

BOARD INFORMATION PACKET



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

Regular Meeting of

November 15, 2023



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Board of Public Utilities
Kansas City, Kansas

BOARD AGENDA

Regular Session
November 15, 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
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- VI. Public Comments
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 - i. Sustainability Report Update
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 - iii. Board Rules of Procedures - Resolution #5291
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- X. Adjourn

WORK SESSION MINUTES – WEDNESDAY, NOVEMBER 1, 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, November 1, 2023 at 5:00 PM. The following Board Members were present: Rose Mulvany Henry, President; Thomas Groneman, Vice President; Jeff Bryant, Mary Gonzales and David Haley. Robert L. Milan, Secretary was absent.

Also present: William Johnson, General Manager; Angela Lawson, Acting Chief Counsel; Lori Austin, Chief Financial Officer/Chief Administrative Officer; Jeremy Ash, Chief Operating Officer; Johnetta Hinson, Executive Director Customer Service; Jerry Sullivan, Chief Information Officer; Dennis Dumovich, Director of Human Resources; Randy Otting, Director Accounting; Chris Stewart, Director Civil Engineering; 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 5:04 PM.

Roll call was taken. All Members were present, expect for Mr. Milan.

Item #3 –Approval of Agenda

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

Item #4 –Board Update/GM Update

Mr. Groneman attended the Public Works and Safety meeting, however, there were not any topics pertaining to BPU on the agenda.

Mr. Haley made a comment regarding a task force being formed concerning the continuation or dissolution of the Unified Government. There was discussion regarding the task force and how it could affect BPU.

Ms. Angela Lawson, Acting Chief Counsel, stated that no Unified Government (UG) employee or elected official could promote the change of the structure of government. She confirmed she would request guidance for the elected Board members from the Ethics Administrator.

WORK SESSION MINUTES – WEDNESDAY, NOVEMBER 1, 2023

STATE OF KANSAS)
) SS
CITY OF KANSAS CITY)

Item #5 – Board Procedures Policy

The elected Board discussed a few remaining items within the Board Rules of Procedure Policy and requested that a clean copy be sent out for a final review. It was agreed to briefly discuss the policy during the November 15th Work Session, and to have it as an item on the Regular Session Agenda for an elected Board vote.

Item #6 – 2024 Budget Update- Revenue Forecast

Mr. Randy Otting, Director Accounting, presented the 2024 Revenue Forecast to the Board. He explained how the figures were generated and showed historical usage and revenue amounts for comparison.

Mr. Otting responded to questions and comments from the Board.

Ms. Lori Austin, Chief Financial Officer/Chief Administrative Officer, provided the Board with the 2024 Staffing budget breakdown, as discussed at the previous Work Session meeting, October 18th, 2023.

Item #7 – Adjourn

A motion was made to adjourn the Work Session at 5:51 PM by Ms. Gonzales, seconded by Mr. Bryant and unanimously carried.

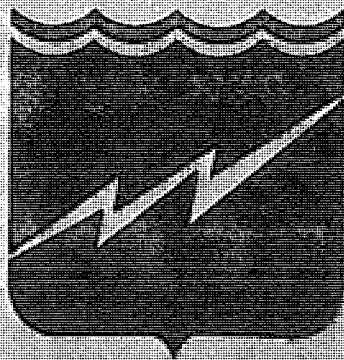
ATTEST:

Secretary

APPROVED:

President

Board of Public Utilities



Board Rules of Procedure

Adopted July 7, 1999

Rule 1 Meetings

1.1 Regular Meetings

Regular meetings of the elected Board shall be held on the first and third Wednesdays of each month of the year, or as otherwise properly noticed, at the hour of 6:00 p.m. in the Board Room of the Board of Public Utilities located at 700540 Minnesota Avenue. (Insert Alternative language here)

Such meetings shall be available to the public via telephone or web-based technology. All meetings of the Board shall be subject to the Kansas Open Meetings Act. Any regular meeting falling upon a legal holiday shall be rescheduled to another day, and the General Manager shall give notice thereof in compliance with the Kansas Open Meetings Act.

[ALTERNATIVE LANGUAGE TO THE ABOVE]: An alternative date for the regular meetings of the Board, other than the first and third Wednesday of each month of the year, may be established by a vote of four (4) or more Board Members, and proper notice thereof shall be provided in accordance with the Kansas Open Meetings Act.

Elected Board Members may attend/participate any regular meeting or special meeting of the Board via telephone or web-based technology, provided that such meeting is not an executive session, and such Board Member has provided advance notice to the President and General Manager.

1.2 Special Meetings

Special meetings may be called by the General Manager, the President or by a vote of four (4) members of the elected Board. A written notice of such meeting shall be prepared and given to the General Manager and each Board Member via hand delivery or electronic mail or left at his or her usual place of residence, at least twenty-four (24) hours before such meeting, unless such notice is not practicable under the circumstances. The notice shall specify the date, time and place of the special meeting and the business to be transacted. No other business, other than as recited in the notice, shall be transacted at such special meeting.

The General Manager shall be responsible to give notice of any special meeting in compliance with the Kansas Open Meetings Act.

1.3 Closed Meetings or Sessions

All meetings of the elected Board shall be open to the public; provided, however, the Board may hold meetings closed to the public as provided for in the Kansas Open Meetings Act.

No Member of the elected Board, employee of the BPU, or any other person shall disclose to any other person the content or substance of any closed meeting or session except as authorized by a vote consensus of four (4) the elected Board Members.

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It is the policy of the Board of Public Utilities that no discussion shall be permitted on any personnel matter brought before the Board which refers or relates to any individually identifiable employee in the employ of the Board of Public Utilities. Provided, however, that the Board and its advisors may discuss such personnel matters in a regularly convened executive session. An elected Board Member is not permitted to attend or participate in an executive session remotely via telephone or web-based technology.

It is further the policy of the Board of Public Utilities to enforce this policy stringently.

Rule 2
Quorum

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2.1 Definition

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A quorum for the transaction of business shall consist of four (4) Board Members. A Board Member may be present by telephone or by web-based technology, except during an executive session.

If no quorum is present and the Board Members present desire to request the attendance of absent Board Members, they themselves, or by their agents, may attempt to communicate the call to the session personally to the absentees.

2.2 Rescheduling of Meeting Due to Lack of Quorum

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Whenever it appears that a quorum will not be present for an upcoming Board meeting, the elected Board may reschedule such meeting by establishing a Special Meeting in accordance with the procedures outlined in Section 1.2 above. by an affirmative vote of four (4) Board Members. The General Manager shall give written notice of such rescheduling to all Board Members and shall give notice of such rescheduling in compliance with the Kansas Open Meetings Act.

Rule 3
Presiding Officers

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3.1 Election of Officers

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The elected Board shall elect, from its membership at the first second meeting in May January of each year, a President, a Vice-President and shall appoint a Secretary. Except in the

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case of a vacancy on the Board, four (4) affirmative votes shall be required to elect each officer. ~~Terms~~ Terms of officers shall be limited to not more than two (2) consecutive one (-1) year ~~terms~~ terms in the same office; however, in the event no nominee receives four (4) affirmative votes, the current office holder shall remain in office for successive one (1) year ~~terms~~ terms until a nominee receives the requisite number of votes at the election held at the ~~first second~~ regular meeting in ~~May January, or the next scheduled regular meeting thereafter.~~

3.2 Definition

Whenever the term "Presiding Officer" is used in these Rules, it shall mean the Board President, and if the President is absent, it shall apply equally to the Vice-President, and if the Vice-President is also absent, to the ~~Secretary temporary Presiding Officer elected pursuant to this Section.~~

3.3 Application

The President shall preside at all meetings of the elected Board.

During the absence of the President, the Vice-President shall preside at the meetings.

In the absence of the President and the Vice-President, the General Manager shall call the Board to order, whereupon a temporary Presiding Officer shall be elected by the majority vote of the Board Members present as their first order of business. Upon the arrival of the President or the Vice-President, the temporary Presiding Officer shall relinquish the chair at the conclusion of the item of business before the Board.

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Rule 4 Committees

The President may recommend to the Board such committees of the Board as may be necessary to study various issues facing the Board. ~~Permanent~~ committees may include ~~a Finance and Marketing Committee, an Operations and Distribution Committee, an Administration Committee, and any other committees~~ those deemed necessary by the President or by an affirmative vote of the

Board. Committees shall be responsible for selecting a chairperson, and for determining meeting schedules and agendas.

Board Members shall have the opportunity to be involved in meetings with large industrial and commercial customers, and to meet with intervenors, ~~on their behalf.~~

Rule 5 Duties

Commented [RMH1]: I have this showing as deleted in my draft, but I'm not sure it should be. I cannot recall the thinking at the time, but my guess is we thought it superfluous? That said, I am now hesitant that if it is not included, silence will be interpreted as exclusion. Thoughts?

5.1 **Presiding Officer**

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The Presiding Officer may move, second, debate and vote and shall not be deprived of any of the rights and privileges of a Board Member. The Presiding Officer or such person as he or she may designate may verbally summarize the item to be voted upon immediately after it has been moved and seconded and may restate each question immediately prior to calling for the vote. Following the vote the Presiding Officer or designee shall announce whether the question carried or was defeated. The Presiding Officer shall maintain order and decorum at all meetings. He or she shall decide all questions of order and procedure, subject, however, to the right of appeal to the Board, in which event an affirmative vote of four (4) Board Members shall determine conclusively such question of order or procedure.

5.2 **Members**

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Board Members shall preserve order and decorum. Every Board Member wishing to speak shall address the chair and upon recognition by the Presiding Officer shall be permitted to speak. Every member shall confine comments to the question under debate and will refrain from impugning the motives of any other Member's argument or vote. A Board Member once recognized shall not be interrupted while speaking unless a point of order is raised by another Member or unless the speaker chooses to yield to questions from another Member or unless he or she is called to order by the Presiding Officer.

A Member, when called to order upon a point of order (Section 7.7) by the Presiding Officer, shall thereupon discontinue speaking and the order or ruling of the Presiding Officer shall be binding and conclusive, subject only to the right of appeal.

Board Members shall notify the Board President or the General Manager at least twenty-four hours in advance, whenever possible, of their intention to be absent.

5.3 **BPU Employees**

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Employees of the BPU shall observe the same rules of procedure and decorum applicable to Board Members. Any BPU employee desiring to address the Board shall be recognized by the Presiding Officer, shall state his or her name for the record and shall limit his or her remarks to the matter under discussion.

Individual employees of the BPU will not be allowed to make presentations before the Board regarding personnel matters. All personnel matters must be handled through the proper channels in accordance with BPU policy and established grievance procedures.

5.4 **Members of the Public**

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Members of the Public attending Board meetings shall also observe the same rules of propriety, decorum and good conduct applicable to Members of the Board. Members of the public desiring to address the Board shall follow the procedure set forth in Section 7.2.

**Rule 6
Agenda**

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6.1 **Presentation of Agenda Items**

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In order to facilitate the orderly conduct of business, an agenda shall be prepared for each regular or special meeting.

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Subject to these rules, items of business may be placed on a regular meeting agenda by any Board Member or the General Manager.

An agenda item or other information shall be presented to the General Manager's office no later than 5:00 p.m. on the ~~Wednesday~~ Thursday preceding the Board meeting so that the information may be included as part of the regular agenda which will be distributed to the Members on Friday afternoon preceding the meeting.

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~~Whenever possible, unless not practicable under the circumstances,~~ Board Members shall receive available information and supporting documentation at least 48 hours in advance of a meeting of the Board, ~~at which a vote will be requested.~~ If such information is available but not provided to Board Members reasonably in advance of the Board meeting, no vote shall be permissible except in the ~~form form~~ of a motion to suspend these rules. For any meeting at which a vote will not be requested of the Board, Board Members shall receive all information and supporting documentation for the meeting at least 24 hours in advance of such meeting.

Commented [RMH3]: I would like to discuss this with the Committee/Board as well.

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6.2 Order of Business

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At any work session of the Board Members, unless altered by affirmative vote of the Board, the Board shall proceed to transact the business before it in the following order:

- (1) Call to order;
- (2) Approval of agenda;
- (3) Agenda items; and,
- (4) Adjournment.

At any regular meeting, unless altered by affirmative vote of the Board, the Board shall proceed to transact the business before it in the following order:

- (1) Call to order;
- (2) Approval of agenda;
- (3) Approval of minutes;
- (4) Visitors comments;
- (5) Agenda items: and

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Commented [RK4]: Would like a single comment session at the end of all agenda items, before GM & Board comments. Bill would like to make sure this is called out in the opening comments explaining these items

Commented [RK5]: Take to full board for discussion

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- Substantive agenda items;
- VisitorPublic comments on substantive agenda items;
- (5) Miscellaneous comments from the General Manager/Board Member
comments; and,

- (6) Adjournment.

Rule 7
Conducting
Business

7.4 Introduction and Discussion of Agenda Items

All agenda items shall be introduced at the meetings by the General Manager. The Presiding Officer shall call upon the General Manager to perform this duty.

The Presiding Officer shall allow each Board Member to speak with regard to each agenda item. No Board Member shall speak more than five (5) consecutive minutes on any one question agenda item, except by unanimous consent, unless the nature of the agenda item results in interactive dialogue between the Board Member and a BPU employee or agent of the utility, in which case, such Board Member may conduct such dialogue for a reasonable period of time. A

Commented [RK7]: Hold this for work session discussion as well

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Commented [RMH8]: Again, not discussed previously, so needs further discussion with the Committee/Baord.

Board Member shall not speak more than once on each topic until every other Member who so desires shall have had the opportunity to speak.

7.2 Public Discussion Procedure

A. Individual

It is the policy of the Board to permit comments by members of the public at regular or special meetings in accordance with this Section. ~~A period of fifteen (15) minutes at the beginning and fifteen (15) minutes at the end of such meeting shall be set aside for visitor comments, except that this period may be extended by affirmative vote of the Board.~~ Each person desiring to address the Board shall sign in with the Recording Secretary. All visitors shall be introduced at the meeting by the General Manager. No person shall address the Board without first securing the recognition of the Presiding Officer.

~~In the visitor comment section at a regular or special meeting, W~~when called upon, a visitor shall state his or her name and address for the record, state the subject, state whom he or she is representing if he or she represents an organization or other persons, and unless further time is granted upon motion, shall limit his or her remarks to ~~five~~three (3) minutes. No questions shall be asked of a member of the BPU staff without obtaining permission of the Presiding Officer. ~~After the substantive agenda items are presented, visitors may provide comments regarding a substantive agenda item and, when called upon, a visitor shall state his or her name and address for the record, state the subject, state whom he or she is representing if he or she represents an organization or other persons, and unless further time is granted upon motion, shall limit his or her remarks to three (3) minutes.~~ When a visitor speaks with regard to an substantive agenda item, the Presiding Officer shall not permit any communication, oral or written, to be made or read where it does not bear directly on the agenda item then under discussion.

~~8B.~~ Group

In order to expedite Board business and to avoid repetitious presentations and/or comments, whenever any group of persons wishes to address the Board on the same subject matter, it shall be in order for the Presiding Officer to require that a spokesperson be chosen from the group to address the Board. If additional matters are to be presented by any other members of the group, the Presiding Officer may limit the number of such persons and limit the presentation to ~~information~~information not already presented by the group spokesperson, unless overruled by a majority of the Board Members.

Groups of persons shall be limited to a total presentation period of ten (10) minutes. The Presiding Officer shall first call for representatives of groups in favor of the matter under consideration and then for those groups in opposition to the matter under consideration. Further time may be granted by motion.

7.3 **Disturbing Meetings**

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No person shall interrupt, disturb or disrupt any regular or special meeting of the Board. Upon direction of the Presiding Officer, with approval of the Board, any such person shall be required to leave the Board Room and, potentially, the BPU building.

7.4 **Voting**

All resolutions or motions or other items of business shall be passed by the affirmative vote of no less than four (4) Board Members, unless otherwise provided by law.

The Presiding Officer may utilize a voice vote for the approval of minutes, agenda items, or other matters where a roll call vote is not required by law; provided, however, that a roll call vote shall be taken upon the timely request of any Board Member.

A vote lacking the required number of affirmative votes shall constitute defeat of an item.

A Board Member may change his or her vote only if a timely request to do so is made prior to the announcement of the vote by the Presiding Officer.

If a quorum of the elected Board is present and a majority of the Members voting vote in favor of a particular matter, abstentions from voting are to be counted as acquiescence with the votes of the majority, and the action will bind the body.

Votes shall not be taken when a quorum is not present.

The Presiding Officer shall announce the vote upon every matter upon which a vote is taken. The vote on any matter shall not go into effect until announced by the Presiding Officer.

7.5

Motions in General

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A motion is the formal statement by a Member of the Board of a proposal or question to the Board for consideration and action.

No motion shall be debated or otherwise acted upon by the Board unless it is seconded, or unless otherwise provided in these rules. No further action is required on a motion which does not receive a second. Neither the maker nor seconder of a motion shall be required to vote in favor of that motion.

When a motion is made and seconded, it may be restated by the Presiding Officer before a vote.

Unless otherwise provided by law, a motion shall not be deemed passed unless it receives the affirmative vote of no less than four (4) Board Members.

A motion once before the Board may not be withdrawn by the maker without the consent of the second.

7.6

Specific Motions

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A. The following ordinary motions shall be permitted in the Board meeting as set forth in this Section. The voting precedence of motions, when a main motion is before the Board, and the purpose and features of such motions shall be as follows:

- (1) Motion to adjourn.

Purpose: To terminate a meeting Debatable or
amendable: Yes.

- (2) Motion to recess.

Purpose: To permit an interlude in the meeting and to set a definite time for continuing the meeting.

Debatable or amendable: Yes, but restricted to time or duration of recess.

(3) Motion to Postpone to a Definite Time.

Purpose: To prevent further discussion and voting on the main motion until a specified future date or event. If the motion fails, discussion and voting on the main motion resumes. If it passes, the subject of the main motion shall not be placed upon the agenda again until the specified date or event.

Debatable or amendable: Yes, but restricted to time.

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(4) Motion to table.

Purpose: To set aside a pending main motion until a specific time later in the same meeting or the next following meeting. A motion to take from the table shall not be required.

Debatable or amendable: Yes, but restricted to time.

(5) Motion to close debate.

Purpose: To prevent or stop discussion on the pending debatable motion or motions and to bring such question or questions to vote immediately. If the motion passes, a vote shall be taken on the pending motion or motions. This shall require an affirmative vote of no less than four (4) Board Members.

Debatable or amendable: No.

(6) Motion to extend debate.

Purpose: To extend the time that will be devoted to discussion of a pending motion or to extend or remove limitations already imposed on its discussion.

Debatable or amendable: Not debatable; amendments are restricted to period of time of the proposed extension.

- (7) Motion to refer to staff or Board Committee.

Purpose: To refer the main motion before the Board to staff or a Board Committee for the purpose of investigating or studying the proposal and to make a report back to the Board. If the motion fails, discussion or vote on the question resumes. If the motion succeeds, the main motion to which it is applied shall be placed upon the agenda after such investigation or study is completed.

- (8) Motion to Amend.

Purpose: To modify or change a motion that is being considered by the Board so that it will express more satisfactorily the will of the Members. An amendment (primary amendment) may be amended by means of another (secondary) amendment, but an amendment to the secondary amendment is not in order. Only one primary and secondary amendment may be pending at any one time. The secondary amendment shall be voted upon before the primary amendment. If the motion passes, then the motion would be voted on as amended.

Debatable or amendable: It is debatable unless applied to an undebatable motion. It is amendable.

- (9) Motion to Postpone Indefinitely.

Purpose: To postpone a main motion until further Board action. If the motion fails, discussion and voting on the main motion resumes.

Debatable or amendable: ___ It is debatable but not amendable.

- (10) Main motion.

Purpose: To place the agenda item before discussion and decision.

Debatable or amendable: __ Yes.

B. The following special motions shall be ~~permitted~~permitted in the Board Meeting as set forth in this Section, at any time, and shall be voted upon in the order of making and prior to ordinary motions:

(1) Motion to suspend the rules.

~~Purpose~~Purpose: To temporarily suspend a specific rule adopted by the Board. Requires an affirmative vote of no less than four (4) Board Members.

~~Debatable or amendable~~: No.

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(2) Motion to take up an item out of agenda order.

~~Purpose~~Purpose: To place an agenda item in a different position upon the agenda for Board consideration.

Debatable or amendable: Debatable as to position, but not amendable.

(3) Motion to consolidate agenda items.

