

BOARD INFORMATION PACKET



**Board of Public Utilities
Kansas City, Kansas**

Regular Meeting of

October 18, 2023



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October 18, 2023

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Agenda Item #VII.....General Manager / Staff Reports



Board of Public Utilities
Kansas City, Kansas

BOARD AGENDA

Regular Session
October 18, 2023 – 6:00 P.M.

- I. Call to Order
- II. Roll Call
 - _____ Robert L. Milan, Sr., District 1
 - _____ Rose Mulvany Henry, At Large, Position 3
 - _____ Jeff Bryant, District 3
 - _____ Mary L. Gonzales, At Large, Position 1
 - _____ Tom Groneman, District 2
 - _____ David Haley, At Large, Position 2
- III. Approval of Agenda
- IV. Approval of the Minutes of the Work Session of October 4, 2023
- V. Approval of the Minutes of the Regular Session of October 4, 2023
- VI. Public Comments
- VII. General Manager / Staff Reports
 - i. HR Personnel Code – Resolution #5290
 - ii. Utility Rebate Program Update
 - iii. Miscellaneous Comments
- VIII. Board Comments
- IX. Adjourn

WORK SESSION MINUTES – WEDNESDAY, OCTOBER 4, 2023

STATE OF KANSAS)
) SS
CITY OF KANSAS CITY)

The Board of Public Utilities of Kansas City, Kansas (aka BPU, We, Us, Our) met in Work Session on Wednesday, October 4, 2023 at 5:00 PM. The following Board Members were present: Rose Mulvany Henry, President; Thomas Groneman, Vice President; Robert L. Milan, Secretary; Mary Gonzales, Jeff Bryant and David Haley.

Also present: William Johnson, General Manager; Angela Lawson, Acting Chief Counsel; Lori Austin, Chief Financial Officer/Chief Administrative Officer; Jerin Purtee, Executive Director Electric Supply; Andrew Ferris, Director Financial Planning; Dennis Dumovich, Director of Human Resources; Steve Nirschl, Director Water Processing; Douglas Bowen, Director Electric Production Operations/Maintenance; and Robert Kamp, IT Project Manager.

A video of this meeting is on file at the Board of Public Utilities and can be found on the BPU website, www.bpu.com.

Ms. Mulvany Henry called the meeting to order at 5:02 PM.

Roll call was taken. All Members were present, expect for Mr. Bryan and Mr. Haley, who arrived in the room at 5:03 PM.

Item #3 –Approval of Agenda

A motion was made to approve the Agenda by Mr. Groneman, seconded by Ms. Gonzales, and unanimously carried.

Item #4 –Board Update/GM Update

No comments were made.

Item #5 – Personnel Code Policy Review

Mr. Johnson advised the Personnel Code Policy was amended according to the recommendations made by the Policy Review Committee at their last meeting. The next step would be to move the policy to the full Board for approval. It was agreed the policy would be brought before the Board at the next Regular Session Board Meeting. (See attached amended policy.)

WORK SESSION MINUTES – WEDNESDAY, OCTOBER 4, 2023

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Item #6 – 2024 Fuel and Purchase Power Plan

Mr. Andrew Ferris, Director Financial Planning, presented the 2024 Fuel and Purchase Power Budget Forecast. He explained how data is collected and analyzed for financial planning as well as load projections for the upcoming year. (See attached PowerPoint.)

Mr. Ferris, Mr. Johnson and Ms. Lori Austin, Chief Financial Officer/Chief Administrative Officer, responded to questions and comments made by the Board.

Item #7 – Adjourn

A motion was made to adjourn the Work Session at 5:55 PM by Mr. Groneman, seconded by Mr. Bryant and unanimously carried.

ATTEST:

APPROVED:

Secretary

President



Kansas City Board of Public Utilities
Personnel Code
2023

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Introduction

This Personnel Code of the Kansas City Board of Public Utilities, commonly referred to as "the BPU," has been adopted by the Board pursuant to various Charter Ordinances. All BPU employees are covered by the Personnel Code. In the event that an employee is covered by a bargaining agreement, and the provisions of that agreement conflict with this Personnel Code, then the bargaining agreement shall control.

The Board of Directors of the BPU is responsible for the approval of the Personnel Code under the guidelines of the Charter Ordinance.

Welcome to BPU!

Welcome to the BPU! We hope your employment here will be challenging, meaningful and enjoyable. We are more than just another utility provider. We have a special team of dedicated individuals who believe in the power of community and strive to provide a high level of service to our customers. Our reputation in the industry is built on the level of service and attention we have provided to our customers over the years, and we adhere to the principles contained in our mission.

We strongly believe it is important that team members know what we expect of them and what they can expect from the BPU. The Personnel Code provides guidance and clarity in an easy reference format. Our goal is to be consistent and fair in our Personnel Code. There is also an Employee Handbook that has been adopted by the General Manager that supplements this Personnel Code and provides additional guidance.

Please familiarize yourself with the information contained in the Personnel Code, as your knowledge will help to prevent any misunderstanding concerning the items within the document. Contact your supervisor or the Human Resources Division if you have any questions.

I. General Manager Authority

The General Manager has the charge of utility employees including the authority to hire, fire, promote and demote. If you have a question regarding this section, please consult with your supervisor or the Human Resources Division.

Employee at Will

All employees who do not have a written employment contract with the BPU for a term of employment, are employed at the will of the BPU for an indefinite period of time and may be terminated at any time, either with or without cause. With the exception of the General Manager's contract, only the General Manager of the BPU has authority to enter into employment agreements for a fixed term. Otherwise, the BPU does not recognize or enter into unwritten employment agreements. Accordingly, the BPU does not recognize or enter into any oral or implied employment agreements. This Personnel Code does not constitute an employment agreement. This Personnel Code is not intended to alter the employment-at-will relationship in any way.

Employee Relations

Good communication is essential to maintaining a productive work atmosphere. Should a problem develop or you have questions or ideas about procedures, policies, or your own position, please discuss it with your supervisor. Every effort should be made to resolve differences at this level. If the issue cannot be resolved between you and your supervisor, it can be submitted to management, the Human Resources Division and ultimately to the General Manager or a designated representative. The General Manager's actions will be final. See the Employee Handbook for more information.

Discipline Program

BPU recognizes the need to maintain discipline, establish and communicate reasonable rules of conduct, and to consistently enforce these rules where necessary.

The purpose of maintaining discipline is to improve employee performance and morale correct inappropriate behavior. Disciplinary action should be applied to the extent necessary to correct misconduct and to bring employee performance back into conformance with acceptable standards.

These disciplinary provisions in the Employee Handbook do not represent an employment contract, ~~but rather are intended to enhance employee performance and morale.~~ Employment with the BPU is at-will and at the discretion of the General Manager. The Employee Handbook will provide additional provisions in detail to be consistent with the Personnel Code and as amended per Resolution No. 5217. The BPU has made no commitment for employment for any specified duration. Either the BPU or the employee may terminate the employment relationship at any time.

Management Responsibilities

Management is accountable for maintaining discipline and enforcing the rules of the Employee Handbook. Disciplinary matters should always be handled at the lowest possible level of supervision, with appropriate review by the next higher level of management in accordance with the procedures established in the Employee Handbook. Management is defined as those employees deemed to be “Exempt” by the Fair Labor Standards Act (FLSA) and in a supervisory role.

The Human Resources Division is accountable for monitoring this Personnel Code and assuring consistent application of the rules contained herein.

Each supervisor is responsible for maintaining discipline and enforcement of rules in their functional area, department or division.

Supervisors shall be responsible not only for their own safety but also for the safe work performance of employees under their supervision. Failure by a supervisor to enforce this policy or other Utility-BPU safety requirements may ~~be subject to~~ result in disciplinary action, up to and including discharge.

Any supervisor observing a rule violation may recommend disciplinary action in accordance with the Employee Handbook if, in their judgment, the situation warrants such action. Any supervisor has the authority to suspend employees in their line of their authority pending an investigation in cases involving serious offenses, but should attempt to seek guidance from the Human Resources Division.

Only the General Manager has the authority to discharge an employee.

II. Establish Employment Policies, Practices and Procedures

The General Manager is directed to adopt an Employee Handbook and amend as needed, that is consistent with this Personnel Code and governs the day to day activities of employment at the BPU. The Employee Handbook will provide additional provisions in detail to be consistent with the Personnel Code as amended.

III. Equal Employment Opportunity (EEO)

The BPU is committed to providing equal employment opportunity for all persons regardless of race, color, sex (including pregnancy, gender identity, and sexual orientation), religion, national origin or ancestry, genetics, disability (physical or mental), marital status, age or military or veteran status and any other legally protected status. Equal opportunity extends to all aspects of the employment relationship, including hiring, transfers, promotions, training, terminations, compensation, benefits, and other terms and conditions of employment.

~~It is~~ BPU's ~~policy to shall~~ comply with all applicable federal, state and local equal opportunity laws and strive to keep the workplace free from all forms of illegal discrimination and harassment.

Individual with Disabilities

~~It is the policy of~~ The BPU ~~to shall~~ comply with federal, state and local laws concerning the employment of individuals with disabilities. If you believe you have a disability that may require accommodation in order to perform the essential functions of your job, you should contact the Human Resources Division. Additionally, if you believe that you have been discriminated against on the basis of your disability, you should contact the Human Resources Division immediately.

Harassment/Discrimination

It is the intent of the BPU that all employees, vendors, customers and all other persons with whom BPU employees may come into contact as part of their employment with BPU enjoy a work environment free from all forms of discrimination, including illegal harassment. Harassment based on race, color, sex (including sexual harassment, pregnancy, gender identity, and sexual orientation), religion, national origin or ancestry, genetics, disability (mental or physical), citizenship status, marital status, age, or military or veteran status and any other legally protected status is a violation of the BPU's policy on Equal Employment Opportunity.

You are expected to deal fairly and honestly with other employees, vendors, customers and all other persons with whom you come in contact as a BPU employee to ensure a work environment free of intimidation and harassment. Abuse of the dignity of anyone through ethnic, racist, sexist slurs, or through other derogatory or objectionable conduct is offensive employee behavior and may be subject to disciplinary action.

Sexual harassment is a specific form of harassment that undermines the integrity of the employment relationship. It will not be tolerated. Unwelcome sexual advances, requests for sexual favors, unwelcome sexual overtures and/or conduct and other verbal or physical conduct of a sexual nature will not be tolerated and ~~ALL~~ such activity should be reported to the Human Resources Division.

Any person who feels that he or she has experienced or observed harassment or has been discriminated against due to race, color, sex (including sexual harassment, pregnancy, gender identity, and sexual orientation), religion, national origin or ancestry, genetics,

disability (mental or physical), citizenship status, marital status, age or military or veteran status and any other legally protected status should immediately report such incidents to his/her supervisor, the Human Resources Division, or to the General Manager without fear of reprisal.

The BPU will make every effort to maintain confidentiality to the extent possible in conducting a thorough and effective investigation. An investigation will be made and appropriate action taken to address the investigative findings.

The BPU strictly prohibits retaliation against an individual for making a complaint or notifying the BPU of conduct prohibited by this policy, testifying as a witness at a hearing or otherwise assisting in an investigation of any complaint made pursuant to this policy.

We also realize that intentional false accusations or harassment can have serious effects on innocent employees. Thus, false accusations may also result in disciplinary action.

IV. Residency

The BPU board declares that all employees must establish and maintain their legal primary residence within the legal boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas. The Board's objectives in adopting a residency requirement are to promote the interest and loyalty of BPU employees within the BPU's service area, to improve the relations between BPU employees and the residents of the Unified Government and the Unified Government Board of Commissioners, to enhance the quality of BPU's employees' performance by encouraging greater personal knowledge of the BPU's service area and by fostering a greater personal connection between BPU employees and the BPU in terms of the BPU's growth, rates and competitive edge, to diminish absenteeism and tardiness, to promote readily trained personnel in emergency situations, to help the general economic conditions of the local economy by increasing local spending of employees' wages and salaries, to help diminish the population decline of the county, and to help increase the local tax base while adding to the number of BPU customers.

Pursuant to the BPU's residency requirement, all BPU employees shall establish and maintain their legal primary residence within the legally defined boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas, throughout the period of their employment, and shall not attempt to circumvent the objectives of the BPU's employee residency requirement.

