

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, October 2, 2014

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Vice-President Barbara J. McGowan, Commissioner Cynthia M. Santos, Commissioner Debra Shore, Chairman of Finance Mariyana T. Spyropoulos, Commissioner Kari K. Steele, Commissioner Patrick D. Thompson, President Kathleen Therese Meany

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Kathleen Therese Meany presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 8 - Michael A. Alvarez; Frank Avila; Barbara J. McGowan; Cynthia M. Santos; Debra Shore; Kari K. Steele; Patrick D. Thompson; and Kathleen Therese Meany
Absent: 1 - Mariyana T. Spyropoulos

Approval of Previous Board Meeting Minutes

A motion was made by Frank Avila, seconded by Barbara J. McGowan, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Barbara J. McGowan, seconded by Frank Avila, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 11:40 a.m. President Kathleen Therese Meany reconvened the regular board meeting to order

Finance Committee

Report

- 1 [14-1131](#) Report on Cash Disbursements for the Month of August 2014, in the amount of \$42,797,599.50

Attachments: [August 2014 Cash Disbursements Summary](#)

Published and Filed

Procurement Committee

Report

- 2 [14-1141](#) Report on rejection of bids for Contract 14-618-11, Furnish and Deliver HVAC and Refrigeration Parts and Service, estimated cost \$348,700.00.

Published and Filed

Authorization

- 3 [14-1142](#) Authorization to amend Board Order of September 4, 2014, regarding Issue purchase order and amend an existing agreement with SAP Public Services, Inc. for annual SAP Software Maintenance, Agenda Item No. 35, File No. 14-0938

 Approved
- 4 [14-1148](#) Authorization to increase cost estimate for Contract 14-638-11 Recondition Ground and Test Devices, from \$21,500.00 to \$24,500.00, Accounts 101-68000/69000-612600/612650, Requisition 1381199

 Approved
- 5 [14-1159](#) Authorization to amend Board Order of September 4, 2014, regarding issue purchase order and enter into an agreement with Sustainable Generation LLC, to furnish and deliver rental services of GORE Cover technology, in an amount not to exceed \$49,500.00, Account 101-16000-612490, Requisition 1383891, Agenda Item No. 30, File No. 14-0917

 Approved
- 6 [14-1166](#) Authorization to exercise an option to extend agreement for a one year period for Legal Services for General Obligation Capital Improvement Bonds for the 2012 IEPA Series Account 401-50000-601170, Purchase Order 3078998

 Approved

Authority to Advertise

- 7 [14-1101](#) Authority to advertise Contract 14-367-11 for public tender of bids a 60-year lease of approximately 1.801 acres of District real estate located southeast of the intersection of McCormick Boulevard and Devon Avenue in Chicago, Illinois, and known as North Shore Channel Parcel 8.06. The minimum initial annual rental bid shall be established at \$118,500.00

Attachments: [10-2-14 Survey REVISED in June 2014 - Parcel D-E UD 14.pdf](#)

- Approved**
- 8 [14-1106](#) Authority to advertise Contract 10-884-AF Flood Control Project for Upper Salt Creek, estimated cost \$1,450,973.00, Account 401-50000-645720, Requisition 1382552

 Deleted by the Executive Director
- 9 [14-1128](#) Authority to advertise Contract 15-699-11, Services of Heavy Equipment with Operators, estimated cost \$2,190,000.00, Account 101-66000-612520, Requisition 1379144

 Approved

- 10 [14-1139](#) Authority to advertise Contract 15-022-11 Furnish and Deliver Diesel Fuel to Various Locations for a One (1) Year Period, estimated cost \$384,700.00, Accounts 101-16000, 66000, 67000, 68000, 69000-623820, Requisitions 1384659, 1384943, 1384952, 1384954, 1385456 and 1385783
Approved
- 11 [14-1143](#) Authority to advertise Contract 15-670-11 Repair and Maintenance of Debris, Pontoon and Skimmer Boats, estimated cost \$160,000.00, Account 101-66000-612790, Requisition 1382534
Approved
- 12 [14-1145](#) Authority to advertise Contract 15-101-11 Furnish and Deliver Work Uniforms for Environmental Specialists, Patrol Boat Operators and Pollution Control Technicians, estimated cost \$31,800.00, Account 101-16000-623700, Requisition 1384595
Approved
- 13 [14-1147](#) Authority to advertise Contract 14-449-11 Furnish and Deliver Videoconference Equipment, estimated cost \$118,655.86, Accounts 101-27000-623810, 634840, Requisition 1382162
Approved
- 14 [14-1160](#) Authority to advertise Contract 06-842-2E Electrical Equipment Replacement, Egan WRP, estimated cost \$1,600,000.00, Account 201-50000-645650, Requisition 1385432
Approved
- 15 [14-1169](#) Authority to advertise Contract 15-617-11 Power Distribution Equipment Inspection and Repairs, estimated cost \$184,200.00, Accounts 101-67000/68000/69000-612650/623070/612240, Requisition 1376098
Deleted by the Executive Director

