

**MINUTES OF A MEETING OF THE
ADMINISTRATION COMMITTEE
OF THE DUPAGE WATER COMMISSION
HELD ON APRIL 19, 2012**

The meeting was called to order at 6:40 P.M. at the Commission's office located at 600 East Butterfield Road, Elmhurst, Illinois.

Committee members in attendance: T. Cullerton (arrived at 7:10 P.M.), W. Murphy, J. B. Webb, and L. Crawford

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

Also in attendance: D. Loftus (arrived at 6:50 P.M.), J. Spatz (arrived at 7:11 P.M.), M. Crowley, F. Frelka, and J. Rodriguez (arrived at 6:55 P.M.)

Commissioner Murphy moved to approve the Minutes of the March 15, 2012, Administration Committee meeting as presented. Seconded by Commissioner Webb and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

With respect to Resolution No. R-16-12, Staff Attorney Crowley explained that approval of the Resolution would authorize the release to the public of the minutes of the closed meetings listed in Schedule B to the Resolution while at the same time continuing the confidential treatment of the minutes of the minutes listed in Schedule A to the Resolution. It was the consensus of the Committee members present to recommend to the full Board approval of Resolution No. R-16-12.

Commissioner Murphy moved to recommend approval of Resolution No. R-16-12: A Resolution Releasing Certain Executive Session Meeting Minutes at the April 19, 2012, DuPage Water Commission Meeting as presented. Seconded by Commissioner Webb and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

The Administration Committee reviewed the draft of recommended changes to the Commission By-Laws except Article VIII (purchasing) and Article XII (ethics). Among the items discussed were the following:

- The special majority vote that was required before the Commission could proceed with the actions identified in the draft amendments, with Staff Attorney Crowley explaining that the special majority vote was not required by the recent amendments to the Water Commission Act but, rather, by the Charter Customer Contract.
- The statutorily required process for appointing the Chairman and Vice Chairman of the Commission, with Staff Attorney Crowley explaining that even though the appointment of a Commission Chairman required the advice and consent of both

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the DuPage County Board and the Commission, the Chairman of the DuPage County Board retained sole authority to make the appointment.

- The maximum amount of compensation that a Commissioner could receive under the Water Commission Act, with Staff Attorney Crowley noting that the recommendation to eliminate referencing a specific dollar amount would avoid the need to amend the By-laws if the statutory compensation limit changed.
- The duties and responsibilities of the Treasurer, the General Manager, and the Financial Administrator and that any overlap between and among them was consistent with the recent legislative changes to the Water Commission Act.
- The balance between the statutorily required Board appointment of the Financial Administrator and the authority of the General Manager over Commission personnel.
- The change to staff's recommendation regarding the limits to be imposed upon on Public Comments from a period of 50 minutes and five minutes per person to a period of 30 minutes and three minutes per person.
- The recommended duties and responsibilities of each of the standing Committees established by the Commission: Administration; Engineering and Construction; and Finance, with Staff Attorney Crowley confirming that, as required by state statute, the recommended changes included a requirement to maintain a Finance Committee for so long as required by the Water Commission Act.
- The recommendation that the Chairman be a voting *ex officio* member of each Committee, with the Administration Committee agreeing that allowing other Commissioners to "fill in" as needed for Committee quorum and voting purposes would complicate Open Meetings Act compliance.
- The current check signing requirements and whether two signatures should continue to be required and whether the Staff Attorney should be eliminated as an authorized check signer, with Staff Attorney Crowley noting a personal preference for the two signature requirement even though banks generally ignore it.

During the discussion, Commissioner Loftus arrived at 6:50 P.M., Jenessa Rodriguez arrived at 6:55 P.M., Commissioner Cullerton arrived at 7:10 P.M., and General Manager Spatz arrived at 7:11 P.M.

In response to the Administration Committee's request for direction on check signing and authority issues, General Manager Spatz recommended retaining the two signature requirement and the authority of a Staff Attorney, if any, to sign checks.

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With respect to the procurement policy revisions recommended by Crowe Horwath in the report commissioned by DuPage County, General Manager Spatz noted that Crowe Horwath might have misunderstood the Commission's current policy which General Manager Spatz felt was sufficiently, if not overly, restrictive. In reply, Commissioner Crawford suggested that the Administration Committee could consider ways to simplify that policy at the May meeting.

With respect to the ethics policy revisions recommended by Crowe Horwath, General Manager Spatz advised that he had met with the ethics consultant recommended by Commissioner Cullerton and had also scheduled a meeting with DuPage County to explore avenues of streamlining costs by, for example, having DuPage County act as the Commission's Ethics Officer. At which point, Commissioner Cullerton suggested that the County consider creating an independent, three-member Ethics Board akin to the election board to uniformly establish and enforce ethics rules across the numerous entities over which DuPage County has appointment powers.

After General Manager Spatz advised the Administration Committee that he hoped to present a new credit card policy to the Board for its review and approval at the May meeting, Commissioner Murphy moved to adjourn the meeting at 7:25 P.M. Seconded by Commissioner Cullerton and unanimously approved by a Voice Vote.

All voted aye. Motion carried.