All BPU employees shall have a period of twelve (12) months after employment begins to establish and maintain a legal primary residence within the legally defined boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas. On or before the last day of the twelve (12) month period, the employee shall be required to complete a "Certificate of Residency," to be filed with the Human Resources Division, indicating the employee's address and any subsequent change of address, and acknowledging the BPU's continuing residency requirement. Should the employee be found not to have established or maintained a legal primary residence within the legally defined boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas the employee shall be terminated for failure to meet the conditions and qualifications for continued employment with the BPU.

~~In accordance with Board Resolution No. 5092, all BPU employees shall be required to file with the Human Resources Division a Certificate of Residency indicating their legal primary residence, and to file an additional Certificate of Residency indicating any subsequent change of address, on a form approved by the General Manager. The employee is required to provide this Certificate within thirty (30) days of the triggering event. All BPU employees acknowledge that establishing and maintaining a legal primary residence within the legally defined boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas is a qualification of continued employment and a condition for employment with the BPU.~~

~~All BPU employees found to be in violation of the BPU's residency requirement shall be immediately terminated from employment by the General Manager and shall not be entitled to further compensation or benefits.~~

Legal and primary residence is defined as a BPU employee's domicile, which is the residence that is intended to be permanent rather than temporary and which is the place that is permitted and authorized as a residential dwelling by the laws and ordinances of the State of Kansas and the Unified Government of Wyandotte County/Kansas City, Kansas. The legal and primary residence shall be the residence where the employee spends the majority of his/her non-work hours. Tests for determining a BPU employee's legal primary residence include, but are not limited to the residential address indicated on an employee's driver's license, automobile registration, voter's registration, bank accounts, credit cards and legal documents; the address provided for the purpose of school enrollment for children living with the BPU employee; the address provided on the Certificate of Residency filed with the BPU's Human Resources Division; and any other credible evidence indicating the employee's intent to reside at a permanent and primary residence.

V. Collective Bargaining – Recognition

Physical Bargaining Unit

~~The Company~~ The Kansas City Board of Public Utilities hereby recognizes the Local Union 53, International Brotherhood of Electrical Workers as the bargaining representative for the physical employees employed within the divisions, except that the term "Employee" shall exclude professional, clerical, confidential employees, guards and supervisors as defined in the National Labor Relations Act, as amended, employed within said section.

International Brotherhood of Electrical
Workers Local 53
1100 East Admiral Boulevard
Kansas City, Missouri 64106

Clerical Bargaining Unit

The Kansas City Board of Public Utilities hereby recognizes the Local Union 53-4, International Brotherhood of Electrical Workers as the bargaining representative for the clerical employees employed within the Divisions, except that the term "Employee" shall exclude managerial, confidential employees, guards and supervisors as defined in the National Labor Relations Act, as amended, employed within said Divisions.

International Brotherhood of Electrical
Workers 53-4
1100 East Admiral Boulevard
Kansas City, Missouri 64106

Employee Categories

Regular full-time employees: Employees working and scheduled to ~~working and scheduled to work~~ at least a ~~forty~~ (40-hour workweek on an annual basis ~~or position is budgeted for a 40-hour workweek, for an indefinite period of time~~ are eligible for BPU benefits.

Exempt employees: Employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act (FLSA) and accordingly need not receive additional compensation or compensatory time for working more than 40 hours in a workweek. Exempt employees are generally executive, administrative, professional, or sales personnel and work at least 40 hours per week.

Non-exempt employees: Employees who are covered by the overtime provisions of the Fair Labor Standards Act (FLSA) are, therefore, eligible for overtime payment at 1 ½ times their hourly rate.

Bargaining Units and Non-Bargaining Employees

The BPU recognizes that certain classes and categories of employees, ~~as well as employees in certain categories of employment,~~ are not eligible for membership in any of the bargaining units. ~~or~~ Additionally, bargaining unit employees may elect not to be represented by such bargaining units.

All BPU employees are covered by the policies and procedures outlined in ~~this~~ the Employee Handbook. In the event that an employee is covered by a recognized collective bargaining agreement in effect, and the provisions of that collective bargaining agreement conflict with ~~this~~ the Employee Handbook, then the collective bargaining agreement shall control.

VI.Holidays

Holidays recognized by the BPU shall be:

- New Year's Day
- Martin Luther King's Birthday
- ~~President's Day~~
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day

The General Manager is directed to set the actual date of the holidays on an annual basis and to provide these dates to all personnel.

VII. Employees Addressing the Board Regarding Employment Related Matters

A. BPU employees may attend public open meetings of the BPU Board of Directors and may address the Board or during such meetings if the Board's Rules and Procedures permit such comment, subject to the following limitations:

1. To be allowed to address the Board, a BPU employee must speak on a matter of public concern.
2. Comments by a BPU employee on a matter of personal interest will not be allowed.
3. A BPU employee will be allowed to address the Board of Directors on items on the Board's agenda, as long as the employee's comments relate to a matter of public concern, rather than personal interest.
4. If the General Manager determines that a BPU employee's remarks relate to a matter of personal interest, rather than public concern, such remarks will not be allowed.

B. Guidelines:

1. Matters of public concern are those that are of interest to the community, whether for social, political, or other reasons.
2. In deciding whether a particular statement involves a matter of public concern, the fundamental inquiry is whether the employee speaks as a citizen or as an employee. The content, form and context of the speech, as well as the speaker's motivation, must be considered.
3. Speech pertaining to internal personnel disputes, personal grievances, internal policies or working conditions ordinarily is not of public concern. On the other hand, speech that pertains to a public agency's discharging its governmental responsibilities or that questions the propriety of governmental operations or the integrity of governmental officials is a matter of public concern.
4. The term "working conditions" includes, but is not limited to, matters relating to wages, salaries, hours of work, overtime, vacation, sick leave, injury leave, holidays, retirement benefits, insurance benefits, wearing apparel, discipline, termination, promotion, demotion and transfer.
5. Even though a statement by an employee addresses a matter that ordinarily would be of personal interest, the statement may involve a matter of public concern, depending upon the content, form and context of the statement.

C. The Board of Directors requests that employees address matters of personal interest involving their employment with their supervisors or other management or the Human Resources Division or through the grievance process, as appropriate, rather than through oral or written communications with Board members. Under the BPU policy, authority over personnel decisions is vested in the Human Resources Division and the General Manager. The Board of Directors and its members are prohibited from in any manner directing, supervising or requiring the appointment, promotion, transfer, assignment, demotion, discipline, suspension, discharge or removal of any officers or employees.

D. This policy is intended to be a statement of the right of BPU employees to freedom of speech. This policy shall be interpreted so as to protect an employee's right to free speech.



2024 Fuel & Purchase Power Budget Workshop

October 4, 2023



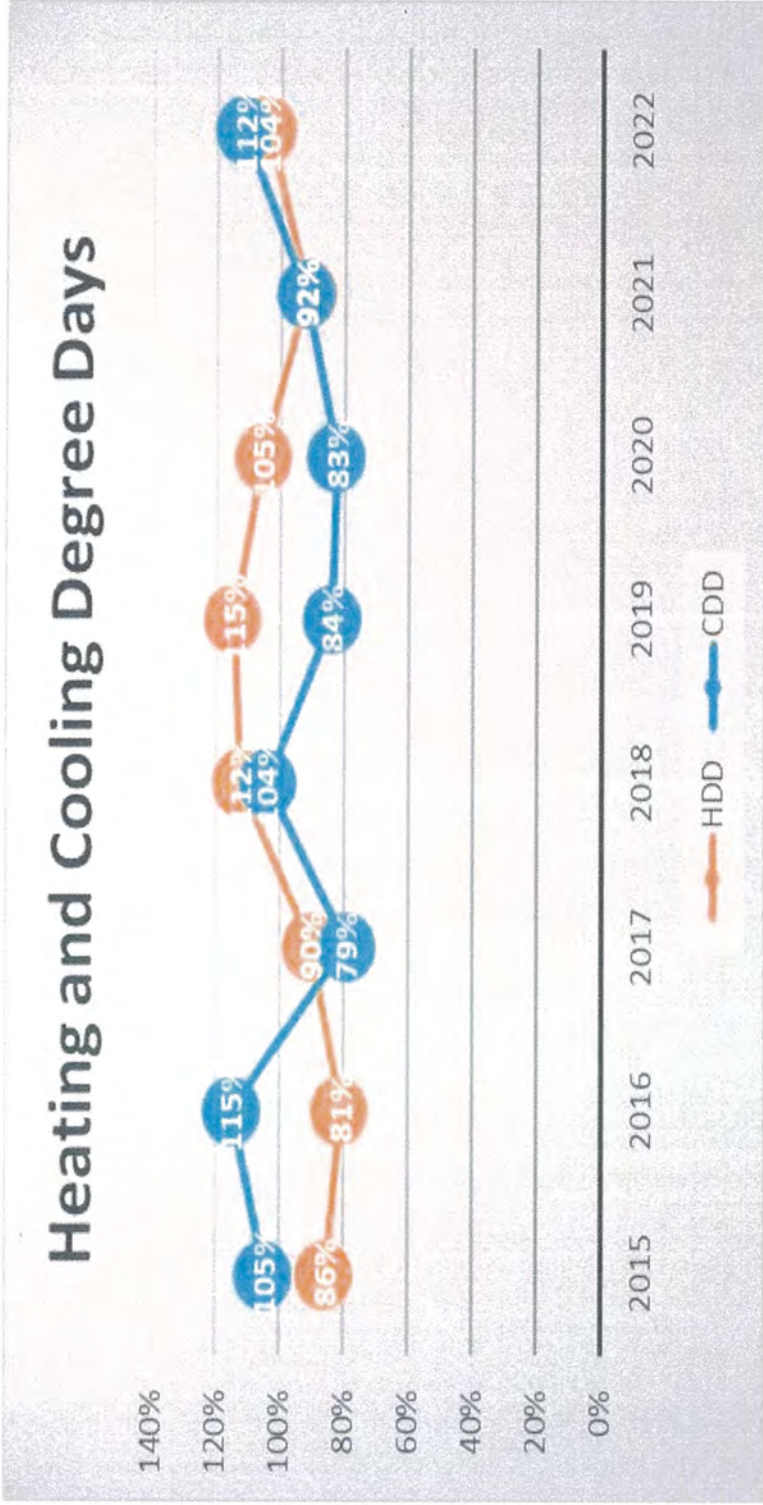
Fuel & Purchase Power Methodology

- Dispatch to Price model
 - Produces a chronological hourly calculation for the economic dispatch of resources
 - Resource dispatch / production is independent of load / system demand
- Load Data
- Resource Data

Load Requirement

- Load forecast
 - Historical monthly billing data
 - Current / Long term Trends
 - Weather Data / GDP / Number of Customers
 - Correlate / Normalize data for an average weather year
 - Known customer changes
 - Total energy needs from BPU system (Customers, BPU depts., system losses, UG, Borderline)
 - Annual peak requirement

