

RESOLUTION
OF THE BOARD OF TRUSTEES OF THE
NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2
ADOPTING A PUBLIC RECORDS POLICY

WHEREAS, NS Public Infrastructure District No. 2 (the “**District**”) is an independent political subdivision of the State of Utah, duly organized and existing pursuant to the Special District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953; and

WHEREAS, governmental entities should adopt a records policy that is consistent with Utah’s Government Records Access Management Act; and

WHEREAS, District wishes to adopt a records policy in conformity with Utah’s Government Records Access Management Act.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. **Government Records Access and Management Act.** The District is subject to the Utah Government Records Access and Management Act (“**GRAMA**”). GRAMA provides the basis for the District’s information practices including classification, designation, access, denials, segregation, appeals, management, retention and amendment of records. The District adopts GRAMA’s standards for classification and designation of its records as public, private, controlled or protected.

2. **Executive/Chief Administrative Officer.** For all purposes under GRAMA, the District Chair shall be considered the District’s executive officer and its chief administrative officer.

3. **Records Officer.** For all purposes under GRAMA, the District’s Recording Secretary shall be considered the records officer of the District, or in other words, the individual responsible to work with state archives in the care, maintenance, scheduling, designation, classification, disposal, and preservation of records.

4. **Fees.** The District shall charge and collect those costs and fees allowed by GRAMA for responding to a request for a record, specifically including but not limited to those in GRAMA. The Chair may set the amounts of any such costs and fees, or waive any cost or fee in accordance with GRAMA.

5. **Requests for Records.** A request for a District record must be directed to NS Public Infrastructure District No. 2, Attn: District Recording Secretary/Records Officer, c/o White Bear Ankele Tanaka & Waldron, 2154 East Commons Avenue, Suite 2000, Centennial, CO 80112.

6. **Appeal.** Any appeal from a determination must be filed by mailing it to NS Public Infrastructure District No. 2, Attn: Board of Trustees, c/o White Bear Ankele Tanaka & Waldron, 2154 East Commons Avenue, Suite 2000, Centennial, CO 80112.

7. **Requirement for Receiving or Retaining Records.** Notwithstanding the foregoing, the District shall retain all public records that the District is required by law to prepare and retain, including but not limited to meeting agendas, minutes, and notices. Further, the District is considered to have received and retained a document if it is considered and approved in a public meeting of the board of trustees of the District. The District shall not, without the written approval of the District Chair, be deemed to have received or retained any book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics, which is not expressly required by law to be retained by the District.

8. **Trade Secrets and Commercial Information.** The entire purpose of the District is to finance and construct public improvements in connection with development in the City of Salem, Utah. The District could potentially receive documents that would constitute trade secrets under Utah Code Section 13-24-2 or commercial information (collectively “Commercial Records”). Notwithstanding Section 7 above, if the District receives and retains Commercial Records, and the District has received the information required under Utah Code Section 63G-2-309(1)(a)(i) related to the Commercial Records, the Commercial Records are considered “protected records” under GRAMA.

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ADOPTED SEPTEMBER 5, 2024.

DISTRICT:

**NS PUBLIC INFRASTRUCTURE DISTRICT
NO. 2**, a body politic and corporate created and
validly existing under the laws of the State of
Utah

By: Burke Staker
Burke Staker (Sep 24, 2024 08:40 MDT)
Officer of the District

Attest:

By: Ryan Beck
Ryan Beck (Sep 24, 2024 10:02 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

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General Counsel to the District