

EXHIBIT A

**CHAPTER XV**

**Regional Water Commission**

**Section 241. Regional Water Commission - Formation**

There is hereby established a Toledo Regional Water Commission.

**Section 242. Regional Water Commission - Composition**

The Regional Water Commission shall be comprised of Toledo director in charge of public utilities and the director/commissioner in charge public utilities from each contracting community. If a contracting community does not have an employee designated as a director or commissioner of public utilities that community will designate a non-elected officer whose official responsibilities include oversight of water distribution to serve on the Commission. A second Toledo official with direct responsibility for the water treatment facilities shall also serve on the Commission. All members shall serve in an *ex officio* capacity. For purposes of this Section, “contracting community” shall mean each political subdivision that has entered into a Uniform Water Purchase and Supply Agreement for an initial term of not less than 20 years with the City.

**Section 243. Regional Water Commission – Officers; Meetings; Voting**

The Toledo Regional Water Commission shall convene from time to time but not less than once per year.

The Toledo Regional Water Commission annually shall designate one of its members as president and one of its members as secretary. Either the President or the Secretary must be a Toledo representative. The President shall preside over the meetings of the Regional Water Commission. The Regional Water Commission may appoint such additional officers as it deems necessary and appropriate.

Meetings of the Toledo Regional Water Commission shall be open to the public and shall be held in accordance with laws of the State of Ohio governing official public meetings.

A majority of the Commissioners shall constitute a quorum. Unless otherwise provided by a water purchase and supply agreement between the City and the contracting communities, any measure before the Commission shall be passed only when it receives an affirmative vote of a majority of the members.

**Section 244. Regional Water Commission - Powers and Duties**

The Regional Water Commission may submit a proposed water rate adjustment to the Clerk of Council. Upon receipt of the proposed water rate adjustment from the Regional Water Commission, the Clerk of Council shall incorporate the proposed water rate adjustment into an ordinance that adjusts existing rates. That ordinance shall be placed on the Council’s next agenda. Unless three-fourths of the Council votes to reject the ordinance within forty-five (45) days after it is placed on the agenda, the ordinance will be deemed to have passed.

The Toledo Regional Water Commission also shall review the Capital Improvement Budget of the City's water utility and may submit any amendments it deems necessary for the efficient and effective operation of the water utility to the Clerk of Council. So long as the cost of any proposed capital expenditures are supported by the existing and projected water rates of the City, the Clerk of Council shall incorporate an amendment to the Capital Improvement Budget into an ordinance to be placed on the Council's next agenda. Unless three-fourths of the Council votes to reject the ordinance within forty-five (45) days after it is placed on the agenda, the ordinance will be deemed to have passed.

Any ordinance passed pursuant to this Section shall be subject to referendum on petition as provided by Section 81 of this Charter. Any ordinance that is deemed to have been passed pursuant to the Section shall not be subject to veto by the Mayor.

Nothing in this Section shall limit the authority of Council to enact legislation addressing utility rates to ensure the effective and efficient operation of the utility, including the impact of discounted rates offered to seniors, lead-line replacement, programs to assist low-income customers, and to provide for necessary maintenance and improvements, or as may be required to ensure compliance with debt repayment obligations of the water system and related covenants to lenders and trustees for the benefit of bondholders.