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PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

12:00 PM, Tuesday, March 30, 2021

Electronic meeting: [youtube.com/provocitycouncil](https://www.youtube.com/provocitycouncil)

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

Roll Call

The following elected officials participated:

Council Chair David Sewell, conducting
Council Vice-chair David Shipley
Councilor George Handley
Councilor Bill Fillmore
Councilor Shannon Ellsworth
Councilor David Harding
Councilor Travis Hoban, arrived 12:09 PM
Mayor Michelle Kaufusi, arrived 12:06 PM

Prayer

Councilor Shannon Ellsworth gave the prayer.

Business

1. A presentation regarding Administrative Services' fiscal year 2021-2022 budget. (21-015) ([0:10:37](#))

John Borget, Administrative Services Director, introduced the presentation. Each division within the department presented in more detail on their operations and budgets. Dan Follett, Finance Division Director, reviewed the city debt going up to the latest-audited financial statements. He noted the types of debts and shared details about different debt sources. The City was able to make an advanced repayment on the recreation center bond, which saved the city \$3 million in interest (and thus saved property taxpayers \$3 million). Mr. Follett reviewed the other debt categories and responded to Councilors' questions. Councilor George Handley asked whether the City had an overall bond rating or if it was broken down into categories. Mr. Follett indicated that sales tax revenue was most indicative of the economic health of the Provo community; Provo has a AAA rating for sales tax. Mr. Follett shared more insight into the bond ratings, noting that Provo's AA+ rating for General Obligation bonds was very respectable.

Daniel Softley, HR Division Director, presented on the Human Resources budget. HR was part of the City's pandemic response, including implementing and administering pandemic leave in

accordance with federal law, as well as implementing COVID-19 mitigation strategies within the City organization (including CDC updates, contact tracing, quarantine, and return-to-work practices). They also hoped to implement their new software by the end of June. Mr. Softley also reviewed relevant general plan goals and how HR supports these functions by promoting the development of Provo's workforce. Mr. Softley noted that the division had no important unfunded or supplemental needs; in the new fiscal year, important budget items would be a software support position for IS, as well as continued support for their efforts toward fair compensation, including updating pay tables, making grade adjustments, and preparing for potential minimum wage increases. In response to a question from Councilor David Harding, Mr. Softley offered clarification as to how the grades for management level positions worked.

Amanda Ercanbrack, City Recorder, shared updates on the division's functions, including municipal elections in 2021 and the increasing and evolving nature of records requests through GRAMA. She has also worked with each department to appoint a certified records officer within their department. Ms. Ercanbrack continued to prepare the City's vault records and materials for the future move to the new building. The Recorder's office also assisted with digitization of some historic photos in collaboration with the Provo Library.

Kyle Hanson, Information Systems Division Director, presented on the IS budget. He noted that their division were major participants in the City's COVID-19 response, as they provided technical support and skill to deploy the use of remote collaboration tools, expanded remote access, and phone updates throughout the City organization. In response to a question from Councilor Bill Fillmore about the City's cybersecurity standing, Mr. Hanson noted that several supplemental requests addressed this area. Mr. Hanson reviewed the IS supplemental requests:

- Restore training and travel budget to pre-pandemic levels and align the funding such that each full-time employee is granted the same travel and training benefit
- Workday analyst position (support and manage 30+ integrations of the new HR system)
- Server infrastructure support
- Citywide Office365 standard for all employees
- Back-up archive (a protected backup that cannot be changed or altered)
- CityView analyst position
- Email security gateway (to prevent and identify phishing attempts)
- Ivanti Patch Manager (to manage and verify consistent, critical Windows updates)
- GIS aerial imagery
- Web automation tool (as the City considers a redesign of the look and feel of the site, this would ensure that the City website provides a positive experience to users)

Presentation only.

2. A resolution appropriating \$105,000 from Wildland Fire Response Revenues into the Fire Department in the General Fund for an employee salary adjustment warranted by a recent salary market study. (21-048) ([1:09:26](#))

John Borget, Administrative Services Director, introduced the presentation. He explained that the City conducts a market-grade study on a regular basis, but the normal review was disrupted by the pandemic. Mr. Borget highlighted the negative impacts that the Fire Department was experiencing in their recruitment as a result.

