

Metropolitan Water Reclamation District of Greater Chicago

*100 East Erie Street
Chicago, IL 60611*



Regular Board Meeting Minutes

Thursday, January 19, 2017

10:30 AM

Board Room

Board of Commissioners

Chairman of Finance Frank Avila, Commissioner Timothy Bradford, Commissioner Martin J. Durkan, Vice President Barbara J. McGowan, Commissioner Josina Morita, Commissioner Debra Shore, Commissioner Kari K. Steele, Commissioner David J. Walsh, President Mariyana T. Spyropoulos

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 Mariyana T. Spyropoulos presiding, called the meeting to order at 10:30 a.m.

Roll Call

Present: 8 - Timothy Bradford; Martin J. Durkan; Barbara J. McGowan; Josina Morita; Debra Shore; Kari K. Steele; David J. Walsh; and Mariyana T. Spyropoulos
Absent: 1 - Frank Avila

Approval of Previous Board Meeting Minutes

A motion was made by Timothy Bradford, seconded by Martin J. Durkan, 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

Public Comments

George Blakemore, concern citizen, addressed the board (Re: Procurement #9) (Re: Real Estate Item #31) (Re: Stormwater Management Item #36)

David Rambhajan, President of Industrial Construction Services and Nick Zaluzec, Pizzo Associates Ltd, addressed the Board (Re: Procurement Item #9)

Jack Darin, Director of Sierra Club, addressed the Board (Re: Judiciary Item #40)

Thad J. Smith, Westside Bee Boyz, addressed the Board regarding harvesting Bees on District property

Recess and Convene as Committee of the Whole

A motion was made by Timothy Bradford, seconded by Kari K. Steele, to recess and convene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 12:30 p.m. President Mariyana T. Spyropoulos reconvened the regular board meeting to order

Finance Committee

Report

- 1 [17-0083](#) Report on payment of principal and interest for outstanding District bonds due on January 1, 2017

Attachments: [DS 2017-01 att.pdf](#)

Published and Filed

- 2 [17-0087](#) Report on Cash Disbursements for the Month of December 2016, in the amount of \$55,663,908.93

Attachments: [December Cash Disbursements Summary](#)

Published and Filed

Authorization

- 3 [17-0078](#) Authority to Transfer up to \$230,000,000.00 from the Corporate Working Cash Fund to Finance Corporate Fund Operations of the District in the Year 2017, Pursuant to the Provisions of 70 ILCS 2605/9b

Approved

- 4 [17-0079](#) Authority to Transfer up to \$16,200,000.00 from the Construction Working Cash Fund to Finance Construction Fund Operations of the District in the Year 2017, Pursuant to the Provisions of 70 ILCS 2605/9c

Approved

- 5 [17-0080](#) Authority to Transfer up to \$38,800,000.00 from the Stormwater Management Working Cash Fund to Finance Stormwater Management Fund Operations of the District in the Year 2017, Pursuant to the Provisions of 70 ILCS 2605/9e

Approved

- 6 [17-0081](#) Authority to Transfer \$13,000,000.00 from the Capital Improvements Bond Fund, in the amounts of \$6,000,000.00 to the Corporate Fund and \$7,000,000.00 to the Construction Fund

Approved

- 7 [17-0082](#) Authority to Transfer \$5,000,000.00 from the Corporate Fund to the Metropolitan Water Reclamation District Retiree Health Care Trust (101-25000-601250)

Approved

Procurement Committee

Report

- 8 [17-0051](#) Report on advertisement of Request for Proposal 17-RFP-17 Employee Assistance Program, estimated cost \$365,450.00, Account 101-25000-612260, Requisition 1451373

Published and Filed

- 9 [17-0074](#) Report on rejection of proposals for 16-RFP-09, Design, Build, Operate and Maintain a Native Plant and Tree Nursery at the Hanover Park Water Reclamation Plant, Fischer Farm, estimated cost \$2,500,000.00

A motion was made by Timothy Bradford, seconded by David J. Walsh, that the Executive Director be given authorization to delete this Agenda Item. The motion carried by the following roll call vote:

Aye: 8 - Timothy Bradford, Martin J. Durkan, Barbara J. McGowan, Josina Morita, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 1 - Frank Avila

- 10 [17-0077](#) Report of bid opening of Tuesday, January 10, 2017

Published and Filed

Authorization

- 11 [17-0058](#) Authorization for MWRD to become a member of DIGGER, the City of Chicago Department of Transportation's One-Call System for underground utility damage prevention, and make payment to the City of Chicago Department of Revenue for the annual fee in an amount not to exceed \$16,000.00, Account 101-50000-612430

