

NOTICE OF MEETING
DES MOINES WASTEWATER RECLAMATION AUTHORITY
ORGANIZATIONAL ASSESSMENT COMMITTEE
&
EXECUTIVE COMMITTEE

Friday, April 21, 2023 @ 10:30 AM

MEETING LOCATION:
BURNHAM CONFERENCE ROOM
DES MOINES METROPOLITAN PLANNING ORGANIZATION
420 WATSON POWELL JR. WAY, SUITE #200
DES MOINES, IOWA

AGENDA

1. Call to Order
2. Minutes of July 8, 2022, Organizational Assessment Committee Meeting - Information
3. Comments by Committee Co-Chairs
4. Amending 28E/28F WRA Agreement - Discussion and Potential Recommendation:
 - a) Inclusion of Facility & Conveyance Plan (as eventually adopted by WRA Board) - Project and Cost Information
 - b) Potential Consideration of Consultant Identified “Issues”
 - c) Issues Organizational Assessment Committee Members Previously Identified - March 31, 2022 Meeting
5. Next Meeting Date - Meeting Date and Time Subject to Doodle Poll
6. Other Business
7. Adjourn

DES MOINES WASTEWATER RECLAMATION AUTHORITY
ORGANIZATIONAL ASSESSMENT COMMITTEE
&
EXECUTIVE COMMITTEE

Friday, July 8, 2022 @ 1:00 PM

**MEETING LOCATION:
CONFERENCE ROOM
DES MOINES METRO WASTE AUTHORITY
300 EAST LOCUST STEET, SUITE 100
DES MOINES, IOWA**

MINUTES

Committee Members in Attendance

Frank Cownie, Des Moines
Linda Westergaard, Des Moines
Sara Kurovski, Pleasant Hill
EJ Giovannetti, Polk County
Joe Sassatelli, Urbandale Sanitary Sewer District
Jody Smith, West Des Moines
Chelsea Huisman, Polk City *
Tom Hadden, West Des Moines

Others in Attendance

Scott Hutchens, Operating Contractor
James Beck, Operating Contractor
Lisa Etnyre, Operating Contractor
Jeffrey Lester, Operating Contractor
Scott Sanders, Operating Contractor
Jonathan Gano, Operating Contractor

* Participated in the meeting virtually due to the fact it was impractical or impossible to participate in the meeting in person.

1. Call to Order

EJ Giovannetti, Committee Co-Chair, called the July 8, 2022, meeting to order at 1:06 p.m.

2. Minutes of March 31, 2022, Organizational Assessment Committee Meeting – Information

Linda Westergaard made a motion to accept, and Sara Kurovski seconded the motion. All in favor.

3. Comments by Committee Co-Chairs

Jody Smith and E.J. Giovannetti welcomed the group to the meeting and thanked everyone for meeting even though July has been a difficult month to meet due to scheduling conflicts.

4. Negotiating Strategies with Retained Counsel – Role of Co-Charis and/or Others – Discussion and Potential Recommendation

EJ noted the City of Des Moines retained Rick Clark as the consultant to represent the City of Des Moines during the negotiation period and the WRA Board approved the retention of Rick Malm as the attorney to represent the Organizational Assessment Committee. He noted that Jody and he, plus Operating Contractor representatives, recently met with both retained individuals but conclusions were not reached on any of the previously identified issues. He further indicated the intention was to have both representatives present at today's meeting but scheduling conflicts did not allow for both representatives to be present, so a decision was made that neither be at this meeting.

Jody noted that, as Co-Chairs, he and EJ had been in contact with Rick Malm to provide initial guidance and direction on behalf of the Committee. He asked Committee members as to whether this practice should continue or whether there were additional representatives who preferred to be involved in providing direction. Linda Westergaard asked what the Committee's goal was as her opinion was that everything seemed to be going smoothly. Frank Cownie made a similar observation and noted some of the recent achievements of the WRA. Tom Hadden noted he was involved in the initial Operating Contract discussions and agreed things operate smoothly with minimal issues. He continued the original 20-year term of the agreement was thought to be long and he saw the WRA Boards creation of an Organizational Assessment Committee as an opportunity to review things and perform due diligence. Sara Kurovski stated her recommendation was that the Committee continue to proceed as they have with Jody and EJ providing guidance and direction to Rick Malm during the negotiations and to bring the information back to the Committee. Committee members then expressed concurrence with that recommendation.

