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PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

1:30 PM, Tuesday, July 20, 2021

Hybrid meeting: [youtube.com/provocitycouncil](https://www.youtube.com/provocitycouncil) or 351 W Center Street, Provo, UT 84601

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 Shannon Ellsworth
Councilor David Harding
Councilor Travis Hoban, via Zoom webinar
Councilor Bill Fillmore, arrived 1:38 PM
Mayor Michelle Kaufusi, arrived 1:41 PM

Prayer

The prayer was given by Councilor George Handley.

Approval of Minutes

May 11, 2021 Budget Work Meeting
July 6, 2021 Work Meeting
Approved by unanimous consent.

Business

1. A presentation on the Quarterly Report for the 3rd Quarter of Fiscal Year 2021 (21-007) ([0:04:37](#))

John Borget, Administrative Services Director, presented. Mr. Borget shared details about the quarterly report and reviewed several elements in brief. Sales tax revenue continues to trend very positively. Mr. Borget noted that sales tax distribution has been received for April 2021 as well; if this stays on the same trend, they anticipate being above their initial budgeted projections. Intergovernmental revenue includes the CARES Act funds received. Transfers are also up. Mr. Borget reviewed several graphs in the document displaying revenues and transfers to the General Fund, as well as the sales and RAP tax figures. Mr. Borget briefly reviewed the other revenue categories. Mr. Borget also reviewed the budget appropriations and allocations of funds during

this quarter. Mr. Borget overviewed the Library revenues, as well as Parks and Recreation operations including the Timpanogos Golf Course. Mr. Borget reviewed each of the enterprise funds and how these budgets have performed, noting some areas which had continued to be impacted by the COVID-19 pandemic. Councilor David Shipley asked about the recreation center revenues—due to membership extensions and the recent Orem recreation center, did the City anticipate any ongoing impacts to the recreation center revenues? Mr. Borget indicated that membership extensions were primarily an impact during the previous fiscal year. The recreation center has been performing well and they are optimistic about meeting their budget next year. Mr. Shipley also asked about the golf course and the recent transfer—Mr. Borget noted that transfer did not show as a revenue; it was covered in a separate account and noted as a transfer. Mr. Borget indicated that the future treatment of the transfer would be a policy decision for the Council, but operational revenues at the golf course appeared strong. *Presentation only.*

2. A presentation on the South Utah Valley Animal Shelter's euthanasia techniques (21-084) ([0:21:49](#))

Captain Brian Wolken thanked Michael Sanders, Council Intern, for his thorough and balanced report on the related issues to animal euthanasia. Kierstan Munford, Director of South Utah Valley Animal Shelter, shared information about SUVAS' use of carbon monoxide to euthanize animals. Euthanasia is used to end animal suffering due to injury or other quality of life concerns and to protect the public from vicious or feral animals. SUVAS has determined that carbon monoxide is the best method for the shelter, as it creates safer conditions for the staff. Use of a carbon monoxide unit is best-suited for these animals, which are not used to and do not prefer human contact, and it is a painless, rapid method for animal euthanasia. This setup also reduces the stress to veterinary staff and employees.

Councilor David Sewell asked whether the shelter has to euthanize many stray animals that are turned in. Ms. Munford explained that SUVAS has not had to euthanize any adoptable animals for over five years. They work with many fantastic rescue organizations and outlets who can adopt animals. They also work with Petco in Spanish Fork to house some adoption-eligible animals. Over 90% of cats and dogs go to loving homes. Mr. Sewell asked if that was unusual compared to other parts of the country. Ms. Munford indicated that they have achieved this through hard work to promote these programs.

Councilor George Handley asked if they have capacity for lethal injections at their site. He also asked if they had data or information about the animals they euthanize that would be done by injection. Ms. Munford explained that if an animal was too young for carbon monoxide, then lethal injection is used. They typically consult with a veterinarian who will assess whether an animal needs to be injected. In response to Mr. Handley's follow-up question regarding the use of space and resources, Ms. Munford indicated that lethal injection is more time-consuming. It also presents more dangers to the staff if they are dealing with a dangerous animal.

