

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, October 21, 2010

10:00 AM

Board Room

Board of Commissioners

*Commissioner Frank Avila, Commissioner Patricia Horton, Chairman of Finance
Gloria Alitto Majewski, Commissioner Barbara J. McGowan, Vice-President Kathleen
Therese Meany, Commissioner Cynthia M. Santos, Commissioner Debra Shore,
Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien*

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 Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 9 - Frank Avila; Patricia Horton; Gloria Alitto Majewski; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Approval of Previous Board Meeting Minutes

A motion was made by Gloria Alitto Majewski, seconded by Patricia Horton, 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 on the Whole

A motion was made by Cynthia M. Santos, seconded by Patricia Horton, 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 1:00 p.m. President O'Brien reconvened the regular board meeting to order

Finance Committee

Report

- 1 [10-1228](#) Report on Cash Disbursements for the Month of September 2010, in the amount of \$69,440,393.51
Attachments: [10-1228 September 2010 Disbursement Report](#)
Published and Filed

- 2 [10-1278](#) Report on investments purchased during September 2010
Attachments: [Inv Purch 2010-09 att.pdf](#)
Published and Filed

- 3 [10-1279](#) Report on the investment interest income during September 2010
Attachments: [Inv Int Inc 2010-09 att.pdf](#)
Published and Filed

- 4 [10-1280](#) Report on investment inventory statistics at September 30, 2010

Attachments: [Inv Stat 2010 Q3 Inv.pdf](#)
 [Inv Stat 2010 Q3 Fin Mkt.pdf](#)

Published and Filed

Authorization

- 5 [10-1308](#) Authority to execute agreements with Chapman and Cutler LLP as Lead Bond Counsel, Special Tax Counsel, and Disclosure Counsel, and with Gonzalez, Saggio & Harlan, L.L.P., as Co-Bond Counsel, in an amount not to exceed \$359,000.00, in connection with the sale of up to a total of \$500,000,000.00 of General Obligation Capital Improvement Bonds, Limited Tax Series of 2010, of the Metropolitan Water Reclamation District of Greater Chicago

Approved

Procurement Committee

Report

- 6 [10-1234](#) Report of bid opening of Tuesday, October 5, 2010

Published and Filed

- 7 [10-1233](#) Report of bid opening of Tuesday, October 12, 2010

Published and Filed

Authorization

- 8 [10-1229](#) Authorization to amend Board Order of October 7, 2010, regarding authority for award Contract 10-771-11, Underground Infrastructure Cleaning in the North Service Area, to Sheridan Plumbing and Sewer, Inc., in an amount not to exceed \$198,598.45.00, Account 101-67000-612600, Requisition 1301534, Agenda Item No. 25, File No. 10-1104

Approved

- 9 [10-1285](#) Authorization to Participate in the Midwestern Higher Education Compact, under the Illinois Compiled Statutes, Chapter 45, Interstate Compacts 45 ILCS 155/ Midwestern Higher Education Compact Act.

Approved

- 10 [10-1303](#) Authorization to amend Board Order of January 7, 2010, regarding authority to advertise Contract 10-678-11, Locksmith Services at Various Service Areas, estimated cost \$129,000.00, Accounts 101-67000/68000/69000-612680, Requisitions 1289895, 1289960, 1289968, 1289983, 1290641 and 1293015, Agenda Item No. 9, File No. 09-1888

Approved

- 11 [10-1305](#) Authorization to amend Board Order of September 2, 2010, regarding issue purchase order for Contract 10-678-13, Locksmith Services at Various Service Areas, Group C, to Fullmer Locksmith Service, Inc., in an amount not to exceed \$39,000.00, Account 101-67000-612680, Requisitions 1289960, 1289968, 1289983 and 1290641, Agenda Item No. 11, File No. 10-1009

Approved

- 46 [10-1284](#) Authorization to amend Board Order of September 16, 2010, regarding authority to increase purchase order and amend the agreement with Deutsch, Levy & Engel, LLC for legal services in representing the District in an environmental remediation action against Nicor/ComEd for District property at Oakton Street and McCormick Boulevard in Skokie, Illinois, in an amount of \$85,000.00, from an amount of \$426,380.34, to an amount not to exceed \$511,380.34, Account 101-30000-601170, Purchase Order A84545, Agenda Item No. 13, File No. 10-0721

