

MEETING AGENDA

Meeting: Special Full Board of Trustee Meeting
Date: July 16, 2019
Time: 1:30 PM
Location: Trust Authority Building, 3745 Community Park Loop, Anchorage
Teleconference: (844) 740-1264 / Meeting Number: 802 595 932 # / Attendee Number: #
<http://thetrust.webex.com>
Trustees: Mary Jane Michael (Chair), Verné Boerner, Chris Cooke, Laraine Derr, Paula Easley, Ken McCarty, John Sturgeon

Tuesday, July 16, 2019

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1:30	Call to Order (Mary Jane Michael, Chair) Roll Call Announcements Approve Agenda Ethics Disclosure	
1:35	FY20 Budget Adjustments	2
2:30	Lessee Option to Purchase – Promontory Point/TLO TX1 Investments, LLC Executive session – (if necessary) <i>In accordance with the Open Meetings Act, AS 44.62.310(c).</i>	8
3:30	Adjourn	

MEMO

To: Board of Trustees
Through: Mike Abbott, Chief Executive Officer
From: Steve Williams, Chief Operating Officer
Katie Baldwin-Johnson, Senior Program Officer
Date: July 9, 2019
Re: Amendments to the FY20 Budget

REQUESTED MOTION:

The Board of Trustees adopt the amendments to the FY20 budget as included in this memo. The amendments and corresponding amounts total a net decrease of \$4,600. The amended FY20 budget will be \$31,771,500.

The board of trustees approved the FY20 budget on September 5, 2018 with total spending of \$31,776.1 This amount was comprised of \$19,439.0 of Mental Health Trust Authority Authorized Receipts (MHTAAR) and \$12,336.7 in Trust Authority Grant funds. In addition, the trustees also provided recommendations to the Governor for spending \$5,535.7 in General Fund/Mental Health funds and \$8,200.0 in Other funds.

Funding flexibility is one Trust attribute that is greatly appreciated by our key stakeholders, and that has historically helped community service providers and beneficiaries alike respond to evolving needs. The current landscape for Alaska's continuum of care is highly uncertain and thus, the Trust should maintain its ability to adapt and be nimble. For the last several years, the Trustees have adopted budgets that left approximately \$1,000.0 initially unallocated and available for subsequent deployment. In the September 5, 2018 FY20 budget approval, \$1,222.5 was forecasted to be unallocated for FY20. Currently, we anticipate that amount to increase to \$1,241.5. The proposed increase is due to slightly higher FY20 revenue projections and the \$4.6 net reduction in FY20 spending recommended by staff described below. Unallocated funds can only be deployed with Trustee approval. As opposed to recent years, where unallocated funds were not fully deployed, the likelihood of reductions in programmatic support for Trust beneficiaries resulting from state budget cuts and/or Medicaid reform-related transitions makes the use of FY20 unallocated resources likely this year.

Below are staff recommended changes to the previously trustee approved FY20 budget (September 5, 2018). Staff have evaluated the State's FY20 budget considering changes to budget items made through the State budgeting process. In light of these budget changes, a current status assessment of programs and projects, consultation with the advisory boards, and assessment of impacts on beneficiaries, staff are recommending the following changes to the Trust approved FY20 budget (approved September 5, 2018).

The table below illustrates the net changes to the FY20 budget categories. The total of all the proposed changes the Budget Section is a decrease of **(\$4.6)**.

Budget Section	Net Change
Trust /TLO Operating Budgets	\$0
Other Non-Focus Area Allocations	\$150.0
Medicaid Reform & Redesign (SB74)	(\$100.0)
Criminal Justice Reform & Reinvestment	(\$128.8)
Housing & Long Term Services and Supports	\$64.2
Beneficiary Employment and Engagement	\$10.0
Substance Abuse Prevention & Treatment	\$0
Disability Justice	\$0
Advisory Board Requests	\$0

The information below is a narrative description of the proposed changes in each budget section. The **blue bolded** titles centered on the page indicate the title of the high-level budget section (as referenced in the table above) with the corresponding “net change” for that section. Under each budget section, the strategy title is shown in *italics and underlined*. Finally, the bulleted **bold** title is the specific project or activity where the staff recommended budget change occurs.

