Point of the Mountain State Land Authority Board

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**Meeting**

**July 13, 2021**

U**MINUTES**

**Members in Attendance:**

Representative Lowry Snow, Co-Chair

Commissioner David Woolstenhulme

Jim Russell

April Cooper – by Phone

Senator Lincoln Fillmore

Representative Steve Handy

Mayor Dawn Ramsey

Dan Hemmert

Alan Matheson, Director

**Others in Attendance:**

Mike Mower Representing Lt. Governor’s Office

Steve Kellenberg Kellenberg Studio

Erin Talkington RCLCO

Muriel Xochimitl X-Factor Communications

Colton Stock X-Factor Communications

Jacey Skinner Ballard Spahr

Scott Cuthbertson POMSLA

Carrie Byles SOM

Aaron May SOM

Peter Kindel SOM

Laura Hanson GOMB

Kamron Dalton GOMB

David Dobbins Draper City

Tim Putnam EDA Architects

On Tuesday, July 13, 2021 the Point of the Mountain State Land Authority Board held a meeting in the Rampton Board Room at the Utah State Capitol. 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:

[bit.ly/thepointyoutube](http://bit.ly/thepointyoutube)

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

* **WELCOME**

Chair Lowry Snow welcomed the board and consultants to the meeting and gave an overview of board activities since the last meeting.

* **PUBLIC COMMENT**

Members of the public who would like to speak were invited to comment subject to the board’s procedure and rules. There were no comments.

* **APPROVAL OF MINUTES FROM THE JUNE 8, 2021 and JULY 1, 2021 MEETINGS**

Chair Snow asked if there were any corrections to the minutes. None were brought forward.

## MOTION: Commissioner David Woolstenhulme moved to approve the minutes of the June 8th and July 1st, 2021 board meetings. The motion was seconded by Jim Russell and approved unanimously.

* **INTRODUCTION OF NEW DIRECTOR OF OPERATIONS**

Director Alan Matheson introduced Scott Cuthbertson who was recently selected as Director of Operations for POMSLA. Mr. Cuthbertson, who will officially begin his assignment a week from today, gave a brief summary of his experience and expressed appreciation to be working with the board and The Point project.

* **PROPOSED AMENDMENT TO THE CONDUCT OF BOARD MEETING POLICY**

Chair Snow explained that occasionally we have board members who are not able to attend the meeting and would like to designate a proxy who can vote in their behalf. We are proposing an amendment to the Conduct of Board Meeting policy that allows a proxy under certain circumstances. Director Matheson provided more detail on the amended policy and explained a specific process would be followed in order for a proxy to be accepted at the board meeting and have voting rights.

After a brief discussion, several board members voiced concern with the amendment and felt this should possibly be addressed in statute.

## MOTION: Representative Steve Handy asked that the Board defer action on the Amendment to the Conduct of Board Meeting policy until the issue can be studied further. The motion was seconded by April Cooper.

The motion passed.

* **PROPOSED AMENDMENT TO THE X-FACTOR CONTRACT**

In April 2020, POMSLA entered into a five-year agreement with X-Factor Communications. Director Matheson explained that X-Factor has provided excellent service in their role to interface with the community and provide support and transparency for the project. There were significant front-loaded costs for the project and the services provided over the past year have exceeded original estimates. The proposal today is to amend their contract, and change the total amount so that the contract matches the increase in services provided by X-Factor Communications. The proposed amendment changes their contract from $300,000 to $1,000,000.

There were questions concerning the legality of the increase, the scope of the work, the year to date payout to X-factor, and whether the increase was in the budget.

## MOTION: Commissioner David Woolstenhulme moved to approve the amendment to the X-Factor contract. The motion was seconded by Representative Steve Handy.

**Speaking to the Motion:**

Dan Hemmert expressed his support for the motion and the increased amounts to the contract for the increased level of services provided. Commissioner Woolstenhulme commented that he is comfortable with the motion because it meets with the state procurement process.

The motion passed.

Chair Snow commented that the focus to make our process transparent will continue to go forward and will now include additional outreach to members of the legislature and executive leadership to keep them informed about what is happening with The Point Project.

* **PROPOSED ADDITION TO THE SOM CONTRACT**

Chair Snow reported that SOM is on pace to complete the scope of the contract with them to provide the framework masterplan for the project. We have asked them to provide some additional services associated with the framework masterplan rollout next month which is outside of their initial contract. Director Alan Matheson explained we are proposing to bring some of the members of the SOM team to SLC to participate in person at our board meeting on August 10 and an open house with the media and the public on August 12. Between these two events there will be additional meetings with the media and some of our key stakeholders to review the key elements and design of the plan. The increase to their contract is $18,500 to cover presentations, meetings and travel cost for the SOM team. Director Matheson recommended the increase to the contract in order to make the roll out successful for the project.

