



# **PUBLIC INFRASTRUCTURE DISTRICT (PID)**

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<b>Effective Date:</b>	May 11, 2023	<b>Last Revision Date:</b>	May 20, 2024
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



# BP-16 PUBLIC INFRASTRUCTURE DISTRICT (PID)

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### Revision Table

Version	Effective Date	Revision Author	Summary of Revisions
2.0	May 20, 2024	Benn Buys	Updated to new template brand; Changed owner from Ben Hart to Benn Buys; Enhanced language for Approval Process and Governing Document including updated governing doc submission to staff from 30 to 10 days

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## BP-16 PUBLIC INFRASTRUCTURE DISTRICT (PID)

### I. Purpose Statement

The Utah Inland Port Authority (UIPA) may elect to approve the creation of public infrastructure districts that are in alignment to UIPA’s mission, vision, and strategic plan. This policy established the guidelines for creation and oversight of these public infrastructure districts.

### II. Regulatory / Legislative Requirements

- UCA 17B Limited Purpose Local Government Entities
- UCA 17D-4 Public Infrastructure District Act

### III. Scope

The policy is established to comply with the requirements of the Public Infrastructure Act for the UIPA board members and staff, as well as PID boards, to create and oversee UIPA-created public infrastructure districts.

### IV. References

None

### V. Definitions

Term	Definition
Creating entity	As defined in UCA 17D-4-102
District applicant	As defined in UCA 17D-4-102
Governing Document	As defined in UCA 17D-4-102

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Public Infrastructure District	As defined in UCA 17D-4-102
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## VI. Roles & Responsibilities

Role	Responsibility
PID Board	Oversee PID, Amend PID governing document / amendment, Ensure required PID reports are created, reviewed, and sent to UIPA
UIPA Board	Approve PID application, creation of UIPA PIDs, and PID governing doc / amendments
UIPA Chief Financial Officer	Receive and review annual PID audit reports and budget / amendments
UIPA Executive Director	Annually report on UIPA PIDs to board

## VII. Policy

The Utah Inland Port Authority may elect to approve the creation of a public infrastructure district (PID). As per UCA 17D-4-203, PIDs may:

- Issue negotiable bonds to pay the cost of acquiring or financing public infrastructure and improvements
- Enter into an interlocal agreement
- Acquire completed or partially completed improvements for fair market value
- Contract with the contracting entity

## VIII. Application

A district applicant shall provide to UIPA staff the following information:

- Intent and purpose

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- Description and map of proposed PID boundaries
- Statement of public benefit for creation of PID
- Petition that meets the requirements of UCA 17D-4-201
- Explanation of how proposed PID aligns to UIPA’s objectives and strategic plan
- Infrastructure overview, including proposed development, infrastructure, and construction
- Summary of all related costs including development, infrastructure, construction

UIPA staff will review the PID applications and make recommendations to the district applicant for next steps or revisions.

## IX. Approval Process

At least two public meetings will be held prior to the UIPA board’s approval for PID creation.

1. First Meeting: One public meeting will be held to review the PID application and UIPA staff recommendation and approve district applicant to proceed with governing document preparation.
2. Second Meeting: One public meeting will be held to adopt a resolution to create the PID, review the governing documents, and appoint board members.

## X. Governing Document

A district applicant shall prepare a governing document pursuant to 17D-4-202. A district applicant may work with UIPA staff in the preparation of the governing document. Governing documents must, at minimum, include the following information:

- Purpose
- Boundary description & map
- Board structure
  - Number of board members, which shall always be uneven
  - Term limits that are in alignment with state statute
- Description of any divisions of the PID
- Tax levy maximum rate

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- Limitation on principal amount of indebtedness
- Conflict of interest procedure

Governing documents will be sent to UIPA staff for review at least 10 days prior to the second public UIPA board meeting.

### Amendments

PID governing documents may be amended by the PID board with final approval from the UIPA board, unless otherwise allowed in governing documents.

## XI. PID Board Member Requirements

At minimum, PID board members should meet annually and ensure that PID progress, budgets, annual reports and audits, and financial statements are reviewed and approved.

## XII. Compliance & Reporting

Pursuant to 17D-4-205, a PID shall file annual reports with the creating entity regarding the PID's actions as provided in the governing document. These annual reports will be reviewed by UIPA staff and board. The UIPA Executive Director will provide an annual update to the board for each PID created by the UIPA. PID annual reports will be publicly available on the UIPA website.

Pursuant to 17B-1-702, the PID board shall ensure compliance with budget requirements. Budget amendments, supplements, and adoption reports will be sent to the UIPA Chief Financial Officer.

Pursuant to 17B-1-703, the PID board shall ensure compliance with audit requirements. Annual audit reports will be sent to the UIPA Chief Financial Officer.

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