5. Communication Strategies – With Full Organizational Assessment Committee and/or with a Subset of Organization Assessment Committee – Discussion and potential Recommendation

Following the discussion on the above topic, Committee members agreed the Committee Co-Chairs be tasked with updating the Committee as to the negotiation process and progress.

6. Next Meeting Date - Discussion and Potential Recommendation

Jody Smith noted a Doodle poll will be sent out to determine the next meeting date.

7. Other Business

None

8. Adjourn

The meeting adjourned at 1:47 PM

Facility Plan List of Projects
Revised 4-11-23

Name	Period			
	2024-2030	2030-2035	2035-2040	2040-2045
Treatment Plant Projects				
Site Acquisition & Cleanup	\$ 6,500,000			
WRF Clarifier Improvements Phase Two	\$32,000,000			
WRF Effluent Pump Station	\$39,870,000			
WRF Phosphorus Recovery	\$35,997,000			
WRF Biogas Flare System Improvements	\$5,000,000			
WRF Aeration Basin Improvements	\$37,023,000			
WRF Personnel Facilities	\$42,620,000			
WRF Building 50, 51 and 52 Improvements	\$15,000,000			
WRF Building 73 Improvements	\$7,775,000			
WRF Trickling Filter Demo Phase 3	\$6,000,000			
WRF Raw Pump Stn. & Preliminary Treatment Facilities	\$96,153,000			
WRF Primary Treatment Facilities		\$64,614,000		
WRF Influent Sewers Relocation		\$15,866,000		
WRF Disinfection Improvements		\$45,598,000		
WRF Final Clarifier Expansion Phase 1		\$38,157,000		
WRF Digester and Dewatering Improvements		\$43,125,000		
WRF Hauled Waste Facilities			\$8,639,000	
WRF Building 05 and Primary Treatment Demolition			\$7,199,000	
WRF Second Outfall and Disinfection Facilities			\$51,836,000	
WRF Effluent Pump Station No. 2			\$32,397,000	
WRF Gas Conditioning			\$27,271,000	
WRF Preliminary Treatment Expansion			\$22,267,000	
WRF Primary Treatment Expansion			\$16,523,000	
WRF Final Clarifier Expansion Phase 2				\$35,997,000
WRF Aeration Basin Expansion				\$73,434,000
WRF Waste Thickening and Blended Sludge Facilities				\$23,428,000
WRF Biosolids Storage Improvements				\$14,399,000
WRF Digestion Facilities				\$33,534,000
Conveyance Projects				
WRA Joint Trunk - West	\$15,680,000			
WRA Joint Trunk - East	\$15,460,000			
WRA Beaver Creek Interceptor	\$13,510,000			
WRA Southwest Diversion Pump Station Odor Control	\$4,000,000			
WRA Southwest Diversion Equalization Basin Odor Control	\$8,000,000			
WRA Southside Des Moines River Interceptor - Segment 4	\$25,438,000			
WRA West Des Moines Outfall Phase 13 Segment 1 & 2	\$6,740,000			
WRA Common Trunk - Segment 4		\$13,564,000		
WRA Southern Tier Lift Station Improvements		\$30,000,000		
WRA Westside Interceptor		\$17,290,000		
WRA Southern Tier Interceptor - Western Segments		\$11,520,000		
Pleasant Hill Pump Station Forcemain		\$4,500,000		
WRA Little Four Mile Interceptor			\$12,090,000	
WRA Saylor Creek Interceptor - North Branch			\$8,600,000	
Period Total	\$412,766,000	\$284,234,000	\$186,822,000	\$180,792,000
Grand Total	\$1,064,614,000			

Project Cost (2023 Dollars)	Project Bid Year
\$ 6,500,000	2023
\$32,000,000	2023
\$39,870,000	2024
\$35,997,000	2024
\$5,000,000	2024
\$37,023,000	2025
\$42,620,000	2026
\$15,000,000	2027
\$7,775,000	2027
\$6,000,000	2028
\$96,153,000	2029
\$64,614,000	2030
\$15,866,000	2031
\$45,598,000	2032
\$38,157,000	2033
\$43,125,000	2034
\$8,639,000	2035
\$7,199,000	2036
\$51,836,000	2037
\$32,397,000	2039
\$27,271,000	2039
\$22,267,000	2039
\$16,523,000	2039
\$35,997,000	2041
\$73,434,000	2042
\$23,428,000	2042
\$14,399,000	2042
\$33,534,000	2044

\$15,680,000	2026
\$15,460,000	2028
\$13,510,000	2028
\$4,000,000	2028
\$8,000,000	2028
\$25,438,000	2029
\$6,740,000	2029
\$13,564,000	2030
\$30,000,000	2030
\$17,290,000	2032
\$11,520,000	2034
\$4,500,000	2034
\$12,090,000	2035
\$8,600,000	2036



Date: February 14, 2023

M E M O R A N D U M

To: Scott Hutchens
WRA Director

Fr: Bob Veenstra Jr.
Veenstra & Kimm, Inc.

