



# Public Infrastructure Districts

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Financial tool for public / private  
partnerships to finance public  
infrastructure for new development and  
redevelopment

Jointly Prepared by

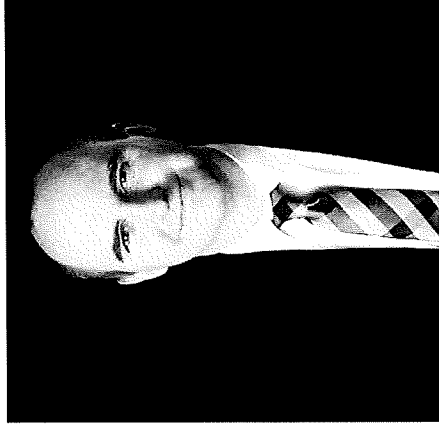
- ASPEN REAL ESTATE CONSULTING,
- FARNSWORTH JOHNSON PLLC,
- PIPER AND SANDLER CO.

# Team



**Nick Weaver**  
PID Consultant  
Aspen Consulting

- General Development
- Acquisition
- Equity Raise
- Traditional Financing
- Creative Financing
  - RDA
  - PID



**Brandon Johnson**  
District Counsel  
Brandon Johnson, P.C

- Public and project finance,
- Debt and equity financing,
- Economic and community development,
- Real estate development,
- Join ventures



**Benj Becker**  
Bond Underwriter  
Pipe Sandler

- Public infrastructure
- Reinvestment areas
- Special districts
- Tax Increment Financing (RDA)

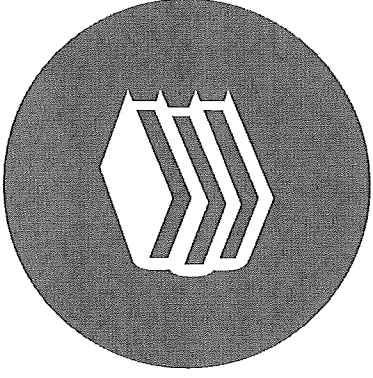
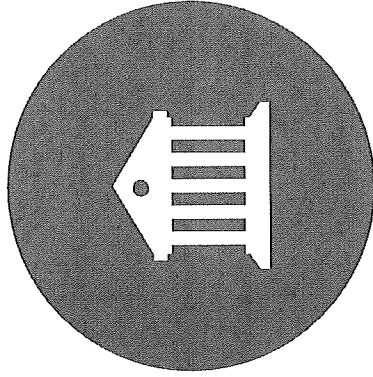


**Aaron Wade**  
Bond Counsel  
Gilmore & Bell, P.C.

- Special District Financing
  - Bond counsel
  - District counsel
  - Disclosure counsel
  - Underwriter Counsel
- Economic Development
- Tax Increment Financing



# Public Infrastructure District Act



CREATED BY  
LEGISLATURE IN 2019

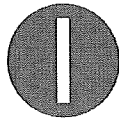
UTAH CODE TITLE 17B,  
CHAPTER 2A, PART 12



# What is a Public Infrastructure District (PID)?



Independent political  
subdivision created by the City



PID is not a  
component unit of  
the City

City has no  
responsibility for PID  
operations or  
obligations

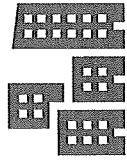


Debt issued by a  
PID is not a liability  
of the City

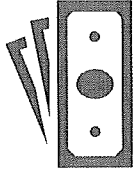
No financial liability to  
City.  
Debt of PID paid by  
property owners within  
the District through a  
limited property tax ) or  
assessment levied by  
PID.



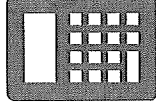
# Why PID?



**Finance infrastructure for new development and redevelopment**



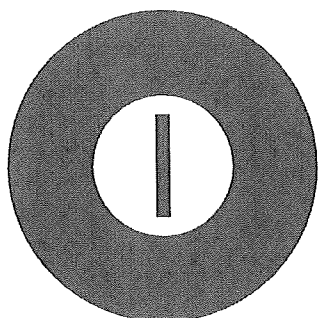
**Cost of improvements paid by developer/property owners benefiting from improvements**



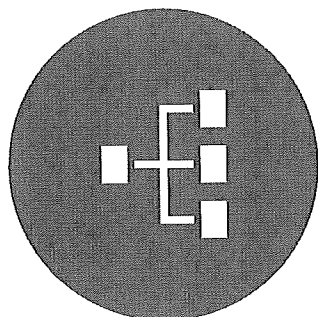
**Lower-cost financing option for infrastructure**