Heating and Cooling Degree Days

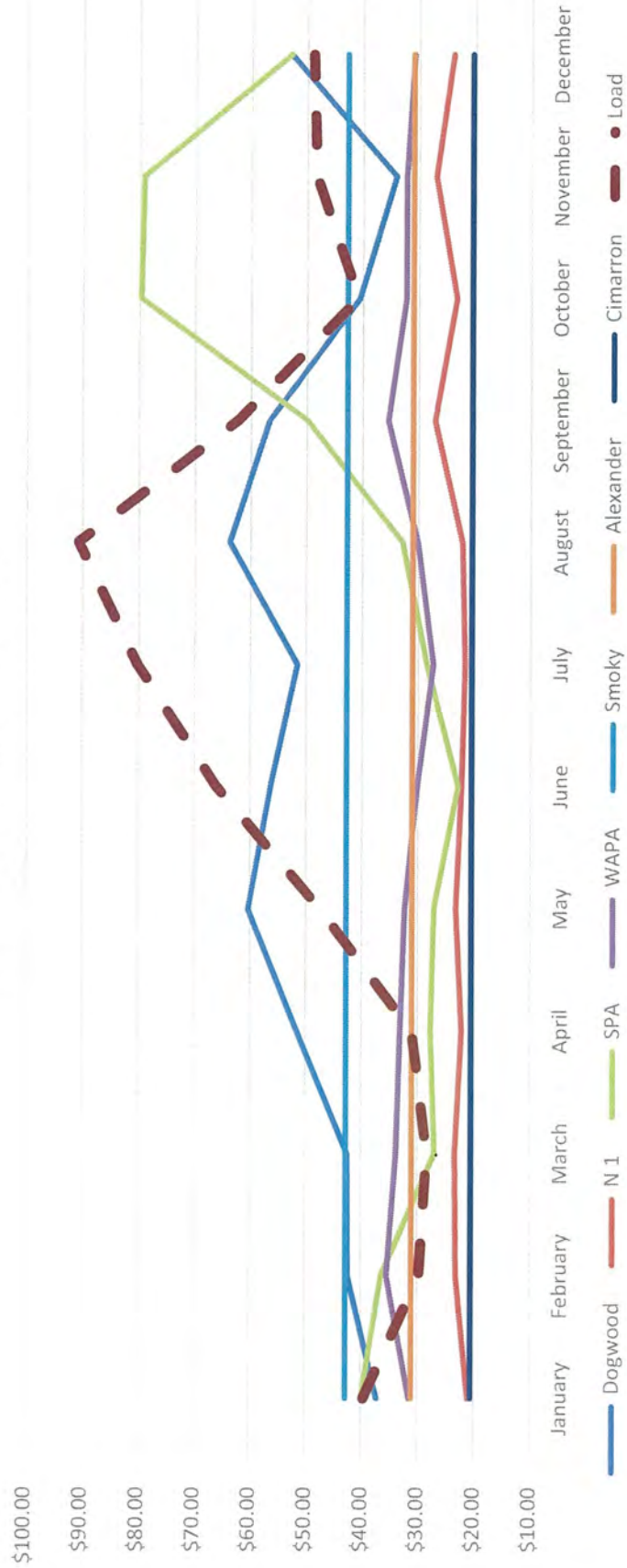


BPU Resource Data

- Examples of Types of BPU Resource Data
 - Generation plants
 - Maximum / minimum capacity
 - Usage - must run vs. economic dispatch
 - Fuel - type / price forecast index
 - Heat rate / curve
 - Scheduled maintenance outages
 - Forced outage rates
 - Fixed and Variable Operating costs
 - Start costs / minimum run times
 - Purchase Power Agreements
 - Capacity costs / energy price
 - Energy patterns (wind, hydro, other contractual scheduling requirements)
 - Transmission costs
 - Market Prices
 - On Peak
 - Off Peak

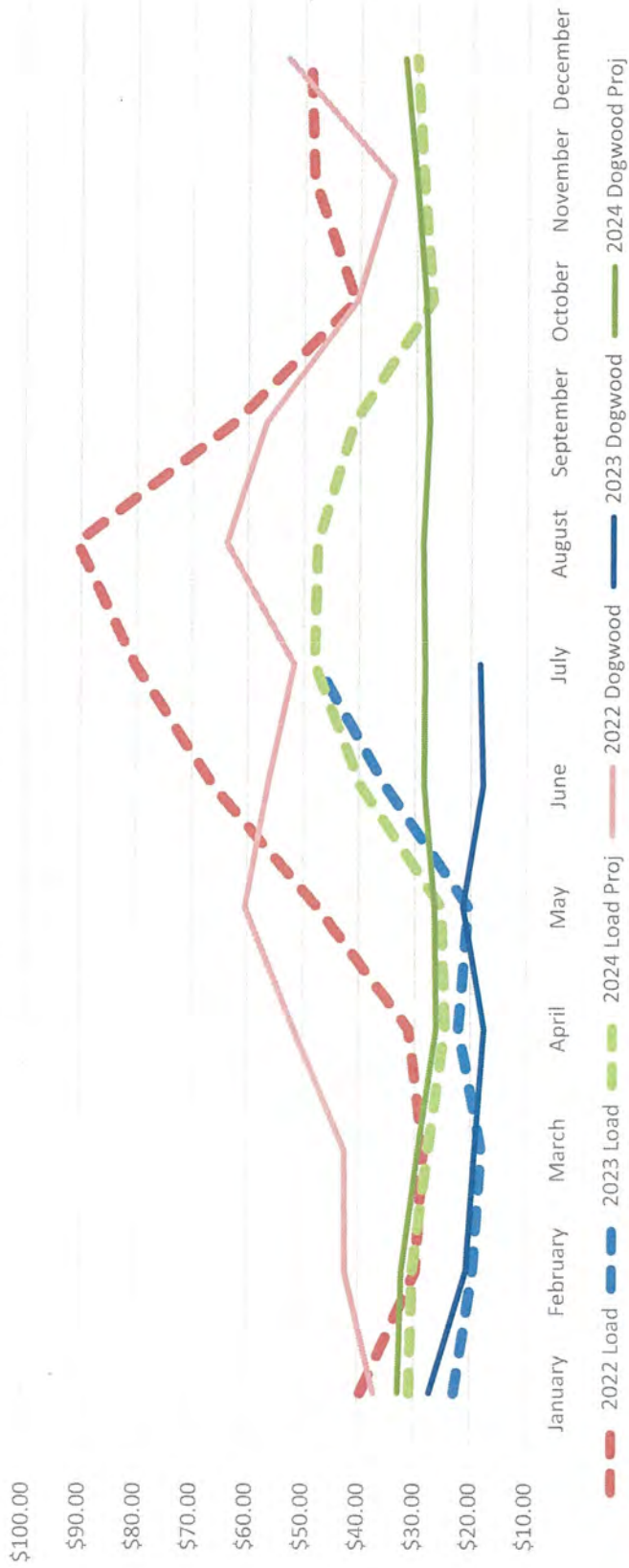
Resource and Market Cost

2022 Resource and Load Costs



Forecasted Resource and Market Cost

Dogwood and Load Cost Changes

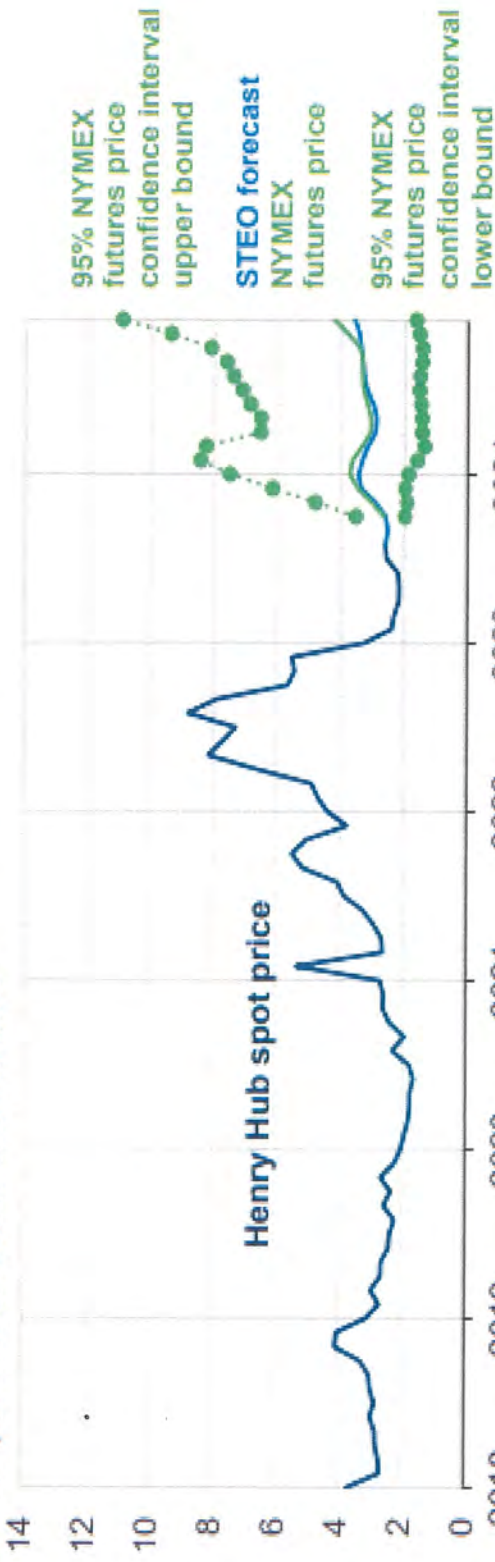


2024 Considerations / Impacts

- **Natural Gas Prices**
 - Henry Hub gas prices averaged \$2.11 in 2020, \$4.06 in 2021, and \$6.42 in 2022, \$2.58 in 2023 and \$3.24 in 2024.
 - Last year at this time the EIA was expecting Natural Gas to average approximately \$6.24 in 2023.
- **SPP Integrated Market**
 - Market prices are down approximately 42% over the first seven months of 2023 with an average LMP of \$26.57
 - Wind is expected to slightly exceed coal generation in 2024.
- **Dogwood production**
 - Expecting production volumes to be about 7% higher in 2024 compared to 2023 estimated actuals and about 75% higher than the 2023 budget.
 - Although output is expected to increase margins are also expected to marginally improve. The overall net margin is expected to climb 1% on a per MWh basis with the total margin expected to increase by 6%.
- **Wind energy production**
 - SPP is expected to have over 35,000 MWs of wind resources as of the end of 2023.
 - SPP set a wind penetration record of 88.5% of load, far higher than any other RTO. 48% of Kansas' generation comes from wind.
 - In 2022 wind energy accounted for over 37.5% of all generation in SPP, while coal produced 33.3% of total generation.
 - Negative congestion remains an area of concern with wind resources in particular due to location and timing of generation

2024 Forecasted Natural Gas Pricing

Henry Hub natural gas price and NYMEX confidence intervals
 dollars per million British thermal units



Data source: U.S. Energy Information Administration, Short-Term Energy Outlook, September 2023, CME Group, and Refinitiv an LSEG Business

Note: Confidence interval derived from options market information for the five trading days ending September 7, 2023. Intervals not calculated for months with sparse trading in near-the-money options contracts.





2024 Forecast

- **SPP Purchase Power Energy**
 - Purchase Power Energy and Wholesale Sales account for all the energy sales as well as all load purchases
 - The most volatile of any of the Purchase Power accounts as it is highly dependent on numerous variables
 - Daily expenses fall within the Purchase Power Energy account while daily revenue is moved to Wholesale Revenue
 - In 2024, the forecast is that Purchase Power expenses will exceed its share of the wholesale revenue figure by approximately \$7.7 million
 - Purchase Power Energy is expected to climb by approximately \$3.5 million and approximately in line with expected 2023 full year actuals.
- **Purchase Power Renewables**
 - Purchase Power Renewables account for the contracted purchase power agreements of the renewable fleet
 - Expect a budget decrease of approximately 12% or \$2.5 million, primarily due to lower output levels off-set by some inflationary pricing resets
- **Purchase Power Capacity**
 - Purchase Power Capacity accounts for the capacity payments and capacity reimbursements associated with a portion of our purchase power agreements
 - Expect that budget to fall by approximately \$2 million over the 2023 budget
- **Purchase Power Transmission**
 - Purchase Power Transmission is the cost of SPP transmission to serve load
 - As of January 1st 2020, BPU became a transmission customer owner within SPP which provides for greater transmission funding flexibility while also lowering the overall budget by approximately 25% compared to previous years
 - Expect the 2024 budget to remain largely in line with 2023 figures

2024 Forecast

- **Renewable Energy Certificates**
 - Expect a budget decrease of \$400,000 due to higher REC sales volumes
 - Seeing sustained pricing in the \$.250+ per REC range
- **Other Purchase Power**
 - These are expenses associated with SPP operations, MRO compliance, and other service providers
 - Expect a budget to remain in line with the 2023 budget and expected full year actuals.
- **Total Purchase Power budget is expected to fall by 4% or approximately \$2.4 million. Wholesale Sales are expected to fall by \$3.8 million compared to the 2023 budget.**
- **Currently expecting a mild reduction in the 2024 full year ERC rates compared to 2023 actuals with the full year average expected to come in at approximately 4.1¢ per kWh.**

QUESTIONS

REGULAR SESSION –WEDNESDAY, OCTOBER 4, 2023

STATE OF KANSAS)
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CITY OF KANSAS CITY)

The Board of Public Utilities of Kansas City, Kansas (aka BPU, We, Us, Our) met in Regular Session on Wednesday, October 4, 2023 at 6:00 PM. The following Board Members were present: Rose Mulvany Henry, President; Thomas Groneman, Vice President; Robert L. Milan, Secretary; Mary Gonzales, Jeff Bryant, and David Haley.

