41,137	97%
Chargebacks	56,066	634,654	805,400	743,356	108,702	85%
Total	596,884	4,450,682	4,534,027	4,954,318	503,636	90%
Transfers:						
Transfers in	-	-	-	-	-	N/A
Transfers out	159,002	1,919,736	1,905,556	1,954,050	34,314	98%
Total	159,002	1,919,736	1,905,556	1,954,050	34,314	98%
Operating income	924,051	10,623,466	8,544,147	10,028,132	595,334	106%
Nonoperational						
Investment income	(17,385)	(125,502)	(364,224)	(300,000)	(174,498)	42%
Impact fee revenue	(122,529)	(1,135,299)	(858,198)	(1,000,000)	135,299	114%
Other financing	(1,786)	(8,812)	(9,050)	(10,000,000)	(9,991,188)	0%
Capital	2,634,571	14,030,488	16,181,618	26,178,044	12,147,556	54%
Interest expense/other	8,154	667,154	709,463	669,905	2,751	100%
Total	2,501,025	13,428,030	15,659,609	15,547,949	2,119,919	86%
Net Income (Deficit)	(1,576,974)	(2,804,564)	(7,115,461)	(5,519,817)	2,715,253	51%
Ending Fund Balance		4,153,988		1,438,735		
Working Capital Reserve		2,540,475		2,540,475		
Unreserved Fund Balance		1,613,513		(1,101,740)		

Energy Operating Revenues



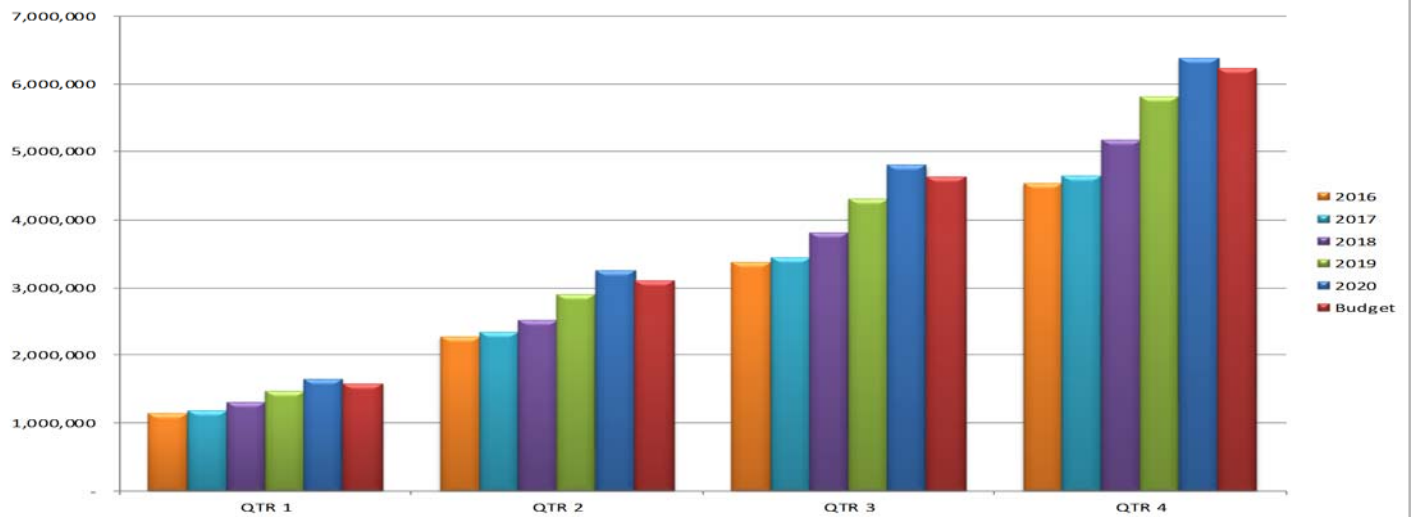
	Current Month	Current YTD	Prior YTD	Budget	YTD-Budget Difference	%
Beginning Fund Balance	N/A	35,501,860		35,501,860	N/A	N/A
Operating revenues:						
Utilities	5,688,870	70,340,671	72,438,732	74,573,142	(4,232,471)	94%
Misc.	(24,881)	1,866,887	1,784,412	1,573,000	293,887	119%
Total	5,663,989	72,207,558	74,223,144	76,146,142	(3,938,584)	95%
Expenditures:						
Personnel	(36,284)	6,838,841	7,432,360	7,770,441	931,600	88%
Operations	4,667,684	45,695,986	48,429,388	49,817,255	4,121,269	92%
Chargebacks	281,087	3,454,859	3,395,817	3,486,502	31,642	99%
Total	4,912,487	55,989,686	59,257,565	61,074,198	5,084,512	92%
Transfers:						
Transfers in	-	-	-	-		N/A
Transfers out	1,389,495	11,025,879	11,117,409	11,374,373	348,494	97%
Total	1,389,495	11,025,879	11,117,409	11,374,373	348,494	97%
Operating income	(637,993)	5,191,993	3,848,170	3,697,571	1,494,422	140%
Nonoperating						
Investment income	(48,456)	(643,787)	(1,019,255)	(700,000)	(56,214)	92%
Impact fee revenue	(93,799)	(889,269)	(507,451)	(500,000)	389,269	178%
Aid to construction revenue	(28,531)	(2,620,667)	(2,263,422)	(1,700,000)	920,667	154%
Other financing	(12,363)	(12,363)	(12,241)	(1,000)	11,363	1236%
Capital	2,974,514	8,182,259	8,163,576	11,560,001	3,377,742	71%
Interest expense/other	5,050	1,360,673	1,583,888	1,596,388	235,716	85%
Total	2,796,416	5,376,845	5,945,095	10,255,389	4,878,544	52%
Net Income (Deficit)	(3,434,409)	(184,852)	(2,096,925)	(6,557,818)	6,372,966	3%
Ending Fund Balance		35,317,008		28,944,042		
Working Capital Reserve		11,421,921		11,421,921		
Unreserved Fund Balance		23,895,087		17,522,121		

Airport Operating Revenues



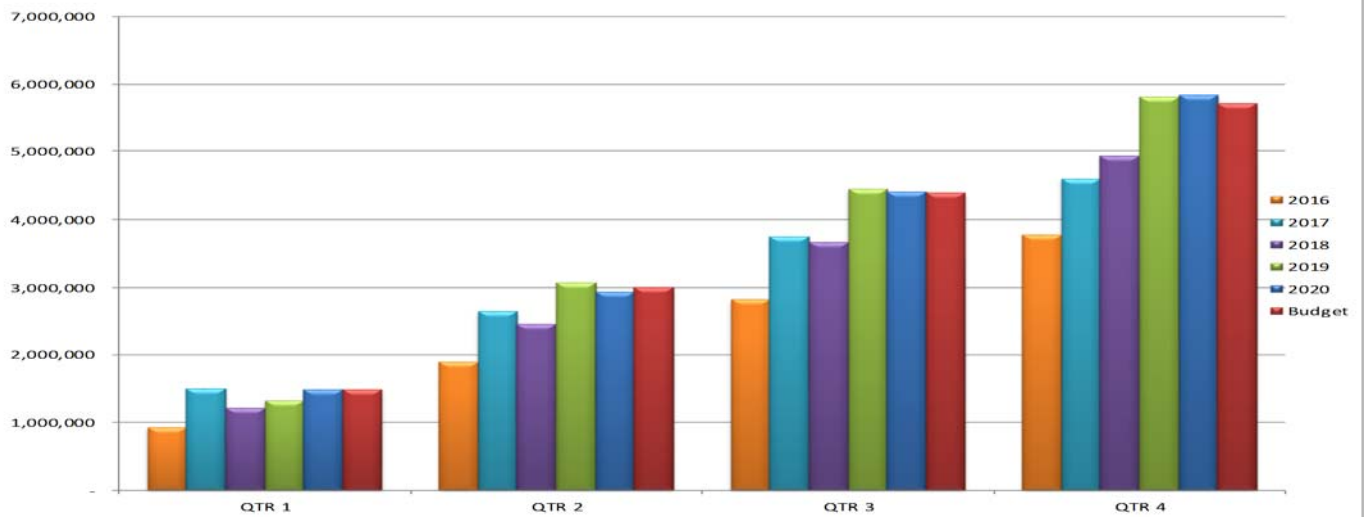
	Current Month	Current YTD	Prior YTD	Budget	YTD-Budget Difference	%
Beginning Fund Balance	N/A	(860,546)		(860,546)	N/A	N/A
Operating revenues:						
Charges for services	74,333	482,071	508,416	355,000	127,071	136%
Misc.	20,577	394,736	368,704	613,238	(218,502)	64%
Total	94,909	876,807	877,120	968,238	(91,431)	91%
Expenditures:	17,130					
Personnel	61,708	484,605	429,092	487,747	3,142	99%
Operations	25,146	221,856	224,952	223,882	2,026	99%
Chargebacks	20,286	220,431	196,315	222,565	2,134	99%
Total	107,141	926,892	850,359	934,194	7,302	99%
Transfers						
Transfers in	(66,256)	(2,589,308)	(91,230)	(2,589,308)	-	100%
Total	(66,256)	(2,589,308)	(91,230)	(2,589,308)	-	100%
Operating income	54,024	2,539,223	117,991	2,623,352	(84,129)	97%
Nonoperating						
Investment income	(4,730)	(123,612)	(49,954)	(40,000)	83,612	309%
Intergovernmental revenue	(534,877)	(10,115,094)	(5,394,613)	(21,537,000)	(11,421,906)	47%
Other financing	11,890	(4,963,110)	(610,476)	(17,000,000)	(12,036,890)	29%
Capital	780,747	9,672,307	7,396,421	37,597,002	27,924,695	26%
Interest expense/other	13,083	339,558	196,575	339,558	0	100%
Total	266,114	(5,189,951)	1,537,953	(640,440)	4,549,511	810%
Net Income (Deficit)	(212,089)	7,729,174	(1,419,962)	3,263,792	4,465,382	237%
Ending Fund Balance		6,868,628	4,294,973	2,403,246		
Working Capital Reserve		145,236		145,236		
Unreserved Fund Balance		6,723,392		2,258,010		

