

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.



## PROVO MUNICIPAL COUNCIL

### Regular Meeting Minutes

5:30 PM, Tuesday, April 20, 2021

Room 200, Municipal Council Chambers

Hybrid Meeting: <https://www.youtube.com/provocitycouncil> or Council Chambers,  
351 W Center Street, Provo, UT 84601

### Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Councilor Shannon Ellsworth

Councilor Bill Fillmore

Councilor George Handley

Councilor David Harding

Councilor Travis Hoban

Councilor David Sewell

Councilor David Shipley

Mayor Michelle Kaufusi

Chief Administrative Officer Wayne Parker

Council Attorney Brian Jones

Council Executive Director Cliff Strachan

Conducting: Chair David Sewell

Vice Chair George Handley chaired the meeting momentarily until Chair Sewell arrived.

**Prayer** – Travis Hoban

**Pledge of Allegiance** – Bill Fillmore

Prior to the first presentation, Vice Chair Handley offered a statement regarding the transition from electronic meetings to hybrid meetings. Even though COVID-19 rates were improving, safety precautions were still recommended.

### Presentations, Proclamations, and Awards

**A presentation awarding Ken Potts the Mayor's Award of Honor. Mr. Potts is one of only two living survivors of the sinking of the USS Arizona on December 7th, 1941, in addition he is celebrating his 100th Birthday. (21-053) (0:18:03)**

Mayor Kaufusi introduced Mr. Ken Potts, and said the following:

*The word "HERO" is so frequently thrown around these days, and too often for activities well beneath what the standard ought to be.*

*Let me define the characteristics of a HERO while I introduce you Mr. Ken Potts, Provo's true, hometown hero.*

*Eager to serve, whatever the personal cost. Despite growing up through the Great Depression and not being able to graduate high school, Ken eagerly answered the call to serve his country at 18.*

*A survivor and an eyewitness to history. Ken Potts is one of just two survivors left from the USS Arizona and provides a patriot's voice from America's infamy at Pearl Harbor.*

*A proud patriot. While you suffered loss and personal sacrifice we can't imagine, your patriotism still burns bright. In a city that prides itself on hosting "America's Freedom Festival," we are honored to have a resident so directly involved in preserving freedom for all of us.*

*Humble. For one so deserving of our praise, Ken—and I know he'd prefer we call him that—no doubt feels we are making too big a fuss.*

*We are not, sir! If nothing else, thank you for giving us the opportunity to truly SEE the definition of a TRUE hero.*

*On April 15, Ken Potts turned 100 and graciously allowed his peace to be disturbed by a community sharing its gratitude with honks and waves.*

*While our gestures in no way compare to the debt America owes you, on behalf of Provo I'd like to award you, a true hero...*

Mayor Kaufusi presented Mr. Potts with his award and traditional lei.

### **Public Comment**

Bernie McGuire, Provo, spoke in opposition of the proposed Carterville Neighborhood parking permit area. He said the applicant had moved and was no longer in the area and Mr. McGuire was also concerned about the fee because he was disabled and had four caretakers who needed to be able to park on the street.

*Due to technical issues, there was a brief break.*

Councilor Harding spoke during public comment and encouraged the public to follow the CDC guidelines to prevent an uptick in COVID-19 cases.

### **Consent Agenda**

*Items on the consent agenda are to consider routine and noncontroversial dealing mainly with the administration of Council business. The following items were on the consent agenda:*

#### **Approval of Minutes – March 2, 2021 and March 16, 2021 Council Meeting Minutes**

##### **1. An ordinance approving the Dominion Energy Franchise Agreement. (21-054)**

*Due to more technical issues, there was a brief break.*

Both items on the consent agenda were approved by unanimous consent with Councilor Fillmore excused due to technical difficulties.

