

MINUTES OF MEETING OF BOARD OF TRUSTEES OF THE
MUNICIPAL ELECTRIC UTILITY, CITY OF CEDAR FALLS, IOWA

February 14, 2024

The Board of Trustees of the Municipal Electric Utility of the City of Cedar Falls, Iowa, met on the above date in regular session, pursuant to law and the rules of said Board.

The meeting was called to order at 2:00 p.m. by Chair Richard L. McAlister. Upon call of the roll, present were: Trustees: Richard L. McAlister, Jeffrey J. Engel, MaraBeth K. Soneson, and Debra S. Iehl. Absent: Nick A. Evens. Others present: Steven E. Bernard, General Manager/CEO; Bradley M. Strouse, Board Counsel; and Andy Milone, Waterloo Courier reporter.

Moved by Trustee Engel, seconded by Trustee Soneson to approve the agenda as printed and distributed. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried.

New employee, Josh VanBrocklin was introduced.

Moved by Trustee Engel, seconded by Trustee Soneson to approve the minutes of the January 10, 2024, regular meeting, and the January 11, 2024, special meeting, as printed and distributed; and to approve the Schedule of Bills for the month of January that by reference is made a part hereof and placed in permanent files of said Board of Trustees. Said schedule covers the dates of January 1, 2024, through January 31, 2024; check numbers: 156384-156386; 156391-156409; 156442-156448; 156473-156494; 156537-156542; 156556-156573; 156603-156616; 156634-156700; 156720-156744; 156720-156744; 156766-156771; 156775-156776; 156795; 231284-231523; 049659983437; 058728999150; 063396010266; 068673464570; 094978168193; 096867847958; 122871542239; 124055010471; 143071187061; 181375809458; 189657781376; 233196413863; 237808764273; 241337876998; 242783242820; 257517286624; 279691119662; 293763272048; 342435697498; 352531906513; 353602859285; 378659795972; 388049297026; 403629599728; 405907725647; 424653687021; 425182120425; 425373908231; 433638765578; 438803092344; 442515869269; 468999934364; 496675270095; 497253270022; 498545072144; 530251753803; 553741434716; 563390351582; 564550668828; 568109667598; 576704127290; 586555895876; 598594608634; 603413896206; 604509041348; 611207623120; 611641409116; 615611442695; 628405414077; 628872224874; 641788444483; 658554884896; 659071565718;

684994335988; 694569699322; 700654469338; 718483396866; 723435236800; 744652749044; 759962379616; 792413607505; 801641053425; 812300649567; 824610204667; 825158327390; 834621842689; 875104788939; 878778297315; 879358489033; 900188847976; 906672896820; 918152670419; 922240235928; 929705572667; 932818219135; 937316117231; 969192812234; 976223353542; 976672851318; 981324145813; 984925794026; 998518079592; 999782665546; a detailed itemized copy of which has been submitted to the Board of Trustees. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried.

Moved by Trustee Engel, seconded by Trustee Soneson to receive and file personnel action reports and a report of contracts executed by the General Manager. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried.

Moved by Trustee Soneson, seconded by Trustee Engel to adopt the following Resolutions by one motion:

No. 6576 Resolution approving and authorizing a revision to the Joint Pricing Zone Revenue Allocation Agreement with MidAmerican Energy Company under which MidAmerican Energy Company distributes MISO (Midcontinent Independent System Operator) revenues to the Utility for the use of transmission assets assigned to MISO. Said revision allows Municipal Energy Agency of Nebraska (MEAN) to join MISO as a Transmission Owner and transition their transmission line revenues within the MidAmerican Load Zone as a separate party in the agreement and will come out of MidAmerican Energy Company's share. This Agreement does not impact the Utility's share of the revenues or expenses.

No. 6578 Resolution accepting the bid, approving and awarding the purchase of circuit breakers from Graybar Electric Company for the Viking Road Substation in the amount of \$195,532.12.