~~Purpose~~Purpose: To consolidate the consideration of items upon the agenda. If successful, the motion shall operate to take up out of order the items which are referred to and shall be considered as moving and seconding of all bills referred to in the motion which has not previously been moved and seconded. A vote on such consolidated bills shall be considered a vote on both items.

Debatable or amendable __: Debatable, not amendable.

(4) Motion to reconsider a vote.

~~Purpose~~Purpose: To permit subsequent vote on a motion which has previously been voted upon. A motion to reconsider must be made

by a member who voted on the prevailing side of the vote to be reconsidered; provided, however, that where a motion has received a majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statutes for the passage or adoption of such motion, then in such case a motion to reconsider may be made only by those who voted in the affirmative on such question to be reconsidered. Once made and decided in the negative, a motion to reconsider shall not be renewed.

Debatable or amendable: Not amendable, and debatable only as to reopening.

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7.7 **Point of Order/Appeal**

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This procedure may be utilized at any time and shall not require a second.

Purpose: To raise a question regarding the procedure or rules followed by the Presiding Officer. The Presiding Officer shall decide the point before further business is conducted. Any point of order not promptly made shall be out of order and deemed waived. Any member may appeal to the Board from a ruling of the Presiding Officer. The Member making the appeal may briefly state his or her reason for the same, and the Presiding Officer may briefly explain his or her ruling; but there shall be no debate on the appeal and no other Member shall participate in the discussion. The Presiding Officer shall then call for a vote in the following manner. "Shall the decision of the Chair be upheld?" If a majority of the Members present vote "No," the decision of the Presiding Officer shall be overruled, otherwise it shall be sustained.

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7.8 **Point of Personal Privilege**

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This procedure may be utilized at any time and shall not require a second.

Purpose: To allow a Member to address the Board regarding a question of his or her integrity, character or motives or physical comfort.

7.9 **Request for Information**

This procedure may be utilized at any time and shall not require a second.

Purpose: To request information from the Presiding Officer or speaker. The request for information shall be made through the Presiding Officer, or directly to the speaker by leave of the Presiding Officer.

7.10 **Suggestion to Fill in Blanks**

This procedure may be utilized at any time and shall not require a second.

Purpose: To insert names, figures or times into a resolution or other item that has blanks as placed upon the agenda. After the main motion has been moved and seconded, any Member may suggest one item or a group of items to fill in such blanks relating to the same resolution or item. When blanks to be filled consist of a combination of items or names, the vote on blanks shall be in order of suggestion. When blanks to be filled consist solely of sums or times, the vote shall be taken in order with the smallest sum and longest date considered first.

Rule 8
Minutes

8.1 **Application**

Minutes of all regular and special meetings shall be recorded. Such minutes shall be maintained in the administrative offices of the Board of Public Utilities, and shall be open to the public. The minutes shall reflect:

- (1) The date, time and place of the meeting or session;
- (2) The Members recorded as either present or absent;
- (3) A general description of all matters proposed, discussed or decided; and
- (4) Record of any votes taken.

A Board Member may request, through the Presiding Officer, the privilege of having his or her comments or written statement entered into the minutes

concerning any resolution or item pending before the Board, provided that the General Manager shall abstract such verbal comments and further provided that any such written comments be distributed to all Board Members.

8.2 Approval

Approval of minutes shall be considered at the next regular Board meeting. It shall not be necessary to read the minutes prior to approval. Such minutes may be revised by the General Manager to correct spelling, numbering and other such technical defects. Prior to approval, any Member may, through the Presiding Officer, request the privilege of amending or correcting the minutes to speak the truth. If objection is made by any Board Members to such amendment or correction, a majority vote of the Board shall be necessary for adoption of the correction or amendment.

Rule 9
Documents

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9.1 Error Corrections

When a resolution or other item that has been placed on a meeting agenda contains typographical or non-substantive syntactical errors, the item may be corrected by the General Manager prior to or after adopted or vote without formal amendment; provided, however, that such changes shall not alter the result intended by the Board. Changes shall be made upon the original item included on the agenda, dated and initialed by the General Manager, and if necessary, the agenda version of such item shall be retyped and re-executed by the Presiding Officer and/or Secretary; such corrected Board item shall become the original document. Changes shall be noted at the next regular Board meeting.

9.2 Authorized Signatory

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The Presiding Officer and/or Secretary shall sign all resolutions and other documents requiring his or her signature which were adopted in his or her presence, unless he or she is unavailable, in which case the next alternate Presiding Officer and/or Secretary may sign such documents.

Rule 10
Change in Board Rules

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10.1 **Failure to Observe Procedures**

The provisions of these Rules of Procedure are adopted to expedite the transaction of the business of the Board in an orderly fashion and are deemed to be procedural only. The failure to strictly observe such rules by the Board shall not affect the jurisdiction of the Board or invalidate any action taken at a meeting that is otherwise held in conformity with law.

10.2 **Amendment of Rules**

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These Rules of Procedure may be amended by the affirmative vote of no less than four (4) Board Members.

10.3 **Suspension of Rules**

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Any one of the Rules of Procedure may be suspended temporarily by the Board providing such suspension is not contrary to applicable law.



2024 REVENUE FORECAST

KANSAS CITY BOARD OF PUBLIC UTILITIES

NOVEMBER 8, 2023

2024 REVENUE FORECAST – COMPONENTS OF THE BILL

<p>Electric Base Rate:</p> <ul style="list-style-type: none"> • Customer Chrg. • Energy Chrg. (kWh) • Demand Chrg. (kW) • ~ 1/2 of bill (55% AVG) 	<p>Electric ERC:</p> <ul style="list-style-type: none"> • Fuel & Purchase Power costs • Pass-thru • Billed on kWh basis • ~ 1/3 of bill 	<p>Electric ESC:</p> <ul style="list-style-type: none"> • Environmental Cost • Feds/State/Local rules • Past Bond projects • Tied to Repayment Schedule • ~ 10% of bill 	<p>PILOT & Sales Taxes:</p> <ul style="list-style-type: none"> • Not Revenue • Pass-Thru to UG & State • Based on Percentage of Base/ERC/ESC billed
<p>Water Customer Chrg.:</p> <ul style="list-style-type: none"> • Customer Chrg. • Based on Meter Size • Minimum Bills apply 	<p>Water Commodity Chrg.</p> <ul style="list-style-type: none"> • Unit/CCF Chg. • One rate schedule • 3 blocks 	<p>Water Fire Protection</p> <ul style="list-style-type: none"> • Private Fire Lines • Based on Meter Size • Large C&I locations • Adder to Bill • Typically zero consumption 	<p>PILOT & Sales Taxes:</p> <ul style="list-style-type: none"> • Not Revenue • Pass-Thru to UG & State • Based on Percentage of Base/ERC/ESC billed

ERC - FUEL & PURCHASE POWER

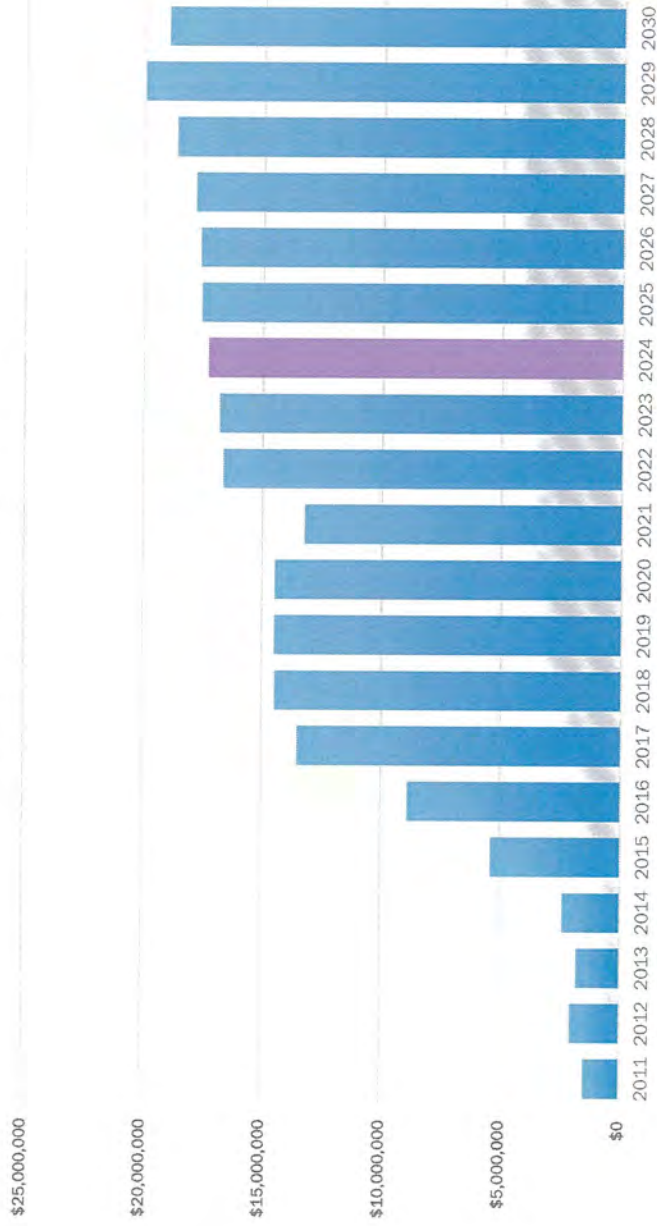
- Assuming monthly ERC rate of 4.1 cents / kWh
- ERC Reserve of \$1.5M/quarter or \$6.0M annually
- Based on Planning's forecast and SPP forecast
- Averaged 4.28 past 8 quarters

ENERGY RATE COMPONENT BASE		
Year	Period	Rate
2018	JAN THRU MAR	\$0.032590
2018	APR THRU JUN	\$0.032540
2018	JUL THRU SEP	\$0.032480
2018	OCT THRU DEC	\$0.035990
2019	JAN THRU MAR	\$0.033040
2019	APR THRU JUN	\$0.032980
2019	JUL THRU SEP	\$0.032110
2019	OCT THRU DEC	\$0.032650
2020	JAN THRU MAR	\$0.032040
2020	APR THRU JUN	\$0.033980
2020	JUL THRU SEP	\$0.031000
2020	OCT THRU DEC	\$0.030960
2021	JAN THRU MAR	\$0.026000
2021	APR THRU JUN	\$0.016000
2021	JUL THRU SEP	\$0.029980
2021	OCT THRU DEC	\$0.033900
2022	JAN THRU MAR	\$0.035010
2022	APR THRU JUN	\$0.036870
2022	JUL THRU SEP	\$0.044980
2022	OCT THRU DEC	\$0.045970
2023	JAN THRU MAR	\$0.046990
2023	APR THRU JUN	\$0.046990
2023	JUL THRU SEP	\$0.043650
2023	OCT THRU DEC	\$0.042290

ENVIRONMENTAL SURCHARGE (ESC)

Year	ESC Debt Service
2011	\$ 1,462,500
2012	\$ 2,023,743
2013	\$ 1,776,525
2014	\$ 2,381,525
2015	\$ 5,407,982
2016	\$ 8,901,180
2017	\$ 13,516,902
2018	\$ 14,471,550
2019	\$ 14,492,031
2020	\$ 14,486,640
2021	\$ 13,261,788
2022	\$ 16,670,298
2023	\$ 16,823,590
2024	\$ 17,288,479
2025	\$ 17,598,946
2026	\$ 17,669,485
2027	\$ 17,875,665
2028	\$ 18,678,444
2029	\$ 20,023,692
2030	\$ 19,027,254

Annual Debt Service Related to the ESC
 • ESC Peaks in 2029



BREAKDOWN OF ELECTRIC BILL

BILLING COMPONENTS

Tax Exemptions	0.00%	
DAYS OF BILL	30	
PRORATED	100.00%	
Actual KWH	811	
	TOTAL	% of Bill
Customer Charge	\$ 24.00	17%
Energy Charge (1st 1,000 Kwh)	\$ 56.05	39%
Energy Charge (Next 1,000)	\$ -	56%
Energy Charge (All Add'l KWH)	\$ -	
ERC	\$ 35.40	25%
ESC	\$ 8.87	6%
UG PILOT SALES TAX	\$ 14.79	
UG PILOT SALES TAX	\$ 2.26	
UG PILOT SALES TAX	\$ 1.39	13%
County Tax	\$ 1.39	13%
Electric Total	\$ 142.76	100%



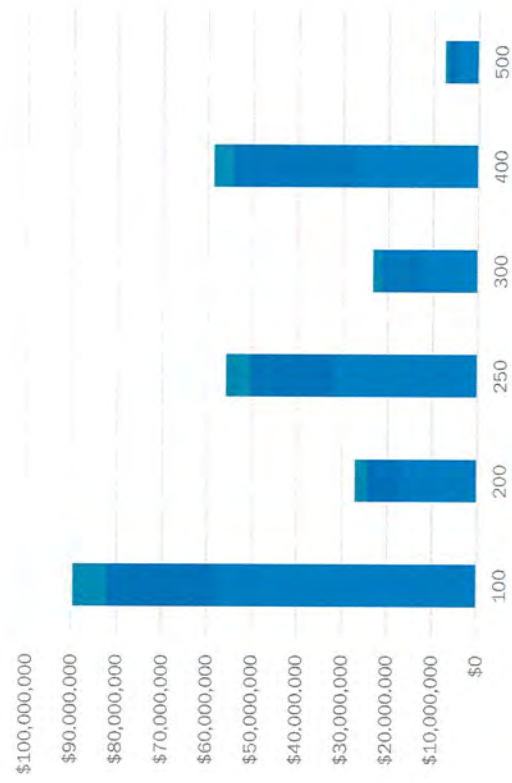
BASE
56%

ERC
25%

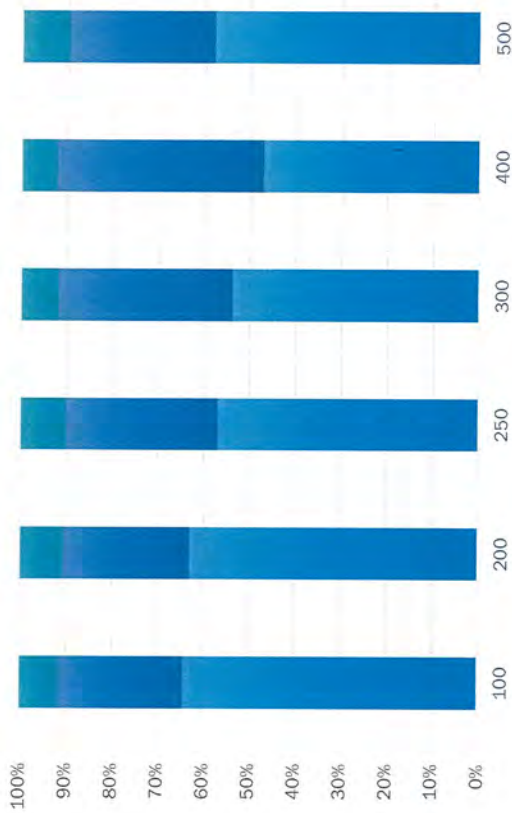
ESC
6%

UG PILOT
TAXES
13%

2024 BILLING COMPONENTS BY RATE CODE

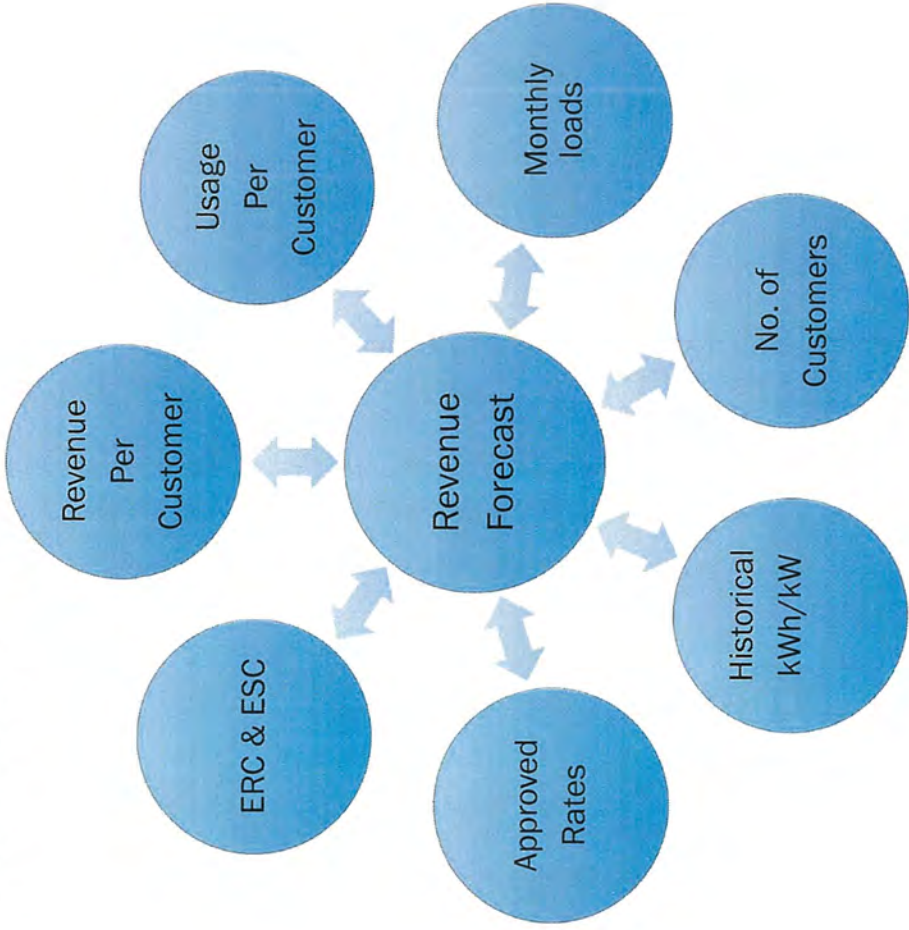


100 Residential
200 Small General Service
250 Medium General Service
300 Large General Service
400 Large Power Service
500 USD 500



100 Residential
200 Small General Service
250 Medium General Service
300 Large General Service
400 Large Power Service
500 USD 500

