



DU PAGE COUNTY

DuPage County Board

Final Summary

421 N. COUNTY FARM ROAD
WHEATON, IL 60187
www.dupagecounty.gov

Tuesday, February 14, 2023

10:00 AM

County Board Room

1. CALL TO ORDER

10:00 AM meeting was called to order by Chair Deborah A. Conroy at 10:40 AM.

2. PLEDGE OF ALLEGIANCE

Member Garcia led the pledge of allegiance.

3. INVOCATION

Reverend Andrew Love - Second Baptist Church – Elgin

4. ROLL CALL

PRESENT:	Conroy, Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
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5. CHAIR'S REPORT

Black History Month Proclamation

Our celebration of Black History Month in 2023 is unique this year, as one of our own members has personally contributed to the celebration. Late last year, Member Michael Childress expressed an interest in sharing some of the memorabilia he collects, to help educate the community about the history of African Americans in our nation.

We connected him with the DuPage Historical Museum and that... as they say in the movies... was the beginning of a beautiful friendship!

This month let's encourage everyone to visit the museum in February, to view the Black Trailblazers exhibit. You will learn about the important contributions of African Americans in the areas of art, education, sports, and the Civil Rights Movement. To mark Black History Month in DuPage County, I will read our annual Black History Month proclamation and ask Michelle and Emily, who are here from the museum...to tell us more. And then we will invite Michael to say a few words and introduce his guest, Bernie Kleina.

Chair Conroy made the following remarks:

Please allow me to take a moment and thank our hard-working Information Technology staff for all they have done to prepare for the technology upgrades we are making this week. The Tyler tax system, the migration to our new meeting agenda system and the roll out of our new website have been months...sometimes years...in the making. Thanks to all staff members involved, for your diligence and dedication. This has been a campus-wide, team approach and we are grateful

for the collaboration.

Finally, please mark your calendars for February 28th. In order to complete your required ethics training, the County's Ethics Adviser, Dan Hanlon, and Investigator General, Greg Vaci, will provide an in-person, ethics training session following our next Board meeting, again, that's February 28th.

For those who like to prepare in advance, you can review the County's ethics ordinance on our website at www.dupagecounty.gov/ethics.

That concludes my remarks. At this time, I'm going to ask Member Sadia Covert to speak, as she has asked if she could share some information with the Board about the earthquake in Turkey.

Member Covert asked for a moment of silence for the victims of the Turkey-Syria earthquake.

6. PUBLIC COMMENT Limited to 3 minutes per person

The following individuals made public comment:

Steve Fixler: Honor Flight Chicago Fundraiser

Janis Thitsch: Sheriff Mendrick

Steven Waldenga: History

Linda Kallas: HB5471

Evan K. Summers: Rezoning

Dennis McAbery: Bermin-Lapatina variance petition

Jax West: Sheriff Mendrick

Clayton Keller: Hunting laws

Louis Wiersum: Zoning

Ioana Ferndandez: Protect Illinois Communities Act

Kathy Samaan: Record of attendance

Kurtis Pozsgay: 5N047 IL Route 83

Joe Sheehan: Kerry Farms

Michael Roth: 5N047 IL Route 83

All online submissions for public comment from the February 14, 2023 DuPage County Board meeting are included for the record in their entirety. They are found at the back of the minutes packet.

7. CONSENT ITEMS

7.A. [23-0764](#)

DuPage County Board Minutes - Regular Meeting - Tuesday January 24th 2023

7.B. [23-0765](#)

DuPage County Health Department Minutes - County Board Orientation - Tuesday, January 24th, 2023

7.C. [23-0754](#)

01-20-2023 Paylist

7.D. [23-0755](#)

- 01-20-2023 Auto Debit Paylist
- 7.E. [23-0756](#)
01-24-2023 Paylist
- 7.F. [23-0757](#)
01-27-2023 Paylist
- 7.G. [23-0758](#)
01-31-2023 Paylist
- 7.H. [23-0759](#)
02-03-2023 Paylist
- 7.I. [23-0760](#)
02-07-2023 Paylist
- 7.J. [23-0766](#)
Change orders to various contracts as specified in the attached packet.
- 7.K. [23-0761](#)
02-03-2023 Corvel Wire Transfer
- 7.L. [23-0762](#)
02-06-2023 IDOR Wire Transfer

RESULT:	APPROVED THE CONSENT AGENDA
MOVER:	Cynthia Cronin Cahill
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

8. COUNTY BOARD

Committee Update

- 8.A. [CB-R-0050-23](#)
Reappointment of Harvey R. Mull to the Wheaton Mosquito Abatement District.

WHEREAS, Deborah A. Conroy has submitted to the County Board her reappointment of Harvey R. Mull to be a Trustee of the Wheaton Mosquito Abatement District; and

WHEREAS, such reappointment requires the advice and consent of the County Board under 70 ILCS 1005/5, as amended.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the County Board does hereby advise and consent to the reappointment of Harvey R. Mull as a Trustee of the Wheaton Mosquito Abatement District for a term expiring December 1, 2026; and

BE IT FURTHER RESOLVED that the “Notice of Reappointment” be attached hereunto and made a part hereof; and

BE IT FURTHER RESOLVED that the County Clerk transmit certified copies of this resolution to: Harvey R. Mull; Attorney Phil Luetkehans, Luetkehans, Brady, Gamer & Armstrong, LLC, 105 E Irving Park Road, Itasca, IL 60143.

RESULT:	APPROVED
MOVER:	Michael Childress
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

8.B. [CB-R-0051-23](#)

Appointment of Michael L. Childress to the DuPage County Historical Museum Foundation.

WHEREAS, Resolution GE-0002-04, dated March 23, 2004, established a governing board of the DuPage County Historical Museum (“Museum”) and outlined the duties to be performed by said Board, which was referred to as the DuPage County Historical Museum Advisory Board (“Advisory Board”); and

WHEREAS, Resolution CB-0026-04, dated April 13, 2004 made initial appointments to said Advisory Board, and subsequent resolutions, adopted by the County Board from time to time, added to and modified the membership of said Advisory Board; and

WHEREAS, said Advisory Board created the DuPage County Historical Museum Foundation (“Foundation”) and assumed the role of the Board of Directors for the Association; and

WHEREAS, Resolution DC-0002-08, dated June 24, 2008, adopted an agreement between DuPage County (“County”) and the Wheaton Park District (“Park District”) whereby the Park District assumed the operation of the Museum to employ its expertise in operating recreational and educational facilities to present the history and culture of DuPage County; and

WHEREAS, said agreement between the County and the Park District recognized the Foundation Board of Directors as the advisory and fundraising board of the Museum and established that the County and the Park District shall each appoint fifty percent (50%) of

the Directors of the Foundation, the total number being in accordance with Foundation Bylaws, and in accordance with Foundation Bylaws, the Board of Directors may elect one additional Director; and

WHEREAS, on July 9, 2014, the DuPage County Historical Museum Foundation Board of Directors authorized an expansion of its board from seven (7) to as many as thirteen (13) members pursuant to the Bylaws of the Foundation; and

WHEREAS, in accordance with the agreement between the County and the Park District, Deborah A. Conroy, Chair of the DuPage County Board, has submitted to the DuPage County Board his appointment of Michael L. Childress to serve as a member of the Foundation Board of Directors, term expiring April 30th, 2026; and

WHEREAS, the Bylaws of the DuPage County Historical Museum Foundation require the Board of Directors to stagger member terms and report the subsequent terms to the County Board Office; and

WHEREAS, such appointments require the advice and consent of the County Board.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the County Board does hereby advise and consent to the appointment of Michael L. Childress to serve as a member of the DuPage County Historical Museum Foundation Board of Directors; and

BE IT FURTHER RESOLVED that the "Notice of Appointment" be attached hereunto and made a part of this resolution; and

BE IT FURTHER RESOLVED that the County Clerk shall transmit certified copies of this resolution to: Michael L. Childress; Michelle Podkowa, Museum Manager and Educator, 102 E Wesley St, Wheaton, IL 60187; and the County Board Office.

RESULT:	APPROVED
MOVER:	Patty Gustin
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9. FINANCE - CHAPLIN

Committee Update

9.A. [FI-CO-0003-23](#)

Recommendation for the approval of an amendment to purchase order 5488-0001 SERV,

for a contract issued to Hart InterCivic, for a voting equipment system, for the DuPage County Clerk – Election Division, to increase the contract in the amount of \$5,060, resulting in an amended contract total amount not to exceed \$7,467,641.27, an increase of 0.07%. (Election Division - Change Order #6)

WHEREAS, Resolution FI-P-0401-21 was approved and adopted by the County Board on October 26, 2021; and

WHEREAS, the Finance Committee recommends a change order to amend purchase order 5488-0001 SERV, to increase the current contract total in the amount of \$5,060, to cover the cost of Onsite Election Day Support, for the County Clerk - Election Division.

NOW, THEREFORE BE IT RESOLVED, that County Board adopts the Change Order dated February 8, 2023, increasing Contract Purchase Order 5488-0001 SERV issued to Hart InterCivic, in the amount of \$5,060, for the County Clerk - Election Division, resulting in an amended contract total amount of \$7,467,641.27, an increase of 0.07%.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Greg Schwarze
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.B. [FI-CO-0004-23](#)

Recommendation for the approval of an amendment to purchase order 5661-0001 SERV, for a contract issued to Prager Moving and Storage, for the transportation of voting equipment, for the DuPage County Clerk – Election Division, to increase the contract in the amount of \$35,495, resulting in an amended contract total amount not to exceed \$171,495, an increase of 26.10%. (Election Division - Change Order #1)

WHEREAS, Resolution FI-P-0065-22 was approved and adopted by the County Board on February 8, 2022; and

WHEREAS, the Finance Committee recommends a change order to amend purchase order 5661-0001 SERV, to increase the current contract total in the amount of \$35,495, to cover the cost of sending additional election supply cabinets to voting sites, for the County Clerk - Election Division.

NOW, THEREFORE BE IT RESOLVED, that County Board adopts the Change Order dated February 8, 2023, increasing Contract Purchase Order 5661-0001 SERV issued to Prager Moving and Storage, in the amount of \$35,495, for the County Clerk - Election Division, resulting in an amended contract total amount of \$171,495, an increase of 26.10%.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Jim Zay
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.C. [FI-CO-0005-23](#)

Recommendation for the approval of an amendment to purchase order 4156-0001 SERV, for a contract issued to KnowInk LLC, for an Election Pollbook Software System, for the DuPage County Clerk – Election Division, to increase the contract in the amount of \$13,500, resulting in an amended contract total amount not to exceed \$2,057,500, an increase of 0.66%. (Election Division - Change Order #1)

WHEREAS, Resolution FI-P-0283-19 was approved and adopted by the County Board on October 8, 2019; and

WHEREAS, the Finance Committee recommends a change order to amend purchase order 4156-0001 SERV, to increase the current contract total in the amount of \$13,500, to cover the cost of Poll Pad annual maintenance fees, for the County Clerk - Election Division.

NOW, THEREFORE BE IT RESOLVED, that County Board adopts the Change Order dated February 8, 2023, increasing Contract Purchase Order 4156-0001 SERV issued to KnowInk LLC, in the amount of \$13,500, for the County Clerk - Election Division, resulting in an amended contract total amount of \$2,057,500, an increase of 0.66%.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.D. [FI-R-0057-23](#)

Acceptance and Appropriation of the Illinois Department of Human Services Emergency Solutions Grant Cares Act PY23 Inter-Governmental Agreement No. FCSBH05736, Company 5000 - Accounting Unit 1695, \$383,397. (Community Services)

WHEREAS, the County of DuPage has been notified by the Illinois Department of Human Services that grant funds in the amount of \$383,396.51 (THREE HUNDRED EIGHTY-THREE THOUSAND, THREE HUNDRED NINETY-SIX AND 51/100

DOLLARS) are available to assist DuPage County residents experiencing housing needs due to the Covid pandemic by providing assistance to prevent homelessness and to establish shelter, housing and stability; and

WHEREAS, to receive said grant funds, the County of DuPage must enter into Inter-Governmental Agreement No. FCSBH05736 with the Illinois Department of Human Services, a copy of which is attached to and incorporated as part of this resolution by reference (ATTACHMENT II); and

WHEREAS, the term of the Inter-Governmental Agreement is from July 1, 2022 through June 30, 2023; and

WHEREAS, no additional County funds are required to receive this funding; and

WHEREAS, acceptance of this grant does not add any additional subsidy from the County; and

WHEREAS, the DuPage County Board finds that the need to appropriate said grant funds creates an emergency within the meaning of the Counties Act, Budget Division, (55 ILCS 5/6-1003).

