DuPage Water Commission
MEMORANDUM

TO: Chairman Vondra & Commissioners

FROM: Robert L. Martin, P.E.
General Manager

DATE: March 8, 2005

SUBJECT: Supplemental Board Information

Attached is the following supplemental information for the March 10, 2005, Commission meetings:

1. Revised Agenda for the Board meeting showing the addition of Resolution R-18-05.

2. Resolution No. R-18-05: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Cathodic Protection Management, Inc. at the March 10, 2005, DuPage Water Commission Meeting

3. Memorandum dated March 8, 2005 regarding Additional Information for Resolution Nos. R-13-05 and R-16-05.

4. Minutes of the February 10, 2005 Commission Meeting with a copy of City of Naperville Resolution No. 05-05 attached.

5. Draft copy of Committee of the Whole meeting of February 10, 2005.

6. Summary Sheet of FY 05-06 Budget Resolutions and copies of resolutions received.

7. Copy of DuPage County Resolution CB-0018-05: To the DuPage Water Commission.

8. Media Articles:

    a. The Daily Herald, Wednesday, March 2, 2005 – Water commissioner shouldn't criticize

    b. Naperville Sun, Sunday, March 6, 2005 – Health department adds well-inspection staff

c. Naperville Sun, Monday, March 7, 2005 – Utility rate increases recommended to city

d. Naperville Sun, Tuesday, March 8, 2005 – Council could hit businesses with electric rate hike

e. The Daily Herald, Tuesday, March 8, 2005 – Wheaton supports reduction in water rates

f. The Daily Herald, Tuesday, March 8, 2005 – City council: We'll wait on water rates

g. The Daily Herald, Tuesday, March 08, 2005 – DuPage County wants to pass on savings

DuPage Water Commission

600 E. Butterfield Road, Elmhurst, IL 60126-4642
(630)834-0100 Fax: (630)834-0120

AGENDA
REVISED
DuPAGE WATER COMMISSION
THURSDAY, MARCH 10, 2005
7:30 P.M.

600 EAST BUTTERFIELD ROAD
ELMHURST, IL 60126

I. Roll Call

(Majority of the Commissioners then in office—minimum 7)

II. Public Comments

III. Approval of Minutes

- Regular Meeting of February 10, 2005

(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

RECOMMENDED MOTION: To approve the Minutes of the February 10, 2005 Regular Meeting of the DuPage Water Commission (Voice Vote).

IV. Treasurer's Report – February 2005

(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

RECOMMENDED MOTION: To accept the February 2005 Treasurer's Report (Voice Vote).

V. Committee Reports

A. Administration Committee

1. Report of 3/10/05 Meeting

2. Actions on Items Listed on 3/10/05 Administration Committee Agenda

B. Engineering & Construction Committee

1. Report of 3/10/05 Meeting

2. Actions on Items Listed on 3/10/05 Engineering & Construction Committee Agenda

All visitors must present a valid drivers license or other government-issued photo identification, sign in at the reception area and wear a visitor badge while at the DuPage Pumping Station.

C. Finance Committee

1. Report of 3/10/05 Meeting

2. Actions on Items Listed on 3/10/05 Finance Committee Agenda

VI. Chairman's Report

VII. Omnibus Vote Requiring Majority Vote

A. Resolution No. R-11-05: A Resolution Releasing Certain Executive Session Meeting Minutes at the March 10, 2005, DuPage Water Commission Meeting

(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

B. Resolution No. R-12-05: A Resolution Electing to Include Compensation Paid under the DuPage Water Commission Flexible Benefits Plan as Illinois Municipal Retirement Fund Earnings

(Concurrence of a Majority of the Appointed Commissioners—7)

C. Resolution No. R-13-05: A Resolution Directing Advertisement for Bids on a Contract for the Construction of 75th Street Pipe Storage Facilities (Contract SS-4/05)

(Concurrence of a Majority of the Appointed Commissioners—7)

D. Resolution No. R-14-05: A Resolution Authorizing the Disposal of Certain Personal Property Owned by the DuPage Water Commission

(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

E. Resolution No. R-15-05: A Resolution Awarding a Contract for the Installation of the Tank Site No. 1 Chain Link Fence

(Concurrence of a Majority of the Appointed Commissioners—7)

F. Ordinance No. O-3-05: Transfer of Appropriations Ordinance for the Fiscal Year Commencing May 1, 2004 and Ending April 30, 2005

(Concurrence of a Majority of the Appointed Commissioners—7)

RECOMMENDED MOTION: To adopt the items listed on the Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures (Roll Call).

VIII. Omnibus Vote Requiring Super-Majority or Special Majority Vote

A. Resolution No. R-10-05: A Resolution Approving and Ratifying Certain Work Authorization Orders under Quick Response Electrical Contract QRE-2/04 at the March 10, 2005, DuPage Water Commission Meeting

(Affirmative Majority of the Appointed Commissioners, containing the votes of at least 1/3 of the County Appointed Commissioners and 40% of the Municipal Appointed Commissioners—3 County + 3 Muni+1=7)

B. Resolution No. R-16-05: A Resolution Approving and Authorizing the Execution of a Second Amendment to the Contract for Design of Concrete Reservoirs for the DuPage Pump Station

(Affirmative Majority of the Appointed Commissioners, containing the votes of at least 1/3 of the County Appointed Commissioners and 40% of the Municipal Appointed Commissioners—3 County + 3 Muni+1=7)

C. Resolution No. R-18-05: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Cathodic Protection Management, Inc. at the March 10, 2005, DuPage Water Commission Meeting

(Affirmative Majority of the Appointed Commissioners, containing the votes of at least 1/3 of the County Appointed Commissioners and 40% of the Municipal Appointed Commissioners—3 County + 3 Muni+1=7)

RECOMMENDED MOTION: To adopt the items listed on the Super/Special Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures (Roll Call).

IX. Old Business

- Summary of Action Taken Since Previous Meeting

X. New Business

- Purchase Order No. 8741 (Copier)

(Concurrence of a Majority of the Appointed Commissioners—7)

RECOMMENDED MOTION: To suspend the purchasing procedures of the Commission's By-Laws and approve Purchase Order No. 8741 in the amount of $23,755.00 to Danka Office Imaging (Roll Call).

XI. Accounts Payable

(Concurrence of a Majority of the Appointed Commissioners—7)

RECOMMENDED MOTION: To approve the Accounts Payable in the amount of $1,213,274.98 subject to submission of all contractually required documentation (Roll Call).

XII. Public Comments

XIII. Executive Session

(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

RECOMMENDED MOTION: To go into Executive Session to discuss pending, probable or imminent litigation pursuant to 5 ILCS 120/2(c)(11) (Roll Call).

RECOMMENDED MOTION: To come out of Executive Session (Voice Vote).

XIV. Settlement Agreement Related to Contract TIB-1/03 Utility Conflicts

(Affirmative Majority of the Appointed Commissioners, containing the votes of at least 1/3 of the County Appointed Commissioners and 40% of the Municipal Appointed Commissioners—3 County + 3 Muni+1=7)

RECOMMENDED MOTION: To approve Resolution No. R-17-05: A Resolution Approving and Authorizing the Execution of a Settlement Agreement with West Shore Pipe Line Company Related to Contract TIB-1/03 Utility Conflicts (Roll Call).

