

**MINUTES OF CALLED MEETING OF THE BOARD OF WATER WORKS TRUSTEES
PURSUANT TO NOTICE
Tuesday, October 26, 2021**

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

Board Members: Chairperson Mr. Graham Gillette, presiding; Mr. Joel Aschbrenner, Ms. Susan Huppert, Ms. Andrea Bolton, and Ms. Diane Munns (who joined in progress)

Staff members: Rachel Brown, Pat Bruner, Wally Burgin, Ted Corrigan, Doug Garnett, Donna Heckman, Michelle Holland, Amy Kahler, Laura Sarcone, Jennifer Terry, and Michelle Watson

Also in attendance: Alyssa Gerhardt and Peter Levi (Drake University), John Lande (legal counsel), Matt McQuillen (City of Clive), Rick Malm (legal counsel), Jim Sanders (City of Johnston), 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. Boulton, seconded by Mr. Aschbrenner, to approve Consent Items A, B, C, D, and E (Approval of Minutes, September 28, 2021, Board of Water Works Trustees Meeting; Minutes, October 12, 2021, Finance and Audit Committee Meeting; Receipt and filing of the financial statements for audit purposes; Approval of Payments for September 2021; Approval of Summary of CEO-Approved Expenditures in Excess of \$20,000; and Approval of November 23, 2021, as the next meeting of the Board of Water Works Trustees). Upon roll-call vote, the motion was adopted, with Mr. Aschbrenner, Ms. Boulton Mr. Gillette, and Ms. Huppert voting in favor of the motion.

Ms. Munns joined the meeting in progress at 3:34 p.m.

Public Comment Period

No comments were received from the public.

2022 Employee Benefit Insurance Renewals

Proposals for the 2022 employee medical insurance, retiree medical insurance, employee dental insurance, employee vision insurance, life insurance and long-term disability insurance were presented. There will be no increase in health insurance premiums. Retiree medical insurance will increase 1.97% for 2022, employee life insurance will increase 1.11% and disability insurance will have no increase or decrease.

A motion was made by Mr. Aschbrenner, and seconded by Ms. Munns, to approve the 2022 employee benefits insurance providers and rates for the year 2022 as presented. Upon roll-call vote, the motion was adopted, with each member of the Board identified as present voting in favor of the motion.

2022 Corporate Insurance

Proposed 2022 insurance coverages and premiums were presented. As proposed, DMWW's corporate insurance renewal rates for 2022 will increase from \$1,116,407 (for 2021) to \$1,236,053.

A motion was made by Ms. Boulton, seconded by Ms. Huppert to accept insurance program renewal submitted by LMC Insurance & Risk Management as presented. Upon roll-call vote, the motion was adopted, with each member of the Board identified as present voting in favor of the motion.

Receive and File Cost of Service Report

In 2017, DMWW engaged Raftelis to review its cost of service study to ensure the principles and methodologies used are consistent with generally accepted industry standards. After completing its analysis Raftelis recommended several changes, including changing from a historical cost model to a forward-looking revenue requirements model, and the utility adopted that recommendation last year. Use of a multi-factor structure rather than a simple volumetric rate to accurately capture and assign the costs of peak demands on the system was also recommended, but adoption of that approach was deferred last year. Staff input the 2022 budget into the full Raftelis cost of service model this year for the Board's consideration. The results of that analysis was the basis for the 2022 rate setting discussions and was the basis for rates presented at the October 2021 Finance & Audit Committee Meeting.

Staff has prepared an executive summary report of the cost of service results using the 2022 budget numbers. Figure 13 in the executive summary sets forth in summary form the cost of service (budget) and anticipated revenues (rates) by service area as set forth below.

After the October Finance & Audit meeting, Figure 13 was updated with the "business as usual" rate approach discussed during the October Finance & Audit committee meeting; therefore, Figure 13 (as show below) is slightly different than originally presented.