Approved

Authority to Advertise

- 12 [10-1231](#) Authority to advertise Contract 11-021-11 Furnish and Deliver Unleaded Gasoline to Various Locations for a One (1) Year Period, estimated cost \$359,000.00, Accounts 101-20000, 66000-623820 Requisition 1312964

Approved

- 13 [10-1237](#) Authority to advertise Contract 11-002-11 Furnish and Deliver Cylinder Gases to Various Locations for a One (1) Year Period, estimated cost \$53,500.00, Account 101-20000-623840

Approved

- 14 [10-1238](#) Authority to advertise Contract 11-101-11 to furnish and deliver work uniforms for environmental specialists, patrol boat operators and pollution control technicians, estimated cost \$49,800.00, Account 101-16000-623700, Requisition 1313274

Patricia Horton lifted her earlier deferral

Approved

- 15 [10-1247](#) Authority to advertise Contract 11-809-11 Furnishing and Delivering Unleaded Gasoline and Diesel Grade Fuel Oil to the Prairie Plan Site in Fulton County, Illinois, estimated cost \$70,000.00, Account 101-68000-623820, Requisition 1307556
Approved
- 16 [10-1248](#) Authority to advertise Contract 11-041-11 Furnish and Deliver Data Storage Cartridges to Various Locations for a One (1) Year Period, estimated cost \$116,000.00, Account 101-20000-623810
Approved
- 17 [10-1249](#) Authority to advertise Contract 11-670-11 Preventive Maintenance and Repair Services for Debris and Pontoon Boats at Various Locations, estimated cost \$160,000.00, Account 101-66000-612790, Requisition 1313747
Approved
- 18 [10-1253](#) Authority to advertise Contract 11-937-11 Repair Services for AC and DC Motors at the Post Digestion Centrifuge Building at the Stickney Water Reclamation Plant, estimated cost \$90,000.00, Account 101-69000-612650, Requisition 1312942
Approved
- 19 [10-1257](#) Authority to advertise Contract 10-468-11 Furnish and Deliver Forty-Seven (47) Multi-Functional Photocopier Devices and a Four (4)-Year Repair Service, Supplies, and Maintenance Agreement at Various District Locations, estimated cost \$385,000.00, Accounts 101-27000-634810, 612810 Requisition 1313308
Approved
- 20 [10-1270](#) Authority to advertise Contract 11-697-11 Demolition of Lake River Terminal and Other Derelict Buildings on District Property in Cook County, IL, estimated cost \$2,800,000.00, Account 901-30000-667220, Requisition 1312926
Deferred by Cynthia M. Santos

Issue Purchase Order

- 21 [10-1258](#) Issue purchase order to Rolta International, Inc. to Furnish and Deliver Renewal Licenses for OnPoint Software, Annual Maintenance and Technical Support, in an amount not to exceed \$22,500.00, Account 101-27000-612820, Requisition 1308508
Approved

- 22 [10-1261](#) Issue purchase order and enter into an agreement with Bradley S. Waterman, Attorney at Law to represent the District in the matter of a United States Internal Revenue Service examination of the District's issuance of Build America Bonds in an amount not to exceed \$50,000.00. Account 101-30000-601170, Requisition 1313736

Attachments: [P.O. Requisition 10.21.10.PDF](#)

Approved

- 23 [10-1265](#) Issue purchase order to YSI Incorporated, to furnish and deliver multi-parameter water quality loggers and ROX Optical Oxygen Sensors, in an amount not to exceed \$26,201.00, Account 101-16000-623570, Requisition 1312417

Approved

- 24 [10-1275](#) Issue purchase order and enter into an agreement with D. J. Wheeler Hydro Electric Services, Inc., to Provide Maintenance and Technical Support Services for Digital Governors at the Lockport Powerhouse, in an amount not to exceed \$65,090.00, Account 101-66000-612620, Requisition 1312952

Approved

- 25 [10-1276](#) Issue purchase order and enter into an agreement with Johnson Controls, Inc., to Provide Parts and Services to Maintain the Cardkey Security Access Control System at the Stickney Water Reclamation Plant and at the Mainstream Pumping Station, in an amount not to exceed \$220,000.00, Account 101-69000-612680, Requisition 1306463

Approved

Award Contract

- 26 [10-1230](#) Authority to award Contract 10-036-11 Furnish and Deliver Salt and Calcium Chloride to Various Locations for a One (1) Year Period, to Russo Hardware, Inc., in an amount not to exceed \$45,075.00, Account 101-20000-623130

