

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, AUGUST 19, 2021
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Zay at 6:31 P.M.

Commissioners in attendance: D. Bouckaert, J. Broda, R. Gans (via teleconference), P. Gustin, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, and J. Zay

Commissioners Absent: J. Fennell, D. Russo, and P. Suess

Also in attendance: Treasurer W. Fates, J. Spatz, C. Johnson, C. Peterson, D. Panaszek, A. Stark, M. Weed, J. Bonnema, C. Bostick, D. Cuvalo, Z. Evans, B. Armstrong of Luetkehans, Brady, Garner & Armstrong LLC., and J. Savio of Sikich LLP

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Commissioner Healy moved to approve the Minutes of the June 17, 2021, Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Gustin and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

TREASURER'S REPORTS

Treasurer Fates presented the June and July 2021 Treasurer's Reports consisting of 13 pages each with pages 1 and 2 containing a brief summary of each report.

June 2021

Treasurer Fates pointed out the \$211.2 million of cash and investments on page 4, which reflected an increase of about 1.7 million from the previous month. Treasurer Fates also pointed out the schedule of investments on pages 5 through 11 totaling \$177.4 million and the market yield on the total portfolio showed 1.07% which had decreased from the prior month. On page 12, the statement of cash flows showed an increase in cash and investments by about \$459,099 and operating activities increased by approximately \$0.4 million. On page 13, the monthly cash/operating report showed that the Commission has met all recommended reserve balances.

July 2021

Treasurer Fates pointed out the \$209.7 million of cash and investments on page 4, which reflected a decrease of about 1.6 million from the previous month. Treasurer Fates also pointed out the schedule of investments on pages 5 through 11 totaling \$177.4 million and the market yield on the total portfolio showed 1.06% which had decreased from the prior month. On page 12, the statement of cash flows showed a decrease in cash and investments by about \$1.1 million and operating activities decreased by approximately \$1.2 million. On page 13, the monthly cash/operating report showed that the Commission has met all recommended reserve balances.

Commissioner Pruyn moved to accept the June and July 2021 Treasurer's Reports. Seconded by Commissioner Rush and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Finance Committee – Reported by Commissioner Pruyn

Commissioner Pruyn noted that the Finance Committee did not have a quorum, but members did discuss the 2021 Annual Audit Report. He then asked Sikich LLP representative Jim Savio to begin presenting the 2021 Annual Audit Report. Mr. Savio began by thanking General Manager Spatz, Financial Administrator Peterson and staff for their help throughout the process. He then provided a favorable summary of the report pointing out that the Commission had no audit adjustments, no past adjustments, no material weaknesses, no significant deficiencies, no deficiencies, and also issued an unmodified opinion to the Commission.

After Mr. Savio concluded his report, Chairman Zay expressed his appreciation to General Manager Spatz and Financial Administrator Peterson for a job well done. With no further discussion, Commissioner Pruyn moved to accept the draft audit report for the fiscal year ending April 30, 2021, to direct the auditors to print the final report, and to direct staff to distribute the FY2021 audit report to the Commission's customers and other interested parties. Seconded by Commissioner Bouckaert and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, P. Gustin, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, and J. Zay

Nays: None

Absent: J. Fennell, D. Russo, and P. Suess

Present: R. Gans (telephone connection was inaudible)

Administration Committee – Reported by Commissioner Healy

Commissioner Healy reported that the Administration Committee reviewed and recommended for approval all action items listed on the Administration Committee Agenda. After providing a brief summary, Commissioner Healy moved to adopt item numbers 2 and 3 under the Administration Report section of the Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Gustin and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, R. Gans (via teleconference), P. Gustin, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, and J. Zay

Nays: None

Absent: J. Fennell, D. Russo, and P. Suess

Item 2: Resolution No. R-35-21: A Resolution Suspending Purchasing Procedures and Approving Requisition 72864 for Document Conversion Services and an Enterprise Content Management Solution from Datamation Imaging Services at the August 19, 2021 DuPage Water Commission Meeting (in an estimated amount of \$145,261.00)

Item 3: Resolution No. R-38-21: Resolution Authorizing and Ratifying the Disposal of Certain Personal Property Owned by the DuPage Water Commission because these assets are no longer useful to the Commission (no cost)

