Point of the Mountain State Land Authority Board

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**Meeting**

**October 12, 2021**

U**MINUTES**

**Members in Attendance:**

Representative Lowry Snow, Co-Chair

Jim Russell

April Cooper

Commissioner David Woolstenhulme

Senator Lincoln Fillmore

Representative Steve Handy

Mayor Troy Walker

Mayor Dawn Ramsey

Senator Jerry Stevenson

Alan Matheson, Director

**Others in Attendance:**

Mike Mower Governor’s Office

Muriel Xochimitl X-Factor Communications

Colton Stock X-Factor Communications

Jacey Skinner Ballard Spahr

David Dobbins Draper City

John Dougall Utah State Auditor

Jason Allen Utah State Auditor’s Office

Erin Talkington RCLCO

On Tuesday, October 12, 2021 the Point of the Mountain State Land Authority Board held a meeting in the Senate Building, Room 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:

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

The meeting was called to order at 9:06 am.

* **WELCOME**

Chair Lowry Snow welcomed board members and the public to the meeting and excused Co-Chair Lt. Gov. Henderson who is attending to other duties of her office. The Chair gave an overview of board activities for the month and expressed appreciation to the board for their efforts to move the work forward.

* **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.

* **FY21 AUDIT REPORT**

State Auditor John Dougall and Jason Allen from the Utah State Auditor’s Office provided a report on their audit of the Point of the Mountain State Land Authority for FY21. The audit reviewed the following items.

* The Authority’s posting of financial information on transparency website to ensure the transaction level of detail is included.
* Fifteen disbursements, which represent 10% of total transactions, to make sure they are consistent with the Authority’s purpose, provided adequate supporting documentation and followed all policies and procedures.
* One month of purchasing card transactions to make sure receipts were accounted for and reconciled to the actual statement.

The auditors reported they found no exceptions as a result of these procedures and all records appear to be in order.

## MOTION: Mayor Troy Walker moved to adopt the report from the state auditor. The motion was seconded by Senator Jerry Stevenson and approved unanimously.

* **APPROVAL OF MINUTES FROM THE SEPTEMBER 14, 2021 and SEPTEMBER 23, 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 collectively. The motion was seconded by April Cooper and approved unanimously.

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

Jacey Skinner, counsel to the board, provided the annual training on the requirements of the Open and Public Meeting Act. Ms. Skinner explained that the purpose of the training is to insure the public’s business is conducted openly. At the conclusion of the presentation, board members expressed appreciation for the training and the work performed by Ms. Skinner and her organization in order to keep the work of the board transparent.

* **ADVISORY COMMITTEE RECOMMENDATIONS ON DEVELOPMENT APPROACH**

Director Alan Matheson presented an overview of the process the board and advisory committee have taken to arrive at a recommended development approach at The Point. The general direction from the board to the advisory committee has been to:

1. Have the board maintain control of this project long enough that the vision is realized.
2. Ensure that there is healthy competition by not allowing one developer to build the entire project. A master developer should be brought in to oversee backbone infrastructure development while opportunities are provided for various developers.
3. Refrain from building a large staff operation. A small staff should be used to review the work and ensure our partners are acting in the public interest and conforming to the direction of the board.

Director Matheson indicated the advisory committee has worked within these directives to develop specific deal points in the development agreement in preparation to issuing an RFQ followed by an RFP to the development community in order to select a partner early next year.

RCLCO Consultant, Erin Talkington, summarized recommended deal points as follows:

* + Key Deal Points
    - Transaction Structure – 75-year land lease
    - Partnership Formalization – Master development agreement
    - Land Valuation – Formula-driven using a residual land value approach
    - Delivery Model – Development partner for both master infrastructure and phase 1
    - Performance Terms – Annual report card of qualitative and quantitative factors
    - Pre-Development/Infrastructure Funding
    - Design Guidelines
    - Topics in Process
      * Governance
      * Phase 1 Definition

There was discussion concerning land leases, the board’s intent to govern land use, the MIDA process, the payment of property taxes and the timing of infrastructure. A board member felt strongly about the timing for housing on the site and the cooperative relationship the board should have with Draper City.

