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PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

12:00 PM, Tuesday, January 18, 2022

Hybrid meeting: <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 Travis Hoban, conducting
Council Vice-chair George Handley
Councilor Bill Fillmore
Councilor David Shipley
Councilor Katrice MacKay
Councilor Rachel Whipple
Councilor Shannon Ellsworth
Mayor Michelle Kaufusi

Prayer

Councilor David Shipley offered the prayer.

Approval of Minutes

November 18, 2021 Parking Town Hall
November 30, 2021 Council Meeting Minutes
December 14, 2021 Work Meeting
January 4, 2022 Work Meeting
Approved by unanimous consent.

Business

1. A presentation on the Single Audit for Fiscal Year 2021. (22-013) ([0:25:29](#))

Jeff Miles, Auditor at HBME, presented. Mr. Miles reviewed the results of the most recent annual audit, which were generally positive. He noted some compliance issues with grants which are being addressed by the Community and Neighborhood Services Department. The City is also going to be refining its cash handling policies to comply 100% in the future. *Presentation only.*

2. An appropriation for East Bay Shopping Center Participation and Reimbursement Agreement – second payment. (22-008) (0:31:29)

Keith Morey, Development Services Assistant Director, presented. He reviewed the agreement with the East Bay Shopping Center and highlighted the latest installment of reimbursement payments. An appropriation for the payment would be on the agenda for the Council Meeting on February 1, 2022. *Presentation only.*

Policy Items Referred from the Planning Commission

3. An ordinance amending Provo City Code to adopt policies and procedures for the dedication of private streets and utilities. Citywide Application. (PLOTA20210360). (0:34:53)

Aaron Ardmore, Planner, briefly introduced the item. Brian Jones, City Attorney, presented more details on the proposal. Mr. Jones highlighted the changes made to the ordinance by the Council committee in response to several questions raised in the previous meetings. The only change was unrelated to the earlier questions and arose from the committee’s discussion; a sentence was added that the city will not take over open space or other obligations of the HOA and that the ordinance is only designed to take over private streets and utilities.

Councilor George Handley asked about a concern raised by community members about if the city standards were too strict. Mr. Jones explained how the conditions in the code would function in different scenarios to allow the Coordinators Review Committee discretion in their assessment regarding whether the purpose of the city standards were met, even if the specific standard did not conform. Mr. Jones highlighted how the process would work with the policy as outlined in the ordinance as well as how health and safety, ADA, and other standards related. Gordon Haight, City Engineer, also commented on the process in the ordinance.

Councilor Shannon Ellsworth said that the feedback she received from constituents was they wanted the decision to be made by an elected body not administrative staff. Ms. Ellsworth wanted the process to be objective. Mr. Jones speculated that the pressure to make it a legislative decision may have been so the public could put political pressure on a Council decision, which would not retain the objective intent of the standard and criteria, in addition to it not really being a legislative function. Councilor Bill Fillmore asked about the number of HOAs in Provo. Staff indicated there were over 3000, however Bill Peperone, Development Services Director, clarified that not all those HOAs necessarily had private infrastructure.

The Council discussed the differences between the HOA-submitted language versus the current draft. Councilor Rachel Whipple noted that finding the old standards takes considerable research. She felt that the current language, “or meets the need of the current standards,” was sufficient. In response to a question from Councilor David Shipley question about funds, Mr. Haight addressed spending on local roads in recent budget years. *Presentation only. This item was already scheduled for the Council Meeting on January 18, 2022.*

Business

4. A presentation reviewing Provo City General Plan - Part 1 of 3 (22-011). ([1:06:00](#))

Hannah Salzl, Planner, presented. Councilors discussed the current draft of the vision statement and offered feedback and comments on it.

Councilor Bill Fillmore took issue with some of the language contained in the vision statement due to what he felt were outside political pressures. Councilors Rachel Whipple and George Handley discussed the history of the Utah valley, including its indigenous populations, and how there have been diverse populations and influences throughout much of Provo's history. They favored retaining the current language to acknowledge this rich past.

Councilor Shannon Ellsworth asked about the purpose of the vision statement. Ms. Salzl indicated that the statement was meant to give consistency to the rest of the general plan. Ms. Ellsworth shared additional comments about some of the seemingly disparate elements and wondered how those should be used and prioritized after the current elected officials were gone. She also asked if there had been any consideration for the concept of unity in the statement.