2024 REVENUE FORECAST - INPUTS



ELECTRIC RETAIL LOAD / KWH

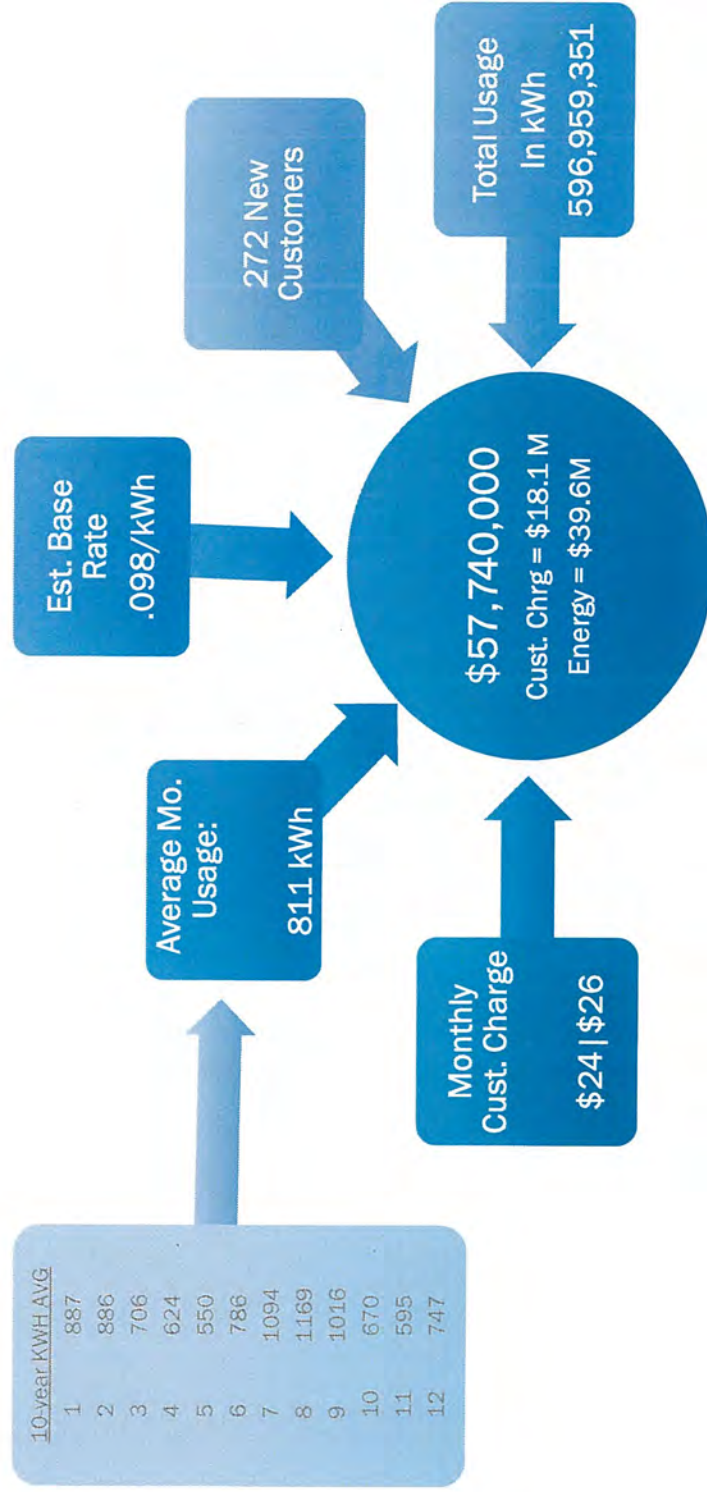


ELECTRIC ASSUMPTIONS

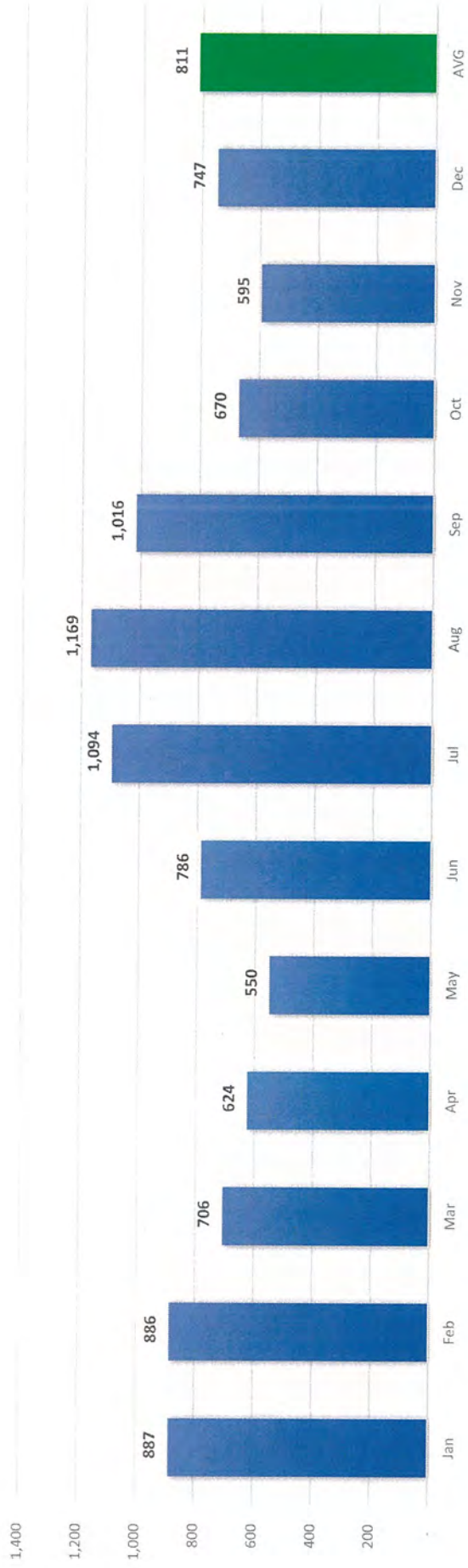
AVG NO. CUSTOMERS/BILLS

Year	Res	Small/Med C&I	Large C&I	Large Power	USD 500
2019	59,593	6,576	25	15	85
2020	59,932	6,596	25	15	86
2021	60,500	6,653	23	14	85
2022	60,670	6,712	24	14	85
2023	61,078	6,702	26	15	85
2024	61,350	6,729	26	14	85

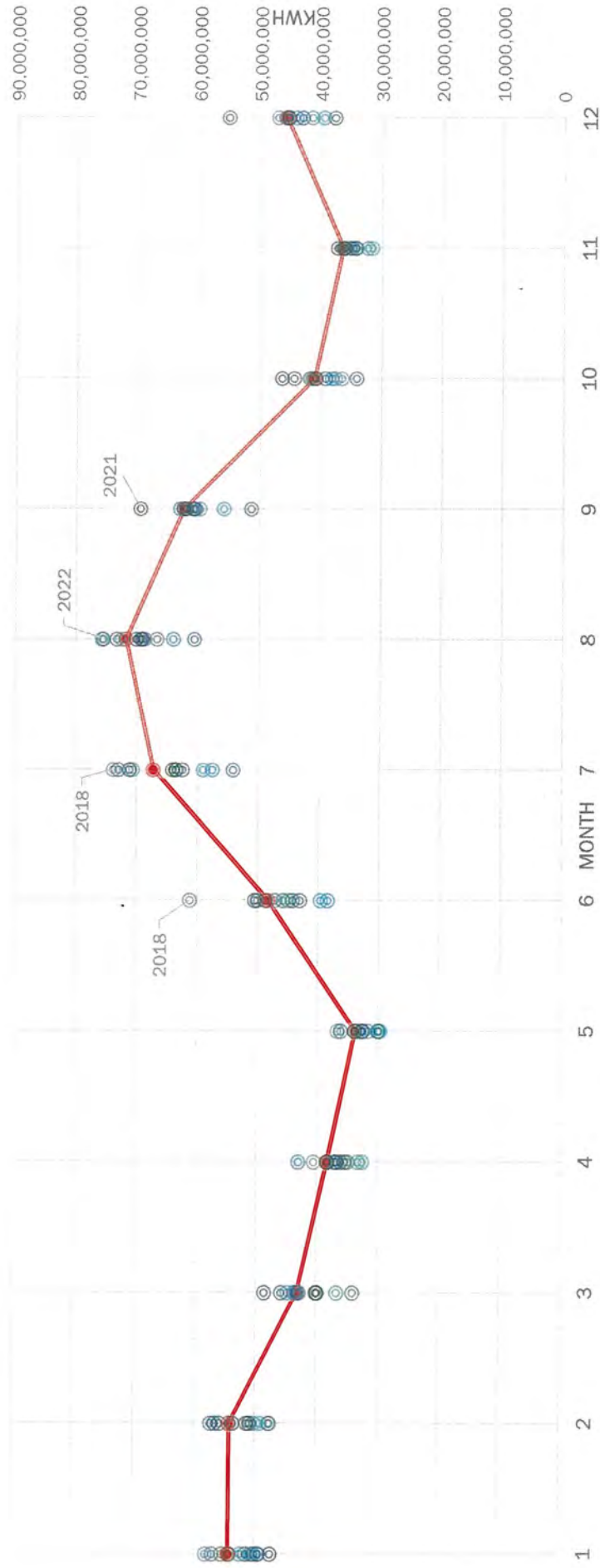
ELECTRIC RESIDENTIAL ASSUMPTIONS FOR 2024 - BASE RATES



RESIDENTIAL MONTHLY AVERAGE ENERGY (KWH) BY MONTH

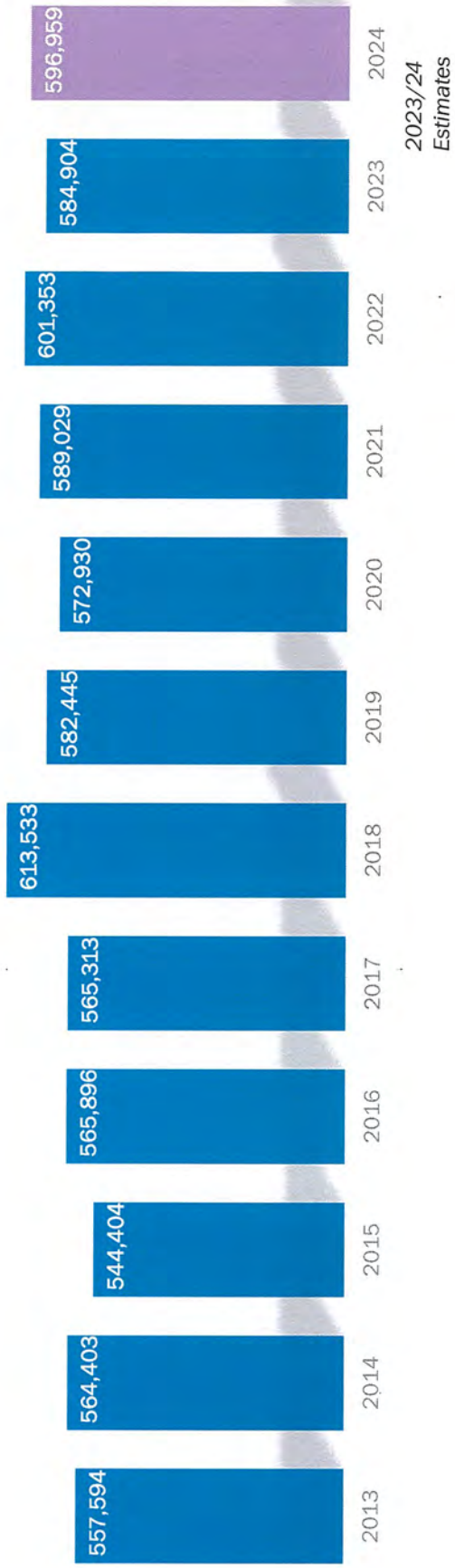


RESIDENTIAL KWH - 2013 THRU 2024

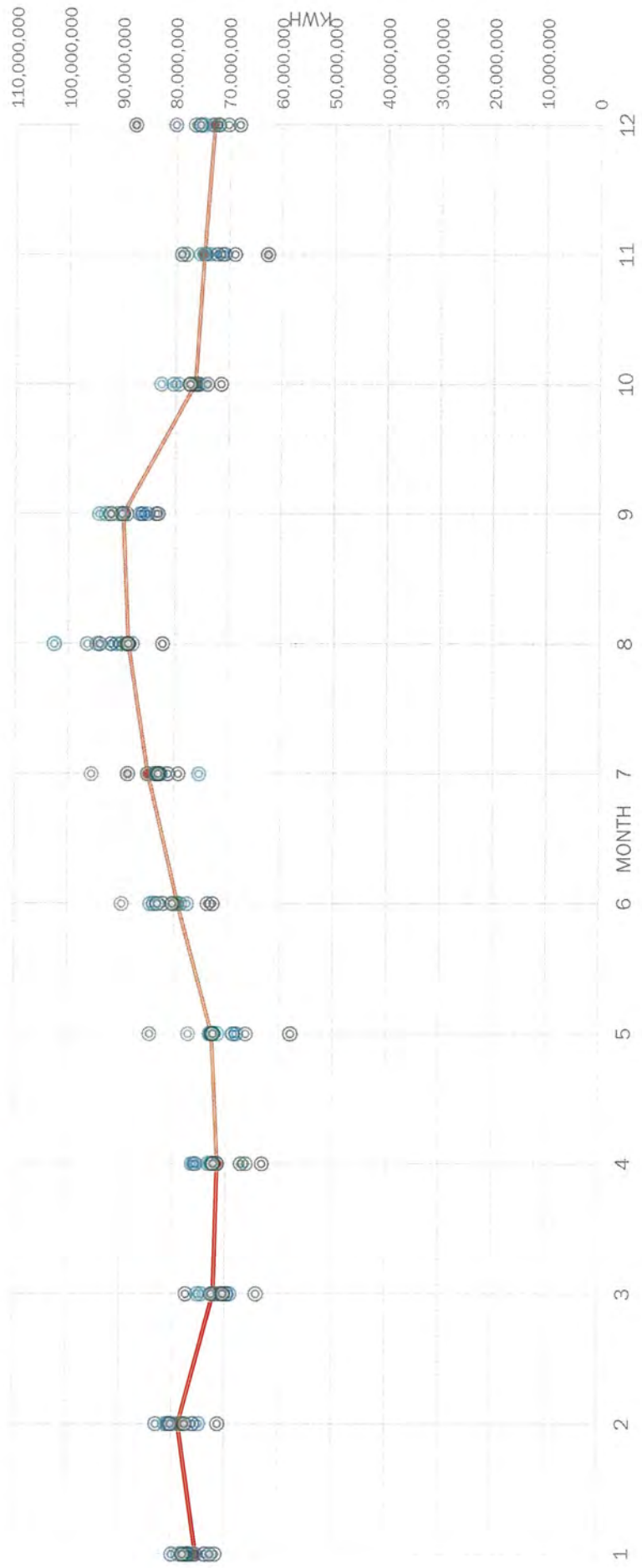


RESIDENTIAL LOAD FORECAST

MEGAWATT HOUR (MWH)

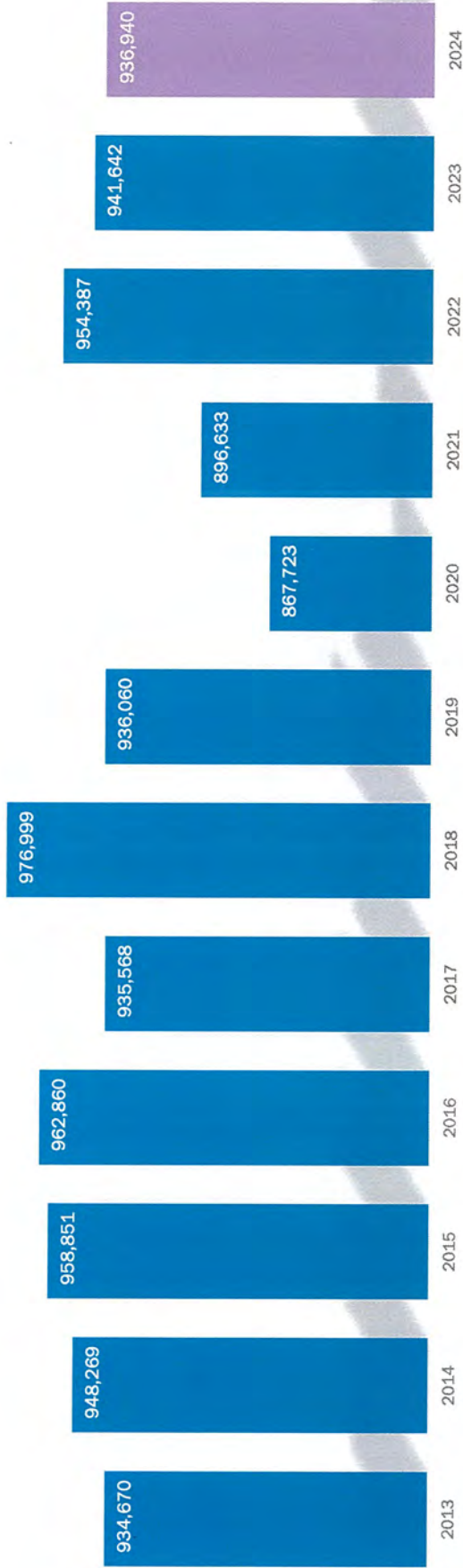


COMMERCIAL KWH - 2013 THRU 2024



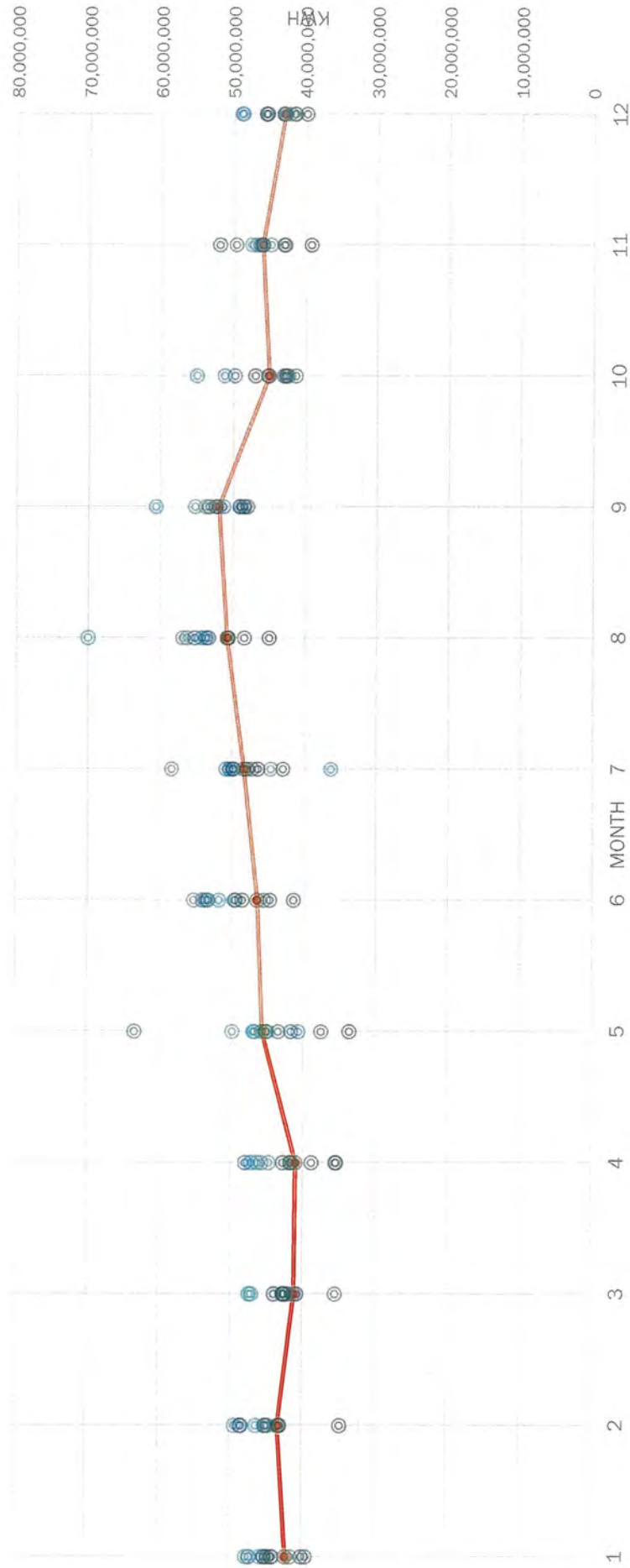
COMMERCIAL LOAD FORECAST

MEGAWATT HOUR (MWH)