Cliff Strachan, Council Executive Director, asked what the cost impact would be to their facility if they were to move to a lethal injection process. Ms. Munford thought it would be more time-consuming, so she believed that making this change would require staff time. Councilor Shannon Ellsworth thanked Ms. Munford and her colleagues for the professional work they do and their

insight about people in the industry and in this line of work. Ms. Ellsworth also acknowledged the emotional cost to them of doing this part of their work as well.

Captain Wolken explained that SUVAS adopts about 80% of animals that come in. Other animals cannot be adopted or are injured, such as wild animals, feral cats, or animals that pose a real danger to humans who come in contact. He explained that the language in the Utah Animal Rights Coalition petition was inaccurate and misleading. He explained that the carbon monoxide unit was professional-grade equipment. It stays on for 16 minutes, including the time used for venting of the unit to ensure that the carbon monoxide has safely dissipated. He has never seen the conditions described in the petition. Carbon monoxide blocks the uptake of oxygen into the respiratory system, so the process is considered insidious death due to the gradual effect—the animal falls asleep, goes unconscious, and dies painlessly. The American Veterinarian Association considers carbon monoxide units acceptable with conditions—this system meets or exceeds these conditions, which primarily relate to staff safety. The process is not cruel at any time; sedation is given to animals before lethal injection, which is actually quite painful. Captain Wolken noted also that the U.S. Humane Society finds carbon monoxide an acceptable method.

Captain Wolken explained that most of the issues come down to feral cats. Animal advocates do not want these animals to be euthanized, but the costs would be borne emotionally by the employees of the local animal shelters. Captain Wolken highlighted details of the Trap, Neuter, and Release program that is used. Feral cats are negatively impacting the wildlife on the west side and it is an ecological concern. He explained that the Humane Society of Utah has said that methods of euthanasia must be pain-free, stress-free, and fear-free. Lethal injection is much more anxiety-inducing for animals; thus the use of carbon monoxide units is the safer and more humane way to put animals down.

Mr. Handley wanted to understand why, if this was the case, most animal rights organizations were still advocating for lethal injection. Captain Wolken thought that these advocates did not want any animals euthanized; he suspected they thought that shelters would ultimately not use the injection method because it was stressful. Councilor David Harding echoed Ms. Ellsworth's comments earlier, and thanked Director Munford and employees at the shelter for the services they provide the community. Mr. Strachan indicated that the City contributes \$98,000 annually to SUVAS. He noted that there were no specific decision points here for the Council; they simply intended to share information based on the activities of different bodies in recent months.

Michael Sanders, Council Intern, presented. Staff prepared a review of the academic and legislative literature on animal euthanasia techniques. The method chosen needs to balance the safety of the worker and what is most humane for the animal. Mr. Sanders reviewed the various euthanasia methods, including inhaled and non-inhaled agents as well as physical or other methods. There is no federal standard for use of carbon monoxide by animal shelters, and state laws are quite mixed on the issue. In 22 states, there is a complete ban, with several states having a partial ban. The remaining states have no formal ban, including Utah. For the past nine legislative sessions, a bill has been introduced to the Utah Legislature regarding a ban on carbon monoxide euthanasia, but it has not been passed before the session's conclusion. Mr. Sanders highlighted results from several studies regarding the use of carbon monoxide. Mr. Sanders also highlighted the standards of the American Veterinary Medicine Association for the use of carbon

monoxide, noting that SUVAS meets these criteria. Mr. Sanders also reviewed the costs associated with each method.

Councilor Bill Fillmore was confused by the slide that says lethal injection is the gold standard given the information in the presentation. Mr. Sanders explained that AVMA and humane groups advocate for the injection. Mr. Fillmore asked why that was the case, given the enhanced danger to employees. Mr. Sanders explained the evolution of the use of carbon monoxide, noting that many agencies previously used both and injection simply became more widely used. In response to a question from Mr. Harding, Mr. Sanders explained that to maintain safe conditions, animals are first sedated before administering of the lethal injection. Mr. Handley reiterated his previous question, noting that most counties in Utah have made the transition to lethal injection. The Council can't dictate what other cities do, but he noted the Council could ask that SUVAS euthanize animals caught in Provo by injection; Mr. Handley was not persuaded that there was evidence that the status quo is the best way and he was willing to make that request of SUVAS.