Approved

- 12 [17-0067](#) Authorization to amend Board Order of January 5, 2017, regarding issue purchase order for Contract 16-480-11, Renew and Provide Maintenance and Support for All Existing MWRD Polycom Videoconference Equipment, to CDW Government LLC, in an amount not to exceed \$14,119.54, Account 101-27000-612840, Requisition 1434636, Agenda Item No. 28, File No. 17-0034

Approved

- 13 [17-0075](#) Authorization for payment to Barnes & Thornburg LLP for the 2017 Federal Water Quality Coalition (Coalition) membership dues in the amount of \$12,500.00, Account 101-15000-612280

Approved

Authority to Advertise

- 14 [17-0003](#) Authority to advertise Contract 17-613-11 Scavenger Services at Various Service Areas, estimated cost \$3,994,900.00, Accounts 101-66000/67000/68000/69000-612520, Requisitions 1445212, 1437175, 1449772, 1440568, 1449774, 1449775 and 1449762 (*Deferred from the January 5, 2017 Board Meeting*) "ADOPTED AS AMENDED, REFER TO FILE ID#17-0003A"

Motion made by Timothy Bradford, seconded by Barbara J. McGowan to amend File No. 17-0003 (Agenda Item No. 14): Authority to advertise Contract 17-613-11 Scavenger Services at Various Service Areas, estimated cost \$3,994,900.00, Accounts 101-66000/67000/68000/69000-612520, Requisitions 1445212, 1437175, 1449772, 1440568, 1449774, 1449775 and 1449762 (Deferred at the January 5, 2017 Board Meeting)

I hereby move to amend File No. 17-0003, Agenda Item No. 14 by adding the following sentence at the end of the second full paragraph:

In order to afford small haulers an opportunity to compete and foster greater overall competition, the contract is broken into seven groups: Stickney, Calumet, O'Brien, Egan, Kirie, Hanover Park Water Reclamation Plants, and the Lockport Powerhouse. Motion carried by roll call 8:0 Refer to File ID #17-0003A

A motion was made by Timothy Bradford, seconded by Barbara J. McGowan, that this Agenda Item be Approved as Amended. The motion carried by the following roll call vote:

Aye: 8 - Timothy Bradford, Martin J. Durkan, Barbara J. McGowan, Josina Morita, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 1 - Frank Avila

- 15 [17-0055](#) Authority to advertise Contract 17-970-11, Janitorial Services at Various Locations, Estimated Cost \$226,300.00, Account 101-69000-612490, Requisition 1450843

Approved

Issue Purchase Order

- 16 [17-0052](#) Issue purchase order and enter into an agreement for Contract 16-RFP-29, Specialized Audit Services for Professional Legal and Engineering Consultant Contracts, with Baker Tilly Virchow Krause, LLP, in an amount not to exceed \$23,840.00, Account 101-40000-612430, Requisition 1436941.

Approved

- 17 [17-0057](#) Issue a purchase order and enter into an agreement with the University of Illinois at Urbana-Champaign for Contract 16-838-5C Watershed Specific Release Rate Study, Phase II for the Illinois State Water Survey to conduct Phase II of a Watershed Specific Release Rate Study for the Watershed Management Ordinance in an amount not to exceed \$679,303.00, Account 501-50000-612440, Requisition 1453760

Approved

- 18 [17-0066](#) Issue purchase order for Contract 17-693-11, Use of a Sanitary Landfill, Groups A and B, to Waste Management of Illinois, Inc., in an amount not to exceed \$54,000.00, Account 101-66000-612520, Requisition 1450843

Approved

- 19 [17-0073](#) Issue purchase order for Contract 17-802-21, Furnish and Deliver a Turbo Blower to the Lemont Water Reclamation Plant, to APGN, Inc., in an amount not to exceed \$179,000.00, Account 201-50000-634650, Requisition 1436943

Approved

Award Contract

- 20 [17-0065](#) Authority to award Contract 17-614-11, Elevator Maintenance at Various Service Areas, Groups A, B, C and D to Parkway Elevators, Inc., in an amount not to exceed \$932,850.00, Accounts 101-15000- 67000, 68000, 69000-612370, 612390, 612600, 612680, Requisitions 1434487, 1434490, 1437849, and 1437856

Attachments: [Contract 17-614-11 Revised Appendix D Report.pdf](#)

Approved

Increase Purchase Order/Change Order

- 21 [17-0044](#) Authority to increase purchase order and amend the agreement with AT&T Corporation, for Contract 10-RFP-08 Broadband Internet Access, in an amount of \$25,700.00 from an amount of \$522,235.06 to an amount not to exceed \$547,935.06, Account 101-27000-612210, Purchase Order 3069419

Attachments: [PO 3069419 co log.pdf](#)

