

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

A RESOLUTION

**CONFIRMING THE REAPPOINTMENT OF DR. WILLIS MACKEY TO SA
ENERGY ACQUISITION PUBLIC FACILITIES CORPORATION BOARD OF
DIRECTORS FOR A TERM COMMENCING FEBRUARY 1, 2020 AND
EXPIRING JANUARY 31, 2022.**

* * * * *

WHEREAS, the authority of the CPS Energy Board of Trustees is derived from City ordinances and bond covenants; and

WHEREAS, bond covenants require that nominees for vacancies on the CPS Energy Board of Trustees be elected by a majority of the remaining members of the Board of Trustees, such majority vote to include the vote of the Mayor, and that nominees be submitted by the Mayor to the City Council for approval; a process most recently sanctioned by Ordinance No. 2017-02-23-0114A at Section 19; and

WHEREAS, Ordinance No 87009, dated November 20, 1997, provides that CPS Energy Board of Trustee membership be drawn from all geographic areas of the City, further designating Southeast, Southwest, Northeast, and Northwest Quadrants from which membership is to be drawn; and

WHEREAS, on April 19, 2007, the City Council approved Resolution No. 2007R-04-19-0455 to create the SA Energy Acquisition Public Facility Corporation, which articles of incorporation and by-laws require the City Council to appoint the members of the CPS Energy Board of Trustees along with the General Manager and CEO and the Chief Financial Officer of CPS Energy to the board of the new public facility corporation; and

WHEREAS, the SA Energy Acquisition Public Facility Corporation Board of Directors serve for a term of two years, except that Directors appointed to replace an outgoing Director serves for the remainder of the outgoing Director's term; and

WHEREAS, in Resolution 2018-05-05-0023R, Dr. Willis Mackey was appointed to the CPS Energy Board of Trustees representing the Southeast Quadrant for a term commencing April 6, 2018 and expiring January 31, 2023; and in the same resolution, Dr. Mackey was appointed to the SA Energy Acquisition Public Facility Corporation Board of Directors for a term commencing April 6, 2018 and expiring January 31, 2020; and

WHEREAS, on January 7, 2020, CPS Energy submitted a letter to the City Clerk seeking a City Council resolution for the reappointment of Dr. Willis Mackey to the SA Energy Acquisition Public Facility Corporation Board of Directors for a term commencing on February 1, 2020 and expiring January 31, 2022; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The reappointment of Dr. Willis Mackey to the SA Energy Acquisition Public Facility Corporation Board of Directors is confirmed for a term commencing on February 1, 2020 and expiring on January 31, 2022.

SECTION 2. This Resolution becomes effective immediately upon the receipt of eight affirmative votes, or in the event eight affirmative votes are not received, on the tenth day after passage.

RP
01/20/20
Item No. ##

PASSED AND APPROVED, this ____ day of **January, 2020**.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek
City Clerk

Andrew Segovia
City Attorney