Figure 1: Cost of Service Results

<u>Customer</u>	<u>Cost of Service</u>	<u>2022 Projected Revenue</u>	<u>COS Recovery</u>
Retail			
Des Moines Inside City	\$ 35,667,735	\$ 35,416,935	99%
Des Moines Outside City	1,742,288	927,795	53%
Total: Retail	\$ 37,410,023	\$ 36,344,730	97%
Full Service			
Polk County	\$ 6,527,361	\$ 6,805,176	104%
Runnells	169,239	185,228	109%
Cumming	107,179	114,643	107%
Alleman	102,860	112,598	109%
Pleasant Hill Inside City	2,729,498	2,866,650	105%
Pleasant Hill Outside City	6,069	5,372	89%
PCRWD	167,124	140,009	84%
Berwick	239,958	154,459	64%
Windsor Heights	884,875	1,010,907	114%
Less: Future FS Capital Costs	(2,078,771)		
Total: Full Service	\$ 8,855,392	\$ 11,395,041	129%
Wholesale - PC			
Altoona	\$ 73,185	\$ 27,709	38%
Ankeny	5,181,221	5,754,434	111%
Bondurant	480,504	517,252	108%
Clive	2,232,495	1,925,838	86%
Norwalk	976,459	886,719	91%
Waukee	1,928,972	1,653,357	86%
Urbandale	5,532,005	4,585,999	83%
Warren Rural Water	1,656,224	1,764,195	107%
West Des Moines	3,497,655	2,553,937	73%
Xenia	1,793,667	2,008,977	112%
Polk City	405,351	300,190	74%
Total: Wholesale - PC	\$ 23,757,739	\$ 21,978,607	93%
Wholesale with Storage			
West Des Moines - Storage	\$ 111,400	\$ 42,346	38%
Johnston	2,990,417	3,345,464	112%
Water Development Co	51,786	70,570	136%
Total: Wholesale with Storage	\$ 3,153,603	\$ 3,458,380	110%
Total: Utility	\$ 73,176,757	\$ 73,176,757	100%

Staff will distribute the cost of service report to wholesale and Total Service customers once accepted by the Board of Trustees.

A motion was made by Ms. Munns, and seconded by Ms. Huppert, to accept and file the Cost of Service Study as presented. Upon roll-call vote, the motion was adopted with each member of the Board voting in favor of the motion.

Approval of Proposed 2022 Water Rates

Proposed 2022 water rates were presented.

Wholesale Rates

Two options were presented for wholesale rates: 1) “Raftelis Recommended Rate Approach”, where wholesale rates include a volume rate plus a meaningful fixed fee component based on each customer’s projected maximum day demand to recover capital costs and 2) “Business as Usual”, where wholesale rates recover costs solely on the basis of a single volumetric rate. After discussion and in consideration of customer comments related to the timing of adopting a Raftelis recommended rate structure in relation to critical regionalization efforts, staff recommended the “business as usual” approach for 2022 wholesale rates. However, if regionalization does not occur or has not been finalized by the time rates are approved for 2023, staff will recommend the full Raftelis approach for 2023 rates.

In light of Cost of Service results also discussed at Finance & Audit, staff recommends a 15% increase in the wholesale Purchased Capacity rate, and a 0% increase in the wholesale With Storage rate.

Retail Rates

Staff recommends a 3% rate increase for Des Moines and most other retail customers, with a few exceptions. Based on Cost of Service cost recovery percentages, staff recommends a 10% increase for Outside City customers, and 7% increases for customers in the PCRWD#1 and Berwick service areas. Staff recommends no increases in capital improvement fees or water availability charges for 2022. Water rates and capital improvement fees by customer class are summarized in the attachment. Water availability charges by customer class and meter size are also summarized. Proposed rates will take effect April 1, 2022.