Issue Purchase Order

- 16 [14-1104](#) Issue purchase order to Early Morning Software, Inc. to Furnish and Deliver EMS PRISM Compliance Software On-Line Subscription License Renewal, in an amount not to exceed \$18,250.00, Account 101-27000-612820, Requisition 1385041
Approved
- 17 [14-1108](#) Issue a purchase order and enter into an agreement with Chastain & Associates LLC for professional engineering services for Contract 14-259-5C Preliminary Engineering for a Flood Control Project in the vicinity of 131st St. and Cypress Drive in Palos Heights, Illinois, in an amount not to exceed \$284,351.88, Account 501-50000-601410, Requisition 1385011
Approved

- 18 [14-1111](#) Issue a purchase order and enter into an agreement with Environmental Design International, Inc. for professional engineering services for Contract 14-260-5C Preliminary Engineering for a Flood Control Project in the Washington Street Area of Blue Island, Illinois, in an amount not to exceed \$273,022.38, Account 501-50000-601410, Requisition 1385796.
- Approved**
- 19 [14-1149](#) Issue purchase order and enter into a joint funding agreement with the United States Department of the Interior - U.S. Geological Survey for the maintenance and operation of seven streamflow gaging stations and one rain gage within Cook County, Illinois, in an amount not to exceed \$80,400.00, Accounts 501-50000-612490 and 201-50000-601170, Requisition 1385791
- Approved**
- 20 [14-1156](#) Issue purchase order to Rush Truck Centers of Illinois, Inc., DBA Rush Truck Center, Springfield, to Furnish and Deliver One 2015 International 4300M7 Diesel Truck with 24 Foot Van Body and Lift Gate under the State of Illinois Joint Purchasing Contract No. 4017341, in an amount not to exceed \$69,283.00, Account 201-50000-634860, Requisition 1368316
- Approved**

Increase Purchase Order/Change Order

- 21 [14-1103](#) Authority to increase purchase order and amend the agreement with Beveridge & Diamond, P.C. to represent the District in the case of Natural Resources Defense Council, Inc. et al. v. Metropolitan Water Reclamation District of Greater Chicago, Case No. 11-CV-2937, in an amount of \$450,000.00, from an amount of \$1,900,000.00, to an amount not to exceed \$2,350,000.00, Account 101-30000-601170, Purchase Order 3069593

Attachments: [CHANGE ORDER.pdf](#)

Approved

- 22 [14-1112](#) Authority to increase Contract 06-158-3S Des Plaines Intercepting Sewer Rehabilitation, SSA, to Kenny Construction Company in an amount of \$212,829.74, from an amount of \$13,277,766.00, to an amount not to exceed \$13,490,595.74, Account 401-50000-645700, Purchase Order 4000012

Attachments: [CO 06-158-3S.pdf](#)

Approved

- 23 [14-1113](#) Authority to increase Contract 04-201-4F Tollway Dam, Grout Curtain and Quarry Plugs, Thornton Composite Reservoir, Calumet Service Area, to F.H. Paschen, S.N. Nielsen and Associates LLC and Cabo Construction Corporation, Joint Venture in an amount of \$160,246.00, from an amount of \$71,926,043.27, to an amount not to exceed \$72,086,289.27, Account 401-50000-645620, Purchase Order 5001105

Attachments: [CO 04-201-4F.pdf](#)

Approved

- 24 [14-1120](#) Authority to decrease purchase order and amend the agreement with Xerox Corporation, for Contract 10-RFP-09 Furnish, Deliver and Install One Color High-Speed Printing System and One Monochrome High-Speed Printing System with a Five Year Repair, Supply and Maintenance Agreement, in an amount of \$50,800.00, from an amount of \$871,163.26 to an amount not to exceed \$820,363.26 Account 101-15000-612800, Purchase Order 3066016

