



# City of San Antonio

## Agenda Memorandum

**File Number:**15-1351

---

**Agenda Item Number:** 23.

**Agenda Date:** 2/12/2015

**In Control:** City Council A Session

---

**DEPARTMENT:** Office of the City Clerk

**DEPARTMENT HEAD:** Leticia M. Vacek (OCC)

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

Reappointments to the SA Energy Acquisition Public Facility Corporation Board of Directors

**SUMMARY:**

A Resolution reappointing Nora W. Chavez, Edward Kelley, Homer Guevara, Derrick Howard, Doyle N. Beneby, and Paula Gold Williams to the SA Energy Acquisition Public Facility Corporation (PFC) Board of Directors for the remainder of a term of office to expire January 31, 2017.

**BACKGROUND INFORMATION:**

On April 19, 2007, the City Council approved Resolution 2007R-04-19-00455, which created the SA Energy Acquisition Public Facility Corporation (SA Energy Acquisition PPC) and appointed the members of the CPS Board of Trustees to the Board of Directors to the new Public Facility Corporation, subject to City Council approval. The SA Energy Acquisition PFC is a non-profit, public facility corporation that was organized under the Texas Public Facility Corporation Act (the "Act"). The SA Energy Acquisition PFC was created with the approval of the City Council in order to assist CPS Energy in financing, refinancing, and providing "public facilities" (as defined under the Act), including interests in natural gas to be devoted to public use by CPS Energy. Under both its Articles of Incorporation and Bylaws, no person may be appointed to the Board of Trustees of CPS Energy for the PFC unless he or she is also (a) a member of the Board of Trustees of CPS Energy, (b) the Chief Executive Officer of CPS Energy, or (c) the Chief Financial Officer of CPS Energy. A director whose employment at CPS Energy concludes before the expiration of his or her term as a director of the SA Energy Acquisition PFC shall also conclude his or her term as a director. Any successor whose term has expired, or who resigned or has been removed, must be appointed by the City Council.

Under the Texas Public Facilities Corporation Act, terms to the Board of Directors of the SA Energy PFC are for two (2) years, including the current terms for Nora W. Chavez, Edward Kelley, Homer Guevara, Derrick Howard, Doyle N. Beneby, and Paula Gold Williams, which expired on January 31, 2015.

On November 13, 2014, Mayor Ivy R. Taylor was appointed to the SA Energy PFC Board of Directors for the

remainder of an unexpired term ending on May 31, 2015 of former Mayor Julian Castro.

**ISSUE:**

Appointments to the SA Energy Acquisition Public Facility Corporation require full City Council approval.

**ALTERNATIVES:**

If said appointees are not appointed and reappointed to the SA Energy Acquisition Public Facility Corporation Board of Directors, the Board will not function as was interpreted in the Articles of Incorporation and Bylaws.

**FISCAL IMPACT:**

There is no fiscal impact.

**RECOMMENDATION:**

Staff recommends approval of the reappointment of Nora Chavez, Ed Kelley, Homer Guevara, Derrick Howard, Doyle N. Beneby, and Paula Gold Williams to the SA Energy Acquisition Public Facility Corporation Board of Directors.