No. 6579 Resolution accepting the bid, awarding the contract, and approving and authorizing execution of a contract with Hoffman & Hoffman Trenching, Inc. of Cedar Falls, Iowa, for the Installation of Electrical/Communications Conduit and Associated Equipment for the years 2024 and 2025. The bid received from Hoffman & Hoffman Trenching, Inc. was the lowest responsive, responsible bid received for the project in the amount of \$1,559,730.00, based on estimated quantities.

Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson, and Iehl. Nay: None. Absent: Evens. Motion carried.

Moved by Trustee Engel, seconded by Trustee Soneson to adopt **Resolution No. 6575** approving and appointing Susan M. Abernathy as the new General Manager of Utilities effective

upon the retirement of Steven E. Bernard; appointing Ms. Abernathy as Assistant General Manager effective immediately and until such time as Steven E. Bernard resigns and Susan M. Abernathy assumes the General Manager/CEO position; and approving and authorizing an employment agreement with the Ms. Abernathy. Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson and Iehl. Nay: None. Absent: Evens. Motion carried.

Moved by Trustee Engel, seconded by Trustee Soneson to adopt **Resolution No. 6577** authorizing expenditure of funds for estimated costs up to \$407,000.00 for streetlight replacement associated with the City of Cedar Falls' street improvement projects. Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson, and Iehl. Nay: None. Absent: Evens. Motion carried.

The following items were presented for information purposes only: an update on current state legislative items; financial dashboard, investment, and balance sheet reports were provided; an overview of the current electric reliability report; health and dental self-funded plan reports; an overview of the Installation of Street Lights in the City of Cedar Falls contract closeout; discussion on the APPA National Conference which will conflict with the June 12, 2024, Board meeting, the decision was made to move the June Board meeting to June 19, 2024; and retreat planning agenda items.

The Board requested staff provide an update on the reciprocating engine project and schedule.

Moved by Trustee Engel, seconded by Trustee Soneson to adjourn to closed session in accordance with Code of Iowa, Chapter 21.5(1)(k). Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson, and Iehl. Nay: None. Absent: Evens. Motion carried. The meeting adjourned to closed session at 2:43 p.m.

The meeting returned to open session at 3:42 p.m.

Moved by Trustee Engel, seconded by Trustee Soneson to adjourn the meeting. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried. The meeting adjourned at 3:43 p.m.

MINUTES OF MEETING OF BOARD OF TRUSTEES OF THE
MUNICIPAL GAS UTILITY, CITY OF CEDAR FALLS, IOWA

February 14, 2024

The Board of Trustees of the Municipal Gas Utility of the City of Cedar Falls, Iowa, met on the above date in regular session, pursuant to law and the rules of said Board.

The meeting was called to order at 2:00 p.m. by Chair Richard L. McAlister. Upon call of the roll, present were: Trustees: Richard L. McAlister, Jeffrey J. Engel, MaraBeth K. Soneson, and Debra S. Iehl. Absent: Nick A. Evens. Others present: Steven E. Bernard, General Manager/CEO; Bradley M. Strouse, Board Counsel; and Andy Milone, Waterloo Courier reporter.

Moved by Trustee Engel, seconded by Trustee Soneson to approve the agenda as printed and distributed. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried.

New employee, Josh VanBrocklin was introduced.