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that Inter-Governmental Agreement No. FCSBH05736 (ATTACHMENT II) between the County of DuPage and the Illinois Department of Human Services is hereby accepted; and

BE IT FURTHER RESOLVED that the additional appropriation on the attached sheet (ATTACHMENT I) in the amount of \$383,397 (THREE HUNDRED EIGHTY-THREE THOUSAND, THREE HUNDRED NINETY-SEVEN AND NO/100 DOLLARS) be made to establish the Illinois Department of Human Services Emergency Solutions Grant Cares Act PY23, Company 5000 - Accounting Unit 1695, for the period July 1, 2022 through June 30, 2023; and

BE IT FURTHER RESOLVED by the DuPage County Board that the Director of Community Services is approved as the County's Authorized Representative; and

BE IT FURTHER RESOLVED that should state and/or federal funding cease for this grant, the Health and Human Services Committee shall review the need for continuing the specified program and related head count; and

BE IT FURTHER RESOLVED that should the Health and Human Services Committee determine the need for other funding is appropriate, it may recommend action to the County Board by resolution.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Sheila Rutledge

AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
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9.E. [FI-R-0065-23](#)

Acceptance of an extension of time for the ILDCEO Community Services Block Grant PY22 Inter-Governmental Agreement No. 22-231028, Company 5000 - Accounting Unit 1650, through March 31, 2023. (Community Services)

WHEREAS, the County of DuPage heretofore accepted and appropriated the Illinois Department of Commerce and Economic Opportunity (ILDCEO) Community Services Block Grant PY22, Inter-governmental Agreement No. 22-231028, Company 5000 - Accounting Unit 1650, pursuant to Resolution FI-R-0036-22 for the period January 1, 2022 through December 31, 2022; and

WHEREAS, the County of DuPage has been notified by ILDCEO, that the grant may be extended to March 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the expiration date of the ILDCEO Community Services Block Grant PY22, Company 5000 - Accounting Unit 1650, be extended until March 31, 2023.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.F. [FI-R-0067-23](#)

Acceptance and appropriation of the Help American Vote Act - Polling Place Accessibility Grant FY23, Company 5000, Accounting Unit 1071, \$585,584. (DuPage County Clerk - Election Division)

WHEREAS, the County of DuPage, through the DuPage County Clerk-Election Division, has been notified by the Illinois State Board of Elections that grant funds in the amount of \$585,584 (FIVE HUNDRED EIGHTY-FIVE THOUSAND, FIVE HUNDRED EIGHTY-FOUR, AND NO/100 DOLLARS) are available through the Help America Vote Act of 2002 (HAVA), to provide additional resources to make improvements to Illinois polling places for voters with disabilities; and

WHEREAS, to receive said grant funds, the County of DuPage, through the DuPage County Clerk-Election Division, must enter into a Grant Acceptance Agreement with the Illinois State Board of Elections, a copy of which is attached to and incorporated as a part of this resolution by reference (ATTACHMENT II); and

WHEREAS, the grant period of the Grant Acceptance Agreement is from July 1, 2022 to June 30, 2023; and

WHEREAS, no additional County funds are required to receive this funding; and

WHEREAS, acceptance of this grant does not add any additional subsidy from the County; and

WHEREAS, the DuPage County Board finds that the need to appropriate said grant funds creates an emergency within the meaning of the Counties Act, Budget Division, (55 ILCS 5/6-1003).

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the Grant Acceptance Agreement (ATTACHMENT II) between DuPage County and the Illinois State Board of Elections is hereby accepted; and

BE IT FURTHER RESOLVED by the DuPage County Board that the additional appropriation on the attached sheet (ATTACHMENT I) in the amount of \$585,584 (FIVE HUNDRED EIGHTY-FIVE THOUSAND, FIVE HUNDRED EIGHTY-FOUR, AND NO/100 DOLLARS) be made to establish the HAVA Polling Place Accessibility Grant FY23, Company 5000 - Accounting Unit 1071, for period July 1, 2022 through June 30, 2023; and

BE IT FURTHER RESOLVED by the DuPage County Board that the DuPage County Clerk is approved as the County's Authorized Representative; and

BE IT FURTHER RESOLVED that should state and/or federal funding cease for this grant, the Finance Committee shall review the need for continuing the specified program; and

BE IT FURTHER RESOLVED that should the Finance Committee determine the need for other funding is appropriate, it may recommend action to the County Board by resolution.

RESULT: APPROVED

MOVER: Liz Chaplin

SECONDER: Sheila Rutledge

AYES: Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.G. [FI-R-0055-23](#)

Authorization to transfer \$60,248 in budget to the Circuit Court for Fiscal Year 2023. (18th Judicial Circuit Court)

WHEREAS, appropriations for the GENERAL FUND for Fiscal Year 2023 were adopted by the County Board pursuant to Ordinance FI-O-0059-22; and

WHEREAS, due to a request by the CIRCUIT COURT to increase staff headcount to cover immediate support needed within the department, there is a need for a budget transfer; and

WHEREAS, the amount necessary to accommodate said additional salaries is \$47,000 (FORTY-SEVEN THOUSAND, AND NO/100 DOLLARS); and

WHEREAS, the amount necessary to accommodate said additional IMRF is \$3,652 (THREE THOUSAND, SIX HUNDRED FIFTY-TWO, AND NO/100 DOLLARS); and

WHEREAS, the amount necessary to accommodate said additional Social Security is \$3,596 (THREE THOUSAND, FIVE HUNDRED NINETY-SIX, AND NO/100 DOLLARS); and

WHEREAS, the amount necessary to accommodate said additional Medical and Hospital Insurance is \$6,000 (SIX THOUSAND, AND NO/100 DOLLARS); and

WHEREAS, there is sufficient unappropriated budget in the GENERAL FUND - COMPANY 1000, ACCOUNTING UNIT 1190, ACCOUNT 53828 to support a budget transfer in the amount of \$60,248 (SIXTY THOUSAND, TWO HUNDRED FORTY-EIGHT, AND NO/100 DOLLARS); and

WHEREAS, the need to provide a budget transfer in the amount of \$47,000 (FORTY-SEVEN THOUSAND, AND NO/100 DOLLARS) from 1000-1190-53828 to 1000-5900-50000; and

WHEREAS, the need to provide a budget transfer in the amount of \$3,652 (THREE THOUSAND, SIX HUNDRED FIFTY-TWO, AND NO/100 DOLLARS) from 1000-1190-53828 to 1000-5900-51010; and

WHEREAS, the need to provide a budget transfer in the amount of \$3,596 (THREE THOUSAND, FIVE HUNDRED NINETY-SIX, AND NO/100 DOLLARS) from COMPANY 1000-1190-53828 to 1000-5900-51030; and

WHEREAS, the need to provide a budget transfer in the amount of \$6,000 (SIX THOUSAND, AND NO/100 DOLLARS) from COMPANY 1000-1190-53828 to 1000-5900-51040.

NOW, THEREFORE, BE IT RESOLVED, by the DuPage County Board that a budget transfer in an amount up to, but not to exceed \$60,248 (SIXTY THOUSAND, TWO HUNDRED FORTY-EIGHT, AND NO/100 DOLLARS) may be made in one or more transfers; and

BE IT FURTHER RESOLVED by the DuPage County Board that the said transfers may be made relative to the period of December 1, 2022 to November 30, 2023.

RESULT: APPROVED

MOVER: Liz Chaplin

SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.H. [FI-R-0064-23](#)

Acceptance and Appropriation of the DuPage Housing Authority Family Self-Sufficiency Program Grant PY23, Company 5000 - Accounting Unit 1740, from January 1, 2023 through December 31, 2023, \$121,726. (Community Services)

WHEREAS, the County of DuPage has been notified by the DuPage Housing Authority that grant funds in the amount of \$121,726 (ONE HUNDRED TWENTY-ONE THOUSAND, SEVEN HUNDRED TWENTY-SIX AND NO/100 DOLLARS) are available to be used to pay for the staffing of individuals who serve those in the Family Self-Sufficiency Program; and

WHEREAS, to receive said grant funds, the County of DuPage must enter into a Service Contract with the DuPage Housing Authority, a copy of which is attached to and incorporated as part of this resolution by reference (ATTACHMENT II); and

WHEREAS, the term of the agreement is from January 1, 2023 through December 31, 2023; and

WHEREAS, no additional County funds are required to receive this funding; and

WHEREAS, acceptance of this grant does not add any additional subsidy from the County; and

WHEREAS, the DuPage County Board finds that the need to appropriate said grant funds creates an emergency within the meaning of the Counties Act, Budget Division, (55 ILCS 5/6-1003).

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the Service Contract (ATTACHMENT II) between DuPage County and DuPage Housing Authority is hereby accepted; and

BE IT FURTHER RESOLVED by the DuPage County Board that the additional appropriation on the attached sheet (ATTACHMENT I) in the amount of \$121,726 (ONE HUNDRED TWENTY-ONE THOUSAND, SEVEN HUNDRED TWENTY-SIX AND NO/100 DOLLARS) be made to establish the DuPage Housing Authority Family Self-Sufficiency Program PY23, Company 5000, Accounting Unit 1740, for the period January 1, 2023 through December 31, 2023; and

BE IT FURTHER RESOLVED by the DuPage County Board that the Director of Community Services is approved as the County's Authorized Representative; and

BE IT FURTHER RESOLVED that should state and/or federal funding cease for this grant, the Human Services Committee shall review the need for continuing the specified program; and

BE IT FURTHER RESOLVED that should the Human Services Committee determine the need for other funding is appropriate, it may recommend action to the County Board by resolution.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Jim Zay
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.I. [FI-R-0059-23](#)

Additional Appropriation for the Neutral Site Custody Exchange Fund - Company 1400 - Accounting Unit 5920 - \$2,356 (Family Center)

WHEREAS, appropriations for the NEUTRAL SITE CUSTODY EXCHANGE FUND for Fiscal Year 2022 were adopted by the County Board pursuant to Ordinance FI-O-0102-21; and

WHEREAS, there is a need for an additional appropriation in the NEUTRAL SITE CUSTODY EXCHANGE FUND - COMPANY 1400, ACCOUNTING UNIT 5920 due to full-time support staff working overtime to cover a part-time support staff vacancy in the amount of \$2,356 (TWO THOUSAND, THREE HUNDRED FIFTY-SIX, AND NO/100 DOLLARS); and

WHEREAS, there is sufficient unappropriated cash in the NEUTRAL SITE CUSTODY EXCHANGE FUND - COMPANY 1400, ACCOUNTING UNIT 5920 to support an additional appropriation of \$2,356 (TWO THOUSAND, THREE HUNDRED FIFTY-SIX, AND NO/100 DOLLARS); and

WHEREAS, the need to provide an additional appropriation in the amount of \$2,356 (TWO THOUSAND, THREE HUNDRED FIFTY-SIX, AND NO/100 DOLLARS); in the NEUTRAL SITE CUSTODY EXCHANGE FUND - COMPANY 1400, ACCOUNTING UNIT 5920 creates an emergency within the meaning of the Counties Act, Budget Division, (55 ILCS 5/6-1003).

NOW, THEREFORE, BE IT RESOLVED, by the DuPage County Board that an additional appropriation (Attachment) in the amount of \$2,356 (TWO THOUSAND, THREE HUNDRED FIFTY-SIX, AND NO/100 DOLLARS); in the NEUTRAL SITE CUSTODY EXCHANGE FUND - COMPANY 1400, ACCOUNTING UNIT 5920 is hereby approved and added to the Fiscal Year 2022 Appropriation Ordinance.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Jim Zay
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.J. [FI-R-0058-23](#)

Acceptance and Appropriation of the National Children's Alliance Equipment and Technology Grant 2023, Cooperative Agreement No. WHEA-IL-EQUIP23, Company 5000 - Accounting Unit 6590, \$28,998. (State's Attorney Office)

WHEREAS, the County of DuPage on behalf of the DuPage County Children's Center and under the direction of the DuPage County State's Attorney Office has been notified by the National Children's Alliance that grant funds in the amount of \$28,998.00 (TWENTY-EIGHT THOUSAND NINE HUNDRED NINETY EIGHT AND NO/100 DOLLARS) are available for equipment and technology; and

WHEREAS, to receive said grant funds, the County of DuPage must enter into Cooperative Agreement No. WHEA-IL-EQUIP23 with the National Children's Alliance, a copy of which is attached to and incorporated as a part of this resolution by reference (ATTACHMENT II); and

WHEREAS, the term of the grant agreement is from January 1, 2023 through December 31, 2023; and

WHEREAS, no additional County funds are required to receive this funding; and

WHEREAS, acceptance of this grant does not add any additional subsidy from the County; and

WHEREAS, the County Board finds that the need to appropriate said grant funds creates an emergency within the meaning of the Counties Act, Budget Division, (55 ILCS 5/6-1003).

