

The proceedings of the County Board of DuPage County at a Regular meeting held at the DuPage Center, 421 North County Farm Road, Wheaton, Illinois, on Tuesday, March 10, 2009 at 10:00 A.M.

Meeting called to order with Chairman Schillerstrom presiding.

On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker were present. Members Healy and Sheahan were away on County business.

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Beth Welch, Director of the Convalescent Center, presented a 25 year anniversary award to Mary Monica Coleman.

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Robert Martin, DuPage Water Commission and Catherine Hurley, MWH Americas, gave a presentation on the Activities of the Northeastern Illinois Regional Water Supply Planning Group.

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Bob Siebert voiced Public Comment regarding Ferry Road flooding.

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Member Zay moved, seconded by Member Puchalski, that the Consent Calendar be approved. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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CONSENT CALENDAR

County Board Minutes of January 27 and February 3, 2009 were approved.

Committee Minutes Placed of File by Consent

Finance Committee: February 10, 2009  
Development Committee: February 17, 2009  
Economic Development Committee: January 20, 2009  
Environmental Committee: February 3, 2009  
Judicial/Public Safety Committee: February 3, 2009  
Public Transit Committee: October 21, 2008  
Technology Committee: January 27 and February 10, 2009  
Transportation Committee: February 17, 2009

Reports Placed on File by Consent

Public Defender Case & Client Analysis: January, 2009

Claims Approved by the Finance Committee

County Board Claims of February 24 and March 3, 2009 were approved.

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Member Fichtner moved, seconded by Member McBride, that Resolution #FI-0034-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

FI-0034-09

BUDGET TRANSFER-VARIOUS FUNDS AND DEPARTMENTS

FISCAL YEAR 2009

\*New Account

WHEREAS, it appears that certain appropriations for various County funds and departments are insufficient to cover necessary expenditures for the balance of the 2009 fiscal year; and

WHEREAS, it appears that there are other appropriations within these funds and departments from which transfers can be made at the present time to meet the need for funds; and

WHEREAS, in order to carry on County business, it is necessary to assign an additional account number to the CORPORATE FUND.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the County Finance Director assign account number 2100 Operating Supplies/Materials to 01-210 Public Works Drainage in the CORPORATE FUND; and

BE IT FURTHER RESOLVED that the transfers on the attached schedule be made within the indicated funds and departments.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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SCHEDULE OF TRANSFERS  
FISCAL YEAR 2009

CORPORATE FUND

01-210 Public Works Drainage-\*New Account  
 To: 01-210-2100 Operating Supplies and Materials\* \$ 500.00  
 From: 01-210-3750 Other Contractual Expenses \$ 500.00  
 the sum of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00)

01-350 Circuit Court  
 To: 01-350-3010 Auditing/Accounting Services \$ 10,500.00  
 From: 01-350-3070 Medical Fees \$ 10,500.00  
 the sum of TEN THOUSAND, FIVE HUNDRED AND NO/100 DOLLARS (\$10,500.00)

YOUTH HOME FUND

17-490 Youth Home Operating  
 To: 17-490-2120 Food/Beverages \$ 15,000.00  
 From: 17-490-3790 Contingencies \$ 15,000.00  
 the sum of FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000.00)

17-490 Youth Home Operating  
 To: 17-490-3450 Custodial Maintenance \$ 18,000.00  
 From: 17-490-3600 Maintenance Buildings and Related \$ 18,000.00  
 the sum of EIGHTEEN THOUSAND AND NO/100 DOLLARS (\$18,000.00)

PUBLIC WORKS BOND FUND

31-213 Public Works Sewer

31-214 Public Works Water

To:	31-214-3670	Repair/Maintenance, Water and Waste Water Treatment Plants	\$ 167,000.00
From:	31-213-4790	Operating Contingencies	\$ 167,000.00
		the sum of ONE HUNDRED SIXTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$167,000.00)	

STORMWATER MANAGEMENT

04-205 Stormwater Management Projects

To:	04-205-3050	Engineering/Architectural Services	\$ 150,000.00
From:	04-205-4078	New Program Requests- Capital	\$ 150,000.00
		the sum of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00)	

04-205 Stormwater Management Projects

To:	04-205-4180	Drainage System Construction	\$ 211,455.00
From:	04-205-4078	New Position Requests- Capital	\$ 211,455.00
		the sum of TWO HUNDRED ELEVEN THOUSAND, FOUR HUNDRED FIFTY-FIVE AND NO/100 DOLLARS (\$211,455.00)	

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Member Fichtner moved, seconded by Member Curran, that Resolution #FI-0017A-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
FI-0017A-09  
BANK DEPOSITORIES

WHEREAS, Gwen Henry, County Treasurer, of the County of DuPage, in the State of Illinois, has, pursuant to 55 ILCS 5/3-11002, requested this County Board to designate banks and savings banks and savings and loan associations in which the funds and monies in her custody as County Treasurer and Ex-Officio County Collector of DuPage County may be deposited.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the following named banks and savings banks and savings and loan associations are hereby designated as depositories in which the funds and monies of the County in the custody of Gwen Henry as such County Treasurer and Ex-Officio County Collector may be deposited, to-wit:

Advantage National Bank  
Amcore Bank, N.A.  
American Chartered Bank  
Austin Bank of Chicago  
Banco Popular  
Bank of America  
Bank of Commerce  
Bank of New York  
Bridgeview Bank & Trust  
Charter One Bank  
Chase, N.A.  
Cole Taylor Bank  
Community Bank of Elmhurst  
Community Bank-Wheaton/Glen Ellyn  
Downers Grove National Bank  
DuPage National Bank  
Fifth Third Bank  
First American Bank  
First Chicago Bank and Trust  
First Choice Bank  
First DuPage Bank  
First Eagle Bank  
First Midwest Bank  
First National Bank of Naperville  
First Nations Bank Wheaton  
First State Bank of Illinois  
Harris Bank  
Hinsdale Bank & Trust  
Illinois Funds  
Inland Bank  
Itasca Bank & Trust Co.  
Leaders Bank  
Lemont National Bank and Trust Co.  
Lisle Savings Bank  
MB Financial Bank  
Midwest Bank and Trust Co.  
Mutual Bank  
National City Bank  
Northern Trust Bank  
Old Second National Bank  
Oxford Bank & Trust  
Park Federal Savings Bank  
Parkway Bank  
PrivateBank and Trust Company  
Providence Bank  
Republic Bank  
State Bank of Illinois

Suburban Bank & Trust Company  
U.S. Bank, N.A.  
West Suburban Bank  
Wheaton Bank & Trust Co.  
Winfield Community Bank

BE IT FURTHER RESOLVED that pursuant to 30 ILCS 235/6 no bank herein designated as a depository shall be qualified to receive such funds or monies until it has furnished, by law, copies of the last two sworn Statements of Resources and Liabilities, which such banks are required to furnish either the Commissioner of Banks and Real Estate or the Comptroller of Currency; and no savings bank or savings and loan association shall be qualified to receive such funds or monies until it has furnished, by law, copies of the last two sworn statements of resources and liabilities, which such savings banks and savings and loan associations are required to furnish either the Commissioner of Banks and Real Estate or the Federal Deposit Insurance Corporation; and

BE IT FURTHER RESOLVED that each bank and savings bank and savings and loan association designated as depository for such funds or monies shall furnish, by law, copies of all Statements of Resources and Liabilities, while acting as such depository; and

BE IT FURTHER RESOLVED that if such funds or monies are deposited in any bank or savings bank or savings and loan association herein designated as a depository, the amount of such deposits shall not exceed 75% of the Capital Stock and Surplus of such bank, or 75% of the net worth of such savings bank or savings and loan association, and the County Treasurer and the Ex-Officio County Collector shall not be discharged from responsibility for any such funds or monies deposited in any bank in excess of such limitation; and

BE IT FURTHER RESOLVED that the County Treasurer and Ex-Officio County Collector may designate account signatories authorized to act with respect to any and all funds or monies placed within the above named depositories; and

BE IT FURTHER RESOLVED that should any of the above named depositories be acquired through merger, acquisition or otherwise, the acquiring or resulting bank shall be designated a depository upon completion of said consolidation without further action of this Board; and

BE IT FURTHER RESOLVED that this Resolution supersedes and nullifies all prior designations of bank depositories; and

BE IT FURTHER RESOLVED that the County Clerk be and is hereby directed to transmit copies of this Resolution to the Auditor, Treasurer, Finance Department and one copy to the County Board.

Approved and adopted this 10th day of March, 2009, at Wheaton, Illinois.

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Member Fichtner moved, seconded by Member Zay, that Resolution #FI-0032-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
FI-0032-09  
CLOSE-OUT OF THE HISTORICAL MUSEUM FUND  
FUND 19 - AGENCY 670

WHEREAS, there exists on the DuPage County's financial statements, a special revenue fund known as the Historical Museum Fund - Fund 19, Agency 670; and

WHEREAS, pursuant to County Resolution DC-0002-08, the County has entered into an Intergovernmental Agreement with the Wheaton Park District where the Wheaton Park District has agreed to take over the operations of the DuPage County Historical Museum; and

WHEREAS, for accounting purposes, the County finds it necessary to close out the Historical Museum Fund - Fund 19, Agency 670; and

WHEREAS, in Fiscal Year 2008, cash transfers to the Historical Museum Fund were deferred in anticipation of final year-end expenditures in order to close-out said fund; and

WHEREAS, the Historical Museum Fund - Fund 19, Agency 670 requires a cash transfer of \$81,072.37 (EIGHTY-ONE THOUSAND, SEVENTY-TWO AND 37/100 DOLLARS) to close-out said fund, therefore, there exists a need for accounting purposes to transfer an amount of \$81,072.37 (EIGHTY-ONE THOUSAND, SEVENTY-TWO AND 37/100 DOLLARS) from the County's General Fund (01) to the Historical Museum Fund - Fund 19, Agency 670; and

WHEREAS, a sufficient cash balance exists in the General Fund (Fund 01) to make said transfer.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the Historical Museum Fund - Fund 19, Agency 670 shall be closed out for accounting purposes; and

BE IF FURTHER RESOLVED by the DuPage County Board that a cash transfer in the amount of \$81,072.37 (EIGHTY-ONE THOUSAND, SEVENTY-TWO AND 37/100 DOLLARS) will be made from the General Fund (Fund 01) to the Historical Museum Fund - Fund 19, Agency 670; and

BE IF FURTHER RESOLVED by the DuPage County Board that the County Treasurer is directed to make a cash transfer in the amount of \$81,072.37 (EIGHTY-ONE THOUSAND, SEVENTY-TWO AND 37/100 DOLLARS) from the General Fund (Fund 01) to the Historical Museum Fund - Fund 19, Agency 670.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Fichtner moved, seconded by Member Zay, that Resolution #FI-0033-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
FI-0033-09

RETURN OF UNEXPENDED GRANT FUNDS  
2007 FORENSIC SCIENCE IMPROVEMENT PROGRAM GRANT  
AGREEMENT #707003  
FUND 69 - AGENCY 197  
\$1,981.13

(Under the administrative direction of the  
DuPage County Crime Laboratory - Sheriff's Office)

WHEREAS, the County of DuPage on behalf of the DuPage County Crime Laboratory - Sheriff's Office by Resolution FI-0014-08 entered into an Agreement with the Illinois Criminal Justice Authority for grant funding; and pursuant thereto, an appropriation was made to establish the 2007 National Forensic Science Improvement Program Grant - Fund 69, Agency 197; and

WHEREAS, pursuant to the terms of Agreement #707003, any grant funds which were not expended or legally obligated by the

end of the term of said Agreement are to be returned to the Illinois Criminal Justice Authority; and

WHEREAS, there is an amount of \$1,981.13 (ONE THOUSAND, NINE HUNDRED EIGHTY-ONE DOLLARS AND 13/100) of the grant funds which were not expended or legally obligated by the end of the grant term.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Treasurer is directed to remit \$1,981.13 (ONE THOUSAND, NINE HUNDRED EIGHTY-ONE DOLLARS AND 13/100) from Fund 69, Agency 197 payable to the State of Illinois Treasurer, c/o Marilyn Mazewski, Federal and State Grants Unit, Illinois Criminal Justice Information Authority, 300 West Adams Street, 7th Floor, Chicago, Illinois 60606.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Fichtner moved, seconded by Member Zay, that Resolution #FI-0035-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
FI-0035-09  
Placing Names on Payroll

WHEREAS, the DuPage County Board heretofore adopted a position classification and Pay Plan for all County employees.

