Point of the Mountain State Land Authority Board

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**Remote Meeting**

**December 8, 2020**

U**MINUTES**

**(approved)**

**Members in Attendance:**

Representative Lowry Snow, Co-Chair

Commissioner David Woolstenhulme

Representative Steve Handy

Jim Russell

Mayor Troy Walker

Mayor Dawn Ramsey

April Cooper

Val Hale

Alan Matheson, Director

**Others in Attendance:**

Steve Kellenberg Kellenberg Studio

Erin Talkington RCLCO

Muriel Xochimitl X-Factor Communications

Colton Stock X-Factor Communications

Jacey Skinner Ballard Spahr

John Dougall Utah State Auditor

Jason Allen Utah State Auditor’s Office

Neil Abercrombie Utah System of Higher Education

Natalie Gochnour Utah System of Higher Education

John Downen Utah System of Higher Education

Kristen Rappleye Lt. Governor’s Office

Todd Shoemaker Draper Historical Society Member

Shule Bishop Utah Transit Authority

Thomas Holst Kem Gardener Institute

Lt. Governor Elect Deidre Henderson

Members of the general public

On Tuesday, December 8, 2020 the Point of the Mountain State Land Authority Board held a remote meeting via the Zoom Meeting platform:

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

Live Video of the Meeting Available on YouTube: <https://youtu.be/jaSIZnh3p6E>

The meeting was called to order at 2:01 pm.

* **WELCOME AND MEETING DETERMINATION**

Chair Lowry Snow welcomed meeting attendees and excused Governor-Elect Spencer Cox from the meeting and welcomed Lt. Governor-Elect Deidre Henderson who will replace Lt. Governor Cox on the board. Chair Snow reported that Val Hale will resign from the board at the end of this month in order to serve a church mission in the Los Angeles area. He will be replaced by Senator Dan Hemmert. Members of the board expressed appreciation for Mr. Hale’s service and leadership.

* **PUBLIC COMMENT**

Chair Snow expressed appreciation for the public’s interest and opened the meeting for comment from the general public. There were no comments.

**To meet procedure required by law, Chair Snow read the Meeting Determination for Electronic Meetings.**

* **APPROVAL OF MINUTES FROM THE NOVEMBER 10, 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 November 10, 2020 meeting. The motion was seconded by April Cooper and passed unanimously.

* **AUDIT REPORT**

State Auditor John Dougall and Jason Allen from the State Auditor’s office shared the results of their review of the FY2020 POMSLA records. Jason Allen, the engagement manager for this procedure, reported there was $523,000 of expenditures in FY2020 and referred to transactions within the report. The review did not find any exceptions in the POMSLA records and everything was within state policy. Mr. Allen recognized that as the Authority grows and expands there will be increased need for accountability to the stakeholders. Key elements of the procedure included a sample of dispersements to ensure consistency with the Authority’s purpose and included adequate documentation. Board members had questions concerning the dates of the next audit.

## MOTION: Representative Steve Handy moved to accept the Audit Report as presented by the State Auditor’s Office. The motion was seconded by Mayor Dawn Ramsey and passed unanimously.

* **HIGHER EDUCATION TASK FORCE FOR THE POINT**

\*Commissioner David Woolstenhulme along with Natalie Gochnour (UofU) and Neil Abercrombie (USU) reported on the task force being created to help advance innovative higher-education partnerships at The Point. Ms. Gochnour and Mr. Abercrombie, representing the two research institutions, will lead out on this assignment and recruit others for the task force. Ms. Gochnour reported on the potential economic impact of the innovation district at The Point.

Her presentation highlighted:

Higher Education’s Role at The Point

Utah’s Silicon Slopes Corridor

Buildable Land Supply

How Economies Grow

Key Economic Concepts

Economic Impact Assumptions

Potential Economic Impact, 2024-2045

Potential Employment and Earnings Impact

Potential GDP Impact

Ms. Gochnour explained the employment impact for the innovation district and projected direct employment numbers of 6,600 and higher numbers of 12,000 as a result of inter-industry purchases. In addition, there is potential for sustainable growth of these numbers. Board members expressed appreciation for this potential and the impact that higher education will have in this area.

