

# BOARD INFORMATION PACKET



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

**Regular Meeting of**

## **December 20, 2023**



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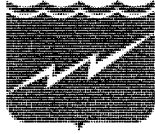
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Board of Public Utilities  
Kansas City, Kansas

**BOARD AGENDA**

Regular Session  
December 20, 2023 – 6:00 P.M.

- I. Call to Order
- II. Roll Call
  - \_\_\_\_\_ 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
  - \_\_\_\_\_ Robert L. Milan, Sr., District 1
- III. Approval of Agenda
- IV. Approval of the Minutes of the Work Session of November 1, 2023
- V. Approval of the Minutes of the Regular Session of November 1, 2023
- VI. Approval of the Minutes of the Work Session of November 15, 2023
- VII. Approval of the Minutes of the Regular Session of November 15, 2023
- VIII. Approval of the Minutes of the Special Session of December 4, 2023
- IX. Approval of the Minutes of the Regular Session of December 6, 2023
- X. Public Comments
- XI. General Manager / Staff Reports
  - i. Budget Transfer Consideration
  - ii. Adoption of the 2024 Budget - Resolution #5292
  - iii. Miscellaneous Comments
- XII. Board Comments
- XIII. 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](http://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 18<sup>th</sup>, 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.

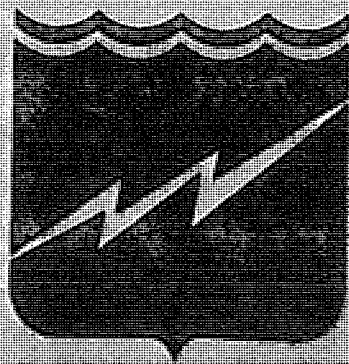
ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

# Board of Public Utilities



## Board Rules of Procedure

Adopted July 7, 1999



## Rule 1 Meetings

### 1.1 Regular Meetings

Regular meetings of the elect 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 elect 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 elect 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 elect 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 elect 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

### 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 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

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

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

**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?

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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.

**Commented [RMH2]:** This was not discussed in the prior meetings, but I think this is more practical given my experience with agendas. I would like the Committee/Board to consider.

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

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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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**Commented [RMH6]:** I think these changes are necessary given the changes in Section 7.2.

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### **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.

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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. 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 (5) 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:~~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 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 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

**Electric Base Rate:**

- Customer Chrg.
- Energy Chrg. (kWh)
- Demand Chrg. (kW)
- ~ 1/2 of bill (55% AVG)

**Electric ERC:**

- Fuel & Purchase Power costs
- Pass-thru
- Billed on kWh basis
- ~ 1/3 of bill

**Electric ESC:**

- Environmental Cost
- Feds/State/Local rules
- Past Bond projects
- Tied to Repayment Schedule
- ~ 10% of bill

**PILOT & Sales Taxes:**

- Not Revenue
- Pass-Thru to UG & State
- Based on Percentage of Base/ERC/ESC billed

**Water Customer Chrg.:**

- Customer Chrg.
- Based on Meter Size
- Minimum Bills apply

**Water Commodity Chrg.:**

- Unit/CCF Chg.
- One rate schedule
- 3 blocks

**Water Fire Protection**

- Private Fire Lines
- Based on Meter Size
- Large C&I locations
- Adder to Bill
- Typically zero consumption

**PILOT & Sales Taxes:**

- Not Revenue
- Pass-Thru to UG & State
- Based on Percentage of Base/ERC/ESC billed

## ERC - FUEL & PURCHASE POWER

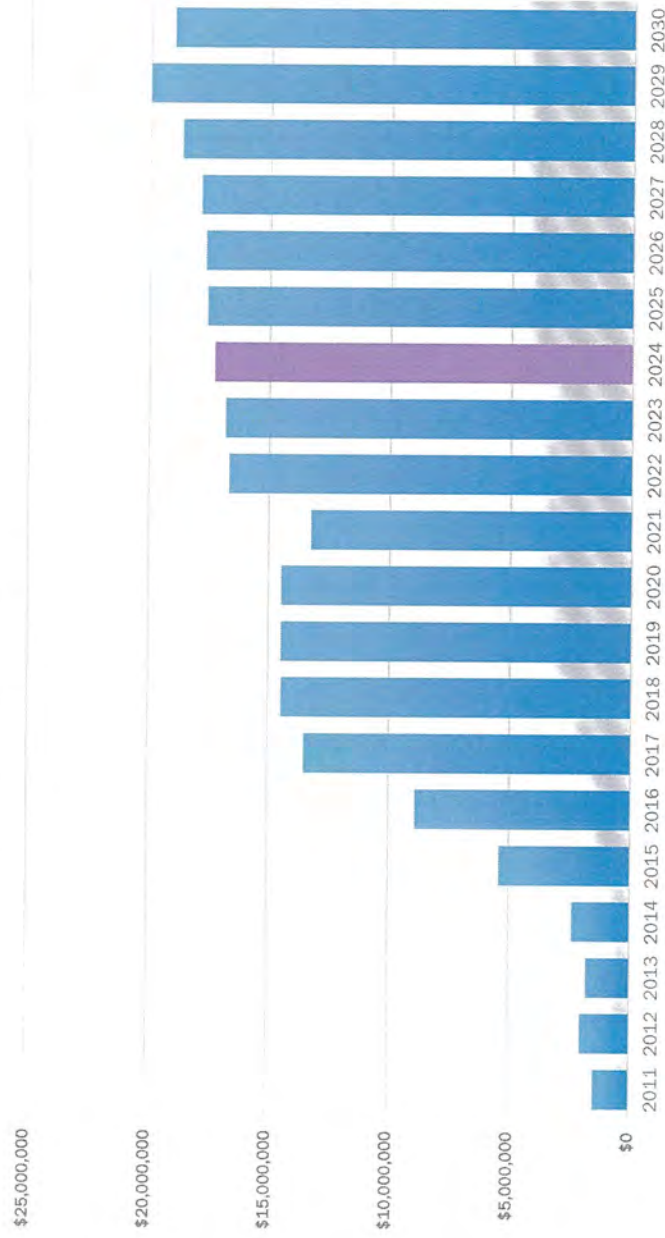
- Assuming monthly ERC rate of 4.1 cents / kWh
- ERC Reserve of \$1.5M/quarter or \$6.0M annually
- Based on Planning's forecast and SPP forecast
- Averged 4.28 past 8 quarters

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		
			% 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%
<b>Electric Total</b>	<b>\$ 142.76</b>		<b>100%</b>



BASE  
56%

ERC  
25%

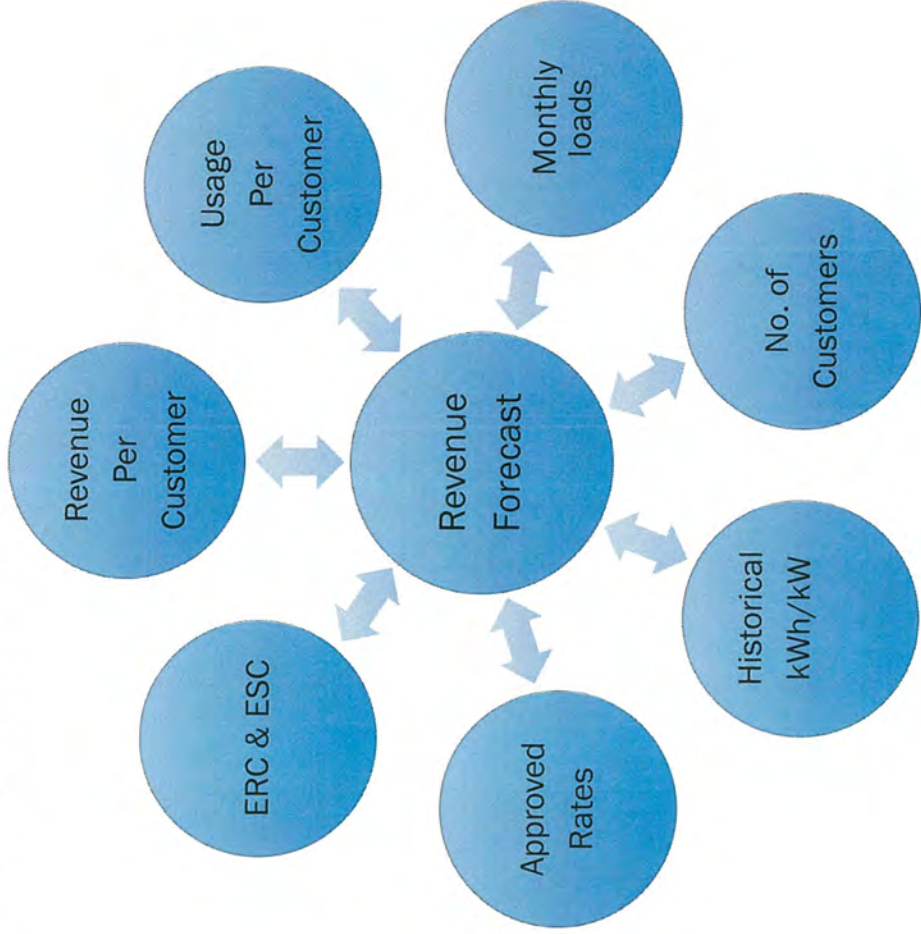
ESC  
6%

UG PILOT  
TAXES  
13%

# 2024 BILLING COMPONENTS BY RATE CODE



# 2024 REVENUE FORECAST - INPUTS





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## ELECTRIC RETAIL LOAD / KWH

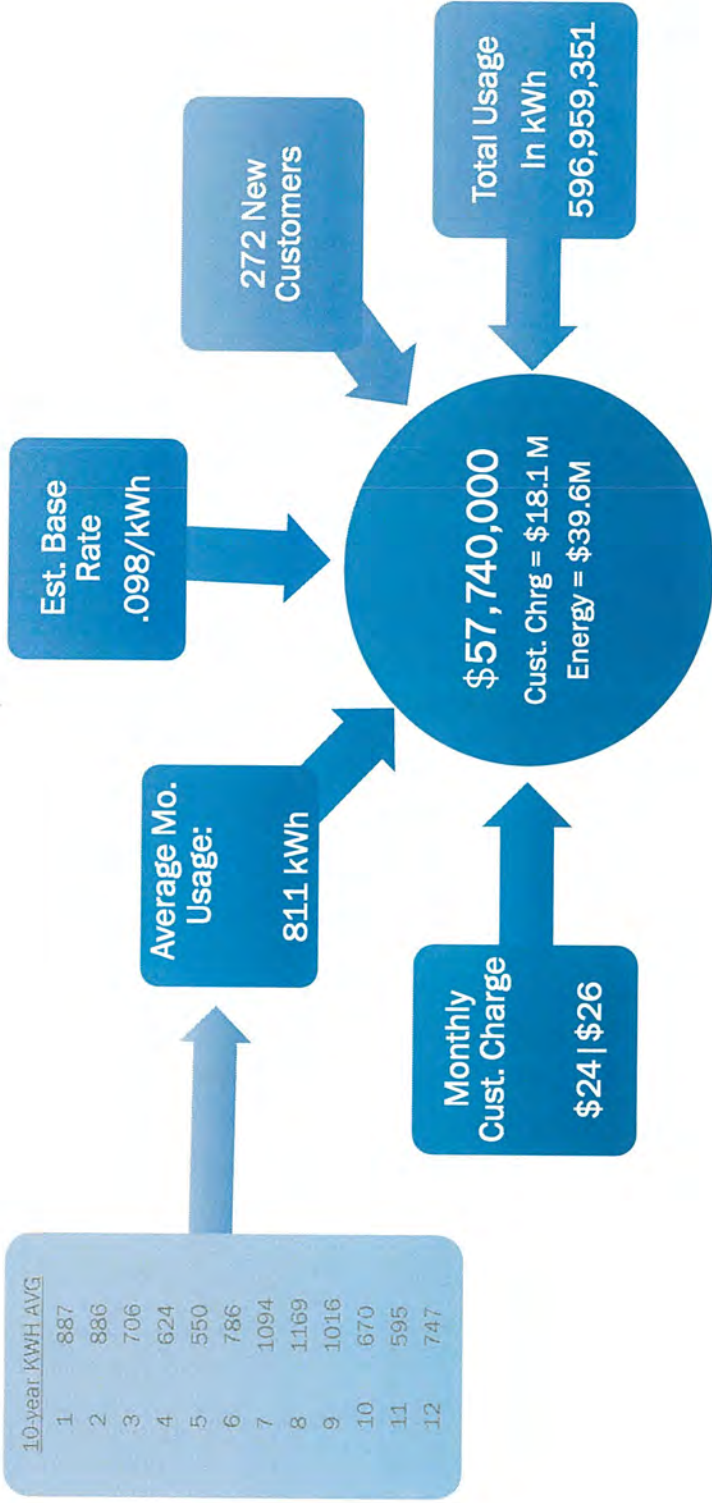


## ELECTRIC ASSUMPTIONS

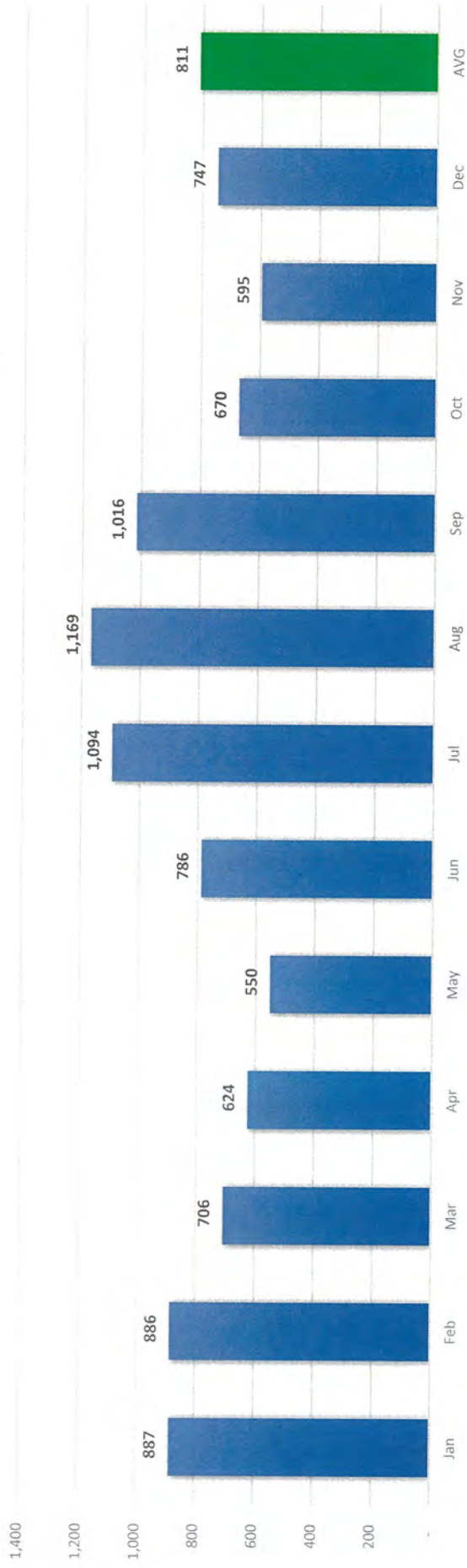
## AVG NO. CUSTOMERS/BILLS

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

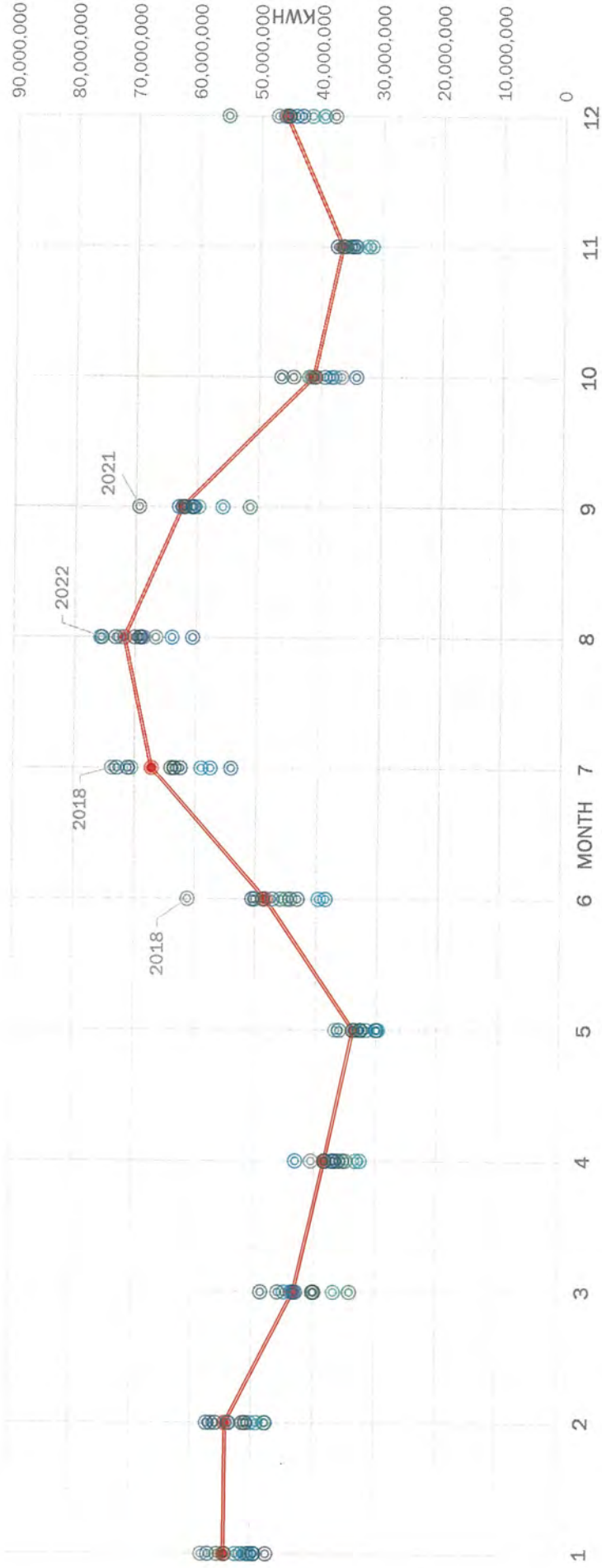
# ELECTRIC RESIDENTIAL ASSUMPTIONS FOR 2024 – BASE RATES



# RESIDENTIAL MONTHLY AVERAGE ENERGY (KWH) BY MONTH



# RESIDENTIAL KWH - 2013 THRU 2024

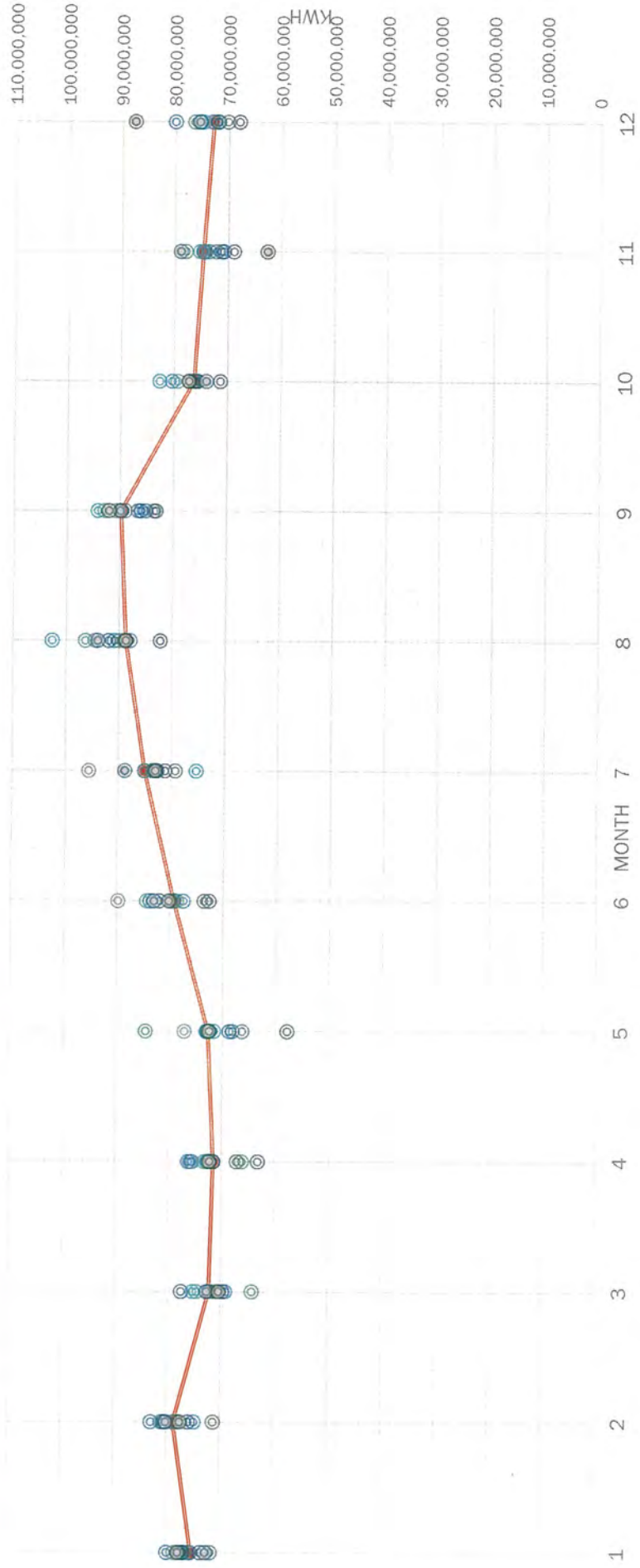


# RESIDENTIAL LOAD FORECAST

MEGAWATT HOUR (MWH)