NOW, THEREFORE BE IT RESOLVED that the names as specified below be placed on the regular or temporary payroll at the salaries, classifications, and with the effective date as more particularly set forth below:

CORPORATE FUND

## REPLACEMENTS

SHERIFF'S OFFICE 01-400

Effective March 2, 2009

Chamario Dickerson, Deputy Sheriff

Class 2232, Range 411 at \$48,060 per year

Effective March 2, 2009

Michael Okrasinski, Deputy Sheriff

Class 2232, Range 411 at \$48,060 per year

Effective February 23, 2009

Shelmar Gerrick, Civilian Court Security Officer

Class 2262, Range 108 at \$23,006 per year

## TEMPORARY

FACILITIES MANAGEMENT 01-700

Effective March 11, 2009

Hajera Yasin, Housekeeper I

Class 4210, Range 106 at \$8.50 per hour

NON-CORPORATE FUND

## REPLACEMENTS

CONVALESCENT CENTER 23-450

Effective March 16, 2009

Sarah Bellino, Certified Nursing Associate

Class 4111, Range 108 at \$11.06 per hour

## REPLACEMENTS

CONVALESCENT CENTER 23-450

Effective March 16, 2009

Peter John, Certified Nursing Associate

Class 4111, Range 108 at \$11.06 per hour

Effective March 16, 2009

Elaine Smith, Certified Nursing Associate

Class 4111, Range 108 at \$11.06 per hour

Effective March 9, 2009

Nicholas Herring, Laundry Attendant I

Class 4221, Range 106 at \$8.50 per hour

Effective March 2, 2009  
Tamara Teague, Certified Nursing Associate  
Class 4111, Range 108 at \$11.06 per hour

Effective February 28, 2009  
Carlos DelaTorre, Housekeeper I  
Class 4210, Range 106 at \$8.50 per hour

ECONOMIC DEVELOPMENT & PLANNING 53-803

Effective March 11, 2009  
Susan Pihera, Career Counselor II  
Class 1754, Range 111 at \$19.50 per hour

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit copies of this Resolution to the Auditor, Treasurer, Finance Department, Human Resources Department and one copy to the County Board.

Approved and adopted this 10th day of March, 2009, at Wheaton, Illinois.

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Member Fichtner moved, seconded by Member Zay, that Resolution #Fip-005-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
FIP-005-09

AWARDING RESOLUTION TO MIDLAND PAPER  
8.5 X 11 AND 11 X 17 RECYCLED COPY PAPER  
(CONTRACT TOTAL AMOUNT: \$83,190.00)

WHEREAS, bids have been taken and processed in accordance with County Board policy; and

WHEREAS, the lowest most responsible bidder has been designated and the Finance Committee recommends County Board approval for the issuance of a contract purchase order to Midland Paper for the purchase of 8.5 x 11 and 11 x 17 recycled copy paper, for Finance/Office Supply.

NOW, THEREFORE BE IT RESOLVED, that County Requisition #15423, dated February 26, 2009, covering said, for the purchase of 8.5 x 11 and 11 x 17 recycled copy paper for Finance/Office Supply, be, and it is hereby approved for the issuance of a contract purchase order by the Procurement Division to Midland Paper, 101 East Palatine Road, Wheeling, Illinois 60090, for a total contract amount of \$83,190.00, per lowest responsible bid #08-097.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Fichtner moved, seconded by Member Zay, that Resolution #Fip-006-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Member Michelassi abstained. Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
Fip-006-09

AWARDING RESOLUTION TO GREEN & ASSOCIATES INC. FOR PROFESSIONAL SERVICES AGREEMENT TO PROVIDE RISK MANAGEMENT AND INSURANCE CONSULTING SERVICES (CONTRACT TOTAL AMOUNT: \$45,900.00)

WHEREAS, an agreement has been negotiated in accordance with County Board policy; and

WHEREAS, the Finance Committee recommends County Board approval for the issuance of the contract purchase order for Professional Services to provide Risk Management and Insurance Consulting Services, for the period April 1, 2009 through March 31, 2010, for the Finance Department.

NOW, THEREFORE BE IT RESOLVED, that County Requisition #15418, dated February 24, 2009, covering said, for Professional Services to provide Risk Management and Insurance Consulting Services, for the period April 1, 2009 through March 31, 2010, for the Finance Department, be, and it is hereby approved for issuance of a contract purchase order by the Procurement Division to Green & Associates, Incorporated, Attn: David C. Green, 155 North Harbor Drive, Suite 4308, Chicago, Illinois 60601 for a contract total amount not to exceed \$45,900.00.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Gilgis moved, seconded by Member Olson, that Barbara Temborius be authorized to attend HUD 2009 Community Planning and Development Basic HOME and CDBG Training in Omaha, Nebraska, May 6-7, 2009, expenses to include airfare, hotel, meals and miscellaneous for an approximate total cost of \$541.24. On voice vote, motion carried.

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Member Gilgis moved, seconded by Member Olson, that Ordinance #ZP-Z09-006 (petitioner Cabala-Lowry) be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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O R D I N A N C E  
ZP-Z09-006  
Cabala-Lowry

WHEREAS, a public hearing was held on February 19, 2009 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 7:00 P.M. before the DuPage County Zoning Board of Appeals and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

A Variation to reduce side yard setback from 1 foot to .43 feet for an existing retaining wall on the property hereinafter described:

LOT 15 IN BLOCK 18 IN DOWNERS GROVE GARDENS, A SUBDIVISION IN SECTION 18, TOWNSHIP 38 NORTH, RANGE 11 AND SECTION 13, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924 AS DOCUMENT 177390 IN DU PAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on February 19, 2009 does find as follows:

FINDINGS OF FACT:

1. That petitioner testified that she seeks the subject zoning relief to allow her to maintain an existing newly developed retaining wall that is less than one (1) foot from the side property line. The retaining wall is approximately .43 feet from the side property line.
2. That petitioner testified that she built a new single family home on the subject property and that the approved plan for the home showed the required retaining wall one (1) foot from the side property line per County Code.
  - \* That petitioner testified that the retaining wall is necessary to provide stabilization for the ground adjacent to the foundation wall of the new home and attenuate proper drainage to the rear of the property.
3. That petitioner testified that as part of the customary final "as-built" drawing and subsequent grading inspection required by the County it was discovered that the retaining wall was not placed in the correct location by the landscape and grading company hired by the petitioner.
4. That petitioner consulted with the County drainage division to determine if the retaining wall could remain in the developed location approximately .43 feet from the side property and continue to provide the necessary functions including the attenuation of proper drainage to the rear of the property.
  - \* The drainage division of the County has advised that they have no objections to the location of the retaining wall approximately .43 feet from the side property line and the wall will continue to function as it was designed and the site will be able to drain properly.

STANDARDS FOR VARIATIONS:

1. That the Zoning Board of Appeals finds that petitioner has demonstrated that the granting of the Variation is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development.
2. That the Zoning Board of Appeals finds that petitioner has demonstrated the granting of the Variation will not:

- a. Impair an adequate supply of light and air to the adjacent property as petitioner has demonstrated that the retaining wall is only one (1) foot tall and the location of the wall and its attendant functions does not impair any light or air to adjacent properties.
- b. Increase the hazard from fire or other dangers to said property as petitioner has demonstrated that the location of the retaining wall approximately .43 feet from the side property line remains functional and those attendant functions including drainage are not impacted by the location of the retaining wall.
- c. Increase the potential for flood damages to adjacent property as petitioner has demonstrated that the retaining wall located approximately .43 feet from the side property line remains functional and those attendant functions including drainage are not impacted by the location of the retaining wall.
  - \* The drainage division has advised that they have no objections to the location of the retaining wall located approximately .43 feet from the side property line and the wall will continue to function as it was designed and the site will be able to drain properly.
- d. Incur additional public expense for flood protection, rescue or relief as petitioner has demonstrated that the retaining wall located approximately .43 feet from the side property line remains functional and those attendant functions including drainage are not impacted by the location of the retaining wall.
  - \* The drainage division has advised that they have no objections to the location of the retaining wall located approximately .43 feet from the side property line and the wall will continue to function as it was designed and the site will be able to drain properly.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION

CASE #/PETITIONER Z09-006 Cabala-Lowry  
 OWNER Gail Cabala-Lowry, 12824 Campbell Street, Lemont, Illinois 60439  
 ADDRESS/LOCATION 6018 Springside Avenue, Downers Grove, Illinois 60516  
 PUBLICATION DATE Daily Herald: Liberty Suburban:  
 February 4, 2009 February 6, 2009  
 ZONING REQUEST Variation to reduce side yard setback from 1 foot to .43 feet for an existing retaining wall. (Sec. 37-704.4)

PIN/TWSP/COUNTY 09-18-302-034 Downers Grove North  
 BOARD DISTRICT Township/District 3  
 ZONING/LUP R-4 Single Family 0-5 DU/AC  
 Residence  
 AREA/UTILITIES 19,800 sq. feet Water and Sewer  
 (.45 Acres)  
 PUBLIC HEARING February 19, 2009

ADDITIONAL INFORMATION:

Building: Have reviewed and no concerns  
 DUDOT: Have reviewed and no concerns  
 Health: Have reviewed and no concerns  
 Stormwater: Have reviewed and no concerns  
 EXTERNAL:  
 Downers Grove Have reviewed and no concerns  
 Township  
 School Dist. 99 Have reviewed and no concerns

GENERAL BULK REQUIREMENTS:

REQUIREMENTS for	REQUIRED	EXISTING	PROPOSED
retaining wall:			
South Int. Side Yard:	1 foot	.43 feet	.43 feet

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 Single Family Residence	Single Family Home	0-5 DU/AC
North	R-4 Single Family Residence	Single Family Home	0-5 DU/AC
South	R-4 Single Family Residence	Single Family Home	0-5 DU/AC
East	Springside Avenue & beyond R-4 SF Residence	Single Family Home	0-5 DU/AC
West	R-4 Single Family Residence	Single Family Home	0-5 DU/AC

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above and at the recommendation meeting held on February 19, 2009 recommends to approve the following zoning relief:

Variation to reduce side yard setback from 1 foot to .43 feet for an existing retaining wall.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #Z09-006 Cabala-Lowry dated February 19, 2009.

2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
3. That the property be developed in accordance with all other codes and Ordinances of DuPage County; and

WHEREAS, the County Board Development Committee on March 3, 2009 considered the above findings and recommendations of the Zoning Board of Appeals and recommends to concur with the findings and recommends to approve the following zoning relief:

Variation to reduce side yard setback from 1 foot to .43 feet for an existing retaining wall.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #Z09-006 Cabala-Lowry dated February 19, 2009.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
3. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

A Variation to reduce side yard setback from 1 foot to .43 feet for an existing retaining wall on the property hereinafter described:

LOT 15 IN BLOCK 18 IN DOWNERS GROVE GARDENS, A SUBDIVISION IN SECTION 18, TOWNSHIP 38 NORTH, RANGE 11 AND SECTION 13, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924 AS DOCUMENT 177390 IN DU PAGE COUNTY, ILLINOIS; and

The Zoning Relief is subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #Z09-006 Cabala-Lowry dated February 19, 2009.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
3. That the property be developed in accordance with all other codes and Ordinances of DuPage County; and

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; Gail Cabala-Lowry, 12824 Campbell Street, Lemont, Illinois 60439 and Downers Grove Township Assessor, 4340 Prince Street, Downers Grove, Illinois 60515.

