

**OFFICIAL PROCEEDINGS OF THE
BOARD OF WATER, ELECTRIC,
AND COMMUNICATIONS TRUSTEES
OF THE CITY OF MUSCATINE, IOWA
NOVEMBER 28, 2023 – 5:30 P.M.**

The Board of Trustees met in regular session at Muscatine Power and Water's Administration/Operations Building, 3205 Cedar Street, Muscatine, Iowa, on Tuesday, November 28, 2023, at 5:30 p.m.

Chairperson Keith Porter called the meeting to order. Other members of the Board were present as follows: Trustees Susan Eversmeyer, Tracy McGinnis, Kevin Fields, and Steven Bradford.

Also present were Gage Huston, General Manager of Muscatine Power and Water; Kelly Miller, Board Secretary; Erika Cox, Mark Roberts, Ryan Streck and Doug White of Muscatine Power and Water. Additional guests attending the meeting included Bryan Butler, Jacob Elliott, Jessica Brackett, Chris Cook, and Linda Schmarje.

Secretary Miller asked if there was anyone in attendance who wished to make any public comments.

No public comments were made.

The minutes of the October 31, 2023, Board meeting were presented as previously submitted to all Board members. Trustee Eversmeyer moved, seconded by Trustee McGinnis, the minutes from the October 31, 2023, Board meeting be approved. All Trustees voted aye. Motion carried.

The list of expenditures and transactions for October 2023 was presented. Mr. Huston reviewed the expenditures, and after additional discussion Trustee Fields moved, seconded by Trustee Bradford, to ratify payment of \$8,574,406.97 for the Electric Utility, \$424,758.42 for the Water Utility, and \$1,342,451.70 for the Communications Utility, for a cumulative total of \$10,341,617.09. All Trustees voted aye. Motion carried.

The next agenda item was a recommendation to Accept Contract Change Order and Final Acceptance for the Unit 9 FGD Lower Roof Overlay Project (1E-GN230436) and Miscellaneous Units 7, 8, and 8A Roof Section Repairs. Management recommends that the Board ratify Contract Change Order No. 1 and accept as complete the contract with T & K Roofing, Inc. for the subject roof repairs.

The following resolution was submitted to Accept the Contract Change Order No. 1 in the amount of \$11,627.99.

RESOLUTION 23-31

WHEREAS, Contract Change Order No. 1 has been prepared to said contract with T & K Roofing, Inc. for the U9 FGD Lower Roof Overlay Project and Miscellaneous 7, 8, and 8A Roof Section Repairs in the increased total amount of \$11,627.99 and said Contract Change order has been reviewed by the Board, and Muscatine Power and Water Management has recommended approval of said Contract Change Order; now therefore,

BE IT RESOLVED, the Board of Water, Electric, and Communications Trustees of the City of Muscatine, Iowa, that said Contract Change Order No. 1 in the increased total net amount of \$11,627.99 be approved for an amended contract price of \$196,827.99.

Trustee McGinnis moved, seconded by Trustee Eversmeyer, that said resolution be passed, approved, and adopted this 28th day of November 2023. On roll call, Trustees Eversmeyer, McGinnis, Fields, Bradford, and Porter voted aye. Voting nay, none. Resolution carried.

The following resolution was submitted to accept contract as complete at a final price of \$196,827.99 and pay the contract retainage in 31 days for the Unit 9 FGD Lower Roof Overlay Project (1E-GN230436) and Miscellaneous Units 7, 8, and 8A Roof Section Repairs.

RESOLUTION 23-32

WHEREAS, it appears in a written report from Muscatine Power and Water Management that the contract with T & K Roofing, Inc., for the U9 FGD Lower Roof Overlay Project and Miscellaneous 7, 8, and 8A Roof Section Repairs in the final amount of \$196,827.99 has been substantially completed in accordance with the project specifications and the recommendation has been made that said contract be accepted by the Board of Water, Electric, and Communications Trustees of the City of Muscatine, Iowa; now therefore,

BE IT RESOLVED, the Board of Water, Electric, and Communications Trustees of the City of Muscatine, Iowa, that the work furnished under the above-named contract be accepted and approved by the Board; and,

BE IT FURTHER RESOLVED, that five percent (5%) of the contract price be retained for a period of thirty-one (31) days from and after the date of resolution, all in accordance with the provisions of the Code of Iowa.

Trustee Eversmeyer moved, seconded by Trustee Fields, that said resolution be passed, approved, and adopted this 28th day of November 2023. On roll call, Trustees Eversmeyer, McGinnis, Fields, Bradford, and Porter voted aye. Voting nay, none. Resolution carried.

