

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, November 17, 2022

10:30 AM

Board Room

Board of Commissioners

Commissioner Cameron Davis, Commissioner Kimberly Du Buclet, Chairman of Finance Marcelino Garcia, Vice-President Barbara J. McGowan, Commissioner Josina Morita, Commissioner Chakena D. Perry, Commissioner Eira L. Corral Sepúlveda, Commissioner Mariyana T. Spyropoulos, President Board of Commissioners Kari K. Steele

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 Kari K. Steele presiding, called the meeting to order at 10:30 a.m.

Roll Call

Present: 9 - Cameron Davis; Kimberly Du Buclet; Marcelino Garcia; Barbara J. McGowan; Josina Morita; Chakena D. Perry; Eira L. Corral Sepúlveda; Mariyana T. Spyropoulos; and Kari K. Steele

Approval of Previous Board Meeting Minutes

A motion was made by Mariyana T. Spyropoulos, seconded by Barbara J. McGowan, that the minutes from the last Regular Board Meeting of November 3, 2022 be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

A motion was made by Marcelino Garcia, seconded by Barbara J. McGowan, that the minutes from the Special Meeting of November 3, 2022 be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Public Comments

Mary Kay Minaghan, Women Construction Owners and Executives, Ronald O'Neal, General Counsel for IHC Construction Companies, and Jaemie Neely, Federation of Women Contractors, addressed the board regarding the Affirmative Action Ordinance, agenda item #38

George Blakemore, concerned citizen, addressed the board regarding various concerns

Recess and Convene as Committee of the Whole

A motion was made by Cameron Davis, seconded by Mariyana T. Spyropoulos, to recess and convene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Committee of the Whole

Approval of the Committee of the Whole Consent Agenda with the exception of Item: 27

Item # 27 was deferred by Kari K. Steele

President Kari K. Steele called for a motion to accept the agendas for each Standing Committee that was convened. Moved by Cameron Davis, seconded by Mariyana T. Spyropoulos. President Kari K. Steele called for any objections. No objections were voiced. Motion carried.

The Committee of the Whole meeting of November 3, 2022 was adjourned at 1:00 p.m.

Executive Session

None

Recess and Reconvene as Board of Commissioners

At 1:05 p.m. President Kari K. Steele reconvened the regular board meeting to order

Motions, Ordinances and Resolutions

Ordinance - User charge

- 1 [UC22-001A](#) Request Authority to Amend the User Charge Ordinance of the Metropolitan Water Reclamation District of Greater Chicago

Attachments: [Board Letter - 2023 User Charge Ordinance.pdf](#)
[User Charge Ordinance 2023 Clean.pdf](#)
[User Charge Ordinance 2023 - Redlined.pdf](#)

A motion was made by Cameron Davis, seconded by Mariyana T. Spyropoulos, that this User Charge Ordinance be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Cameron Davis, Kimberly Du Buclet, Marcelino Garcia, Josina Morita, Chakena D. Perry, Eira L. Corral Sepúlveda, Mariyana T. Spyropoulos, Kari K. Steele

Absent: 1 - Barbara J. McGowan

Resolution

- 2 [22-1011](#) RESOLUTION sponsored by the Board of Commissioners expressing gratitude to Patrick M. Blanchard

Adopted

- 3 [22-1027](#) RESOLUTION sponsored by the Board of Commissioners honoring Vice President Barbara J. McGowan on her well-deserved retirement (*As Revised*)

Adopted

- 4 [22-1032](#) RESOLUTION sponsored by the Board of Commissioners expressing our gratitude to Commissioner Josina Morita

Adopted

- 5 [22-1035](#) RESOLUTION sponsored by the Board of Commissioners recognizing Joseph Podlasek

Adopted

Finance Committee**Report**

- 6 [22-1006](#) Report on Cash Disbursements for the Month of October 2022, in the amount of \$25,108,019.52

Attachments: [October 2022 Cash Disbursements Summary](#)

Published and Filed

Procurement Committee**Report**

- 7 [22-1024](#) Report on rejection of bids for Contract 23-665-11, Landscape Maintenance at Various Service Areas, estimated cost \$1,338,000.00

Published and Filed

Authorization

- 8 [22-0931](#) Authorization for payment to WaterReuse Association for 2023 membership dues, in the amount of \$16,725.00, Account 101-15000-612280 *(Deferred from the October 20, 2022 Board Meeting)(Deferred from the November 3, 2022 Board Meeting)*

Approved

- 9 [22-0932](#) Authorization for payment to National Association of Clean Water Agencies (NACWA) for 2022-2023 membership dues in the amount of \$93,880.00, Account 101-15000-612280 *(As Revised)(Deferred from the October 20, 2022 Board Meeting)(Deferred from the November 3, 2022 Board Meeting)*

