

**Minutes of a Meeting
of the**

BOARD OF COMMISSIONERS

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

February 15, 2024

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, J. Pruy, K. Rush, D. Russo, F. Saverino, P. Suess, J. Zay

Commissioners absent: K. Romano, D. Van Vooren

Also in attendance: P. May, C. Bostick, C. Peterson, M. Weed, D. Panaszek, D. Cuvalo, J. Loster, J. Haney, D. Mundall, Phil Luetkehans of Luetkehans, Brady, Garner & Armstrong, LLC, Mara Georges, Georges & Synowiecki Ltd.

III. Public Comments

No public comment was offered.

IV. Approval of Minutes

Commissioner Pruy moved to approve the minutes of the January 18, 2024 Regular Meeting of the DuPage Water Commission, seconded by Commissioner Russo, unanimously approved by a voice vote. All Aye, motion carried.

V. Treasurer's Report

Financial Administrator Peterson presented the January 2024 Treasurer's Reports consisting of 13 pages each with pages 1 and 2 containing brief summaries of the reports.

January 2024:

Financial Administrator Peterson noted \$229.0 million of cash and investments on page 4, a decrease of \$1.5M from the previous month. Financial Administrator Peterson also pointed out the schedule of investments on pages 5 through 11 totaling \$220.6 million and the market yield on the total portfolio showed 3.75% 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 \$1.3 million and operating activities increased by approximately \$0.4 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 January 2024 Treasurer's Reports, seconded by Commissioner Rush, unanimously approved by a voice vote. All aye, motion carried.

VI. Committee Reports

A. Finance Committee

Item 1: Commissioner Suess gave a brief report of the Finance Committee.

Item 2: Resolution R-22-24: To Approve a New Financial Services Contract between the DuPage Water Commission and Baker Tilly US, LLP, at a cost of \$80,000.

Commissioner Suess moved to adopt Item 2 under the Administrative Committee Report section of the agenda, seconded by Commissioner Russo, unanimously approved by a Roll Call Vote.

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

Nay: None

Absent: K. Romano, D. Van Vooren

B. Administration Committee

Item 1: Commissioner Healy gave a brief report of the Administration Committee.

Item 2: Ordinance O-1-24: Recommendation to approve the Amended and Restated DuPage Water Commission By-laws (Second Reading). Commissioner Healy made a motion to approve Ordinance O-1-24, seconded by Commissioner Cuzzone.

Commissioner Suess raised question with the language in Section 2a, regarding the appointment of the Commission Chairman. Specifically, the removal of "and consent" of the Board of Commissioners. He additionally noted an with the appointment and removal process for General Manager, Section 7a. Chairman Zay indicated that Section 2a was modified to better align with State Statute, with Commissioner Healy concurring. Commissioner Suess asked if these bylaws had to be consistent with the State Statute. Attorney Phil Luetkehans suggested prospective modifications per Commissioner Suess's suggestions and noted the changes were too significant to amend on the floor.

After some discussion, Commissioner Healy withdrew his motion to approve, and the Ordinance was withdrawn. Commission Legal Counsel will prepare two versions of the document to be considered at the next meeting.

Item 3: Resolution R-11-24: A Resolution notifying Chicago of the 17-year renewal of the Water Purchase Contract between the DuPage Water Commission and the City of Chicago.

Commissioner Healy made a motion to approve Resolution R-11-24, seconded by Commissioner Russo, unanimously approved by a Roll Call Vote.

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

Nay: None

Absent: K. Romano, D. Van Vooren

Item 4: Resolution R-16-24: A Resolution Authorizing the Approval and execution of an Addendum to the Water Purchase and Sale Contract between the DuPage Water Commission and Aqua Illinois, Inc. Commissioner Healy made a motion to approve Resolution R-16-24, seconded by Commissioner Russo, unanimously approved by a Roll Call Vote.

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

Nay: None

Absent: K. Romano, D. Van Vooren

Item 5: Resolution No. R-17-24: A Resolution Authorizing the Approval and execution of Wheeling Agreements between the DuPage Water Commission, Illinois American Water Company, and six contract customers. Commissioner Healy made a motion to approve Resolution R-17-24, seconded by Commissioner Cuzzone, unanimously approved by a Roll Call Vote.