XV. Adjournment

(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

Board/Agenda/Commission/Rcm0503.doc

DATE: March 8, 2005

REQUEST FOR BOARD ACTION

AGENDA SECTION	Omnibus Vote Requiring Super-Majority or Special Majority Vote	**ORIGINATING DEPARTMENT**	Pipeline
ITEM	A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Cathodic Protection Management, Inc. at the March 10, 2005, DuPage Water Commission Meeting Resolution No. R-18-05	**APPROVAL**	MAC EJK

Account No.: WF-7913

The Commission entered into a master contract with Cathodic Protection Management, Inc. (CPM) dated January 14, 2005, for corrosion control and mitigation services in connection with such discrete projects as are delineated and described in Task Orders to be approved by the Commission. Resolution No. R-18-05 would approve the following Task Orders to the Master Contract:

Task Order No. 2: CPM will evaluate, adjust, and balance the Contract TE-5 Stray Current Cathodic Protection Systems installed to mitigate the Chicago Transit Authority stray DC current that is present on the 72-Inch Transmission Main. The evaluation, adjustment, and balancing of the Contract TE-5 Stray Current Cathodic Protection Systems were not part of the installing contractor's responsibilities under Contract TE-5 and, before useful data can be obtained from the monitoring and alarm features of the installed systems, the systems need to evaluated, adjusted and balanced. This work will be performed at a cost not-to-exceed $49,000.00.

MOTION: To approve Resolution No. R-18-05.

DuPAGE WATER COMMISSION

RESOLUTION NO. R-18-05

A RESOLUTION APPROVING AND RATIFYING CERTAIN TASK ORDERS UNDER A MASTER CONTRACT WITH CATHODIC PROTECTION MANAGEMENT, INC. AT THE MARCH 10, 2005, DuPAGE WATER COMMISSION MEETING

WHEREAS, the DuPage Water Commission (the "Commission") entered into a contract with Cathodic Protection Management, Inc. (the "Consultant") dated January 14, 2005, to provide, from time to time, corrosion control and mitigation services (the "Master Contract"); and

WHEREAS, the Master Contract sets forth the terms and conditions pursuant to which the Commission will obtain from time to time, and the Consultant will provide from time to time, corrosion control and mitigation services in connection with such discrete projects as are delineated and described in Task Orders to be approved by the Commission and the Consultant; and

WHEREAS, the Consultant have approved the Task Orders attached hereto and by this reference incorporated herein and made a part hereof as Exhibit 1 (the "Task Orders");

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are incorporated herein and made a part hereof as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: The Task Orders attached hereto as Exhibit 1 shall be and hereby are approved and, if already issued, ratified because the Board of Commissioners of the DuPage Water Commission has determined that the circumstances said to

necessitate the Task Orders were not reasonably foreseeable at the time the Master Contract was signed, the Task Orders are germane to the Master Contract as signed, and/or the Task Orders are in the best interest of the DuPage Water Commission and authorized by law.

SECTION THREE: This Resolution shall constitute the written determination required by Section 33E-9 of Article 33E of the Criminal Code of 1961 and shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED THIS _____ DAY OF _____, 2005.

_____
Chairman

ATTEST:

_____
Clerk

Board/Resolutions/R-18-05.doc

EXHIBIT 1

TASK ORDER NO. 2

In accordance with Section 1.1 of the Master Contract between the DuPage Water Commission ("Owner") and Cathodic Protection Management, Inc. ("Consultant"), for Professional Engineering Services dated January 14, 2005 (the "Contract"), Owner and Consultant agree as follows:

1. **Project**:

   Evaluate, adjust, and balance the Contract TE-5 Stray Current Cathodic Protection Systems installed to mitigate the Chicago Transit Authority stray DC current that is present on the 72-Inch Transmission Main

2. **Services of Consultant**:

   A. Basic Services:

      1. Visit each rectifier location and verify the operation of the existing equipment and adjust to the appropriate set point.

      2. Obtain base line data over the transit systems operations (a) at the rectifiers, (b) between the rectifiers, and (c) at both ends of the line.

      3. Obtain current versus pipe-to-soil potentials at test points detailed in Paragraph 2A2 above.

      4. Analyze data collected.

      5. Set rectifier outputs and control mode settings.

      6. Re-obtain base line data as detailed in Paragraph 2A2 to validate rectifier settings and obtain minimum and maximum potential readings over a 15 minute interval.

      7. Prepare, for review and approval by Owner, a report summarizing the results of the foregoing, together with operating recommendations, and provide five copies and review them in person with Owner.

   B. Additional Services:

      None

3. **Approvals and Authorizations**: Consultant shall obtain the following approvals and authorizations:

   None

4. **Commencement Date**:

March 7, 2005

5. **Completion Date**:

180 days following Commencement Date plus extensions, if any, authorized by a Change Order issued pursuant to Section 2.1 of the Contract.

6. **Submittal Schedule**:

None

7. **Key Project Personnel**:

Names:	Telephone:
William P. Carlson	(847) 352-5430

8. **Contract Price**:

For providing, performing, and completing all Services, an amount equal to Consultant's Direct Labor Costs times a factor of 2.5% for all Services rendered by principals and employees engaged directly on the Project, plus an amount equal to the actual costs of all Reimbursable Expenses.

Notwithstanding the foregoing, the total Contract Price shall not exceed $49,000.00 except as adjusted by a Change Order issued pursuant to Section 2.1 of the Contract.

9. **Payments**:

For purposes of payments to Consultant, the value of the Services under this Task Order shall be determined as follows:

Direct Labor Costs shall mean salaries and wages paid to all Consultant personnel, including all professionals whether owners or employees, engaged directly on the Project, but shall not include indirect payroll related costs or fringe benefits.

Reimbursable Expenses shall mean the actual expenses incurred by Consultant directly or indirectly in connection with the Project, including expenses for transportation, telephone, postage, computer time and other highly specialized equipment, reproduction and similar Project related items.

10. **Modifications to Contract**:

None

11. **Attachments**:

None

Approval and Acceptance: Acceptance and approval of this Task Order, including the attachments listed above, shall incorporate this Task Order as part of the Contract.

The Effective Date of this Task Order is March 7, 2005.

DuPAGE WATER COMMISSION

By: _____
Robert L. Martin
General Manager

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Ed Kazmierczak

Title: Pipeline Supervisor

Address: 600 East Butterfield Road, Elmhurst, Illinois 60126-4642

E-mail Address: kazmierczak@dpwc.org

Phone: (630) 834-0100

Fax: (630) 834-0120

CATHODIC PROTECTION MANAGEMENT, INC.

By: _____
William P. Carlson
President

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: William P. Carlson

Title: President

Address: 2052 Parkview Cr. E., Hoffman Estates, Illinois 60195

E-mail Address: billcpm007@aol.com

Phone: (847) 352-5430

Fax: (847) 352-9867

DuPage Water Commission
MEMORANDUM

TO: Chairman Vondra and Commissioners

FROM: Robert L. Martin, P.E.
General Manager

DATE: March 8, 2005

SUBJECT: Additional Information for Resolution Nos. R-13-05 and R-16-05

Attached are aerial photographs depicting the location of the Capital Improvement projects that are the subject of Resolution Nos. R-13-05 and R-16-05.