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that Cooperative Agreement No. WHEA-IL-EQUIP23 (ATTACHMENT II) between DuPage County and the National Children's Alliance is hereby accepted; and

BE IT FURTHER RESOLVED by the DuPage County Board that the additional appropriation on the attached sheet (ATTACHMENT I) in the amount of \$28,998 (TWENTY-EIGHT THOUSAND, NINE HUNDRED NINETY-EIGHT AND NO/100 DOLLARS) be made to establish the National Children's Alliance Equipment and Technology Grant 2023, Company 5000 - Accounting Unit 6590, for the period January 1, 2023 through December 31, 2023; and

BE IT FURTHER RESOLVED by the DuPage County Board that the DuPage County's State's Attorney Office is authorized to sign Cooperative Agreement No. WHEA-IL-EQUIP23 as the Authorized Representative; and

BE IT FURTHER RESOLVED that should state and/or federal funding cease for this grant, the Judicial and Public Safety Committee shall review the need for continuing the specified program and headcount; and

BE IT FURTHER RESOLVED that should the Judicial and Public Safety Committee determine the need for other funding is appropriate, it may recommend action to the County Board by resolution.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Jim Zay
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.K. [FI-R-0068-23](#)

Annual financial commitments in support of the DuPage Convention and Visitors Bureau for Fiscal Year 2023 in the amount of \$50,000.

RESULT:	WITHDRAWN
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9.L. [FI-R-0069-23](#)

Annual financial commitments in support of the DuPage County Health Department (HOPE Taskforce) for Fiscal Year 2023 in the amount of \$200,000.

RESULT:	WITHDRAWN
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9.M. [FI-R-0070-23](#)

Annual financial commitments in support of the Illinois State Association of Counties (ISACo) for Fiscal Year 2023 in the amount of \$28,820.

WHEREAS, the DuPage County Board supports the Illinois State Association of Counties (ISACo) through an annual financial commitment; and

WHEREAS, the Illinois State Association of Counties (ISACo) is an organization uniting Illinois Counties and promoting best practices and policies in the administration of county government for the benefit of the people in Illinois. ISACo serves as a central organization for information and research, for the collection, analysis and dissemination of data relating to county government; and

WHEREAS, the DuPage County Board recognizes that the Illinois State Association of Counties (ISACo) is an organization worthy of continued financial support; and

WHEREAS, in its Fiscal Year 2023 Budget, DuPage County has identified \$28,820 (TWENTY-EIGHT THOUSAND, EIGHT HUNDRED TWENTY AND NO/100 DOLLARS) in the General Fund - Company 1000, Accounting Unit 1001, Account 53600 for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board supports the annual financial commitments to the Illinois State Association of Counties (ISACo) in an amount up to, but not to exceed \$28,820 (TWENTY-EIGHT THOUSAND, EIGHT HUNDRED TWENTY AND NO/100 DOLLARS) in one or more payments; and

BE IT FURTHER RESOLVED by the DuPage County Board that the said payments may be made anytime from the period of December 1, 2022 to November 30, 2023.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.N. [FI-R-0071-23](#)

Annual financial commitments in support of the National Association of Counties (NACo) for Fiscal Year 2023 in the amount of \$18,338.

WHEREAS, the DuPage County Board supports the National Association of Counties (NACo) through an annual financial commitment; and

WHEREAS, the National Association of Counties (NACo) provides information, training and assistance to counties on a wide range of issues in order to increase knowledge, build capacity and foster innovative practices in county programs; and

WHEREAS, the DuPage County Board recognizes that the National Association of Counties (NACo) is an organization worthy of continued financial support; and

WHEREAS, in its Fiscal Year 2023 Budget, DuPage County has identified \$18,338 (EIGHTEEN THOUSAND, THREE HUNDRED THIRTY-EIGHT AND NO/100 DOLLARS) in the General Fund - Company 1000, Accounting Unit 1001, Account 53600 for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board supports the annual financial commitments to the National Association of Counties (NACo) in an amount up to, but not to exceed \$18,338 (EIGHTEEN THOUSAND, THREE HUNDRED THIRTY-EIGHT AND NO/100 DOLLARS) in one or more payments; and

BE IT FURTHER RESOLVED by the DuPage County Board that the said payments may be made anytime from the period of December 1, 2022 to November 30, 2023.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Jim Zay
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.O. [FI-R-0072-23](#)

Annual financial commitments in support of the University of Illinois Cooperative Extension Program for Fiscal Year 2023 in the amount of \$30,000.

WHEREAS, the DuPage County has traditionally participated in the funding of the University of Illinois Cooperative Extension Program; and

WHEREAS, the DuPage County recognizes that the University of Illinois Cooperative Extension Program in an organization worthy of continued financial support; and

WHEREAS, the University of Illinois Cooperative Extension Program contribution for Fiscal Year 2023 is \$30,000 (THIRTY THOUSAND AND NO/100 DOLLARS); and

WHEREAS, in its Fiscal Year 2023 Budget, DuPage County has identified \$30,000 (THIRTY THOUSAND AND NO/100 DOLLARS) in the General Fund - Company 1000, Accounting Unit 1001, Account 53705 for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board supports the annual financial commitments to the University of Illinois Cooperative Extension Program in an amount up to, but not to exceed \$30,000 (THIRTY THOUSAND AND NO/100 DOLLARS) in one or more payments; and

BE IT FURTHER RESOLVED by the DuPage County Board that the said payments may be made anytime from the period of December 1, 2022 to November 30, 2023.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Jim Zay
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.P. [FI-R-0066-23](#)

Budget Transfers 02-14-2023 - Various Companies and Accounting Units

WHEREAS, it appears that certain appropriations for various County companies and accounting units are insufficient to cover necessary expenditures for the balance of the 2022 and 2023 fiscal years; and

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

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached transfers be made within the indicated companies and accounting units.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Jim Zay

AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
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9.Q. [FI-R-0073-23](#)

Additional appropriation for the ARPA Fund, for ICNA Relief, Company 1100, Accounting Unit 1215, \$128,000. (ARPA ITEM)

WHEREAS, appropriations for the ARPA FUND for Fiscal Year 2023 were adopted by the County Board pursuant to Ordinance FI-O-0059-22; and

WHEREAS, there is a need for an additional appropriation in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215 for ICNA Relief, in the amount of \$128,000 (ONE HUNDRED TWENTY-EIGHT THOUSAND AND 00/100 DOLLARS); and

WHEREAS, ICNA Relief provides a nationwide network of shelters, food pantries, health clinics, skill development programs, disaster relief services, refugee services and more to underserved persons; and

WHEREAS, there is sufficient unappropriated revenue in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215 to support an additional appropriation of \$128,000 (ONE HUNDRED TWENTY-EIGHT THOUSAND AND 00/100 DOLLARS); and

WHEREAS, the need to provide an additional appropriation in the amount of \$128,000 (ONE HUNDRED TWENTY-EIGHT THOUSAND AND 00/100 DOLLARS) in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215 creates an emergency within the meaning of the Counties Act, Budget Division, (55 ILCS 5/6-1003).

NOW, THEREFORE, BE IT RESOLVED, by the DuPage County Board, that an additional appropriation (Attachment) in the amount of \$128,000 (ONE HUNDRED TWENTY-EIGHT THOUSAND AND 00/100 DOLLARS) in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215 is hereby approved and added to the Fiscal Year 2023 Appropriation Ordinance.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.R. [FI-R-0074-23](#)

Additional appropriation for the ARPA Fund, for Poised for Success, Company 1100, Accounting Unit 1215, \$45,000. (ARPA Interest)

WHEREAS, appropriations for the ARPA FUND for Fiscal Year 2023 were adopted by the County Board pursuant to Ordinance FI-O-0059-22; and

WHEREAS, there is a need for an additional appropriation in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215 for Poised for Success, in the amount of \$45,000 (FORTY-FIVE THOUSAND AND 00/100 DOLLARS); and

WHEREAS, Poised for Success provides interview skills/training, professional development, and business appropriate clothing to women who are on public assistance or otherwise in need; and

WHEREAS, there is sufficient unappropriated revenue in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215, ACCOUNT CODE 45000-0000 (INVESTMENT INCOME) to support an additional appropriation of \$45,000 (FORTY-FIVE THOUSAND AND 00/100 DOLLARS); and

WHEREAS, the need to provide an additional appropriation in the amount of \$45,000 (FORTY-FIVE THOUSAND AND 00/100 DOLLARS) in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215 creates an emergency within the meaning of the Counties Act, Budget Division, (55 ILCS 5/6-1003).

NOW, THEREFORE, BE IT RESOLVED, by the DuPage County Board, that an additional appropriation (Attachment) in the amount of \$45,000 (FORTY-FIVE THOUSAND AND 00/100 DOLLARS) in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215 is hereby approved and added to the Fiscal Year 2023 Appropriation Ordinance.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.S. [FI-R-0075-23](#)

Approval of a grant agreement between the County of DuPage and Poised for Success in the amount of \$45,000. (ARPA Interest)

WHEREAS, Poised for Success is a 501(c)(3) non-profit organization located in DuPage County which provides interview skills/training, professional development, and business appropriate clothing to women who are on public assistance or otherwise in need; and

WHEREAS, the County of DuPage ("County") wishes to enter into a grant Agreement ("Agreement") with Poised for Success to provide funding for operational expenses; and

WHEREAS, the County has prepared the Agreement which outlines the arrangements between the County and Poised for Success to govern the disbursement and

auditing of the funds.

NOW, THEREFORE BE IT RESOLVED, that the DuPage County Board hereby authorizes the DuPage County Board Chair to enter into the Agreement attached hereto as Exhibit A.

RESULT: APPROVED

MOVER: Liz Chaplin

SECONDER: Paula Garcia

AYES: Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.T. [FI-R-0076-23](#)

Approval of a grant agreement between the County of DuPage and ICNA Relief, for the use of ARPA funds, in the amount of \$128,000. (ARPA ITEM)

WHEREAS, the American Rescue Plan Act of 2021 (ARPA; P.L. 117-2) was signed into law on March 11, 2021 to provide COVID-19 relief and economic stimulus; and

WHEREAS, the County of DuPage ("County") has received \$179,266,585.00 (ONE HUNDRED SEVENTY-NINE MILLION, TWO HUNDRED SIXTY-SIX THOUSAND, FIVE HUNDRED EIGHTY-FIVE AND 00/100 DOLLARS) from the American Rescue Plan Act ("ARPA"); and

WHEREAS, the United States Department of the Treasury released the Final Rule on January 6, 2022 to provide guidance on the use of ARPA funding; and

WHEREAS, the County has evaluated the ARPA public law with its subsequent Final Rule and has determined that ARPA funds may be used to address negative economic impacts caused by the COVID-19 public health emergency, especially negative impacts on individuals and households that have been disproportionately impacted by the COVID-19 pandemic; and

WHEREAS, the County has observed an increase in food insecurity as a negative impact of the COVID-19 public health emergency; and

WHEREAS, the County wishes to enter into a grant Agreement ("Agreement") with ICNA Relief to provide ARPA funding for the construction of a new food pantry facility; and

WHEREAS, the County has prepared an Agreement which outlines the arrangements between the County and ICNA Relief to govern the disbursement and auditing of ARPA funds.

NOW, THEREFORE BE IT RESOLVED, that the Director of the Department of Community Services is hereby authorized to enter into agreements pursuant to this resolution.

RESULT: APPROVED

MOVER: Liz Chaplin

SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.U. [FI-P-0001-23](#)

Recommendation for the approval of a contract to DFM Associates, for Voter Registration Election Information Management System software, for the County Clerk - Election Division, for the period of December 1, 2022 through November 30, 2023, for a contract total amount not to exceed \$156,072. Exempt from bidding per 55 ILCS 5/5-1022 "Competitive Bids" (c) not suitable for competitive bids - Sole Source. (County Clerk - Election Division)

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 a contract to DFM Associates, for Voter Registration Election Information Management System software, for the County Clerk - Election Division.

NOW, THEREFORE BE IT RESOLVED, that County contract covering said, for Voter Registration Election Information Management System software, for the period of December 1, 2022 through November 30, 2023, for the County Clerk - Election Division, be, and it is hereby approved for issuance of a contract purchase order by the Procurement Division to DFM Associates, 10 Chrysler Suite A, Irvine, CA 92618, for a contract total amount not to exceed \$156,072.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.V. [23-0767](#)

Supervisor of Assessments to complete courses "Supervisor of Assessments Orientation" and "Abstract Workshop" in Springfield, Illinois from March 1, 2023, to March 2, 2023. The Illinois Department of Revenue requires all Supervisors of Assessments to complete these courses. Expenses to include transportation to and from the conference, two (2) nights of lodging, miscellaneous expenses (parking, mileage, etc.) and per diems for an approximate total County cost not to exceed \$750.