### **Action Agenda**

## 2. A Report of the Elected Officials Compensation Commission. (21-026) (1:07:36)

Peter Madsen, Chair of the Elected Officials Compensation Commission, presented. Mr. Madsen presented the following report regarding Council Member compensation:

*Under Provo Utah City Ordinance 4.04.125, the Elected Officials Compensation Commission is created once every four years, in the same year that the mayoral election is held. It is tasked with recommending the annual salary for municipal councilmembers to the Provo City Municipal Council.*

*After deliberation, the Elected Officials Compensation Commission unanimously recommends an annual salary of **\$ 21,000.00**. Our recommendation is based on two points:*

*1. Evaluation of the annual salaries of city councilmembers in comparable Utah cities, as directed by the ordinance; and,*

*2. Consideration of the scope of duties of the councilmember*

*Based on comparison of the annual salaries of other city councilmembers in the State of Utah, with similar population. Provo's population is 117,000. The average annual salary of Utah city councilmembers serving cities of populations of 85,000+ is \$ 21,476. This average is for the councilmember salaries from: Ogden, Orem, Salt Lake City, Sandy, West Jordan, St. George, and West Valley (see chart on the next page, as provided by the Division Director of Provo City Human Resources). The Compensation Commission posits that these cities are most comparable to Provo in terms of population (85,000+) and that the Provo Municipal Councilmember salary should be in keeping with other city councilmember salaries in the region.*

*Further, we consider the scope of duties of the municipal councilmembers. The Provo City Municipal Council faces challenges unique to the City of Provo. In addition to its high rate of growth, Provo has both its own power department and its own commercial airport. These duties and responsibilities are not faced by councilmembers of most other Utah cities of comparable size. These duties, combined with the other issues inherent to a city the size of Provo, warrant a higher level of compensation than the Provo City municipal councilmembers are currently receiving.*

*For these reasons, the City of Provo Elected Officials Compensation Commission recommends that the annual salary for each municipal council member be set at **\$ 21,000.00** per year beginning January 1, 2022.*

*We recommend that the existing benefits remain in effect with the following adjustments for expense accounts:*

- 1. Increase the monthly communications allowance for all Council Members from \$120 to **\$150**.*
- 2. Increase the monthly allowance for all Council members for expenses incurred while within the corporate limits of the City from \$100 to **\$125**.*
- 3. Increase the additional monthly expense allowance given to the Council Chair from \$100 to **\$125**.*
- 4. Increase the additional monthly expense allowance given to the Council Vice Chair for \$75 to **\$85**.*

*Submitted unanimously by the members of the Elected Officials Compensation Commission, each of whom is a Provo resident.*

- Human Resources collected salary data from 24 agencies along the Wasatch Front that have part-time Council Members like Provo City.
- Unlike the Mayor’s position, agencies do not uniformly offer retirement benefits to Council Members.
- Nine of the agencies surveyed do not offer any retirement benefit.
- All but one offer medical benefits.
- Current salaries, population, whether they offer retirement contributions, and reported additional compensation are as follows:

Agency	Salary	Pop.	Ret.	Additional Annual Compensation Reported
American Fork	\$6,000	32,500	No	\$3,000 travel allowance
Payson	\$6,400	20,000	Yes	\$600 for travel + \$600 if using own phone
Pleasant Grove	\$7,200	38,000	Yes	
Bountiful	\$7,800	44,000	No	\$2,400 travel allowance
South Salt Lake	\$11,352	25,000	Yes	
Springville	\$12,228	33,000	No	\$2,500 for phone, travel, other expenses
Toole	\$12,504	35,000	Yes	\$8,600 for RDA work and phone allowance
Orem	\$14,420	97,500	Yes	
Murray	\$15,497	49,000	Yes	\$4,200 for expenses
Eagle Mountain	\$15,600	36,000	No	
Logan	\$15,605	52,000	No	\$300 travel allowance
South Jordan	\$16,514	74,000	No	Up to \$480 for phone
Lehi	\$16,608	66,000	No	\$1,500 travel + \$900 phone
Layton	\$17,396	77,000	No	
Spanish Fork	\$17,467	40,000	Yes	
West Jordan	\$18,000	116,000	Yes	
Ogden	\$18,090*	88,000	Yes	\$1,150 clothing + \$1,140 phone
<b>Provo</b>	<b>\$18,180</b>	<b>117,000</b>	<b>No</b>	<b>\$1,440 communications + \$1,200 expense**</b>
St. George	\$20,556	87,000	Yes	\$1,800 travel allowance
West Valley	\$21,580	136,000	Yes	
Draper	\$23,400	48,000	Yes	
Park City	\$23,435	8,500	No	
Sandy	\$24,333	97,000	Yes	
Salt Lake City	\$36,650	201,000	Yes	
Salt Lake County	\$42,856	1,153,000	Yes	

