

MAGNA METRO TOWNSHIP

Resolution No. 21-03-01

Date: MARCH 9, 2021

**A RESOLUTION OF THE MAGNA METRO TOWNSHIP COUNCIL
CONSENTING TO THE REORGANIZATION OF THE WASATCH
FRONT WASTE AND RECYCLING DISTRICT AS A LOCAL DISTRICT**

RECITALS

WHEREAS, the County Commission of Salt Lake County on January 19, 1977 established a special service district known as Salt Lake County Special Service District No. 1 (the “Sanitation District”) for the provision of garbage collection services in the unincorporated area of Salt Lake County; and

WHEREAS, much of the original area of the Sanitation District was subsequently incorporated into or annexed by municipalities, while remaining within and continuing to receive services from the Sanitation District; and

WHEREAS, The Salt Lake County Council established an Administrative Control Board (the “ACB”) to govern the Sanitation District and appoint the members representing both Salt Lake County and the municipalities served by the Sanitation District; and

WHEREAS, until January 1, 2013, the Sanitation District was considered a division or agency of Salt Lake County government, with the Sanitation District’s employees being employees of Salt Lake County and administrative and support services being provided by Salt Lake County agencies; and

WHEREAS, by its Resolution No. 4670 (the “Governing Resolution”), as of January 1, 2013, the Salt Lake County Council, pursuant to the rules set forth in the Special Service District Act, Title 17D of the Utah Code, delegated to the ACB full governance of the functions and activities of the Sanitation District and since that time, the Sanitation District has employed its own personnel and maintained sole responsibility for the operations and administration of the Sanitation District; and

WHEREAS, the Governing Resolution renamed the Sanitation District as the Wasatch Front Waste and Recycling District (“WFWRD”), and WFWRD has exercised and been subject to all the rights, powers, duties, governance, and responsibilities of a special service district under the provisions of the Special Service District Act, Title 17D of the Utah Code; and

WHEREAS, the Governing Resolution stated that the Salt Lake County Council had found that it was in the best interests of the citizens of Salt Lake County, the partner municipalities which were included within the Sanitation District, and the property owners receiving services within the Sanitation District for the Sanitation District to become independent from Salt Lake County, however a special service district is by definition a hybrid entity that is still subject to Salt Lake County oversight and control in several regards; and

WHEREAS, for WFWRD to become fully independent, as the Salt Lake County Council desired, it must be converted into a local district governed under the Local District Act, Title 17B of the Utah Code and the ability to reorganize a special service district into a local district was not enacted until 2013, under Section 17D-1-604 of the Utah Code (the “Reorganization Statute”); and

WHEREAS, the Reorganization Statute authorizes Salt Lake County to reorganize WFWRD into a completely independent local district and requires that the reorganization

may not occur unless each municipality that is included within WFWRD must consent to the reorganization; and

WHEREAS, the Magna Metro Township (“Magna”) is a member municipality of WFWRD and has determined that it is in the best interests of WFWRD and of Magna for WFWRD to be reorganized as a local district.

RESOLUTION

NOW, THEREFORE, it is resolved by the Magna Metro Township Council:

1. That Magna hereby consents to the Salt Lake County Council reorganizing WFWRD as a local district under Section 17D-1-604 under substantially the following terms:
 - a. The WFWRD name will remain the same.
 - b. The current WFWRD boundaries will remain the same.
 - c. The services authorized to be provided by WFWRD, namely waste and recycling collection services, will remain the same.
 - d. The governing board appointment type, to the maximum extent possible, will remain the same.
2. That this Resolution shall take effect immediately upon its passage.
3. In the event of any conflict between this Resolution and any other enactment of Magna, this Resolution shall control.

APPROVED AND ADOPTED in the Magna Metro Township, Salt Lake County, Utah this _____ day of _____, 2021.

ATTESTED

SHERRIE SWENSEN
SALT LAKE COUNTY CLERK
METRO TOWNSHIP CLERK/RECORDER

MAGNA METRO TOWNSHIP

DAN W. PEAY, MAYOR

VOTING:

COUNCIL MEMBER HULL voting _____

APPROVAL AS TO FORM:

PAUL H ASHTON
METRO TOWNSHIP ATTORNEY

MAYOR PEAY voting _____

COUNCIL MEMBER PEEL voting _____

COUNCIL MEMBER PIERCE voting _____

COUNCIL MEMBER PROKOPIS voting _____