Approved

- 27 [10-1236](#) Authority to award Contract 10-927-13 (Re-Bid), Services to Repair and Maintain Variable Frequency Drives in the Stickney Service Area, to Dreisilker Electric Motors, Inc., in an amount not to exceed \$90,000.00, Account 101-69000-612650, Requisition 1295113

Approved

Increase Purchase Order/Change Order

- 28 [10-1245](#) Authority to decrease Contract 06-614-11 Elevator Maintenance at Various Locations, to ACM Elevator Company, in an amount of \$18,219.73, from an amount of \$782,339.82, to an amount not to exceed \$764,120.09, Account 101-69000-612680, Purchase Order 5000681
- Attachments:** [06-614-11.pdf](#)
- Approved**
- 29 [10-1252](#) Authority to increase Contract 09-641-11, Furnishing and Delivering Liquid Carbon Dioxide, and Maintaining the Carbon Dioxide Storage Tank and Feed System at the Stickney Water Reclamation Plant, to Linde LLC, in an amount of \$145,000.00, from an amount of \$600,000.00, to an amount not to exceed \$745,000.00, Account 101-69000-623560, Purchase Order 5001086
- Approved**
- 30 [10-1262](#) Authority to increase Contract 01-198-AD Demolition of Sludge Disposal Building and Rehabilitation of Pump and Blower House and Coarse Screen Building at the Stickney Water Reclamation Plant, to IHC Construction Companies, LLC, in an amount of \$139,006.92, from an amount of \$30,576,466.73, to an amount not to exceed \$30,715,473.65, Accounts 101-50000-612680, 401-50000-645680, and 645780, Purchase Order 5000961
- Attachments:** [CO 01-198-AD](#)
- Approved**
- 31 [10-1263](#) Authority to decrease purchase order and amend the agreement with YSI Incorporated, to repair multi-parameter water quality monitors for two years in an amount of \$41,718.80, from an amount of \$116,805.00, to an amount not to exceed \$75,086.20, Account 101-16000-612970, Purchase Order 3061663
- Approved**
- 32 [10-1264](#) Authority to decrease Contract 02-010-3S (REBID) Evanston Intercepting Sewer Orrington Avenue Leg Rehabilitation, North Side Service Area, to Kenny Construction Company in an amount of \$79,635.25, from an amount of \$5,489,000.00, to an amount not to exceed \$5,409,364.75, Account 401-50000-645700, Purchase Order 5001122
- Approved**
- 33 [10-1266](#) Authority to increase Contract 91-177-CE Distributed Control System for Solids Processes at Stickney Water Reclamation Plant, Mainstream Pumping Station, and Other Remote Stations, Stickney Service Area, to Divane Brothers Electric Company, in an amount of \$697,205.00, from an amount of \$32,242,242.89, to an amount not to exceed \$32,939,447.89, Account 401-50000-645650, Purchase Order 5000978
- Approved**

- 34 [10-1267](#) Authority to increase Contract 04-824-2P Tertiary Filter Rehabilitation, Pump VFDs & Other Plant Improvements at the Egan, Hanover Park, and Kirie Water Reclamation Plants, to IHC Construction Companies, LLC, in an amount of \$57,166.96, from an amount of \$16,654,540.41, to an amount not to exceed \$16,711,707.37, Accounts 401-50000-645650 and 645750, Purchase Order 5000803

Attachments: [CO 04-824-2P](#)

Approved

- 35 [10-1277](#) Authority to increase purchase order and amend the agreement for Contract 07-RFP-31, Outsourcing of Storage of District Records for a Three-Year Period, with GRM Information Services, Inc. in an amount of \$17,000.00, from an amount of \$134,304.00 to an amount not to exceed \$151,304.00, Account 101-15000-612490, Purchase Order 3051395

Attachments: [Change order BL 10-21-10.pdf](#)

Approved

- 36 [10-1302](#) Authority to decrease Contract 10-611-11 Repairs and Alterations to Various Water Reclamation Facilities in the Stickney Service Area and Other Installations, to Anchor Mechanical, Inc., in an amount of \$2,410,000.00, from an amount of \$5,735,000.00 to an amount not to exceed \$3,325,000.00, Accounts 101-67000/69000-612600/612650, Purchase Orders 5001124 and 5001125 (*Deferred from the October 7, 2010 Board Meeting*) (*As Revised*)

