

**NOTICE OF MEETING**  
**Des Moines Metropolitan Wastewater Reclamation Authority Board**  
**Tuesday, December 20, 2022 @ 1:30 P.M.**

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

**AGENDA**

- ITEM 1: Call to Order
- ITEM 2: Roll Call
- ITEM 3: Approving Agenda, as Presented and/or as Amended
- ITEM 4: Public Comment

\* \* \* \* \*

**Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Board or public, requests an item be removed to be considered separately.**

- ITEM 5: APPROVING CONSENT AGENDA – Items 5 through 13:
- ITEM 6: Consideration of the Minutes of the November 15, 2022, meeting of the WRA Board - Action for Approval
- ITEM 7: Receipt of the Minutes of the November 8, 2022, meeting of the WRA Technical Committee - Action/Receive & File
- ITEM 8: Receipt of the Draft Minutes of the December 13, 2022, meeting of the WRA Technical Committee - Action/Receive & File
- ITEM 9: Receipt of the Minutes of the December 14, 2022, meeting of the WRA Finance Committee - Action/Receive & File

**APPROVING**

- 22-145** ITEM 10: Resolution Approving WRA Schedule of Bills for November 2022
- 22-146** ITEM 11: Resolution Approving Increase in Authorized Amount for Representation of the WRA on Issues Arising Under the Clean Water Act

**PUBLIC IMPROVEMENT**

- 22-147** ITEM 12: Resolution Setting Hearing on the Intent to Acquire Agricultural and Other Property for Sanitary Sewer Improvements and Authorize Acquisition of the Necessary Property Interests Thereof from Various Property Owners for the WRA

Southern Tier Interceptor, Phase 10, Segment 23 by Gift, Negotiation, or Eminent Domain

**WRA DIRECTOR COMMUNICATIONS & REPORTS**

- 22-148** ITEM 13: Resolution to Receive and File the Following Reports from the WRA Director
  - A. Change Order Register Report
  - B. Consultant Contracts Under \$100,000 Report
  - C. Construction Related Claim Settlements Report
  - D. Industrial Waste Ordinance Update
  - E. WRA Contract Status Update
  - F. WRA Treasurer’s Report for September 30, 2022

\* \* \* \* \* END CONSENT AGENDA \* \* \* \* \*

**OTHER ITEMS**

ITEM 14: Other Business

ITEM 15: Adjourn

**The Des Moines Metropolitan Wastewater Reclamation Authority Board Meetings are open to all individuals regardless of disability. To better serve you, please notify us at least three business days in advance when possible at 515-323-8000 should special accommodations be required.**

**\*\*\*Next Regular Meeting Scheduled for\*\*\***

**1:30 PM, Tuesday, January 17, 2023**

**Burnham Conference Room, Des Moines Area Metropolitan Planning Organization (MPO)**  
**420 Watson Powell Jr. Way, Suite #200, Des Moines, IA 50309**

WRA Board Resolution No. 22 - 145

Agenda Item Number

Date: December 20, 202210

**RESOLUTION APPROVING WRA SCHEDULE OF BILLS FOR  
NOVEMBER 2022**

**WHEREAS**, the Schedule of Bills is a listing of bills allowed for the given month, transfer of funds to the sinking fund for debt servicing, advances for projects funded with SRF draws, and other transfers necessary to the WRA; and

**WHEREAS**, the WRA Director has certified the expenditures for November 2022 and submits the Schedule of Bills to the WRA Board for approval.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF THE DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY:**

That the WRA Schedule of Bills for November 2022 is hereby approved.

Moved by Schrock to adopt.

AGENCY ACTION	YEAS	NAYS	PASS	ABSENT
Kurovski	X			
Duer	X			
Schrock	X			
Ruddy	X			
McKenzie				X
McCoy	X			
Goode	X			
Cownie				X
Gatto				X
Westergaard	X			
Selby				X
Anderson	X			
Rotschafer	X			
Kuhl	X			
Huisman	X			
Giovannetti	X			
Sassatelli	X			
Garvey	X			
Deets				X
Stiles	X			
Smith	X			
TOTAL	16	0	0	5

CERTIFICATE

I, Chelsea Huisman, Secretary of the Board of the Des Moines Metropolitan Wastewater Reclamation Authority (WRA), hereby certify that at a meeting of the WRA Board, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year first above written.