Sanitation Operating Revenues



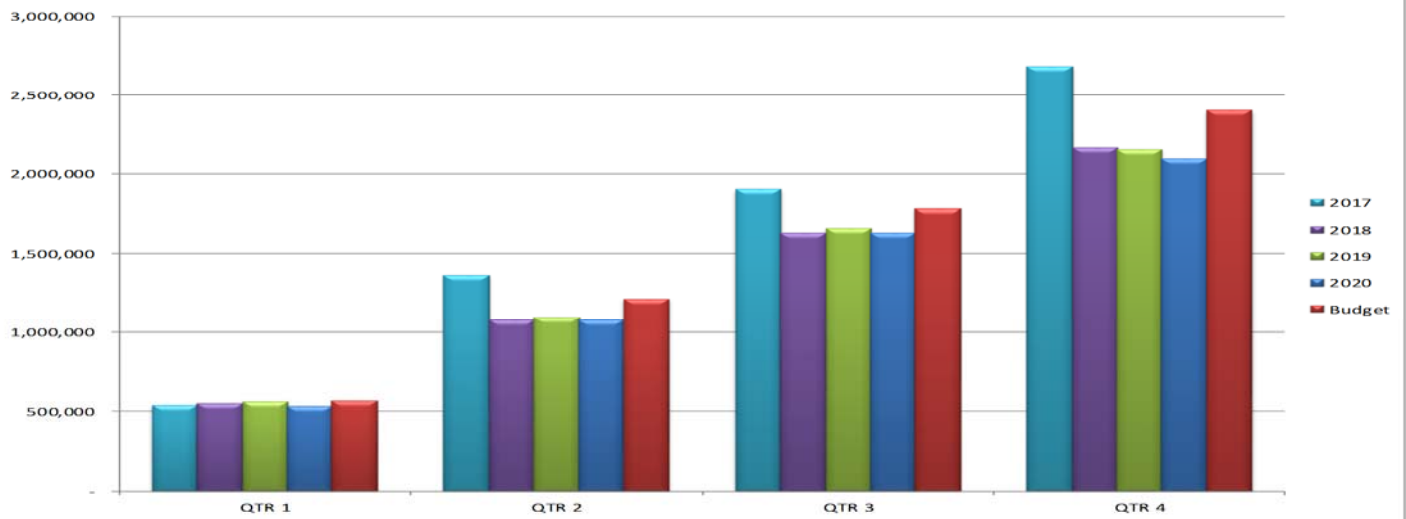
	Current Month	Current YTD	Prior YTD	Budget	YTD-Budget Difference	%
Beginning Fund Balance	N/A	503,402		503,402	N/A	N/A
Operating revenues:						
Utilities	466,052	5,365,379	4,840,247	5,152,850	212,529	104%
Charges for services	83,659	1,007,316	924,014	995,000	12,316	101%
Misc.	(17,317)	5,326	28,482	75,500	(70,174)	7%
Total	532,394	6,378,022	5,792,743	6,223,350	154,672	102%
Expenditures:						
Personnel	184,790	1,716,406	1,588,107	1,810,755	94,349	95%
Operations	268,927	1,472,878	1,422,487	1,614,496	141,618	91%
Chargebacks	498,307	1,417,334	1,708,784	1,740,284	322,950	81%
Total	952,024	4,606,618	4,719,378	5,165,535	558,917	89%
Transfers:						
Transfers out	63,899	741,279	669,257	741,279	-	100%
Operating income	(483,528)	1,030,125	404,108	316,536	713,589	325%
Nonoperating						
investment income	(850)	(18,553)	(15,814)	(10,000)	8,553	186%
Capital	-	114,633	394,802	293,496	178,863	39%
Interest expense/other	-	-	24,199	17,850	17,850	0%
Total	(850)	96,079	403,187	301,346	205,267	32%
Net Income (Deficit)	(482,678)	934,046	921	15,190	918,855	6149%
Ending Fund Balance		1,437,448		518,592		
Working Capital Reserve		933,503		933,503		
Unreserved Fund Balance		503,945		(414,910)		

Storm Drain Operating Revenues



	Current Month	Current YTD	Prior YTD	Budget	YTD-Budget Difference	%
Beginning Fund Balance	N/A	2,651,424		2,651,424	N/A	N/A
Operating revenues:						
Utilities	501,806	5,722,453	5,290,194	5,616,000	106,453	102%
Misc.	26,252	93,640	502,197	77,783	15,857	120%
Total	528,058	5,816,093	5,792,391	5,693,783	122,310	102%
Expenditures:						
Personnel	132,168	1,032,840	953,329	1,035,628	2,788	100%
Operations	28,651	185,291	191,622	237,274	51,983	78%
Chargebacks	194,392	639,504	521,647	686,205	46,701	93%
Total	355,210	1,857,635	1,666,598	1,959,107	101,472	95%
Transfers						
Transfer in	-	-	-	-	-	N/A
Transfers out	57,308	673,264	581,109	673,264	-	100%
Total	57,308	673,264	581,109	673,264	-	100%
Operating income	115,540	3,285,194	3,544,684	3,061,412	223,782	107%
Nonoperating						
Investment income	(2,984)	(71,452)	(58,250)	(15,000)	56,452	476%
Impact fee revenue	(39,673)	(504,862)	(218,134)	-	504,862	N/A
Capital	36,695	1,178,897	1,947,240	3,617,544	2,438,647	33%
Interest expense/other	712,619	795,738	812,019	797,388	1,651	100%
Total	706,657	1,398,320	2,482,875	4,399,932	3,001,612	32%
Net Income (Deficit)	(591,117)	1,886,874	1,061,809	(1,338,520)	3,225,394	-141%
Ending Fund Balance		4,538,298		1,312,904		
Working Capital Reserve		854,067		854,067		
Unreserved Fund Balance		3,684,230		458,836		

Transportation Utility Operating Revenues



	Current Month	Current YTD	Prior YTD	Budget	YTD-Budget Difference	%
Beginning Fund Balance	N/A	2,286,239		2,286,239	N/A	N/A
Operating revenues:						
Utilities	173,617	2,090,695	2,150,893	2,400,000	(309,305)	87%
Other:						
Investment income	(6)	(21,083)	(45,657)	-	21,083	N/A
Maintenance	579,372	3,894,913	1,985,180	4,638,621	743,708	84%
Total	579,365	3,873,830	1,948,477	4,638,621	764,791	84%
Net Income (Deficit)	(405,749)	(1,750,327)	202,416	(2,238,621)	488,294	78%
Ending Fund Balance		535,912		47,618		
Working Capital Reserve		360,000		360,000		
Unreserved Fund Balance		175,912		(312,382)		

PROVO MUNICIPAL COUNCIL STAFF REPORT



Submitter: HSALZL
Department: COUNCIL
Requested Meeting Date: 10-20-2020

SUBJECT: An update from Fire Chief Miguel regarding protective equipment purchased with CARES Act funding, plans for Fire Station 21, and needs for the Airport. (20-136)

RECOMMENDATION: Presentation only.

BACKGROUND: Fire Chief Jim Miguel will update the Council regarding the following topics:

- Protective equipment purchases with CARES Act funding
- Fire station 21 plans
- Airport needs

FISCAL IMPACT: None anticipated

PRESENTER'S NAME: Chief Jim Miguel

REQUESTED DURATION OF PRESENTATION: 30 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 20-136

PROVO MUNICIPAL COUNCIL STAFF REPORT



Submitter: HSALZL
Department: Council
Requested Meeting Date: 10-20-2020

SUBJECT: A discussion regarding proposed amendments from the Sign Committee to Provo City Code regarding electronic sign hold times and permitted locations. (20-101)

RECOMMENDATION: Discussion and direction. If the Council is supportive of the proposed amendments, the item will be scheduled for a future Council Meeting.

BACKGROUND: This item is a continuation of the discussion from July 7, 2020.

The Sign Committee has spent the last year reviewing Provo City's policy regarding electronic signs. At the suggestion of the committee, the Council approved an ordinance prohibiting electronic signs in residential and agricultural zones in October 2019. The committee is now bringing a second proposal to the Council for consideration. The committee proposes that Provo be divided into three areas:

1. areas where digital signs are prohibited
2. areas where long hold times no shorter than one hour are permitted
3. areas where short hold times no shorter than one minute are permitted (unless the sign is in an SC3 zone and represents 20 or more tenants, in which case the shortest permitted hold time would be 15 seconds)

Digital Sign Hold Time Principles v6 gives more details and outlines where each would be applied.

After reviewing the available academic literature and visiting with local business owners, the committee believes that this is the best compromise between Provo's commitment to public safety and the need to create an environment where local businesses can thrive. A more thorough explanation of the rationale behind this proposal, including a short list of studies consulted, is available in the Digital Sign Ordinance Preamble.

In Provo City Code, the current long hold time is that a sign may change up to three times per day. The short hold time is eight seconds, which is the most common hold time in neighboring cities.

FISCAL IMPACT: TBD

PRESENTER'S NAME: Hannah Salzl and Javin Weaver

REQUESTED DURATION OF PRESENTATION: 30 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 20-101

Digital Sign Hold Time Principles

Divide the city geographically into three areas with respect to digital sign hold times:

- 1) No digital signs
- 2) Long hold times
- 3) Short hold times⁴

Prioritized principles for assigning areas. The first principle that applies governs:

- 1) Predominantly residential zones – no digital signs
- 2) SC3 zones – short hold times
- 3) Long and short hold time areas are defined by street, and apply to both sides of the street, except when principle #1 or #2 is applicable
- 4) Gateways to the city – long hold times
- 5) Predominantly commercial areas – short hold times
- 6) Mixed use and other areas – long hold times
- 7) Historic downtown areas – two options are being proposed:
 - a) Continue to allow digital signs with long hold times
 - b) Ban digital signs but continue to allow other internally illuminated signs

Minimum hold times:

- Long hold time areas
 - One hour
- Short hold time areas
 - One minute everywhere unless:
 - Sign is in an SC3 zone and represents 20 or more tenants – then 15 seconds.

Several changes to the geographical list of short hold time areas have been proposed by staff and are being recommended by the committee. These will be presented on a map.

WHEREAS, Provo is open for business. We want new businesses and existing businesses to thrive. Signage is an important way for businesses to communicate their presence and location and to advertise;

WHEREAS, signage can also be detrimental to community aesthetics and traffic safety. It can be distracting due to size, brightness or frequency of message updates. Provo desires to regulate signage in a way that strikes a good balance between the interests of businesses and community residents;

WHEREAS, Provo regulates signage size according to such factors as zone and street frontage of the business. Somewhat larger signs are allowed in predominantly commercial areas;

WHEREAS, based on studies (a list of which are included in Exhibit A), the Provo Municipal Council finds that:

- Crash risk increases when a driver's eyes leave the road for 2 or more seconds;
- Research and industry sponsored studies show that digital signs take drivers' eyes off the road for 2, 3 and even 5 seconds at a time;
- Changing digital signs receive significantly more glances and more long glances than static signs;
- When a driver sees an image transition, there is an increase in glances longer than two seconds;
- To reduce the number of drivers seeing changes on highways, a hold time longer than 10 seconds is suggested;
- For traffic safety, it is also recommended to set minimum hold times such that no driver will see more than one message change;
- Drivers are neurophysiologically predisposed to orient to motion and sudden changes in the periphery of their vision. Increased transition duration (hold time) helps avoid or reduce such sudden motion or changes; and
- The International Sign Association has recommended a best practice regarding digital sign brightness . That recommendation is that signs not exceed a brightness level of 0.3 foot candles above ambient lighting conditions as measured by a foot candle (lux) meter perpendicular to the sign face, from a specified distance related to the size of the sign. Signs that follow this guideline are readable at night but not so bright as to be offensive or overly distracting on account of the brightness level.

Exhibit A

Studies Consulted

“Digital Signs and Billboards: Crafting and Enforcing Local Regulations” – a slide summary of a 90-minute presentation from the Veridian Group, a consultancy specializing in human factors research, available at <http://media.traffordpub.com/products/digital-signs-and-billboards-crafting-and-enforcing-local-regulations-2013-12-11/presentation.pdf>.