The aerial photograph entitled Tank Site No. 4/75th Street Pipe Storage Facilities corresponds to Resolution No. R-13-05. This aerial photograph shows the location of the proposed Pipe Storage Facility within the Commission's Tank Site No. 4 property. The design for this facility has been completed and is intended to provide a protected environment in which to store material and, specifically, to protect our pipe stock against ultra-violet and ice damage.

The aerial photograph entitled Proposed FY 05/06 Site Improvements corresponds to Resolution No. R-16-05. This aerial photograph depicts the proposed Cadwell Avenue Re-Alignment and the Vehicle Storage Building and Material Storage Structure. The red-hashed areas indicate the Cadwell Avenue pavement that would be abandoned in accordance with the annexation agreement with the City of Elmhurst. The yellow "x" area indicates the location of the realigned Cadwell Avenue. The realignment of Cadwell Avenue will allow the Commission to better secure the property acquired for the proposed future reservoir.

Administration/Memorandums/Rm050308.doc

DRAFT

MINUTES OF A MEETING OF THE DuPAGE WATER COMMISSION HELD ON THURSDAY, FEBRUARY 10, 2005 600 E. BUTTERFIELD ROAD ELMHURST, ILLINOIS

The meeting was called to order by Chairman Vondra at 7:55 P.M.

Commissioners in attendance: R. Benson (by teleconference), E. Chaplin, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, A. Poole, J. Vrdolyak, D. Zeilenga, and M. Vondra

Commissioners Absent: T. Feltes and G. Wilcox

Also in attendance: Treasurer R. Thorn, R. Martin, C. Pattelli, M. Crowley, R. C. Bostick, E. Kazmierczak, T. McGhee, J. Schori, W. Green (Alvord Burdick & Howson), and K. Godden

PUBLIC COMMENTS

City of Naperville Mayor Pradel read from a prepared statement thanking the Commission for the job that it does and its accomplishments, thanking Commission staff for their hard work, and highlighting excerpts from his February 8, 2005, letter from to the Commission.

Commissioner Poole, in accordance with the direction given to him by the Naperville City Council, read into the record the title and resolution number of City of Naperville Resolution No. 05-05, being "A Resolution Encouraging the DuPage Water Commission to Carefully Scrutinize and Debate the Five Year Capital Improvement Program and to Consider the Position Statements of the City of Naperville," a copy of which is attached hereto.

APPROVAL OF MINUTES

Commissioner Mueller moved to approve the Minutes of the January 13, 2005 Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Benson and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Chaplin moved to approve the Executive Session Minutes of the January 13, 2005, Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Hartwig and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

TREASURER'S REPORT

Treasurer Thorn presented the Treasurer's Report. The Treasurer's Report for the month of January 2005 showed receipts of $6,225,975.18, disbursements of $3,997,069.08, and a cash and investment balance of $172,407,900.10.

Commissioner Chaplin moved to accept the January 2005 Treasurer's Report. Seconded by Commissioner Ferraro and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Committee of the Whole

Commissioner Mueller moved to include centralized back-up electrical generation in the 2005-2006 Five Year Capital Improvement Plan and, in the FY 2005-2006 Management Budget, to budget $8,000,000 in construction costs and $520,500 in engineering costs for back-up electrical generation at the DuPage Pump Station. Seconded by Commissioner Ferraro and approved by a Voice Vote.

A Majority voted aye, with E. Chaplin, J. Vrdolyak, D. Zeilenga, and M. Vondra abstaining. Motion carried.

Commissioner Ferraro moved to eliminate the Revolving Loan Program from the 2005-2006 Five Year Capital Improvement Plan and the FY 2005-2006 Management Budget. Seconded by Commissioner Benson and approved by Voice Vote.

A Majority voted aye, with E. Chaplin, J. Vrdolyak, D. Zeilenga, and M. Vondra abstaining. Motion carried.

Commissioner Murphy moved to include in the 2005-2006 Five Year Capital Improvement Plan and the FY 2005-2006 Management Budget an unrestricted fund balance policy of $25 million, a rate of $1.23 per 1,000 gallons for Operations and Maintenance Costs, and an average Charter Customer rate of $0.22 per 1,000 gallons for Fixed Costs. Seconded by Commissioner Hartwig and approved by a Voice Vote.

A Majority voted aye, with E. Chaplin, J. Vrdolyak, D. Zeilenga, and M. Vondra abstaining. Motion carried.

Commissioner Hartwig moved to approve the Fiscal Year 2005-2006 Five Year Capital Improvement Plan as revised. Seconded by Commissioner Ferraro and approved by a Voice Vote.

A Majority voted aye, with E. Chaplin, J. Vrdolyak, D. Zeilenga, and M. Vondra abstaining. Motion carried.

Commissioner Hartwig moved to direct staff to distribute the Tentative Draft Management Budget for Fiscal Year 2005-2006, as revised, to the Commission's customer utilities. Seconded by Commissioner Ferraro and approved by a Voice Vote.

A Majority voted aye, with E. Chaplin, J. Vrdolyak, D. Zeilenga, and M. Vondra abstaining. Motion carried.

Administration Committee

No report; meeting canceled

Engineering Committee

No report; meeting canceled

Finance Committee

No report; meeting canceled

CHAIRMAN'S REPORT

None

MAJORITY OMNIBUS VOTE AGENDA

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

Majority Omnibus Vote

Ayes: R. Benson, E. Chaplin, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, A. Poole, J. Vrdolyak, D. Zeilenga, and M. Vondra

Nays: None

Absent: T. Feltes and G. Wilcox

Item 1: Ordinance No. O-2-05: An Ordinance of the DuPage Water Commission, Counties of DuPage, Cook and Will, Illinois, Abating the 2004 Tax Levy for the $93,970,000 General Obligation Water Refunding Bonds, Series 2001, of the Commission—"Majority Omnibus Vote"

Item 2: Resolution No. R-7-05: A Resolution Awarding a Contract for Janitorial Services—"Majority Omnibus Vote"

Item 3: Resolution No. R-8-05: A Resolution Awarding a Contract to Furnish and Install an Upgraded Telephone System—"Majority Omnibus Vote"

Item 4. Resolution No. R-9-05: A Resolution Awarding a Contract to Furnish and Install a Redundant Uninterruptible Power Supply (UPS) System—"Majority Omnibus Vote"

SUPER/SPECIAL MAJORITY OMNIBUS VOTE AGENDA

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

Super/Special Majority Omnibus Vote

Ayes: R. Benson, E. Chaplin, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, A. Poole, J. Vrdolyak, D. Zeilenga, and M. Vondra

Nays: None

Absent: T. Feltes and G. Wilcox

Item 1: Ordinance No. O-1-05: An Ordinance Amending the By-Laws of the DuPage Water Commission (Amending Sections 2 and 3 of Article IX)—"Super/Special Majority Omnibus Vote"

OLD BUSINESS

No Discussion

NEW BUSINESS

Commissioner Murphy moved to suspend the purchasing procedures of the Commission's By-Laws and approve Purchase Order No. 8678 in the amount of $73,375.00 to HSQ Technology. Seconded by Commissioner Ferraro and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, A. Poole, J. Vrdolyak, D. Zeilenga, and M. Vondra

