Policies and Procedures   No. 27

SUBJECT: **Board Approval:** 11/9/17

WEIGHTED VOTE PROCEDURE

PURPOSE:

To set forth a policy and procedure to implement the Public Utilities Code Section 120102.5 regarding weighted votes.

BACKGROUND:

Public Utilities Code Section 120102.5 requires a quorum of a majority of the 15 members of the Board, and a majority vote of the members present, for all official acts. The section further provides that after a vote is taken, a weighted vote may be called and requires the Board to adopt a policy and procedure to implement that weighted vote.

POLICY:

27.1   The members of the Board shall vote on all items on the basis of one vote per member except that if representatives of two jurisdictions request a weighted vote after voting on any particular item; in that event, a new weighted vote that will be final and binding shall be taken.

27.2   When the weighted vote is taken, there shall be a total of 100 votes. Each member shall have that number of votes determined by the following apportionment formula provided that each member shall have at least one vote, and there shall be no fractional vote except for the representatives of the City of San Diego.

   a.   Each of the four representatives of the City of San Diego shall exercise 12 1/2 weighted votes for a total of 50 votes.

   b.   The representatives of the City of Chula Vista shall split the votes allocated to that city evenly.

   c.   The County of San Diego and each city other than the City of San Diego shall in total exercise 50 weighted votes to be apportioned annually by population.

   d.   The following formula shall be used in the annual apportionment:

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Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc. and San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations). MTS is the taxicab administrator for seven cities.

MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.

(1)   Determine the population of each city, other than the City of San Diego, and the population of the County of San Diego in the unincorporated area of the County within the area of jurisdiction of the Board.

(2)   Total the population determined in Step (1) and compute the percentage of that total that each jurisdiction has.

    (a)   Multiply each percentage derived above by 50 to determine fractional shares.

    (b)   Boost fractions that are less than one to one; and add the whole numbers.

    (c)   If the answer to Step (b) is 50, drop all fractions and the whole numbers are the votes for each jurisdiction.

    (d)   If the answer to Step (b) is less than 50, the remaining vote(s) are allocated to each of the jurisdiction(s) having the highest fraction(s) except those whose vote was increased to one in Step (b) above.

    (e)   If the answer to Step (b) is more than 50, the excess vote(s) is taken one each from the jurisdiction(s) with the lowest fraction(s). In no case may a vote be reduced to less than one.

27.4   When a weighted vote is taken, the vote of not less than three (3) jurisdictions, representing not less than fifty-one percent (51%) of the total weighted vote shall be required to supersede the original action. If the weighted vote fails, action determined by the original vote shall stand.

    a.   When a weighted vote is taken on any item that requires more than a majority vote of the board, it shall also require the supermajority percentage of the weighted vote.

27.5   The weighted vote shall be recomputed in the above manner on July 1 of each year. For Fiscal Year 2017-2018, a weighted vote shall be as follows:

Jurisdiction	Votes
City of San Diego	50
County of San Diego	14
Chula Vista	14
El Cajon	5
National City	3
La Mesa	3
Santee	3
Poway	3
Imperial Beach	2
Lemon Grove	2
Coronado	1
TOTAL	100

POLICY.27.WEIGHTED VOTE PROCEDURE

Original Policy approved on 7/11/85.
Policy revised on 8/14/86.
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