Point of the Mountain State Land Authority Board

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**Virtual Meeting**

**October 13, 2020**

U **MINUTES**

**(unapproved)**

**Members in Attendance:**

Representative Lowry Snow, Co-Chair

Val Hale

Representative Steve Handy

Jim Russell

Mayor Troy Walker

Mayor Dawn Ramsey

April Cooper

Senator Lincoln Fillmore

Alan Matheson, Director

**Others in Attendance:**

Steve Kellenberg Kellenberg Studio

Erin Talkington RCLCO

Muriel Xochimitl X-Factor Communications

Jacey Skinner Ballard Spahr

LaVarr Webb UtahPolicy.com

Colton Stock X-Factor Communications

Kristen Rappleye Lt. Governor’s Office

Evan Curtis GOMB

Shule Bishop Utah Transit Authority

Sarah Wright Utah Clean Energy

Members of the general public

On Tuesday, October 13, 2020 the Point of the Mountain State Land Authority Board held a virtual meeting via Google Meet. The public was invited to participate via Google link: [meet.google.com/drw-nhvp-rdz](DRAFT%20Minutes%2010-13-20.docx) or by phone: (

‬‬‬‬‬‬‬‬The meeting was also live on You Tube: <https://www.youtube.com/watch?v=x316PwwR4Ec>

The meeting was called to order at 2:00 pm.

* **WELCOME AND MEETING DETERMINATION**

Chair Lowry Snow welcomed the group and excused the Lt. Governor from the meeting. He read the Meeting Determination required for electronic meetings without an anchor location and reviewed the progress the board had made the past month. In addition, he expressed appreciation to Muriel Xochimitl for her work and progress with public relations.

* **PUBLIC COMMENT**

Chair Snow opened the meeting for comment and reminded the group that board policy limits comments from the public to three minutes each. There were no comments.

* **APPROVAL OF MINUTES FROM THE SEPTEMBER 8, 2020 BOARD MEETING**

Chair Snow asked for comments or corrections to the minutes. None were brought forward.

## MOTION: Jim Russell moved to approve the minutes of the September 8, 2020 meeting. The motion was seconded by April Cooper and passed unanimously.

* **APPROVAL OF THE PROPOSED AUTHORITY WEBSITE POLICY**

Director Alan Matheson explained the website privacy policy which essentially describes what information will be collected from those who use the website and how that information is used and distributed. The policy is a standard website policy and has been reviewed and edited by legal counsel. Typical information such as name and email, log data such as IP address, version of browser, pages visited on the site, time and date, and cookies are collected and stored to determine how the site is being used and improve user experience. Security of information, privacy for children and disclosure of data were also explained. It was noted that today’s meeting was being streamed via our You Tube channel.

## MOTION: Val Hale moved to adopt the Authority Website Policy as it was presented. The motion was seconded by Jim Russell and passed unanimously.

* **ANNUAL OPEN PUBLIC MEETING ACT AND GRAMA TRAINING**

Jacey Skinner from Ballard Spahr explained this training is required by all boards and commissions annually. Most board members have already received this training since they serve as public officials or with other boards; however, there may be some specific applications of the law more relevant to the Authority. Ms. Skinner explained the Open and Public Meeting Act is to ensure the State, its Agencies and political subdivisions take actions openly and conduct deliberations openly. The training covered:

Definition of a Public Body (UCA 52-4-103)

What is a Meeting (UCA 52-4-103)

Public Notice (UCA 52-4-202)

Agenda (UCA 52-4-202)

The Meeting (UCA 52-4-202)

A Public Body May Close a Public Meeting to Discuss Items Such As: (UCA 52-4-205)

How to Close a Meeting (UCA 52-4-204)

Minutes and Recordings (UCA 52-4-203)

Electronic Meetings – normal/not normal circumstances (UCA 52-4-206 and UCA 52-4-206(4))

Emergency Meetings (UCA 52-4-202)

Penalties for Violation (UCA 52-4-302 and 305)

Government Records Management Act (UCA 63G-2-103)

Classifications of Records (UCA 63G-2-201)

There were questions concerning meetings notices posted on websites vs the newspaper and the applicability to media groups who follow the Point of the Mountain State Land Authority on the Utah Public Notice Website.

* **UTAH CLIMATE CHANGE AND CLEAN AIR COMPACT**

Executive Director of Utah Clean Energy, Sarah Wright, shared the Utah Climate Change and Clean Air Compact which was launched on October 7th.  The Compact is a platform with leaders coming together to acknowledge their understanding that climate and clean air are significant issues and call upon our community leaders and businesses to take action and to adopt the Kem Gardner Institute roadmap for Utah to take positive solutions for climate and air quality. Representative Handy and Mayor Ramsey were early signatories of the Compact and expressed their support.