Nays: None

Absent: T. Feltes and G. Wilcox

Commissioner Mueller moved to approve Purchase Order No. 8684 in the amount of $14,528.42 to Insight Enterprises, Inc. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, A. Poole, J. Vrdolyak, D. Zeilenga, and M. Vondra

Nays: None

Absent: T. Feltes and G. Wilcox

ACCOUNTS PAYABLE

Commissioner Hartwig moved to approve the Accounts Payable in the amount of $4,313,024.96 subject to submission of all contractually required documentation. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, A. Poole, J. Vrdolyak, D. Zeilenga, and M. Vondra

Nays: None

Absent: T. Feltes and G. Wilcox

PUBLIC COMMENTS

None

EXECUTIVE SESSION

None

Commissioner Mathews moved to adjourn the meeting at 8:15 P.M. Seconded by Commissioner Ferraro and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Board/Minutes/Commission/Rcm0502.doc

RESOLUTION NO. 05-05

A RESOLUTION ENCOURAGING THE DUPAGE WATER COMMISSION TO CAREFULLY SCRUTINIZE AND DEBATE THE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM AND TO CONSIDER THE POSITION STATEMENTS OF THE CITY OF NAPERVILLE

WHEREAS, the DuPage Water Commission [Commission] is a water commission organized, existing and operating under the Water Commission Act (70 ILCS 3720/1 *et. seq.*); and

WHEREAS, the Commission is empowered under the law to finance, construct, acquire and operate a water supply system to serve municipalities in its territory; and

WHEREAS, the Commission's territory consists of over 300 square miles, of which 45 (15%) square miles are located in the corporate boundaries of Naperville; and

WHEREAS, the Commission's territory encompasses a population of approximately 857,497 of which 145,000 (17%) receive water service from the City of Naperville; and

WHEREAS, the City of Naperville, as one of twenty-five charter members to the Commission, has used 20% of water in Fiscal Year 2004-05 and likewise contributed 20% of the water rate revenue supporting the Commission; and

WHEREAS, it is projected that in the current fiscal year, FY04-05 the Commission will generate approximately $44,850,000 million from wholesale water rates of which the City of Naperville is expected to contribute $9,000,000 million; and

WHEREAS, the Commission is in the process of approving a Five Year Capital Improvement Plan; and

WHEREAS, the proposed Five Year Capital Improvement Plan includes the expenditure of $40.15 million in new construction projects; and

WHEREAS, the consideration of the new construction projects authorizing such expenditures would significantly impact unrestricted surplus fund balances and will make rate reductions and rebates unlikely in the future; and

WHEREAS, such reductions and rebates directly impact the fiscal health of the Commission's customers; and

WHEREAS, due to the direct fiscal impact on the Commission's customers, the Five Year Capital Improvement Program should be publicly debated with all alternatives explored prior to approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in the exercise of its home rule powers that:

SECTION ONE: The recitals set forth above shall be and are hereby incorporated as if said recitals were fully set forth within this Section One.

SECTION TWO: The Corporate Authorities of the City of Naperville formally request that the Five Year Capital Improvement Program be carefully scrutinized and debated; and

SECTION THREE: The Corporate Authorities of the City of Naperville express opposition to the expenditure of $27.65 million for the construction of Electrical Generation Facilities at the Lexington and Elmhurst Pump Stations because this expenditure is unnecessary and very costly in light of the availability of an adequate alternative through provision of decentralized emergency generators at standby wells, which would cost approximately $10-12 million.

SECTION FOUR: The Corporate Authorities of the City of Naperville express opposition to the expenditure of $12.5 million for the Revolving Loan Program based on the

program's delayed repayment obligations as well as the program's provision making the funds available for reasons other than remediation of groundwater pollution or similar public health issues. The Corporate Authorities point to the revolving loan program administered by the Illinois Environmental Protection Agency, which compels repayment obligations within six months of installation.

SECTION FIVE: The Corporate Authorities of the City of Naperville express support for the expenditure of $10-12 million for Electrical Generation Facilities on Standby Water Supply Wells in DuPage County rather than the expenditure of $27.65 million for centralized electrical generation facilities currently proposed.

SECTION SIX: The Corporate Authorities of the City of Naperville express opposition to the ten year delay of the 30MG water reservoir at the Elmhurst Pumping Station from Fiscal Year 05-06 to Fiscal Year 15-16, which is necessitated by the $27.65 million expenditure for centralized electrical generation facilities as well as the expenditure of $12.5 million for the Revolving Loan Program.

SECTION SEVEN: The Corporate Authorities of the City of Naperville express support for annual reductions in the Commission's unrestricted cash surpluses through wholesale water rate reductions or cash rebates to reach a target of approximately $25 million. In furtherance of this goal, the Corporate Authorities of the City of Naperville encourage the Commission to rebate excess funds to its members in a timely and expeditious manner.

SECTION EIGHT: The Corporate Authorities of the City of Naperville direct Public Utilities Director and Water Commissioner Allan Poole to read this Resolution at the next meeting of the Board and to pursue debate and decisions consistent herewith.

SECTION NINE: The City Clerk is directed to immediately forward a certified copy of this Resolution to Michael P. Vondra, Chairman of the Commission.

SECTION TEN: This Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 1st day of February, 2005.

AYES: KRAUSE, ROSANOVA, SENGER, PRADEL, BOYAJIAN, ELLINGSON, FIORE, FURSTENAU

NAYS: NONE

ABSENT: MACRANE

APPROVED this 2nd day of February, 2005.

A. George Pradel
Mayor

ATTEST:

Suzanne L. Gagner, CMC
City Clerk

H:\legal\resolutions dwc 10328

Naperville

STATE OF ILLINOIS)
)
COUNTIES OF DUPAGE & WILL)

I, Suzanne L. Gagner, the City Clerk for the City of Naperville in the Counties of DuPage and Will, in the State of Illinois, do hereby certify that the following hereinafter described documents are true and correct copies of the records of my office as such City Clerk.

RESOLUTION 05-05, A RESOLUTION ENCOURAGING THE DUPAGE WATER COMMISSION TO CAREFULLY SCRUTINIZE AND DEBATE THE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM AND TO CONSIDER THE POSITION STATEMENTS OF THE CITY OF NAPERVILLE.

I, hereby subscribe my name as City Clerk and affix the Official Corporate Seal of the City of Naperville on this 10th day of February, 2005.

(SEAL)

Suzanne L. Gagner
City Clerk

SLG/alf

DRAFT

MINUTES OF A SPECIAL MEETING OF THE COMMITTEE OF THE WHOLE OF THE DuPAGE WATER COMMISSION HELD ON THURSDAY, FEBRUARY 10, 2005 600 E. BUTTERFIELD ROAD ELMHURST, ILLINOIS

The meeting was called to order by Chairman Vondra at 5:30 P.M.

