



Legislation Text

File #: 15-0001, Version: 1

**A Resolution Appointing Members of the Board of Directors of Public Authority for Colorado Energy (“PACE”) for Staggered Terms Effective December 15, 2014**

**From:**

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

**Summary:**

Enter a descriptive summary of the item.

**Previous Council Action:**

DATE	ORDINANCE/ RESOLUTION	ACTION
January 28, 2014	Resolution 5-14	Reappointed a member to the Board of Directors effective December 15, 2013
January 22, 2013	Resolution 5-13	Reappointed a member to the Board of Directors effective December 15, 2012
December 13, 2011	Resolution 237-11	Reappointed a member to the Board of Directors effective December 15, 2011
February 8, 2011	Resolution 19-11	Appointed a Director to fill a vacated term and reappointed a member to the Board of Directors effective December 15, 2010
January 12, 2010	Resolution 2-10	Reappointed a member to the Board of Directors effective December 15, 2009
December 9, 2008	Resolution 235-08	Reappointed a member and appointed two members to the Board of Directors effective December 15, 2008
October 23, 2007	Ordinance 07-165	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 each December 15th. The current Board of Directors consists of "Vacant" (President), Bill Cherrier (Secretary/Treasurer) and Carl Cruz (Vice President) whose term expired on December 15, 2014. Bruce McCormick retired in 2014 as President of PACE and the PACE Board of Directors has nominated Eric Tharp to fill his remaining term, which expires on December 15, 2015. 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 propose alternative candidates 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:**

Approval of proposed Resolution

N/A