“The impact of road advertising signs on driver behavior and implications for road safety: A critical systematic review”, a study from Australia examining 90 research papers related to the topic, available at <https://www.sciencedirect.com/science/article/pii/S0965856418310632>

“Effects of electronic billboards on driver distraction”, a Swedish study available at <https://www.scenic.org/wp-content/uploads/2019/09/eebdd.pdf>.

Night-time Brightness Level Recommendations for On-Premise Electronic Message Centers, update August 2016 (https://www.signs.org/media/files/ISA_EMC_Recommendations_Refresh_FINAL.pdf).

PROVO MUNICIPAL COUNCIL STAFF REPORT



Submitter: NLA
Department: Development Services
Requested Meeting Date: 10-20-2020

SUBJECT: An ordinance amending the zone map classification of approx 5.33 acres of real property, generally located at 1724 S State St, from Agricultural (A1.5) & Residential (R1.6) to Community Shopping Center (SC2). Spring Creek Neighborhood. (PLRZ20190426)

RECOMMENDATION: Information only. This item is scheduled to be heard in the Council Meeting this evening. The Planning Commission has recommended denial (7:1).

BACKGROUND: The subject property lies on South State, just north of the intersection of State Street and Lakeview Parkway (1860 South). It is bordered on the north and east by vacant land that is the subject of a sizeable medium density residential project (204 units). A railway lies to the west of the property. The Provo City Transportation Master Plan 2020, Major and Local Street Plan calls for a future collector to run parallel with, and east of, the railway. The land west of the subject property lies in unincorporated Utah County and has an industrial zoning designation. Some of the land to the south also lies in unincorporated Utah County and has an agricultural/residential designation. A portion of the land to the south lies within the city boundaries and has an A1.5 zoning designation. The subject land is in a high-water table area and the National Wetlands Inventory Mapper shows potential wetlands on the property. Portions of the subject property (new construction, etc., which are located within one hundred [100] feet of South State Street) lies in the South State Street Design Corridor. This Design Corridor has a set of design standards to, among other things, “promote attractive development” and “attract customers to businesses.”

FISCAL IMPACT: TBD

PRESENTER’S NAME: Brandon Larsen (801) 852-6408 jblarsen@provo.org

REQUESTED DURATION OF PRESENTATION: 10 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: PLRZ20190426

ITEM # 5* Jodi Hoffman requests a zone change from the Agricultural (A1.5) and One-Family Residential (R1.6) Zones to Community Shopping Center (SC2) Zone, located at 1724 S State Street to allow the charter school to be used as a preschool and a recreational use. Spring Creek Neighborhood. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLRZ20190426

Applicant: Jodi Hoffman

Staff Coordinator: Brandon Larsen

Property Owner: Zions M-13
Development, LLC

Parcel ID#: 22:046:0170 & 22:046:0176

General Plan Designation: Mixed Use
Development

**Southeast Neighborhoods Plan –
Recommended Future Land Use:** MDR
(Medium Density Residential Zone)

Current Zoning: A1.5 (Agricultural Zone) &
R1.6 (One-Family Zone)

Proposed Zoning: SC2 (Community
Shopping Center Zone)

Acreage: 5.33 acres

Number of Properties: 2

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is October 28, 2020, 6:00 P.M.*
2. **Recommend Denial** of the proposed zone map amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Current Legal Use: A charter school lies on the subject property.

Relevant History:

The subject property has been used as a charter school since 2017.

Neighborhood Issues:

Staff has not received comments from the neighborhood on this item. The leasee expressed concerns about the proposal at a neighborhood meeting on October 3, 2020. These concerns appear to be civil matters between the leasee and the landlord.

Summary of Key Issues:

- The applicant is proposing to rezone 5.33 acres from the A1.5 and R1.6 zones to the SC2 Zone.
- The property owner desires the rezone to potentially establish a day care and/or recreational uses on the subject property
- There is no concept plan associated with this application
- No new development is proposed
- The property has a total of 70 parking spaces on the property.

Staff Recommendation:

Staff recommends that the Planning Commission forward a positive recommendation to the Municipal Council for a zone change from the A1.5 and the R1.6 to SC2 Zone.

BACKGROUND

The subject property lies on South State, just north of the intersection of State Street and Lakeview Parkway (1860 South). It is bordered on the north and east by vacant land that is the subject of a sizeable medium density residential project (204 units). A railway lies to the west of the property. The *Provo City Transportation Master Plan 2020, Major and Local Street Plan* calls for a future collector to run parallel with, and east of, the railway. The land west of the subject property lies in unincorporated Utah County and has an industrial zoning designation. Some of the land to the south also lies in unincorporated Utah County and has an agricultural/residential designation. A portion of the land to the south lies within the city boundaries and has an A1.5 zoning designation.

The subject land is in a high-water table area and the National Wetlands Inventory Mapper shows potential wetlands on the property.

Portions of the subject property (new construction, etc., which are located within one hundred [100] feet of South State Street) lies in the South State Street Design Corridor. This Design Corridor has a set of design standards to, among other things, “promote attractive development” and “attract customers to businesses.”

The property is comprised of two (2) parcels (3.18 and 2.15 acres) that total 5.33 acres. The Treeside Charter School lies on both parcels. The school has two (2) buildings, including a large gymnasium on the smaller parcel. The school has 70 parking spaces lying on the larger parcel. This larger parcel fronts onto State Street (approximately 65 feet).

The applicant has submitted the following statement regarding the purpose for the proposal: *“The owner ... is seeking a rezone [to the SC2 Zone] to allow preschool and recreational uses as permitted uses on the property.*

The SC2 does allow for day care centers, as well as a number of recreational/amusement type uses, including athletic clubs (excludes gymnasiums). There is no associated concept plan for this proposal.

STAFF ANALYSIS

General Plan Policies. The subject property has a Mixed-Use land use designation. The policies of the General Plan appear to value “reductions in parking and automobile facilities” for development on land with a Mixed-Use designation. The subject property is already developed and is home to a public school. However, if uses are to change, or the property is to redevelop in the future, “reductions in parking and automobile facilities,” as well as the incorporation of alternative transit options, should be incorporated or provided for.

The “Increasing the Tax Base through Commercial Development” paragraph of Section 1.2.8 of the General Plan states the following: *“Provo City should be a ‘full service’ community, providing consumer choices and convenient shopping opportunities.”* This area appears to be underserved by commercial uses.

A portion of the Spring Creek section of Section 1.2.9 of the General Plan states the following: *“Mixed-use development should be considered for the property along the west side of South State Street (US 89), between 900 South and 1860 South, after an area master plan has been completed. Multi-family housing may be developed within this area with or without the commercial elements....”*

The *Southeast Neighborhoods Plan* was prepared a few years ago and addresses the recommended future land use of the subject property. As noted earlier, the recommended future land uses for the subject land are those consistent with the Medium Density Residential Zone. A proposed Neighborhood Commercial (SC1) Zone lies very near and to the south of the subject property. The Southeast Neighborhood plan appears to consider the possibility of smaller-scale neighborhood shopping being increased to community-scale services—at 1860 South State—if densities are sufficient. A portion of the *Neighborhood Shopping Center* paragraph of the *Southeast Neighborhoods Plan* reads, as follows:

“Although zoning can reflect the desire for community scale conveniences at these locations, it is also important to understand that the viability of these nodes will rely heavily on sufficient housing densities to support these uses.”

Again, staff notes the close proximity of the subject property to the proposed SC1 Zone. Taking into account both the General Plan land use designation and the recommended land use of this property, staff believes the proposed request is acceptable. A large multi-family housing development is proposed adjacent to this proposal. Having commercial zoned property proximate to this development, and near other recently approved residential developments, seems acceptable considering the Mixed-Use designation and the above-noted policies of the General Plan and the *Southeast Neighborhoods Plan*. There may be some synergistic opportunities related to having commercial and residential zones next to each other, including commercial opportunities for residents and clients/customers for businesses (i.e., preschool and multi-family development)

Findings of Fact. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of zoning map amendments:

Upon receipt of a petition by the Planning Commission, the Commission shall hold a public hearing in accordance with the provisions of Section 14.02.010 of this Title and may approve, conditionally approve, or deny the preliminary project plan. Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan: (responses in bold)

(a) Public purpose for the amendment in question.

The public purpose is to establish commercial opportunities (not heavy commercial) for the subject property. The applicant has specifically identified preschools and recreational uses (athletic clubs) as potentially desirable for this property.

(b) Confirmation that the public purpose is best served by the amendment in question.

It appears there is a lack of commercial (not heavy commercial) opportunities for southeast residents. The subject property currently has a lack of parking to facilitate some of the uses permitted or conditionally permitted in the proposed zone. This issue should be considered in evaluating the final decision for this request.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

This proposal appears to be acceptable considering the policies of the General Plan and the *Southeast Neighborhoods Plan*.

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff is not aware of any timing or sequencing issues with this request.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

It does not appear that this proposal will hinder or obstruct attainment of the General Plan's articulated policies.

(f) Adverse impacts on adjacent landowners.

Staff is not aware of potential adverse impacts to adjacent landowners. This proposal has the potential to be a great benefit to adjacent landowners, namely providing commercial opportunities to residents.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

The General Plan and zoning have been verified for correctness.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

The General Plan Map and policies appear to support this proposal.

Conclusion. The proposed zone map amendment appears to be acceptable for the area and would help facilitate commercial opportunities for area residents. This area of Provo City appears to be under-served, as it relates to commercial development. The subject property currently has a lack of parking to facilitate some of the uses permitted or conditionally permitted in the proposed SC2 Zone. This issue should be considered in evaluating the final decision for this request.

