

**MINUTES OF CALLED MEETING OF THE BOARD OF WATER WORKS TRUSTEES  
PURSUANT TO NOTICE  
Tuesday, February 23, 2021**

The Meeting was conducted by video conference.

Present (by Video or Audio Conference Link):

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

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

Also in attendance: Dr. Mark Menadue (customer), John Lande (legal counsel), Rick Malm (legal counsel), 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, and E (Approval of Minutes, January 26, 2021, Board of Water Works Trustees Meeting; Minutes, February 2, 2021, Planning Committee Meeting; Minutes, February 2, 2021, Customer Relations Committee Meeting; Receipt and filing of the financial statements for audit purposes; Approval of Payments for January 2021; Approval of Summary of CEO-Approved Expenditures in Excess of \$20,000; and Approval of March 23, 2021, 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.

Appeal of Leak Adjustment – 13286 NE 56<sup>th</sup> Street

Des Moines Water Works customer, Dr. Mark Menadue, has appealed to the Board seeking a larger leak allowance than offered by DMWW staff for a leak at his property at 13286 NE 56<sup>th</sup> St., Elkhart, IA.

DMWW staff offered a leak allowance of \$2,003.49. This was based on DMWW Rules & Regulations, which state when a leak is identified, a one-time courtesy leak allowance can be offered for 50% of any excess consumption for up to 3 months. DMWW staff calculated an adjustment slightly more generous than the published rule, to allow 50% relief for up to 4 months under the circumstances presented by the situation.

Ms. Huppert abstained from participation and voting on this matter due to a connection to Dr. Menadue.

Dr. Menadue stated he is not satisfied with this resolution and appealed to the Board of Trustees as provided in Rules & Regulations. Dr. Menadue requested relief for 100% of the difference in usage between the periods of Jan – Oct 2019 and Jan – Oct 2020, which would be an adjustment

of \$5,073.82 based on amounts billed. Dr. Menadue presented his claim and staff offered comments. The facts and circumstance were discussed by the Board.

A motion was made by Ms. Munns, seconded by Mr. Aschbrenner to deny the appeal and uphold the staff calculated leak adjustment of \$2,003.49 based on Rules & Regulations. After further discussion, on roll-call vote, the motion was adopted, with Mr. Aschbrenner, Ms. Boulton, Mr. Gillette and Ms. Munns voting in favor of the motion.

Authorize CEO and General Manager to Execute Professional Services Agreement with HDR Engineering, Inc., for Strategic Planning Facilitation

On January 4, 2021, staff issued a request for proposals for strategic planning facilitation for an amount not to exceed \$100,000. Three proposals were received on February 3, 2021, all within the budgeted amount of \$100,000. Each proposal was evaluated by an internal team consisting of Customer Service & Marketing, Finance, Engineering, Water Distribution, OCEO and Human Resources. Each of the proposals was considered responsive as each consultant team possesses the resources to properly complete the required evaluation. The proposals were evaluated based upon the four criteria and after a review meeting, the committee decided to recommend the selection of HDR Engineering, Inc. as the 2021 Strategic Planning Facilitator.

A motion was made by Ms. Huppert, seconded by Ms. Boulton to authorize the CEO and General Manager to execute Professional Services Agreement with HDR Engineering, Inc. for Strategic Planning Facilitation in the amount of \$99,934. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Acceptance of Saylorville Water Treatment Plant RO Unit No. 4 Installation

Mr. Corrigan reported that all work associated with the Saylorville Water Treatment Plant RO Unit No. 4 Installation contract has been satisfactorily completed.

A motion was made by Mr. Aschbrenner, seconded by Ms. Munns to accept Saylorville Water Treatment Plant RO Unit No. 4 Installation, completed by The Waldinger Corporation, in the amount of \$549,336. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Request Authorization to Establish the Date of Public Hearing for MidAmerican Energy Company Electric Easement at Nollen Standpipe and Pump Station as the Date of the March 2021 Board Meeting

MidAmerican Energy Company (MEC) is requesting an easement of 4 ft. by 10 ft. at the Nollen Pump Station and Standpipe at 2569 Hull Ave. in Des Moines. This easement would be used for placement of an above-ground junction box and routing of below-ground electrical conduits, wires and cables for the transmission of electrical energy and for communication and electrical controls. Accommodating MEC with an easement does not create adverse conditions to DMWW.