Other Non-Focus Area Allocations – Net Change \$150.0

EARLY CHILDHOOD PREVENTION & INTERVENTION

- **Policy, Data & Programs – \$300.0**

Many health and social problems can be predicted by early childhood experiences. The proposed increase in this line will allow the Trust greater responsiveness to stakeholder requests for support related to developing early childhood systems that will promote early intervention and prevention supports for beneficiaries and their families. Anticipated projects align with the Comprehensive Integrated Mental Health Program Plan and include strategies related to developmental screening, Infant and Early Childhood Mental Health capacity building, and ongoing data linkage to more clearly define and guide early childhood interventions in order to reduce exposure to and mitigate trauma.

DATA EVALUATION & PLANNING

- **Comp Plan Maintenance of Effort; Other Data Analysis & Consultation Svs – \$100.0**

This budget line was previously combined with Consultative and Planning activities. It was separated out as a stand-alone line to support the next phase of the Comp Plan data development and implementation. We are anticipating potential costs related to partner and stakeholder travel to meetings, data analytics for performance monitoring, and dissemination of results.

- **Alaska Health Workforce Profile – (\$50.0)**

The focus of this project has shifted from capacity development and a personnel position to data analytics and the development of Trust related analysis and reports. Given the current fiscal environment, it was not feasible to create a position to develop and perform data analytics and reporting focused upon Trust related topics. The decision was made to leverage existing Department of Labor and Workforce Development (DOLWD) research and analysis resources, and use these funds to identify and conduct Trust focused analyses, and to explore the development of an annual report considering the health workforce as a DOLWD publication.

- **Rural & Community Outreach – (\$200.0)**

Following the approval of the FY20 budget, staff did an assessment of capacity, timing and invitees to participate in the Trust 25th Anniversary and in a Rural Outreach trip in the fall of 2019. It was determined to prioritize the Trust’s 25th Anniversary. Funding for a Rural Outreach trip will be included for trustee consideration in the FY21 budget recommendations. If approved, the trip would occur in the fall of 2020 to align with the start of a two-year legislative session (January 2021) and allow for a thorough review of intent, approach, and possible restructuring of the trip.

Medicaid Reform - Net Change (\$100.0)

INCREASED CAPACITY, TRAINING AND COMPETENCIES

- **Peer support workforce – (\$55.0)**

The funds for this project were moved to the Beneficiary Employment & Engagement (BEE) focus area. The funds will support current efforts of the Division of Behavioral Health (DBH) to formalized peer support workforce credentialing and training.

- **Alaska Psychology Internship Consortium (AK-PIC) – \$5.0**

This increase is in response to the American Psychology Association (APA) eight-year accreditation review at the Alaska Psychiatric Institute (API) from this spring 2019. The review found several deficits of APA adherence at API, and will result in some additional work by WICHE staff to work with API staff to correct these issues. The goal this fiscal year will be to re-engage API as an active status site for AK-PIC. This work is in addition to helping the AK-PIC staff facilitate and deliver the internship program at the other sites.

Behavioral Health Access

- **Senior Psychiatric Outreach Team Planning – (\$50.0)**

The Senior Psychiatric Outreach Team (SPOT) Planning project is tabled until a partner agency can be identified to operate the program. Currently, agencies are focused on sustainability and success of core programs. It is anticipated that with the implementation the 1115 Behavioral Health Waiver service providers will have future capacity for specialized programs like the SPOT.

Criminal Justice Reform - Net Change (\$128.8)

SYSTEMS AND POLICY DEVELOPMENT

- **Job Center liaison in correctional facilities – (\$128.8)**

FY20 funds for this project were removed from the Governor’s Amended Budget in February 2019. The Department of Labor & Workforce Development (DOLWD) advised Trust staff that they anticipated being able to continue primary components of the funded position despite loss of Trust funding. DOLWD staff state the department is well positioned to ensure integration of partnerships into service delivery strategy moving forward.

IN-FACILITY PRACTICES

• **Juneau Mental Health Court – (\$78.3)**

The Trust has partnered with the Alaska Court System (ACS) to create the Juneau Mental Health Court which is requesting a portion of funds budgeted in FY20 be re-allocated to fund a new paralegal position within ACS's Anchorage Coordinated Resources Project (CRP) to assist with the Centralized Competency Calendar (see below). This was a coordinated change with ACS.

• **New Line Item - Centralized Competency Calendar Paralegal – \$78.3**

In 2014 the Alaska Court System (ACS) issued a standard order creating a Centralized Competency Calendar in Anchorage. This was ordered to ensure that hearings for defendants presenting with competency concerns were scheduled expeditiously, and to improve communication between the parties involved in the hearings (ACS, legal parties, DOC and API).

