

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, JULY 8, 2004
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Vondra at 9:00 A.M.

Commissioners in attendance: R. Benson, E. Chaplin, T. Feltes, R. Ferraro, G. Mathews, W. Mueller, W. Murphy, A. Poole, J. Vrdolyak, G. Wilcox, and M. Vondra

Commissioners absent: L. Hartwig and D. Zeilenga

Also in attendance: Treasurer R. Thorn, M. Crowley, R. Martin, C. Pattelli, C. Johnson, G. Meeder (Holland & Knight), and R. Shea (Alvord, Burdick & Howson)

PUBLIC COMMENTS

John Perry, Village Manager of Woodridge, read the following prepared statement:

“You recently forwarded an inquiry to my attention from one of the Commissioners regarding the progress of Woodridge’s efforts to deliver Lake Michigan water to residents of Suburban Estates. I am pleased to report that construction of the water main extension project began as scheduled on July 1, 2004.

The construction project includes the installation of 7,500 feet of new pipe and the installation of service lines up to an including a b-box for every home in the subdivision, including those already adjacent to Woodridge water main. Once the water main is installed, Woodridge is prepared to assume responsibility for bringing a service into each and every home in the subdivision. As I’m sure you have heard, eleven Suburban Estates residents connected to our existing system nearly two months ago.

It is gratifying to see the implementation of a successful formula for delivering high-quality water to residents in need. While other options for delivering water were explored by the various parties involved, it became clear that delivery of high-quality water through the municipalities is, and will continue to be, the most cost-effective manner. The efforts of the several municipalities to extend their water systems, with the support of the DuPage Water Commission, has resulted in the availability of clean water at a fraction of the cost of other options.

I look forward to the day when we can report that all homes affected by the contamination are connected to Lake Michigan Water. And I look forward to the continued cooperative efforts of the municipalities and the DuPage Water Commission.”

Chairman Vondra thanked Mr. Perry for the progress report and inquired as to the progress of the Downers Grove project regarding service to unincorporated areas with contaminated well water. General Manager Martin indicated that the Commission’s electronic email system was down and therefore he could not access the progress report prepared by Downers Grove. Chairman Vondra suggested adding a progress report on these two projects on the monthly Commission Communiqués. Commissioner Chaplin reported her understanding that Downers Grove completed construction of the

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infrastructure and very few homes were left to be connected to the Downers Grove water system.

Commissioner Wilcox requested that the June 10, 2004 meeting minutes be revised to reflect that his motion to confirm the various appointments made by Chairman Vondra did not contain a separate term limit for Vice-Chairman Mueller. Because the By-Laws of the Commission specify the term of the Vice-Chairman, Chairman Vondra noted he was correcting the term of Vice-Chairman Mueller's appointment for confirmation by the Board during the Chairman's Report.

Commissioner Mueller moved to approve the revised Minutes of the June 10, 2004 Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Benson and approved by a Voice Vote.

Majority voted aye, with Commissioner Murphy passing. Motion carried.

Treasurer Thorn presented the Treasurer's Report. The Treasurer's Report for the month of June 2004 showed receipts of \$5,745,607.29, disbursements of \$19,535,330.03 and a cash and investment balance of \$164,173,147.30.

Commissioner Mueller moved to accept the June 2004 Treasurer's Report. Seconded by Commissioner Ferraro and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Administration Committee – Report by Commissioner Chaplin

Even though the Administration Committee did not have a quorum, Commissioner Chaplin reported that Committee Members Chaplin and Murphy discussed the Electronic Meeting Participation Policy issues, the Organizational Chart, and the initial draft of the "Mission Statement." With respect to Electronic Meeting Participation Policy issues, Commissioner Chaplin noted Committee Members Chaplin and Murphy were recommending the matter be deferred until the state legislature acted on the matter. After Commissioner Mueller indicated he was against allowing electronic participation in Commission meetings, several Commissioners commented upon their preferences in this regard.

