

2019 Water Conservation Plan

September 2019

Prepared for:



Prepared by:



PROVO CITY WATER CONSERVATION PLAN

SEPTEMBER 2019

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INTRODUCTION

Attitudes toward water supplies are changing. Water is no longer seen as an endless supply, but as a valuable commodity that needs to be managed carefully. With this shift in attitude, conservation is becoming a larger part of water suppliers' plans to meet future water needs. Many water suppliers throughout the country have adopted conservation programs. Benefits experienced as a result of these programs include:

- Using existing water supplies more efficiently.
- Maximizing utilization of existing water conveyance, treatment and distribution facilities.
- Delaying or deferring expensive construction of capital improvement projects.
- Reducing the need for additional water supplies.

Officials at the State of Utah Department of Water Resources recognize the potential of conservation programs to extend current water supplies. They have established a statewide conservation goal of reducing per capita water use from levels measured in 2000 by 25 percent by the year 2025.

Provo City has adopted water conservation as a key element in its long-term master plan to serve its customers. As a result, the City has already achieved a significant reduction in per capita use since 2000. However, the City recognizes that per capita use will return to higher levels without continued emphasis on the importance of conservation. It also recognizes that there are still many potential benefits of further conservation efforts. Since sustained additional water conservation will be an important component in the City's plans for future water use, this report will evaluate the City's current conservation program and will discuss additional measures that will allow further conservation of water.

HISTORIC POPULATION AND FUTURE GROWTH

The Provo City Division of Water Resources provides culinary water service to all development within Provo City. Provo City is located in Utah County just south of Salt Lake City. Since the City's establishment in 1849, Provo has developed into the third largest city in the State of Utah with an estimated existing population of 123,336 people in 2018.

While Provo City has experienced large amounts of growth in the past, substantial opportunities for additional future growth still remain. This includes the development of new land (primarily on the west side) and the redevelopment of existing land as opportunities for new economic growth occur. The historic and projected population estimates for the Provo City service area are shown in Table 1. Population projections from the years 2018-2100 have been obtained from the City's 2019 Supply and Demand Master Plan prepared by Bowen Collins and Associates (BC&A).

Table 1 Historic and Projected Population¹

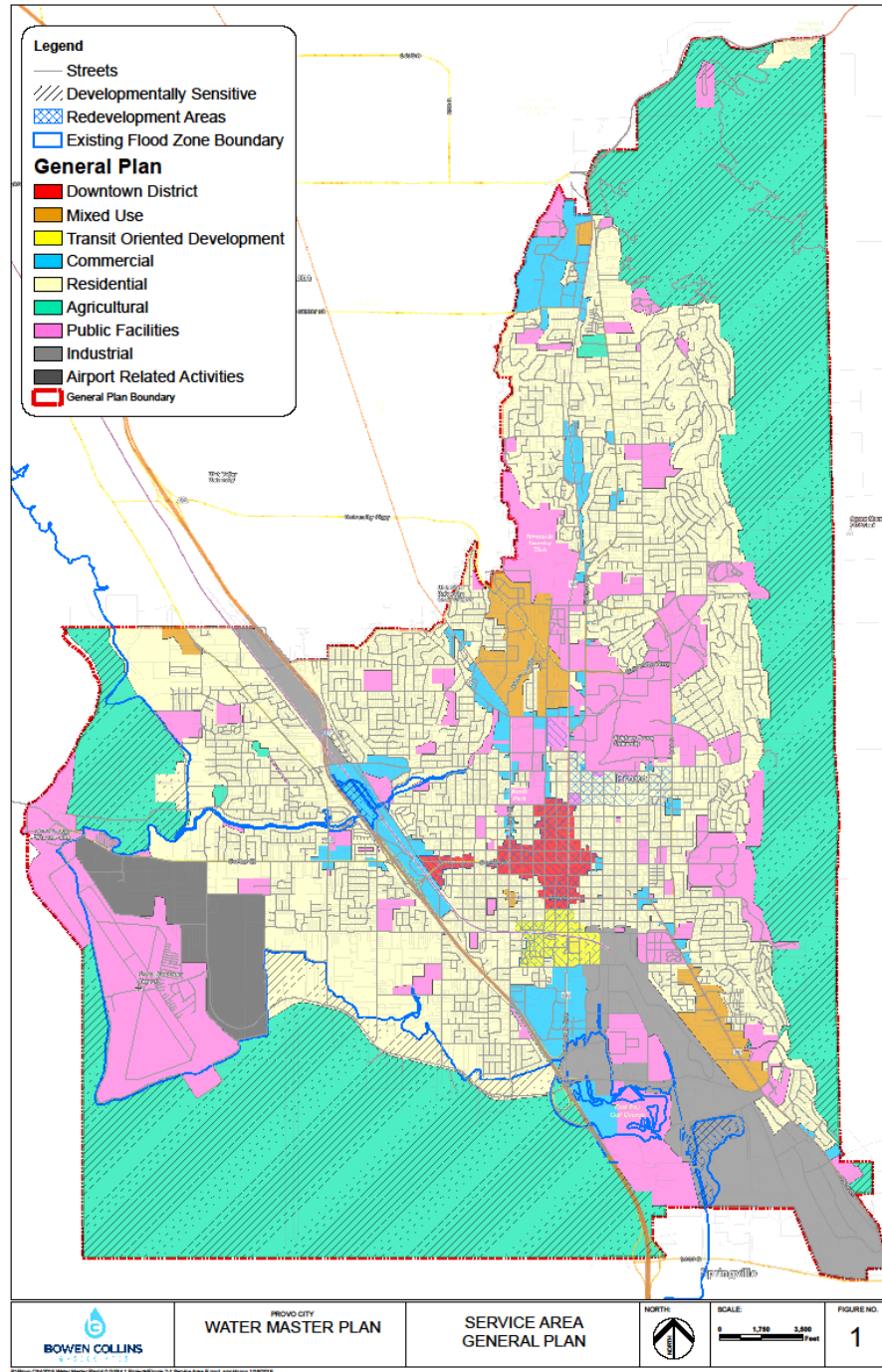
Year	Provo City Approximate Total Population
2000	105,213
2010	112,488
2018	123,336
2020	125,931
2030	138,905
2040	151,879
2050	164,284
2060	173,800
2070	180,820
2080	185,852
2090	189,386
2100	191,830

¹Historic and projected population values have been taken from those developed for the City's 2019 Supply and Demand Plan.

PROVO CITY WATER SYSTEM SERVICE AREA

The Provo City water system service area is shown in Figure 1. The system essentially serves all development within the incorporated area of Provo City.

Figure 1 Provo City Service Area



EXISTING WATER USERS (MUNICIPAL & INDUSTRIAL CONNECTIONS)

To quantify the amount of water that can reasonably be conserved in Provo City, a cursory analysis of current water use patterns has been performed. Usage among different classes of customers for the year 2018 is shown in Table 2. Roughly 90 percent of the meters in Provo City are residential connections, accounting for 59 percent of the total water use. Hence, residential water use represents the largest single area for potential conservation. However, Provo City also has a significant number of commercial, industrial, and institutional (CII) connections. While comprising approximately 10 percent of the total number of meters, CII customers accounted for 41 percent of Provo City water use. Thus, CII accounts should not be overlooked as a potential contributor to future conservation efforts.

Table 2 2018 Water Usage by Connection Type¹

Customer Class	Accounts	% of Connections	Annual Water Use (acer-ft)	% of Total Water Use
Residential	17,337	89%	14,246	58.8%
Commercial	1,936	9.9%	7,779	32.1%
Industrial	17	0.1%	47	0.2%
Institutional	179	0.9%	2,171	9.0%
Total	19,469	100.0%	24,243	100.0%

¹Water usage by connection type data obtained from the Utah Division of Water Rights Public Water Supplier Information.

CURRENT AND FUTURE WATER SUPPLY

The following section summarizes Provo City's current and future water supply as documented in Provo City's 2019 Supply and Demand Master Plan (BC&A).

Total Supply

Table 3 summarizes the usable yield of Provo City's culinary water sources. Estimated usable yield is provided for both average and dry years. Please note that this is not the full water right amount but represents the expected maximum usable yield of each source.

Included in the table is an estimate of well production based on existing sustainable yield and future well production that will be accessible through aquifer storage and recovery.

- Aquifer Storage and Recovery** – The City has more than adequate groundwater rights to meet its future needs but has some concerns about the actual availability of wet water in the aquifer. The City also has extensive surface water flows that are being reserved for future growth, but currently does not have capacity to treat and deliver these flows. One potential method of addressing both of these issues may be aquifer storage and recovery (ASR). If the City could infiltrate its surface water into the primary recharge zone of the aquifer, this water would then be available to be pulled out through the City's existing and planned future groundwater wells or raise the groundwater level to ensure Provo could divert its existing rights from its existing wells.

Table 3 Usable Yield of Provo City Culinary Water Sources

Source Category	Usable Yield in Average Year (acre-ft)	Usable Yield in Dry Year (acre-ft)
Existing Supply		
Springs	17,555	12,230
Wells – Current Sustainable Yield	13,200	13,200
Treatment	3,796	2,122
Total Available Water Existing Supply	34,551	27,552
Future Supply		
Wells – Additional Yield Through ASR	10,400	17,399
Total Available Water Future Supply	10,400	17,399
Total – Available Water Existing and Future Supply	44,951	44,951

HISTORIC WATER PRODUCTION, SALES AND SYSTEM LOSS

Historic Per Capita Water Production and Consumption

Historic water use in gallons per resident from 2000 to 2017 is summarized in Table 4. Table 4 shows the per capita water sales and per capita water production in Provo from 2000 to 2017. Per capita water use was quantified using available water production records from Provo City, water sales records from the Division of Water Rights and population estimates. The per capita water production varies from a high of 278 gallons per capita per day (gpcd) in 2000 to a low of 191 gpcd in 2011. Per capita metered water sales vary from a high of 254 gallons per day in 2000 to a low of 165 gallons per day in both 2011 and 2015.

On average, system losses in the Provo City water system have been approximately 15% of annual water production as shown in Table 4.

