



City of Grand Island

Tuesday, March 28, 2023

Council Session

Item G-9

**#2023-77 - Appointment of City's Representative of the Public
Power Generation Agency**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director

Meeting: March 28, 2023

Subject: Approving Appointment of Director and Authorized Individuals for Public Power Generation Agency

Presenter(s): Timothy Luchsinger, Utilities Director

Background

The Public Power Generation Agency (PPGA) Board of Directors is the governing body created as an Inter-local Agreement between the City of Grand Island, Hastings Utilities, Nebraska City Utilities, Municipal Energy Agency of Nebraska, and Heartland Consumers Power District for the Whelan Energy Center Unit 2 project that recently was completed in Hastings, Nebraska.

At the Council meeting of October 11, 2005, Tim Luchsinger was appointed to the Board of Directors of the Public Power Generating Agency as the City of Grand Island's Board Representative.

To provide greater flexibility in appointing alternates based on relative areas of expertise and reduce the possibility of unintended quorum issues, the PPGA Bylaws were amended to change the Alternate Board Representative from one of a standing position appointed by each governing body, to that of a temporary position for a specific board meeting. This Alternate Board Representative would be designated by either the Board Representative or Authorized Individuals approved by the governing body.

Discussion

The attached form is the document that needs to be delivered to the PPGA Secretary/Treasurer authorizing the Board Representative and Authorized Individual(s) by the Grand Island City Council. It is recommended that Assistant Utilities Director Travis Burdett be appointed as the Director and as an Authorized Individual to designate an Alternate Director as required in the event Mr. Burdett is not available.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the Mayor to execute the Director Appointment Form for Public Power Generation Agency designating Assistant Utilities Director Travis Burdett as the Director and as an Authorized Individual to appoint an Alternate Director in accordance to the terms and provisions of Section 3.02 of the PPGA Bylaws.

Sample Motion

Move to approve the Mayor to execute the Director Appointment Form for the Public Power Generation Agency designating Assistant Utilities Director Travis Burdett as the Director and as an Authorized Individual to appoint an Alternate Director in accordance to the terms and provisions of Section 3.02 of the PPGA Bylaws.

**DIRECTOR APPOINTMENT FORM
FOR
PUBLIC POWER GENERATION AGENCY**

I hereby certify, as an authorized representative of the City of Grand Island, Nebraska, a Member of Public Power Generation Agency ("PPGA"), that the Member adopted the following resolutions at a meeting of the governing body of said Member, and that such resolutions constitute the binding action of the Member:

BE IT RESOLVED that pursuant to Section 3.02 of the PPGA Bylaws, the Member hereby designates the following individual as its Director:

<u>Name</u>	<u>Title</u>	<u>Signature</u>
<u>Travis Burdett</u>	<u>Assistant Utilities Director</u>	_____

BE IT FURTHER RESOLVED that the Director is authorized by the Member to appoint an Alternate Director to PPGA on behalf of the Member according to the terms and provisions of Section 3.02 of the PPGA Bylaws (each, an Authorized Individual”):

BE IT FURTHER RESOLVED that the powers and authority granted by these resolutions shall continue in full force and effect until written notice is given to the Secretary Treasurer of PPGA of the cancellation or modification thereof. Pursuant to the Bylaws of PPGA, these resolutions shall be effective upon delivery of this form to the Secretary Treasurer of PPGA.

I further certify that the foregoing is a full and correct copy of the resolutions as they appear on the books of the Member, and said resolutions have not been rescinded, modified or amended, and are now in full force and effect.

Dated: _____ of _____, _____.
Day Month Year

Signed: _____

Name: Roger G. Steele, Mayor
Authorized Representative

RESOLUTION 2023-77

WHEREAS, the City of Grand Island is a party to the Interlocal Agreement creating the Public Power Generation Agency (PPGA) and, pursuant to the terms of said Agreement, it is the responsibility of the governing body of the City to designate a representative to the PPGA Board of Directors provided for under the terms of said agreement; and

WHEREAS, Tim Luchsinger, the City's current representative, is retiring in April and will no longer be able to fulfill this role; and

WHEREAS, it is recommended that Assistant Utilities Director Travis Burdett be appointed as the Director and as an Authorized Individual to designate an Alternate Director as required.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Tavis Burdett be appointed as the City's PPGA Director and Authorized Individual to designate an Alternate Director as required.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the appointment form with PPGA, and to take all other actions necessary to effect the purpose of this resolution.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 28, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 24, 2023	☐ City Attorney