Daniel Softley, HR Division Director, also presented. He noted that many agencies have made significant adjustments to their public safety salaries in the last two years; since Provo did not make any adjustments last year, the City was in a worse position. Rather than wait until the beginning of the new fiscal year, they intended to move forward now as the Fire Department expected to have nine vacancies by July 1, 2021. Mr. Softley noted that it was not unheard of to do off-cycle pay adjustments, and as several employees plan to retire, or have experienced medical issues or career changes, the Fire Department needed to be prepared to address recruitment needs as soon as possible. Mr. Softley noted some of the challenges with attracting quality candidates; due to the current pay rates, the ratio of EMTs to paramedics has shifted and the department is able to provide less services. There is also a concern that having an out-of-balance ration can create issues with minimum staffing levels, as well as make the City vulnerable to lose paramedics to other agencies. As new paramedics graduate in May, they hoped making these market adjustments prior to the new fiscal year would put the City in the best position possible. Mr. Softley outlined the proposed remedies, including formalization of a lateral transfer program and introducing an additional level for advancement within the step.

Mr. Softley noted that the total cost moving forward would be accounted for in the Mayor's tentative budget; this appropriation would remedy the current fiscal year (\$105,000 for mid-April to the end of June). Mr. Borget reviewed the draft resolution. ***Presentation only. This item was already scheduled for the Council Meeting on March 30, 2021.***

3. A presentation regarding the Police Department's fiscal year 2021-2022 budget. (21-015) ([1:22:30](#))

Police Chief Rich Ferguson presented. Chief Ferguson highlighted and reviewed the general plan goals as they related to the department and their efforts to promote a high quality of life in Provo. Chief Ferguson reviewed recent accomplishments of the PD, including responses to civil unrest, the pandemic, and new public safety facilities with a dedicated Emergency Operations Center. He shared details of the department staffing levels and training goals, noting recommendations outlined in the in the 2012 Police Executive Research Forum (PERF) report. The Police Department has had three officer-involved shootings in two years; one officer was killed by gunfire. Chief Ferguson shared unfunded and underfunded needs in the department, noting their increasing needs as calls for service rise and the population continues to grow; this means that officers are spread thin in their duties and often officer safety may be compromised.

Chief Ferguson indicated that the Provo Airport expansion was not contemplated when the PERF report was drafted. The September 11 attacks taught important lessons about policing in airport settings. The department's strategic plan for policing at Provo Airport has identified the need for a professional presence at airport when it opens; currently a patrol officer handles coverage at the airport during flight arrivals and departures, but this represents a critical opportunity cost. Chief Ferguson has proposed an additional 5 officer positions for the Provo Airport; these would be senior or experienced officers who receive daily briefings on international and domestic terrorism, narcotics, and human trafficking, as well as specific training geared toward securing the airport and surrounding properties. Providing the necessary training and equipment takes time, so they have prepared this requested far in advance. ***Presentation only.***

4. A presentation regarding the Provo Power Department's fiscal year 2021-2022 budget. (21-015) ([1:55:35](#))

Travis Ball, Provo Power Director, presented. Mr. Ball reviewed the relevant general plan goals and noted that the Power Department had no underfunded, unfunded, or supplemental requests. He shared highlights of several major projects, including the Gillespie substation, distribution automation, and several smaller miscellaneous projects. Mr. Ball also reviewed the department's targets and important metrics. Provo Power provides many valuable services to residents, including rebates, conservation initiatives, electric vehicle charging stations, and urban forestry.

Mr. Ball reviewed the department's personnel levels, noting that the AMI (advanced metering infrastructure) system has automated much of the department's fieldwork and reduced some of their staffing needs. Mr. Ball also shared comparisons of Provo's power rates compared to other Utah cities. He noted that the comparison was not completely accurate, in that it was not accounting for the City's ongoing capital investments and preparations for the future. In response to a question from Councilor David Harding about time-of-use rates, Mr. Ball indicated that a study was underway, and they hoped it would be complete by the end of fiscal year 2021. Mr. Harding commended Provo Power on their planning for future power needs and noted the great value the department provided both to city residents as well as to the City with the enterprise fund transfer. *Presentation only.*

5. A discussion of the City's Real Property Holdings and Surplus Property List. (21-045) ([2:30:10](#))

Tara Riddle, Property Coordinator, presented. She shared a general overview of her job responsibilities and the challenges associated with property management for the City. When she began in this role in the 1990s, there was not much in the way of records or organization. She has introduced thorough management systems and she collaborates with the Utah County Recorder's Office on an annual reconciliation process, which is used to maintain the City's property listings and data for the City's annual audit. Ms. Riddle reviewed the City-owned property map recently created by the City's GIS division. She noted several recent corrections and that this map layer would be updated any time new rights-of-way were acquired, property is sold or surplus, and property was obtained. It is less common for the city to purchase property for investment or land bank purposes; most purchases are associated with specific projects. Occasionally a property is no longer needed due to a project being completed or changing in scope; she briefly reviewed the process used to analyze and determine if it should be surplus. Ms. Riddle shared details of the property app which would be released soon, providing access to historical pictures, land records, purchase agreements, memos, ordinances and resolutions, easements throughout the city, and more. This new tool would be an exciting resource for city property management. Councilor Shannon Ellsworth asked about the maintenance of city-owned properties and what the policy was for vacant and unutilized properties. Ms. Riddle explained that each property was associated with a particular department; some property maintenance may slip through the cracks simply on account of the volume of properties. As property manager, she coordinates weed abatement and code enforcement for these properties. *Presentation only.*

