

Legislation Text

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Adopting an amendment to the Articles of Incorporation of the Philadelphia Energy Authority (“Authority”) increasing the number of members on the Authority’s Board from five to seven, as proposed by the Board in a Resolution adopted November 30, 2016.

WHEREAS, In accordance with Bill No. 100163-AA, the Philadelphia Energy Authority (“Authority”) was organized by the City of Philadelphia pursuant to the terms of the Municipalities Authorities Act (“Act”) of June 19, 2001, P.L. 287, No. 22, as amended (codified at 53 Pa.C.S.A. § 5601 et seq.); and

WHEREAS, The Articles of Incorporation for the Authority currently provide that the Board shall consist of five members appointed by City Council, four of whom are appointed upon nomination by the Mayor, and one of whom is appointed by Council; and

WHEREAS, The Board has determined that it is in the best interest of the Authority to increase the size of the Board to seven members appointed by Council, with one of the additional members to be appointed upon nomination by the Mayor and one to be appointed upon nomination by Council; and

WHEREAS, The Act provides that every amendment to the Authority’s Articles of Incorporation shall first be proposed by the Board by the adoption of a resolution setting forth the proposed amendment. The Act further provides that the proposed amendment shall be submitted to the governing authority of the municipality, which shall adopt or reject such amendment (53 Pa.C.S.A. § 5605); and

WHEREAS, On November 30, 2016, the Authority’s Board adopted a Resolution (Exhibit A) proposing an amendment to the Articles of Incorporation to increase the size of the Board as described above. Thereafter, the Board submitted that amendment to City Council for its consideration; and

WHEREAS, Council concurs with the judgment of the Board that increasing the number of members of the Board will provide the Authority with additional sources of expertise and a greater capacity to fulfill its mission; now, therefore,

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The amendment to the Articles of Incorporation of the Philadelphia Energy Authority (“Authority”) proposed in the Resolution (Exhibit A) adopted by the Authority’s Board on November 30, 2016, is hereby adopted.

SECTION 2. The amendment adopted herein shall take effect upon the successful completion of the Execution and Verification, Advertisement, and Filing requirements imposed by the Act, 53 Pa.C.S.A. § 5605.