RESULT:	APPROVED
MOVER:	Liz Chaplin

SECONDER:	Jim Zay
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

9.W. [23-0763](#)

FI-R-0951C-18 - Amendment of the Contract between the County and the International Union of Operating Engineers, Local 150 for the Maintenance Equipment and Vehicle Maintenance Groups, covering the time period of 12/01/2017 through 11/30/2024.

WHEREAS, the Illinois Public Employee Labor Relations Act provides for union recognition and collective bargaining in the State of Illinois, and

WHEREAS, the MAINTAINANCE EQUIPMENT, VEHICLE MAINTAINANCE, and GROUNDS GROUPS did authorize the International Union of Operating Engineers, Local 150 ("Union") as their exclusive bargaining agent pursuant to the Act, and

WHEREAS, the County and the Union have previously entered into a Collective Bargaining Agreement ("Agreement") covering the employees of the MAINTAINANCE EQUIPMENT, VEHICLE MAINTAINANCE, and GROUNDS GROUPS, on November 13, 2018, and First Amendment on October 13, 2020, and second amendment on November 23, 2021, said Agreement being effective December 1, 2017, through November 30, 2024, and

WHEREAS, subsequent to the Agreement approval, the GROUNDS GROUP was moved to the Public Works collective bargaining unit, and

WHEREAS, the County and the Union have bargained in good faith to reach agreement on amendments to Articles 4, 5, 10, 13, 18, and Appendixes A, E, and F of said Agreement, and

WHEREAS, the members of the Union have ratified the amendment on January 27, 2023.

NOW, THEREFORE, BE IT RESOLVED that the County Board does hereby ratify, and adopt the Third Amendment to the Agreement attached to this resolution between the Union and the County of DuPage, and

BE IT FURTHER RESOLVED that the County Board Chairman be authorized to execute said Amendment attached hereto as Exhibit 1, and

BE IT FURTHER RESOLVED that the County Board does hereby delegate to the Director of Transportation the authority to execute any and all other documents necessary

to fulfill the terms of this Amendment to the Agreement, and

BE IT FURTHER RESOLVED that the County Clerk transmit a copy of this resolution to the Human Resources Department, County Board Office, and the DuPage County Division of Transportation.

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

10. DEVELOPMENT - TORNATORE

Committee Update

10.A. [DC-O-0008-23](#)

ZONING-22-000056 – Bermin-Lapetina Enterprises, LLC.: To approve the following zoning relief: 1. Rezone from R4 to B1 to allow a Climate Controlled Self-Storage Facility. 2. Conditional Use for a Climate Controlled Self-Storage Facility. 3. Variation to increase FAR from .25 to .55. 4. Variation to reduce the front yard setback from 40' to approximately 20' to allow parking in the front setback at the proposed ten parking spaces. 5. Variation to reduce the south interior side setback from 40' to approximately 37' 6". 6. Variance to reduce the front yard Landscaping setback from 20 feet to 10 feet along the ten parking spaces. (Addison/ District 1) (If the County Board seeks to approve the zoning relief it will require a $\frac{3}{4}$ majority vote {14 votes} to approve based on the resolution of written protest submitted by the Village of Bensenville) ZBA VOTE (to Approve): 7 Ayes, 0 Nays, 0 Absent

Development Committee VOTE (to Approve): 5 Ayes, 1 Nays, 0 Absent

WHEREAS, a public hearing was held on October 27, 2022 and November 17, 2022 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 6:00 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:

1. Rezone from R4 to B1 to allow a Climate Controlled Self-Storage Facility.
2. Conditional Use for a Climate Controlled Self-Storage Facility.
3. Variation to increase FAR from .25 to .55
4. Variation to reduce the front yard setback from 40' to approximately 20' to allow parking in the front setback at the proposed ten parking spaces.
5. Variation to reduce the south interior side setback from 40' to approximately 37' 6".
6. Variance to reduce the front yard Landscaping setback from 20 feet to 10 feet along

the ten parking spaces, on the property hereinafter described:

LOT 1 IN ST. BEDE'S EPISCOPAL CHURCH ASSESSMENT PLAT OF PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 30, 1964, AS DOCUMENT R64-40991, IN DUPAGE 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 January 5, 2023 does find as follows:

FINDINGS OF FACT:

1. That petitioner testified that he has requested the subject zoning relief to construct a climate-controlled, self-storage facility to be operated on the subject property.
2. That petitioner testified that the subject property is zoned R-4 Single Family Residential and has been used as a place of assembly use on and off for the past 60-70 years.
3. That petitioner testified that the proposed self-storage building will be three (3) stories tall not to exceed 42 feet in height and approximately 108,645 square feet in size.
4. That petitioner testified that the subject self-storage facility will be open for customers from 9:00 AM to 7:00 PM, seven (7) days a week.
 - That petitioner testified that employees will be on-site from 9:00 AM to 7:00 PM, Monday through Saturday.
 - That petitioner testified that the self-storage facility will be accessed via a key-pad access to enter and access the building/units.
 - That petitioner testified that the self-storage facility will include 24-hour surveillance.
5. That petitioner testified that the proposed self-storage facility will have approximately 700 units, with approximately 95% of the units located inside of the facility and a drive-through area with four (4) indoor loading bays.
 - That petitioner testified that customers would be unloading and loading their vehicles inside the drive-through portion of the building, not outside.
6. That petitioner testified that the average storage unit move-in/ move-out time is approximately 45 minutes and that the average storage drop-off time is typically 20 minutes.

7. That petitioner testified that complete fire access is located completely around the proposed facility.
8. That petitioner's traffic engineer testified that self-storage facilities generate much less traffic compared to other uses that are permitted in the B-1 Local Business and even the B2 General Business Zoning District.
9. That petitioner testified that the proposed self-storage facility use is an excellent transition between the open space and public land uses to the east (Bensenville Park District, Black Hawk Middle School, and Johnson Elementary School) and more intensive highway Rt. 83 to the west.
10. That petitioner testified that increasing the FAR to 0.55 and having a larger building is mitigated by the fact that a self-storage facility is a low-intensity use, due to the nature of self-storage business practices, hours, signage, and the low parking intensity. Additionally, petitioner testified that most of the self-storage business operations, including customer move-in/move-out and pick-up, is completed inside of the building.
11. That petitioner testified that the variations to reduce the required side and front yards is necessary to move the building, parking, and site access as far away from the protected critical wetland areas on the property.
 - Furthermore, petitioner testified that the reduction in front and side yard setbacks will not have an impact on the adjacent Rt. 83 ROW as the proposed development has limited and much reduced traffic movements to the site given the nature of the operations of a self-storage facility.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Board of Appeals finds that petitioner has demonstrated that the granting of the zoning relief 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 as the petitioner has demonstrated the following:
 - The owner of the property has attempted to sell the property for several years as a residential zoned property and there has been no interest in residential development on the property given its direct access to Illinois Route 83 which carries in excess of 25,000 traffic movements per day. In addition, given the proximity to O'Hare Airport and "Western O'Hare Access", Route 83 serves as a primary corridor for heavy truck traffic from and to O'Hare Airport.
 - The petitioner has demonstrated that given the location of the property immediately adjacent to Route 83 with only direct access onto Route 83 coupled with the heavy volume and high rate of speed of truck and passenger

traffic using Route 83, the property is rendered undesirable for both commercial and residential development.

- That the petitioner has demonstrated that the property is partially inundated with special management areas (wetland) on the north and east sides of the property, which makes detached single family or even commercial development on the property difficult, and that the proposed single-use building on the property is more conducive to be developed given the constraints of the wetland on the property.
 - That petitioner has demonstrated that the owner of the property has attempted over the years to annex the property into the nearby municipality with multiple residential and non-residential land uses to no avail.
2. That the Zoning Board of Appeals finds that petitioner **has demonstrated** the granting of the Conditional Use will not:
- a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the subject self-storage building will not alter the supply of light or air to adjacent properties as the property is adjacent to wetland areas and open space on adjacent public facilities of the School and Park District properties to the east and northeast. Additionally, that petitioner testified that they would prohibit the storage of hazardous materials on site.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that that there will be a fire suppression system in the subject building and the use will meet all county building and fire codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed use will be an added benefit to the area and will not diminish the value of land and buildings throughout the County.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed use as self-storage facility is a low-intensity use, with minimal vehicles accessing the property. Additionally, the petitioner has demonstrated that most customer move-in/move-out and pick-up will occur inside of the proposed self-storage facility.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed development will include Stormwater Best Management Practices (BMPs) such as a permeable paver parking lot and access drives, and that the subject property will have better stormwater management with the proposed improvements in comparison to the existing property conditions.
- That the petitioner testified that the existing site is subject to code enforcement action relative to previous damage to the wetland areas and

that the proposed development will not only reconcile the current code enforcement action but provide a long-term solution to the restoration and enhancement of the special management areas on the property.

- f. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the proposed development is a low-intensity use for the B-2 Zoning District and that the proposed development will be an excellent transition use between open space/public lands to the east and higher-intensity Rt. 83 corridor and roadway to the west.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION

CASE #/PETITIONER ZONING-22-000056 Bermin-Lapetina Enterprises, LLC.

ZONING REQUEST 1. Rezone from R4 to B1 to allow a Climate Controlled Self-Storage Facility. 2. Conditional Use for a Climate Controlled Self-Storage Facility. 3. Variation to increase FAR from .25 to .55 4. Variation to reduce the front yard setback from 40' to approximately 20' to allow parking in the front setback at the proposed ten parking spaces. 5. Variation to reduce the south interior side setback from 40' to approximately 37' 6". 6. Variance to reduce the front yard Landscaping setback from 20 feet to 10 feet along the ten parking spaces.

OWNER 4TH AVENUE GOSPEL CHURCH, 530 ALBION AVENUE,
SCHAUMBURG, IL 60193/ **AGENT:** BERMIN-LAPETINA ENTERPRISES, LLC.
(JIM LAPETINA), 5N047 ROUTE 83, BENSENVILLE, IL 60106

ADDRESS/LOCATION 5N047 ROUTE 83, BENSENVILLE, IL 60106

PIN 03-14-317-006

TWSP./CTY. BD. DIST. ADDISON DISTRICT 1

ZONING/LUP R-4 SF RES SINGLE FAMILY ATTACHED RESIDENTIAL
AREA 4.78 ACRES

UTILITIES WELL AND SEPTIC

PUBLICATION DATE Daily Herald: OCTOBER 12, 2022

PUBLIC HEARING OCTOBER 27, 2022, CONTINUED TO NOVEMBER 17, 2022

ADDITIONAL INFORMATION:

Building: *No Comments Received.*

DUDOT: Our office has no jurisdiction in this matter.

Health: No Objections.

Stormwater: No Objections with the concept of the petition. Additional information may be required at time of permit application. (See attached documentation)

Public Works: Our office has no jurisdiction in this matter.

EXTERNAL:

Village of Bensenville: Objects. "Please see attached letter of opposition outlining the Village of Bensenville's opposition to the proposed project at 5N047 Route 83, Bensenville, IL." (See attached documentation)

City of Wood Dale: Objects. (See attached documentation)
Village of Addison: Our office has no jurisdiction in this matter.
City of Elmhurst: *No Comments Received.*
Addison Township: *No Comments Received.*
Township Highway: *No Comments Received.*
Bensenville Fire Dist.: *No Comments Received.*
Sch. Dist. 2: Objects. (See attached documentation)
Forest Preserve: “The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have any specific comments. Thank you.”

GENERAL BULK REQUIREMENTS OF B-1:

REQUIREMENTS: REQUIRED EXISTING PROPOSED

Front Yard: 40 FT NA20 FT
Int. Side Yard: 40 FT NA37.5 FT
Int. Side Yard: 40 FT NA244 FT
Rear Yard: 40 FT NA105 FT
Floor Area Ratio: 0.25 NA0.55

LAND USE

Location Zoning Existing Use LUP

Subject R-4 SF RES PLACE OF ASSEMBLY 0-5 DU AC
North VILLAGE OF BENSENVILLE PARK DISTRICT VILLAGE OF
BENSENVILLE
South VILLAGE OF BENSENVILLE SCHOOL VILLAGE OF BENSENVILLE
East VILLAGE OF BENSENVILLE SCHOOL VILLAGE OF BENSENVILLE
West ROUTE 83 AND BEYOND R-4 SF RES HOUSE 0-5 DU AC

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above and at the recommendation meeting held on January 5, 2023, recommends to approve the following zoning relief:

1. Rezone from R4 to B1 to allow a Climate Controlled Self-Storage Facility.
2. Conditional Use for a Climate Controlled Self-Storage Facility.
3. Variation to increase FAR from .25 to .55
4. Variation to reduce the front yard setback from 40' to approximately 20' to allow parking in the front setback at the proposed ten parking spaces.
5. Variation to reduce the south interior side setback from 40' to approximately 37' 6".
6. Variance to reduce the front yard Landscaping setback from 20 feet to 10 feet along the ten parking spaces.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #ZONING-22-000056 Bermin-Lapetina Enterprises, LLC dated January 5, 2023.
2. That the Conditional Use shall inure only to the owner, Bermin-Lapetina Enterprises,

LLC, and/or Extra Space Storage and shall terminate in the event that the owner, or any entity owned or controlled by Bermin-Lapetina Enterprises, LLC, and/or Extra Space Storage discontinues operation of the subject self-storage facility on the subject property.