\*Ogden Council Chair receives \$20,260; Council Vice Chair receives \$19,175  
 \*\*Provo Chair and Vice Chair receive additional \$1,200 and \$900 respectively for expenses.

Mr. Madsen presented the following regarding the mayor’s salary:

*Under Provo Utah City Ordinance 4.04.125, the Elected Officials Compensation Commission is created once every four years, in the same year that the mayoral election is held. It is tasked with recommending the annual salary for the mayor to the Provo City Municipal Council.*

*After deliberation, the Elected Officials Compensation Commission unanimously recommends an annual salary of \$ 130,000.00. Our recommendation is based on two points:*

- 1. Evaluation of the annual salaries of mayors in comparable Utah cities, as directed by the ordinance; and,*
- 2. Consideration of the scope of duties of the Provo mayor.*  
*Based on comparison of the annual salaries of other mayors in the State of Utah with similar population. Provo’s population is 117,000. The average annual salary of full-time Utah mayors serving cities of populations of 85,000+ is \$126,823. This average is for the mayoral salaries from Ogden, Salt Lake City, Sandy, and West Jordan (see chart on the next page, as provided by the Division Director of Provo City Human Resources).*

*The Compensation Commission posits that these cities are most comparable to Provo in terms of population (85,000+) and that the Provo mayor's salary should be in keeping with other full-time mayors in the region.*

Further, we consider the scope of duties of the mayor. The Provo mayor faces challenges unique to the City of Provo. In addition to its high rate of growth, Provo has both its own power department and its own commercial airport. These place additional duties and responsibilities on the Provo mayor which are not faced by the mayors of other Utah cities of comparable size.

The Compensation Commission states that these extra duties, combined with the other issues inherent to a city the size of Provo, warrant a higher level of compensation than the mayor has been receiving. For these reasons, the City of Provo Elected Officials Compensation Commission recommends that the annual salary for the mayor be set at \$ 130,000.00 per year beginning January 1, 2022. We recommend that the existing benefits remain in effect.

Submitted unanimously by the members of the Elected Officials Compensation Commission, each of whom is a Provo resident:

- Full-time mayors are given the same retirement and medical benefits that are offered to the full-time employees in their City.
- Full-time mayors are generally not the highest paid position in the City. Their salary is commonly found to be less than a CAO/City Manager and department heads.
- In 2013, the Mayoral Compensation Commission limited their market comparisons to full-time mayors serving populations of approximately 50,000+ residents. This included Logan, Murray, Ogden, Salt Lake City, Salt Lake County, Sandy, and West Jordan.

In 2017 and 2021, the Elected Officials Compensation Commission further narrowed their market comparisons to full-time mayors serving cities of populations of 85,000+residents. This included Ogden, Salt Lake City, Sandy, and West Jordan (Salt Lake County was excluded as a comparison).

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Agency	Salary	Population
Eagle Mountain	\$70,000	36,000
South Salt Lake	\$81,492	25,000
Toole	\$95,502*	35,000
Logan	\$99,467	52,000
West Jordan	\$105,000	116,000
Murray	\$118,518	49,000
<b>Provo</b>	<b>\$121,200</b>	<b>117,000</b>
Sandy	\$127,572	97,000
Ogden	\$133,766	88,000
Salt Lake City	\$146,578	201,000
Salt Lake County	\$164,930	1,153,000

\*Includes a \$9,400 stipend for working with RDA

The Elected Officials Compensation Committee members were Jim Tracy, Juan Riboldi, Sharlene Wilde, Taeya Howell, Peter Madsen, Anna King, and Laura Cabanilla.