Re: Potential WRA Issues

As a follow up to our discussions, this memorandum sets forth the list of some items the writer believes would be appropriate to discuss as a part of the upcoming review of the Second Restated 28E Agreement and the operating contract.

1. Establish a long term procedure to address how additional sewer capacity will be provided within the WRA conveyance system. At the present time the 28E Agreement is based on the concept of constructing a set group of improvements to the conveyance system. The continued growth in the Des Moines area will trigger the need for additional conveyance improvements not currently identified in the Capital Improvement Program. The lack of a long term strategy to conveyance system issues has been an issue since the early 1990s. The previous resolutions have involved a Facility Plan approximately every 10 years. While that approach has worked so far it has never addressed the long term issue of the responsibility of the WRA to provide capacity for member communities. This topic is focused on the responsibility to provide capacity and not the cost issue.
2. Develop a long term solution for how future conveyance system improvements will be funded. The WRA has used three separate approaches to funding conveyance system projects. The early 1980s approach was to allocate a fixed percentage of each improvement cost to members based on the usage of that project. The 2004 approach involved the core and expansion project concept. The 2014 approach involved each community being required to provide their own improvements along with the hybrid of core plus for select WRA improvements. None of these procedures is considered broad based long term solution as each of the three methods focused on providing a workable solution to a specific set of improvements.

3. Recognize in the future the WRA is likely to construct conveyance improvements rather than requiring individual communities to construct their improvements. Many of the improvements to serve the suburban communities would need to be located in part through Des Moines or another political subdivision beyond the benefiting subdivision. The member communities themselves do not authority to require cooperation by another community. This was most recently evidenced by the Grimes Urbandale discussions.
4. Develop a mechanism for current non-member political subdivisions to be required to cooperate with the WRA on the construction of improvements. At the present time both Windsor Heights and Urbandale are not members of the WRA. Within the next few years the WRA will need to construct improvements through Windsor Heights as part of the Common Trunk and through Urbandale as part of the Joint Trunk. The WRA cannot require those two cities to grant the easements in the same manner it can require members to grant easements and cooperate with the WRA.
5. Address the status of Warren County. Warren County is a participating community in the WRA only because at the time of its creation in 1979 Warren County was required to act on behalf of the Greenfield Plaza Hills of Coventry and Lakewood areas as both of those entities were not members of CIRALG and could not be signatories to the 28E Agreement. The Greenfield Plaza Hills of Coventry Sanitary District is now a member and the Lakewood Benefited Sanitary District was merged into the City of Norwalk. Warren County has no financial obligation or capacity interests. Warren County probably needs to remain in some sort of member status to be required to cooperate with granting of easements across County owned property and right-of-way. Warren County does not actively or financially participate in the WRA and it would appear logical to consider a change in their membership status.
6. Address the status of Dallas County. Because the planning in the mid-1970s did not anticipate the Des Moines metro area would grow into Dallas County before 2020. Dallas County was not considered for involvement in the WRA. That projection was short sided as West Des Moines had expanded to the County line by the time that statement was made. To date the WRA has avoided issues relating to easements across Dallas County roadways by obtaining the necessary permits. As growth continues westerly it is quite possible there will be future WRA sewers located in unincorporated Dallas County. One example might be if Van Meter were to join the WRA.

It would appear logical for Dallas County to have some type of membership role similar to what the writer believes is appropriate for Windsor Heights and Urbandale in which they have an obligation to cooperate, but have no financial responsibility, no capacity interest and no governing body representation.