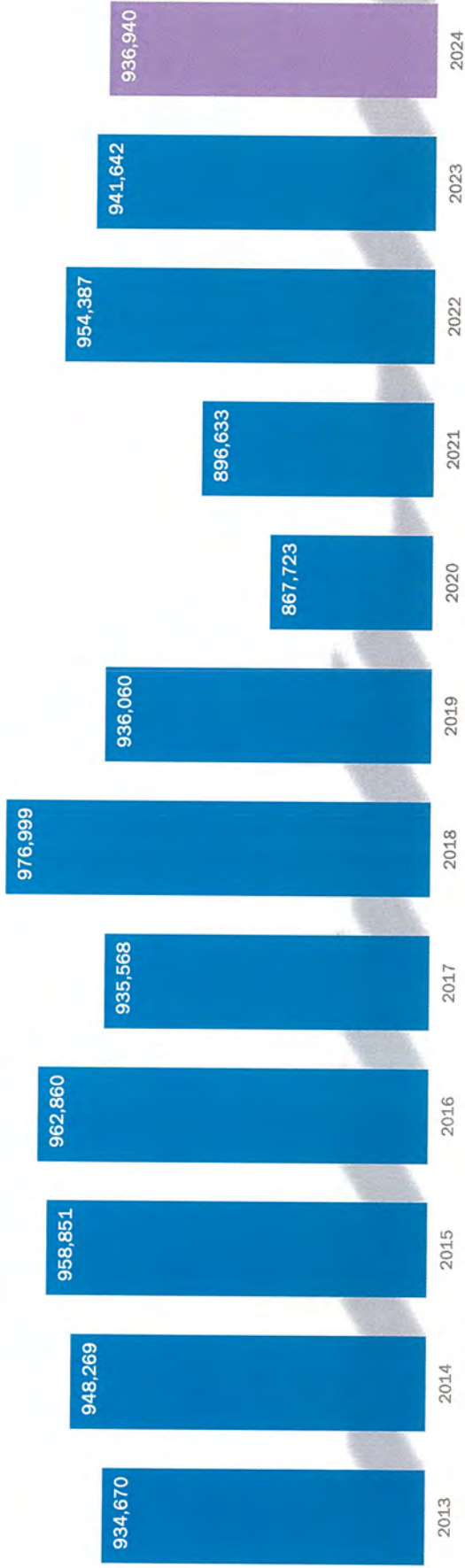


# COMMERCIAL KWH - 2013 THRU 2024



# COMMERCIAL LOAD FORECAST

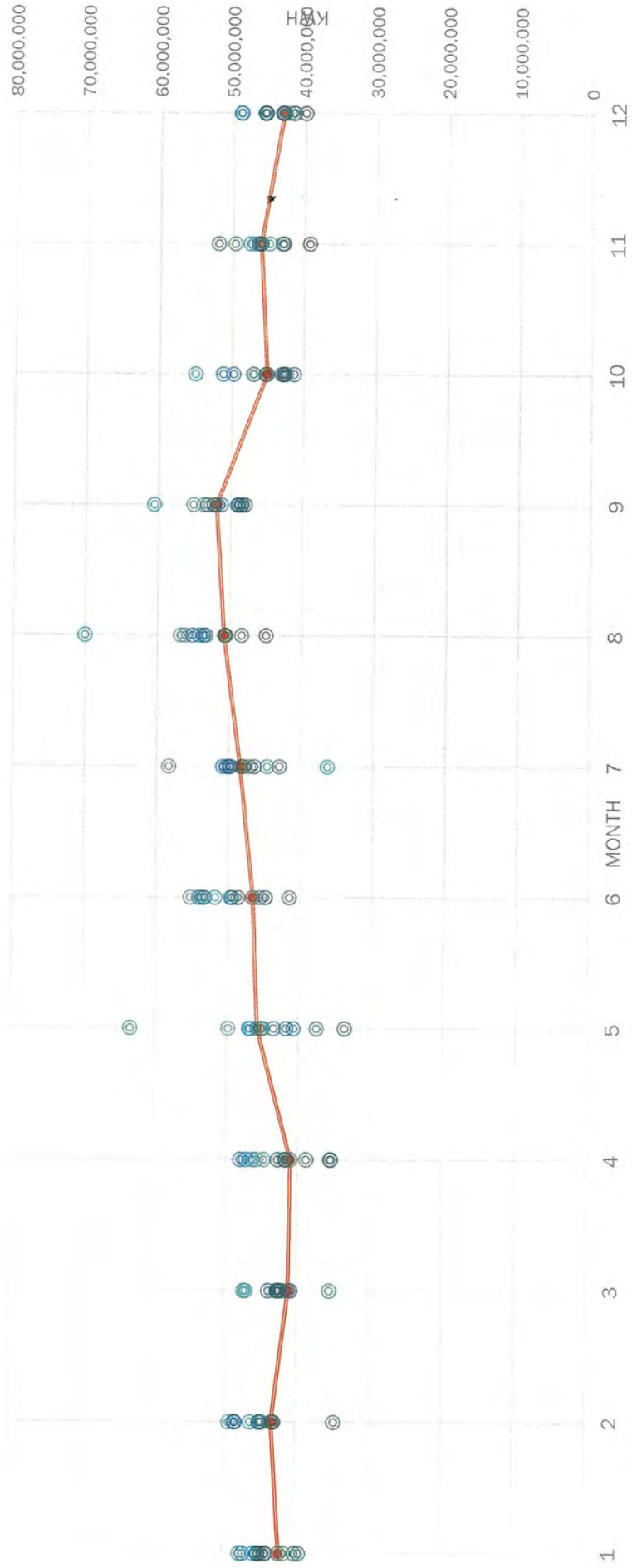
MEGAWATT HOUR (MWH)



2023/24  
Estimates

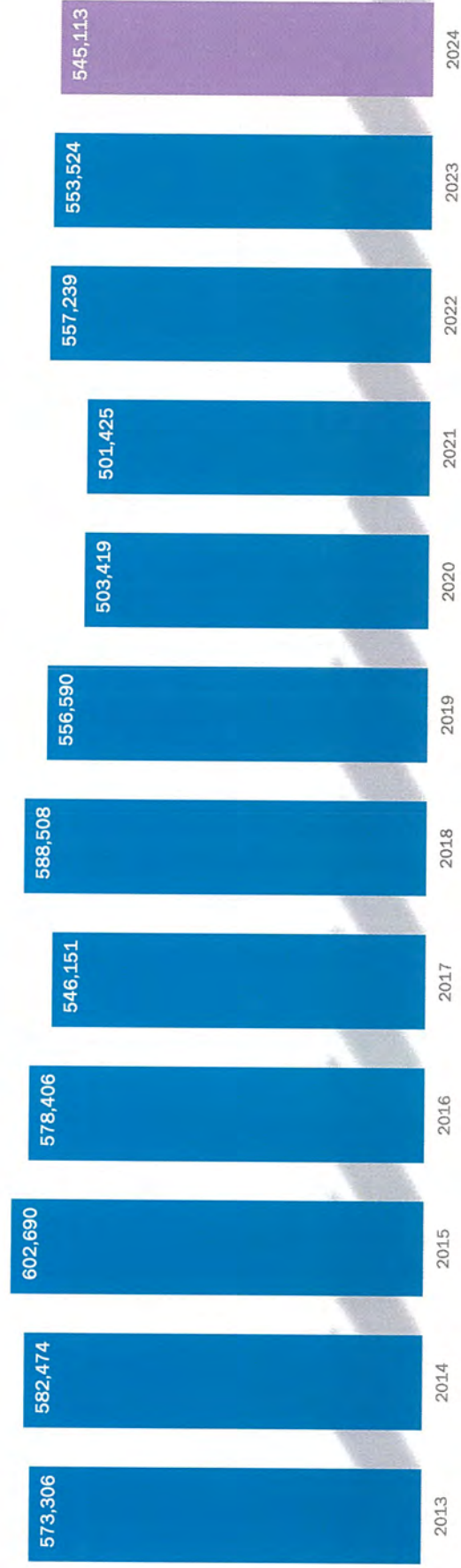


# INDUSTRIAL KWH - 2013 THRU 2024



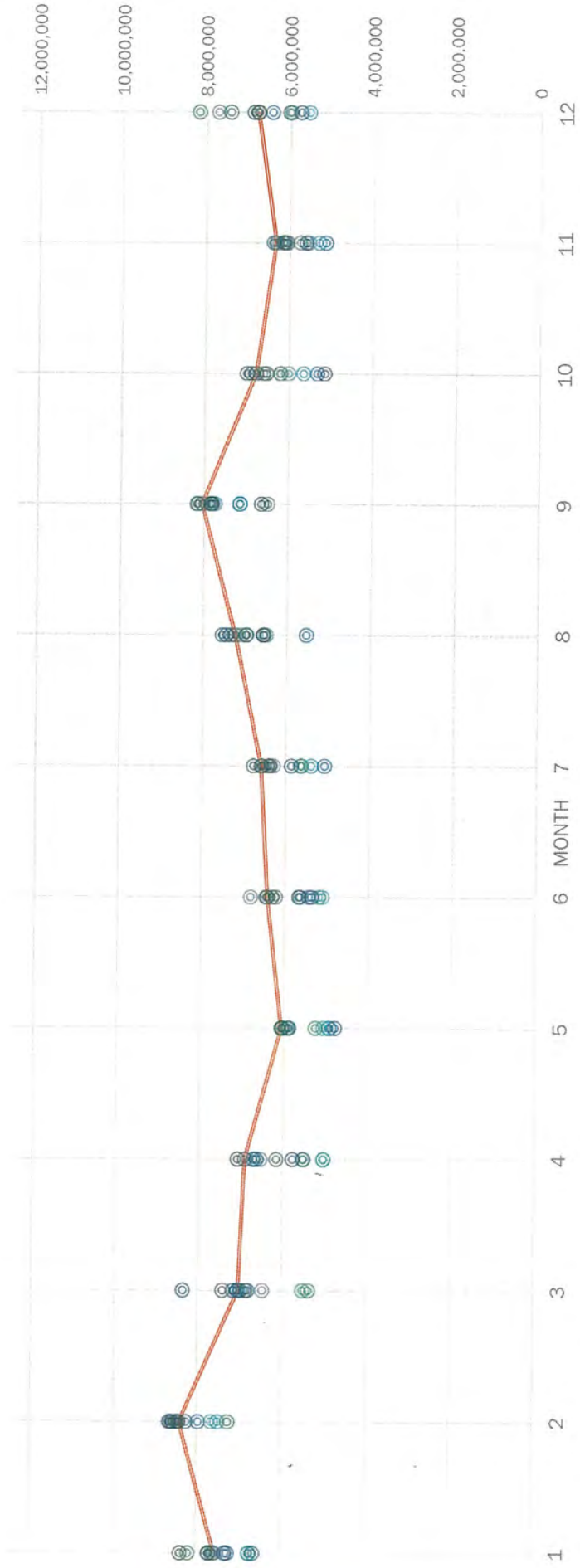
# INDUSTRIAL LOAD FORECAST

MEGAWATT HOUR (MWH)



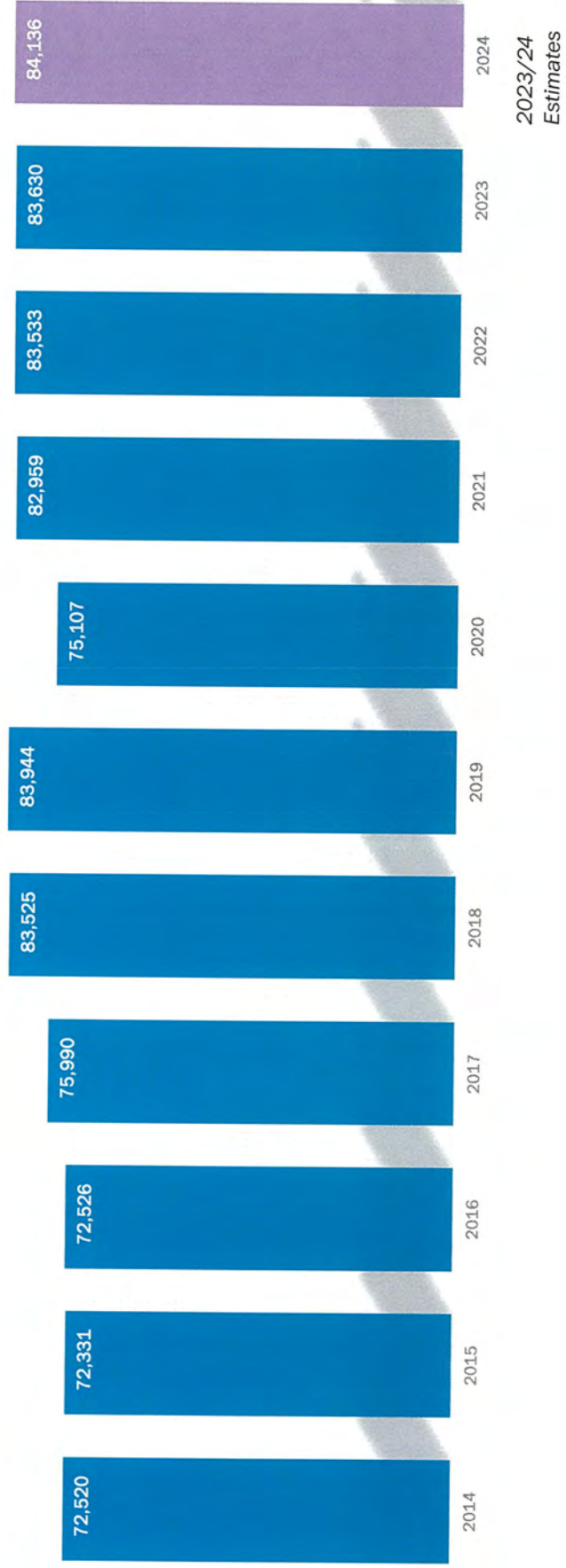
2023/24  
Estimates

# SCHOOLS KWH - 2014 THRU 2024

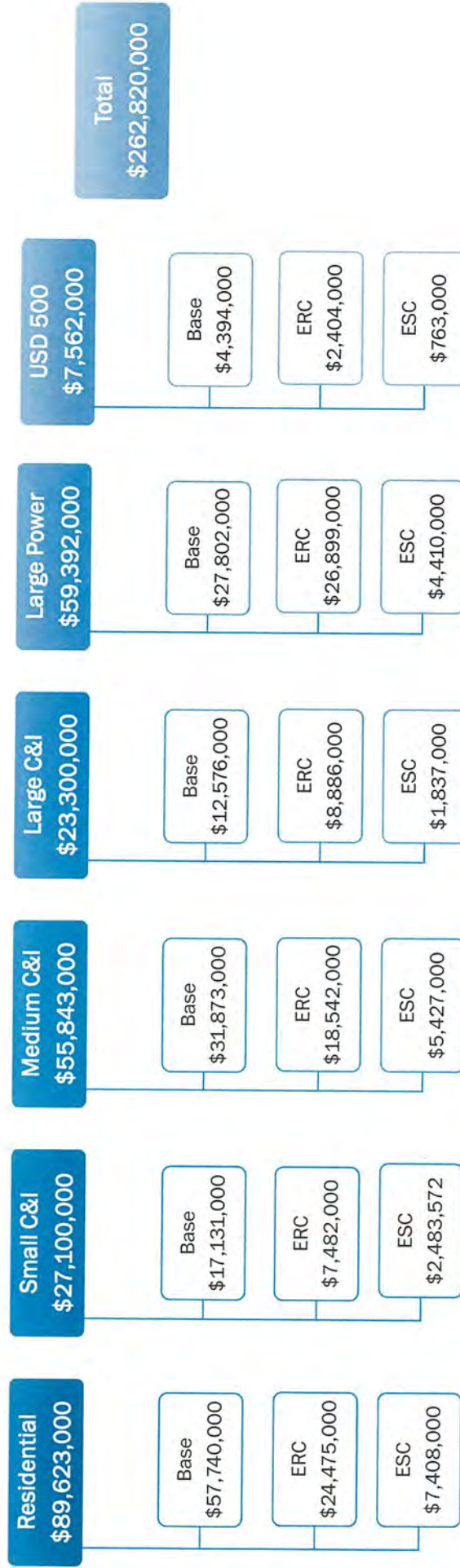


# SCHOOLS LOAD FORECAST

MEGAWATT HOUR (MWH)



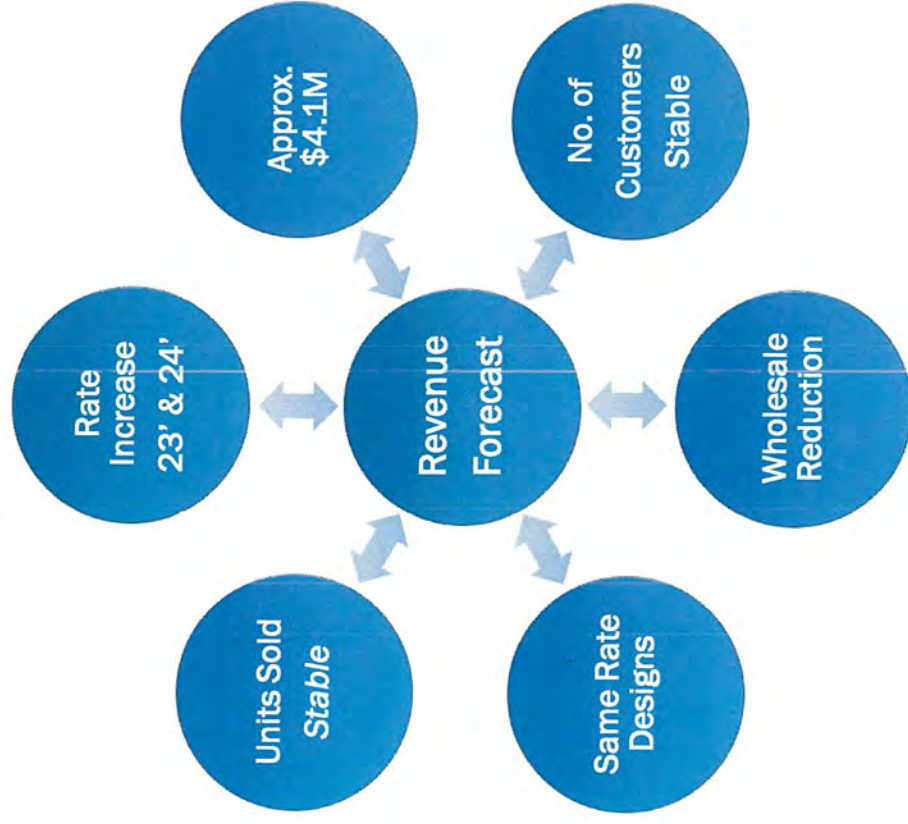
# RETAIL RATES 2024



# 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





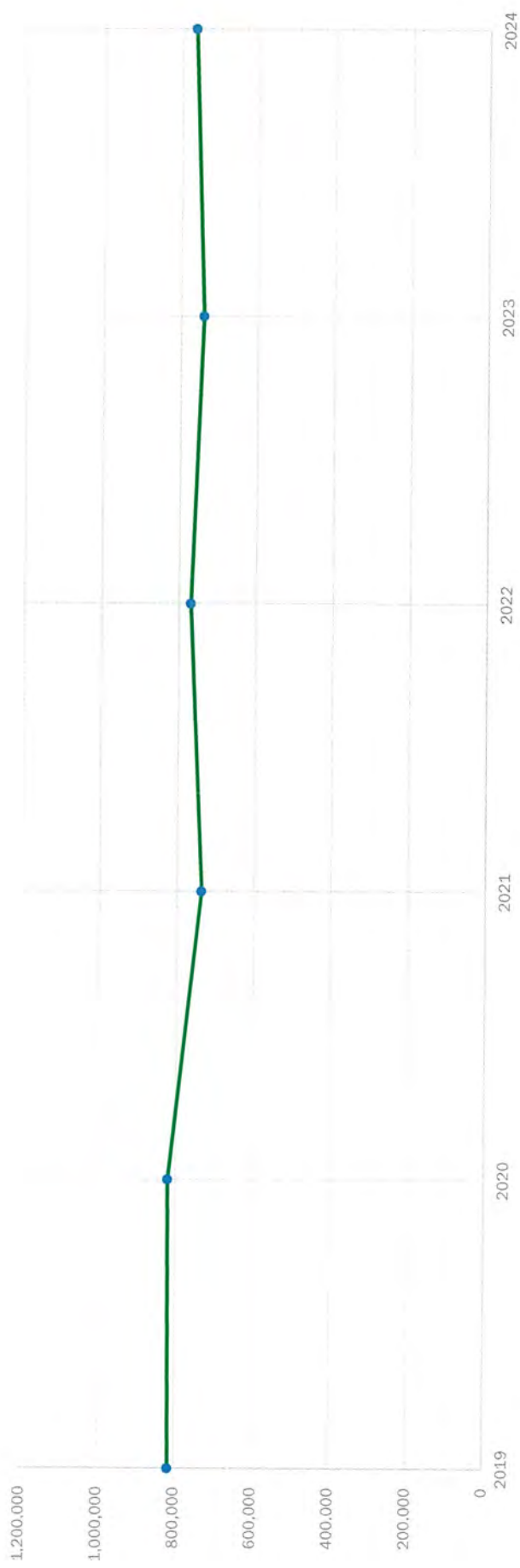
## WATER – RETAIL SALES IN UNITS







## 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
<b>Total</b>	<b>\$45,078,900</b>	<b>\$49,183,760</b>

# 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%
<b>Total</b>	\$ 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>	<u>2024 Budget Labor</u>	<u>2024 Budget 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
<b>Total</b>	<b>\$ 60,597,696</b>	<b>\$ 30,916,449</b>	<b>\$ 91,514,145</b>

