

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION INDICATING INTENT TO PARTICIPATE AND AUTHORIZING THE  
INCLUSION OF THE DES MOINES WATER WORKS IN FINAL DRAFT  
AGREEMENT ESTABLISHING CENTRAL IOWA WATER WORKS**

WHEREAS, certain water utilities, rural water districts and governmental entities have developed a defined framework for the organization of a new regional water authority as a separate public entity created under Chapter 28E and Chapter 28F, Iowa Code, to be known as the "Central Iowa Water Works" ("CIWW") to act as a regional water wholesale production and supply entity under the material terms and conditions as set forth in the form of the Central Iowa Water Works 28E/28F Agreement, dated September 15, 2023 (the "CIWW Agreement"), available for review at <https://bit.ly/CIWW28E>; and

WHEREAS, the Board of Water Works Trustees of the City of Des Moines, Iowa, a municipal water utility organized and operating in accordance with Iowa Code Chapter 388 ("DMWW") has a duty to provide the quantity and quality of water needed by its customers within and without the City of Des Moines; and

WHEREAS, the Board of DMWW believes it is in the best interest of its customers, and in fulfillment of DMWW's fiduciary duty to those customers for the provision of long-term comprehensive water needs, for DMWW to participate as a Founding Agency of CIWW, as defined in the CIWW Agreement, subject to formal approval of the final CIWW Agreement by all anticipated Founding Agencies named therein.

NOW, THEREFORE IT IS HEREBY RESOLVED, by the Board of Water Works Trustees of the City of Des Moines, Iowa:

Section 1. That DMWW and the customers served by DMWW would benefit from membership as a Founding Agency in CIWW, in accordance with the CIWW Agreement.

Section 2. That the Board of DMWW by this Resolution hereby expresses its current intent to participate and gives its authorization to be included as a Founding Agency in the final draft of the Agreement that will be circulated for approval.

Section 3. That any approval of the final CIWW Agreement will be subject to further consideration and action by the Board of DMWW, in its discretion, in accordance with the Iowa Code and other applicable law.

PASSED AND APPROVED this 31<sup>st</sup> day of October, 2023.

Des Moines Water Works

By Andrea Boulton  
Andrea Boulton, Chairperson of Board

CERTIFICATE

STATE OF IOWA )

) SS

COUNTY OF POLK )

I, the undersigned Secretary of the Board of Water Works Trustees of the City of Des Moines, Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the Board showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the formation, organization, existence or boundaries of the Board of Water Works Trustees of the City of Des Moines, Iowa or the right of the individuals named therein as members to their respective positions.

WITNESS my hand affixed this 31<sup>st</sup> day of October 2023.

  
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Ted Corrigan, Board Secretary