

WORK SESSION MINUTES – WEDNESDAY, JULY 15, 2020

STATE OF KANSAS)
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CITY OF KANSAS CITY)

The Board of Public Utilities of Kansas City, Kansas (aka BPU, We, Us, Our) met in a Work Session on Wednesday, July 15, 2020 at 4:30 P.M. The following Board Members were present: Robert L. Milan, Vice President; Mary Gonzales, Secretary; Jeff Bryant, Rose Mulvany Henry and Thomas Groneman. Mr. Eidson was absent.

Also on teleconference: William Johnson, General Manager; Angela Lawson, Deputy Chief Counsel; Lori Austin, Chief Financial Officer/Chief Administrative Officer; Jim Epp, Executive Director Water Operations; Johnnetta Hinson, Executive Director Customer Service; Jeremy Ash, Executive Director Electric Operations; Robert Kamp, IT Project Manager; David Mehlhaff, Chief Communications Officer; Dennis Dumovich, Director of Human Resources; Stephanie Sestrich, Training and Development Coordinator; Jody Franchett, Director Administrative Services and Ruth Benien, Ethics Administrator.

Mr. Milan called the meeting to order at 4:30 P.M.

Roll call was taken, and all Board Members were present with the exception of Mr. Eidson.

Motion was made to approve the Agenda by Mr. Groneman seconded by Ms. Gonzales and carried.

Mr. Milan turned the meeting over to Mr. Johnson.

Mr. Johnson stated that the item on the Agenda was Board Ethics Training and Ms. Ruth Benien, Ethics Administrator, would be giving the training.

Ms. Benien had a presentation. (attached)

Motion was made to adjourn by Mr. Groneman, seconded by Mr. Bryant and carried. The meeting adjourned at 5:46 P.M.

ATTEST:

Not signed by Secretary

Secretary

due to Pandemic

Jenny Burley-Krueger
Executive Assistant

8/6/20

APPROVED:

Robert Eidson

President

Ethics Training

2020

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Ethics Policy

Ethics Policy

Final Draft—Approved November 19, 2003

Effective Date: January 1, 2004

Prepared by Counsel

Resolution No. 5130

ETHICS POLICY

Sec. 100. Short title.

This policy may be cited as the “Kansas City Board of Public Utilities Ethics Policy,” and may be referred to herein as “ethics policy” or “policy.”

Sec. 101. Declaration of policy; incorporation of other employment terms and conditions.

It is the policy of the Kansas City Board of Public Utilities, an administrative agency of the Unified Government of Wyandotte County/Kansas City, Kansas (“BPU”), that the proper operation of democratic government requires that elected officials, officials and employees be independent, impartial, and responsible to the people; that utility decisions and policy be made in proper channels of the BPU’s structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its municipally owned electric and water utility. In recognition of these goals, an ethics policy for all BPU elected officials, officials and employees

- (d) The Ethics Administrator shall be responsible for ethics training for all BPU elected officials, officials and employees, and as soon as practical after approval of this ethics policy, shall conduct introductory ethics training courses to ensure that all receive the introductory training course within a reasonable time. Such introductory training shall be mandatory for all BPU elected officials, officials and employees, and all newly elected, appointed or hired officials and employees shall be required to attend training within sixty (60) days of election or appointment but prior to taking office if practical, or within ninety (90) days of hiring. Additionally, all elected officials, officials and employees shall be required to attend continuing ethics training at least once every three (3) years after attending the introductory training.**