ACS recognized the importance of ensuring that, when possible, Trust beneficiaries receive needed treatment services in place of being incarcerated, and facilitating beneficiary access to these critically-needed services. In January of 2019, trustees approved funding for additional staff resources to support this effort. These funds (\$78.3) will support the current staff and their continued work. The line item was not reflected in the trustee FY20 budget.

Housing & Long Term Services and Support - Net Change \$64.2

HOUSING & LONG TERM SERVICES AND SUPPORTS POLICY COORDINATION

• **Housing Coordinator – (\$100.0)**

This project is not going forward in FY20 as planned. Implementing an additional housing coordinator position will be postponed until the impact of the new housing coordinator positions can be assessed. Two new housing coordinator positions have been created by Alaska Housing Finance Corporation, one in Nome and one in partnership with the Trust at the Association of Alaska Housing Authorities. Both of these positions will have a focus on addressing homelessness and affordable housing in rural Alaska.

• **Juneau Housing Coordinator – \$10.0**

This increase reflects an adjustment to the actual cost of the position.

BENEFICIARIES' ACCESS APPROPRIATE COMMUNITY BASED SERVICES

• **Rural Home and Community Based Services Coordinator – \$81.0**

This position is administered by Senior and Disability Services (SDS) and supervised by the Alaska Commission on Aging (ACOA) to identify the service needs of seniors, focusing on senior beneficiaries, in rural Alaska. This position will also work with ACOA, SDS, and regions to devise solutions to resolving unmet needs. The Trust is cost sharing the full-time position with SDS.

• **New Line Item - Decision Making Support – \$48.2**

Funding for this project continues the efforts of the Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS) project, which is working with coordinated state partnerships to improve adult guardianship in the state of Alaska. The steering committee includes the Alaska Court System, the Office of Public Advocacy, the Governor's Council on Disabilities and Special Education, the Alaska Association for Guardianship and Advocacy (ASAGA), the Office of the Long-term Care Ombudsman and the Trust. Trust support is needed to continue progress in improving the guardianship process and working with key partners to develop options for sustainability.

BENEFICIARIES LIVE IN SAFE, AFFORDABLE HOUSING THROUGH BALANCED CONTINUUM OF HOUSING

• **Environmental Modifications/Assistive Technology – (\$125.0)**

The Environmental Modifications/Assistive Technology project is tabled in FY20 until results from the Enabling Technology pilot project are available and recommendations can be made on the scope of work of this project. Due to significant delays in the development and implementation of the pilot project expected to inform this work, this project has been postponed. Once information from the Enabling Technology grant is available to analyze, this project should be reconsidered.

• **New Line Item - Juneau Rapid Rehousing – \$150.0**

Family Promises of Juneau and Saint Vincent De Paul, in partnership with the AWARE domestic violence shelter are developing Rapid Rehousing for families experiencing homelessness in Juneau. This program will follow the National Alliance to End Homelessness and Supportive Services for Veterans Families standards. The proposed program will work with landlords to help prevent evictions, and will provide short-term rental assistance and services to help those without housing obtain housing quickly, increase self-sufficiency, and stay housed. Presently there are limited agencies in Juneau effectively poised to assist families at risk of becoming homeless.

Beneficiary Employment and Engagement – Net Change \$10.0

BENEFICIARIES HAVE ACCESS TO AND USE COMMUNITY EMPLOYMENT SERVICES AND SUPPORTS

• **Individual Placement and Supports – (\$200.0)**

Funds identified specifically for Individual Placement and Supports (IPS) will be consolidated into a new strategy, “Targeted BEE Strategy Implementation.” IPS will continue to be a prioritized strategy, and pooling funding allows for more flexibility and responsiveness to meeting community partner interest and enhance Department of Health and Social Services/Division of Behavioral Health investment in the model.

• **Pre-employment transition services– (\$100.0)**

Funds identified specifically for Pre-employment transition services (Pre-ETS) will be consolidated into a new strategy, “Targeted BEE Strategy Implementation.” Pre-ETS will continue to be a prioritized strategy, and pooling funding allows for more flexibility and responsiveness to meeting community partner interest and enhance Department of Labor & Workforce Development/Division of Vocational Rehabilitation (DOLWD/DVR) investment in the model.

• **Vocational Coordinator – (\$100.0)**

Anchorage Community Mental Health Services (ACMHS) has reorganized this position and identified sustainable funding. Trust funds are not required past FY19.

