

**MINUTES OF CALLED MEETING OF THE BOARD OF WATER WORKS TRUSTEES  
PURSUANT TO NOTICE  
Tuesday, December 19, 2023**

Present (or Participating by Video or Audio Conference Link):

Board Members: Chairperson, Ms. Andrea Boulton, presiding; Mr. Alec Davis, Mr. Graham Gillette, Ms. Susan Huppert, and Ms. Diane Munns

Staff members: Pat Bruner, Caitlin Caldwell, Nathan Casey, Tom Cater, Ted Corrigan, Kyle Danley, Doug Garnett, Amy Kahler, Mike McCurnin, Jenny Puffer, Laura Sarcone, Melissa Walker, Lindsey Wanderscheid, Michelle Watson, and Dylan White

Also in attendance: Scott Cirksena, Rick Malm (legal counsel), Jason Mumm, Bob Riley, and Bill Smith

Chairperson Ms. Andrea Boulton called the meeting to order at 3:31 p.m.

Consent Agenda

A motion was made by Mr. Gillette, seconded by Mr. Davis, to approve Consent Items A, B, C, D, and E (Approval of Minutes, November 28, 2023, Board of Water Works Trustees Meeting; Minutes, December 5, 2023, Finance and Audit Committee Meeting; Minutes, December 12, 2023, Approval of Payments for November 2023; Approval of Summary of CEO-Approved Expenditures in Excess of \$40,000; and Approval of January 23, 2024, as the next meeting of the Board of Water Works Trustees). Upon vote, the motion was adopted, with Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

Public Comment Period

Jason Mumm with FCS Group out of Boulder Colorado came to the front podium to share a few words with the group. He shared that he was aware of Des Moines Water Works efforts with regional governance and that everyone had been working on it for a very long time and he was very proud that he was at least a small part of it.

Bob Riley who resides in Des Moines came to the front podium to share a few excerpts out of a letter that he had written in 2010 titled “My Second Tour As Chair of The Des Moines Water Works.” Bob went on to congratulate the board, the suburbs that had signed onto the agreement, the citizens of Central Iowa, and special praise to Ted Corrigan, Sue Huppert, Scott Cirksena, and Graham Gillette.

Scott Cirksena, who was the former Mayor for the City of Clive came to the front podium to continue to share some of the history of regionalization and highlight how it has been an enjoyable experience to be a part of it.

Receive and File DMWW Water Affordability Study Report

DMWW hired Raftelis Financial Consultants (Raftelis) in early summer 2023 to assess the affordability of DMWW's water rates and make recommendations on improvements that would make water more accessible to customers. Raftelis has performed other studies for DMWW, including an evaluation of the utility's Cost of Service study in 2018 and an evaluation of the utility's wholesale rate structure in 2019.

Raftelis has completed their study and has concluded there is not a widespread water affordability problem in DMWW's service areas; however, there are still households with low income who may struggle to pay their water bill.

A motion was made by Mr. Gillette and seconded by Ms. Huppert, to receive and file the DMWW Water Affordability Study Report prepared by Raftelis. Upon vote, the motion was adopted, with Ms. Boulton, Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

#### Public Hearing on Central Iowa Water Works (CIWW) Asset Transfers and Final Adoption of CIWW Asset Transfers and Agreements

Discussions to form a regional production utility, Central Iowa Water Works (CIWW) have been occurring in earnest since 2017, when representatives from Des Moines Water Works, Urbandale Water Utility (UWU) and West Des Moines Water Works (WDMWW) launched a study into regional governance options. A national financial consultant specializing in utility management was retained.

The Board approved a "Central Iowa Water Works Founding Resolution" in December 2021 stating the Board's desire to participate as a Founding Agency of CIWW, subject to acceptable terms in a 28E/28F and a "critical mass" of participation among potential members. Throughout 2022 and 2023, several drafts of a 28/28F Agreement have been distributed, revised, and edited based on comments received from all potential members.