7. Develop a procedure to allow the WRA to serve select unincorporated areas. Because Polk County is a core community and Warren County has no capacity and most of the outlying sewers are expansion sewers the restriction on the use of expansion sewers appears to limit the ability to serve select existing users, such as mobile home parks. There appears to be a broad recognition it would be in the long term interest of the WRA to provide service to certain of these facilities to achieve water quality benefits and to do so in a manner that does not allow a county to compete with cities by utilizing a sewer for which it had no financial obligation.
8. Develop a procedure under which member owned facilities can be served by the WRA without regard to whether that facility is located within the corporate limits of a member community or not. This issue at the present time would impact Altoona and the Terrace Hills Golf Course area.
9. Shift the Jurisdictional Engineer from the Des Moines City Engineer to the WRA Director or the head of engineering for the WRA.
10. Allow the WRA to bid and manage its own construction contracts.
11. Allow the WRA to develop and implement its own supplemental specification in conjunction with the SUDAS specifications. The WRA may develop policies and procedures that would differ from the City of Des Moines relative to the administration of construction contracts and the risk allocation procedure between the WRA and the construction contractor. It would appear logical for the WRA to be able to make those policy decisions independently of the City.
12. Allow for a waiver of the procurement policy relative to engineering. At the present time the WRA follows its own procurement procedure. The WRA should have the flexibility to solicit for qualifications when it determines it appropriate, while at the same time waiving that requirement if the WRA clearly identifies the firm it believes best qualified. From a consultant's perspective most companies understand the odds of getting selected for a project when there is already a preferred firm is very limited. If there is a very low likelihood a company is going to be selected for a project, most firms would prefer the owner not go through a procurement procedure that merely costs all parties time and money.
13. Clarify it is the WRA that determines utilization of sewers and not the reversionary interest. The reversionary interest was a mechanism established in 2004 to address two separate issues. One issue is the need for a mechanism for allocation of assets in the event of dissolution of the WRA. The second issue is the communities in 2004 wanted to make sure they had some recognized "claim" on the assets that they had paid for. The decision was to base the reversionary interest on a capacity allocation concept which was

derivative of the 1979 concept in which capacity was directly tied to the cost of construction allocated to members. The reversionary interest appears to create the ability for individual communities to “claim” capacity in sewers that were funded by a group of communities.

14. Consider the elimination of the capacity component related to reversionary interest. The reversionary interest was initially proposed as the mechanism for distribution of assets in the event the WRA were to dissolve or convey its assets to another party. The capacity component of the reversionary interest was added as a carryover from the pre-2004 capacity allocation. There are now multiple locations where the use of the sewer does not align in any reasonable manner with the capacity allocation. Eliminating the capacity component related to reversionary interest would allow for a method of distribution of assets and better clarify the WRA is responsible for determinations of the use of individual sewers. The writer would note one of the reasons the capacity component has remained is the WRA does not have a mechanism to address what occurs in the future if additional capacity is required in a part of the conveyance system. It is this concern regarding the limitation of capacity that has been a driver for the argument that capacity is “controlled” or “owned” by the member community.
15. Establish a uniform procedure for sewers constructed by individual member communities that may become part of the WRA system. Historically, the WRA required a 28E Agreement that contemplated the sewer would be conveyed immediately following its construction. More recently the WRA has adopted an alternative concept for sewers that may become multijurisdictional at a future date, but are not constructed with the concept of being immediately conveyed to the WRA. The best example of this sewer would be the Altoona Muchikinock Creek Trunk Sewer that may become multijurisdictional if Ankeny were to connect. The WRA was aware of the project and the easements include assignability clauses. However, there is no agreement or structure in place relative to the future conveyance.
16. Establish a requirement that for any sewer a community wishes to consider conveying to the WRA immediately or at a future date must be constructed in accordance with the technical requirements of the WRA and designed in accordance with the WRA’s long term facility planning and flow projections. In recent years the WRA has focused more on designing sewers to serve a longer planning horizon than the historical planning approach used by the WRA. The same approach should be applied to member constructed sewers to ensure the sewer has adequate capacity for at least a 40 year planning horizon. For projects that are constructed by a community with only the potential for future WRA ownership this requirement might result in the member incurring additional costs to upsize the sewer to meet the long term needs of the WRA. If the WRA’s facility planning flows would project a larger pipe size than an individual community needs for its own

service area the community should be given the option to construct the sewer to WRA capacity requirements with the potential for conveying the sewer to the WRA or to construct the sewer with a capacity less than the WRA capacity with the understanding the WRA would not accept the sewer at a future date as it was not adequately sized.

17. Consider a mechanism that would allow the WRA to incorporate capacity for expansion of the WRA system to nonmember communities. The facility planning has identified several communities that could join the WRA based on their location. Currently, the WRA has no mechanism to consider whether to incorporate flow from those future member communities when planning capital improvements for WRA projects or member initiated projects that would be transferred to the WRA. The writer recognizes incorporating capacity for future members could increase the pipe size and cost of a WRA project. However, in some areas that cost may be relatively small and not providing capacity would effectively preclude a city from joining the WRA due to the cost to construct sewers with adequate capacity.