Commissioners in attendance: R. Benson (by teleconference), E. Chaplin, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, A. Poole, J. Vrdolyak (as of 5:55 P.M.), D. Zeilenga (as of 6:05 P.M.), and M. Vondra

Commissioners Absent: T. Feltes and G. Wilcox

Also in attendance: Treasurer R. Thorn, R. Martin, C. Pattelli, M. Crowley, R. C. Bostick, E. Kazmierczak, T. McGhee, J. Schori, W. Green (Alvord Burdick & Howson), and K. Godden

Chairman Vondra noted that approval of the minutes of the January 13, 2005, Committee of the Whole meeting would be deferred until after the presentation by Commonwealth Edison.

Commissioner Poole introduced the three representatives of Commonwealth Edison that were in attendance, including Jeff Gillen, Manager of Transmission Operations – West, who distributed a hand-out and made a presentation to the Board on the reliability of ComEd's electric power. Included in Mr. Gillen's presentation was an explanation of the events leading up to the August 2003 East Coast blackout and the actions taken by ComEd to avoid a similar occurrence in the Chicago Metropolitan Area.

Mr. Gillen explained the root causes of the August 2003 East Coast blackout (inadequate tree-trimming; inadequate situational awareness; and inadequate support of reliability coordinators) and that of the 118 action items identified by ComEd to avoid a similar occurrence in the Chicago Metropolitan Area, all except 20 longer-term items have been completed. Mr. Gillen cautioned that even with the implementation of all 118 action items, ComEd could not protect against all outages (e.g. terrorism outages) but that, from a "natural" grid collapse perspective, ComEd expects only islands of outages in the Chicago Metropolitan Area.

Mr. Gillen also discussed system restoration issues, noting the August 2003 East Coast blackout was not a total blackout and took approximately two days for most loads to be restored. Mr. Gillen reported that in the event of a regional outage in the Chicago Metropolitan Area, restoration could take two to three days unless one of the three electrical service area islands (West; Chicago; and/or North/South) remained operational (in which case, a one day restoration period could be expected). Mr. Gillen did verify, however, that in the event of an outage, after power was restored to ComEd's own generators and nuclear power plants, service to the Commission, among others (hospitals, airports, etc.), would be the next priority for restoration as "critical customer loads."

Chairman Vondra thanked Commonwealth Edison for the presentation and opened the floor for questions.

Chairman Vondra asked whether ComEd was able to isolate itself from other systems to avoid cascading service disruptions similar to those experienced during the August 2003 East Coast blackout. Mr. Gillen advised that isolation was not an option without destroying the very purpose for which the grid system was created. Chairman Vondra then inquired how the August 2003 blackout was confined if isolation was not an option. Mr. Gillen explained that power outages were dynamic events and that the August 2003 East Coast blackout tended to stop at the very weak points and the very strong points on the grid. Mr. Gillen warned that, even though ComEd's system is a very strong point on the grid, ComEd's system could go down if the "start" of the problem was immediately adjacent to ComEd's system (Wisconsin or Iowa, perhaps).

Commissioner Hartwig asked whether Commonwealth Edison could guaranty that the Commission would not lose power. Mr. Gillen advised that ComEd could not provide any guaranty of service.

Commissioner Vrdolyak arrived at 5:55 P.M.

Commissioner Poole asked Mr. Gillen to comment on the centralized versus decentralized options for back-up electrical generation that were under consideration and cited, as examples, the need to start-up three generators to effectuate service under the centralized option (at Jardine, Lexington, and DuPage Pump Stations) and potential "weak" areas in the DuPage County portion of the grid. Mr. Gillen indicated his belief that, in general, the DuPage Pump Station has an advantage over the Lexington Pump Station in terms of the likelihood of service outages. Mr. Gillen noted, on the other hand, that any area could be re-energized sooner than other areas, depending upon the nature of the "event" that caused the outage in the first place.

Commissioner Zeilenga arrived at 6:05 P.M.

Commissioner Mathews asked whether ComEd used diesel generators. Mr. Gillen responded that ComEd maintains several portable generators (typically, 2-megawatts each). Commissioner Poole inquired whether ComEd has noticed any movement toward back-up electrical generation among ComEd's customer base. Mr. Gillen and the other ComEd representatives commented that they had noticed a definite increase in critical load customers exploring options for back-up electrical generation but that non-critical, large customers (plus 500 kilowatts) did not appear to be interested.

Commissioner Benson asked (i) how much power ComEd purchases from generators and (ii) whether ComEd uses simulated training. The ComEd representatives did not know the answer to the first question because they worked in a division that does not handle purchases from emergency generators. The ComEd representatives did advise that simulated training had always been a part of ComEd's training program and that

enhancements to that training were scheduled as part of the 20 longer-term self-assessment action items that remain to be completed.

In response to Chairman Vondra's and Commissioner Vrdolyak's inquiries, Mr. Gillen did not know how ComEd would allocate portable back-up electrical generators among users but did state that deployment would be based upon the priority of the facilities and time required to get the facilities up and running. Mr. Gillen also promised to find out (and report back) the unit cost of a 2-megawatt portable generator. Commissioner Chaplin concluded the questioning of the Commonwealth Edison representatives by suggesting, because one of the Commission's customers had suggested the Commission consider portable back-up electrical generators, the Commission defer action on the matter until the cost of portable back-up electrical generators was known.

Commissioner Chaplin moved to approve the Minutes of the January 13, 2005 Committee of the Whole Meeting of the DuPage Water Commission. Seconded by Commissioner Hartwig and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

With respect to the 2005-2006 Five Year Capital Improvement Plan proposed by staff, General Manager Martin made a short PowerPoint presentation on (i) the results of his meeting with Chicago Water Commissioner Rice concerning back-up electrical generation at the Lexington Pump Station; (ii) three additional points favoring the centralized approach to back-up electrical generation; and (iii) several maps depicting customer generated and ungenerated well capacity, customer generated and ungenerated storage capacity, and customer interconnections. With respect to the third item, Commissioner Poole questioned whether comparisons to average day demands were instructive, suggesting some percentage (perhaps 2/3^{rds}) of average day might be a more appropriate point of reference. Both Chairman Vondra and Commissioner Zeilenga agreed and Chairman Vondra also suggested that comparisons to current demand data would be more suitable than comparisons to 2020 data.

Commissioner Poole noted that, even though he preferred the decentralized approach to back-up electrical generation, he could defer to the almost uniformly stated preference of the Commission's customers for a centralized approach if other elements of the draft Capital Improvement Plan and Budget were still open for discussion; specifically, the proposed reservoir project, the proposed Revolving Loan Program, the proposed rates for Operation & Maintenance Costs and Fixed Costs, and unrestricted fund balances in future years.

Commissioner Murphy read the penultimate paragraph in the February 8, 2005, letter from City of Naperville Mayor Pradel to the Commission, and stated Commissioner Murphy's preferences as follows: Favored centralized back-up electrical generation; opposed the proposed additional reservoir project or, at least, any acceleration of the

project; opposed the proposed Revolving Loan Program; favored a $25 million unrestricted fund balance; and favored a $0.20 rate reduction.

In response to Commissioner Chaplin's concern that the cost estimates for the proposed back-up electrical generation facilities appeared too high, the General Manager attributed the higher estimated cost to motor type (across the line; not soft start), motor size (extremely large), and the higher voltage at which the pump stations operate. Commissioner Mathews also confirmed that if the projects were approved, then the projects would be let by competitive bid.