A motion was made by Ms. Huppert, seconded by Ms. Munns to approve the proposed rates as presented to be effective for all water bills issued on or after April 1, 2022, and to direct staff to publish the adopted rates as provided by law as follows:

	2021 Rate Per 1,000 Gallons	2022 Rate Per 1,000 Gallons	Increase	Percent Increase	Dollar Monthly Increase for Avg. Home With:	
					2 Person 3,750 gal	4 Person 7,500 gal
Des Moines Inside City						
Residential (Step 1)	\$5.19	\$5.35	\$0.16	3%	\$0.60	\$1.20
Commercial (Step 2)	3.49	3.59	0.10	3%		
Industrial (Step 3)	2.68	2.76	0.08	3%		
Capital Improvement Fee						
Step 1	\$0.25	\$0.25	\$0.00	0%	\$0.00	\$0.00
Step 2	0.17	0.17	0.00	0%		
Step 3	0.13	0.13	0.00	0%		
Des Moines Outside City						
Residential (Step 1)	\$5.64	\$6.20	\$0.56	10%	\$2.10	\$4.20
Commercial (Step 2)	4.24	4.66	0.42	10%		
Industrial (Step 3)	3.03	3.33	0.30	10%		
Off Peak	2.63	2.89	0.26	10%		
Polk County						
Residential (Step 1)	\$10.23	\$10.54	\$0.31	3%	\$1.16	\$2.32
Commercial (Step 2)	6.26	6.45	0.19	3%		
Industrial (Step 3)	4.88	5.03	0.15	3%		
Capital Improvement Fee						
Step 1	\$1.50	\$1.50	\$0.00	0%	\$0.00	\$0.00
Step 2	0.92	0.92	0.00	0%		
Step 3	0.71	0.71	0.00	0%		
Pleasant Hill						
Residential (Step 1)	\$9.51	\$9.80	\$0.29	3%	\$1.09	\$2.18
Commercial (Step 2)	8.03	8.27	0.24	3%		
Outside City	16.31	16.80	0.49	3%	\$1.84	\$3.68
Windsor Heights						
Residential (Step 1)	\$5.29	\$5.45	\$0.16	3%	\$0.60	\$1.20
Capital Improvement Fee						
Step 1	2.00	2.00	0.00	0%	\$0.00	\$0.00
PCRWD #1						
Residential (Step 1)	\$4.80	\$5.14	\$0.34	7%	\$1.28	\$2.55
Berwick						
Residential (Step 1)	\$4.00	\$4.28	\$0.28	7%	\$1.05	\$2.10
Runnells						
Water	\$8.60	\$8.86	\$0.26	3%	\$0.97	\$1.95
Waste Water	9.33	9.61	0.28	3%	\$1.05	\$2.10
Cumming						
Residential (Step 1)	\$8.87	\$9.14	\$0.27	3%	\$1.01	\$2.03
Alleman						
Residential (Step 1)	\$10.53	\$10.85	\$0.32	3%	\$1.20	\$2.40
Wholesale						
Purchased Capacity	\$2.68	\$3.08	\$0.40	15%		
With Storage	4.57	\$4.57	\$0.00	0%		

Upon roll-call vote, the motion was adopted with each member of the Board identified as present voting in favor of the motion.

Proposed 2022 Budget – Establish Public Hearing as the Date of the November 2020 Board Meeting

The Board conducts a public hearing on its annual budget each year before considering its adoption. A motion was made by Ms. Huppert, seconded by Mr. Aschbrenner, to establish the date of a Public Hearing on the Proposed 2022 Budget as the date of the November 2021 Board meeting and to direct staff to publish notice of such public hearing as set forth in the Des Moines Water Works Board Policy Manual. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Resolution Authorizing the Redemption of Outstanding Water Revenue Refunding Bonds, Series 2012A, dated October 30, 2012

DMWW issued \$4,605,000 water revenue refunding bonds, 2012A Series, on October 30, 2012. These bonds mature on December 1, 2025 and are subject to optional (early) redemption on December 1, 2021. The remaining principal for redemption is \$600,000. Staff and DMWW's Municipal Advisor, Maggie Burger, Speer Financial, Inc. recommend redemption of the bonds.