Brian Jones, Council Attorney, noted several ways to proceed if the Council wanted to take some type of action; there were some decision points if the Council wanted to make a decision on the issue. Ms. Ellsworth asked who sits on the board for Provo. Wayne Parker, CAO, indicated that Captain Brian Wolken is Provo's designated SUVAS Board member. *Presentation only.*

3. A Presentation on Technical Findings from the Provo Parks and Recreation Master Plan. (21-046) ([0:57:29](#))

Mike Svetz, PROS Consulting, presented. As an accredited agency, the Parks and Recreation Department has applied for the gold medal and is a finalist in the Class 3 (population between 70,000-150,000) category. Mr. Svetz commended Provo's Parks and Recreation leadership for their great work in the industry. Previously they presented on the needs assessment findings. This information is more technical in nature and refers to details like level of service standards. Mr. Svetz reviewed classifications of types of parks and how these compare to the intended length of experience, including: neighborhood parks, community parks, regional parks, special use parks, natural area or trail parks, and greenbelts or trail corridors. Mr. Svetz next reviewed the level of service standards and relevant factors. Mr. Svetz shared recommendations to meet these level of service needs as the City continues to experience growth. Mr. Svetz shared slides that take into consideration planned projects which will contribute to these projected levels of service.

Councilor David Harding asked how the regional sports park would be categorized; Mr. Svetz confirmed that it was designated as a special use park, since much of its use would be geared toward specific athletic use. Mr. Harding asked whether the athletic fields would be open to public use and reservation on a fee basis. Mr. Svetz shared details in response to this question. Scott Henderson, Parks and Recreation Director, also indicated that in the park design, they have included neighborhood park amenities and to leave some athletic fields open for drop-in use and walking paths. Mr. Svetz also indicated that the park acreage includes other support functions necessary to support the amenities covered in the level of service calculations.

Mr. Svetz reviewed the equity mapping methodology used to identify the extent to which the city's parks are serving the City's population equitably. Mr. Svetz worked with the City's GIS

division to conduct this mapping exercise. Mr. Svetz shared the resulting maps for each of the categories of parks in Provo. Mr. Harding asked about the Rock Canyon trailhead versus Rock Canyon Park. Mr. Svetz noted that the acreage is a factor in how these are displayed; population density around each of these parks is also a factor in how these equity maps display the parks in this visual manner. Mr. Svetz noted that because the city has many indoor facilities that have park-like exteriors, these have been included in the special use parks. Mr. Svetz noted that for a city of its size, Provo had exceptional special use parks facilities and he thought this was a superb example of the uniqueness and richness of the City's parks system. Mr. Svetz highlighted some of the recreation trends and how these affected the different offerings and resulting levels of service for the City. One future need from a geographical equity perspective was off-leash dog parks. Splash pads were not a significant need in the community, though there were some equity considerations from this regard.

Mr. Svetz noted that Provo's GIS division is starting to consider accessibility and proximity standards in mapping as well. Mr. Svetz invited questions and comments from the Council. Councilor Bill Fillmore asked if the master plan would include specifics regarding the Slate Canyon Park. Mr. Svetz indicated that this master plan was more of a system-wide plan, rather than a site-specific master plan. For Slate Canyon and other parks, the master plan would identify in narrative form the elements that have the highest priority in the community and the compatibility of these within a particular park. Mr. Harding thanked Parks and Recreation for their efforts to look at geographical fairness of our system. He hoped this information would be used to make data-driven decisions to give the community confidence that decisions were being made with regard to geographic factors. Councilor Shannon Ellsworth hoped the City could develop similar maps for housing, economic development, and other issues to make data-driven decisions about all types of city issues. Ms. Ellsworth also believed the Parks and Recreation Department was working on a site-specific plan for Slate Canyon Park with a community input process and professional landscape architect. Councilor George Handley hoped live music could also be a factor for future park use. *Presentation only.*