Also present: William Johnson, General Manager; Angela Lawson, Acting Chief Counsel; Lori Austin, Chief Financial Officer/Chief Administrative Officer; Jeremy Ash, Chief Operating Officer; Jerry Sullivan, Chief Information Officer; Maurice Moss, Executive Director Corporate Compliance; Johnetta Hinson, Executive Director Customer Service; Darrin McNew, Executive Director Electric Operations; Jerin Purtee, Executive Director Electric Supply; Steve Nirschl, Director Water Processing; Dennis Dumovich, Director of Human Resources; Patrice Townsend, Director Utility Services; Douglas Bowen, Director Electric Production Operations & Maintenance; Steve Hargis, Supervisor Water Distribution Meters; and Robert Kamp, IT Project Manager.

A video of this meeting is on file at the Board of Public Utilities and can be found on the BPU website, www.bpu.com.

Ms. Mulvany Henry called the Board meeting to order at 6:01 PM. She welcomed all that were listening to or viewing the meeting. She informed all that the meeting was being recorded including video and audio. During the public comment section, those attending in person, wishing to speak, should use the sign-up sheet at the entry and provide their name and address. Public comments were limited to five minutes and should be addressed to the Board. Members of the public who wished to speak to the Board using Zoom needed to use the Raise Hand feature at the bottom of the application or window to signal that they wish to address the board during the public comment section. Members of the public connected by phone only, needed to press *9 to indicate they wished to address the Board in the public comment section. No confidential information should be shared, including, account information. Staff would not provide individual account information during an open meeting. As always, the public could also email or call the BPU with any concerns. She informed that all participants were to act respectfully to each other. Personal attacks or accusations would not be tolerated. All concerns would be directed to the Board only, they would then determine staff involvement. If side discussion was necessary, it was to be conducted outside of the Board room to avoid interfering with presenters or other attendees. If any rules are breached during this meeting, the attendee was subject to removal. Ms. Mulvany Henry introduced herself and the other Board Members along with the General Manager, and Legal Counsel.

Roll call was taken and all Board Members were present.

REGULAR SESSION –WEDNESDAY, OCTOBER 4, 2023

STATE OF KANSAS)
) SS
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Item #3 – Approval of Agenda

A motion was made to approve the Agenda by Ms. Gonzales, seconded by Mr. Bryant, and unanimously carried.

Item #4 – Approval of Regular Session Minutes of September 20, 2023

A motion was made to approve the minutes of the Regular Session of September 20, 2023, by Mr. Bryant, seconded by Mr. Groneman, and unanimously carried.

Item #5– Public Comments

There were no visitors wishing to speak.

Item #6– General Manager / Staff Reports

- i. *August 2023 Financials:* Ms. Lori Austin, Chief Financial Officer/Chief Administrative Officer, presented the August 2023 Financials to the Board. (See attached PowerPoint.)

Ms. Austin responded to questions and comments from the Board.

A motion was made to approve the August 2023 Financials as presented, by Mr. Groneman, seconded by Mr. Milan, and unanimously carried.

- ii. *My Meter Update:* Mr. Jerry Sullivan, Chief Information Officer, and Robert Kamp, IT Project Manager, provided the Board with an update and demonstration of MyMeter, which will replace the current Customer Self Service portal. They explained that MyMeter was created to improve the BPU customer experience by offering many new and enhanced features and that notifications will be sent out and resources will be available to assist customers with navigating the new program. MyMeter is expected to rollout in December 2023. (See attached PowerPoint.)

Mr. Sullivan and Mr. Kamp responded to questions and comments from the Board.

- iii. *Miscellaneous Comments:* Mr. Johnson notified the Board that BPU would be receiving an Award of Excellence, from the APPA, pertaining the BPU website and social media efforts. The award would be presented at the APPA Customer Connection Conference in November.

REGULAR SESSION –WEDNESDAY, OCTOBER 4, 2023

STATE OF KANSAS)
) SS
CITY OF KANSAS CITY)

Mr. Johnson also presented Ms. Patrice Townsend, Director of Utility Services, with a Resolution of Appreciation Award, from the APPA, for her time served on the Smart Energy Provider (SEP) program Review Panel (2018-2022). Ms. Townsend started as a committee member in 2018. She was elected to Vice Chair of the executive committee from 2020- 2021, then served as Chair in 2022.

Ms. Austin and Ms. Townsend gave the Board a brief update on the BPU Weatherization Program. BPU had engaged with Habitat KC to perform the energy audits and updates as part of our energy efficiency efforts. There are currently 60 homes that will get to utilize the program funds, each receiving a maximum of \$2,000.00. BPU was informed that the state of Kansas would not be applying for additional federal weatherization funds.

Item #7 – Board Comments

Mr. Haley thanked staff for the financial update as well as the MyMeter program presentation. He advised he would follow up with additional information as to why Kansas has not pushed for additional weatherization funds.

Mr. Groneman stated he was pleased with the results of the monthly cash on hand results. He also thanked Mr. Sullivan and Mr. Kamp for their presentation and looked forward to the ‘My Meter’ program.

Mr. Milan thanked staff for the informative presentations.

Mr. Bryant expressed his excitement for the MyMeter presentation and reiterated the importance of community education so that everyone can utilize this new tool.

Ms. Gonzales thanked staff for their presentations. She congratulated Ms. Townsend on her award and also thanked her for her community involvement.

Ms. Mulvany Henry echoed Ms. Gonzales in congratulating Ms. Townsend on her award and community outreach. She thanked Mr. Sullivan and Mr. Kamp for their presentation and looked forward to My Meter going live. She also thanked Ms. Austin and Mr. Townsend for the weatherization update they provided. She gave the Board notice that she would not be available, in-person, to attend the second meeting in November. She confirmed she could be in attendance via Zoom.

REGULAR SESSION –WEDNESDAY, OCTOBER 4, 2023

STATE OF KANSAS)
) SS
CITY OF KANSAS CITY)

Item #8 – Adjourn

At 7:22 PM a motion to adjourn was made by Mr. Milan, seconded by Ms. Gonzales and unanimously carried.

ATTEST:

APPROVED:

Secretary

President



August 2023 Financial Results

October 4, 2023



Financial Results

2023 Billed kWh (YTD Jan - August)

Electric	(CY) 2023 YTD	(PY) 2022 YTD
Residential	402,918,386	417,185,099
Commercial	676,039,673	667,921,474
Industrial	325,571,065	355,426,356
	1,404,529,124	1,440,532,929
		-2.5%

Commercial usage was above 2022 levels and Residential, Industrial and Total were below 2022 levels

Residential – Down 3% Commercial – Up 1% Industrial – Down 8%



Financial Results

2023 Billed CCF's (YTD Jan - August)

Water	(CY) 2023 YTD	(PY) 2022 YTD
Residential	2,348,711	2,293,916
Commercial	1,806,158	1,741,481
Industrial	1,227,919	1,245,862
	5,382,788	5,281,259
		1.9%

Residential and Commercial were above 2022 levels while Industrial was slightly below 2022 levels

Residential – Up 2% Commercial – Up 4% Industrial – Down 1%



Financial Results

Revenues – August 2023

	(CY) 2023 August	(PY) 2022 August	Budget 2023 August	(CY) 2023 August
Electric	\$ 33,570	\$ 36,954	\$ 32,742	\$ 33,570
Water	5,332	5,280	5,157	5,332
Combined	\$ 38,902	\$ 42,234	\$ 37,899	\$ 38,902
				2.6%

Actual Compared to 2023 Budget

Electric – Up 2.5%

Water – Up 3%

Combined – Up 3%

Financial Results

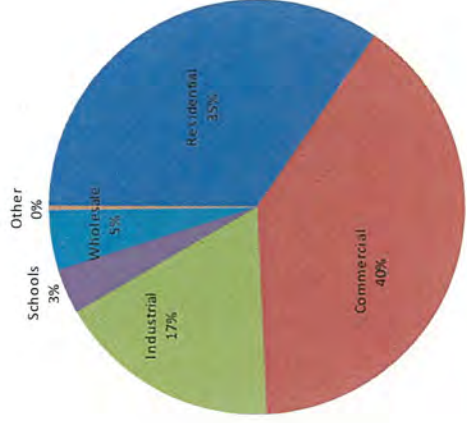
Revenues – 2023 YTD

	(CY) 2023 YTD	(PY) 2022 YTD	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 220.725	\$ 216.106	\$ 211.928	\$ 220.725
Water	36.069	35.051	35.072	36.069
Combined	\$ 256.794	\$ 251.157	\$ 247.000	\$ 256.794
			2.2%	4.0%

**Dollars in millions

Variance – YTD comparing Budget to Actual for 2023

Electric:	<i>Up 4%</i>	Water:	<i>Up 3%</i>
Residential	\$ 2.0M	Residential	\$518K
Commercial	\$ 8.9M	Commercial	\$662K
Industrial	\$ 150K	Industrial	\$106K
Schools	\$666K	Wholesale	\$159K
Wholesale	(\$4.9M)		





Financial Results

Operating Expenses – August 2023

	(CY) 2023 August	(PY) 2022 August	Budget 2023 August	(CY) 2023 August
Electric	\$ 22,017	\$ 23,508	\$ 19,127	\$ 22,017
Water	3,145	3,175	3,499	3,145
Combined	\$ 25,162	\$ 26,683	\$ 22,626	\$ 25,162
				-5.7%
				11.2%

Actual Compared to 2023 Budget

- Electric – Up 15%
- Water - Down 10%

Financial Results

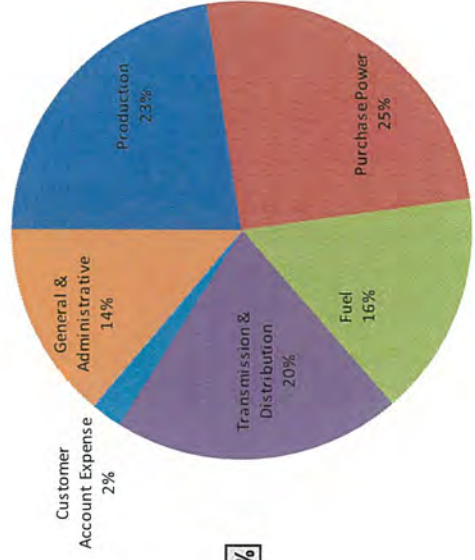
Operating Expenses – 2023 YTD

	(CY) 2023 YTD	(PY) 2022 YTD	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 170.690	\$ 160.777	\$ 160.812	\$ 170.690
Water	25.503	24.280	27.288	25.503
Combined	\$ 196.193	\$ 185.057	\$ 188.100	\$ 196.193
				4.3%

**Dollars in millions

Actual Compared to 2023 Budget

- Electric – Up 6%
- Water - Down 6.5%
- Combined – Up 11%



2022 ERC Under Recovery of the ERC has been fully amortized as of June 2023 - \$14,781,274



Financial Results

Operating Expenses – 2023 YTD less Depreciation

	(CY) 2023 YTD	(PY) 2022 YTD	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 147.073	\$ 139.516	\$ 137.706	\$ 147.073
Water	19.883	18.779	21.700	19.883
Combined	\$ 166.956	\$ 158.295	\$ 159.406	\$ 166.956
			5.5%	4.7%

**Dollars in millions

Electric:

Purchased Power \$1.6M
 Fuel (\$5.6M)
 Production \$3.4M
 T&D (\$2.8M)
 G&A (\$1.6M)

Water:

Production (\$954K)
 T&D (\$472K)
 G&A (\$298K)

Variance – YTD comparing Budget to Actual 2023



Financial Results

Change in Net Position – August 2023

	(CY) 2023 August	(PY) 2022 August
Electric	\$ 7.040	\$ 8.694
Water	1.388	1.467
Combined	\$ 8.428	\$ 10.161

