

GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT (MSD)
WEIGHTED VOTING POLICY

I. BACKGROUND

1.1 Utah Code § 17B-2a-1106(3) includes a statutory “trigger date” and provides that each Trustee of a municipal services district will, after the trigger date, have a vote that is weighted as follows:

- A. 60% according to the proportionate amount of the combined total of sales tax revenue and revenue for B and C roads under Section 72-2-108;
- B. 30% according to the proportionate amount of weighted road mileage, as defined in Section 72-2-108; and
- C. 10% according to the proportionate amount of population.”

1.2 The statutory requirements for the trigger date having been satisfied, the purpose of this Policy is to implement the weighted vote formula that is stated above. Should the statutory formula be changed or should any portion of this Policy be held to be void or unenforceable, the remainder of the Policy shall continue to be effective and enforceable and/or the conflicting statutory weighted vote formula or other conflicting statute shall be incorporated into this Policy, and shall replace the void, unenforceable or repealed provision, the same as if stated herein.

II. TIMING OF CALCULATION

2.1 The weighted vote for each Trustee position shall be calculated and updated annually during June of each year, with the new weighted vote to be applicable as of July 1 of the same year and be effective until the following July 1, at which time it will be replaced in accordance with the statutory formula and this Policy.

2.1.1 Notwithstanding anything to the contrary in this Policy, once established, the weighted vote of each Trustee position shall continue to be applicable until a new weighted vote has been established for each Trustee position as provided in this Policy.

- 2.2 Provided that the current weighted vote calculation shall have been in effect for at least six months, and it is not later than May 1 of the applicable year, the Board may approve a different effective date for a new weighted vote calculation.

III. DATA TO BE USED

- 3.1 The weighted votes of each Trustee position shall be calculated as follows:
- A. Subject to modification as provided in Section 2.2, Sales Tax and County Highway & Public Transit – Local Portion revenue calculations will be based on the preceding 12-month distribution period from June through May (typically representing receipts from April through March). Class B and C road revenue calculations will be based on the preceding 12-month distribution period from May through April, which April revenues are usually received in May or June.
 - 3.1.2. B and C road mileage will be calculated by April 30 using the most current centerline road mileage information available to the MSD and consistent with the numbers annually submitted by the MSD or Salt Lake County Public Works to the Utah Department of Transportation.
 - 3.1.3 Population will be calculated using the population figures set forth for each MSD member community (Town of Brighton, Copperton, Emigration Canyon, City of Kearns, Magna City, White City, Salt Lake County respecting unincorporated areas, and/or any other municipality that is included within and served by the MSD) at tax.utah.gov as of May 31.
 - 3.1.4 Should there be a delay in the state of Utah distributing revenues for the periods described in Subsection 3.1.1 such that the calculations cannot be made before a June Board meeting, then the most recently reported revenue amounts may be used.

IV. NOTIFICATION AND APPROVAL OF WEIGHTED VOTES

- 4.1 Unless the timing has been modified as provided in Section 2.2, each year during a June Board meeting staff will present to the Board the newly calculated weighted voting percentages which, unless challenged by a Trustee, shall be the weighted voting formula to be effective on the following July 1. The formula being statutory, a Trustee may only challenge the accuracy of the input data or a perceived calculation error.

- 4.1.1 If there is a challenge to a proposed weighted voting formula, the then current weighted voting formula shall continue in effect until a new formula is approved by the Board.
- 4.1.2 Staff shall research any questions raised by a Trustee who challenges the accuracy of a weighted vote calculation and report back to the Trustees at the next Board meeting, after which the Board may approve a new weighted vote formula that will be effective either on July 1 of the then current year or, if July 1 has passed, immediately upon approval.