On November 22, 2023, the final Execution version of the CIWW 28E/28F was distributed to potential Members and published on DMWW's website at <https://bit.ly/CIWWExecution28E28F>. At the November board meeting, the Board approved a "Resolution Conditionally Authorizing the Inclusion of Board of Water Works Trustees of the City of Des Moines, Iowa as a Founding Agency of Central Iowa Water Works and Setting Public Hearing on Transfer of Assets." This resolution authorized the inclusion of the Board of Water Works Trustees as a Founding Agency of CIWW and set a public hearing on transfer of assets conditioned on 1) the formal approval by all other named parties in the CIWW Agreement, and 2) a public hearing on the proposed transfer of the DMWW Water Supply Facilities described in Exhibit A to the resolution, and the Board's final determination of this transfer subsequent to the public hearing.

This action is the public hearing on the proposed transfer of assets, and the Board's final determination of this transfer of assets subsequent to the public hearing. Notice of the public hearing was published, as required by law, in the Des Moines Register on December 13, 2023. Participating in CIWW provides benefit to DMWW and our customers, including collaborative

planning and management of water resources, equitable sharing of system costs and risks, and system resiliency.

Chairperson Ms. Boulton opened a Public Hearing for comments from the public regarding the proposed transfer of DMWW Water Supply Facilities described in Exhibit A. Receiving no oral or written comments, the Public Hearing was closed.

A motion was made by Mr. Gillette and seconded by Ms. Huppert to pass the Resolution Conditionally Approving the Transfer of Interests in Real Property by DMWW to Central Iowa Water Works and Confirming Joinder by DMWW as a Founding Member of CIWW. Upon vote, the motion was adopted, with Ms. Boulton, Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

#### Acceptance of L.P. Moon Pumping Station – Pump No. 8

At its November 2021 Board meeting, the Board of Water Works Trustees awarded a contract to The Waldinger Corporation, in the amount of \$123,390, for the L. P. Moon Pumping Station – Pump No. 8 project. The purpose of this project was to add a fourth pump to the Clive, West Des Moines, and Waukee system that is part of the L. P. Moon Pumping Station. All work associated with this contract has been satisfactorily completed.

Five change orders to the contract were negotiated with The Waldinger Corporation totaling \$11,697. The final contract price for the L.P. Moon Pumping Station – Pump No. 8 project is \$135,087. Staff has briefed the Technical Committee of Central Iowa Water Works on the construction efforts and the recommendation to accept the contract.

A motion was made by Mr. Gillette and seconded by Mr. Davis, to accept the L. P. Moon Pumping Station – Pump No. 8 project, completed by The Waldinger Corporation, in the amount of \$135,087. Upon vote, the motion was adopted, with Ms. Boulton, Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

#### Environmental Review of Aquifer Storage and Recovery (ASR) Well

At its December 2022 meeting, the Board of Water Works Trustees authorized the CEO and General Manager to execute a Professional Services Agreement with Strand Associates, Inc. for the 2023 Aquifer Storage and Recovery (ASR) Well design. Strand Associates, Inc. will provide engineering consulting services throughout the course of the project including design and construction of a new ASR well facility at the Polk County Pumping Station site. This project will improve Des Moines Water Works' (DMWW) operations by designing and constructing an additional ASR well facility at Polk County Pumping Station.

As a part of the SRF loan application process, the Iowa Department of Natural Resources (IDNR) performs an environmental review for the project(s). Once the environmental review is completed, the borrower must hold a public hearing to inform the public of the project impacts and provide a forum for the public to voice input. The Iowa DNR has completed the environmental review for the proposed ASR well project and has cited several reasons for concluding the proposed project will result in no significant impact to the environment.

A Public Hearing was opened by Chairperson Boulton for comments from the public regarding the environmental review of the Aquifer Storage and Recovery (ASR) Well. Receiving no oral or written comments. A motion was made by Ms. Munns and seconded by Ms. Huppert to close the public hearing and authorize staff to report that a public hearing was held.