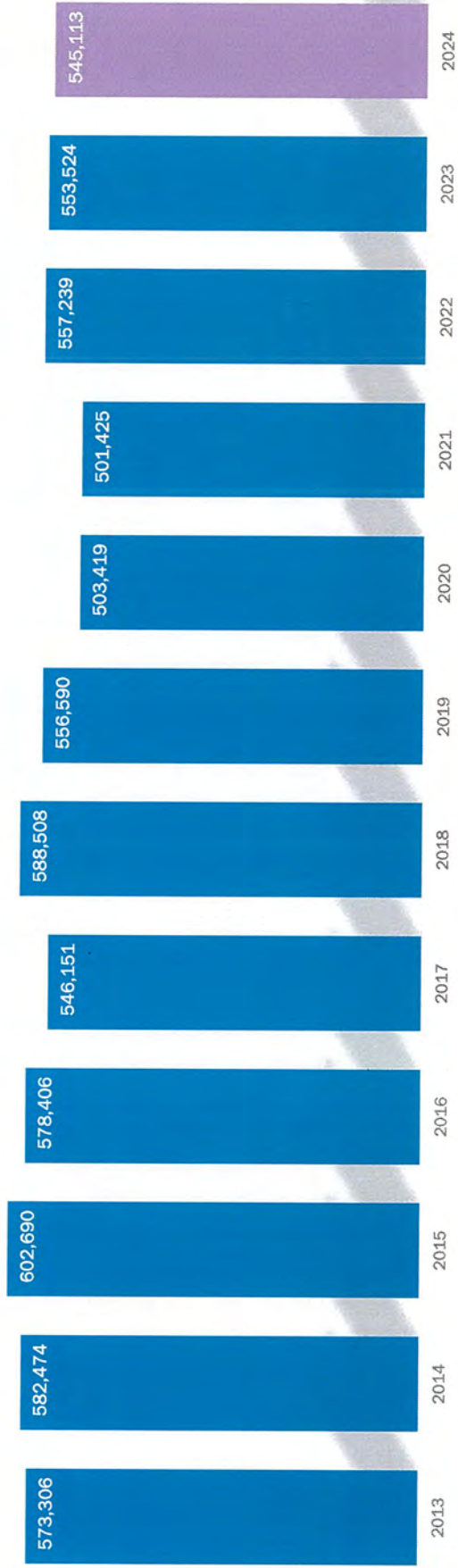
2023/24
Estimates

INDUSTRIAL KWH - 2013 THRU 2024



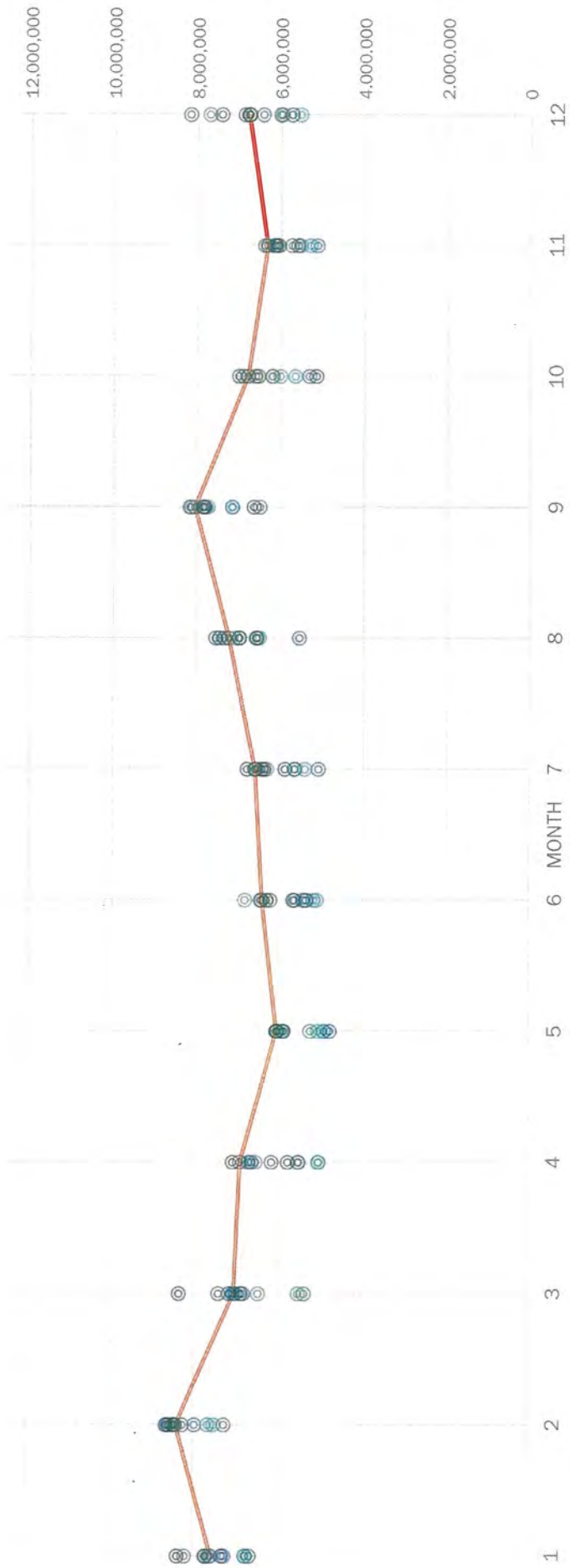
INDUSTRIAL LOAD FORECAST

MEGAWATT HOUR (MWH)



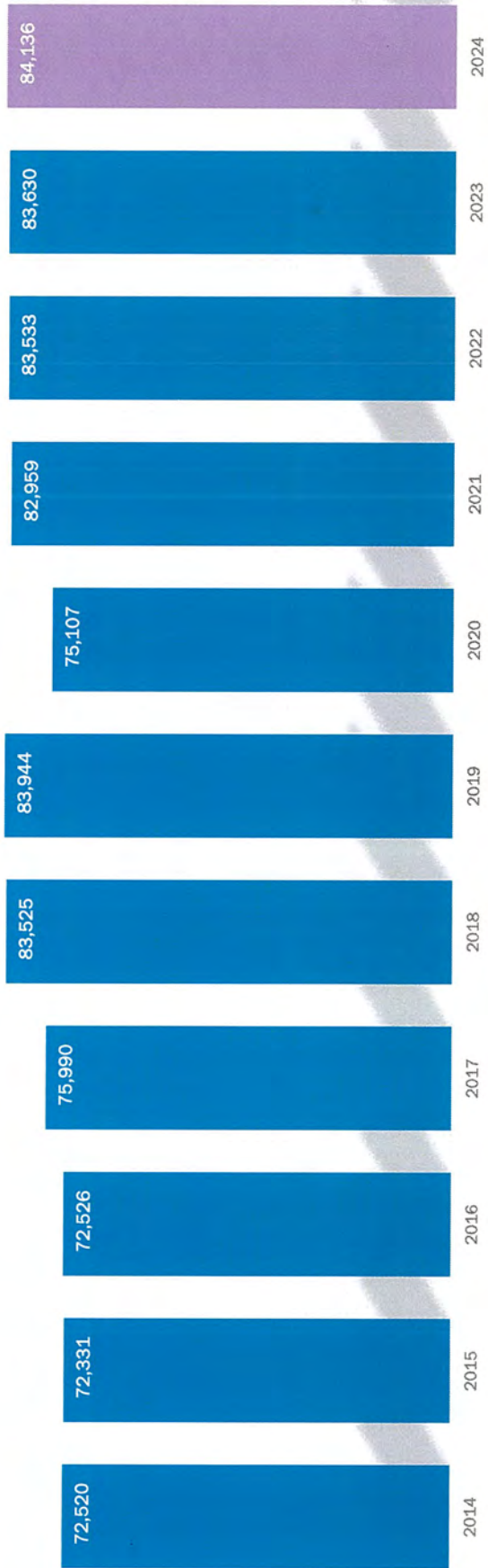
2023/24
Estimates

SCHOOLS KWH - 2014 THRU 2024



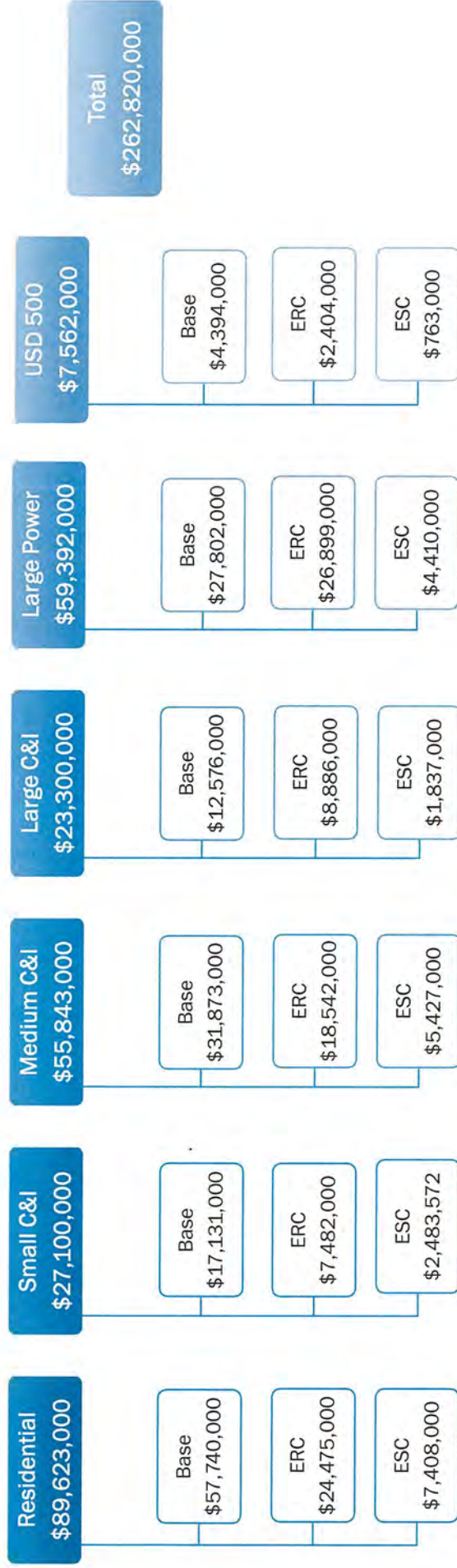
SCHOOLS LOAD FORECAST

MEGAWATT HOUR (MWH)



2023/24
Estimates

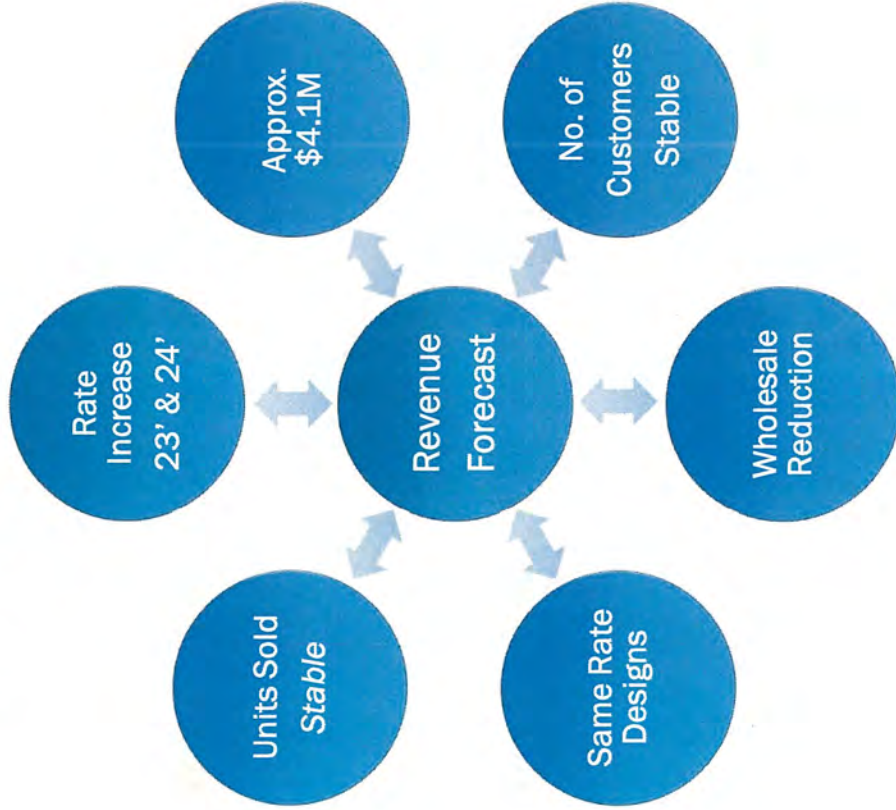
RETAIL RATES 2024



2024 ELECTRIC ESTIMATE

Class	2023 Budget	2024 Estimate
Residential	\$85,012,800	\$89,623,000
Commercial	\$107,555,000	\$109,611,000
Industrial	\$52,035,000	\$52,981,000
Schools	\$10,072,000	\$10,605,000
Highway Lighting	\$362,000	\$366,700
Total	\$255,036,800	\$263,185,700

2024 WATER REVENUE FORECAST



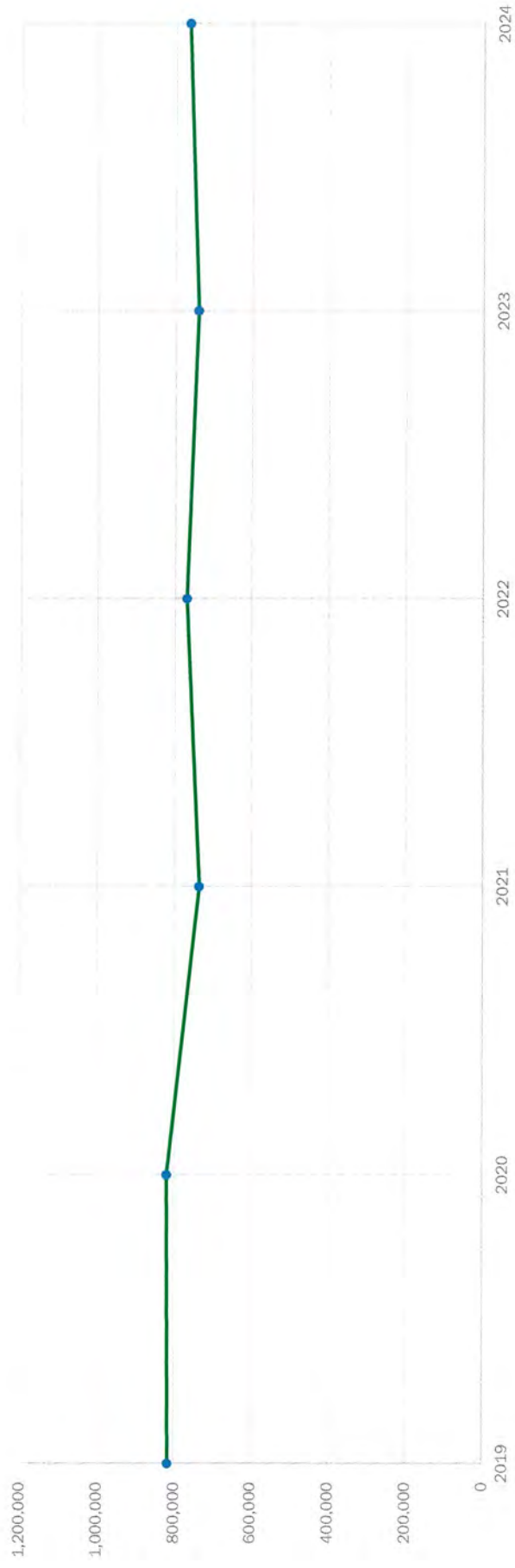


WATER – RETAIL SALES IN UNITS





WATER – WHOLESALE SALES IN UNITS



2024 WATER ESTIMATE

Class	2023 Budget	2024 Estimate
Residential	\$24,750,000	\$26,993,000
Commercial	\$11,500,000	\$12,710,000
Industrial	\$6,200,000	\$6,750,800
Schools	\$671,000	\$666,960
Fire Protections	\$600,000	\$600,000
Wholesale	\$1,357,900	\$1,463,000
Total	\$45,078,900	\$49,183,760

2023 Labor & Burden & YTD Actuals

<u>Division</u>	<u>2023 Budget Labor/Burden</u>	<u>2023 YTD Actual Labor</u>	<u>2023 YTD Actual Burden</u>	<u>2023 YTD Total</u>	<u>% Budget Spent</u>
Accounting/Finance	\$ 7,540,264	\$ 3,633,965	\$ 2,091,695	\$ 5,725,660	76%
Human Resources	\$ 1,700,063	\$ 988,508	\$ 415,137	\$ 1,403,645	83%
Customer Services	\$ 4,629,985	\$ 2,168,181	\$ 1,366,188	\$ 3,534,369	76%
General Management	\$ 1,526,285	\$ 801,677	\$ 340,270	\$ 1,141,947	75%
Technology	\$ 5,219,771	\$ 2,606,507	\$ 1,275,877	\$ 3,882,384	74%
Corporate Compliance	\$ 2,475,011	\$ 1,216,480	\$ 557,423	\$ 1,773,903	72%
Electric Operations	\$ 24,530,246	\$ 11,232,993	\$ 5,608,809	\$ 16,841,802	69%
Electric Production	\$ 15,313,858	\$ 7,916,032	\$ 3,880,195	\$ 11,796,227	77%
Electric Supply	\$ 4,214,660	\$ 2,102,062	\$ 1,033,905	\$ 3,135,967	74%
Water	\$ 14,131,107	\$ 7,251,544	\$ 3,811,075	\$ 11,062,619	78%
Total	\$ 81,281,250	\$ 39,917,949	\$ 20,380,574	\$ 60,298,523	74%

*Burden includes Employee & Retiree's Health Insurance, Pension Benefit, Life, Liability, and Disability Insurance, FICA-Company Portion, Compensating Absences, Unemployment, Long-Term Care-Company Portion

2024 Estimated Budget for Labor & Burden

<u>Division</u>	2024 Budget <u>Labor</u>	2024 Budget <u>Burden</u>	<u>Total</u>
Accounting/Finance	\$ 5,263,315	\$ 2,801,156	\$ 8,064,471
Human Resources	\$ 1,297,087	\$ 570,927	\$ 1,868,014
Customer Services	\$ 3,220,173	\$ 1,737,572	\$ 4,957,745
General Management	\$ 1,328,295	\$ 717,279	\$ 2,045,574
Technology	\$ 4,228,276	\$ 2,283,269	\$ 6,511,545
Corporate Compliance	\$ 1,836,474	\$ 991,696	\$ 2,828,170
Electric Operations	\$ 19,028,467	\$ 9,211,958	\$ 28,240,425
Electric Production	\$ 10,851,778	\$ 5,591,935	\$ 16,443,713
Electric Supply	\$ 3,082,365	\$ 1,660,295	\$ 4,742,660
Water	\$ 10,461,466	\$ 5,350,362	\$ 15,811,828
Total	\$ 60,597,696	\$ 30,916,449	\$ 91,514,145

*Burden includes Employee & Retiree's Health Insurance, Pension Benefit, Life, Liability, and Disability Insurance, FICA-Company Portion, Compensating Absences, Unemployment, Long-Term Care-Company Portion

REGULAR SESSION –WEDNESDAY, NOVEMBER 1, 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 Regular Session on Wednesday, November 1, 2023 at 6:00 PM. The following Board Members were present: Rose Mulvany Henry, President; Thomas Groneman, Vice President; Jeff Bryant, Mary Gonzales, and David Haley. Robert L. Milan, Secretary connected via Zoom at 6:23 PM.

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; Dennis Dumovich, Director of Human Resources; Douglas Bowen, Director Electric Production Operations & Maintenance; Chris Stewart, Director Civil Engineering; Michael Oldehoeft, Superintendent Operations WO; Steve Hargis, Supervisor Water Distribution Meters; Phillip Brown, Senior Civil Engineer; Brandon Sisk, Project Engineer III; Aaron Moore, Project Engineer II; 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.

REGULAR SESSION –WEDNESDAY, NOVEMBER 1, 2023

STATE OF KANSAS)
) SS
CITY OF KANSAS CITY)

Roll call was taken and all Board members were present except for Mr. Milan, who joined via Zoom at 6:23 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 – Approval of Work Session Minutes of October 18, 2023

A motion was made to approve the minutes of the Work Session of October 18, 2023, by Ms. Gonzales, seconded by Mr. Groneman, and unanimously carried.

Item #5 – Approval of Regular Session Minutes of October 18, 2023

A motion was made to approve the minutes of the Regular Session of October 18, 2023, by Mr. Bryant, seconded by Ms. Gonzales, and unanimously carried.

Item #6– Public Comments

There were no visitors wishing to speak.

Item #7– General Manager / Staff Reports

- i. *2023 3rd Quarter Financials*: Ms. Lori Austin, Chief Financial Officer/Chief Administrative Officer, presented the 2023 Third Quarter Financials to the Board. (See attached PowerPoint.)

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

A motion was made to approve the 2023 Third Quarter Financials as presented, by Mr. Bryant, seconded by Ms. Gonzales, and unanimously carried.

- ii. *Water Projects Update*: Mr. Phillip Brown, Senior Civil Engineer, presented the Board an update on how federal grants were being used to improve the water system in our community. He showed the areas of focus for upcoming main replacement projects and gave a timeline for the Nearman Water Treatment Plant (NWTP) to complete the switchgear and generator project. (See attached PowerPoint.) He introduced Mr.

REGULAR SESSION –WEDNESDAY, NOVEMBER 1, 2023

STATE OF KANSAS)
) SS
CITY OF KANSAS CITY)

Aaron Moore, Project Engineer II, and Mr. Brandon Sisk, Project Engineer III, both local high school graduates who returned to their community to work after college.

Mr. Brown responded to questions and comments from the Board.

Mr. Johnson commented that BPU would continue to seek federal funds for improvement projects in the community. He also applauded the engineers on both the electric and water side for their work.

- iii. *2023 Summer Internships:* Mr. Darrin McNew, Executive Director Electric Operations, presented information regarding the BPU Summer Internship Program. He gave an overview of the program, introduced the 2023 participants and gave a summary of some of their accomplishments during their time with BPU. As a result of the program, BPU had hired four engineers.

Mr. McNew responded to questions and comments from the Board.

Mr. Johnson added details regarding BPU’s internship program and recruiting opportunities. He also stated BPU was working on a scholarship program for Wyandotte County high school students. The hope was to assist students with their education and recruit them back into the community. He advised he would bring more details to the Board.

