



# **PUBLIC INFRASTRUCTURE DISTRICT (PID)**

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<b>Policy Owner:</b>	Ariane Gibson	<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
3.0	May 29, 2025	Amy Brown Coffin	Updated owner from Benn Buys to Ariane Gibson; Added Procurement Policy section and Tax Sharing subsection; Added 45-day minimum requirement for application and supporting information; Enhanced Roles & Responsibilities and guidelines for Compliance and Reporting section

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## BP-16 PUBLIC INFRASTRUCTURE DISTRICT (PID)

### I. Purpose Statement

The Utah Inland Port Authority (UIPA) may elect to approve and sponsor 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

- Utah Code Annotated § 17B Limited Purpose Local Government Entities - Special Districts <https://le.utah.gov/xcode/Title17B/17B.html>
- Utah Code Annotated § 17D-4 Public Infrastructure Act <https://le.utah.gov/xcode/Title17D/Chapter4/17D-4.html>

### 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 board of trustees, to create and oversee UIPA-created public infrastructure districts.

### IV. References

- UIPA BP-04 Project Area & Property Tax Differential Policy <https://inlandportauthority.utah.gov/board/policies/>
- UIPA BP-17 Wetlands Policy <https://inlandportauthority.utah.gov/board/policies/>
- Utah Code Annotated § 17B-1-110 Compliance with nepotism requirements <https://le.utah.gov/xcode/Title17B/Chapter1/17B-1-S110.html>
- Utah Code Annotated § 17B-1-111 Impact Fee resolution <https://le.utah.gov/xcode/Title17B/Chapter1/17B-1-S111.html>
- Utah Code Annotated § 17B-1-113 Liability insurance <https://le.utah.gov/xcode/Title17B/Chapter1/17B-1-S113.html>
- Utah Code Annotated § 17B-1-119 Duty to comply with local land use provisions -- Requirements before providing a service <https://le.utah.gov/xcode/Title17B/Chapter1/17B-1-S119.html>

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- Utah Code Annotated § 17B-1-217 Activity required -- Dissolution -- Conclusive presumption regarding creation and existence  
<https://le.utah.gov/xcode/Title17B/Chapter1/17B-1-S217.html>
- Utah Code Annotated § 17B-1-702 Special District to Submit Budgets  
<https://le.utah.gov/xcode/Title17B/Chapter1/17B-1-S702.html>
- Utah Code Annotated § 17B-1-703 Special District to Submit Audit Reports  
<https://le.utah.gov/xcode/Title17B/Chapter1/17B-1-S703.html>
- Utah Code Annotated § 17D-4-102 Public Infrastructure District Act - Definitions  
<https://le.utah.gov/xcode/Title17D/Chapter4/17D-4-S102.html>
- Utah Code Annotated § 17D-4-201 Creation – Annexation or withdrawal of property  
<https://le.utah.gov/xcode/Title17D/Chapter4/17D-4-S201.html>
- Utah Code Annotated § 17D-4-202 Public infrastructure district board - Governing document  
<https://le.utah.gov/xcode/Title17D/Chapter4/17D-4-S202.html>
- Utah Code Annotated § 17D-4-205 Transparency  
<https://le.utah.gov/xcode/Title17D/Chapter4/17D-4-S205.html>
- Utah Code Annotated § 17D-4-303 Limits on public infrastructure district property tax levy -- Notice requirements  
<https://le.utah.gov/xcode/Title17D/Chapter4/17D-4-S303.html>
- Utah Code Annotated § 63G-6a State Procurement Code  
<https://le.utah.gov/xcode/title63g/chapter6a/63g-6a.html>

## V. Definitions

Term	Definition
Creating entity	As defined in Utah Code Annotated 17D-4-102
District applicant	As defined in Utah Code Annotated 17D-4-102
Governing Document	As defined in Utah Code Annotated 17D-4-102
Public Infrastructure District	As defined in Utah Code Annotated 17D-4-102

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### VI. Roles & Responsibilities

Role	Responsibility
PID Board of Trustees	Oversee PID, Amend PID governing document / amendment, ensure required PID reports are created, reviewed, and sent to UIPA
UIPA Board	Approve PID application, sponsor the creation of UIPA PIDs, and PID governing doc / amendments
UIPA Chief Financial Officer (CFO)	Review PID creation/sponsorship applications and receive and review annual PID audit reports and budget / amendments
UIPA Executive Director	Review PID reports and annually report on UIPA-sponsored PIDs to board

### VII. Policy

The Utah Inland Port Authority may elect to sponsor through board approval the creation of a public infrastructure district (PID).

### VIII. Application

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

- Intent and purpose
- Description and map of proposed PID boundaries including parcels
- Statement of public benefit for creation of PID
- Petition that meets the requirements of Utah Code Annotated § 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.

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All applications and supporting information must be submitted at least 45 days prior to the UIPA board meeting for which the application will be considered by the UIPA board.

### Tax Sharing Agreements

Any PID seeking to enter into a tax sharing agreement with UIPA for pledging tax differential increment must complete an application as described in the BP-04 Project Area & Tax Differential policy.

Tax sharing agreements must comport with existing agreements in place with UIPA project areas as well as the BP-17 Wetlands policy. The differential pledge cannot exceed the allocated tax differential that UIPA receives.

## 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 the 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 Utah Code Annotated § 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:

- Primary contact with full name and email address
- Purpose
- Boundary description & map
  - Parcel List
- Board structure
  - Number of board members, which shall always be uneven

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- Term limits that are in alignment with state statute
- Description of any divisions of the PID
- Tax levy maximum rate
- 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 of trustees with final approval from the UIPA board, unless otherwise allowed in governing documents.

## XI. Procurement Policy

All UIPA-sponsored PIDs shall adopt a procurement policy that comports with the State of Utah Procurement Code and equivalent admin rules or procedures.

## XII. PID Board Member Requirements

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

## XIII. Compliance & Reporting

Pursuant to Utah Code Annotated § 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 Utah Code Annotated § 17B-1-702, the PID board of trustees shall ensure compliance with budget requirements. Budget amendments, supplements, and adoption reports will be sent to the UIPA CFO.

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Pursuant to Utah Code Annotated § 17B-1-703, the PID board of trustees shall ensure compliance with audit requirements. Annual audit reports will be sent to the UIPA CFO.

Annually a UIPA-sponsored PID must submit the following PID board of trustees-approved documents to the UIPA:

- Attestation for Compliance with Nepotism Requirements, as required by Utah Code Annotated § 17B-1-110
- Certification Liability of Insurance, as required by Utah Code Annotated § 17B-1-113
- Governing Document Amendments
- Impact Fee Resolutions, as required by Utah Code Annotated § 17B-1-111
- Improvement Assurance Warranty, as required by Utah Code Annotated § 17B-1-119
- Procurement Policy
- Tax Levy Resolutions, as required by Utah Code Annotated § 17D-4-303
- Written certification provided to the State Auditor's Office, as required by Utah Code Annotated § 17B-1-217

UIPA staff will be verifying compliance with the required reporting for any UIPA-sponsored PIDs.

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