\*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)

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 3<sup>rd</sup> 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
		-2.5%

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

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



# Financial Results

## 2023 Billed CCF's (YTD Jan - September)

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

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

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

## 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

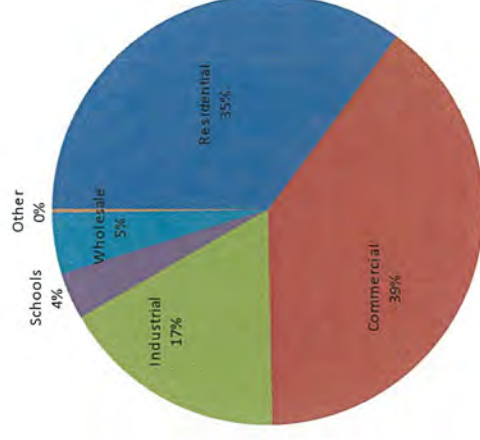
## Revenues – 2023 YTD

	(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
			2.9%	4.6%

\*\* Dollars in millions

### Variance – YTD comparing Budget to Actual for 2023

<u>Electric:</u>	Up 5%	<u>Water:</u>	Up 4%
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
		-15.7%		1.3%

**Actual Compared to 2023 Budget**

Electric – Up 3%

Water - Down 10%

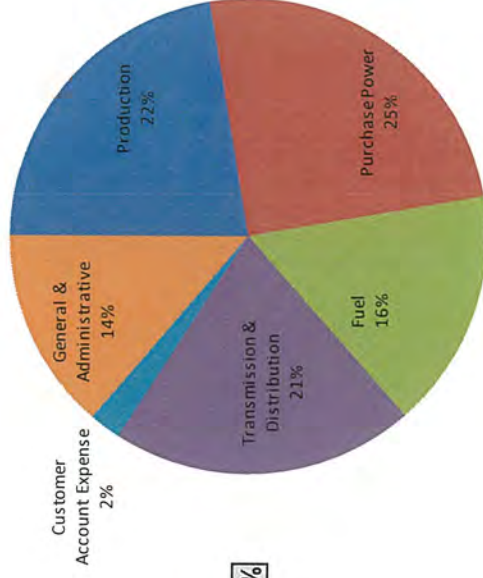
## Operating Expenses – 2023 YTD

	(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



## 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

## Change in Net Position – Third Quarter 2023

	(CY) 2023 3rd Quarter	(PY) 2022 3rd Quarter	Budget 2023 3rd Quarter	(CY) 2023 3rd Quarter
Electric	\$ 25.135	\$ 15.174	\$ 22.294	\$ 25.135
Water	5.306	4.262	3.174	5.306
Combined	\$ 30.441	\$ 19.436	\$ 25.468	\$ 30.441



\*\*Dollars in millions

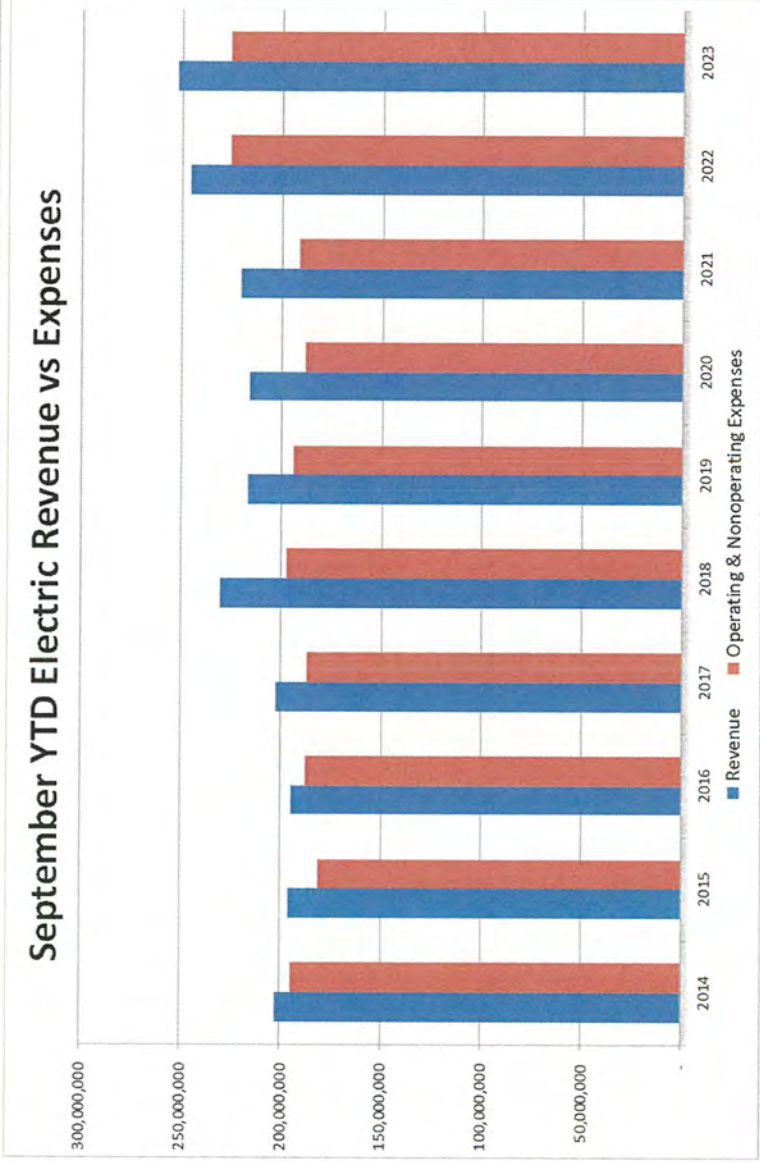
## Change in Net Position – 2023 YTD

	(CY) 2023 YTD	(PY) 2022 YTD	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 26.959	\$ 19.757	\$ 23.713	\$ 26.959
Water	8.821	7.735	4.660	8.821
Combined	\$ 35.780	\$ 27.492	\$ 28.373	\$ 35.780

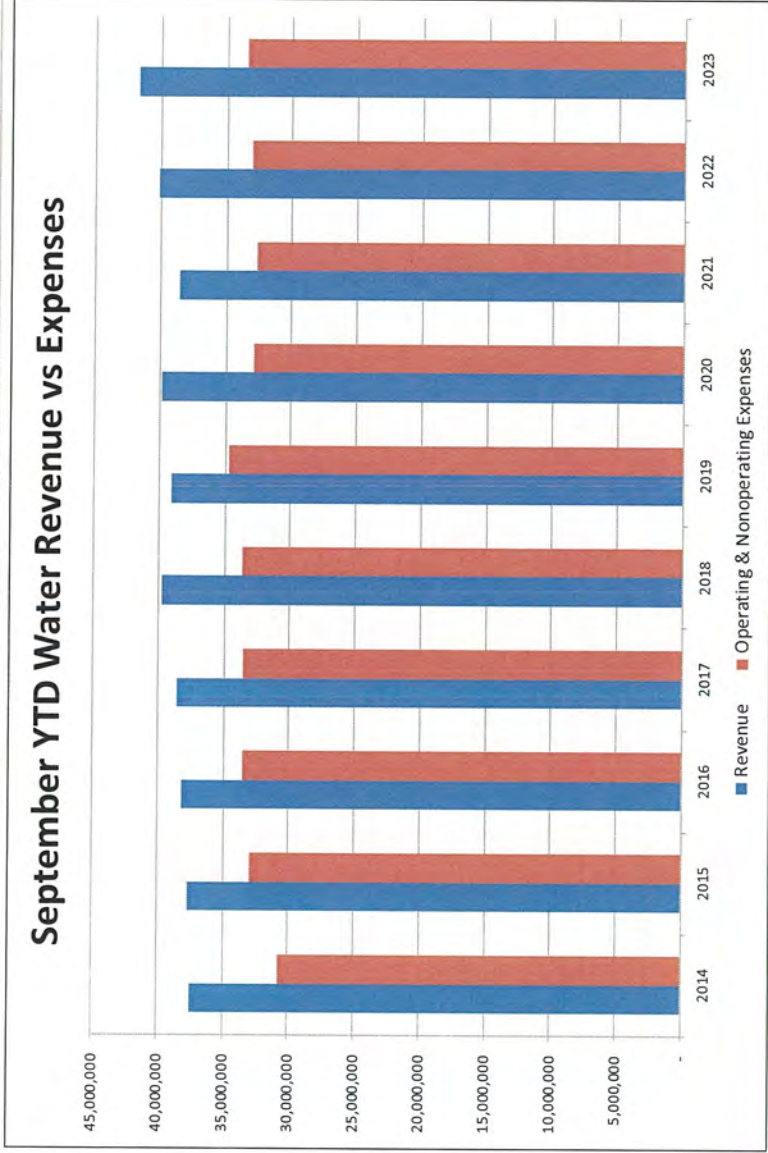


\*\*Dollars in millions

# Financial Results – 10 Year Trend

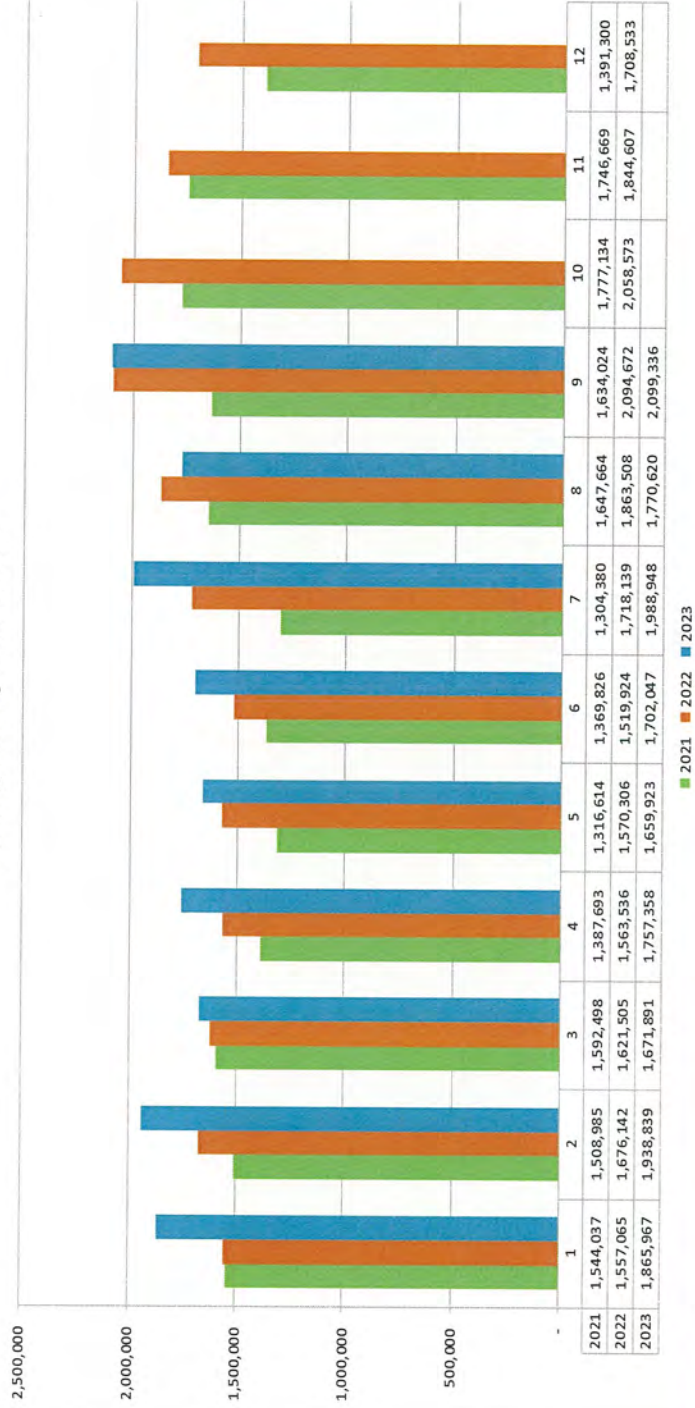


# Financial Results – 10 Year Trend



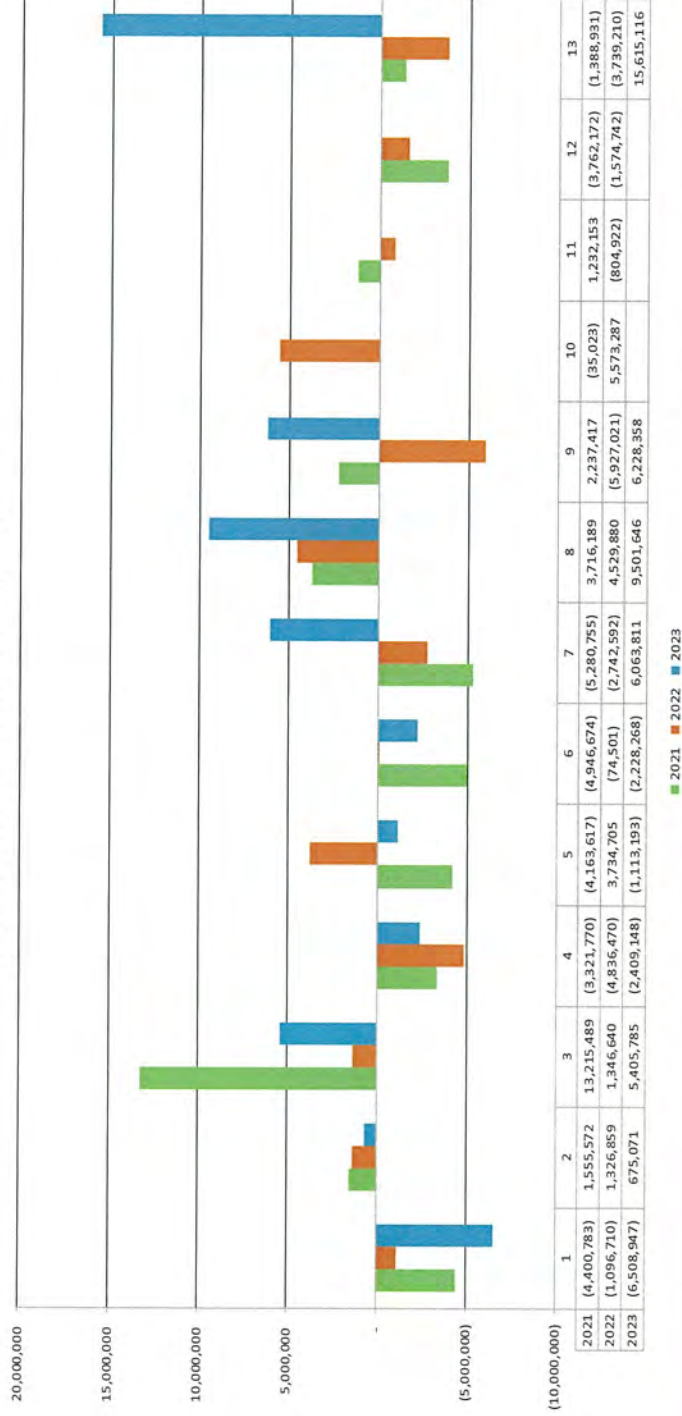
# Financial Results

Average Daily Collections



# Financial Results

Historical Monthly Cash Comparison





# Financial Results

## Cash Position

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

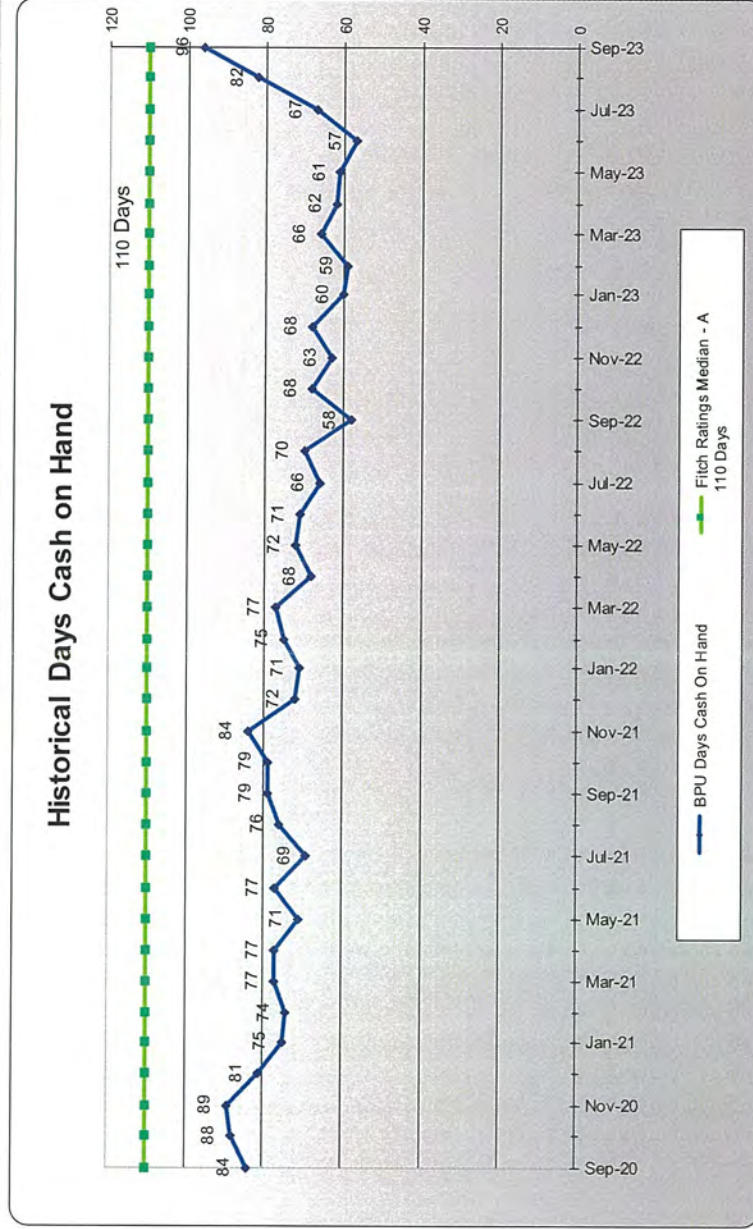
	(CY) 2023 September	(PY) 2022 September	2023 August
\$	59.12	40.19	52.50
	96	58	82

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

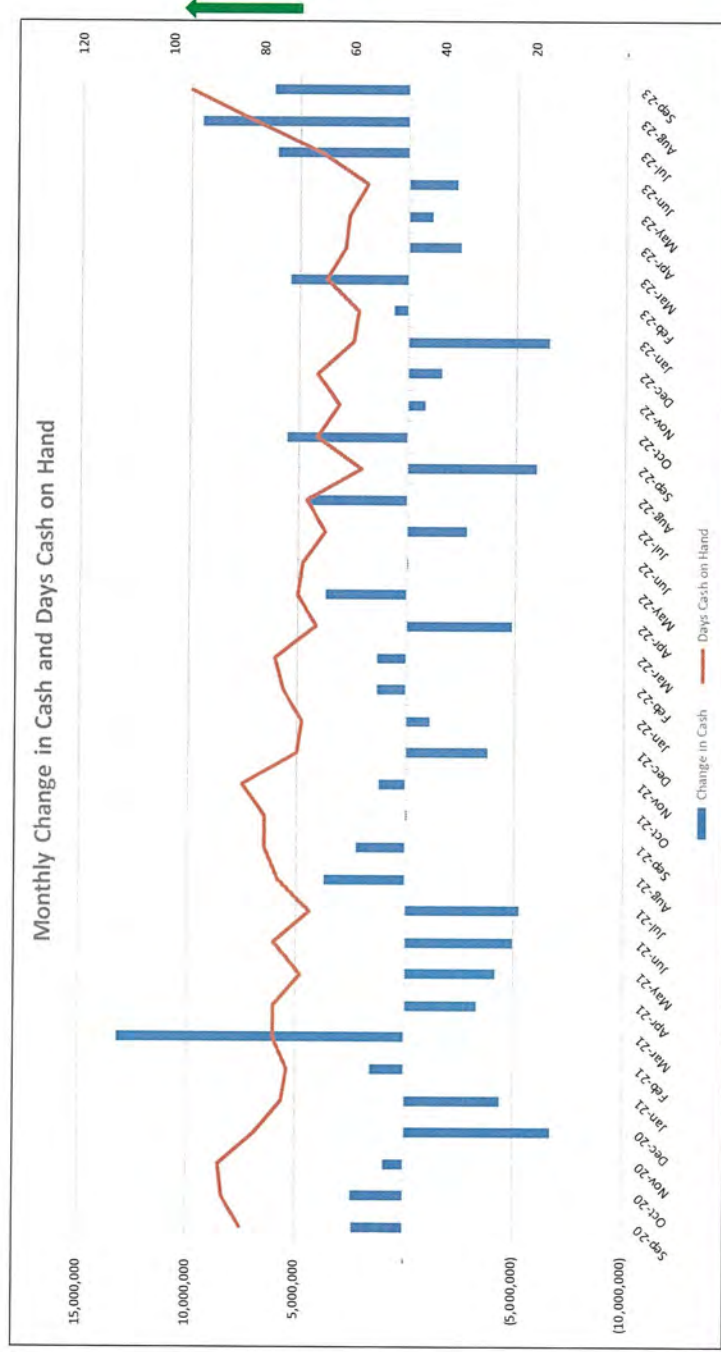
\*\* Dollars in millions



# 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
<b>Total YTD Capital</b>	<b>\$ 32.40</b>	<b>\$ 24.62</b>	<b>\$ 60.58</b>
			<b>Remaining</b>
			<b>47%</b>