Engineering & Construction Committee – Reported by Commissioner Saverino

Commissioner Saverino reported that the Engineering & Construction Committee reviewed and recommended for approval all action items listed on the Engineering & Construction Committee Agenda. After providing a brief summary, Commissioner Saverino moved to adopt item numbers 2 through 13 under the Engineering & Construction Report section of the Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Bouckaert and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, R. Gans (via teleconference), P. Gustin, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, and J. Zay

Nays: None

Absent: J. Fennell, D. Russo, and P. Suess

Minutes of the 8/19/2021 Commission Meeting

- Item 2: Resolution No. R-30-21: A Resolution Approving and Ratifying Certain Work Authorization Orders under Quick Response Contract QR-1/17 at the August 19, 2021 DuPage Water Commission Meeting (Rossi Contractors, Inc. in an estimated amount of \$58,701.61)
- Item 3: Resolution No. R-31-21: A Resolution Approving and Ratifying Certain Change Orders for a Contract for the Valve Assessment Program (Contract VAP-1/21) at the August 19, 2021, DuPage Water Commission Meeting (contract time completion extension – no cost)
- Item 4: Resolution No. R-32-21: A Resolution Approving and Authorizing the Execution of Master Agreement with DeLasCasas CP, LLC for Professional Engineering Services at the August 19, 2021, DuPage Water Commission Meeting (No cost)
- Item 5: Resolution No. R-33-21: A Resolution Approving and Ratifying Certain Work Authorization Orders under Quick Response Contract QR 12/21 at the August 19, 2021 DuPage Water Commission Meeting (Work Authorization Order No. 4 to Rossi Contractors, Inc. in the estimated cost of \$70,640.00)
- Item 6: Resolution No. R-34-21: A Resolution Approving and Ratifying Certain Work Authorization Orders under Quick Response Contract QR-12/21 at the August 19, 2021, DuPage Water Commission Meeting (Work Authorization Order Nos. 1 and 2 to Benchmark Construction Co., Inc., at an estimated total cost of \$8,000)
- Item 7: Resolution No. R-36-21: A Resolution Approving and Authorizing the Execution of a Master Agreement with Northern Inspection Services, LLC for Professional Engineering Services at the August 19, 2021 DuPage Water Commission Meeting (no cost)
- Item 8: Resolution No. R-37-21: A Resolution Suspending the Purchasing Procedures and Approving Requisition 72882 for the Development of a New AT&T Fiber Line at the August 19, 2021 DuPage Water Commission Meeting (AT&T Fiber 1Gb Access in the estimated about of \$27,509.32)
- Item 9: Resolution No. R-39-21: A Resolution Approving and Ratifying Certain Task Orders under a Master Contract with Strand Associates at the August 19, 2021 DuPage Water Commission Meeting (Task Order No. 3 to Strand Associates for an increase not-to exceed amount of \$48,000)
- Item 10: Resolution No, R-40-21: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-12/21 at the August 19, 2021, DuPage Water Commission Meeting (Rossi Contractors, inc., at an estimated cost of \$21,500.00)

- Item 11: Resolution No. R-41-21: A Resolution Suspending Purchasing Procedures and Approving Requisition 72898 for Removal of Downed Trees at Tank Site 4 due to June 20, 2021 tornado storm at the August 19, 2021 DuPage Water Commission Meeting (Beary Landscaping in an amount not-to-exceed \$52,000.00)
- Item 12: Resolution No. R-42-21: A Resolution Approving a 12-Month Contract Time Extension for Heavy Machinery and Equipment Rigging Transportation and Installation Service (Mecon Industries Inc. no cost)
- Item 13: Request for Board Action: To Approve Requisition No. 72846 to Currie Motors Frankfort for the Purchase of one 2022 Ford F350 Service Truck in the amount of \$74,558.00

ACCOUNTS PAYABLE

Commissioner Broda moved to approve the Accounts Payable in the amount of \$11,419,095.88 (June 2021), disbursements made with concurrence of Commission's Chairman) and \$11,487,381.62 (July 2021) subject to submission of all contractually required documentation, for invoices that have been received and to approve the Accounts Payable in the amount of \$1,435,830.00 (June 2021), disbursements made with concurrence of Commission's Chairman) and \$1,347,445.00 (July) subject to submission of all contractually required documentation, for invoices that have not yet been received but have been estimated. Seconded by Commissioner Healy and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, R. Gans (via teleconference), P. Gustin, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, and J. Zay