Tax-exempt interest rate  
Secured by limited property taxes and/or assessments

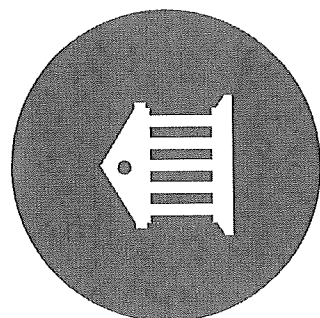
# Benefits of PID



TOTAL NON-RECOURSE TO CITY



FLEXIBLE ORGANIZATION AND  
CREATION



IMPROVE FEASIBILITY, TIMELINE &  
QUALITY OF PROJECTS WITH  
HEAVY INFRASTRUCTURE COSTS

# What can be financed by a PID?



Infrastructure, services, common spaces, and utilities typically provided to support the district



Infrastructure financed by the PID must not be owned privately and may be operated by board created from within the district

# How is PID created?



City Council approves PID activity



Requires 100% consent of property owners in PID



PID created totally at the discretion of the City



# Steps to create PID

City Council enacts Public Infrastructure District policy

Developer submits a petition to create a Public Infrastructure District

City approves the developers PID petition in conformance with step 1



Steps to  
create PID

Steps may  
Occur  
Simultaneously

# Governing Process



Each PID shall be governed by documents created to illustrate the terms of operation



Governing Documents are approved by the city & must comply with PID Policy



Governing Documents may include:

Limitations on powers of PID  
Reporting requirements  
Debt and mill rate levy limits



Organization of PID (including Board of PID)

# Governing Board

Board members must be a property owner or agent of a property owner within the district

PID governing documents may include, direction for subsequent board selection and transition process

Board members initially approved in governing documents

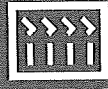
Staggered / varying terms

# Concerns About PID



## Over Tax Residents

Institute a PID policy and an allowable mill rate



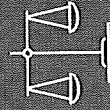
## How does the City Benefit?

Community Renewal

Increased Tax Revenue (TRT, Sales tax, Property Tax)

Increased amenities within the City

New Infrastructure not paid for by the City



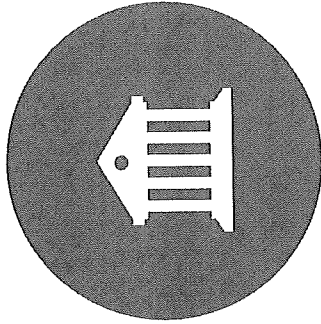
## What is the End Impact on Residents

What are the tax implications?

What will a PID do to housing options

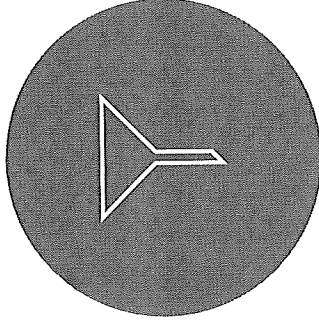
Owners will understand implications as they make purchasing decisions.

# Two Key Uses



PID TO LEVY A MILL RATE

New revenue source – assessed values  
Can levy up to 15 mills.  
Levy amount should match needs.  
Should consider impact to end user.  
Can bond from new revenue stream.

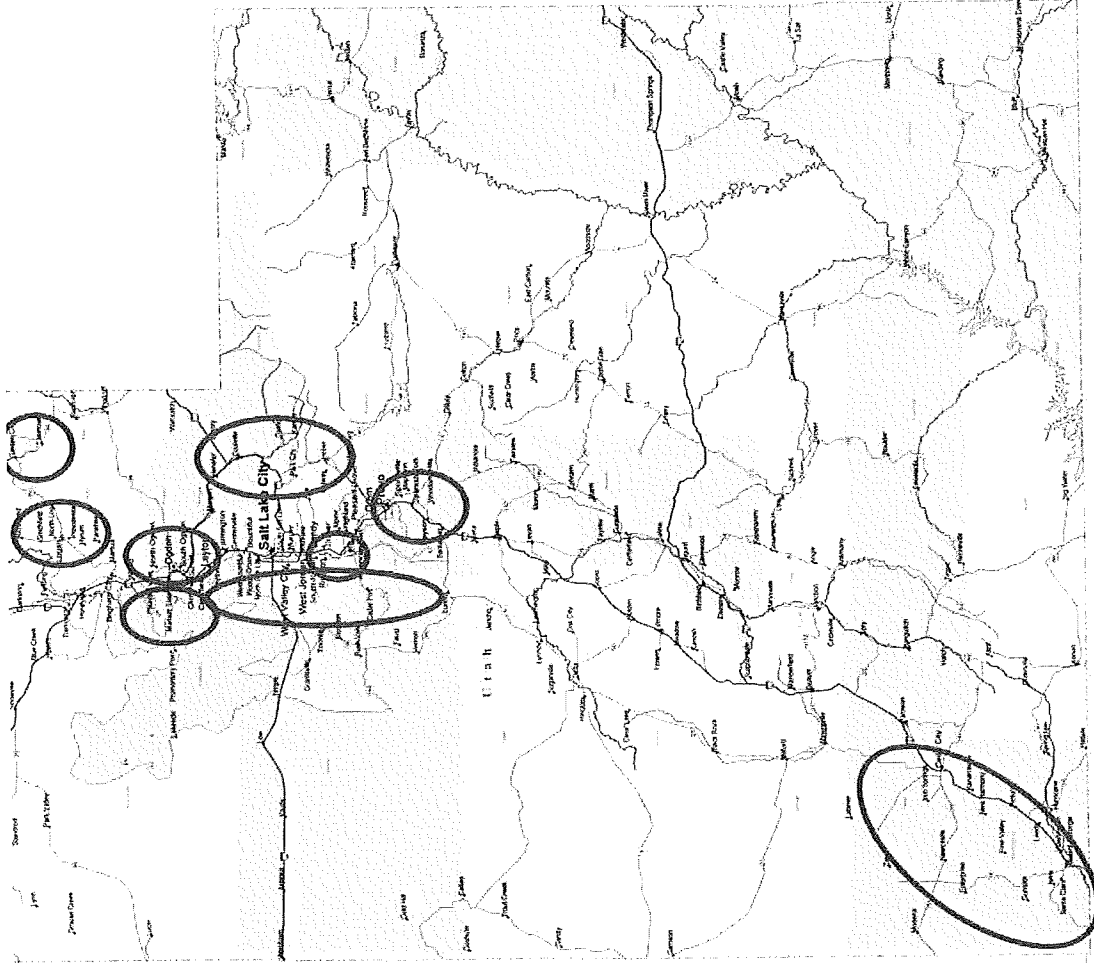
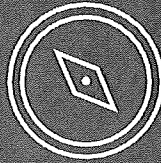


