

**MINUTES OF CALLED MEETING OF THE BOARD OF WATER WORKS TRUSTEES
PURSUANT TO NOTICE
Tuesday, April 26, 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: Bill Blubaugh, Rachel Brown, Pat Bruner, Dee Clarke, Ted Corrigan, Kyle Danley, Doug Garnett, Amy Kahler, Mike McCurnin, Jenny Puffer, Laura Sarcone, Obie Smith, Jennifer Terry, and Michelle Watson

Also in attendance: John Lande (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, and E, (Approval of Minutes, March 22, 2022, Board of Water Works Trustees Meeting; Minutes, April 5, 2022, Planning Committee Meeting; Receipt and filing of the financial statements for audit purposes; Approval of Payments for March 2022; Approval of Summary of CEO-Approved Expenditures in Excess of \$20,000; and Approval of May 24, 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.

2022 Employee Health Insurance Renewal

Effective January 1, 2021, DMWW entered an 18-month agreement with the Iowa Governmental Health Care Plan Trust in which our current health insurance rates are guaranteed through June 30, 2022. This agreement provides health insurance coverage through Wellmark BCBS offering a choice of three plan designs (a plan without a deductible, a plan with a \$500 single/\$1000 family deductible, and a high-deductible plan with a Health Savings Account). DMWW has received a renewal from the IGHCP Trust effective July 1, 2022, through June 30, 2023, offering the same three plans through Wellmark BCBS. Our health insurance premiums will increase by 7%.

A motion was made by Ms. Huppert, and seconded by Mr. Aschbrenner, to approve the 2022 employee health insurance provider and rates for the period of July 1, 2022, to June 20, 2023, as presented. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Conflict Waiver/Consent to Limited Joint Representation by Ahlers & Cooney, P.C.

The Board of Water Works Trustees received and filed a draft Central Iowa Water Works 28E/28F Agreement in February 2022, and since that time, has asked potential partners to review and provide comment on the draft. Based on the advice of Richard Malm of Dickinson Law Firm, staff has recently asked DMWW's bond counsel, Eric Boehlert of Ahlers & Cooney, P.C., to provide a limited scope review of the Agreement related to joint financing (28F) considerations. Ahlers &

Cooney are also bond counsel to many municipal entities in central Iowa, including the following regional water entities: West Des Moines Water Works, Urbandale Water Utility, Xenia Rural Water District, and the cities of Ankeny, Johnston, and Waukee. Therefore, Ahlers & Cooney's review would constitute joint representation for all the parties named above for the limited scope review related to the financing authority of CIWW (once created), financing procedures, and general public law questions.

Due to the nature and narrow scope of the review, Mr. Boehlert does not anticipate any analysis or advice would rise to the level of a conflict of interest between any potential members; however, in accordance with professional standards, Mr. Boehlert and his colleague, Steven Nadel, have requested a Conflict Waiver/Consent to Limited Joint Representation be signed by DMWW and the other parties their firm represents. The waiver stipulates that if conflicts or disagreements arise between the parties, Ahlers & Cooney will withdraw representation for that specific issue in dispute. Ahlers & Cooney's review will commence when all conflict waivers and consents have been obtained by the parties.

A motion was made by Mr. Aschbrenner seconded by Ms. Munns, to approve and authorize the Chairperson and CEO and General Manager to execute the Conflict Waiver/Consent to Limited Joint Representation to waive and consent to any actual, potential, or perceived conflict of interest associated with Ahlers & Cooney, P.C.'s review of the draft 28E/F Agreement seeking to create the Central Iowa Water Works. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Request Authorization for CEO and General Manager to Execute License Agreement with Landus Cooperative for Demonstration Plots in Water Works Park

After several meetings and planning sessions, an agreement with Landus Cooperative has been reached for a "Plots in the Park" project. With careful guidance by the DMWW grounds crew, agronomists from Landus will plant, maintain, and harvest three crop demonstration plots in the park. Landus employees will construct a fence to prevent uninvited visitor and animal access to the plots. DMWW staff will review and approve all chemicals used on the plots, and Landus agrees to avoid any drifting of chemical applications.