Nays: None

Absent: J. Fennell, D. Russo, and P. Suess

CHAIRMAN'S REPORT

Chairman Zay began his report by informing Board members that he and General Manager Spatz held a Zoom meeting with representatives from the City of Chicago to discuss various ongoing issues. Chairman Zay then introduced David Kohn, Deputy Commissioner, Regional Partnerships with the City of Chicago's Department of Water Management and asked him to give Board members a brief introduction.

Mr. Kohn thanked Chairman Zay and members of the Board for the opportunity to share with them his new role with the City of Chicago. Mr. Kohn noted that he is new to the Chicago Water Department and has been hired as the main point of contact to help manage the relationships between the City of Chicago and all of its suburban customers. Mr. Kohn thanked everyone again for the opportunity noting that he looks forward to working together in the future.

With that said, Chairman Zay informed Board members that he felt that their meeting with Chicago had been productive and that they understood the Commission's frustration. He noted that another meeting with Chicago had been scheduled within the next couple of weeks to review the water rate structure. Chairman Zay stressed the importance of renegotiating both water supply contracts (City of Chicago and the Commission's customers) as they go hand-in-hand. The Commission's customers have requested a meeting sometime in September for a status update.

General Manager added that right now the Commission only has two options which are looking at an alternative water source or extending the current water supply contract. General Manager Spatz noted that the Commission's customers put together a working group to renegotiate their water supply contract with the Commission which has been put on hold for over a year. The purpose of the meeting is to be able to give them a status update on the negotiations.

After Commissioner Saverino expressed that he liked the idea of having a designated person like Mr. Kohn to help with communications between the Commission and Chicago, General Manager Spatz added that the City of Chicago had officially appointed Andrea Putz as the new Commissioner for the Water Department. He noted that Ms. Putz and he have a very good working relationship and that she will be a good fit for the department.

Next, Chairman Zay informed that he and General Manager Spatz had a good meeting with representatives from the Village of Romeoville regarding the possibility of becoming a new customer. A meeting with representatives from the Villages of Oswego, Montgomery and Yorkville is expecting sometime in September with communities still weighing their options. Discussion then ensued regarding other possible future customers.

Chairman Zay concluded his report by noting that focus remains on the water supply contract with the City as well as the title for the Lexington Pumping Station. General Manager Spatz added that the title for the Lexington Pumping Station could be part of the renegotiations.

OMNIBUS VOTE REQUIRING MAJORITY VOTE

None

OMNIBUS VOTE REQUIRING SUPER-MAJORITY OR SPECIAL MAJORITY VOTE

None

OLD BUSINESS

General Manager Spatz informed that the Commission's new website is up and running and welcomed Board members to take a look for any suggested changes.

Minutes of the 8/19/2021 Commission Meeting

Last month the Board discussed concerns regarding cyberattacks and since then Chairman Zay's Commission email address had been masked and sent to various members asking for help. General Manager Spatz reassured that staff immediately investigated and found no attacks were made on the Commission's system.

General Manager Spatz then gave a brief update on the status of the Village of Oak Brook regarding their interest in selling part of their Water System (5 zones outside the corporate limits) to a private company called Aqua Illinois. General Manager Spatz stated that the Commission has repeatedly answered Oak Brook/Aqua's questions and they have disregarded the Commission's answers. Therefore, the Commission had directed them to send all correspondence through the Commission's attorney and the last information submitted by Oak Brook/Aqua continued to disregard the Commission's answers. At this point, the Commission is no further along than from a year ago. However, the Village did hire a new Director of Public Works and additional outside counsel.

NEW BUSINESS

With regards to the ongoing Covid-19 pandemic, Chairman Zay noted that if the positivity rate continues to rise, then the Board meetings may revert back to being held via Webex until things settle back down. He then asked that members who are uncomfortable participating via in-person to please let him know.

EXECUTIVE SESSION

None

Commissioner Broda moved to adjourn the meeting at 7:05 P.M. Seconded by Commissioner Healy and unanimously approved by a Voice Vote.

All voted aye. Motion carried.