• **New Line Item - Targeted BEE Strategy Implementation – \$335.0**

Funds previously allocated for BEE strategies, including Individual Placement and Supports, Pre-ETS, and Social Enterprise are pooled into a single funding line to allow greater flexibility and responsiveness to meet community partner interest as well as more effectively leverage state investment in these particular strategies.

BENEFICIARIES INCREASE SELF SUFFICIENCY

- **Social Enterprise – (\$50.0)**

Funds identified specifically for social enterprise will be consolidated into a new strategy, “Targeted BEE Strategy Implementation.” Social Enterprise efforts will continue to be a prioritized strategy, and pooling funding allows for more flexibility and responsiveness to meeting community partner interest.

- **New Line Item - Peer Support Workforce – \$125.0**

Division of Behavioral Health (DBH) Peer Support Workforce activities related to workforce credentialing are prepared to be implemented in FY20 after a multi-year planning effort. A financial pro-forma developed during FY19 identified projected costs to establish a formal peer support credentialing body and related workforce trainings for the next three years. Trust funds will leverage \$50.0 available funds from DBH.

Substance Abuse Prevention & Treatment – Net Change \$0

ALASKANS: FREE FROM BURDEN CREATED BY ALCOHOL & SUBSTANCE ABUSE

- **Treatment Access – \$150.0**

These funds target projects and initiatives that increase, improve or enhance beneficiary access to appropriate treatment interventions. This funding, while not designated for specific agencies, will be available for a targeted variety of projects which may include: capital projects that create service capacity expansion; implementation of evidenced based treatment models; implementation of harm reduction strategies and programs; implementation of integrated and collaborative care models within health care settings and behavioral health programs; and start-up of innovative practices that target multiple health and social needs such as recovery programs paired with employment partnerships that assist beneficiaries in recovery and employment stabilization.

- **Substance Use Disorder (SUD) Direct Services Professionals – (\$150.0)**

These funds were combined with the focus area strategy “Treatment Access” (above) to deploy Trust funds in a manner that maximizes opportunities to stabilize, enhance and expand access to the proper intervention for drug and alcohol addiction where possible. Efforts to grow the addiction field’s direct service professionals will continue through concurrent initiatives including the direct service professionals’ initiatives underway through the Development Disability Visioning effort as well as with the Alaska Health Workforce Coalition.



To: Mary Jane Michael, Chair
AMHTA Board of Trustees
From: Aaron O’Quinn
Date: 7/16/2019
Re: Possible Sale of Promontory Point Asset
Fiscal Year: 2020

Approval

Proposed Motion:

“The Alaska Mental Health Trust Authority board of trustees approves of the future sale of the Promontory Point Asset at its appraised value but for not less than a premium over the original purchase price of \$15,500,000 expressed through a purchase option in a commercial lease currently being negotiated between TLO and prospective purchaser”

Background:

Transaction/Resource: Grant of option to purchase to prospective lessee at or after the end of the primary term of its lease of the office complex commonly known as “Promontory Point” at a value to be determined by appraisal, but not less than a premium over the original purchase price.

Property Description/Acreage/MH Parcel(s): Land area of approximately 11.34 acres, located in Austin, TX. Improvements include two single-story garden office buildings of approximately 46,893 rentable square feet each for a total of 93,786 sf. Additional improvements include parking lots and landscaping.

Address: 2420 & 2500 Ridgepoint Drive, Austin, TX 78754, hereinafter referred to as “Promontory Point.”

General Background: On August 5, 2014, the Alaska Mental Health Trust Authority board of trustees, on recommendation of its resource management committee, approved the formation of a single-purpose entity to acquire, own, and operate Promontory Point.

The single-purpose entity, TLO TX1 Investments, LLC (the “SPE”), was duly formed in the State of Delaware, and on October 1, 2014, the TLO, as manager of SPE, closed the transaction with a sale price of \$15,500,000.

On June 26, 2015, the SPE entered into various financing arrangements wherein Promontory Point was leveraged at an approximately 65% loan-to-value ratio. Prepayment of the loan is limited to periods proximate to the maturity date with a balloon payment due at maturity on July 1, 2025.

Promontory Point's two buildings are each occupied by a tenant. Building B is occupied by Tangoe, Inc., which executed a lease renewal in 2016 and which expires October of 2023. Once publicly traded, Tangoe is now privately held in June of 2017 by the private equity firm Marlin Investments.

Building A is occupied by Hostgator, LLC, whose lease expires in October of 2021. Both tenants' leases contain renewal options, but both are currently unlikely exercise them. Due to changing market conditions and space needs, both tenants have expressed interest in early termination of their leases.