Attachments: [10-611-11 PO HISTORY 9 20 2010.PDF](#)

A motion was made by Cynthia M. Santos, seconded by Patricia Horton, that this Agenda Item be Deferred. The motion carried by the following roll call vote:

Aye: 9 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Engineering Committee

Report

- 37 [10-1268](#) Report on change orders authorized and approved by the Director of Engineering during the month of September 2010

Attachments: [Sept Change Orders](#)

Published and Filed

Judiciary Committee

Authorization

- 38 [10-1227](#) Authority to settle the Workers' Compensation Claim of Andrew Freeman vs. MWRDGC, Claim No. 09WC28417, Illinois Workers' Compensation Commission, in the sum of \$28,582.96. Account 901-30000-601090

Approved

- 39 [10-1235](#) Authority to file Release(s) of Lien for 2008 and 2009 Non-Compliance Enforcement Charges for Pioneer Plating Co., and authorize the General Counsel to take all necessary steps to release the liens and resolve this matter in accordance with the conditions set forth herein

Approved

Maintenance & Operations Committee

Reports

- 40 [10-1269](#) Report on change orders authorized and approved by the Acting Director of Maintenance and Operations during the months of August and September 2010.

Attachments: [Change Orders for Aug - Sept 2010.pdf](#)

Published and Filed

Pension, Human Resources & Civil Service Committee

Authorization

- 41 [10-1307](#) Requesting the advice and consent of the Board of Commissioners to the appointment of Ms. Manju P. Sharma as the Director of Maintenance and Operations for the Metropolitan Water Reclamation District of Greater Chicago

Attachments: [Attachment 10 14 10.pdf](#)

Gloria Alitto Majewski voted Present

Approved

Real Estate Development Committee

Authorization

- 42 [10-1271](#) Rescind Board Order of May 6, 2010, authorizing and approving the entering into a contract for the purchase of 4.36 of unimproved land located at 3535 Oakton Street in Skokie, Illinois

Approved

- 43 [10-1272](#) Authority to issue a check payable to Material Service Corporation in the amount of \$264,843.00 as reimbursement of the District's pro rata share of the First Installment of the year 2009 Real Estate Taxes paid by it for the Lower West Lobe of the Thornton Quarry, Thornton Composite Reservoir, Project 77-235-2F (401-50000-645620)

Approved

- 44 [10-1273](#) Authorize issuance of a 39-year lease to the City of Chicago to build and operate a police outdoor firing range and other police training facilities on 33 acres of unimproved District land located at 2025 East 134th Street in Chicago and request for direction with respect to rent to be charged thereunder (*Deferred from the October 7, 2010 Board Meeting*)

Attachments: [10-21-10_City of Chicago.pdf](#)

A motion was made by Debra Shore, seconded by Kathleen Therese Meany, that this Agenda Item be Deferred. The motion carried by the following roll call vote:

Aye: 9 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 45 [10-1274](#) Authority to execute Amendment 8 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 four years, beginning January 1, 2011 and ending December 31, 2014. Consideration shall be a nominal fee of \$10.00

Attachments: [10-21-10_DACW 35-3-95-2001.pdf](#)

Approved

Stormwater Management Committee**Authorization**

- 47 [10-1260](#) Authority to execute Letter Agreement with Private Property Owner for installation of Mesh Silt Fence on fence line of private property located at 10808 South 76th Avenue, Worth, Illinois, and authorize the General Counsel to take all necessary steps to record the fully executed Letter Agreement with the Cook County Recorder of Deeds

Attachments: [10-1260 attachment](#)

Approved

Approval of the Consent Agenda with the exception of Items: 20, 36, 44, 48, 50 and 51

Gloria Alitto Majewski voted Present on Item #41

A motion was made by Kathleen Therese Meany, seconded by Barbara J. McGowan, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 7 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Terrence J. O'Brien

Absent: 2 - Cynthia M. Santos, Mariyana T. Spyropoulos

Miscellaneous and New Business

Motion

- 48 [10-1225](#) MOTION to approve dates for the regular Board Meetings of The Metropolitan Water Reclamation District of Greater Chicago to be held in the year 2011