Approved

- 10 [22-0933](#) Authorization for payment to American Water Works Association for 2023 membership dues, in the amount of \$24,426.00, Account 101-15000-612280 *(Deferred from the October 20, 2022 Board Meeting)(Deferred from the November 3, 2022 Board Meeting)*

Approved

- 11 [22-0995](#) Authorization for payment to the Water and Wastewater Leadership Center for tuition fees for one (1) participant to attend a 10-day residential leadership development program in an amount not to exceed \$14,275.00, Account 101-25000-601100

Approved

- 12 [22-1030](#) Authorization to amend Board Order of October 6, 2022, regarding Issue a purchase order and enter into an agreement with Gewalt Hamilton Associates, Inc. for Contract 22-874-5F, General Stormwater Task Order Consulting Services, in an amount not to exceed \$1,640,600.00, Account 501-50000-612440, Requisition 1587062, Agenda Item No. 18, File No. 22-0884

Attachments: [Transmittal Letter for Board Meeting of October 6 2022 - Agenda Item No. 18, File No. 22-0884](#)

Approved

Authority to Advertise

- 13 [22-0999](#) Authority to advertise Contract 23-659-11 Agricultural Management, Agricultural Fieldside Mowing, and Fence Installation and Repair at Fulton County, Illinois, estimated cost \$1,260,000.00, Account 101-69000-612420, Requisition 1576860

Attachments: [Contract 23-659-11 Group B. Affirmative Action Goals Report](#)
[Contract 23-659-11 Group A. Affirmative Action Goals Report](#)
[Contract 23-659-11 Group C. Affirmative Action Goals Report](#)

Approved

- 14 [22-1014](#) Authority to advertise Contract 23-012-11 Furnish and Deliver Paint, Brushes, Solvents and Stains to Various Locations for a One (1) Year Period, estimated cost \$43,000.00, Account 101-20000-623190

Approved

Issue Purchase Order

- 15 [22-0953](#) Issue purchase order and enter into an agreement with Kofax, Inc. for Readsoft Process Director software maintenance and license renewal for a three-year period, in an amount not to exceed \$100,777.76, Account 101-27000-612820, Requisition 1589077 (*As Revised*)(*Deferred from the November 3, 2022 Board Meeting*)

Approved

- 16 [22-0996](#) Issue purchase order and enter into an agreement for Contract 22-RFP-09 Deferred Compensation Plan Investment Consulting Services with Innovest Portfolio Solutions, LLC in an amount not to exceed \$146,818.00, Account 101-25000-612430, Requisition 1580379

Attachments: [Contract 22-RFP-09 Affirmative Action Goals Report](#)

Approved

- 17 [22-1000](#) Issue purchase order to Mesirow Insurance Services, Inc. for Furnishing Marine Liability and Hull Insurance for District marine vessels in an amount not to exceed \$33,315.00, Account 101-25000-612290, Requisition 1590712

Attachments: [Contract 17-RFP-32 Appendix A Report - Mesirow Insurance Services, Inc.](#)

Approved

- 18 [22-1002](#) Issue purchase order to CDW Government LLC, for Adobe Software License Subscription Renewal for a one-year period in an amount not to exceed \$76,009.50, Account 101-27000-612820, Requisition 1590493

Approved

- 19 [22-1003](#) Issue purchase order and amend an agreement with JobAps, Inc., for Applicant Tracking System Software Maintenance Renewal for a three-year period, in an amount not to exceed \$145,800.00, Account 101-27000-612820, Requisition 1589619

Attachments: [Affirmative Action Goals Report for Applicant Tracking System Software Maintenance Contract](#)

Approved

- 20 [22-1004](#) Issue Purchase Order to Thermo LabSystems, Inc. for Renewal Licenses and Software Upgrades for the Laboratory Information Management System, in an amount not to exceed \$131,291.90, Account 101-27000-612820, Requisition 1589962

Approved

- 21 [22-1005](#) Issue purchase order to National Fire Protection Association for National Fire Codes On-Line Subscription License Renewal, in an amount not to exceed \$25,200.00, Account 101-27000-612820, Requisition 1590721

Approved

- 22 [22-1007](#) Issue purchase order to CommVault Systems, Inc. for maintenance renewal for CommVault's Backup Software and Premier Maintenance Package, in an amount not to exceed \$171,742.05 Account 101-27000-612820, Requisition 1586287

Approved

- 23 [22-1008](#) Issue purchase order to Mesirow Insurance Services, Inc. for Furnishing Excess Casualty Insurance Coverage for the District in an amount not to exceed \$1,397,239.00, Account 101-25000-612290, Requisition 1590821