Mr. Fillmore added comments about the lack of focus on public safety and economic development. Councilor Katrice MacKay had also noticed a lack of public safety and families mentioned throughout the general plan. She also thought the plan dwelt heavily on the environment, but was missing other key elements like economic development, small businesses, financial stability, families, and public safety. Ms. Salzl offered some clarifications about the process by which this draft was produced.

Mr. Handley made a stylistic suggestion and also noted that water use seemed out of place in the section "A Welcoming Community." Ms. Ellsworth asked if staff could provide clarification about the intensive process to draft the plan thus far. She noted that a general plan was not a performance-based document for each department and was intended to focus on the built and natural environment. Ms. Ellsworth shared several other comments on some of the recent edits and asked about a section on housing. Ms. Salzl indicated that housing was addressed in the section "Livable Provo" and Appendix A and would be discussed further at the next Work Meeting. Ms. Ellsworth also asked about how a section on water would be integrated if the State legislature passed a requirement that the general plan address water policy. Ms. Salzl indicated a section could be added in that event to identify the City's water policies.

Councilor Travis Hoban thanked staff for their work—he liked a lot of the content in the general plan text. He noted several of the key themes that he thought should be broader and identified earlier in the plan, including economic prosperity, economic development, education, and public safety. He also noted that the goal of "housing across the whole of Provo" may not be the best fit for the whole city. Mr. Hoban was also grateful for the public engagement efforts as that was critical to the success of the process.

Brian Jones, City Attorney, provided some clarification into the process and format for Councilor feedback and how staff would work to incorporate this feedback coming from

individual Councilors. Mr. Fillmore also commented on the editing process with the Council and some of the challenges. Ms. Salzl indicated that the current draft had undergone a thorough review and edit by all the city's department directors. Mr. Handley noted that some of the comments referred to topics, such as the economy, which were covered in more detail in coming sections of the general plan.

Councilor David Shipley thanked staff for the inclusion of the west side in the section addressing fair and equal distribution of services. Councilor Rachel Whipple noted that there were other vulnerable student groups besides the west side, such as the Title 1 schools in Provo. Ms. Ellsworth Ms. Whipple's comment and said she was glad the west side is well-represented in this document but noted that residents south of Center Street also often feel underrepresented. In those areas of Provo, there is often more multifamily housing, Title 1 schools, and environmentally impacted areas. She hoped there was a way to capture those concerns.

Ms. MacKay reiterated one of Mr. Hoban's comments about goal #2 under livable Provo – "strive to increase number of housing units across Provo." Ms. MacKay indicated she had received many emails and comments about that item. In her experience, it was not an appropriate goal for all areas of the city—there are some areas such as Slate Canyon and Joaquin which don't have much space for additional housing. Several Councilors made additional comments on housing and there seemed to be a general consensus that that item 2 was not phrased accurately for what the intent was.

Mr. Hoban reiterated some of his earlier comments about areas later in the plan he hoped could be called out earlier in the plan with the same emphasis, including public safety and economic development. He thought doing this would be more representative of the overall themes present throughout the document. *Presentation only. This item was already scheduled for the Council Meeting on January 18, 2022, as well as for the two subsequent Work and Council Meetings.*

5. A presentation regarding a pedestrian safety study in Provo conducted by BYU students. (22-012) ([2:09:59](#))

A group of MPA students from BYU—Lindsay Harper, Ryan Cheney, Lina Costa, Hyrum van Scheltema, and Pheakdey Leng—presented. Ms. Harper explained that over the last decade, pedestrian deaths increased by 45% in the United States, while car passenger deaths increased by only 5%. The same trends have been observed in Provo—from 2015-2019, accidents involving pedestrians increased by 33%. Although pedestrians were only involved in 2% of total car accidents, they accounted for 25% of fatalities in car accidents. Their analysis identified radar speed signs as the most effective in Provo to improve pedestrian safety. Ms. Costa elaborated on pedestrian safety issues, noting that accidents were the leading cause of death for children under 14 years old. Councilor Bill Fillmore asked whether accidents as a cause of death referred to general accidents or auto accidents specifically. Ms. Costa indicated it was accidents generally, of which auto accidents comprised a majority.

Mr. van Scheltema reviewed the criteria in their analysis: political feasibility, cost efficiency (managerial), represents community preferences (political), and legal (accessibility). Mr. Leng outlined several other alternatives including pedestrian crossing flags, which was the cheapest

alternative. Ms. Harper highlighted benefits of the rectangular rapid flashing beacon, which have been installed in some places in Provo. This is more expensive than other methods, but helps pedestrians feel safe. Mr. Fillmore suggested the question of practicality would be better addressed by the city engineers.