### 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



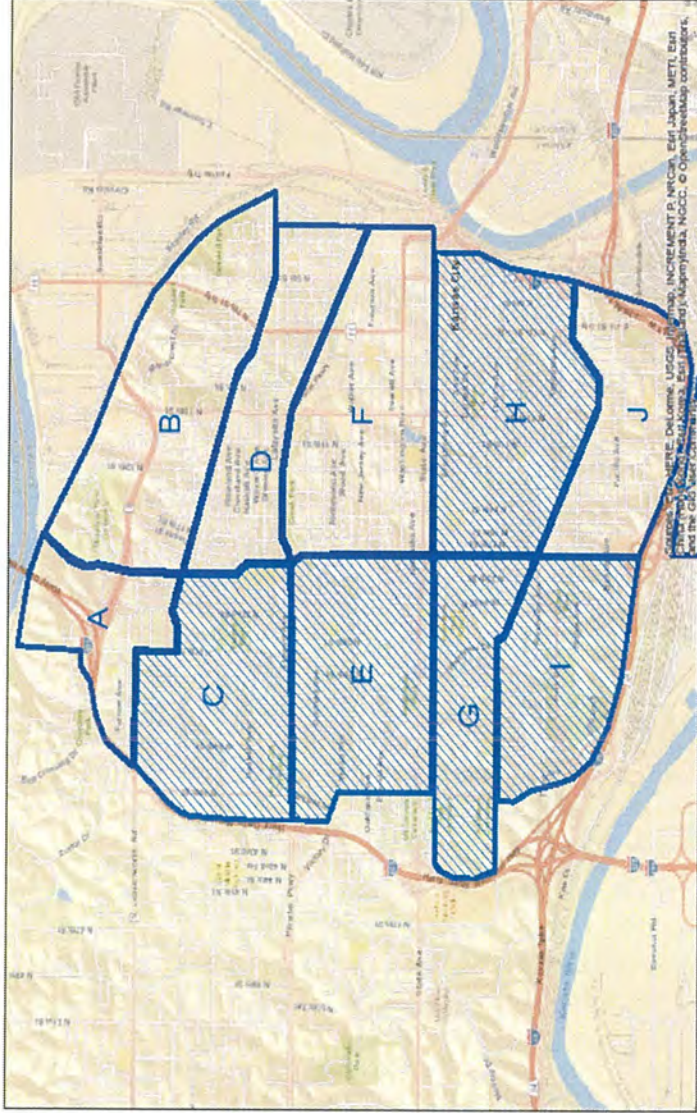


## EPA Grant

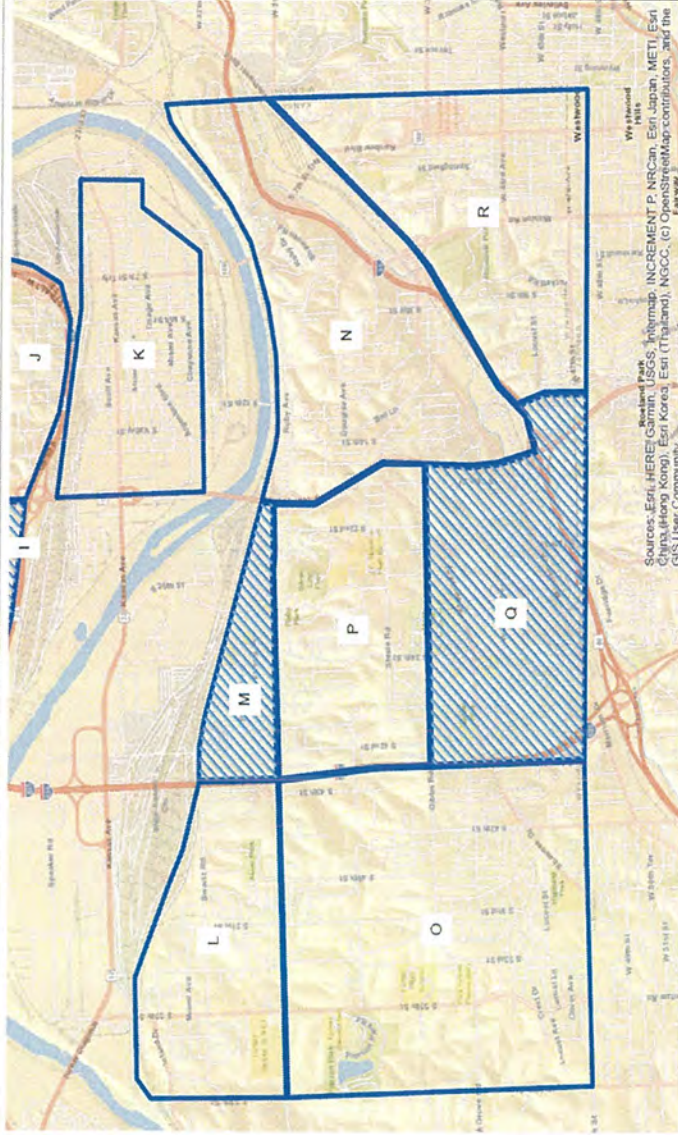
- Congress appropriates resources for specifically named community water infrastructure projects identified as Congressionally Directed Spending (CDS) and Community Project Funding (CPF) items (Community Grants) in Appropriations Acts.
- Primary Locations - Area P, Q, R, A, B, D, F



# Area Map North of I-70



# 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



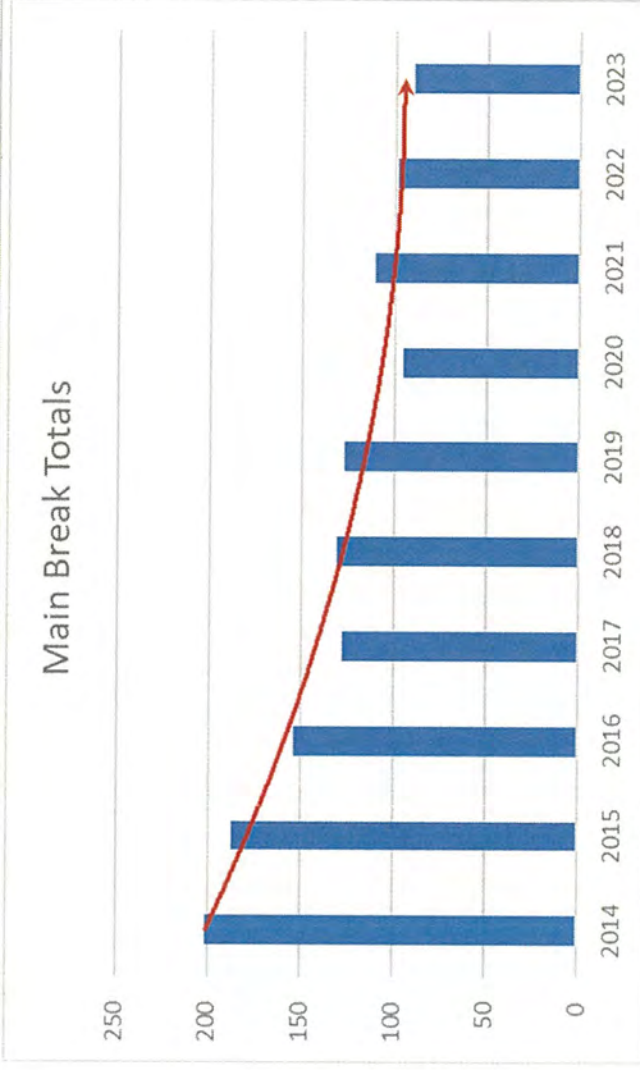


## Data Analysis Phase I Improvements

- 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





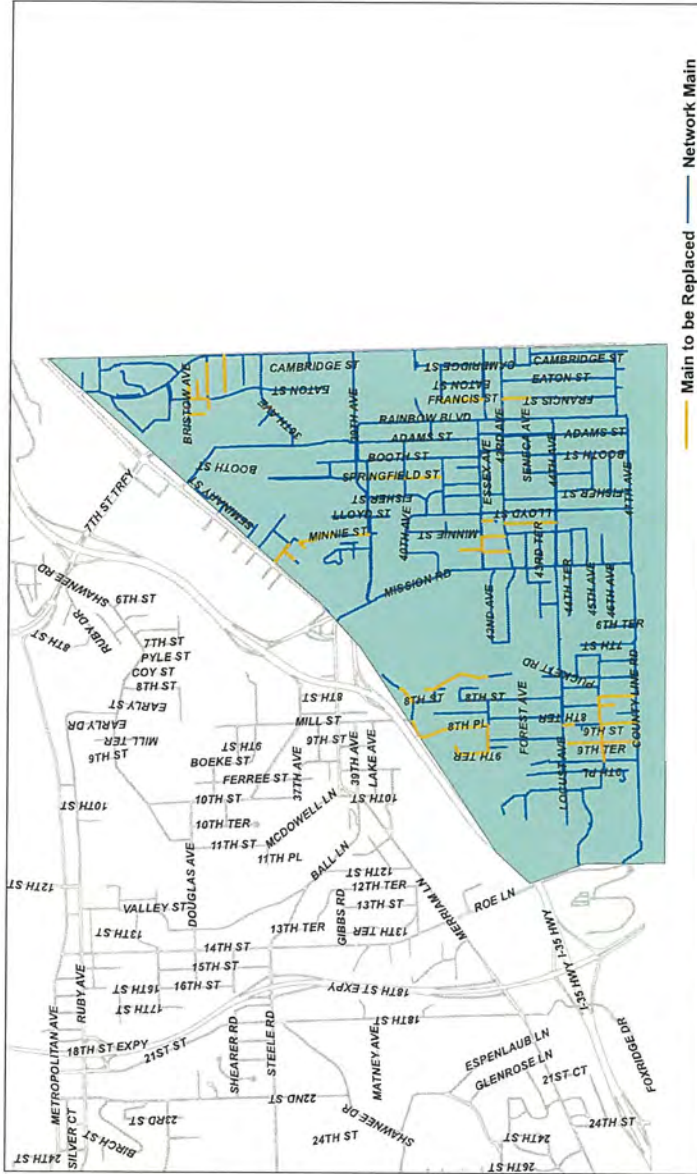
## Cost Summary for Replacement - Area A, B, D, F, P, Q, R

