



UTAH SYSTEM OF  
HIGHER EDUCATION

# MEMORANDUM

TAB F

October 30, 2020

## Utah State University – Nontraditional Arrangement Kaysville

Board Policy [R712, Nontraditional Arrangements for Development of Facilities on Campuses](#), requires the Board to approve institutional requests to use nontraditional financing arrangements. Utah State University requests authorization to enter into a ground lease with Davis County to construct an Agricultural Heritage Center consisting of a 42,000 square foot indoor arena, an outdoor arena, corrals, and a parking lot on USU Botanical Center land in Kaysville. The estimated cost for the project is \$3,000,000, and the county will cover all costs associated with construction, development, and operation and maintenance. The university will receive a de minimis lease amount for the term of 15 years but will manage and have access to the facilities, which become university property at the end of the lease term. The use and development of the property is consistent with the master plan for the Kaysville Botanical Center and will provide venues for both Davis County community events and university agricultural programs.

All contracts and agreements associated with this arrangement will be reviewed by the Office of the Attorney General to ensure compliance with state law and Board policy. The USU Board of Trustees reviewed and approved this request in their October 16 board meeting. Additional information on this financing arrangement is included in the attached letter and maps from the institution.

### **Commissioner's Recommendation**

The Commissioner recommends the Board authorize Utah State University to enter into a nontraditional arrangement with Davis County for a ground lease to construct an Agricultural Heritage Center as reviewed by the Office of the Attorney General.

### **Attachment:**

October 12, 2020

Commissioner Dave Woolstenhulme  
Utah System of Higher Education  
Board of Regents Building The Gateway  
60 South 400 West  
Salt Lake City, Utah 84101-1284

Subject: Request for Nontraditional Arrangement for Development of Facilities

Dear Commissioner Woolstenhulme:

Utah State University desires approval to enter into a ground lease with Davis County as permitted by Utah Board of Higher Education Policy R712, Nontraditional Arrangements for Development of Facilities on Campuses which will allow for the development of the Agricultural Heritage Center (AHC) on the USU Botanical Center in Kaysville, Utah. The AHC will consist of an indoor arena, outdoor arena, corrals, and parking lot as shown in the attached Exhibits A and B.

The term of the ground lease will be for fifteen (15) years. All construction, development, and O&M costs associated with the Agricultural Heritage Center will be paid by Davis County. Ownership of the AHC facilities and improvements will revert to USU at the end of the ground lease.

The AHC will be managed by USUBC and will be used for community events such as horse and livestock shows, public horse riding and training, 4-H and youth activities, and the Davis County Heritage Fair as well as other USUBC events including Baby Animal Days, Reindeer Express, and farm field days. In addition, the facilities will be available to rent to individuals and groups for other private and public events.

The proposed uses of these facilities are consistent with the original USUBC Master Plan and are proper and appropriate for the image and environment of the USUBC. In addition, the ground lease agreement will be written to protect the interests of the University including institutional right to control facility appearance, parking rights, review and approval of external graphics and signage, and access to utility systems and roads.

Utah State University Board of Trustees approved the nontraditional arrangement for development of facilities on campus on October 16, 2020.

We appreciate your support and request that this item be submitted to the Utah Board of Higher Education during the October 30, 2020 Board meeting.

