

MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, APRIL 21, 2022
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS

The meeting was called to order by Chairman Zay at 6:29 P.M.

Commissioners in attendance: D. Bouckaert, J. Broda, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyn, D. Russo, P. Sues and J. Zay

Commissioners Absent: K. Rush and F. Saverino

Also in attendance: Treasurer W. Fates, T. McGhee, C. Peterson, A. Stark, D. Cuvalo, M. Weed, C. Bostick, J. Rodriguez, J. Haney, D. Mundall, Phil Luetkehans of Luetkehans, Brady, Garner & Armstrong LLC.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Commissioner Healy moved to approve the Minutes of the March 17, 2022 Regular Commission Meeting. Seconded by Commissioner Broda and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

CHARTER CUSTOMER HEARING

Commissioner Pruyn moved to open the Charter Customer Hearing regarding the Management Budget Ordinance for the Fiscal Year Commencing May 1, 2022 and Ending April 30, 2023. Seconded by Commissioner Russo and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyn, D. Russo, P. Sues, and J. Zay

Nays: None

Absent: K. Rush, and F. Saverino

With no further comments, Commissioner Broda moved to close the Charter Customer Hearing regarding the Management Budget Ordinance for the Fiscal Year Commencing May 1, 2022 and Ending April 30, 2023. Seconded by Commissioner Russo and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyn, D. Russo, P. Suess, and J. Zay

Nays: None

Absent: K. Rush, and F. Saverino

PUBLIC HEARING

Commissioner Suess moved to open the Public Hearing regarding the Annual Budget and Appropriation Ordinance for the Fiscal Year Commencing May 1, 2022 and Ending April 30, 2023. Seconded by Commissioner Fennell and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyn, D. Russo, P. Suess, and J. Zay

Nays: None

Absent: K. Rush, and F. Saverino

Commissioner Suess moved to close the Public Hearing regarding the Annual Budget and Appropriation Ordinance for the Fiscal Year Commencing May 1, 2022 and Ending April 30, 2023. Seconded by Commissioner Russo and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyn, D. Russo, P. Suess, and J. Zay

Nays: None

Absent: K. Rush, and F. Saverino

TREASURER'S REPORT

Treasurer Fates presented the March 2022 Treasurer's Report consisting of 13 pages with pages 1 and 2 containing a brief summary of the report.

Treasurer Fates pointed out the \$216.2 million of cash and investments on page 4, which reflected a decrease of about \$0.3 million from the previous month. Treasurer Fates also pointed out the schedule of investments on pages 5 through 11 totaling \$178.8 million and the market yield on the total portfolio showed 0.96% 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 \$5.5 million and operating activities increased by approximately

\$3.6 million. On page 13, the monthly cash/operating report showed that the Commission has met all recommended reserve balances.

Commissioner Russo moved to accept the March 2022 Treasurer's Report. Seconded by Commissioner Broda, unanimously approved by a Roll Call vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyne, D. Russo, P. Suess, and J. Zay

Nays: None

Absent: K. Rush, and F. Saverino

COMMITTEE REPORTS

Finance Committee report by Commissioner Suess.

Item 1: Ordinance No. O-1-22: An Ordinance Approving and Adopting an Annual Management Budget for the Fiscal Year Commencing May 1, 2022 and Ending April 30, 2023.

Item 2: Ordinance No. O-2-22: An Ordinance Establishing Fixed Costs to be Payable by Each Contract Customer for the Fiscal Year Commencing May 1, 2022 and Ending April 30, 2023 (\$0.00)

Item 3: Ordinance No. O-3-22: An Ordinance Approving and Adopting the Annual Budget and Appropriation Ordinance for the Fiscal Year Commencing May 1, 2022 and Ending April 30, 2023

Item 4: Request for Board Action: Authorizing the Transfer of Funds from the General Account to the Long-Term Water Capital Reserve Accounts.

Commissioner Suess moved to adopt item numbers 1 through 4 under the Finance Report section of the Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Russo.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyne, D. Russo, P. Suess, and J. Zay

Nays: None

Absent: K. Rush, and F. Saverino

Administration Committee report by Commissioner Healy.

- Item 1: R-23-22: A Resolution Suspending the Purchasing Procedures and Authorizing the Execution of a Consulting Agreement with IT Savvy LLC for IT Cyber Security Services at the April 21, 2022 DuPage Water Commission Meeting, in the amount of \$141,672.85.

Commissioner Healy moved, seconded by Commissioner Gustin, approved by a unanimous Roll Call vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyn, D. Russo, P. Suess, and J. Zay

Nays: None

Absent: K. Rush, and F. Saverino

Engineering & Construction Committee report by Commissioner Fennell.

