

**MINUTES OF SPECIAL CALLED MEETING OF THE BOARD OF WATER WORKS
TRUSTEES PURSUANT TO NOTICE
Tuesday, January 4, 2022**

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

Board Members: Chairperson Mr. Graham Gillette, presiding; Mr. Joel Aschbrenner, Ms. Andrea Boulton, Ms. Sue Huppert, and Ms. Diane Munns

Staff members: Kyle Danley, Amy Kahler, and Michelle Watson

Also in attendance: John Lande (legal counsel), Rick Malm (legal counsel)

Mr. Gillette called the meeting to order at 3:30 p.m.

Regional 28E Review – Closed Session

A motion was made by Ms. Boulton, seconded by Ms. Huppert, to go into closed session pursuant to:

- Iowa Code Section 388.9(1), to discuss marketing and pricing strategies and proprietary information that may impact its competitive position by public disclosure not required of potential or actual competitors related to ongoing negotiations over creating an integrated regional water authority. Each of these topics should be discussed in closed session to avoid disclosure likely to prejudice or disadvantage the position of the Des Moines Water Works.
- Iowa Code Section 622.10 to request and receive legal advice from retained legal counsel and to avoid waiver of the attorney-client privilege.
- Iowa Code Section 22.7(65) to review a tentative and preliminary draft prior to completion of the 28E agreement; and
- Iowa Code Section 21.5(1)(a) to discuss or review records which are required or authorized by state or federal law to be kept confidential.

Upon roll-call vote, the motion was adopted, with Mr. Aschbrenner, Ms. Boulton, Mr. Gillette, Ms. Huppert, and Ms. Munns voting in favor of the motion. The meeting then went into closed session.

The Board subsequently returned to open session.

No action was taken as a result of, or following, the closed session discussion.

Public Comments

There were no comments from the public.

Adjournment – Meeting adjourned by unanimous consent.

4:59 p.m. adjourned