	Budget 2023 August	(CY) 2023 August
Electric	\$ 9.010	\$ 7.040
Water	0.848	1.388
Combined	\$ 9.858	\$ 8.428

**Dollars in millions

Change in Net Position – 2023 YTD

	(CY) 2023 YTD	(PY) 2022 YTD
Electric	\$ 17.170	\$ 21.437
Water	6.631	6.172
Combined	\$ 23.801	\$ 27.609

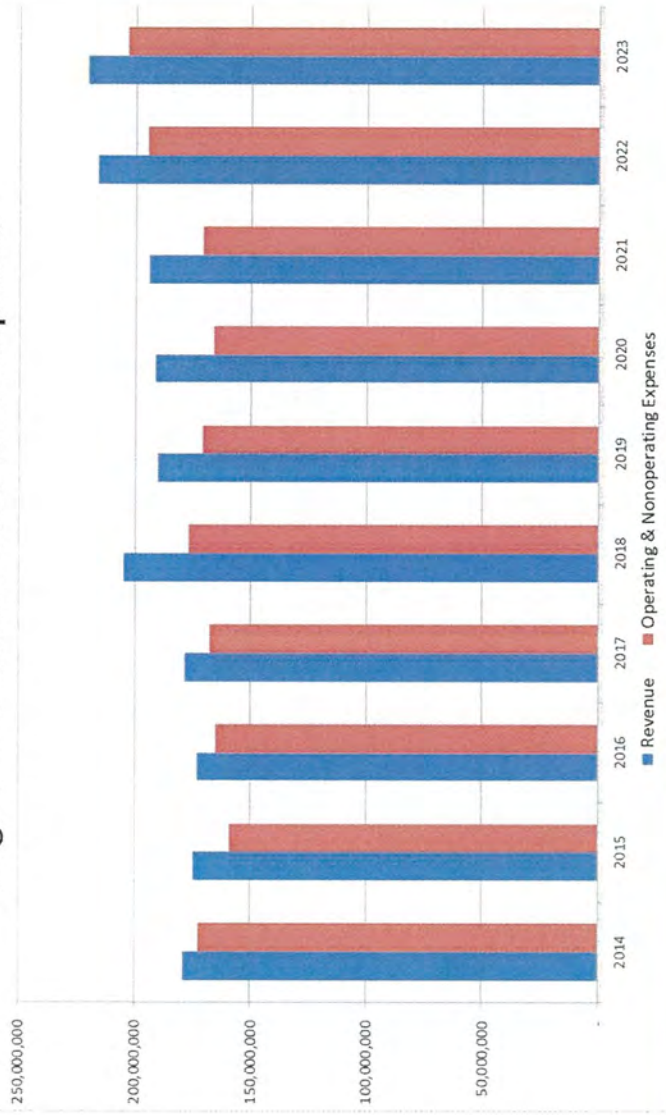
	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 18.669	\$ 17.170
Water	3.394	6.631
Combined	\$ 22.063	\$ 23.801