3. That if the developer does not secure a building permit and commence construction of the development within 18 months of any approval of the Zoning Relief herein by the County Board, the Conditional Use zoning relief shall expire and be null and void.

In addition, the Zoning Relief herein shall expire and be null and void and the underlying zoning shall convert to the R- 4 Single Family Residential Zoning District upon one of the following circumstances, whichever shall come first:

- a. The use not commenced within 18 months of approval by the County Board, or the use shall be discontinued.
 - b. The property is conveyed to new ownership, other than an entity owned or controlled by Bermin-Lapetina Enterprises, LLC. And /or Extra Space Storage.
4. That an exception be granted to increase the FAR from 0.25 to 0.55.
 5. That the subject self-storage facility shall not permit the storage of hazardous materials.
 6. That the storage of garbage/refuse shall be contained inside of the proposed subject building.
 7. That the hours of operation to the public shall be from 6:00 AM to 10:00 PM, seven (7) days a week.
 8. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
 9. That in conjunction with the submittal of a building permit the developer provides a landscape plan showing full landscape screens around the perimeter of the development.
 10. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZBA VOTE (to Approve): 7 Ayes, 0 Nays, 0 Absent

WHEREAS, the County Board Development Committee on January 17, 2023, 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:

1. Rezone from R4 to B1 to allow a Climate Controlled Self-Storage Facility.
2. Conditional Use for a Climate Controlled Self-Storage Facility.
3. Variation to increase FAR from .25 to .55
4. Variation to reduce the front yard setback from 40' to approximately 20' to allow parking in the front setback at the proposed ten parking spaces.
5. Variation to reduce the south interior side setback from 40' to approximately 37' 6".
6. Variance to reduce the front yard Landscaping setback from 20 feet to 10 feet along the ten parking spaces.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #**ZONING-22-000056 Bermin-Lapetina Enterprises, LLC** dated January 5, 2023.
2. That the Conditional Use shall inure only to the owner, Bermin-Lapetina Enterprises, LLC, and/or Extra Space Storage and shall terminate in the event that the owner, or any entity owned or controlled by Bermin-Lapetina Enterprises, LLC, and/or Extra Space Storage discontinues operation of the subject self-storage facility on the subject property.
3. That if the developer does not secure a building permit and commence construction of the development within 18 months of any approval of the Zoning Relief herein by the County Board, the Conditional Use zoning relief shall expire and be null and void.

In addition, the Zoning Relief herein shall expire and be null and void and the underlying zoning shall convert to the R- 4 Single Family Residential Zoning District upon one of the following circumstances, whichever shall come first:

- a. The use not commenced within 18 months of approval by the County Board, or the use shall be discontinued.
 - b. The property is conveyed to new ownership, other than an entity owned or controlled by Bermin-Lapetina Enterprises, LLC. And /or Extra Space Storage.
4. That an exception be granted to increase the FAR from 0.25 to 0.55.
 5. That the subject self-storage facility shall not permit the storage of hazardous materials.
 6. That the storage of garbage/refuse shall be contained inside of the proposed subject building.
 7. That the hours of operation to the public shall be from 6:00 AM to 10:00 PM, seven (7) days a week.
 8. That the owner/developer is to apply for and receive a Building Permit for all

construction and/or excavation that occurs on the property.

9. That in conjunction with the submittal of a building permit the developer provides a landscape plan showing full landscape screens around the perimeter of the development.
10. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

Development Committee VOTE (to Approve): 5 Ayes, 1 Nays, 0 Absent

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

1. Rezone from R4 to B1 to allow a Climate Controlled Self-Storage Facility.
2. Conditional Use for a Climate Controlled Self-Storage Facility.
3. Variation to increase FAR from .25 to .55
4. Variation to reduce the front yard setback from 40' to approximately 20' to allow parking in the front setback at the proposed ten parking spaces.
5. Variation to reduce the south interior side setback from 40' to approximately 37' 6".
6. Variance to reduce the front yard Landscaping setback from 20 feet to 10 feet along the ten parking spaces, on the property hereinafter described:

LOT 1 IN ST. BEDE'S EPISCOPAL CHURCH ASSESSMENT PLAT OF PART OF THE SOUTWEST QUARTER OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 30, 1964, AS DOCUMENT R64-40991, IN DUPAGE 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 #**ZONING-22-000056 Bermin-Lapetina Enterprises, LLC** dated January 5, 2023.
2. That the Conditional Use shall inure only to the owner, Bermin-Lapetina Enterprises, LLC, and/or Extra Space Storage and shall terminate in the event that the owner, or any entity owned or controlled by Bermin-Lapetina Enterprises, LLC, and/or Extra Space Storage discontinues operation of the subject self-storage facility on the subject property.
3. That if the developer does not secure a building permit and commence construction of the development within 18 months of any approval of the Zoning Relief herein by the County Board, the Conditional Use zoning relief shall expire and be null and void.

In addition, the Zoning Relief herein shall expire and be null and void and the underlying zoning shall convert to the R- 4 Single Family Residential Zoning District upon one of the following circumstances, whichever shall come first:

- c. The use not commenced within 18 months of approval by the County Board, or the use shall be discontinued.
 - d. The property is conveyed to new ownership, other than an entity owned or controlled by Bermin-Lapetina Enterprises, LLC. And /or Extra Space Storage.
4. That an exception be granted to increase the FAR from 0.25 to 0.55.
5. That the subject self-storage facility shall not permit the storage of hazardous materials.
6. That the storage of garbage/refuse shall be contained inside of the proposed subject building.
7. That the hours of operation to the public shall be from 6:00 AM to 10:00 PM, seven (7) days a week.
8. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
9. That in conjunction with the submittal of a building permit the developer provides a landscape plan showing full landscape screens around the perimeter of the development.
10. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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; 4TH AVENUE GOSPEL CHURCH, 530 ALBION AVENUE, SCHAUMBURG, IL 60193/ AGENT: BERMIN-LAPETINA ENTERPRISES, LLC. (JIM LAPETINA), 5N047 ROUTE 83, BENSENVILLE, IL 60106; and Township Assessor, Addison Township, 401 North Addison Road, Addison, IL 60101.

RESULT:	APPROVED
MOVER:	Sam Tornatore
SECONDER:	Dawn DeSart

AYES:	Chaplin, Eckhoff, Evans, Garcia, Krajewski, LaPlante, Ozog, Rutledge, and Yoo
NAY:	Covert, Cronin Cahill, DeSart, Galassi, Gustin, Schwarze, Tornatore, and Zay
ABSENT:	Childress

10.B. [DC-O-0010-23](#)

ZONING-22-000060 – Kirchhofer: To approve the following zoning relief: Conditional Use to allow existing detached accessory buildings (3 barns) that have been on the property for at least 5 years, to remain in front of the front wall of the house. (Winfield/ District 6)
ZHO Recommendation to Approve
Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

WHEREAS, a public hearing was held on December 14, 2022 and January 18, 2023 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

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

Conditional Use to allow existing detached accessory buildings (3 barns) that have been on the property for at least 5 years, to remain in front of the front wall of the house, on the property hereinafter described:

PARCEL 1: THAT PART OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS BEGINNING AT A POINT ON THE QUARTER SECTION LINE, 957.5 FEET NORTH OF THE CENTER OF SAID SECTION 2; THENCE NORTH ON THE QUARTER SECTION LINE 1300.5 FEET; THENCE SOUTH 63 DEGREES AND 56 MINUTES WEST 929.7 FEET; THENCE SOUTH 43 DEGREES AND 34 MINUTES EAST 1230 FEET TO THE PLACE OF BEGINNING, EXCEPT THAT PART THEREOF DESCRIBED AS COMMENCING AT THE CENTER OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND RUNNING THENCE NORTH ON THE QUARTER SECTION LINE, 957.5 FEET TO THE CENTER OF THE ROAD, THENCE 43 DEGREES 34 MINUTES WEST ALONG THE CENTER LINE OF SAID ROAD, 1230 FEET TO THE SOUTHERLY LINE OF NELSON BENJAMIN'S LAND FOR A POINT OF BEGINNING; THENCE NORTH 63 DEGREES 56 MINUTES EAST ALONG SAID SOUTHERLY LINE, 400 FEET; THENCE SOUTH 26 DEGREES 4 MINUTES EAST 150 FEET; THENCE SOUTH 63 DEGREES 56 MINUTES WEST TO A POINT IN THE CENTER LINE OF SAID ROAD, 157.28 FEET SOUTH OF THE PLACE OF BEGINNING, THENCE NORTH 43 DEGREES AND 34 MINUTES WEST ALONG THE CENTER OF SAID ROAD, 157.28 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE CENTER OF SECTION 2, AFORESAID AND RUNNING THENCE NORTH ON THE QUARTER SECTION LINE 957.5 FEET TO THE CENTER OF THE ROAD; THENCE NORTH 43 DEGREES AND 34 MINUTES WEST ALONG THE CENTER LINE OF SAID ROAD 1230 FEET TO THE SOUTHERLY LINE OF NELSON BENJAMIN'S LAND FOR A PLACE OF BEGINNING; THENCE NORTH 63 DEGREES 56 MINUTES EAST ALONG SAID SOUTHERLY LINE 400 FEET; THENCE SOUTH 25 DEGREES 04 MINUTES EAST 150 FEET; THENCE SOUTH 63 DEGREES 56 MINUTES WEST TO A POINT IN THE CENTER LINE OF SAID ROAD 157.28 FEET SOUTH OF THE PLACE OF BEGINNING; THENCE NORTH 43 DEGREES 34 MINUTES WEST ALONG THE CENTER OF SAID ROAD 157.28 FEET OT THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on January 18, 2023 does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that he requires the subject zoning relief to allow three historic barns to remain on the subject property, where they have existed for at least 5 years.
- B. That petitioner testified that he purchased the property in 2020 and they are in the permitting process to construct a new single-family home on the subject property.
- C. That petitioner testified that the three existing barns located in front of the front wall of the proposed residence have existed since the mid to late 1800s.
- D. That petitioner testified that the three existing barns are in excellent condition.
- E. That petitioner testified that the three existing barns would remain as storage for domestic household accessory equipment and would not be used for a business.
- F. That Hearing Officer finds that petitioner has demonstrated evidence for a Conditional Use to allow existing detached accessory buildings (3 barns) that have been on the property for at least 5 years, to remain in front of the front wall of the house, as the three existing barns are historic and have remained in the same place on the subject property since the mid to late 1800s.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the Conditional Use 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; and specifically, that the granting of the Conditional Use will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the three existing barns have remained on the subject property since the mid to late 1800s and do not impact or impair the supply of light and air to adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the three existing barns were built pursuant to the current DuPage County building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the three existing barns have remained on the subject property since the mid to late 1800s and are an added benefit to the surrounding neighborhood.

- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the three existing barns have remained on the subject property since the mid to late 1800s and do not impact traffic congestion.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the County's Stormwater Department has no jurisdiction in this matter and that the three existing barns have remained on the subject property since the mid to late 1800s.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the County's Stormwater Department has no jurisdiction in this matter and that the that the three existing barns have remained on the subject property since the mid to late 1800s.
- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the three existing barns do not have any impact on adjacent properties and roadways, do not impact on drainage, and do not impede ventilation and light to the subject property or adjacent properties.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION

CASE #/PETITIONER ZONING-22-000060 KIRCHHOFFER

ZONING REQUEST Conditional Use to allow existing detached accessory buildings (3 barns) that have been on the property for at least 5 years, to remain in front of the front wall of the house.

OWNER AMANDA M KIRCHHOFFER TRUST, 1421 CHAMPION FOREST, WHEATON, IL 60187/ AGENT: HAVLICEK BUILDERS, 321 STEVENS STREET, SUITE J, GENEVA, IL 60134

ADDRESS/LOCATION 1N641 INDIAN KNOLL ROAD, WEST CHICAGO, IL 60185

PIN 04-02-104-004/ 04-02-104-003

TWSP./CTY. BD. DIST. WINFIELD District 6

ZONING/LUP R-1 SF RES R-1 SF RES

AREA 12.51 ACRES (544,936 SQ. FT.)

UTILITIES WELL AND SEPTIC

PUBLICATION DATE Daily Herald: TUESDAY, JANUARY 3, 2023

PUBLIC HEARING WEDNESDAY, JANUARY 18, 2023

ADDITIONAL INFORMATION:

Building: No Objections.

