

May 13, 2020

Minutes of the Regular Meeting of the Board of Trustees of the North Shore Water Reclamation District held Wednesday, May 13, 2020 at 9:30 A.M. In accordance with Governor Pritzker's Disaster Proclamation related to COVID-19 and his Executive Order 2020-07, the provisions of the Open Meetings Act requiring "*members of the public body must be physically present*" have been suspended and this meeting is being held via teleconference to comply with public health directives including social distancing and shelter in place.

The meeting was opened with the Pledge of Allegiance.

On roll call, the following Trustees were present:

Preston P. Carter, President
Stephen J. Drew, Vice President
B. Sugar Young, Treasurer
Tom Swarthout
Rhoda Pierce

Staff members present were Executive Director Dave Miller, Attorney Greg Jackson, Special Projects Manager Steve Waters, Director of Engineering Services Jai Gupta, Director of Laboratory Services Joe Robinson, Director of Operations Phil Connelly and Director of Technology Services Bill Jackewicz. Also present were Jane Kaplan, Public Relations Consultant and John Norris, Government Affairs Representative.

There were no comments from the public.

President Carter presented the Consent Agenda as follows:

- A. Approval of the Minutes of the Meeting held on April 8, 2020.
- B. Consideration of Bills.
Wastewater Treatment Fund \$2,520,689.92
Check No. 186905 through 186925, Check No. 186929 through 187037,
Check No. 187062 through 187160.
Void Check No. 186926-186928, Void Check No. 187038 through 187061.
- C. Financial Report, March 2020.
 1. IEPA State Revolving Fund Loan Summary.
- D. Current Status of Significant Industrial Wastewater Violation(s) in the Service Area of the NSWRD.
- E. Engineering Agreement Amendment.
 1. Amendment No. 1, Observation of Concrete Repair and Coating, Dixon Engineering, Inc.
- F. Construction Change Orders.
 1. C.O. No. 2, CIPP Sewer Lining, Insituform Technologies USA, LLC.
 2. C.O. No. 3, Tertiary Filter Media Replacement Project, Keno & Sons Construction Company.
 3. C.O. No. 3, Protective Relay Replacement, Homestead Electrical Contracting, LLC.
- G. Annexation Ordinance.
 1. No. 480, Submitted by Chris Carolin, for approximately 3.16 acres located in the City of Lake Forest.
- H. Authorize Payroll and Finance Department to issue District checks to meet expenses where necessary for payroll and to avoid interest and/or penalties before the next Board Meeting.

It was moved by Trustee Drew and seconded by Trustee Young that the Consent Agenda be approved as presented.

On roll call, the vote was 5-0 with all Trustees present voting "Aye". Motion declared carried.

President Carter presented the President Report as follows:

President Carter stated he would like to have a moment of silence for the recent passing of former Trustee Ray Geraci who had served on the Board for approximately a year. A moment of silence was taken.

President Carter asked if there was any Trustee Report.

Trustee Drew stated he would like to extended a thank you to Trustee Young for her idea of the Spring Newsletter notifying customers of the District's efforts for getting through the COVID-19 pandemic and thanked Jane Kaplan for getting it written, coordinated and published. All Trustees concurred with Trustee Drew.

Executive Director Miller presented the Management Report as follows:

A. Coronavirus Response Update.

Executive Director Miller started by saying that the mailer suggested by Trustee Young was a great idea and was mailed out to the Districts 61,000 customers. Executive Director Miller stated he would email the Trustee's a copy of the Spring Newsletter. Executive Director Miller stated that Governor Pritzker had published a 5 phase re-opening plan which is regionalized into 4 regions for which the State of Illinois is to follow. Executive Director Miller stated he has been following the public health websites and stated that the State of Illinois is ready to move to Phase 3 of the 5 phase plan. The District continues to monitor the workplace and well-being of its employees and will discuss any issues that may arise with the Trustees. Executive Director Miller introduced Steve Waters, Special Projects Manager, who has been taken the lead on a couple issues to discuss with the Board. Special Projects Manager Waters stated that Veolia, who operates and maintains the Biosolids Recycling Facility, has implemented a new COVID-19 response procedure which affects visitors, contractors and NSWRD staff. The procedure requires that any Staff coming onsite to the BRF must fill out a health questionnaire and that their temperature be taken. If their temperature is over 100.8°F they will not be able to enter. Executive Director Miller stated that if an employee is denied access to the facility due to a high temperature, the District will be notified and the employee will be sent home. Trustee Young asked if the employee is sent home due to a high temperature are they receiving compensation while home. Executive Director Miller stated as established by the FMLA guidelines, leave is available to employees for themselves or if they need to take care of their children along with Short Term Medical Leave and Paid Time Off which are both accessible to employees. Executive Director Miller stated that in most cases leave would be paid with different options available to employees.

Mr. Waters stated that there has been discussion about the monitoring of wastewater influent to determine if COVID cells are detectable and whether this would be something the District would want to take part in. Director of Laboratory Services Robinson commented that it should be noted out that the virus does not survive in wastewater but that the dead virus cells can be used to track the DNA of communities that have been infected. Executive Director Miller stated that a fact sheet published by CSWEAS-IAWA-IWEA explains Biosolids and COVID-19 and that he would include this fact sheet to the Trustees in the Weekly Management Report.

B. Adoption of FY21 Capital Improvement Plan.

Executive Director Miller stated that the State could see a 20% reduction in revenue due to the impact of Coronavirus. Executive Director Miller stated that he looked at each of the District's revenue streams and estimates a 17% drop but hopes it will be better than that. Staff's goal with this capital plan is too fully fund all budgeted projects using anticipated revenues and IEPA loan financing, without having to use any reserves. Trustee Swarthout questioned the percentages of commercial versus residential reduction of revenue due to vacant office spaces and businesses being closed. A discussion ensued regarding the decision by Lake County for property taxes to be spaced out requiring 50% in June and the other 50% in August and the same plan on the 2nd installment. Questions arose on the legality of the Emergency Authorities being set. Executive Director Miller then summarized the FY21 Capital Improvement Plan which was included in the board packet and asked for approval of the FY21 Capital Improvement Plan as presented. Executive Director Miller also noted that the FY21 Combined Annual Budget and Appropriation Ordinance will be presented to the Board for approval at the June Meeting.

It was moved by Trustee Drew and seconded by Trustee Swarthout that the FY21 Capital Improvement Plan as presented be adopted.

On roll call, the vote was 5-0 with all Trustees present voting "Aye". Motion declared carried.

C. Des Plaines River Watershed Workgroup – Annual Membership Dues.

Executive Director Miller stated the District has been actively involved in the Des Plaines River Watershed Workgroup (DRWW), which benefits its Gurnee and Waukegan WRFs, since its inception and is its largest member. Executive Director Miller also noted that watershed-based nutrient assessment reduction plans (NARPs) are being required by IEPA for waterbodies which have nutrient impairments, and that this permit condition will be applicable

to the water reclamation facilities located within the watershed boundaries the DRWW. IEPA is very supportive of this approach to remove waterbodies from its impaired list. Executive Director Miller noted that Brian Dorn served as DRWW President and that both himself and Joe Robinson serve on the Board. Executive Director Miller stated the District's 2020 DRWW dues are \$83,126.00 and asked for Board approval, noting that membership and active participation in these watershed workgroups is a very worthwhile effort. Trustee Drew commented that since the District is one of the largest members they are able to make a lot of the decisions of the DRWW workgroup which is important.

It was moved by Trustee Drew and seconded by Trustee Swarhout to approve the Des Plaines River Watershed Workgroup Annual Dues 2020 in the amount of \$83,126.00.

On roll call, the vote was 5-0 with all Trustees present voting "Aye". Motion declared carried.