Trustee Diane Munns introduced the following Resolution and moved that the same be adopted. Trustee Joel Aschbrenner seconded the motion to adopt the following resolution:

**RESOLUTION AUTHORIZING THE REDEMPTION OF
OUTSTANDING WATER REVENUE REFUNDING BONDS, SERIES
2012A, OF THE CITY OF DES MOINES, STATE OF IOWA, DATED
OCTOBER 30, 2012, AND DIRECTING NOTICE BE GIVEN**

WHEREAS, the Board of Water Works Trustees of the City of Des Moines, State of Iowa, (hereinafter referred to as the "Issuer") did by resolution dated October 23, 2012, authorize the issuance of \$4,605,000 Water Revenue Refunding Bonds, Series 2012A, (the "Bonds") dated October 30, 2012; and

WHEREAS, the Bonds are redeemable in any order of their numbering on December 1, 2021 or any date thereafter upon giving notice in the manner provided in the resolution authorizing the issuance of the Bonds; and

WHEREAS, it is deemed necessary and advisable that \$600,000 be so redeemed on December 1, 2021 and notice of redemption be given according to the terms of the resolution authorizing issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF WATER WORKS TRUSTEES OF THE CITY OF DES MOINES, STATE OF IOWA:

Section 1. That outstanding Water Revenue Refunding Bonds, Series 2012A, dated October 30, 2012, in the principal amount of \$600,000, be and the same are hereby redeemed as of December 1, 2021.

Section 2. The Issuer has available funds to service all remaining obligations related to these Bonds. Accordingly, as of the redemption date authorized herein, the remaining mandatory tax provisions for the Bonds, as contained in the "RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$4,605,000

WATER REVENUE REFUNDING BONDS, SERIES 2012A, OF THE CITY OF DES MOINES, STATE OF IOWA, UNDER THE PROVISIONS OF THE CITY CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF THE BONDS", dated October 23, 2012, on file with the Polk County Auditor are hereby rescinded.

Section 3. The Registrar and Paying Agent, the Chief Financial Officer of the Issuer, is hereby authorized and directed to cause notice of such redemption be given not less than thirty (30) days prior to the redemption date and to cause notice of redemption to be provided to the registered owners of the Bonds (DTC).

Section 4. The Chief Financial Officer is hereby authorized and directed to cause to be deposited in a separate fund sum sufficient to pay all principal and interest on the redeemed Bonds to the date of redemption and to notify the Issuer's dissemination agent to post the Notice of Redemption to the MSRB's website (EMMA) in searchable PDF format for the refunded Bonds in accordance with the Continuing Disclosure Certificate for the Bonds.

Section 5. That the form of such notice be substantially as follows:

NOTICE OF THE CALL OF BONDS FOR REDEMPTION TO THE HOLDERS OF THE FOLLOWING DESCRIBED BONDS:

Please take notice that the Bonds described below have been called for redemption. Owners of the Bonds should present their Bonds for payment on the redemption date.

Issuer: Board of Water Works Trustees of the City of Des Moines, State of Iowa

Original Issue Amount: \$4,605,000

Bond Issue: Water Revenue Refunding Bonds, Series 2012A

Dated Date: October 30, 2012

Redemption Date: December 1, 2021

Redemption Price: Par, plus accrued interest

Bonds Called for Redemption

<u>CUSIP</u> <u>Numbers</u>	<u>Bond</u> <u>Numbers</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>	<u>Maturity</u> <u>Date</u>
250152 GD1	10	\$500,000	2.000%	December 1, 2022
250152 GE9	11	\$100,000	2.125%	December 1, 2023

No representation is made as to the accuracy of the CUSIP numbers printed herein or on the Bonds.

This represents a full call of the outstanding obligations. All interest will cease to accrue on the Redemption Date.

