

**NOTICE OF SPECIAL MEETING  
Des Moines Metropolitan Wastewater Reclamation Authority Board  
Thursday, December 9, 2021 @ 11:00 A.M.**

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

*The Metropolitan Planning Organization requires all individuals to wear a mask in the office regardless of immunization status. Please use the side door for entry to the MPO Office for the WRA Board meeting to minimize contact with MPO Office Staff*

**AGENDA**

- ITEM 1: Call to Order
- ITEM 2: Roll Call
- ITEM 3: Approving Agenda as Presented and/or as Amended
- ITEM 4: Public Comment
- 21-118** ITEM 5: Resolution Approving and Authorizing Execution of Sixth Amendment to Transaction Confirmation with the Energy Authority, Inc.
- 21-119** ITEM 6: Resolution Setting Date of Public Hearing and Approving Publication of Notice of Hearing to Review an Application for a State Revolving Fund (SRF) Loan and the Anticipated Environmental Impact of the WRA Birdland Pump Station Improvements Project
- ITEM 7: Other Business
- ITEM 8: 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, December 21, 2021**

**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. 21 - 118

Agenda Item Number

Date: December 9, 20215

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF SIXTH  
AMENDMENT TO TRANSACTION CONFIRMATION WITH THE ENERGY  
AUTHORITY, INC.**

**WHEREAS**, the Des Moines Metropolitan Wastewater Reclamation Authority (“WRA”), a governmental entity organized under Iowa Code Chapters 28E and 28F and The Energy Authority, a Georgia corporation, (“TEA”) collectively known as the “Parties” entered into a Base Contract for Sale and Purchase of Natural Gas, as modified by Special Provisions to the Base Contract for Sale and Purchase of Natural Gas and a Biogas Supply Addendum (collectively, the “*Contract*”), together with a Transaction Confirmation (the “*Transaction Confirmation*”), each effective as of October 5, 2020.

**WHEREAS**, the Transaction Confirmation was previously amended by amendments dated March 19, 2021, April 27, 2021, May 19, 2021, June 30, 2021, and August 18, 2021 (the “*Amendments*”). The Contract, the Transaction Confirmation and the Amendments are hereinafter referenced as the “*Agreements*”; and

**WHEREAS**, the Parties now desire to amend the Transaction Confirmation to modify the Delivery Period, Contract Price, Performance Obligation, Storage and Timing of Delivery, Representations and Warranties, Allocations and Timing, Alternate Green Attribute Programs and Voluntary Markets, and provides for Designated Feedstocks; and

WHEREAS, TEA is requiring an affidavit from the WRA Director as to matters regarding the Agreements and Designated Feedstocks.

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

1. That the Sixth Amendment to the Transaction Confirmation between the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) and The Energy Authority (TEA) is hereby approved and the WRA Director is authorized and directed to execute the Transaction Confirmation Amendment on behalf of the WRA, all subject and conditioned upon:

- a. Receipt of executed Sixth Amendment to the Transaction Confirmation from TEA in the form and content acceptable to the WRA Director.
- b. The affidavit required of the WRA Director being acceptable to the WRA Director as to form and content.

2. The WRA Director is authorized to issue an affidavit which he determines is acceptable in form and content.

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Agenda Item Number

Date: December 9, 20215Moved by Cownie to adopt.

AGENCY ACTION	YEAS	NAYS	PASS	ABSENT
Moritz	X			
Wiley	X			
Perry				X
McKenzie	X			
McCoy				X
Goode				X
Gatto				X
Cownie	X			
Westergaard	X			
Selby				X
J. Sanders	X			
Schwartz				X
Kurovski	X			
Huisman	X			
Giovannetti	X			
Sassatelli	X			
Garvey	X			
Moerman	X			
Hadden				X
Smith	X			
TOTAL	13	0	0	7

## CERTIFICATE

I, Michael McCoy, 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:

*Michael McCoy*

, Secretary

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MOTION CARRIED

APPROVED

DocuSigned by:

*Paul Moritz*

Paul Moritz, Chair

**RESOLUTION SETTING DATE OF PUBLIC HEARING AND APPROVING  
PUBLICATION OF NOTICE OF HEARING TO REVIEW AN APPLICATION  
FOR A STATE REVOLVING FUND (SRF) LOAN AND THE ANTICIPATED  
ENVIRONMENTAL IMPACT OF THE WRA BIRDLAND PUMP STATION  
IMPROVEMENTS PROJECT**

**WHEREAS**, on February 16, 2021, under Resolution No. 21-17, the WRA Board approved the 2021-2022/2026-2027 Capital Improvements Program which included the WRA Birdland Pump Station Improvements (“the Project”), which is further described as follows:

The project includes construction of a new pump station along the east side of the Des Moines River, just north of the existing Birdland Pump Station. The new pump station will include a four-pump arrangement and rated to handle the influent sewer's peak hourly flow rate. The pump station will include mechanical screening of influent wastewater. The new pump station will be able to convey flow into the new 18-inch force main that was constructed several years ago and discharges to the Phase 27 Eastside Interceptor. Additionally, it will be able to convey flow into the original 24-inch force main that pumps southerly to the Eastside Trunk. The project also includes decommissioning and demolition of the existing Birdland Pump Station. Miscellaneous site improvements to support the new Birdland Pump Station will also be included in the project such as new driveway, generator, retaining walls, and site grading.

**WHEREAS**, before the WRA can proceed further with the Project and obtain loan funding pursuant to the requirements of the State of Iowa Clean Water State Revolving Fund loan program, the WRA Board must hold a public hearing to review an application for a State Revolving Fund (SRF) loan, to inform area residents of the proposed Project, to discuss the potential environmental impact of the proposed Project on the community as determined by the State’s Department of Natural Resources (DNR) Environmental Review, and to address area residents’ concerns, if any, with the Project.

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

That this Board will meet at 1:30 p.m. on January 18, 2022 in the Burnham Conference Room of the Des Moines Metropolitan Planning Organization, 420 Watson Powell Jr. Way, Suite #200, Des Moines, IA 50309, for the purposes of holding a public hearing, to review an application for a State Revolving Fund (SRF) loan, to inform area residents of the proposed Project, to discuss the potential environmental impact of the proposed Project on the community as determined by the State’s DNR Environmental Review, and to address area residents’ concerns, if any, with the Project.

**BE IT FURTHER RESOLVED**, that the WRA Board Clerk is hereby authorized and directed to publish notice of said hearing twice, in accordance with the requirements of

WRA Board Resolution No. 21 - 119

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Date: December 9, 20216

the State of Iowa under its Clean Water State Revolving Fund loan program: once on or before December 17, 2021, and again during the week of January 3, 2022, and the publication by the WRA Director and Board Clerk of the time and place of this public hearing, as required by the State of Iowa under its Clean Water State Revolving Fund loan program, is hereby approved.

**BE IT FURTHER RESOLVED**, that the WRA Board Clerk is hereby instructed to place the facility plan for the Project and the preliminary Environmental Information Document(s) for the Project, upon receipt of said document(s) from the DNR, on file for public inspection in the office of the Board Clerk during the notice period until the public hearing is held.

Moved by Cownie to adopt.

AGENCY ACTION	YEAS	NAYS	PASS	ABSENT
Moritz	X			
Willey	X			
Perry				X
McKenzie	X			
McCoy				X
Goode				X
Gatto				X
Cownie	X			
Westergaard	X			
Selby				X
J. Sanders	X			
Schwartz				X
Kurovski	X			
Huisman	X			
Giovannetti	X			
Sassatelli	X			
Garvey	X			
Moerman	X			
Hadden				X
Smith	X			
TOTAL	13	0	0	7

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I, Michael McCoy, 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:



Paul Moritz, Chair...