D. North Branch Chicago River Watershed Workgroup – Annual Membership Dues.

Executive Director Miller stated the North Branch Chicago River Watershed Workgroup (NBWW) relates to the Clavey Road WRF and is very much the same concept as the DRWW. Executive Director Miller stated the District's 2020 NBWW dues are \$35,817.00 and asked for Board approval, again noting the benefits of membership and active participation in these watershed workgroups. Trustee Carter asked if the membership dues had increased or remained the same. Executive Director Miller stated they had remained the same.

It was moved by Trustee Drew and seconded by Trustee Young to approve the North Branch Chicago River Watershed Workgroup Annual Dues 2020 in the amount of \$35,817.00.

On roll call, the vote was 5-0 with all Trustees present voting "Aye". Motion declared carried.

Executive Director Miller presented the Administration Division Report as follows:

A. Extension of Facility Use Agreement with LaFargeHolcim.

Executive Director Miller stated that after three 30 day extensions, Amendment Number Three running through April 30, 2023 was finalized and approved by the Board at the March 11, 2020 meeting. However, LaFargeHolcim has failed to return the fully executed agreement and is reconsidering whether to continue with this lease. Executive Director stated he is hopeful that the agreement would be executed soon and if not, the District will consider retracting the extension and terminating the lease at the June meeting. There was no action required on this item.

Director of Engineering Services Gupta presented the Engineering Division Report as follows:

A. Engineering Agreements.

1. Strand Associates, Inc. Clavey Road WRF Building 310 Exhaust Fan Project.

Director of Engineering Services Gupta stated this Agreement is for the design, bidding and construction related services for the replacement of the fans and duct work in Bldg. 310 at the Clavey Road WRF. Director of Engineering Services Gupta commented that the performance of the current exhaust fans had deteriorated allowing odors to escape from that building, stating that the contract is for an amount not to exceed \$49,888.00 and asking for approval.

It was moved by Trustee Drew and seconded by Trustee Pierce to approve the Agreement with Strand Associates, Inc. Clavey Road WRF Building 310 Exhaust Fan Project for an amount not to exceed \$49,888.00.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

2. Clark Dietz, Inc., ATS at North Chicago (PS-4), Lake Bluff (PS-6) & Cary Avenue (PS-8) Pump Stations.

Director of Engineering Services Gupta stated this Agreement is for the design, bidding and construction related services for the replacement of the Automatic Transfer Switches (ATS) in the existing outdoor switchgear at North Chicago (PS-4), Lake Bluff (PS-6) and Cary Avenue (PS-8) Pump Stations in an amount not to exceed \$88,200.00 and asked for Board approval.

It was moved by Trustee Drew and seconded by Trustee Swarthout to approve the Agreement with Clark Dietz, Inc., for the ATS at North Chicago (PS-4), Lake Bluff (PS-6) & Cary Avenue (PS-8) Pump Stations in an amount not to exceed \$88,200.00.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

3. Stand Associates, Inc., Gurnee WRF First Stage Aeration Piping Project.

Director of Engineering Services Gupta stated this Agreement is for the design, bidding and construction related services for the Gurnee WRF First Stage Aeration Piping which includes the replacement of the buried aeration header piping between Building 100 and First Stage Aeration Tanks with overhead piping and concrete piers for an amount not to exceed \$115,000.00 and asked for Board approval.

It was moved by Trustee Drew and seconded by Trustee Swarthout to approve the Agreement with Stand Associates, Inc., for the Gurnee WRF First Stage Aeration Piping Project for an amount not to exceed \$115,000.00.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

B. Engineering Agreement Amendment.

1. Amendment No. 1, Baird & Associates, Highland Park Lakefront Interceptor Final Design Project.

Director of Engineering Services Gupta stated this Amendment for the Highland Park Lakefront Interceptor Final Design Project includes both a reduction in the scope of work and additional Regulatory Services for an increase of \$24,413.38 resulting in a total project cost not to exceed \$228,685.38 and asked for Board approval.