- iv. *Miscellaneous Comments:* Mr. Johnson updated the Board on a meeting he attended with Mayor Garner and Representative Sharice Davids regarding UG priorities which would include BPU funding requests. He spoke about a recent luncheon held for Key Accounts, which included top BPU industrial customers and commented on a meeting he attended with Mayor Garner and David Johnston, County Administrator, regarding working together on joint agreements and continued conversation on how to separate the Unified Government (UG) charges from the BPU bill.

Item #8 – Board Comments

Mr. Haley expressed his thoughts on the audio and video recordings of BPU’s public meetings, separation of the UG charges from the BPU bill, changes to the Cold Weather policy and his continued support for Customer Service improvements. He also added comments regarding the elected Board member’s compensation and stated that he wanted a fund that he could directly assist customer with.

REGULAR SESSION –WEDNESDAY, NOVEMBER 1, 2023

STATE OF KANSAS)
) SS
CITY OF KANSAS CITY)

Mr. Groneman thanked staff for their presentations and said it was enlightening to hear local graduates being recruited back to work within the community. He also commented on the UG working with BPU to separate the billing.

Mr. Milan said he looked forward to being back at the next Board meeting.

Mr. Bryant thanked staff for the presentations and said he was glad to see federal dollars being used to help improve the aging water mains, especially those specific to his district.

Ms. Gonzales said she was thankful for the internship program that would allow young people the opportunity to see what they could do at a smaller utility. She also thanked staff for their presentations and said she was pleased to see more school districts represented at the Key Account luncheon.

Ms. Mulvany Henry echoed other elected Board members in thanking staff for their presentations. She welcomed Mr. Moore to BPU, and said she was happy to see the federal funds at work in the community. She also commended Mr. McNew and staff for their internship and recruiting efforts. She provided an update on the Community Engagement meeting and said she looked forward to working with the Community Ambassadors. She reminded the elected Board to complete three hours of continuing education by the end of the year, in the municipal energy or water sector, and advised that she would be attending the next Board meeting remotely.

Item #9 – Adjourn

At 7:24 PM a motion to adjourn was made by Mr. Bryant, seconded by Ms. Gonzales and unanimously carried.

ATTEST:

APPROVED:

Secretary

President



2023 Third Quarter Financial Results

November 1, 2023

Financial Results

2023 Billed kWh (YTD Jan - September)

Electric	(CY) 2023 YTD	(PY) 2022 YTD
Residential	469,306,691	479,200,878
Commercial	771,504,468	765,331,922
Industrial	367,496,895	404,868,784
	1,608,308,054	1,649,401,584



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

-2.5%

Residential – Down 2% Commercial – Up 1% Industrial – Down 9%



Financial Results

2023 Billed CCF's (YTD Jan - September)

	(CY) 2023 YTD	(PY) 2022 YTD
Water		
Residential	2,690,612	2,630,342
Commercial	2,103,913	2,030,558
Industrial	1,409,985	1,433,846
	6,204,510	6,094,746
		1.8%

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

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

Financial Results

Revenues – Third Quarter 2023

	(CY) 2023 3rd Quarter	(PY) 2022 3rd Quarter	Budget 2023 3rd Quarter	(CY) 2023 3rd Quarter
Electric	\$ 98.189	\$ 101.862	\$ 93.704	\$ 98.189
Water	16.344	15.449	15.134	16.344
Combined	\$ 114.533	\$ 117.311	\$ 108.838	\$ 114.533
				5.2%

Actual Compared to 2023 Budget

Electric – Up 5%

Water – Up 8%

Combined – Up 5%

Financial Results

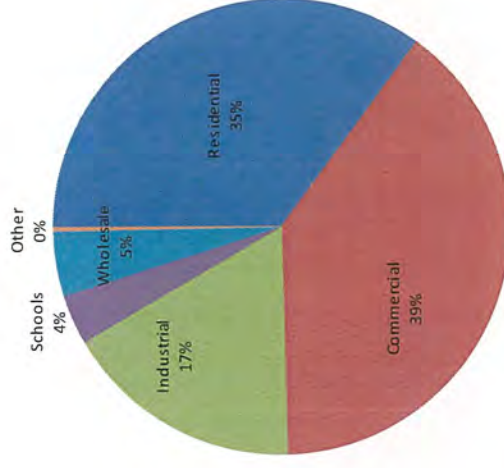
Revenues - 2023 YTD

	(CY) 2023 YTD	(PY) 2022 YTD	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 252.622	\$ 245.813	\$ 241.140	\$ 252.622
Water	41.738	40.165	40.151	41.738
Combined	\$ 294.360	\$ 285.978	\$ 281.291	\$ 294.360
				4.6%

**Dollars in millions

Variance - YTD comparing Budget to Actual for 2023

<u>Electric:</u>	<i>Up 5%</i>	<u>Water:</u>	<i>Up 4%</i>
Residential	\$ 3.8M	Residential	\$678K
Commercial	\$ 10.3M	Commercial	\$866K
Industrial	(\$ 531K)	Industrial	\$215K
Schools	\$872K	Wholesale	\$140K
Wholesale	(\$4.6M)		



Operating Expenses – Third Quarter 2023

	(CY) 2023 3rd Quarter	(PY) 2022 3rd Quarter	Budget 2023 3rd Quarter	(CY) 2023 3rd Quarter
Electric	\$ 59.929	\$ 72.597	\$ 58.061	\$ 59.929
Water	9.099	9.253	10.066	9.099
Combined	\$ 69.028	\$ 81.850	\$ 68.127	\$ 69.028
				1.3%

Actual Compared to 2023 Budget

- Electric – Up 3%
- Water - Down 10%

Financial Results

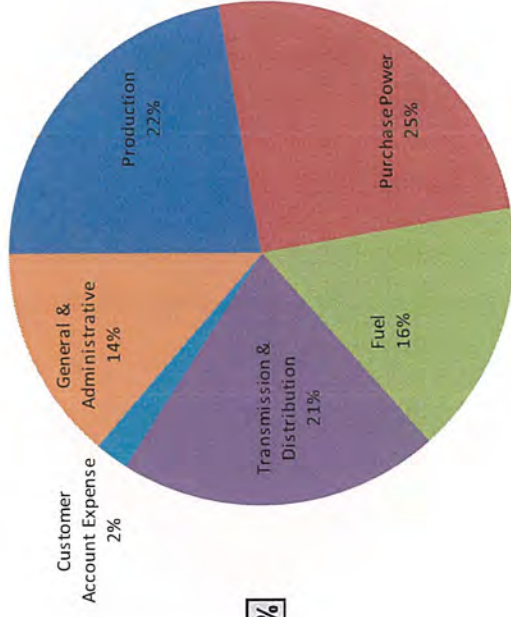
Operating Expenses – 2023 YTD

	(CY) 2023 YTD	(PY) 2022 YTD	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 188,346	\$ 187,615	\$ 180,621	\$ 188,346
Water	28,390	27,438	30,559	28,390
Combined	\$ 216,736	\$ 215,053	\$ 211,180	\$ 216,736
			0.8%	2.6%

**Dollars in millions

Actual Compared to 2023 Budget

- Electric – Up 4%
- Water - Down 7%
- Combined – Up 3%



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	\$ 161.799	\$ 163.437	\$ 154.676	\$ 161.799
Water	22.081	21.240	24.289	22.081
Combined	\$ 183.880	\$ 184.677	\$ 178.965	\$ 183.880
				2.7%

**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 – Third Quarter 2023

	(CY) 2023 3rd Quarter	(PY) 2022 3rd Quarter	(CY) 2023 3rd Quarter
Electric	\$ 25.135	\$ 15.174	\$ 25.135
Water	5.306	4.262	5.306
Combined	\$ 30.441	\$ 19.436	\$ 30.441

	Budget 2023 3rd Quarter	(CY) 2023 3rd Quarter
	\$ 22.294	\$ 25.135
	3.174	5.306
	\$ 25.468	\$ 30.441



**Dollars in millions

Financial Results

Change in Net Position – 2023 YTD

	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 23.713	\$ 26.959
Water	4.660	8.821
Combined	\$ 28.373	\$ 35.780

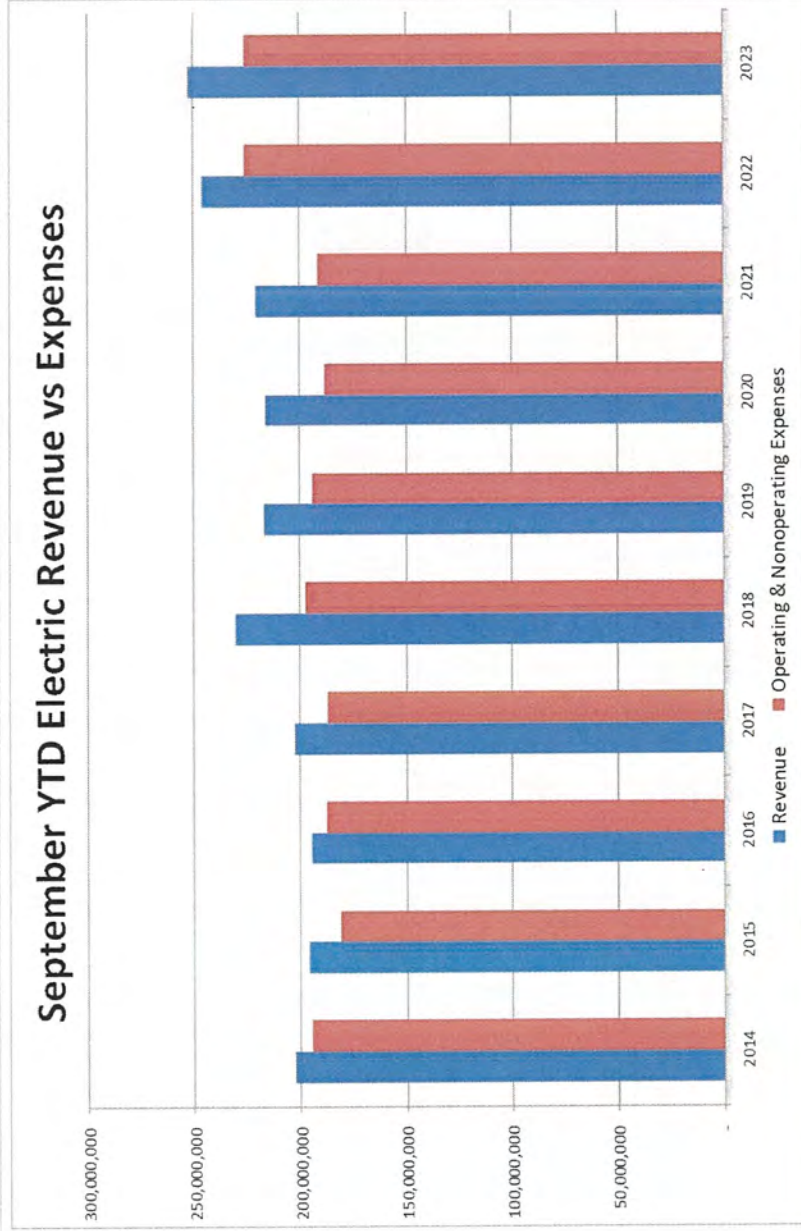
Electric
Water
Combined

	(CY) 2023 YTD	(PY) 2022 YTD
Electric	\$ 26.959	\$ 19.757
Water	8.821	7.735
Combined	\$ 35.780	\$ 27.492