Enacted and approved this 10th day of March, 2009, A.D.

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Member McMahon moved, seconded by Member Olson, that Resolution #Jpp-019B-08 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

Jpp-019B-08

AMENDMENT TO RESOLUTION Jpp-019A-08

ISSUED TO DU PAGE COUNTY CONVALESCENT CENTER

FOR JANITORIAL SERVICES

(REOPEN THE CONTRACT IN THE AMOUNT OF \$10,200.00)

WHEREAS, Resolution Jpp-019-08 was approved and adopted by the County Board on April 8, 2008; and

WHEREAS, Resolution Jpp-019A-08 was approved and adopted by the County Board on March 10, 2009, decreasing the encumbrance \$10,200.00, closing the contract; and

WHEREAS, the Judicial/Public Safety Committee recommends changes as stated in the Change Order Notice to reopen the contract in the amount of \$10,200.00 to pay final invoices, for the DuPage County Juvenile Detention Center.

NOW, THEREFORE BE IT RESOLVED, that County Board adopts Change Order Notice, dated February 23, 2009, to purchase order #U14759, issued to the DuPage County Convalescent Center for Janitorial Services to the Juvenile Detention Center, to reopen the contract in the amount of \$10,200.00 to pay final invoices for the DuPage County Juvenile Detention Center, resulting in a new contract total amount of \$117,000.00.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member McMahon moved, seconded by Member Zay, that Resolution #Jpp-018-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
Jpp-018-09

AWARDING RESOLUTION ISSUED TO ANTHONY MANNINA  
FOR AN AGREEMENT TO PROVIDE PROFESSIONAL SERVICES  
TO THE 18TH JUDICIAL CIRCUIT COURT  
(CONTRACT TOTAL AMOUNT: \$16,225.00)

WHEREAS, an agreement has been negotiated in accordance with County Board policy; and

WHEREAS, the Judicial/Public Safety Committee recommends County Board approval for the issuance of a contract purchase order to provide professional services for a hearing officer to make recommendations regarding paternity and child support cases to the Court, for the period December 1, 2008 through June 30, 2009, for the 18th Judicial Circuit Court.

NOW, THEREFORE BE IT RESOLVED, that County Requisition #15399, dated February 13, 2009, covering said, to provide professional services for a hearing officer to make recommendations regarding paternity and child support cases to the Court, for the 18th Judicial Circuit Court, for the period December 1, 2008 through June 30, 2009, for the 18th Judicial Circuit Court, be, and it is hereby approved for issuance of a contract purchase order by the Procurement Division to Anthony Mannina, 1761 South Naperville Road, Wheaton, Illinois 60187, for a contract total amount of \$16,225.00.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member McMahon moved, seconded by Member Zay, that Resolution #Jpp-019-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
Jpp-019-09

AWARDED TO LANDMARK FORD INC.  
FOR PURCHASE OF (5) 2009 FORD EXPEDITIONS  
FOR DU PAGE COUNTY SHERIFF'S OFFICE  
(CONTRACT TOTAL AMOUNT \$120,855.00)

WHEREAS, bids were taken and processed in accordance with County Board policy; and

WHEREAS, the Judicial Public Safety Committee recommends County Board approval for the issuance of a contract purchase order to Landmark Ford, Inc., to provide (5) 2009 Ford Expeditions for the Sheriff's Office.

NOW, THEREFORE BE IT RESOLVED, that County Requisition #15402, dated February 19, 2009, covering said, to provide (5) 2009 Ford Expeditions for the Sheriff's Office, be, and it is hereby approved for issuance of a contract purchase order by the Procurement Division to Landmark Ford Inc., 2401 Prairie Crossing Drive, Springfield, Illinois 62707, for a contract total amount of \$120,855.00.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member McBride moved, seconded by Member Puchalski, that Resolution #PT-0002A-08, Amendment to the Resolution of Opposition to the Acquisition of the EJ&E West Company by the Canadian National Railway Company, be approved and adopted.

Member Michelassi stated that he was opposed to the Canadian National Railway getting out of fixing road crossings.

Member McBride moved, seconded by Member Puchalski, that Resolution #PT-0002A-08 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
PT-0002A-08

AMENDMENT TO THE RESOLUTION OF OPPOSITION TO  
THE ACQUISITION OF THE EJ&E WEST COMPANY  
BY THE CANADIAN NATIONAL RAILWAY COMPANY

WHEREAS, On October 30, 2007, the Canadian National Railway Company (hereinafter referred to as "CN") along with its wholly owned United States subsidiary, the Grand Trunk Corporation, filed an application with the United States Surface Transportation Board (hereinafter referred to as "STB") seeking approval to acquire the EJ&E West Company, a wholly owned subsidiary of the Elgin, Joliet and Eastern Railway Company; and

WHEREAS, the DuPage County Board opposes the application of CN along with its wholly owned United States subsidiary, the Grand Trunk Corporation; filed with the STB, seeking approval to acquire and purchase the EJ&E West Company, a wholly owned subsidiary of the Elgin, Joliet and Eastern Railway Company as the impacts of the proposed acquisition are hazardous to the health, safety, public welfare and environment of the citizens of the County of DuPage, Illinois, and those persons traveling through said jurisdiction so as to potentially cause irreparable harm; and

WHEREAS, on April 8, 2008, the DuPage County Board granted authorization to the County Board Chairman or his designee to expend an amount not to exceed \$10,000.00 (Ten Thousand Dollars) to join the consortium of local governments now known as TRAC (The Real Answer To The Canadian National Railroad) and/or contribute, with the other TRAC members, to the costs of retaining a lobbyist who shall advocate on behalf of DuPage County and the County's opposition to the proposed acquisition of the EJ&E Railroad by the CN; and

WHEREAS, on December 24, 2008, the STB approved the application filed by the CN to acquire the EJ&E West Company, a wholly owned subsidiary of the Elgin, Joliet & Eastern Railway Company; and

WHEREAS, the consortium of local governments now known as TRAC (The Real Answer To The Canadian National Railroad) are participating in a judicial review of said STB approval of the merger and have filed an Emergency Stay and Petition for Review; and

WHEREAS, funding for the continuance of the judicial review requires an additional contribution of an amount not to exceed \$7,500.00 (Seven Thousand Five Hundred Dollars).

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby authorizes the County Board Chairman or his designee to expend an additional amount not to exceed \$7,500.00 (Seven Thousand Five-Hundred Dollars) for the continuance of the judicial review; and

BE IT FURTHER RESOLVED that the Clerk of the County of DuPage shall send a certified copy of this Resolution to the City of Aurora, f/b/o TRAC through the Department of Economic Development & Planning.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member McBride moved, seconded by Member Fichtner, that Resolution #PTp-002A-08 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

PTp-002A-08

AMENDMENT TO RESOLUTION PTp-002-08

AWARDED TO PACE SUBURBAN BUS

FOR THE RIDE DU PAGE CALL CENTER

(INCREASE LENGTH OF CONTRACT SEPTEMBER 1, 2007 TO

DECEMBER 31, 2008 AND INCREASE ENCUMBRANCE

FROM \$200,000.00 TO \$336,000.00)

WHEREAS, Resolution PTp-002-08 was approved and adopted by the County Board on July 22, 2008; and

WHEREAS, the Public Transit Committee recommends changes as stated in the Change Order Notice to increase the length of the

contract from September 1, 2007 to November 30, 2008 awarded to Pace Suburban Bus for the Ride DuPage Call Center, and to increase the encumbrance from \$200,000.00 to \$336,000.00.

NOW, THEREFORE BE IT RESOLVED, that the County Board adopts the Change Order Notice, dated December 30, 2008, to Contract #U14955 awarded to Pace Suburban Bus to increase the length of the contract from September 1, 2007 to December 31, 2008, and increase the encumbrance from \$200,000.00 to \$336,000.00, an increase of 68.00%.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Olson moved, seconded by Member Zay, that Resolution #DRp-002A-08 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

DRp-002A-08

AMENDMENT TO RESOLUTION DRp-002-08

AWARDED TO EARTH WERKS, INC.

(TO EXTEND THE CONTRACT WITH NO INCREASE TO THE CONTRACT TOTAL AMOUNT)

WHEREAS, Resolution DRp-002-08 was approved and adopted by the County Board on March 25, 2008; and

WHEREAS, the Public Works Committee recommends changes, as stated in the Change Order Notice to extend the contract issued to Earth Werks, Inc. for emergency on-call drainage construction and maintenance services through August 31, 2009 with no change in the contract total amount for Public Works.

NOW, THEREFORE BE IT RESOLVED, that County Board adopts the Change Order Notice, dated February 18, 2009, to Contract #A14547, awarded to Earth Werks, Inc., for emergency on-call drainage construction and maintenance services, to extend the contract through August 31, 2009, with no change in the contract total.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Olson moved, seconded by Member McBride, that Resolution #Fmp-065A-08 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
Fmp-065A-08

AMENDMENT TO RESOLUTION Fmp-065-08 ISSUED TO  
MECCON INDUSTRIES, INCORPORATED TO PROVIDE  
EMERGENCY PIPING REPLACEMENT FOR THE HEALTH DEPARTMENT  
(DECREASE ENCUMBRANCE \$75,714.76 AND CLOSE CONTRACT)

WHEREAS, Resolution Fmp-065-08 was approved and adopted by the County Board on November 25, 2008; and

WHEREAS, the Public Works Committee recommends changes as stated in the Change Order Notice to Contract #E15218, issued to Meccon Industries, Incorporated, for emergency piping replacement running from the Power Plant Station 9A to the Health Department, to decrease the encumbrance \$75,714.76 and close the contract, for Facilities Management.

NOW, THEREFORE BE IT RESOLVED, that County Board adopts Change Order Notice, dated February 18, 2009, to Contract #E15218, issued to Meccon Industries, Incorporated, for emergency piping replacement running from the Power Plant Station 9A to the Health Department, to decrease the encumbrance \$75,714.76 and close the contract for Facilities Management, resulting in a final contract total amount of \$374,285.24, a decrease of 16.83%.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Olson moved, seconded by Member Zay, that Resolution #PWp-024A-08 be approved and adopted. On roll call, Members

Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

PWp-024A-08

AMENDMENT ISSUED TO HOH ARCHITECTS, INC.  
FOR ARCHITECTURAL AND ENGINEERING SERVICES  
FOR A CONTRACT INCREASE  
(\$4,500.00 Contract Increase)

WHEREAS, Resolution PWp-024-08 was approved and adopted by the County Board on August 12, 2008; and

WHEREAS, the Public Works Committee changes as stated in the Change Order Notice, to increase contract #S14497 in the amount of \$4,500.00; and

WHEREAS, the County Board recommends changes as stated in the Change Order Notice, dated February 20, 2009, to Purchase order #S14997, issued to HOH Architects, Inc., to increase the contract in the amount of \$4,500.00, taking the original amount of \$35,029.00, resulting in new contract amount not to exceed \$39,529.00; and

WHEREAS, paragraph 14.1 of the AGREEMENT provides that the AGREEMENT may be amended by written agreement approved by both parties; and

WHEREAS, it is in the COUNTY'S best interest to amend the AGREEMENT as stated above and, further, that said change is authorized under the law.