4. A presentation regarding the Westside Levee Plan. (21-079) ([1:34:35](#))

Brian Torgersen, Public Services Division Director, and Ben Rood, CRS Engineers and Project Manager for the West Side Levee Study, presented. Mr. Torgersen introduced several members of staff. Mr. Torgersen reviewed the City's levee system—this refers to earthen embankments adjacent to the Provo River and Utah Lake. These levees were built in the 1980s in response to historic flooding to provide protection for the river and lake. These were constructed by the Army Corp. of Engineers, but are owned and maintained by Provo City. Mr. Torgersen shared a timeline outlining the history and past process relative to the levees and floodplain mapping from FEMA. In order to modernize these maps, FEMA updated the maps in the early 2000s. As of 2007, FEMA no longer considered the City's levees sufficient to protect the city, despite the fact that the levees are still functioning. The mapping process stalled for a time and resumed in 2017. Since Jordanelle and Deer Creek Reservoirs serve as flood mitigation, this has relieved the need for some of the levees on the Provo River. Provo City has asked FEMA to reevaluate several factors which impact the flood conditions of this area. Mr. Torgersen highlighted some of the frustrations arising from this process and the tensions between FEMA and the City.

Mr. Torgersen explained that as this re-mapping process ensues, there may be impacts to residents whose homes are now in the floodplain area that were not before. Mr. Torgersen clarified this was not a plan of action; this was a study that illustrated what would need to occur if a policy decision is made in any specific direction. Currently, there are no projects arising from this levee study. Councilor Bill Fillmore asked for clarification—his understanding was that this was a federally mandated exercise that would impose significant insurance costs on residents. Mr. Torgersen said the levees in the City are aging and were constructed with material not suitable for levees; there are some risks, but Public Works did not feel that the risks were as drastic as FEMA was representing. Mr. Torgersen noted the previous FEMA maps were created in 1986; these new maps will exist for a long time. Councilor Bill Fillmore asked for clarification about the potential decision points coming at the end of the process. Mr. Torgersen explained they would like guidance from the Council.

Mr. Rood reviewed some of the more technical aspects of the study. He outlined the levee criteria from FEMA and reviewed the riverside and lakeside levees according to these criteria. These levees were not constructed from suitable materials and therefore do not meet FEMA's criteria. Mr. Rood reviewed the alternative analysis criteria they used to assess the decision points for the City. Mr. Rood outlined the alternatives for riverside levees:

- 1: Reconstruct in existing levee location
- 2A: Set-back levees widened to north and south
- 2B: Set-back levees widened to north and south (which would require setback of additional homes)

For the lakeside levees, the primary alternative is to reconstruct those levees in place, as there is not additional area where those levees could be located. Mr. Rood outlined the cost-benefit analysis of these options. The do-nothing alternative (uncertified, as-is levees) represented about a \$600-\$6000/year per home insurance requirement. If there was substantial damage to these homes, future rebuilding would require substantial improvements to bring these homes above the floodplain. There were also the potential impacts to property values in the floodplain as well as the additional restrictions for land development within the floodplain. Councilor George Handley asked for clarification on the FEMA criteria for levees—Mr. Rood confirmed that mature trees within 15 feet of the toe of the levee on either side would need to be removed. Mr. Handley noted the significant environmental impacts of doing this; he observed that the levee near the Provo Airport was a major area in the City for bird activity. Mr. Rood explained that for the other alternatives, there was also an element of property acquisition as the City did not own all the land that comprised the levee areas. Mr. Rood outlined the estimated project costs for each of the alternatives, as well as the “do nothing” alternative. Councilor Shannon Ellsworth asked about the table of the cost-benefit analysis. Mr. Rood explained that the estimate of flood damage was simply an estimate or projection based on past data and information. Mr. Handley asked about the pump system constructed in Salt Lake City in the 1980s. He wondered whether FEMA calculated anything regarding drought conditions in the western United States—does FEMA factor in not only the dams, but snowpack conditions and climate change? Mr. Rood explained that FEMA uses gauge information from river flows in their analysis. It's based on past actual data versus future projections; it is easier for them to base this on historic data. Mr. Handley noted that was a fundamental weakness in the system. Mr. Handley wondered whether the City has exhausted its congressional help on this. Mr. Torgersen shared more insight on this.

