

CHAPTER 925
Public Utilities Commission

<u>925.01</u>	Establishment.
<u>925.02</u>	Membership; qualifications and vacancies.
<u>925.03</u>	Compensation.
<u>925.04</u>	Duties.
<u>925.05</u>	Meetings.
<u>925.06</u>	Indemnification.
<u>925.07</u>	Public information.

925.01 ESTABLISHMENT.

There is hereby created and established a Public Utilities Commission which shall serve in an advisory capacity to the Director of Public Utilities, the City Manager and Council. Except for recommendations respecting delinquent utility account procedures and practices which may be directed to the Director of Finance, all recommendations of the Commission shall be in writing, directed to the attention of the Director of Public Utilities with copies to the City Manager and Council, and shall become a part of the records of the Department of Public Utilities. (*Ord. 97-10-111. Passed 10-8-97.*)

925.02 MEMBERSHIP; QUALIFICATIONS AND VACANCIES.

(a) The Public Utilities Commission shall consist of seven members. Each member of Council shall nominate one resident of the City at large to be appointed to the Commission by the City Manager. Commission members shall continue in office for the term, or continuous terms, of office of the Council member who nominated them. In the event any Council member resigns or is replaced during his/her elected term or terms of office, his/her Commission nominee may remain a member of the Commission during the remainder of the unexpired elected term of such Council member or until such time as a replacement is nominated at the conclusion of said unexpired term by the new Council member replacing the Council member who originally nominated such Commission member and is thereafter appointed to the Commission by the City Manager. (*Ord. 97-10-111. Passed 10-8-97.*)

(b) The City Manager, the Director of Public Utilities and the Director of Finance shall be ex-officio members of the Public Utilities Commission. Such ex-officio members shall be entitled to attend all meetings of the Commission and to participate in any discussions and deliberations of the Commission, but they shall have no vote on the Commission.

(c) Each member of the Commission shall be a resident elector of the City. Such member shall profess belief in the desirability of Municipal utility ownership and operation. Each member of the Commission shall not hold any other City office, shall not be an employee of the City government and shall not have any business relationship with the Department of Public Utilities other than that of a consumer. Any member of the Commission ceasing to possess any of the foregoing qualifications shall be removed from his/her office by the City Manager.

(d) Each vacancy on the Commission shall be filled by appointment by the City Manager. In the event a vacancy occurs before the term of that member vacating his seat on the Commission expires, the council member who nominated that member vacating his seat may nominate another person to fill such vacancy. A vacancy on the Commission shall not impair the right of the remaining Commissioners to exercise all the powers of the Commission. (*Ord. 87-9-76. Passed 9-9-87*)

925.03 COMPENSATION.

Members of the Public Utilities Commission shall serve without pay, but may be reimbursed for expenses incurred in carrying out their duties as Commissioners, as approved by the City Manager. (*Ord. 87-9-76. Passed 9-9-87.*)

925.04 DUTIES.

(a) The Public Utilities Commission shall have the responsibility and duty to review the operations of the Gas, Electric, Water and Wastewater Divisions of the City. The Commission's advice opinions, and recommendations will be transmitted to the City Council, City Manager, and Director of Public Utilities on an ongoing basis as needed, by means of written motions and other correspondence. Also, minutes of Commission meetings will be provided. (*Ord. 2008-8-08. Passed 8-13-08.*)

(b) The Commission may review contracts, agreements, trust indentures and other legal obligations pertaining to all Municipal utility systems and may make recommendations thereon to the Director of Public Utilities.

(c)The Commission may recommend to the Director of Public Utilities rates and charges to be made to the consumers of Municipal utilities.

(d)The Commission may review delinquent utility account procedures and practices, and may recommend changes where and if necessary to the appropriate department or division.

- (e) The Commission may recommend to the City Manager the employment of a Director of Public Utilities whenever such position becomes vacant.

- (f) The Commission may make recommendations to the Director of Public Utilities to assist in the adoption and implementation of long-range planning for the operation of the Municipal utility systems. (*Ord. 87-9-76. Passed 9-9-87.*)

- (g) The heads of any subordinate division, the directors and in particular the Director of Public Utilities, the Director of Finance and the City Manager shall render all assistance and cooperation required and provide any information requested by the Commission which is or can be made readily available to the Commission in order to accomplish the aforesaid duties of the Public Utilities Commission. (*Ord. 92-9-80. Passed 9-9-92.*)

925.05 MEETINGS.

- (a) The Director of Public Utilities shall be Chairman of the Public Utilities Commission and shall preside over all meetings thereof. In the absence of the Public Utilities Director, the Vice-Chairman shall become Chairman. The Commission may select a secretary who shall be responsible for the maintenance of all records of the Commission, but who need not be a member thereof. (*Ord. 92-9-80. Passed 9-9-92.*)

- (b) The Commission shall meet monthly and its members shall establish a regular monthly schedule of meetings. Special meetings may be held as required following appropriate notice in compliance with open meeting requirements. The Commission shall adopt rules for the conduct of its meetings. No action shall be taken by the Commission except by affirmative vote of at least four members thereof.

- (c) A majority of voting members of the Commission shall constitute a quorum. Any member of the Commission failing to attend four meetings within a calendar year without an excuse acceptable to and approved by the Commission shall be removed from office by the City Manager. Such resulting vacancy shall be filled as hereinbefore provided. (*Ord. 87-9-76. Passed 9-9-87.*)

925.06 INDEMNIFICATION.

Members of the Public Utilities Commission shall be considered to be "public officials" for the purpose of Chapter 185, relative to the indemnification of public officials and

employees. (*Ord. 87-9-76. Passed 9-9-87.*)

925.07 PUBLIC INFORMATION.

The Public Utilities Commission may recommend reasonable expenditures to acquaint the public with the operations, programs and plans of the Department of Public Utilities and to encourage conservation of utilities. (*Ord. 92-9-80. Passed 9-9-92.*)