Commissioner Mueller moved to prohibit electronic participation in all Commission meetings. Seconded by Commissioner Ferraro and approved by a Roll Call Vote:

Ayes: E. Chaplin, R. Ferraro, G. Mathews, W. Mueller, A. Poole, J. Vrdolyak, and G. Wilcox

Nays: R. Benson, T. Feltes and W. Murphy

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Abstain: M. Vondra

Absent: L. Hartwig and D. Zeilenga

Engineering Committee – Report by Commissioner Wilcox

Commissioner Wilcox reported the Engineering Committee reviewed and recommended approval of the various progress payments and change orders, including Change Order No. 13 to Contract BOV-1/02 (Resolution No. R-36-04) to add the refurbishment or abandonment of blow-off valves on the Commission's 90-inch Transmission Main. Commissioner Wilcox also reported that the Committee examined the scope of Task Order No. 4 to the Master Contract with Consoer Townsend Envirodyne Engineers, Inc. and found the scope in keeping with the directions given by the Board at last month's meeting regarding re-analyzing the need for the Contract TW-3 project. Commissioner Wilcox concluded his report by noting the Committee discussed the Darien drainage issue but recommended deferring any final decision until the General Manager had an opportunity to discuss the matter with various parties involved (Darien, DuPage County, Alvord, Burdick & Howson and Southwind Financial – formerly known as Abbott Contractors).

Commissioner Wilcox moved to authorize the General Manager to engage an engineering firm to prepare plans and specifications for the relocation of the Commission's transmission main on Plainfield Road in Darien if such engineering services are needed and to bring the associated work task order and/or work authorization order under Contract QR-6 to the August Commission meeting for approval. Seconded by Commissioner Mueller and approved by a Roll Call Vote as follows:

Ayes: R. Benson, E. Chaplin, T. Feltes, R. Ferraro, G. Mathews, W. Mueller, W. Murphy, A. Poole, J. Vrdolyak, and G. Wilcox

Nays: None

Abstain: M. Vondra

Absent: L. Hartwig and D. Zeilenga

Commissioner Poole then questioned the wisdom of the adding the refurbishment or abandonment of blow-off valves on the Commission's 90-inch Transmission Main to Contract BOV-1/02 by change order rather than bidding the work as a separate project. Chairman Vondra suggested that discussion on this matter be deferred until Resolution No. R-36-04 was under consideration.

Finance Committee – Report by Commissioner Poole

Commissioner Poole reported the Finance Committee reviewed the June financial statements and the Accounts Payable and recommended their approval. Commissioner

Poole also reported the Committee deferred consideration of the request by United Community Bank to participate in the Commission's Local Investment Program until the August meeting. Commissioner Poole requested the Staff Attorney be present at that meeting to provide historical background on the program and guidance on the collateralization alternatives allowed under the program.

CHAIRMAN'S REPORT

Chairman Vondra asked Commissioner Poole to report on the progress of the working group assigned to develop initial recommendations regarding a methodology for addressing the issue of subsequent customer rates. Commissioner Poole reported the group had a very productive first meeting, with the special legal and financial consultants being in synch on organizing an approach for consideration by the full Board. Commissioner Poole also advised the working group would be meeting once more before a workshop with the entire Board would be scheduled sometime in September.

Commissioner Wilcox moved to confirm Chairman Vondra's appointment of William Mueller to serve as Vice-Chairman of the Board of Commissioners for a term expiring April 30, 2006, or until his successor is duly appointed and confirmed. Seconded by Commissioner Chaplin and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

OMNIBUS VOTE AGENDA

Commissioner Mueller requested that Resolution No. R-36-04: A Resolution Approving Change Order No. 13 to Contract BOV-1/02 at the July 8, 2004 DuPage Water Commission Meeting be removed from the Super/Special Majority Omnibus Vote Agenda for separate consideration.

Commissioner Mueller moved to adopt the items listed on the revised Super/Special Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Wilcox and unanimously approved by a Roll Call Vote:

Super/Special Majority Omnibus Vote

Ayes: R. Benson, E. Chaplin, T. Feltes, R. Ferraro, G. Mathews, W. Mueller, A. Poole, J. Vrdolyak, G. Wilcox, and M. Vondra

Nays: None

Absent: L. Hartwig and D. Zeilenga

Item 1: Ordinance O-16-04: An Ordinance Approving and Authorizing the Execution of a First Amendment to the Intergovernmental Agreement

Concerning the Construction and Operation of a Joint Facility and Other Connection Facilities by and between the DuPage Water Commission and the Village of Lombard—"Super/Special Majority Omnibus Vote"

Item 2: Resolution R-34-04: A Resolution Approving and Ratifying Certain Contract Change Orders at the July 8, 2004 DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"

