

**MINUTES OF A MEETING OF THE
DU PAGE WATER COMMISSION
HELD ON WEDNESDAY, MARCH 12, 2003
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Vondra at 7:37 P.M.

Commissioners in attendance: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, N. Pollock, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Also in attendance: J. Holzwart, R. Martin, E. Nawrocki, R. Skiba, W. Green (AB&H) and M. Crowley (H&K).

Commissioner Mueller moved to recess for ten minutes. Seconded by Commissioner Janicik and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

The meeting was reconvened at 7:48 P.M.

PUBLIC COMMENTS – No public comments

Commissioner Wilcox moved to approve the Minutes of the February 13, 2003 meeting of the DuPage Water Commission. Seconded by Commissioner Tolentino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Benson moved to approve the Minutes of the February 13, 2003 Executive Session meeting of the DuPage Water Commission. Seconded by Commissioner Mueller and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

The Treasurer's Report for the month of February 2003 showed receipts of \$7,690,553.92, disbursements of \$4,106,572.75 and a cash and investment balance of \$206,225,360.44.

Commissioner Wilcox moved to accept the February 2003 Treasurer's Report. Seconded by Commissioner Tolentino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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COMMITTEE REPORTS

Administration Committee – Report by Commissioner Thorn

The Administration Committee discussed the logistics associated with converting the Commission's current SEP/IRA pension plan to the Illinois Municipal Retirement Fund (IMRF), noting the matter will be discussed further in Executive Session.

Engineering Committee – Report by Commissioner Wilcox

The Engineering Committee reviewed the change orders in the amount of \$25,418.08 and recommended approval of Resolution R-6-03 during the Omnibus Vote Agenda.

The Engineering Committee reviewed progress payments in the amount of \$572,755.28 and recommended approval as part of the Accounts Payable, subject to submission of all contractually required documentation.

The Engineering Committee considered a presentation by Alvord, Burdick & Howson regarding the benefits of Contract TW-3 and recommended that Contract TW-3 remain on the original schedule shown in the 2003-2004 Five Year Capital Improvement Plan.

Finance Committee – Report by Commissioner Janicik

Although the Finance Committee did not have a quorum, Commissioners Janicik and Krajewski reviewed a letter from Arthur J. Gallagher & Co. advising that Kemper Insurance had been downgraded from B+ XIV to B XIV. Staff was directed to explore alternative insurance providers for the Commission's liability coverage.

Special Task Force C-Factors – Report by Chairman Vondra

Chairman Vondra reported that the Special Task Force on C-Factors did not meet due to lack of a quorum, noting the next meeting of the Special Task Force on C-Factors would be scheduled for some time during the first week in April after staff met with the Chicago Water Department.

Special Task Force TCE – Report by Chairman Vondra

Chairman Vondra reported that the Special Task Force on TCE did not meet due to lack of a quorum.

OMNIBUS VOTE AGENDA

Commissioner Thorn requested that Resolution R-7-03 be removed from the Omnibus Vote Agenda.

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Commissioner Janicik moved to adopt the items listed on the revised Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

Omnibus Vote

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, N. Pollock, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

Item 1. Resolution R-6-03: A Resolution Approving Certain Contract Change Orders at the March 12, 2003 DuPage Water Commission Meeting – “Omnibus Vote”

NEW BUSINESS

Commissioner Thorn moved that Resolution R-7-03 Subsequent Customer Study Task Order No. 13 be done in two phases, in order to insure that the concerns of the existing customers are being met. Phase 1: Study and report on the ability of the Commission to supply the water needs of the existing customers through 2024. Phase 2: Then undertake project as defined in Task Order 13 if and only if the results of the first study show that the needs of existing customers are being met. Motion died because of a lack of a second.

Commissioner Wilcox moved to lay on the table Resolution R-7-03: A Resolution Approving and Ratifying Certain Task Order(s) Under a Master Engineering Agreement with Alvord, Burdick & Howson, L.L.C. at the March 12, 2003 DuPage Water Commission Meeting. Seconded by Commissioner Krajewski and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Thorn moved to suspend the purchasing procedures of the Commission's By-Laws and approve Purchase Order No. 7363 in the amount of \$26,179.00 to National Waterworks. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, N. Pollock, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

Commissioner Thorn moved to suspend the purchasing procedures of the Commission's By-Laws and ratify Purchase Order No. 7386 in the amount of

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\$28,350.00 to HSQ Technology. Seconded by Commissioner Wilcox and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, N. Pollock, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

ACCOUNTS PAYABLE

Commissioner Wilcox moved to approve the Accounts Payable in the revised amount of \$3,255,839.71 subject to submission of all contractually required documentation. Seconded by Commissioner Tolentino and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, N. Pollock, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

PUBLIC COMMENTS

Randy Owens, 5900 S. Pershing Avenue, Downers Grove, asked when the cancelled Special Task Force on TCE meeting is going to be rescheduled.

Ann Muniz, 5617 Pershing Avenue, Downers Grove, asked what was being done in regard to the letter sent to the Commission from attorney James Brusslan.

Commissioner Wilcox moved to go into Executive Session to discuss matters related to personnel and pending, probable or imminent litigation pursuant to 5 ILCS 120/2(c) (1), (2) and (11). Seconded by Commissioner Chaplin and approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, N. Pollock, R. Tolentino, G. Wilcox and M. Vondra

Nays: R. Thorn

The Commission went into Executive Session at 8:24 P.M.

Commissioner Wilcox moved to come out of Executive Session at 9:23 P.M. Seconded by Commissioner Tolentino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Benson moved to direct the General Manager to develop a program for participation in the IMRF as outlined by the Commission in which employee bonuses in

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the aggregate amount of the social security payroll tax savings achieved to date, not to exceed \$1,400,000, will be used to assist employees in funding the employee's share of the cost of converting prior service with the Commission into IMRF creditable service, and to hold open this employee optional buy back assistance program for five years, expiring with the December 2007 election period. Seconded by Commissioner Thorn and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, N. Pollock, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

Commissioner Wilcox moved to adjourn the meeting at 9:25 P.M. Seconded by Commissioner Tolentino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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