- 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

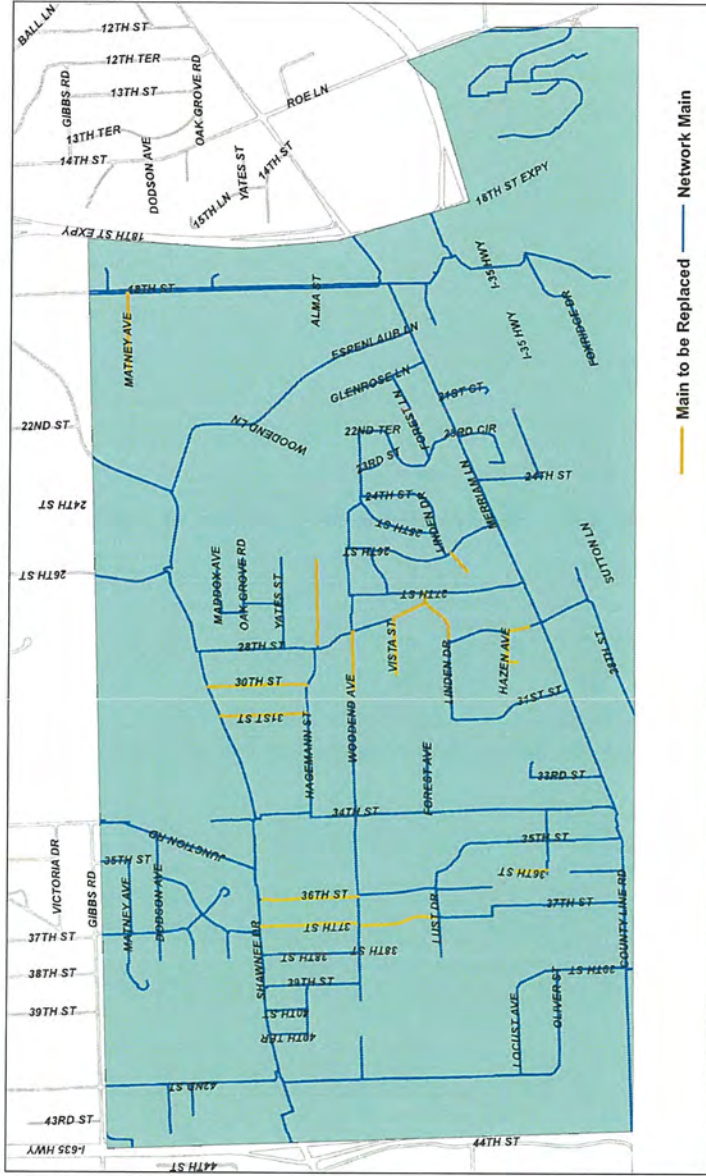




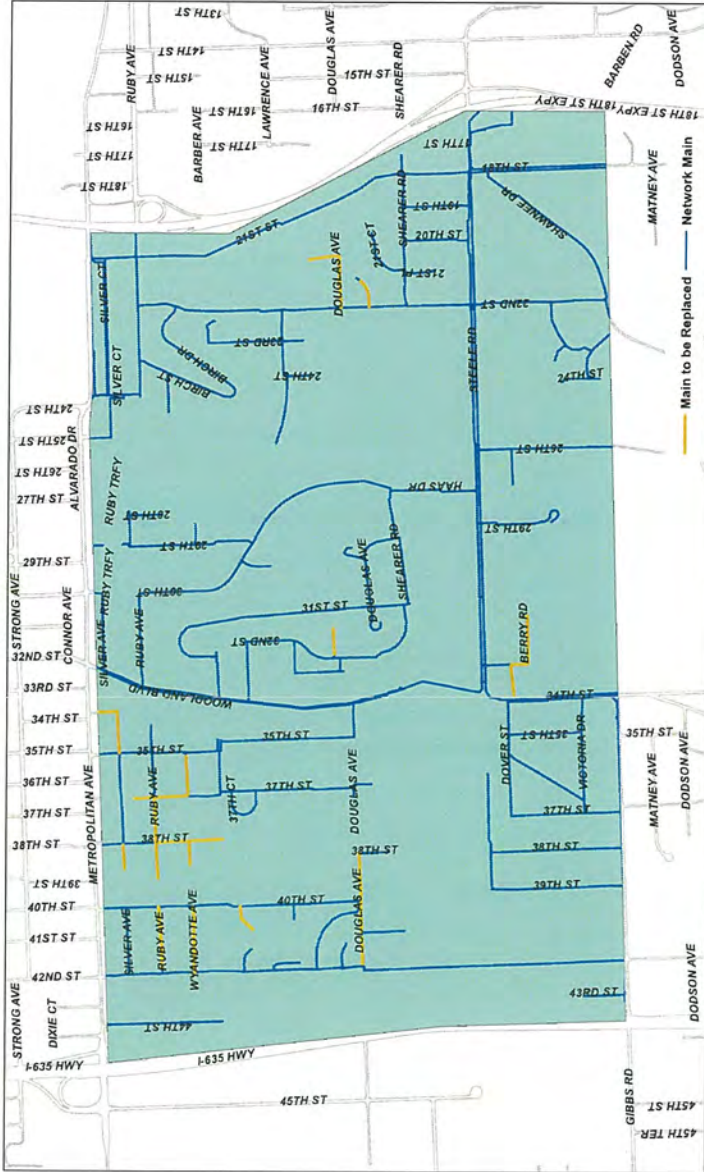
**AREA R**



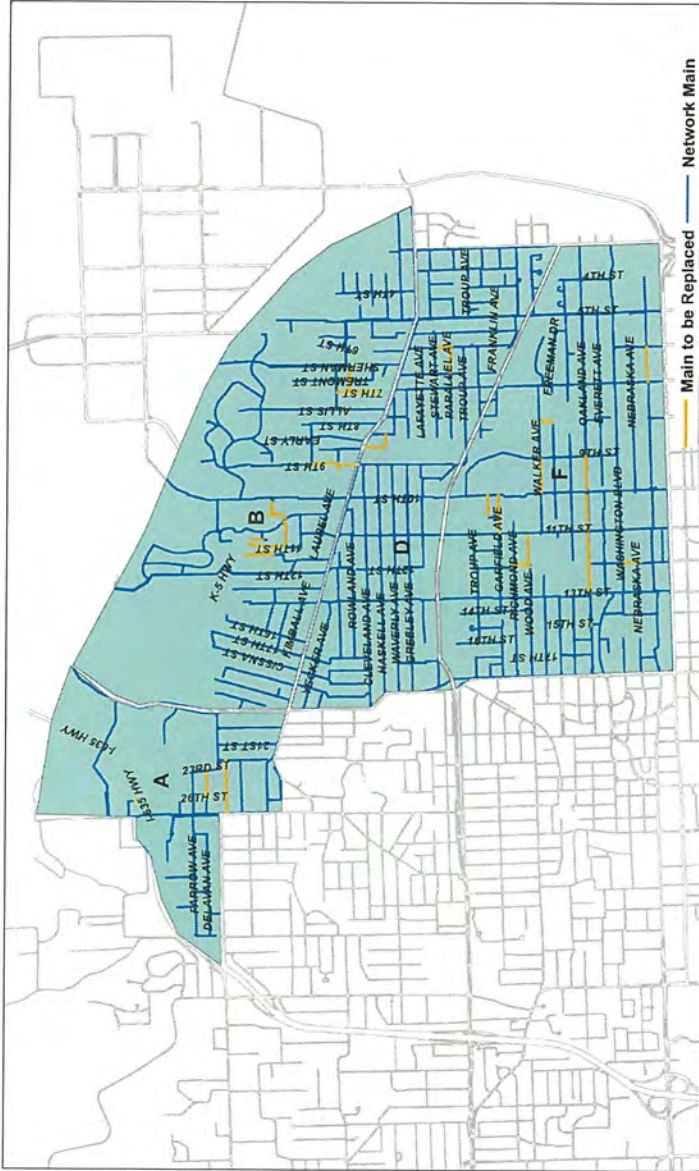
**AREA Q**



**AREA P**



**AREAS A, B, D, & F**





# Nearman Water Treatment Plant Switchgear and Generator

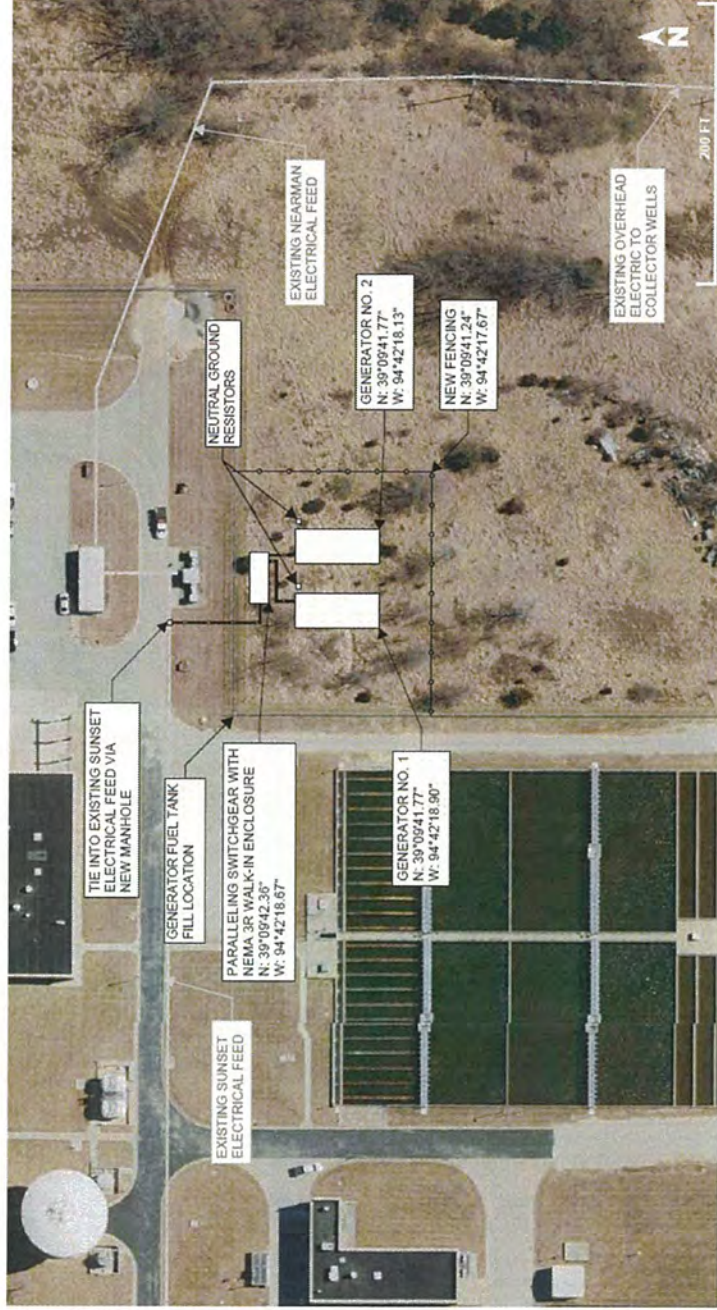


# NWTP Switchgear and Generator

- 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



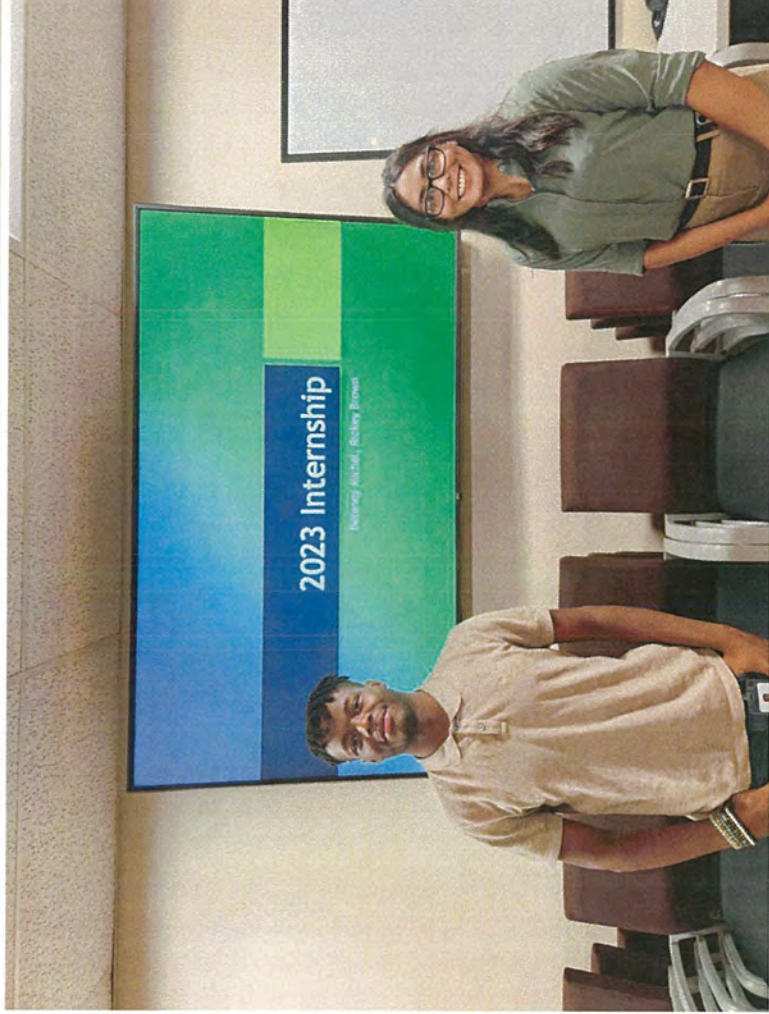


## Program Enhancements

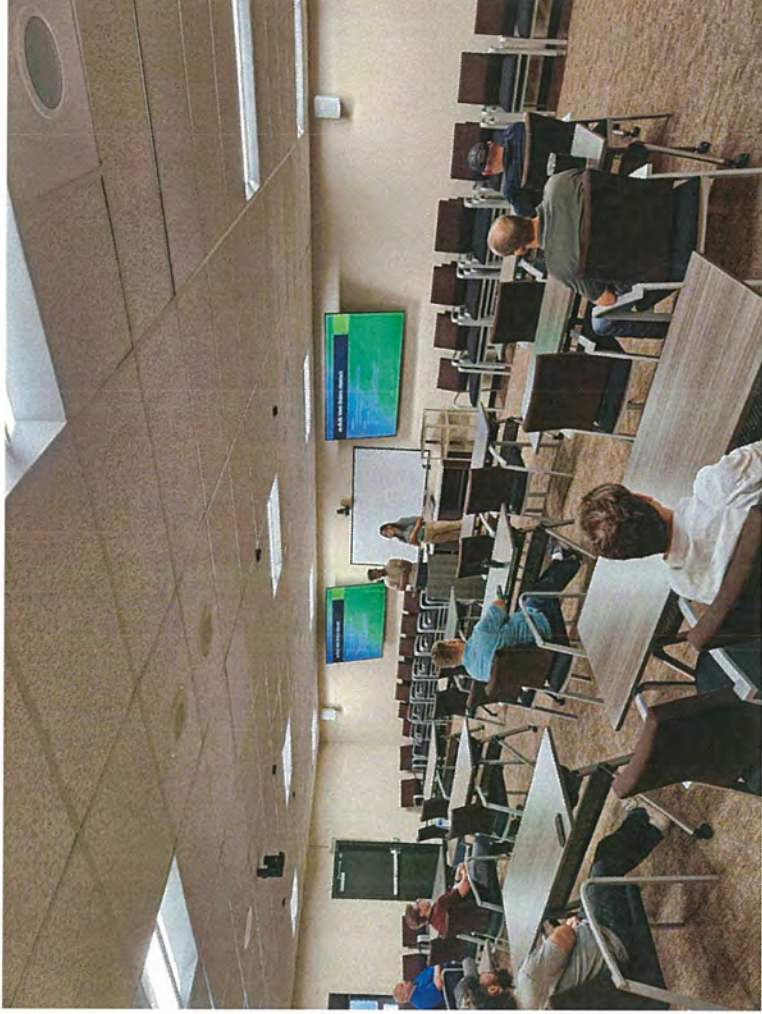
- Site visits to Energy Control Center and Nearman Power Plant
- Recruiting at Kansas State University Engineering Career Fair and on job application website
- Co-op opportunities
- APPA Demonstration of Energy & Efficiency Developments (DEED) program funding



# 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?





**WORK SESSION MINUTES – WEDNESDAY, NOVEMBER 15, 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 15, 2023 at 5:00 PM. The following Board Members were present: Thomas Groneman, Vice President; Robert L. Milan, Secretary; Jeff Bryant, Mary Gonzales and David Haley. Rose Mulvany Henry, President, attended via Zoom.

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; Steve Green, Executive Director Water Operations; Jerin Purtee, Executive Director Electric Supply; Jerry Sullivan, Chief Information Officer; Michael Fergus, Director of Electric Distribution & Service; Douglas Bowen, Director Electric Production Operations/Maintenance; Dennis Dumovich, Director of Human Resources; Randy Otting, Director Accounting; David Wilson, Supervisor T&D 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](http://www.bpu.com).

Ms. Mulvany Henry called the meeting to order at 5:03 PM.

Roll call was taken. All Members were present.

**Item #3 –Approval of Agenda**

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

**Item #4 –Board Update/GM Update**

Mr. Haley gave an update on the Unified Government (UG) Standing Committee – Economic Development & Finance meeting he attended regarding potential funds for future Economic Development and the status of a piece of land near the Speedway.

Ms. Angela Lawson, Acting Chief Counsel, clarified information regarding the allocation of funds and the property status to which Mr. Haley spoke about.

**WORK SESSION MINUTES – WEDNESDAY, NOVEMBER 15, 2023**

STATE OF KANSAS        )  
  ) SS  
CITY OF KANSAS CITY )

**Item #5 – Board Rules of Procedure**

The Board made a clerical correction to the Board Rules of Procedure and further discussed verbiage in Section 1.3 regarding closed meetings or sessions. (See attached.) The Board decided to move the Board Rules of Procedure to the Regular session meeting for approval.

**Item #6 – 2024 Budget Update- Capital Improvement Plan**

Mr. Randy Otting, Director Accounting; Mr. Michael Fergus, Director of Electric Distribution & Service; Mr. Douglas Bowen, Director Electric Production Operations/Maintenance; Mr. Jeremy Ash, Chief Operating Officer, and Mr. Steve Green, Executive Director Water Operations, presented the 2024 Capital Improvement Plans and budget to the Board. The presentation included proposed capital projects for Electric Operations, Electric Production and Water departments. Mr. Fergus, Mr. Ash, Mr. Bowen and Mr. Green responded to questions and comments from the Board. Mr. Green was unable to finish the Water Projects presentation at this meeting. (See attached PowerPoint.)

**Item #7 – Adjourn**

A motion was made to adjourn the Work Session at 5:59 PM by Ms. Groneman seconded by Mr. Bryant and carried by Ms. Mulvany Henry, Mr. Bryant, Ms. Gonzales, Mr. Groneman and Mr. Haley.

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

## **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.

# 2024 CAPITAL BUDGET

NOVEMBER 15, 2023





## CRITERIA FOR BUDGET

Improve Customer Service

Improve Operational Efficiency

Improve System Reliability

Reduce Operating Costs

5 year CIP & recent rate study's are used to guide the capital budget process



# 2024 ELECTRIC OPERATIONS

## Electric Distribution - \$13,335,000

Major Projects:

Annual Overhead Construction	\$ 2,125,000
Annual Underground Construction	\$ 2,000,000
Distribution Pole Inspection & Replacement	\$ 2,500,000
Piper Overhead Feeders	\$ 2,600,000
Yards II Project	\$ 735,000
Levee Rebuild Project	\$ 620,000



# 2024 ELECTRIC OPERATIONS

## Electric Transformers - \$ 4,200,000

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Overhead Transformers	\$ 1,200,000
Underground Transformers	\$ 3,000,000

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# 2024 ELECTRIC OPERATIONS

## Electric Transmission - \$ 825,000

Transmission Pole Inspection & Replacement	\$ 200,000
Transmission Improvements	\$ 250,000
Victory West to Quindaro Transmission Line	\$ 100,000
Victory West to Maywood Transmission Line	\$ 100,000



# 2024 ELECTRIC OPERATIONS

## Electric Substations - \$ 2,890,000

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Mill Street 161kV Substation	\$ 1,725,000
Speaker Substation	\$ 800,000
Substation Improvements	\$ 200,000

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# 2024 ELECTRIC OPERATIONS

## Electric General Construction - \$2,167,000

### Major Projects:

Automobiles	\$ 100,000
Work Equipment	\$ 700,000
Electric Facility Maintenance	\$ 150,000
Electric Meter Replacement	\$ 1,000,000
Electric Operations Radio	\$ 175,000





# 2024 ELECTRIC OPERATIONS

## Sources of Funding - Electric Operations

Cash	\$ 15,291,000
Future 2024 Bond Issue	7,325,000
EDA Grant	<u>2,000,000</u>
<b>Total</b>	<b>\$ 24,616,000</b>



# 2024 ELECTRIC PRODUCTION

## Nearman Power Station – \$ 5,430,000

Major Projects:

N1 CDS Reactor Vessel Liner Repair/Replacement	\$ 1,000,000
N1 Steam Drum Instrument Upgrade	\$ 150,000
N1 Cooling Tower Acid Pump Reconfiguration	\$ 75,000
N1 ID Fan Chiller Compressors	\$ 250,000
N1 PJFF Bags & Cages Replacement	\$ 500,000
N1 No. 5 FWH Replacement	\$ 550,000
N1 AQC Air Slide Blowers	\$ 300,000
N1 SCR 2 <sup>nd</sup> Catalyst Layers	\$ 600,000



# 2024 ELECTRIC PRODUCTION

## Cont. Nearman Power Station – \$ 5,430,000

Major Projects:

N1 MCC's and 480V Load Centers Replacement	\$ 200,000
N1 Economizer Ash Redirect to Bottom Ash Silo	\$ 250,000
N1 AQC Transformer to Normal Supply Tie	\$ 35,000
N1 Mill Air Control Damper Replacements	\$ 320,000
N1 Control Valve Replacements	\$ 250,000
Crusher/Dryer Replacement	\$ 100,000
Automation of SH Spray Isolation Valves	\$ 100,000



# 2024 ELECTRIC PRODUCTION

## Cont. Nearman Power Station – \$ 5,430,000

Major Projects:

N1 Steam Inert Piping Modification	\$ 450,000
N1 Turbine Sequential Tripping & Overspeed	\$ 450,000



# 2024 ELECTRIC PRODUCTION

## Nearman Common – \$ 750,000

Major Projects:

NC Coal Conveyor Belt Replacement	\$ 125,000
NC Mechanic Shop Roof Replacement	\$ 150,000
NC Roads & Grounds Improvements	\$ 100,000
NC Quindaro Machine Shop Relocation to Nearman	\$ 75,000
NC Coal Handling Equipment & Structure Assessment/Repairs	\$ 300,000



# 2024 ELECTRIC PRODUCTION

## Nearman CT4 – \$ 650,000

Major Projects:

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CT4 Primary & Secondary Spare Fuel Nozzles	\$ 600,000
CT4 Turbine Lube Oil Conditioning Skid	\$ 50,000

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# 2024 ELECTRIC PRODUCTION

## Quindaro CTs 2 & 3 – \$ 1,500,000

Major Projects:

- CT2 Controls Upgrade to Ovation
- CT3 Controls Upgrade to Ovation

\$ 750,000  
\$ 750,000



# 2024 ELECTRIC PRODUCTION

## Other Electric Production Capital – \$ 1,718,000

### Major Projects:

QC Quindaro CT Fuel Oil Tank Modification	\$ 300,000
QC Quindaro CTs Perimeter Fence & Cameras	\$ 50,000
QC Levee Improvements per COE	\$ 340,000
Dogwood Cap Expense	\$ 206,000
Electric Production Auto	\$ 25,000
Electric Production Work Equipment	\$ 677,000
Electric Production Carry Deck Mobile Crane	\$ 120,000





# 2024 ELECTRIC PRODUCTION

## Sources of Funding – Electric Production

Total Cash \$10,013,000



# 2024 WATER CAPITAL

## Water Work Equipment – \$ 953,000

- Water Automobiles
  - Trouble Truck to replace 528, 501 & 565
  
- Water Tools
  - Water Meter Test Station for Distribution
  - Testing Residential & Commercial Meters
  
- Water Work Equipment
  - 2 Crew Trucks for Distribution 531 & 539
  - Skid Loader 556
  - Engineer Aide 378 & 369
  - Superintendent Trucks 568 & 534

\$153,000

\$200,000

\$600,000



## 2024 WATER CAPITAL

### Water Transmission & Storage - \$ 11,093,000

Major Projects:

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Argentine 7 MG Reservoir (KDHE)	\$ 2,000,000
Water Pump Station Electrical Upgrades (KDHE)	\$ 1,500,000
Water Transmission Main & Valve Improvements (Cash)	\$ 390,000
Paint 435 Elevated Tank (Cash)	\$ 400,000
Kansas River Crossing (KDHE)	\$ 4,000,000
Transmission Main 98 <sup>th</sup> and Parallel (KDHE)	\$ 2,000,000

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# 2024 WATER CAPITAL

## Water Distribution - \$ 10,157,000

Major Projects:

UG/CMIP Water Dist. Projects	\$ 1,300,000
Aged Water Main Replacement (EPA Grant)	\$ 5,000,000
Water Dist. System Improvements	\$ 400,000
Water Dist. System Relocations	\$ 280,000
Water Dist. Valve Improvements	\$ 600,000
Water Service Replacement	\$ 702,000
Water Fire Hydrant Program	\$ 552,000
Water Master Plan	\$ 300,000



## 2024 WATER CAPITAL

### Other Water Capital Projects - \$ 3,063,500

Water Technology	\$ 35,000
Water Meters	\$ 428,000
Water Facility	\$ 1,031,500
Furnish & Equip	\$ 72,000
Water Grounds	\$ 297,000
Water Production Projects	
(KDHE) \$300,000 - VFD Upgrades	
(Cash) \$500,000 – Raw Water Pump Rehab	
(KDHE) \$400,000 – Generator Switchgear	\$1,200,000



## 2024 WATER CAPITAL

### Sources of Funding - Water

Cash	\$ 10,180,600
KDHE Loan	11,200,000
EPA Grant	<u>5,000,000</u>
<b>Total</b>	<b>\$ 26,380,600</b>



# 2024 ELECTRIC SUPPLY

## Electric Supply Capital - \$846,530

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### EMS System Upgrade Project

#### Computer Software:

SCADA Software Upgrade      \$846,530

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# 2024 ENTERPRISE TECHNOLOGY

## Enterprise Technology Projects - \$4,310,000

IT ERP Technology Development	\$ 150,000
IT Desktop/Network Development	\$ 570,000
IT Security Improvements	\$ 100,000
IT Enterprise Service Bus Development	\$ 250,000
IT Enterprise Asset Management Development	\$ 225,000
IT BI/Analytics Development	\$ 300,000
IT EAM Mobility	\$ 250,000
IT AMI Development	\$ 25,000
IT HCM Enhancements	\$ 50,000
IT Customer Information System Development	\$ 325,000





# 2024 ENTERPRISE TECHNOLOGY

## Enterprise Technology Projects – Cont.

IT Rollout Identity Management	\$ 80,000
IT DR Infrastructure	\$ 100,000
IT DR for Security	\$ 50,000
IT GIS Enhancements	\$ 680,000
IT Business Portal Development	\$ 25,000
IT Enterprise Wireless Mobility	\$ 40,000
IT Quality Assurance Automation	\$ 200,000
IT Electronic Document Management System	\$ 20,000
IT Utility Ops Technology Development	\$ 225,000



# 2024 ENTERPRISE TECHNOLOGY

## Enterprise Technology Projects – Cont.

IT Cloud Services Development	\$ 75,000
IT General Systems Enhancements	\$ 225,000
IT Project Management Applications	\$ 50,000
IT Analog to Digital Services	\$ 75,000
IT IVR Service Development	\$ 30,000
IT Mobile Device Management(MDM)	\$ 20,000
IT Server Additions	\$ 70,000
IT Meter Data Management System Upgrade	\$ 100,000



## 2024 COMMON

### HR / Admin Services / Common - \$819,800

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Safety HR - Vehicle	\$ 50,000
540 Minn. – Facilities	\$ 190,000
540 Minn. - Grounds	\$ 115,000
Admin Services - Technology	\$ 389,800
Security Improvements	\$ 25,000
HR Security	\$ 50,000

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## 2024 CAPITAL FUNDING SOURCES

Division	Future						Project Total
	2024 Bond	EDA Grant	EPA Grant	KDHE (2950)	Cash		
Electric Operations	\$ 7,325,000	\$ 2,000,000	-	-	\$ 15,291,000	\$	\$ 24,616,000
Electric Production	-	-	-	-	\$ 10,013,000	\$	\$ 10,013,000
Electric Supply	-	-	-	-	\$ 846,530	\$	\$ 846,530
General Management	-	-	-	-	\$ 719,800	\$	\$ 719,800
Human Resources	-	-	-	-	\$ 100,000	\$	\$ 100,000
Information Technology	-	-	-	-	\$ 4,310,000	\$	\$ 4,310,000
Water	-	-	\$ 5,000,000	\$ 11,200,000	\$ 10,180,600	\$	\$ 26,380,600
<b>Utility Summary Total</b>	<b>\$ 7,325,000</b>	<b>\$ 2,000,000</b>	<b>\$ 5,000,000</b>	<b>\$ 11,200,000</b>	<b>\$ 41,460,930</b>	<b>\$</b>	<b>\$ 66,985,930</b>



**REGULAR SESSION –WEDNESDAY, NOVEMBER 15, 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 15, 2023 at 6:00 PM. The following Board Members were present: Thomas Groneman, Vice President; Jeff Bryant, Mary Gonzales, and David Haley. Rose Mulvany Henry, President attended via Zoom.

Also present: Angela Lawson, Acting Chief Counsel 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](http://www.bpu.com).

At 6:11 PM, Ms. Mulvany Henry made a motion to cancel the Regular session meeting and move the items to a future date, in light of a medical emergency of a Board Member. It was seconded by Mr. Bryant and carried by Ms. Mulvany Henry, Mr. Bryant, Ms. Gonzales, Mr. Groneman and Mr. Haley.

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President



**SPECIAL SESSION – MONDAY, DECEMBER 4, 2023**

STATE OF KANSAS        )  
  ) SS  
CITY OF KANSAS CITY )

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

Ms. Mulvany Henry called the meeting to order at 4:01 PM. Roll call was taken and all Board members were present except for Mr. Milan. Mr. Haley arrived at 4:02 PM.

Ms. Angela Lawson, Acting Chief Counsel proposed a motion for adoption as followed:

“I move that the Board go into Executive Session in the first floor Board room to discuss confidential matters related to an update on labor negotiations pursuant to the employer-employee negotiations exception to the Kansas Open Meetings Act; KSA 75-319(b)(3) and that the General Manager William Johnson, Chief Administrative Officer Lori Austin, Acting Chief Counsel Angela Lawson, Director of Human Resources Dennis Dumovich, HR Manager Ashley Culp, Chief Operating Officer Jeremy Ash, and outside counsel Ryan Denk be present to participate in the discussion, all others to be dismissed from the room and electronic and telephonic transmissions cease, and that we reconvene in open session with electronic and telephonic transmission resuming at 4:21 PM.”.