Attachments: [Contract 17-RFP-32 Appendix A Report - Mesirow Insurance Services, Inc.](#)

Approved

- 24 [22-1013](#) Issue purchase order and enter into an agreement with Carahsoft Technology Corporation and SAP Concur to provide software hosting for the SAP Concur Travel and Reimbursement Solution, in an amount not to exceed \$118,540.98, Account 101-27000-612820, Requisition 1589972

Approved

- 25 [22-1022](#) Issue purchase order for Contract 23-045-11, Publish Invitations to Bid for Contracts, Legal Notices for Original Entrance and Promotional Civil Service Examinations, and Other Legal Notices for a One-Year Period, to Chicago Tribune Company, LLC, in an amount not to exceed \$55,300.00, Account 101-20000-612360, Requisition 1584513

Approved

- 26 [22-1023](#) Issue purchase orders for Contract 23-640-11, Furnishing and Delivering Sodium Bisulfite, Groups A and B to PVS Chemical Solutions, Inc., in an amount not to exceed \$1,601,998.00, Accounts 101-67000, 68000-623560, Requisitions 1582813, 1582982 (*As Revised*)

Approved

Award Contract

- 27 [22-1015](#) Authority to award Contract 17-135-3V, Roof Replacement of the Lue-Hing M&R Complex, Stickney Water Reclamation Plant to IHC Construction Companies, L.L.C., in an amount not to exceed \$10,909,000.00, plus a five (5) percent allowance for change orders in an amount of \$545,450.00, for a total amount not to exceed \$11,454,450.00, Account 401-50000-645780, Requisition 1572767 (*As Revised*)(*Deferred from the November 17, 2022 Board Meeting*)

Attachments: [Contract 17-135-3V Revised Appendix D Goals Report - IHC Construction Companies, LLC](#)
[Contract 17-135-3V Revised Appendix D Report - IHC Construction Companies, LLC](#)

Deferred by Kari K. Steele

- 28 [22-1016](#) Authority to award Contract 20-859-3SR (Re-Bid), Drop Shaft Modifications and Collection Facilities Work, NSA (Re-Bid), to IHC Construction Companies, L.L.C., in an amount not to exceed \$3,158,000.00, plus a five (5) percent allowance for change orders in an amount of \$157,900.00 for a total amount not to exceed \$3,315,900.00, Account 401-50000-645600, Requisition 1570130

Attachments: [Contract 20-859-3SR \(Re-Bid\) Affirmative Action Goals and Revised Appendix D Report - IHC Construction Companies LLC](#)

Approved

- 29 [22-1018](#) Authority to award Contract 23-003-12, Furnish and Deliver Laboratory Disposable Gloves to Various Locations for a One (1) Year Period, to Saf-T-Gard International, Inc., in an amount not to exceed \$68,669.50, Account 101-20000-623700

Attachments: [Contract 23-003-12 Item Descriptions](#)

Approved

Increase Purchase Order/Change Order

- 30 [22-1009](#) Authority to increase Contract 14-263-3F Melvina Ditch Reservoir Improvements, SSA, to F.H. Paschen, S.N. Nielsen & Associates, LLC in an amount of \$173,224.82, from an amount of \$16,606,577.79, to an amount not to exceed \$16,779,802.61, Account 401-50000-645620, Purchase Order 4000052

Attachments: [14-263-3F Change Log 10-27-22.pdf](#)

Approved

- 31 [22-1010](#) Authority to increase Contract 15-830-3D Replacement of Tailrace Stop Logs, Headrace Gates, and Equipment at Lockport Powerhouse, Stickney Service Area, to IHC Construction Companies, L.L.C., in an amount of \$530,533.05, from an amount of \$13,228,978.77, to an amount not to exceed \$13,759,511.82, Account 401-50000-645720, Purchase Order 4000070 (As Revised)

Attachments: [Change Order Log - Purchase Order 4000070](#)

Approved

Judiciary Committee

Authorization

- 32 [22-1001](#) Authority to settle the Workers' Compensation Claim of Joseph Misheck vs. MWRDGC, Claim number 21WC020126, Illinois Workers' Compensation Commission (IWCC), in the sum of \$56,226.59, Account 901-30000-601090

Approved

- 33 [22-1028](#) Authority to settle the General Liability Claim of Nation Pizza and Foods Claim # AP 1531, in the sum of \$74,393.83, arising out of the July 10, 2022, Nation Pizza and Foods Sewer Line Obstruction, Account 901-30000-667220

Approved

Monitoring & Research Committee

Report

- 34 [22-0998](#) Report on Public Notification of Dischargers in Significant Noncompliance with Pretreatment Standards or Other Requirements

Attachments: [2021 Significant Noncompliance - ATT 1 .pdf](#)
[2021 Significant Noncompliance - ATT 2.pdf](#)

