

**Minutes of a Meeting  
of the**

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**BOARD OF COMMISSIONERS**

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DuPage Water Commission  
600 E. Butterfield Road, Elmhurst, Illinois

September 21, 2023

I. The meeting was called to order by Chairman Zay at 6:30 PM

II. Roll Call

Commissioners in attendance: D. Bouckaert, N. Cuzzone, J. Fennell, J. Healy, D. Novotny, D. Russo, F. Saverino, P. Suess, D. Van Vooren, J. Zay.

Commissioners absent: J. Pruyn, K. Rush

Also in attendance: P. May, C. Bostick, C. Peterson, M. Weed, D. Panaszek, D. Cuvalo, D. Mundall, William Fates, Mara Georges of Georges & Synowiecki, Ltd., Phil Luetkehans of Luetkehans, Brady, Garner & Armstrong, LLC, Warren Green of LAN Inc., Ozzie Garza of LAN Inc.

III. Public Comments

No public comment was offered.

IV. Oath of Office

The Oath of Office was postponed

V. Approval of Minutes

Commissioner Russo moved to approve the minutes of the August 17, 2023 Regular Meeting of the DuPage Water Commission, seconded by Commissioner Saverino, unanimously approved by a voice vote. All Aye, motion carried.

VI. Treasurer's Report

Treasurer Fates presented the August 2023 Treasurer's Reports consisting of 13 pages with pages 1 and 2 containing a brief summary of the report.

August 2023

Treasurer Fates noted \$228.9 million of cash and investments on page 4, a increase of \$2.2M from the previous month. Treasurer Fates also pointed out the schedule of investments on pages 5 through 11 totaling \$201.4 million and the market yield on the total portfolio showed 3.15% which is up slightly from the prior month. On page 12, the statement of cash flows showed an increase in cash and investments by about \$1.1 million and operating activities decreased by approximately

\$0.2 million. Also noted on page 13, the monthly cash/operating report showed that the Commission has met all recommended reserve balances.

Commissioner Russo moved to accept the August 2023 Treasurer's Reports, seconded by Commissioner Saverino, unanimously approved by a voice vote. All aye, motion carried.

VII. Committee Reports

**A. Finance Committee**

Item 1: Commissioner Suess provided an update of the Finance Committee meeting.

Item 2: Resolution R-50-23: A Resolution Authorizing Professional Services Task Order #3 for a Source Water Project Financial Validation and Strategy Report, to Raftelis, Inc., at a cost of \$28,500.00. Commissioner Suess clarified for the Commissioners, the cost of the report will be split three (3) ways with prospective partners NSMJAWA and NWC.

Commissioner Suess moved to accept Resolution R-50-23, seconded by Commissioner Russo, unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Fennell, J. Healy, D. Novotny, D. Russo, F. Saverino, P. Suess, D. Van Vooren, J. Zay

Nay: None

Absent: J. Pruyn, K. Rush

**B. Administration Committee**

Item 1: Commissioner Healy gave a brief update on the Administration Committee meeting.

Item 2: Request for Board Action: Approval of Professional Development travel and expenses as listed in the approved FY 23/24 Management Budget.

Item 3: Request for Board Action: Approval of the 2024 Schedule of Board Meetings

Item 4: Resolution No. R-48-23: A Resolution to approve the Collective Bargaining Agreement between the DuPage Water Commission and the International Union of Operating Engineers Local 399 (AFL-CIO)

Item 5: Resolution No. R-49 A Resolution authorizing staff to hold Joint Meetings to discuss the DWC/Customer Contract and the DWC/Chicago contract, pursuant to Section 16 of the current DWC/Customer contract

Item 6: Resolution No. R-51-23: A Resolution suspending purchasing procedures and approving

the renewal of the Unitrends Services and the Purchase and Installation of a new Unitrends Appliance, at a cost of \$83,137.17.

Commissioner Suess asked for clarification of terms and provisions of the agreement with International Union of Operating Engineers Local 399 (AFL-CIO), specifically vacation, sick pay and turnover consistent with all other Commission employees. General Manager May responded that a “me-too” clause is in place to ensure all benefits are consistent among bargaining and non-bargaining unit employees. Additionally, a personnel manual update is underway, which will be presented to the Board at a later date and will include incentive pay considerations for employees that procure and retain professional certifications. Commissioner Van Vooren asked for clarification on the competitive wage in regard to this new contract. General Manager May responded that specific wage ranges and CPI adjustments are not designated in the contract but are a factor of the annual adjustments for all staff associated with the budget approval process. Mr. May further noted that additional information regarding the competitiveness of wages will be presented at the same time as the personnel manual update, after additional data is collected. Chairman Zay thanked staff for their hard work managing numerous simultaneous tasks.

