

**MINUTES OF CALLED MEETING OF THE BOARD OF WATER WORKS TRUSTEES
PURSUANT TO NOTICE
Tuesday, January 25, 2022**

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

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

Staff members: Rachel Brown, Pat Bruner, Nathan Casey, Ted Corrigan, Kyle Danley, Doug Garnett, Amy Kahler, Mike McCurnin, Jenny Puffer, Laura Sarcone, Jennifer Terry, and Michelle Watson

Also in attendance: John Lande and Rick Malm (legal counsel), and Melissa Walker (MW Media Consultants, LLC)

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

Consent Agenda

A motion was made by Ms. Munns, seconded by Ms. Boulton, to approve Consent Items A, B, C, D, E, F, and G (Approval of Minutes, December 21, 2021, Board of Water Works Trustees Meeting; Minutes, January 4, 2022, Board of Water Works Trustees Meeting; Minutes, January 11, 2022, Board of Water Works Trustees Meeting; Minutes, January 18, 2022, Board of Water Works Trustees Meeting; Receipt and filing of the financial statements for audit purposes; Approval of Payments for December 2021; Approval of Summary of CEO-Approved Expenditures in Excess of \$20,000; Approval of Reserve Funds Investments Policy; Approval of Depositories for Des Moines Water Works Funds; and Approval of February 22, 2022, as the next meeting of the Board of Water Works Trustees). Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Public Comment Period

No comments were received from the public.

Award Norwalk Highway G14 Meter Vault

A Public Hearing was opened by Chairperson Gillette to receive comments from the public regarding the form of contract, plans and specifications, and estimated cost for the Norwalk Highway G14 Meter Vault project. Receiving no oral or written comments, the Public Hearing was closed.

A motion was made by Ms. Boulton for adoption of the form of contract, plans and specifications, and estimated cost for the Project. The motion was seconded by Ms. Huppert. Upon vote, the motion was adopted, with each member of the Board voting in favor of the motion.

An analysis of the bids received was presented and considered.

Work on the Norwalk Highway G14 Meter Vault will call for the installation of a meter vault equipped with metering equipment and appurtenances to complete connections to the City of Norwalk's 16-inch feeder main. This work is the final component of the Norwalk Water Utility Improvements.

A motion was made by Ms. Huppert, seconded by Mr. Aschbrenner, to award the Norwalk Highway G14 Meter Vault contract to Rognes Corp. in the amount of \$536,000 and authorize the Chairperson and CEO and General Manager to execute the contract. Upon vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Award Fleur Drive Operations Center Stormwater System Improvements – Phase 2 Contract

A Public Hearing was opened by Chairperson Gillette to receive comments from the public regarding the form of contract, plans and specifications, and estimated cost for the Fleur Drive Operations Center Stormwater System Improvements – Phase 2 project. Receiving no oral or written comments, the Public Hearing was closed.

A motion was made by Mr. Aschbrenner for adoption of the form of contract, plans and specifications, and estimated cost for the Project. The motion was seconded by Ms. Munns. Upon vote, the motion was adopted, with each member of the Board voting in favor of the motion.

An analysis of the bids received was presented and considered.

This project will construct a new stormwater pump station at the Fleur Drive Operations Center with a capacity for storm events with a recurrence interval of five years.

A motion was made by Mr. Aschbrenner, seconded by Ms. Boulton, to award the Fleur Drive Operations Center Stormwater System Improvements – Phase 2 contract to WRH, Inc., in the amount of \$1,179,900 and authorize the Chairperson and the CEO and General Manager to execute the contract. Upon vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Easement for Water Main in City of Des Moines Observatory Road Reconstruction Project

An easement is required across real estate owned by the City of Des Moines to accommodate the relocation of the existing fire hydrant connected to the DMWW 30-inch diameter feeder main for a city paving project that includes the parking lot where the fire hydrant is currently located. Staff and legal counsel have been involved with developing the terms and conditions of the easement and have no objections to those terms and conditions.

A motion was made by Ms. Munns, and seconded by Ms. Boulton, to authorize the Chairperson to execute the document, titled Permanent Easement for Water Main Right-of-Way, granting an easement to the Des Moines Water Works for a water main in the City of Des Moines' Observatory Road Reconstruction project. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Board Committee Reports

The following reports were provided:

- Planning Committee – No meeting held in January.
- Finance and Audit Committee – No meeting held in January.
- Bill Stowe Memorial – Mr. Gillette reported there have been several meetings recently and the committee anticipates sharing ideas with the Board in the first part of this year.
- Greater Des Moines Botanical Garden – Mr. Gillette had no update to report.

- Des Moines Water Works Park Foundation Board – Ms. Boulton reported that there is a goal to close the gap on funding of the Fleur Drive Ruan Connector by the end of 2022.

Staff Updates

External Affairs - Ms. Terry provided updates on water quality, education, public relations, and strategic planning efforts.

CEO and General Manager's Comments

Mr. Corrigan shared DMWW's 2022 Strategic Initiatives including Key Performance Indicators (KPIs) with the Board. The initiatives will be the utility's focus this year, taking place of the prior form used to track progress toward goals for the year.

Regional 28E Review – Possible Closed Session

A closed session was proposed to discuss the Regional 28E Agreement and consider regionalization process strategy.

A motion was made by Ms. Huppert, seconded by Ms. Munns, 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 the closed session discussion.

Adjournment – Meeting adjourned by unanimous consent.

5:06 p.m. adjourned