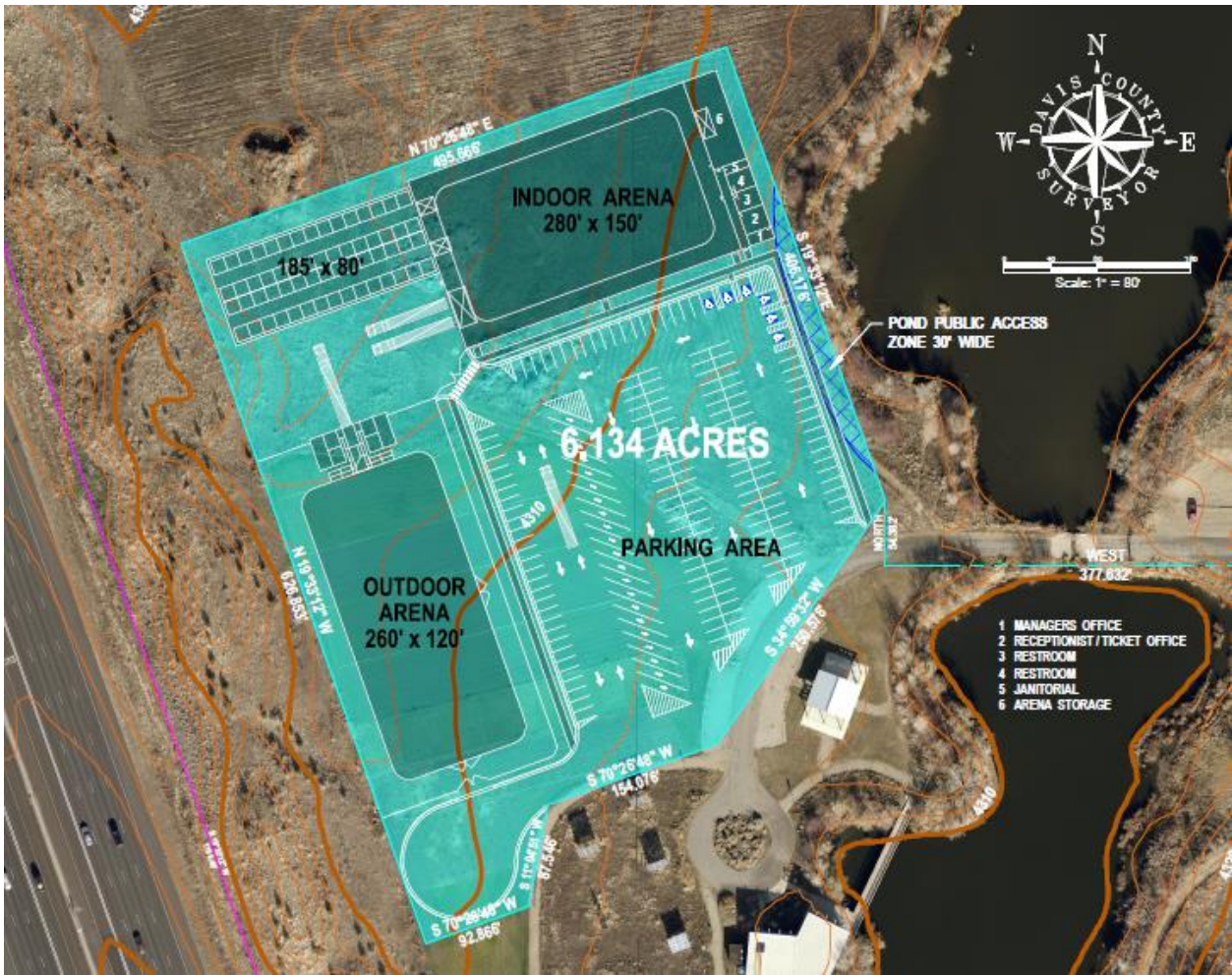
Sincerely,

A handwritten signature in black ink, appearing to read 'David T. Cowley', written in a cursive style.

David T. Cowley  
Vice President for  
Business and Finance

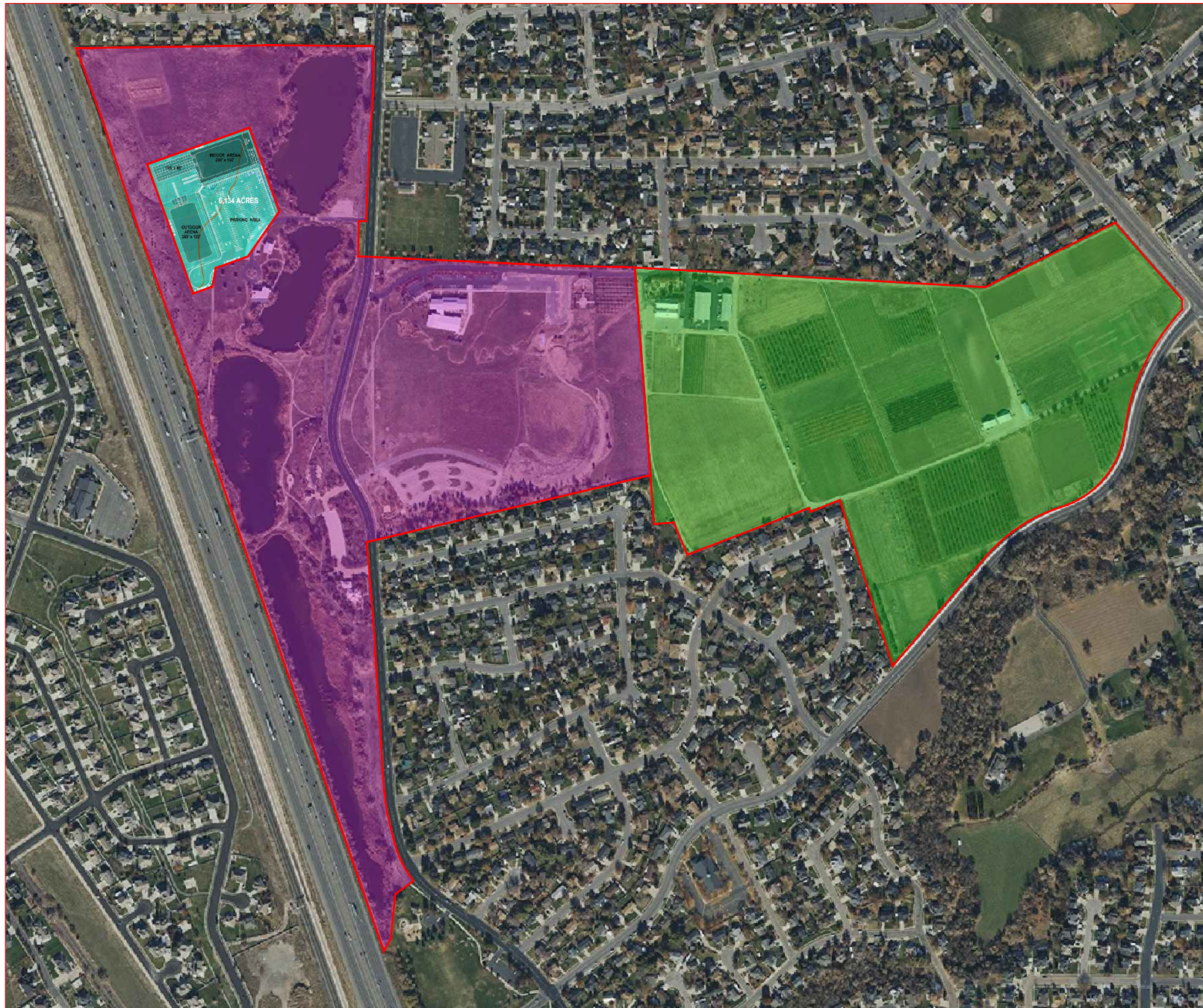
C: Rich Amon, Associate Commissioner for Finance & Facilities  
Noelle Cockett, President

EXHIBIT A





## EXHIBIT B



### Legend



Lease Area to  
Davis County



Utah Botanical  
Center



USU Kaysville  
Research Farm



SCALE: NONE