



UTAH SYSTEM OF
HIGHER EDUCATION

MEMORANDUM

TAB C

March 25, 2021

Utah State University – Nontraditional Arrangement Brigham City Campus

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 long-term ground lease for the Northwestern Band of the Shoshone Nation headquarters on an unoccupied site on USU property in Brigham City. It will consist of a building, parking lot, and large green space on the northwest corner of the USU Brigham City campus. The estimated cost for the project is \$2,500,000, and NBSN will cover all costs associated with construction, development, and operation and maintenance. Ownership of the improvements will revert to USU at the end of the ground lease. The use and development of the property is consistent with the master plan for the USU Brigham City campus.

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 March 5 meeting. Additional information on this financing arrangement is included in the attached letter and map from the institution.

Commissioner's Recommendation

The Commissioner recommends the Board authorize Utah State University to enter into a nontraditional arrangement with the Northwestern Band of the Shoshone Nation as reviewed by the Office of the Attorney General.

Attachment:

March 1, 2021

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 on Campus

Dear Commissioner Woolstenhulme:

Utah State University desires approval to offer a long-term ground lease for the development of the NBSN headquarters on an unoccupied site on USU property. It will consist of a building, parking lot, and large green space on the northwest corner of USU Brigham City campus as illustrated in the attached Exhibit A.

The building will be approximately 12,000 square feet and will include cultural and language centers which will be open to visitors to learn more about the tribe. It will also house education, healthcare, housing, and childcare administrative offices. The green space will be used for tribal powwows and meetings.

USU has obtained an independent appraisal to establish fair market value of the property to determine the lease rate. Leasing this property will provide NBSN with space to educate the public about tribal history, heritage, and culture, and to expand the administrative offices.

All construction, development, and ongoing costs associated with the facility will be paid by NBSN. Ownership of the improvements will revert to USU at the end of the ground lease.

The proposed uses of this facility are consistent and appropriate for the image and environment of the USU Brigham City campus. In addition, the ground lease agreement will be written to protect the interests of the University including institutional rights to control facility appearance and parking space, approve external graphics and signage, and access to utility systems and roads. Prior to entering into the ground lease agreement, the Attorney General's Office will approve the contract documents as to form and legal authority, per section 5.6 of Policy R712.

Utah State University Board of Trustees approved the nontraditional arrangement for development of facilities on campus on March 5, 2021.

We appreciate your support and request that this item be submitted to the Utah Board of Higher Education during the March 25-26, 2021 Board meetings.

Sincerely,

A handwritten signature in black ink, appearing to read "David T. Cowley". The signature is fluid and cursive, with the first name being the most prominent.

David T. Cowley
Vice President for
Business and Finance

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

EXHIBIT A