Table 4 Historic Per Capita Water Production, Sales and System Loss

Year	Provo City Population	Historic Water Production (acre-ft) ¹	Per Capita Production (gpcd)	Historic Water Sales (acre-ft) ²	Per Capita Water Use (gpcd)	System Loss (acre-ft)	System Loss %
2000	105,213	32,781	278	29,958	254	2,823	9%
2001	105,919	32,319	272	25,130	212	7,189	22%
2002	106,629	30,242	253	24,890	208	5,352	18%
2003	107,345	28,884	240	24,734	206	4,150	14%
2004	108,065	28,910	239	23,649	195	5,261	18%
2005	108,790	27,505	226	25,010	205	2,496	9%
2006	109,520	28,607	233	24,550	200	4,057	14%
2007	110,254	32,263	261	26,454	214	5,809	18%
2008	110,994	30,902	249	28,135	226	2,768	9%
2009	111,738	28,223	225	22,872	183	5,351	19%
2010	112,488	28,463	226	24,081	191	4,382	15%
2011	113,805	24,355	191	21,108	166	3,247	13%
2012	115,138	28,693	222	25,517	198	3,176	11%
2013	116,486	26,717	205	23,643	181	3,074	12%
2014	117,850	27,754	210	23,560	178	4,195	15%
2015	119,230	27,300	204	22,128	166	5,172	19%
2016	120,626	27,653	205	24,029	178	3,625	13%
2017	122,039	27,466	201	23,227	170	4,239	15%

¹Historic water production values have been provided by Provo City.

²Historic water sales data are values on record from the Utah Division of Water Rights.

CURRENT PER CAPITA WATER USE

A thorough analysis of Provo's current municipal and industrial water use was completed. Estimated water use by type for the year 2017 is summarized in Table 5. Per capita water use for the year 2017 was estimated using the approximate population of 122,039 people for the year 2017 and monthly metered sales data provided by Provo City.

Residential Use – Indoor residential water use was quantified using the average metered sales of residential users during the winter months. It is estimated that 44% of residential water is used indoors while 56% is used outdoors.

Commercial, Industrial and Institutional Use – Indoor water use for commercial and institutional users was quantified using the average metered sales of CII users during the winter months. On average it is estimated that 59% of culinary water is used indoors by commercial and institutional users while 41% is used outdoors. Industrial water use has been quantified under the assumption that 100% of industrial water is used indoors.

From these results it appears that there is significant potential for further conservation outdoors by the City's residents.

Table 5 Current Per Capita Water Use By Type

User Type	Indoor Use (gpcd)	Outdoor Use (gpcd)	Total Use (gpcd)
Residential	44.4	56.6	101.0
Commercial	31.5	21.9	53.4
Institutional	8.9	6.2	15.1
Industrial	0.3	0	0.3
Total	85.2	84.7	169.9

CONSERVATION GOAL WITH MILESTONES

Water production and metered water sales records shows that efforts made by the City's staff and residents have already been effective in achieving a significant amount of conservation. Per capita water use is greatly reduced from where it was in 2000 and is ahead of State conservation goals. To date, conservation efforts have primarily focused on education and pricing to motivate the voluntary efforts of customers to conserve. While the observed results are impressive, there are still additional conservation measures that can further reduce water use. Provo City personnel understand that additional conservation in the City is possible and are committed to making further progress in this area. However, to continue the trend of increasing conservation in the City, it is likely that a more aggressive effort and level of investment will be required.

To consider the potential for additional conservation in the City, this study is currently based on the State's historic water conservation goal to reduce per capita year 2000 water usage by 25 percent by the year 2025. Table 6 shows the per capita use conservation goal milestones for the City through 2025.

Table 6 Conservation Goal With Milestones Through 2025

Year	Reduction from Year 2000 Water Use	Conservation Goal Milestones (gpcd)
2000	0%	254.2
2005	5%	241.5
2010	10%	228.2
2015	15%	216.1
2020	20%	203.4
2025	25%	190.7

Based on water system data over the past 18 years, the City appears to have reached this goal already. However, it is expected that additional efforts will be required to sustain the conservation achieved and hopefully encourage additional conservation. It should also be noted that the City is aware of current efforts to revise State conservation goals. It is expected that the City will be updating this study periodically and expects to incorporate future goals into the future iterations of this report.

PROJECTED WATER SUPPLY AND DEMAND

To adequately represent the implications of the City's water conservation goals, a comparison of projected demands (based on total system production requirements) and available supplies must be made. Table 7 (Average Year) and Table 8 (Dry Year) show the projected water production requirement (demand) for the City with conservation and the projected production requirement (demand) if no conservation occurs. Perhaps most importantly, these tables also compare projected demands against the existing available water supply. This same information is shown graphically in Figure 2 (Average Year) and Figure 3 (Dry Year).

Table 7 Projected Water Production Requirements (Average Year)¹

Year	Projected Production Requirements Based on Year 2000 Demands (acre-ft)	Projected Production Requirements With Conservation (acre-ft)	Estimated Annual Savings Through Conservation (acre-ft)	Projected Supply (acre-ft)	Estimated New Supply Development Which Can Be Delayed Through Conservation (acre-ft)
2000	32,781	32,781	0	34,551	0
2005	33,895	32,200	1,695	34,551	0
2010	35,048	31,543	3,505	34,551	497
2015	37,148	31,576	5,572	34,551	2,597
2020	39,102	31,282	7,820	44,951	0
2025	40,901	30,675	10,225	44,951	0
2030	42,699	32,024	10,675	44,951	0
2035	44,497	33,373	11,124	44,951	0
2040	45,737	34,303	11,434	44,951	786
2045	46,617	34,963	11,654	44,951	1,666
2050	47,397	35,548	11,849	44,951	2,446

¹2019 Provo City Supply and Demand Master Plan.

Table 8 Projected Water Production Requirements (Dry Year)¹

Year	Projected Production Requirements Based on Year 2000 Demands (acre-ft)	Projected Production Requirements With Conservation (acre-ft)	Estimated Annual Savings Through Conservation (acre-ft)	Projected Supply (acre-ft)	Estimated New Supply Development Which Can Be Delayed Through Conservation (acre-ft)
2000	32,781	32,781	0	27,552	0
2005	33,895	32,200	1,695	27,552	1,695
2010	35,048	31,543	3,505	27,552	3,505
2015	37,148	31,576	5,572	27,552	5,572
2020	39,102	31,282	7,820	44,951	0
2025	40,901	30,675	10,225	44,951	0
2030	42,699	32,024	10,675	44,951	0
2035	44,497	33,373	11,124	44,951	0
2040	45,737	34,303	11,434	44,951	787
2045	46,617	34,963	11,654	44,951	1,667
2050	47,397	35,548	11,849	44,951	2,446

¹2019 Provo City Supply and Demand Master Plan..**Annual Supply - Average Year**

In average years, if the City is able to achieve and maintain its conservation goals by 2025, it will have sufficient source capacity through the year 2040. The City has adequate surface water rights to satisfy the projected deficiency beyond 2040. However, use of these water rights will either require treatment or use in an ASR project. Based on expected lower costs and greater flexibility in how the water can be used, Figure 2 shows the deficiency being satisfied through an ASR project. It should also be noted that, if conservation goals are not met, the City may find themselves needing additional source capacity well before 2040. Figure 2 illustrates the benefit of water conservation in Provo City, even in a normal water year.

Annual Supply - Dry Year

In dry years, existing City supplies are currently inadequate to meet projected demands with conservation. Without conservation the existing and projected deficiency is even higher. Historically, this deficiency has been eliminated through conservation by residents above and beyond planning goals and by pumping wells above the currently estimated sustainable yield of the aquifer. While using extra groundwater has allowed the City to avoid any water shortfalls in the past and may work for a few years into the future, this is not a recommended long-term solution to this deficiency. This current deficit is about 4,000 acre-ft/year and is expected to increase overtime. To meet this deficiency the City is planning to move forward

with its ASR project as soon as possible. At its currently planned size, this ASR project will be able to satisfy demands through buildout. Without conservation the City will run out of water in dry years beginning in about 2035. Figure 3 illustrates that water conservation is essential to Provo City's long-term water supply plan.