CHIEF FINANCIAL OFFICER, Des Moines
Water Works, Iowa

(End of Notice)

A roll-call vote was taken and the vote was,

AYES: Joel Aschbrenner, Andrea Boulton, Graham Gillette,
Susan Huppert, and Diane Munns

NAYS: None

Whereupon, the Chairperson declared the measure duly adopted.

Resolution Authorizing the Redemption of Outstanding Water Revenue Refunding Bonds, Series 2012B, dated October 30, 2012

DMWW issued \$39,400,000 water revenue refunding bonds, 2012B Series, on October 30, 2012. These bonds mature on December 1, 2025 and are subject to optional (early) redemption on December 1, 2021. The remaining principal for redemption is \$12,350,000. Approximately 70% of the 2012B bonds are the responsibility of wholesale customers who purchased capacity in DMWW's Core Network and participated in the bond issuance to pay for their purchased capacity.

Staff and DMWW's Municipal Advisor, Maggie Burger, Speer Financial, Inc. recommend redemption of the 2012B bonds. Wholesale participants to the bonds wish to participate in and fund their respective portions of redemption, as demonstrated by resolutions passed by the participant governing bodies as presented to the Board. Participants will remit their redemption amounts to DMWW by November 19.

Trustee Susan Huppert introduced the following Resolution and moved that the same be adopted. Trustee Andrea Boulton seconded the motion to adopt the following resolution:

RESOLUTION AUTHORIZING THE REDEMPTION OF
OUTSTANDING WATER REVENUE REFUNDING BONDS, SERIES
2012B, OF THE CITY OF DES MOINES, STATE OF IOWA, DATED
OCTOBER 30, 2012, AND DIRECTING NOTICE BE GIVEN

WHEREAS, the Board of Water Works Trustees of the City of Des Moines, State of Iowa, (hereinafter referred to as the "Issuer") did by resolution dated October 23, 2012, authorize the issuance of \$39,400,000 Water Revenue Refunding Bonds, Series 2012B, (the "Bonds") dated October 30, 2012; and

WHEREAS, the Bonds are redeemable in any order of their numbering on December 1, 2021 or any date thereafter upon giving notice in the manner provided in the resolution authorizing the issuance of the Bonds; and

WHEREAS, it is deemed necessary and advisable that \$12,350,000 be so redeemed on December 1, 2021 and notice of redemption be given according to the terms of the resolution authorizing issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF WATER WORKS TRUSTEES OF THE CITY OF DES MOINES, STATE OF IOWA:

Section 1. That outstanding Water Revenue Refunding Bonds, Series 2012B, dated October 30, 2012, in the principal amount of \$12,350,000, be and the same are hereby redeemed as of December 1, 2021.

Section 2. The Issuer has available funds to service all remaining obligations related to these Bonds. Accordingly, as of the redemption date authorized herein, the remaining mandatory tax provisions for the Bonds, as contained in the "RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$39,400,000 WATER REVENUE REFUNDING BONDS, SERIES 2012B, OF THE CITY OF DES MOINES, STATE OF IOWA, UNDER THE PROVISIONS OF THE CITY CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF THE BONDS", dated October 23, 2012, on file with the Polk County Auditor are hereby rescinded.

Section 3. The Registrar and Paying Agent, the Chief Financial Officer of the Issuer, is hereby authorized and directed to cause notice of such redemption be given not less than thirty (30) days prior to the redemption date and to cause notice of redemption to be provided to the registered owners of the Bonds (DTC).

Section 4. The Chief Financial Officer is hereby authorized and directed to cause to be deposited in a separate fund sum sufficient to pay all principal and interest on the redeemed Bonds to the date of redemption and to notify the Issuer's dissemination agent to post the Notice of Redemption to the MSRB's website (EMMA) in searchable PDF format for the refunded Bonds in accordance with the Continuing Disclosure Certificate for the Bonds.

Section 5. That the form of such notice be substantially as follows:

**NOTICE OF THE CALL OF BONDS FOR REDEMPTION TO THE HOLDERS OF
THE FOLLOWING DESCRIBED BONDS:**

Please take notice that the Bonds described below have been called for redemption. Owners of the Bonds should present their Bonds for payment on the redemption date.