DocuSigned by:



, Secretary

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MOTION CARRIED

APPROVED

DocuSigned by:



Sara Kurovski, Chair

**WRA Board Resolution No. 22 - 146**

**Agenda Item Number**

**Date: December 20, 2022**

11

**RESOLUTION APPROVING INCREASE IN AUTHORIZED AMOUNT  
FOR REPRESENTATION OF THE WRA ON ISSUES ARISING  
UNDER THE CLEAN WATER ACT**

**WHEREAS**, the WRA retained Hall & Associates for representation for issues arising under the Clean Water Act by WRA Board Resolution No. 17-144 and the City by Roll Call No. 18-1254; and

**WHEREAS**, City by Roll Call No. 21-0697 approved the transfer of representation from Hall & Associates to Gary Cohen Environmental Firm; and

**WHEREAS**, the WRA by Resolution No. 21-34 approved the transfer of representation from Hall & Associates to Gary Cohen Environmental Firm with a not to exceed amount.

**NOW THEREFORE BE IT RESOLVED BY THE DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY:**

That it hereby increases the not to exceed amount for services and out of pocket expenditures to \$60,000 for the Gary Cohen Environmental Firm.

WRA Board Resolution No. 22 - 146

Agenda Item Number

Date: December 20, 2022

11

Moved by Schrock to adopt.

AGENCY ACTION	YEAS	NAYS	PASS	ABSENT
Kurovski	X			
Duer	X			
Schrock	X			
Ruddy	X			
McKenzie				X
McCoy	X			
Goode	X			
Cownie				X
Gatto				X
Westergaard	X			
Selby				X
Anderson	X			
Rotschafer	X			
Kuhl	X			
Huisman	X			
Giovannetti	X			
Sassatelli	X			
Garvey	X			
Deets				X
Stiles	X			
Smith	X			
TOTAL	16	0	0	5

CERTIFICATE

I, **Chelsea Huisman**, Secretary of the Board of the Des Moines Metropolitan Wastewater Reclamation Authority (WRA), hereby certify that at a meeting of the WRA Board, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year first above written.

DocuSigned by:

*Chelsea Huisman*

, Secretary

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MOTION CARRIED

APPROVED

DocuSigned by:

*Sara Kurovski*

Sara Kurovski, Chair

WRA Board Resolution No. 22- 147

Agenda Item Number

Date December 20, 202212

**RESOLUTION SETTING HEARING ON THE INTENT TO ACQUIRE  
AGRICULTURAL AND OTHER PROPERTY FOR SANITARY SEWER  
IMPROVEMENTS AND AUTHORIZE ACQUISITION OF THE NECESSARY  
PROPERTY INTERESTS THEREOF FROM VARIOUS PROPERTY OWNERS  
FOR THE WRA SOUTHERN TIER INTERCEPTOR – PHASE 10, SEGMENT 23  
BY GIFT, NEGOTIATION, OR EMINENT DOMAIN**

**WHEREAS**, under the provisions of Chapter 6B of the Iowa Code, a governmental entity which proposes to acquire agricultural land under power of eminent domain for a public improvement project is required to give notice of intent to commence the public improvement project and notice of a public hearing to all owners and contract purchasers of record of such agricultural land that may be the subject of condemnation, at least thirty (30) days prior to the date of the public hearing at which an opportunity is provide for pubic input regarding the public improvement project (see Sections 6A.21(a) and 6B.2A of the Iowa Code); and

**WHEREAS**, under the provisions of Section 6B.2D of the Iowa Code, an acquiring agency is also required to give notice of a proposed resolution, motion, or other document authorizing acquisition of property by eminent domain to each property owner, contract purchaser of record and any tenant known to be occupying the property at least fourteen (14) days prior to the date of the meeting at which such proposed authorization will be considered; and

**WHEREAS**, on February 15, 2022, under Resolution No. 22-30, the WRA Board approved the 2022-23 Capital Improvements Program, which included the WRA Southern Tier Interceptor – Phase 10, Segment 23, which is further described as follows:

The WRA Southern Tier Interceptor – Phase 10, Segment 23. The sewer alignment is located along E. Hartford Ave from east of SE 22<sup>nd</sup> Street extending to east of SE 30<sup>th</sup> Street in Des Moines, Iowa.