NOW, THEREFORE BE IT RESOLVED, that the County Board adopts the Change Order issued to HOH Architects, Inc.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Olson moved, seconded by Member Puchalski, that Resolution #FMp-005-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski,

Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

FMP-005-09

AGREEMENT FOR SATELLITE COURT FACILITY BETWEEN  
THE VILLAGE OF ADDISON AND THE COUNTY OF DU PAGE  
(AGREEMENT AMOUNT: \$270,555.00)

WHEREAS, the Illinois General Assembly has granted the County of DuPage authority to operate necessary County buildings, and to enter into agreements for those purposes pursuant to Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-1108 (55 ILCS 5/5-1108); and

WHEREAS, the Village of Addison and the County of DuPage are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, as specified at 5 ILCS 220/1, et seq., and are authorized by Article 7 Section 10 of the Constitution of the State of Illinois to cooperate for public purposes; and

WHEREAS, the purpose of the Act and Article 7 of the Constitution of the State of Illinois includes fostering cooperation among governmental bodies; and

WHEREAS, it is in the interest of the County of DuPage to enter into an agreement with the Village of Addison on behalf of the Eighteenth Judicial Court Circuit, for the lease of property for use as courtroom facilities; and

WHEREAS, the attached lease agreement provides for the rental of space at the Village of Addison, 1 Friendship Plaza, Addison, Illinois; and

WHEREAS, the County Board of the County of DuPage, on behalf of the Eighteenth Judicial Circuit, agrees to enter into an agreement for the lease of facilities for a five (5) year period, April 1, 2009 through March 31, 2014, at an established rental of one hundred ninety-two dollars (\$192.00) per day, for the first year, April 1, 2009 through March 31, 2010; two hundred two dollars (\$202.00) per day, for the second year, April 1, 2010 through March 31, 2011; two hundred twelve dollars (\$212.00) per day, for the third year, April 1, 2011 through March 31, 2012; two hundred twenty-two dollars (\$222.00) per day, for the fourth year, April 1, 2012 through March 31, 2013; and two hundred thirty-three dollars (\$233.00) per day, for the fifth year, April 1, 2013 through March 31, 2014, for an estimated five (5) year cost of two hundred seventy thousand,

five hundred fifty-five dollars (\$270,555.00), or a portion thereof, said lease agreement being attached hereto; and

WHEREAS, said lease shall provide for courtroom facilities Monday, Tuesday, Wednesday, Thursday and Friday, between the hours of 8:00 a.m. and 5:00 p.m.; at such terms and conditions as set out in the attached lease agreement; and

WHEREAS, the attached lease agreement shall remain in force and in effect commencing April 1, 2009 through March 31, 2014.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of the County of DuPage does hereby adopt the lease agreement by and between the County of DuPage and the Village of Addison.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Olson moved, seconded by Member Zay, that Resolution #FMP-015-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

FMP-015-09

AWARDING RESOLUTION ISSUED TO ACTION SCREEN PRINT INC.  
FOR THE PURCHASE OF UNIFORMS  
FOR FACILITIES MANAGEMENT EMPLOYEES  
(CONTRACT TOTAL: \$19,000.00)

WHEREAS, bids have been taken and processed in accordance with County Board policy; and

WHEREAS, the lowest most, responsible bidder has been designated and the Public Works Committee recommends County Board approval for the issuance of a contract purchase order to Action Screen Print, for the purchase of uniforms for Facilities Management employees, for the period April 1, 2009 through March 31, 2010.

NOW, THEREFORE BE IT RESOLVED, that County Requisition #15395, dated February 13, 2009, covering said, for the purchase of uniforms for Facilities Management employees, for the period

April 1, 2009 through March 31, 2010, for Facilities Management, be, and it is hereby approved for issuance of a contract purchase order by the Procurement Division to, Action Screen Print, Inc., 20W260 Butterfield Road, Suite 203, Warrenville, Illinois 60555, for a total contract amount of \$19,000.00, per lowest responsible Bid #07-029, Category 1, Second of three (3) optional one (1) year contract renewals, per bid #07-029.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Olson moved, seconded by Member Zay, that Resolution #Fmp-017-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
Fmp-017-09

AGREEMENT BETWEEN THE COUNTY OF DU PAGE, ILLINOIS AND CAMP DRESSER & MC KEE, INCORPORATED FOR PROFESSIONAL ENGINEERING SERVICES FOR SITE SELECTION STUDY AND PREPARATION OF BID DOCUMENTS FOR THE PURCHASE OF CAMPUS STANDBY POWER GENERATORS FOR FACILITIES MANAGEMENT (CONTRACT TOTAL AMOUNT: \$100,000.00)

WHEREAS, the Illinois General Assembly has granted the County of DuPage authority to operate, maintain, and keep in repair necessary County buildings, and to enter into Agreements for those purposes pursuant to Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-1108 (55 ILCS 5/5-1108); and

WHEREAS, the County requires professional engineering services to perform a site selection study and to prepare bid documents for the purchase of standby power generators for the DuPage County campus; and

WHEREAS, Camp Dresser & McKee, Incorporated has experience and expertise in this area and is in the business of providing such professional engineering services and is willing to perform the required services for an amount not to exceed One Hundred Thousand Dollars (\$100,000.00); and

WHEREAS, the County has selected the Consultant in accordance with the Professional Services Selection Process found in Section 4-108 of the DuPage County Purchasing Procedures and Guidelines; and

WHEREAS, the Public Works Committee of the DuPage County Board has reviewed and recommended approval of the attached Agreement at the specified amount.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached Agreement between DuPage County and the Camp Dresser & McKee, Incorporated is hereby accepted and approved in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the Agreement on behalf of the County; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached Agreement to Camp Dresser & McKee, Incorporated, 125 South Wacker Drive, Suite 60, Chicago, Illinois 60606; State's Attorney's Office; County Auditor; Finance Director; Treasurer; Purchasing and three (3) copies to DuPage County Facilities Management.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Olson moved, seconded by Member Zay, that Resolution #PWp-007-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahan, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Member Michelassi abstained. Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
PWp-007-09

AGREEMENT BETWEEN THE COUNTY OF DU PAGE, ILLINOIS AND  
WOLF & COMPANY LLP FOR PROFESSIONAL AUDITING SERVICES  
OF THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to operate sewerage and waste treatment systems and to enter into agreements for the

purposes of improving or extending said systems (Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-15001, et seq.); and

WHEREAS, the County Public Works Department ("COUNTY") requires professional auditing services as required by the Water & Sewerage System Revenue Bond Series 2008A and 2008B Ordinance OFI-002-08, Section 29 for the fiscal year 2008; and

WHEREAS, the COUNTY requires independent review of the financial operations of the Public Works Department; and

WHEREAS, the COUNTY utilized WOLF & COMPANY LLP ("CONSULTANT") to audit the general fund; and

WHEREAS, the COUNTY desires to conduct a comprehensive audit utilizing a similar format for all departments; and

WHEREAS, the COUNTY has a existing working relationship with the CONSULTANT; and

WHEREAS, the CONSULTANT has experience and expertise in this area and is in the business of providing such professional services and is willing to perform the required services in the amount of \$41,900.00; and

WHEREAS, the COUNTY has selected the CONSULTANT in accordance with the Professional Services Selection Process found in Section 4-108 of the DuPage County Purchasing Procedures and Guidelines; and

WHEREAS, the Public Works Committee of the DuPage County Board has reviewed and recommended approval of the attached Agreement at the specified amount.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached AGREEMENT between the COUNTY and CONSULTANT is hereby accepted and approved in an amount of \$41,900.00 and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the AGREEMENT on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached AGREEMENT to Wolf & Company LLP, 2100 Clearwater Drive, Oak Brook, Illinois 60532 and Anthony Hayman, State's Attorney's Office.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Olson moved, seconded by Member Zay, that Resolution #PWp-008-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Olson, O'Shea, Redick, Zay and Zediker voted "aye." Member Puchalski voted "nay." Member Michelassi abstained. Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

PWp-008-09

AGREEMENT BETWEEN THE COUNTY OF DU PAGE, ILLINOIS  
AND BLACK & VEATCH CORPORATION FOR ON-CALL  
PROFESSIONAL ENGINEERING SERVICE FOR THE PUBLIC WORKS  
CAPITAL IMPROVEMENT PROGRAM

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to construct and maintain sewer and water systems and to enter into agreements for purposes related thereto (Illinois Compiled Statutes Chapter 55 paragraphs 5/5-15001 et seq.); and

WHEREAS, the COUNTY requires on-call professional engineering services for design, survey, specification preparation, quality control, and Federal funding assistance, with the Public Works Capital Improvement Project Program (hereinafter referred to as the Project); and

WHEREAS, BLACK & VEATCH CORPORATION (hereinafter the CONSULTANT) has experience and expertise in this area and is in the business of providing such professional engineering assistance and is willing to perform the required services for an amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00); and

WHEREAS, the COUNTY has selected the CONSULTANT in accordance with the Professional Services Selection Process found in Section 4-108 of the DuPage County Purchasing Procedures and Guidelines; and

WHEREAS, the Public Works Committee of the DuPage County Board has reviewed and recommended approval of the attached Agreement at the specified amount.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached Agreement with CONSULTANT is hereby accepted and approved in an amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00) to complete on-call professional engineering services for design, quality control, assistance, and Federal funding analysis for the Public Works Capital

Improvement Project Program and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the Agreement on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached Agreement to Black & Veatch Corporation, 101 North Wacker Drive, Suite 1100, Chicago, Illinois 60606 and Anthony Hayman, State's Attorney's Office.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Olson moved, seconded by Member Zay, that Resolution #PWp-009-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahan, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
PWp-009-09

AGREEMENT BETWEEN THE COUNTY OF DU PAGE, ILLINOIS  
AND CLARK DIETZ, INC. FOR ON-CALL  
PROFESSIONAL ENGINEERING SERVICES FOR THE PUBLIC WORKS  
CAPITAL IMPROVEMENT PROGRAM

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to construct and maintain sewer and water systems and to enter into agreements for purposes related thereto (Illinois Compiled Statutes Chapter 55 paragraphs 5/5-15001 et seq.); and

WHEREAS, the COUNTY requires on-call professional engineering services for Federal funding assistance, design, survey, specification preparation, quality control with the Public Works Capital Improvement Project Program (hereinafter referred to as the Project); and

WHEREAS, CLARK DIETZ, INC. (hereinafter the CONSULTANT) has experience and expertise in this area and is in the business of providing such professional engineering assistance and is willing to perform the required services for an amount not to exceed Seventy Five Thousand Dollars (\$75,000.00); and

WHEREAS, the COUNTY has selected the CONSULTANT in accordance with the Professional Services Selection Process found in Section 4-108 of the DuPage County Purchasing Procedures and Guidelines; and

WHEREAS, the Public Works Committee of the DuPage County Board has reviewed and recommended approval of the attached Agreement at the specified amount.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached Agreement with CONSULTANT is hereby accepted and approved in an amount not to exceed Seventy Five Thousand Dollars (\$75,000.00) to complete on-call professional engineering services for the Public Works Capital Improvement Project Program and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the Agreement on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached Agreement to Clark Dietz, Inc., 118 South Clinton Street, Suite 600, Chicago, Illinois 60661 and Anthony Hayman, State's Attorney's Office.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay, in response to citizen inquiry during public comment, stated that when storms occur, the County cannot allow the public to be present near the dams or flood ways. Staff has to be there. They must call before allowing the public to be present during storm events due to safety concerns.

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Member Zay moved, seconded by Member Kurzawa, that Resolution #SMp-035A-05 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

Smp-035A-05

AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF DU PAGE,  
ILLINOIS AND CHRISTOPHER B. BURKE ENGINEERING LTD.  
FOR FINAL ENGINEERING OF THE  
WEST BRANCH WETLAND MITIGATION BANK

WHEREAS, the County of DuPage ("COUNTY") and Christopher B. Burke Engineering Ltd. ("CONSULTANT") have entered into an Agreement ("AGREEMENT") under Resolution Smp-035-05 to provide professional services for site evaluations, feasibility studies, and development of conceptual wetland mitigation and bank plans associated with the engineering and design of the West Branch Wetland Mitigation Bank ("PROJECT"); and

WHEREAS, said PROJECT has been delayed due to design alterations and federal permitting requirements; and

WHEREAS, extending this contract to the end of 2013 will allow for finalization of design alterations and federal permitting requirements; and

WHEREAS, the COUNTY and CONSULTANT have agreed that additional time is required for the consultant to finalize the design alterations and federal permitting requirements; and

WHEREAS, Paragraph 14.1 of the AGREEMENT provides that the AGREEMENT may be amended by written agreement approved by both parties; and

WHEREAS, it is in the COUNTY'S best interest to amend the AGREEMENT as stated above and, further, that said change is authorized under the law; and

WHEREAS, the Department of Economic Development & Planning Stormwater Permitting, recommends changes as stated in the Change Order Notice to extend the current contract to November 30, 2013 to allow for finalization of design alterations and federal permitting requirements, resulting in no change to the current contract amount of \$325,000.00.