DUDOT: Our office has no jurisdiction in this matter.

Health: No Objections.

Stormwater: Our office has no jurisdiction in this matter.

Public Works: Our office has no jurisdiction in this matter.

EXTERNAL:

City of West Chicago: *No Comments Received.*

Village of Carol Stream: *No Comments Received.*

Village of Winfield: *No Comments Received.*

Winfield Township: *No Comments Received.*

Township Highway: Our office has no jurisdiction in this matter.

West Chicago Fire Dist.: *No Comments Received.*

Sch. Dist. 33: *No Comments Received.*

Forest Preserve: “The Forest Preserve District of DuPage County does not have any concerns.”

LAND USE**Location Zoning Existing Use LUP**

Subject R-1 SF RES House 0-5 DU AC

North R-1 SF RES House 0-5 DU AC

South R-1 SF RES House 0-5 DU AC

East R-1 SF RES Forest Preserve 0-5 DU AC

West Indian Knoll Road and beyond R-1 SF RES House 0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on January 18, 2023, recommends to approve the following zoning relief:

Conditional Use to allow existing detached accessory buildings (3 barns) that have been on the property for at least 5 years, to remain in front of the front wall of the house.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner’s site plan made part of Zoning Petition #**ZONING-22-000060 Kirchhofer** dated December 14, 2022.
2. That the Conditional Use zoning relief shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That owner/developer is not permitted to operate a business on the subject property.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.

6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZHO Recommendation to Approve

WHEREAS, the County Board Development Committee on February 7, 2023, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Conditional Use to allow existing detached accessory buildings (3 barns) that have been on the property for at least 5 years, to remain in front of the front wall of the house.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #ZONING-22-000060 Kirchhofer dated December 14, 2022.
2. That the Conditional Use zoning relief shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That owner/developer is not permitted to operate a business on the subject property.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.
6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

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

Conditional Use to allow existing detached accessory buildings (3 barns) that have been on the property for at least 5 years, to remain in front of the front wall of the house, on the property hereinafter described:

PARCEL 1: THAT PART OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS BEGINNING AT A POINT ON THE QUARTER SECTION LINE, 957.5 FEET NORTH OF THE CENTER OF SAID SECTION 2; THENCE NORTH ON

THE QUARTER SECTION LINE 1300.5 FEET; THENCE SOUTH 63 DEGREES AND 56 MINUTES WEST 929.7 FEET; THENCE SOUTH 43 DEGREES AND 34 MINUTES EAST 1230 FEET TO THE PLACE OF BEGINNING, EXCEPT THAT PART THEREOF DESCRIBED AS COMMENCING AT THE CENTER OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND RUNNING THENCE NORTH ON THE QUARTER SECTION LINE, 957.5 FEET TO THE CENTER OF THE ROAD, THENCE 43 DEGREES 34 MINUTES WEST ALONG THE CENTER LINE OF SAID ROAD, 1230 FEET TO THE SOUTHERLY LINE OF NELSON BENJAMIN'S LAND FOR A POINT OF BEGINNING; THENCE NORTH 63 DEGREES 56 MINUTES EAST ALONG SAID SOUTHERLY LINE, 400 FEET; THENCE SOUTH 26 DEGREES 4 MINUTES EAST 150 FEET; THENCE SOUTH 63 DEGREES 56 MINUTES WEST TO A POINT IN THE CENTER LINE OF SAID ROAD, 157.28 FEET SOUTH OF THE PLACE OF BEGINNING, THENCE NORTH 43 DEGREES AND 34 MINUTES WEST ALONG THE CENTER OF SAID ROAD, 157.28 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE CENTER OF SECTION 2, AFORESAID AND RUNNING THENCE NORTH ON THE QUARTER SECTION LINE 957.5 FEET TO THE CENTER OF THE ROAD; THENCE NORTH 43 DEGREES AND 34 MINUTES WEST ALONG THE CENTER LINE OF SAID ROAD 1230 FEET TO THE SOUTHERLY LINE OF NELSON BENJAMIN'S LAND FOR A PLACE OF BEGINNING; THENCE NORTH 63 DEGREES 56 MINUTES EAST ALONG SAID SOUTHERLY LINE 400 FEET; THENCE SOUTH 25 DEGREES 04 MINUTES EAST 150 FEET; THENCE SOUTH 63 DEGREES 56 MINUTES WEST TO A POINT IN THE CENTER LINE OF SAID ROAD 157.28 FEET SOUTH OF THE PLACE OF BEGINNING; THENCE NORTH 43 DEGREES 34 MINUTES WEST ALONG THE CENTER OF SAID ROAD 157.28 FEET OT THE PLACE OF BEGINNING, IN DUPAGE 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 #**ZONING-22-000060 Kirchhofer** dated December 14, 2022.
2. That the Conditional Use zoning relief shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That owner/developer is not permitted to operate a business on the subject property.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.
6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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; AMANDA M KIRCHHOFFER TRUST, 1421 CHAMPION FOREST, WHEATON, IL 60187/ AGENT: HAVLICEK BUILDERS, 321 STEVENS STREET, SUITE J, GENEVA, IL 60134; and Township Assessor, Winfield Township, 130 Arbor Avenue, West Chicago, IL 60185.

RESULT:	APPROVED
MOVER:	Sam Tornatore
SECONDER:	Cynthia Cronin Cahill
AYES:	Chaplin, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
ABSENT:	Childress

10.C. [DC-O-0011-23](#)

ZONING-22-000064 – Malkowski: To approve the following zoning relief:

Conditional Use to increase the cumulative area for detached accessory buildings from permitted 708 sq. ft. to approximately 1,200 sq. ft. for a metal storage shed. (Lisle/ District 3)

ZHO Recommendation to Approve

Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

WHEREAS, a public hearing was held on January 18, 2023 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

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

Conditional Use to increase the cumulative area for detached accessory buildings from permitted 708 sq. ft. to approximately 1,200 sq. ft. for a metal storage shed, on the property hereinafter described:

LOT 1 OF MADZARZ SUBDIVISION OF THE WEST 770.0 FEET OF THE NORTH 283.0 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on January 18, 2023 does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that he requires the subject zoning relief to construct a detached accessory building to store his tractor, fishing boat with recreational trailer, and two (2) cars.
- B. That petitioner's parents purchased the subject property in the 1960s and that petitioner acquired the property through a trust.
- C. That petitioner testified that the existing home on the subject property has a two (2) car attached garage, which stores his everyday vehicle, a Chevrolet pickup truck.
- D. That petitioner testified that he would like to store his permitted recreational vehicle (fishing boat on trailer), permitted passenger vehicles (2010 Mercedes and 2008 Mercedes), and household accessory equipment (tractor), inside an enclosed detached building, out of the elements.
- E. That petitioner testified that the subject property is completely screened with 30-50-foot trees surrounding the property and that the nearest home is 1,000 feet away. Furthermore, that the subject property is in close proximity to I-355.
- F. That petitioner testified that they only plan to service the proposed detached accessory building with electric for standard residential lighting.
- G. That Hearing Officer finds that petitioner has demonstrated evidence for a Conditional Use to increase the cumulative area for detached accessory buildings from permitted 708 sq. ft. to approximately 1,200 sq. ft. for a metal storage shed to store petitioner's permitted recreational vehicles, permitted passenger vehicles, and household accessory equipment. Furthermore, that Hearing Officer finds that the subject property is fully screened by large trees and is located in close proximity to I-355, therefore limiting his impact on adjacent properties.

STANDARDS FOR CONDITIONAL USES:

- 1. That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the Conditional Use 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; and specifically, that the granting of the Conditional Use will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the proposed detached accessory building will be in the rear of the subject property, completely screened by 30-50-foot trees and will not impact or impair the supply of light and air to adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that they will receive a building permit from the County for the proposed detached accessory building and that it will be built pursuant to the

current DuPage County building codes.

- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed detached accessory building will be an added benefit to the neighborhood and will be built pursuant to the current DuPage County building codes.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed detached accessory building will be in the rear of the subject property, completely screened by 30-50-foot trees and will not impact or increase traffic congestion in the public streets and highways.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the proposed detached accessory building.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the proposed detached accessory building.
- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the proposed detached accessory building will not have any impact on adjacent properties and roadways, will not impact on drainage, and will not impede ventilation and light to the subject property or adjacent properties.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION

CASE #/PETITIONER ZONING-22-000064 Malkowski

ZONING REQUEST Conditional Use to increase the cumulative area for detached accessory buildings from permitted 708 sq. ft. to approximately 1,200 sq. ft. for a metal storage shed.

OWNER LIVING TRUST OF CAROLE A. MALKOWSKI, 21W085 83RD STREET, DOWNERS GROVE, IL 60516/ **AGENT:** RANDALL MALKOWSKI, 21W085 83RD STREET, DOWNERS GROVE, IL 60516 & ROYDEN R. RICE, 7829 DORCHESTER LANE, DARIEN, IL 60561

ADDRESS/LOCATION 21W085 83RD STREET, DOWNERS GROVE, IL 60516

PIN 08-36-401-004

TWSP./CTY. BD. DIST. LISLE DISTRICT 3

ZONING/LUP R-3 SF RES 0-5 DU AC

AREA 1 ACRE (43,560 SQ. FT.)

UTILITIES WELL/SEPTIC

PUBLICATION DATE Daily Herald: JANUARY 3, 2023

PUBLIC HEARING WEDNESDAY, JANUARY 18, 2023

ADDITIONAL INFORMATION:

Building: No Objections.

DUDOT: No Objections.

Health: No Objections.

Stormwater: No Objections with the concept of the petition. Additional information may be required at time of permit application.

Public Works: No Objections.

EXTERNAL:

Village of Woodridge: Objects. (See attached documentation)

Village of Bolingbrook: *No Comments Received.*

Village of Downers Grove: "The Village of Downers Grove has no comment."

City of Darien: No Objections.

Lisle Township: *No Comments Received.*

Township Highway: *No Comments Received.*

Darien-Woodridge Fire Dist.: *No Comments Received.*

Sch. Dist. 66: *No Comments Received.*

Forest Preserve: "The Forest Preserve District of DuPage County does not have any concerns."

GENERAL BULK REQUIREMENTS:

REQUIREMENTS: REQUIRED EXISTING PROPOSED

Floor Area Ratio: 708 SQ. FT. NA1,200 SQ. FT.

LAND USE

Location Zoning Existing Use LUP

Subject R-3 SF RES House 0-5 DU AC

North 83rd Street and beyond Village of Woodridge House Village of Woodridge

South Village of Woodridge Vacant Village of Woodridge

East Village of Woodridge Vacant Village of Woodridge

West R-3 SF RES House 0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on January 18, 2023, recommends to approve the following zoning relief:

Conditional Use to increase the cumulative area for detached accessory buildings from permitted 708 sq. ft. to approximately 1,200 sq. ft. for a metal storage shed.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition # **ZONING-22-000064 Malkowski** dated January 18, 2023.
2. That the Conditional Use zoning relief shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of

God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.

- b. The structure is voluntarily removed.
3. That owner/developer is not permitted to operate a business on the subject property.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.
6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZHO RECOMMENDATION TO APPROVE

WHEREAS, the County Board Development Committee on February 7, 2023, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Conditional Use to increase the cumulative area for detached accessory buildings from permitted 708 sq. ft. to approximately 1,200 sq. ft. for a metal storage shed.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition # **ZONING-22-000064 Malkowski** dated January 18, 2023.
2. That the Conditional Use zoning relief shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That owner/developer is not permitted to operate a business on the subject property.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.
6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

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

Conditional Use to increase the cumulative area for detached accessory buildings from permitted 708 sq. ft. to approximately 1,200 sq. ft. for a metal storage shed, on the property hereinafter described:

LOT 1 OF MADZARZ SUBDIVISION OF THE WEST 770.0 FEET OF THE NORTH 283.0 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE 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 # **ZONING-22-000064 Malkowski** dated January 18, 2023.
2. That the Conditional Use zoning relief shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That owner/developer is not permitted to operate a business on the subject property.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.
6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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; LIVING TRUST OF CAROLE A. MALKOWSKI , 21W085 83RD STREET, DOWNERS GROVE, IL 60516/ AGENT: RANDALL MALKOWSKI, 21W085 83RD STREET, DOWNERS GROVE, IL 60516 & ROYDEN R. RICE, 7829 DORCHESTER LANE, DARIEN, IL 60561; and Township Assessor, Lisle Township, 4721 Indiana Avenue, Lisle, IL 60532

RESULT:	APPROVED
MOVER:	Sam Tornatore
SECONDER:	Patty Gustin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

10.D. [DC-O-0012-23](#)

ZONING-22-000067 – Naperville Township: To approve the following zoning relief: Variation to reduce the east interior side setback from 20 feet to approximately 5 feet to construct a storage building. (Naperville/ District 5)

ZHO Recommendation to Approve

Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

WHEREAS, a public hearing was held on January 18, 2023 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

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

Variation to reduce the east interior side setback from 20 feet to approximately 5 feet to construct a storage building, on the property hereinafter described:

PARCEL ONE: THAT PART OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED BY COMMENCING AT A POINT ON THE SOUTHERLY RIGHT OF WAY OF NORTH AURORA ROAD (RUNNING IN AN EAST WEST DIRECTION) AT THE CENTER LINE OF ELGIN-JOLIET AND EASTERN RAILWAY, THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE OF NORTH AURORA ROAD 297.44 FEET TO THE WESTERLY RIGHT OF WAY LINE OF COMMONWEALTH EDISON COMPANY FOR THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY, 500 FEET; THENCE WESTERLY PARALLEL WITH SAID NORTH AURORA ROAD RIGHT OF WAY LINE, 174 FEET; THENCE NORTHERLY PARALLEL WITH SAID WESTERLY COMMONWEALTH EDISON RIGHT OF WAY LINE, 500 FEET TO SAID NORTH AURORA ROAD SOUTHERLY RIGHT OF WAY LINE; THENCE EASTERLY ALONG SAID RIGHT OF WAY LINE, 174 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NAPERVILLE, DUPAGE COUNTY, ILLINOIS.

