

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, NOVEMBER 16, 2017
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Zay at 6:30 P.M.

Commissioners in attendance: J. Broda, J. Fennell, R. Gans, D. Loftus, D. Novotny, R. Obarski, J. Pruyne, D. Russo, F. Saverino, M. Scheck, and J. Zay

Commissioners Absent: J. Healy and P. Sues

Also in attendance: Treasurer W. Fates, J. Spatz, C. Johnson, C. Peterson, M. Weed, J. Schori, R.C. Bostick, E. Kazmierczak, F. Frelka, J. Rodriguez, P. Luetkehans of Schirott, Luetkehans & Garner, LLC

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Commissioner Russo moved to approve the Minutes of the October 19, 2017 Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

TREASURER'S REPORT

Treasurer Fates presented the October 2017 Treasurer's Report consisting of 12 pages each, noting that pages 1, 2 and 3 contained a brief summary of each report.

Treasurer Fates pointed out the \$167.3 million of cash and investments on page 4, which reflected an increase of about \$0.6 million from the previous month. Treasurer Fates also pointed out the schedule of investments on pages 5 through 10 totaling \$147.1 million and the market yield on the total portfolio showed 1.42% basis points which reflected an increase from the prior month. On page 11, the statement of cash flows showed an increase in cash and investments by about \$5.4 million and operating activities increased cash by approximately \$6.3 million, and roughly \$276,000 of sales tax was received. On page 12, the monthly cash/operating report showed that the Commission had met or exceeded all of its reserve requirements.

Commissioner Russo moved to accept the October 2017 Treasurer's Report. Seconded by Commissioner Gans and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Finance Committee – Reported by Commissioner Pruyn

Commissioner Pruyn reported that the Finance Committee reviewed all items list on the Finance Committee Agenda with no action items for consideration.

Administration Committee

No Meeting

Engineering & Construction Committee – Reported by Commissioner Loftus

Commissioner Loftus reported that the Engineering & Construction Committee reviewed and recommended for approval all action items listed on the Engineering & Construction Committee Agenda. After providing a brief summary of all items, Commissioner Loftus moved to adopt item numbers 2 through 4 under the Engineering & Construction 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: J. Broda, J. Fennell, R. Gans, D. Loftus, D. Novotny, R. Obarski, J. Pruyn, D. Russo, F. Saverino, M. Scheck, and J. Zay

Nays: None

Absent: J. Healy and P. Suess

Item 2: Resolution No. R-38-17: A Resolution Awarding Contract 2017 Flow Meter Replacement Project (Meccon Industries, Inc., \$392,000.00)

Item 3: Request for Board Action: To suspend the purchasing procedures of the Commission’s By-Laws and authorize the General Manager to approve Requisition No. 49276 (Infor Enterprise Asset Management System Annual Software Maintenance Agreement – Global Solutions, Inc. \$45,485.68)

Item 4: Resolution No. R-39-17: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Greeley and Hansen at the November 16, 2017 DuPage Water Commission Meeting (Greeley and Hansen - \$107,000)

ACCOUNTS PAYABLE

Commissioner Loftus moved to approve the Accounts Payable in the amount of \$8,812,376.80 subject to submission of all contractually required documentation, for invoices that have been received and to approve the Accounts Payable in the amount of \$808,625.00 subject to submission of all contractually required documentation, for invoices that have not yet been received but have been estimated. Seconded by Commissioner Broda and unanimously approved by a Roll Call Vote.

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Ayes: J. Broda, J. Fennell, R. Gans, D. Loftus, D. Novotny, R. Obarski, J. Pruyn, D. Russo, F. Saverino, M. Scheck, and J. Zay

Nays: None

Absent: J. Healy and P. Suess

CHAIRMAN'S REPORT

Chairman Zay began his report by suggesting that the December Board meeting be reschedule one week earlier as the original meeting date was too close to the holiday and attendance may be a problem. After the Commissioners discuss a new date, it was the consensus that the December Board meeting be rescheduled to December 14, 2017.

After Chairman Zay reminded the Commissioners to complete their Annual Ethics Training he wished everyone a Happy Thanksgiving.

OMNIBUS VOTE REQUIRING MAJORITY VOTE

None

OMNIBUS VOTE REQUIRING SUPER-MAJORITY OR SPECIAL MAJORITY VOTE

None

OLD BUSINESS

General Manager Spatz referred to the Commission's annual holiday gift giving program noting that the Commission would be collecting donations until Monday, December 4th. Chairman Zay added by thanking staff for their continued support of such a successful program.

NEW BUSINESS

Legal Services

Chairman Zay provided a brief background on the legal services of Gorski and Good noting that he had been notified about a year ago that the Commission's attorney Robin Jones would be leaving the firm and due to a scheduling conflict attorney Tom Good would not be able to attend the Commission's regularly scheduled monthly meetings. Mr. Good had suggested a couple law firms, one being Schirott, Luetkehans & Garner, that could handle the Commission's needs on behalf of Gorski & Good and attorney Phil Luetkehans has been the Commission's handling attorney ever since. After General Manager Spatz noted that the law offices of Gorski & Good would be officially closing and that staff had picked up all Commission files, he referred to the Request for Proposal for Legal Services prepared by attorney Phil Luetkehans that had been distributed at the meeting. General Manager Spatz added that Schirott, Luetkehans & Garner has a lot of municipal experience and that attorney Phil Luetkehans has done an excellent job. General Manager Spatz also noted that the \$200.00 hourly rate would remain the same.

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With no further discussion, Commissioner Russo moved to appoint Schirott, Luetkehans & Garner, LLC as General Counsel and to authorize the General Manager to negotiate the terms of the engagement at an hourly rate of \$200.00. Seconded by Commissioner Fennell and unanimously approved by a Roll Call Vote.

Ayes: J. Broda, J. Fennell, R. Gans, D. Loftus, D. Novotny, R. Obarski, J. Pruyn, D. Russo, F. Saverino, M. Scheck, and J. Zay

Nays: None

Absent: J. Healy and P. Suess

EXECUTIVE SESSION

None

Commissioner Obarski moved to adjourn the meeting at 6:45 P.M. Seconded by Commissioner Broda and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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