

POLICIES & PROCEDURES

Meeting Transparency

Processing Board Business

(Port Policies & Procedures for Transparency adopted 10.25.18)

- a. The Chair/Vice Chair has final approval of items scheduled on the agenda.
- b. Once an item/issue is brought up, either at a Board meeting or outside of the meeting, it may be assigned to someone for follow-up, possibly by vote during a board meeting.
- c. Once the work is done, it will be scheduled for a briefing at an upcoming Board meeting.
- d. After that briefing/discussion (held during a typical public Board meeting), the item may be scheduled for a public hearing, then potential action (adopt/approve/etc.) at subsequent meetings.
 - i The public hearing will precede Board action.
- e. If an urgent matter needs quick attention, the Board has the ability to schedule special meetings, assuming that noticing follows the Utah Open and Public Meetings Act standards for special meetings.

Public Hearings (Port Policies & Procedures for Transparency adopted 10.25.18)

- a. Should be at the start of the meeting, before any of the discussion items take place.
- b. Each member of the public wishing to provide comment should be given three minutes to speak.
- c. A Board member may request a point of personal privilege from the Chair to ask a question or make a brief remark; however, a Board member must wait until an individual's time is up. A Board member may not interrupt someone speaking during the public comment hearings.
- d. Public Hearings are generally not a time for back and forth between the board and a speaker. If follow up discussion or information is needed, a Board member can ask staff to follow up with the speaker.

Rules of Decorum and Public Hearing Policy (Port Policies & Procedures for Transparency adopted 10.25.18)

Inland Port Authority Board Meetings are a place for people to feel safe and comfortable while participating in the civic process. A respectful and safe environment allows meetings to be conducted in an orderly, efficient, effective, dignified fashion, free from distraction, intimidation, and threats to safety.

The public can address the Board about any matter they wish during the public comment section of a meeting. The Board may also hold public hearings, where the public is invited to speak about a specific topic the Board is currently considering.

To speak during either, you'll be asked to follow these rules:

- ï Fill out a comment card.
- ï Your name will be called when it's your turn to speak and you'll have 3 minutes to share your thoughts.
- ï Upon recognition by the Chair or Board Member Chairing the meeting, the speaker shall approach the microphone, address the Chair and give their name, place of residence and note whether they represent an organization.
- ï All public comment shall be directed to the Chair.
- ï No person addressing the Authority during the public comment period shall be allowed to comment more than once per comment period.
- ï There may be times when a Board Member may request a point of personal privilege from the Chair to ask a question or make a brief remark, but generally the public comment portion of the meeting is designed for constituents to speak and the Board to listen.

Each agenda published by the Authority shall contain a summary of the rules and policies for public comment.

In order to support a respectful meeting, items that disrupt the meeting, intimidate other participants or cause safety concerns are not allowed. For example:

- ï Jeering, cheering, clapping and waving signs may intimidate other speakers and cause a disruption.
- ï Generally, props and equipment are not allowed. If you have a prop or piece of equipment integral to a presentation, please clear its use with a staff member before entering the meeting room.
- ï If you have questions about proper placement of recording equipment or recording in general, please coordinate this with staff before the beginning of the meeting to help ensure that it does not disrupt the meeting or make other attendees feel uncomfortable.
- ï Staff may request changes to placement of recording equipment or other equipment to help facilitate the meeting.
- ï If you have written remarks, a document, or other items you may want the Board to review, do not approach the dais. Instead, please give them to staff and they will distribute them for you.
- ï Failure to follow these decorum rules may result in removal from the meeting.

Electronic Meetings

Electronic Meeting Policy (adopted 8.30.2018)

- a. These provisions govern any public meeting at which one or more members of the Utah Inland Port Authority Board (the "Board") may appear electronically or telephonically pursuant to Utah Code§ 52-4-207.
- b. The meeting notice will specify the anchor location where members of the Board not participating electronically or telephonically will be meeting and where interested persons and the public may attend, monitor, and (when applicable) participate in the open portions of the meeting. Pursuant to [HB 5005](#) a public body may hold an electronic meeting without an anchor location if the chair of the public body makes a written determination, supported by stated facts, that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location and complies with certain public notice requirements.
- c. Board members are permitted to participate electronically or telephonically. Board members should give reasonable notice to the Chair of intent to participate electronically or telephonically. Any member of the Board appearing electronically or telephonically will be counted as present for purposes of a quorum and may fully participate in the discussion and vote on any matter. At the commencement of the meeting, or when any member of the Board initially appears electronically or telephonically, the Chair will identify for the record all those who are appearing telephonically or electronically. The Chair will confirm on the record any votes by members of the Board who are not at the physical location of the meeting.