Clifford Strachan, Council Executive Director, explained there would be a fiscal impact of approximately \$18,300 for FY 2022 (half year) and \$36,600 for FY 2023 (full year).

Chair Sewell opened public comment, there was no response.

Councilor Fillmore said if Councilors work 15 hours a week, they were being paid approximately \$29 per hour, and 20 hours per week would be \$22 per hour.

*Due to a scheduling conflict, item 5 was presented next.*

5. **Ordinance 2021-16 amending the Zone Map classification of approximately 54 acres of real property, generally located at 3450 W Center Street, from (A1.10) to (M1), (R1.8PD), and (RA). Provo Bay and Fort Utah Neighborhoods. (PLRZ20180197) (1:15:17)**

**Motion:** An implied motion to adopt Ordinance 2021-16, as currently constituted, has been made by council rule.

Brandon Larsen, Planner, presented. This item had been presented in previous meetings. He explained this included about 55 acres of land. There were three parcels all currently zoned A1.1. The applicant had requested that approximately 32 acres included in the parcel located on the north side of Center Street be rezoned R1.8PD, with approximately 2 acres that had existing homes be rezoned as RA. The two parcels on the south side of Center Street equaled approximately 31 non-contiguous acres and an M1 Zone had been requested.

Mr. Larsen spoke about the two parcels to the south of Center Street. Approximately 300,000 square feet would be light industrial, and 100,000 square feet would be flex space that had store fronts with a warehouse in the back.

The plan for the parcel to the north of Center Street would include 72 new one-family homes with lots ranging from 6,000 to 13,669 square feet. Because this zone was Performance Development, this gave them flexibility with lot size in exchange for open space and amenities.

Since the previous meeting, Mr. Larsen and Staff had discussed dedication of trails and open space. The applicant had proffered a development agreement and was open to the dedication of this land. Staff spoke with Parks and Recreation and they had some concerns about accepting a dedication. Utah County has the responsibility for maintaining the Provo River Trail and they worried about dedications in this area because of entanglements with the Provo River Delta Project. Additionally, Parks and Recreation had concerns related to trail safety. Staff had prepared language for the development agreement without the dedication language due to the concerns that had been brought forth.

The proposed development agreement addressed the use of the trails and open space, three access points to the trail through the development, and a design standard for tan vinyl fences along the trail.

The developer was concerned because the subject land was used as agricultural use and he wanted to ensure that if rezoned, it could still be used for agricultural purposes. Mr. Larsen explained they could continue this as a non-conforming use under the new zone until the land was redeveloped. The developer also wanted some flexibility with the parcels that would be used for light industrial use; he requested the initial concept plan be replaced with a new version that only showed the concept plan for the residential portion.

Mr. Larsen thought the City needed more single-family lots and this development provided that. There had been many multifamily units approved elsewhere recently, so this helped add a balance.

Councilor Ellsworth asked if there had been any multifamily housing within a mile of this property. Mr. Larsen said there was not in this area. Ms. Ellsworth asked if this helped to diversity the housing in this area, noting that most of the multifamily development was in the south part of Provo. She did not feel this helped to diversify the housing type. Mr. Larsen said this proposal was in alignment with the neighborhood map.

Since the trails and open space would not be deeded to the City, Mr. Harding asked who would have access. Dave Morten, Developer, said this would be a project amenity, but they would not prevent access to the public.

Chair Sewell opened public comment, starting with the neighborhood chair.

Jonathon Hill, Fort Utah Neighborhood Chair, addressed some of the previous questions asked by Council. He noted that diverse housing was important, but he did not think every housing type could fit everywhere. He said the lower density projects should be on the outskirts of the City. Most people who live on the west side like it because it was less dense. Additionally, Center Street was not big enough to accommodate higher density. He was excited for the open space and trails and hoped it would be expanded even further to create a walkable community.