Commissioner Hartwig stated his preference to adopt the 2005-2006 Five Year Capital Improvement Plan as proposed by staff except for the Revolving Loan Program which he would oppose.

After discussing whether to adjourn the Committee of Whole or continue the discussion on the draft Capital Improvement Plan and Budget, Commissioner Murphy moved to take a 15-minute recess. Seconded by Commissioner Vrdolyak and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

The Committee of Whole stood in recess at 6:40 P.M., and reconvened at 6:55 P.M.

Chairman Vondra announced that, because all items included on the agendas for the various standing committees were also included in the agenda for the main Commission meeting, the meetings of the standing committees were canceled and the Committee of the Whole would remain in session to continue the discussion on the draft Capital Improvement Plan and Budget.

Chairman Vondra noted that the issue of whether the Commission should adopt a centralized or decentralized approach to back-up electrical generation seemed to hinge on whether the City of Chicago was willing to reimburse the Commission for the cost of the back-up electrical generation facilities at the Lexington Pump Station through a 20% credit against the Commission's water purchases. Chairman Vondra inquired whether the City could offset the credit by raising the rate charged to the Commission for water purchases. The General Manager explained that the water rate charge to the Commission was contractually tied to the retail water rate charged by the City to its residents such that, in the absence of an across-the-board rate increase, the Commission's rate could not increase.

Chairman Vondra noted the draft Capital Improvement Plan prepared by staff included the proposed Revolving Loan Program and included the back-up electrical generators at the Lexington Pump Station without reimbursement from Chicago. As such, Chairman Vondra suggested it would be better to defer action on the draft Capital Improvement Plan until corrected and more definitive arrangements with Chicago had been made.

Commissioners Chaplin and Vrdolyak agreed with Chairman Vondra, with Commissioner Chaplin adding that before acting on the draft Capital Improvement Plan she would also like to see the data on customer generated and ungenerated well capacity and customer generated and ungenerated storage capacity compared to 2/3rds of 2005 average day demands. Commissioner Zeilenga also agreed, noting it was unknown whether Chicago would condition any reimbursement of the cost of the Lexington Pump Station back-up electrical generators on the installation of back-up electrical generators at the DuPage Pump Station and that there were better uses for the $14,000,000.

Commissioners Hartwig and Mueller disagreed with any suggestion to defer action, noting the draft Capital Improvement Plan is a planning document that needs to be adopted in order to give staff some direction as to where their efforts should be focused. Commissioner Benson agreed with Commissioners Hartwig and Mueller, but noted he would only support back-up electrical generators at the DuPage Pump Station if more definitive arrangements with Chicago had been made to reimburse the Commission for the cost of installing back-up electrical generators at the Lexington Pump Station.

The General Manager noted that the FY 2005-2006 Tentative Draft Management Budget did not include back-up electrical generators at the Lexington Pump Station and that that project was scheduled to start in the second year of the 2005-2006 Five Year Capital Improvement Plan proposed by staff. Commissioner Mathews stated his preference for a centralized approach to back-up electrical generation and that back-up electrical generators should be installed at both pump stations regardless of any cost participation by the City of Chicago, mentioning that water is the most important commodity to be provided in the event of a disaster and that the Commission's obligation is to provide Lake Water to its customers and not well water.

Commissioner Hartwig moved to recommend to the Commission to include centralized back-up electrical generation in the 2005-2006 Five Year Capital Improvement Plan and, in the FY 2005-2006 Management Budget, to budget $8,000,000 in construction costs and $520,500 in engineering costs for back-up electrical generation at the DuPage Pump Station. Seconded by Commissioner Zeilenga and approved by a Voice Vote.

A Majority voted aye, with E. Chaplin and D. Zeilenga voting nay and Chairman Vondra abstaining. Motion carried.

Commissioner Murphy moved to recommend to the Commission to eliminate the Revolving Loan Program from the 2005-2006 Five Year Capital Improvement Plan and the FY 2005-2006 Management Budget. Seconded by Commissioner Zeilenga and approved by Voice Vote.

A Majority voted aye, with D. Zeilenga voting nay. Motion carried.

Commissioner Murphy moved to recommend to the Commission that the 2005-2006 Five Year Capital Improvement Plan and the FY 2005-2006 Management Budget include an unrestricted fund balance policy of $25 million and a combined average Charter Customer rate of $1.45 per 1,000 gallons. Seconded by Commissioner Hartwig.

After stating that a rate reduction would not benefit many of the people in DuPage County that pay sales taxes, Commissioner Chaplin moved to table Commissioner Murphy's motion. Seconded by Commissioner Zeilenga and failed by a Roll Call Vote:

Ayes: E. Chaplin, J. Vrdolyak, D. Zeilenga, and M. Vondra

Nays: R. Benson, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, and A. Poole

Absent: T. Feltes and G. Wilcox

Following up on Commissioner Chaplin's comments, Commissioner Mueller noted that just because a rate reduction to the Commission's customers may not result in a corresponding rate reduction to the ultimate consumers does not mean there is no benefit to the people in DuPage County that pay sales taxes. Commissioner Mueller remarked, for example, that a Commission rate reduction could eliminate the need for a retail rate increase or could enable otherwise cost-prohibitive upgrades and improvements to the retail distribution systems. Commissioner Vrdolyak suggested deferring the $0.20 rate reduction until the lost revenues could be offset by the proposed 20% credit against water purchases after the back-up electrical generation facilities were installed at the Lexington Pump Station.

Commissioner Zeilenga suggested that if any excess funds were to be returned to Commission customers then a pro rata portion of those funds should be returned to residents because any excess funds were generated by both Commission customers (via rates) and DuPage County residents (via sales taxes). Commissioner Chaplin noted the Commission had accumulated $118 in excess sales taxes during the last five years and suggested eliminating the Commission's sales taxes as a solution to the fund balance dilemma.

Commissioner Hartwig pointed out that the Commission was created by the legislature to provide an economical source of supply of water and that the Commission was authorized to impose sales taxes as part of that legislative scheme. Commissioner Poole reminded the Commissioners of certain key points: That the residents of DuPage County voted two to one in favor of allowing the Commission to impose a sales tax; that the Commission still has $235 million in debt outstanding with significant annual debt service requirements for the next 11 years; that the Commission has a $40 million (+) capital improvement plan in the works; and that the percentage of total sales taxes collected by the Commission that was paid by residents in the unincorporated areas of DuPage County is small.

