

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, APRIL 16, 2020
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

DUE TO THE CORONAVIRUS THE MEETING WAS HELD VIA WEBEX.

The meeting was called to order by Chairman Zay at 6:35 P.M.

Commissioners in attendance via WebEx: D. Bouckaert, J. Broda, J. Fennell, R. Gans, D. Novotny, R. Obarski, J. Pruyn, K. Rush, D. Russo, F. Saverino, P. Suess and J. Zay

Commissioners Absent: J. Healy

Also in attendance via Webex: Treasurer W. Fates, J. Spatz, C. Johnson, C. Peterson, A. Stark, D. Cuvalo, J. Bonnema, M. Weed, J. Schori, E. Kazmierczak, C. Bostick (via phone) and P. Luetkehans of Luetkehans, Brady, Garner & Armstrong LLC.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Commissioner Pruyn moved to approve the Minutes of the February 20, 2020 Administration Committee, Engineering Committee, Finance Committee, the Special Committee of the Whole, the Regular Scheduled Meeting, and the Executive Session Meeting of the DuPage Water Commission. Seconded by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

CHARTER CUSTOMER HEARING

Commissioner Saverino moved to open the Charter Customer Hearing regarding the Management Budget Ordinance for the Fiscal Year Commencing May 1, 2020 and Ending April 30, 2021. Seconded by Commissioner Russo and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

There being no comments, Commissioner Saverino moved to close the Charter Customer Hearing regarding the Management Budget Ordinance for the Fiscal Year Commencing May 1, 2020 and Ending April 30, 2021. Seconded by Commissioner Broda and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

PUBLIC HEARING

Commissioner Russo moved to open the Public Hearing regarding the Annual Budget and Appropriation Ordinance for the Fiscal Year Commencing May 1, 2020 and Ending April 30, 2021. Seconded by Commissioner Obarski and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

There being no comments, Commissioner Gans moved to close the Public Hearing regarding the Annual Budget and Appropriation Ordinance for the Fiscal Year Commencing May 1, 2020 and Ending April 30, 2021. Seconded by Commissioner Obarski and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

TREASURER'S REPORT

Treasurer Fates reported that he had reviewed and approved all journal entries and bank reconciliations for the months of February and March. He then presented the March 2020 Treasurer's Report consisting of 13 pages, noting that pages 1 and 2 contained a brief summary of the report.

March 2020

Treasurer Fates pointed out the \$181.2 million of cash and investments on page 4, which reflected a decrease of about \$0.1 million from the previous month. Treasurer Fates also pointed out the schedule of investments on pages 5 through 11 totaling \$156.6 million and the market yield on the total portfolio showed 1.81% which was down from the prior month. On page 12, the statement of cash flows showed an increase in cash and investments by about \$10.1 million and operating activities generated \$7.0 million. On page 13, the monthly cash/operating report showed that the Commission had met or exceeded all of its reserve requirements.

Commissioner Obarski moved to accept the February and March 2020 Treasurer's Reports. Seconded by Commissioner Rush and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Finance Committee – Meeting Cancelled

Commissioner Suess moved to adopt item numbers 2 through 5 under the Finance Report section of the Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Russo.

After Chairman Zay thanked General Manager Spatz and staff for doing a great job on the FY 2020-2021 Annual Budget, the motion was unanimously approved by a Roll Call Vote.

Minutes of the 4/16/2020 Commission Meeting

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, D. Novotny, R. Obarski, J. Pruyne, K. Rush, D. Russo, F. Saverino, P. Suess and J. Zay

Nays: None

Absent: J. Healy

Item 2: Ordinance No. O-1-20: An Ordinance Approving and Adopting an Annual Management Budget for the Fiscal Year Commencing May 1, 2020 and Ending April 30, 2021

Item 3: Ordinance No. O-2-20: An Ordinance Establishing Fixed Costs to be Payable by Each Contract Customer for the Fiscal Year Commencing May 1, 2020 and Ending April 30, 2021 – (\$0.00)

Item 4: Ordinance No. O-3-20: An Ordinance Approving and Adopting the Annual Budget and Appropriation Ordinance for the Fiscal Year Commencing May 1, 2020 and Ending April 30, 2021

Item 5: Request for Board Action: To approve the Renewal of Financial Services Contract between the DuPage Water Commission and Baker Tilly Virchow Krause, LLP for one year (in an amount up to \$120,000.00).

Administration Committee – Meeting Cancelled

Commissioner Broda moved to adopt item number 2 under the Administration Report section of the Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Gans and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, D. Novotny, R. Obarski, J. Pruyne, K. Rush, D. Russo, F. Saverino, P. Suess and J. Zay

Nays: None

Absent: J. Healy

Item 2: Resolution No. R-20-20: 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 16, 2020 DuPage Water Commission Meeting.