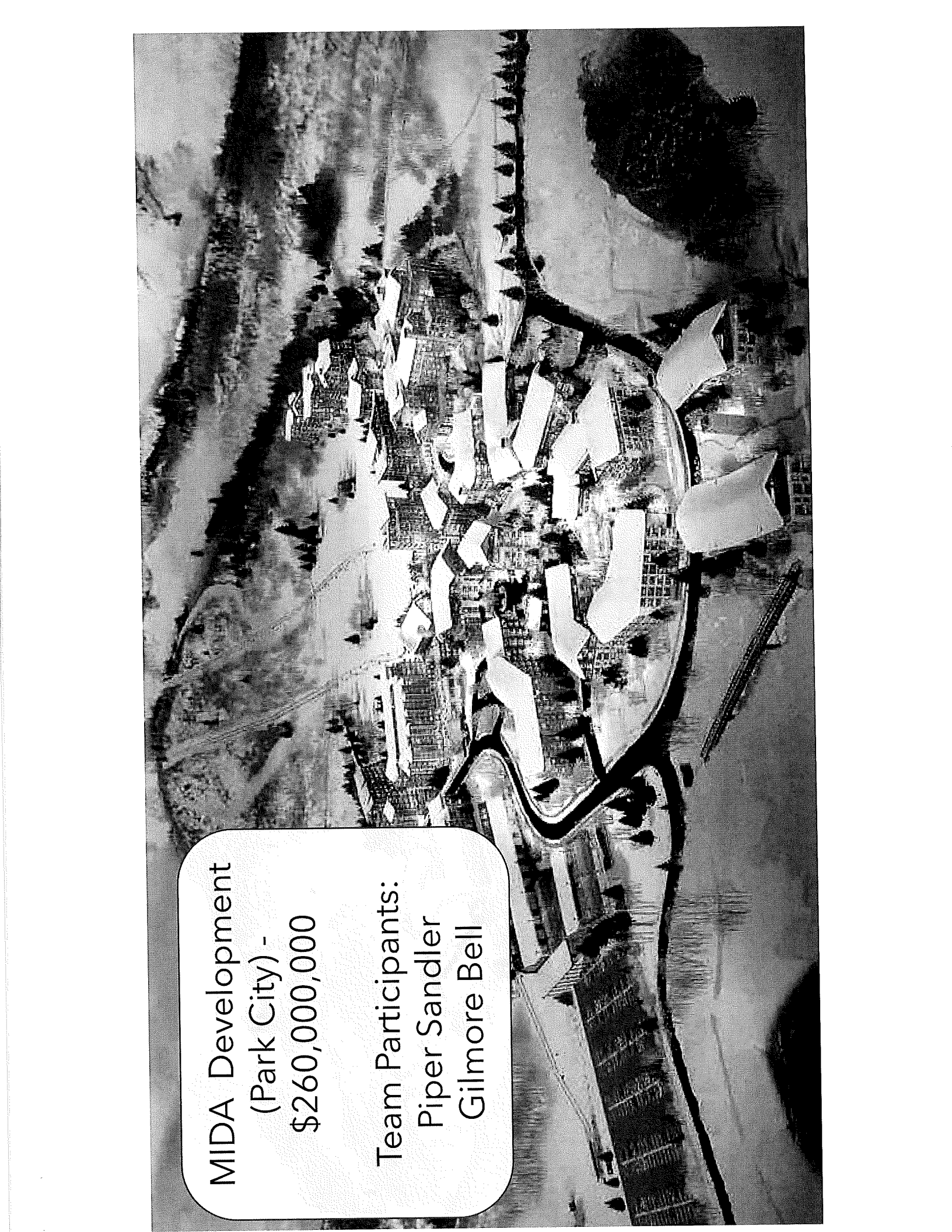
PID AS A CONDUIT

Conduit for TIF/RDA  
Not an increase to mill rate

# Piper Sandler Analysis

- Opportunity Criteria
- Developable land
- Second Home Markets
- Master Planning Capacity
- Need for Infrastructure
- Transportation connections