It was moved by Trustee Drew and seconded by Trustee Young to approve the Amendment No. 1 with Baird & Associates, for the Highland Park Lakefront Interceptor Final Design Project for an increase of \$24,413.38 resulting in a total project cost not to exceed \$228,685.38.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

C. Bid Summary.

1. Installation of Wear Plates & Coating of Receiving Bins at Zion Biosolids Recycling Facility.

Director of Engineering Services Gupta stated that Joseph J. Henderson & Son, Gurnee, IL is the only bidder on the project and stated that the bid was a rebid and is only \$30,000 less than the only bid received in February 2020. It is still substantially higher than the estimated construction cost for this work. The Engineering Department recommends that the Joseph J. Henderson & Son bid in the amount of \$245,000.00 be rejected and the project be re-bid.

It was moved by Trustee Drew and seconded by Trustee Young to reject the bid for the Installation of Wear Plates & Coating of Receiving Bins at Zion Biosolids Recycling Facility from Joseph J. Henderson & Son in the amount of \$245,000.00 and rebid the project.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

D. Change Orders.

1. C.O. No. 3, FY18 – FY22 Sludge Cake Hauling, Dahm Trucking, Inc.

Director of Engineering Services Gupta stated this Change Order is for an increase in the amount of \$120,204.66 for FY20 for loads of untreated biosolids which were not processed at the BRF and were required to be transported and disposed of at landfills. Director of Engineering Services Gupta asked for Board approval.

It was moved by Trustee Drew and seconded by Trustee Swarthout to approve Change Order No. 3, FY18 – FY22 Sludge Cake Hauling, Dahm Trucking in the total amount of \$120,204.66.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

2. C.O. No. 2, Digesters No. 1 and 4 Rehabilitation Project at the Clavey Road WRF, Keno and Sons Construction Company.

Director of Engineering Services Gupta stated this Change Order is for an increase in the amount of \$52,002.00 and an extension of 77 days to the contract for completion. Director of Engineering Services Gupta explained the joint and concrete repairs and three week delay after discovering that they were necessary. Director of Engineering Services Gupta asked for Board approval.

It was moved by Trustee Drew and seconded by Trustee Swarthout to approve Change Order No. 2, Digesters No. 1 and 4 Rehabilitation Project at the Clavey Road WRF, Keno and Sons Construction Company in the total amount of \$52,002.00 and an extension of 77 days.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

E. Pre-Annexation Agreement.

1. No. 481, Submitted by Kenneth and Elise Drinkwine, for approximately 0.7 acres located in the Village of Beach Park.

It was moved by Trustee Drew and seconded by Trustee Swarthout that Pre-Annexation Agreement No. 481, Submitted by Kenneth and Elise Drinkwine, for approximately 0.7 acres located in the Village of Beach Park be approved.

On roll call, the vote was 5 – 0 with all Trustees present voting "Aye". Motion declared carried.

There was no Laboratory Division Report.

There was no Operations Division Report.

There was no Technology Division Report.

There was no Attorney Report.

President Carter presented Other Business as follows:

A. Legislative Report.

John Norris, the District's Government Affairs Representative commented that the major topic in the Legislative news is the Budget and that the legislators would be in session next Friday and that the budget would be the number one item discussed but what the result would be is unclear. Mr. Norris noted that Lobbyists are prohibited from attending the meetings; only phone calls or teleconference is allowed. Mr. Norris discussed he had been attending webinars and that the idea of looking for new revenue sources is a positive move for the District and receiving energy efficiency awards and applying for grants is the right thing to focus on. President Carter thanked Mr. Norris for his report.

Before bringing the meeting to a close Executive Director Miller wanted to thank the Board of Trustees, Staff and all present today on the teleconference meeting for their patience in moving through the agenda, to accomplish all necessary business and, in particular, to ensure that the District is able to pay all its vendors and contractors on time.

There being no further business to come before the Board, on motion duly made, seconded and unanimously passed, the meeting was then adjourned until the next regular meeting to be held on Wednesday June 10, 2020 at 9:30 A.M. at the District Office of the Raymond E. Anderson Complex located in Gurnee, Illinois.

PRESIDENT

SECRETARY