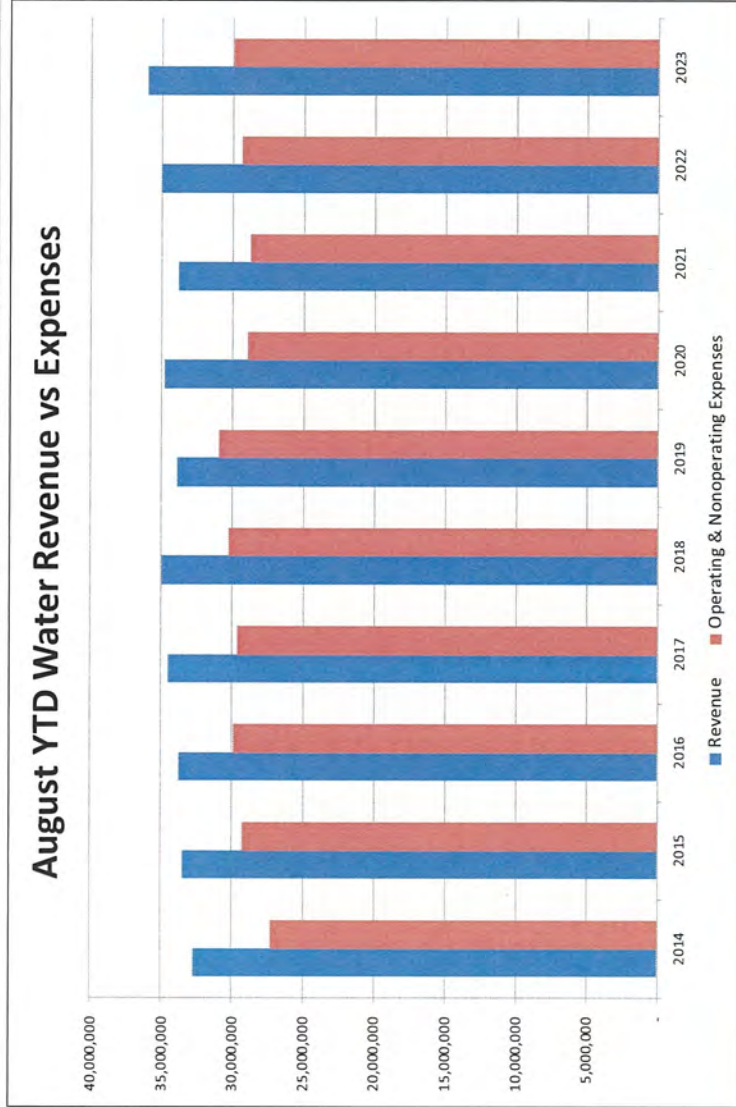
**Dollars in millions

Financial Results - 10 Year Trend

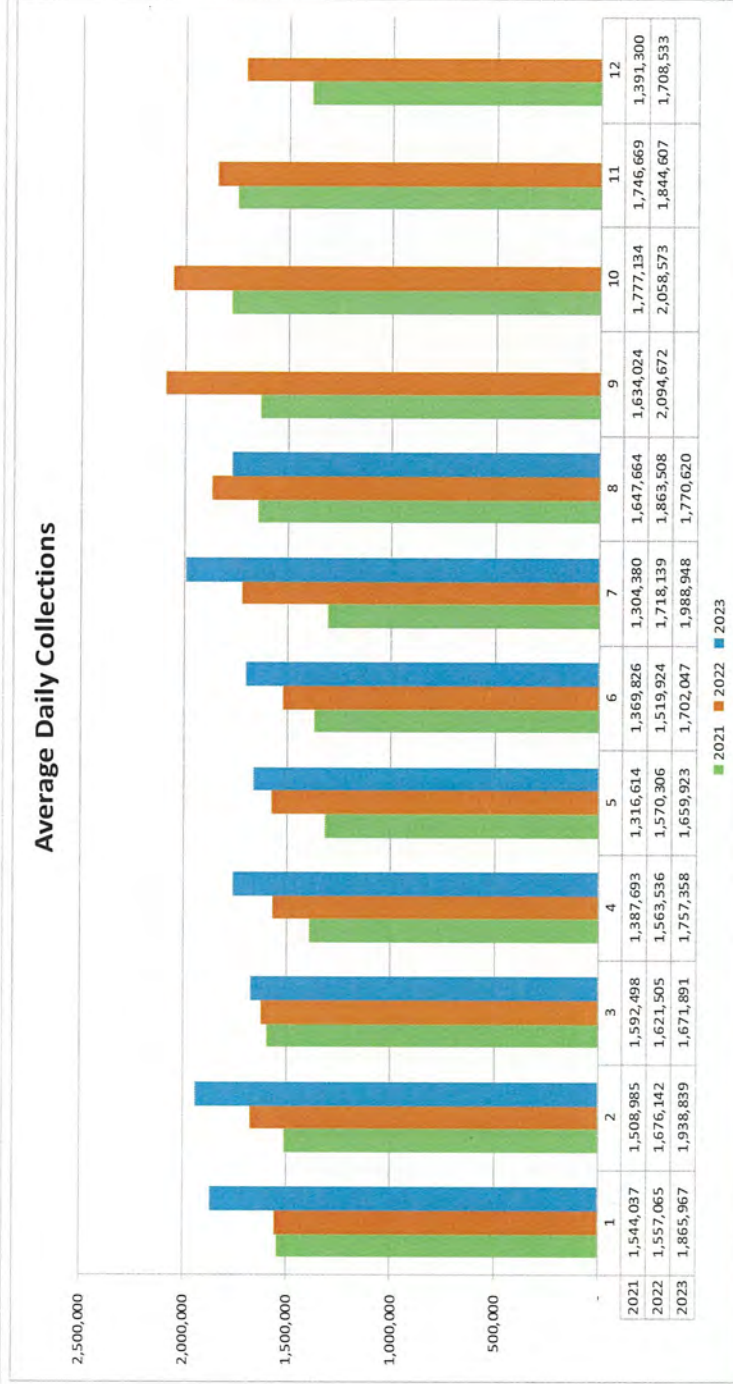
August YTD Electric Revenue vs Expenses



Financial Results – 10 Year Trend

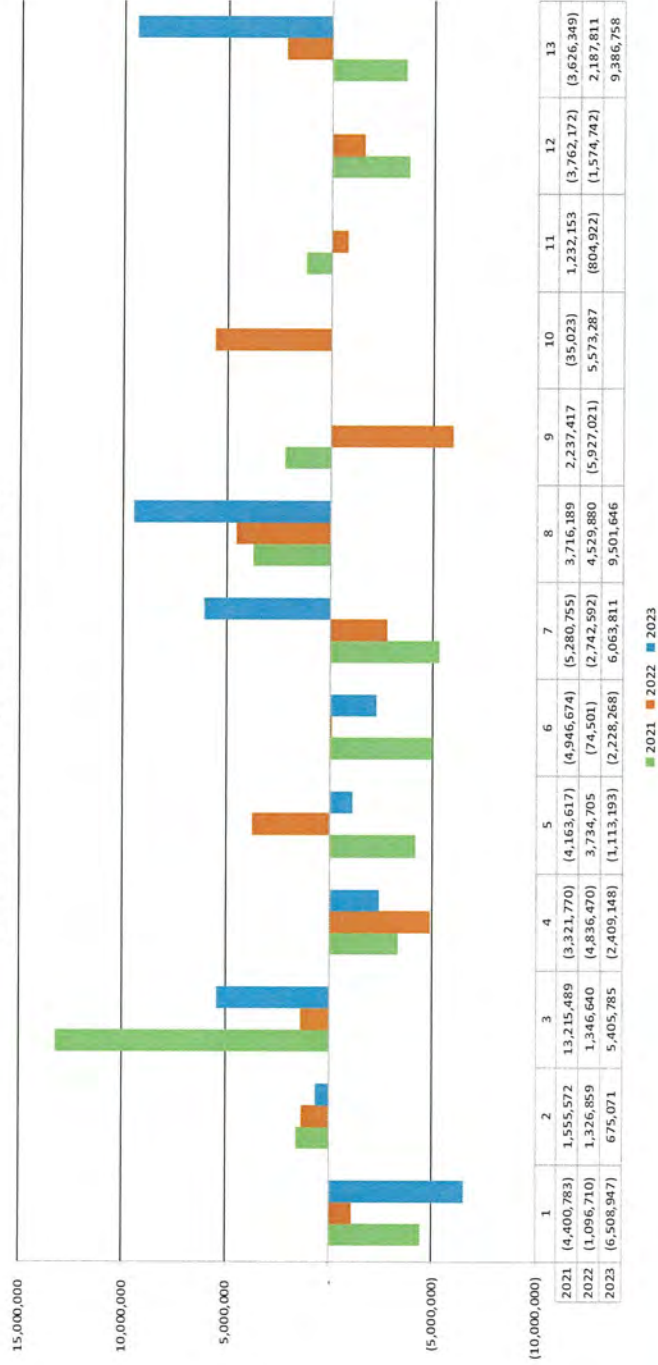


Financial Results



Financial Results

Historical Monthly Cash Comparison





Financial Results

Cash Position

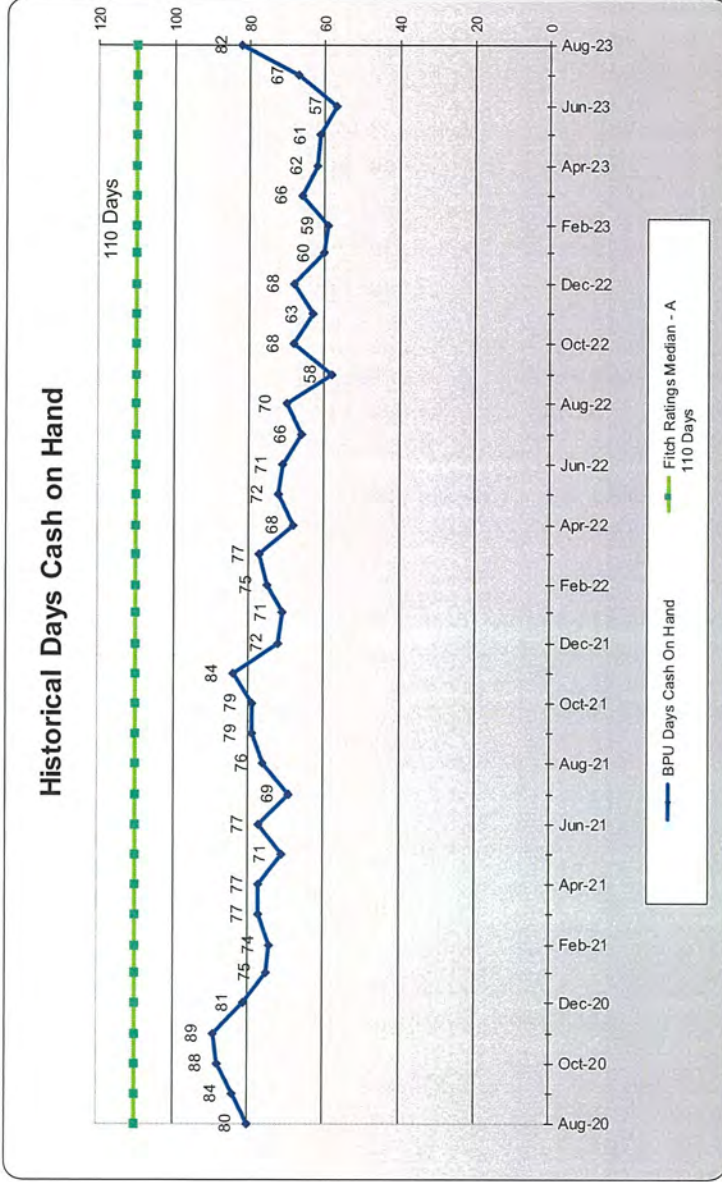
Combined (E&W)
Days Cash-on-Hand

	(CY) 2023 August	(PY) 2022 August	2023 July
\$	52.50	\$ 46.19	\$ 43.71
	82	70	67

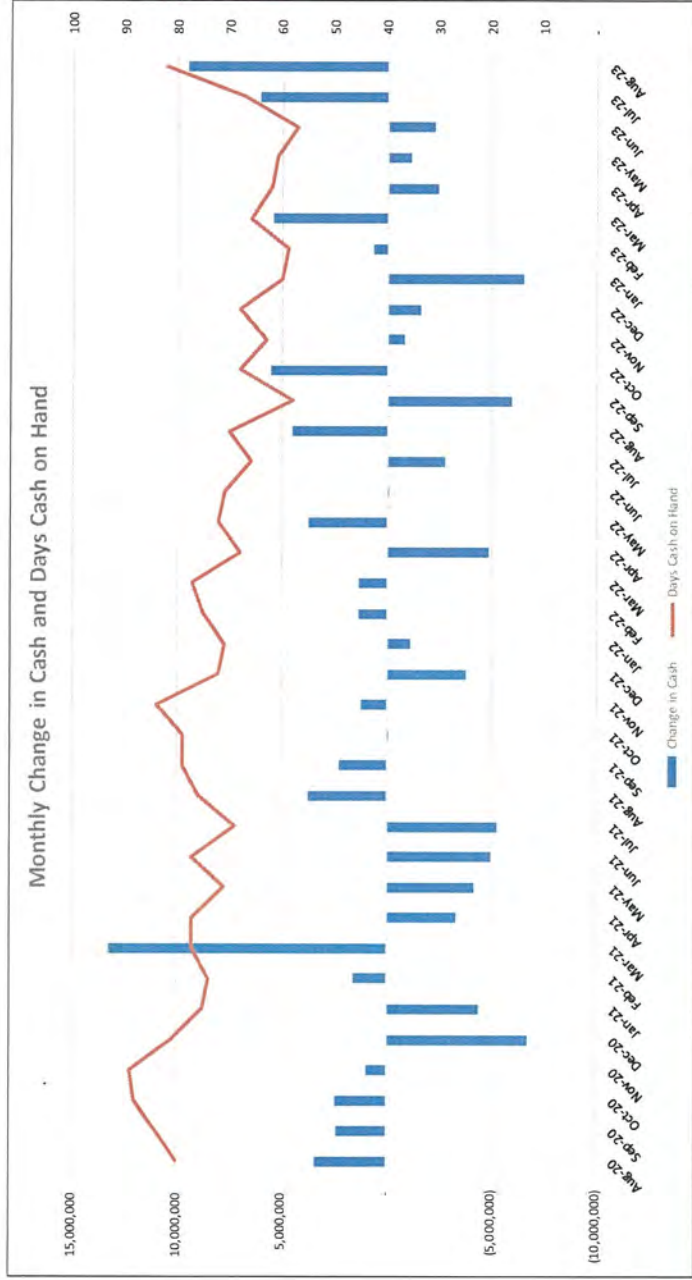
**Dollars in millions

1 Day = Approximately \$625K-\$675K
(Based on 12 month rolling average of expenses)

Financial Results



Financial Results





Financial Results

Balance Sheet: Notables

	(CY) 2023 August	(PY) 2022 August
Fuel Inventory	\$ 7.127	\$ 7.888
Bond Dollars 2016C (Elec T&D)	\$ 0.229	\$ 0.711
Bond Dollars 2020A (Elec)	\$ 0.829	\$ 0.799

**Dollars in millions



Financial Results

Capital Spending

	(CY) 2023 YTD	(PY) 2022 YTD	2023 Budget
Electric	\$ 17.59	\$ 13.99	\$ 30.67
Water	9.70	5.46	24.71
Common	2.16	2.41	5.20
Total YTD Capital	\$ 29.45	\$ 21.86	\$ 60.58
			Remaining
			51%

Major projects in 2023:

- Fisher UG Feeders - \$2.5M
- Annual Underground - \$1.3M
- Annual Overhead - \$957K
- Distribution Pole Inspect/Replace - \$957K
- N1 Burner Coal Nozzle Replacement - \$2.5M
- Water Sys Imp, Valves & Leaks - \$1.9M
- Argentine 7 MG Tank Replacement - \$5.1M

**Dollars in millions



Financial Results

Debt Coverage

Debt Coverage with PILOT

	(CY) 2023 August	(PY) 2022 August
Electric	2.70	2.39
Water	2.22	1.97
Combined	2.81	2.51

Debt Coverage w/o PILOT

	(CY) 2023 August	(PY) 2022 August
Electric	1.97	1.72
Water	1.74	1.51
Combined	2.08	1.83

Financial Guideline Target 1.6 to 2.1 times with PILOT



Technology Driven Customer Experience

Improving the BPU IT "Operating Model"

A technology transformation enabling value to BPU customers

Board Meeting

October 4, 2023

A customer focused
IT Operating Model

Technology
transformation
enabling increased
value to our
customers

10/1/2023

Agenda

1. **Situation:** Earlier this year, current customer technologies, touch points, and processes were reviewed, assessed, and a plan was developed.
2. **Action:** In a collaborative, team-based approach, we not only focused on specifics but an overall digital and people transformation.
3. **Expected Result:** Improved Customer Experience across a wide range of applications and processes.
(including a **DEMO** of the one of the platforms, a new MyMeter “Customer Portal” for residential, commercial and industrial customers)

Collaboration and Teamwork

10/4/2023

But first....

The following slides outlining our initiatives was a team-based approach to solving problems, improving processes, and developing technologies that benefit internal and external customers.

Business Units Involved in current IT improvements:

1. **Finance:** payments, accounting, billing,
2. **Customer Service:**
 1. Billing
 2. MDM
 3. Cayenta Customer Information System
 4. Payments
3. **Electric Meter Operations**
4. **Water Meter Operations**
5. **Information Technology**