**6. A presentation on the Parks and Recreation Master Plan Needs Assessment Results.
(21-046) ([2:44:19](#))**

Scott Henderson, Parks and Recreation Director, and Mike Svetz, PROS Consulting, introduced the presentation. Mr. Henderson explained that citizens are key in the Parks and Recreation success story; this needs assessment sought to identify what Provo citizens like, don't like, or perceive as needs in the City's parks and recreation facilities. Mr. Svetz outlined the timeline for the process and what they had achieved with each milestone. Citizens throughout the City responded to the survey and Provo residents recognize the many benefits available to them through the City's Parks and Recreation Department; many residents made huge use of these many amenities during the pandemic.

In response to a question from Councilor David Harding, Mr. Henderson and Mr. Svetz explained that the top 10 facilities a decade ago compared to now reflect some facilities that have been discontinued or dropped off, as well as some readjusted categories to accurately reflect the department's offerings. Mr. Svetz noted that the survey revealed the challenges with word-of-mouth publicity, which can result in inaccurate or old information. Generally, however, survey respondents most prefer the communication types of email, activity guide, social media, and the department website—these are all things the City has control over.

Mr. Svetz also reviewed the facilities, services, and programs which were most important to households in Provo, noting that even a relatively small percentage is still thousands of residents, based on Provo's population alone. Some programs or services may be aimed at niche groups or audiences, but these numbers indicate the relevance and importance of such programs. Water and river access came in as the #1 unmet need, followed by adventure activities such as rock climbing, zip lines, rope climbs, etc. Another highly rated unmet need was an environmental education center—this correlates back to the department's programs and services and could represent the opportunity for a visionary project sometime in the future. Many survey respondents indicated a priority is for the department to maintain and improve existing facilities, including improvements or additions to restrooms, taking care of existing trails infrastructure, building new trails, and upgrading picnic facilities, playgrounds, and aquatic amenities. Mr. Svetz noted that trail systems ranked highly among these services.

Specific polling on the RAP (Recreation, Arts, and Parks) tax indicated that over 50% of voters would support it again in 2028 when it comes up for expiration. About 40% would need more information before they can decide, and only about 6% of the community has said they would not support tax increases for parks and recreation purposes. Mr. Svetz reviewed the priorities revealed in the survey results and shared an overview of the coming steps in the process.

Mr. Harding thanked the Parks and Recreation Department for their work on this survey and the resulting data which helps inform City decisions. Mr. Harding suggested that it might be helpful to gather more granular data on the revenue coming from different programs to better illustrate their effectiveness and to better assess the costs associated with different programs. In response to a question from Councilor Bill Fillmore, Mr. Svetz indicated that the regional sports park would alleviate utilization of current athletic fields; the current overuse of these facilities creates pressure on maintenance crews during droughts and a short growing season. The regional sports

park will also attract visitors to Provo and allow residents to stay home instead of traveling to tournaments out of state. Councilor Shannon Ellsworth appreciated this approach and study as well. She asked how the City could better implement connectivity in its trails systems despite the constraints and obstacles of the built environment; she observed that the trails in east and west Provo are not well-connected and could be much better. Mr. Svetz indicated that the technical phase, which was next in the process, would go into more depth examining these issues. He noted that they received many specific questions during their community meetings about opportunities for connectivity in Provo's trails. He indicated this video segment had excellent responses from staff which could help inform the Council on their plans. He hoped that would be shared with the Council in the future. Mr. Fillmore also asked about Slate Canyon and whether there was a specific focus on southeast Provo to improve recreation amenities. Mr. Svetz indicated that residents shared a great deal of community support for investment in Slate Canyon. That location would work well for an adventure area and they would continue to explore the options during the technical planning stage. *Presentation only.*

7. A presentation on the need for Provo City sustainability program which includes a Sustainability Director and a Sustainability Plan. (21-048) (3:28:22)

Councilor George Handley presented. He highlighted the impact of sustainability, in terms of social, economic, and environmental factors; the impact of decisions should be considered holistically so that decisions in one area did not undervalue or devalue other important areas. Mr. Handley also noted the religious significance and importance of sustainability, which resonates with many Provo residents' beliefs. As a City, sustainability is relevant to many aspects of the City organization—Provo is an entity that has a carbon footprint, deals with water and land management, and promotes health and safety in the built environment. Ideally, sustainability should be integrated at all levels of city government and there are major implications for the future vitality of the City. Mr. Handley proposed that the City create a sustainability plan for the City and install a sustainability coordinator to help create and execute the plan in cooperation with City officials, both elected and appointed. Mr. Handley outlined several possible means of funding and obtaining a sustainability plan, as well as the pros and cons of each.

