

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, APRIL 17, 2014
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Zay at 7:00 P.M.

Commissioners in attendance: J. Broda, L. Crawford, R. Furstenau, C. Janc, D. Loftus, W. Murphy, J. Pruyn (arrived at 7:08 P.M.), D. Russo, M. Scheck, P. Suess, J.B. Webb and J. Zay

Commissioners Absent: F. Saverino

Also in attendance: Treasurer D. Ellsworth, J. Spatz, C. Johnson, C. Peterson, T. McGhee, J. Rodriguez, M. Weed, F. Frelka, J. Schori, R. C. Bostick, E. Kazmierczak, and T. Good of Gorski & Good, LLP.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Commissioner Broda moved to approve the Minutes of the March 20, 2014 Regular Meeting, and the Minutes of the March 20, 2014 Executive Session Meeting of the DuPage Water Commission. Seconded by Commissioner Loftus and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

CHARTER CUSTOMER HEARING

Commissioner Murphy moved to open the Charter Customer Hearing regarding the Management Budget Ordinance for the Fiscal Year Commencing May 1, 2014 and Ending April 30, 2015. Seconded by Commissioner Janc and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

There being no comments, Commissioner Broda moved to close the Charter Customer Hearing regarding the Management Budget Ordinance for the Fiscal Year Commencing May 1, 2014 and Ending April 30, 2015. Seconded by Commissioner Loftus and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

TREASURER REPORT

Treasurer Ellsworth presented the March 2014 Treasurer's Report, consisting of ten pages, noting that pages 1 and 2 contained a brief summary of the report.

Treasurer Ellsworth pointed out the \$74.8 million of cash and investments on page 3, which reflected an increase of about \$3.1 million from the previous month. Treasurer Ellsworth also pointed out the schedule of investments on pages 4 through 8 totaling \$65.7 million and the market yield on the total portfolio showed 55 basis points which had increased slightly from the prior month. On page 9, the statement of cash flows showed an increase in cash and investments by about \$9.8 million and operating activities increased cash by approximately \$8.3 million, roughly \$32.2 million of sales tax was received, and principal and interest debt payments on bonds totaled about \$30.8 million. On page 10, the monthly cash/operating report showed that the Commission had met or exceeded all of its reserve requirements and approximately \$40.2 million of outstanding debt in Table 3, Rows H and I.

Commissioner Russo moved to accept the March 2014 Treasurer's Report. Seconded by Commissioner Janc and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Finance Committee – Reported by Commissioner Suess

Commissioner Suess reported that the Finance Committee reviewed and recommended for approval all items listed on the Finance Committee Agenda.

Commissioner Suess moved to adopt item numbers 2, 3, and 4 under the Finance Report section of the Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Russo and unanimously approved by a Roll Call Vote.

Ayes: J. Broda, L. Crawford, R. Furstenau, C. Janc, D. Loftus, W. Murphy, D. Russo, M. Scheck, P. Suess, J.B. Webb and J. Zay

Nays: None

Absent: J. Pruyn and F. Saverino

Item 2: Ordinance No. O-2-14: An Ordinance Approving and Adopting an Annual Management Budget for the Fiscal Year Commencing May 1, 2014 and Ending April 30, 2015

Item 3: Ordinance No. O-3-14: An Ordinance Establishing Fixed Costs to be Payable by Each Contract Customer for the Fiscal Year Commencing May 1, 2014 and Ending April 30, 2015

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- Item 4: Retain the services of Baker Tilly as Financial Services Provider at a cost not to exceed \$102,000.00 for a one year term.

Administration Committee – Reported by Commissioner Crawford

Commissioner Crawford reported that the Administration Committee met with no items to be addressed.

Engineering & Construction Committee – Reported by Commissioner Loftus

Commissioner Loftus reported that the Engineering & Construction Committee had reviewed and recommended for approval all action items listed on the Engineering & Construction Agenda. Before the motion was made, Commissioner Loftus referred to Item Number 6 and requested that it be removed from the Omnibus Group Vote Agenda for separate consideration.

With no further discussion, Commissioner Loftus moved to adopt item numbers 2, 3, 4, and 5 under the Engineering & Construction Report section of the Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Furstenau and unanimously approved by a Roll Call Vote.