Issuer: Board of Water Works Trustees of the City of Des Moines, State of Iowa
Original Issue Amount: \$39,400,000

Bond Issue: Water Revenue Refunding Bonds, Series 2012B

Dated Date: October 30, 2012

Redemption Date: December 1, 2021

Redemption Price: Par, plus accrued interest

Bonds Called for Redemption

<u>CUSIP Numbers</u>	<u>Bond Numbers</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturity Date</u>
250152 GQ2	10	\$3,295,000	3.000%	December 1, 2022
250152 GR0	11	\$3,405,000	3.000%	December 1, 2023
250152 GS8	12	\$3,520,000	3.000%	December 1, 2024
250152 GT6	13	\$2,130,000	3.000%	December 1, 2025

No representation is made as to the accuracy of the CUSIP numbers printed herein or on the Bonds.

This represents a full call of the outstanding obligations. All interest will cease to accrue on the Redemption Date.

CHIEF FINANCIAL OFFICER, Des Moines
Water Works, Iowa

(End of Notice)

A roll-call vote was taken and the vote was,

AYES: Joel Aschbrenner, Andrea Boulton, Graham Gillette,
Susan Huppert, and Diane Munns

NAYS: None

Whereupon, the Chairperson declared the measure duly adopted.

Acceptance of Highway G14 Feeder Main

Mr. Corrigan reported that all work associated with the Highway G14 Feeder Main contract has been satisfactorily completed.

A motion was made by Mr. Aschbrenner, seconded by Ms. Munns, to accept the Highway G14 Feeder Main, completed by On Track Construction, LLC, in the amount of \$1,270,023.70. Upon roll-call vote, the motion was adopted, with each member of the Board voting in favor of the motion.

Award Joint Eastside Booster Station Hypochlorite Feed System

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 Joint Eastside Booster Station Hypochlorite Feed System 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 as prepared. The motion was seconded by Ms. Boulton. Upon roll-call vote, the motion was adopted, with each member of the Board, who is identified above as present, voting in favor of the motion.

An analysis of the bids received was presented and considered.

A motion was made by Ms. Huppert, seconded by Ms. Boulton, to award the Joint Eastside Booster Station Hypochlorite Feed System Contract to C.L. Carroll Co., Inc., in the amount of \$202,000, and authorize the Chairperson and CEO and General Manager to execute the contract. Upon roll-call vote, the motion was adopted, with each member of the Board, who is identified above as present, voting in favor of the motion.

Request Authorization to Solicit Bids for L. P. Moon Pumping Station – Pump No. 8 and Establish the Date of the Public Hearing as the Date of the November 2021 Board Meeting

The L. P. Moon Pumping Station consists of a total of six pumps. Each is capable of pumping water from the storage reservoir at a nominal rate of 2,700 gallons per minute. Three of the pumps are dedicated to delivering water to the distribution systems of Clive, West Des Moines, and Waukee. The other three pumps are dedicated to delivering water to the distribution systems of Urbandale and the Xenia Rural Water District. The original design of the L. P. Moon Pumping Station was configured to provide for adding a future fourth pump to the Clive, West Des Moines, and Waukee system and for adding a future fourth pump to the Urbandale and the Xenia Rural Water Association system. Water demand for the Clive, West Des Moines and Waukee system has increased to the point that demand may not be met if one of the existing three pumps that provide water to that system unexpectedly failed or required repairs. Staff believes it would be prudent to install a fourth pump, in the Pump No. 8 position, to serve as a back-up pump for the Clive, West Des Moines, and Waukee system, with the costs to be shared as agreed among the interested parties.

A motion was made by Ms. Munns, seconded by Ms. Huppert, to authorize staff to solicit bids for L. P. Moon Pumping Station – Pump No. 8 and establish the date of Public Hearing as the date of the November 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, who is identified above as present, voting in favor of the motion.