Given the evaluation of future member communities this condition would arise only in a few very select instances. Nonetheless, it would appear appropriate to at least have a mechanism that could be considered.

18. Determine the WRA's role relative to infiltration and inflow. A significant portion of the capacity improvements required in the WRA system is related to wet weather flow, including both infiltration and inflow. The WRA's involvement in infiltration and inflow was discussed in both the 2004 and 2014 facility planning. In both instances there was no agreement on the role or approach to addressing infiltration and inflow. As a result the topic was left silent in the Facility Plan.

The 28E Agreement includes provisions that would allow the WRA to address the areas with excessive infiltration and inflow. The mechanism is primarily one to impose economic costs on communities with excessive flow. To date, the WRA has not attempted to utilize this procedure.

A number of WRA communities have addressed infiltration and inflow on a community basis. Those communities have determined there is not a return on the investment in flow reduction. Because the WRA uses a percentage of flow method of allocating costs a reduction of flow through rehabilitation only results in a savings to the community to the extent that community's flow reduction exceeds the overall change in flow from year to year. To date most communities have found any savings is only a small fraction of the cost to achieve the savings.

There are several approaches the WRA could consider relative to infiltration and inflow. One approach would be to continue the current practice of no involvement. A second approach would be to become actively engaged and establish standards and criteria that would require individual communities to address areas with flow levels above whatever target is established by the WRA. There has been discussion about this option in prior facility planning. However, the concern was this approach would impact communities differently and impose an economic cost on some communities that would not be imposed on other member communities.

A third mechanism would be a more targeted approach. An example of a targeted approach would be one in which the WRA would determine if an investment in flow reduction could avoid the cost of capital improvements and if it is more cost effective to reduce flow than to construct improvements the WRA would fund the flow reduction to avoid capital improvements.

There are four major systems in the WRA conveyance system, including the Southwest Outfall, Westside Interceptor, Four Mile Interceptor and Southern Tier Interceptor. Infiltration and inflow levels are not currently a major issue in the Southern Tier Interceptor system. However, for the Southwest Outfall, Westside Interceptor and Four Mile Interceptor extraneous flows are a consideration. For each of these three systems it is foreseeable at some point in the 2040 to 2060 timeframe very significant capital improvements would be necessary to increase the capacity of the existing facilities. In each of these three areas extraneous flow levels would be a major contributing factor to requiring additional capacity. Given the cost of addressing the capacity limitations in each of these three systems there may be options available to delay or eliminate major capital improvements through the reduction of peak flows particularly direct inflow and foundation drained induced inflow. At this time it is not possible to determine if flow reduction would be successful in at least delaying a major capital improvement. However, that potential clearly exists given the known conditions in each of the three systems. Under the targeted approach the WRA would at least have the option to consider funding rehabilitation if it is shown to be a cost effective. This approach may support than an initiative to mandate wide scale infiltration and inflow reduction.

END

28E/28F

IDENTIFIED “ISSUES”

Reviewed at March 31, 2022 Committee Meeting

In no particular order

- Specific designation of City of Des Moines as Operating Contractor
- “Independence” of Director
- Desire language pertaining to resolution of disputes between among member communities/districts AND, in the case of a sewer district, language/method by which a “dispute” with an involved, but non-WRA governmental entity (e.g.; city, county) could be resolved.
- Weighted Voting
 - Other than appointment or termination of WRA Director currently a weighted vote could be called on any other issue
 - Designation of issue(s) where a weighted vote could be called
 - Currently based on last “regular or special” census
 - Other options:
 - Most recent Census Bureau estimates
 - Based on Flow
- Board members: currently every 25,000 population equals a Board member unless an entity opts to have less than the number allowed (e.g., Des Moines, West Des Moines and Ankeny have opted to self-limit their voting representatives)
 - Current Board is 20 persons, moving to 21 in July; If Des Moines, West Des Moines, and Ankeny opted to have maximum allowable Board members the WRA Board would be comprised of 29 persons and likely more as other entities designate Board members to allowable number
 - Modify language concerning additional board member allocations (every member would continue to have at least one Board member)
- Consider adding, to Article II, Section 1 - Purpose, language challenging the WRA to be a leader in the treatment of wastewater and to be visionary in treatment and conservation processes