Ruth Benien Ethics Administrator

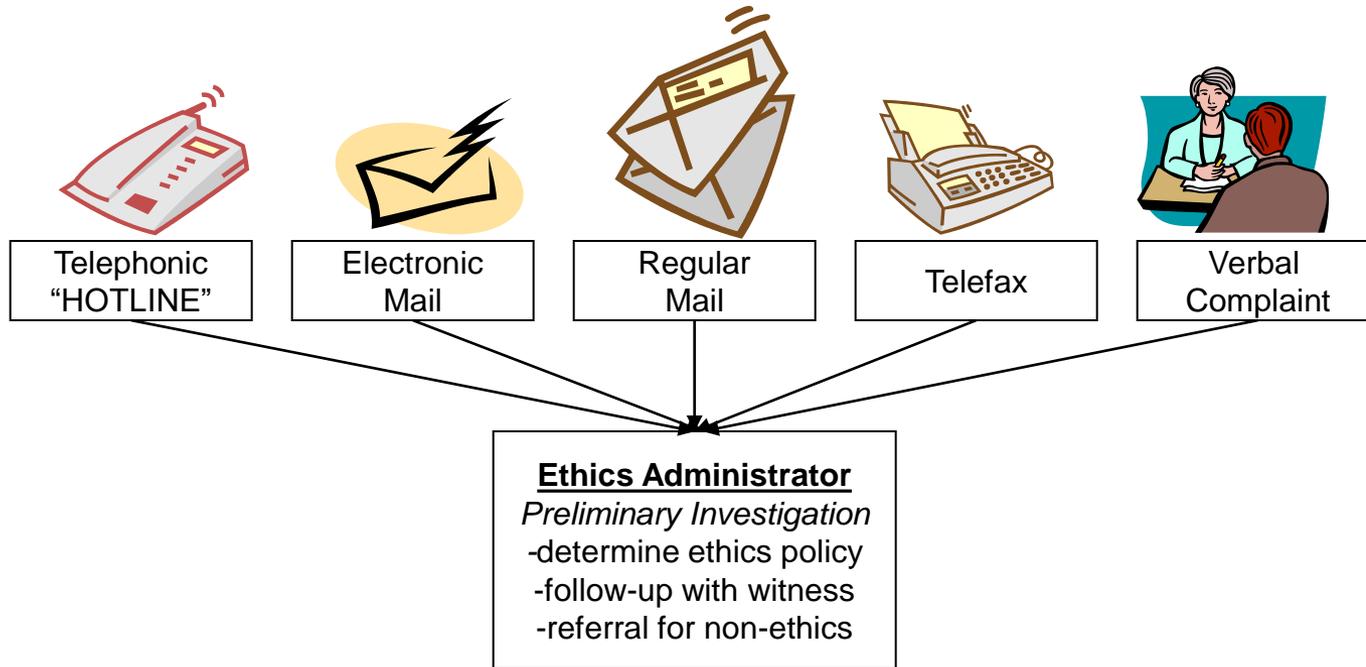
She has a Juris Doctorate from the University of Kansas School of Law and a B.S.J. from the University of Kansas with a major in Journalism and a minor in Personnel Administration. She has practiced law in Wyandotte County for the last 25 years and served as President of the Wyandotte County Bar Association, the Association of Woman Lawyers of Greater Kansas City and the Kansas Trial Lawyers Association.

During the course of her practice she has served as a member of and conducted investigations for the local and state bar association ethics and grievance panels applying the Code of Professional Responsibility to the actions and conduct of lawyers. She has served as mediator and participant in numerous mediations and

has experience developing and presenting employee training issues as evidenced by extensive seminar presentations.

She is a graduate of the Wyandotte County Leadership 2000 program and has served on or worked with numerous civic and community panels and groups.







Contact Information

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Ethics Administrator

- Conducts preliminary investigation
- Determines Ethics Policy applicability
- Follow-up with witnesses
- Refers issues not related to Ethics Policy to appropriate personnel

Ethics Commission

- Appointed by the Board
- Provides oversight of process
- Provides recommendations to elected Board on Ethics issues



BPU/UG General Counsel

- Allocates resources
- Advises Board on legal matters

- Read scenario
- Determine level of propriety/impropriety
- Do not assume any facts not presented
- Select the appropriate response:

Clearly Proper - no ethical violations, according to the BPU Ethics Policy now in force.

Probably Proper - no actual impropriety, though some reasonable people might criticize the conduct.

Probably Improper - possible impropriety, and a substantial number of reasonable people will likely criticize the conduct.

