

Passed 8-0  
(Rollo absent)

**RESOLUTION 09-08  
APPROVING THE CITY OF BLOOMINGTON UTILITY  
IDENTITY THEFT PROTECTION PROGRAM**

WHEREAS, the "Red Flag Rule" refers to regulations that were issued jointly by the Federal Trade Commission, the National Credit Union Administration, and the federal bank regulatory agencies, to implement the Fair and Accurate Credit Transactions (FACT) Act of 2003, and said regulations implement Section 114 of the Fair and Accurate Credit Transactions Act of 2003, 16 C.F.R. § 681.2; and

WHEREAS, said regulations require that a "creditor" (which includes utility companies) who handles "covered accounts" (which includes utility accounts) to adopt a written policy or program for the identification, detection, prevention and mitigation of identity theft; and,

WHEREAS, said policy or program must identify practices or specific activities (known as "red flags") that could indicate identity theft and articulate responses to these red flags; and,

WHEREAS, said policy or program must be approved by the "governing body" for the utility, which for the City of Bloomington Utility is the Common Council; and,

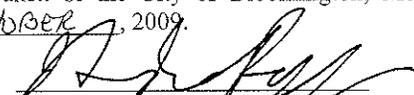
WHEREAS, the City of Bloomington Utility has developed an Identity Theft Prevention Program, a copy of which is attached to this Resolution, and requests the Common Council's approval of said policy so as to come into compliance with the Red Flag Rule.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, THAT:

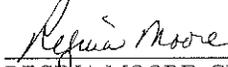
SECTION 1: The Common Council of the City of Bloomington hereby approves the City of Bloomington Utility Identity Theft Program as set out in the attachment to this Resolution.

SECTION 2. This resolution shall be in full force and effect from and after its passage by the Council and approval of the Mayor of the City.

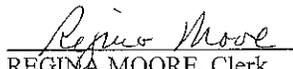
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 7<sup>th</sup> day of OCTOBER, 2009.

  
ANDY RUFF, President  
Bloomington Common Council

ATTEST:

  
REGINA MOORE, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 8<sup>th</sup> day of OCTOBER, 2009.

  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 8<sup>th</sup> of OCTOBER, 2009.

  
MARK KRUZAN, Mayor  
City of Bloomington

Copies to:  
Legislative  
CBU  
Controller

CLERK (2)  
CLERK (2)

## SYNOPSIS

This Resolution approves the City of Bloomington Utility Identity Theft Program which was developed pursuant to the Federal Trade Commission's Red Flags Rule ("Rule") and is required by said Rule. The Program identifies the "red flags" which will be detected and give rise to responses which will prevent and mitigate Identity Theft associated with City of Bloomington Utility accounts.