

**Military Installation Development Authority****MIDA Board Meeting Minutes: April 7, 2015 at 9:00 am. Held at Northfront Business Resource Center 450 Simmons Way, Kaysville, Utah**

Board Members Present: Stuart Adams (Chair), Jerry Stevenson (Vice Chair), Joe Ritchie, Derk Timothy, Mark Shepherd, Gary Harter (by telephone)

Board Members Absent: Ed Collins

- Welcome:** Stuart Adams, (Chairman) welcomed all and recognized Mark Shepherd (Mayor Clearfield City) as newly appointed member to the MIDA Board. Mayor Shepherd expressed his enthusiasm and willingness to serve on the MIDA Board.
- Approval of minutes for January 15, 2015:** Motion to approve the minutes for January 15, 2015: Derk Timothy, 2<sup>nd</sup> Joe Ritchie. Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter, Mark Shepherd. Those voting no: none.
- Consideration of Resolution 2015-02 Adopting a Text Amendment to the Falcon Hill Development Standards and Guidelines Dealing with Wayfinding Signs and Monument Signs:** Paul Morris said the current Falcon Hill Development Standards and Guidelines had limitations on the size and display area of signage that did not address the particular needs of the applicant for the 10,000sf retail area. The proposed text changes in 5.14 B and E are to indicate that Monument Signs shall not exceed twenty-five feet in height, and have a maximum of two display sides and signs shall be limited to 200sf of display area per side. The proposed text changes in 6.12 2A - are that Wayfinding signs shall communicate the general location and direction of amenities or facilities and may include offsite advertising. Signs may be monument oriented, projecting from retail building overhangs and awnings, retail window signs, pedestal-mounted and/or post mounted signs. It was noted that all changes have been reviewed and unanimously approved by the Falcon Hill DRC Committee and recommended to the MIDA Board for their approval. There was no further discussion. **Motion to approve Resolution 15-02:** Derk Timothy, 2<sup>nd</sup> Joe Ritchie. Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: None.
- Consideration of Resolution 2015-03 approving the Falcon Hill West Gate Retail Monument Sign:** Paul Morris: There are two signs involved in the resolutions a 25 foot Monument Sign and a 37 foot Freeway Oriented Project Sign. Gary Stewart(applicant) indicated that the two signs were generated out of requests from clients or potential clients who had said that the signs did not have enough visibility at freeway speeds and that the advertising on a 6 foot sign for approximately 10 clients would be too small and creating a need for larger signs. Derk Timothy questioned the language "look and feel" in the resolution saying that it has different meanings for different people and asked if there was better language that could be used. Paul Morris indicated that the term has been used a lot at Deer Valley in Wasatch County and defined what the look and feel was in the Standards and Guidelines there. The idea is to allow some flexibility in modifying the signs but they generally have to be similar to the concept that is approved by the Board. Cory Shupe discussed that we are only dealing with one entity and that SRDP wants to make sure that everything is unified.

Derk Timothy asked if the DRC Committee could have more control over what the look and feel means. Joe Ritchie said that where we are only dealing with one entity it is not as big of an issue but agreed that something could be done to give the DRC more control. Paul Morris said that the staff would work with the DRC and come back to the Board in the future with recommendations regarding sign approvals. Ron Richins noted that MIDA had received a letter from the base giving their approval of the signs. Stuart Adams noted that MIDA sits over other jurisdictions and that what we do should not detract from what is being done in those communities. No further discussion. **Motion to approve Resolution 15-03:** Derk Timothy, 2<sup>nd</sup> Joe Ritchie. Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: none.