This motion was made by Mr. Bryant, seconded by Ms. Gonzales and carried unanimously.

At 4:21 PM the meeting was opened.

At 4:21 PM a motion was made to extend the Executive Session for 15 minutes by Ms. Gonzales, seconded by Mr. Haley and carried unanimously.

At 4:36 PM the meeting was opened.

At 4:36 PM a motion was made to extend the Executive Session for 5 minutes by Mr. Bryant, seconded by Ms. Gonzales, and carried unanimously.

At 4:44 PM the meeting was opened.



**SPECIAL SESSION – MONDAY, DECEMBER 4, 2023**

STATE OF KANSAS        )  
  ) SS  
CITY OF KANSAS CITY    )

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

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President



**REGULAR SESSION –WEDNESDAY, DECEMBER 6, 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, December 6, 2023 at 6:00 PM. The following Board Members were present: Rose Mulvany Henry, President; Thomas Groneman, Vice President; Jeff Bryant and Mary Gonzales. Robert L. Milan, Secretary attended via Zoom. David Haley attended via Zoom and arrived in person at 6:49 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; Jerin Purtee, Executive Director Electric Supply; Dennis Dumovich, Director of Human Resources; Douglas Bowen, Director Electric Production Operations & Maintenance; Chris Stewart, Director Civil Engineering; Gabriela Freeman, Supervisor Customer Service; Steve Hargis, Supervisor Water Distribution Meters; and Rick Hardman, 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](http://www.bpu.com).

Ms. Mulvany Henry called the Board meeting to order at 6:04 PM. She welcomed all that were listening to or viewing the meeting. She informed all that the meeting was being recorded including video and audio. During the public comment section, those attending in person, wishing to speak, should use the sign-up sheet at the entry and provide their name and address. Public comments were limited to five minutes and should be addressed to the Board. Members of the public who wished to speak to the Board using Zoom needed to use the Raise Hand feature at the bottom of the application or window to signal that they wish to address the board during the public comment section. Members of the public connected by phone only, needed to press \*9 to indicate they wished to address the Board in the public comment section. No confidential information should be shared, including, account information. Staff would not provide individual account information during an open meeting. As always, the public could also email or call the BPU with any concerns. She informed that all participants were to act respectfully to each other. Personal attacks or accusations would not be tolerated. All concerns would be directed to the Board only, they would then determine staff involvement. If side discussion was necessary, it was to be conducted outside of the Board room to avoid interfering with presenters or other attendees. If any rules are breached during this meeting, the attendee was subject to removal. Ms. Mulvany Henry introduced herself and the other Board Members along with the General Manager, and Legal Counsel.

Roll call was taken and all Board members were present.

REGULAR SESSION –WEDNESDAY, DECEMBER 6, 2023

STATE OF KANSAS        )  
  ) SS  
CITY OF KANSAS CITY )

**Item #3 – Approval of Agenda**

Ms. Mulvany Henry moved to amended the Agenda to delete the approval of the Work and Regular Session Minutes of November 15, 2023 and move them to the December 20<sup>th</sup> Regular Session meeting for approval. A motion was made to approve the Agenda as amended, by Mr. Groneman, seconded by Mr. Bryant, and unanimously carried.

**Item #4– Public Comments**

There were no visitors wishing to speak.

**Item #5– General Manager / Staff Reports**

- i. *October 2023 Financials:* Ms. Lori Austin, Chief Financial Officer/Chief Administrative Officer, presented the October 2023 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 October 2023 Financials as presented, by Mr. Groneman, seconded by Mr. Bryant, and unanimously carried.

- ii. *Customer Service Quarterly Report:* Ms. Johnetta Hinson, Executive Director Customer Service, introduced Ms. Gabriela Freeman, Supervisor Customer Service, to present the quarterly Customer Service report to the Board. The report compared current statistics to previous data that included; average wait and talk times, survey questions and responses, and the number of delinquent accounts. Call escalations and customer issues were also discussed. (See attached PowerPoint.)

Ms. Freeman, Ms. Hinson and Mr. Johnson responded to questions and comments from the Board.

- iii. *Board Rules of Procedures- Resolution #5291:* Mr. Johnson presented Resolution 5291 to the Board for approval. (See attached.)

A motion was made to approve the updated Board Rules of Procedures Policy, Resolution 5291, by Mr. Bryant, seconded by Mr. Haley, and unanimously carried.

- iv. *Miscellaneous Comments:* Mr. Johnson had no comments.

REGULAR SESSION –WEDNESDAY, DECEMBER 6, 2023

STATE OF KANSAS     )  
  ) SS  
CITY OF KANSAS CITY)

**Item #6 – Board Comments**

Mr. Haley provided a printed copy of his comments and asked that it be included within the Minutes. (See attached exhibit.) He also thanked Ms. Hinson and Ms. Freeman for their presentation.

Mr. Groneman had no comments.

Mr. Milan congratulated and thanked Customer Service on their outstanding report.

Mr. Bryant thanked Ms. Hinson and Ms. Freeman for their presentation and for the work they are doing alongside the Policy Committee. He also expressed his thoughts on the Boards compensation.

Ms. Gonzales thanked staff for the budget information presented on December 4<sup>th</sup> and also thanked Ms. Freeman and Ms. Hinson for their presentation.

Ms. Mulvany Henry echoed other Board members in thanking staff for their presentations. She also thanked staff specifically for their professionalism and patience in working through the Customer Service Policy with the Policy Committee.

**Item #7 – Executive Session**

Ms. Angela Lawson, Acting Chief Counsel proposed a motion for adoption as followed:

“I move that after taking a five minute break the Board go into Executive Session for 20 minutes discuss confidential matters related to employment of the general manager, a personnel matter of nonelected personnel as justified under the exception in the Kansas Open Meetings Act; and that the General Manager William Johnson and Acting Chief Counsel Angela Lawson, be present to participate in the discussion, all others to be dismissed from the room and electronic and telephonic transmissions cease, and that we reconvene in open session returning to both electronic and telephonic broadcasting at 7:30 PM to either take action in an open session or to adjourn.”

A motion was made by Mr. Bryant, seconded by Mr. Haley and carried unanimously.

At 7:30 PM the meeting returned to Open Session.

REGULAR SESSION –WEDNESDAY, DECEMBER 6, 2023

STATE OF KANSAS     )  
  ) SS  
CITY OF KANSAS CITY)

A motion was made to extend the Executive Session for five minutes by Mr. Bryant, seconded by Ms. Mulvany Henry. Roll call was taken.

Ms. Mulvany Henry – yes

Mr. Bryant – yes

Ms. Gonzales – yes

Mr. Groneman – yes

Mr. Haley – no

The motion carried.

At 7:36 PM the meeting returned to Open Session.

**Item #8 – Adjourn**

At 7:36 PM a motion to adjourn was made by Mr. Bryant, seconded by Ms. Mulvany Henry. Roll call was taken.

Ms. Mulvany Henry – yes

Mr. Bryant – yes

Ms. Gonzales – yes

Mr. Groneman – no

Mr. Haley – yes

The motion carried, the meeting was adjourned.

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

BPU BOARD MEETING. December 6<sup>th</sup>, 2023.

Board Comments. – David Haley (District 2 @ Large)

PRES. Mulvaney-Henry; BPU Board Members; GM Bill Johnson; BPU Staff; Legal Counsel; UG RESIDENTS

My BOARD COMMENTS (to incorporate into this meeting's MINUTES) only recap verbal observations of purpose and of accomplishments and aspirations that were *spoken* at our last REGULAR meeting (November 1<sup>st</sup>, 2023) and available between the 1 hour 11 and 1 hour 15 minutes marks on YouTube.

Since *any* member of the Public can have five minutes for Comment, I opt to limit mine here to but four.

FIRST. This is a great utility; a venerable asset to our municipal government and I join you all in the preservation and enhancement of this century old plus KCK Jewel. Thanks primarily to patient tutelage of senior staff, I've learned a lot in my nearly two years here including: our major contribution to Southwest Power Pool (SPP); our nationally enviable, renewable-generated portfolio (nearing 50%) and that only a third of the load is residential (those that elect us to here) while the majority is industrial / commercial.

SINCE at BPU, advocacies have been to try and tweak a long established and held belief that policies and procedures here are uniform and in the mutual interest of our perceptions by both the public and utility. I am pleased that we now have improved access and transparency, with audio-visual recordings, of all Board meetings and the public may participate in our meetings in person and/or by phone or online! Further, we've eased disconnections of services pursuant to a more compassionate "cold weather" consideration. And my idea to see the costs for consumption of power and water completely separated from the taxes (PILOT, trash, stormwater, etc.) the Unified Government requires the utility to collect has caught on and is being considered by the UG Commission! Implementation of separate billings (and staggering penalties for non-payment of each) will circumvent my often-introduced legislative bill to cap ALL *municipal "charges" on any utility's bill at 15% of the current consumption bill*. Finally, instead of reintroducing and pursuing state legislation that simply allows comparison of Kansas Corporation Commission (KCC) decisions to, arguably, better govern BPU consumer equity, since this Board and BPU staff has now implemented both a Policy Review Committee (which just met again today) as well as a Community Engagement Committee, I feel we might be in a better position to assure the public we can reform this public-relation beleaguered institution ourselves. And I am encouraged that administration, augmenting my long-held advocacy to utilize our dormant power plants (specifically Quindaro and Kaw), is currently soliciting requests for proposals as well as allowing tours by interested parties to ultimately lease, or perhaps even purchase, which will supplement our overall revenues.

But as I wrap up these Comments on my first near mid-term's satisfaction, there are unheard or unanswered pleas that I, a citizen (or residential)-based representative on this Board who thinks first of our ratepayers and tries to reflect the majority of their views, feel need be addressed. Although I ***did not support the recently enacted rate increases nor the large staff payroll increases that came before the Board for vote***, I will not lobby to reduce either on any subsequent configuration of this Board. Those horrendous ships, both against the outspoken will of the people I serve, have sailed, again against my vote here. But several more changes should be supported and consumed by this relatively unjustified largesse. First, the Board pay is inadequate and should be raised. After **twenty** years of no change in compensation as well as yearly increases to staff pay, an independent commission should evaluate and, I

predict, implement a salary more compensable to this and future Boards to insure a broader range of our citizens can run, be elected to and serve without too great a financial hardship or sacrifice. Further, our new existing revenues should restore a human-interactive, face-to-face "lobby" customer service immediately. The pleas I hear constantly from across the spectrum are clear. It is necessary and appropriate that we show humanity and some compassion for those who prefer personal interaction to resolve an issue. Many customers have limited ability to navigate online or even through the phone. Our security personnel have been left dozens of times every day to give directions to hapless customers at the kiosk out front. Further, our Board members should be given direct access to funding resolutions if contacted by a customer. These more immediate resolutions will cut down on the expensive, time-consuming bureaucracy of going through highest paid staff to resolve often low dollar matters. Naturally, a review of Board resolutions will be transparent and accountable for ethical considerations to remain. If we are truly going to be a more effective, user-friendly and prouder PUBLIC utility, I hope we might consider these and other advocacies to be found within the bloat of our existing Budget; all three of the afore-listed can be accomplished for less than an advertised salary cost for ONE new staff position (C.A.O.) Again, I join in the pride of this stellar utility and earnestly hope we all can change long held perspectives and move together in the united goal to change our often tarnished image and, ultimately, find ways to serve Wyandotte County, Kansans better who must rely on the BPU for power and water.

Thank you.

DBH.





# October 2023 Financial Results December 6, 2023



# Financial Results

## 2023 Billed kWh (YTD Jan - October)

Electric	(CY) 2023 YTD	(FY) 2022 YTD
Residential	511,508,300	513,988,623
Commercial	853,613,187	842,441,254
Industrial	404,072,634	450,485,454
	1,769,194,121	1,806,915,331
		-2.1%

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

Residential – Down .5%    Commercial – Up 1%    Industrial – Down 10%





# Financial Results

## 2023 Billed CCFs (YTD Jan - October)

Water	(CY) 2023 YTD	(FY) 2022 YTD
Residential	3,007,351	2,928,708
Commercial	2,382,194	2,273,993
Industrial	1,559,403	1,599,445
	6,948,948	6,802,146
		2.2%

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

Residential – Up 3%      Commercial – Up 5%      Industrial – Down 3%

# Financial Results

## Revenues – October 2023

	(CY) 2023 October	(PY) 2022 October	Budget 2023 October	(CY) 2023 October
Electric	\$ 24,742	\$ 25,889	\$ 24,227	\$ 24,742
Water	5,290	4,690	4,742	5,290
Combined	\$ 30,032	\$ 30,579	\$ 28,969	\$ 30,032
				3.7%

### Actual Compared to 2023 Budget

- Electric – Up 5%
- Water – Up 12%
- Combined – Up 4%

# Financial Results

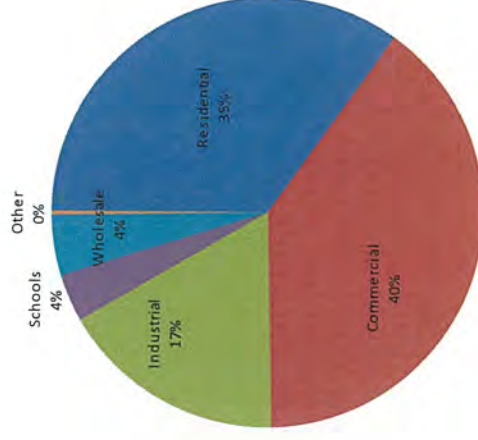
## Revenues – 2023 YTD

	(CY) 2023 YTD	(PY) 2022 YTD	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 277.364	\$ 271.701	\$ 265.367	\$ 277.364
Water	47.029	44.855	44.893	47.029
Combined	\$ 324.393	\$ 316.556	\$ 310.260	\$ 324.393
			2.5%	4.6%

\*\*Dollars in millions

### Variance – YTD comparing Budget to Actual for 2023

<u>Electric:</u>	Up 5%	<u>Water:</u>	Up 5%
Residential	\$ 4.0M	Residential	\$962K
Commercial	\$ 11.5M	Commercial	\$1.0M
Industrial	(\$ 882K)	Industrial	\$220K
Schools	\$ 1.1M	Wholesale	\$181K
Wholesale	(\$4.3M)		





# Financial Results

## Operating Expenses – October 2023

	(CY) 2023 October	(PY) 2022 October	Budget 2023 October	(CY) 2023 October
Electric	\$ 18,592	\$ 19,378	\$ 19,056	\$ 18,592
Water	3,492	3,124	3,260	3,492
Combined	\$ 22,084	\$ 22,502	\$ 22,316	\$ 22,084
				-1.0%

**Actual Compared to 2023 Budget**

Electric – Down 2%

Water - Up 7%

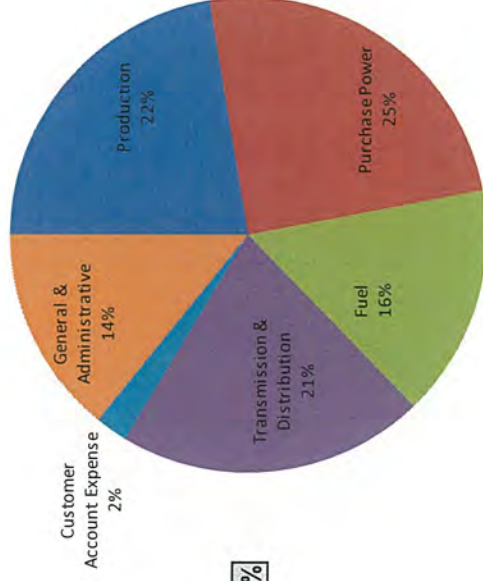
## Operating Expenses – 2023 YTD

	(CY) 2023 YTD	(PY) 2022 YTD	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 206.937	\$ 206.993	\$ 199.677	\$ 206.937
Water	31.883	30.563	33.819	31.883
Combined	\$ 238.820	\$ 237.556	\$ 233.496	\$ 238.820
			0.5%	2.3%

\*\*Dollars in millions

### Actual Compared to 2023 Budget

- Electric – Up 4%
- Water - Down 6%
- Combined – Up 2%



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	\$ 177,462	\$ 179,898	\$ 170,892	\$ 177,462
Water	24,883	23,667	26,867	24,883
Combined	\$ 202,345	\$ 203,565	\$ 197,759	\$ 202,345
				2.3%

\*\*Dollars in millions

Electric:		Water:	
Purchased Power	\$600K	Production	(\$ 1.1M)
Fuel	(\$7.5M)	T&D	(\$457K)
Production	\$3.5M	G&A	(\$328K)
T&D	(\$2.7M)		
G&A	(\$1.6M)		

Variance – YTD comparing Budget to Actual 2023



## Change in Net Position – October 2023

	(CY) 2023 October	(FY) 2022 October
Electric	\$ 2,334	\$ 2,438
Water	1,240	1,097
<b>Combined</b>	<b>\$ 3,574</b>	<b>\$ 3,535</b>

	Budget 2023 October	(CY) 2023 October
Electric	\$ 1,361	\$ 2,334
Water	0,999	1,240
<b>Combined</b>	<b>\$ 2,360</b>	<b>\$ 3,574</b>

Electric  
Water  
Combined



\*\*Dollars in millions

## Change in Net Position – 2023 YTD

	(CY) 2023 YTD	(PY) 2022 YTD	(CY) 2023 YTD
Electric	\$ 29.294	\$ 22.195	\$ 29.294
Water	10.060	8.832	10.060
Combined	\$ 39.354	\$ 31.027	\$ 39.354

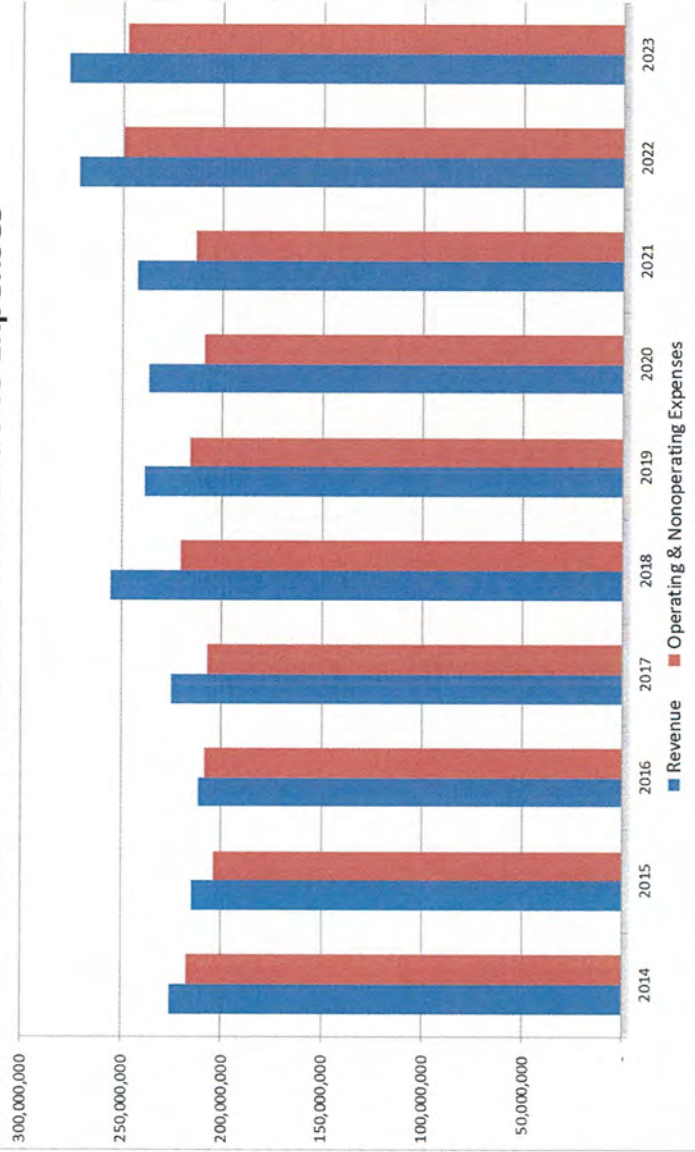
	Budget 2023 YTD	(CY) 2023 YTD
Electric	\$ 25.073	\$ 29.294
Water	5.659	10.060
Combined	\$ 30.732	\$ 39.354