MIDA Development  
(Park City) -  
\$260,000,000

Team Participants:  
Piper Sandler  
Gilmore Bell



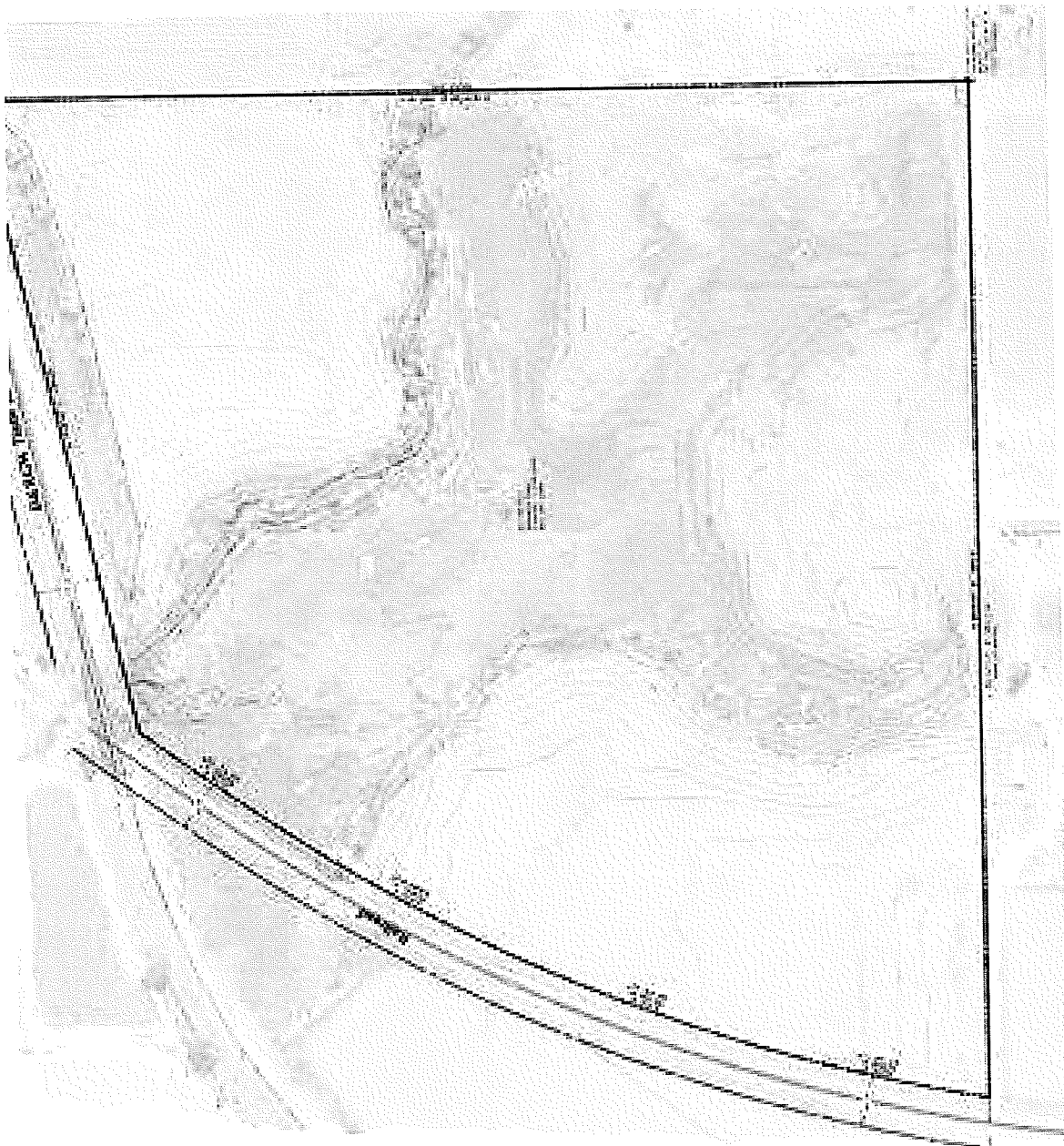


Inland Port  
(Salt Lake County) -  
\$150,000,000

Team Participants:  
Piper Sandler  
Gilmore Bell

Red Bridges  
(Payson Utah)  
\$24,000,000

Team Participants:  
Farnsworth  
Johnson



# Why Are We Here?



Aid Garden City in the creation of a PID Policy: Policy may be used for a wide array of future projects.