Approved

- 22 [17-0053](#) Authority to increase purchase order and exercise an option to extend agreement for two additional one year periods, for Contract 13-RFP-14, Litigation Case and Document Management System for the District's Law Department for a Three-Year Period, with Legal Files Software, Inc., in an amount not to exceed \$19,476.00 from an amount of \$91,554.00, to an amount not to exceed \$111,030.00, Account 101-27000-612820, Purchase Order 3079531

Attachments: [PO 3079531 Legal Files Software, Inc..pdf](#)

Approved

Engineering Committee

Report

- 23 [17-0076](#) Report on change orders authorized and approved by the Director of Engineering during the month of December 2016

Attachments: [Attachment 1 CO Report December 2016 \\$10,000.pdf](#)
[Attachment 2 CO Report December 2016 5% Contingency.pdf](#)
[Attachment 3 CO Status Report December.pdf](#)

Published and Filed

Authorization

- 24 [17-0068](#) Authority to accept and approve a temporary easement grant from EFN Bellwood Property, LLC for the Addison Creek Reservoir, Stickney Service Area (Contract 11-186-3F), consideration is \$17,400.00, Account No. 401-50000-667340

Approved

- 25 [17-0069](#) Authority to accept and approve a permanent easement grant from the Memorial Park District for the Addison Creek Reservoir, Stickney Service Area (Contract 11-186-3F), consideration is \$14,400.00, Account No. 401-50000-667340

Approved

Judiciary Committee

Authorization

- 26 [17-0061](#) Authority to settle the Workers' Compensation Claim of Ronald Esposito vs. MWRDGC, Claim W001318549, Illinois Workers' Compensation Commission (IWCC), in the sum of \$42,500.00, Account 901-30000-601090

Approved

- 27 [17-0062](#) Authority to settle the Workers' Compensation Claim of Ronald Gotsch vs. MWRDGC, Claim W001502802, Illinois Workers' Compensation Commission (IWCC), in the sum of \$15,104.40, Account 901-30000-601090

Approved

- 28 [17-0063](#) Authority to settle the Workers' Compensation Claim of Kenneth Kocian vs. MWRDGC, Claim 14 WC 17380, Illinois Workers' Compensation Commission (IWCC), in the sum of \$41,080.49, Account 901-30000-601090

Approved

Maintenance & Operations Committee

Authorization

- 29 [17-0054](#) Authority to issue specific leases to tenant farmers under the farm management program administrated by the District's consultant, Heartland Bank and Trust Company, for land parcels of various acreages located at the Prairie Plan Operations in Fulton County, Illinois, for a one year period, pursuant to 12-RFP-25, Farm Management Support Services. Consideration shall be a sum total for all leases of \$524,244.88

Attachments: [Lease Data Sheet for 2017.pdf](#)

Approved

Pension, Human Resources & Civil Service Committee

Report

- 30 [17-0060](#) 2016 Annual Report of the Civil Service Board

Attachments: [MWRDC Annual Report 2016-signed.pdf](#)

Published and Filed

Real Estate Development Committee

Authorization

- 31 [17-0047](#) Authority to issue a five (5) year permit extension to EA Engineering, Science, and Technology, Inc. to continue to use the access road and boat ramp located on an approximately 50' x 8' area of District Main Chanel Parcel 15.05 in Lockport, Will County, Illinois, to launch and retrieve boats. Consideration shall be an annual fee of \$5,000.00

Attachments: [Aerial Map.Parcel 15.05 1.19.17.pdf](#)

Approved

- 32 [17-0064](#) Authority to grant a 25-year, 1,560.00' x 45' non-exclusive easement to Illinois Bell Telephone Company d/b/a AT&T Illinois to install, maintain, operate, repair, replace and remove transmission lines and facilities on District real estate located east of the Harlem Avenue Bridge between College Drive and 116th Street in Worth and Palos Heights, Illinois, and known as Cal-Sag Channel Parcels 9.03 and 9.04. Consideration shall be an initial annual fee of \$5,000.00

Attachments: [Aerial Map.Parcels 9.03 & 9.04.pdf](#)

Approved

- 33 [17-0071](#) Authorization to assign four (4) permanent easements to the Village of Palatine and the Palatine Park District for maintenance of the Flood Control Project for Upper Salt Creek (Contract 10-884-AF) in Palatine, Illinois

Attachments: [Aerial Map.Upper Salt Creek.pdf](#)

Approved

- 34 [17-0072](#) Authority to pay final just compensation in the amount of \$283,800.00 to acquire by "quick-take" the fee simple title to real estate commonly known as 6633 W. 86th Street in Burbank, IL from Sharon Passarella, in the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Sharon Passarella, et al.*, Case No. 16L050538 in the Circuit Court of Cook County, Account 401-50000-656010, Capital Improvements Bond Fund

Attachments: [Aerial Map.6633 W. 86th Street 1.19.17.pdf](#)