Figure 2
Projected Annual Production Requirements

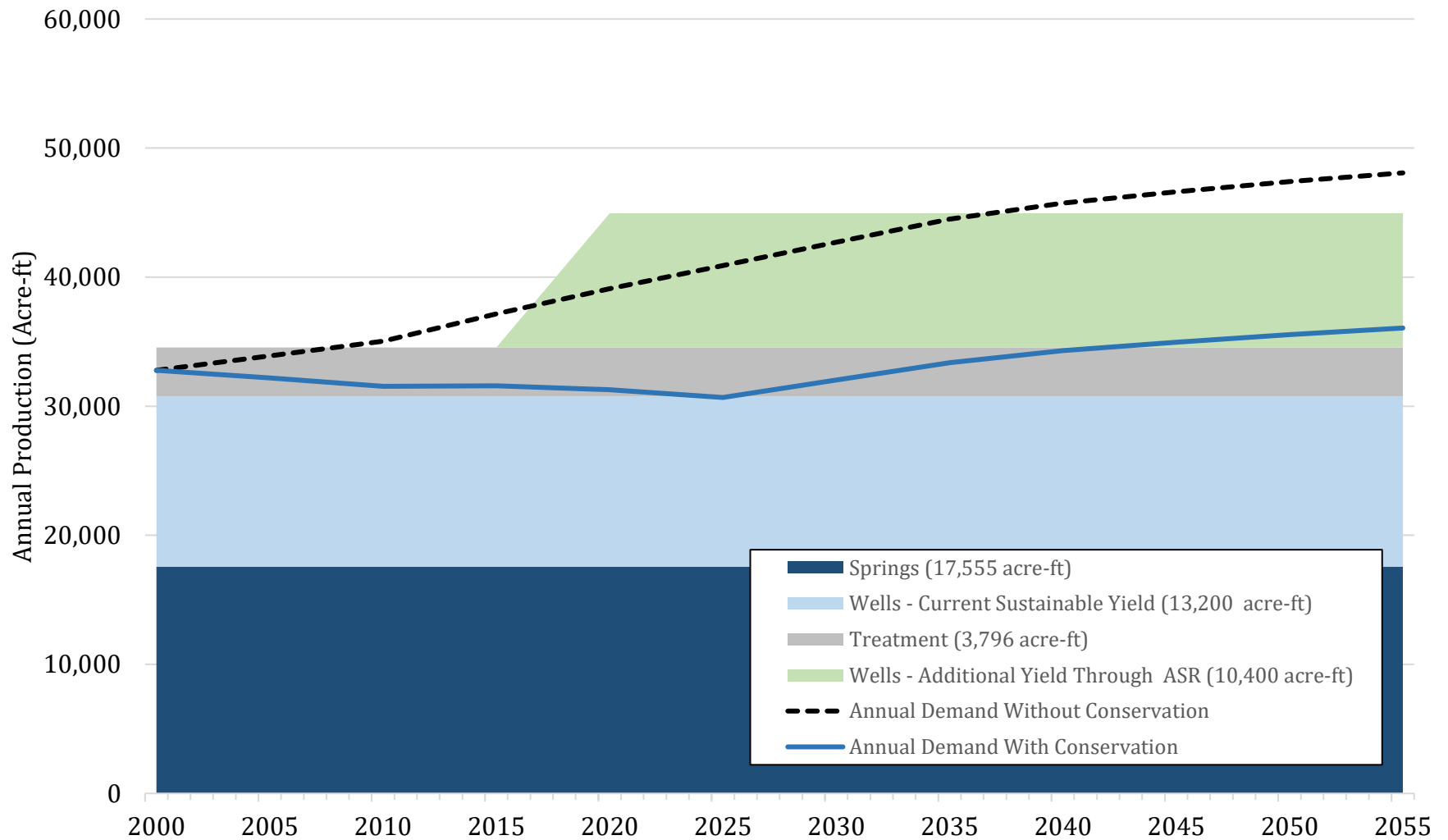
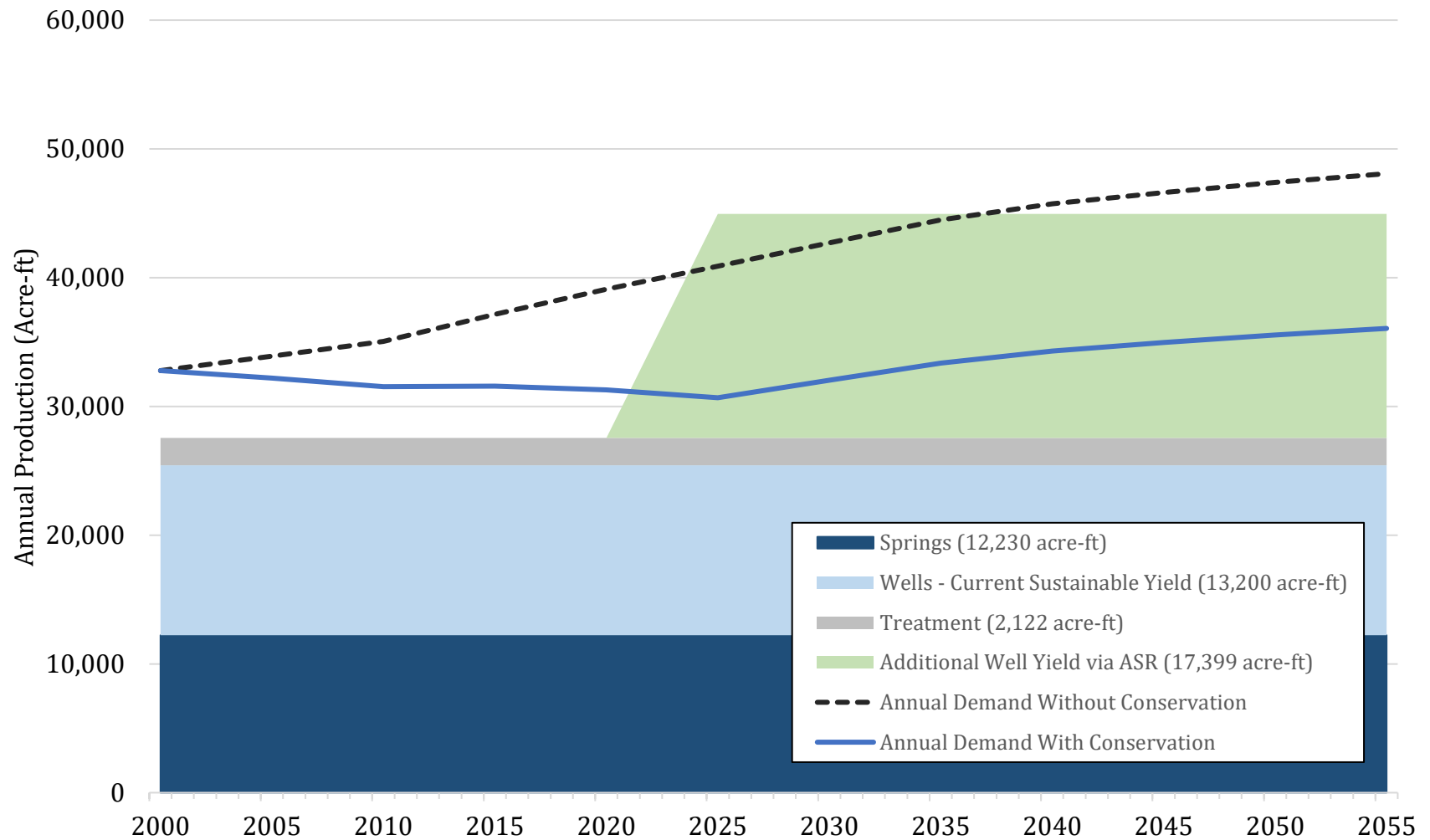


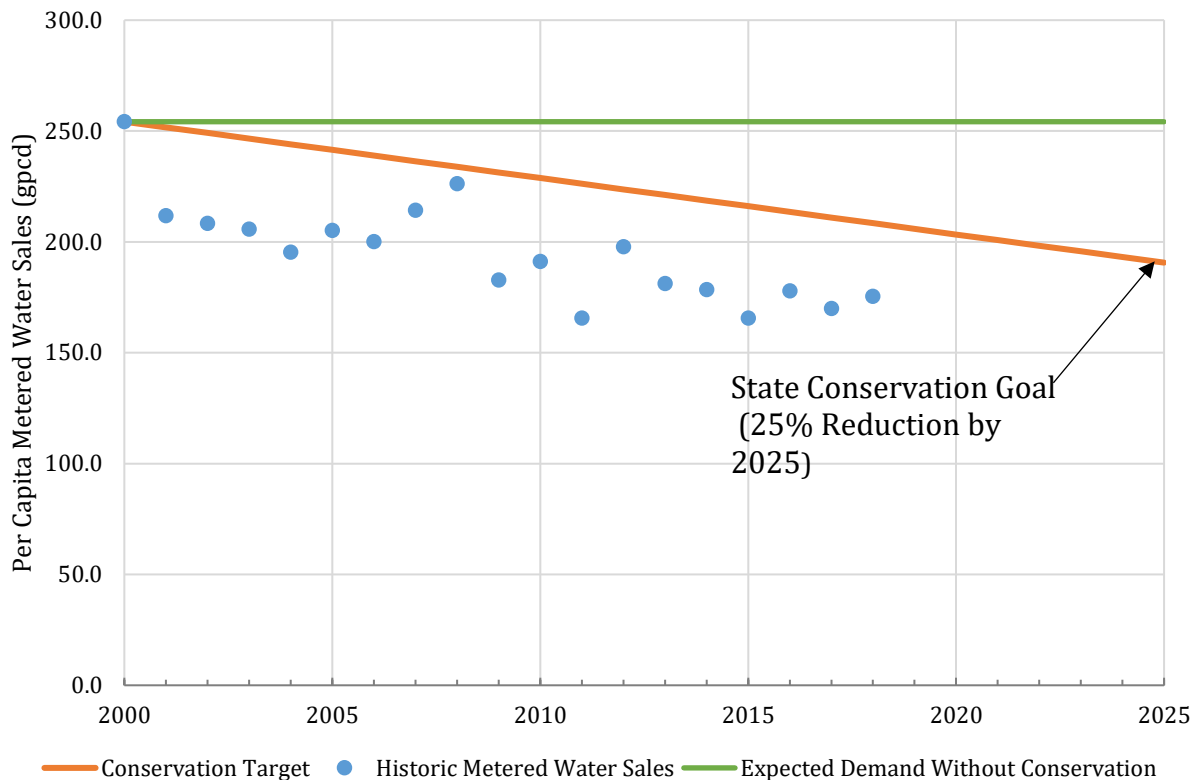
Figure 3
Projected Annual Production Requirements (Dry Year)



MEASURING SAVINGS FROM CONSERVATION

Figure 4 shows historic culinary water use to date on a per capita basis. As can be seen in the figure, the City's per capita use has consistently stayed below the State's conservation goals and continues to trend downward. To track how well Provo is doing in achieving its conservation goal in the future, the City will continue to annually estimate per capita water demands based on yearly metered sales data and an updated population estimate as a function of new system connections.

Figure 4 Historic Per Capita Water Use



WATER METERING AND REPLACEMENT SCHEDULE

Currently, all culinary water connections within Provo City are metered and read on an hourly basis. In 2012 the City began replacing its water meters with a new advanced metering infrastructure (AMI) system. Full deployment of the AMI system was completed in 2018. A significant advantage of this system is the ability to easily monitor and identify new leaks within the system. In addition, the City has acquired leak detection equipment which further aids in detecting leaks. The AMI equipment also allows the City to more accurately determine the amount of water lost within the system, identify diurnal patterns in water sales, and help create a water budget.

Provo's long term replacement program for meters will include replacing meters every 15 to 20 years per the manufacturer warranty or as deemed necessary through bench testing.

