

**ORDINANCE NO. 1398**

**WEST LINN, OREGON**

**AN ORDINANCE ADDING SECTIONS 2.180 TO 2.196, UTILITY ADVISORY BOARD, TO THE WEST LINN CODE.**

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WHEREAS, the West Linn Water Rate Review Task Force examined the West Linn water system, including service levels, policies, rates and financing in detail over a period of 18 weeks, and

WHEREAS, one of the recommendations made by the task force was that a Utility Advisory Board be appointed to monitor the City's performance concerning the task force recommendations and to make recommendations to the City Council concerning future rate adjustments, and

WHEREAS, the City Council concurs with this recommendation; now, therefore;

**THE CITY OF WEST LINN ORDAINS AS FOLLOWS:**

SECTION 1: Sections 2.180 to 2.196, establishing a Utility Advisory Board, are hereby added to the West Linn Code to read as follows:

**UTILITY ADVISORY BOARD**

**2.180 Establishment.** There is hereby established a Utility Advisory Board.

**2.182 Membership.** The mayor shall appoint, with the approval of the council, a Utility Advisory Board consisting of seven (7) members, including four (4) members who shall be appointed from nominations made by neighborhood associations.

**2.184 Duties.** The Utility Advisory Board shall make recommendations to the City Council concerning rates for water. These recommendations shall pertain to those legislative matters to be decided by the City Council concerning or affecting rates, such as master facility plans and service levels as they relate to rates. The Utility Advisory Board may also make recommendations regarding such other city-owned utilities as the City Council from time to time may determine.

2.186 **Officers.** At its first meeting following adoption of the ordinance codified in this chapter, and at its first meeting in January each year thereafter, the Board shall elect a chairperson and vice chairperson to serve one-year terms. If a vacancy of the chair occurs, an election shall be held at the next regular meeting to fill that position. In the absence of both the chairperson and the vice chairperson, the members present shall appoint an acting chairperson for the purposes of conducting business during that meeting.

2.188 **Terms of Office.** Terms of office shall be for a period of two years, except that the first board appointed under sections 2.180 to 2.196 shall be appointed for the following terms:

(1) The four (4) members appointed from nominations made by neighborhood associations shall have terms which expire December 31, 1997.

(2) The three (3) remaining members shall have terms which expire December 31, 1998.

2.190 **Vacancies and Removal.** Appointments to fill vacancies shall be for the remainder of the unexpired term. A member may be removed by the City Council after hearing, for misconduct, misfeasance, malfeasance, or nonperformance of duty. A member who is absent from three consecutive meetings or more than one-half of the scheduled meetings during a one-year period without an excuse approved by the chairperson is rebuttably presumed to be in nonperformance of duty and the City Council may declare the position vacant unless extenuating circumstances are determined at a hearing.

2.192 **Meetings.** A majority of the members of the Board shall constitute a quorum. The Board shall meet at least quarterly or more often as directed by the City Council or by majority of the Board members..

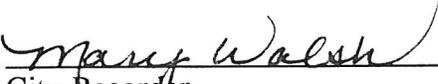
2.194 **Annual Report and Minutes.** At least once each year the Board shall report on its activities to the City Council and minutes of its meetings shall be submitted to the Council for information.

2.196 **Conflict of Interest.** A member of the Utility Advisory Board shall not participate in any board proceeding or action in which any of the following has a direct or substantial financial interest: the member or the spouse, brother, sister, child, parent, father-in-law, mother-in-law of the member; any business in which the member is then serving or has served within the previous two years; or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential conflict of interest shall be disclosed at the meeting of the Board where the action is being taken.

PASSED AND APPROVED this 26th day of August, 1996.

  
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Mayor

ATTEST:

  
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City Recorder

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