- Item 1: R-24-22: A Resolution Awarding a Contract for the Construction of the SCADA Replacement Project (Contract PSD-9/21) at the April 21, 2022 DuPage Water Commission meeting for Baxter & Woodman/Boller Construction at a cost of \$16,443,000.00.

- Item 2: R-25-22: A Resolution Approving and Ratifying Task Order 5 Under a Master Contract with De Las Casas CP, LLC at the April 21, 2022 DuPage Water Commission meeting. Task Order No. 5 at a not-to-exceed cost of \$51,288.00.

- Item 3: R-26-22: A Resolution Approving and Ratifying Task Order 3 Under a Master Contract with Northern Inspection Services, LLC at the April 21, 2022 DuPage Water Commission meeting. Task Order No. 3, at a not-to-exceed cost of \$54,000.00.

- Item 4: R-27-22: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-12/21 at the April 21, 2022 DuPage Water Commission meeting. Task Order No. 009 for Rossi Contractors, Inc., at an estimated Cost of \$55,000.00.

- Item 5: R-28-22: A Resolution Approving a Second Amendment to Task Order No. 1 Under a Master Contract with Carollo Engineers, at a not to exceed cost of \$768,350.00.

- Item 6: R-29-22: A Resolution Approving and Ratifying Task Order 5 Under a Master Contract with Strand Associates at the April 21, 2022 DuPage Water Commission meeting, at a not to exceed cost of \$896,400.00.

Commissioner Fennell noted that a detailed presentation regarding the SCADA system had been made at the Engineering and Construction Committee meeting. Chairman Zay then directed staff to forward it on to the Commissioners for their information.

Commissioner Fennell then moved to adopt item numbers 1 through 6 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, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyn, D. Russo, P. Suess, and J. Zay

Nays: None

Absent: K. Rush, and F. Saverino

ACCOUNTS PAYABLE

Commissioner Gustin moved to approve the Accounts Payable in the amount of \$8,550,408.34 subject to submission of all contractually required documentation, for invoices that have been received and to approve the Accounts Payable in the amount of \$1,187,425.00 subject to submission of all contractually required documentation, for invoices that have not yet been received but have been estimated. Seconded by Commissioner Russo and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyn, D. Russo, P. Suess, and J. Zay

Nays: None

Absent: K. Rush, and F. Saverino

CHAIRMAN'S REPORT

Chairman Zay reminded everyone to please file their Statement of Economic Interest, the deadline is May 2, 2022 to avoid a fine.

Chairman Zay went on to welcome Paul May, new General Manager, and is looking forward to collaborating on many new and exciting projects.

OLD BUSINESS

Commissioner Suess asked for a status update on Oak Brook. General Manager May responded that we are moving forward with them, and working towards resolving scheduling constraints. The Commission is working with Oak Brook on a wheeling draft agreement, which is currently in legal review.

Commissioner Gustin welcomed General Manager May and then asked for an update on Montgomery, Oswego and Yorkville. General Manager May informed the Commission that the Village Managers from Montgomery, Oswego and Yorkville will be visiting the Commission on Monday afternoon for a tour and a brief meeting. Communication will be

one of the main objectives of that meeting, along with the schedule and budget. General Manager May will update the Commissioners at the next meeting. Chairman Zay informed the Commissioners that the required legislation has passed and we are ready to move forward. A draft of the Customer Service Agreement is in their hands per Attorney Luetkehans. Commissioner Russo asked if the 5% for profit consumption limit applied outside of DuPage County, to which Attorney Luetkehans replied that the buffer will be improved with the addition of the Montgomery, Oswego and Yorkville municipal consumption.

Commissioner Suess wanted clarification on the current procedure to notify customers of a rate change/increase. Commissioner Broda raised a concern that customers were not notified, and municipal budgets needed to be adjusted due to the water rate increase.

General Manager May will look into any miscommunications and would like to set up periodic meetings with municipalities to keep the lines of communication open.

NEW BUSINESS

No New Business was offered.

EXECUTIVE SESSION

Commissioner Pruyne made a motion to go into Executive Session to discuss matters related to personnel pursuant to 5 ILCS 120/2(c)(1) and (2), seconded by Commissioner Gans. The Commissioners moved into executive session after a unanimous roll call vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, P. Gustin, J. Healy, D. Novotny, J. Pruyne, D. Russo, P. Suess, and J. Zay

Nays: None

Absent: K. Rush, and F. Saverino

The Board went into Executive Session at 6:55 PM with all non-administrative staff members asked to leave the meeting.

Commissioner Healy moved to come out of Executive Session at 7:20 P.M. Seconded by Commissioner Gustin and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

ADJOURNMENT

Commissioner Broda made a motion to adjourn, seconded by Commissioner Gans, unanimously approved by a voice vote, all aye, motion carried. The meeting was adjourned at 7:23 PM.