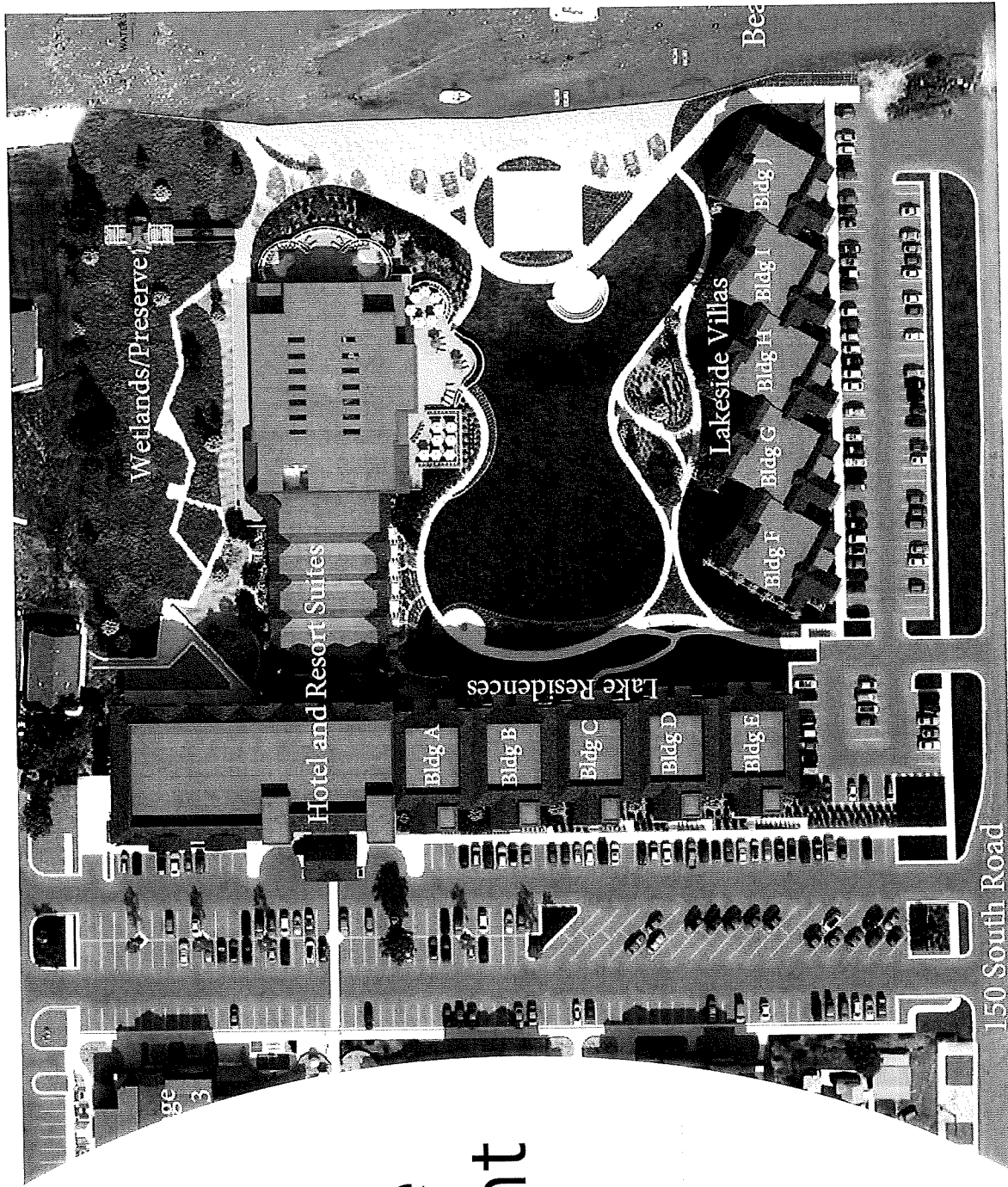


Begin the process on behalf of first PID applicant

\* Policy creation cost will be covered by the first Applicant

# Waters Edge Development

- Initial project opportunity
- Willing to front set up costs



# Initial Applicant Information

- Summary Proposal
- LOI
- Site Plan / Project Boundary
- Site Plan / Included Amenities
- Site Plan Phasing Analysis
- Construction Cost

# Summary Proposal

Waters Edge Resort (WER) intends to program \$19MM of public space into its development. Based upon market values of sellable product WER needs assistance in developing public spaces.

