

**Effective 5/8/2018**

**Part 2**  
**Point of the Mountain State Land Authority**

**11-59-201 Creation of Point of the Mountain State Land Authority -- Status and duties of authority.**

- (1) There is created the Point of the Mountain State Land Authority.
- (2) The authority is:
  - (a) an independent, nonprofit, separate body corporate and politic, with perpetual succession, whose purpose is to facilitate the development of state land;
  - (b) a political subdivision of the state; and
  - (c) a public corporation, as defined in Section 63E-1-102.
- (3) Subject to Subsection 11-59-103(3), the authority shall manage the point of the mountain state land and shall plan, manage, and implement the development of the point of the mountain state land:
  - (a) beginning May 8, 2018;
  - (b) during the transition period as prison operations on the point of the mountain state land continue and eventually wind down in anticipation of the relocation of prison operations to the new correctional facility; and
  - (c) upon and after the transfer of prison operations to the new correctional facility.

Enacted by Chapter 388, 2018 General Session

**11-59-202 Authority powers.**

The authority may:

- (1) as provided in this chapter, plan, manage, and implement the development of the point of the mountain state land, including the ongoing operation of facilities on the point of the mountain state land;
- (2) undertake, or engage a consultant to undertake, any study, effort, or activity the board considers appropriate to assist or inform the board about any aspect of the proposed development of the point of the mountain state land, including the best development model and financial projections relevant to the authority's efforts to fulfill its duties and responsibilities under this section and Section 11-59-203;
- (3) sue and be sued;
- (4) enter into contracts generally;
- (5) buy, obtain an option upon, or otherwise acquire any interest in real or personal property, as necessary to accomplish the duties and responsibilities of the authority, including an interest in real property, apart from point of the mountain state land, or personal property, outside point of the mountain state land, for publicly owned infrastructure and improvements, if the board considers the purchase, option, or other interest acquisition to be necessary for fulfilling the authority's development objectives;
- (6) sell, convey, grant, dispose of by gift, or otherwise dispose of any interest in real or personal property;
- (7) enter into a lease agreement on real or personal property, either as lessee or lessor;
- (8) provide for the development of the point of the mountain state land under one or more contracts;
- (9) exercise powers and perform functions under a contract, as authorized in the contract;

- (10) accept financial or other assistance from any public or private source for the authority's activities, powers, and duties, and expend any funds so received for any of the purposes of this chapter;
- (11) borrow money, contract with, or accept financial or other assistance from the federal government, a public entity, or any other source for any of the purposes of this chapter and comply with any conditions of the loan, contract, or assistance;
- (12) issue bonds to finance the undertaking of any development objectives of the authority, including bonds under Title 11, Chapter 17, Utah Industrial Facilities and Development Act, and bonds under Title 11, Chapter 42, Assessment Area Act;
- (13) hire employees, including contract employees, in addition to or in place of staff provided under Section 11-59-304;
- (14) transact other business and exercise all other powers provided for in this chapter;
- (15) enter into a development agreement with a developer of some or all of the point of the mountain state land;
- (16) provide for or finance an energy efficiency upgrade, a renewable energy system, or electric vehicle charging infrastructure as defined in Section 11-42-102, in accordance with Title 11, Chapter 42, Assessment Area Act;
- (17) exercise powers and perform functions that the authority is authorized by statute to exercise or perform;
- (18) enter into one or more interlocal agreements under Title 11, Chapter 13, Interlocal Cooperation Act, with one or more local government entities for the delivery of services to the point of the mountain state land; and
- (19) enter into an agreement with the federal government or an agency of the federal government, as the board considers necessary or advisable, to enable or assist the authority to exercise its powers or fulfill its duties and responsibilities under this chapter.

Enacted by Chapter 388, 2018 General Session

**11-59-203 Authority duties and responsibilities.**

- (1) As the authority plans, manages, and implements the development of the point of the mountain state land, the authority shall pursue development strategies and objectives designed to:
  - (a) maximize the creation of high-quality jobs and encourage and facilitate a highly trained workforce;
  - (b) ensure strategic residential and commercial growth;
  - (c) promote a high quality of life for residents on and surrounding the point of the mountain state land, including strategic planning to facilitate:
    - (i) jobs close to where people live;
    - (ii) vibrant urban centers;
    - (iii) housing types that match workforce needs;
    - (iv) parks, connected trails, and open space, including the preservation of natural lands to the extent practicable and consistent with the overall development plan; and
    - (v) preserving and enhancing recreational opportunities;
  - (d) complement the development on land in the vicinity of the point of the mountain state land;
  - (e) improve air quality and minimize resource use; and
  - (f) accommodate and incorporate the planning, funding, and development of an enhanced and expanded future transit and transportation infrastructure and other investments, including:
    - (i) the acquisition of rights-of-way and property necessary to ensure transit access to the point of the mountain state land; and

- (ii) a world class mass transit infrastructure, to service the point of the mountain state land and to enhance mobility and protect the environment.
- (2) In planning the development of the point of the mountain state land, the authority shall:
  - (a) consult with applicable governmental planning agencies, including:
    - (i) relevant metropolitan planning organizations; and
    - (ii) Draper City and Salt Lake County planning and governing bodies;
  - (b) research and explore the feasibility of attracting a nationally recognized research center; and
  - (c) research and explore the appropriateness of including labor training centers and a higher education presence on the point of the mountain state land.

Enacted by Chapter 388, 2018 General Session

**11-59-204 Applicability of other law -- Coordination with municipality.**

- (1) The authority and the point of the mountain state land are not subject to:
  - (a) Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act; or
  - (b) the jurisdiction of a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or a special service district under Title 17D, Chapter 1, Special Service District Act, except to the extent that:
    - (i) some or all of the point of the mountain state land is, on May 8, 2018, included within the boundary of a local district or special service district; and
    - (ii) the authority elects to receive service from the local district or special service district for the point of the mountain state land that is included within the boundary of the local district or special service district, respectively.
- (2) In formulating and implementing a development plan for the point of the mountain state land, the authority shall consult with officials of the municipality within which the point of the mountain state land is located on planning and zoning matters.
- (3) The authority is subject to and governed by Sections 63E-2-106, 63E-2-107, 63E-2-108, 63E-2-109, 63E-2-110, and 63E-2-111, but is not otherwise subject to or governed by Title 63E, Independent Entities Code.
- (4) Nothing in this chapter may be construed to remove the point of the mountain state land from the service area of the municipality in which the point of the mountain state land is located, for purposes of water, sewer, and other similar municipal services currently being provided.

Enacted by Chapter 388, 2018 General Session