## MOTION: Jim Russell moved to approve the proposed addition to the SOM Contract. The motion was seconded by Dan Hemmert.

**Speaking to the Motion:**

Jim Russell agreed it would be valuable to have the SOM team be part of the rollout and felt their rates were very reasonable for what they would provide to the project.

The motion passed.

* **FRAMEWORK MASTER PLAN REVIEW**

Consultant Peter Kindel gave a review of the stage 4 framework master plan. Highlights of his presentation included:

* + Stage 3 Overview – Three Development Strategies
  + Consensus Framework Plan
  + General and Detailed Land Use
  + Mixed Use District Cores
  + Density
  + Overview of the Districts
  + Transit Master Plan
  + Transportation Concepts & Access Opportunities
  + Views to Adjacent Mountains
  + Open Space & Public Realm Plan
  + Civic Uses
  + Districts (7)
  + The Hub
  + Phasing Strategy – Phases 1 – 4, Alternative A & B
  + Key Conclusions – Phasing Strategy, Pros and Cons
  + Sustainability Framework -- Mobility, Ecology, Water, Waste
  + Cost-Benefit Comparison – 16 Sustainable Outcomes
  + Potential Stadium Locations

Board members were pleased with the thoughtful design and the level of detail of the plan. There was discussion concerning the different options for phasing strategy. Consultant Steve Kellenberg mentioned that some of the decisions made over the next several months will move some of these components to a higher level of implementation. Cost benefit analysis will be needed to be reviewed for these components in the future. Representative Handy mentioned that some components may not be viable but expressed appreciation for the level of detail in this stage of the plan and looks forward to further discussion.

Jim Russell talked about the lack of funding from the Legislature for demolition of portions of the prison property in order to avoid liability. There were also funding issues with the relocation of the Lone Peak Facility and requested support from Legislative members serving on the board.

## MOTION: April Cooper moved to approve the framework master plan stage 4 as presented by SOM. The motion was seconded by Representative Steve Handy and passed unanimously.

* **MASTER DEVELOPER STRUCTURE**

Chair Snow explained the importance of the master developer structure for the Point Property. Director Matheson confirmed this decision lays the groundwork for us to take the next steps to reach out to the development community so they understand exactly what we are asking them to do. Erin Tarkington presented a summary of her presentation of the July 1st meeting and included a recommendation from RCLCO for the developer structure: Her presentation included:

* + What makes this site unique from other large-scale land developments
  + Two approaches previously considered
    - Proactive Approach – State as master developer, identify district developers
    - Conservative Approach – One master developer
  + Summary of Developer Feedback
  + Tried and True Models for Large Scale Development of Public Sites
  + Examples and Case Study Comparisons
    - Master Developer for Full Site
    - Master Developer for Infrastructure

RCLCO Suggestions:

Adapt District Developer Concept to include some Master Developer Responsibilities

1. Refinement of District Developer Concept
2. A Blended Master Developer – District Developer Strategy
3. One Master Developer Only Responsible for Horizontal infrastructure

Recommendation: Blended Master Developer – District Developer Concept

There was discussion concerning the role of the infrastructure developer, the possibility of an infrastructure consultant, and the possibility state managed infrastructure and the length of contracts for consultants. Director Matheson clarified that the action today gives direction to go forward and can be changed if needed along the way. Chair Snow reminded the board that we have been reviewing this for a year and requested a motion from the board.

## MOTION: Dan Hemmert moved to approve the recommendation from RCLCO and to move forward with the blended master developer – district developer concept which will allow the board to provide direction for potential developers of the property. The motion was seconded by Jim Russell.

**Speaking to the Motion:**

Dan Hemmert said that Director Matheson needs direction in order to move forward. He agrees this is the right approach to continue the project and if this doesn’t work, it can be amended. Steve Kellenberg agreed that this direction will allow the team to develop an outline for a development agreement. Jim Russell expressed support for the motion and said he trusted the consultants who have recommended this approach.

Chair Snow reported that DFCM will be heavily involved in the process to provide support for this process as well.

The motion passed.

* **ADJOURN**

Chair Snow reported this month marks two years since Alan Matheson was appointed as Director and indicated a need for a formal evaluation of his job performance and compensation. He requested assistance from board members including Senator Stevenson to accomplish this. Representative Steve Handy, April Cooper and Jim Russell agreed to help with the evaluation. The evaluation is also supported by Lt. Governor Henderson.

Chair Snow asked for a motion to adjourn.

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

The meeting adjourned at 11:22 AM.