Ayes: J. Broda, L. Crawford, R. Furstenau, C. Janc, D. Loftus, W. Murphy, D. Russo, M. Scheck, P. Suess, J.B. Webb and J. Zay

Nays: None

Absent: J. Pruyn and F. Saverino

Item 2: Resolution No. R-10-14: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Electrical Contract QRE-6/12 (Contractor TBD at an Estimated Cost not-to-exceed \$80,000.00)

Item 3: Resolution No. R-11-14: A Resolution Approving Rider No. 2 to the Standard Form of Agreement between DuPage Water Commission and Tank Industry Consultants Inc. for Professional Engineering Services (Estimated not-to-exceed \$131,485.00)

Item 4: Resolution No. R-13-14: A Resolution Directing Advertisement for Bids on a Contract for the Rehabilitation of Coating Systems and Fall Protection Systems for Tank Sites No. 2 and No. 4 West (Contract SS-6/14)

Item 5: Request for Board Action: Approval of Final Design, Plans and Specifications for the Construction of the DuPage County York Township Joint Facility and Connection Facilities **(No Cost Component)**

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Commissioner Loftus moved to suspend the Purchasing Procedures of the Commission's By-Laws and to Authorize the purchase of two (2) High Lift Pump Motor Bearings from Electric Machinery, Inc. at a cost not to exceed \$30,000.00. Seconded by Commissioner Furstenau and unanimously approved by a Roll Call Vote.

Ayes: J. Broda, L. Crawford, R. Furstenau, C. Janc, D. Loftus, W. Murphy, D. Russo, M. Scheck, P. Suess, J.B. Webb and J. Zay

Nays: None

Absent: J. Pruyn and F. Saverino

ACCOUNTS PAYABLE

Commissioner Murphy moved to approve the Accounts Payable in the total amount of \$8,753,525.40 subject to submission of all contractually required documentation, for invoices that have been received and 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: J. Broda, L. Crawford, R. Furstenau, C. Janc, D. Loftus, W. Murphy, D. Russo, M. Scheck, P. Suess, J.B. Webb and J. Zay

Nays: None

Absent: J. Pruyn and F. Saverino

Commissioner Pruyn arrived at 7:08 P.M.

CHAIRMAN'S REPORT

Chairman Zay reported the he had met with the Commission's consultant John J. Millner who continues to work on several pieces of pending legislation. Chairman Zay commended Mr. Millner for his hard work and for always keeping the Commission updated and informed.

Chairman Zay further reported that he and General Manager Spatz met with Tom Manion of the Rory Group noting that the Rory Group's contract with the Commission had expired in March and that a new contract would be included in the May packet for Board consideration. Chairman Zay shared that Mr. Manion continues to have a good working relationship with the City of Chicago and felt that he would be an asset in completing other matters between the Commission and the City, such as (1) to help facilitate the title and property transfer of the Lexington Pumping Station to the City of Chicago; (2) to help facilitate an agreement with the City of Chicago as to proper co-insurance for the Lexington Pumping Station as part to the title transfer; (3) to help facilitate a supply contract amendment between the City of Chicago and the DuPage Water Commission to include price safeguards such as consumer price index or 5%, etc.

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There being no other comments, Chairman Zay concluded by wishing everyone a Happy Easter.

OMNIBUS VOTE REQUIRING MAJORITY VOTE

None

OMNIBUS VOTE REQUIRING SUPER-MAJORITY OR SPECIAL MAJORITY VOTE

None

OLD BUSINESS

General Manager Spatz advised the Commissioners that they should have received the Statement of Economic Interest materials from the Cook County Clerk's office and that the completed statements need to be filed with that office by May 1st to avoid penalty.

NEW BUSINESS

None

EXECUTIVE SESSION

Commissioner Furstenau moved to go into Executive Session to discuss matters related to personnel pursuant to 5 ILCS 120/2(c)(1) and (2). Seconded by Commissioner Janc and unanimously approved by a Roll Call Vote:

Ayes: J. Broda, L. Crawford, R. Furstenau, C. Janc, D. Loftus, W. Murphy, J. Prun, D. Russo, M. Scheck, P. Suess, J.B. Webb and J. Zay

Nays: None

Absent: F. Saverino

The Board went into Executive Session at 7:15 P.M.

Commissioner Murphy moved to come out of Executive Session at 7:22 P.M. Seconded by Commissioner Russo and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Murphy moved to adjourn the meeting at 7:23 P.M. Seconded by Commissioner Broda and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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