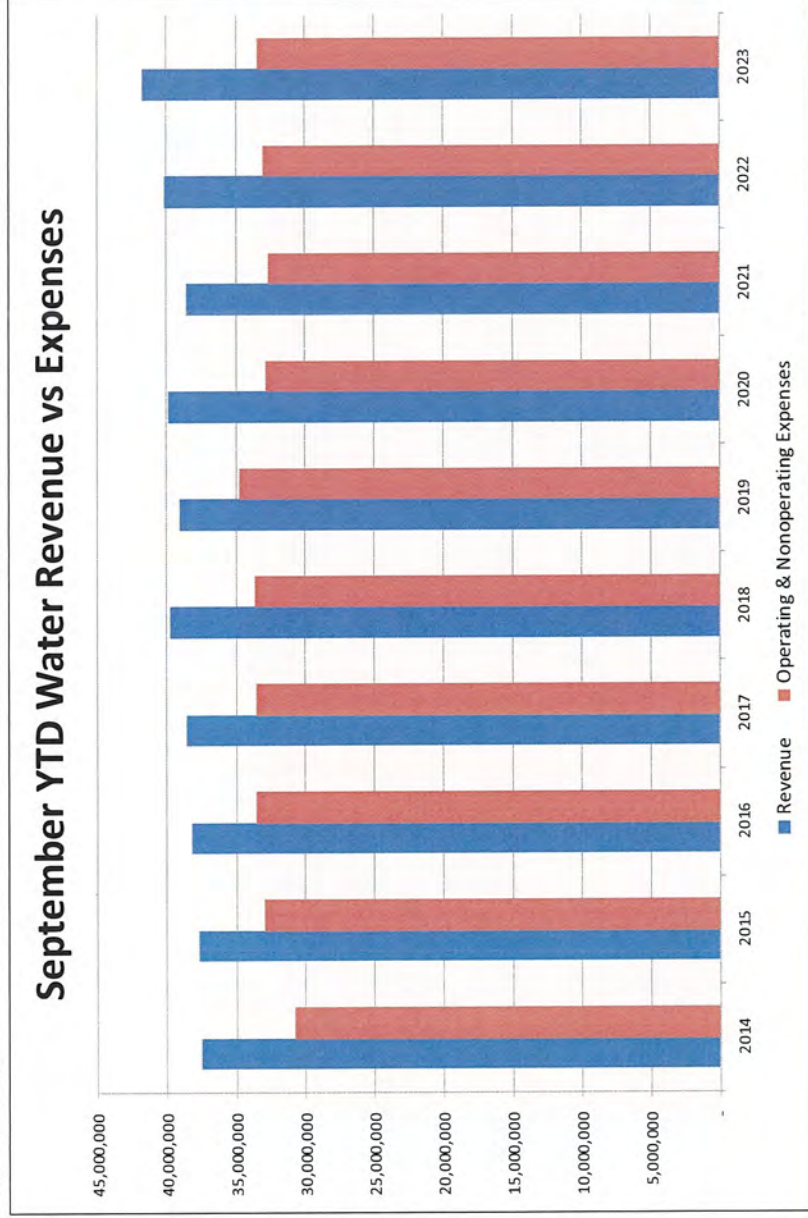
**Dollars in millions



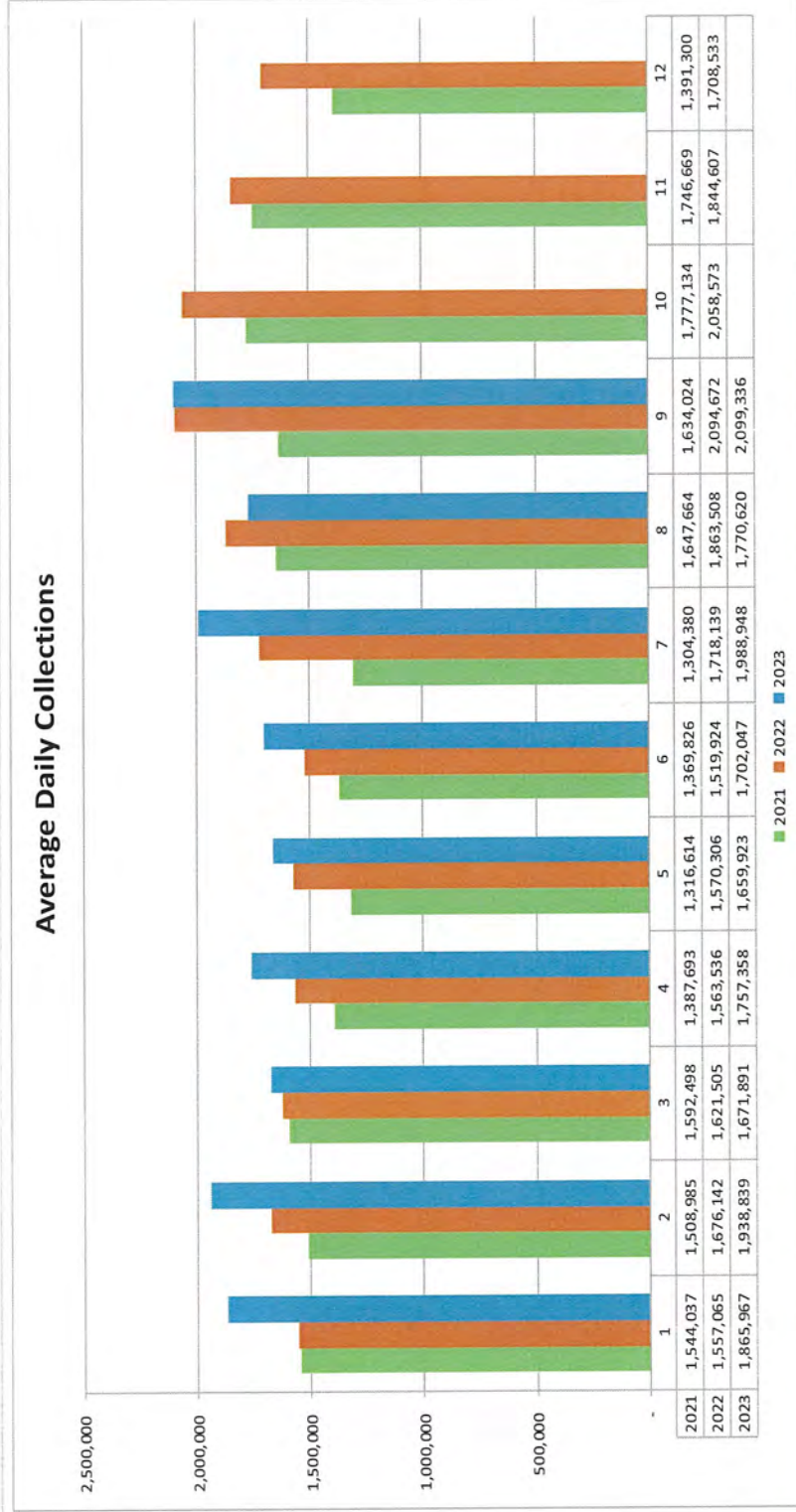
Financial Results – 10 Year Trend



Financial Results – 10 Year Trend

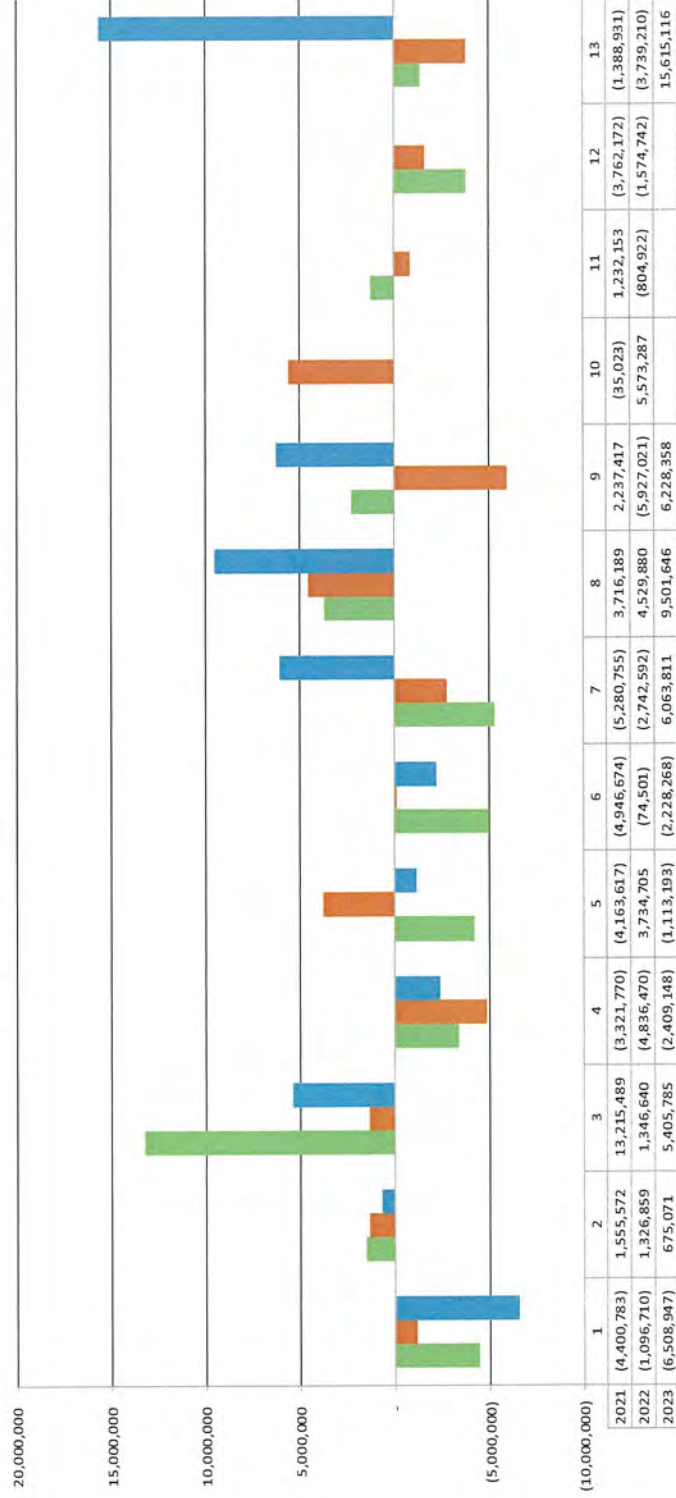


Financial Results



Financial Results

Historical Monthly Cash Comparison





Financial Results

Cash Position

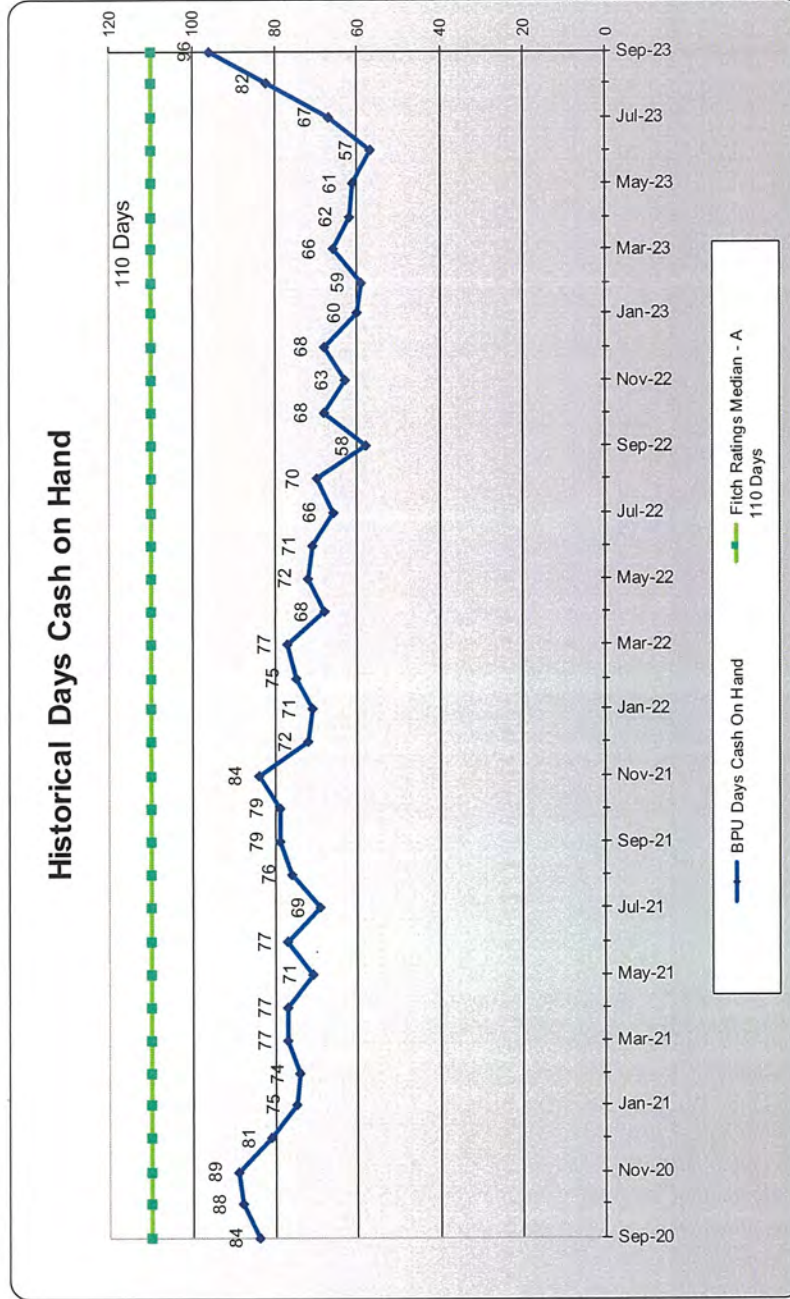
Combined (E&W)
Days Cash-on-Hand

	(CY) 2023 September	(PY) 2022 September	2023 August
\$	59.12	\$ 40.19	\$ 52.50
	96	58	82

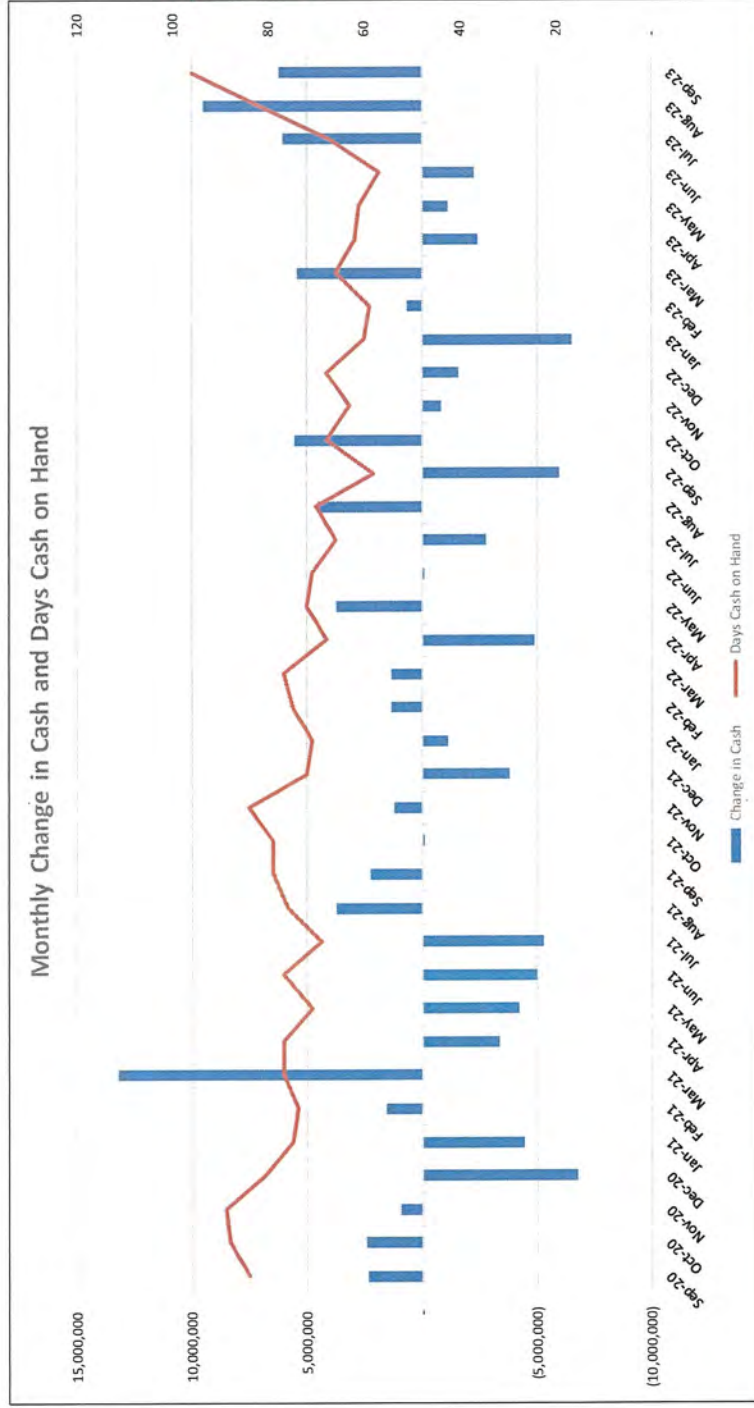
1 Day = Approximately \$600K-\$625K
(Based on 12 month rolling average of expenses)

**Dollars in millions

Financial Results



Financial Results





Financial Results

Balance Sheet: Notables

	(CY) 2023 September	(PY) 2022 September
Fuel Inventory	\$ 5.929	\$ 6.666
Bond Dollars 2016C (Elec T&D)	\$ 0.230	\$ 0.712
Bond Dollars 2020A (Elec)	\$ 0.833	\$ 0.800

**Dollars in millions

Financial Results

Capital Spending

	(CY) 2023 YTD	(PY) 2022 YTD	2023 Budget
Electric	\$ 19.14	\$ 15.55	\$ 30.67
Water	10.62	6.40	24.71
Common	2.64	2.67	5.20
Total YTD Capital	\$ 32.40	\$ 24.62	\$ 60.58
			Remaining
			47%

Major projects in 2023:

- Fisher UG Feeders - \$2.6M
- Annual Underground - \$1.4M
- Annual Overhead - \$1.2M
- Distribution Pole Inspect/Replace - \$1.0M
- IT Meter Data Management Upgrade – \$515K
- Water Sys Imp, Valves & Leaks - \$2.1M
- Argentine 7 MG Tank Replacement - \$5.2M

**Dollars in millions

Financial Results

Debt Coverage

Debt Coverage with PILOT

	(CY) 2023 September	(PY) 2022 September
Electric	2.96	2.23
Water	2.29	1.83
Combined	3.05	2.34

Debt Coverage w/o PILOT

	(CY) 2023 September	(PY) 2022 September
Electric	2.23	1.55
Water	1.81	1.37
Combined	2.31	1.65

Financial Guideline Target 1.6 to 2.1 times with PILOT



How BPU Water is using Federal Opportunities to Improve the Water System

Nov 1, 2023



Summary

- \$10,000,000 Grant from EPA for replacing Aged Water Mains
 - 20% Cost Share Waiver Approved EJ40
 - Estimated Project Completion end of 2025
- \$3,700,000 Grant from FEMA for disaster preparedness
 - Estimated Project Completion end of 2026





Aged Water Main Replacement



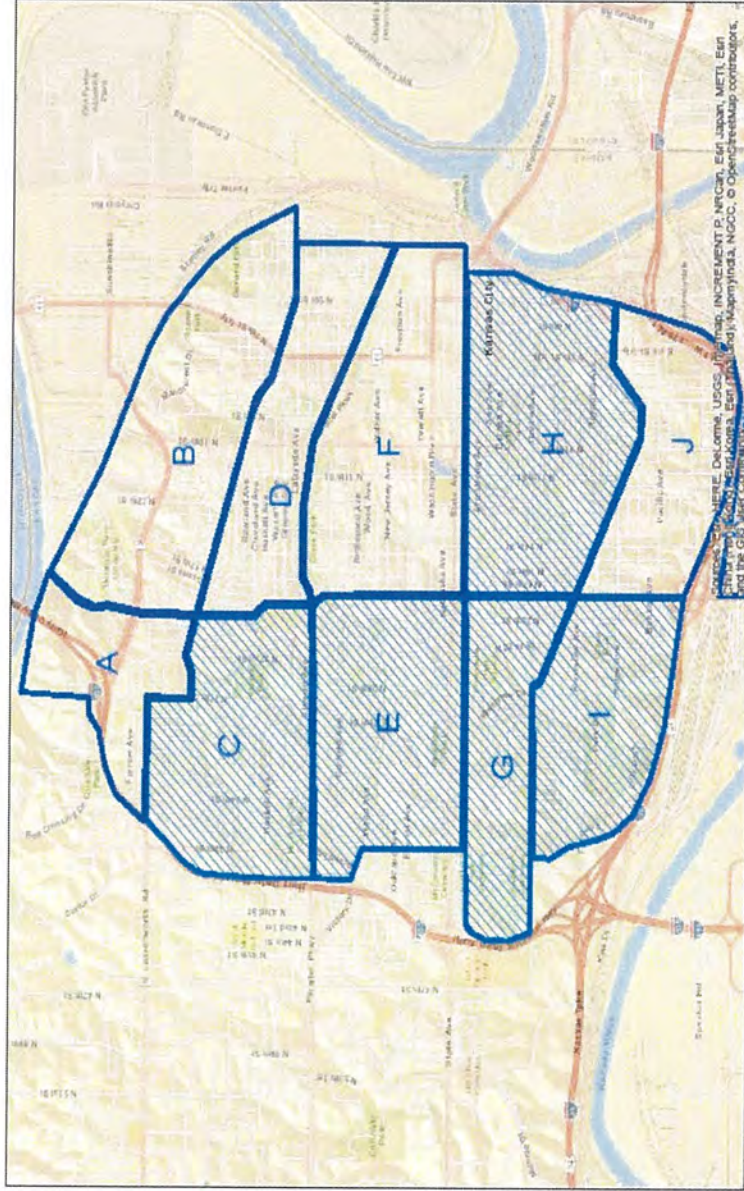
Aged Water Main Replacement

- Area East of I- 635
- Divided into 18 areas along major streets to manage workload
- Prioritized on the basis of historical number of leaks per mile
- Concentrated on Mains with Leak per mile per year > 2.0
- Total of 10 miles of 4 inch and smaller in system



- Congress appropriates resources for specifically named community water infrastructure projects identified as Congressionally Directed Spending (CDS) and Community Project Funding (CPF) items (Community Grants) in Appropriations Acts.
- Primary Locations - Area P, Q, R, A, B, D, F

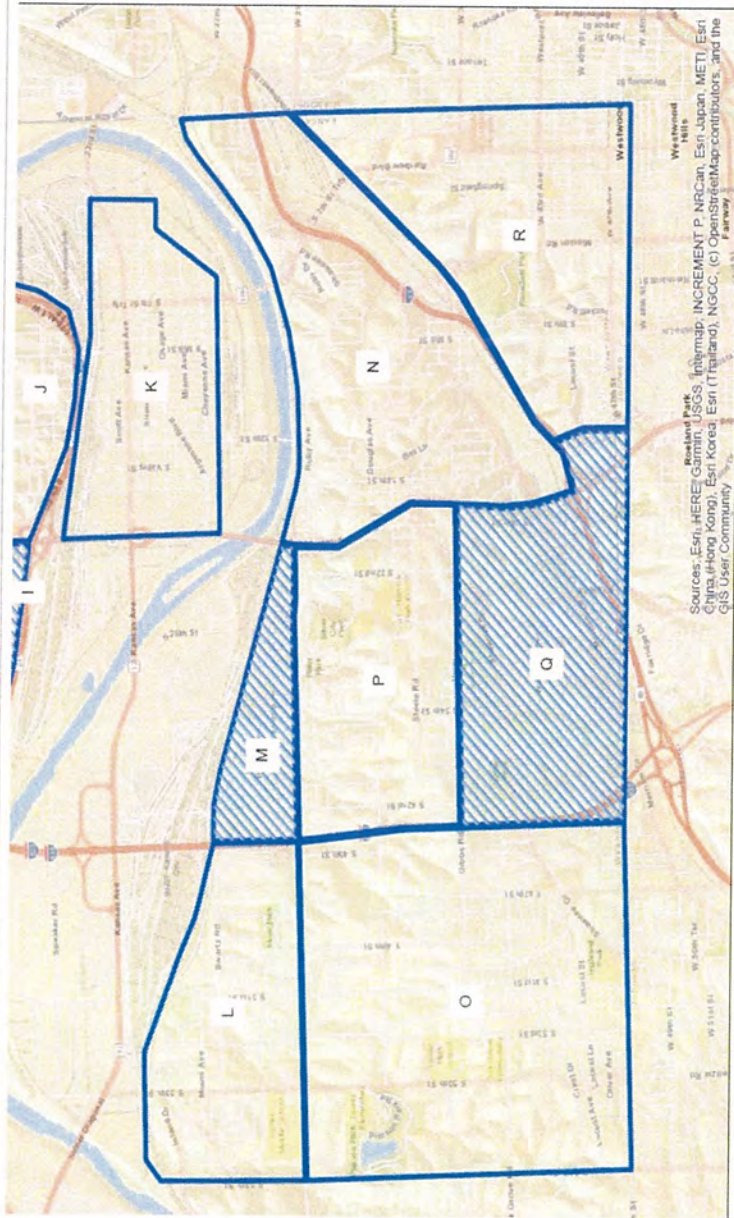
Area Map North of I-70



COMPLETED AREAS



Area Map South of I-70





AWWA Criteria for 4" and smaller water mains Goal 0.3 leaks per mile per year

- Leaks
 - Area P: 157
 - Area Q: 145
 - Area R: 200
 - Area ABDF: 163
- Leaks Per Mile
 - Area P: 3.9 L/M/Y
 - Area Q: 3.2 L/M/Y
 - Area R: 2.5 L/M/Y
 - Area ABDF: 2.1 L/M/Y

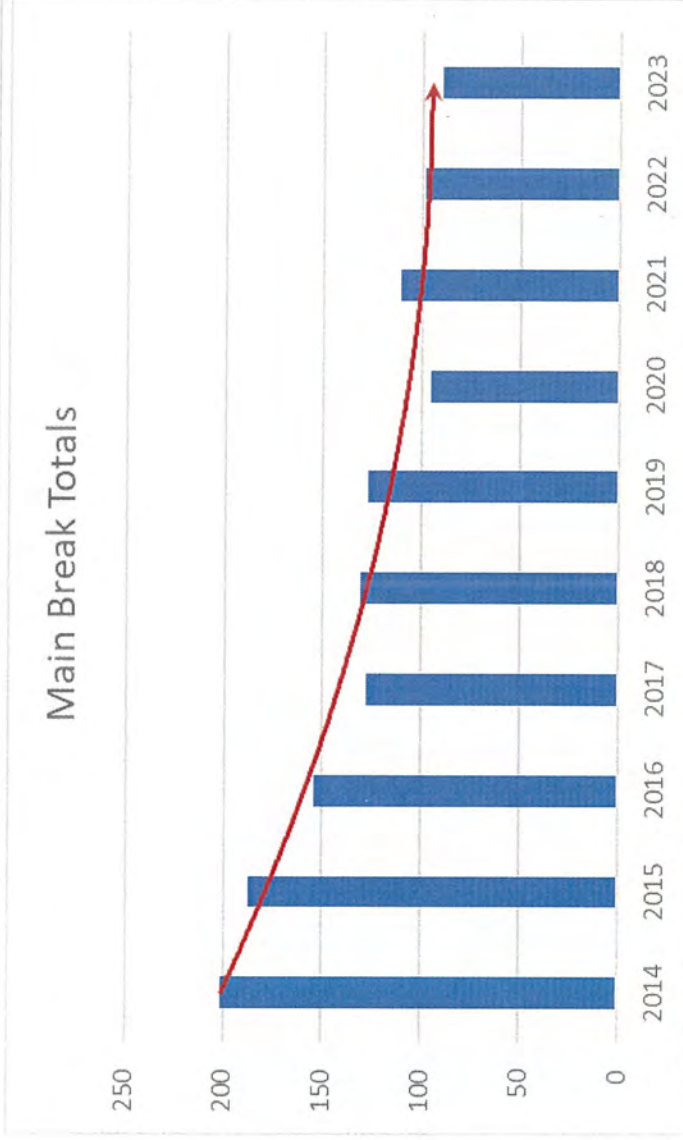




Data Analysis Phase I Improvements

- 4 Inch and smaller Main Breaks - 33% of total breaks in 2014.
- 4 Inch and smaller Main Breaks - 26 % of total breaks in 2023
- Anticipated a reduction of 70 breaks per year for 4 inch and smaller
- 2017,2018,2019 trending with a reduction of 70 breaks per year
- Savings in Repair Cost - \$200,000 per year
- Improved Fire Protection

