

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, FEBRUARY 18, 2021
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 6:03 P.M.

Commissioners in attendance in person: J. Zay

Commissioners in attendance via Webex: D. Bouckaert, J. Broda, J. Fennell, R. Gans, J. Healy, D. Novotny, J. Pruy, K. Rush, F. Saverino, and P. Suess

Commissioners Absent: R. Obarski and D. Russo

Also in attendance in person: J. Spatz, C. Johnson, C. Peterson and J. Rodriguez

Also in attendance via Webex: Treasurer W. Fates, A. Stark, D. Panaszek, D. Cuvalo, J. Bonnema, C. Bostick, J. Schori, M. Weed, and P. Luetkehans of Luetkehans, Brady, Garner & Armstrong LLC.

Chairman Zay read the following prepared statement:

“Pursuant to the Illinois Attorney General Guidance to Public Bodies on the Open Meetings Act during the COVID-19 Pandemic dated July 2, 2020 members may participate without being physically present in compliance with the established provisions”.

PUBLIC COMMENT

Commission employee Alan Stark, present at Elmhurst City Hall, 290 N. York Street, Elmhurst, IL. 60126, confirmed that no one from the public had signed up for public comment.

APPROVAL OF MINUTES

Commissioner Broda moved to approve the Minutes of the January 21, 2021 Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Pruy and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, J. Healy, D. Novotny, J. Pruy, F. Saverino, P. Suess, and J. Zay

Nays: None

Present: K. Rush (telephone connection was inaudible)

Absent: R. Obarski and D. Russo

TREASURER'S REPORT

Treasurer Fates presented the January 2021 Treasurer's Report consisting of 13 pages noting that pages 1 and 2 contained a brief summary of the report.

Treasurer Fates pointed out the \$209.2 million of cash and investments on page 4, which reflected an increase of about \$18.7 million from the previous month. Treasurer Fates also pointed out the schedule of investments on pages 5 through 11 totaling \$176.2 million and the market yield on the total portfolio showed 1.22% which had decreased from the prior month. On page 12, the statement of cash flows showed an increase in cash and investments by about \$25.5 million and operating activities generated \$6.8 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 January 2021 Treasurer's Report. Seconded by Commissioner Gans and unanimously approved by a Roll Call Vote.

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

Nays: None

Present: K. Rush (telephone connection was inaudible)

Absent: R. Obarski and D. Russo

COMMITTEE REPORTS

Finance Committee - Meeting Cancelled

Administration Committee – Meeting Cancelled

Engineering & Construction Committee – Meeting Cancelled

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

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

Nays: None

Present: K. Rush (telephone connection was inaudible)

Absent: R. Obarski and D. Russo

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Item 2: Resolution No. R-9-21: A Resolution Approving the Extension of the Contract for Soils and Materials Testing Services (Contract MT-11/18) for One Additional Year at the February 18, 2021 DuPage Water Commission Meeting (Construction and Geotechnical Material Testing Inc.)

ACCOUNTS PAYABLE

Commissioner Gans moved to approve the Accounts Payable in the amount of \$8,400,015.42 subject to submission of all contractually required documentation, for invoices that have been received and to approve the Accounts Payable in the amount of \$1,941,575.00 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, J. Fennell, R. Gans, J. Healy, D. Novotny, J. Pruy, F. Saverino, P. Suess and J. Zay

Nays: None

Present: K. Rush (telephone connection was inaudible)

Absent: R. Obarski and D. Russo

CHAIRMAN'S REPORT

Chairman Zay began his report by reminding the Commissioners to complete their online ethics training.

Since members are utilizing Webex for the monthly Board meetings, Chairman Zay stated that a temporary start time of 6:00 P.M. for the regular Commission meeting would be in place until in-person meetings resume.

Next, Chairman Zay noted that the Public Hearings on the Budget and Appropriation Ordinance is scheduled for April and since the Commission would still be closed to the public, the public would be welcomed at Elmhurst City Hall to voice any comments.

Regarding the succession plan for employees retiring within the next year, Chairman Zay noted that General Manager Spatz would be working with members from the Administrative Committee to establish a transition plan.

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Chairman Zay concluded his report by stating that the City of Joliet had selected the City of Chicago for their water supplier and that staff continues to monitor the contract details between both parties for any potential negative impacts to the Commission. With regards to renegotiating the Water Supply Contract with the City of Chicago, Chairman Zay noted that before any discussions begin, Chicago had requested that the Commission sign a non-disclosure confidentiality agreement which would basically prohibit the Commission from providing regular updates to board members and customers. Chairman Zay stated that he, Attorney Luetkehans and General Manager Spatz all agreed that it would not be in the best interest, overall, to sign the non-disclosure confidentiality agreement.

OMNIBUS VOTE REQUIRING MAJORITY VOTE

None

OMNIBUS VOTE REQUIRING SUPER-MAJORITY OR SPECIAL MAJORITY VOTE

None

OLD BUSINESS

With regards to the non-disclosure confidentiality agreement received from the City of Chicago, General Manager Spatz referred back to the January meeting in which a resolution was approved for a task order under a master agreement with Greeley and Hansen for the design of the DuPage Water Commission’s Pumping Station Emergency Generator System modifications. When the Commission received the non-disclosure confidentiality agreement, one of the companies listed on the disclosure to represent the City of Chicago as part of the team to renegotiate the water supply contract was Greeley and Hansen. General Manager Spatz immediately postponed the kick-off meeting due to a potential conflict of interest. After he spoke with Paul Vogel, President of Greeley and Hansen and Mr. Vogel provided specific details which reassured him that the company would not be involved in any renegotiations between Chicago and the Commission, it was the consensus of the Board to move forward with the project.

With the Village of Oswego, General Manager Spatz noted that they continue to weigh all options regarding the selection of a water supplier.

NEW BUSINESS

Financial Administrator Peterson asked for a consensus to allow staff to distribute the Tentative Draft FY2021-2022 Management Budget to the Commission’s customers to which all agreed.

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EXECUTIVE SESSION

None

Commissioner Broda moved to adjourn the meeting at 6:25 P.M. Seconded by Commissioner Gans and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, J. Broda, J. Fennell, R. Gans, J. Healy, D. Novotny, J. Pruyne, F. Saverino, P. Suesse and J. Zay

Nays: None

Present: K. Rush (telephone connection was inaudible)

Absent: R. Obarski and D. Russo