ATTACHMENTS

1. Current Zoning
2. Proposed Zoning
3. Potential Use of Property Statement
4. Rezone Written Description

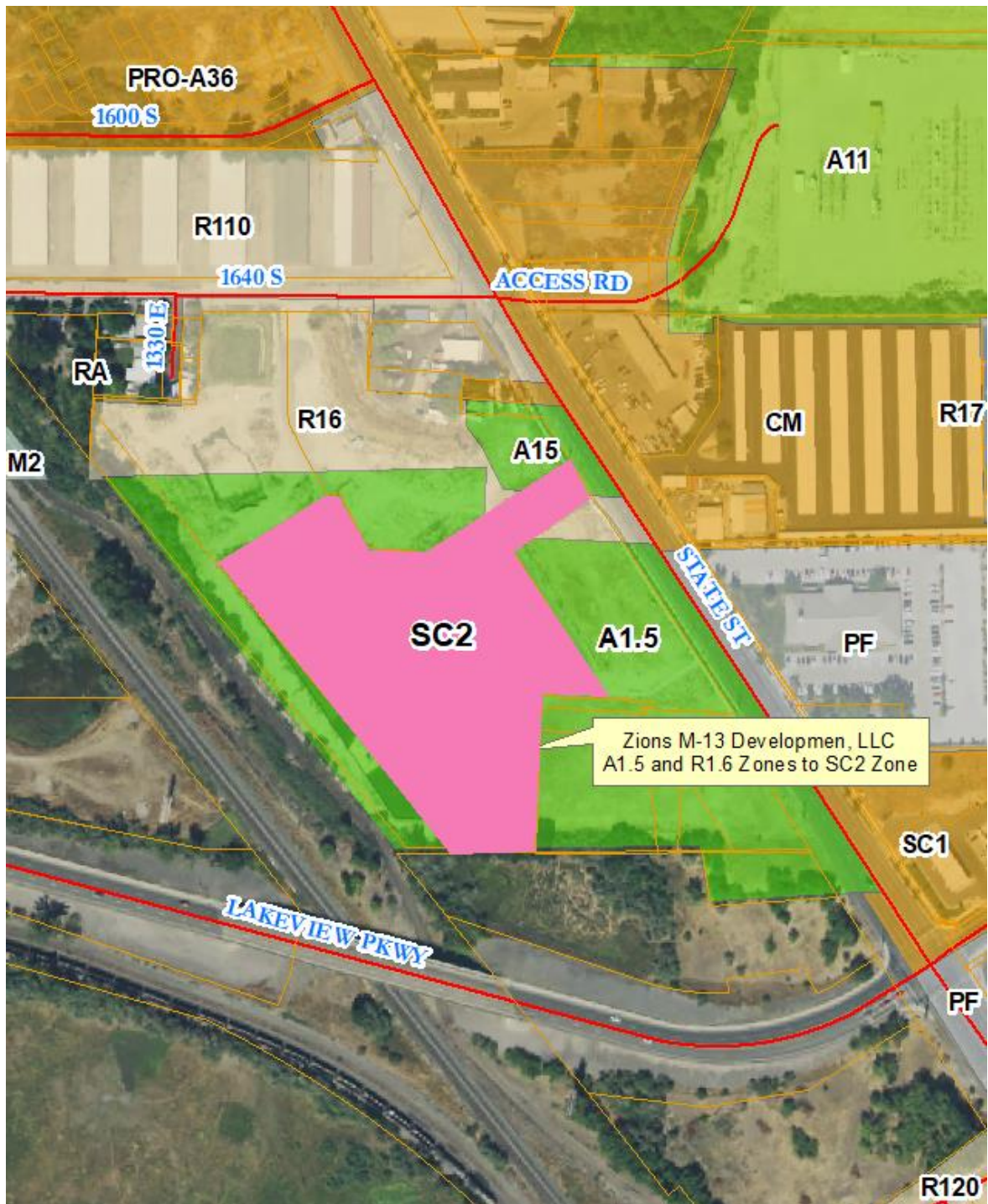
ATTACHMENT – Current Zoning

Current Zoning: A1.5 & R1.6 (Agricultural & One-Family Residential)



ATTACHMENT – Proposed Zoning

Proposed Zoning: SC2 (Community Shopping Center)



ATTACHMENT – Potential Use of Property Statement



Provo Planning Department
Attn: Brandon Larsen
jblarsen@provo.org

August 19, 2020
Via Online Portal

RE: Re-zone request for 1724 S. State Street Provo, Utah

Dear Mr. Larsen:

The owner and developer of 1724 S. State Street is seeking a rezone of the subject property from A15 to SC-2, in order to allow preschool and athletic club uses as permitted uses on the property. Currently, the property is being used by a charter school for elementary education and childhood physical development. If the existing charter school tenant departs, the owner foresees the immediate need for additional permitted uses to efficiently use the built environment. The owner anticipates that following the departure of the current tenant, the larger building would most effectively be used as an indoor athletic club, with perhaps supporting and related wellness uses, and the smaller school building would most effectively be used as a preschool. The SC-2 zone allows preschool and athletic club uses as permitted principal uses.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodi S. Hoffman".

Hoffman Law
Jodi S. Hoffman

ATTACHMENT – Rezone Written Description



Provo Planning Department
Attn: Brandon Larsen
jblarsen@provo.org

August 19, 2020
Via Online Portal

RE: Re-zone request for 1724 S. State Street Provo, Utah

Dear Mr. Larsen:

Zions M-13 Development, LLC, the owner of two parcels located at 1724 S. State Street, requests a zone change from the A15 zone to the SC-2 zone. The property is currently home to a charter school that occupies two newly constructed (2017) buildings. A rezone is required to continue beneficial use of the property should the existing charter school tenant cease operations. We have received notice that the charter school will cease operations in the near future and there are no new charter school tenants on the horizon.

The current A15 zoning designation does not align with Provo City's General Plan, SE Neighborhood Plan, the desired future use of the property, nor the proposed use of the adjacent property currently pending a rezone request for MDR zoning. A rezone of the property from A15 to SC-2 would align with the City's vision for mixed-use development for this area and would also fit well with the SE Neighborhood Plan by tying into SC-1 zoning that is immediately south of the property.

Both the General Plan and the SE Neighborhood Plan Future designate this property for mixed-use development. See Provo General Plan Map; *see also* Provo SE Neighborhood Plan at 23. The General Plan seeks to encourage neighborhood inter-connectivity (Goal 1.4.1) and neighborhood amenities, such as neighborhood commercial uses (Goal 1.4.12). The SE Neighborhood Plan specifically notes the City's desire to incentivize neighborhood commercial uses in the area and reduce car reliance and congestion on South State Street.

This zone change envisions repurposing two existing charter school structures into similar office or neighborhood commercial uses—whether they be another school use, pre-school, athletic club, or other uses that support the surrounding residential community.

By providing local conveniences within walking distance of residential neighborhoods, the requested zone change would facilitate at least two of the City's stated goals from the SE Neighborhood Plan and is in line with the General Plan Map. A preschool and an indoor athletic club are commercial uses that are central to the everyday life of many families and are magnetic amenities for any community. The property owner's desired uses and proposed rezone fit well into the City's land use vision for this area.

ATTACHMENT – Rezone Written Description, cont.

Brandon Larsen
August 19, 2020
Pg. 2 of 2

Thank you for the time and guidance you have provided our firm in preparing this request. Please let us know how we can help facilitate this application.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodi S. Hoffman".

Hoffman Law
Jodi S. Hoffman

ORDINANCE 2020-

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF APPROXIMATELY 5.33 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT 1724 SOUTH STATE STREET, FROM AGRICULTURAL (A1.5) AND RESIDENTIAL (R1.6) TO COMMUNITY SHOPPING CENTER (SC2). SPRING CREEK NEIGHBORHOOD. (PLRZ20200426)

WHEREAS, it is proposed that the classification on the Zone Map of Provo for approximately 5.33 acres of real property, generally located at 1724 South State Street (an approximation of which is shown or described in Exhibit A and a more precise description of which will be attached hereto as Exhibit B after the Zone Map has been updated), be amended from the Agricultural (A1.5) and Residential (R1.6) Zones to the Community Shopping Center (SC2) Zone; and

WHEREAS, on October 14, 2020, the Planning Commission held a duly noticed public hearing to consider the proposed amendment, and at such meeting, the Planning Commission recommended denial to the Municipal Council by a vote of 7:1; and

WHEREAS, the Planning Commission's recommendation was based on the project design presented to the Commission; and

WHEREAS, on October 20, 2020, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the Planning Commission's recommendation and facts and comments presented to the Municipal Council, the Council finds (i) the Zone Map of Provo, Utah should be amended as described herein; and (ii) the proposed zone map classification amendment for the real property described herein reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

The classification on the Zone Map of Provo, Utah is hereby amended from the Agricultural (A1.5) and Residential (R1.6) Zones to the Community Shopping Center (SC2) Zone for approximately 5.33 acres of real property generally located at 1724 South State Street, as described herein.

PART II:

A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance,

47 this ordinance shall prevail.
48

49 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
50 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or
51 invalid, the remainder of the ordinance shall not be affected thereby.
52

53 C. The Municipal Council hereby directs that the official copy of the Zone Map of Provo City,
54 Utah be updated and codified to reflect the provisions enacted by this ordinance.
55

56 D. This ordinance shall take effect immediately after it has been posted or published in
57 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah
58 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.
59

60 END OF ORDINANCE.

Exhibit A



Provo City Planning Commission

Report of Action

October 14, 2020

Item 5* Jodi Hoffman requests a zone change from the Agricultural (A1.5) and One-Family Residential (R1.6) Zones to Community Shopping Center (SC2) Zone, located at 1724 S State Street to allow the charter school to be used as a preschool and a recreational use. Spring Creek Neighborhood. Brandon Larsen (801) 852-6408
jblarsen@provo.org PLRZ20190426

The following action was taken by the Planning Commission on the above described item at its regular meeting of October 14, 2020:

RECOMMENDATION OF DENIAL

On a vote of 7:1, the Planning Commission recommended denial of the above noted application.

Motion By: Deborah Jensen
Second By: Laurie Urquiaga

Votes in Favor of Motion: Deborah Jensen, Ally Jones, Laurie Urquiaga, Lisa Jensen, Brian Henrie, Dave Anderson, and Robert Knudsen

Votes against Motion: Daniel Gonzales

Dave Anderson was present as Chair.

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED

The property proposed to be rezoned to the Community Shopping Center (SC2) Zone is described in the attached Exhibit "A."

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in Staff's presentation to the Planning Commission included the following: Staff gave an overview of the proposal and staff recommendation as read in the Staff Report.

NEIGHBORHOOD MEETING

- The Spring Creek Neighborhood meet on Saturday, October 3, 2020. Much of the conversation at the meeting about this item appeared to be regarding civil issues between by the property owner (landlord) and lessee (Treeside Charter School or TCS). TCS is concerned about student safety and believes a rezone of the property to allow additional uses may jeopardize student safety. They also question if this request is premature; they assert the school is in good position to continue operations into the future. Again, these issues appear to be civil matters between the property owner and lessee.

NEIGHBORHOOD AND PUBLIC COMMENT

- An attorney and an employee of TCS expressed concerns at the meeting, which were similar in nature to those referenced in the previous section.

APPLICANT RESPONSE

The following are key points the applicant made during the meeting:

- The property owner is looking for land uses he can switch into if the current tenant leaves.
- Considering the existing facilities on the property, preschools and athletic clubs are the two (2) uses the property owner is most interested in.
- The SC2 Zone is requested because both preschools and athletic clubs are permitted uses in this zone.
- The proposal is in-line with the general plan and the neighborhood plan.
- The proposed zone would be a good change for the neighborhood and community.
- Available parking spaces will limit the uses on the property.
- The proposal—with its potential for community shopping center (SC2 Zone) uses--could offer a broader public benefit to the community than the school is currently providing.
- The civil issues addressed in the *Neighborhood Meeting* section of this report were addressed.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Dave Anderson believes the request is premature. He would not feel comfortable moving forward on this request without knowing more about the development proposals for adjacent properties. There is no urgent need to act on the proposal.
- Laurie Urquiaga also stated there is no urgency to move on this application.
- Lisa Jensen expressed concern with the proposal because there is no concept plan or imminent land use change.
- Deborah Jensen acknowledged the existence of a development proposal for land adjacent to the subject property. The Planning Commission has not had the opportunity to review this proposal. She noted that it appears the Planning Commission is not on-board with the subject proposal.
- Brian Henrie believes the rezone request is premature. There is not enough information to act on this request.