Main Break
 Total for
 4-inch and
 smaller



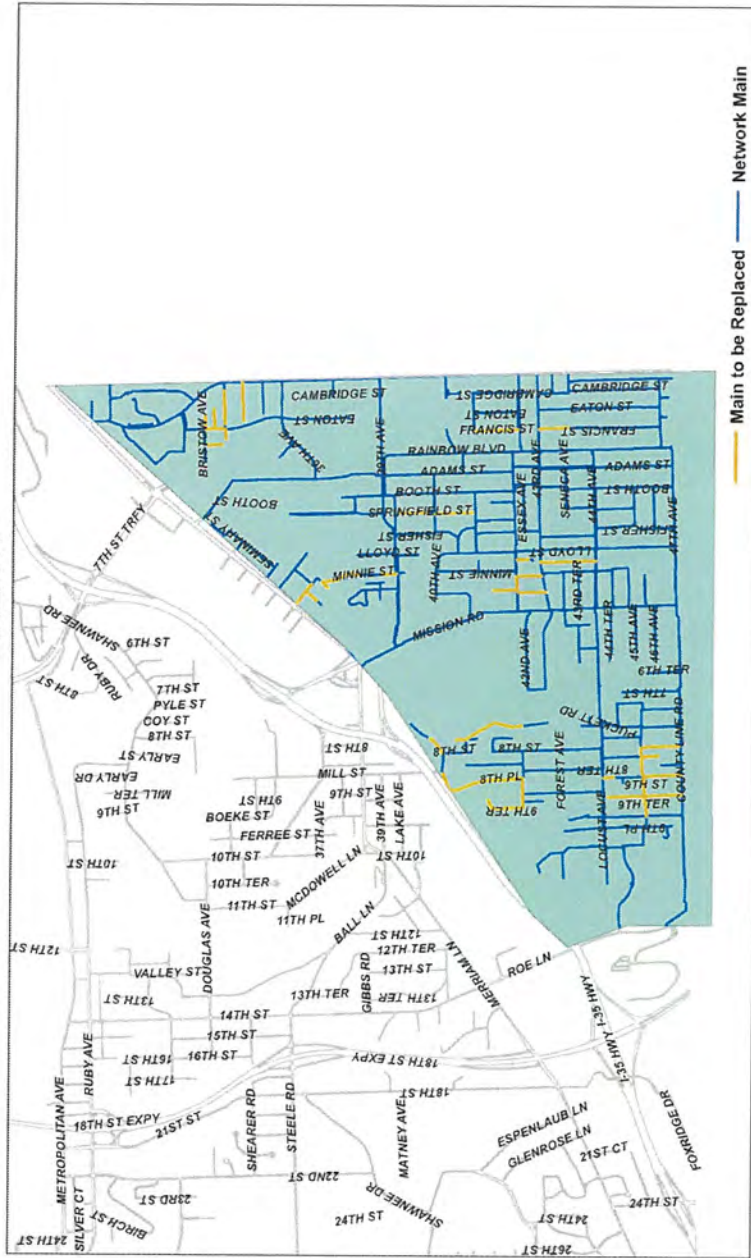


Cost Summary for Replacement - Area A, B, D, F, P, Q, R

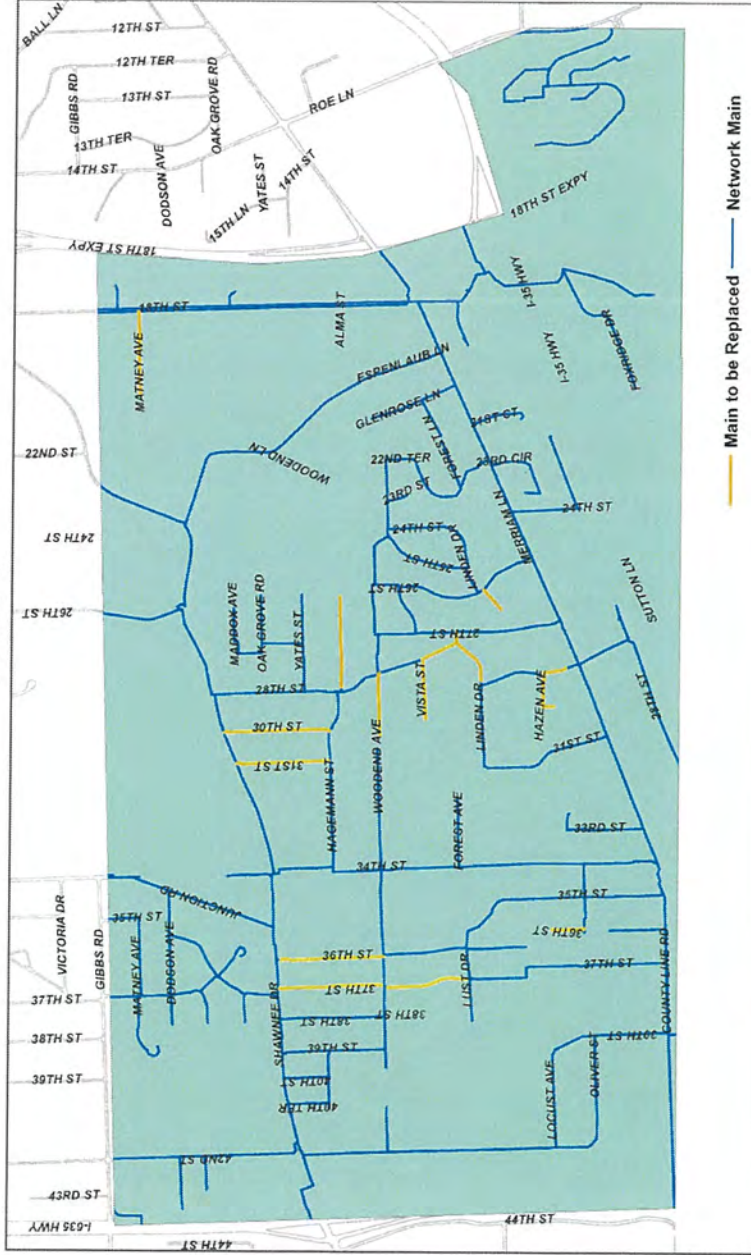
- 4 inch > 0.3 Break / mile / year (54 miles) : \$ 50,800,000
- 4 inch > 1 Break /mile / year (28 miles): \$ 24,500,000
- 4 inch > 1.5 Break/ mile/ year (19 miles): \$ 17,000,000
- 4 inch > 2.0 Break / mile / year (12 miles) : \$ 10,000,000
- AWWA Goal = 0.3 break per mile per year



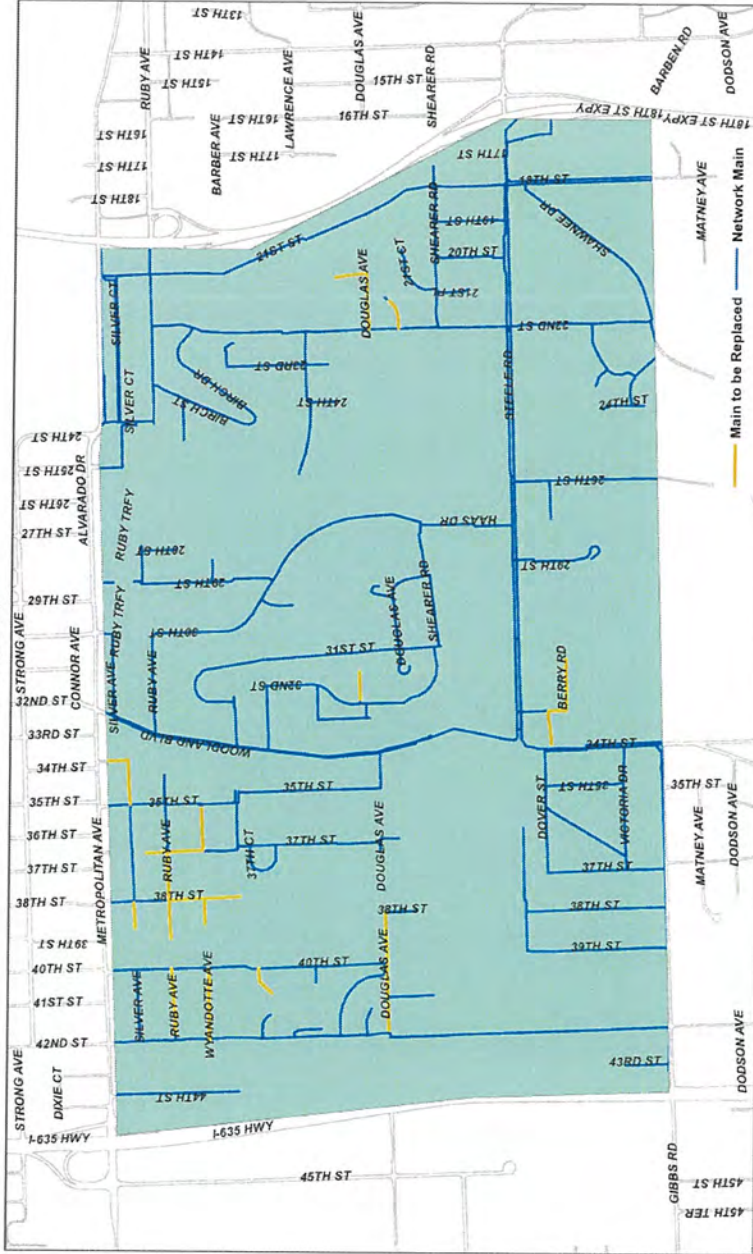
AREA R



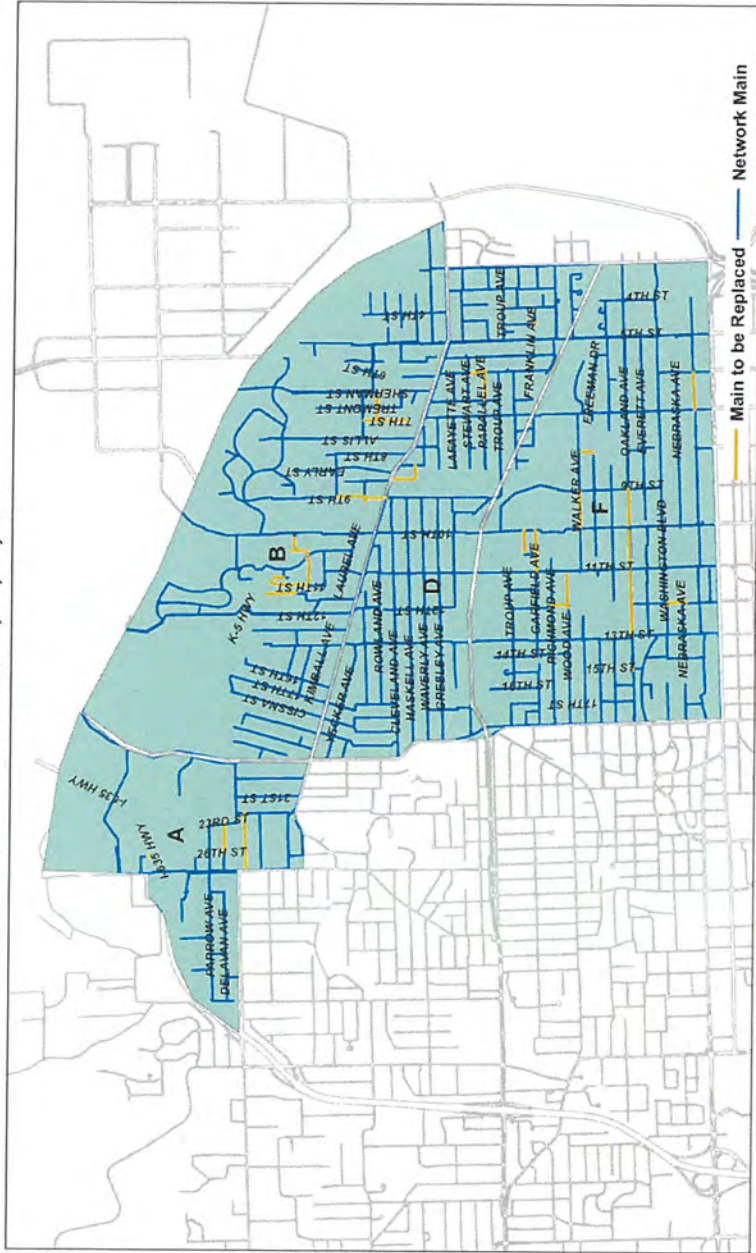
AREA Q



AREA P



AREAS A, B, D, & F





Nearman Water Treatment Plant Switchgear and Generator

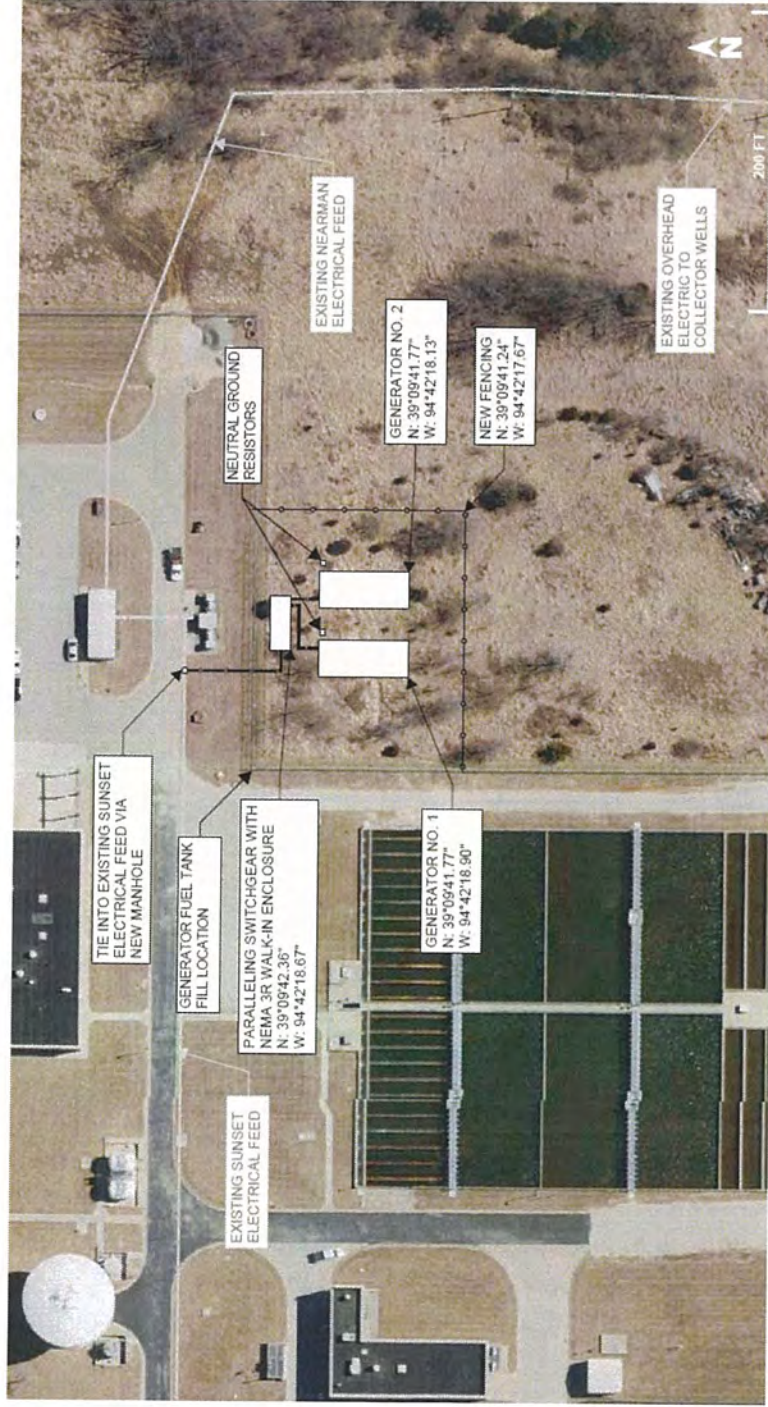


NWTP Switchgear and Generator

- FEMA grant for Hazard Mitigation Assistance funds was approved and awarded to BPU on September 27, 2023.
- Current Project Schedule:
 - Equipment Procurement advertisement, November 2023
 - Award for Installation contract, September 2024
 - Equipment delivery, July 2026 (Generator lead time is 108 weeks)
 - Construction Final Completion, December 2026



NWTP Switchgear and Generator



QUESTIONS





Kansas City Board of Public Utilities

Electric Operations
Engineering Internship Program
November 2023



Engineering Internship Program

- Program Objectives
- Program Overview
- Recent Enhancements
- 2023 Internship
- Previous Internships
- Questions?





Program Objectives

- Expose student to BPU and the public power industry
- Provide student with valuable electric utility experience
- Provide value to the utility with their contributions
- Possibility of full time position upon graduation





Program Overview

- Work with Engineers during design and construction of projects
- Complete special projects under limited supervision
- Rotation between Transmission & Distribution Engineering and Substation Engineering & Operations departments
- Introductory training on departments
 - Transmission & Distribution
 - Substations & Relaying
 - System Planning
- Site visits to distribution facilities, substations, Energy Control Center, and Nearman Power Plant





Program Enhancements

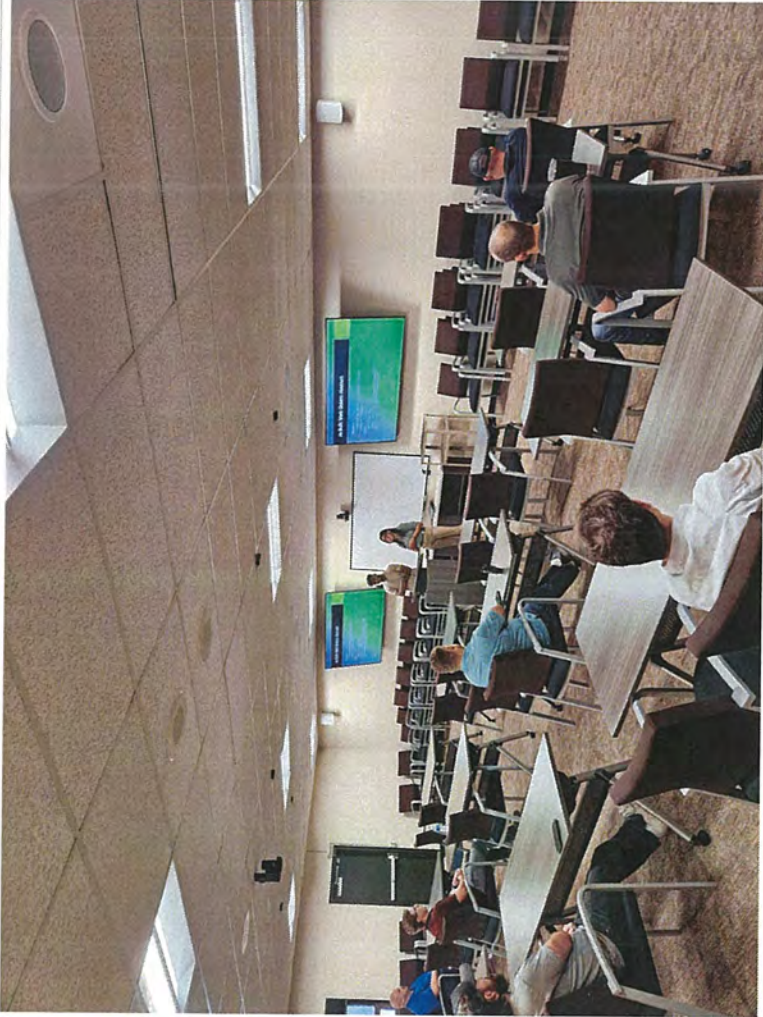
- Site visits to Energy Control Center and Nearman Power Plant
- Recruiting at Kansas State University Engineering Career Fair and on job application website
- Co-op opportunities
- APPA Demonstration of Energy & Efficiency Developments (DEED) program funding



Summer 2023



Summer 2023





Summer 2023

- Work Order field verification
- Distributed Generation application review
- Facilities rating review and documentation
- Capacitor bank controller upgrade
- Transmission line relay upgrade project
- Substation troubleshooting and switching
- July storms





Previous Internships

- 2015 and 2016 Intern, hired as Distribution Engineer 2017
- 2015 Intern, hired as Distribution Engineer 2022
- 2020 and 2022 Intern, hired as Substation Engineer 2022
- 2023 Intern, hired as Substation Engineer 2023





Questions?



RESOLUTION NO. 5291

RESOLUTION BY THE KANSAS CITY BOARD OF PUBLIC UTILITIES, AN ADMINISTRATIVE AGENCY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS REVISING AND REPLACING THE BOARD RULES OF PROCEDURE.

WHEREAS, the elected Board has previously adopted Board Rules of Procedure; and

WHEREAS, after elected Board discussion of said rules the elected Board wishes to make updates to said rules; and

WHEREAS, the updated Board Rules of Procedure are 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 Board Rules of Procedure in its entirety and replaces them with the Board Rules of Procedure attached hereto. The new Board Rules of Procedure will take effect immediately after passing.