Engineering & Construction Committee – Meeting Cancelled

Commissioner Fennell moved to adopt item numbers 2 through 7 under the Engineering & Construction Report section of the Agenda in a single group pursuant to the Omnibus

Minutes of the 4/16/2020 Commission Meeting

Vote Procedures. Seconded by Commissioner Bouckaert and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, D. Novotny, R. Obarski, J. Pruy, K. Rush, D. Russo, F. Saverino, P. Suess and J. Zay

Nays: None

Absent: J. Healy

Item 2: Resolution No. R-15-20: A Resolution Awarding a Contract for Butterfly Valve Body Conversion to Val Matic Valve and Manufacturing Corporation in the amount of \$62,140.00

Item 3: Resolution No. R-16-20: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Electrical Contract QRE-8/17 at the April 16, 2020, DuPage Water Commission Meeting (Work Authorization Order No. 18 to McWilliams Electric Co. Inc. in an estimated amount of \$19,920.00)

Item 4: Resolution No. R-17-20: A Resolution Approving and Ratifying Certain Task Orders under a Master Contract with AECOM Technical Services, Inc. at the April 16, 2020, DuPage Water Commission Meeting (Task Order No 13 for AECOM Technical Services in the amount of \$100,000.00)

Item 5: Resolution No. R-18-20: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Greeley and Hansen, LLC at the April 16, 2020 DuPage Water Commission meeting. (Greeley and Hansen in an amount of \$70,462.00)

Item 6: Resolution No. R-19-20: A Resolution Suspending the Purchasing Procedures and Awarding a Contract for the Fire Alarm System Improvements of the DPPS and Sodium Hypochlorite Facility (ESSCOE, LLC in the amount of \$39,975.00)

Item 7: Request for Board Action: To Authorize Approval of Requisition No. 68651 to Kunes Country Ford for The Purchase of one 2020 Ford Expedition in the amount of \$66,296.00

ACCOUNTS PAYABLE

Commissioner Suess moved to approve the Accounts Payable in the amount of \$7,773,583.60 (February 2020), disbursements made with concurrence of Commission's Chairman) and \$8,174,879.41 (March 2020) subject to submission of all contractually required documentation, for invoices that have been received and to approve the Accounts Payable in the amount of \$1,260,225.00 (February 2020), disbursements made with concurrence of Commission's Chairman) and \$1,258,455.00 (March 2020) subject to submission of all contractually required documentation, for invoices that have not yet

Minutes of the 4/16/2020 Commission Meeting

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, D. Novotny, R. Obarski, J. Pruyne, K. Rush, D. Russo, F. Saverino, P. Sues and J. Zay

Nays: None

Absent: J. Healy

CHAIRMAN'S REPORT

Chairman Zay began by reminding Commissioners to complete their Statement of Economic Interest by the end of the month to avoid penalties.

Chairman Zay thanked General Manager Spatz for his leadership during this challenging time with the COVID-19 pandemic adding that between making sure employees are properly cross-trained, following safety procedures, and obtaining safety supplies and equipment, the staff has done a fantastic job at keep things running smooth.

General Manager Spatz informed Commissioner's that he spoke to Chairman Zay regarding the extras costs that have been incurred associated with the COVID-19 pandemic noting that the Commission's current credit card policy may need to be reevaluated for the purpose of increasing the credit card limit in emergency situations only.

OMNIBUS VOTE REQUIRING MAJORITY VOTE

None

OMNIBUS VOTE REQUIRING SUPER-MAJORITY OR SPECIAL MAJORITY VOTE

None

OLD BUSINESS

General Manager Spatz began the discussion regarding cost of living increases related to employee compensation starting with the proposed changes to the Collective Bargaining Agreement with the International Union of Operating Engineers Local 399 and the Commission. General Manager Spatz reported that negotiations went well and began reviewing the changes that were agreed upon by both parties. Chairman Zay added that he spoke with General Manager Spatz regarding employee salary increases and both felt that a 2.5% increase was fair. After Chairman Zay asked Board members for their input, it was the consensus of the Commissioners present to authorize the General Manager to move forward with the recommended employee salary increases, for both union and non-union employees, of 2.5% on May 1st.

Minutes of the 4/16/2020 Commission Meeting

Commissioner Suess inquired as to any new updates regarding the Illinois Tollway Authority. General Manager Spatz reported that plans have been reviewed by staff and the engineers and both were pleased with what was submitted with no cost to the Commission. General Manager Spatz further reported that the Commission had received a Complaint for Condemnation and Summons from the General Counsel of the Illinois Tollway Authority. Both documents were forwarded to the Commission's attorney Phil Luetkehans and any status updates would be provided at the next meeting.

NEW BUSINESS

General Manager Spatz updated the Board regarding his Webex meeting with representatives 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. General Manager Spatz provided a few suggestions should the Board consider moving forward with this, such as conducting a thorough evaluation which would include any potential negative impact to the Commission as well as pass an Ordinance limiting this action to only Oak Brook to avoid other municipalities the option to sell off parts of their system that may no longer be profitable. One concern that General Manager Spatz shared was the legal stipulation of exceeding a 5% water sale limit to a for-profit company resulting in a possible loss of the Commission's tax exemption status. Discussion ensued regarding whether this had been done by other municipalities, the background on the private water company being considered, the water connections, and the precedence this would set. General Manager Spatz noted that he had invited the Village to attend the next Board meeting to give a presentation on the topic. Commissioners requested that an outline be provided, for their review, before the next meeting.

EXECUTIVE SESSION

None

COLLECTIVE BARGAINING AGREEMENT

Commissioner Fennell moved to approve Resolution No. R-21-20: A Resolution Approving and Authorizing the Execution of Collective Bargaining Agreement with the International Union of Operating Engineers Local 399 (AFL-CIO). Seconded by Commissioner Broda and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, D. Novotny, R. Obarski, J. Pruyne, K. Rush, D. Russo, F. Saverino, P. Suess and J. Zay

Nays: None

Absent: J. Healy

Commissioner Broda moved to adjourn the meeting at 7:08 P.M. Seconded by Commissioner Gans and unanimously approved by a Voice Vote.

All voted aye. Motion carried.