Point of the Mountain State Land Authority Board

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**Meeting**

**August 15, 2023**

U**MINUTES**

**Members in Attendance:**

Lowry Snow, Chair

Rep Jordan Teuscher, Chair

Rep Jeff Stenquist

Jim Russell

Mayor Troy Walker

April Cooper

Mayor Jenny Wilson

Mayor Dawn Ramsey

Senator Lincoln Fillmore

Commissioner David Woolstenhulme

**Staff, Consultants, and Presenters in Attendance:**

Alan Matheson POMSLA

Don Willie POMSLA

Muriel Xochimitl X-Factor Communications

Kimberly Moore X-Factor Communications

Cee Cee Niederhauser DFCM

Jacey Skinner Ballard Spahr

Steve Mahrs Ballard Spahr

Erin Talkington RCLCO

Kamron Dalton GOED

**Members of the Public in Attendance:**

David Dobbins

Hayden Felt

Michelle Larsen

Dylan Dancer

Sam Hartman

Dina Blaes

Scott Dunlap

Brett Millburn

Deanna Hopkins

Hayden Felt

RB

Dana Zamalloa

Peter Hurst

On Tuesday, August 15, 2023 the Point of the Mountain State Land Authority Board held a meeting in Senate Building 210 at the Utah State Capitol Complex. A virtual meeting option was available for those who attended remotely via the Zoom Meeting platform:

<https://zoom.us/webinar/register/WN_11t67FdJTpC2Y5Eu7F_lAQ>

A video of the meeting can be found on The Point’s YouTube channel:

<https://youtube.com/@ThePointUtah>

The meeting was called to order at 9:03 AM.

* **WELCOME**

Chair Lowry Snow called the meeting to order and welcomed members of the board who are attending in person and virtually, as well as consultants and the general public. He gave a brief review of recent developments and progress on The Point project.

* **PUBLIC COMMENT**

Chair Snow opened the meeting for public comment and expressed the importance of input from the community. None came forward.

* **MINUTES OF THE JULY 18, 2023 BOARD MEETING**

Chair Snow asked for a motion from the board to approve the minutes of the July 18, 2023 meeting.

## MOTION: Commissioner Woolstenhulme moved to approve the minutes of the July 18, 2023 board meeting. The motion was seconded by Ryan Starks and passed unanimously.

* **FISCAL YEAR 2023 FINANCIAL CLOSEOUT AND REVISION OF FY24 BUDGET**

Don Willie, Deputy Director of The Point reviewed the closeout for FY23 and revision to the FY24 budget. Almost every line item came in underbudget in FY23; however, as expected, there were overages in legal fees and memberships. Overall, the Land Authority was more than a million dollars under budget in FY23, reflecting discipline in using state funds. In addition, Mr. Willie explained there was a $500,000 grant that was earmarked for the public arts master plan and iconic focal point proposed for the site. The grant was awarded in FY23 but not disbursed until FY24 so this transaction required adjustments to the FY24 budget. The board had previously approved the FY24 budget but the additional funds from FY23 that were carried over to the new fiscal year require additional approval. There was also a line item adjustment concerning food at meetings.

## MOTION: Ryan Starks moved to accept the FY23 financial report and approve the adjusted FY24 budget as described by Don Willie. The motion was seconded by Jim Russell.

## There was no discussion to the motion

## The motion passed unanimously.

Don Willie conveyed his gratitude to the board members who diligently served on the Finance Committee, contributing to our commitment to transparency in all our endeavors

* **REPEAL OF THE PROJECT PROPOSAL EVALUATION PROCESS**

Chair Snow explained that the board will consider repealing the project proposal evaluation process which was designed early in the process to evaluate proposals before the selection of a master developer. Director Alan Matheson explained that at our last meeting, the board suggested that we repeal this process as we have a new process under the development agreement that allows us to collaborate with Innovation Point Partners in evaluating project proposals. This process will allow the board to consider proposals that are independent of phase 1.

Jim Russell expressed his support to repeal the process. He indicated that it doesn’t make sense to have two processes and the present process leaves us open for liability issues.

There was discussion concerning the master developer concept, the sub-campus track, the possibility of limitations on separate proposals, the power to override decisions and the path of existing applications.

## MOTION: Jim Russell moved that the board eliminate the alternate multistep process for development proposals outside of the development agreement and in lieu of this go through the sub-campus process that is being contemplated in the development agreement. The motion was seconded by Mayor Walker.

## Discussion to Motion:

April Cooper discussed the potential of a developer interested in developing a project outside a phase then in progress. Director Matheson explained that if someone came with a proposal, the master developer would have the opportunity to negotiate an agreement. If an agreement outside of the specific phase is negotiated, the board would have approval rights. If the proponent and master developer cannot reach an agreement, then the proponent could come directly to the board. The master developer has initial rights to phase 1 and there are provisions that allow them to earn the rights to a second phase. This does not constrain the board’s ability to approve projects on the balance of the acreage on the site.

**AMENDED MOTION:** Jim Russell amended his motion to include that the firm currently moving through the original process for development proposals be moved into the sub-campus process for further consideration in the sub-campus process.

Mayor Walker seconded the amended motion.

## The motion passed unanimously.

* **EXECUTIVE SESSION**

Chair Snow suggested the board move into a closed executive session pursuant to Utah Code 52-4-205(1)(d) to discuss a project proposal and the development agreement. The board plans to return to open session to take any formal action on these matters.

## MOTION: Ryan Starks moved that the board go into closed executive session. The motion was seconded by April Cooper and passed unanimously.

The board moved into executive session at 9:40 AM.

At 11:04 AM the board reconvened after the executive session. The motion to end the closed portion of the meeting and return to an open meeting was unanimously approved by the board in the closed session. The board had no action items to address from the executive session.

* **ADJOURNMENT**

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## MOTION: Mayor Walker moved to adjourn the meeting. The motion was seconded by Mayor Wilson and passed unanimously.

The meeting ended at 11:06 AM.