Approved

State Legislation & Rules Committee

Authorization

- 35 [17-0089](#) Recommendations for the State of Illinois 2017 Legislative Program
- Deleted by the Executive Director**

Stormwater Management Committee

Authorization

- 36 [17-0070](#) Authorization to enter into an Intergovernmental Agreement with the Lake County Forest Preserve District for construction of off-site wetland mitigation necessary for Contract 13-370-3F, Buffalo Creek Reservoir Expansion, with payment to the Lake County Forest Preserve District in an amount not to exceed \$400,000.00, Account 501-50000-612400

Approved

Miscellaneous and New Business

Memorial Resolution

- 37 [17-0085](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Maye Viola Turner
- A motion was made by Timothy Bradford, seconded by David J. Walsh, that this Memorial Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**

- 38 [17-0088](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Javon Alexander Jordan Wilson

A motion was made by Timothy Bradford, seconded by Debra Shore, that this Memorial Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

Resolution

- 39 [17-0046](#) RESOLUTION sponsored by the Board of Commissioners commending and supporting the Buffalo Creek Watershed Plan

A motion was made by Timothy Bradford, seconded by Martin J. Durkan, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

Additional Agenda Items

- 40 [17-0090](#) Authority to settle Natural Resources Defense Council, Inc. et al. v. Metropolitan Water Reclamation District of Greater Chicago, pending in the United States District Court, Northern District of Illinois, Case No. 11- CV- 2937 and Prairie Rivers Network, et al. v. Illinois Environmental Protection Agency, et al., PCB Case Nos. 14-106, 14-107, and 14-108 pending before the Illinois Pollution Control Board, and to execute documents necessary to effectuate settlement

Approved

Approval of the Consent Agenda with the exception of Items: 9, 14, 35, 37, 38, 39, 41 and 42

A motion was made by Timothy Bradford, seconded by Martin J. Durkan, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 8 - Timothy Bradford, Martin J. Durkan, Barbara J. McGowan, Josina Morita, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 1 - Frank Avila

- 41 [17-0091](#) MOTION to accept the Chairman and Vice-Chairman Assignments for the 2017-2018 Standing Committees *(As Revised)*

A motion was made by Barbara J. McGowan, seconded by Kari K. Steele, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Timothy Bradford, Martin J. Durkan, Barbara J. McGowan, Josina Morita, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 1 - Frank Avila

- 42 [17-0093](#) MOTION to appoint Commissioner Debra Shore to serve as a member of the Cook County Pharmaceutical Disposal Advisory Committee.

A motion was made by Timothy Bradford, seconded by Barbara J. McGowan, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Timothy Bradford, Martin J. Durkan, Barbara J. McGowan, Josina Morita, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 1 - Frank Avila

[17-0003A](#)

MOTION to amend File No. 17-0003 (Agenda Item No. 14): Authority to advertise Contract 17-613-11 Scavenger Services at Various Service Areas, estimated cost \$3,994,900.00, Accounts 101-66000/67000/68000/69000-612520, Requisitions 1445212, 1437175, 1449772, 1440568, 1449774, 1449775 and 1449762 (*Deferred at the January 5, 2017 Board Meeting*)

Refer to Agenda Item #14, File ID#17-0003

A motion was made by Timothy Bradford, seconded by Barbara J. McGowan, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Timothy Bradford, Martin J. Durkan, Barbara J. McGowan, Josina Morita, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 1 - Frank Avila

Meeting Summary

Speakers

Rev. Dr. Albert Sampson, Pastor Emeritus of Fernwood United Methodist Church, accepted the resolution on Martin Luther King

Jeff Weiss, Founder Buffalo Creek Watershed Plan, accepted resolution commending and supporting the Buffalo Creek Watershed Plan (Re: Miscellaneous and New Business Item #39)

Summary of Requests

David St. Pierre

1. President requested review of leasing property to an existing nursery (Re: Procurement Item #9)

2. Timothy Bradford requested locations of companies (Re: Procurement Item #10)

3. Debra Shore requested that staff create a provision in leases that require tenants to replace and or maintain trees (Re: Real Estate Item #32)

4. Kari K. Steele requested that staff meet with Thad J. Smith with Westside Bee Boyz

Study Session

None

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for February 2, 2017, 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: January 20, 2017.

Date all agenda items are due to the Executive Director: 1:00 p.m., January 25, 2017.

Adjournment

A motion was made by Timothy Bradford, seconded by Barbara J. McGowan, that when the Board Adjourns, it adjourns to meet again on Thursday, February 2, 2017 at 10:30 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 - Timothy Bradford, Martin J. Durkan, Barbara J. McGowan, Josina Morita, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 1 - Frank Avila

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 January 19, 2017 are hereby approved.

APPROVED:

/s/ Mariyana T. Spyropoulos
President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

January 19, 2017