#### 2023 FWTP – Pump Station HVAC Upgrades

At its October 2023 meeting, the Board of Water Works Trustees authorized staff to solicit bids for the 2023 FWTP- Pump Station HVAC Upgrade project. The Public Hearing was established as the date of the December 2023 Board meeting. Plans, specifications, and contract documents were sent to 14 prospective bidders and 6 plan houses on November 3, 2023. A pre-bid meeting and a subsequent site visit on November 15<sup>th</sup> and 16<sup>th</sup> resulted in five contractors looking at the existing conditions and potential project. Staff reached out to several contractors the week of November 27<sup>th</sup> to remind them about the project, and ultimately, only one (1) bid was submitted on December 5, 2023.

The engineer's estimate for the Lump Sum Bid was \$1,106,000 so the lone bid came in slightly below the estimate. Staff has briefed the Technical Committee of Central Iowa Water Works on the project design, bid results, and the recommendation to award. Staff recommends the Board award the 2023 FWTP-Pump Station HVAC Upgrades project to Corn States Metal Fabricators, Inc., in the amount of \$1,047,000.

A Public Hearing was opened by Chairperson Boulton for comments from the public regarding the form of contract, plans and specifications, and estimated cost for the construction of the 2023 MWTP Chemical Feed Improvements. Receiving no oral or written comments, the Public Hearing was closed.

After an analysis of the bids received was presented and considered, a motion was made by Mr. Gillette, seconded by Ms. Huppert, to award 2023 FWTP – Pump Station HVAC Upgrades project, in the amount of \$1,047,000 to Corn States Metal Fabricators, Inc. and authorize the Chairperson and the CEO and General Manager to execute the contract. Upon vote, the motion was adopted, with Ms. Boulton, Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

#### 2024 Filter Media Replacement – Fleur Drive Water Treatment Plant

At its October 2023 meeting, the Board of Water Works Trustees authorized staff to solicit bids for the 2024 Filter Media Replacement – Fleur Drive Water Treatment Plant project. The Public Hearing was established as the date of the December 2023 Board meeting. Contract documents were configured to replace filter media in four of the existing sixteen filters at the Fleur Drive Water Treatment Plant. Provisions of the contract documents allowed an optional Alternate Bid 1 for substituting placement of high-density support gravel, consisting of garnet, in lieu of silica gravel for the top layer of the filter media support gravel system. The engineer's cost estimate for the 2024 Filter Media Replacement – Fleur Drive Water Treatment Plant project was \$840,000. Bids were received and opened on December 6, 2023

The lowest Base Bid, in the amount of \$990,595, was submitted by Hydro-Klean, LLC, of Des Moines, Iowa. None of the three bidders submitted an Alternate Bid 1 due to unavailability of the specified high-density support gravel material. Hydro-Klean, LLC, has successfully completed several projects for Des Moines Water Works including the last filter media replacement project in the mid-1990s. Staff has briefed the Technical Committee of Central Iowa Water Works on the project design, bid results, and the recommendation to award. Staff recommends award of the 2024 Filter Media Replacement – Fleur Drive Water Treatment Plant contract to Hydro-Klean, LLC, for the \$990,595 Base Bid amount, and that the Chairperson and the CEO and General Manager be authorized to execute the contract.

A Public Hearing was opened by Chairperson Boulton for comments from the public regarding the form of contract, plans and specifications, and estimated cost for the construction of the 2024 Filter Media Replacement – Fleur Drive Water Treatment Plant. Receiving no oral or written comments, the Public Hearing was closed.

After an analysis of the bids received was presented and considered, a motion was made by Mr. Gillette, seconded by Ms. Munns, Award the 2024 Filter Media Replacement – Fleur Drive Water Treatment Plant contract to Hydro-Klean, LLC, for the \$990,595 Base Bid amount, and authorize the Chairperson and the CEO and General Manager to execute the contract. Upon vote, the motion was adopted, with Ms. Boulton, Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

#### 2023 Des Moines Water Main Replacement – Contract 4

In October 2023, the Board of Water Works Trustees authorized staff to solicit bids for the 2023 Des Moines Water Main Replacement – Contract 4 project. The Public Hearing was established as the date of the December 2023 Board meeting. The work under this Contract will consist of the replacement of approximately 3,600 feet of water main on streets including E Pleasant View Dr., E Virginia Ave., SE 6<sup>th</sup> St., and SE 7<sup>th</sup> St. Plans, specifications, and contract documents were taken out by several prospective bidders. Staff reached out to several contractors the week of December 4<sup>th</sup> to remind them of the project. Six bids were submitted on December 7, 2023. The bid from J&K Contracting was not opened because required documents were missing.