Open & Public Meetings

Noticing (Port Policies & Procedures for Transparency adopted 10.25.18)

The Board voted to follow the Utah Open Public Meetings Act.

- ï A meeting must be scheduled and the agenda posted at least 24 hours in advance.
- ï **Training completed annually by legal counsel**

Authority Jurisdictional Land Property Tax Differential Use Policy

UTAH INLAND PORT AUTHORITY

Executive Order 2020-01 AUTHORITY

JURISDICTIONAL LAND PROPERTY TAX DIFFERENTIAL USE POLICY September 2020

1) Background

- a) On June 22, 2020, the Authority Board adopted a Strategic Business Plan for the Authority Jurisdictional Land (“Business Plan”) pursuant to Resolution 2020-01. The Resolution also directed the Executive Director “to create and adopt, by Executive Order, a tax differential policy that is consistent with the Business Plan” (“Policy”).
- b) The purpose of this Policy is to establish, consistent with the Business Plan, guidance for property tax differential use by the Utah Inland Port Authority (“Authority”) established pursuant to Utah Code Chapter 58, Title 11 (“Authority Act”) in the Authority Jurisdictional Land, as defined in the Authority Act (“Jurisdictional Land”). Pursuant to the Authority Act, the Authority will receive and use property tax differential generated from the Jurisdictional Land (“Tax Differential”).
- c) With regards to the Jurisdictional Land, the Authority Act, provides that the Authority “is to fulfill the statewide public purpose of working in concert with applicable state and local government entities, property owners, and other private parties, and other stakeholders to encourage and facilitate development . . . to maximize the long-term economic and other benefit for the state, consistent with the strategies, policies, and objectives described in” the Authority Act (“Act Goals”).¹ Included in the Act Goals is the implementation of the Business Plan.

- d) The Business Plan established the following strategic direction (“BP Strategic Direction”):
 - i) Vision – Utah will be a leader in revolutionizing global logistics for the next generation.
 - ii) Mission – Promote sustainable, equitable, and smart logistics investment through partnerships, policies, and programs.
 - iii) Strategy – Responsibly manage public resources to increase utilization of existing assets, repurpose outdated assets, and develop new assets to enable improved statewide logistics.
- iv) Value Proposition – Improve reliability, increase efficiency, and reduce costs in the statewide logistics system.

¹ §11-58-201(3)(a)

2) Tax Differential Use

- a) Tax Differential is one of the key financial tools provided to the Authority to implement the Act Goals and BP Strategic Direction. The Authority Act requires and allows Tax Differential to be used for certain purposes.
- b) The Authority is required to pay 10% of the Tax Differential generated from land located within a community reinvestment agency to that agency, to be used for affordable housing (“Affordable Housing Payment”).²
- c) After the Affordable Housing Payment, the Authority is allowed to use Tax Differential to fund its administrative, overhead, legal, consulting, and other operating expenses (“Administrative Costs”).³ The amount of Tax Differential used for Administrative Costs is determined through the budget process and policies.
- d) After the Affordable Housing Payment and Administrative Costs are covered, the remainder of the Tax Differential may be used to fulfill the Act Goals and BP Strategic Direction (“Development Funding”).⁴ This includes paying for:
 - i) Land development, including ongoing operation of a development or facility;⁵
 - ii) Owning and operating an intermodal facility (“Intermodal Facility”);⁶
 - iii) Publicly owned infrastructure and improvements;⁷ and,
 - iv) Bonds issued by the Authority.⁸

3) Development Funding

- a) The Development Funding priorities in the Business Plan⁹ are:
 - i) Common user improvements, including highway and other infrastructure, and rail right-of-way acquisition, design, engineering, and construction (“Regional Improvements”);
 - ii) An Intermodal Facility; and,
 - iii) Costs associated with mitigating significant impediments to site development.
- b) In order to fund Regional Improvements or the Intermodal Facility, the Authority may need to accumulate and aggregate the Tax Differential generated from multiple properties. On a case by case basis, the Authority may use Development Funding for a property specific development,