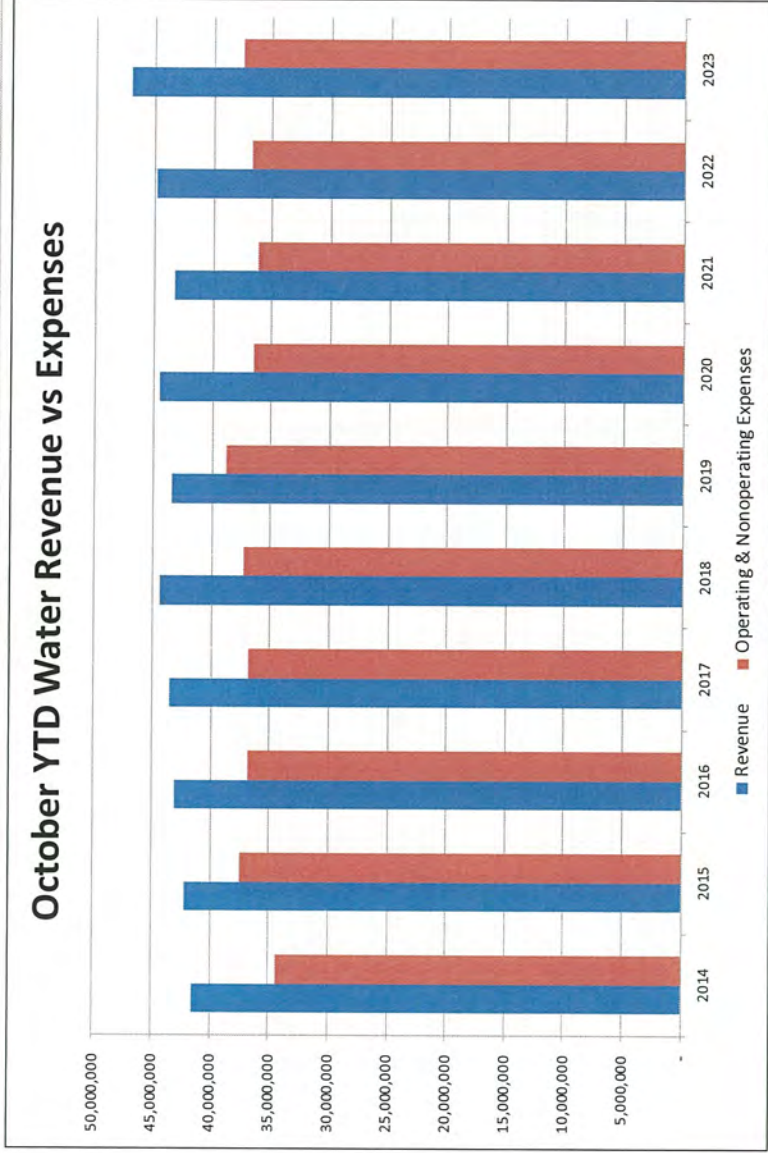
\*\*Dollars in millions

# Financial Results – 10 Year Trend

October YTD Electric Revenue vs Expenses

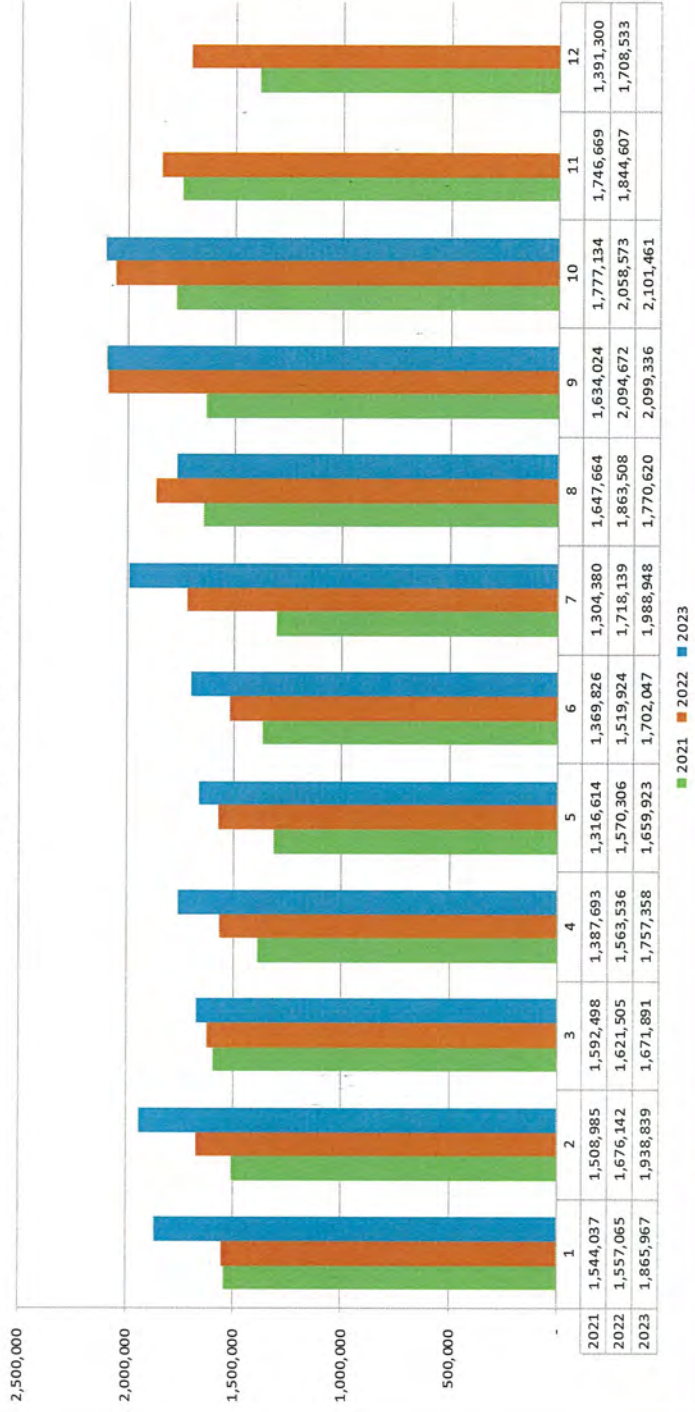


# Financial Results – 10 Year Trend



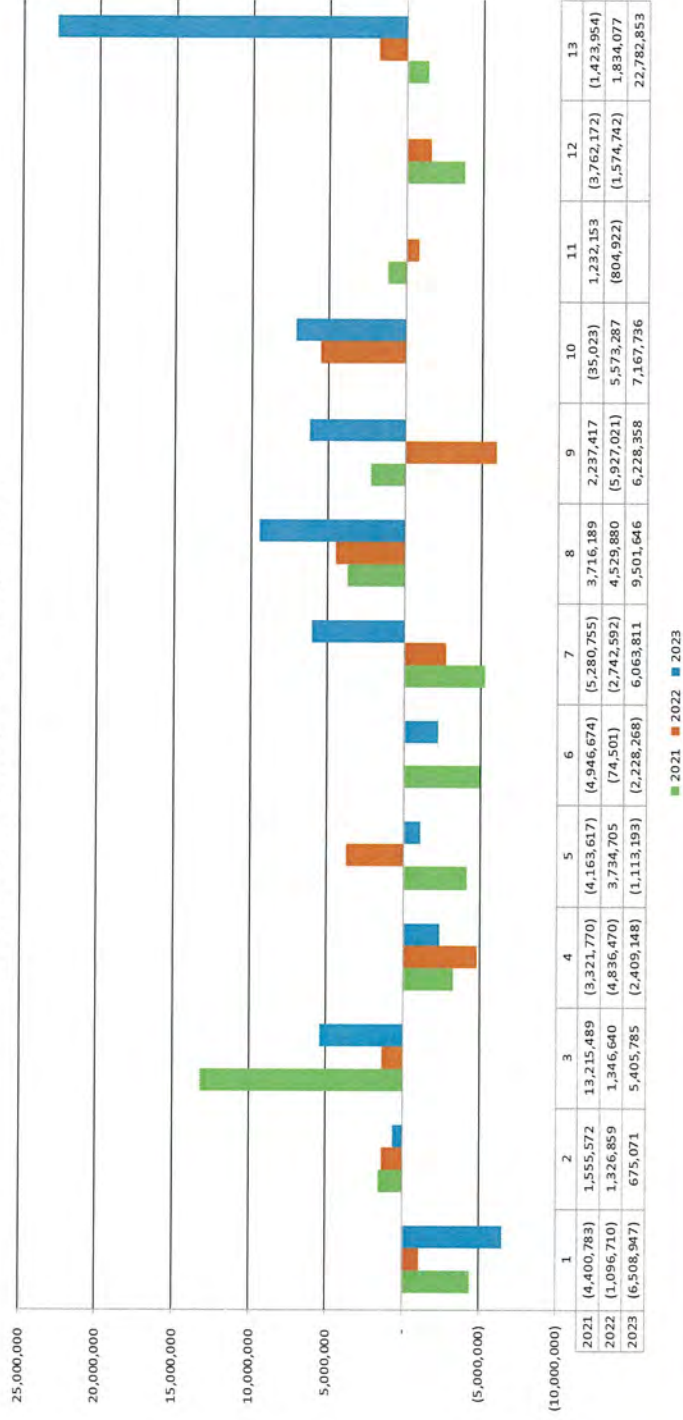
# Financial Results

Average Daily Collections



# Financial Results

Historical Monthly Cash Comparison





# Financial Results

## Cash Position

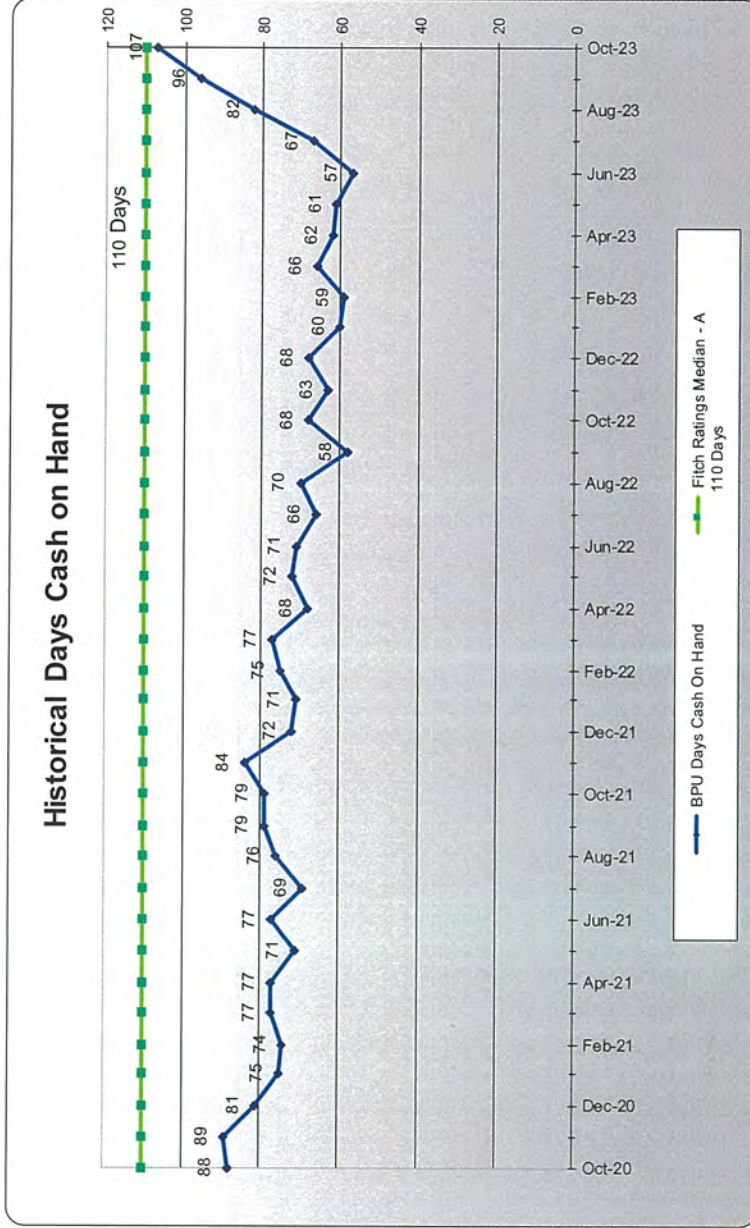
	(CY) 2023 October	(PY) 2022 October	2023 September
\$	66.16 107	\$ 47.00 68	\$ 59.12 96

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

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

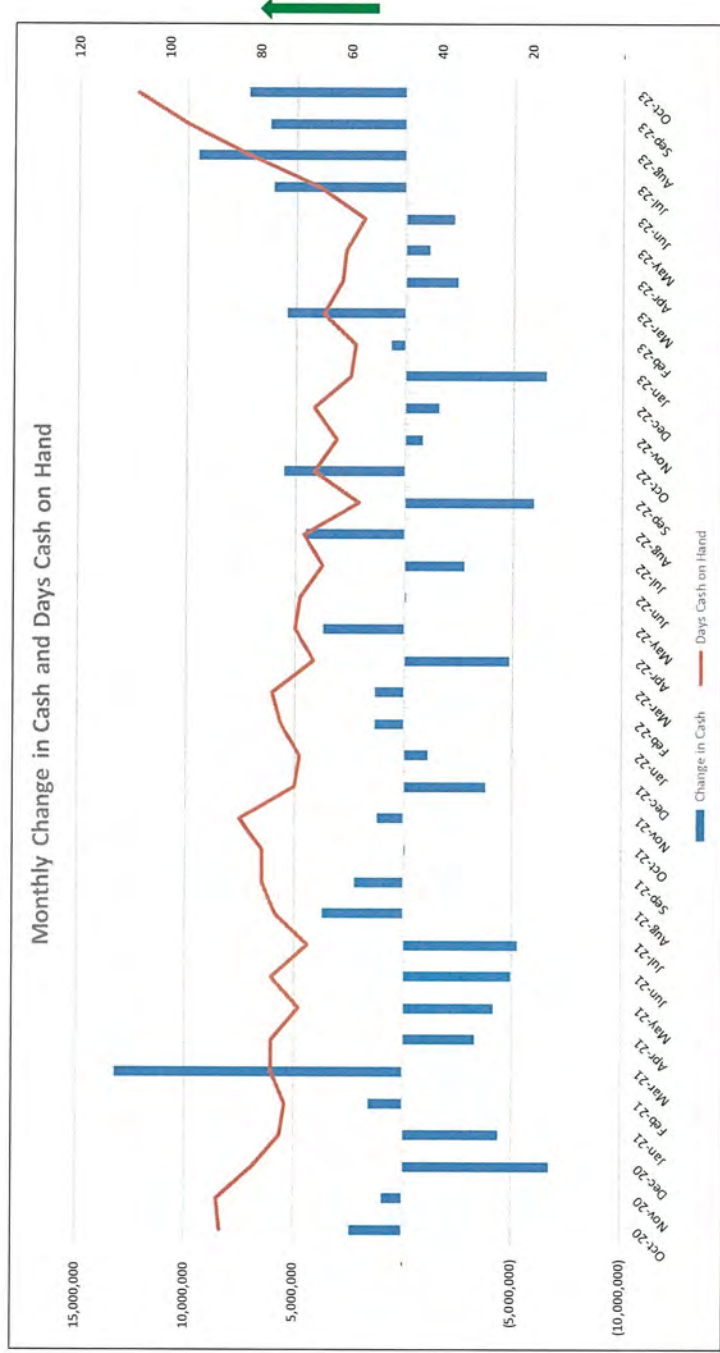
\*\*Dollars in millions

# Financial Results





# Financial Results





# Financial Results

## Balance Sheet: Notables

	(CY) 2023 October	(FY) 2022 October
Fuel Inventory	\$ 9,402	\$ 6,809
Bond Dollars 2016C (Elec T&D)	\$ 0.231	\$ 0.713
Bond Dollars 2020A (Elec)	\$ 0.836	\$ 0.802

\*\* Dollars in millions

# Financial Results

## Capital Spending

	(CY) 2023 YTD	(PY) 2022 YTD	2023 Budget
Electric	\$ 20.98	\$ 17.35	\$ 30.67
Water	11.52	7.77	24.71
Common	3.29	2.92	5.20
<b>Total YTD Capital</b>	<b>\$ 35.79</b>	<b>\$ 28.04</b>	<b>\$ 60.58</b>
			<b>Remaining</b>
			<b>41%</b>

### Major projects in 2023:

- Fisher UG Feeders - \$3.0M
- Annual Underground - \$1.6M
- Annual Overhead - \$1.4M
- Distribution Pole Inspect/Replace - \$1.1M
- IT Meter Data Management Upgrade – \$520K
- Water Sys Imp, Valves & Leaks - \$2.2M
- Argentine 7 MG Tank Replacement - \$5.4M

\*\*Dollars in millions



# Financial Results

## Debt Coverage

### Debt Coverage with PILOT

	(CY) 2023 October	(PY) 2022 October
Electric	2.96	2.30
Water	2.32	1.99
Combined	3.05	2.43

Financial Guideline Target  
2.0 times with PILOT

### Debt Coverage w/o PILOT

	(CY) 2023 October	(PY) 2022 October
Electric	2.23	1.61
Water	1.83	1.53
Combined	2.32	1.74

Financial Guideline Target  
1.6 times without PILOT



# Customer Service Dashboard

November 15, 2023



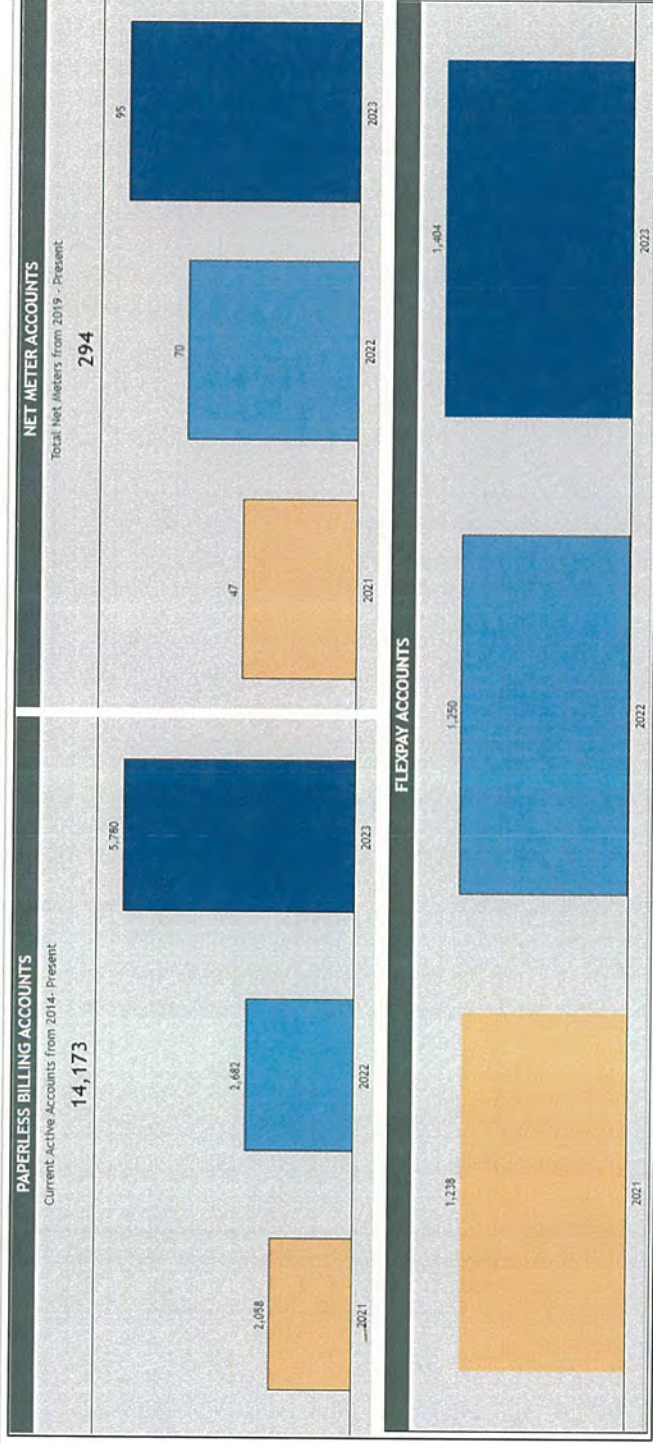
## Customer Service Division

### Reporting Categories:

- Accounts
- Financial Assistance
- Delinquent Accounts
- Call Metrics
- Survey Responses



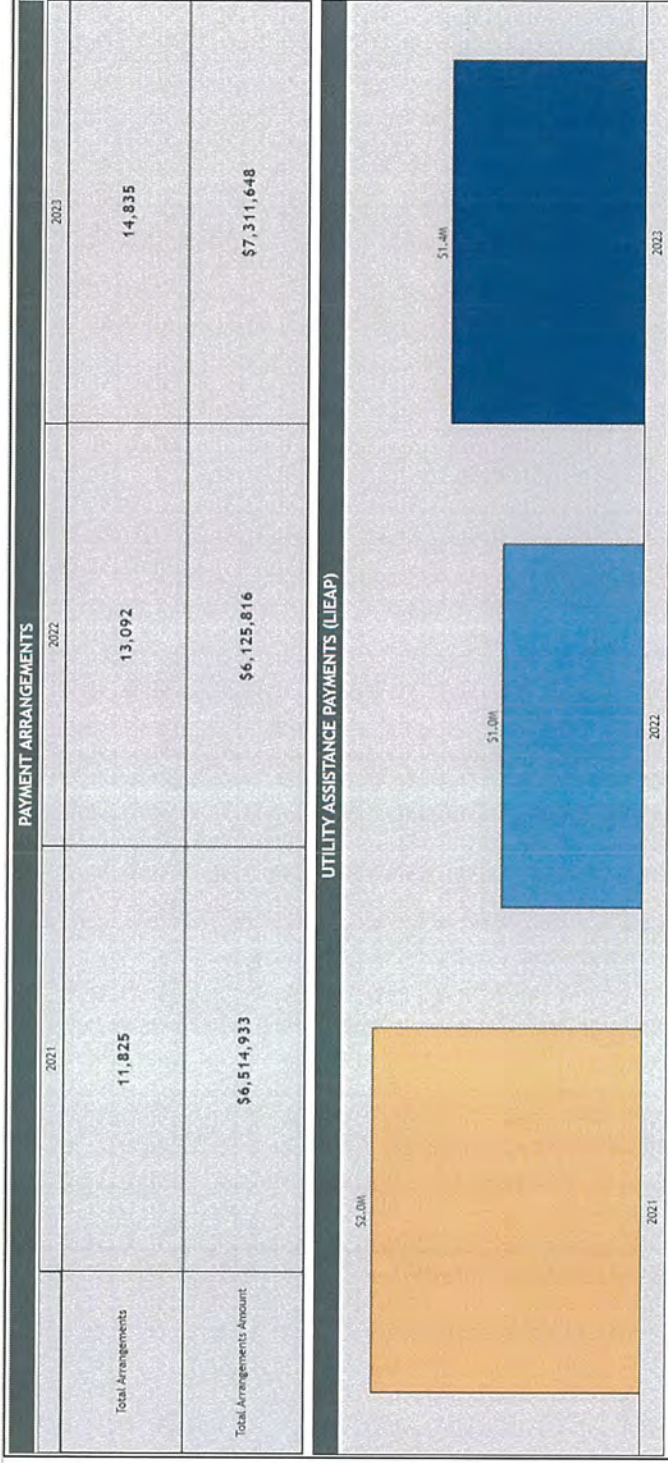
# Accounts



- Higher paperless billing signups correlate to a focus of asking on telephone interactions.
- New Net Meter Accounts thru October 2023 is double the volume for all of 2021.