**ADOPTED BY THE ELECTED KANSAS CITY BOARD OF PUBLIC UTILITIES
The 15th day of November, 2023**

Rose Mulvany Henry, Board President

Attest:

Robert Milan, Board Secretary

Approved as to form:

Rule 1 Meetings

1.1 Regular Meetings

Regular meetings of the elected Board shall be held on the first and third Wednesdays of each month of the year, or as otherwise properly noticed, at the hour of 6:00 p.m. in the Board Room of the Board of Public Utilities located at 540 Minnesota Avenue.

Such meetings shall be available to the public via telephone or web-based technology. All meetings of the elected Board shall be subject to the Kansas Open Meetings Act. Any regular meeting falling upon a legal holiday shall be rescheduled to another day, and the General Manager shall give notice thereof in compliance with the Kansas Open Meetings Act.

An alternative date for the regular meetings of the elected Board, other than the first and third Wednesday of each month of the year, may be established by a vote of four (4) or more Elected Board Members, and proper notice thereof shall be provided in accordance with the Kansas Open Meetings Act.

Elected Board Members may participate any regular meeting or special meeting of the elected Board via telephone or web-based technology, provided that such meeting is not an executive session, and such elected Board Member has provided advance notice to the President and General Manager.

1.2 Special Meetings

Special meetings may be called by the General Manager, the President or by a vote of four (4) members of the elected Board. A written notice of such meeting shall be prepared and given to the General Manager and each elected Board Member via hand delivery or electronic mail, at least twenty-four (24) hours before such meeting, unless such notice is not practicable under the circumstances. The notice shall specify the date, time and place of the special meeting and the business to be transacted. No other business, other than as recited in the notice, shall be transacted at such special meeting.

The General Manager shall be responsible to give notice of any special meeting in compliance with the Kansas Open Meetings Act.

1.3 Closed Meetings or Sessions

All meetings of the elected Board shall be open to the public; provided, however, the elected Board may hold meetings closed to the public as provided for in the Kansas Open Meetings Act.

No Member of the elected Board, employee of the BPU, or any other person shall disclose to any other person the content or substance of any closed meeting or session except as authorized by a consensus of the elected Board.

It is the policy of the Board of Public Utilities that no public discussion shall be permitted on any personnel matter brought before the elected Board which refers or relates to any individually identifiable employee in the employ of the Board of Public Utilities. Provided, however, that the elected Board and its advisors may discuss such personnel matters in a regularly convened executive session. An elected Board Member is not permitted to attend or participate in an executive session remotely via telephone or web-based technology.

It is further the policy of the Board of Public Utilities to enforce this policy stringently.

Rule 2 Quorum

2.1 Definition

A quorum for the transaction of business shall consist of four (4) elected Board Members. An elected Board Member may be present by telephone or by web-based technology, except during an executive session.

If no quorum is present and the elected Board Members present desire to request the attendance of absent Board Members, they themselves, or by their agents, may attempt to communicate the call to the session personally to the absentees.

2.2 Rescheduling of Meeting Due to Lack of Quorum

Whenever it appears that a quorum will not be present for an upcoming Board meeting, the elected Board may reschedule such meeting by establishing a Special Meeting in accordance with the procedures outlined in Section 1.2 above.

Rule 3 Presiding Officers

3.1 Election of Officers

The elected Board shall elect, from its membership at the second meeting in January of each year, a President, a Vice-President and shall appoint a Secretary. Except in the case of a vacancy on the elected Board, four (4) affirmative votes shall be required to elect each officer. Terms of officers shall be limited to not more than two (2) consecutive one (1) year terms in the same office; however, in the event no nominee receives four (4) affirmative votes, the current office holder shall remain in office for successive one (1) year terms until a nominee receives the requisite number of votes at the election held at the second regular meeting in January, or the next scheduled regular meeting thereafter.

3.2 Definition

Whenever the term “Presiding Officer” is used in these Rules, it shall mean the Board President, and if the President is absent, it shall apply equally to the Vice-President, and if the Vice-President is also absent, to the Secretary.

3.3 Application

The President shall preside at all meetings of the elected Board.

During the absence of the President, the Vice-President shall preside at the meetings.

In the absence of the President and the Vice-President, the General Manager shall call the Board to order, whereupon a temporary Presiding Officer shall be elected by the majority vote of the elected Board Members present as their first order of business. Upon the arrival of the President or the Vice-President, the temporary Presiding Officer shall relinquish the chair at the conclusion of the item of business before the Board.

Rule 4 Committees

The President may recommend to the elected Board such committees of the elected Board as may be necessary to study various issues facing the elected Board. Permanent committees may include those deemed necessary by the President or by an affirmative vote of the elected Board. Committees shall be responsible for selecting a chairperson, and for determining meeting schedules and agendas.

Elected Board Members shall have the opportunity to be involved in meetings with large industrial and commercial customers, and to meet with intervenors.

Rule 5 Duties

5.1 Presiding Officer

The Presiding Officer may move, second, debate and vote and shall not be deprived of any of the rights and privileges of an elected Board Member. The Presiding Officer or such person as he or she may designate may verbally summarize the item to be voted upon immediately after it has been moved and seconded and may restate each question immediately prior to calling for the vote. Following the vote, the Presiding Officer or designee shall announce whether the question carried or was defeated. The Presiding Officer shall maintain order and decorum at all meetings. He or she shall decide all questions of order and procedure, subject, however, to the right of appeal to the elected Board, in which event an affirmative vote of four (4) elected Board Members shall determine conclusively such question of order or procedure.

5.2 Members

Elected Board Members shall preserve order and decorum. Every elected Board Member wishing to speak shall address the chair and upon recognition by the Presiding Officer shall be permitted to speak. Every member shall confine comments to the question under debate and will refrain from impugning the motives of any other Member's argument or vote. An elected Board Member once recognized shall not be interrupted while speaking unless a point of order is raised by another Member or unless the speaker chooses to yield to questions from another Member or unless he or she is called to order by the Presiding Officer.

A Member, when called to order upon a point of order (Section 7.7) by the Presiding Officer, shall thereupon discontinue speaking and the order or ruling of the Presiding Officer shall be binding and conclusive, subject only to the right of appeal.

Elected Board Members shall notify the Board President or the General Manager at least twenty-four hours in advance, whenever possible, of their intention to be absent.

5.3 BPU Employees

Employees of the BPU shall observe the same rules of procedure and decorum applicable to elected Board Members. Any BPU employee desiring to address the elected Board shall be recognized by the Presiding Officer, shall state his or her name for the record and shall limit his or her remarks to the matter under discussion.

Individual employees of the BPU will not be allowed to make presentations before the elected Board regarding personnel matters. All personnel matters must be handled through the proper channels in accordance with BPU policy and established grievance procedures.

5.4 Members of the Public

Members of the public attending elected Board meetings shall also observe the same rules of propriety, decorum and good conduct applicable to elected Members of the Board. Members of the public desiring to address the elected Board shall follow the procedure set forth in Section 7.2.

Rule 6 Agenda

6.1 Presentation of Agenda Items

In order to facilitate the orderly conduct of business, an agenda shall be prepared for each regular or special meeting.

Subject to these rules, items of business may be placed on a regular meeting agenda by any elected Board Member or the General Manager.

An agenda item or other information shall be presented to the General Manager's office no later than 5:00 p.m. on the Thursday preceding the elected Board meeting so that the information may be included as part of the regular agenda which will be distributed to the Members on Friday afternoon preceding the meeting.

Unless not practicable under the circumstances, elected Board Members shall receive available information and supporting documentation at least 48 hours in advance of a meeting of the elected Board. If such information is available but not provided to elected Board Members reasonably in advance of the elected Board meeting, no vote shall be permissible except in the form of a motion to suspend these rules.

6.2 Order of Business

At any work session of the elected Board Members, unless altered by affirmative vote of the elected Board, the elected Board shall proceed to transact the business before it in the following order:

- (1) Call to order;
- (2) Approval of agenda;
- (3) Agenda items; and,
- (4) Adjournment.

At any regular meeting, unless altered by affirmative vote of the elected Board, the elected Board shall proceed to transact the business before it in the following order:

- (1) Call to order;
- (2) Approval of agenda;
- (3) Approval of minutes;
- (4) Visitor comments;
- (5) Agenda items;
 - Substantive agenda items;
 - Public comments on substantive agenda items;
 - Miscellaneous comments from the General Manager/elected Board Member comments; and,
- (6) Adjournment.

Rule 7 Conducting Business

7.1 Introduction and Discussion of Agenda Items

All agenda items shall be introduced at the meetings by the General Manager. The Presiding Officer shall call upon the General Manager to perform this duty.

The Presiding Officer shall allow each elected Board Member to speak with regard to each agenda item. No elected Board Member shall speak more than five (5) consecutive minutes on any one agenda item, except by unanimous consent, unless the nature of the agenda time results in interactive dialogue between the elected Board

Member and a BPU employee or agent of the utility, in which case, such elected Board Member may conduct such dialogue for a reasonable period of time. An elected Board Member shall not speak more than once on each topic until every other Member who so desires shall have had the opportunity to speak.

7.2 Public Discussion Procedure

A. Individual

It is the policy of the elected Board to permit comments by members of the public at regular or special meetings in accordance with this Section. Each person desiring to address the elected Board shall sign in with the Recording Secretary. All visitors shall be introduced at the meeting by the General Manager. No person shall address the elected Board without first securing the recognition of the Presiding Officer.

In the visitor comment section at a regular or special meeting, when called upon, a visitor shall state his or her name and address for the record, state the subject, state whom he or she is representing if he or she represents an organization or other persons, and unless further time is granted upon motion, shall limit his or her remarks to three (3) minutes. No questions shall be asked of a member of the BPU staff without obtaining permission of the Presiding Officer. After the substantive agenda items are presented, visitors may provide comments regarding a substantive agenda item and, when called upon, a visitor shall state his or her name and address for the record, state the subject, state whom he or she is representing if he or she represents an organization or other persons, and unless further time is granted upon motion, shall limit his or her remarks to three (3) minutes. When a visitor speaks with regard to a substantive agenda item, the Presiding Officer shall not permit any communication, oral or written, to be made or read where it does not bear directly on the agenda item then under discussion.

B. Group

In order to expedite elected Board business and to avoid repetitious presentations and/or comments, whenever any group of persons wishes to address the elected Board on the same subject matter, it shall be in order for the Presiding Officer to require that a spokesperson be chosen from the group to address the elected Board. If additional matters are to be presented by any other members of the group, the Presiding Officer may limit the number of such persons and limit the presentation to information not already presented by the group spokesperson, unless overruled by a majority of the elected Board Members.

Groups of persons shall be limited to a total presentation period of ten (10) minutes. The Presiding Officer shall first call for representatives of groups in favor of the matter under consideration and then for those groups in opposition to the matter under consideration. Further time may be granted by motion.

7.3 Disturbing Meetings

No person shall interrupt, disturb or disrupt any regular or special meeting of the elected Board. Upon direction of the Presiding Officer, with approval of the elected Board, any such person shall be required to leave the Board Room and, potentially, the BPU building.

7.4 Voting

All resolutions or motions or other items of business shall be passed by the affirmative vote of no less than four (4) elected Board Members, unless otherwise provided by law.

The Presiding Officer may utilize a voice vote for the approval of minutes, agenda items, or other matters where a roll call vote is not required by law; provided, however, that a roll call vote shall be taken upon the timely request of any elected Board Member.

A vote lacking the required number of affirmative votes shall constitute defeat of an item.

An elected Board Member may change his or her vote only if a timely request to do so is made prior to the announcement of the vote by the Presiding Officer.

If a quorum of the elected Board is present and a majority of the Members voting vote in favor of a particular matter, abstentions from voting are to be counted as acquiescence with the votes of the majority, and the action will bind the body.

Votes shall not be taken when a quorum is not present.

The Presiding Officer shall announce the vote upon every matter upon which a vote is taken. The vote on any matter shall not go into effect until announced by the Presiding Officer.

7.5 Motions in General

A motion is the formal statement by an elected Member of the Board of a proposal or question to the Board for consideration and action.

No motion shall be debated or otherwise acted upon by the elected Board unless it is seconded, or unless otherwise provided in these rules. No further action is required on a motion which does not receive a second. Neither the maker nor seconder of a motion shall be required to vote in favor of that motion.

When a motion is made and seconded, it may be restated by the Presiding Officer before a vote.

Unless otherwise provided by law, a motion shall not be deemed passed unless it receives the affirmative vote of no less than four (4) elected Board Members.

A motion once before the elected Board may not be withdrawn by the maker without the consent of the second.

7.6 Specific Motions

A. The following ordinary motions shall be permitted in the elected Board meeting as set forth in this Section. The voting precedence of motions, when a main motion

is before the Board, and the purpose and features of such motions shall be as follows:

- (1) Motion to adjourn.
Purpose: To terminate a meeting.
Debatable or amendable: Yes.
- (2) Motion to recess.
Purpose: To permit an interlude in the meeting and to set a definite time for continuing the meeting.
Debatable or amendable: Yes, but restricted to time or duration of recess.
- (3) Motion to postpone to a definite time.
Purpose: To prevent further discussion and voting on the main motion until a specified future date or event. If the motion fails, discussion and voting on the main motion resumes. If it passes, the subject of the main motion shall not be placed upon the agenda again until the specified date or event.
Debatable or amendable: Yes, but restricted to time.
- (4) Motion to table.
Purpose: To set aside a pending main motion until a specific time later in the same meeting or the next following meeting. A motion to take from the table shall not be required.
Debatable or amendable: Yes, but restricted to time.
- (5) Motion to close debate.
Purpose: To prevent or stop discussion on the pending debatable motion or motions and to bring such question or questions to vote immediately. If the motion passes, a vote shall be taken on the pending motion or motions. This shall require an affirmative vote of no less than four (4) elected Board Members.
Debatable or amendable: No.
- (6) Motion to extend debate.
Purpose: To extend the time that will be devoted to discussion of a pending motion or to extend or remove limitations already imposed on its discussion.

Debatable or amendable: Not debatable; amendments are restricted to period of time of the proposed extension.

- (7) Motion to refer to staff or elected Board Committee.

Purpose: To refer the main motion before the Board to staff or an elected Board Committee for the purpose of investigating or studying the proposal and to make a report back to the elected Board. If the motion fails, discussion or vote on the question resumes. If the motion succeeds, the main motion to which it is applied shall be placed upon the agenda after such investigation or study is completed.

- (8) Motion to Amend.

Purpose: To modify or change a motion that is being considered by the elected Board so that it will express more satisfactorily the will of the Members. An amendment (primary amendment) may be amended by means of another (secondary) amendment, but an amendment to the secondary amendment is not in order. Only one primary and secondary amendment may be pending at any one time. The secondary amendment shall be voted upon before the primary amendment. If the motion passes, then the motion would be voted on as amended.

Debatable or amendable: It is debatable unless applied to an undebatable motion. It is amendable.

- (9) Motion to postpone indefinitely.

Purpose: To postpone a main motion until further elected Board action. If the motion fails, discussion and voting on the main motion resumes.

Debatable or amendable: It is debatable but not amendable.

- (10) Main motion.

Purpose: To place the agenda item before discussion and decision.

Debatable or amendable: Yes.

- B. The following special motions shall be permitted in the elected Board Meeting as set forth in this Section, at any time, and shall be voted upon in the order of making and prior to ordinary motions:

- (1) Motion to suspend the rules.

Purpose: To temporarily suspend a specific rule adopted by the elected Board. Requires an affirmative vote of no less than four (4) elected Board Members.

Debatable or amendable: No.

- (5) Motion to take up an item out of agenda order.

Purpose: To place an agenda item in a different position upon the agenda for elected Board consideration.

Debatable or amendable: Debatable as to position, but not amendable.

- (3) Motion to consolidate agenda items.

Purpose: To consolidate the consideration of items upon the agenda. If successful, the motion shall operate to take up out of order the items which are referred to and shall be considered as moving and seconding of all bills referred to in the motion which has not previously been moved and seconded. A vote on such consolidated bills shall be considered a vote on both items.

Debatable or amendable: Debatable, not amendable.

- (4) Motion to reconsider a vote.

Purpose: To permit subsequent vote on a motion which has previously been voted upon. A motion to reconsider must be made by an elected Board Member who voted on the prevailing side of the vote to be reconsidered; provided, however, that where a motion has received a majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statutes for the passage or adoption of such motion, then in such case a motion to reconsider may be made only by those who voted in the affirmative on such question to be reconsidered. Once made and decided in the negative, a motion to reconsider shall not be renewed.

Debatable or amendable: Not amendable, and debatable only as to reopening.

7.7 Point of Order/Appeal

This procedure may be utilized at any time and shall not require a second.

Purpose: To raise a question regarding the procedure or rules followed by the Presiding Officer. The Presiding Officer shall decide the point before further business is conducted. Any point of order not promptly made shall be out of order and deemed waived. Any Member may appeal to the elected Board from a ruling of the Presiding Officer. The Member making the appeal may briefly state his or her reason for the same, and the Presiding Officer may briefly explain his or her ruling; but there shall be no debate on the appeal and no other Member shall participate in the discussion. The Presiding Officer shall then call for a vote in the following manner. "Shall the decision of the Chair be upheld?" If a majority of the Members present vote "No", the decision of the Presiding Officer shall be overruled, otherwise it shall be sustained.

7.8 Point of Personal Privilege

This procedure may be utilized at any time and shall not require a second.

Purpose: To allow a Member to address the elected Board regarding a question of his or her integrity, character or motives or physical comfort.

7.9 Request for Information

This procedure may be utilized at any time and shall not require a second.

Purpose: To request information from the Presiding Officer or speaker. The request for information shall be made through the Presiding Officer, or directly to the speaker by leave of the Presiding Officer.

7.10 Suggestion to Fill in Blanks

This procedure may be utilized at any time and shall not require a second.

Purpose: To insert names, figures or times into a resolution or other item that has blanks as placed upon the agenda. After the main motion has been moved and seconded, any Member may suggest one item or a group of items to fill in such blanks relating to the same resolution or item. When blanks to be filled consist of a combination of items or names, the vote on blanks shall be in order of suggestion. When blanks to be filled consist solely of sums or times, the vote shall be taken in order with the smallest sum and longest date considered first.

Rule 8 Minutes

8.1 Application

Minutes of all regular and special meetings shall be recorded. Such minutes shall be maintained in the administrative offices of the Board of Public Utilities, and shall be open to the public. The minutes shall reflect:

- (1) The date, time and place of the meeting or session;
- (2) The Members recorded as either present or absent;
- (3) A general description of all matters proposed, discussed or decided; and
- (4) Record of any votes taken.

An elected Board Member may request, through the Presiding Officer, the privilege of having his or her comments or written statement entered into the minutes concerning any resolution or item pending before the elected Board, provided that the General Manager shall abstract such verbal comments and further provided that any such written comments be distributed to all elected Board Members.

8.2 Approval

Approval of minutes shall be considered at the next regular elected Board meeting. It shall not be necessary to read the minutes prior to approval. Such minutes may be revised by the General Manager to correct spelling, numbering and other such technical defects. Prior to approval, any elected Member may, through the Presiding

Officer, request the privilege of amending or correcting the minutes to speak the truth. If objection is made by any elected Board Members to such amendment or correction, a majority vote of the elected Board shall be necessary for adoption of the correction or amendment.

Rule 9 Documents

9.1 Error Corrections

When a resolution or other item that has been placed on a meeting agenda contains typographical or non-substantive syntactical errors, the item may be corrected by the General Manager prior to or after adopted or vote without formal amendment; provided, however, that such changes shall not alter the result intended by the elected Board. Changes shall be made upon the original item included on the agenda, dated and initialed by the General Manager, and if necessary, the agenda version of such item shall be retyped and re-executed by the Presiding Officer and/or Secretary; such corrected elected Board item shall become the original document. Changes shall be noted at the next regular elected Board meeting.

9.2 Authorized Signatory

The Presiding Officer and/or Secretary shall sign all resolutions and other documents requiring his or her signature which were adopted in his or her presence, unless he or she is unavailable, in which case the next alternate Presiding Officer and/or Secretary may sign such documents.

Rule 10 Change in Board Rules

10.1 Failure to Observe Procedures

The provisions of these Rules of Procedure are adopted to expedite the transaction of the business of the elected Board in an orderly fashion and are deemed to be procedural only. The failure to strictly observe such rules by the elected Board shall not affect the jurisdiction of the elected Board or invalidate any action taken at a meeting that is otherwise held in conformity with law.

10.2 Amendment of Rules

These Rules of Procedure may be amended by the affirmative vote of no less than four (4) elected Board Members.

10.3 Suspension of Rules

Any one of the Rules of Procedure may be suspended temporarily by the elected Board providing such suspension is not contrary to applicable law.