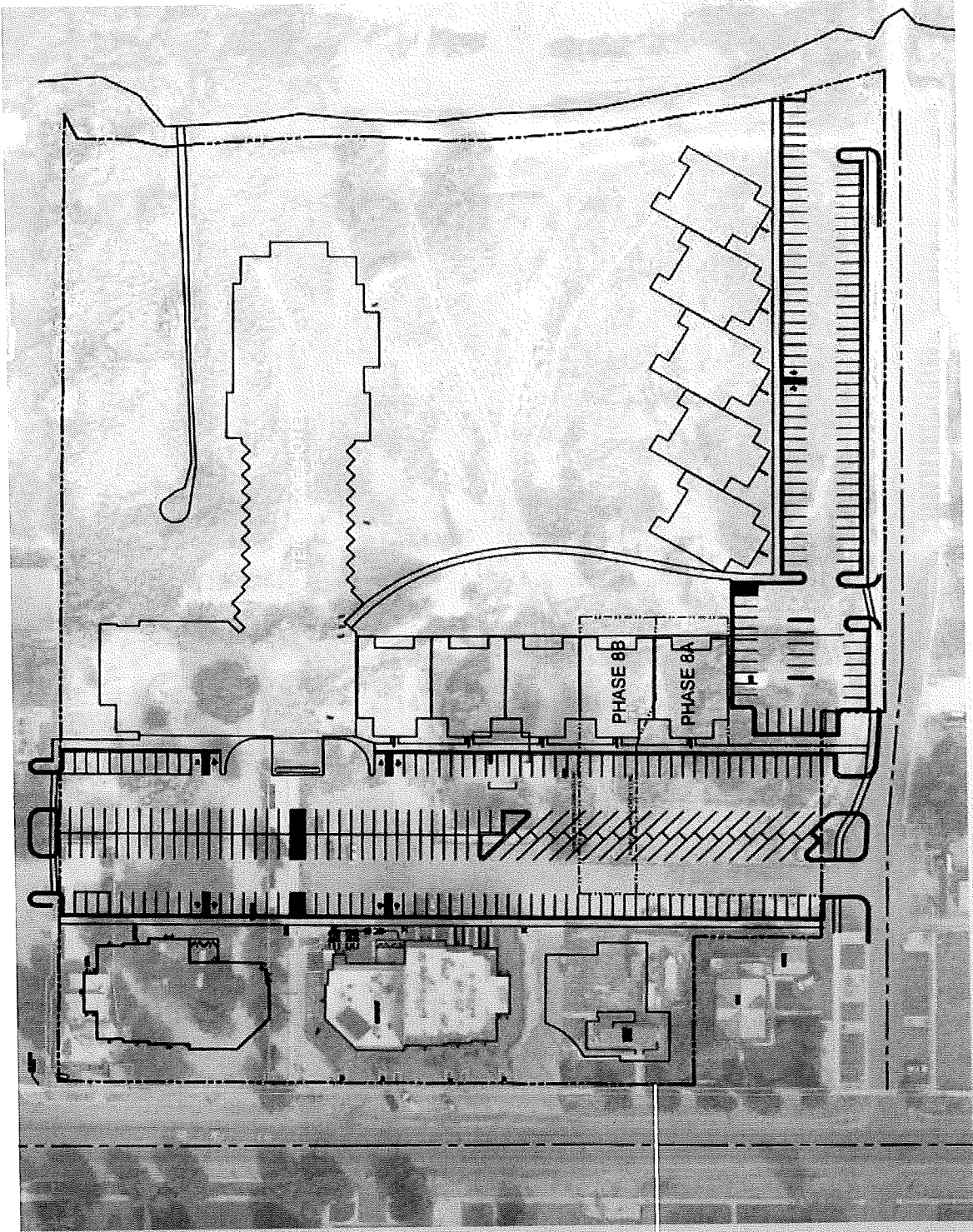
Waters Edge proposes:

- The creation of a Public Infrastructure District that aligns with previously approved RDA (See Exhibit A)
- Approval of an increase in the mill rate by 8 Mills
- Bond against Increased Revenues
- Use Bond proceeds to pay for public spaces in accordance with Utah Code Title 17B, Chapter 2a, Part 12