The next agenda item was a recommendation to Approve Updated MPW Standard Specifications for Water Distribution System Improvements. Mr. Huston presented the MPW's updated Standard Specifications for Water Distribution System Improvements. He then reviewed with the Board that these specifications require periodic updates due to new technologies, new methods, or new regulations from the Iowa Department of Natural Resources (IDNR). The last update was in 2016. He continued that recent changes in the IDNR regulations related to separation distances between water main and sewer main necessitated a review and update of our current specifications. The IDNR has increased the minimum distance allowed. Because of this, MPW has made changes to match that requirement. In addition, this was an opportunity to refine specifications pertaining to materials that MPW staff prefers for ease of use or high-quality characteristics. These specifications require the approval of a professional engineer licensed in Iowa. MPW has secured the services of Watersmith Engineering in Muscatine to meet that requirement. The Iowa DNR also requires these specifications to be approved by an entity's local authority. Upon MPW Board approval, staff will submit updated standards to the Iowa DNR for its acceptance.

Trustee Fields moved, seconded by Trustee McGinnis, to approve MPW Standard Specifications for Water Distribution System Improvements. All Trustees voted aye. Motion carried.

Next on the agenda was approval of the 2024 Operating Budgets. There were no changes to the budgets reviewed at the October 2023 Board Meeting. No comments were received from the public. Trustee Eversmeyer moved, seconded by Trustee Bradford, to approve the 2024 Operating Budgets for the Electric, Water and Communications Utilities. All Trustees voted aye. Motion carried.

Mr. Huston stated the next agenda item also pertained to the 2024 Operating Budgets; Muscatine Power and Water is required by the Iowa Code to submit a summary of the Operating Budgets to the City Clerk, who then forwards the budget summary to Muscatine County for submittal to the State of Iowa Auditor. The budget certificate summary was presented to all Board members and copies of the budget summary were also available for review by the citizens at Muscatine City Hall, Musser Public Library, and at MPW's Administrative/Operations Office before the November Board meeting. The budget public hearing was conducted earlier in the evening. The following resolution was submitted:

RESOLUTION 23-33

BE IT RESOLVED, by the Board of Water, Electric, and Communications Trustees of the City of Muscatine, Iowa that the annual Budget for the calendar year 2024, as set forth in the Utility's Budget Estimate Summary and in the detailed Budget in support thereof showing the estimated revenue and expenditures for said Budget year is adopted, and the Secretary is directed to file the same with the Clerk of the City of Muscatine, Iowa.

Trustee McGinnis moved, seconded by Trustee Bradford, that said resolution be passed, approved, and adopted this 28th day of November 2023. On roll call, Trustees Eversmeyer, McGinnis, Fields, Bradford, and Porter voted aye. Voting nay, none. Resolution carried.

Mr. Huston recommended Trustee Kevin Fields be appointed to the MAGIC Governing board effective January 1, 2024, for a two-year term to represent Muscatine Power and Water, with his term ending December 31, 2025. Mr. Huston and the other Board members thanked Trustee Eversmeyer for her term of service on the MAGIC Board, which ends December 31, 2023. Trustee Eversmeyer moved, seconded by Trustee McGinnis, to appoint Trustee Fields to the MAGIC Board effective January 1, 2024, for a two-year term. All Trustees voted aye. Motion carried.

In the General Manager's report, Ms. Cox updated the Board on the network retransmission negotiations. Mr. Huston reported on the sales tax exemption change where MPW has saved over \$170,000 in sales tax on items covered in this legislation. Next Ms. Olson reviewed the GridEx grid security and resilience event where several MPW departments participated in Energy Information Sharing and Analysis Center GridEx VII grid security and crisis response exercise. GridEx occurs every two years and provides an opportunity to exercise detection, response, and recovery from simulated cyber and physical attacks that severely disrupt reliable operation of the grid.

The October Financial Operating Statements and Balance Sheets were presented as previously submitted to all Board members. Mr. Roberts reviewed the MPW dashboard and the Financial Results Summary for each Utility.

Mr. Huston stated there were no entries on the Competitive Quotes for Public Improvements Report.

Mr. Huston reviewed the Monthly Project Status Report and Variance Analysis report.

The November Departmental Reports were presented as previously submitted to all Board members. Mr. Huston provided a high-level review of the reports. Mr. White reviewed the Powering the Future Monthly Status Report.

Jessica Brackett provided a public comment.

Trustee Eversmeyer moved, seconded by Trustee McGinnis to receive, and place on file the November 2023 Utility Reports. All Trustees present voted aye. Motion carried.

Next on the agenda Mr. White provided an update on the Combined Heat & Power (CHP) Design and Steam Sales Investigation.

At 6:26 p.m. Chairperson Porter stated the Board would be going into Closed Session to Review the Combined Heat & Power (CHP) Design and Steam Sales Investigation. Trustee McGinnis moved, seconded by Trustee Eversmeyer to enter closed session in accordance with Iowa Code Section 388.9 (protecting competitive information). On roll call, Trustees Eversmeyer, McGinnis, Fields, Bradford, and Porter, voted aye. Voting nay, none. Motion carried.

At 7:39 p.m. the meeting was reconvened to open session.

The meeting of the Board of Trustees was adjourned at 7:40 p.m.

BOARD OF WATER, ELECTRIC, AND
COMMUNICATIONS TRUSTEES OF
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A handwritten signature in cursive script that reads "Kelly Miller".

Kelly Miller
Board Secretary