A motion was made by Ms. Munns, and seconded by Ms. Huppert, to establish the date of the March 2021 Board meeting as the date of Public Hearing for MidAmerican Energy Company Electric Easement at Nollen Standpipe and Pump Station and direct staff to publish notice as provided by law. Upon roll-call vote, the motion was adopted with each member of the Board voting in favor of the motion.

Request Authorization to Solicit Bids for 2021 Des Moines Water Main Replacement Contract 1 – E. Pleasant View Drive and E. 17th Street and Establish the Date of the Public Hearing as the Date of the March 2021 Board Meeting

The 2021 Des Moines Water Main Replacement Contract 1 – E. Pleasant View Drive and E. 17th Street project includes the installation of approximately 2,500 feet of 8-inch polyvinyl chloride water main on E. Pleasant View Drive and approximately 1,100 feet of 12-inch ductile iron water main on E. 17th Street.

A motion was made by Ms. Boulton, and seconded by Ms. Munns, to authorize staff to solicit bids for 2021 Des Moines Water Main Replacement Contract 1 – E. Pleasant View Drive and E. 17<sup>th</sup> Street and establish the date of the Public Hearing as the date of the March 2021 Board meeting, and direct staff to publish notice as provided by law. Upon roll-call vote, the motion was adopted with each member of the Board voting in favor of the motion.

Request Authorization to Reimburse the City of Des Moines for Water Main Relocations for Fleur Drive Reconstruction from George Flagg Parkway to Watrous Avenue, Phase 1 Northbound Lanes

In February 2019, the Board of Water Works Trustees authorized staff to reimburse the City of Des Moines for Water Main Relocations for Fleur Drive Reconstruction from George Flagg Parkway to Watrous Avenue, Phase 1 Northbound Lanes in the amount of \$1,320,417.00. The project involved greater than expected costs. Approved change orders throughout this project total \$67,872.20 and total final quantities required for this project total an additional \$344,446.89. The amount for the additional items \$412,319.09. The revised project reimbursement amount including the additional items is \$1,732,736.09.

A motion was made by Ms. Huppert, and seconded by Ms. Munns, to authorize staff to reimburse the City of Des Moines for Water Main Relocations for Fleur Drive Reconstruction from George Flagg Parkway to Watrous Avenue, Phase 1 Northbound Lanes Project. Upon roll-call vote, the motion was adopted with each member of the Board voting in favor of the motion.

Request Authorization to Reimburse the City of Des Moines for Ingersoll Avenue Streetscape from 28th Street to 24th Street (North Side) - Phase 2

As part of the City of Des Moines Ingersoll Avenue Streetscape from 28th Street to 24th Street (North Side) - Phase 2 project, Des Moines Water Works will install approximately 1,400 feet of new 12-inch ductile iron water main to replace 1,400 feet of 8-inch 1918 cast iron water main.

A motion was made by Mr. Aschbrenner, and seconded by Ms. Boulton, to authorize staff to reimburse the City of Des Moines for Water Main Relocations included in the Ingersoll Avenue Streetscape from 28th Street to 24th Street (North Side) - Phase 2 project. Upon roll-call vote, the motion was adopted with each member of the Board voting in favor of the motion.

Request Authorization to Reimburse the City of Des Moines for Ingersoll Avenue Reconstruction – Polk Boulevard to 42nd Street

As part of the City of Des Moines Ingersoll Avenue Reconstruction project, from Polk Boulevard to 42nd Street, Des Moines Water Works will install water main alterations that include approximately 120 feet of new 8-inch ductile iron water main and 340 feet of new 12-inch ductile iron water main to replace existing 8-inch 1916 cast iron water main and 12-inch

1903 cast iron water main in conflict with new storm sewer. In addition, a new fire hydrant will be installed where an existing fire hydrant is in conflict. The estimated cost is \$193,894.