NOW, THEREFORE, BE IT RESOLVED that the AGREEMENT between the COUNTY and CONSULTANT for professional services is hereby amended as shown on the Change Order attachment hereto and the Chairman of the DuPage County Board is hereby authorized and directed to execute the said Amendment on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit one certified copy of this Resolution and attached Change Order Request Form amending the AGREEMENT to Christopher B. Burke Engineering, 9575 West Higgins Road, Suite 600, Rosemont, Illinois 60018.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Kurzawa, that Resolution #SMp-001B-06 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
SMp-001B-06

AMENDMENT BETWEEN THE COUNTY OF DU PAGE, ILLINOIS AND BROWN & CALDWELL FOR PROFESSIONAL ENGINEERING SERVICES FOR FLOODPLAIN MAPPING ASSISTANCE FOR THE GINGER CREEK WATERSHED (TO EXTEND THE CONTRACT WITH NO INCREASE TO THE CONTRACT TOTAL AMOUNT)

WHEREAS, the County of DuPage ("COUNTY") and Brown & Caldwell ("CONSULTANT") entered into an Agreement under County Board Resolution SMp-001-06 for the purpose of providing professional engineering services for developing floodplain mapping in the Ginger Creek Watershed which Agreement was amended under Resolution SMp-001A-06; and

WHEREAS, the scope of work includes updating the existing FEQ model to include recent developments, revising the function tables used in the FEQ unsteady flow hydraulic model, updating the watershed boundary and land cover data, recalibration of the FEQ hydraulic model, PVSTATS and Floodway analysis, and other duties as assigned by COUNTY staff; and

WHEREAS, additional work tasks have been identified by the CONSULTANT that will aid in the COUNTY'S updates of its FEQ models used for floodplain mapping and long-term storage of hydraulic and hydrologic information; and

WHEREAS, the COUNTY and the CONSULTANT have agreed that additional time is required to complete these additional work tasks with no increase in the contract total; and

WHEREAS, Paragraph 14.1 of the Agreement provides that the Agreement may be amended by written agreement approved by both parties; and

WHEREAS, it is in the COUNTY'S best interest to amend the Agreement and extend the time for the completion of the work therein described.

NOW, THEREFORE, BE IT RESOLVED that the referenced Agreement between the COUNTY and the CONSULTANT is hereby amended as set forth on the attachment hereto and the Chairman of the DuPage County Board is hereby authorized and directed to execute said Amendment on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit certified copies of this Resolution and attached Amendment to Brown & Caldwell, 701 Pike Street, Suite 1200, Seattle, Washington 98101.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Kurzawa, that Resolution #SMp-013B-07 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
SMp-013B-07

AMENDMENT TO RESOLUTION SMp-013-07  
AWARDED TO EARTH TECH, INC. (AECOM) FOR ASSISTANCE  
IN DEVELOPING AND IMPLEMENTATION OF IDDE PROGRAM  
(TO EXTEND THE CONTRACT WITH NO INCREASE  
TO THE CONTRACT TOTAL AMOUNT)

WHEREAS, Resolution SMp-013-07 was approved and adopted by the County Board on July 10, 2007; and

WHEREAS, the Stormwater Committee recommends changes as stated in the Change Order Notice to extend contract #S14288 awarded to Earth Tech, Inc. through August 31, 2009 with no change in the contract total amount.

NOW, THEREFORE, BE IT RESOLVED, that the County Board adopts the Change Order Notice, dated February 17, 2009, to contract #S14288, awarded to Earth Tech, Inc. for assistance in

developing and implementation of IDDE Program and, to extend the contract through August 31, 2009, with no change in the contract total.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Kurzawa, that Resolution #SMp-016A-07 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
SMp-016A-07

AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF DU PAGE,  
ILLINOIS AND ENCAP, INC.  
FOR PROFESSIONAL WETLAND MAINTANENCE SERVICES

WHEREAS, the County of DuPage ("COUNTY") and Encap, Inc. ("CONSULTANT") have entered into an Agreement ("AGREEMENT") under Resolution SMp-016-07 to provide professional services for required maintenance under the terms of the DuPage County Board and ACOE approvals for the Downers Grove Wetland Mitigation Bank ("PROJECT"); and

WHEREAS, maintenance work in natural areas is dependent on the weather and the response of native vegetation to management; and

WHEREAS, there are remaining funds in the current contract because the success of the plantings at this site meant that management was less expensive than expected and additionally, a controlled burn that was scheduled for the Fall of 2008 was cancelled due to weather; and

WHEREAS, extending the current contract will allow for rescheduling of the controlled burn in 2009; and

WHEREAS, the COUNTY and CONSULTANT have agreed that additional time is required for the consultant to complete the controlled burn as soon as weather allows; and

WHEREAS, Paragraph 14.1 of the AGREEMENT provides that the AGREEMENT may be amended by written agreement approved by both parties; and

WHEREAS, it is in the COUNTY'S best interest to amend the AGREEMENT as stated above and, further, that said change is authorized under the law; and

WHEREAS, the Department of Economic Development & Planning, Stormwater Permitting, recommends changes as stated in the Change Order Notice to extend the current contract to May 31, 2009 to allow for a controlled burn as soon as weather permits, resulting in no change to the current contract amount of \$20,137.38.

NOW, THEREFORE, BE IT RESOLVED that the AGREEMENT between the COUNTY and CONSULTANT for professional services is hereby amended as shown on the Change Order attachment hereto and the Chairman of the DuPage County Board is hereby authorized and directed to execute the said Amendment on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit one certified copy of this Resolution and attached Change Order Request Form amending the AGREEMENT to Encap, Inc., Attn: Joe Alaniz, 1709 Afton Road, Sycamore, Illinois 60178.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Kurzawa, that Resolution #Smp-021C-08 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
Smp-021C-08

CORRECTION OF SCRIVENER'S ERROR IN RESOLUTION Smp-021B-08

WHEREAS, Resolution Smp-021B-08 was approved and adopted by the County Board on February 10, 2009; and

WHEREAS, this Resolution provides for an amendment between the County of DuPage, Illinois and Kelso Burnett Co. for an increase of \$134,500.00, taking the original contract amount of \$363,620.00, together with one previous contract amount increase, and resulting in a new revised contact amount of \$503,656.00; and

WHEREAS, there was a scrivener's error in Resolution Smp-021B-08 in that the revised contract amount was stated as being \$503,656.00, but the revised contract amount should have been stated as \$503,565.00; and

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that Resolution Smp-021B-08 be corrected to reflect the revised dollar amount to be \$503,565.00; and

BE IT FURTHER RESOLVED, that the County Clerk transmits certified copies to Anthony Hayman, State's Attorney's Office, Stormwater Management Division.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Kurzawa, that Resolution #Smp-012A-08 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
Smp-012A-08

AMENDMENT BETWEEN THE COUNTY OF DU PAGE, ILLINOIS AND EARTH TECH, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR FLOODPLAIN MAPPING QUALITY CONTROL REVIEW AND MAPPING SUPPORT

WHEREAS, the County of DuPage ("COUNTY") and Earth Tech, Inc. ("CONSULTANT") entered into an Agreement under County Board Resolution Smp-011-07 (hereinafter referred to as the "AGREEMENT") for the purpose of providing floodplain mapping quality control review and mapping support; and

WHEREAS, the DuPage County Stormwater Management Division is developing new floodplain map information for all of the major watershed planning areas in the COUNTY; and

WHEREAS, additional technical assistance for floodplain mapping, floodway analysis, and statistical analysis is needed by the COUNTY; and

WHEREAS, the COUNTY requires professional services on an as-needed basis to provide independent quality control review of the floodplain mapping work prior to beginning the Federal Emergency Management Agency's public comment period for map revisions; and

WHEREAS, the COUNTY and the CONSULTANT have agreed to extend the contract term with no increase in the contract total; and

WHEREAS, Paragraph 14.1 of the Agreement provides that the Agreement may be amended by written agreement approved by both parties; and

WHEREAS, it is in the COUNTY'S best interest to amend the Agreement and extend the time for the continuation of the work therein described.

NOW, THEREFORE, BE IT RESOLVED that the referenced Agreement between the COUNTY and the CONSULTANT is hereby amended as set forth on the attachment hereto and the Chairman of the DuPage County Board is hereby authorized and directed to execute said First Amendment on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit certified copies of this Resolution and attached First Amendment to ATTN: Mr. Eric Loucks, c/o Earth Tech Inc., 811 Barton Springs Road, Suite 400, Austin, Texas 78704-1164.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Kurzawa, that Resolution #Smp-015-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Member Michelassi abstained. Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

Smp-015-09

AGREEMENT BETWEEN THE COUNTY OF DU PAGE, ILLINOIS AND  
THE SCHOOL AND COMMUNITY ASSISTANCE FOR RECYCLING AND  
COMPOSTING EDUCATION (S.C.A.R.C.E.) FOR PROFESSIONAL  
WATER QUALITY EDUCATION SERVICES  
(CONTRACT TOTAL AMOUNT \$56,500.00)

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to take action to control flooding and to enter into agreements for the purposes of stormwater management and flood control (Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-1062 and 5/5-15001 et seq.); and

WHEREAS, the COUNTY has adopted the DuPage County Stormwater Management Plan which recognizes stream maintenance, erosion control, and enhancing water quality as an integral part of the proper management of storm and flood waters; and

WHEREAS, the COUNTY has adopted Appendix J into the DuPage County Stormwater Management Plan, of which countywide water quality public education is a significant component; and

WHEREAS, the COUNTY and its municipalities are required to establish a water quality public education program for the National Pollutant Discharge Elimination System (NPDES) Phase II permit, effective March 2003; and

WHEREAS, the COUNTY has developed a Water Quality Improvement Program that provides for, among other things, public education; and

WHEREAS, the DuPage County Stormwater Management Planning Committee of the DuPage County Board recognizes a need to supplement and complement existing water quality education programs in DuPage County and to provide integrated educational effort to reach certain segments of the population; and

WHEREAS, S.C.A.R.C.E. ("CONSULTANT") has experience and expertise in this area, is in the business of providing such professional water quality education services and is willing to provide the required services for an amount not to exceed Fifty six Thousand Five hundred Dollars (\$56,500.00); and

WHEREAS, the COUNTY selected the CONSULTANT in accordance with the Professional Services Selection Process found in Section 4-108 of the DuPage County Purchasing Procedures and Guidelines; and

WHEREAS, the Stormwater Management Planning Committee of the DuPage County Board has reviewed and recommended approval of the attached AGREEMENT at the specified amount.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached AGREEMENT between the COUNTY and CONSULTANT is hereby accepted and approved in an amount not to exceed Fifty six Thousand Five hundred Dollars (\$56,500.00) and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the AGREEMENT on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit a certified copy of this Resolution and the attached AGREEMENT to S.C.A.R.C.E., 0N374 Papworth Street, Wheaton, Illinois 60187.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Kurzawa, that Resolution #SMp-016-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
SMp-016-09

INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF DU PAGE,  
ILLINOIS AND BLOOMINGDALE TOWNSHIP, ILLINOIS FOR  
A NATURAL HABITAT RESTORATION PROJECT  
(CONTRACT TOTAL AMOUNT \$46,680.00)