There was a question about the establishment and representation of the task force. Commissioner Woolstenhulme explained there will be representation from the institutions across the state

* **SCHEDULE MEETING TO SELECT THE PLANNING TEAM**

Alan Matheson suggested dates for an additional meeting to select the planning team that will prepare the framework master plan for The Point. The next steps in the process include:

1. Final presentations from the three finalists (which will happen on Friday).
2. The selection committee’s development of a recommendation for the POMSLA Board.
3. The final decision on a planning team -- made by the POMSLA Board and should be made no later than Friday, December 18th.

Director Matheson suggested the board should meet for questions, discussion, and recommendations from the selection committee in order to make the final decision on the planning team no later than next week. Tuesday, December 15th at 4 pm was agreed upon and it was determined that a quorum would be present. It was explained that the board will have a general POMSLA meeting that day and then break into an Executive session (closed meeting) in order to have discussion concerning the qualifications of the candidates. When the board returns to the general POMSLA meeting they will have further discussion and consider a motion to select one of the firms.

* **PROPOSED REVISIONS TO THE CONDUCT OF BOARD MEETINGS POLICY**

Alan Matheson reviewed the revisions to the Conduct of Board Meeting Policy to address issues associated with online meetings. Adjustments to the policy include: how to involve the public in virtual meetings, live streaming, sharing of screens, standards of conduct, and what constitutes public comment were included as part of the new policy. Director Matheson clarified that the comments section of The Point’s YouTube channel are not considered public comments. Comments are edited for inappropriate language or personal invective, but are not edited based on the viewpoint expressed. There was discussion concerning not allowing official comments on Zoom. Director Matheson explained those who would like to participate online (Zoom) would have to register with their full name. They could be removed if necessary or if inappropriate comments were distracting to the meeting. It was suggested that a link for public comment be added to the agenda with a specific time frame which could then be addressed by the board at their meetings. Board members expressed the desire to be transparent and encourage comments from the public. Director Matheson explained the opportunities that are presently in place for public comment that are separate from the meeting. These opportunities include the newsletter which solicits public input, and our website at ThePointUtah.org which allows the public to call in or write to share comments. Lt. Governor Cox felt it was a mistake to allow public comment in the Zoom chat and felt that may not be the best way to receive public comment. There was a suggested that the chat feature be removed from Zoom as an official public to comment.

## MOTION: Mayor Dawn Ramsey moved to approve the revised policy as presented to the board contingent upon the following modifications: 1) clarifying that comments made on the virtual meeting platform during the Public Comment portion of the meeting and in compliance with the policy be accepted and made part of the public record; 2) that we not allow comments to be made with the virtual meeting platform chat feature; and 3) we provide a link on our public notice that would accept public comments prior to the meeting. The motion was seconded by Commissioner David Woolstenhulme.

## Chair Snow called for discussion on the motion. Steve Handy expressed support but questioned if the policy would address all the needs. Mayor Ramsey agreed; but added the board can make amendments to the policy if needed in the future.

## The motion passed unanimously.

* **PROPOSED REVISIONS TO THE POMSLA STATUTE**

Chair Snow reported that the original POMSLA statute requires representation from Draper City to be on the Board (the mayor or member of the council) and provides a very specific provision about the inability to own property within five mile radius of the prison site. The statute tries to balance the important public interests of having the community most affected by the project represented on the board and ensuring board members have no conflicts of interest. Chair Snow did not feel the matter was ready for discussion but requested a working group review the statute and determine if some issues should be addressed. He requested that Senator Fillmore and Mayor Ramsey participate in this working group and work with Director Matheson, Jacey Skinner and himself to review the statute. Others were invited to participate as well. Recommendations will be discussed at the January 2021 meeting.

