



## Legislation Text

**File #:** 16-00032, **Version:** 1

A Resolution Appointing A Member of the Board of Directors of Public Authority for Colorado Energy (“PACE”) for a Three Year Staggered Term Effective December 15, 2015

**Presenter:**

Jerry Forte, P.E., CEO, Colorado Springs Utilities

**Summary:**

PACE has a three-member Board of Directors appointed by City Council. One Director’s term has expired. City Council action is required to appoint new Directors.

**Previous Council Action:**

Date	Resolution	Action
01/13/15	1-15	Appointed a Board member to fill a vacated term and reappointed a Board member effective 12/15/14
01/28/14	5-14	Reappointed a Board member effective 12/15/13
01/22/13	5-13	Reappointed a Board member effective 12/15/12
01/13/11	237-11	Reappointed a Board member effective 12/15/12
02/08/11	19-11	Appointed a Board member to fill a vacated term and reappointed a Board member effective 12/15/10
01/12/10	2-10	Reappointed a Board member effective 12/15/09
12/09/08	235-08	Appointed two Board members and reappointed a Board member effective 12/15/08
10/23/07	07-65	Approved the creation of PACE, the Articles of Incorporation and Bylaws of PACE, appointed the Board of Directors of PACE, and ratified certain actions heretofore taken.

**Background:**

PACE carries out activities associated with Colorado Springs Utilities’ natural gas prepay purchase program. PACE has a three-member Board of Directors who serve staggered terms so that one Director’s term expires every December 15th. The current Board of Directors consists of Eric Tharp (President) whose term expired on December 15, 2015, Bill Cherrier (Secretary/Treasurer) and Carl Cruz (Vice President). When vacancies occur on the PACE Board of Directors, whether because of the expiration of terms or the resignation or removal of a Director, the PACE Articles of Incorporation

require that City Council act to appoint replacement Directors. PACE's organizational documents also provide that Board members continue to serve after expiration of the term until a replacement director is appointed, so that no gaps occur.

**Financial Implications:**

PACE issued tax-exempt bonds to finance Colorado Springs Utilities' pre-paid natural gas purchase program. Stable governance is important to the success of PACE.

**Board/Commission Recommendation:**

N/A

**Stakeholder Process:**

N/A

**Alternatives:**

PACE's Articles of Incorporation require a three-member Board of Directors. PACE could nominate an alternative candidate for the Board of Directors for City Council's approval. This alternative would not be advantageous for Colorado Springs Utilities' Strategic Goals that this Resolution supports.

**Proposed Motion:**

Move to approve proposed resolution.

N/A