As such, the SPE, through its brokerage contractor in Austin, has identified an opportunity to lease Promontory Point at competitive market rates to a national credit tenant (New Tenant).

The commercial terms of this contract are anticipated as follows:

- Initial lease of Tangoe's space (50% of Promontory Point) commencing October 1, 2019;
- Lease term to match maturity date of SPE debt;
- At expiration New Tenant may exercise a purchase or lease renewal option (w/ 15 months' notice);
- Term of initial renewal will be 72 months;
- When and if Hostgator vacates, New Tenant will assume full occupancy lease of Promontory Point.
- Initial purchase option will be for appraised value, but not less than a premium over the original purchase price;
- If initial renewal is exercised, a second renewal option will be offered (72 months) with possibly a similar option to purchase at expiration date of lease. This option will also have a minimum price that is a greater premium over the first option;
- If second renewal is exercised, a second renewal option will be offered (72 months) with possible option to purchase at expiration date of lease. This option will also have minimum price that is a greater premium over second option. All renewals and purchase options will require generous notice provisions, giving the SPE ample opportunity to plan for cash calls (to make balloon payment) or to secure financing.

The TLO believes the proposed transaction represents a significant improvement in the stabilization of Promontory Point, but the proposed transaction is only available if the purchase option is offered. Because the purchase option discussed above is beyond the scope of the initial August 2014 board of trustees' acquisition approval and beyond the scope of the TLO's customary duties as manager of the SPE, the TLO is seeking approval from the board of trustees for the potential sale of this investment property under the terms discussed in this narrative.

As of March 2019, promontory point has realized an aggregate net operating income of over \$5.3 million dollars, since acquisition, distributing approximately \$2.1 million dollars, with the difference funding capital expenditures and interest payments. Additionally, based on recent opinions of value by disinterested real estate professionals, Promontory Point has appreciated above the purchase price. In 2016 it was valued at \$15,112,339, in 2017 at \$16,200,000, and in 2018 \$16,747,500. It's

value necessarily fluctuates in response to its ability to produce income, which will only be enhanced by a long-term lease with a national credit tenant, as proposed.

Anticipated Revenues/Benefits:

With the purchase options described above, the Trust will benefit additionally in the following ways:

Quantitative –Each period of the proposed lease terms discussed above provides a significant opportunity to stabilize and increase income produced from Promontory Point. This income exceeds that which could be derived from an identical investment in the Mental Health Trust Fund at the Alaska Permanent Fund Corporation (the “APFC”) (based on projected long-term forecasted returns by the APFC).

Tenant Strength – New Tenant is a secure, creditworthy, government entity tenant, which simplifies and expands refinance opportunities. New Tenant is sophisticated with significant property ownership and management experience, reducing the administrative burdens on TLO staff. New Tenant desires to establish a long-term, consolidated operation at Promontory Point and is therefore likely to exercise option to purchase or to renew its lease.

Provides Logical Investment Exit Points - Structure of lease provides logical exist points for the investment. The first coinciding with the maturity of the initial debt; the second and third renewals provide similar opportunities for the same. Sale price floors provide insurance that entitled option to purchase will not impair Trust’s return on investment in Promontory Point.

Moreover, the initial exit point, in 5+ years, allows the Trust the opportunity to further develop its asset management strategy and to complete any regulatory promulgations necessary to enable the same. Decisions as to whether to refinance or pay off debt can be made over time leading up to the maturity dates of loans and each option in the lease will contain a notice period sufficient to carefully weigh refinance versus payoff options.

Anticipated Risks/Concerns:

The risks of this approval are generally low, as the entire agreement with the New Tenant is being pursued as risk mitigation to the status quo. This action relieves risk. However, the current deal under negotiation means that there is a possibility of an encumbered contractual relationship with New Tenant for more than the next 15 years. It is unreasonable to opine on future performance, but real estate markets can often be volatile. Moreover, while the structured purchase options assume an increase in value – it is very likely that over a long-term hold such as the one contemplated by the proposed deal, that the property will require significant capital reinvestment by both the ownership and the tenant. The shock of cash calls resulting from these capital expenditures can be mitigated by anticipation and reservation of funds.

Finally, as discussed above, the long-term relationship between owner and tenant is likely to persist. With ownership encumbered by rolling purchase options, the universe of potential buyers is much smaller than for an unencumbered property. If the New Tenant is unwilling to exercise its purchase

option, it may be difficult for SPE to liquidate the property. Nonetheless, we believe that the long-term nature and solid credit footing of New Tenant mitigate the risk presented by that dilemma.