* **UPDATE ON PLANNING TEAM SELECTION PROCESS**

Steve Kellenberg gave an update on the process for selecting a planner for The Point property. He explained the three finalists were AECOM, Perkins Will, and SOM. Presentations included modeling, design alternatives and creative ideas. The selection committee is seeing great ideas on sustainability, land use application and transportation. In addition, there have been interesting discussions concerning parking, areas that are vehicle free, innovation districts and concepts, open space and landscape types, and uses. These top firms clearly want to win this selection. This project has attracted the top talent in the country and we can look forward to the results. It was noted that the top three firms were from out of state but have representation from within Utah as well.

* **PROCESS AND STANDARDS TO REVIEW PROJECT PROPOSALS**

Alan Matheson felt it would be wise to develop some criteria for reviewing and judging proposals. A number of individuals have contacted Alan with potential ideas for The Point site and we believe there is a need to have a standardized, objective way of evaluating the ideas that come in. We also should provide standards for proposals as well as a gatekeeper function that allows the elimination of projects that are not promising so we can focus on projects that have more promise. Steve Kellenberg shared a conceptual Project Evaluation Process which consists of four stages:

1. Stage I -- Gateway Qualification: Key Component Questionnaire, Concept Package, Qualification Matrix/Scoring
2. Stage II -- Project Definition: Key Vision Elements, Land Plan/Program, Funding Strategy, Return on Investment, Evaluation Matrix
3. Stage III -- Proof of Concept: Detailed Land/Building Program, Partnership MOU’s, Verified Capital Stack, Land Plan/Facilities Prototype,
4. Stage IV -- Implementation: Initiate Funding, Initiate Partnerships, Integrate into Land Plan, First Phase Implementation

Mr. Kellenberg addressed the masterplan and the timing of each phase. Erin Talkington felt this was a very solid process and as people become aware we will have many interested parties. The first projects for the area should be very impactful and will draw others to the project with other ideas likely coming from others in the private sector. We need to make sure people know that the board is interested and available to discuss. Mr. Kellenberg felt we should start working on this process right away (early next year) because of the interest we are having right now.

## Motion: Representative Steve Handy moved to agree in concept with the outlined process and standards for project proposals presented by Steve Kellenberg and to allow our Director to work with Steve Kellenberg to move forward. The motion failed for lack of a second.

## Chair Snow indicated this agenda item will return to the agenda at a subsequent meeting.

* **BOARD SURVEY ON DEVELOPMENT EMPHASIS AT THE POINT**

Alan Matheson explained that a survey was sent out last week asking for input from the board, concerning the relative priority of objectives and to promote a discussion concerning the concept of tradeoffs and how these things are prioritized. We have a number of objectives that have been presented to us which include sustainability, open space, innovation, jobs, transportation, affordability, revenues, paying for the prison, etc. This presents a challenge as we consider how these things are prioritized. Director Matheson acknowledged that good quality of life in this area will help economic development and vice versa. From time to time, some of the goals would compete with each other and expressed a desire as to how we would balance this general quality of life to economic spectrum. Six board members responded to the survey and the results weighted toward economic development. There were a number of helpful comments in the survey as well. This survey is the beginning and hopefully will give direction to the planning teams and provide assistance with addressing the potential conflicts of priorities.

* **RCLCO UPDATE**

Erin Talkington reported on current real estate analysis and organizational recommendations. She shared a business plan overview for economic development which included:

* + Roles of Organization
  + Different Roles in the Development Process
  + What does a master developer do?
  + Illustration of different roles
  + How to determine land value

Additional time at the January meeting will be allotted for this discussion.

* **ADJOURN**

The Chair asked for a motion to adjourn.

## MOTION: Rep. Steve Handy moved to adjourn the meeting. The motion was seconded by Val Hale and passed unanimously.

The meeting adjourned at 4:00 pm.