Planning Commission Chair



Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Development Services Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT “A”

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED

A Parcel of land being located in the Southwest Quarter of Section 17, Township 7 South, Range 3 East, Salt Lake Base and Meridian, being further described as follows:

Beginning at a point being North 89°09'59" East 723.57 feet along the Section Line and South 158.19 feet from the West Quarter Corner of said Section 17;

Thence North 58°17'11" East 227.21 feet;

Thence North 69°52'45" East 22.08 feet;

Thence South 27°25'20" East 108.93 feet;

Thence South 85°38'40" East 106.78 feet;

Thence North 58°38'05" East 296.21 feet to the Westerly Right-of-Way line of State Street;

Thence South 33°06'00" East 68.52 feet along the said Right-of-Way line;

Thence South 58°16'01" West 171.68 feet;

Thence South 33°21'15" East 318.81 feet;

Thence North 87°40'00" West 120.63 feet;

Thence South 2°20'00" West 262.49 feet;

Thence South 89°02'00" West 155.43 feet;

Thence North 39°03'00" West 640.71 feet to the Point of Beginning.

Contains 5.33 Acres or 232,173 square feet, more or less

Karen Tapahe

From: Ken Millar <kgmillar@gmail.com>
Sent: Monday, October 5, 2020 10:13 AM
To: Karen Tapahe
Subject: Spring Creek Meeting

CAUTION: This email originated from outside of Provo's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Spring Creek Neighborhood Meeting October 3, 2020 Zoom Format

The meeting began at 9am conducted by Mary Millar Spring Creek Chair and facilitated by Karen Tapahe Provo City Neighborhood Coordinator. Approximately 15 attended.

Item 1

George Bills of Gardner and Associates requests the rezoning of approximately 8.5 acres from [Heavy Commercial](#) (CM), [Residential Agricultural](#) (RA), [One-Family Residential](#) (R1.6 and R1.10), and [Agricultural](#) (A1.5) to the [Medium Density Residential](#) (MDR) zone, as well as concept plan approval, to facilitate the construction of 204 dwelling units (30 townhomes, 30 studio apartments, 64 2-bedroom apartments, and 80 1-bedroom apartments), located at approximately 1724 S State Street.

Developer Don Mullen presented his plat plans and elevations for the above proposed housing project

Concerns discussed included:

Is the drainage including the catch basin in the north west corner sufficient for the development.? Mr Mullen stated that the drainage plan had been approved by the city engineering department

What are the new traffic considerations given the twice daily traffic influx at the adjacent school? It is recommended that the exiting traffic use 1640 South to access State Street. The developer will be required to improve the south side of 1640 South along their property. A new traffic study has been conducted and indicated everything was good to go.

The number of living units is stated as 204

Mr Mullen stated that parking for the development has been approved as sufficient. The developer will provide signs indicating the school property is not to be used for parking at any time. A representative for the school stated that there are mandates for the number of parking spaces the school is required to have and currently they are short. Mr Mullen stated that the current property owner has a parking easement on some area of his property but it is unclear where that is.

The final use of the project as apartments or condominiums has not been definitively decided, --likely will be after final plat approval.

Item 2

Jodi Hoffman requests a zone change from A1.5 (agricultural) to SC2 (community shopping center) zone, located at 1724 S State Street in the Spring Creek Neighborhood to allow the charter school to be used as a preschool and for recreational use. The property currently houses Treeside Charter School within two buildings. The owner and developer of the property is seeking a rezone to facilitate the continued use of the property should the charter school cease its lease of the two buildings. The property owner foresees an easy use transition for the property if, at a minimum, preschool and recreational uses are permitted in the zone. Applicant states that the larger building would most effectively be used as an indoor athletic club, with perhaps supporting and related wellness uses, and the smaller school building would most effectively be used as a preschool, uses included in the SC2 zone. This is located at 1724 S State.

A representative for Jodi Hoffman presented the request for the above rezone and stated that it is not related to Item 1 for housing development. There are now two buildings used for Treeside Charter School. The land owners are postering for the time when the school no longer occupies the buildings and commercial use can be facilitated by the new zone. Possibilities are a preschool in the north building and a commercial gym in the south building.

Concerns discussed included:

The traffic patterns will not change with this rezone procedure.

The owner feels like the school may be leaving in the near future but stated that the land owner's relation to Treeside's position as a lessee is a private matter

The city master plan indicates this area is expected to be mixed use in the future.

The land owner signed a 25 year lease with Treeside November 2016 and the construction was completed as a school installation. It was at that time zoned under the most restricted permitted use of the land and now it is requested that it be open for any commercial use.

Erin Preston, Attorney for Treeside Charter, presented the schools position:

She stated that the owner signed with another party for use of the gym near the same time Treeside signed. This resulted in Treeside receiving a citation from the office of education. Treeside changed the locks on the gym area and Provo City later evicted those tenants for zone violations. The effect of this zone change would now allow third parties to occupy the building.

The owner has been restrained from further leasing pending current litigation in state court. Treeside stated that there were misrepresentations made in their rezone application which included that the school is leaving. She stated that the school is fully staffed and intends to remain, Treeside's court filings state that the school will continue to occupy both buildings while school is in session and asks that this matter be deferred until the court case is settled.

The applicant representative responded to the above that they are willing to enter into a development agreement with the city for school and athletic use only. She stated that the owner and the school have a pending settlement agreement and that they are not paying their financial obligations. She stated that the school will not be staying for the duration of their lease.

Attorney Preston stated that there are two different attorneys representing the owner and that the owner's representative today may not be aware of other litigation or misrepresentations. Attorney Preston stated that there is no settlement agreement and that their non payment is inaccurate. This would open the door to anything despite the owner's stated intentions and would create a tool for the owner to use against the school.

Bill Farley who is an adjacent land owner stated that in 40 years of dealing with the owner/applicant he has had considerable issues and said, the zoning for the land the school should not change.

A Mrs Townsend (did not catch her first name) reports to be an employee of the school stated that the applicants presentation consisted of many half truths and did not represent the employee's experiences with the school. She stated that the school never agreed to leave and in the future it cannot be operated safely with other building occupants. She stated that the school uses the gym and that random strangers have been found wandering through both buildings. She alluded to the taxpayers ultimately having paid for the building and that there are still leftover problems from previous tenants and the building itself.

Karen Tapahee encouraged all to go to the opentownhall.com web site and to review the above three items and that comments can be left there.

Item 3

Ryan Livingston is proposing a zone change from the [One-Family Residential](#) (R1.10) zone to the [Low Density Residential](#) (LDR) zone in order to accommodate single-family and twin homes for a property in the Spring Creek Neighborhood. This is located at approximately 1107 E 1320 South.

Brandon Larsen, city planner, from the city introduced that the developer requests a zone change to allow for single family and twin homes on a property adjacent to his current development. The applicant was not in attendance.

There were no significant comments on this item, however, residents of Spring Creek Neighborhood have long requested (at several neighborhood meetings over the past five years) some single family homes be built.

ITEM 5*

Jodi Hoffman requests a zone change from the Agricultural (A1.5) and One-Family Residential (R1.6) Zones to Community Shopping Center (SC2) Zone, located at 1724 S State Street to allow the charter school to be used as a preschool and a recreational use.

Spring Creek Neighborhood

PLRZ20190426

1724 South State Street – Treeside Charter School Property

Rezone: A1.5 & R1.6 Zones to SC2 Zone

Current Zoning: A1.5 Zone (Agricultural) & R1.6 Zone (One-Family Residential)



Proposed Zoning: SC2 Zone (Community Shopping Center)







1724 South State Street
(Treeside Charter School Property)
A1.5 & R1.6 Zones to SC2 Zone

70
Parking Spaces

Site Acreage:
5.33 Acres

STATE ST

LAKEVIEW PKWY

From the Southeast
Neighborhoods Plan:

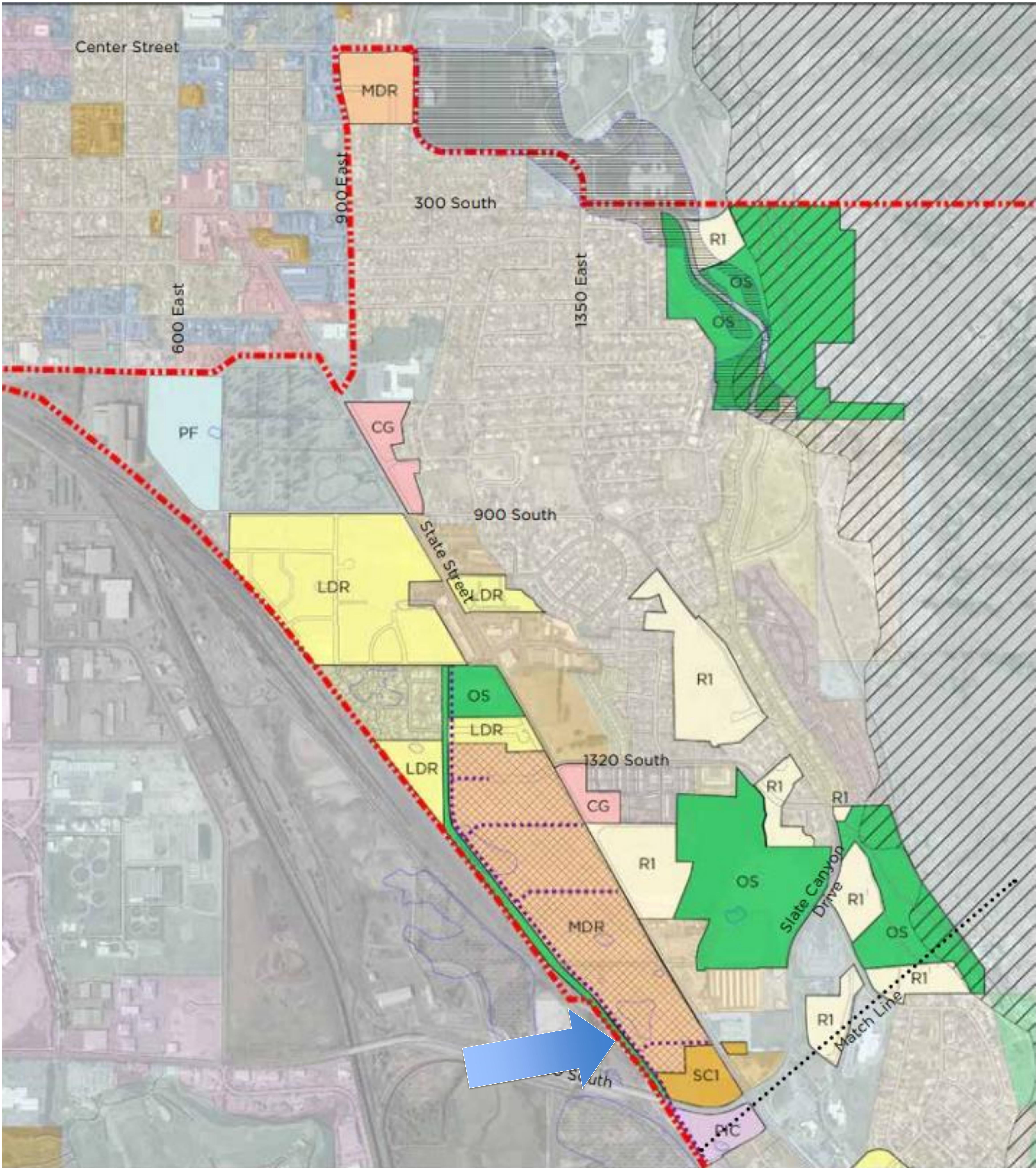
MEDIUM DENSITY RESIDENTIAL (MDR)

The MDR zone permits multi-family dwellings as dense as 30 units per acre. Allowing these higher densities west of State Street could encourage appropriate development to accommodate the population needs in the area necessary to incentivize the desired neighborhood shopping center. It is recommended that commercial uses also be permitted in this area.