Commissioner Healy moved to adopt item numbers 2 through 6 under the Administration Report section of the agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Cuzzone and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Fennell, J. Healy, D. Novotny, D. Russo, F. Saverino, P. Suess, D. Van Vooren, J. Zay

Nay: None

Absent: J. Pruyn, K. Rush

**C. Engineering & Construction Committee**

- Item 1: Commissioner Fennell gave a brief update on the Engineering Committee meeting,
- Item 2: Resolution No. R-46-23: A Resolution Approving and Ratifying Task Order 8 Under a Master Contract with DeLasCasas CP, LLC., at a not to exceed cost of \$59,000.00.
- Item 3: Resolution No. R-47-23: A Resolution Approving and Ratifying Task Order 9 Under a Master Contract with DeLasCasas CP, LLC., at a not to exceed cost of \$43,000.00.
- Item 4: Resolution No. R-52-23: A Resolution Approving exterior standpipe cleaning services, with Jetco, Ltd., at a not to exceed cost of \$26,350.00.
- Item 5: Resolution R-53-23: A Resolution Approving a Fifth Amendment to Task Order No. 03 under a Master Contract with Greeley and Hansen, additional cost not-to-exceed \$65,000.00.

Commissioner Fennell moved to approve Items 2 through 5 under the Engineering & Construction Committee Report section of the agenda in a single group pursuant to the Omnibus Vote

Procedures. Seconded by Commissioner Bouckaert, unanimously approved by a roll call vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Fennell, J. Healy, D. Novotny, D. Russo, F. Saverino, P. Suess, D. Van Vooren, J. Zay

Nay: None

Absent: J. Pruyn, K. Rush

## VIII. Accounts Payable

### A. August 2023

Item 1: To approve the Accounts Payable in the amount of \$12,696,559.68 (August 2023), subject to submission of all contractually required documentation for invoices that have been received.

Item 2: To approve the Accounts Payable in the amount of \$4,641,175.00 (August 2023), subject to submission of all contractually required documentation, for invoices that have not yet been received but have been estimated.

Chairman Zay asked for a motion to combine and approve the accounts payable disbursements and the estimated accounts payable for August 2023, Commissioner Russo moved, seconded by Commissioner Healy and unanimously approved by a roll call vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Fennell, J. Healy, D. Novotny, D. Russo, F. Saverino, P. Suess, D. Van Vooren, J. Zay

Nay: None

Absent: J. Pruyn, K. Rush

## IX. Chairman's Report

Chairman Zay invited all to the Illinois Municipal League communication event on Friday, September 22, 2023.

## X. Old Business

### A. Customer Contract/Customer Meeting

General Manager May informed the Commissioners the Customer Meeting information has been sent out, and questions have been very limited to date - likely indicating the effectiveness of the Steering Group and enhanced communication activities relative to this matter.

### B. Chicago contract update

Time is of the essence; DWC will continue to faithfully negotiate with the City of Chicago, but it does not appear that satisfactory terms will be agreed to in time for authorization of a new contract. The existing contract includes more favorable terms, so extension of the current contract is likely to be in the best interest of the Commission and our customers.

C. Source Water project update/North Route Report

A presentation will be made at the October 19<sup>th</sup> Board meeting; Carollo Engineers will be presenting an updated study on the North route which is under validation review by Burns & McDonnell, as well as financial review by Raftelis. The October meeting will provide an opportunity to investigate the engineering, financial feasibility, and overall viability of the project. Commissioner Suess asked if decisions will be made at that meeting. General Manager May responded that the Board will not be asked to commit to the project at that time, but that the information presented may be pertinent to the length of time most appropriate for the extension of the Chicago contract. As the source water contract advances, additional discussion, data, and resources will be provided, which will continue to inform the Commissioners on whether to take the next step at that time. Commissioner Van Vooren asked why the focus of the engineering firms is on the North route only, when the Central route is shorter and more cost effective. General Manager May agreed that the Central route is most cost effective and shortest without partners, however, it is the most complex; the north route presents the opportunity to engage with additional partners and control some of the risk associated with uncertainty as compared to the central route. Commissioner Russo noted that it may be in the Commission's best interest to secure critical real estate assets early, noting that may be a critical component to both cost and schedule.

D. Bylaw update

The current Bylaws are being updated and will be presented to the Board for consideration at a future date.

XI. New Business

No new business was offered.

XII. Executive Session

A motion was made by Commissioner Russo to enter into Executive Session to discuss matters related to the acquisition of real estate pursuant to 5 ILCS 120/2(c)(5) and to discuss pending, probable, or imminent litigation pursuant to 5 ILCS 120/2(c)(11). Seconded by Commissioner Healy and unanimously approved by a roll call vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Fennell, J. Healy, D. Novotny, D. Russo, F. Saverino, P. Suess, D. Van Vooren, J. Zay

Nay: None

Absent: J. Pruyn, K. Rush

The Commission went into Executive Session at 7:01 PM.

Commissioner Healy moved to come out of Executive Session at 7:42 PM, seconded by Commissioner Saverino and unanimously approved by a voice vote. All present voting aye, motion carried.

XIII. Adjournment

Commissioner Cuzzone made a motion to adjourn, seconded by Commissioner Healy, unanimously approved by a voice vote. All aye, motion carried.

Meeting adjourned at 7:45 PM.