

6. Resolution confirming the nomination of Dr. Francine Romero by the CPS Energy Board of Trustees to serve as a Trustee of the Northwest Quadrant on the CPS Energy Board of Trustees for a term commencing upon the completion of Edward B. Kelley's term, which shall be no later than February 1, 2022 and expiring January 31, 2027. [Debbie Racca-Sittre, Interim City Clerk]



# City of San Antonio

## Agenda Memorandum

### File Number:

21-3048

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**Agenda Item Number:** 6.

**Agenda Date:** October 21, 2021

**In Control:** City Council A Session

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**DEPARTMENT:** Office of the City Clerk

**DEPARTMENT HEAD:** Debbie Racca-Sittre

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Confirmation to the CPS Energy Board of Trustees

**SUMMARY:**

This item will confirm the nomination of Dr. Francine Romero by the CPS Energy Board of Trustees to serve as a Trustee of the Northwest Quadrant on the CPS Energy Board of Trustees for a term commencing upon the completion of Edward B. Kelley's term, which shall be no later than February 1, 2022 and expiring January 31, 2027

**BACKGROUND INFORMATION:**

The CPS Energy Board of Trustees is comprised of five citizens, one of whom is the Mayor. The Mayor is a voting member of the Board and is charged with keeping the City Council advised and informed of any actions, deliberations and decisions of the Board. Other than the Mayor, the remaining Board members are selected from geographic quadrants of the City (NE, NW, SE and SW Quadrants). City ordinances and related CPS Energy bond covenants dictate how bond funds may be used, dictate how revenues generated by CPS Energy are allocated, and grants the Board of Trustees control, management, and operation of CPS Energy systems. Ordinances related to CPS Energy bonds 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, to include the vote of the Mayor as a member of the Board, and that those nominees be submitted to the City Council for confirmation or rejection.

At their October 4, 2021 Special Meeting, the CPS Energy Board of Trustees elected Dr. Romero as nominee for Trustee of the CPS Energy Board representing the Northwest Quadrant. Dr. Romero's term will commence upon the completion of Edward B. Kelley's term, which shall be no later than February 1, 2022 and expire on January 31, 2027.

**ISSUE:**

Pursuant to Ordinance No. 83050 and later ordinances and bond covenants approved by City Council, a nominee for the CPS Energy Board of Trustees shall be elected by the majority vote of the CPS Energy Board. The nomination is submitted to the City Council for confirmation.

**ALTERNATIVES:**

In the event the City Council rejects Dr. Romero's nomination, another nominee must be elected by the CPS Energy Board of Trustees for City Council consideration.

**FISCAL IMPACT:**

There is no fiscal impact.

**RECOMMENDATION:**

The nomination of Dr. Romero was received by the CPS Energy Board of Trustees and coordinated with the Mayor's Office, the Office of the City Attorney, and the Office of Public Utilities. The Office of the City Clerk recommends confirmation.

**Items # 6 & 7 Appointment of CPS Energy Trustee and  
members of its Public Facilities Corporation (PFC)**



**Debbie Racca-Sittre, Interim City Clerk**

**October 21, 2021**

# CPS BOARD OF TRUSTEES



- CPS Energy is San Antonio's natural gas and electric utility.
- A five-person Board of Trustees governs CPS Energy.
- The Board consists of citizens residing in four geographical quadrants of the city of San Antonio.
- The Mayor of San Antonio is an ex-officio member of the Board.
- Citizen Board Members serve for a term of five years and are eligible to serve an additional term.

# ITEM 6 & 7 – CPS ENERGY APPOINTMENTS



- Vacancy Quadrant 1 (Northwest) representing Council Districts 7 & 8 and portions of Districts 1, 6, and 9.
- Replacing Edward B. Kelley upon completion of his term February 1, 2022
  - CPS Energy issued a press release to advertise the vacancy on July 13, 2021 with applications being received by August 31, 2021
  - City Clerk issued a press release to advertise the vacancy on July 21, 2021
    - CPS collected and vetted applications
    - A total of 26 applications were received
  - Recommend appointment of Dr. Francine Romero to represent the Northwest Quadrant through January 31, 2027



# SA Energy Acquisition Public Facility Corporation (PFC)

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- Created in 2007 to facilitate a pre-paid natural gas contract
- Articles of Incorporation and by-laws require the PFC Board to be the CPS Energy Board along with the CPS Energy President & CEO and CFO
- PFC Board members serve two-year terms

## Action Today

- Reappoint PFC board members whose terms expire on January 31, 2022
  - Mayor Ron Nirenberg,
  - Juanita (Janie) Gonzalez,
  - John T. Steen
  - Paula Gold-Williams
- Appoint new CPS Energy Board Member to the PFC Board
  - Dr. Francine Romero

**Items # 6 & 7 Appointment of CPS Energy Trustee and  
members of its Public Facilities Corporation (PFC)**



**Debbie Racca-Sittre, Interim City Clerk**

**October 21, 2021**



TB  
10/21/21  
Item No. \_\_\_\_

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

## RESOLUTION

**CONFIRMING THE NOMINATION OF DR. FRANCINE ROMERO TO THE CPS ENERGY BOARD OF TRUSTEES FOR A TERM COMMENCING UPON THE END OF EDWARD B. KELLEY'S TERM, WHICH SHALL BE NO LATER THAN FEBRUARY 1, 2022, AND EXPIRING JANUARY 31, 2027.**

\* \* \* \* \*

**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 confirmation; 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 October 4, 2021, the CPS Energy Board of Trustees selected Dr. Francine Romero as the nominee to serve as the trustee for the Northwest Quadrant for a term commencing upon the end of Edward B. Kelley's term, which shall be no later than February 1, 2022, and expiring January 31, 2027; **NOW THEREFORE:**

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

**SECTION 1.** The nomination of Dr. Francine Romero by the CPS Energy Board of Trustees for appointment is confirmed and Dr. Francine Romero is hereby appointed to the CPS Energy Board of Trustees as the representative for the Northwest Quadrant for a term commencing upon the end of Edward B. Kelley's term, which shall be no later than February 1, 2022, and expiring January 31, 2027.

**SECTION 2.** This Resolution is 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.

***PASSED AND APPROVED this 21<sup>st</sup> day of October, 2021.***

**M A Y O R**  
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

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Debbie Racca-Sittre, Acting City Clerk

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Andrew Segovia, City Attorney