Mr. Fillmore asked what year the FEMA study and Levee study were done. Mr. Rood said FEMA delivered conceptual maps to the City last November. They have not yet released official maps for City review and comment. This levee study was concluded in May 2021. Mr. Torgersen explained that FEMA uses historic hydrology data, and river and lake data, as the basis to determine the storm predictions. Mr. Rood said there was close to 100 years of gauge data. Mr. Fillmore asked if the data was weighted to factor in the most recent 10 years. Mr. Torgersen explained it was typically a percentile calculation. Mr. Fillmore asked if the federal law would allow for any kind of exemption or deferral. Mr. Torgersen indicated they have really done everything they could to defer a decision. They have teamed with all cities in the County to ask FEMA to study Utah Lake again. FEMA has been doing this evaluation over the last two years. Mr. Fillmore asked whether this standard differed based on geographic region; Mr. Torgersen indicated it was a universal standard from FEMA and he felt it was not equitable.

Mr. Torgersen outlined some of their questions for the Council:

- What is the general direction the Council would like them to proceed?
- What additional information would be helpful?
- Should they pursue anything from an elected official standpoint, such as contacting Utah's federal Congressional delegation?
- Are there specific aspects of the alternatives that they should consider as more or less favorable?
- What are the financial constraints that they should keep in mind as they pursue funding resources?

Mr. Fillmore asked if the cost analysis included considerations about reforestation and the impacts to Parks and Recreation facilities. Mr. Torgersen indicated that alternative 2 allows levees to be built further back but to preserve more of the vegetation and feel of the river corridor. Councilor David Harding asked for clarification on who would be impacted; Mr. Torgersen confirmed that it was only federally backed mortgages who would be required to obtain flood insurance. Mr. Torgersen suspected that if a house was mapped in a floodplain, a lender may still require the flood insurance regardless. Mr. Torgersen explained that in the development standards, they have required new developments to be above the flood elevation for the lake. Mr. Harding asked if by doing that, does the lakeside levee just exist to protect the airport? Mr. Torgersen explained that the lakeside levee impacted more than the airport and did impact a good portion of west Provo. Mr. Harding asked for more information about the \$110 million. Mr. Torgersen and Mr. Rood shared information about how the flood insurance programs worked.

Councilor Travis Hoban asked whether the City faced any legal implications if the City did not bring the levees up to the required standard. Mr. Torgersen noted there could be a possibility for claims against the city. Brian Jones, City Attorney, said it was a complicated issue. Generally, the City has complete discretion whether or not to do something; the City could be liable if they chose to do something but ended up doing it wrong. If the City fixes the levees and did not maintain them, that could introduce liability. Mr. Jones reiterated it was a complicated issue and they would probably need to delve into this more at a later time. Mr. Hoban had also asked if there were residents in Provo paying flood insurance now; Mr. Torgersen said there were probably very few paying flood insurance as the old FEMA maps showed most of those homes

within the protected area. Mr. Strachan suggested that this item be brought back once additional funding options and considerations had been identified. Mr. Torgersen welcomed any communication from the Council in the meantime. *Presentation only.*

5. A discussion regarding a Municipal Council Handbook Amendment (21-086) (2:29:35)

Cliff Strachan, Council Executive Director, presented. Mr. Strachan reviewed the electronic participation policy in the Council Handbook and read the proposed changes to the policy.

Motion: David Harding moved to adopt the proposed language into the Council Handbook. Seconded by Shannon Ellsworth.

Councilor Bill Fillmore asked about the final phrase, “or when an electronic meeting is the only available option.” Mr. Strachan and Brian Jones, Council Attorney, clarified that the last exception meant for meetings when due to other factors such as an emergency or public health consideration, the meeting was only being conducted electronically. Councilor Travis Hoban shared comments. He wondered why it was necessary to be at meetings in person; he wondered if there was any concern over whether the Council did not do their jobs properly. He thought it seemed archaic to require that someone be there in person; he wondered if making this rule would discourage certain types of people from running for Council. He worried about some of the unintended consequences of passing this rule. Councilor David Sewell suggested that to some extent, it may depend on what residents expected of councilors. Councilor George Handley felt the rule was simply a stated expectation that made adequate provision for extenuating circumstances. Mr. Strachan shared a possible revision: “or when no in-person meeting is held.”

Substitute motion: David Harding made a substitute motion to revise the language to read: “or when no in-person meeting is held” and to adopt the proposed language that included this revision. Seconded by Shannon Ellsworth.