TOTAL NON-RECOURSE TO CITY

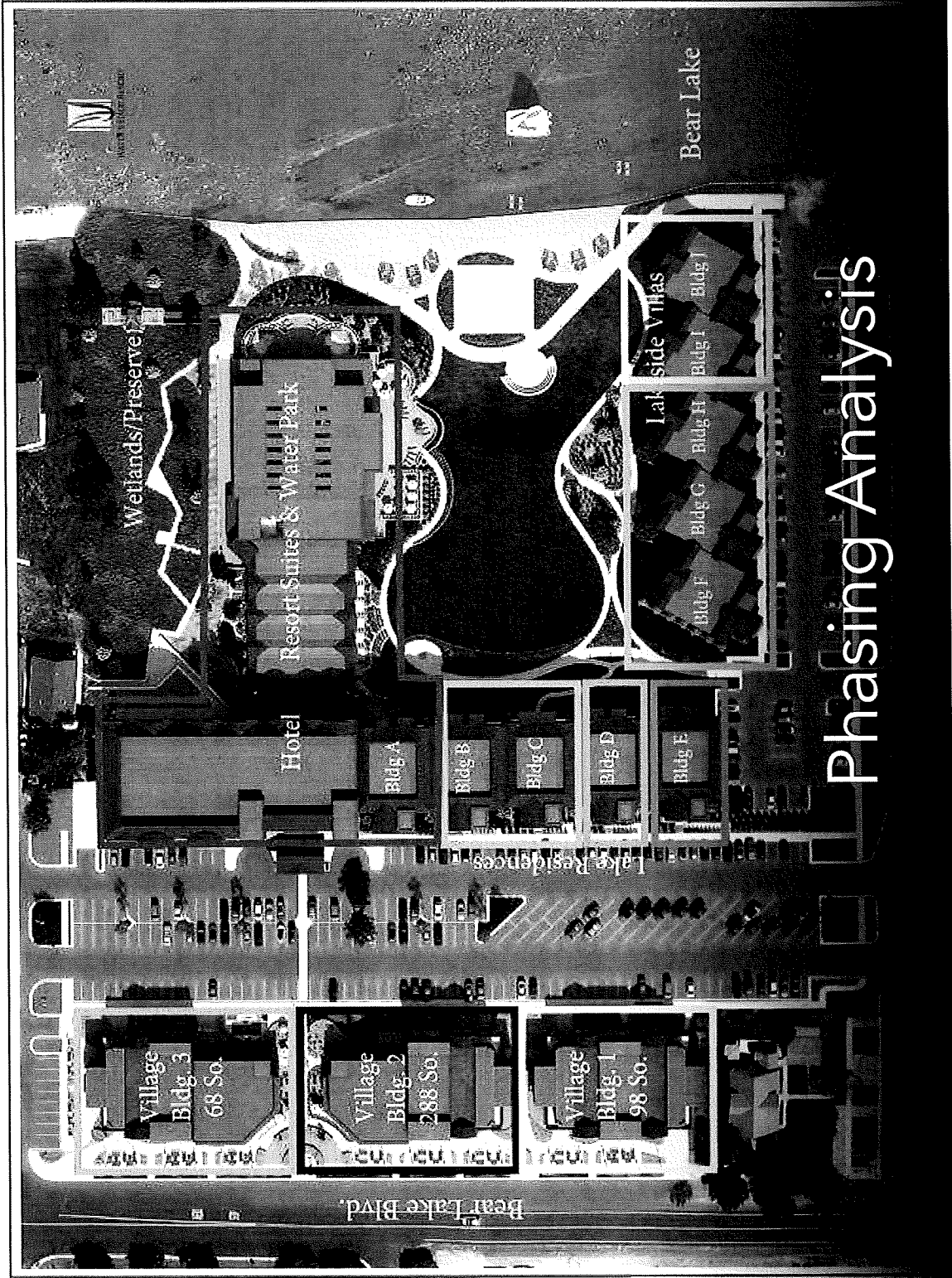
FLEXIBLE ORGANIZATION AND CREATION

IMPROVE FEASIBILITY, TIMELINE & QUALITY OF PROJECTS WITH HEAVY INFRASTRUCTURE COSTS



District  
Boundary





# Phasing Analysis

**Phase 3**  
Village Building 2  
Complete

**Phase 8a**  
Building E  
Under Construction

**Phase 8b**  
Building D  
Awaiting Building Permit

**Phase 7**  
Building B & C  
Plat Approval Pending

**Phase 6, 1, & 5**  
Hotel, Resort Suites and  
Water Park  
Preparing for Plat Approval

**Phase 2 & 9**  
Village Building 3 and  
Villa Buildings F, G, & H

**Phase 4 & 10**  
Village Building 1 and  
Villa Buildings I & J



# Construction Cost

Water's Edge – PID Amenities Construction Estimate	
Items	Total
General Requirements, Project Management and Design	\$2,344,950.00
General Site Improvements, Sidewalks, Landscaping, Courtyards, and other Amenities	\$6,131,700.00
Metals	\$245,125.00
Specialties	\$160,750.00
Indoor Water Park Construction	\$8,794,214.00
Site Electrical	\$832,100.00
Site Communications and Utilities	\$462,000.00
Safety & Security	\$120,750.00
<b>Grand Total</b>	<b>\$19,091,589.00</b>

**ORDINANCE #22-01**

**AN ORDINANCE ADDING SHOWROOM TO C-1 ZONE**

WHEREAS, THE Town of Garden City is a town duly incorporated under the general law of the State of Utah; and

WHEREAS, the Garden City Town Council is the governing body for the Town of Garden City and must administer the Garden City Municipal Code; and

WHEREAS, The Garden City Town Council is authorized to govern the health, safety and wellness of the citizens and visitors of the Town of Garden City.