Attachments: [Decrease PO 3066016.pdf](#)

Approved

- 25 [14-1123](#) Authority to decrease Contract 14-690-11, Beneficial Reuse of Biosolids from LASMA, CALSMA and the Egan Water Reclamation Plant, to Stewart Spreading, Inc., in an amount of \$1,950,000.00, from an amount of \$19,188,702.50, to an amount not to exceed \$17,238,702.50, Account 101-66000-612520, Purchase Order 5001472

Approved

- 26 [14-1130](#) Authority to decrease Contract 14-691-11, Truck Hauling of Processed Solids for LASMA and CALSMA, Groups A and B, to Gosia Cartage, Ltd., in an amount of \$650,000.00, from an amount of \$6,472,790.00 to an amount not to exceed \$5,822,790.00, Account 101-66000-612520, Purchase Order 5001440

Approved

- 27 [14-1146](#) Authority to increase purchase order for Chemical Analysis to Test America Laboratories, Inc., in an amount of \$4,750.00, from an amount of \$9,500.00, to an amount not to exceed \$14,250.00, Account 101-16000-612490, Purchase Order 8007671

Approved

- 28 [14-1170](#) Authority to increase purchase order and amend the agreement with Carlson Environmental, Inc., for environmental site investigation services, in an amount of \$100,000.00, from an amount of \$322,726.87, to an amount not to exceed \$422,726.87, Account 101-66000-601170, Purchase Order 3073512

Attachments: [3073512 090314.pdf](#)

Approved

Budget & Employment Committee

Report

- 29 [14-1162](#) Report on Budgetary Revenues and Expenditures Through First Quarter March 31, 2014

Attachments: [2014 1st Quarter Summary attachment.pdf](#)

Published and Filed

Engineering Committee

Authorization

- 30 [14-1173](#) Authority to amend extraterritorial service agreement with the City of Chicago pertaining to 994 acres of land located in DuPage County at O'Hare International Airport, outside the territorial limits of the Metropolitan Water Reclamation District of Greater Chicago

Approved

Judiciary Committee

Authorization

- 31 [14-1171](#) Authority to pay a judgment in an amount not to exceed \$39,519,000.00, as entered on January 4, 2013, by Circuit Court of Cook County Judge Kathleen Pantle in Metropolitan Water Reclamation District of Greater Chicago v. Terra Foundation for American Art, et al., Case No. 06 CH 13817, Account 901-30000-667220

A motion was made by Patrick D. Thompson, seconded by Kari K. Steele, that this Agenda Item be Approved. The motion carried by the following roll call vote:

Aye: 7 - Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Abstain: 1 - Michael A. Alvarez

Absent: 1 - Mariyana T. Spyropoulos

Labor & Industrial Relations Committee

Authorization

- 32 [14-1150](#) Authority to extend until November 6, 2014, the terms of the collective bargaining agreements between the Metropolitan Water Reclamation District of Greater Chicago and 1) SEIU Local 1, Firemen and Oilers Division; 2) the Building Trades Coalition; 3) the Teamsters Local Union 700; 4) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Instrumentation and Testing); 5) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Operations); and 6) the International Union of Operating Engineers, Local Union No. 399.

Approved

Real Estate Development Committee

Authorization

- 33 [14-1110](#) Authority to execute Amendment 9 to the Army Corps of Engineers License DACW 35-3-95-2001, extending the District's right to use a portion of the Chicago Harbor Properties to moor its boats along the east-west wing wall of the Chicago River Controlling Works, west of the Old Coast Guard Station, and to maintain a boathouse for an additional five years, beginning on January 1, 2015, and ending December 31, 2019. Consideration shall be a nominal fee of \$10.00

Attachments: [10-2-14 map USACE.pdf](#)
[10-2-14 aerial view of USACE Chicago Harbor Properties.pdf](#)

Approved

- 34 [14-1151](#) Authority to grant a 25-year, 7,396 square foot non-exclusive easement to the Village of Hanover Park to construct, maintain, operate, repair and remove two 12-inch storm sewers on District real estate located within the Hanover Park Water Reclamation Plant premises in Hanover Park, Illinois. Consideration shall be \$10.00

Attachments: [HP Bd Ltr Easement Ex 10 2 2014.pdf](#)

