

**MINUTES OF MEETING OF FINANCE AND AUDIT COMMITTEE
OF THE BOARD OF WATER WORKS TRUSTEES
PURSUANT TO NOTICE**

July 13, 2021
3:30 p.m.

The Meeting was conducted by video conference.

Present (by Video or Audio Conference Link):

Board Members: Ms. Susan Huppert and Ms. Diane Munns

Staff Members: Pat Bruner, Nathan Casey, Ted Corrigan, Kyle Danley, Amy Kahler, Mike McCurnin, Jennifer Puffer, Laura Sarcone, Jennifer Terry, and Michelle Watson

Also in attendance: Melissa Walker (MW Media Consultants, LLC)

Meeting called to order at 3:30 p.m.

1. Greater Des Moines Botanical Garden Agreement

Mr. Corrigan stated that DMWW took over operation of the Greater Des Moines Botanical Center, now known as the Des Moines Botanical Garden, in 2004 based on an agreement negotiated with the City of Des Moines. The initial term of the agreement was 6 years, but operation of the Center continued beyond that initial term until 2012. In early 2010, a group of local business leaders proposed that a public/private partnership would take over operation of the Botanical Center with the caveat that ongoing public support would be required. They asked DMWW to commit \$200,000 of in-kind services and free water for 10 years. The DMWW Board entered into the Amended and Restated Greater Des Moines Botanical Garden Support Agreement in June of 2012. On January 1, 2013, operation was turned over to the Greater Des Moines Botanical Garden. DMWW support of the Botanical Garden per the Amended and Restated Support Agreement is scheduled to end in 2022. To ensure a smooth transition, DMWW staff and Botanical Center staff have worked to develop a plan for a reduction of support over time including a short extension of the Support Agreement on terms as presented to the Committee.

2. Legal Services RFP Decision Matrix

Ms. Kahler provided an update on the legal services RFP and shared that DMWW received five responses to the Legal Services RFP (in alphabetical order):

Dickinson Law
Dorsey & Whitney, LLP
Fredrikson & Byron, P.A.
Hopkins & Huebner, P.C.
Whitfield & Eddy Law

A decision matrix has been developed to assist in evaluating the responses. The candidate responses have not yet been opened, pending support by the Finance & Audit Committee (F&A) for the decision matrix. Once the decision matrix is finalized, staff will distribute the RFP responses and contact the respondents to advise the evaluation timeline has been extended beyond what was previously communicated. F&A will lead the RFP evaluation process, supported by staff members Ted Corrigan, CEO and General Manager, and Amy Kahler, Chief Financial Officer. The F&A Committee proposes the following timeline and process:

- Discuss evaluation process and timeline at June F&A Committee meeting - June 8, 2021 (completed).
- Review evaluation matrix, including rating areas and weightings, at July F&A Committee meeting.
- Open and distribute responses after evaluation matrix has been finalized - July 13, 2021
- F&A Committee to review and evaluate responses to RFP, conduct legal firm interviews, and interview references - August – October, 2021
- Discuss results of evaluation, interviews, and references at November F&A meeting.
- Make recommendation based on results of evaluation process - November 9, 2021
- Recommendation presented to Board for approval - November/December, 2021

3. CEO and General Manager's Comments

Mr. Corrigan reported that demand has moderated quite a bit since mid-June and cyanotoxin levels on the Raccoon River have returned to a level below the limit of detection.

4. Public Comments – There were no comments from the public.

Meeting adjourned at 4:20 p.m.