5. **Consideration of Resolution 2015-04 Approving the Falcon Hill West Gate Retail Freeway Oriented Project Sign:** Motion to approve Resolution 15-04: Derk Timothy, 2<sup>nd</sup> Joe Ritchie. Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: none.
6. **Consideration of Resolution 2015-05 Approving a 30 Year No Rental Cost Lease with the Government (Air Force) and an Estoppel, Subordination, and Non Disturbance Agreement with the Government and Sunset Ridge Development Partners and all Other Necessary Documents and Agreements in Conjunction with the Lease of Unit 101 in Building 1580 in the Falcon Hill Project Area:** Paul Morris gave a brief history regarding how the Air Force would occupy the first floor of Building 1580. Initially, SRDP would build the building and lease the first floor. Second, create a condo that the AF would own. Third, the Air Force would own the first floor. Then the Air Force decided that they would lease it from MIDA for 50 years. The final and current option is that the Air Force would have a 30 year no rent lease. At the time of the Board meeting MIDA is still waiting for the Air Force to send the latest draft of the lease and other documents. The reason the resolution is still on the agenda is because the Air Force plans to move in before the next board meeting. Joe Ritchie questioned the part of the resolution giving MIDA staff broad authority to make decisions and have broad authority to make any bilateral agreements above and beyond what the Board had seen and that concerns him. Gary Harter voiced the same concern and expressed caution in giving MIDA staff that broad authority. Paul Morris suggested that the Board not adopt this resolution but consider the next resolution which provides the Air Force a short-term right to move into the space pending the finalization of the lease. **Motion to table resolution 15-05:** Mark Shepherd, 2<sup>nd</sup> Derk Timothy. Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: none.
7. **Consideration of Resolution 2015-06 Approving an Initial Move-In and Common Area Maintenance Agreement for Unit 101 in Building 1580 in the Falcon Hill Project Area:** Paul Morris discussed the resolution noting that even though the lease is a no rent 30 year lease there are still maintenance costs involved in up keep of the building. The agreement outlines the process of payment of those costs. At no time will MIDA be responsible to pay any of the costs. Derk Timothy asked if there were any penalties thru the waterfall process and if there would be any additional cost for MIDA to process the invoices. The cost to MIDA is simply receiving the invoice and forwarding it to the Air Force. Gary Stewart was assured by the AF officials that the agreement is a very common agreement and that should not be any problems. Paul Morris discussed the move in portion of the agreement which allows the Air Force to move in while the lease is being finalized. Derk Timothy asked about the wording in the resolution giving MIDA staff the authority to make changes to the agreement.. Paul Morris said that was so tweaks to agreements could be made to put it into final form such as fixing typos or numbering or clarifying provisions. Paul Morris suggested changing the wording of the resolution to read, such that MIDA staff can make non-substantive changes as deemed necessary. **Motion to approve Resolution 15-06:** Derk Timothy, 2<sup>nd</sup> Mark Shepherd. Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: none.
8. **Consideration of Resolution 2015-07 Approving an Escrow Agreement and a Purchase and Sale Agreement with Park City for the Red Maple Parcel in the Military Recreation Facility Project Area:** Paul Morris reviewed the history behind the Red Maple Parcel. Derk Timothy had questions concerning the description of the hotel property which Paul indicated that we do not have the Hotel Property yet so its description is not known but the Red Maple parcel is known and he felt comfortable with the language in the Escrow Agreement documents. Paul Morris indicated that he will make the same wording changes as in Res 15-06 to read, such that MIDA can

make non-substantive changes as deemed necessary. **Motion to approve Resolution 15-07:** Joe Ritchie, 2<sup>nd</sup> Mark Shepherd, Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: none

9. **Consideration of Resolution 2015-08 Appointing Steve Parkinson as Roy City's Representative to the Falcon Hill Development Review Committee:** Paul Morris presented Steve Parkinson, City Planner for Roy City as a new member of the Falcon Hill DRC: **Motion to approve Resolution 15-08 subject to written recommendation from Roy City:** Mark Shepherd, 2<sup>nd</sup> Joe Ritchie. Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: none.
10. **Consideration of Resolution 2015-09 Appointing Steve Issowits as Deer Valley Resort's Representative to the Military Recreation Facility Development Review Committee:** Paul Morris presented Steve Issowits as recommended by Wasatch County, as a new member of the Military Resort Facility DRC Committee replacing Bob Wells: **Motion to approve Resolution 15-09:** Gary Harter, 2<sup>nd</sup> Derk Timothy. Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: none.
11. **Consideration of Resolution 2015-10 Appointing Mike Kohler as the Jordanelle Special Service District Representative to the Military Recreation Facility Development Review Committee:** **Motion to table Resolution 15-10:** Gary Harter, 2<sup>nd</sup> Mark Shepherd. Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: none.
12. **Other Business, including project area updates:** Paul Morris expressed thanks to Jerry Stevenson for his help with the legislation that helped MIDA. The bill changed the name of bonds from Tax Increment Financing Bonds to Property Tax Allocation Bonds. It also made changes that will help if the military ever become the owner of the condo unit in Building 1580. Paul Morris and Mike Wagstaff are working on a project at the Tooele Army Depot and will bring back information as it becomes available. Gary Harter noted that he had met with Val Hale and suggested that he might be put on the MIDA Board as a non-voting member. Paul Morris noted that he had a meeting set up with Val Hale as well later in the week.
13. **Motion for a Closed Meeting to Discuss the Purchase, Exchange, or Lease of Real Property:** **Motion:** Derk Timothy, 2<sup>nd</sup> Joe Ritchie, Those voting yes: Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: none.
14. **Motion to adjourn:** Joe Ritchie. Those voting yes; Stuart Adams, Jerry Stevenson, Joe Ritchie, Derk Timothy, Gary Harter. Those voting no: none. Adjourned at 10:25 a.m.
15. **The next regular meeting – May 5, 2015.**
16. **Those in attendance:** Ron Richins, Detlef Galke, Paul Morris, Ted Frederick, Cory Shupe, Gary Stewart, David Williamsen, Mark Holt, Mike Wagstaff