Project Costs:

Transaction Costs: Initial transaction costs will be in excess of \$600k but will be offset by potential bonus revenues received as part of the lease termination process with the existing tenants.

Due Diligence:

It is likely the New Tenant, as purchaser, will complete a round of due diligence prior to entering into the lease and may exercise further due diligence prior to exercising its purchase option. The results of these due diligence exercises may result in required, commercially reasonable, reductions to the purchase price. Such reductions, when rationally or directly related to the cost of deficiency-mitigation or to an appraised value (if not already reflected in the appraisal), would be consistent with this board approval despite the lowering of the floor to below the thresholds discussed above.

Alternatives:

Status Quo – at this time the SPE may maintain the status quo. The tenants are contractually obligated and the terms to which they are obligated are generally favorable, having yielded the returns discussed above. However, expressing an intention to leave and reducing the utilization of the facility can often be signs of internal financial trouble or bankruptcy and near-term termination/vacancy should be mitigated by marketing the space to alternative suitable tenants.

Additional Marketing – it is possible that with additional marketing a more economically favorable deal could be reached or a deal that is not contingent on the purchase option. However, the deal presented represents a clear path forward at opportune timing, bringing a credit-worthy tenant to the property.

Consistency with the Resource Management Strategy: The proposal is consistent with the long term “Resource Management Strategy for Trust Land” (RMS) which was adopted March 2016 in consultation with the Trust and provides for the TLO to maintain focus on income producing properties, behave consistent with Alaska Prudent Investor Rule, ensure that underwriting of potential deals meet or exceed rates based on current market conditions, that tenant types be consistent with the mission of the Trust, only non-recourse debt secure investments, and that the ownership interest held be the Trust in projects be done so through a single-purpose entity.

Trust Land Office Recommendation: The TLO recommends that the AHMTA board of trustees approve the motion as written.

Applicable Authority: State and federal authority supporting this proposed action can be found in public law, and state statutes and regulations. Primarily, the Alaska Mental Health Enabling Act of 1956 - Section 202 of P.L. 84-530, authorized The Trust to mortgage its lands.

*“Such lands together with any property acquired in exchange therefore or acquired out of the income or proceeds therefrom, may be **sold, leased, mortgaged**, exchanged or otherwise **disposed** of in such manner as the Legislature of Alaska may provide...”*

By including the action of mortgage in the above authorized actions, Congress implied the mortgage of Trust lands was a disposal of a Trust interest. The State Legislature enacted laws providing Trust lands be managed by the Department of Natural Resources (AS 37.14.009(b)) and that the management of Trust lands be consistent with the federal enabling act (AS 38.05.801(a)). In the adoption of regulations for the Trust Land Office, the TLO Executive Director’s duties and authority provides that he/she shall manage Trust lands consistent with other provisions of law as “implemented by this chapter” (11 AAC 99.010(a) Authority and duties of executive director.) Actions authorized by chapter 99 of the Alaska Administrative Code include “management, sale, lease, conveyance, permitting, licensing, dedication, and other management and disposal of trust land...” (11 AAC 99.010(b)).

In addition, the Resource Management Strategy (RMS), which has been adopted by reference (11 AAC 00.090(c), provides guidance consistent with this proposed action (See Real Estate Resource Management Strategy available at https://alaskamentalhealthtrust.org/wp-content/uploads/2019/05/2016-FINAL-EDITION_Complete-Copy.pdf)

“Lands, structures and resources may be acquired when the acquisition will add value to The Trust’s non-cash asset portfolio or will contribute to the mission of The Trust in some other way.”

Other applicable authorities include Alaska Statutes 36.30.850(B)16(B), 37.14.009, 38.05.801, 11 AAC 99.010(b), 11 AAC 99.020(b), 11 AAC 99.090(a), 11 AAC 99.090(e), 11 AAC 99.030(e), 20 AAC 40.700. Finally, the Limited Liability Company Act of the State of Delaware, as well as other relevant Alaska, Delaware, and Texas laws regarding real property transactions are applicable.

Trust Authority Approval: The motion presented in this briefing document fulfills the approval requirements that are applicable to the transaction.

Special Full Board of Trustee Meeting
July 16, 2019

Motion:

Move that the Board go into Executive Session to discuss the Lessee Option to Purchase the Promontory Point Complex in accordance with the Open Meetings Act, AS 44.62.310(c).