

**Minutes of a Meeting
of the**

BOARD OF COMMISSIONERS

DuPage Water Commission
600 E. Butterfield Road, Elmhurst, Illinois

August 17, 2023

I. The meeting was called to order by Chairman Zay at 6:30 PM

II. Roll Call

Commissioners in attendance: D. Bouckaert, N. Cuzzone, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, D. Van Vooren, J. Zay.

Commissioners absent: J. Fennell, D. Russo, P. Suess

Also in attendance: P. May, C. Bostick, C. Peterson, M. Weed, D. Cuvalo, D. Mundall

III. Public Comments

No public comment was offered.

IV. Approval of Minutes

Commissioner Healy moved to approve the minutes of the June 15, 2023 Regular Meeting of the DuPage Water Commission, seconded by Commissioner Pruyn, unanimously approved by a voice vote. All Aye, motion carried.

V. Treasurer's Report

Treasurer Fates presented the June and July 2023 Treasurer's Reports consisting of 13 pages each with pages 1 and 2 containing a brief summary of the report.

July 2023

Treasurer Fates noted \$225.6 million of cash and investments on page 4, a decrease of \$2.2M from the previous month. Treasurer Fates also pointed out the schedule of investments on pages 5 through 11 totaling \$195.7 million and the market yield on the total portfolio showed 2.76% which is up slightly from the prior month. On page 12, the statement of cash flows showed a decrease in cash and investments by about \$2.2 million and operating activities decreased by approximately \$2.4 million. Also noted 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 2023 Treasurer's Reports, seconded by Commissioner Rush, unanimously approved by a voice vote. All aye, motion carried.

VI. Committee Reports

A. Finance Committee

Commissioner Pruyn provided an update of the Finance Committee meeting; although there was no quorum for the committee, those present at the Finance Committee did review and now bring forward the FYE 2023 Annual Audit Report. He then asked Sikich LLC representative Jim Savio to present the 2023 Annual Audit Report. Mr. Savio began by thanking General Manager May, Financial Administrator Peterson and staff for their participation and cooperation 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 that Sikich therefore provides a favorable unmodified opinion to the Commission, which is the highest opinion they are permitted to provide.

After Mr. Savio concluded his report, Chairman Zay expressed his appreciation to General Manager May and Financial Administrator Peterson for a job well done.

Commissioner Pruyn moved to accept the draft audit report for the fiscal year ending April 30, 2023, to direct the auditors to print the final report, and to direct staff to distribute the FY2023 audit report to the Commission's customers and other interested parties, seconded by Commissioner Van Vooren, unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, D. Van Vooren, J. Zay

Nay: None

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

B. Administration Committee

Commissioner Healy gave a brief update on the Administration Committee meeting.

Item 1: Resolution No. R-32-23: A Resolution to review Executive Session Minutes

Commissioner Healy moved to accept Resolution R-32-23, seconded by Commissioner Pruyn, unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, D. Van Vooren, J. Zay

Nay: None

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

Item 2: Resolution No. R-33-23: A Resolution Approving and Authorizing the Execution of a Memorandum of Understanding for Geographic Information System Data Sharing with Kane County, Illinois.

Item 3: Resolution No. R-36-23: A Resolution Authorizing and Ratifying the Disposal of Certain Personal Property Owned by the DuPage Water Commission.

Item 4: Resolution No. R-37-23: A Resolution to approve the Amended Intergovernmental Escrow Agreement with WaterLink Communities of Montgomery, Oswego and Yorkville.

Item 5: Resolution No. R-42-23: A Resolution Authorizing the Chairman of the DuPage Water Commission to negotiate a Source Water Contract extension with the City of Chicago.

Item 6: Resolution No R-43-23: A Resolution Ratifying Purchase Order No. 40278 to Willowbrook Ford for the purchase of a 2023 utility vehicle, at a cost of \$81,500.00.

Commissioner Healy moved to adopt item numbers 2 through 6 under the Administration Report section of the agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Cuzzone and unanimously approved by a Roll Call Vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, D. Van Vooren, J. Zay

Nay: None

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

C. Engineering & Construction Committee

Commissioner Saverino gave a brief update on the Engineering Committee meeting, noting that the Committee had received a report on the Lexington Pump Station condition assessment, and noted that significant investment in repairs and maintenance are necessary.

Item 1: Resolution No. R-34-23: A Resolution Approving and Ratifying Certain Change Orders for the Influent, Effluent, and 72" Meter Buildings Coatings Rehabilitation Contract (Contract PSD-11/22), to G.P. Maintenance Services, Inc., net contract price reduction of \$23,800.00.

Item 2: Resolution No. R-35-23: A Resolution Approving and Ratifying Certain Change Orders for a Contract for the Construction of DPPS Emergency Generation System Modifications

(PSD-10/22), to J. J. Henderson & Son, Inc., contract decrease of \$137,018.75.

