



DuPage Water Commission

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AGENDA

**ADMINISTRATION COMMITTEE
THURSDAY, MARCH 19, 2015
6:40 P.M.**

**600 EAST BUTTERFIELD ROAD
ELMHURST, IL 60126**

COMMITTEE MEMBERS

L. Crawford - Chair
J. Broda
J. Fennell
D. Novotny
J. Zay

- I. Roll Call
- II. Approval of Minutes of the February 19, 2015 Regular Committee Meeting
- III. Ordinance No. O-1-15: An Ordinance Amending the By-Laws of the DuPage Water Commission (Amending Section 2 of Article IX)
- IV. Other
- V. Adjournment

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**MINUTES OF A MEETING OF THE
ADMINISTRATION COMMITTEE
OF THE DUPAGE WATER COMMISSION
HELD ON THURSDAY, FEBRUARY 19, 2015
600 EAST BUTTERFIELD ROAD
ELMHURST, ILLINOIS 60126**

The meeting was called to order at 6:00 P.M.

Committee members in attendance: L. Crawford, J. Broda, J. Fennell, and D. Novotny

Committee members absent: J. Zay (*ex officio*)

Also in attendance: J. Spatz, F. Frelka, C. Johnson and J. Rodriguez

Commissioner Broda moved to approve the Minutes of the January 15, 2015, Administration Committee meeting. Seconded by Commissioner Fennell and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Crawford noted two items for discussion regarding hiring a Human Resource Consultant and current legislation as it relates to the Commission.

With respect to a Human Resource Consultant, staff reported that five Human Resource organizations had been contacted and of the five organizations, only two responded back. In speaking with both organizations, staff had recommended the services of Reach HR Consulting as they bring over 20 years of experience in the field of Human Resources as well as offer services on a project-by-project basis, which will control costs within budget.

With respect to current legislation, General Manager Spatz noted that there were two items of legislation related to the Commission: (1) SB0816 which removes the Water Act of 1985 from previous legislation and (2) a piece of legislation that had been re-introduced called a Water Rate Protection Act sponsored by Representative Welch. Regarding SB816, General Manager Spatz noted that he had received a request from the Commission's lobbyist John Millner asking for a fact sheet outlining the ramification of dissolving the Commission and asked if Committee members would like to participate in drafting the fact sheet. Commissioner Broda noted that he would reach out to Mark Baloga, Executive Director of the DuPage Mayors and Managers Conference noting his expertise in this area.

General Manager Spatz along with Chairman Zay, Commissioner Crawford, and possibly Commissioner Broda and Mr. Baloga, would meet within the next two weeks to draft a fact sheet and then submit it to the other Commissioners for their review.

Regarding the Water Rate Protection Act, General Manager Spatz noted that this piece legislation was re-introduced to establish a board that would review municipal water providers with a population of over 500,000; which would include the Commission.

After some discussion, the Committee members agreed that the Commission should work to eliminate the Commission from the Water Rate Protection Act. Commissioner Crawford asked what the next step would be in the process. General Manager Spatz stated that a meeting with the City of Chicago would be the next step since the Act was currently in its initial stages.


Next, General Manager Spatz referred back to when the Board had approved to amend his spending authority level to be used during emergency situations or failure to meet a quorum, and, with the concurrence of Chairman Zay. When the law firm of Gorski & Good drafted the original language, the language mistakenly excluded his authority to approve payroll and payroll related items. After some discussion, it was determined to have Gorski & Good prepare an Ordinance amending the Commission's By-Laws to include the authority level and placed on the March agenda for Board consideration.

Commissioner Crawford moved to adjourn the meeting at 6:24 P.M. Seconded by Commissioner Broda and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

DATE: March 6, 2015

REQUEST FOR BOARD ACTION

AGENDA SECTION	Administration Committee	ORIGINATING DEPARTMENT	General Manager's Office
ITEM	An Ordinance Amending the By-Laws of the DuPage Water Commission (Amending Section 2 of Article IX) Ordinance No. O-1-15	APPROVAL	
<p>Ordinance No. O-6-13, previously adopted by the Commission, amended Article XII, Section 2 of the By-Laws of the Commission to permit the General Manager to make certain disbursements which would otherwise require prior Board approval, in case of emergencies or when the Commission is unable to meet or establish a quorum. The proposed Ordinance corrects a scrivener's error in Ordinance No. O-6-13, which inadvertently omitted language regarding the General Manager's authority to make payroll and payroll-related disbursements without prior Board approval.</p> <p>In accordance with Article XII, Section 2 of the By-Laws, the Ordinance cannot be adopted at the same meeting at which it is initially considered unless the first reading procedures of the By-Laws are suspended by a 2/3rd vote of the Commissioners present, in accordance with the procedure set forth in Article XII, Section 3.</p>			
MOTION: To suspend the first reading requirements of the Commission's By-Laws and adopt Ordinance No. O-1-15			

DUPAGE WATER COMMISSION

ORDINANCE NO. O-1-15

AN ORDINANCE AMENDING THE
BY-LAWS OF THE DUPAGE WATER COMMISSION
(Amending Section 2 of Article IX)

WHEREAS, the Board of Commissioners of the DuPage Water Commission has determined that it is appropriate and in the best interests of the Commission to amend the Commission's By-Laws, as restated in Ordinance No. O-10-12, to modify the General Manager's authority to make disbursements under certain circumstances as set forth in the body of this Ordinance.

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

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated herein as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: Amendment – Article IX. Article IX, Section 2, entitled "Authorization" of the Commission's By-Laws shall be, and it hereby is, amended in its entirety so that said Section 2 shall hereafter read as follows:

"Section 2. Authorization. All disbursements in excess of \$20,000.00 shall be approved in advance by the Board of Commissioners except in the following circumstances: (i) the General Manager is authorized to pay all payroll disbursements and disbursements for payroll-related taxes, contributions and payments, and (ii) in the case of emergencies or in cases where the Commission is unable to meet or establish a quorum, the General Manager is hereby authorized, with the concurrence of the Commission's Chairman, to make all disbursements which have been previously budgeted and/or expenditures for which the Commission has previously contracted. All disbursements made under subsection (ii) shall be placed on the agenda for the next regular meeting of the Commission for the purpose of ratification.

The General Manager is authorized to incur and pay contingency expenditures up to and including \$20,000.00 without the prior approval of the Board of Commissioners."

SECTION THREE: Effective Date. This Ordinance shall be in full force and effect from and after its adoption by a majority affirmative vote of all of the Commissioners, including the affirmative votes of at least one-third of the Commissioners appointed by the County Board Chairman and 40% of the Commissioners appointed by the Mayors.

AYES:

NAYS:

ABSENT:

ADOPTED this ____ day of _____, 2015.

Chairman

ATTEST:

Clerk