Clearly improper - this is a clear violation of the BPU Ethics Policy

Scenario 1

Project Manager Matt attends a ribbon-cutting ceremony for a new water facility, as the BPU's principle supervisor of the project. The ceremony is hosted by the primary contractor, and at its conclusion, all of the BPU employees in attendance receive a commemorative chrome water bucket. On the front of the bucket are the date of the ceremony and the names of the current General Manager and Board of Directors.

Hint: Refer to Section 111 (b) of the Ethics Policy.

Scenario 2

Same facts as Scenario 1, but after the ceremony, the contractor superintendent approaches Matt. They have a conversation about all the challenges they faced in getting the water facility built, and the fact that the contractor is bidding on two more facilities in the next fiscal year. To thank Matt for his help in getting the project completed, the superintendent gives him a pair of season tickets to the Chiefs.

Hint: Refer to Section 111 (a).

Scenario 3

Bob's job with the utility often has him out in the community in a BPU vehicle, with the BPU logo emblazoned on the side. Bob is authorized to take a 1-hour lunch break during his shift. On really cold days, Bob goes into a warm restaurant to eat, and then finishes out his lunch break in his truck, with the heater on, reading the newspaper. He usually parks on the street or in store parking lots near the area in which he is working.

Scenario 4

Scenario 4 has the same facts as Scenario 3, but because of Bob’s “flex time” employment - he works from 6:00 a.m. to 3:00 p.m., so he can pick up the kids after school - he usually takes his lunch break at 10:00 a.m. Sally, a supervisor from another department, happens to pass by Bob’s truck at 10:15 a.m., and notices him leaned back, reading a newspaper. Sally calls the Ethics Hotline when she gets back to the office to report what she saw.

Scenario 5

Ellen is very active in supporting a local mayoral candidate. She has donated up to the state legal limit to the candidate's campaign. She has a bumper sticker on her private vehicle promoting the candidate (which she parks in a BPU employee parking lot). Ellen also actively works at coordinating fundraisers for the candidate. She never works on her political interests at work, however, as the election nears, she finds herself going directly from work to candidate functions.

Hint: Refer to Section 116 (b) and Section 116 (c)(5).

Albert is very interested in politics, and is a big supporter of one of the major national parties. Although he is careful not to talk about politics during working hours, or actively campaign on the job, he tacks a political campaign poster to the lunchroom bulletin board. The bulletin board has been provided for employee use, and people frequently post personal “for sale” items and other advertisements. Albert clears the political poster with his supervisor (who also favors the national party).

Hint: Refer to Section 116 (c) (5).

Scenario 7

Pat is an experienced Customer Service Representative, working primarily with delinquent billing accounts. This morning Pat received a report that his brother's account is now past due. Pat is very close to his brother, and knows he recently lost his job. Pat writes a personal check to cover the delinquency, and goes into the computer system to mark his brother's account "PAID." He calls his brother later that afternoon to tell him he "took care of the bill," but to call him the next time he gets in trouble with payments.

Hint: Refer to Section 114.

Jennifer's responsibilities at the BPU require that she review bids for information technology contracts. Over the years she has gotten to know many of the contractors by name, and she has a good working relationship with the regular bidders. A regular contractor recently called Jennifer to express his interest in applying for a bid. Jennifer tells the contractor that the deadline for submission is today, and that he has an excellent chance of getting the work because no other bids are expected.

Hint: Refer to Section 114 - Confidential Information.

Scenario 9

Ryan, a senior manager at the BPU, is a Scoutmaster in his son's Boy Scout troop. The troop is trying to raise money to help defray the cost of a summer campout by selling light bulbs. Ryan brings the light bulb order forms into work, placing them on the break room tables. The forms require purchasers to fill out their names and addresses, and to enclose a check in the envelope. He also sends an e-mail to everyone in his department, thanking them in advance for their support of this worthwhile cause.

Hint: Refer to Section 115.

Scenario 10

During a bad windstorm last summer, falling tree limbs knocked down power lines all over the city. Electrical crews worked around the clock to restore power, and many citizens offered crew members their “thanks” in the form of cash “tips” for getting their power back on. Janet told her crew to accept the verbal “thanks” of the ratepayers, but to politely refuse the cash.

Hint: Refer to Section 112 - Gratuities.



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