Mr. Cheney reviewed the third alternative—radar speed signs, which scored the best overall. This was the alternative most preferred by drivers and was much less costly than the rapid flashing beacons. This solution encourages drivers to obey the speed limit, which in turn benefits pedestrian safety because there are reduced traffic fatalities. Mr. van Scheltema reviewed the fourth alternative—the pedestrian hybrid beacon is shown to be the most effective for pedestrians, however tends to be more expensive and can result in traffic congestion.

Mr. Leng outlined the quantitative analysis conducted on the four alternatives and shared the final rankings. Mr. Cheney indicated that based on their analysis and research, they recommend that Provo add more radar speed signs to city thoroughfares with high rates of pedestrian accidents like Center Street. On streets with higher pedestrian safety concern, rectangular rapid flashing beacons are a sound and more cost effective solution. Even though there is some tradeoff with effectiveness, they are nonetheless still effective and more politically feasible than the other alternatives which tend to be more expensive and less preferred.

Councilor Rachel Whipple was curious about the criteria the group used since the least effective option was ranked highest in the results. Ms. Harper spoke to this question. She explained that political feasibility impacted the results; part of the effectiveness was gauged as to how likely that the City could implement the solution with citizen support for the budget impacts. She noted that while other more expensive options were more effective, the preferred alternative was still effective on its own and would have an impact. For streets or areas of particular concern, a more expensive, more effective solution might be more appropriate. Ms. Whipple asked if for the cost metrics of the pedestrian hybrid beacon, whether they factored in the cost of the median treatment. Ms. Harper indicated the cost was just for the sign, materials, and installation of two signs. *Presentation only.*

6. A resolution regarding the South Valley Transit Study (22-010). ([2:46:13](#))

Dixon Holmes, Assistant CAO, introduced the item, which was a request for Provo City to adopt a resolution supporting the results of the South Valley Transit Study. Mary DeLaMare-Schaefer, UTA Regional Manager, presented. This study sought to identify an alternative to best serve south Utah County/valley. Expanding alternative transit options would be critical to meet the needs of future population growth and economic development.

Claire Woodman, Parametrix, also presented. Ms. Woodman reviewed the process they have been through to evaluate different options and refine the list to one alternative, called the locally preferred alternative. Ms. Woodman explained that they evaluated different mode types for longer regional trips. The recommendation is to move forward with commuter rail; this mode is very competitive in terms of travel time. Ridership is a key factor for transit agencies in making transit investments. Although the operation and maintenance costs would be higher, ridership would be much better and would ensure a solid return on investment.

Councilor George Handley asked whether this commuter rail would be constructed as a double track right away. Ms. Woodman indicated that UTA recognizes that making an investment in double-tracking now is important. Their projections have assumed single-tracking in most locations but double-tracking in a few areas. Ridership projections have also assumed the current frequency of Frontrunner. The recommendation is commuter rail from Provo to Payson, then an express bus service from Payson to Santaquin, with a focus on future corridor preservation to extend the commuter rail to Santaquin in the future. Ms. Woodman highlighted Provo's projections of daily boarding numbers for Frontrunner, which were some of the highest in the Wasatch front: 3500 daily boardings in 2030, 4900 daily boardings in 2040, and 5900 daily boardings in 2050.

UTA will continue to advocate for some transportation interchange improvements and density around station areas, as these factors will help the process in the future, particularly in Payson, Spanish Fork, and Springville. UTA has asked the Council to pass a resolution supporting the locally preferred alternative. In 2022 they will continue with environmental studies and the UTA transit-oriented development process. This is a huge milestone for Provo and surrounding cities.

Mayor Michelle Kaufusi indicated that she has been following the process and shared feedback during the process and she thought the group has done an excellent job with the study. Mr. Holmes indicated that Brian Jones, City Attorney, and Wayne Parker, CAO, have looked at the resolution. It is similar to what other cities have considered and approved.

Motion: George Handley moved to place this resolution on a Council Meeting agenda for consideration. Seconded by David Shipley.

Vote: Approved 7:0.