WHEREAS, the TOWNSHIP OF BLOOMINGDALE, Illinois ("TOWNSHIP") and the County of DuPage ("COUNTY") are public agencies within the meaning of the Illinois "Intergovernmental Cooperation Act" and as authorized by Article 7, Section 10 of the Constitution of the State of Illinois; and

WHEREAS, the purposes of the "Intergovernmental Cooperation Act" and Article 7 of the Constitution of the State of Illinois include fostering cooperation among government bodies; and

WHEREAS, the Illinois General Assembly has granted the COUNTY authority to take action to control flooding and to enter into agreements for the purposes of stormwater management and flood control (Illinois Compiled Statutes, Chapter 55 paragraphs 5/5-1062 and 5/5-15001 et seq.); and

WHEREAS, the COUNTY has adopted the DuPage County Stormwater Management Plan which recognizes the reduction of stormwater runoff and improving water quality as an integral part of the proper management of storm and flood waters; and

WHEREAS, the TOWNSHIP has developed a Conceptual Design Report for a Natural habitat restoration project at the intersection of Lake Street and Rosedale Road in Bloomingdale ("PROJECT"); and

WHEREAS, the COUNTY and the TOWNSHIP have determined that the construction of the PROJECT will benefit local citizens by improving the water quality and the reduction of stormwater runoff into the Salt Creek Watershed; and

WHEREAS, the TOWNSHIP has requested COUNTY participation in cost sharing the PROJECT through the COUNTY'S Water Quality Grant Program in an amount not to exceed Forty six Thousand Six hundred Eighty Dollars (\$46,680.00); and

WHEREAS, the TOWNSHIP shall pay all PROJECT expenses up front and will be reimbursed qualified expenses per the attached AGREEMENT; and

WHEREAS, the TOWNSHIP shall share all data collected from the PROJECT for a minimum of three years after construction completion for the purposes of fostering community education regarding the PROJECT and similar future projects; and

WHEREAS, the Stormwater Management Planning Committee, of the DuPage County Board has reviewed and recommended approval of the attached AGREEMENT at the specified amount.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached AGREEMENT between the COUNTY and the TOWNSHIP is hereby accepted and approved in an amount not to exceed Forty six Thousand Six hundred Eighty Dollars (\$46,680.00) and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the AGREEMENT on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached AGREEMENT to Ed Levato, Township Supervisor, TOWNSHIP of Bloomingdale, 123 North Rosedale Road, Bloomingdale, Illinois 60108 and Anthony Hayman, State's Attorney's Office.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Kurzawa, that Resolution #Smp-017-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

Smp-017-09

INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF DU PAGE,  
ILLINOIS AND WHEATON PARK DISTRICT FOR A  
NORTHSIDE PARK LAGOON RENOVATION PROJECT  
(CONTRACT TOTAL AMOUNT \$129,037.50)

WHEREAS, the WHEATON PARK DISTRICT ("DISTRICT") and the County of DuPage ("COUNTY") are public agencies within the meaning of the Illinois "Intergovernmental Cooperation Act" and as authorized by Article 7, Section 10 of the Constitution of the State of Illinois; and

WHEREAS, the purposes of the "Intergovernmental Cooperation Act" and Article 7 of the Constitution of the State of Illinois include fostering cooperation among government bodies; and

WHEREAS, the Illinois General Assembly has granted the COUNTY authority to take action to control flooding and to enter into agreements for the purposes of stormwater management and flood control (Illinois Compiled Statutes, Chapter 55 paragraphs 5/5-1062 and 5/5-15001 et seq.); and

WHEREAS, the COUNTY has adopted the DuPage County Stormwater Management Plan which recognizes the reduction of stormwater runoff and improving water quality as an integral part of the proper management of storm and flood waters; and

WHEREAS, the DISTRICT has developed a Conceptual Design Report for a Park Lagoon Renovation project ("PROJECT") along Winfield Creek at Northside Park in Wheaton; and

WHEREAS, the COUNTY and the DISTRICT have determined that the construction of the PROJECT will benefit local citizens by improving the water quality and the reduction of stormwater runoff into the West Branch DuPage River Watershed; and

WHEREAS, the DISTRICT has requested COUNTY participation in cost sharing for the PROJECT through the COUNTY'S Water Quality Grant Program in an amount not to exceed One hundred Twenty-nine thousand Thirty seven Dollars and fifty cents (\$129,037.50); and

WHEREAS, the DISTRICT shall pay all PROJECT expenses up front and will be reimbursed qualified expenses per the attached AGREEMENT; and

WHEREAS, the DISTRICT shall share all data collected from the PROJECT for a minimum of three years after construction completion for the purposes of fostering community education regarding the PROJECT and similar future projects; and

WHEREAS, the Stormwater Management Planning Committee of the DuPage County Board has reviewed and recommended approval of the attached AGREEMENT at the specified amount.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached AGREEMENT between the COUNTY and the DISTRICT is hereby accepted and approved in an amount not to exceed One hundred Twenty-nine thousand Thirty seven Dollars and fifty cents (\$129,037.50) and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the AGREEMENT on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached AGREEMENT to Rob Sperl, Director of Planning, Wheaton Park District, 102 East Wesley Street, Wheaton, Illinois 60187 and Anthony Hayman, State's Attorney's Office.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Fichtner, that Resolution #SMp-020-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
SMp-020-09

AGREEMENT BETWEEN THE COUNTY OF DU PAGE, ILLINOIS AND ARTHUR GOLDNER & ASSOCIATES, INC. FOR THE ST. GEORGE RETAIL CENTER WATER QUALITY IMPROVEMENT PROJECT

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to take action to control

flooding and to enter into agreements for the purposes of stormwater management and flood control (55 ILCS 5/5-1062 and 5/5-15001, et seq.); and

WHEREAS, the COUNTY has adopted the DuPage County Stormwater Management Plan which recognizes stream maintenance, erosion control, and water quality as an integral part of the proper management of storm and flood waters; and

WHEREAS, Arthur Goldner & Associates, Inc. ("OWNER") is proposing to install and establish native vegetation, isolate and filtrate offsite flows heavily laden with siltation through the installation of a forebay, construct and remeander the creek channel, use manufactured best management practices, all of which work shall be commonly referred to as the "PROJECT" and maintain and monitor the project along Cress Creek in Naperville, Illinois; and

WHEREAS, the COUNTY and OWNER have determined that the water quality in Cress Creek would benefit from the completion of the PROJECT; and

WHEREAS, the PROJECT will improve the quality of the water and improve habitats for local flora and fauna; and

WHEREAS, the OWNER is not required to construct all of the water quality improvements that comprise the PROJECT but is voluntarily undertaking such additional work; and

WHEREAS, the COUNTY and OWNER will benefit from the PROJECT through improved water quality and the stabilization of Cress Creek; and

WHEREAS, the PROJECT will serve as a model of shoreline stabilization and riparian enhancement for the general public, conservationists, developers, public entities, engineers and other interested parties; and

WHEREAS, the OWNER shall continue to monitor the PROJECT area for a minimum of three years after construction completion for purposes of community education and total PROJECT success; and

WHEREAS, the cost to complete the PROJECT'S water quality enhancement components is estimated at \$304,736.92; and

WHEREAS, the OWNER has requested COUNTY participation in cost sharing the PROJECT in an amount not to exceed \$60,947.38 (twenty percent of the total cost of water quality enhancement, \$304,736.92); and

WHEREAS, as the OWNER is the grant recipient, the OWNER shall provide all funds for the PROJECT and pay all expenses up

front, and will be reimbursed by the COUNTY at a later date in the amounts specified per the attached AGREEMENT; and

WHEREAS, the Stormwater Management Planning Committee of the DuPage County Board has reviewed and recommended approval of the attached AGREEMENT at the specified amount.

NOW THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached Agreement between the COUNTY and OWNER is hereby accepted and approved in an amount not to exceed \$60,947.38 and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the Agreement on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached AGREEMENT to Arthur Goldner & Associates, Inc., 707 Skokie Boulevard, Suite 100, Northbrook, Illinois 60062; Anthony Hayman, Assistant State's Attorney; County Auditor; Finance Director; Treasurer; Purchasing and three (3) copies to the DuPage County Department of Economic Development and Planning.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Fichtner, that Resolution #SMp-021-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
SMp-021-09

AGREEMENT BETWEEN THE COUNTY OF DU PAGE, ILLINOIS AND ARTHUR GOLDNER & ASSOCIATES, INC. FOR THE ST. GEORGE RETAIL CENTER WATER QUALITY IMPROVEMENT PROJECT

WHEREAS, pursuant to authority granted at 55 ILCS 5/5-1062, and 5/5-15001, et seq., the County of DuPage ("COUNTY") is authorized to take action to control flooding, manage stormwater and to enter into agreements for the purposes of stormwater management and flood control; and

WHEREAS, the COUNTY has adopted the DuPage County Stormwater Management Plan, which plan recognizes on-site detention, stream maintenance, erosion control and water quality as integral parts of the proper management of storm and flood waters; and

WHEREAS, the COUNTY has further adopted a Countywide Detention Variance Fee Program ("PROGRAM") which provide funding assistance to create new stormwater detention facilities, or enhancing or enlarging existing stormwater detention facilities in areas developed prior to the effective date for the DuPage County Countywide Stormwater and Flood Plain Ordinance ("CSFPO"); and

WHEREAS, the City of Naperville ("CITY") has determined that the existing St. George Retail Center's detention ponds were constructed prior to the adoption of the CSFPO and is located in an area that has experienced flooding during the past several years; and

WHEREAS, Arthur Goldner & Associates, Inc. ("OWNER") is proposing to modify the upper pond control weir, install and establish native vegetation, isolate and filtrate offsite flows heavily laden with siltation through the installation of a forebay, construct and remeander the creek channel, use manufactured best management practices, all of which work shall be commonly referred to as the "PROJECT" and maintain and monitor the project; and

WHEREAS, the OWNER is not required to construct all of the detention and water quality improvements that comprise the PROJECT but is voluntarily undertaking such additional work; and

WHEREAS, the PROJECT area residents and the general public will benefit from the PROJECT through a reduction in flood damages and improved water quality in the Cress Creek watershed; and

WHEREAS, the cost to construct the Project is estimated at \$314,737.00; and

WHEREAS, the OWNER has requested COUNTY participation in the PROJECT in the form of funding assistance in the amount of \$62,947.40, which funds shall be paid out of the PROGRAM; and

WHEREAS, the PROJECT qualifies for funding through the PROGRAM; and

WHEREAS, as the OWNER is the grant recipient, the OWNER shall provide all funds for the PROJECT and pay all expenses up front, and will be reimbursed by the COUNTY at a later date in the amounts specified per the attached AGREEMENT; and

WHEREAS, the Stormwater Management Planning Committee of the DuPage County Board has reviewed and recommended approval of the attached AGREEMENT at the specified amount.