NEIGHBORHOOD SHOPPING CENTER

During discussions with area residents, a primary concern expressed was the desire to reduce automobile reliance and congestion on State Street. One key to reducing automobile reliance is to provide local conveniences within walking or biking distance so that automobile trips become unnecessary for daily tasks.

Two commercial nodes are identified as key locations where neighborhood-scale shopping centers could be a valuable enhancement to the quality of life for this neighborhood. These nodes occur at the intersections of 1320 South State Street and 1860 South State Street. Although zoning can reflect the desire for community scale conveniences at these locations, it is also important to understand that the viability of these nodes will rely heavily on sufficient housing densities to support these uses. Balancing the need for sufficient residential rooftops to encourage commercial development with the desire for low-density, detached housing will be an ongoing challenge for this area.



Future Land Use Map

- R1 - Single Family Residential
- LDR - Low Density Residential
- MDR - Medium Density Residential
- SC1 - Neighborhood Shopping Center
- PIC - Planned Industrial Commercial
- OS - Open Space / Parks
- CG - General Commercial
- PO - Professional Office
- Baching Overlay
- Proposed Street Connection
- Sensitive Lands - Steep Slopes/Slides
- Sensitive Lands - Wetlands
- Sensitive Lands - FEMA Flood Zone

Desired uses (athletic clubs and preschools) are permitted in the SC2 Zone and are conditionally permitted in the SC1 Zone.



PLRZ20190426 - Spring Creek Neighborhood

October 15, 2020, 12:57 PM

Contents

i.	Summary of registered statements	2
ii.	Individual registered statements	3

Topic Registration Type: Registration required

PLRZ20190426 - Spring Creek Neighborhood

Spring Creek Neighborhood - What do you think about the proposed zone change for the charter school property?

Summary Of Registered Statements

Topic Registration Type: Registration required

As of October 15, 2020, 12:57 PM, this forum had:		Topic Start	Topic End
Attendees:	29	September 14, 2020, 12:01 PM	October 15, 2020, 12:57 PM
Registered Statements:	1		
Minutes of Public Comment:	2		

PLRZ20190426 - Spring Creek Neighborhood

Spring Creek Neighborhood - What do you think about the proposed zone change for the charter school property?

Individual Registered Statements

Topic Registration Type: Registration required

Aaron Burgemeister

½ to 1 mile

September 19, 2020, 8:30 PM

It seems like the new zone would better reflect what is there currently; the area currently doesn't fit any description of what I would consider "agricultural" anyway (I was raised on a farm, and haven't read the definitions of the zones in Provo), but I presume schools can be housed in that zone. The buildings look very nice, and have been used for what I would consider commercial purposes before (a dance studio for kids) which was very convenient for people living nearby like myself.

From: Robert J Lawrence
Sent: Tuesday, October 13, 2020 2:54 PM
To: DS Public Hearings
Subject: Planning Commission meeting regarding South State Street Zoning

Please find attached a memo drafted by my wife and me together, expressing our concerns about a proposed zoning change that would affect the area around Treeside Charter School. Please consider our concerns in deciding on this matter.

Sincerely,

Robert & Heidi Lawrence

Provo UT 84606

To: Provo City Planning Commission
From: Robert and Heidi Lawrence
Re: Treeside Charter School and Zoning Law changes
Date: 12 October 2020

It has come to our attention, as Provo residents and parents of a Treeside Charter School student, that another attempt is being made by the owner of the land on which Treeside Charter School is located to push Treeside Charter School out, this time through the landowner's representative Jodi Hoffman. This appears to be the third time in as many years that actions have been taken, which on the surface appear innocent, but which seem calculated to push Treeside out of Provo.

We strongly object to the zoning law changes which are proposed by Jodi Hoffman for the area surrounding Treeside Charter School. We have found Treeside to be a wonderful learning and growing atmosphere for our child, and feel that it is very important to keep the environment around the school intact as a rural/residential area with permission for a school to be on it. No other elementary school in Provo is forced to exist in an industrialized, strip-mall atmosphere. No other elementary school is forced or required to allow other businesses to operate out of their school buildings, putting the children at risk physically and emotionally. Other Provo elementary schools are located in specifically residential areas that are allowed to have schools.

At a time when Utah as a whole is viewed negatively by the rest of the United States for not taking better care of its educators and students, a zoning change such as that suggested by Ms. Hoffman would only serve to reinforce that negative image. For two examples of negative coverage raising concerns about conditions of the Utah school system, see the following links:

<https://www.sltrib.com/news/education/2020/09/03/study-finds-utah-teachers/> and
<https://www.deseret.com/opinion/2020/9/19/21445900/covid-19-pandemic-masks-utah-inside-the-newsroom-media-test-utah>.

Please consider the safety and education of the children who attend Treeside Charter School. Although it's obvious that unrestricted commercial development could be more lucrative for the property owner than leasing the property for use in community education apparently is, having entered into a multi-year lease with Treeside Charter School, it is unethical for the landowner to attempt to drive out the school by changing the zoning. This change would create a hostile environment that would be detrimental to the safety, security, and learning of the students, and would interrupt and impair their use and enjoyment of the school buildings and surrounding grounds. Furthermore, such actions act against the mutual interest

of the Provo community in providing safe spaces for the education and development of young citizens, according to the expectations set by the current zoning applicable to the area in which Treeside Charter School was established.

Please honor the strong educational values of Treeside Charter School by respecting the importance of keeping a safe, non-commercialized environment around the school, just as other elementary schools in Provo are located in safe, residential zones. Do not allow the zoning changes suggested by Ms. Hoffman on behalf of the landowner to take place.

From: Erin G. Preston

Sent: Tuesday, October 13, 2020 3:59 PM

To: DS Public Hearings

Cc: 'board@treesidecharter.org'; Brandon Larsen; Bill Peperone; Marcus Draper

Subject: Letter of Opposition to Zoning Request: PLRZ20190426, Rezone, 1724 S. State Street Rezone

Dear Planning Commission,

On behalf of Treeside Charter School, I am writing to request the Commission deny the rezoning request of Jodi Hoffman and Zion's M-13 Development. This request is being primarily on the basis that granting the rezoning request could jeopardize the safety of the elementary students attending Treeside Charter School.

Thank you for your consideration.

Erin Preston, Esq.

Of Counsel, Lear & Lear

Education Law Section

808 E. South Temple, Salt Lake City, Utah 84114

www.learlaw.com



The Downey Mansion
808 East South Temple Street
Salt Lake City, Utah 84102
801-538-5000
Fax: 801-538-5001
www.learlaw.com

Erin G. Preston 801-883-8002
erin.preston@learlaw.com
Licensed in Utah

October 13, 2020

Provo Planning Commission
Sent via e-mail: dpublichearigs@provo.org

Re: Planning Commission Meeting Item 5 – Jodi Hoffman/Zion’s M-13 Development rezoning request.

Dear Provo Planning Commission,

Provo Planning initially approved the zoning of the property in question for construction and use as a public charter school under Permitted Use Zoning on July 12, 2017. Permitted Use Zoning is one of the most restrictive zoning categories in the State Code and only allows for the construction and operation of a Utah Public Charter school. Per the rezoning application at issue now, Jodi Hoffman, counsel for Zion’s M-13 Development, an entity owned by Mike Morley, is attempting to use that prior limited zoning approval to now obtain SC2 zoning, one of the most restrictive zoning categories in State or Municipal Code. There is no legitimate basis or need for this property to be rezoned at this time. Additionally, the claims asserted in the application for re-zoning are inaccurate, inconsistent with current litigation, and we believe, made in bad faith. Perhaps more importantly, a change in zoning as is requested could further jeopardize the safety of elementary students, and the taxpayer financed school facility.

On behalf of TCS Charter School (“Treeside” or “TCS”) I am writing to request you decline this rezoning request on the following grounds:

1. Student Safety

Treeside Charter School was approved by the Utah State Charter School Board and Utah State Board of Education to operate as a Utah Public Kindergarten – 6th grade school in 2016. Consistent with that purpose, TCS representatives signed a lease/development agreement with Ivy Charter Holdings, a subsidiary of Zion’s M-13 Development, on Nov 17, 2016. This agreement was to engage the Landlord in construction of a school facility for the exclusive purpose operation as a public school.

Unbeknownst to Treeside, beginning September 2017, Zion’s M-13 Development also signed additional 3rd party lease agreements with multiple vendors, that also gave these vendors exclusive access to the same facility. There is some evidence to suggest that the 3rd party renters

October 13, 2020

Page 2

were also unaware of the conflict between their use of the facility and that of TCS. TCS's administration became concerned about the 3rd party tenant's access to the school facilities, and the unfettered access to the students themselves. TCS Administration took multiple steps to ensure protection of the students and control of the facility, including changing the facility locks to prevent the 3rd party tenants from accessing the school facility. In April 2019 Zion's M-13 Development filed a lawsuit against TCS. The actions included in this suit included seeking a Temporary Restraining Order against the school to prevent the school from prohibiting unrestricted access to the facility by Zion's M-13 Development representatives and tenants.

2. Utah State Charter Board Notice of Concern issued to Treeside Charter School

Upon notice of the Zion's M-13 Development v. Treeside Charter School and the issues involved, the State Charter School Board Staff and Assistant Attorney General David Jones sought information from TCS and independently reviewed the filings made in the case. On September 17, 2019 the Utah State Charter Board issued a Notice of Concern to TCS requiring the school take action to "ensure the safety of Utah students". (See attached). In addition to the duty Treeside already had to ensure the safety of students and the facility, this explicitly outlined TCS's duty to act under this direction from their chartering entity. Failure to do so would risk additional penalty, up to or including closure of their school. The Notice focused primarily on safety concerns related to students and the school facility.¹

The State Charter Board further directs TCS Charter School to:

¹ *TCS Charter School's facilities, and therefore TCS students, are not in the school's exclusive control and supervision during the regular school day and during school-sponsored activities outside of the regular school day... These documents [contracts included in litigation record] appear to show that the Developer has rental agreements for the school facility with third party tenants who are unrelated to school purposes and are outside of the control of TCS Charter School's board and staff. These agreements are contrary to the Lease Agreement that TCS initially submitted to the SCSB in 2016 that confirmed that the school property would be used only for the operation of the Charter School and public education-related uses. Instead, the referenced third-party rental agreements appear to provide multiple commercial tenants unrestricted use and occupancy of the TCS school facility without limitations as to times or dates. As such, TCS Charter School's Landlord and the Landlord's tenants may enter the school premises and building(s) through unmonitored access points at any time, including during the school day and at other hours when TCS students are in the building or on the premises participating in school activities. The SCSB is particularly concerned about the assertion that the Landlord and the Landlord's tenants may have keys to the school building, allowing unlimited, unsupervised access to the school facility. As you are aware, TCS Charter School is bound by Utah State Law and State Board of Education Rules designed to ensure the safety of Utah students. TCS Charter School is required to ensure the safety of students.*

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“...provide immediate assurance (and supporting documentation) to the SCSB that TCS Charter School has exclusive control of its facilities during the regular school day and during school-sponsored activities and a feasible plan for continued financial and operational viability given the terms in the proposed lease modifications, the SCSB will consider action to protect students and students’ interests. Such action may include options outlined in U.C.A. §53G-5-501² and 503³.”