PARCEL TWO: A PARCEL OF LAND SITUATE DIN THE NW ¼ OF NE ¼ OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE

COUNTY, ILLINOIS, BEING A PORTION OF THE SAME PROPERTY DESCRIBED IN WARRANTY DEED FROM ALVIN N. JOHNSON, ET UX, TO THE CHICAGO, BURLING, & QUINCY RAILROAD COMPANY FILED FOR RECORD JULY 3 1914 IN BOOK 115 OF DEEDS, PAGE 318 IN AND FOR SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT: BEGINNIN AT A POINT IN THE CENTERLINE OF NORTH AURORA ROAD 72.0 FET WESTERLY, AS MEASURED AT RIGHT ANGLES FROM THE ELGIN, JOLIET AND EASTER RAILWAY COMPANY'S MAIN TRACK CENTERLINE, AS NOW LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE AND ALONG THE WESTERLY RIGHT OF WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY COMPANY A DISTANCE OF 530.0 FEET; THENCE WESTERLY AT RIGHT ANGLES TO SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 75.0 FEET TO THE WESTERLY LINE OF THE SAME PROPERTY DESCRIBED IN DEED FILED AND RECORD JULY 3, 1914 IN BOOK 115 OF DEEDS, PAGE 318 IN AND FOR SAID COUNTY, THENCE NORTHERLY ALONG SAID WESTERLY LINE 530 FEET, MORE OR LESS, TO THE CENTERLINE OF NORTH AURORA ROAD; THENCE EASTERLY ALONG SAID CENTERLINE TO THE POINT OF BEGINNING; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on January 18, 2023 does find as follows:

FINDINGS OF FACT:

- A. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a Variation to reduce the east interior side setback from 20 feet to approximately 5 feet to construct a storage building.
- B. That petitioner testified that due to ComEd property bisecting the subject property, they cannot drive over the fiber optic lines located underground, therefore pushing their proposed storage building and access to the storage building further to the east, approximately five (5) feet from the interior side property line.
- C. That petitioner testified that if they were to build a storage building twenty (20) feet from the interior side property line, they would then be physically driving over underground ComEd fiber optic lines, which they are not permitted to do.
- D. That petitioner testified that there are elevated railroad tracks to the east of the subject property and that the proposed storage building will not impact any neighboring properties, as it is situated between the railroad tracks and ComEd property.
- E. That petitioner testified that the proposed storage building will be in line with the existing buildings on the subject property, approximately five (5) feet from the interior side property line.
- F. That Hearing Officer finds that petitioner has demonstrated that a Variation to reduce the east interior side setback from 20 feet to approximately 5 feet to construct a storage building will not have any impact on adjacent properties and roadways, will not impact on drainage, and will not impede ventilation and light to the subject property or adjacent properties.
- G. Furthermore, that Hearing Officer finds that petitioner has demonstrated evidence for

a practical difficulty and particular hardship due to the location of the subject property situated between the ComEd property that bisects the subject property, therefore pushing their proposed storage building and access to the storage building further to the east.

STANDARDS FOR VARIATIONS:

**Per Zoning Code Section 37-1411.3*

1. That the Zoning Hearing Officer 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 Hearing Officer 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 proposed storage building will not impair an adequate supply of light and air to the adjacent properties, as it will be located between the elevated railroad tracks to the east and ComEd property to the west.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the proposed storage building will not increase the hazard from fire or other dangers and that he will receive a building permit for the proposed storage building.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed storage building will not diminish the value of land and buildings throughout the County and will be an added benefit to the surrounding area.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed storage building will not unduly increase traffic congestion in the public streets and highways as it is only for the use of Naperville Township and is located in the rear of the subject property.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed storage building will not increase the potential for flood damages to adjacent properties.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that proposed storage building will not incur additional public expense for flood protection, rescue, or relief.
 - g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** the proposed storage building will be an added benefit to the neighborhood, and will not impair

the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION

CASE #/PETITIONER ZONING-22-000067 Naperville Township

ZONING REQUEST Variation to reduce the east interior side setback from 20 feet to approximately 5 feet to construct a storage building.

OWNER NAPERVILLE TOWNSHIP HIGHWAY DEPARTMENT, C/O CROWN CASTLE PMB 331, 4017 WASHINGTON ROAD, MC MURRAY, PA 15317/
AGENT: MORRIS ENGINEERING, INC. (C/O: ALGIS RUGIENIUS), 515 WARRENVILLE ROAD, LISLE, IL 60532

ADDRESS/LOCATION 31W331 NORTH AURORA ROAD, AURORA, IL 60563

PIN 07-17-202-026

TWSP./CTY. BD. DIST. NAPERVILLE DISTRICT 5

ZONING/LUP I-2 GENERAL INDUSTRIAL TUI/0-5 DU AC

AREA 2.8 ACRES (121,968 SQ. FT.)

UTILITIES WELL/SEPTIC

PUBLICATION DATE Daily Herald: JANUARY 3, 2023

PUBLIC HEARING WEDNESDAY, JANUARY 18, 2023

ADDITIONAL INFORMATION:

Building: No Objections.

DUDOT: Our office has no jurisdiction in this matter.

Health: No Objections.

Stormwater: No Objection with the concept of the petition. Additional information may be required at time of permit application.

Public Works: Our office has no jurisdiction in this matter.

EXTERNAL:

City of Aurora: *No Comments Received.*

City of Naperville: *No Comments Received.*

Naperville Township: *No Comments Received.*

Township Highway: *No Comments Received.*

Naperville Fire Dist.: *No Comments Received.*

Sch. Dist. 204: *No Comments Received.*

Forest Preserve: "The Forest Preserve District of DuPage County does not have any concerns."

GENERAL BULK REQUIREMENTS:

REQUIREMENTS: REQUIRED EXISTING PROPOSED

Int. Side Yard: 20 FT 5 FT 5 FT

LAND USE

Location Zoning Existing Use LUP

Subject I-2 General Industrial Township TUI/0-5 DU AC

North North Aurora Road and beyond I-2 General Industrial ComEd TUI

South	I-2 General Industrial Railway	TUI
East	I-2 General Industrial Railway	TUI
West	I-2 General Industrial ComEd	TUI

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on January 18, 2023, recommends to approve the following zoning relief:

Variation to reduce the east interior side setback from 20 feet to approximately 5 feet to construct a storage building.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition # **ZONING-22-000067 Naperville Township** dated January 18, 2023.
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.

ZHO Recommendation to Approve

WHEREAS, the County Board Development Committee on January 7, 2023, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Variation to reduce the east interior side setback from 20 feet to approximately 5 feet to construct a storage building.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition # **ZONING-22-000067 Naperville Township** dated January 18, 2023.
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.

Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

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

Variation to reduce the east interior side setback from 20 feet to approximately 5 feet to construct a storage building, on the property hereinafter described:

PARCEL ONE: THAT PART OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED BY COMMENCING AT A POINT ON THE SOUTHERLY RIGHT OF WAY OF NORTH AURORA ROAD (RUNNING IN AN EAST WEST DIRECTION) AT THE CENTER LINE OF ELGIN-JOLIET AND EASTERN RAILWAY, THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE OF NORTH AURORA ROAD 297.44 FEET TO THE WESTERLY RIGHT OF WAY LINE OF COMMONWEALTH EDISON COMPANY FOR THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY, 500 FEET; THENCE WESTERLY PARALLEL WITH SAID NORTH AURORA ROAD RIGHT OF WAY LINE, 174 FEET; THENCE NORTHERLY PARALLEL WITH SAID WESTERLY COMMONWEALTH EDISON RIGHT OF WAY LINE, 500 FEET TO SAID NORTH AURORA ROAD SOUTHERLY RIGHT OF WAY LINE; THENCE EASTERLY ALONG SAID RIGHT OF WAY LINE, 174 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NAPERVILLE, DUPAGE COUNTY, ILLINOIS.

PARCEL TWO: A PARCEL OF LAND SITUATE DIN THE NW ¼ OF NE ¼ OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS, BEING A PORTION OF THE SAME PROPERTY DESCRIBED IN WARRANTY DEED FROM ALVIN N. JOHNSON, ET UX, TO THE CHICAGO, BURLING, & QUINCY RAILROAD COMPANY FILED FOR RECORD JULY 3 1914 IN BOOK 115 OF DEEDS, PAGE 318 IN AND FOR SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT: BEGINNIN AT A POINT IN THE CENTERLINE OF NORTH AURORA ROAD 72.0 FET WESTERLY, AS MEASURED AT RIGHT ANGLES FROM THE ELGIN, JOLIET AND EASTER RAILWAY COMPANY'S MAIN TRACK CENTERLINE, AS NOW LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE AND ALONG THE WESTERLY RIGHT OF WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY COMPANY A DISTANCE OF 530.0 FEET; THENCE WESTERLY AT RIGHT ANGLES TO SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 75.0 FEET TO THE WESTERLY LINE OF THE SAME PROPERTY DESCRIBED IN DEED FILED AND RECORD JULY 3, 1914 IN BOOK 115 OF DEEDS, PAGE 318 IN AND FOR SAID COUNTY, THENCE NORTHERLY ALONG SAID WESTERLY LINE 530 FEET, MORE OR LESS, TO THE CENTERLINE OF NORTH AURORA ROAD; THENCE EASTERLY ALONG SAID CENTERLINE TO THE POINT OF BEGINNING; 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 # **ZONING-22-000067 Naperville Township** dated January 18, 2023.
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.

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; NAPERVILLE TOWNSHIP HIGHWAY DEPARTMENT, C/O CROWN CASTLE PMB 331, 4017 WASHINGTON ROAD, MC MURRAY, PA 15317/ AGENT: MORRIS ENGINEERING, INC. (C/O: ALGIS RUGIENIUS), 515 WARRENVILLE ROAD, LISLE, IL 60532; and Township Assessor, Naperville Township, 139 Water Street, Naperville, IL 60540.

RESULT: APPROVED

MOVER: Sam Tornatore

SECONDER: Paula Garcia

AYES: Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

11. ENVIRONMENTAL - RUTLEDGE

Committee Update

11.A. [EN-R-0014-23](#)

DuPage County Electronics Recycling Program 2023 Notice of Participation

WHEREAS, the Illinois General Assembly adopted the Solid Waste Planning and Recycling Act ("Act") under Public Act 85-1198, requiring counties to plan for the management of solid waste and recycling within their jurisdiction; and

WHEREAS, the Illinois General Assembly subsequently enacted the Consumer Electronics Recycling Act ("CERA") (Public Act 100-433) which obligates counties to express their intention to participate in a manufacturer sponsored electronics collection program each year; and

WHEREAS, the COUNTY will have specific duties and requirements pursuant to the Consumer Electronics Recycling Act to help coordinate the collection of covered electronic devices; and

WHEREAS, the Consumer Electronics Recycling Act includes a convenience standard for collection sites in each county within the State of Illinois based on population which results in a minimum of five collection sites and/or one day collection events in the COUNTY; and

WHEREAS, the COUNTY has established eleven regular collection sites and

one-day events under CERA and the manufacturer's clearinghouse to provide recycling services to residents; and

WHEREAS, the sites and one-day events located throughout DuPage County are an integral solution for residents to recycle electronics; and

WHEREAS, during the 2022 program year, the COUNTY collected more than 1.2 million pounds of electronics; and

WHEREAS, the Environmental Committee of the DuPage County Board has reviewed the program and recommends that the COUNTY opt into the 2023 manufacturer sponsored program.