NOW THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached Agreement between the COUNTY and OWNER is hereby accepted and approved in an amount not to exceed \$62,947.40 and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the Agreement on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached AGREEMENT to Arthur Goldner & Associates, Inc., 707 Skokie Boulevard, Suite 100, Northbrook, Illinois 60062; Anthony Hayman, Assistant State's Attorney; County Auditor; Finance Director; Treasurer; Purchasing and three (3) copies to the DuPage County Department of Economic Development and Planning.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Fichtner, that Resolution #SMp-022-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
SMp-022-09

AMENDMENT TO CONTRACT #S15134 WITH  
CHRISTOPHER B. BURKE WEST, LTD. FOR PROFESSIONAL  
ENGINEERING SERVICES FOR CRESS CREEK WOODS  
(TO INCREASE CONTRACT BY \$10,000.00 TO \$24,500.00; +69.00%)

WHEREAS, Purchase Order Number #S15134 was approved by the DuPage County Stormwater Management Committee on October 7, 2008, with Christopher B. Burke West, Ltd., ("Consultant"), for professional engineering services for groundwater analysis in Cress Creek Woods; and

WHEREAS, since the initial work by this consultant, Cress Creek Woods residents have experienced a second high water event

and have asked the County to perform additional evaluation and analysis on the Saddle Dike and Fawell Dam; and

WHEREAS, the second high-water event in December, 2008 was unforeseen at the time the Purchase Order was originally made; and

WHEREAS, the Consultant is both qualified and willing to undertake this additional work, which work constitutes a professional service, but that to do said work the term and compensation of the original Purchase Order must be amended; and

WHEREAS, it is in the best interest of the County and its residents that the additional groundwater analysis take place and that such work be undertaken by this Consultant, based on its past work experience with this matter, for the additional compensation and term set forth herein; and

WHEREAS, the Stormwater Management Committee recommends amending Purchase Order Number #S15134 to increase the contract time for performance until March 31, 2009 and to increase the contract value by \$10,000.00, to a new contract value of \$24,500.00, for the additional work being requested; and

WHEREAS, the Stormwater Management Committee recommends approving the Request for Change Order Notice dated February 19, 2009, to Contract #S15134, issued to Christopher B. Burke West, Ltd., and attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that the County Board adopt the Amendment to Contract #S15134 issued to Christopher B. Burke West, Ltd. for an increase amount of \$10,000.00 resulting in a new contract total amount of \$24,500.00, an increase of 69.00%, and further amending the contract termination date to March 31, 2009.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Fichtner, that Resolution #Smp-023-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

SMP-023-09

AWARDING RESOLUTION TO TEST/AMERICA LABORATORIES, INC.  
 FOR ANALYTICAL WATER SAMPLE TESTING  
 (\$46,896.00)

WHEREAS, bids have been taken and processed in accordance with County Board policy; and

WHEREAS, the lowest most responsible bidder has been designated and the Stormwater Management Committee recommends County Board approval for a contract for analytical water sample testing for Elmhurst Quarry/Sal Creek Reservoir required by Illinois Environmental Protection Agency (IEPA).

NOW, THEREFORE BE IT RESOLVED, that County Requisition #15428, dated March 2, 2009 covering said, for all necessary analytical testing of water samples collected from the Elmhurst Quarry Flood Control - Salt Creek Reservoir and the quarry discharge into Salt Creek for the Stormwater Management Division, be and is hereby approved for issuance of a contract purchase order by the Procurement Division, to Test/America Laboratories, Inc., 2417 Bond Street, University Park, Illinois 60466 for a total contract amount of \$46,896.00, per lowest responsible bid #09-007.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Zay moved, seconded by Member Kurzawa, that one staff member be authorized to attend, at the invitation of the U.S. Environmental Protection Agency (USEPA), a workshop for Beta Testers on System for Urban Stormwater Treatment and Analysis Integration (SUSTAIN) in Fairfax, Virginia, March 24-25, 2009, expenses to include airfare, hotel, ground transportation, meals and miscellaneous expenses, not to exceed \$650.00. On voice vote, motion carried.

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Chairman Schillerstrom thanked Tony Charlton, Director of the Department of Environmental Concerns, and his staff for their hard work during the recent storms.

--oo00oo--

Member McBride moved, seconded by Member Puchalski, that Resolution #Fip-054A-06 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

Fip-054A-06

AMENDMENT TO RESOLUTION Fip-054-06  
AWARDED TO PHYSICIANS RECORD COMPANY TO  
FURNISH AND DELIVER PRINTED NCR FORMS  
EXTEND THE CONTRACT THROUGH APRIL 30, 2009

WHEREAS, Resolution Fip-054-06 was approved and adopted by the County Board on February 5, 2008; and

WHEREAS, the Technology Committee recommends changes as stated in the Change Order Notice, to extend the contract issued to Physicians Record Company to furnish and deliver NCR forms through April 30, 2009, for Information Technology.

NOW, THEREFORE BE IT RESOLVED, that County Board adopts Change Order Notice, dated February 20, 2009, to County Purchase Order #A14683, issued to Physicians Record Company, to furnish and deliver NCR forms, to extend the contract through April 30, 2009, for Information Technology, with no increase to the contract total amount.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member McBride moved, seconded by Member Olson, that Resolution #TEp-039A-08 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

TEp-039A-08

AMENDMENT TO RESOLUTION TEp-039-08 ISSUED TO  
MIDLAND PAPER FOR HIGH-SPEED LASER COPY PAPER  
(DECREASE OF \$12,226.40; 43.90% AND CLOSE)

WHEREAS, Resolution TEp-039-08 was approved and adopted by the County Board on August 13, 2008; and

WHEREAS, the Technology Committee recommends changes as stated in the Change Order Notice to decrease the encumbrance by \$12,226.00 and close the contract for Information Technology.

NOW, THEREFORE BE IT RESOLVED, that the County Board adopts Change Order Notice, dated February 25, 2009, to Purchase order #A15001 issued to Midland Paper, for high-speed laser paper for Information Technology, to decrease the encumbrance and close the contract in the amount of \$12,226.40, resulting in a final contract total amount of \$15,655.10.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member McBride moved, seconded by Member Fichtner, that Resolution #TEp-016-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

TEp-016-09

AWARDING RESOLUTION TO MIDLAND PAPER FOR  
HIGH-SPEED LASER COPY PAPER  
(CONTRACT TOTAL AMOUNT: \$15,000.00)

WHEREAS, bids have been taken and processed accordance with County board policy; and

WHEREAS, the lowest responsible bidder has been designated and the Technology Committee recommends County Board approval for issuance of a Contract Purchase Order to Midland Paper for high-speed laser paper, for Information Technology.

NOW, THEREFORE BE IT RESOLVED, that County Requisition #15426, dated February 27, 2009, covering said, for high-speed laser copy paper, for the period March 1, 2009 through August 31, 2009, be, and it is hereby approved for issuance of a Contract Purchase Order, by the Procurement Division to Midland Paper, 101 East Palatine Road, Wheeling, Illinois 60090, for a contract total amount of \$15,000.00, per lowest responsible bid #09-010.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member McBride moved, seconded by Member Olson, that Resolution #TEp-017-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Fichtner, Gilgis, Kurzawa, McBride, McMahon, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Enger, Gonzalez and Michelassi abstained. Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
TEp-017-09

AWARDING RESOLUTION TO  
PARADIGM SOLUTIONS INTERNATIONAL, INC. FOR  
DPC OPSPLANNER SOFTWARE SERVICES AND END USER AGREEMENT  
(CONTRACT AMOUNT: \$24,874.00)

WHEREAS, an agreement has been negotiated in accordance with County Board policy; and

WHEREAS, the Technology Committee recommends County Board approval for the issuance of a Contract Purchase Order to Paradigm Solutions International, Inc., for DPC OpsPlanner software services and end user agreement, for Information Technology.

NOW, THEREFORE BE IT RESOLVED, that County Requisition #15427, dated March 2, 2009, covering said, for DPC OpsPlanner software services and end user agreement, for the period March 11, 2009 through March 10, 2011, for Information Technology, be, and it is hereby approved for issuance of a Contract Purchase order by the Procurement Division to Paradigm Solutions International, Inc., 481 North Frederick Avenue, Suite 400, Gaithersburg, Maryland 20877, for a contract total amount of \$24,874.00.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

--oo00oo--

Member McBride moved, seconded by Member Olson, that Rhonda Warren, Lauret Gaita, Tyrone Tipitino and Joan Morange be authorized to attend the GFOA Conference for ERP Implementation in Columbus, Ohio, April 19-23, 2009, expenses to include hotel, ground transportation, meals and miscellaneous not to exceed \$1,500.00 per person. On voice vote, motion carried.

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Member McBride moved, seconded by Member Kurzawa, that William Faedtke, Michael Semenek and Robert Schuldt be authorized to attend the 2009 ESRI User Conference in San Diego, California, July 12-17, 2009, expenses to include hotel, airfare, ground transportation, meals and miscellaneous for an approximate amount of \$5,700.00. On voice vote, motion carried.

--oo00oo--

Member Puchalski moved, seconded by Member Fichtner, that Resolution #DTp-029-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

DTp-029-09

AWARDING RESOLUTION TO SAFETY SUPPLY ILLINOIS  
FOR THE PURCHASE OF SAFETY AND HEALTH SUPPLIES  
(COUNTY COST OF \$16,408.52; FIRST OF THREE OPTIONS TO RENEW)

WHEREAS, bids were taken and processed in accordance with County Board policy; and

WHEREAS, the lowest responsible bidder meeting the County's specifications has been designated as Safety Supply Illinois and the Division of Transportation Committee recommends County Board approval for the issuance of a Contract Purchase Order for the

purchase of safety and health supplies for the Division of Transportation.

NOW, THEREFORE BE IT RESOLVED, that Purchase Requisition #15397, dated February 13, 2009, covering said, for the purchase of Safety and Health Supplies for the period of May 1, 2009 through April 30, 2010, for the Division of Transportation, be, and it is hereby approved for issuance of a Contract Purchase Order, by the Procurement Division to Safety Supply Illinois, 1040 Kingsland Drive, Batavia, Illinois 60510, for a contract total amount of \$16,408.52, per lowest responsible bid #08-037; first of three (3) options to renew.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Puchalski moved, seconded by Member Fichtner, that Resolution #DTp-028-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

DTp-028-09

AWARDING RESOLUTION TO 3M COMPANY  
FOR THE PURCHASE OF SIGN MATERIALS,  
GROUP VII - CATEGORY B  
SECTION 07-00000-00-GM

(COUNTY COST OF \$137,696.19; SECOND OF THREE OPTIONS TO RENEW)

WHEREAS, bids were taken and processed in accordance with County Board policy; and

WHEREAS, the lowest responsible bidder for Bid #06-140 has been designated and the Division of Transportation Committee recommends County Board approval for the issuance of a Contract Purchase Order for the purchase of Sign Materials, Group VII, Category B for the Division of Transportation.

NOW, THEREFORE BE IT RESOLVED, that Purchase Requisition #15394, dated February 12, 2009, covering said, for the purchase of Sign Materials, Group VII, Category B for the Division of Transportation for the period April 1, 2009 through March 31, 2010, be, and it is hereby approved for issuance of a contract

purchase order by the Procurement Division to 3M Company, 3M Center Building 225-5D-08, P.O. Box 33225, St. Paul, Minnesota 55133-3225, for a contract total amount of \$137,696.19, per lowest responsible bid #06-140, second of three optional one year renewals.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Puchalski moved, seconded by Member Gilgis, that Resolution #DTp-030-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
DTp-030-09

AWARDING RESOLUTION TO BOBCAT COMPANY  
FOR S300 BOBCAT SKID-STEER LOADER WITH A  
24 INCH HIGH FLOW PLANER AND A 74 INCH HEAVY DUTY BUCKET  
PER STATE CONTRACT PSD #4015567  
FOR THE DIVISION OF TRANSPORTATION  
(COUNTY COST OF \$38,041.21)

WHEREAS, the State of Illinois has awarded State Wide Contract PSD #4015567 for PSD Heavy Duty Equipment - Statewide for the period of January 1, 2009 through December 31, 2009; and

WHEREAS, the DuPage County Procurement Ordinance OFI-005B-99, Art. 4, Sec. 4-107 permits the County to participate in a cooperative purchasing agreement with the State of Illinois subject to certain limitations; and

WHEREAS, the Transportation Committee has recommended that the County Board approve a contract for the purchase one (1) S300 Bobcat Skid-Steer Loader with one (1) 24 inch high flow planer and one (1) 74 inch heavy duty bucket for the Division of Transportation at the unit prices specified in State of Illinois Contact PSD #4015567.