Commissioner Murphy moved to call for the question on recommending to the Commission that the 2005-2006 Five Year Capital Improvement Plan and the FY 2005-2006 Management Budget include an unrestricted fund balance policy of $25 million and a combined average Charter Customer rate of $1.45 per 1,000 gallons. Seconded by Commissioner Hartwig and approved by a Roll Call Vote:

Ayes: R. Benson, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, A. Poole, and D. Zeilenga

Nays: E. Chaplin and J. Vrdolyak

Abstain: M. Vondra

Absent: T. Feltes and G. Wilcox

The call for the previous question having prevailed, the motion on recommending to the Commission that the 2005-2006 Five Year Capital Improvement Plan and the FY 2005-2006 Management Budget include an unrestricted fund balance policy of $25 million and a combined average Charter Customer rate of $1.45 per 1,000 gallons was approved by a Roll Call Vote:

Ayes: R. Benson, R. Ferraro, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, and A. Poole

Nays: E. Chaplin, J. Vrdolyak, D. Zeilenga, and M. Vondra

Absent: T. Feltes and G. Wilcox

Commissioner Ferraro moved to adjourn the meeting at 7:45 P.M. Seconded by Commissioner Mathews and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Board/Minutes/Committee of the Whole/COW0502.doc

Charter Customer	FY 05-06 Budget Resolutions	
	Resolution No.	Date Approved
Addison	R-05-05	February 22, 2005
Bensenville	Resolution No. R-12-2005	March 1, 2005
Bloomingdale	Resolution No. 2005-R-03	February 28, 2005
Carol Stream	Resolution No. 2119	February 22, 2005
Clarendon Hills	R-05-03	February 22, 2005
Darien		
Downers Grove	Resolution No. 2005-09	March 1, 2005
Elmhurst		
Glen Ellyn	Resolution No. 05-10	February 28, 2005
Glendale Heights		
Hinsdale	Resolution No. R2005-03	March 1, 2005
Itasca		
Lisle	Resolution No. 2005-2569	February 21, 2005
Lombard	Resolution No. R-111-05	March 3, 2005
Naperville	Resolution No. 05-11	March 1, 2005
Oak Brook		
Oakbrook Terrace	R04-24	February 22, 2005
Roselle	Resolution No. 2005-1362	February 28, 2005
Villa Park		
Westmont		
Wheaton	Resolution No. R-18-05	March 7, 2005
Willowbrook	Resolution No. 05-R-06	February 28, 2005
Winfield	Resolution No. 2005-3	March 3, 2005
Wood Dale		
Woodridge	Resolution No. R16-2005	March 3, 2005

Village of Addison
Resolution No. R-05-05

RESOLUTION NO. R-05-05

A RESOLUTION SUPPORTING RECENT ACTIONS BY THE DUPAGE WATER COMMISSION AND URGING THE COMMISSION TO IMPLEMENT THE RECENT ACTIONS BY PASSING A BUDGET THAT INCLUDES A WATER RATE REDUCTION

WHEREAS, the DuPage Water Commission [Commission] is a water commission organized, existing and operating under the Water Commission Act (70 ILCS 3720/1 *et. seq.*); and

WHEREAS, the Commission is empowered under the law to finance, construct, acquire and operate a water supply system to serve municipalities in its territory; and

WHEREAS, the Commission's territory consists of over 300 square miles and encompasses a population of approximately 857,497 including twenty-five municipalities; and

WHEREAS, it is projected that in the current fiscal year, FY04-05 the Commission will collect approximately $43,729,824 million from wholesale water rates paid by the municipal members;

WHEREAS, in the current fiscal year, the Commission reports an ending unrestricted use fund surplus in excess of $119,634,934, almost three times the revenue generated from water rates; and

WHEREAS, the Commission is in the process of approving a Five Year Capital Improvement Plan and Annual Management Budget, which proposes a wholesale water rate reduction; and

WHEREAS, it is fiscally prudent to reduce the unrestricted use fund surplus to approximately $25 million through a wholesale rate reduction, which will directly impact the fiscal health of the Commission's customers; and

WHEREAS, at the Water Commission meeting on February 10, 2005, the Commission approved several motions to direct the Commission's fiscal policies in a more prudent manner; and

WHEREAS, the Village of Addison budgeted $2,368,000 for the Water Commission in the most recent fiscal year; and

WHEREAS, on February 10, 2005, the Commission voted to reduce the current wholesale water rate from $1.65 to $1.45 per 1000 gallons, which will result in a 12.1% savings directly to the $2,368,000 budgeted by the Village of Addison; and

WHEREAS, the Village of Addison supports the actions of the Water Commission on February 10, 2005 and urges the Commission to implement the actions through approval of the Fiscal Year 2005-2006 Budget including implementation of the 12.1% reduction in the current wholesale water rate effective May 1, 2005; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF ADDISON, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The recitals set forth above shall be and are hereby incorporated as if said recitals were fully set forth within this Section One.

SECTION TWO: The Mayor and Board of Trustees of the Village of Addison express support for the reduction in the Water Commission wholesale water rate from the present $1.65 per 1000 gallons to $1.45 per 1000 gallons with this rate remaining in effect for the next five-year period through Fiscal Year 2009-2010; and

SECTION THREE: The Mayor and Board of Trustees of the Village of Addison express support for the reduction in the unrestricted cash balance for all Water Commission funds to the target amount of $25 million during the next five year period; and

SECTION FOUR: The Mayor and Board of Trustees of the Village of Addison express support for the construction and operation of emergency engine generator electrical facilities at the Elmhurst Water Pumping Station by the end of Fiscal Year 2006-2007 contingent upon the City of Chicago's commitment to provide 20% water purchase credit for the construction and operation of similar emergency engine generator electrical facilities at the Lexington Water Pumping Station by the end of the Fiscal Year 2007-2008.

SECTION FIVE: The Mayor and Board of Trustees of the Village of Addison express support for the elimination of the proposed revolving loan program for construction of water mains in the unincorporated areas of their municipalities in deference to reducing and maintaining a reduced wholesale water rate.

SECTION SIX: The Mayor and Board of Trustees of the Village of Addison express support for delaying construction and operation of the 30 million gallon water reservoir addition at the Elmhurst Water Pumping Station in deference to reducing, and maintaining a reduced rate, the wholesale water rate from $1.65 to $1.45 per 1,000 gallons.

SECTION SEVEN: The Mayor and Board of Trustees of the Village of Addison direct the Mayor to read this Resolution at the next meeting of the Board and to pursue decisions consistent herewith.

SECTION EIGHT: The Village Clerk is directed to immediately forward a certified copy of this Resolution to Michael P. Vondra, Chairman of the Commission.

SECTION NINE: This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this 22nd day of February, 2005.

AYES: Trustees Hundley, Layne, Theodore, Veenstra

NAYS: None

ABSENT: Trustees Lynch + Mc Dermott

APPROVED this 22nd day of February, 2005.

MAYOR

ATTEST:

VILLAGE CLERK

Village of Addison

February 25, 2005

Michael P. Vondra
DuPage Water Commission
600 East Butterfield Road
Elmhurst, Illinois 60126-4642

Dear Mr. Vondra:

Enclosed please find a certified copy of a Village of Addison Resolution supporting the recent actions by the DuPage Water Commission urging the Commission to implement the recent actions by passing a budget that includes a water rate reduction. This Resolution was passed and approved by the Mayor and Board of Trustees on February 22, 2005.

Sincerely,
VILLAGE OF ADDISON

Lucille Zucchero

Lucille Zucchero
Village Clerk
encl.

One Friendship Plaza Addison, Illinois 60101 Tel. (630) 543-4100 Fax (630) 543-5593
www.AddisonAdvantage.org

Village of Addison

STATE OF ILLINOIS)

COUNTY OF Du PAGE)

I, Lucille Zucchero, Village Clerk of the Village of Addison, Illinois, DO HEREBY CERTIFY that as such Village Clerk and keeper of the records, that the foregoing is a true and correct copy of Resolution No. R-05-05, a Resolution Supporting Recent Actions by the DuPage Water Commission and Urging the Commission to Implement the Recent Actions by Passing a Budget that Includes a Water Rate Reduction. Passed and approved by the Mayor and Board of Trustees of the Village of Addison at their meeting of February 22, 2005

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal this 24th day of February, 2005.