7. A discussion regarding Council assignments to committees, boards, and commissions (22-005) ([3:10:56](#))

Cliff Strachan, Council Executive Director, reviewed the Council's assignments to boards and commissions. The Council discussed many committees and made changes to the document and the individual assignments in it. Some highlights include:

- Several committees removed due to completion of the committee's work, including Carryover Committee, Sign Committee, and Zoning Committee.
- The Public Art Committee was created several months ago.
- Discussion of which committee should address ADUs.
- Councilor Travis Hoban noted a need to discuss the west side intent statement.
- Councilor George Handley reviewed some of the upcoming projects for the Foothills Protection Committee (review of Utah Valley Trails Alliance trails plan, review of Foothills & Canyons Plan).
- Councilor Bill Fillmore asked about the plan for the lake and river plan.
- Mayor Kaufusi and the City administration have shown their commitment to proactive zoning enforcement. Mr. Strachan gave insight into the Zoning Committee history. Mr. Hoban thought there might be some zoning issues related to ADUs.

- Brian Jones, City Attorney, noted that the Library Board requires that a Councilor serve. The Housing Authority did not require a Councilor on the board. Both appointments are made by the Mayor with the Council's advice and consent.
- Water Conservation Committee created with Shannon Ellsworth and George Handley as members. Ms. Ellsworth thought there were some immediate legislative and policy actions the Council should take.

Motion: Travis Hoban moved that ADUs be addressed by the Housing Committee. Seconded by Bill Fillmore.

Vote: Approved 7:0.

Motion: Travis Hoban moved to disband the Zoning Compliance Committee. Seconded by Bill Fillmore.

Vote: Approved 7:0.

Motion: Shannon Ellsworth moved to create a new ad hoc committee, the Water Conservation Committee, with the mission statement: "To prepare policy direction and legislative proposals that evaluate water consumption, promote water conservation, and mitigate impacts of drought," with Shannon Ellsworth as chair. Seconded by David Shipley.

Vote: Approved 7:0.

Motion: George Handley moved to adopt the committee and board assignments as indicated on the document. Seconded by David Shipley.

Vote: Approved 7:0.

8. A discussion regarding redistricting adjustments to City Council District maps. (22-003) (4:01:42)

Cliff Strachan, Council Executive Director, presented. He provided background information on the discussion. The public feedback site is live for school board maps and the Council wished to further discuss the configuration of the Council districts (whether or not to have at-large seats). Mr. Strachan reviewed some of the data about the citywide Council districts. Councilor Shannon Ellsworth asked whether staff had gathered data on where mayoral candidates and elected mayors have lived. Mr. Strachan indicated the data had been limited to the Council members. Mr. Strachan shared data about voter registration rates and turnout/participation in each district.

Councilor George Handley asked about how low student voter turnout impacts those local precincts. Mr. Strachan responded to this question and shared details of staff's analysis. Part of the issue is the way that the precincts are drawn by the county makes it unavoidable to have some impact from low voter turnout in precincts with high college student populations. Mr. Strachan outlined points of the analysis regarding Council districts versus at-large seats and the pros and cons of each composition of districts and he invited questions from the Council.

Mr. Handley referenced the incumbency factor. His biggest reservation about the 7-district model is the reduction in participation and less opportunities for people to run by eliminating the citywide seats. Councilors David Shipley and Travis Hoban discussed the possibility of a west

side district. Mr. Hoban indicated based on the population of the west side, the area would only meet the threshold for a district if there were 7 districts.

Ms. Ellsworth registered concern about a concentration of political power in the northeast area of the city, noting that the Council has registered concern about the imbalance in underrepresented areas of the city such as the west side. Mr. Magness responded to Ms. Ellsworth's comment about including data on mayoral candidates; he explained that the dynamics of the mayoral race are different since it is a different branch of government. Mr. Magness also indicated that 25% of the precincts in Provo control 54% of the voter turnout in Provo, which would be challenging to shift. Councilor Rachel Whipple wondered whether there was a virtuous cycle in the northeast area of the city and whether it was possible that such a cycle was amplifying the difference of voter turnout in that area. Councilor Bill Fillmore did not think the civic virtue of high voter registration and turnout should be viewed as a liability.

Mr. Handley said the Council has previously discussed greater voter participation as a goal. He noted that dealing with uneven voter participation was not just a matter of drawing lines; there are other ways to inform and enfranchise people in democracy outside of this process. Ms. Ellsworth asked if staff could evaluate what factors were correlated in voter turnout. Mr. Strachan indicated that staff could prepare a memo addressing that question. ***Presentation only. This item will return to a future Work 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: Bill Fillmore moved to close the meeting. Seconded by David Shipley.

Vote: Approved 7:0.

Adjournment

Adjourned by unanimous consent.