Although Zion’s M-13 Development has been provided this notification by the State Charter Board, their latest Second Amended Complaint filed with the District Court on October 5, 2020 Zion’s M-13’s attorneys continues to press the court to allow the Developer to rent the school facility to 3rd party renters outside the control and supervision of Treeside Charter School.

3. Request made in bad faith

Ms. Hoffman, on behalf of Zion’s M-13 Development LLC first applied for a rezoning of the property on December 19, 2019. This application was denied for completeness on multiple grounds, one of which being “potential use of property statement”. Ms. Hoffman re-submitted her application on August 19, 2020 supplementing the original application by stating the need for rezoning as: ***“We have received notice that the charter school will cease operations in the near future and there are no new charter school tenants on the horizon.”*** This statement is patently false and made without justification. The statement also creates a false reason for rezoning action, and an urgency for such action, that also does not exist. Zion’s M-13 Development sued TCS Charter School in April 2019, a suit that continues now. At no time in this litigation, or any other forum, has Treeside expressed intent or need to “cease operations”. As of this date, TCS Charter School has a full staff and 440 K-6th grade students enrolled and attending the school for the 2020-21 school year. TCS Charter School has recently successfully emerged from a Chapter 11 Bankruptcy and is financially stable for this school year and anticipated years to come.

During the Neighborhood Meeting, Lauren Bolger, an Associate of Ms. Hoffman’s firm, presented on behalf of Zion’s M-13 Development. When questioned on her firm’s assertions that the school “will cease operations” she demurred, stating that she was not involved in the litigation (assumedly between Zion’s M-13 Development v. TCS). From there, she provided no substantiation of their claim Treeside would cease operations, but she did go on to argue the change was justified based on claims made by Zion’s M-13 in their claims made in the litigation. Ms. Hoffman and Ms. Bolger, in their application statement and in Neighborhood meeting, made comments that had no basis in fact. Whether their inaccurate claims were made in reliance on

² **53G-5-501. Noncompliance – Rulemaking**

https://le.utah.gov/xcode/Title53G/Chapter5/53G-5-S501.html?v=C53G-5-S501_2020051220200512

³ **53G-5-503. Termination of a charter agreement**

https://le.utah.gov/xcode/Title53G/Chapter5/53G-5-S503.html?v=C53G-5-S503_2020051220200512



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the assertions of their client, they had a duty to verify the accuracy of that information and provide accurate information to Provo Planning and to the Neighborhood Committee.

4. Zoning change could be used as a means of bypassing the current litigation.

In their latest Complaint filed with the District Court in, Zion's M-13 Development lists multiple times their intent to continue providing the facility to 3rd party renters. As previously the case, these 3rd party renters would be outside of TCS's authority, knowledge or control. In short, TCS would have no way to ensure the safety of their students as these 3rd party renters would be enabled by the Landlord to have independent access to the facility and the renters and their clients would have no separation from the school students. TCS has gone to great lengths to act to protect their students from such action on the part of the Landlord. As Zion's M-13 Development has not been successful in court, it appears Zion's M-13 Development is now seeking to bypass the legal process to gain this access using the Provo Planning process to do so instead.

Treeside Charter School requests that the Provo Planning Commission deny this re-zoning request. In the alternative, TCS Charter School requests that this request be delayed to allow TCS, and related entities such as the State Charter Board and Attorney General's Office, the ability to provide independent comment. Thank you for your consideration.

Sincerely,
/s/ Erin Preston
Erin Preston, Esq.

CC: Bill Peperone, Provo Development Director
Brandon Larsen, Provo Planner III
Marcus Draper, Provo City Attorney



UTAH STATE CHARTER SCHOOL BOARD

250 East 500 South P.O. Box 144200 Salt Lake City, UT 84114-4200 Phone: 801.538.7720
<http://www.utahscsb.org>

September 17, 2019

Treeside Charter School
c/o April Clawson, Board Chair
aclawson@treesidecharter.org
1724 S. State Street
Provo, UT 846060

Re: Notice of Concern for student security issues at Treeside Charter School facilities

Dear Treeside Charter School:

Part of the State Charter School Board's responsibility is to hold the charter schools we authorize accountable for their performance and monitor them for compliance. As part of this charge, information has come to our attention that causes the SCSB concern. Specifically, we have three concerns, related to Treeside Charter School's facilities and lease.

1. Treeside Charter School's facilities, and therefore Treeside students, are not in the school's exclusive control and supervision during the regular school day and during school-sponsored activities outside of the regular school day. The SCSB staff has reviewed public legal filings in the matter of *Zion's M-13 Development LLC v. Treeside Charter School* related to a lease and property dispute between Treeside and its Landlord. These documents appear to show that the Developer has rental agreements for the school facility with third party tenants who are unrelated to school purposes and are outside of the control of Treeside Charter School's board and staff. These agreements are contrary to the Lease Agreement that Treeside initially submitted to the SCSB in 2016 that confirmed that the school property would be used only for the operation of the Charter School and public education-related uses. Instead, the referenced third-party rental agreements appear to provide multiple commercial tenants unrestricted use and occupancy of the Treeside school facility without limitations as to times or dates. As such, Treeside Charter School's Landlord and the Landlord's tenants may enter the school premises and building(s) through unmonitored access points at any time, including during the school day and at other hours when Treeside students are in the building or on the premises participating in school activities. The SCSB is particularly concerned about the assertion that the Landlord and the Landlord's tenants may have keys to the school building, allowing unlimited, unsupervised access to the school facility. As you are aware, Treeside Charter School is bound by Utah State Law and State Board of Education Rules designed to ensure the safety of Utah students. Treeside Charter School is required to ensure the safety of students.
2. The proposed lease modification raises Treeside Charter School's lease payments, so that Treeside Charter School will be paying an abnormally large percentage of revenue to lease payments. It is unclear if a charter school could be financially viable under such terms. Further,

Chair Kristin Elinkowski
Vice Chair DeLaina Tonks

Director Jennifer Lambert
Cynthia Phillips

Michelle Smith
Jim Moss

Bryan Bowles
Krystle Bassett



UTAH STATE CHARTER SCHOOL BOARD

250 East 500 South P.O. Box 144200 Salt Lake City, UT 84114-4200 Phone: 801.538.7720
<http://www.utahscsb.org>

paying such a high rate on a lease may not be good use of taxpayer funds and take away what should be going to students in the classroom.

3. The proposed lease modification terminates the lease on May 31, 2021 with no extension, requiring Treeside Charter School to find a new location in a short timeframe.

While this letter serves as written notification consistent with U.C.A. §53G-5-501, it also provides an opportunity for Treeside Charter School to respond to the concerns outside of an open and public board meeting. However, if Treeside Charter School cannot provide immediate assurance (and supporting documentation) to the SCSB that Treeside Charter School has exclusive control of its facilities during the regular school day and during school-sponsored activities and a feasible plan for continued financial and operational viability given the terms in the proposed lease modifications, the SCSB will consider action to protect students and students' interests. Such action may include options outlined in U.C.A. §53G-5-501 and 503.

The SCSB recognizes that Treeside Charter School is doing many good things for students. Identifying these deficiencies is not meant to detract from those good things. However, these deficiencies must be addressed. It is our hope that you and your staff will be able to resolve these deficiencies. The SCSB also offers technical assistance and mentoring via mentoring funds provided in U.C.A. §53F-2-705. Contact Authorizing and School Support Coordinator Marie Steffensen if you would like this support.

Sincerely,

Executive Director Jennifer Lambert
State Charter School Board

cc: Dr. Benjamin Johnson, Treeside Charter School Director

Chair Kristin Elinkowski
Vice Chair DeLaina Tonks

Director Jennifer Lambert
Cynthia Phillips

Michelle Smith
Jim Moss

Bryan Bowles
Krystle Bassett

Provo City Planning Commission
351 W Center St
Provo, UT 84601

October 7, 2020
Via Email

RE: Additional information for 1724 S. State Street rezone request.

Dear Provo City Planning Commission Members,

Zions M-13 Development is the owner of two parcels located at 1724 S. State Street and has requested a rezone for this property from A15 to SC2. The rezone will allow for the continued beneficial use of its significant investment in two existing buildings, in largely the same manner in which they are currently used. As counsel for the property owner, I would like to address a somewhat unusual issue that you may encounter during the Planning Commission meeting.

By way of background, Zions M-13 originally constructed a building on the site in 2017 that would accommodate a school use as well as a separate athletic facility and offices next to the school in 2018. Zions M-13's original tenant for the school building, and a small portion of the athletic facility, was Treeside Charter School. Under state law, a charter school use does not require local zoning approval. As such, the Zions M-13 property was not rezoned to accommodate this tenant.

Unfortunately, shortly after Treeside Charter School took possession of the school building, it breached its lease. Compounding the dilemma, last year, Treeside Charter School filed for bankruptcy. Zions M-13 will be without any charter school tenant in June of 2021. Consequently, Zions M-13 has requested this rezone to ensure the continued beneficial use of the existing buildings once the charter school tenant leaves the site. The requested rezone will allow the two existing buildings to be used as a preschool and an athletic facility.

The Provo City General Plan and SE Neighborhood Plan both designate this area as mixed-use—featuring commercial uses that will serve the surrounding community. This rezone request is consistent with the General Plan and the SE Neighborhood Plan. It will also complement new residential development that is planned to surround the site.

While it is highly unusual for a tenant to object to a landlord's rezone request, we do expect that someone from the Charter School may testify in opposition next week. As such, for clarity, we have attached a letter from Morgan Fife, Zions M-13's litigation counsel, to better explain the status of the Charter School's lease obligations to Zions M-13 and the current litigation.

Finally, it is important to underline the fact that Treeside Charter School's rights under the lease agreement are not impacted by the rezone. Under state law, a charter school is allowed in every zone.

Moving forward, this rezone is consistent with the City's vision for the neighborhood and is essential for the owner's continued beneficial use of his significant investment in the property. We look forward to answering any questions you may have about the property and the requested rezone on October 14th.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodi S. Hoffman", written in a cursive style.

Hoffman Law

Jodi S. Hoffman

Cc: Brandon Larsen



SEILER, ANDERSON,
FIFE & MARSHALL, LC

Attorneys and Counselors at Law

Thomas W. Seiler
Jared L. Anderson
Morgan Fife
Derek T. Marshall

Lacey M. Whimpey
Perris E. Nelson
Scott B. Mosley
Mark F. Robinson
Norman H. Jackson
Jeri L. Allphin

October 7, 2020

Provo City Planning Commission
330 West 100 South
Provo, UT 84601

RE: Application by Zions M-13 Development, LLC

Dear Provo City Planning Commissioners,

I represent Zions M-13's in its ongoing contract dispute with Treeside Charter School ("Treeside"). Zion's M-13 is the owner of property located at 1724 S. State Street (the "Property Owner") that was leased to Treeside in 2017. Through this letter I hope to provide you additional information on the state of litigation between my client and the charter school.

