Point of the Mountain State Land Authority Board

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**Meeting**

**September 13, 2022**

U**MINUTES**

**Members in Attendance:**

Representative Lowry Snow, Chair

Lt. Governor Deidre Henderson, Chair

Representative Steve Handy

Senator Lincoln Fillmore

Commissioner David Woolstenhulme

Jim Russell

Mayor Dawn Ramsey

Senator Jerry Stevenson

Dan Hemmert

Mayor Troy Walker

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

Alan Matheson POMSLA

Scott Cuthbertson POMSLA

Steve Kellenberg Kellenberg Studio

Erin Talkington RCLCO

Muriel Xochimitl X-Factor Communications

Erin Scott X-Factor Communications

Ian Maryott X-Factor Communications

Jacey Skinner Ballard Spahr

Jason Boren Ballard Spahr

Steve Mehr Ballard Spahr

Camarie Stephenson Ballard Spahr

Cee Cee Niederhauser DFCM

Kip Wadsworth Innovation Point Partners

Matt Howell Innovation Point Partners

Patrick Gilligan Innovation Point Partners

Abbey Ehman Innovation Point Partners

Lance Bullen Innovation Point Partners

**Members of the Public in Attendance:**

Aaron Johnson Andrew Parkin

Bret Millburn Brooke Peavley

Dalene Batatian David Dobbins

Deanna Hopkins Edward de Avila

Hayden Felt Ian Gillespie

Jade Teran Kyle Leishman

Lance Soffe Michael Hughes

Robert Booth Roman Groesbeck

Ryan Hunter Stephen Smith

Tim Hatch Dina Blaes

Shannon Stearman Jonathan Buller

Patricia Sinclair Ryan Loose

On Tuesday, September 13, 2022, 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 9:10 am.

* **WELCOME**

Chair Lowry Snow welcomed the board and excused Lt. Governor Deidre Henderson who will be joining the meeting at a later time. In addition, the Chair welcomed representatives from Salt Lake County and South Jordan City as well as members of the board who were attending remotely and gave a short summary of the agenda items for the meeting.

* **PUBLIC COMMENT**

Chair Snow opened the meeting for public comment subject to our rules and procedures. There were no comments from the public.

* **APPROVAL OF MINUTES FROM THE JULY 12, 2022 MEETING**

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

## MOTION: Jim Russell moved to approve the minutes of the July 12, 2022 board meeting. The motion was seconded by Representative Steve Handy and passed unanimously.

* **RESOLUTION DELEGATING NEGOTIATING AUTHORITY TO BOARD SUBCOMMITTEE**

Director Alan Matheson explained that at our last meeting, the board approved setting up a subcommittee to efficiently provide board input into the process to negotiate the development agreement. The subcommittee, consisting of Jim Russell, April Cooper, Mayor Troy Walker and Representative Lowry Snow, will guide the negotiations and report progress to the board. The board will make the final decision whether to enter into the development agreement

Board Counsel, Jacey Skinner, explained that the board’s statute allows for delegation of authority to staff members and delegates the ability to negotiate to the Executive Director with the guidance of this executive committee.

## MOTION: Jim Russell moved that the board approve a resolution delegating authority to the board’s subcommittee as identified. The motion was seconded by Mayor Troy Walker.

## Discussion on the Motion

Jim Russell commented that this delegation of authority will move the negotiating process along in a timely manner. He trusts the subcommittee will represent the board well and return and report back.

Mayor Dawn Ramsey expressed support in this process which has worked previously for the board.

Chair Snow, as a member of the subcommittee, also spoke in favor of the motion and reported that there were approximately 25 points that need to be addressed in the negotiation process. He strongly supports the idea of a subcommittee which will ultimate provide for a better product and confirmed that the final approvals will be by the board.

## The motion passed unanimously.

Jacey Skinner introduced three team members Jason Boren, Steve Mehr and Camarie Stephenson, from Ballard Spahr’s Salt Lake Office who will be providing support to the board on the development agreement.

* **STRUCTURE AND BYLAWS FOR THE INFRASTRUCTURE REVOLVING LOAN FUND**

Director Matheson explained that the Legislature established the Point of the Mountain revolving loan fund to help fund infrastructure for The Point. We recognize the value of establishing structure regarding fund operation and will make some recommendations to the board concerning the criteria for use of the fund. These processes should be in place so that we can move forward to access the funds to meet infrastructure needs within the next year.