CURRENT RATES

The City charges all water connections a monthly base rate based on the meter size. Table 9 shows the base rate charges for each size of meter. No monthly water allowance is included in the base rate. Connections are then charged a Commodity Charge for each thousand gallons of water used. During the winter months (Nov.-Apr.), connections are charged \$0.90 for every 1,000 gallons of water. During the summer months (May-Oct.), the Commodity Charge is \$1.51 for every 1,000 gallons of water. The City is currently conducting a water rate study to develop a new tiered water rate structure to further encourage conservation.

Table 9 Provo City Culinary Water Rate Structure

Meter Size	Monthly Base Charge
5/8" and 3/4"	\$16.05
1"	\$20.27
1 1/2"	\$43.56
2"	\$65.17
3"	\$126.35
4"	\$210.54
6"	\$250.02
8"	\$376.92
10"	\$501.36
12"	\$814.07

CURRENT CONSERVATION PRACTICES

As part of its overall water supply plan, Provo City has been very aggressive in implementing several conservation measures to reduce water usage. The City has a well maintained and operated water system and has been proactive in implementing and maintaining many programs to ensure that the system operates at an optimal level. Each of these programs is discussed in detail below:

Aggressive System Maintenance and Operations Program – Provo City will continue to maintain and improve its existing aggressive system maintenance and operations program as outlined below:

- **Mainline Replacement Program:** Provo City has budgeted \$500,000 per year for repair and replacement of old water pipeline infrastructure. The City's current water system consists of over two-million linear feet of pipe. Age data for the system is summarized in Table 10.

Table 10 Age of Current Provo City Water System

Install Date	Length (Feet)	% of Total
Unknown	24,365	1.11%
1910-1920	1,100	0.05%
1910-1930	-	
1930-1940	33,756	1.53%
1940-1950	105,157	4.77%
1950-1960	305,237	13.86%
1960-1970	123,999	5.63%
1970-1980	279,579	12.69%
1980-1990	394,904	17.93%
1990-2000	486,734	22.10%
2000-2010	285,245	12.95%
2010-2019	162,761	7.39%
Total	2,040,076	100.0%

As indicated in Table 10, the City has 57 percent of the current system that is 30 years and older with 43 percent of the system less than 30 years old. Only about 6 percent of the system is older than 70 years old. While there is still work to do, the relatively high percentage of newer pipe (compared to the City's age) demonstrates that the City has maintained an aggressive mainline replacement program. In addition to maintaining the system in good working order, it is hoped that this effort will reduce the number and severity of water leaks in the system.

- **Leak Detection Program:** The City currently utilizes acoustic sound equipment to evaluate and detect leaks within the water system.
- **Advanced Metering Infrastructure:** The City's new AMI system provides significant improvements for identifying leaks and educating consumers about water use patterns. The AMI system also allows the City to monitor demands on a daily basis and provide frequent feedback to users on their water use habits.

Upgraded SCADA Control System – Starting in April 2004, the City began to make improvements to its SCADA system. The previous control system was limited in its system monitoring capabilities and was operating on old technology. For example, phone lines were used for portions of the older SCADA system which significantly limited the ability of the City to provide upgrades to the SCADA system. To make improvements to the SCADA system, Provo City has been upgrading its communication infrastructure to provide continuous monitoring, remote control functions, and room for additional facilities to be monitored as they come on line in the future. SCADA improvements completed since 2004 have enabled additional upgrades. As improvements continue, Provo City will be able to better manage and control the City's water resources and system facilities. As with many infrastructure needs, the SCADA system upgrades are an ongoing capital and maintenance expense. However, the City has replaced many of the older SCADA components in its system and is continuing to look for areas where additional improvements will increase overall system efficiency.

Secondary Water Use – The City currently uses secondary water at five parks, for irrigation of a large portion of the landscaping at BYU, on the landscaping around the reclamation plant and at the East Bay Golf Course. Secondary water use is also being considered for the new regional sports park that the City is building in west Provo. As opportunities become available, additional areas will implement use of secondary water to stretch the City's available water resources.

Rain Sensors Installed in the Parks – Some City parks have been equipped with rain sensors. These devices can detect rainfall events and send messages to the central control computer, indicating how much precipitation has been received at the site and can terminate a watering cycle when the precipitation makes irrigation unnecessary. Sensors will continue to be installed in all City parks.

Seasonal Rate Structure –Several years back, the City Council adopted a seasonal water rate structure intended to provide an incentive for water users to conserve. The key element of the rate structure was an increased peak season overage rate during the months of May through October. The rate structure charges approximately 25 percent more for water during this period than during the winter months. The goal is to reduce peak system demands and reduce the waste of water on outdoor landscaping uses. While this structure has been a very successful first step, the City has recognized that additional incentives for conservation could be achieved through a tiered rate structure. Thus, the City is in the process of completing a rate study that will calculate new tiered rate structures for the City.

Citywide Economic Development Strategic Plan- Water Conservation initiatives are included in the Citywide Economic Development Strategic Plan to support economic growth and water conservation planning.

Public Awareness/Public Education Programs – Over the years, a significant amount of water reduction has been achieved through increased awareness and water education. The following is a list of ongoing public awareness and educational programs which the City will continue to utilize and implement:

- **Consumer Confidence Report** – Each year, water conservation information is included in the consumer confidence report. This report is sent to all Provo City customers as well as posted on the City’s web site and includes information on the City’s water sources, water quality information, and conservation tips.
- **Public Works Fair** – The City is actively involved in providing Public Works Fairs at schools within the Provo City School District to educate about the City’s Public Works Department. The City uses this opportunity to educate and inform the schools about the City’s water system and water conservation.
- **Water Savings Material** – The City utilizes and distributes the existing materials and messaging from Slow The Flow campaign, DWRe’s Conserve Utah, CWEL and WaterSense agencies.
- **Water Conservation Violation Notification Program** – The City maintains a water conservation violation notification program where citizens can call in and report an observed violation. The calls are logged and the violator then receives a polite letter indicating the date and the violation observed with tips on indoor and outdoor water conservation.
- **Flyers** – Occasionally, flyers are sent to all consumers in their monthly water bills giving information on water conservation and tips on methods to conserve water both indoor and outdoor. Flyers are also located in the City offices giving facts and tips on water conservation. Water conservation reminders are also distributed in City mailings and on media outlets.
- **Web-Based Information** – For many people, the Internet is now their primary source for information regarding water conservation. The City has a system where customers can view their hourly AMI usage data. In addition, the City has been working to expand the conservation information currently provided on the City’s web site and provide links to other conservation oriented websites.
- **Conservation Gardens** – The City identifies existing water conserving landscapes within the City as well as advertises the demonstration and education gardens at the Central Utah Water Conservancy District’s site.

City Ordinances Regarding Water Conservation – There are currently two ordinances related to water or water conservation. The first is an ordinance entitled “Wasting Water” which states that it is unlawful for any water users to waste water in any way. The second is entitled “Scarcity of Water – Mayors Proclamation” which states that in the event of scarcity of water, the Mayor has the power to place restrictions on water use and provide penalties for those not in compliance.

Water Conservation Plan – The City updates its Water Conservation Plan at least every five years and adopts it by Ordinance.

NEW CONSERVATION PRACTICES PLANNED FOR IMPLEMENTATION

There are several new conservation practices that the City has either recently started to implement or will implement in the next few years. Table 11 summarizes the implementation schedule, estimated costs and potential partners of the new practices.

AWWA Water Audit Program – The City recently began participating in AWWA Water Audit Program. This program helps water suppliers quantify system water loss and associated revenue losses. During the 2018 audit the City received a water audit validity grade of 58 out of 100. This grade recommended that the City’s next steps in reducing system loss could be focused on improving data accuracy and assessing cost-effective solutions for water and revenue loss recovery. Provo City will be participating in the audit program on an annual basis.

Utilization of Advanced Metering Infrastructure – The City has been leveraging hourly AMI data to create a more robust and reliable water budget. The City has also been working to create real time water use alerts using hourly AMI data to inform residents of high usage or leaks and inform the public of water use trends.

Water Model Updates – The City will be updating its water model to include detailed usage information from AMI systems, incorporate SCADA data and more extensive calibration.

Xeriscaping - The City is actively promoting the xeriscaping of City projects including its recently built water tanks and the recently proposed new City Center. The City is also currently in the process of amending the City Code to define xeriscaping expectations and encourage xeriscape landscaping using techniques such as water saving plants, mulches, stone, and other materials. Most recently it was proposed that the code be amended to allow for artificial turf.

Tiered Rates – The City is currently studying tiered rates with the intention to implement them as soon as a new billing system and program is in place.

Aquifer Storage and Recovery Water Re-use – The City is pursuing water reuse by completing the evaluation, design, and construction of a new Water Advanced Treatment and Resource Recovery plant as well as an Advanced Water Treatment plant that will produce culinary grade water for reuse. Water produced can also potentially be used in an Aquifer Storage and Recovery (ASR) program. Surface water may also be used via infiltration to recharge the aquifer and insure long term storage and conservation of water. Through the use of underground storage, a significant amount of water can be conserved by just eliminating evaporation losses.

Table 11 Implementation Schedule, Estimated Costs & Partnerships

New Conservation Practices	Implementation Timeline	Estimated Cost	Potential Partnerships
AWWA Water Audit Program	First audit completed: 2018 Ongoing audits expected annually	\$5,000/year	<ul style="list-style-type: none"> • AWWA Intermountain Section
Utilization of AMI	AMI completed: 2018 Analysis of data: Ongoing	AMI Capital Cost = \$2,095,000 Analysis Cost = \$15,000/year	<ul style="list-style-type: none"> • Coordination with other similar cities
Water Model Updates	Ongoing, next update scheduled for 2019.	\$80,000/update	<ul style="list-style-type: none"> • Engineering Consultants • Software Providers
Xeriscaping	Ongoing	Varies	<ul style="list-style-type: none"> • Central Utah WCD • Parks and Recreation • Localscapes.com
Tiered Rates	As soon as new billing system is in place – Within 1 year	\$30,000 (does not include cost of billing software)	<ul style="list-style-type: none"> • Utility Billing
Aquifer Storage and Recovery / Water Reuse	1-3 Years	Currently in Cost Evaluation Phase	<ul style="list-style-type: none"> • Central Utah WCD • Division of Environmental Quality

WATER CONSERVATION COORDINATOR AND COMMITTEES

Water Conservation Coordinator

The City has appointed a Water Conservation Coordinator (Shane Jones, P.E.). The coordinator is responsible for all City conservation efforts including the Public Education Program, the Water Conservation Workshop, distributing City conservation information at City events, and acting as the liaison for water conservation matters between the citizens and City officials.