Moved by Trustee Engel, seconded by Trustee Soneson to approve the minutes of the January 10, 2024, regular meeting, and the January 11, 2024, special meeting, as printed and distributed; and to approve the Schedule of Bills for the month of January that by reference is made a part hereof and placed in permanent files of said Board of Trustees. Said schedule covers the dates of January 1, 2024, through January 31, 2024; check numbers: 156384-156386; 156391-156409; 156442-156448; 156473-156494; 156537-156542; 156556-156573; 156603-156616; 156634-156700; 156720-156744; 156720-156744; 156766-156771; 156775-156776; 156795; 231284-231523; 049659983437; 058728999150; 063396010266; 068673464570; 094978168193; 096867847958; 122871542239; 124055010471; 143071187061; 181375809458; 189657781376; 233196413863; 237808764273; 241337876998; 242783242820; 257517286624; 279691119662; 293763272048; 342435697498; 352531906513; 353602859285; 378659795972; 388049297026; 403629599728; 405907725647; 424653687021; 425182120425; 425373908231; 433638765578; 438803092344; 442515869269; 468999934364; 496675270095; 497253270022; 498545072144; 530251753803; 553741434716; 563390351582; 564550668828; 568109667598; 576704127290; 586555895876; 598594608634; 603413896206; 604509041348; 611207623120; 611641409116; 615611442695; 628405414077; 628872224874; 641788444483; 658554884896; 659071565718;

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Moved by Trustee Engel seconded by Trustee Soneson to receive and file personnel action reports and a report of contracts executed by the General Manager. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried.

Moved by Trustee Engel, seconded by Trustee Soneson to adopt **Resolution No. 6575** approving and appointing Susan M. Abernathy as the new General Manager of Utilities effective upon the retirement of Steven E. Bernard; appointing Ms. Abernathy as Assistant General Manager effective immediately and until such time as Steven E. Bernard resigns and Susan M. Abernathy assumes the General Manager/CEO position; and approving and authorizing an employment agreement with the Ms. Abernathy. Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson and Iehl. Nay: None. Absent: Evens. Motion carried.

The following items were presented for information purposes only: an update on current state legislative items; financial dashboard, investment, and balance sheet reports were provided; health and dental self-funded plan reports; discussion on the APPA National Conference which will conflict with the June 12, 2024, Board meeting, the decision was made to move the June Board meeting to June 19, 2024; and retreat planning agenda items.

There were no Board requests to staff.

Moved by Trustee Engel, seconded by Trustee Soneson to adjourn to closed session in accordance with Code of Iowa, Chapter 21.5(1)(k). Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson, and Iehl. Nay: None. Absent: Evens. Motion carried. The meeting adjourned to closed session at 2:43 p.m.

The meeting returned to open session at 3:42 p.m.

Moved by Trustee Engel, seconded by Trustee Soneson to adjourn the meeting. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried. The meeting adjourned at 3:43 p.m.

MINUTES OF MEETING OF BOARD OF TRUSTEES OF THE
MUNICIPAL WATER UTILITY, CITY OF CEDAR FALLS, IOWA

February 14, 2024

The Board of Trustees of the Municipal Water Utility of the City of Cedar Falls, Iowa, met on the above date in regular session, pursuant to law and the rules of said Board.

The meeting was called to order at 2:00 p.m. by Chair Richard L. McAlister. Upon call of the roll, present were: Trustees: Richard L. McAlister, Jeffrey J. Engel, MaraBeth K. Soneson, and Debra S. Iehl. Absent: Nick A. Evens. Others present: Steven E. Bernard, General Manager/CEO; Bradley M. Strouse, Board Counsel; and Andy Milone, Waterloo Courier reporter.

Moved by Trustee Engel, seconded by Trustee Soneson to approve the agenda as printed and distributed. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried.

New employee, Josh VanBrocklin was introduced.