Item 3: Resolution R-35-04: A Resolution Approving Rider No. 3 to the Standard Form of Agreement between the DuPage Water Commission and Tank Industry Consultants, Inc. for Professional Engineering Services—"Super/Special Majority Omnibus Vote"

Item 4: Resolution R-37-04: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Consoer Townsend Envirodyne Engineers, Inc. at the July 8, 2004, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"

Item 5: Resolution R-38-04: A Resolution Approving and Authorizing the Execution of a Contract between the DuPage Water Commission and Patrick Engineering, Inc. for Automated Mapping and Facilities Management (AM/FM) and Geographical Information System (GIS) Planning Services—"Super/Special Majority Omnibus Vote"

Before discussing Commissioner Poole's concerns regarding adding the refurbishment or abandonment of blow-off valves on the Commission's 90-inch Transmission Main to Contract BOV-1/02 by change order rather than bidding the work as a separate project, Commissioner Poole requested that staff include financial account numbers, in addition to dollar amounts, on the Request for Board Action cover sheets that staff prepare.

With respect to the refurbishment/abandonment of blow-off valves on the Commission's 90-inch Transmission Main, General Manager Martin explained the blow-off valves were not included in the original Contract BOV-1/02 due to cost concerns (the valves were installed at a greater depth in non-customer communities); the BOV contract is under budget and ahead of schedule; and the Commission will realize cost savings associated with using a contractor that is mobilized and familiar with the Commission's unique requirements, with no additional outside engineering services required to prepare separate plans and specifications. The General Manager also explained the favorable cost comparison between the proposed change order prices for the new valve work and the prices paid for work on valves of comparable depth that was included in the original contract. Finally, the General Manager explained the anomaly resulting from comparing the proposed change order prices to the second and third low bidders' prices for work on valves of comparable depths; the prices bid by the second and third low bidders on other aspects of the work being significantly higher than that of the low bidder and Contract BOV contractor, Rossi Contractors.

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It was the consensus of the Commissioners that staff prepare for approval at the August meeting a task order for the engineering services needed to bid the refurbishment or abandonment of blow-off valves on the Commission's 90-inch Transmission Main. Chairman Vondra suggested that as long as the Commission would be obtaining bids for the project, alternate bids should be obtained at the same time to see if enclosing the valves in vaults would be more economical in the long term due to ease of access when valves are placed within vaults. Commissioner Poole suggested staff also consider whether all the blow-off valves on the 90-inch Transmission Main were necessary.

OLD BUSINESS

With respect to the Darien drainage issue, the General Manager recommended deferring discussion until he had an opportunity to discuss the matter with various parties involved (Darien, DuPage County, Alvord, Burdick & Howson and Southwind Financial – formerly known as Abbott Contractors). The General Manager also introduced Mr. Greg Meeder from Holland & Knight and noted that although Mr. Meeder was available for consultation in executive session if the Board desired to proceed with a discussion on this issue, Mr. Meeder would also be in attendance at the September meeting to provide a comprehensive analysis.

NEW BUSINESS

Commissioner Chaplin reported on the very informative "Modern Marvels" program on the History Channel® and specifically the episode entitled "City Water" which included a tour of the Jardine Water Treatment Plant. Commissioner Chaplin recommended the Commission purchase the video of this episode for others to view.

With respect to Resolution No. R-37-04 that was approved as part of the Super/Special Majority Omnibus Vote Agenda, Commissioner Murphy inquired as to the redundancy aspects of the other West Transmission Main projects. The General Manager responded that the TW-1 project was really intended to allow all the standpipes to operate together and not to provide redundancy. The General Manager advised that the TW-2 project was intended, on the other hand, to provide county-wide redundancy because the project tied together the two main transmission mains. The General Manager confirmed Chairman Vondra's assessment that the Commission's pending TIB project is similar in purpose to the TW-2 project.

Commissioner Benson moved to approve the revised Accounts Payable in the amount of \$4,533,901.24, subject to submission of all contractually required documentation.
Seconded by Commissioner Wilcox and approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, T. Feltes, R. Ferraro, G. Mathews, W. Mueller, A. Poole, J. Vrdolyak, G. Wilcox, and M. Vondra

Nays: W. Murphy

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Absent: L. Hartwig and D. Zeilenga

Commissioner Ferraro moved to adjourn the meeting at 10:10 A.M. Seconded by Commissioner Wilcox and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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