Approved

- 35 [14-1153](#) Authority to issue a 3-year permit to the Illinois Department of Transportation to traverse District Main Channel Parcels 34.03, 34.05 and 35.06, via the Lawndale Avenue Service Road, and Main Channel Parcels 35.02, 35.03, 37.03 and the Harlem Avenue Solids Management Area, via Canal Bank Road, to reach the 1st Avenue overpass in Summit, Illinois to rehabilitate the bridge structure. Consideration shall be a nominal fee of \$10.00

Attachments: [Bd Ltr IDOT Overpass 10 2 2014.pdf](#)

Approved

- 36 [14-1172](#) Authority to issue a 6-month permit to Wm. Wrigley Jr. Company to re-enter the District's property located at 3548 South Ashland Avenue in Chicago, Illinois to conduct confirmatory sampling and any necessary additional environmental remediation. Consideration shall be \$2,500.00

Attachments: [14-1172 Bd Ltr Wrigley 3548 Ashland Ave \(2\)](#)

Approved

- 37 [14-1174](#) Authority to commence negotiations with the Illinois Department of Natural Resources for a thirty-nine year lease on District real estate located in Fulton County, Illinois for public recreational use

Attachments: [Susan's Map for Board Letter 39yr. Lease Fulton.pdf](#)

Approved

Stormwater Management Committee

Authorization

- 38 [14-1132](#) Authorization to execute a memorandum of understanding with the U.S. Army Corps of Engineers for work provided or performed prior to execution of a project partnership agreement for the Upper Des Plaines River and Tributaries Multipurpose Project

Approved

- 39 [14-1158](#) Authority to enter into an intergovernmental agreement with the Chicago Public Schools to install green infrastructure at various Chicago Public Schools, with payment to Chicago Public Schools not to exceed \$3,000,000.00 per year for five years at a maximum of \$500,000.00 per school for a maximum of 30 schools, starting in year 2015

Attachments: [School Names.pdf](#)
[Eligible Schools.pdf](#)

Deferred by Barbara J. McGowan

Aye: 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Absent: 1 - Mariyana T. Spyropoulos

Miscellaneous and New Business

Motion

- 40 [14-1164](#) MOTION to amend OPEB Advance Funding Policy

Attachments: [14-1164 - OPEB ADVANCE FUNDING POLICY](#)

A motion was made by Frank Avila, seconded by Debra Shore, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Absent: 1 - Mariyana T. Spyropoulos

- 41 [14-1165](#) MOTION to establish a Pension Funding Policy

Attachments: [14-1165 - FUNDING POLICY](#)

A motion was made by Frank Avila, seconded by Cynthia M. Santos, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Absent: 1 - Mariyana T. Spyropoulos

Ordinance

- 42 [O14-006](#) Adopt Ordinance O14-006 An ORDINANCE authorizing the issuance of not to exceed \$200,000,000 General Obligation Bonds(Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of providing funds for stormwater management projects

Attachments: [Ord AR issuance authorization 200M BTL 2014-10-02.pdf](#)
[Ordinance 014-006](#)

A motion was made by Cynthia M. Santos, seconded by Frank Avila, that this Ordinance be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Absent: 1 - Mariyana T. Spyropoulos

Additional Agenda Items

(The above items were submitted after the agenda packet distribution)

Meeting Summary

Speakers

George Blakemore, concerned citizen, voiced concerns (Re: Judiciary Item #31 and Stormwater Management Item #39)

Karen Roothaan, Green Party, inquired about the Biogas Renewable Energy Project

Summary of Requests

David St. Pierre

- 1. Kari Steele requested a copy of the MOU (Re: Stormwater Management Item #38)*
- 2. Frank Avila and Cynthia M. Santos requested the participation information be made available to the public and placed on the District's website (Re: Stormwater Management Item #39)*

Study Session

None

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for October 16, 2014, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: October 3, 2014

Date all agenda items are due to the Executive Director: 1:00 p.m., October 8, 2014

Adjournment

A motion was made by Patrick D. Thompson, seconded by Cynthia M. Santos that when the Board Adjourns, it adjourns to meet again on Thursday, October 16, 2014 at 10:00 a.m. and also move that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Absent: 1 - Mariyana T. Spyropoulos

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this October 2, 2014, are hereby approved.

APPROVED:

/s/ Kathleen Therese Meany
President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

October 2, 2014