Published and Filed

Real Estate Development Committee

Authorization

- 35 [22-1012](#) Authority to issue a one (1) day permit to Friends of the Chicago River to access District real estate at 19 locations along the North Branch of the Chicago River, North Shore Channel, Main Channel, and Cal-Sag Channel in Cook County, Illinois for its annual Chicago River Day cleanup event May 13, 2023. Consideration shall be a nominal fee of \$10.00

Attachments: [RE - Friends of Chicago River Permit.pdf](#)

Approved

- 36 [22-1034](#) Authority to settle the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Mark R. Seraphin, et al.*, Case No. 19L050370 in the Circuit Court of Cook County, Illinois, in the amount of \$250,000.00, Account 501-50000-667330, Stormwater Management Fund

Attachments: [RE - Seraphin Settlement.pdf](#)

Approved

Stormwater Management Committee

Authorization

- 37 [22-1033](#) Authority to enter into an Intergovernmental Agreement with and make payment to the City of Evanston for the design, construction, operation, and maintenance of the Main Street Improvements Project in Evanston, NSA (21-IGA-06) in an amount not to exceed \$322,500.00, Account 501-50000-612400, Requisition 1561136.

Attachments: [21-IGA-06 Evanston IGA Exhibit.pdf](#)

Approved

Approval of the Consent Agenda with the exception of Items: 1, 27 and 38

A motion was made by Cameron Davis, seconded by Kimberly Du Buclet, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 8 - Cameron Davis, Kimberly Du Buclet, Marcelino Garcia, Josina Morita, Chakena D. Perry, Eira L. Corral Sepúlveda, Mariyana T. Spyropoulos, Kari K. Steele

Absent: 1 - Barbara J. McGowan

- 38** [O22-014A](#) Authority to review amendments to the Affirmative Action Ordinance, Revised Appendix D of the Metropolitan Water Reclamation District of Greater Chicago

Attachments: [MISC NB - O22-014A - Affirmative Action Ordinance Appendix D - Board Letter.pdf](#)
[MISC NB - O22-014A - Affirmative Action Ordinance Appendix D - Redline.pdf](#)
[MISC NB - O22-014A - Affirmative Action Ordinance Appendix D - Final.pdf](#)

A motion was made by Cameron Davis, seconded by Chakena D. Perry, that this Ordinance be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Cameron Davis, Kimberly Du Buclet, Marcelino Garcia, Josina Morita, Chakena D. Perry, Eira L. Corral Sepúlveda, Mariyana T. Spyropoulos, Kari K. Steele

Absent: 1 - Barbara J. McGowan

Miscellaneous and New Business

Meeting Summary

Speakers

None

Summary of Requests*Procurement Committee Items #8, 9 and 10*

1. *Cameron Davis read a board policy direction (Attachment A22-005 below)*
2. *Mariyana T. Spyropoulos requested setting a schedule with certain dates for the reports*
3. *Kimberly Du Buclet requested exploring possible legislation action*

Procurement Committee Item #27

1. *Cameron Davis requested more detail on the amount differential*
2. *Marcelino Garcia requested a list of the vetted MBE/WBE vendors*

Procurement Committee Item #25

1. *Kimberly Du Buclet requested a list of the newspapers the District uses to publish these notices*

Stormwater Management Committee Item #37

1. *Mariyana T. Spyropoulos requested a memo to the board with the status on expanding the Space to Grow program, which communities we heard back from, and what are the next steps*

Ordinance Item #38

1. *Eira L. Corral Sepúlveda provided a proposed amendment for Section 10 (Attachment A22-006 below)*
2. *Marcelino Garcia requested an additional study session on this item*

Miscellaneous & New Business

1. *Kari K. Steele requested the study session be held after the thanksgiving holiday*

[A22-005](#)

Attachments: [Davis Recommended Policy Direction](#)

[A22-006](#)

Attachments: [Corral Sepúlveda Section 10 Proposed Amendment](#)

Study Session

None

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for December 1, 2022, 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: November 18, 2022

Date all agenda items are due to the Executive Director: November 22, 2022

Adjournment

A motion was made by Mariyana T. Spyropoulos, seconded by Marcelino Garcia, that when the Board Adjourns, it adjourns to meet again on Thursday, December 1, 2022 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: 7 - Kimberly Du Buclet, Marcelino Garcia, Josina Morita, Chakena D. Perry, Eira L. Corral Sepúlveda, Mariyana T. Spyropoulos, Kari K. Steele

Absent: 2 - Cameron Davis, Barbara J. McGowan

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 November 17, 2022, are hereby approved.

APPROVED:

/s/ Kari K. Steele

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

November 17, 2022