NOW THEREFORE, be it ordained by the Garden City Town Council and the Planning Commission that Ordinance #11C-1502 B be changed as follows:

**11C-1502 C1 Zone**

B. Conditional Uses.

1. Automobile Dealers
2. Gas Stations with Convenience Stores
3. Farmer's and Artisan's Market
4. RV Park
5. Stand Alone Accessory Building
- 6. Construction/labor/service showrooms, provided all uses shall be within an enclosed building.**

PASSED AND ADOPTED by the Garden City Town Council, Garden City, UT this 13<sup>th</sup> day of January, 2022.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mike Leonhardt, Mayor

\_\_\_\_\_  
Cathie Rasmussen, Town Clerk

Voting:

	Aye	Nay
Argyle	___	___
Hansen	___	___
Parry	___	___
Pope	___	___
Leonhardt, Mayor	___	___

ORDINANCE #22-02

AN ORDINANCE CHANGING DEFINITIONS OF ROADWAYS

WHEREAS, THE Town of Garden City is a town duly incorporated under the general law of the State of Utah; and

WHEREAS, the Garden City Town Council is the governing body for the Town of Garden City and must administer the Garden City Municipal Code; and

WHEREAS, The Garden City Town Council is authorized to govern the health, safety and wellness of the citizens and visitors of the Town of Garden City.

NOW THEREFORE, be it ordained by the Garden City Town Council and the Planning Commission that Ordinance #11A-200-A be changed as follows:

**11A-200-A-128**

128. **Roadway: An existing or proposed** ~~is a thoroughfare road which has been designed and constructed for public or private use by proper public authority; a road dedicated or abandoned to the public and accepted by proper public authority, a road which has been made public by right of use and which affords the principal access to abutting property or public lands. The term roadway also includes the terms highway, thoroughfare, street, parkway, road, avenue, boulevard, lane, place, alley, court, public way, sidewalk, gutter, crosswalk, and all such terms, except driveway as herein defined.~~
150. ~~Street See Roadway definition. A public thoroughfare which affords principal means of access to abutting property, and is more than thirty (30) feet wide. A public right of way which provides vehicular and pedestrian access to adjacent properties, the dedication of which has been officially accepted. The term street also includes the terms highway, thoroughfare, parkway, road, avenue, boulevard, lane, place, and all such terms, except driveway as herein defined.~~
151. ~~Street, arterial See Arterial Roadway definition. A Street designated for the purpose of carrying fast and/or heavy traffic.~~
152. ~~Street, collector See Major Collector Roadway definition and Minor Collector Roadway definition A street designated for the purpose of carrying traffic from residential streets to other collector streets and/or arterial streets.~~
153. ~~Street, cul de sac See Cul-de-sac Roadway definition. A dead end street Provided with turnaround space at its terminus.~~
158. ~~Street, private A street constructed on private property, which provides vehicular~~

and pedestrian access to multiple family dwelling units or more than four (4) dwelling units (excluding accessory dwelling units) ~~and constructed to standard street specifications and International Fire Code,~~ however, not accepted for dedication or maintenance by the Town.

159. Street, residential **See Local Roadway Definition** ~~A minor street which has the primary purpose of providing access to abutting residential dwelling units or properties and carries no heavy, through, or collector traffic.~~

PASSED AND ADOPTED by the Garden City Town Council, Garden City, UT this 13<sup>th</sup> day of January, 2022.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mike Leonhardt, Mayor

\_\_\_\_\_  
Cathie Rasmussen, Town Clerk

Voting:

	Aye	Nay
Argyle	___	___
Hansen	___	___
Menlove	___	___
Parry	___	___
Leonhardt, Mayor	___	___

ORDINANCE #22-03

AN ORDINANCE CHANGING STREET IMPROVEMENT REQUIREMENTS

WHEREAS, THE Town of Garden City is a town duly incorporated under the general law of the State of Utah; and

WHEREAS, the Garden City Town Council is the governing body for the Town of Garden City and must administer the Garden City Municipal Code; and

WHEREAS, The Garden City Town Council is authorized to govern the health, safety and wellness of the citizens and visitors of the Town of Garden City.

NOW THEREFORE, be it ordained by the Garden City Town Council and the Planning Commission that Ordinance #11E-514 be changed as follows:

11E-514

- A. The arrangement, character, extent, width, grade, and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land. ~~No street, public or private, shall be narrower than thirty (30) feet.~~
- X. Private streets may be allowed upon recommendation by the Commission and approval by the Council. Private streets shall be constructed to meet the design standards of public streets as specified in this Ordinance and other applicable standards, **including right of way width.**
- DD. **In R1, C1, C2, C3, Cr4 and PUD/PRUD zones all streets providing access to four (4) or more dwelling units shall either have sidewalks, curbs, and gutters or a paved non-motorized trail on at least one side of the street in a manner to provide for continuation of non-motorized traffic. Alternative pedestrian accesses may be allowed upon recommendation by the Commission and approval by the Council.**

PASSED AND ADOPTED by the Garden City Town Council, Garden City, UT this 13<sup>th</sup> day of January, 2022.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mike Leonhardt, Mayor

\_\_\_\_\_  
Cathie Rasmussen, Town Clerk

Voting:

	Aye	Nay
Argyle	—	—
Hansen	—	—
Menlove	—	—
Parry	—	—
Leonhardt, Mayor	—	—

DRAFT