Landus will conduct educational tours of the plot for visiting agricultural producers and groups. Educational materials will include information about source water protection, as well as DMWW Park and its role as a natural water filter.

A motion was made by Ms. Boulton, seconded by Ms. Huppert, to approve and authorize the CEO and General Manager to execute the License Agreement with Landus Cooperative for Demonstration Plots in Water Works Park. 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 Gallery Valve Chamber Structures Reconstruction – Phase 2 and Establish the Date of the Public Hearing as the Date of the May 2022 Board Meeting

The Gallery Valve Chamber Structures Reconstruction project is for the purpose of restoring structures that are an integral part of Des Moines Water Works' Infiltration Gallery, one of the oldest and most important water treatment assets currently in service at the Fleur Drive Water Treatment Plant (FDWTP). This spring, Phase 1 of the Gallery Valve Chamber Structure Reconstruction will be complete. Phase 2 will restore the last three structures which involve more complex construction due to the structure sizes and proximity to park ponds.

A motion was made by Ms. Munns, seconded by Ms. Boulton, to authorize staff to solicit bids for Gallery Valve Chamber Structures Reconstruction – Phase 2 and Establish the Date of Public Hearing as the Date of the May 2022 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 Re-establish the Date of Public Hearing for 2022 Des Moines Water Main Replacement – Contract 1 as the Date of the June 2022 Board Meeting

At the February 2022 Board meeting, staff was authorized to solicit bids for 2022 Des Moines Water Main Replacement – Contract 1 and establish the date of Public Hearing for the April 2022 Board meeting. Due to delays in design caused by additional time spent verifying utility information and consideration for modifications to reduce construction costs, staff requests to set a new bid date and re-establish the date of the Public Hearing as the date of the June 2022 Board meeting.

A motion was made by Ms. Huppert, seconded by Ms. Boulton, to authorize staff to re-establish the date of Public Hearing for 2022 Des Moines Water Main Replacement - Contract 1 as the date of the June 2022 Board meeting. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Request Authorization to Re-establish the Date of Public Hearing for 2022 Water Main Replacement Contract as the Date of the May 2022 Board Meeting

At the February 2022 Board meeting, staff was authorized to solicit bids for the 2022 Water Main Replacement Contract and establish the date of Public Hearing for the April 2022 Board meeting. Due to delays in design caused by additional work to verify utility locations on Water Street and to verify the Iowa Department of Transportation right-of-way requirements for NE 22nd Street, staff requests to set a new bid date and re-establish the date of the Public Hearing as the date of the May 2022 Board meeting.

A motion was made by Mr. Aschbrenner, seconded by Ms. Boulton, to authorize staff to re-establish the date of Public Hearing for 2022 Water Main Replacement Contract as the date of the May 2022 Board meeting. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Request Authorization for CEO and General Manager to Issue a Purchase Order to Superior Industrial Equipment for Purchase of Parts to Rebuild Fleur drive West High Lift Pump #5

In 2003, DMWW first started operating West High Lift Pump #5. West High Lift #5 is one of six pumps used to supply water from the Fleur Drive Treatment Plant into the distribution system. Due to the age of these pumps, Operations asked the manufacturer to inspect all the Fleur High Lift pumps and provide recommendations for rehabilitating. The manufacturer recommended repairs to West High Lift pumps #3 and #5, with #5 being the priority. Due to the long lead times (as much as 23 weeks) staff proposes to order the parts now, so they are ready to be installed when customer demand reduces in the fall. This purchase order is for pump parts only and does not include any motor repairs, labor, or shipping costs. Because these pump parts are manufacturer specific, only one supplier is available, Superior Industrial Equipment. Cost for required parts is \$113,270.43.