² §11-58-601(6)(b) and §11-58-602(1)(f)

³ §11-58-602(1)(b)

⁴ §11-58-602(1)(a)

⁵ §11-58-602(1)(c)

⁶ §11-58-206(2)

⁷ §11-58-602(1)(d) and (e)

⁸ §11-58-602(1)(g)

⁹ Business Plan, page 43.

including incentivizing a high value development that will help fulfill the Act Goals or BP Strategic Direction. However, the priority is Regional Development and the Intermodal Facility with particular focus on advancing sustainable and smart logistics investments.

- c) The Executive Director will direct the discussions and negotiation of Development Funding uses and provide recommendations to the Authority Board for budgeting its use and entering into appropriate contracts.



Jack C. Hedge
Executive Director

GUIDELINES & RESOURCES

Press inquiries & releases (*Utah Inland Port Media Policy adopted January 2019*)

Effective communications and working with media are critical to implement a transparent process and further the Utah Inland Port Authority mission. In communications with members of the media, UIPA will be prompt, helpful and honest. The UIPA communications team will work with reporters through the process and adhere to the following guidelines:

Spokespeople

1. The Utah Inland Port Authority (UIPA) Executive Director serves as the official UIPA spokesperson.
2. The communications team may use UIPA staff or board members as an alternative spokesperson as needed.

Process

3. Media inquiry should be referred to the UIPA communications manager.
4. All media inquiries should be answered as quickly as possible.
 - a. Name of the person calling, media organization, topic and deadline.
5. Board members should not respond to media directly until the media inquiry has been reviewed by the communications manager.
6. The communications manager will assess the inquiry and vet the inquiry through the chair and executive director as needed.
7. The communications manager will brief and provide talking points as needed.
8. Subject matter experts will be called upon to assist with talking points.
9. In the case of critical significance to the UIPA, the communications manager will work with the executive director, board chair and others as directed, to craft specific statements.
10. As needed, legal counsel may review statements made to media or the general public.
11. The communications manager is responsible for the development and dissemination of communications to the media including releases, statements, social media and website updates.
12. Ideas for articles, editorials, releases or statements should be routed through the communications manager.
13. Issues not available to reporters are legal and personnel issues or those issues resulting in harm as permitted under the Open and Public Meetings Act and Government Records Access and Management Act.

Social media

The UIPA communications team will be responsible for drafting and posting content on behalf of UIPA on UIPA owned social media channels based on plans approved by the Executive Director. The communications team is responsible for monitoring and responding to community comments on social media. Board members should avoid engaging in discussion about Inland Port Authority business on social media outlets.

GRAMA requests

GRAMA Record Requests Policy (adopted 10.25.18, amended 8.13.2020)

- A. These provisions govern records requests directed to the Utah Inland Port Authority (the "UIPA") under Utah Code § 63G-2, the Government Records Access and Management Act ("GRAMA").
- B. When practicable, the UIPA records officer may work with the requestor to develop reasonable search terms to identify potentially responsive records.
- C. Typically, records deemed to be responsive and public will be transmitted to the requestor via electronic mail. Records may be provided in the format maintained by UIPA in the ordinary course of business.
- D. Unless the UIPA records officer provides a fee waiver under GRAMA Section 203(4), fees will be assessed at an hourly rate not to exceed the salary of the lowest paid employee who, in the discretion of the UIPA records officer, has the necessary skill and training to prepare the response. When providing records in electronic format is not possible and in other atypical circumstances, fees are as follows (staff time is included in the fees below):
 - Photocopies:
 - \$.25 per page for standard size, non-color white copies
 - \$.40 per page for standard size, color copies
 - \$1.00 per page for 11 X 17 copies
 - Actual costs for other odd sized copies
 - Other media:
 - \$10 for USB
 - Other media/supplies: actual cost
 - Third party services:
 - Actual cost
 - Mailing and shipping costs:
 - \$2.00 for staff mail preparation time, plus actual mailing costs if greater than \$2.
- E. Nothing in this policy will be construed to supersede or conflict with the provisions of GRAMA.