



Legislation Details (With Text)

File #:	2021-018	Version:	1	Name:	
Type:	Action Item/Other Items	Status:		Agenda Ready	
File created:	12/11/2020	In control:		Board of Directors	
On agenda:	1/15/2021	Final action:			
Title:	Draft Resolution - Approval for Directing the General Counsel to Prepare 2021 Proposed Non-Director Election Ballot Item(s) - D Ballard				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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Draft Resolution - Approval for Directing the General Counsel to Prepare 2021 Proposed Non-Director Election Ballot Item(s) - D Ballard

Submitted By: Sylvia Romero on behalf of Don Ballard

Department: General Counsel

Financial Impact and Cost/Benefit Considerations: Expenditure of Cooperative funds estimated in the amount of \$0 currently included in the Cooperative's 2021 operating budget; expenditures of staff time estimated in amount of 0 hours (other than ordinary processing requirements).

Section 6.1 of the Election Policy and Procedures provides that:

"The Board may, from time-to-time, submit matters under consideration by the Board to a vote of the Members. The vote in any such Non-Director Election shall be advisory only, except in such cases where a vote of Members is required by law or the PEC Bylaws, such as a vote to amend the PEC Articles of Incorporation. No later than the Regular Board Meeting 5 months prior to an election, the Board will direct the General Counsel to prepare proposed Ballot wording for any items to be put to a vote in a Non-Director Election. Any such matters will be presented by the General Counsel in a way to enhance Member understanding of such measures, including any Board recommendation or position concerning such a vote."

The Board may now wish to consider whether any Non-Director Election(s) items shall be placed on the 2021 election ballot.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COOPERATIVE that the General Counsel, or designee, of the Cooperative is directed to prepare proposed ballot wording for consideration by the Board of Directors on the following Non-Director Election matter(s) (as defined in the Cooperative's Election Procedures):

A.) _____;

B.) _____;

C.) _____; and

BE IT FURTHER RESOLVED that, in accordance with Section 6.1 of the Election Procedures, the ballot wording will be presented in a way to maximize Members' understanding of the Non-Director Election matter, including any Board recommendation or position concerning the matter; and

BE IT FURTHER RESOLVED that the Board votes to [support/oppose] the proposed Non-Director Election matter, and the General Counsel is directed to draft proposed ballot language that reflects the Board's position; and

BE IT FURTHER RESOLVED that this proposed Non-Director Election matter shall not be included on the ballot unless and until a majority of the Directors votes to affirmatively place the matter on the ballot and approves the ballot wording.