There were no other comments from the public.

The Council reviewed the Southwest Area Land Use Map and policies and discussed the need for a variety of housing types across all of Provo. Some councilors felt like there should have been a mix of housing type, including more density.

Councilor Ellsworth would have preferred to see a mixed housing type, including higher density. She felt that all the higher density was being put in south Provo and not diversified across the City. She did not think this was not a sustainable project. Ms. Ellsworth felt the Council was not being consistent with what they previously stated was needed.

Mr. Hill said while they were working on the Southwest Area Future Land Use Map, they had been told by Public Works that it was important to maintain an average of four units per acres in this area due to limited infrastructure. He said apartments did not make sense for this project, with it being so far away from public transportation and stores. Additionally, the residents would be opposed to mixed housing types.

Councilor Hoban agreed there was a housing shortage in Provo. So, he asked if it might be better to approve this housing project, even if it was not exactly what the Council was looking for.

Councilor Fillmore acknowledged that some proposals did not lend themselves to what would be ideal, but he was persuaded by Mr. Hill who spoke on behalf on his neighborhood. This project satisfied most of the people in the area. He was inclined to support the project.

Councilor Shipley thought most developers probably wanted to maximize profitability and would build as densely as possible, but this developer brought forth a plan that was less dense and was succinct with the infrastructure limitations in the area. And the project matched the neighborhood plans. Mr. Shipley was supportive. He did not think this would prevent other opportunities for multifamily housing.

Chair Sewell agreed with Mr. Shipley and Mr. Fillmore. He addressed Councilor Hoban's question, he said when a developer puts in this much effort and has this much support from the neighborhood, it seemed wise to move forward. The industrial area seemed like it made sense near the airport.

Councilor Ellsworth had concerns about misrepresentation. She said density could be placed this far from downtown. She lived in a townhome three miles from downtown, but housing values were still soaring. To say low density was not viable was inconsistent with previous conversations. It seemed that the council was more apt to desire dense housing in certain areas of Provo, she thought this pattern was arbitrary and unsustainable. Housing affordability was terrible due to low interest rates and there was no housing stock available. Creating more housing was part of the solution. Ms. Ellsworth thought the decisions needed to be more data driven.

Councilor Harding appreciated Mr. Hill's comments. This area was designated as residential and maybe that meant different things to different people, but he thought it had been approved with an understanding of what type of housing was desirable for the area. He supported that this should be developed with an average of four units per acre. Mr. Harding clarified that he was not suggesting high density housing, but a mixture of housing types that do not disturb the nature of these neighborhoods. He acknowledged the zoning required to implement what Ms. Ellsworth described did not exist yet, and he did not want to hold this against the developer. Mr. Harding was willing to move forward with this project but wanted to be cautious with future approvals until the tools, like zoning, were in place.

Councilor Handley agreed with Mr. Harding and wanted to acknowledge the nuance with creating a diversity of housing types. He hoped for more of a variety of housing. Mr. Handley did not think this was arbitrary or inconsistent. These plans were in place well before the current council, and this met the objectives of those plans. Having better plans in place in the future would be helpful. He thought Ms. Ellsworth's comments were somewhat contradictory. She disapproved of more multifamily housing in the area where she lived three miles from downtown due to limited services, but wanted it in this area, which was also three miles from downtown, but on the opposite side of the City. Councilor Handley was supportive but wanted to put creative efforts into future zoning and planning. This plan did have merit, but he also wished it included more housing diversity.

Councilor Shipley agreed with Mr. Handley.

Councilor Fillmore also agreed with Mr. Handley and was not opposed to more density on west Center Street, so long as the infrastructure and approvals were in place. One of his primary focuses was to improve and enhance south State Street with new retail and beautification efforts. Mr. Fillmore thought this project stood on its own merits.