Moved by Trustee Engel, seconded by Trustee Soneson to approve the minutes of the January 10, 2024, regular meeting, and the January 11, 2024, special meeting, as printed and distributed; and to approve the Schedule of Bills for the month of January that by reference is made a part hereof and placed in permanent files of said Board of Trustees. Said schedule covers the dates of January 1, 2024, through January 31, 2024; check numbers: 156384-156386; 156391-156409; 156442-156448; 156473-156494; 156537-156542; 156556-156573; 156603-156616; 156634-156700; 156720-156744; 156720-156744; 156766-156771; 156775-156776; 156795; 231284-231523; 049659983437; 058728999150; 063396010266; 068673464570; 094978168193; 096867847958; 122871542239; 124055010471; 143071187061; 181375809458; 189657781376; 233196413863; 237808764273; 241337876998; 242783242820; 257517286624; 279691119662; 293763272048; 342435697498; 352531906513; 353602859285; 378659795972; 388049297026; 403629599728; 405907725647; 424653687021; 425182120425; 425373908231; 433638765578; 438803092344; 442515869269; 468999934364; 496675270095; 497253270022; 498545072144; 530251753803; 553741434716; 563390351582; 564550668828; 568109667598; 576704127290; 586555895876; 598594608634; 603413896206; 604509041348; 611207623120; 611641409116; 615611442695; 628405414077; 628872224874; 641788444483; 658554884896; 659071565718;

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Moved by Trustee Engel, seconded by Trustee Soneson to receive and file personnel action reports and a report of contracts executed by the General Manager. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried.

Moved by Trustee Engel, seconded by Trustee Soneson to adopt **Resolution No. 6575** approving and appointing Susan M. Abernathy as the new General Manager of Utilities effective upon the retirement of Steven E. Bernard; appointing Ms. Abernathy as Assistant General Manager effective immediately and until such time as Steven E. Bernard resigns and Susan M. Abernathy assumes the General Manager/CEO position; and approving and authorizing an employment agreement with the Ms. Abernathy. Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson and Iehl. Nay: None. Absent: Evens. Motion carried.

The following items were presented for information purposes only: an update on current state legislative items; financial dashboard, investment, and balance sheet reports were provided; health and dental self-funded plan reports; discussion on the APPA National Conference which will conflict with the June 12, 2024, Board meeting, the decision was made to move the June Board meeting to June 19, 2024; and retreat planning agenda items.

There were no Board requests to staff.

Moved by Trustee Engel, seconded by Trustee Soneson to adjourn to closed session in accordance with Code of Iowa, Chapter 21.5(1)(k). Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson, and Iehl. Nay: None. Absent: Evens. Motion carried. The meeting adjourned to closed session at 2:43 p.m.

The meeting returned to open session at 3:42 p.m.

Moved by Trustee Engel, seconded by Trustee Soneson to adjourn the meeting. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried. The meeting adjourned at 3:43 p.m.

Richard L. McAlister – Chair

MaraBeth K. Soneson – Secretary

MINUTES OF MEETING OF BOARD OF TRUSTEES OF THE
MUNICIPAL COMMUNICATIONS UTILITY, CITY OF CEDAR FALLS, IOWA

February 14, 2024

The Board of Trustees of the Municipal Communications Utility of the City of Cedar Falls, Iowa, met on the above date in regular session, pursuant to law and the rules of said Board.

The meeting was called to order at 2:00 p.m. by Chair Richard L. McAlister. Upon call of the roll, present were: Trustees: Richard L. McAlister, Jeffrey J. Engel, MaraBeth K. Soneson, and Debra S. Iehl. Absent: Nick A. Evens. Others present: Steven E. Bernard, General Manager/CEO; Bradley M. Strouse, Board Counsel; and Andy Milone, Waterloo Courier reporter.

Moved by Trustee Engel, seconded by Trustee Soneson to approve the agenda as printed and distributed. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried.

New employee, Josh VanBrocklin was introduced.