A motion was made by Ms. Munns, seconded by Mr. Aschbrenner, to authorize staff to issue a Purchase Order to Superior Industrial Equipment, in the amount of \$113,270.43, for providing parts required to rebuild Fleur Drive West High Lift Pump #5. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Request Authorization for CEO and General Manager to Execute Agreement with Beautiful Lawns by Long's, LLC, for Turf Maintenance Services – Remote Facilities

Des Moines Water Works' remote facilities are located across the Des Moines Metro and surrounding areas. Maintaining our remote facilities is an important part of the water utility operations. Proper turf care facilitates access to and maintenance of various pieces of water supply infrastructure. Turf maintenance activities shall include litter collection and disposal, grass mowing, edging, and grass trimming.

Recently, proposals were sent to 8 lawncare contractors to mow approximately 63 acres at 20 of our remote facilities. The low responsive bid was submitted on April 1, 2022, by Beautiful Lawns by Long's, LLC, for \$43,568.00 and staff recommends the contract be awarded to such firm.

A motion was made by Ms. Boulton, seconded by Ms. Huppert, to award Turf Maintenance Services - Remote Facilities for Des Moines Water Works to Beautiful Lawns by Long's, LLC in the amount of \$43,568.00. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Award 2022 Tank Painting – Tenny Standpipe and Runnells Water Tower

A Public Hearing was opened by Chairperson Gillette for comments from the public regarding the form of contract, plans and specifications, and estimated cost for the 2022 Tank Painting – Tenny Standpipe and Runnells Water Tower project. Receiving no oral or written comments, the Public Hearing was closed.

A motion was made by Ms. Munns for adoption of the form of contract, plans and specifications, and estimated cost for the Project as prepared. The motion was seconded by Ms. Huppert. Upon roll-call 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. Staff recommended approval of its proposed waiver of an informality in the bid of the low bidder G & L Tank Sandblasting and Coatings, LLC, and the award of the contract to such bidder for the Base Bid and Alternates combined, in the total amount of \$860,000.

A motion was made by Ms. Boulton, seconded by Mr. Aschbrenner, to award the 2022 Tank Painting – Tenny Standpipe and Runnells Water Tower Contract to G & L Tank Sandblasting and Coatings, LLC, for the Base Bid and Alternates combined, in the total amount of \$860,000, and authorize the Chairperson and the CEO and General Manager to execute the contract. 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 April 5, 2022, as reflected in the minutes thereof. Ms. Boulton gave a brief summary of the meeting. The May 3rd Planning Committee Meeting will be held at the Greater Des Moines Botanical Garden.
- Finance and Audit Committee – There was no meeting held in April.
- Bill Stowe Memorial – Mr. Gillette reported that the William G. Stowe Foundation has incorporated a nonprofit entity intended to be exempt for income tax under Section 501(c)(3), which will fund internships to study how best to collaborate, expand, create partnerships, etc., and other educational efforts. An update will be provided to the Board of Trustees in May or June.
- Greater Des Moines Botanical Garden – Mr. Gillette reminded all to attend the May 3rd Planning Committee meeting at the Botanical Garden.
- Des Moines Water Works Park Foundation Board – Ms. Boulton shared that fundraising continues to be a focus as concert season begins.

Staff Updates

Saylorville Opinion of Probable Cost – Mr. Corrigan advised that the consultant has not yet finalized the cost estimate for the Saylorville Water Treatment Plant Expansion. He did explain that the estimate is higher than previously expected, more than \$150M, due to supply chain issues and increased construction costs.

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

CEO and General Manager's Comments

Mr. Corrigan provided the first quarterly update on the Strategic Plan and shared progress on the Key Performance Indicators (KPIs). He also shared that river and nitrate levels are up.

Ms. Munns asked for an update on regionalization. Mr. Corrigan informed the Board that all of DMWW's wholesale customers, except Warren Rural Water, passed resolutions to engage in the development of the regional water utility. Polk City has not confirmed participation yet. Grimes (who is not currently a DMWW customer) is interested in participating as well. A series of meetings have begun to discuss the draft 28E/F with potential regional partners. Mr. Corrigan shared that he continues to encourage employees to ask questions throughout the regionalization process.

Adjournment – Meeting adjourned by unanimous consent.

4:07 p.m. adjourned