Ms. Talkington provided additional details to the key deal points from her presentation. The Chair informed the board that they will have an opportunity to review this subject in more detail in the future.

## MOTION: Mayor Troy Walker moved that we move forward with the general concept of the recommendations, direct the staff to continue to refine and explore approaches used by MIDA as recommended by Senator Stevenson and that the board maintain control of the housing types at The Point. The motion was seconded by Senator Jerry Stevenson and passed unanimously.

* **AUTHORIZATION FOR DFCM TO BEGIN INFRASTRUCTURE DESIGN AND ENGINEERING**

DFCM Director, Jim Russell, reviewed DFCM’s plan regarding the planning, design and engineering work for initial infrastructure at The Point. He explained this will take some time to put in place and recommended this should move forward as soon as possible. DFCM needs approval to solicit and hire an engineering firm to provide studies, begin planning and design of the utilities and infrastructure, establish budgets for demolition and abatement and establish the overall infrastructure package in time for the next legislative session. The DFCM planning fund will be used for this initial work; however, the fund will need to be replenished and paid back when the project is funded. DFCM is the owner of the property but needs the approval of the POMSLA board in order to move forward.

## MOTION: Senator Jerry Stevenson moved to authorize DFCM to begin planning, design and engineering work for initial infrastructure at The Point with the DFCM planning fund which will be reimbursed at a later time. The motion was seconded by Mayor Dawn Ramsey and passed unanimously.

* **PRESERVATION OF GUARD TOWERS AT THE POINT**

The board discussed the possibility of preserving some prison guard towers at a previous meeting; however, no decisions were made. The POMSLA staff received direction to provide an overlay of where the existing towers are located in relation to the framework plan. Director Matheson reviewed the location of the tower sites. There was discussion concerning which of the five guard towers should be preserved as well as the Johnson bars which mechanism has historical value. Board members voiced concerns with identifying which tower to preserve and whether it could be relocated to an appropriate place on the property or preserved in its original location.

Chair Snow asked for a motion.

## MOTION: Mayor Troy Walker moved that we move forward with preservation of one of the guard towers in a location determined by staff and that the tower be preserved along with a plaque or other appropriate memorial information including, if possible, the display of the locking system (Johnson bars) that dates back to the prison in Sugar House. The motion was seconded by Representative Steve Handy and passed unanimously.

Director Matheson reported that because the Johnson bars were only used at Alcatraz and this site, the Department of Corrections is looking at preserving them in a museum at the new prison site; so, there is a possibility they may be at that location rather than here.

## AMENDED MOTION: Mayor Walker agreed to an amendment to his motion based on this new information. Representative Handy and board members who voted for the motion were favorable to this amendment.

* **EXECUTIVE SESSION: EXECUTIVE DIRECTOR PERFORMANCE REVIEW**

Chair Snow announced the board will go into a closed executive session for the purpose of discussing the performance review of our Executive Director and requested a motion to do so.

## MOTION: Commissioner Dave Woolstenhulme moved that the board move into an executive session. The motion was seconded by Mayor Troy Walker and passed unanimously.

At 10:59 AM the board moved into an executive session.

## 

**RETURN TO OPEN SESSION**

At the end of the executive session, the board moved to return to open session with a continuation of the meeting at 11:22 AM. The Chair asked for a motion to approve the recommendations of the performance review workgroup.

## MOTION: Senator Jerry Stevenson moved that we accept the recommendations from the performance review workgroup and approve a 5% increase to the Director’s salary and commended the Director for his excellent work. The motion was seconded by Mayor Troy Walker.

## COMMENTS TO THE MOTION:

## Mayor Troy Walker, April Cooper and Mayor Dawn Ramsey expressed their support and appreciation to the Director indicating that he is the right person for the job and commended him for his expertise, guidance and professionalism. The board is fortunate to have his direction.

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The motion passed unanimously.

* **ADJOURN**

Chair Snow expressed appreciation for Director Matheson leadership and noted that his lists of accomplishments are outstanding. The Chair asked for a motion to adjourn.

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

The meeting adjourned at 11:25 AM.