

**RESOLUTION NO. PW09-01**

**A RESOLUTION OF THE MEMBERS OF CLINTON PUBLIC WORKS AUTHORITY  
ADOPTING AN IDENTITY THEFT PREVENTION PROGRAM; APPOINTING AN  
OVERSIGHT COMMITTEE; AND AUTHORIZING THE CITY MANAGER TO  
APPROVE MODIFICATIONS TO THE PROGRAM AS NEEDED**

**WHEREAS**, pursuant to federal law the Federal Trade Commission adopted Identity Theft Rules requiring the creation of certain policies relating to the use of consumer reports, address discrepancy and the detection, prevention and mitigation of identity theft;

**WHEREAS**, the Federal Trade Commission regulations, adopted as 16 CFR § 681.2 require creditors, as defined by 15 U.S.C. § 1681a(r)(5) to adopt red flag policies to prevent and mitigate identity theft with respect to covered accounts;

**WHEREAS** 15 U.S.C. § 1681a(r)(5) cites 15 U.S.C. § 1691a, which defines a creditor as a person that extends, renews or continues credit, and defines 'credit' in part as the right to purchase property or services and defer payment therefore;

**WHEREAS** the Federal Trade Commission regulations include utility companies in the definition of creditor;

**WHEREAS** the City of Clinton, Oklahoma is a creditor with respect to 16 CFR § 681.2 by virtue of providing water, sewer and sanitation utility services;

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF CLINTON PUBLIC WORKS AUTHORITY:**

**Section 1.** The Authority hereby adopts an Identity Theft Prevention Program in accordance with the requirements of the Fair and Accurate Credit Transaction Act.

**Section 2.** The Authority appoints the City Manager as the Oversight Committee to oversee the operation and compliance of the Authority's Identity Theft Prevention Program.

**Section 3.** The Authority authorizes the City Manager to approve modifications to the Identity Theft Prevention Program as needed to meet the needs of the utility department and to maintain compliance with the Fair and Accurate Credit Transaction Act.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

CLINTON PUBLIC WORKS AUTHORITY

By: \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Secretary

(SEAL)