Chair Sewell pointed out the Council rules allowed each Councilor two opportunities to comment, but this rule had not been strictly enforced previously. He allowed further comments but asked for conciseness.

Councilor Ellsworth responded to Councilor Handley's comments by saying that it was inconsistent to say that multifamily housing was okay three miles southeast of downtown, but not okay three miles west of downtown. Her concern was inconsistent application.

Councilor Harding noted that the rules still allowed for clarifying questions and rebuttals, even after two comments. He wanted to discuss the open space and the question of dedication. He agreed the value of



having this pathway was great. Mr. Harding appreciated the developer's willingness to accommodate the City. One of the things the Council wanted to focus on was making the river an amenity and embracing it. The email from Parks and Recreation described the issues well and Mr. Harding responded with some questions. He understood the concerns but did not understand how it applied to this project. Despite not understanding, he would not vote for a dedication because of the objection of the department. He wanted to ensure the trail was in place, this was important for the walkability of the neighborhood. Mr. Harding still wanted to explore the option of a dedication with Parks and Recreation.

Councilor Fillmore did not want to miss an opportunity with respect to a potential dedication. He was not opposed to waiting for the next meeting to have more conversation about this.

**Motion:** Councilor Harding moved to amend the implied motion to include the proffered development agreement. Councilor Fillmore seconded the motion.

Chair Sewell called for a vote on the motion.

**Vote:** The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

The development agreement was now included in the implied motion. Chair Sewell called for a vote on the implied motion.

**Vote:** The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

**3. Resolution 2021-17 supporting the submittal of the 2021 Land and Water Conservation Grant application to secure grant funding to aid providing park improvements for the Provo Regional Sports Park. (21-052) (2:35:19)**

**Motion:** An implied motion to adopt Resolution 2021-17, as currently constituted, has been made by council rule.

Doug Robins, Parks and Recreation Assistant Director, presented. Parks and Recreation desired to submit a grant application for the Provo Regional Sports Park from the Land and Water Conservation Fund (LWCF). This was an important funding opportunity and required a 50/50 local grant match. Provo planned to request the maximum grant amount of \$3 million that will be matched with funds in the 2021 Parks and Recreation Capital Improvement Plan. The application required a statement of commitment that had to be adopted by resolution. The deadline to apply was May 1.

Chair Sewell opened public comment, there was no response.

There was no further discussion and Chair Sewell called for a vote on the implied motion.

**Vote:** The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

**4. Resolution 2021-18 Appropriating \$17,000 in the Community and Neighborhood Services Department in the General Fund for a New Full-Time Parking Coordinator Position. (21-051) (2:29:55)**

**Motion:** An implied motion to adopt Resolution 2021-18, as currently constituted, has been made by council rule.

David Mortensen, Budget Officer, presented. In prior work and policy meetings, the Municipal Council had expressed a desire to add a new full-time parking coordinator position in the Community and Neighborhood Services Department. This appropriation of \$17,000 recommended by City Administration would fund this position for May and June of 2021, which were the last two months of fiscal year 2020-2021. Funding for the position for the next fiscal year would be included in the fiscal year 2021-2022 annual budget, which will be considered by the Municipal Council in future meetings in May and June of 2021.

Chair Sewell opened public hearing, there was no response.

There was no further discussion and Chair Sewell called for a vote on the implied motion.

**Vote:** The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

**6. Ordinance 2021-17 enacting Provo City Code Chapter 9.81 (Carterville Parking Area).  
Carterville Neighborhood. (19-108) (2:42:36)**

**Motion:** An implied motion to adopt Ordinance 2021-17, as currently constituted, has been made by council rule.

Javin Weaver, Planner, presented. The applicant had moved from the area, so Mr. Weaver had been working with Liv Allen who had been involved in the application. They proposed restriction was 11 p.m. to 6 a.m., Saturday through Sunday. After sending notices to the neighborhood, he received two responses in opposition to the program.

Councilor Ellsworth asked if anyone had voiced support. Mr. Weaver said Ms. Allen was the only one he was aware of.