Jacey Skinner explained the two documents which were part of the informational packet. One document is the Board Authority Bylaws and Procedures for Approving Infrastructure Loans and the other document is ByLaws and Procedures for the Infrastructure Bank Board who will make recommendations for approvals to the board members. The statute provides a lot of flexibility but it is important to have transparency and approval standards in place. When there is a request for use of the funds, the request will go to the Infrastructure Bank Board first which consist of two POMSLA members (Jim Russell and Mayor Troy Walker), the Executive Director of UDOT, an appointee from the Governor and an appointee from the Legislature who should have significant experience in public infrastructure and public finance. In order to prioritize the use of these funds, the application will be evaluated and reviewed for:

1. Alignment with our development framework plan
2. The importance of the infrastructure need to the framework plan
3. The availability of other funding options
4. The urgency of the proposed infrastructure need
5. The ability to accelerate committed development
6. The ability of the loan to magnify financial capacity
7. The immediacy of the ability to repay the loan

If the Infrastructure Bank Board approves the application for a loan, then the application moves for review by the full board who will determine whether to approve the loan and set the terms for the loan including repayment structure and interest rate.

There were questions concerning whether our processes were modeled after MIDA, whether the board could return and make modifications to the processes, and how the interest rates were set.

## MOTION: Jim Russell moved to adopt the bylaws that would create the structure for the procedure for applying for the Infrastructure Revolving Loan fund and financial resources.

**Comments to the Motion**

Jim Russell commented that it is wise to not set the minimum interest rate threshold for the Revolving Loan Fund which will be determined in the future. As a board we have elected to delegate assignments to smaller subcommittees to review and get the work done so this is another example of this. He encouraged other board members to support the motion.

## The motion was seconded by Senator Lincoln Fillmore and passed unanimously.

* **INTRODUCTION OF INNOVATION POINT PARTNERS**

Director Matheson introduced the Innovation Point Partners team which includes Kip Wadsworth, Matt Howell, Patrick Gilligan, Abbey Ehman and Lance Bullock who, if we successfully negotiate a development agreement, will serve as the Phase I Master Developer for The Point. The Team shared a presentation giving an overview of their proposed vision and approach for the project:

* + Experience
  + Case Studies
  + Development Opportunity at The Point
  + The Point: In the News
  + Creating Enduring Communities
  + Community Through Human-Centered Design
  + Next Areas of Focus
    - Refinement of Master Plan
    - Transit Approach Evaluation & Direction
    - Public Finance Investigation & Resolution
    - Exploration of Sub-Campus Opportunities

There were questions concerning the connection between density and sustainability. Abbey Ehman responded.

* + Increased Density = True Sustainability, Diversity & Opportunity
  + Attracting Corporate Companies to Utah
  + New Utah Residents
  + On the Horizon
    - Forward Progress on the MOU Document
    - Continued Collaboration with POSLA
    - Engagement in Critical Path Efforts
    - Commitment to Utah

Comments and questions from board members included the timeliness and procedures for development, the number of acres for the first phase, the proposed iconic image, and the geo-thermal asset on the property.

* **FOCAL POINT PROCESS AND SURVEY**

Muriel Xochimitl from X-Factor Communications introduced colleague Erin Scott and reported on communications and the process to identify the iconic feature at The Point. Highlights of the presentation include:

* + Communication Update
    - Local and National Coverages
    - Public Engagement on Key Platforms (1.5 Million)
    - Media, Website and Social Analytics
  + Iconic Feature
    - Survey Results – art pieces and iconic features
    - Iconic Feature – Types, Size, Theme, Examples, Takeaways
    - Iconic Feature Next Steps
      * Conduct Public Engagement
      * Issue Request for Qualifications
      * Review Submitted Qualifications
      * Issue Request for Proposals
      * Qualified Finalists Propose
      * Review Proposals
      * Solicit Public Feedback
      * Announce Selected Design -- selection committee with the board making the final decision

Discussion from the board included the selection committee for the iconic process, the grant received for the iconic feature process, fiscal issues, the short history of the state, the type of site needed for the feature and the future public engagement plan.

* **DIRECTOR’S REPORT**

Director Matheson reported we are continuing to work with X-Pointe Innovations to prepare their revised stage 3 proposal. We continue to work with UDOT and UTA to advance planning for Point of the Mountain transit. We continue to collaborate on the innovation district and are refining ideas as we work with Representative Moss and his committee.

* **ADJOURNMENT**

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

The meeting ended at 11:01 am.