- Item 3: Resolution No. R-38-23: A Resolution to authorize Task Order #2 under a Master Services Agreement with LAN Engineering for Phase I engineering of a water transmission main to the communities of Montgomery, Oswego, and Yorkville, at a cost of \$4.27 M.
- Item 4: Resolution R-39-23: A Resolution authorizing an Intergovernmental Agreement with NSMJAWA, and the Northwest Water Commission to participate in an engineering validation study at a not to exceed cost of \$75,000.00.
- Item 5: Resolution No. R-40-23 A Resolution authorizing an engineering contract with Burns and McDonnell, to validate the source water alternative study, at an estimated cost of \$75,000.
- Item 6: Resolution No. R-41-23: A Resolution Approving and Ratifying Certain Change Orders to a Contract for the SCADA Replacement Project (Contract PSD-9/21) to Baxter & Woodman/Boller Construction, at a net contract decrease of \$233,718.76
- Item 7: Resolution No. R-44-23: A Resolution Requesting Suspension of Purchasing Procedures and Authorizing the General Manager to Procure Installation Services for Two (2) Custom Fabric Storage Structures from a Sole Source Service Provider, Casey General LLC, at a not to exceed amount of \$31,000.00.
- Item 8: Resolution No. R-45-23: A Resolution Approving and Ratifying a First Amendment to Task Order No. 14 Under a Master Task Order Agreement with AECOM Technical Services, Inc., at an estimated additional cost of \$20,000.00.

Commissioner Saverino moved to approve Items 1 through 8 under the Engineering & Construction Committee Report section of the agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Bouckaert, unanimously approved by a roll call vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, D. Van Vooren, J. Zay

Nay: None

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

VII. Accounts Payable

A. June and July 2023

- Item 1: To approve the Accounts Payable in the amount of \$13,926,256.17 (June 2023), disbursements made with the concurrence of the Commission's Chairman and \$12,604,474,26 (July 2023) subject to submission of all contractually required documentation for invoices that have been received.

Chairman Zay asked for a motion to combine and approve the accounts payable disbursements and the estimated accounts payable for June & July 2023, Commissioner Healy moved, seconded by Commissioner Saverino and unanimously approved by a roll call vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, D. Van Vooren, J. Zay

Nay: None

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

Item 2: To approve the Accounts Payable in the amount of \$2,864,475.00 (June 2023), disbursements made with the concurrence of the Commission's Chairman and \$3,713,575.00 (July 2023) subject to submission of all contractually required documentation, for invoices that have not yet been received but have been estimated.

Chairman Zay asked for a motion to combine and approve the accounts payable disbursements and the estimated accounts payable for June & July 2023, Commissioner Van Vooren moved, seconded by Commissioner Cuzzone and unanimously approved by a roll call vote.

Ayes: D. Bouckaert, N. Cuzzone, J. Healy, D. Novotny, J. Pruyn, K. Rush, F. Saverino, D. Van Vooren, J. Zay

Nay: None

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

VIII. Chairman's Report

Chairman Zay informed the Commissioners that a new County appointed Commissioner for District 4, Ms. Karyn Romano, will be sworn in at the September meeting.

Chairman Zay thanked staff for their efforts maintaining the facility and operations successfully with so many projects running concurrently. The Chairman went on to brief the Commissioners on the most recent meeting with the City of Chicago, noting that negotiations are not progressing satisfactorily; there has been no response from Chicago regarding the term sheet since mid-June. The City has not offered any new information nor have they sent a draft copy of the contract. Additionally, the inspection of Lexington indicates significant maintenance and replacement activities are necessary; for example during the inspection the generators at Lexington are were not operational.

General Manager May began by informing the Commissioners that in June more than 3 billions gallons of water were pumped. This is all being done while the Commission is facing staff

shortages, currently have 6 open positions. Operations staff is doing an outstanding job of maintaining the plant and critical operation during the staffing shortage.

Mr. May noted the efforts of Financial Administrator Peterson for a great job and a clean audit, and Water Operations Manager Bostick for the Lexington Condition assessment program.

Commissioner Van Vooren asked about the status of the compensation report. General Manager May explained that the loss of personnel is due to our staff being very well trained on machinery and infrastructure and being well-qualified for many difficult-to-fill positions in the region. Adjustments may be warranted and will be brought before this board for consideration.

The Customer Steering Group has met and is ready to bring forward the Charter Customer Contract and prepare for a Joint Meeting, likely in late September. It is the objective that municipal boards will execute the contract in October and November and that signed contracts can be presented to the DWC Board in November, December - or January at the latest.

The Chicago Contract, of which time is of the essence, also requires a Joint Meeting, projected for November. The current contract may be extended, no less than 10 years, no more than 40 years.

General Manager May updated the commissioners concerning the Source Water Project. The North Route provides opportunities for additional partners, Northwest Water Commission and NSMJAWA. Both parties are interested in the concept and have presented the concept to their respective Boards. Carollo is currently updating the model with a deeper look at the North Route with partners. Burns and McDonnell will perform the Engineering Validation Study, which will be funded three ways by all three partners.

The Source Water Project and negotiations with the City of Chicago are proceeding concurrently.

The Montgomery, Oswego and Yorkville project is progressing rapidly and on-schedule, with the intention of providing water delivery by the end of 2027.

IX. Old Business

No Old Business was offered.

X. New Business

No new business was offered.

XI. Adjournment

Commissioner Healy made a motion to adjourn, seconded by Commissioner Pruyn, unanimously approved by a voice vote. All aye, motion carried.

Meeting adjourned at 7:32 PM.