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

Aye: 7 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Terrence J. O'Brien

Absent: 2 - Cynthia M. Santos, Mariyana T. Spyropoulos

Resolution

- 49 [10-1239](#) RESOLUTION sponsored by the Board of Commissioners recognizing the Black Contractors United 29th Annual Awards Dinner

A motion was made by Barbara J. McGowan, seconded by Patricia Horton, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

Absent: 2 - Cynthia M. Santos, Mariyana T. Spyropoulos

Ordinance

- 50 [O10-003](#) Adopt Ordinance O10-003 An Ordinance authorizing the sale of up to \$500,000,000 General Obligation Capital Improvement Bonds, Limited Tax Series of 2010, of the Metropolitan Water Reclamation District of Greater Chicago, Cook County, Illinois, the execution of one or more bond orders in connection therewith, and the levy of a direct annual tax in an amount to pay the principal of and interest on said bonds

Attachments: [Ordinance - FINAL.pdf](#)
 [O10-003 brd letter](#)

A motion was made by Gloria Alitto Majewski, seconded by Debra Shore, that this Ordinance be Adopted. The motion carried by the following roll call vote:

Aye: 7 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Terrence J. O'Brien

Absent: 2 - Cynthia M. Santos, Mariyana T. Spyropoulos

Ordinance - User charge

- 51 [UC10-001](#) An Ordinance to Amend the User Charge Ordinance of the Metropolitan Water Reclamation District of Greater Chicago

Attachments: [UC10-001 Ordiance Att](#)
 [Transmittal Ltr-UCO Amended for 10-21-10 Board Mtg.pdf](#)

Deleted by the Executive Director

Meeting Summary

Speakers

Terry McCollom, Department of Reform, and John Fascia, Department of Defense, on behalf of The National Committee for Employer Support of the Guard and Reserve, presented the District with a Patriot Award, in recognition for outstanding leadership and personnel policies that extends extraordinary support to employees who serve in the National Guard and Reserve. The District was nominated by employee Airman Jack Vollriede.

Florence Cox, Executive Director, and Edward McKinney, President, of the Black Contractors United accepted a resolution recognizing their 29th Annual Awards Dinner. (Re: Miscellaneous and New Business Item #49)

George Blakemore, concerned citizen voiced various concerns regarding items on the agenda. (Re: Finance Item #5; Procurement Items #9, 10, and 26; Pension, Human Resources and Civil Service Item #41; and Real Estate Item #44)

Charles Dieringer, Thorncreek Watershed, voiced various concerns regarding items on the agenda. (Re: Procurement Item #12, 26, and Real Estate Item #44)

Howard Lodding, Assistant Deputy Superintendent for Chicago Police Department; Chief Jeffrey Chudwin, Chief of Police, Olympia Fields; Sean LaDieu, Huff and Huff Environmental; Kimberly Worthington, Deputy Commissioner, City of Chicago Department of Environment; Sergeant Dan Bartau, Policy Research Group for Chicago Police Department addressed the Board to answer questions and requested support for a 39-year lease to the City of Chicago. (Re: Real Estate Item #44)

Judith Lihota, Calumet Ecological Park Association; Carolyn Marsh, Chicago Audubon Society; Peggy Salazar, Southeast Environmental Task Force; Eleanor Roemer, Friends of the Park; Joan Norek, Chicago Ecological Society expressed concerns and opposed a 39-year lease to the City of Chicago. (Re: Real Estate Item #44)

Summary of Requests

Richard Lanyon

Cynthia M. Santos requested a full report on this item. (Re: Procurement Item #20)

Frederick M. Feldman

Mariyana T. Spryopolous requested a copy of the report regarding outsource costs. (Re: Judiciary Item #38)

Study Session

There will be a Study Session for the Committee on Public Health and Welfare on Thursday, October 28, 2010 at 10:00 a.m. in the Board Room.

There will be a Special Meeting for the Committee on Budget and Employment on Thursday, November 4, 2010 at 1:00 p.m. in the Board Room.

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for November 4, 2010, 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 25, 2010

Date Board letters are due to the Executive Director: 1:00 p.m., October 28, 2010.

Adjournment

A motion was made by Gloria Alitto Majewski, seconded by Kathleen Therese Meany, that when the Board adjourns it adjourns to meet on Thursday, November 4, 2010, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 7 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Terrence J. O'Brien

Absent: 2 - Cynthia M. Santos, 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 21, 2010, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

October 21, 2010