NOW, THEREFORE BE IT RESOLVED, that Purchase Requisition #15401, dated February 13, 2009, for the purchase of one (1) S300 Bobcat Skid-Steer Loader with one (1) 24 inch high flow planer and one (1) 74 inch heavy duty bucket for the Division of

Transportation be hereby approved for issuance of a contract purchase order by the Procurement Division to Bobcat Company, 250 East Benton Drive, P.O. Box 6000, West Fargo, North Dakota 68078-6000 for a contract total amount of \$38,041.21, per State Contract PSD #4015567.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Puchalski moved, seconded by Member Kurzawa, that Resolution #DT-0008-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
DT-0008-09

AWARDING RESOLUTION TO SEBERT LANDSCAPING COMPANY  
FOR 2009-2010 HIGHWAY LANDSCAPE MAINTENANCE  
VARIOUS LOCATIONS  
SECTION 09-00000-04-LS  
(COUNTY COST: \$581,496.87)

WHEREAS, the County of DuPage is authorized and empowered to construct, repair and improve County and/or Township roads, bridges and appurtenances; and

WHEREAS, the County of DuPage has published a contract proposal for Section 09-00000-04-LS setting forth the terms, conditions and specifications (a copy of which is incorporated herein by reference); and

WHEREAS, the Engineer's Estimate for the project was \$673,515.50; and

WHEREAS, the budget for the fiscal year 2009 provides for the construction and maintenance of roads and bridges including appurtenances; and

WHEREAS, the following bids were received in compliance with the contract proposal:

<u>BIDDER</u>	<u>AMOUNT</u>
Sebert Landscaping Company	\$581,496.87
Landscape Concepts Management	\$583,838.67

; and

WHEREAS, it has been determined that it is in the best interest of the County of DuPage to award a contract to Sebert Landscaping Company for their bid of \$581,496.87.

NOW, THEREFORE, BE IT RESOLVED, that a contract in accordance with the terms, conditions and specifications set forth in the said contract proposal is hereby awarded to Sebert Landscaping Company for their bid of \$581,496.87; and

BE IT FURTHER RESOLVED, that monies be encumbered and set aside for the payment of said contract as follows:

<u>FISCAL YEAR</u>	<u>FUND</u>	<u>AMOUNT</u>
2009	41-226 LGT (3610)	\$350,000.00
2010	41-226 LGT (3610)	<u>231,496.87</u>
	Total:	<u>\$581,496.87</u>

; and

BE IT FURTHER RESOLVED that this contract is subject to the Prevailing Wage Act (820 ILCS 130) and as such not less than the prevailing rage of wages as found by the Department of Labor shall be paid to all laborers, workers or mechanics performing work under the contract; and

BE IT FURTHER RESOLVED, that the Chairman and Clerk of the DuPage County Board are hereby authorized and directed to execute the aforesaid contract with Sebert Landscaping Company.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Puchalski moved, seconded by Member Fichtner, that Resolution #DTp-027-09 be approved and adopted. On roll call, Members Curran, Eckhoff, Fichtner, Gilgis, Kurzawa, McBride, McMahon, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Enger, Gonzalez and Michelassi abstained. Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

DTp-027-09

AWARDING RESOLUTION TO CONSERVATION DESIGN FORUM  
PROFESSIONAL SERVICES AGREEMENT  
FOR PROFESSIONAL WETLAND AND RIPARIAN MONITORING  
AND INSPECTION SERVICES UPON REQUEST  
COUNTY COST OF \$75,000.00,

WHEREAS, the County of DuPage ("COUNTY") by virtue of its power set forth in "County Code" (55 ILCS 5/1-1001 et seq.) and "Highway Code" (605 ILCS 5/1-101 et seq.) are authorized to enter into this Agreement; and

WHEREAS, the COUNTY requires professional Wetland and Riparian Monitoring and Inspection Services to comply with Stormwater Permits issued for several projects; and

WHEREAS, Conservation Design Forum ("CONSULTANT") has experience and expertise in this area and is in the business of providing such professional services and is willing to perform the required services for an amount not to exceed \$75,000.00; and

WHEREAS, the COUNTY has selected the CONSULTANT in accordance with the Professional Services Selection Process found in Section 4-108 of the DuPage County Purchasing Ordinance, as well as the 1990 Illinois Department of Transportation Standard Agreement Provisions for Consultant Services; and

WHEREAS, the COUNTY has an existing working relationship with the CONSULTANT; and

WHEREAS, the Division of Transportation Committee of the DuPage County Board has reviewed and recommended approval of the attached Agreement at the specified amount.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that Purchase Requisition #15398, dated February 13, 2009, per the attached Agreement between the County and Conservation Design Forum, 375 West First Street, Elmhurst, Illinois 60126 be hereby accepted and approved for a total contract amount of \$75,000.00 and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the Agreement on behalf of the COUNTY; and

BE IT FURTHER RESOLVED, that an original copy of this Resolution and Agreement be transmitted to Conservation Design Forum through the Division of Transportation.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Puchalski moved, seconded by Member Kurzawa, that Resolution #DTp-042B-07 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

DTp-042B-07

AMENDMENT TO RESOLUTION DTp-042A-07

AWARDED TO PB AMERICAS, INC.

FOR PHASE II ENGINEERING SERVICES

CH 26/THORNDALE AVENUE

BRIDGE REPLACEMENT OVER SALT CREEK

SECTION 98-00153-02-BR

(TO INCREASE CONTRACT: \$26,811.86; +8.58%)

WHEREAS, the DuPage County Board has heretofore adopted Resolutions DTp-041A-07 dated November 25, 2008 and DTp-042-07 dated June 12, 2007; and

WHEREAS, Contract #S14199 (hereinafter "CONTRACT") was awarded by DTp-042-07 to PB Americas, Inc. (hereinafter "CONSULTANT") for Phase II Engineering Services of CH 26/Thorndale Avenue Bridge Replacement Over Salt Creek, Section 98-00153-02-BR; and

WHEREAS, at that time it was determined that the cost of said CONTRACT to the County of DuPage (hereinafter "COUNTY") and through the DuPage County Division of Transportation, would be \$312,188.14; and

WHEREAS, additional work effort is required of the CONSULTANT to revise the plans to ensure reasonable access is provided during construction to and from a nearby property and to update the project required stormwater analysis and permit to reflect the latest approved drainage models and compensatory storage changes.

NOW, THEREFORE, BE IT RESOLVED, that the County Board adopt this Amending Resolution to the CONTRACT issued to the

CONSULTANT for an increase in the contract amount of \$26,811.86, +8.58% increase, for a new contract total amount of \$339,000.00; and

BE IT FURTHER RESOLVED, that the County Clerk be directed to transmit four (4) originals of this Amending Resolution to the Illinois Department of Transportation and one (1) copy to PB Americas, Inc. through the Division of Transportation.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Puchalski moved, seconded by Member Fichtner, that Resolution #DT-0038A-02 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N

DT-0038A-02

AMENDMENT TO DT-0038-02

INTERGOVERNMENTAL AGREEMENT BETWEEN THE  
STATE OF ILLINOIS AND THE COUNTY OF DU PAGE  
IMPROVEMENT OF ILLINOIS ROUTE 64/NORTH AVENUE  
ILLINOIS ROUTE 53 TO CH 28/VILLA AVENUE  
SECTION 02-00131-00-RP

(TO DECREASE OBLIGATION AND CLOSE AGREEMENT, -\$26,346.56; -  
50.96%)

WHEREAS, the DuPage County Board has heretofore adopted Resolution DT-0038-02 dated June 11, 2002 to approve an Intergovernmental Agreement (hereinafter "AGREEMENT") between the County of DuPage (hereinafter "COUNTY") and the State of Illinois (hereinafter "STATE") for improvement of Illinois Route 64/North Avenue between Illinois Route 53 and CH 28/Villa Avenue; Section 02-00131-00-RP (hereinafter "IMPROVEMENT"); and

WHEREAS, at that time it was estimated that the cost of the IMPROVEMENT to the COUNTY and through the DuPage County Division of Transportation, would be \$51,962.00; and

WHEREAS, the parties have completed their respective obligations under the AGREEMENT and there are allocated and

unexpended COUNTY monies remaining to fund obligations in the AGREEMENT; and

WHEREAS, it is in the best interest of the COUNTY to decrease the obligated funds by \$26,346.56 and close out the AGREEMENT at this time in the amended amount of \$25,345.44 and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the AGREEMENT between the COUNTY and the STATE for the IMPROVEMENT is hereby terminated in an amended amount of \$25,345.44; and

BE IT FURTHER RESOLVED, that the County Clerk be directed to transmit a copy of this Amending Resolution to the State of Illinois through the Division of Transportation.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Member Puchalski moved, seconded by Member Fichtner, that Resolution #DT-0030A-07 be approved and adopted. On roll call, Members Curran, Eckhoff, Enger, Fichtner, Gilgis, Gonzalez, Kurzawa, McBride, McMahon, Michelassi, Olson, O'Shea, Puchalski, Redick, Zay and Zediker voted "aye." Members Healy and Sheahan were not present at the time of roll call. Motion carried.

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R E S O L U T I O N  
DT-0030A-07  
AMENDMENT TO DT-0030-07  
INTERGOVERNMENTAL AGREEMENT BETWEEN THE  
COUNTY OF DU PAGE AND THE  
STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION  
CH 26/THORNDALE AVENUE  
BRIDGE REPLACEMENT OVER SALT CREEK  
SECTION 98-00153-02-BR

WHEREAS, the DuPage County Board (hereinafter "COUNTY") has heretofore adopted Resolution DT-0030-07 dated June 12, 2007, wherein the County entered into an Intergovernmental Agreement for Federal Participation (hereinafter "AGREEMENT") with the State of Illinois Department of Transportation (hereinafter "STATE") that outlined the financial participation of the parties related to Phase II design engineering for CH 26/Thorndale Avenue Bridge Replacement over Salt Creek, Section 98-00153-02-BR(hereinafter "IMPROVEMENT"); and

WHEREAS, at the time the total estimated cost for the Phase II design engineering for the IMPROVEMENT was estimated to be \$320,000.00 and the estimated cost to the COUNTY was to be \$64,000.00; and

WHEREAS, additional work effort is required to revise the plans to ensure reasonable access during construction to and from a nearby property, and to update the stormwater analysis and permit to reflect the latest approved drainage models and compensatory storage changes; and

WHEREAS, through a separate agreement the COUNTY will appropriate the necessary funds for the design engineering for the IMPROVEMENT and will invoice the STATE for their proportional share of the design costs; and

WHEREAS, it is necessary to amend the AGREEMENT to increase both the STATE's (Federal) and the COUNTY's share of design engineering costs; and

WHEREAS, an adjustment in funding is in the best interest of the COUNTY and authorized by law.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of DuPage County, that the Clerk and Chairman of the Board be hereby directed and authorized to execute Local Agency Amendment #1 to the AGREEMENT with the STATE; and

BE IT FURTHER RESOLVED, that six (6) original copies of the Amending Resolution and Local Agency Amendment #1 to the AGREEMENT be sent to the STATE, through the DuPage County Division of Transportation.

Enacted and approved this 10th day of March, 2009, at Wheaton, Illinois.

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Under New Business, Member Zay suggested that during the meeting, the Chairman of the Committee announce the name of each contract and dollar amount before the vote.

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Member Enger thanked Member Zay and Tony Charlton for their work during the storms. He helped people sand bag in Warrenville. Mayor Brummel has sent a letter in hopes that the County can act on their flooding concerns.

--oo00oo--

Member Enger stated that he met with Congressman Foster and talked about the stimulus money. He thanked Chairman Schillerstrom for his efforts in getting money for DuPage County.

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Member O'Shea moved, seconded by Member Olson, that the meeting of the County Board of DuPage County be adjourned to Tuesday, March 24, 2009 at 10:00 A.M. On voice vote, motion carried.

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County Clerk