My client entered into a 20-year lease with the tenant, Treeside Charter, for the main school building in 2017. In 2018, my client and Treeside amended the 20-year lease and also entered into a 5-year agreement to nonexclusively lease a new athletic facility built by Zions M-13 at great expense. Both in their negotiations and in the lease for the new athletic facility's lease, it was the parties' express intention to permit Zions M-13 to lease the property to third parties. Unfortunately, almost immediately, Treeside failed to live up to its obligations in the lease, and Zions M-13 was forced to sue Treeside to enforce the lease.

After the court issued a temporary restraining order in favor of Zions M-13, the parties agreed to try and resolve their dispute through mediation. During mediation, my client and Treeside reached a comprehensive settlement agreement, which included an addendum to their leases. Treeside's board then approved the settlement agreement (see attached board minutes) and Treeside's counsel, Ginger Utley from the office of Lear & Lear, confirmed to me by email that the settlement had been approved (see attached email). Treeside now denies that the settlement is in effect. In the settlement agreement, Treeside agreed to pay additional money to lease both the school building and the entire athletic facility (and even made the first payment required by the amended lease). Treeside also agreed that the lease would terminate on May 31, 2021.

Shortly after the settlement was reached, Treeside filed for bankruptcy protection largely to invalidate its obligations under the settlement agreement and amended lease. The bankruptcy court recently set aside the automatic stay and is allowing Zions M-13's lawsuit to move forward in State Court to address the issues related to the lease. It is our position that Treeside has breached both the original lease and the settlement agreement.

Based on reports we received about representations made by Treeside at a meeting last week, we expect Treeside to testify in opposition to the proposed rezone before you. One thing is

certain: no matter how the current litigation is resolved, a rezone of this property as requested will not in any way diminish Treeside's rights under its original lease or the settlement agreement.

Sincerely,

SEILER, ANDERSON, FIFE & MARSHALL, LC

A handwritten signature in black ink, appearing to read "Morgan Fife", with a stylized flourish at the end.

Morgan Fife
Attorney for Zions M-13 Development, LLC



BOARD OF TRUSTEES

Regular Meeting

6:00 PM, Monday, September 30, 2019

Music Room, Treeside Charter School
1724 S State Street, Provo, UT 84606

Minutes

Welcome & Call to Order

1. Opening Remarks at 6:09 PM. Emergency meeting will move directly into closed session

Public Comment

None

Closed Meeting (0:00:12)

Roll Call vote for moving to closed session: April Clawson, BJ Taylor, Robert Leckie, Randall Robertson

Robert Leckie moved that we close the meeting for discussion as allowed by state code.

Return from Closed Session & Action Agenda (0:01:12)

Randall Robertson moved to ratify the settlement terms reached by party's counsel to resolve litigation in the case of Zion's M-13 Development LLC & American Charter Development v. Treeside Charter School. Robert Leckie second. Roll Call vote, all in favor: April Clawson, BJ Taylor, Robert Leckie, Randall Robertson, Jennifer Ammott.

Adjourn

Jennifer Ammott moved to adjourn. Board agreed. Adjourned.

Public Comment

Public Comment is time for the public to give input directly to the TCS Board of Trustees. The Board may engage in discussion to clarify any points raised but in general, this is not a forum for extended discussion. Individual (or group, represented by a single individual) comments are limited to 2 minutes. Individuals wishing to make a longer presentation to the board may request placement on a future agenda by contacting the board Secretary or Chair. Administrative or operational items, those regarding the day-to-day operation of the school, may be referred to the school director. Individuals who have previously met with the school director and still have concerns should feel free to participate in the public comment portion of 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 Treeside Charter School Board of trustees at 1724 S State Street, Provo, 84601, or email rrobertson@treesidecharter.org at least three working days prior to the meeting. The meeting



room at the School is fully accessible via the parking lot.

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

This meeting was noticed in compliance with Utah Code 52-4-202. Agendas and minutes are accessible through the Utah Public Meeting Notice website at utah.gov/pmn, which also offers email subscriptions to notices.

Network for public internet access is via SSID: TREE-Open with no password.

Morgan Fife

From: Ginger L. Utley <ginger.utley@learlaw.com>
Sent: Wednesday, October 2, 2019 9:33 AM
To: Morgan Fife; Mitch S. Maio
Cc: Tom Seiler
Subject: RE: Confidential Settlement Communication

That sounds great. Thanks, Morgan. Let us know if you have any questions as you prepare the draft.

Best,
Ginger

From: Morgan Fife [mailto:mfife@safmlaw.com]
Sent: Tuesday, October 1, 2019 4:04 PM
To: Mitch S. Maio
Cc: Ginger L. Utley; Tom Seiler
Subject: RE: Confidential Settlement Communication

Mitch & Ginger:

Thank you for your phone call confirming that the TCS Board has approved the settlement agreement and lease addendum subject to the revisions we proposed below. I think that this is a good outcome. I will get moving forward with the addendum and the dismissal docs.

Best regards,

Morgan



MORGAN FIFE | ATTORNEY

Seiler, Anderson, Fife & Marshall, LC
2500 N. University Ave., Provo, UT 84604
T: 801.375.1920 F: 801.377.9405
mfife@safmlaw.com | www.safmlaw.com

Please note that I have a new email address: mfife@safmlaw.com. Emails sent to my old "rsalawyers.com" email address will still reach me.

CONFIDENTIALITY NOTICE: This electronic mail message and any attachment are confidential and may also contain privileged attorney-client information or work product. The message is intended only for the use of the addressee. If you are not the intended recipient, or the person responsible to deliver it to the intended recipient, you may not use, distribute, or copy this communication. If you have received the message in error, please immediately notify us by reply electronic mail or by telephone at 801.375-1920, and delete this original message.

From: Morgan Fife
Sent: Thursday, September 26, 2019 5:18 PM
To: Mitch S. Maio
Cc: 'Ginger L. Utley' Tom Seiler
Subject: RE: Confidential Settlement Communication

Mitch:

Thank you for taking a moment to speak with me. Based on the concerns that your client expressed, here is what the landlord proposes.

The balloon payment would be split evenly in two. The first half would be paid by April 15, 2021. The second half would be paid by May 31, 2021.

In the interim, the school would agree that it will not pledge the items we proposed as security (all property, both tangible and intangible) and that it will not sell any of the property outside the normal course of business.

Kind regards,



MORGAN FIFE | ATTORNEY

Seiler, Anderson, Fife & Marshall, LC
2500 N. University Ave., Provo, UT 84604
T: 801.375.1920 F: 801.377.9405
mfife@safmlaw.com | www.safmlaw.com

Please note that I have a new email address: mfife@safmlaw.com. Emails sent to my old "rsalawyers.com" email address will still reach me.

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From: Morgan Fife
Sent: Wednesday, September 25, 2019 3:50 PM
To: Mitch S. Maio
Cc: Ginger L. Utley Tom Seiler
Subject: Confidential Settlement Communication

Mitch:

Thank you for speaking with me. As discussed, after addressing the concerns you raised on behalf of the school, Tom and I spoke with our client. They proposed the following.

The Monthly Fixed Rent would continue to be \$68,000 per month. From now until July 31, 2020, the landlord would permit the school to defer \$4,000 monthly from the Monthly Fixed Rent. As a result, during that time period, the school would only pay \$64,000 per month in Monthly Fixed Rent. The total of all deferred amounts would be paid in a balloon payment on or before May 31, 2021.

Starting on August 1, 2020, the school would pay \$68,000 per month in Monthly Fixed Rent.

The deferral period would permit the school time to work towards increased enrollment in the upcoming year as well as find and secure tenants for the gym building.

The landlord would require the school to pledge a security interest to secure its performance of the lease in all of the school's tangible and intangible property in the form of a security agreement with normal and customary terms. This would include all of the normal items, including equipment, business fixtures, accounts, cash, personal property, etc.

Kind regards,



MORGAN FIFE | ATTORNEY

Seiler, Anderson, Fife & Marshall, LC
2500 N. University Ave., Provo, UT 84604
T: 801.375.1920 F: 801.377.9405
mfife@safmlaw.com | www.safmlaw.com

*****Please note that I have a new email address: mfife@safmlaw.com. Emails sent to my old "rsalawyers.com" email address will still reach me.*****

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PROVO MUNICIPAL COUNCIL STAFF REPORT



Submitter:
Department:
Requested Meeting Date:

SUBJECT: A discussion regarding a Council policy intent statement for Center Street.
(20-138)

RECOMMENDATION: Approve a policy intent statement for Center Street.

BACKGROUND: Councilors Dave Harding and Shannon Ellsworth met with several members of City staff to discuss policies for Center Street and want to discuss a policy intent statement from the Council to guide future Administrative decisions.

FISCAL IMPACT: TBD

PRESENTER'S NAME: Councilors Dave Harding and Shannon Ellsworth

REQUESTED DURATION OF PRESENTATION: 15 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 20-138

PROVO MUNICIPAL COUNCIL STAFF REPORT



Submitter: HSALZL
Department: Council
Requested Meeting Date: 10-20-2020

SUBJECT: A presentation regarding the Central Corridor Transit Study's findings. (20-133)

RECOMMENDATION: Presentation only.

BACKGROUND: The Central Corridor Transit Study (CCTS) Team has asked to present their progress and findings to the Council.

The CCTS was a collaborative with the Utah Department of Transportation (UDOT), Mountainland Association of Governments (MAG), and seven cities in Utah County (Lehi, American Fork, Pleasant Grove, Lindon, Orem, Vineyard and Provo) to evaluate options for faster and more frequent high-capacity transit service between Lehi and Provo.

FISCAL IMPACT: TBD

PRESENTER'S NAME: Eric Rasband, UDOT Region 3 Planning Manager, and Mary De La Mare-Schaefer, UTA Regional General Manager

REQUESTED DURATION OF PRESENTATION: 15 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 20-133

PROVO MUNICIPAL COUNCIL STAFF REPORT



Submitter: HSALZL
Department: Council
Requested Meeting Date: 10-20-2020

SUBJECT: A discussion regarding the renewal of certain requirements related to the COVID-19 pandemic responses, including face coverings and public gatherings. (20-118)

RECOMMENDATION: This item is scheduled for the Council Meeting this evening, where the Council may vote on whether to renew Provo City Code Chapter 9.25. If the Council desires further action, a motion or direction to staff may be necessary.

BACKGROUND: On August 25, 2020, the Council approved an ordinance creating Provo City Code Chapter 9.25, which set requirements for facial coverings and public gatherings in response to the COVID-19 pandemic. It was upheld on August 27 after a mayoral veto and amended on September 19, 2020. The full text can be found here: <https://provo.municipal.codes/Code/9.25>

Chapter 9.25 was originally set to expire on November 15, 2020. The Council agreed to discuss renewing it in their meetings on October 20, 2020.

FISCAL IMPACT: TBD

PRESENTER'S NAME: Cliff Strachan

REQUESTED DURATION OF PRESENTATION: 60 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 20-118