Moved by Trustee Engel, seconded by Trustee Soneson to approve the minutes of the January 10, 2024, regular meeting, and the January 11, 2024, special meeting, as printed and distributed; and to approve the Schedule of Bills for the month of January that by reference is made a part hereof and placed in permanent files of said Board of Trustees. Said schedule covers the dates of January 1, 2024, through January 31, 2024; check numbers: 156384-156386; 156391-156409; 156442-156448; 156473-156494; 156537-156542; 156556-156573; 156603-156616; 156634-156700; 156720-156744; 156720-156744; 156766-156771; 156775-156776; 156795; 231284-231523; 049659983437; 058728999150; 063396010266; 068673464570; 094978168193; 096867847958; 122871542239; 124055010471; 143071187061; 181375809458; 189657781376; 233196413863; 237808764273; 241337876998; 242783242820; 257517286624; 279691119662; 293763272048; 342435697498; 352531906513; 353602859285; 378659795972; 388049297026; 403629599728; 405907725647; 424653687021; 425182120425; 425373908231; 433638765578; 438803092344; 442515869269; 468999934364; 496675270095; 497253270022; 498545072144; 530251753803; 553741434716; 563390351582; 564550668828; 568109667598; 576704127290; 586555895876; 598594608634; 603413896206; 604509041348; 611207623120; 611641409116; 615611442695; 628405414077; 628872224874; 641788444483; 658554884896; 659071565718;

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Moved by Trustee Engel, seconded by Trustee Soneson to receive and file personnel action reports and a report of contracts executed by the General Manager. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried.

Moved by Trustee Soneson, seconded by Trustee Engel to adopt the following Resolutions by one motion:

No. 6574 Resolution approving and authorizing execution of a 28E agreement with the City of Pella Communications Utility and Indianola Municipal Utilities Communications Utility to provide communications transport services.

No. 6579 Resolution accepting the bid, awarding the contract, and approving and authorizing execution of a contract with Hoffman & Hoffman Trenching, Inc. of Cedar Falls, Iowa, for the Installation of Electrical/Communications Conduit and Associated Equipment for the years 2024 and 2025. The bid received from Hoffman & Hoffman Trenching, Inc. was the lowest responsive, responsible bid received for the project in the amount of \$1,559,730.00, based on estimated quantities.

No. 6580 Resolution approving and authorizing execution of Change Order No. 3 to the original contract dated February 9, 2022, with MP Nexlevel, LLC; and accepting as final the contract for the Installation of Conduits and Associated Equipment for Empower Rural Iowa Broadband Program for Years 2022 and 2023 and authorizing the release of retainage funds in the amount of \$183,068.00 to MP Nexlevel, LLC to be paid 30 days after the date of this resolution. Said Change Order provides for a decrease of \$158,809.68 in the contract price due to unit quantity adjustments; making the total contract price \$3,661,360.32.

Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson, and Iehl. Nay: None. Absent: Evens. Motion carried.

Moved by Trustee Engel, seconded by Trustee Soneson to adopt **Resolution No. 6575** approving and appointing Susan M. Abernathy as the new General Manager of Utilities effective

upon the retirement of Steven E. Bernard; appointing Ms. Abernathy as Assistant General Manager effective immediately and until such time as Steven E. Bernard resigns and Susan M. Abernathy assumes the General Manager/CEO position; and approving and authorizing an employment agreement with the Ms. Abernathy. Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson and Iehl. Nay: None. Absent: Evens. Motion carried.

The following items were presented for information purposes only: an update on current state legislative items; financial dashboard, investment, and balance sheet reports were provided; health and dental self-funded plan reports; discussion on the APPA National Conference which will conflict with the June 12, 2024, Board meeting, the decision was made to move the June Board meeting to June 19, 2024; and retreat planning agenda items.

The Board requested an update on required cable television conversions.

Moved by Trustee Engel, seconded by Trustee Soneson to adjourn to closed session in accordance with Code of Iowa, Chapter 21.5(1)(k). Upon call of the roll, the following Trustees voted aye: McAlister, Engel, Soneson, and Iehl. Nay: None. Absent: Evens. Motion carried. The meeting adjourned to closed session at 2:43 p.m.

The meeting returned to open session at 3:42 p.m.

Moved by Trustee Engel, seconded by Trustee Soneson to adjourn the meeting. Upon call for the vote, all Trustees voted aye. Nay: None. Absent: Evens. Motion carried. The meeting adjourned at 3:43 p.m.