Employee's Sustainability Committee and Citizens Sustainability Committee

The Employee's Sustainability Committee is chaired by the City's Sustainability Coordinator, Austin Taylor, and is comprised of representatives from each department in the City including the Mayor, Assistant Mayor, and several department directors. The Citizen's Sustainability Committee is chaired by Don Jarvis and is comprised of influential representatives from the community and the City. Both committees are active in promoting water conservation as well as other important sustainability initiatives.

WATER CONSERVATION PLAN AUTHOR(S)

This plan was prepared by Bowen Collins & Associates at the Draper office:

Bowen Collins & Associates
154 E. 14075 South
Draper, Utah 84020
801.495.2224 Office

Primary authors of the plan are:

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1 RESOLUTION 2019-.

2
3 A RESOLUTION ADOPTING AN UPDATED WATER CONSERVATION
4 PLAN. (19-105)
5

6 WHEREAS, Utah Code 73-10-32 requires retail water providers to adopt an updated
7 version of their Water Conservation Plan every five years; and
8

9 WHEREAS, the Utah Division of Water Resources has reviewed the plan as set forth in
10 Exhibit A and recommended formal adoption; and
11

12 WHEREAS, on December 10, 2019, the Municipal Council met to ascertain the facts
13 regarding this matter and receive public comment, which facts and comments are found in the
14 public record of the Council's consideration; and
15

16 WHEREAS, after considering the facts and comments presented to the Municipal
17 Council, the Council finds (i) the Water Conservation Plan should be adopted as set forth in
18 Exhibit A to replace the current Water Conservation Plan, and (ii) this action reasonably furthers
19 the health, safety, and general welfare of the citizens of Provo City.
20

21 NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, Utah as
22 follows:
23

24 PART I:
25

26 The Water Conservation Plan is hereby adopted as set forth in Exhibit A to replace the
27 current Water Conservation Plan.
28

29 PART II:
30

31 This resolution shall take effect immediately.
32

33 END OF RESOLUTION.



PROVO MUNICIPAL COUNCIL

Redevelopment Agency of Provo

Regular Meeting Agenda

6:00 PM, Tuesday, December 10, 2019

Room 200, Municipal Council Chambers

351 W. Center Street, Provo, UT 84601

Decorum

The Council requests that citizens help maintain the decorum of the meeting by turning off electronic devices, being respectful to the Council and others, and refraining from applauding during the proceedings of the meeting.

Opening Ceremony

Roll Call

Prayer

Pledge of Allegiance

Approval of Minutes

September 10, 2019 Council Meeting Minutes

November 12, 2019 Council Meeting Minutes

Presentations, Proclamations, and Awards

1. A presentation and recognition of outgoing Councilors Knecht, Stewart, Van Buren, and Winterton. (19-147)
2. A presentation of the Provology graduates. (19-067)
3. A presentation of the Comprehensive Annual Financial Report (CAFR) by the Provo City Finance Division and HBME. (19-146)

Public Comment

Fifteen minutes have been set aside for any person to express ideas, concerns, comments, or issues that are not on the agenda:

Please state your name and city of residence into the microphone.

Please limit your comments to two minutes.

State Law prohibits the Council from acting on items that do not appear on the agenda.

Action Agenda

4. A resolution appointing John Magness as a Policy Analyst for the Provo City Municipal Council. (19-140)
5. A resolution consenting to the appointment of individuals to various boards and commissions. (19-003)
6. A resolution adopting the 2020 Council regular Meeting schedule. (19-145)
7. An ordinance amending the Claim Settlement Authority Schedule in Provo City Code and providing for automatic inflation adjustments. (19-149)
8. A resolution adopting an updated water conservation plan. (19-105)
9. An ordinance amending Provo City Code to correct and update Title 18 (Storm Water) and the associated design and management manual. (19-109)
10. A resolution amending the Provo City Impact Fee Analysis and Impact Fee Facilities Plan with respect to sewer projects and facilities. (19-138)
11. An ordinance enacting Provo City Code Section 15.03.105 (Temporary Limitations on Certain Sewer Connections). Citywide application. (PLOTA20190392)
12. A resolution approving and authorizing a Section 108 loan transaction for \$2,500,000 for infrastructure improvements to fulfill obligations related to the expansion of Duncan Aviation. (19-136)
13. A resolution approving the transfer of \$2,500,000 in Section 108 loan proceeds from the CDBG Fund to the Airport Fund for municipal infrastructure related to the expansion of Duncan Aviation. (19-141)

Redevelopment Agency of Provo

14. A public hearing on a resolution approving and adopting the Project Area Plan for the Medical School Community Reinvestment Project Area. (19-142)
15. A public hearing on a resolution approving and adopting the Community Reinvestment Project Area Budget for the Medical School Community Reinvestment Project Area. (19-143)
16. A resolution designating a survey area, authorizing the preparation of a draft Community Reinvestment Project Area Plan and Budget, related to "The Mix" project, and authorizing and directing all necessary action. (19-139)

Action Agenda

17. A public hearing on an ordinance adopting the Community Reinvestment Project Area Plan for the Medical School Community Reinvestment Project Area. (19-144)
18. ***CONTINUED*** An ordinance changing the General Plan designation from Public Facilities (PF) to Residential (R) for approximately 0.78 acres of real property generally located at 862 East Quail Valley Drive. Edgemont Neighborhood. (PLGPA20190009)
19. ***CONTINUED*** An ordinance amending the Zone Map classification of approx 0.78 acres of real property, generally located at 862 East Quail Valley Drive, from Public Facilities (PF) Low Density Residential (LDR). Edgemont Neighborhood. (PLRZ20180430)
20. ***CONTINUED*** Bob Jones requests a General Plan Amendment to change the land use designation in the Provo City General Plan from "Agricultural" to "Residential" within Sections 7 & 18 of T6S R3E, SLM. North Timpview Neighborhood. PLGPA20190352
21. ***CONTINUED*** Daniel LaFontaine requests a Zone Change from R1.10 to Low Density Residential for 1.07 acres for a townhome development, located at 50 E 3900 N. Riverbottoms neighborhood. PLRZ20190265
22. ***CONTINUED*** Community & Neighborhood Services Dept requests an Ordinance Text Amendment to Ch14.33 and 15.05 of the Provo City Code to update the development requirements of lands located in the Special Flood Hazard Area. Citywide. PLOTA20190328

Adjournment

If you have a comment regarding items on the agenda, please contact Councilors at council@provo.org or using their contact information listed at: <http://provo.org/government/city-council/meet-the-council>

Materials and Agenda: agendas.provo.org

Council meetings are broadcast live and available later on demand at youtube.com/user/ProvoCityCouncil
To send comments to the Council or weigh in on current issues, visit OpenCityHall.provo.org.

The next scheduled Council Meeting will be held on 1/7/2020 5:30:00 PM in the Council Chambers, 351 West Center Street, Provo, unless otherwise noticed. The Work Meeting start time is to be determined (typically between 12:00 and 4:00 PM) and will be noticed at least 24 hours prior to the meeting.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the ADA, individuals needing special accommodations (including auxiliary communicative aides and services) during this meeting are invited to notify the Provo Council Office at 351 W. Center, Provo, Utah 84601, phone: (801) 852-6120 or email evanderwerken@provo.org at least three working days prior to the meeting. The meeting room in Provo City Center is fully accessible via the south parking garage access to the elevator. Council meetings are broadcast live and available for on demand viewing at youtube.com/user/ProvoCityCouncil.

Notice of Telephonic Communications

One or more Council members may participate by telephone or Internet communication in this meeting. Telephone or Internet communications will be amplified as needed so all Council members and others attending the meeting will be able to hear the person(s) participating electronically as well as those participating in person. The meeting will be conducted using the same procedures applicable to regular Municipal Council meetings.

Notice of Compliance with Public Noticing Regulations

This meeting was noticed in compliance with Utah Code 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at agendas.provo.org. Council meeting agendas are available through the Utah Public Meeting Notice website at utah.gov/pmn, which also offers email subscriptions to notices.

Network for public internet access: *Provo Guest*, password: *provoguest*



PROVO MUNICIPAL COUNCIL

Redevelopment Agency of Provo

Regular Meeting Minutes

6:00 PM, Tuesday, December 10, 2019

Room 200, Municipal Council Chambers

351 W. Center Street, Provo, UT 84601

Opening Ceremony

Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Council Member David Harding	Council Member David Knecht
Council Member David Sewell	Council Member Gary Winterton
Council Member George Handley	Council Member George Stewart
Council Member Vernon K. Van Buren	Mayor Michelle Kaufusi
Council Executive Director Cliff Strachan	Council Attorney Brian Jones

Conducting: Council Chair David Harding

Excused: CAO Wayne Parker

Prayer – Dan Follett

Pledge of Allegiance – David Mortensen

Approval of Minutes

- September 10, 2019 Council Meeting Minutes
- November 12, 2019 Council Meeting Minutes

The meeting minutes were approved by unanimous consent.

Public Comment ([0:03:52](#))

Brian Jones, Council Attorney, read the public comment preamble.

Chair Harding opened public comment.

Kaye Nelson, Provo, was a member of the group Proactive Provo. She thanked the Council for their help and guidance and for listening to their concerns about protecting Provo. Ms. Nelson gave thanks to the councilors who were stepping down and welcomed in the new councilors. She shared that recently, Proactive Provo had 150 attendees at a Planning Commission meeting. Many neighbors in the northeast area want involvement in the development of their area. Their group sought to gather opinions and would present Council with their data. She wanted to have a neighborhood plan in place before the approval of any development. This was a pivotal time and decisions could change the face of Provo. She understood that growth would happen, and housing must take place. Their group was in favor of development but wanted it to be wise and balance with needs for preservation easements and conservancies for aesthetic beauty and the value of being good stewards of the earth.