Such project to be funded as proposed and stated on the WRA Board Staff Summary Sheet; and

**WHEREAS**, a plat has been prepared which shows this proposed improvement and identifies the proposed properties with any potential for any form of property acquisition activity; i.e. temporary construction easements, permanent easements, and fee simple interests; and

**WHEREAS**, in accordance with Sections 6B.2A and 6B.2D of the Code of Iowa, before the WRA can proceed with said project that affects agricultural and other property, the WRA Board must:

- (a) Hold a public hearing giving persons interested in the proposed project the opportunity to present their views and objections regarding the project, and

**WRA Board Resolution No. 22- \_\_\_\_\_****Agenda Item Number****Date December 20, 2022****12**

regarding the proposed acquisition of agricultural and other property for the project by gift, negotiation or eminent domain.

- (b) Adopt a resolution to approve the project and authorize acquisition of private agricultural and other property for the project by eminent domain.
- (c) Mail notices of the public hearing to each property owner and contract purchaser of record whose agricultural property may be acquired by condemnation, as required by Iowa Code Sections 6B.2A, and mail notices of the proposed resolution, motion, or other document authorizing acquisition of property by eminent domain to each property owner, contract purchaser of record, and any tenant known to be occupying the proposed property to be acquired, as required by Iowa Code Sections 6B.2D, and publish notice as specified in the Iowa Code 6B. 2A.

**NOW, THEREFORE, BE IT RESOLVED BY THE WRA BOARD OF THE DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY:**

1. That a public hearing shall be held on February 21, 2023 at 1:30 P.M. during the WRA Board Meeting in the Burnham Conference Room of the Des Moines Metropolitan Planning Organization, 420 Watson Powell Jr. Way, Suite #200, Des Moines, Iowa. At that time, the WRA Board will consider the above-described project, the intent to fund the design and make final route selection for the public improvement, and whether to approve acquisition of private agricultural and other property for this public improvement by gift, negotiation or eminent domain.
2. That the WRA Board Clerk is hereby instructed to cause notice to be published and mailed as required by law of the pendency of this resolution and of the time and place of the hearing at which persons interested in the proposed project may present their views and objections regarding the acquisition of private agricultural and other property for the project by gift, negotiation or eminent domain, said Notices to be in substantially the attached forms.

WRA Board Resolution No. 22- 147

Agenda Item Number

Date December 20, 2022

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Moved by Schrock to adopt.

AGENCY ACTION	YEAS	NAYS	PASS	ABSENT
Kurovski	X			
Duer	X			
Schrock	X			
Ruddy	X			
McKenzie				X
McCoy	X			
Goode	X			
Cownie				X
Gatto				X
Westergaard	X			
Selby				X
Anderson	X			
Rotschafer	X			
Kuhl	X			
Huisman	X			
Giovannetti	X			
Sassatelli	X			
Garvey	X			
Deets				X
Stiles	X			
Smith	X			
TOTAL	16	0	0	5

CERTIFICATE

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IN WITNESS WHEREOF, I have hereunto set my hand the day and year first above written.

DocuSigned by:

*Chelsea Huisman*

, Secretary

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MOTION CARRIED

APPROVED

DocuSigned by:

*Sara Kurovski*

Sara Kurovski, Chair



WRA Board Resolution No. 22 - 148

Agenda Item Number

Date: December 20, 202213

**RESOLUTION TO RECEIVE AND FILE THE FOLLOWING  
REPORTS FROM THE WRA DIRECTOR**

**BE IT RESOLVED BY THE WRA BOARD OF THE DES MOINES METROPOLITAN  
WASTEWATER RECLAMATION AUTHORITY:**

That the Board Clerk is hereby directed to receive and file the following attached reports from the WRA Director:

- A. Change Order Register Report
- B. Consultant Contracts Under \$100,000 Report
- C. Construction Related Claim Settlements Report
- D. Industrial Waste Ordinance Update
- E. WRA Contract Status Update
- F. WRA Treasurer's Report for September 30, 2022

Moved by Schrock to adopt

AGENCY ACTION	YEAS	NAYS	PASS	ABSENT
Kurovski	X			
Duer	X			
Schrock	X			
Ruddy	X			
McKenzie				X
McCoy	X			
Goode	X			
Cownie				X
Gatto				X
Westergaard	X			
Selby				X
Anderson	X			
Rotschafer	X			
Kuhl	X			
Huisman	X			
Giovannetti	X			
Sassatelli	X			
Garvey	X			
Deets				X
Stiles	X			
Smith	X			
TOTAL	16	0	0	5

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*Chelsea Huisman*

Secretary

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MOTION CARRIED

APPROVED

DocuSigned by:

*Sara Kurovski*

Sara Kurovski, Chair