

# Procedures of the City of Philadelphia Water, Sewer and Storm Water Rate Board

*(adopted by Board resolution 12/12/2018;  
restated as amended by Board resolution 11/9/2022)*

The following shall apply to the proceedings of the Water, Sewer and Storm Water Rate Board (the “Board”):

## **A. Responsibility of Board Members as City Officials**

1. The Board and its Members acknowledge that they are subject to ethics laws applicable generally to City officials. These include, but may not be limited to, those found in Chapter 20-600 of the Code (Standards of Conduct and Ethics), Article X of the Charter (Prohibited Activities of Councilmen, City Officers, Employees and Others, and Penalties), Executive Order 10-16 (Acceptance of Gifts by City Officers and Employees), and 65 Pa. C.S. Sections 1101 and following (the state Public Official and Employee Ethics Act). Board Members must file City financial disclosure forms pursuant to Chapter 20-600 and State financial disclosure forms pursuant to the state Ethics Act; and must abide by restrictions on such topics such as gifts, conflicts of interest, political activity, and representations before the Board. Board Members acknowledge their obligation to comply with all applicable law concerning ethics and related matters, and shall disclose any financial or official relationships with any Participant that could reasonably be seen as affecting their position on any material issue in a Rate Proceeding.

2. The City’s Board of Ethics administers the Code and Charter provisions, the City’s Chief Integrity Officer administers the executive order on gifts, and the State Ethics Commission administers the Ethics Act. The Board and its members will consult with one or more of them as appropriate concerning ethical and related matters that may arise from time to time.

3. The Board and its Members will consult with an assigned attorney from the City Law Department concerning any legal issues that may arise.

## **B. Conduct of Board Business**

1. The members of the Board, by way of a vote taken during the course of a regularly scheduled Board meeting, shall select from among themselves a Chairperson (“Chair”), a vice-chairperson (“Vice-Chair”), and a Secretary.

2. The Board shall meet monthly or as required. The Chair or Vice-Chair may call a meeting when either believes that a meeting would be prudent and the Board has not already scheduled a timely meeting. The Chair or Vice-Chair shall call a meeting if so requested by the other Members.

3. The day, hour, and place of a regularly scheduled meeting shall be posted on the Board's website, and Public Notice given in accordance with 65 Pa. C.S. § 703 and 709 in a newspaper of general circulation within the City of Philadelphia and in the *Legal Intelligencer* not less than three (3) days prior to the meeting. Notice of a special meeting shall be posted on the Board's website at least twenty-four (24) hours prior to the time of the special meeting.

4. A quorum for the conduct of business shall be a majority of all Board members. A quorum shall continue throughout the meeting even if one or more members has left the meeting or has recused from participation.

5. A majority of those voting in the presence of a quorum shall be necessary and sufficient for the Board to adopt resolutions or otherwise take action.

6. The Chair shall recognize Board members who wish to comment on an agenda item during or upon the conclusion of the presentation of the agenda item.

7. Anyone who wishes to present an agenda item before the Board should submit all presentation materials and any supplementary documentation, reports, and studies to the Board (through its legal counsel) at least seven (7) calendar days in advance of the Board meeting; however, the deadline shall be no earlier than 5:00 p.m. three (3) calendar days following the date of first publication of notice in a newspaper of general circulation of a regularly scheduled meeting, or 5:00 p.m. on the day following first posting of notice of a special meeting. Contact information for the Board's legal counsel shall be posted on the Board's website.

8. The Chair or a designee shall post an agenda on the Board's website at least three (3) days before the date scheduled for each meeting, except that the deadline for this posting shall be no earlier than one (1) hour following the time notice of the meeting is posted on the Board's website. After this deadline, the Chair may revise the agenda if timely agenda items are received pursuant to Section B.7 above. If the deadline for others to submit agenda items would follow the meeting or if such items are not presented by 1:00 p.m. on the business day prior to the meeting, then a person wishing to

present an agenda item must announce this at the meeting and present hard copies of the materials and other documents described in Section B.7 to the Chair at the beginning of the meeting, after which the Chair will decide when to place appropriate items on the agenda.

9. The Board shall have the discretion to defer any new agenda item that is not presented according to the foregoing schedule. However, time permitting, the Chair shall recognize any members of the public who have not previously signed up to speak under the rules of Rule B.7 above, who wish to do so, and permit them to speak to the matter under consideration, or any other such matter which may rightfully be brought before the Board. The Chair may impose reasonable time limits on public comment to avoid repetitive discussion.

10. The Chair or a designee shall cause written minutes of meetings to be posted on the Board's website.

### **C. Authority of Board Officers**

1. The Vice-Chair may act for the Chair if the Chair is absent or cannot vote. A majority of Members present may act if both the Chair and Vice-Chair are absent or cannot vote. The Board may overrule actions of the Chair or Vice-Chair by majority vote of all Members present, including the Chair and Vice-Chair.

2. All invoices for goods and services received by the Board shall be reviewed and approved by the Chair, or in the Chair's absence or recusal, the Vice-Chair, prior to payment, and shall be subject to appropriations. If both the Chair and the Vice-Chair are absent or recuse themselves, then the Board shall review the invoices.