## MOTION: Representative Handy moved to approve the Point of the Mountain State Land Authority Board join the Utah Climate Change and Clean Air Compact as signatories.

**ADDRESSING THE MOTION:** Rep. Handy spoke of the Compact and the Environmental aspects of development at the Point of the Mountain property and the possibility of an air quality lab. He has a bill that calls for a feasibility study to address this issue if needed.

April Cooper questioned if there were restrictions created by the Compact to future business that may be recruited to relocate at the Point of the Mountain property? What kind of regulations or costs to the taxpayers would result from signing the Compact? Sarah Wright explained the roadmap doesn’t adopt any specific policies but does recommend the State adopt some emission recommendation goals to work towards. The second milepost is “lead by example”. In addition it encourages the creation of the air quality and changing climate solutions laboratory, and has specific recommendations for accelerating quality growth efforts in the community. There is no requirement but the Compact does set a direction and a course. With that explanation, April Cooper expressed her support for the Compact.

Chair Snow asked legal counsel (Jacey Skinner) if there were binding elements of the Compact that could cause problems with the development? Ms. Skinner said the Compact is not a binding agreement but encourages working together to accomplish the goals.

**The motion was seconded by April Cooper and passed unanimously.**

* **UPDATE ON THE PLANNING FIRM SOLICITATION AND PROPOSED SCOPE OF WORK**

Steve Kellenberg reported there was good response to the RFQ process. Twelve firms responded. The selection committee is reviewing and scoring each application. DFCM will analyze and obtain references on up to five projects from each firm. This week, the committee will meet to score the applications, resulting in a recommendation of five to six firms who will move forward and begin the interview process. Mr. Kellenberg, Director Matheson and Jim Russell were optimistic that an exceptional planning team will be chosen from this process. Appreciation was express to the DFCM team and their work in developing the RFQ.

* **RCLCO UPDATE**

Erin Talkington explained RCLCO’s vision for the framework of development that should take place and a roadmap for the coming year. Points covered include:

1. Realities of Real Estate Development that Inform a Business Plan for the Site
2. There are Several Potential Development Scenarios that are all “Market Driven Outcomes”
3. How to Determine Land Value
4. Scenario Framework – How to Capture the Value of the Site
5. Example from Prior Project (Annual Cash Flow)
6. Example from Prior Project (Cumulative Cash Flow)
7. Scenario Framework (Revisited) How to Capture the Value of the Site

Erin emphasized that the board soon will be faced with some difficult tradeoffs with respect to site development.

* **COMMUNICATIONS UPDATE**

Muriel Xochimitl with X-Factor reported on communications progress. Last month’s press conference attracted approximately 100 attendees and had extensive media coverage with headlines that were overwhelmingly positive on all the major media platforms. X-Factor is presently tracking some analytics from the website in order to measure communication goals and objectives. Social Media activity on Facebook, Twitter and Instagram is increasing and there have been almost a thousand views on You Tube over the past 28 days. The website shows a 71% referral rate. X-Factor would like to see more people open the e-newletter but acknowledged it was the first one. They will focus on this in the future. The public survey (Make the Point) is still open with 2,363 responses. Ms. Xochimitl reported on the survey results which reflected top interest in certain categories such as:

Site Attributes: parks, playgrounds, open space (most important site attribute to consider).

Development Objectives: promote quality of life with parks, trails/open space (scored equally)

Development Approaches: improve air quality

* **DIRECTOR’S REPORT**

Director Alan Matheson discussed the adoption of a fee schedule in order to charge for services provided to the public. The fee schedule could provide costs for copies as well as employee time to provide information should there be a GRAMA request. Director Matheson would like to bring a schedule forward (which would go out to the public for comment) and then present to the Board for approval at the next meeting. There were concerns about what to charge for staff time considering Alan is the only employee of the Board. There were questions concerning if the rate would be changeable and what should happen if the request for information increases. The Board agreed that a proposed fee schedule should be on the agenda for the next meeting

Chair Snow expressed appreciation to the Director, Board members and consultants.

* **ADJOURNMENT**

The Chair asked for a motion to adjourn.

## MOTION: Jim Russell moved to adjourn the meeting. The motion was seconded by Representative Handy and passed unanimously.

The meeting adjourned at 3:47 pm.