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July 26, 2021

Mr. Steve DeBry, Council Chair
Salt Lake County Council
2001 South State Street, Suite N 2-200
Salt Lake City UT 84114-4575

RE: Request to Re-organize the Wasatch Front Waste and Recycling District
(WFWRD) to a Local District

Dear Honorable Chair,

I am writing on behalf of WFWRD's Administrative Control Board to respectfully request that the Salt Lake County Council re-organize the Wasatch Front Waste and Recycling District from a special service district to a local district.

This request would have come before the Council upon the creation of WFWRD as its own organization in 2013; however, at that time the Utah State Statute did not allow special service districts to re-organize as local districts. It was through efforts of the Utah Association of Special Districts (UASD), and with WFWRD in mind, that the State Statute was amended to now allow this process. We believe this was the original intent of the County Council in creating the Board in 2009 and subsequently with the step of establishing the WFWRD organization in 2013. Re-organization to a local district is the final step to realizing this intent.

The Board was created to allow municipalities in the District representation and governing authority over the services being provided by the District. However, as a special service district, the Board is limited in authority by Utah State Statute 17D as some authority is unable to be delegated by the Council.

There have been recent times when the Board has had to seek the Council's approval under statute 17D on such matters as redefining the District's boundaries when Sandy City wanted to withdrawal annexed properties, and for changing the Board's composition to allow the newly incorporated municipalities representation on the Board. As a local district, the additional time and effort for items such as this would be saved.

The Board, Pam Roberts, General Manager and her staff, value the great working partnership we have with Salt Lake County, and we want our partnership to continue as a local district. In fact, we feel it is vital to providing the best services to our constituents.

It is through our working partnership that we respectfully request the re-organization so that we can expedite these types of actions and eliminate additional steps to achieve what the board and residents in the District desire.

As you may know, the District and the County's partnership involves Interlocal Agreements that the District intends on keeping with Salt Lake County. For example, the Board recently approved the Building and Space Lease Agreement, the Amendment to the Agreement for Landfill Services, the Administrative

Services Agreement for County Fleet, IS Services and the shared lease on county equipment. We all know that together we make a positive difference for our constituents.

One of the key steps in the re-organization process is for each municipality in the District to adopt a resolution stating that they accept the re-organization. Please see the table below for the listing of all of the municipalities that have adopted their respective resolutions, the number of homes in each and the adoption dates for their resolution.

Municipality	Number of Homes	Resolution Adopted	In Discussion/Direction
Brighton, Town of	586	3/8/2021	
Copperton Metro Township	286	3/17/2021	
Cottonwood Heights City	9,664	3/16/2021	
Emigration Metro Township	602	4/27/2021	
Herriman City	10,904	3/24/2021	
Holladay City	9,090	4/8/2021	
Kearns Metro Township	9,968	3/8/2021	
Magna Metro Township	7,580	3/9/2021	
Millcreek City	15,788	4/26/2021	
Murray City, Annexed	2,812	5/18/2021	
Salt Lake County Unincorporated	2,257		8/3/2021
Sandy City, Annexed	501	3/16/2021	
Taylorsville City	13,730	4/7/2021	
White City Metro Township	1,825	4/1/2021	
Total Number of Homes	85,593		

Each mayor and council know that the final decision rests with the County Council. The resolutions were adopted to strengthen the Council's confidence that each municipality has a desire for the re-organization. I believe that their actions also show their confidence in the Board's ability to operate independently with total autonomy.

Attached you will find a summary prepared by Rachel Anderson, Legal Counsel, and Pam Roberts, General Manager. Rachel, Pam, and I will attend the August 3rd Council meeting to field questions or concerns from the Council. I am also available on my cell, 801-694-1744, or at my home number, 801-944-7086.

Respectfully,



Scott Bracken, Chair
Administrative Control Board

cc: District Administrative Files, the Administrative Control Board and Salt Lake County Mayor, Jenny Wilson

Attachment: Executive Summary for Re-organizing a Special District to a Local District

Executive Summary of Re-organizing the Wasatch Front Waste and Recycling District (WFWRD) to a Local District

Introduction:

WFWRD is currently a special Service District as created by Salt Lake County in 1977 for the sole purpose of providing waste collections for residents in the Unincorporated County. Since that time cities and townships have incorporated and currently, the District has 13 municipalities its boundaries as follows: The Cities of Cottonwood Heights, Herriman, Holladay, Millcreek, Taylorsville and annexed portions of Murray and Sandy; the Metro Townships of Emigration Canyon, Copperton, Kearns, Magna and White City; the Town of Brighton, and the remaining unincorporated Salt Lake County.

As stated by Board Chair Bracken in his letter to the County Council, WFWRD has the desire to be re-organized and operate independently and more efficiently as a local district.

The Process for Reorganizing a Special Service District into a Local District.

The Salt Lake County Council, as the legislative body of the County that created WFWRD, may reorganize WFWRD (a special service district) as a local district in accordance with Utah Code Ann. § 17D-1-604.

As stated previously, these procedures were enacted by the Legislature in 2013 specifically with WFWRD in mind, as it was the County's desire at that time to give WFWRD independent control, but at that time there was not a clear statutory method to give WFWRD complete independence as a local district. The steps are as follows:

County Intent Resolution.

The Salt Lake County Council adopts a resolution that indicates its intent to reorganize WFWRD as a local district. (A sample has been given to the Council's Legal Counsel)

Public Hearing. The County Council must hold a public hearing, and at least 35 days are needed for the public notice requirements, so that timeline will dictate when the hearing can be scheduled.

Municipal Consent.

Each municipality located within the WFWRD boundaries must consent to the reorganization. If even one municipality does not agree and consent, the process cannot happen.

Each municipality has adopted a resolution to assist with the process and strengthen the County Council's confidence in allowing total independence.

Resolution Approving Reorganization.

At or following the public hearing, the County Council shall adopt a resolution approving the reorganization of the district. WFWRD would finalize the process by filing with the Lieutenant Governor and the County Recorder.