Mr. Sewell agreed with Mr. Hoban’s comment on childcare; he was comfortable passing this rule but he suggested the Council think about that issue more. Ms. Ellsworth agreed—she thought this was an expectation and that the Council could be sufficiently flexible. Mr. Strachan reiterated that there is probably somewhat of a public and political expectation to be seen that every elected official might have to wrestle with. Mr. Strachan shared insight on this handbook change, after which the Council voted on the motion.

Vote: Approved 7:0.

Administration: Mayor's Update

6. A presentation on Projects Funded by the Innovation Fund (21-085) (3:21:18)

Dixon Holmes, Assistant CAO, presented. Two years ago, six out of 14 applications were funded. This year, they funded seven out of 27 applications. The innovation fund program has encouraged departments to think outside the box about their delivery of services in the City.

After seeing the demand this year, they reduced the maximum grant amount from \$25,000 to \$20,000, which allowed them to pick up an additional project. Mr. Holmes shared highlights of the previously funded grant projects, as well as those funded in this current round, including:

- Temporary traffic calming devices
- Security and weather cameras for snowplow operations
- Individual first aid kits for police officers
- Fire Department drone
- Locking mechanism for Parks and Recreation goals
- Stop the Bleed training for Fire Department
- Media Services virtual reality content to promote city services

Mr. Holmes shared a video which highlighted a Parks and Recreation innovation grant which funded an automated turf painting machine to paint the lines for athletic fields. Councilor David Harding reiterated how much he loves the innovation program and hoped the Council could continue to support it. ***Presentation only.***

Business

7. A discussion regarding the Neighborhood Program. (21-071) ([3:30:45](#))

Cliff Strachan, Council Executive Director, presented. Today they are asking the Council to determine if the neighborhood program should be reviewed, terminated, or continue as-is. Councilor Shannon Ellsworth asked how much time the Council had for this item and Council Chair David Sewell and Mr. Strachan outlined the options.

Motion: George Handley moved to review the neighborhood program. Seconded by Shannon Ellsworth.

Councilor David Harding supported reviewing the program; it is a valuable program and he thought the Council could improve it.

Vote: Approved 7:0.

What should the committee include in the scope of work for their review?

- Overall focus of the Neighborhood Program
- Number of neighborhoods
- Grouping of neighborhoods (Area structure)
- Duties of Neighborhood Chair
- Role of Neighborhood Vice Chair
- Electing versus appointing Neighborhood Chairs
- Enacting a Code of Ethics
- Training
- Reports at Council meetings
- Structure of neighborhood meeting reports
- Requirement to hold neighborhood meetings for certain types of land use applications

- Informing residents of meetings
- Managing neighborhood email lists
- Neighborhood visioning
- Matching grants program
- Staff management/coordination of Neighborhood Program

Mr. Sewell thought the more important question was who would review the program. The list will be passed onto the reviewing group. Ms. Ellsworth wondered about additional items not included on this list, which should also be reviewed, such as transparency and accountability, service to the city and council, etc. Mr. Strachan indicated that Councilors could contact him with additional items. Mr. Handley also thought this list might not all carry the same urgency for a committee. In response to another comment from Ms. Ellsworth, Mr. Strachan indicated that the scope or purpose of the neighborhood program was captured as part of the list.

Ms. Ellsworth asked if the Council had contemplated having the BYU MPA program do a review of the program. Mr. Sewell invited Council discussion on the question of who should review the program. Ms. Ellsworth restated previously shared feedback from Mr. Strachan and Brian Jones, Council Attorney, who suggested that the Council not ask individuals from the group being regulated to be part of the group developing the regulations, in order to have them be somewhat removed. Mr. Harding thought there was value in having a fresh perspective and look at this. He leaned toward forming a new committee either with no Councilors (outside participation) or a new committee with Councilors who are not on the NAB. Ms. Ellsworth supported new committee with no Councilors (outside participation). She thought an external review could be paid for with the Council's contract services account. Councilor David Shipley wondered if there were a way to combine those approaches. He thought the BYU MPA program would share good suggestions, but he felt that institutional experience would offer vital perspective; since the Council and Administration have dealt with the neighborhood program for many years, he thought that perspective would be important, even if the Council chose to engage an outside group. Mr. Handley shared Mr. Shipley's thoughts. Mr. Handley also wanted to give a committee whatever leeway they needed, including consulting neighborhood chairs if they felt that was helpful. Councilor Bill Fillmore thought a top-to-bottom internal look would be helpful. Councilor David Sewell suggested that the Council form an ad hoc committee to review the program, comprised of three Councilors.

