



City of Grand Island

Tuesday, May 12, 2015

Council Session

Item G-10

#2015-129 - Approving Appointment of Director and Authorized Individuals for Public Power Generation Agency

Staff Contact: Tim Luchsinger, Utilities Director

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director

Meeting: May 12, 2015

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

Item #'s: G-10

Presenter(s): Timothy Luchsinger, Utilities Director

Background

The 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, then-Assistant Utilities Director Tim Luchsinger and Utilities Director Gary Mader were appointed to the Board of Directors of the Public Power Generating Agency, as the City of Grand Island's Board Representative and Alternate Board Representative, respectively. At the Council meeting of May 10, 2011, following the retirement of Gary Mader, Utilities Director Tim Luchsinger was reaffirmed as the Board Representative and Assistant Utilities Director Travis Burdett was appointed as the Alternate 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 by Authorized Individuals approved by the governing body.

Discussion

The attached form is the document that needs to be delivered to the PPGA Assistant Secretary/Treasurer authorizing the Board Representative and Authorized Individual(s) by the Grand Island City Council. It is recommended that Utilities Director Tim Luchsinger continue his appointment as the Director and City Administrator Marlan

Ferguson be appointed as an Authorized Individual to designate an Alternate Director as required in the event Mr. Luchsinger 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 Utilities Director Tim Luchsinger as the Director and City Administrator Marlan Ferguson 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 Utilities Director Tim Luchsinger as the Director and City Administrator Marlan Ferguson 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>Tim Luchsinger</u>	<u>Utilities Director</u>	_____

BE IT FURTHER RESOLVED that the Director and each of the following individuals be, and hereby are, 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"):

<u>Name</u>	<u>Title</u>	<u>Signature</u>
<u>Marlan Ferguson</u>	<u>City Administrator</u>	_____
_____	_____	_____
_____	_____	_____

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 Assistant 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 Assistant 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: Jeremy L. Jensen, Mayor
 Authorized Representative

RESOLUTION 2015-129

WHEREAS, the City of Grand Island is a project participant in the Whelan Energy Unit No. 2 Power Plant constructed in Hastings, Nebraska; and

WHEREAS, the Public Power Generating Agency (PPGA) is the governing body of the power plant project; and

WHEREAS, at the Council meeting of May 10, 2011, Utilities Director Tim Luchsinger was reaffirmed as the Board Representative and Assistant Utilities Director Travis Burdett was appointed as the Alternate Board Representative; and

WHEREAS, 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; and

WHEREAS, it is recommended that Utilities Director Tim Luchsinger continue his appointment as the Director, and City Administrator Marlan Ferguson appointed as an Authorized Individual to designate an Alternate Director as required in the event Mr. Luchsinger is not available.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Council authorize the Mayor to execute the Director Appointment Form for Public Power Generation Agency designating Utilities Director Tim Luchsinger as the Director, and City Administrator Marlan Ferguson as an Authorized Individual to appoint an Alternate Director in accordance to the terms and provisions of Section 3.02 of the PPGA Bylaws.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 12, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 8, 2015	☐ City Attorney