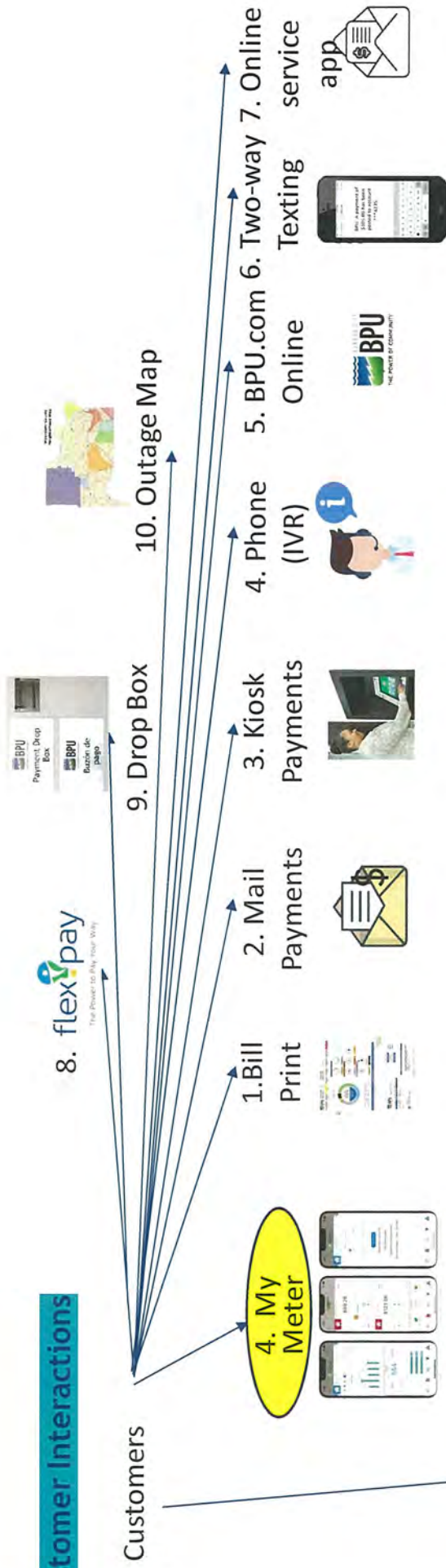
KANSAS CITY BPU



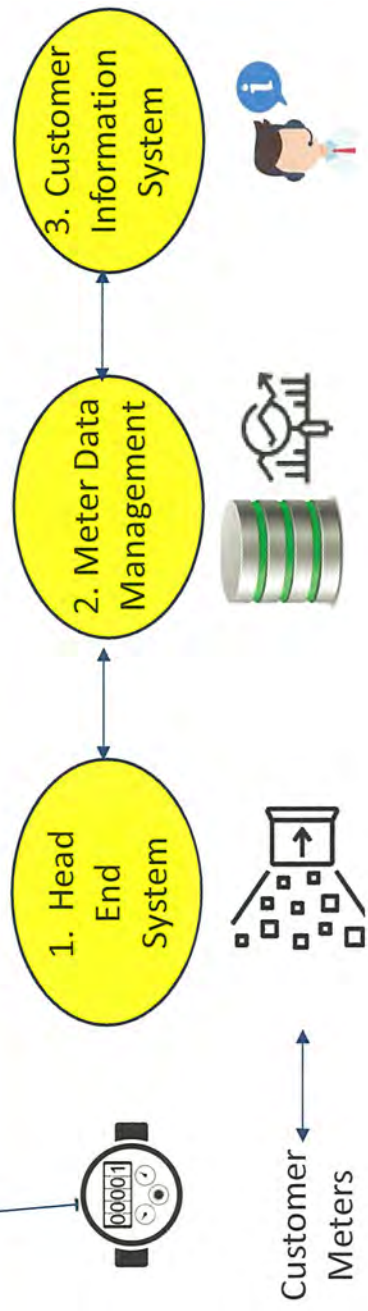
IT Enabled Customer Interactions

A quick review of current and upcoming initiatives

Customer Interactions



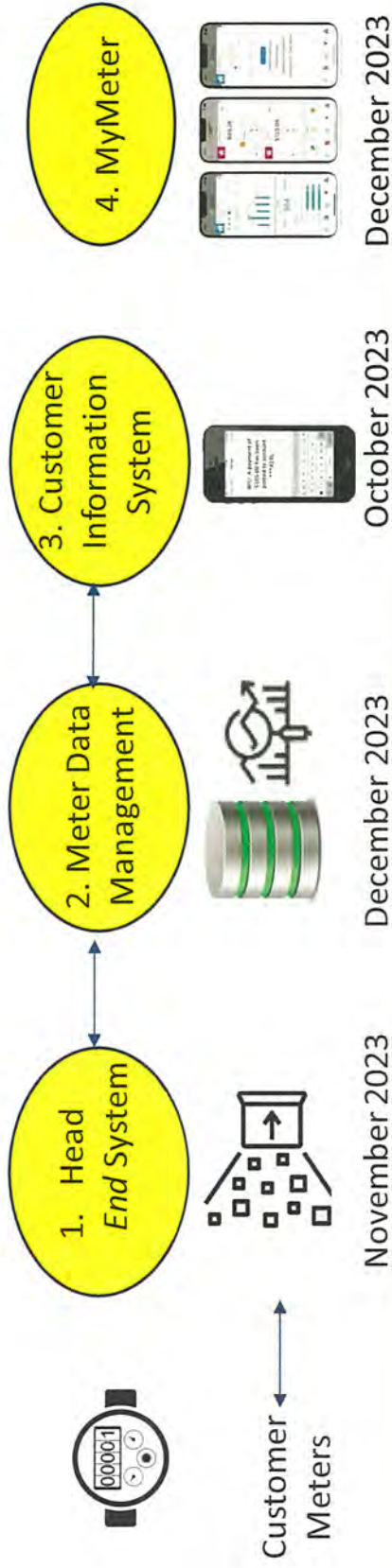
Three Major System Applications, adding a fourth



Why are we implementing new systems and upgrading?

Better, more reliable, more user-friendly customer experience via updated technologies

- Reliability
- Compliance
- Speed
- Digital speed
- Get more out of our Smart Grid investment
- Smart Grid Analyses
- Validation & Estimation
- Service Order Management
- Visualizations
- Usability Ease
- Information
- Helping customer reps
- Traceability
- Transaction ease
- Easy to use
- Designed for Industrial, Commercial & Residential customers
- State of the Art Technology
- Self-Service functionality
- Very customer friendly
- Comprehensive



CUSTOMER EXPERIENCE, simplified,

Easy to read, easy to understand, easy to communicate, and easy to use.

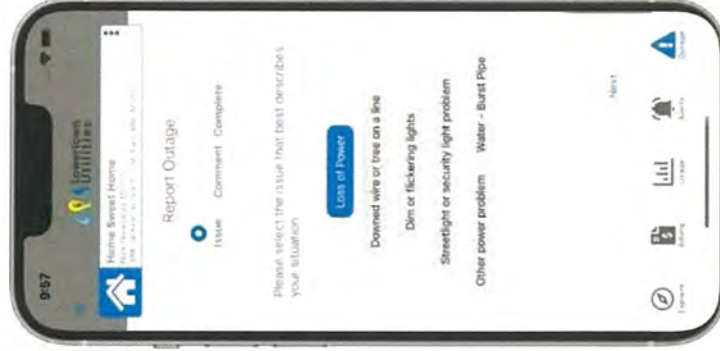
Can be used on your Desktop or Any Mobile Device



Usage Analytics, Trends, Forecasts



E-billing and Autopay Simplified



Quickly Report Service Problems



Key features of MyMeter:



MyMeter Benefits



Reduce call volume

Customers serve themselves 24/7 reducing demands on utility customer service. Saves the utility time and money.



Score Better

Increased engagement and satisfaction

Customer Benefits



Informed & engaged

Fast effective communications for critical notifications, like high bills, leaks and outages.



Understand & manage

Analytics let customers turn meter data into insights for action.

Customer Moments that Matter



Taking Action

- Behavior Programs
- Start/stop Transfer
- Pay Bill/pay as you go
- Report Outage



Staying Updated

- Alexa Integration
- Load Control Events
- Proactive Alerts
- Service Requests



Gaining Insight

- Analyze Weather Impacts
- Compare Rates
- View Bill
- Usage Analytics

BPU Customer Service Reps will see what the customer sees, as they are in the platform with the customer, which will make an interaction much clearer, more personal.

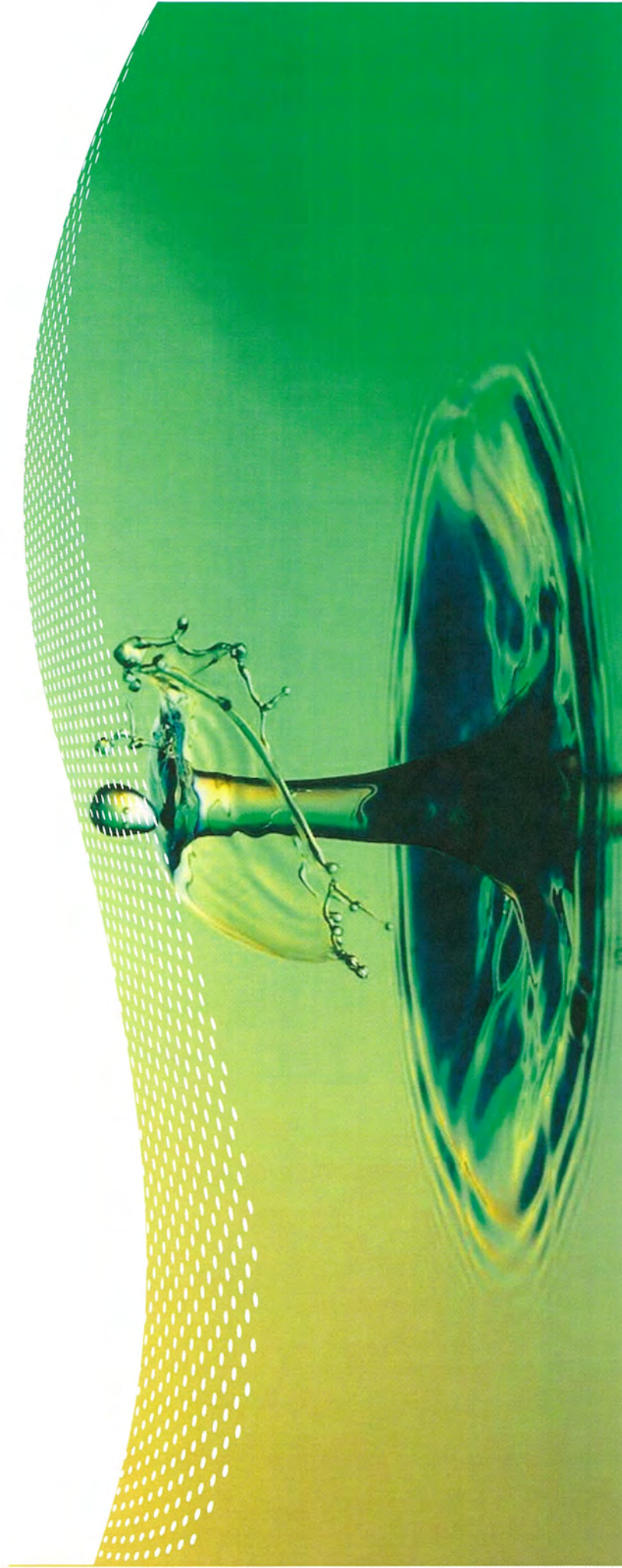
.... which all improves customer experiences with BPU

Links for Live Demo

[MyMeter TEST site](#)

[LINK TO SCRIPT](#)

Thank you!



RESOLUTION NO. 5290

**RESOLUTION BY THE KANSAS CITY BOARD OF UTILITIES AN
ADMINISTRATIVE AGENCY OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/ KANSAS CITY, KANSAS REVISING AND REPLACING THE
PERSONNEL CODE.**

WHEREAS, the Board has previously adopted a Personnel Code; and

WHEREAS, after staff recommendations and the Elected Board discussion of said policies the Elected Board wishes to make updates to said code; and

WHEREAS, the updated Personnel Code is attached hereto;

**NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE
KANSAS CITY BOARD OF PUBLIC UTILITIES:**

That the Kansas City Board of Public Utilities hereby replaces the previous Personnel Code in its entirety and replaces them with the Policies attached hereto. This Code will be effective October 18, 2023 except when an action or event occurred prior to this date then the Personnel Code that was in effect at the time of the action shall apply.

**ADOPTED BY THE KANSAS CITY BOARD OF PUBLIC UTILITIES
THIS 18th day of October, 2023**

Rose Mulvany Henry, Board President

Attest:

Robert Milan, Board Secretary

Approved as to form:

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Kansas City Board of Public Utilities Policy

Personnel Code

| PA-160-002

1.00 OVERVIEW

1.01 Introduction:

This Personnel Code of the Kansas City Board of Public Utilities, commonly referred to as "the KCBPU," has been adopted by the Board pursuant to various Charter Ordinances. All KCBPU employees are covered by the Personnel Code. In the event that an employee is covered by a bargaining agreement, and the provisions of that agreement conflict with this Personnel Code, then the bargaining agreement shall control.

The Board of Directors of the KCBPU is responsible for the approval of the Personnel Code under the guidelines of the Charter Ordinance.

1.02 Welcome to KCBPU!:

Welcome to the KCBPU! We hope your employment here will be challenging, meaningful and enjoyable. We are more than just another utility provider. We have a special team of dedicated individuals who believe in the power of community and strive to provide a high level of service to our customers. Our reputation in the industry is built on the level of service and attention we have provided to our customers over the years, and we adhere to the principles contained in our mission.

It is important that team members know what we expect of them and what they can expect from the KCBPU. The Personnel Code provides guidance and clarity in an easy reference format. Our goal is to be consistent and fair in our Personnel Code. There is also an Employee Handbook that has been adopted by the General Manager that supplements this Personnel Code and provides additional guidance.

Please familiarize yourself with the information contained in the Personnel Code, as your knowledge will help to prevent any misunderstanding concerning the items within the document. Contact your supervisor or the Human Resources Division if you have any questions.

2.00 POLICY

2.01 General Manager Authority:

The General Manager has the charge of utility employees including the authority to hire, fire, promote and demote. If you have a question regarding this section, please consult with your supervisor or the Human Resources Division.

- Employee at Will
 - All employees who do not have a written employment contract with the KCBPU for a term of employment, are employed at the will of the KCBPU for an indefinite period of time and may be terminated at any time, either with or

without cause. With the exception of the General Manager's contract, only the General Manager of the KCBPU has authority to enter into employment agreements. Otherwise, the KCBPU does not recognize or enter into unwritten employment agreements. Accordingly, the KCBPU does not recognize or enter into any oral or implied employment agreements. This Personnel Code does not constitute an employment agreement. This Personnel Code is not intended to alter the employment-at-will relationship in any way.

- Employee Relations
 - Good communication is essential to maintaining a productive work atmosphere. Should a problem develop or you have questions or ideas about procedures, policies, or your own position, please discuss it with your supervisor. Every effort should be made to resolve differences at this level. If the issue cannot be resolved between you and your supervisor, it can be submitted to management, the Human Resources Division and ultimately to the General Manager or a designated representative. The General Manager's actions are final. See the Employee Handbook for more information.
- Discipline Program
 - KCBPU recognizes the need to maintain discipline, establish and communicate reasonable rules of conduct, and to consistently enforce these rules where necessary.
 - The purpose of maintaining discipline is to improve employee performance and correct inappropriate behavior. Disciplinary action should be applied to the extent necessary to correct misconduct and to bring employee performance back into conformance with acceptable standards.
 - These disciplinary provisions in the Employee Handbook do not represent an employment contract. Employment with the KCBPU is at-will and at the discretion of the General Manager. The Employee Handbook will provide additional provisions in detail to be consistent with the Personnel Code and as amended. The KCBPU has made no commitment for employment for any specified duration. Either the KCBPU or the employee may terminate the employment relationship at any time.
- Management Responsibilities
 - Management is accountable for maintaining discipline and enforcing the rules of the Employee Handbook. Disciplinary matters should always be handled at the lowest possible level of supervision, with appropriate review by the next higher

level of management in accordance with the procedures established in the Employee Handbook. Management is defined as those employees deemed to be “Exempt” by the Fair Labor Standards Act (FLSA) and in a supervisory role.