# Financial Assistance



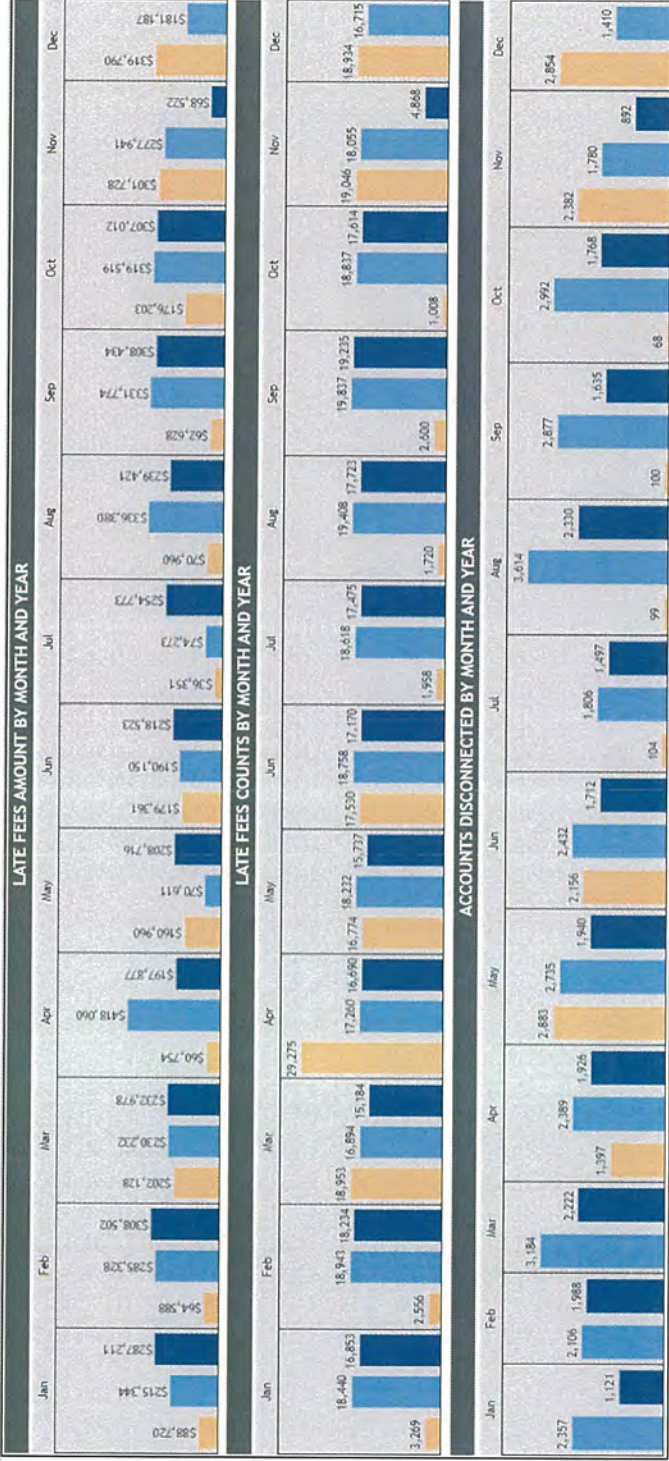
- The number of Payment Arrangements continues to increase year-over-year.
- Smaller amount of LIEAP assistance in 2022 as other programs were providing assistance.







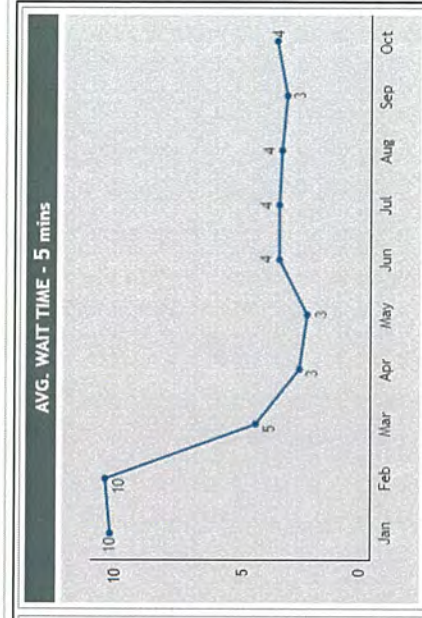
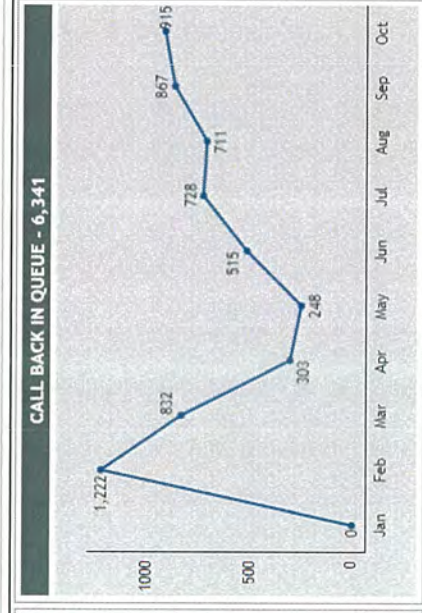
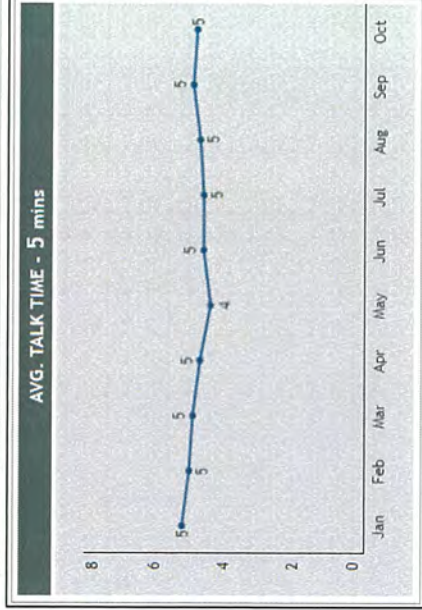
# Delinquent Accounts



- Late Fees are averaging ~\$250,000/month. In 2023, the number of accounts assessed late fees is down ~1,400/mo.
- Disconnects have decreased in 2023 with a correlation to text messaging.



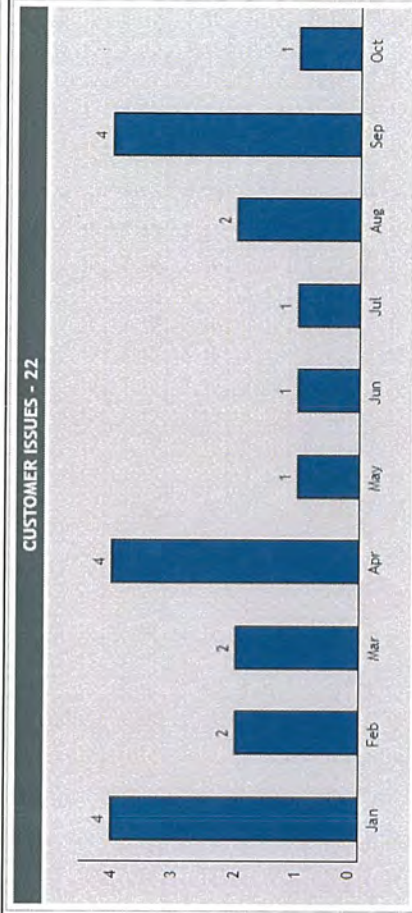
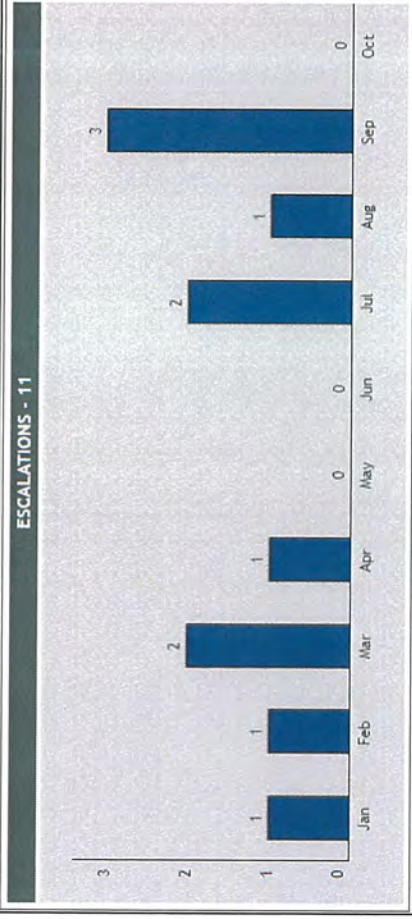
# Call Metrics



- Average Talk Time remains consistent at 5 minutes.
- Call Back in Queue turned on February 1, 2023.
- Average Wait Time was high to start 2023 but is now staying around 4 minutes.



# Call Metrics

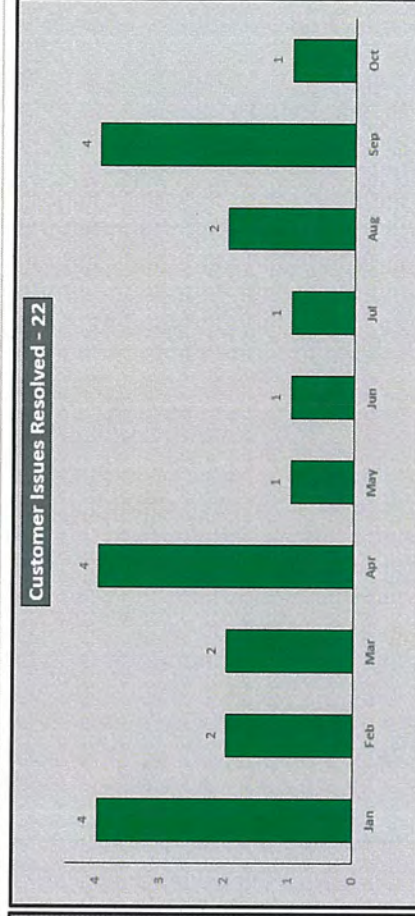
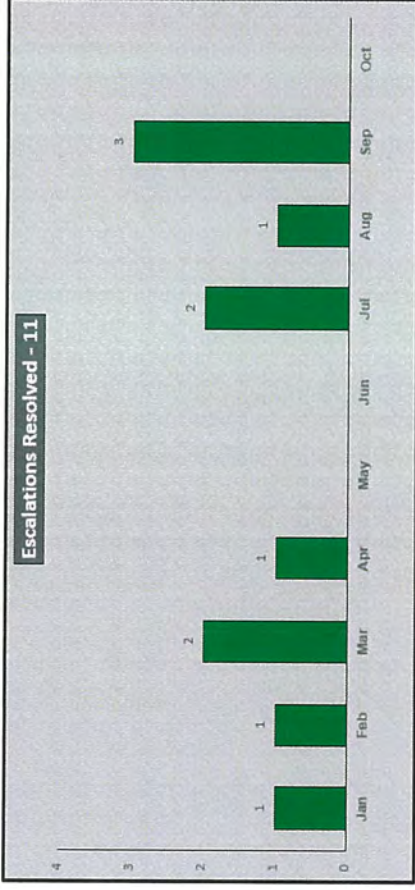


- Escalations are calls from the telephone reps escalated to the supervisor.
- Customer issues are calls handled by the Customer Service Supervisor. These calls are passed on from the General Managers office or the UG.





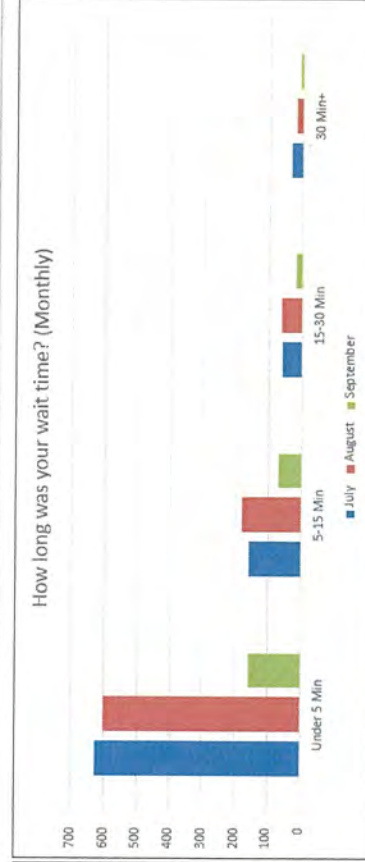
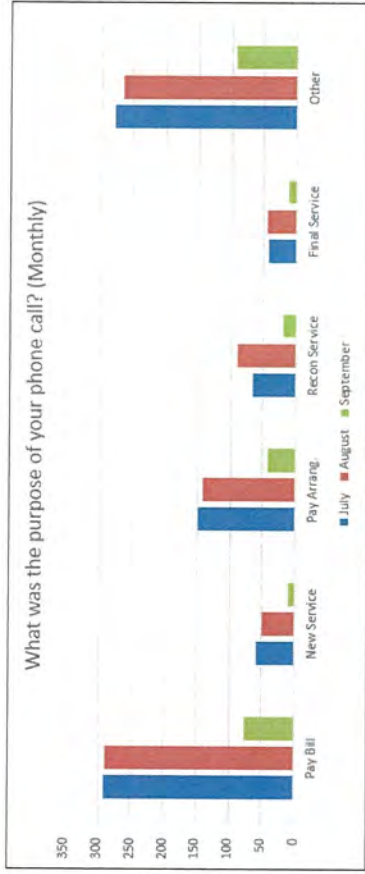
# Call Metrics - Resolution



— All Escalations and Customer Issues were resolved by Customer Service



# Survey Responses

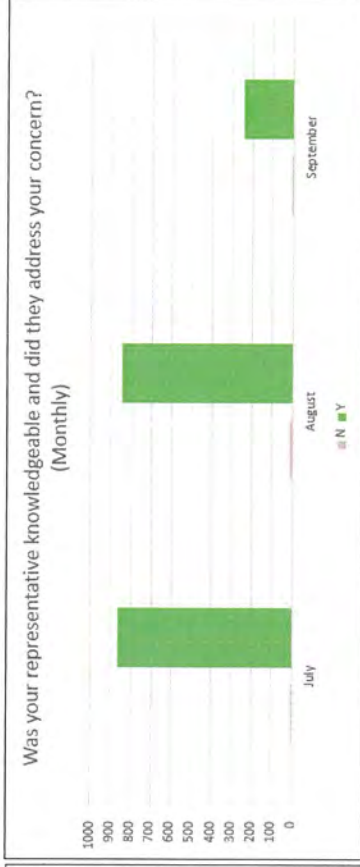
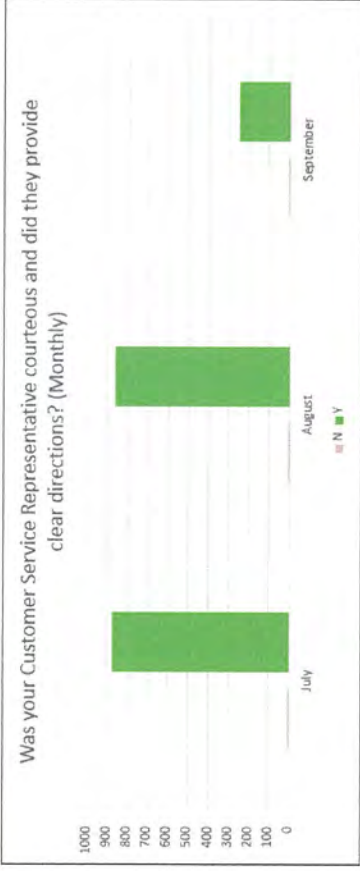


- Most calls focused on Bill Payment, Payment Arrangements and Other.
- 70% of respondents reported under five minutes of wait time. 20% reported 5-15 minutes of wait time.





# Survey Responses

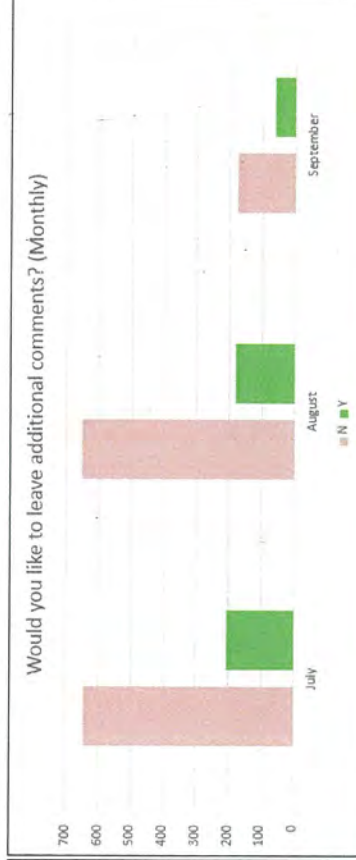
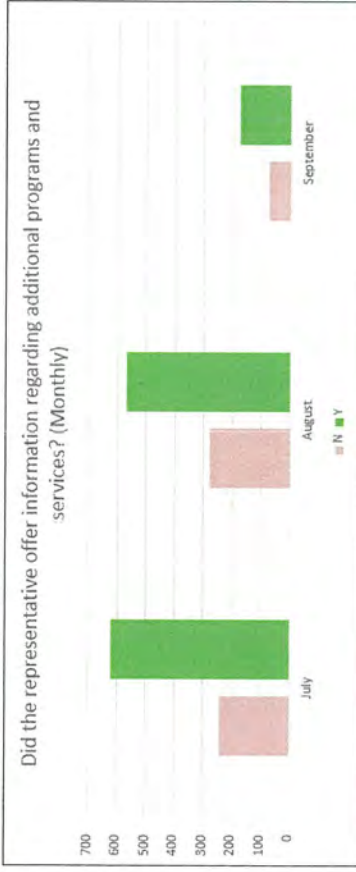


- Over 99% of all surveys said the rep was courteous and provided clear directions.
- ~99% of respondents stated their rep was knowledgeable and their concern was addressed.





# Survey Responses



- 70% of all surveys said the rep offered information regarding additional programs & services.
- Over 75% of respondents did not want to leave comments.



*Thank  
you*





**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 as updated and 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 6<sup>th</sup> day of December, 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.

- (2) 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.



**RESOLUTION NO. 5292**

**A RESOLUTION APPROVING, ADOPTING AND APPROPRIATING THE BUDGET OF THE KANSAS CITY BOARD OF PUBLIC UTILITIES AN ADMINISTRATIVE AGENCY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS FOR THE 2024 BUDGET FOR THE YEAR BEGINNING JANUARY 1, 2024, AS ATTACHED IN EXHIBIT A.**

**WHEREAS**, the governing body of the Kansas City Board of Public Utilities an administrative agency of the Unified Government of Wyandotte County/Kansas City, Kansas ("KCBPU") has reviewed the proposed budget, attached in Exhibit A, which includes an annual operating and construction forecast reflecting proposed operating and capital expenditures of any utility for the ensuing calendar year and fully reviewed these budgets.

**NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE GOVERNING BODY OF THE KCBPU:**

In compliance with the Unified Government Charter Ordinance 5-01, Section 13(c) the 2024 Annual Budget of the KCBPU which includes an annual operating and construction forecast reflecting proposed operating and capital expenditures of any utility for the ensuing calendar year, as submitted by the General Manager and as set out in Attachment A, is hereby approved and adopted.

**ADOPTED BY THE GOVERNING BODY OF THE KCBPU  
THIS 20th DAY OF DECEMBER, 2023.**

By \_\_\_\_\_  
Rose Mulvany Henry, President

**ATTEST:**

\_\_\_\_\_  
Robert L Milan, Secretary

**Approved as to form:**

\_\_\_\_\_  
Angela J. Lawson, BPU Legal Counsel