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

Nay: None

Absent: K. Romano, D. Van Vooren

C. Engineering & Construction Committee

Item 1: Commissioner Fennell gave a brief report of the Engineering & Construction Committee.

Item 2: Resolution No. R-12-24: A Resolution Authorizing the General Manager to Purchase 24-inch Steel Pipe and 37 Steel Butt Straps, from American Spiral Weld Pipe, Inc. at a not to exceed cost of \$50,000.

Item 3: Resolution No. R-13-24: A Resolution Approving and Ratifying an Amendment to Work Authorization Order # 019 Under Quick Response Contract QR-12/21 to Rossi

Contractors Inc. – Dresser Couplings, increase in cost of \$11,793.05 from \$30,600.14 to \$42,393.19.

- Item 4: Resolution No. R-14-24: A Resolution Approving and Ratifying an Amendment to Work Authorization Order No. 020 with Rossi Contractors, Inc. Under Quick Response Contract QR-12/21 - frame and lid repairs, increase in cost of \$39,636.12 from \$105,610 to \$145,246.12.
- Item 5: Resolution No. R-15-24: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-12/21 (cathodic protection TIB-223) (WAO No. 24-Rossi Contractors, Inc. – Cost Not-To-Exceed \$300,000.)
- Item 6: Resolution No. R-18-24: A Resolution Awarding Quick Response Electrical Contracts QRE-10/24, no cost for this action.
- Item 7: Resolution No. R-19-24: A Resolution Authorizing the First Amendment to Master Services Agreement Task Order #3 with Carollo Engineering, Inc., for Alternative Source Water Project professional engineering services, at an additional amount of \$18,079 for a total not to exceed amount of \$68,079.
- Item 8: Resolution No. R-20-24: A Resolution Approving a First Amendment to Task Order No. 18 under a Master Contract with AECOM Technical Services, Inc. at an Increase Not-To-Exceed Cost of \$17,700 from \$104,920 to \$122,620.
- Item 9: Resolution No. R-21-24: A Resolution to Authorize the General Manager to Purchase Galvanic Anodes, Coupons, and Backfill for Cathodic Protection Projects from Mesa Products, at a cost Not-to-Exceed \$165,000.

Commissioner Fennell moved to adopt item numbers 2 through 9 under the Engineering & Construction Committee Report section of the agenda in a single group pursuant to the Omnibus Vote Procedures seconded by Commissioner Saverino, unanimously approved by a Roll Call Vote.

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

Nay: None

Absent: K. Romano, D. Van Vooren

VII. Accounts Payable

A. January 2024

- Item 1: To approve the Accounts Payable in the amount of \$9,760,730.00 (January 2024) 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 \$2,439,225.00 (January 2024) 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 January 2024, Commissioner Healy moved, seconded by Commissioner Rush and unanimously approved by a roll call vote.

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

Nay: None

Absent: K. Romano, D. Van Vooren

VIII. Chairman's Report

Chairman Zay informed the Commissioners that Ethics Training has been delayed from the County and is due to be released in April.

A meeting with NSMJAWA and Village of Glencoe was held and both parties indicated a desire to advance the regional source water project.

The Forest Preserve of DuPage County has been engaged regarding planning for the WaterLink transmission main pipe placement along Book Road. An easement would be advantageous to minimize traffic disruption and maintain cost control. DWC staff will continue to work with the Forest Preserve to develop this alternative.

State lobbyists are being engaged to potentially modify the Water Act of 1985 to allow for a design build option. Federal lobbyists are also being engaged to assist in the preparation of submittals for congressionally directed spending.

General Manager May noted that this meeting concludes a year-long process in legislative activities to extend the Customer Contract and the Chicago Contract and thanked the staff and Commissioners for their cooperation in the many concurrent activities.

IX. Old Business

Commissioner Healy noted discussions with various additional parties who expressed interest in the possibility of becoming a DWC customer.

X. New Business

Commissioner Suess requested that a letter be sent to the State Legislature regarding modifications to the Open Meetings Act, in support of remote meeting attendance. Chairman Zay and Commissioners concurred. Commissioner Suess noted that the DMMC is preparing a boilerplate support letter that will be shared with the commission.

Commissioner Cuzzone noted that Senator Tammy Duckworth has expressed interest in the Source Water Project.

XI. Executive Session

No Executive Session was offered.

XII. Adjournment

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

Meeting adjourned at 7:03 PM.