The engineer's estimate for this contract is \$1,808,083. Rognes Corporation has successfully completed other projects for Des Moines Water Works in the past. Staff recommends the Board award the 2023 Des Moines Water Main Replacement - Contract 4 project to Rognes Corporation, in the amount of \$1,844,549.

A Public Hearing was opened by Chairperson Boulton for comments from the public regarding the form of contract, plans and specifications, and estimated cost for the construction of the 2023 Des Moines Water Main Replacement – Contract 4 project. Receiving no oral or written comments, the Public Hearing was closed.

After an analysis of the bids received was presented and considered, a motion was made by Mr. Davis, seconded by Mr. Gillette, Award the 2023 Des Moines Water Main Replacement – Contract 4 project in the amount of \$1,844,549.00 to Rognes Corporation authorize the

Chairperson and CEO and General Manager to execute the contract, and authorize the Chairperson and the CEO and General Manager to execute the contract. Upon vote, the motion was adopted, with Ms. Boulton, Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

Award 2023 FWTP Distribution Building Improvements – structural Repairs

On December 12, 2023, Engineering Staff received bids for concrete restoration structural repairs to be performed in the parking garage portion of the Distribution Building. The upper-level concrete floor system is exhibiting corrosive distress resulting from deposition of de-icing salts carried into the facility by utility vehicles. The deterioration is extensive enough to warrant discontinuing vehicle parking use, but with repairs implemented in this project, the structure can be restored and repurposed to provide needed space for offices and meeting rooms. The scope of this project is to remove deteriorated concrete elements and replace them with new materials to restore the overall structure to suitably support the new facility function.

Four bids were received for the work from all qualified contractors. The engineer's estimate for work on this project was \$135,000. Staff recommends the Board award of the 2023 FWTP Distribution Building Improvements – Structural Repairs contract to Woodruff Construction, Inc., in the amount of \$97,327.

A Public Hearing was opened by Chairperson Boulton for comments from the public regarding the form of contract, plans and specifications, and estimated cost for the construction of the 2023 FWTP Distribution Building Improvements – Structural Repairs contract. Receiving no oral or written comments, the Public Hearing was closed.

After an analysis of the bids received was presented and considered, a motion was made by Mr. Gillette, seconded by Ms. Munns, Award the 2023 FWTP Distribution Building Improvements – Structural Repairs project in the amount of \$97,327 to Woodruff Construction, Inc. and authorize the Chairperson and CEO and General Manager to execute the contract, and authorize the Chairperson and the CEO and General Manager to execute the contract. Upon vote, the motion was adopted, with Ms. Boulton, Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

Request Authorization to Execute the Second Amendment to Chapter 28E Agreement between Des Moines Water Works, the City of Waukee, and Xenia Rural Water District for the Waukee/Xenia Joint System Facilities

During the first quarter of 2019, Des Moines Water Works (DMMW), the City of Waukee, and Xenia Rural Water District entered into a 28E Agreement that allowed additional water to be delivered to the City of Waukee. Waukee acquired, from Xenia, 0.4 million gallons per day (MGD) of capacity in both a 24-inch feeder main and a corresponding pumping station. A new meter pit and new chemical feed facilities were constructed by Waukee. Modifications to the chemical feed system at the pumping station (located on the LP Moon site) were constructed by DMWW. A First Amendment to the Chapter 28E Agreement was executed February 23, 2022, to clarify the actual location of the new meter pit and chemical feed facilities.

A Second Amendment is now desired for this 28E that would allow Waukee to increase the acquired capacity (up to 0.864 MGD under normal conditions and up to 1200 gallons per minute

in emergency situations) in the same 24-inch feeder main and the corresponding pumping station. Operations and maintenance elements along with the proportional billing back to Waukee and Xenia documented in the original 28E remain unchanged with this Second Amendment. Staff has briefed the Technical Committee of Central Iowa Water Works on the key elements of the Second Amendment to the Chapter 28E Agreement. Respective staff and legal counsel for DMWW, Xenia, and Waukee are in favor of the Second Amendment to the Chapter 28E Agreement.