Jay Goodliffe, Provo, spoke about the sale of Timp-Kiwanis Bounous Park. He was frustrated by the process and thought there had been information withheld and mistakes made. Mr. Goodliffe thought public officials should apologize for their mistakes, unless their actions were intentional. He said no apology was made. He was disappointed in the decision to sell the park and said it was unfortunate to lose faith in local government.

Mr. Sewell shared that he received an email from Sue Curtis, the wife of former Mayor John Curtis, her email said that her and John were in Washington D.C. and were very sad to miss the reception for the wonderful outgoing council members.

Presentations, Proclamations, and Awards

1. A presentation and recognition of outgoing Councilors Knecht, Stewart, Van Buren, and Winterton. (19-147) ([0:11:17](#))

Clifford Strachan, Executive Council Director, addressed the public. He said the unsung heroes and not-so-public officials were the spouses behind each councilor. He asked the public to join him in thanking each of the spouses. There was a standing round of applause for the spouses of the current and outgoing Council Members and Mayor.

Mr. Strachan then presented David Harding and Kay Van Buren with a token of appreciation for their service as Council Chair and Vice Chair in 2019.

Mr. Strachan shared the following information about Councilor Van Buren:

Representing District 4, Kay Van Buren was elected in 2011 and re-elected in 2015. Kay has a background in business and the home building industry. Kay served in the neighborhood program for many years and has been involved in city issues most of his adult life. Kay has a business management degree from Brigham Young University and is a lifelong resident of Provo. Kay is a member of the Utah Valley Home Builder's Association, and has been a contractor, builder and developer for over thirty years. He and his wife Cynthia have five children. Mr. Van Buren had served a total of 8 years on the Council.

Mr. Van Buren addressed the public. He was born in Provo at Utah Valley Hospital 69 years ago, Provo had always been his home. It was great to serve and try to make a difference. There weren't many cities like Provo, it was the people that made it special. He said he would miss the good people who worked and served the City every day.

Next, Mr. Strachan shared this information about Councilor Winterton:

Gary Winterton was elected in 2011 and re-elected in 2015 to represent Citywide District 1. Gary has a background in business and finance and along with his wife Vicki, is a lifelong resident of Provo. He attended Brigham Young University, and holds a Bachelor's Degree in Business Management and Finance. Gary is currently employed with the family business; owning and managing commercial and residential properties along University Avenue in Provo. Previous to his service on the Council Gary served as a member of the Provo City Planning Commission. Gary and Vicki have raised three children. Gary had a served on the Council for a total of eight years.

Councilor Winterton shared with the public that leaving the Council was one of the most difficult things that he has ever done because it was one of the most wonderful things he had ever done. He thanked his wife for her patience, and he looked forward to the opportunity to make up for some of the sacrifices she had made to allow him to serve. He had grown to love the people he served with and considered Mayor Kaufusi and former Mayor Curtis to be friends. He was grateful for the City employees, saying goodbye to them was a difficult thing to do. Mr. Winterton loved Provo and was grateful he had been able to serve.

Following Mr. Winterton's comments, Mr. Strachan presented Councilor Knecht with a plaque and said the following:

Dave Knecht was elected in 2015 and currently represents District 3. The name Knecht means servant in German, an appropriate title for this City Councilor. Dave has been part of Task Force 2000, which formed Provo City's General Plan, the Neighborhood Evaluation Committee, and the board for NeighborWorks Provo. He previously served as a Citywide Council Member from 2002 to 2006 and as Neighborhood Chair of the Provost South Neighborhood. His wife, Vickie, is the current Provost South Neighborhood Chair. They have three children.

Mr. Knecht said he had been a neighborhood chair for 13 years and had spent a lot of time addressing previous councils. He started serving his neighborhood in 1992 and was just now getting ready to retire from the Council and his regular job. Mr. Knecht enjoyed serving Provo. He said the Council's biggest job was representing the public. He appreciated the ability to work together with the employees – it had been a positive experience. There was a lot of institutional knowledge leaving the City. It was important to know why things are the way they are before making changes. He thought the City was well served by all the great employees and staff. Mr. Knecht thanked the public for the opportunity to serve.

Mr. Strachan said it was very unusual to have four Council Members retiring at the same time. The League of Cities and Towns recognized there was about 36 years of municipal experience leaving the council.

Mr. Strachan asked Mr. Stewart to approach the podium and shared the following:

George Stewart was elected in 2015 to the City-Wide District II seat. George served as Provo City Mayor from 1994 to 1997. He served on the City Council from 2006 to 2009, being selected by the Council to serve a year as Vice Chair and two years as Chair. He and his wife JoAnna have lived in the same house in Provo for 40 years and have raised 11 children. George has worked in business as well as serving in his church.

Mr. Stewart said he was full of gratitude for his wife, JoAnna. She supported him while he ran for office and while he served. Her father had been the Mayor of Calgary for five terms, so she knew what this would entail. He thanked the citizens of Provo who elected him and the marvelous staff in the City. He was confident Provo City had the best department directors anywhere in the nation. The current Council Members had been wonderful to serve with, he added this had been the calmest two years he had while serving on the Council. Mayor Kaufusi had also been wonderful to work with, she often asked for advice and was willing to listen. Mr. Stewart said he was thankful to his Heavenly Father for the ability to serve and all the blessings he has received. He concluded by saying he loved his wife and Provo.

Before Mr. Stewart returned to his seat, Mayor Kaufusi approached the podium said she considers the Council to be her friends. She does often ask them what they would do if they were Mayor, in Mr. Stewart's case, he had been Mayor and could provide great advice. Mayor Kaufusi shared her admiration for Mr. Stewart and considered him a mentor. Because of the impact Mr. Stewart had on her life, she presented the Mayor's Award of Excellence to Mr. Stewart.

Mayor Kaufusi also thanked the wives of the outgoing Council members and presented each of them with a bouquet of flowers.

2. A presentation of the Provology graduates. (19-067) ([0:37:23](#))

Mayor Kaufusi briefly explained the Provology program and thanked Dixon Holmes, Deputy CAO, for running the program. She was pleased to announce the following Provology graduates:

- | | |
|-----------------------|------------------|
| ○ Aaron Joseph Smith | ○ Melanie Epling |
| ○ Blair Wu | ○ Mohit Khattar |
| ○ Brian Bushman | ○ Scott Glenn |
| ○ Eden Soper | ○ Stephanie West |
| ○ Geoffrey McLaughlin | ○ Bill Fillmore |
| ○ Matt Garner | ○ Mary Fillmore |
| ○ Matthew Jacobs | |

After the graduates were announced, a photo was taken with the Mayor and Council.

3. A presentation of the Comprehensive Annual Financial Report (CAFR) by the Provo City Finance Division and HBME. (19-146) ([0:43:42](#))

John Borget, Director of Administrative Services, presented the CAFR. He said this had been a lot of effort and work. Preparing the report was a big impact on Finance Division. Mr. Borget gave a special thanks to Dan Follett, David Mortensen, Kelsey Zarbock, Anissa Orwin, and Andrea Wright for their help with preparing the report.

The City's report had been reviewed and audited by auditors HBME and was an accurate portrayal of the City's financial position in all material respects. The auditors are selected by the Council. The Single Audit Act of 2004 required the auditors to review compliance related to grants and other things.

The CAFR has three sections, Introduction, Financial, and Statistical. The introduction included a Letter of Transmittal that talked about the economic condition in Provo, Mr. Borget said the City continues to do well. Revenues exceed the budget, it was a positive trend that was consistent with the Utah economy. Sales tax was also over budget and on trend.

The City had received an award from GFOA for previous reports and would submit this report for review.

The CAFR was available on the City's website at www.provo.org. Mr. Borget said the Popular Annual Financial Report, an easier to read consolidated report, would be presented to Council next month.

Jeff Miles, a partner at HBME, explained the CAFR was prepared by City but included two pages prepared by the auditors which was the report on the financial statements. Mr. Miles said no

deficiencies were identified within the City. Mr. Miles shared other reports they are required to do with the audit. One of these reports pertained to the City's internal controls and there were no findings of non-compliance.

John Borget reviewed the unassigned and assigned general fund balance. He said Cities in Utah are limited to a 25 percent maximum, Provo City was at 24.32, just under the maximum. He said this was a healthy fund balance and was due to good fiscal management and a conservative council.

Mr. Winterton thanked Mr. Borget and his team for the hard work.

4. Ordinance 2019-64 amending the Claim Settlement Authority Schedule in Provo City Code and providing for automatic inflation adjustments. (19-149) ([0:58:40](#))

Motion: An implied motion to adopt Ordinance 2019-64, as currently constituted, has been made by council rule.

Brian Jones, Council Attorney, presented this item. He said this was a long-needed adjustment and cleanup to the code. This pertained to the section of the code that determines who has the authority to settle claims against the City, whether it is the department, legal, or Mayor with a recommendation from the CAO. The dollar amounts in the ordinance had not been adjusted since 1981. Because the amounts were so low, it had created an administrative burden and it seemed that any accident required the Mayor's approval. This amendment also allows for an automatic inflation review every five years.

Chair Harding opened public comment, there was no response.

Chair Harding called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

5. Ordinance 2019-65 enacting Provo City Code Section 15.03.105 (Temporary Limitations on Certain Sewer Connections). Citywide application. (PLOT20190392) ([1:01:19](#))

Motion: An implied motion to adopt Ordinance 2019-65, as currently constituted, has been made by council rule.

Brian Jones, Council Attorney, said this had been an ongoing discussion. Mr. Jones explained there were limitations on sewer capacity on the west side of I-15 and the Grandview Hill. There was not enough capacity to support too much new development. There needed to be guidance to explain how the limited number of connections would be allocated.

This ordinance would enact a new section of code and put a temporary limit on the number of sewer connections allocated in this area. There was a sunset provision and this code would be repealed when projects in the Sewer Master Plan are complete.

Developers who want to build in this area must demonstrate to Dave Decker, Public Works Director, that they met the requirements of the code. If the requirements are met, each project can be allocated up to 40 connections, additional connections may be available if it is a phased project. Allocated connections would not be transferrable.