- The Human Resources Division is accountable for monitoring this Personnel Code and assuring consistent application of the rules contained herein.
- Each supervisor is responsible for maintaining discipline and enforcement of rules in their functional area, department or division.
- Supervisors shall be responsible not only for their own safety but also for the safe work performance of employees under their supervision. Failure by a supervisor to enforce this policy or other KCBPU safety requirements may result in disciplinary action, up to and including discharge.
- Any supervisor observing a rule violation may recommend disciplinary action in accordance with the Employee Handbook if, in their judgment, the situation warrants such action. Any supervisor has the authority to suspend employees in their line of their authority pending an investigation in cases involving serious offenses, but should attempt to seek guidance from the Human Resources Division.
- Only the General Manager has the authority to discharge an employee.

2.02 ***Establish Employment Policies, Practice and Procedures:***

The General Manager is directed to adopt an Employee Handbook and amend as needed, that is consistent with this Personnel Code and governs the day to day activities of employment at the KCBPU. The Employee Handbook will provide additional provisions in detail to be consistent with the Personnel Code as amended.

2.03 ***Equal Employment Opportunity (EEO):***

The KCBPU is committed to providing equal employment opportunity for all persons regardless of race, color, sex (including pregnancy, gender identity, and sexual orientation), religion, national origin or ancestry, genetics, disability (physical or mental), marital status, age or military or veteran status and any other legally protected status. Equal opportunity extends to all aspects of the employment relationship, including hiring, transfers, promotions, training, terminations, compensation, benefits, and other terms and conditions of employment.

KCBPU shall comply with all applicable federal, state and local equal opportunity laws and strive to keep the workplace free from all forms of illegal discrimination and harassment.

- Individual with Disabilities

- The KCBPU shall comply with federal, state and local laws concerning the employment of individuals with disabilities. If you believe you have a disability that may require accommodation in order to perform the essential functions of your job, you should contact the Human Resources Division. Additionally, if you believe that you have been discriminated against on the basis of your disability, you should contact the Human Resources Division immediately.
- Harassment/Discrimination
 - It is the intent of the KCBPU that all employees, vendors, customers and all other persons with whom KCBPU employees may come into contact as part of their employment with KCBPU enjoy a work environment free from all forms of discrimination, including illegal harassment. Harassment based on race, color, sex (including sexual harassment, pregnancy, gender identity, and sexual orientation), religion, national origin or ancestry, genetics, disability (mental or physical), citizenship status, marital status, age, or military or veteran status and any other legally protected status is a violation of the KCBPU's policy on Equal Employment Opportunity.
 - You are expected to deal fairly and honestly with other employees, vendors, customers and all other persons with whom you come in contact as a KCBPU employee to ensure a work environment free of intimidation and harassment. Abuse of the dignity of anyone through ethnic, racist, sexist slurs, or through other derogatory or objectionable conduct is offensive employee behavior and may be subject to disciplinary action.
 - Sexual harassment is a specific form of harassment that undermines the integrity of the employment relationship. It will not be tolerated. Unwelcome sexual advances, requests for sexual favors, unwelcome sexual overtures and/or conduct and other verbal or physical conduct of a sexual nature will not be tolerated and such activity should be reported to the Human Resources Division.
 - Any person who feels that he or she has experienced or observed harassment or has been discriminated against due to race, color, sex (including sexual harassment, pregnancy, gender identity, and sexual orientation), religion, national origin or ancestry, genetics, disability (mental or physical), citizenship status, marital status, age or military or veteran status and any other legally protected status should immediately report such incidents to his/her supervisor, the Human Resources Division, or to the General Manager without fear of reprisal.

- The KCBPU will make every effort to maintain confidentiality to the extent possible in conducting a thorough and effective investigation. An investigation will be made and appropriate action taken to address the investigative findings.
- The KCBPU strictly prohibits retaliation against an individual for making a complaint or notifying the KCBPU of conduct prohibited by this policy, testifying as a witness at a hearing or otherwise assisting in an investigation of any complaint made pursuant to this policy.
- We also realize that intentional false accusations or harassment can have serious effects on innocent employees. Thus, false accusations may also result in disciplinary action.

2.04 Residency:

- The KCBPU board declares that all employees must establish and maintain their legal primary residence within the legal boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas. The Board's objectives in adopting a residency requirement are to promote the interest and loyalty of KCBPU employees within the KCBPU's service area, to improve the relations between KCBPU employees and the residents of the Unified Government and the Unified Government Board of Commissioners, to enhance the quality of KCBPU's employees' performance by encouraging greater personal knowledge of the KCBPU's service area and by fostering a greater personal connection between KCBPU employees and the KCBPU in terms of the KCBPU's growth, rates and competitive edge, to diminish absenteeism and tardiness, to promote readily trained personnel in emergency situations, to help the general economic conditions of the local economy by increasing local spending of employees' wages and salaries, to help diminish the population decline of the county, and to help increase the local tax base while adding to the number of KCBPU customers.
- Pursuant to the KCBPU's residency requirement, all KCBPU employees shall establish and maintain their legal primary residence within the legally defined boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas, throughout the period of their employment, and shall not attempt to circumvent the objectives of the KCBPU's employee residency requirement.
- All KCBPU employees shall have a period of twelve (12) months after employment begins to establish and maintain a legal primary residence within the legally defined boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas. On or before the last day of the twelve (12) month period, the employee

shall be required to complete a "Certificate of Residency," to be filed with the Human Resources Division, indicating the employee's address and any subsequent change of address, and acknowledging the KCBPU's continuing residency requirement. Should the employee be found not to have established or maintained a legal primary residence within the legally defined boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas the employee shall be terminated for failure to meet the conditions and qualifications for continued employment with the KCBPU.

- Legal and primary residence is defined as a KCBPU employee's domicile, which is the residence that is intended to be permanent rather than temporary and which is the place that is permitted and authorized as a residential dwelling by the laws and ordinances of the State of Kansas and the Unified Government of Wyandotte County/Kansas City, Kansas. The legal and primary residence shall be the residence where the employee spends the majority of his/her non-work hours. Tests for determining a KCBPU employee's legal primary residence include, but are not limited to the residential address indicated on an employee's driver's license, automobile registration, voter's registration, bank accounts, credit cards and legal documents; the address provided for the purpose of school enrollment for children living with the KCBPU employee; the address provided on the Certificate of Residency filed with the KCBPU's Human Resources Division; and any other credible evidence indicating the employee's intent to reside at a permanent and primary residence.

2.05 *Collective Bargaining – Recognition:*

- Physical Bargaining Unit
 - The Kansas City Board of Public Utilities hereby recognizes the Local Union 53, International Brotherhood of Electrical Workers as the bargaining representative for the physical employees employed within the divisions, except that the term "Employee" shall exclude professional, clerical, confidential employees, guards and supervisors as defined in the National Labor Relations Act, as amended, employed within said section.
 - International Brotherhood of Electrical Workers
Local 53
1100 East Admiral Boulevard
Kansas City, Missouri 64106
- Clerical Bargaining Unit
 - The Kansas City Board of Public Utilities hereby recognizes the Local Union 53-4, International Brotherhood of Electrical Workers as the bargaining representative for the clerical employees employed within the Divisions, except

that the term "Employee" shall exclude managerial, confidential employees, guards and supervisors as defined in the National Labor Relations Act, as amended, employed within said Divisions.

- International Brotherhood of Electrical Workers 53-4
1100 East Admiral Boulevard
Kansas City, Missouri 64106
- Employee Categories
 - Regular full-time employees: Employees working and scheduled to work at least a 30-hour workweek on an annual basis are eligible for KCBPU benefits.
 - Exempt employees: Employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act (FLSA) and accordingly need not receive additional compensation or compensatory time for working more than 40 hours in a workweek. Exempt employees are generally executive, administrative, professional, or sales personnel and work at least 40 hours per week.
 - Non-exempt employees: Employees who are covered by the overtime provisions of the Fair Labor Standards Act (FLSA) are, therefore, eligible for overtime payment at 1 ½ times their hourly rate.
- Bargaining Units and Non-Bargaining Employees
 - The KCBPU recognizes that certain classes and categories of employees are not eligible for membership in any of the bargaining units. Additionally, bargaining unit employees may elect not to be represented by such bargaining units.
 - All KCBPU employees are covered by the policies and procedures outlined in the Employee Handbook. In the event that an employee is covered by a recognized collective bargaining agreement in effect, and the provisions of that collective bargaining agreement conflict with the Employee Handbook, then the collective bargaining agreement shall control.

2.06 Holidays:

Holidays recognized by the KCBPU shall be:

- New Year's Day
- Martin Luther King's Birthday
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving

- Christmas Day

The General Manager is directed to set the actual date of the holidays on an annual basis and to provide these dates to all personnel.

2.07 *Employees
Addressing the
Board Regarding
Employment
Related Matters:*

- KCBPU employees may attend public open meetings of the KCBPU Board of Directors and may address the Board or during such meetings if the Board's Rules and Procedures permit such comment, subject to the following limitations:
 - To be allowed to address the Board, a KCBPU employee must speak on a matter of public concern.
 - Comments by a KCBPU employee on a matter of personal interest will not be allowed.
 - A KCBPU employee will be allowed to address the Board of Directors on items on the Board's agenda, as long as the employee's comments relate to a matter of public concern, rather than personal interest.
 - If the General Manager determines that a KCBPU employee's remarks relate to a matter of personal interest, rather than public concern, such remarks will not be allowed.
- Guidelines:
 - Matters of public concern are those that are of interest to the community, whether for social, political, or other reasons.
 - In deciding whether a particular statement involves a matter of public concern, the fundamental inquiry is whether the employee speaks as a citizen or as an employee. The content, form and context of the speech, as well as the speaker's motivation, must be considered.
 - Speech pertaining to internal personnel disputes, personal grievances, internal policies or working conditions ordinarily is not of public concern. On the other hand, speech that pertains to a public agency's discharging its governmental responsibilities or that questions the propriety of governmental operations or the integrity of governmental officials is a matter of public concern.
 - The term "working conditions" includes, but is not limited to, matters relating to wages, salaries, hours of work, overtime, vacation, sick leave, injury leave, holidays, retirement benefits, insurance benefits, wearing apparel, discipline, termination, promotion, demotion and transfer.
 - Even though a statement by an employee addresses a matter that ordinarily would be of personal interest, the statement may involve a matter of public concern,

depending upon the content, form and context of the statement.

- The Board of Directors requests that employees address matters of personal interest involving their employment with their supervisors or other management or the Human Resources Division or through the grievance process, as appropriate, rather than through oral or written communications with Board members. Under the KCBPU policy, authority over personnel decisions is vested in the Human Resources Division and the General Manager. The Board of Directors and its members are prohibited from in any manner directing, supervising or requiring the appointment, promotion, transfer, assignment, demotion, discipline, suspension, discharge or removal of any officers or employees.
- This policy is intended to be a statement of the right of KCBPU employees to freedom of speech. This policy shall be interpreted so as to protect an employee's right to free speech.

3.00 REVISION HISTORY

Prior Version # [Effective Date]	Owner [Author]		Approver	Board Approval Required <input checked="" type="checkbox"/> Yes
	Name			
	Title			
Current Version # [Effective Date]	Owner [Author]		Approver	
XX/XX/2023	Name	Dennis Dumovich	William Johnson	
	Title	Director Human Resources	General Manager	
Description of Changes:	Personnel Code Book moved into Personnel Code Policy			
Owner Signature/Date				
General Manager Signature/Date				