Motion: David Harding moved that the Council support the proposal and ask for the Foothills Protection Committee proceed with what has been proposed—to hear the two proposals outlined—and bring their recommendation to the Council as to which option to pursue. Seconded by Bill Fillmore.

Vote: Approved 7:0.

8. An ordinance amending Provo City Code regarding legislative staffing. (21-049) (3:55:13)

Cliff Strachan, Council Executive Director, presented. The proposed ordinance affects only two sections, 2.50.090 and 2.50.130, and would reassign responsibility for the staffing of the Council office to the Executive Director. Mr. Strachan briefly reviewed the proposed text. *Presentation only. This item was already scheduled for the Council Meeting on March 30, 2021.*

9. A discussion on Rank Choice Voting and the possible use for the 2021 Municipal

Elections. (21-047) (3:59:56)

Cliff Strachan, Council Executive Director, presented. Mr. Strachan shared an overview of ranked-choice voting (RCV), including details of the pilot project authorized by the State Legislature, and next steps for the Council to consider. In response to a comment from Councilor David Harding, Mr. Strachan shared more details about the distinctions between utilizing RCV in the primary versus the general election. Councilor Bill Fillmore shared comments on RCV. He was interested in RCV due to the situations like the state's gubernatorial election in 2020 (which had numerous candidates in the closed Republican primary). He was troubled, however, by some of the data with plurality in RCV results. Mr. Fillmore was interested in hearing the Mayor's thoughts. Mayor Michelle Kaufusi and Isaac Paxman, Deputy Mayor, both shared brief comments on RCV. With several pilot programs in the pipeline, they wondered whether it was worth the expense and cost of doing RCV now. Mr. Strachan noted the uncertainty with some of the other pilot programs, such as star voting. Councilor David Shipley asked Amanda Ercanbrack, City Recorder, if she had any inclination as to whether RCV would be used in the primary versus general election. Ms. Ercanbrack explained that the biggest appeal of RCV were the cost savings of not holding a primary election, but she thought testing a new method in a primary election may be a safer approach. In response to a follow-up question from Mr. Shipley, Ms. Ercanbrack noted that the timeline for educating the public in advance of a primary election would be tight, but that she would make it a priority if the Council decided to pursue RCV.

Councilor George Handley expressed his preference to use RCV for a primary election; although it did not result in the cost savings, he noted that having a dozen candidates for a longer campaign season was not necessarily desirable. He thought the best advantage of RCV was the way it gave a better chance to candidates who were most appealing to the broadest voter base. He thought all those benefits would still be felt in the primary, while not unnecessarily drawing out the campaign season for all candidates, as well as keep a consistent voting process for the general election (which typically draws out more voters). Mr. Harding noted that the state had set aside some funds for educating voters. The cost savings were not the deciding factor in his view; he felt RCV would provide a better experience for voters, as well as better capture the will of the voters. Councilor Shannon Ellsworth shared her comments as well; she noted that many citizens liked RCV because it seemed to minimize partisan divides. She did not find RCV as compelling for Provo given the non-partisan nature of Provo's elections. Councilor Travis Hoban was personally supportive of RCV, but he was wary of committing the City to the method where there were still so many unknown factors and questions. He felt it was not well-enough vetted to move forward. Councilor David Sewell felt some better options for other voting methods were on the horizon and he preferred to wait to try these improved methods. Mr. Strachan shared trends from past municipal elections in Provo noting that there tended to be more candidates in the mayoral and at-large races than in the district-specific races.

Motion: David Harding moved that the Council place this item on Open City Hall and to revisit this item at the Work Meeting on April 20, 2021, and to make a decision at that time. Seconded by Bill Fillmore.

Mr. Strachan indicated that it may require a little more time for staff to draft the Open City Hall topic and he suggested a revised timeline.

Amended motion: David Harding amended the motion to have the Open City Hall results ready by the Work Meeting on May 4, 2021. Seconded by Bill Fillmore.

Vote: Approved 6:1, with David Sewell opposed.

Closed Meeting

The Municipal Council or the Governing Board of the Redevelopment Agency will consider a motion to close the meeting for the purposes of holding a strategy session to discuss pending or reasonably imminent litigation, and/or to discuss the purchase, sale, exchange, or lease of real property, and/or the character, professional competence, or physical or mental health of an individual in conformance with 52-4-204 and 52-4-205 et. seq., Utah Code.

Motion: Shannon Ellsworth moved to close the meeting. Seconded by George Handley.

Vote: Approved 7:0.

Adjournment

Adjourned by unanimous consent.