Polk County Water and Land Legacy Bond

At the September 28, 2021, Board meeting representatives from Polk County Water and Land Legacy made a presentation and requested that the Board endorse and financially support their upcoming bond referendum. The Iowa Code prohibits the Board from expending public money to expressly advocate for the passage or defeat of a ballot measure. However, the Board may pass a resolution in support of the ballot measure. To that end, and based on the Board's comments generally expressing support for the measure, the following resolution was offered for the Board's consideration:

WHEREAS, the Board of Water Works Trustees of the City of Des Moines, Iowa, considers conservation, preservation and protection of the water resources of the State of Iowa, including Polk County, to be vital to its mission of delivering safe, affordable and abundant water to customers; and

WHEREAS, the Board believes the proposed Polk County Water and Land Legacy Bond, which is to be submitted to the voters of Polk County on November 2, 2021, will advance the goals of conservation, preservation and protection of the water resources of Polk County

BE IT RESOLVED, that the Board of Water Works Trustees of the City of Des Moines, Iowa does hereby endorse the concept of, and proclaim its support for the concept of, the proposed Polk County Water and Land Legacy Bond.

A motion was made by Ms. Huppert, seconded by Ms. Boulton, to pass the above resolution in support of the Polk County Water and Land Legacy Bond. Upon roll-call vote, the motion was adopted, with each member of the Board, who is identified above as present, voting in favor of the motion.

Legal Services

Proposals to provide Des Moines Water Works legal services were requested from legal firms across the metro area. Proposals were received from five firms. The Board's Finance and Audit Committee, in addition to the CEO and CFO, served as the review committee for the legal services proposals.

The committee recommends that the Board continue with the firm of Dickinson, Mackaman, Tyler & Hagen, P.C. and designate John Lande as legal counsel to the Board of Water Works Trustees of the City of Des Moines, Iowa, given the following considerations:

- Excellent quality of legal counsel currently being provided
- Ease of accessibility to utility's primary contact
- Continuity in and availability to the numerous years of utility records maintained by current counsel
- Absence of any conflicts of interest

The committee also recommends that a process be implemented for annual review of legal services including feedback from the Board and that legal services proposals be sought at regular intervals not to exceed five years.

A motion was made by Ms. Huppert, seconded by Ms. Munns, designating John Lande of the firm of Dickinson, Mackaman, Tyler & Hagen, P.C., as legal counsel to the Board of Water Works Trustees of the City of Des Moines, Iowa, effective January 1, 2022. Upon roll-call vote, the motion was adopted, with each member of the Board, who is identified above as present, voting in favor of the motion.

Regionalization Discussion

Mr. Corrigan provided an update on regionalization efforts to the Board.

There was no action needed or taken on this agenda item.

Board Committee Reports

The following reports were provided:

- Planning Committee – No meeting held in October.
- Finance and Audit Committee – A meeting was held on October 12, 2021, as reflected in the minutes thereof. Mr. Aschbrenner offered no additional comments.
- Customer Relations Committee – No meeting held in October.
- Bill Stowe Memorial – Mr. Gillette had no update to report.
- Greater Des Moines Botanical Garden – Mr. Gillette shared that the Botanical Garden has approved a new financial/partnership agreement with the City of Des Moines.
- Des Moines Water Works Park Foundation Board – There was no update provided.

Drake University Research Update

Mr. Peter Levi and Ms. Alyssa Gerhardt provided an update on the research that Drake University's Environmental Science & Sustainability department has been conducting on water quality in Iowa's rivers.

Staff Updates

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

CEO and General Manager's Comments

Mr. Corrigan reported that Iowa State University and the Iowa Corn Growers Association have been active on social media, encouraging people to be thoughtful about their nutrient applications due the amount of nitrogen that has been left in the watershed due to the drought this year.

Adjournment – Meeting adjourned by unanimous consent.

5:37 p.m. adjourned