A motion was made by Mr. Davis and seconded by Mr. Gillette, to approve and authorize the Chairperson to execute the Second Amendment to the Chapter 28E Agreement between Des Moines Water Works, the City of Waukee, and Xenia Rural Water District for the Waukee/Xenia Joint System Facilities. Upon vote, the motion was adopted, with Ms. Boulton, Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

#### Request Authorization to Reimburse the City of Des Moines for Water Main Relocations for the 16<sup>th</sup> Street Area Reconstruction and Trail Connection Project

As part of the City of Des Moines' 16<sup>th</sup> Street Area Reconstruction and Trail Connection project, Des Moines Water Works will complete water main relocation due to conflicts with street grade changes and conflicts with proposed sanitary sewer and storm sewer. The City of Des Moines project includes road reconstruction, sanitary sewer replacement, storm sewer improvements, trail construction, and sidewalk improvements.

Construction for this project is anticipated to begin in Spring 2024, with water main work being completed in the 2024 construction season. Based upon the unit price bid for the estimated quantities for this contract, the cost for the water main relocation portion of this City of Des Moines project is \$532,306.52. Shekar Engineering, P.L.C., from Des Moines, IA, will be the contractor for this project.

A motion was made by Mr. Gillette and seconded by Ms. Munns, to authorize staff to reimburse the City of Des Moines for water main relocations included in the 16<sup>th</sup> Street Area Reconstruction and Trail Connection project. Upon vote, the motion was adopted, with Ms. Boulton, Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

#### Performance Evaluation and Salary Increase for CEO and General Manager

The CEO's employment agreement provides for an annual performance evaluation to be conducted by the Board. The evaluation has been conducted by the Board Chair and Vice-Chair with input from the Board.

In addition, the CEO's employment agreement provides for an annual salary increase effective each January 1<sup>st</sup> in an amount equal to the average percentage increase of all bargaining unit employees for the corresponding year. The Board shall consider and may in its discretion award an additional amount of salary and/or a bonus as of any January 1<sup>st</sup> per the agreement.

The Chair of the Board recommends crediting the CEO with five additional days of leave in 2024 in recognition of the extraordinary effort over the past four years working to create the

framework to bring CIWW to life. Additional leave will be made a condition of his employment agreement.

A motion was made by Mr. Gillette and seconded by Ms. Huppert, to authorize the Board Chair or Vice-Chair to execute an amendment to CEO's employment agreement to add five additional days of paid time off. Upon vote, the motion was adopted, with Ms. Boulton, Mr. Davis, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion.

#### Board Committee Reports

The following reports were provided:

- Finance and Audit Committee – A meeting was held on December 5, 2023, as reflected in the minutes thereof. Mr. Davis gave a brief summary of the meeting.
- Planning Committee – A meeting was held on December 12, 2023, as reflected in the minutes thereof. Mr. Corrigan gave a brief summary of the meeting.
- Greater Des Moines Botanical Garden – Mr. Gillette shared that he did not have anything new to report. He did highlight that this is the last year that DMWW is going to be financially supporting the Greater Des Moines Botanical Garden.
- Des Moines Water Works Park Foundation – Ms. Boulton gave a brief summary of the changes that have been made to their board.

#### CEO and General Manager's Comments

Mr. Corrigan shared a few year end updates with the group. He shared that DMWW is on track to for the first time ever produce more than 20 billion gallons of water, yet another record year. He highlighted that this is the 5<sup>th</sup> year in a row that Water Production has accomplished this under the direction of Nathan Casey. Mr. Corrigan also went over the safety memo and highlighted the year end report of injuries.

#### Contract Status and Professional Services Agreements

Competitive Quotation for 2023 Des Moines Hydrant Relocations – Phase 1 in the amount of \$86,200 to J&K Contractors, LLC., awarded in October 2023.

4:57 pm adjourned