Chair Harding opened public comment and invited any chairs from the area to speak first.

Beck Bogdin, Lakeview Neighborhood Chair, wanted the Westside Plan to be completed before this precedes. Neighbors had requested that preference not be given to residential development, they hoped to have a grocery store on the westside of Provo.

Sam Oman, Provo, said you cannot develop around sewer, you must develop with it. He thought the City needed to be more restrictive on allowing development.

Mr. Knecht said it would be nice to have the Westside Plan finished, not just the map but the policy. He liked what was before Council but thought it was only part of the big picture. The Council needed to decide where to allocate this resource before making it widely available. It was possible the City may want to reserve connections for certain projects. He would not be voting in favor.

Mr. Harding said this was needed now because there were properties that already met the criteria. This was an orderly method to handle the properties that are already part way through the process. It may allow the City to use the allocations they have now for a project that is further along but does not have access. He agreed that this was just a small piece to the overall question of how to allocate the sewer connections while there is a limit on them. The most critical piece was what the Council would do with incoming rezone requests on the westside. Mr. Harding feels strongly that the West Provo Master Plan needed to be in place before signing off on anymore large projects.

Mr. Knecht asked for an estimate of how many sewer connections would be allocated based upon what had already been zoned and how much capacity would be left. Mr. Jones recalled that there were about 500-600 connections available and about 70 that could be used by property that was already zoned. Mr. Peperone, Development Services Director, said this was accurate. There had been many discussions about a westside school or grocery store and making sure they have capacity reserved for these types of facilities.

Chair Harding called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

Action Agenda

6. Resolution 2019-61 appointing John Magness as a Policy Analyst for the Provo City Municipal Council. (19-140) ([1:16:29](#))

Motion: An implied motion to adopt Resolution 2019-61, as currently constituted, has been made by council rule.

Clifford Strachan, Executive Council Director, presented. A broad search had been conducted to find a new Council Policy Analyst. There had been 35 candidates and seven who were interviewed. Eventually, they settled on a very qualified candidate, John Magness. Mr. Magness had training in Political Science and many years of experience. The interview panel was amazed by Mr. Magness' qualification and skill.

Various Council Members welcomed Mr. Magness and expressed satisfaction with the selection.

Chair Harding called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

7. Resolution 2019-62 consenting to the appointment of individuals to various boards and commissions. (19-003) ([1:20:10](#))

Motion: An implied motion to adopt Resolution 2019-62, as currently constituted, has been made by council rule.

Mayor Kaufusi presented her new board appointees. Of note, outgoing Council Members Winterton and Stewart had accepted positions on the Energy Board. There was also an appointee to replace incoming Council Member Shannon Ellsworth on the Planning Commission.

The following individuals were appointed to the Energy Board: July Radle, Cheryl Taylor, Ned Hill, Gary Winterton, and George Stewart.

Lisa Jensen was appointed to Seat 4 on the Planning Commission.

Chair Harding opened Public Comment and there was no response.

Mr. Harding said this was a great way for residents to be engaged with the City and he was appreciative of those who were willing to serve.

Chair Harding called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

8. Resolution 2019-63 adopting the 2020 Council regular Meeting schedule. (19-145) ([1:22:22](#))

Motion: An implied motion to adopt Resolution 2019-63, as currently constituted, has been made by council rule.

Clifford Strachan, Executive Council Director, presented the 2020 Council Meeting schedule.

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

Vote: The motion was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

9. Resolution 2019-64 adopting an updated water conservation plan. (19-105) ([1:24:23](#))

Motion: An implied motion to adopt Resolution 2019-64, as currently constituted, has been made by council rule.

Shane Jones, Public Works Engineer, presented. Mr. Jones explained that Utah Code Section 73-10-32 requires retail water providers to adopt an updated version of their Water Conservation Plan every five years. Before adopting the plan, the retail water provider is required to hold a public hearing with reasonable advance public notice.

The consulting firm Bowen Collins and Associates was hired to update Provo's Water Conservation Plan. This plan was preliminarily presented to the Council in a work meeting on October 8, 2019. Since then, the plan has been reviewed by the Utah Division of Water Resources and recommended for formal adoption by the Council.

Provo City has exceeded performance metrics established by the State for water conservation and the citizens of Provo deserve to be commended for their responsible use of water. Recently, the State published new regional water conservation goals. Mr. Jones cautioned the new goals are more challenging than ever and continued diligence is necessary.

Mr. Handley read the plan carefully when it was presented in October. He had concerns regarding the snow pack estimations and climate models. He asked who provided the models and whether they were accepted statewide. Mr. Jones responded that he attends a water conference and every year they have climatologist come and predict what to expect. They make their best guess but there is never good deal of certainty. Because mother nature is unpredictable, water conservation is always important.

Councilor Handley noted that even though Provo was doing so well, he thought the models could be more conservative. Other models Mr. Handley had seen were more granular. If conditions were any worse that what was in the report, then conservation efforts were even more important.

Mr. Winterton understood the importance of conservation. He said water was unusual because it was use it or lose it. He wanted to ensure Provo was conserving the right to maintain the water we have today. Mr. Jones said this was an astute observation. Even though the City had the right to the water in sources, it did not guarantee water would be in there.

Chair Harding opened public comment, there was no response. There was no Council discussion either. He called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

10. Ordinance 2019-66 amending Provo City Code to correct and update Title 18 (Storm Water) and the associated design and management manual. (19-109) ([1:32:16](#))

Motion: An implied motion to adopt Ordinance 2019-66, as currently constituted, has been made by council rule.

Brian Torgersen, Division Director of Public Services, presented. This item had been presented several times before. The stormwater design manual had not been updated since 1986. This manual, along with the city stormwater management program and illicit discharge detection and elimination manual, are adopted into Title 18 by reference. The Public Works Stormwater team proposes updates to these manuals and other wording contained within Title 18. Mr. Torgersen provided an overview of the reason for these changes.

Chair Harding opened public comment, there was no response. He invited Council discussion but there was none. He called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

11. Resolution 2019-65 amending the Provo City Impact Fee Analysis and Impact Fee Facilities Plan with respect to sewer projects and facilities. (19-138) ([1:35:20](#))

Motion: An implied motion to adopt Resolution 2019-65, as currently constituted, has been made by council rule.

John Borget, Administrative Services Director, presented. There was a 10-year plan was part of the impact fee analysis. An analysis and adjustments had been done July 1, 2018, but things had changed, and they wanted to update the plan. They were not recommending a change to the impact fee, just a change to the 10-year plan. There were two different parts of the analysis, one was the Sewer Impact Fee Facility Plan (IFFP) and the other was the sewer impact fee analysis – both were affected by this update.

Mr. Borget reviewed several new projects that needed to be added to the 10-year plan:

- 600 West sewer line upgrade;
- Additional capacity for The Mix development going in on University Parkway;
- East Bay Boulevard infrastructure improvements related to the medical school being built at the golf course; and
- Infrastructure improvements related to building the new wastewater treatment plant.

Mr. Borget said it was their intent to revisit impact fees more often to avoid significant increases needed all at once.

Chair Harding opened public comment, there was no response.

In response to a question for Mr. Winterton, Mr. Borget said that Zions Public Finance and Bowen Collins & Associates, the consultants, had reviewed these changes. He also spoke with Deanne Huish from the Utah Valley Homebuilders Association about the changes and they were aware.

Chair Harding called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

Because items 12 and 13 are related, Chair Harding read both items into the record and they were discussed together.

12. Resolution 2019-66 approving and authorizing a Section 108 loan transaction for \$2,500,000 for infrastructure improvements to fulfill obligations related to the expansion of Duncan Aviation. (19-136) ([1:43:50](#))

Motion: An implied motion to adopt Resolution 2019-66, as currently constituted, has been made by council rule.

13. Resolution 2019-67 approving the transfer of \$2,500,000 in Section 108 loan proceeds from the CDBG Fund to the Airport Fund for municipal infrastructure related to the expansion of Duncan Aviation. (19-141) ([1:43:50](#))

Motion: An implied motion to adopt Resolution 2019-67, as currently constituted, has been made by council rule.

Gary McGinn, Director of Community and Neighborhood Services, presented. In order to get Duncan Aviation to come to Provo, infrastructure needs had to be met by the City. The Council authorized the mayor to pursue a Section 108 loan from HUD to pay for a portion of this. This resolution would allow Provo City to complete this process and execute the documents necessary to complete this transaction.

Mr. Knecht explained a loan had already been taken out but the money to repay the loan was coming from the Section 108 CDBG program. Mr. McGinn said Provo would have to repay that loan over the next decade, but it was a good rate. HUD does this for communities across the country to help with economic development.

Mr. Stewart said CDBG was a favorite funding program among congress. Changes have been proposed but congress prefers to continue to fund it because it helps communities develop economically.

John Borget, Administrative Services Director, explained the money would be received by the fund for CDBG and then with the approval of council it would be moved to a fund for the airport to reimburse them for the money already spent infrastructure improvements.

Chair Harding opened public comment.

Sam Omen, Provo, said 70 percent of Duncan Aviation's employees live in other cities and this was concerning.

Mr. Knecht thought that people who work in Provo would be inclined to buy homes near their place of business. Anytime businesses are brought to the Provo/Orem area, some would live here and work in other cities and some would work here and live in other cities, so it balances out.

Mr. Winterton noted that State funding had also been used to attract Duncan Aviation – it was not just a Provo project, it was a State project.

Mr. Harding also responded to Mr. Oman's concern. This is a private venture and Provo will collect property tax on it. There were also benefits from those who commute into Provo. And, there were

Provo residents who work elsewhere. The whole area benefits from good job opportunities. Mr. Harding was grateful to live in a free society where we can chose where we want to live and work.

Chair Harding called for a vote on the implied motion for Resolution 2019-66.

Vote: The motion to approve Resolution 2019-66 was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

Chair Harding called for a vote on the implied motion for Resolution 2019-67.

Vote: The motion to approve Resolution 2019-67 was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

Chair Harding recessed as the Provo City Municipal Council and reconvened as the Redevelopment Agency of Provo by unanimous consent.