A motion was made by Ms. Boulton, and seconded by Ms. Huppert, to authorize staff to reimburse the City of Des Moines for Water Main Relocations included in the Ingersoll Avenue Reconstruction - Polk Boulevard to 42<sup>nd</sup> Street project. Upon roll-call vote, the motion was adopted with each member of the Board voting in favor of the motion.

#### Request Authorization to Reimburse the City of Des Moines for Hamilton Drain Storm Water Improvements Phase 1

As part of the City of Des Moines Hamilton Drain Storm Sewer Improvements Phase 1 project, Des Moines Water Works will be installing water main alterations that include approximately 200 feet of new 8-inch ductile iron water main and two (2) hydrants to replace existing 8-inch 1951 cast iron water main and hydrants in conflict with new storm sewer. The water main alterations are located on E Shawnee Ave and N Union St. The estimated cost is \$97, 332.50.

A motion was made by Ms. Munns, and seconded by Ms. Huppert, to authorize staff to reimburse the City of Des Moines for Water Main Relocations included in the Hamilton Drain Storm Water Improvements Phase 1 project. Upon roll-call vote, the motion was adopted with each member of the Board voting in favor of the motion.

#### Request Permission to Establish the Date of the Public Hearing for MidAmerican Energy Company Underground Electric Easement at NW 26<sup>th</sup> Street Booster Station as the Date of the March 2021 Board Meeting

As part of the construction of the NW 26th Street Booster Station, a new electrical service is being provided by MidAmerican Energy Company (MEC). The nature of the electric service to this site (loop feed versus radial feed) will require MidAmerican Energy owned cabling to enter and exit the site. Therefore, reasonable accommodations on the part of DMWW to grant an easement are necessary. Easement area will include an area that allows entry and exit of cabling and conductors in addition to room to allow for installation of a pad-mounted transformer.

A motion was made by Mr. Aschbrenner, and seconded by Ms. Boulton, to establish the date of the March 2021 Board meeting as the date of Public Hearing for MidAmerican Energy Company Underground Electric Easement at NW 26th Street Booster Station and direct staff to publish notice as provided by law. 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 – A meeting was held on February 2, 2021 as reflected in the minutes thereof. Ms. Boulton offered no additional comments.
- Finance and Audit Committee – There was no meeting held in February.
- Customer Relations Committee – A meeting was held on February 2, 2021 as reflected in the minutes thereof. Ms. Huppert offered no additional comments.
- Bill Stowe Memorial – Mr. Gillette offered no additional comments.
- Greater Des Moines Botanical Garden – Mr. Gillette shared that a search committee has two finalists for the Garden's CEO position.

- Des Moines Water Works Park Foundation Board – Ms. Boulton shared that DMWW Park Foundation Board is going through its strategic planning process.

#### Staff Updates

External Affairs - Ms. Terry provided a legislative update the board and staff.

#### CEO and General Manager's Comments

- COVID-19 Update – Mr. Corrigan shared that utility operations have remained unchanged over the last several months. Recently seven employees tested positive within a week which was the first transmission at work.
- Mr. Corrigan shared that there were 15 main breaks over a three-day period. Work continues on West Des Moines Water Works' water use permit. A park neighbor has requested DMWW re-institute the urban deer hunt in Water Works Park, which has been suspended since 2013.

#### Regionalization Discussion – Possible Closed Session

The Board desires to review a draft 28E Agreement and financial modeling in closed session.

A motion was made by Mr. Aschbrenner, seconded by Ms. Munns, to go into closed session under Section 388.9(1), Code of Iowa, 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 with respect to a draft 28E Agreement and financial modeling to avoid disclosure likely to prejudice or disadvantage the position of the Des Moines Water Works.

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.

6:13 p.m. adjourned