Lucille A. Zucchero

Lucille A. Zucchero, CMC
Village Clerk
Village of Addison
DuPage County, Illinois

One Friendship Plaza Addison, Illinois 60101 Tel. (630) 543-4100 Fax (630) 543-5593
www.AddisonAdvantage.org

Village of Bensenville
Resolution No. R-12-2005

RESOLUTION NO. R-12-2005

A RESOLUTION ENCOURAGING THE DUPAGE WATER COMMISSION TO CAREFULLY SCRUTINIZE AND DEBATE THE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM AND TO CONSIDER THE POSITION STATEMENTS OF THE VILLAGE OF BENSENVILLE

WHEREAS, the DuPage Water Commission (Commission) is a water commission organized, existing and operating under the Water Commission Act (70 ILCS 3720/1 *et seq*); and

WHEREAS, the Commission is empowered under the law to finance, construct, acquire and operate a water supply system to serve municipalities in its territory, and

WHEREAS, the Commission's territory consists of over 300 square miles, of which (5.5) square miles are located in the corporate boundaries of Bensenville, and

WHEREAS, the Commission's territory encompasses a population of approximately 857,497 of which 20,700 receive water service from the Village of Bensenville, and

WHEREAS, the Village of Bensenville, as one of twenty-five charter members to the Commission, has used 2.87% of the water in fiscal year 2004-05 and likewise contributed 2.87% of the water rate revenue supporting the Commission; and

WHEREAS, it is projected that in the current fiscal year, FY04-05 the Commission will Generate approximately $44,850.000 million from wholesale water rates of which the Village of Bensenville is expected to contribute $1,483,000 million, and

WHEREAS, the Commission is in the process of approving a Five Year Capital Improvement Plan, and

WHEREAS, the proposed Five Year Capital Improvement Plan includes the expenditure of $40.15 million in new construction projects; and

WHEREAS, the consideration of the new construction projects authorizing such expenditures would significantly impact unrestricted surplus fund balances and will make rate reductions and rebates unlikely in the future, and

WHEREAS, such reductions and rebates directly impact the fiscal health of the Commission's customers; and

WHEREAS, due to the direct fiscal impact on the Commission's customers, the Five Year Capital Improvement Program should be publicly debated with all alternatives explored prior to approval,

NOW, THEREFORE, BE IT RESOLVED BY THE BENSENVILLE VILLAGE TRUSTEES, DUPAGE AND COOK COUNTIES, ILLINOIS, THAT:

SECTION ONE: The recitals set forth above shall be and are hereby incorporated as if said recitals were fully set forth within this Section One.

SECTION TWO: The Corporate Authorities of the Village of Bensenville formally request that the Five Year Capital Improvement Program be carefully scrutinized and debated, and

SECTION THREE: The Corporate Authorities of the Village of Bensenville express opposition to the expenditure of $27.65 million for the construction of Electrical Generation Facilities at the Lexington and Elmhurst Pump Stations because this expenditure is unnecessary and very costly in light of the availability of an adequate alternative through provision of decentralized emergency generators at standby wells, which would cost approximately $10-12 million

SECTION FOUR: The Corporate Authorities of the Village of Bensenville express opposition to the expenditure of $12.5 million for the Revolving Loan Program based on the program's delayed repayment obligations as well as the program's provision making the funds available for reasons other than remediation of groundwater pollution or similar public health issues The Corporate Authorities point to the revolving loan program administered by the Illinois Environmental Protection Agency, which compels repayment obligation within six months of installation.

SECTION FIVE: The Corporate Authorities of the Village of Bensenville express support for the expenditure of $10-12 million for Electrical Generation Facilities on Standby Water Supply Wells in DuPage County rather than the expenditure of $27.65 million for centralized electrical generation facilities currently proposed

SECTION SIX: The Corporate Authorities of the Village of Bensenville express opposition to the ten year delay of the 30MG water reservoir at the Elmhurst Pumping Station from Fiscal Year 05-06 to Fiscal Year 15-16, which is necessitated by the $27.65 million expenditure for centralized electrical generation facilities as well as the expenditure of $12.5 million for the Revolving Loan Program.

SECTION SEVEN: The Corporate Authorities of the Village of Bensenville express support for annual reductions in the Commission's unrestricted cash surpluses through wholesale water rate reductions or cash rebates to reach a target of approximately $25 million. In furtherance of this goal, the Corporate Authorities of the Village of Bensenville encourage the Commission to rebate excess funds to its members in a timely and expeditious manner.

SECTION EIGHT: The Corporate Authorities of the Village of Bensenville request Public Utilities Director and Water Commissioner Allan Poole to read this Resolution at the next meeting of the Board and to pursue debate and decisions consistent herewith.

SECTION NINE: The Village Clerk is directed to immediately forward a certified copy of this Resolution to Michael P. Vondra, Chairman of the Commission

SECTION TEN: This Resolution shall be in full force and effect from and after its passage and approval

ADOPTED this 1st day of March ,2005

AYES Adamowski, Basso, Caira, Mandziara, Tralewski, Walberg

NAYS None

ABSENT None

APPROVED this 1st day of March , 2005

John C. Geils
Village President

ATTEST

Roxanne Mitchell
Village Clerk

Deputy Clerk

VILLAGE OF BENSENVILLE

12 S. CENTER STREET
BENSENVILLE, ILLINOIS 60106
(630) 766-8200 Fax (630) 350-0260

STATE OF ILLINOIS)
)
COUNTIES OF COOK) SS
)
AND DUPAGE)

I, Roxanne L. Mitchell, do hereby certify that I am the duly qualified Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, and as such officer, I am the keeper of the records and files of said Village;

I do further certify that the foregoing constitutes a full, true and correct copy of the Village of Bensenville's **Resolution No. R-12-2005,** entitled **A Resolution Encouraging the DuPage Water Commission to Carefully Scrutinize and Debate the Five Year Capital Improvement Program and to Consider the Position Statements of the Village of Bensenville**

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal this 2nd day of March, 2005.

Roxanne L. Mitchell
Village Clerk

By: _____
Lynn D. Dubman
Deputy Village Clerk

SEAL

VILLAGE OF BENSENVILLE

12 S. CENTER STREET
BENSENVILLE, ILLINOIS 60106
(630) 766-8200 Fax (630) 350-3449

March 2, 2005

Mr. Michael P. Vondra
Chairman
DuPage County Water Commission
600 East Butterfield Road
Elmhurst, Illinois 60126-4642

Dear Mr. Vondra:

Enclosed please find a certified copy of the Village of Bensenville's Resolution No. R-12-2005 entitled *A Resolution Encouraging the DuPage Water Commission to Carefully Scrutinize and Debate the Five Year Capital Improvement Program and to Consider the Position Statements of the Village of Bensenville.*

Sincerely,

Lynn D. Dubman
Deputy Village Clerk

Enclosure

c: P. Quinn