Redevelopment Agency of Provo

14. A public hearing on a Resolution 2019-RDA-12-10-1 approving and adopting the Project Area Plan for the Medical School Community Reinvestment Project Area. (19-142) ([1:57:55](#))

Motion: An implied motion to adopt 2019-RDA-12-10-1, as currently constituted, has been made by council rule.

David Walter, Redevelopment Agency Director, said the next two items were related. Previously, the City Council approved the sale of 3 holes at the Provo Municipal Golf Course to a developer who has committed to bringing a for-profit medical school and associated housing to the southern end of Provo. The developer agreed to work with the Parks and Recreation department to design replacement holes for the three holes that are being transferred at the golf course. The developer agreed to pay for those relocations. As part of the discussions, the City agreed to use its best efforts to create a tax increment area, now known as a Community Reinvestment Area, on the portion of the development that would be utilized for housing and not for the balance of the medical school development.

The tax increment area that is being proposed is to assist the developer of the housing in the area meet some of the infrastructure obligations that come with the proposed development. It is not intended to pay the developer back for the relocation of the three golf course holes. The developer is currently working cooperatively with the Parks and Recreation department to pay for the relocation of the holes.

The public investment in the project is expected to create an environment that will produce private investment in and around the Project Area and will result in increment tax revenues to all taxing entities. As a result of the development it is anticipated that the Project Area will produce \$8.2 million of new real property tax revenues over a 12-year period.

Mr. Walter noted this had been noticed as a public hearing and a copy of the plan was available from the City Recorder's office or the Development Services Department.

Mr. Van Buren referred to paragraph 2.6 in the resolution. It said, "to take any and all additional steps which may be appropriate or necessary to promote or further the aim of improving the Project Area (and indirectly, surrounding areas)." Mr. Van Buren wanted to know why this had been included.

Mr. Walter responded that this gave them the flexibility to make additional improvements through benefit finding resolutions. He then deferred to the Redevelopment Agency Counsel, Adam Long, from the firm Smith Hartvigsen. Mr. Long said this resolution was intended to hit a number of statutory requirements. He said this was not intended to be anything specific to this project area, but to simply make sure the resolution met the requirements. He assured Mr. Van Buren there was nothing to be read into this statement, other than not limiting the Agency's flexibility.

Mr. Van Buren asked if there was any harm in limiting the Agency's flexibility to just the project area, not the surrounding areas. Mr. Long said much of what would be done was outside the project area, like the improvements at the golf course. The project area was only the eight-acre parcel where the housing would be developed.

Chair Knecht opened public hearing and invited the public to speak.

Sam Omen, Provo, wanted to note there was no one present from the medical school. He asked if the City would subsidize through tax payer money every housing project in Provo. He said this was Provo's money and it could be used to build a new City Hall. He wondered what the total liability was in tax being deferred through tax increment financing. He stated that his tax assessment had doubled for the County.

There was no other comment from the public.

Mr. Harding asked if there was a number that would answer Mr. Oman's question. Mr. Walter read various figures and discussed what these numbers represented. ([2:07:39](#))

Mr. Sewell asked Chair Harding if he felt the vote on this could be seen as just following through on a commitment previously made. Mr. Walter clarified the City would use its best efforts, it was not a firm and binding agreement.

Mr. Stewart acknowledged that TIF typically results in going from a smaller tax base to a much larger tax base by the end of the term. It was not taking old dollars and giving it away, it was new dollars generated by the project and giving back a portion in the hope it would benefit the community and the tax base over time.

Mr. Harding said TIF was a very powerful tool. He said Mountain Vista was a blighted area that could not redevelop on its own. This was a tool that allowed redevelopment to happen. Mr. Harding was glad this tool had been used on this project. He said it was important to use the tool carefully. If not used to fight blight and spur redevelopment, it could be diverting money that would be there if the project were to go forward and would be flowing into the general fund rather than being redirected back to the developer. He said a commitment was made during the negotiation to do their best to create a project area and he wanted to honor this commitment.

Mr. Harding said since this was negotiated, which was very early on, the vision for the housing component had changed. He questioned if the housing component had changed sufficiently that they were already receiving financial benefits from developing and renting the housing. Mr. Walter did not know if they were pre-leasing any of the units. He said there was significant change, but it allowed them

to scale back the project area from over 30 acres to just eight and the medical school project was no longer included.

In response to a question from Mr. Harding, Mr. Long said the basic effect of adopting the project area plan is to create the geographic area in which the Agency can exercise its powers. He said a significant portion of this money would be used for the golf course improvements.

Mr. Van Buren recalled in the original negotiation with Wasatch Medical, the funds would be used to reimburse the purchase price of the property owned by Natures Sunshine. But now it was being used to provide infrastructure. He said the golf course components were being over emphasized but it was the smaller portion of the plan. Mr. Van Buren felt like there was often a feeling that if TIF is not given the developer would leave, so sometimes they agree to these deals too easily.

Mr. Winterton asked if there was any feedback received from the public regarding the plan that had been available. Mr. Walter said there was none.

Dixon Holmes, Deputy CAO, said there were times when projects needed inducements. At times TIF helped the City to attract business and maintain relevance. When Provo is doing well at attracting business, they can stop providing this incentive.

Mr. Harding said Provo was a wonderful place to do business and make money. As new developments take place, there are additional demands on City services. He thought TIF was a great way to fight blight and promote redevelopment in difficult areas, but if a project is going to develop anyway and make a lot of money and a TIF is provided on top of this, that is giving away tax money that would be coming into the General Fund that provides these City services. In the end, the Council did make a commitment and he wanted to follow through.

Chair Knecht called for a vote on the implied motion.

Vote: The motion was approved 6:1 with Council Members Handley, Harding, Knecht, Sewell, Stewart, and Winterton in favor. Council Member Van Buren opposed.

15. A public hearing on Resolution 2019-RDA-12-10-2 approving and adopting the Community Reinvestment Project Area Budget for the Medical School Community Reinvestment Project Area. (19-143) ([2:46:47](#))

Motion: An implied motion to adopt 2019-RDA-12-10-2, as currently constituted, has been made by council rule.

Mr. Walter explained this was related to the previous item and would adopt the budget for the project area. The budget was displayed, and Mr. Walter briefly reviewed the budget for Council. The budget gave an idea of the ideal fiscal situation and explained where the money would go over the 12-year period.

Chair Knecht called for a vote on the implied motion.

Vote: The motion was approved 6:1 With Council Members Handley, Harding, Knecht, Sewell, Stewart, and Winterton in favor. Council Member Van Buren opposed.

16. Resolution 2019-RDA-12-10-3 designating a survey area, authorizing the preparation of a draft Community Reinvestment Project Area Plan and Budget, related to "The Mix" project, and authorizing and directing all necessary action. (19-139) ([2:51:26](#))

Motion: An implied motion to adopt 2019-RDA-12-10-3, as currently constituted, has been made by council rule.

Mr. Walter explained this would create a survey area for the former Plum Tree Plaza development would authorize staff to prepare a plan and budget to be presented to Council. This item had been before Council previously but because of changes to the development plan, Mr. Walter felt it was appropriate to start the process anew. The developer removed a couple of significant blocks from their project, including office space and two structured parking decks. They were anticipating still having hotel, commercial, and residential components. The development agreement required them to provide some low- and moderate-income housing or provide a payment to the City in lieu.

The request had been scaled back and would be for five years or \$1.5 million, whichever comes first.

Mr. Harding reviewed the components being removed and asked if the remaining components stayed the same. Mr. Walter said there would be a 124-room hotel, 500 residential units, and about 85,000 square feet of commercial and retail space. Removing the office space and parking decks made a significant change in the value which was why the request had been scaled back. Mr. Harding asked if things would just be less dense or if there might be space left for future phases that might incorporate some of the components that had been removed. Mr. Walter said there would be space for future redevelopment.

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

Vote: The motion was approved 7:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor.

Chair Knecht adjourned as the Redevelopment Agency and reconvened as the Municipal Council by unanimous consent.

17. A public hearing on Ordinance 2019-67 adopting the Community Reinvestment Project Area Plan for the Medical School Community Reinvestment Project Area. (19-144) ([2:57:50](#))

Motion: An implied motion to adopt Ordinance 2019-67, as currently constituted, has been made by council rule.

David Walter, Redevelopment Agency Director, presented. He explained that one of the requirements is that the legislative body must adopt the project area by ordinance. Adoption of the ordinance indicates the public hearing took place and Council is adopting by ordinance the project area.

Chair Harding opened public hearing and there was no response. There was no other council discussion. He called for a vote on the implied motion.

Vote: The motion was approved 6:1 with Council Members Handley, Harding, Knecht, Sewell, Stewart, and Winterton in favor. Council Member Van Buren was opposed.

18. *****CONTINUED***** An ordinance changing the General Plan designation from Public Facilities (PF) to Residential (R) for approximately 0.78 acres of real property generally located at 862 East Quail Valley Drive. Edgemont Neighborhood. (PLGPA20190009)
19. *****CONTINUED***** An ordinance amending the Zone Map classification of approx 0.78 acres of real property, generally located at 862 East Quail Valley Drive, from Public Facilities (PF) Low Density Residential (LDR). Edgemont Neighborhood. (PLRZ20180430)
20. *****CONTINUED***** Bob Jones requests a General Plan Amendment to change the land use designation in the Provo City General Plan from "Agricultural" to "Residential" within Sections 7 & 18 of T6S R3E, SLM. North Timpview Neighborhood. PLGPA20190352
21. *****CONTINUED***** Daniel LaFontaine requests a Zone Change from R1.10 to Low Density Residential for 1.07 acres for a townhome development, located at 50 E 3900 N. Riverbottoms neighborhood. PLRZ20190265
22. *****CONTINUED***** Community & Neighborhood Services Dept requests an Ordinance Text Amendment to Ch14.33 and 15.05 of the Provo City Code to update the development requirements of lands located in the Special Flood Hazard Area. Citywide. PLOTA20190328

Adjournment

The meeting was adjourned by unanimous consent at approximately 9:08 p.m.