Motion: Shannon Ellsworth moved to create an ad hoc committee comprised of Travis Hoban as chair, George Handley as Vice-chair, and David Shipley as a committee member, to review the scope and purpose of the neighborhood program.
Seconded by David Harding.

Vote: Approved 7:0.

8. A presentation on the Provo River Delta Restoration Project (21-083) ([2:42:32](#))

Melissa Stamp, Mitigation Commission Project Coordinator, presented. Mark Holden, their executive director, sends his regrets. Mike Mills is another Project Coordinator with the agency and was present as well. This project involved acquiring 260 acres agricultural land, to divert river flow into that area, and restore some of the historic lakeshore boundary. A similar project

was completed in 2008 at the delta area of Hobble Creek (another tributary into Utah Lake). The Provo Delta project is about 12 times larger than the Hobble Creek project and will lower the old Skipper Bay levee to restore what was previously a bay area. Ms. Stamp shared maps illustrating the delta area water depths, which varied and would restore aquatic and wetland habitats. The focus is on restoring larval rearing habitat for June suckers and other fish. There will also be significant recreation features as part of the delta restoration, including paved trails (tying into the existing Provo River Trails), equestrian trails, a viewing tower, and river access, along with a parking area. Ms. Stamp shared illustrations of the concepts for the recreational elements.

Ms. Stamp shared details about the existing river channel features and enhancements which would be installed along the existing channel. They have also partnered with Provo Parks and Recreation on plans for the Provo River Delta Gateway Park. This property is currently owned by the Delta restoration project, which they intend to convey to the City in the future. They've worked in partnership and are excited about the plans for this park.

The purpose of the project is to restore and facilitate June sucker fish recovery; it was previously an endangered species and has been recently downlisted earlier this year to threatened status. Previously, these fish numbered in the millions and were an important food source for the indigenous and early Mormon settler populations. There is a bottleneck in the lifecycle for the June sucker, which has been exacerbated by the damage to their natural habitat on the Provo River. This project is a multi-agency effort involving a number of local and federal organizations. There are some various environmental commitments as a part of broader water planning projects in the area.

Ms. Stamp shared the projected construction timeline, noting where they are currently at in the process. Throughout the project and currently, they have been doing stakeholder and community outreach and consultation. Ms. Stamp referred to several issues which have been focus points during the design and development process in response to the community and stakeholder feedback. Ms. Stamp also highlighted specific areas of collaboration and engagement with the City and other agencies. They have also had a great partnership with Provo High School's environmental science classes. Ms. Stamp shared the project website ([Provoriverdelta.us](https://provoriverdelta.us)) and shared details about other outreach efforts. During 2021, they have been doing site tours on the second Saturday of each month. Ms. Stamp noted several areas where they would look for collaboration from the City regarding land transactions with Provo and where the Delta project would need either easements or ownership of certain properties.

Councilor Bill Fillmore asked for more information about the June sucker; Mr. Mills noted that June suckers are in a completely different family than carp or trout. Ms. Stamp said that part of the project budget has related to utilities costs. The recreation costs are about 15-20% of the total project costs. Their agency, which is a federal agency, is fully funding the project. There is a large endowment account (a title 4 account) which was created in the 1990s which has resulted in some blended funds, but it has been quite some time since that was used, so about 90% of the project is with federal funds. Councilor David Harding said this was a great project for the community. With the Skipper Bay levee being removed, he wondered how this would affect the master plans for the trail systems. Ms. Stamp explained it was crucial to remove that dike and restore the flow between the lake and the delta. She noted the challenges of installing a

boardwalk trail system due to the intensity and variability of the area. Councilor George Handley commented on the Provo River restoration in the Heber Valley and how it has been a huge asset to the area. Mr. Handley was excited about the future of this project. ***Presentation only.***

9. A presentation regarding the Development Process: "Context: How design, density, and aesthetics interact" (21-080)

This item will be continued to a future meeting.

Closed Meeting

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

Motion: Shannon Ellsworth moved to close the meeting. Seconded by David Harding.

Vote: **Approved 7:0.**

Adjournment