Councilor Handley said they had received a suggestion to enforce the 72-hour limit before implementing a permit program. Mr. Weaver said they were marking vehicles that had not moved in 72-hours, but it was complaint based and with limited parking enforcement staff they were doing what they could to enforce the time limit.

Chair Sewell asked if there had been more responses when the program was initially proposed. Mr. Weaver said there had been about 25, but that was for a larger area that was initially proposed.

Councilor Fillmore did not sense any support from the neighborhood, he asked if this was initiated by the City. Mr. Weaver said the petition was filed by someone in the neighborhood, but they no longer lived there. Mr. Fillmore asked if the majority of the neighbors wanted this, Mr. Weaver had not heard any support other than from Ms. Allen. Mr. Weaver said the need for parking management in this area was supported by data.

Councilor Harding said the City had a defined process to bring forth these requests. Originally the permit area was much larger, and of the larger area there were 25 people in support. Staff performed

evaluations and determined the permit area could be refined to the area where it was most needed and proposed a smaller permit area. This area had received notification and there was no response.

Brian Jones, City Attorney, said that normally these programs go into place because the neighborhood wants it. But that was not the only reason for implementing a program. In this case, it was needed and there was a recommendation from staff.

Chair Sewell opened public comment.

Liz Allen, Provo, had taken over the application after the original applicant moved. She explained that her neighbor who spoke earlier was on 300 West and they did not have as much of a problem as those on 1625 North. She understood his concern, but she suggested making his caretakers pay for the permit.

There were no other comments from the public.

Councilor Handley said there was previously some interest in folding this into a more comprehensive approach to parking. Because there was no opposition and Ms. Allen's support, the issue needed to be addressed.

Councilor Ellsworth's preference was to wait. She wanted to see this evaluated from a different perspective. The fee for this permit was much more than other areas and it might be worth piloting this under a larger umbrella.

Councilor Harding said the parking committee had been discussing this for some time and there had been good dialogue with the applicant. He was comfortable moving forward with this now and as additional components become available, those could be added later. If people have multiple people rotating, but only one at a time parking on the street, the benefit to a digital permit allows it to be applied to a different license plate.

Mr. Weaver said other cities offer a special assistance or caretaker permit, he wanted the parking committee to discuss this and consider it as an option. Chair Sewell was supportive.

Chair Sewell called for a vote on the implied motion.

**Vote:** The motion was approved 4:3 with Councilors Handley, Harding, Hoban, and Sewell in favor. Councilors Ellsworth, Fillmore, and Shipley were opposed.

**7. Resolution 2021-19 approving the Program Year 2021 Annual Action Plan, second year update to the 2020-24 Five-Year Consolidated Plan. (21-050) [\(3:06:41\)](#)**

**Motion:** An implied motion to adopt Resolution 2021-19, as currently constituted, has been made by council rule.

Dan Gonzales presented. Every year, as Lead Entity for the Utah Valley HOME Consortium, Provo City submits an Annual Action Plan (an update to the Five-Year Consolidated Plan submitted to HUD) outlining the goals, objectives and the proposed use of federal CDBG and HOME resources to address housing, economic development, and community development projects to be undertaken.

Mr. Gonzalez reviewed the allocations and recommendations in detail. The total amount available for CDBG projects was \$1,755,236 and for the HOME Program there was \$2,062,952. The recommendations can be found in the Council meeting materials which are available at [agendas.provo.org](https://agendas.provo.org). (Link to Mr. Gonzalez's presentation: [0:3:08](#))

Councilor Harding had participated in the process for deciding how funding is allocated. He said the agencies being assisted were very appreciative of the collaborative approach of Orem, Provo, and Utah County. Previously, they had to submit an application to each entity and now it was just one. However, he questioned if Provo was funding a greater number of services than the other agencies. Mr. Gonzalez explained that more of the projects were in Provo and directly benefit Provo residents.

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

**Vote:** The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

#### Adjournment

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The meeting was adjourned by unanimous consent at approximately 9:02 p.m.