NOW, THEREFORE, BE IT RESOLVED, that DuPage County has elected to participate in the manufacturer electronics program in program year 2023 and has instructed the Chief Administrative Officer or his designee to complete and submit the necessary documentation.

RESULT:	APPROVED
MOVER:	Sheila Rutledge
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

11.B. [EN-P-0049-23](#)

Recommendation for the approval of a contract with APTIM Environmental & Infrastructure LLC, for Consulting Services for the continued study of the viability of providing waste and recycling services to unincorporated areas of DuPage County, for the period of February 14, 2023 through November 30, 2023, for a total contact amount not to exceed \$50,000; per RFP 23-007-BZ.

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

WHEREAS, the Environmental Committee recommends County Board approval for the issuance of a contract to Aptim Environmental & Infrastructure, LLC to complete the next phase of a study to assess viability of the COUNTY providing waste hauling services in unincorporated areas of the COUNTY; 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 for an amount not to exceed fifty-thousand dollars and 00/100 (\$50,000.00).

NOW, THEREFORE, BE IT RESOLVED that County Contract, covering said, for the next phase of a study to assess the viability of the COUNTY to provide waste hauling services in unincorporated areas of the COUNTY for the period of February 14, 2023 to November 30, 2023 for Environmental Division to, Aptim Environmental & Infrastructure, LLC, 1607 East Main Street, Saint Charles, IL 60174, for a contract total amount not to exceed \$50,000, per lowest responsible proposal #23-007-BZ; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached documents to Aptim Environmental & Infrastructure, LLC.; and State's Attorney's Office.

RESULT: APPROVED

MOVER: Sheila Rutledge

SECONDER: Paula Garcia

AYES: Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

12. HUMAN SERVICES - SCHWARZE

Committee Update

12.A. [HS-R-0040-23](#)

2023 Annual Action Plan, DuPage County Consortium - SECOND READING – Recommendation for approval of the 2023 Annual Action Plan Element of the 2020-2024 Consolidated Plan for Community Development Block Grant (CDBG) HOME Investment Partnership (HOME) and Emergency Solutions Grant (ESG) programs to qualify and receive the Department of Housing and Urban Development (HUD) grant funds of approximately \$6 Million.

WHEREAS, DuPage County has participated in the Community Development Block Grant program since 1975; and

WHEREAS, DuPage County has participated in the Emergency Shelter Grant program since 1987; and

WHEREAS, The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (“Hearth Act”), enacted into law on May 20, 2009, consolidated three of the separate homeless assistance programs administered by the U.S. Department of Housing and Urban Development (“HUD”) under the McKinney-Vento Homeless Assistance Act into a single grant

program, and revised the Emergency Shelter Grant program and renamed it as the Emergency Solutions Grant (“ESG”) program; and

WHEREAS, DuPage County has participated in the HOME Investment Partnership program since 1992; and

WHEREAS, these programs will provide an approximate total of \$6 million in new Federal funding to DuPage County in 2023, and the county will also have available approximately an additional \$2.3 million in anticipated income and reallocated funds from previous years, said funds being available for Housing and Community Development activities benefiting low- and moderate-income persons, the homeless, and persons with Special needs; and

WHEREAS, a requirement of these programs is the preparation of a Consolidated Plan for Housing and Community Development (ConPlan); and

WHEREAS, the 2020-2024 ConPlan was adopted by the DuPage County Board on March 10, 2020 by Resolution HHS-R-0068-20; and

WHEREAS, a 2023 Action Plan element of the ConPlan, listing activities to be funded in the 2023 program year, is required; and

WHEREAS, 2023 Action Plan projects were approved by the DuPage Community Development Commission Executive Committee and HOME Advisory Group on January 3, 2023 and by the DuPage County Health and Human Services Committee on January 17, 2023; and with a First reading performed by the County Board on January 24, 2023; and

WHEREAS, a 30-day public comment period was completed on February 3, 2023, and a public hearing was held on January 18, 2023, and, in accordance with federal regulations governing the development of consolidated plans, all comments and responses to comments were added to the plan.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby approves the 2023 Action Plan Element of the DuPage County Consolidated Plan for Housing and Community Development, which is incorporated by reference with this resolution; and

BE IT FURTHER RESOLVED, that the Chair of the DuPage County Board is authorized and directed to sign said Action Plan on behalf of DuPage County and the clerk is hereby authorized and directed to attest to such signature and affix the official seal thereto; and

BE IT FURTHER RESOLVED, that the Chair of the DuPage County Board is hereby authorized to approve amendments to said Action Plan as may be required by HUD; and

BE IT FURTHER RESOLVED that the Chair of the DuPage County Board is hereby authorized and directed to sign each individual Agreement on behalf of DuPage County with municipalities and non-profit entities implementing specific projects identified in said Action Plan; and

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized and directed to attest to such execution of each individual Agreement on behalf of DuPage County with municipalities and non-profit entities implementing specific projects identified in said Action Plan and affix the official seal thereto; and

BE IT FURTHER RESOLVED that the County Clerk be directed to send copies of each individual Agreement on behalf of DuPage County to each of the respective municipalities and non-profit entities implementing specific projects identified in said Action Plan and to the DuPage Community Development Commission.

RESULT: APPROVED

MOVER: Greg Schwarze

SECONDER: Dawn DeSart

AYES: Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

Community Services Administrator to attend the National Alliance of Information and Referral 2023 Training Conference in Orlando, Florida from July 29, 2023 through August 2, 2023. Expenses to include registration, transportation, lodging, miscellaneous expenses (parking, mileage, etc.), and per diems for approximate total of \$2,140.00. Community Service Block Grant (CSBG) funded.

RESULT:	APPROVED
MOVER:	Greg Schwarze
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

12.C. [23-0768](#)

Travel Request - Community Development Manager to attend the legislative conferences and committee meetings of the National Association for County Community & Economic Development and National Association of Counties in Washington, DC, from February 9, 2023 through February 12, 2023. Expenses to include transportation, lodging, miscellaneous expenses (parking, mileage, etc.), and per diems for approximate total of \$1,976.50. Community Development Block Grant (CDBG) funded.

RESULT:	APPROVED
MOVER:	Greg Schwarze
SECONDER:	Sadia Covert
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

13. JUDICIAL AND PUBLIC SAFETY - EVANS

Committee Update

13.A. [JPS-R-0049-23](#)

Acceptance of the Illinois Emergency Management Agency Emergency Management Performance Grant FFY22 Intergovernmental Agreement No. 22EMADUPA - \$201,745.82. (Office of Homeland Security and Emergency Management)

WHEREAS, the County of DuPage has been notified by the Illinois Emergency Management Agency that grant funds in the amount of \$201,745.82 (TWO HUNDRED ONE THOUSAND, SEVEN HUNDRED FORTY-FIVE AND 82/100 DOLLARS) are available to DuPage County to aid in the administration of effective emergency management in the areas of personnel and benefits, travel, organization and equipment;

and

WHEREAS, said County of DuPage grant related expenses are currently being accounted for in the Office of Emergency Management General Fund, Company 1000 - Accounting Unit 1900; and

WHEREAS, to receive said grant funds, the County of DuPage must enter into Intergovernmental Agreement No. 22EMADUPA with the Illinois Emergency Management Agency, a copy of which is attached to and incorporated as part of this resolution by reference (Attachment); and

WHEREAS, to receive said grant funds, the County of DuPage, in the Office of Emergency Management General Fund, Company 1000 - Accounting Unit 1900, must provide matching expenditures in the amount of \$201,745.82 (TWO HUNDRED ONE THOUSAND, SEVEN HUNDRED FORTY-FIVE AND 82/100 DOLLARS); and

WHEREAS, the term of the Intergovernmental Agreement is from October 1, 2021 through September 30, 2024; and

WHEREAS, no additional County funds are required to receive this funding; and

WHEREAS, acceptance of this grant does not add any additional subsidy from the County.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that Intergovernmental Agreement No. 22EMADUPA (Attachment) between the County of DuPage and the Illinois Emergency Management Agency is hereby accepted; and

BE IT FURTHER RESOLVED by the DuPage County Board that the Director of Office of Homeland Security and Emergency Management is approved as the County's Authorized Representative; and

BE IT FURTHER RESOLVED that should state and/or federal funding cease for this grant, the Judicial and Public Safety Committee shall review the need for continuing the specified program and related head count; and

BE IT FURTHER RESOLVED that should the Judicial and Public Safety Committee determine the need for other funding is appropriate, it may recommend action to the County Board by resolution.

RESULT: APPROVED

MOVER: Lucy Evans

SECONDER: Dawn DeSart

AYES: Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

Revision to Personnel Budget (18th Judicial Circuit Court)

WHEREAS, the DuPage County Board has approved personnel budget for all County departments; and

WHEREAS, there are times when it is necessary to revise those budgets to insure efficient and effective County operations; and

WHEREAS, the Chief Judge of the 18th Judicial Circuit has identified an operational need for an additional secretary in the Chancery Division; and

WHEREAS, to meet the operational demands of the Chancery division, it is necessary to hire one Senior Legal Secretary: and

NOW, THEREFORE, BE IT RESOLVED that the Personnel Budget for the Circuit Court be revised to reflect the addition of:

Full-Time: 50000

(1) Senior Legal Secretary

Budgeted Salary and Benefits: \$64,530

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit copies of this resolution to the County Board and the Human Resources Department.

RESULT:	APPROVED
MOVER:	Lucy Evans
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

14. LEGISLATIVE - DESART

Committee Update

15. PUBLIC WORKS - GARCIA

Committee Update

15.A. [PW-P-0057-23](#)

Recommendation for the approval of an agreement between the County of DuPage, Illinois and Donohue & Associates, Inc., for on-call professional engineering services for Supervisory Control and Data Acquisitions (SCADA) support for various DuPage County Public Works and Stormwater facilities, for the period of February 14, 2023 to December 31, 2025, for a total contract amount not to exceed \$95,000. Professional Services (Architects, Engineers and Land Surveyors) vetted through a qualification-based

selection process in compliance with the Illinois Local Government Professional Services Selection Act, 50 ILCS 510/et. seq.

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to operate and maintain sanitary sewer systems and potable water distribution systems (Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-15001, et. seq.); and

WHEREAS, the Illinois State Constitution and Illinois General Assembly have authorized counties, including the County of DuPage (COUNTY), authority to perform various public functions, and to provide essential governmental services, for the benefit of its residents, property owners and businesses; and

WHEREAS, the Illinois General Assembly has further granted the County of DuPage ("COUNTY") authority to operate and maintain flood control, stormwater management, and drainage systems (inter alia, Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-1062.3 and 5/5-15001 et seq.); and

WHEREAS, in accordance with the above referenced authority, the COUNTY maintains and operates wastewater treatment facilities and water distribution systems; and

WHEREAS, the aforesaid systems periodically require on-call, as needed Professional Engineering Services related to their supervisory control and data acquisition systems (SCADA); and

WHEREAS, DONOHUE & ASSOCIATES, INC. (hereinafter the CONSULTANT) has experience and expertise performing supervisory control and data acquisition systems maintenance and engineering and is willing to perform such services for the COUNTY for the period of February 14, 2023 through December 31, 2025, for an amount not to exceed ninety-five thousand dollars and 00/100 (\$95,000.00); and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to provide copies of this Resolution and its attachments to the Public Works Committee Secretary for distribution to the Department of Public Works, Donohue & Associates, Inc., 230 W. Monroe St, Suite 2925, Chicago, IL 60606 and Nicholas Alfonso in the State's Attorney's Office.

RESULT:	APPROVED
MOVER:	Paula Garcia
SECONDER:	Dawn DeSart
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

15.B. [PW-P-0058-23](#)

Recommendation for the approval of an agreement between the County of DuPage, Illinois and Baxter & Woodman Consulting Engineers for on-call professional engineering services for permit review, and to review and update the Water and Wastewater Treatment Ordinance for Public Works, for the period of February 14, 2023,

to November 30, 2025, for a total contract amount not to exceed \$95,000. Professional Services (Architects, Engineers and Land Surveyors) vetted through a qualification-based selection process in compliance with the Illinois Local Government Professional Services Selection Act, 50 ILCS 510/et. seq.

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to operate and maintain sanitary sewer systems and potable water distribution systems (Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-15001, et. seq.); and

WHEREAS, the Illinois State Constitution and Illinois General Assembly have authorized counties, including the County of DuPage (COUNTY), authority to perform various public functions, and to provide essential governmental services, for the benefit of its residents, property owners and businesses; and

WHEREAS, the Illinois General Assembly has further granted the County of DuPage ("COUNTY") authority to operate and maintain flood control, stormwater management, and drainage systems (inter alia, Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-1062.3 and 5/5-15001 et seq.); and

WHEREAS, the COUNTY'S Public Works department owns and operates the Woodridge, Knollwood, & Nordic wastewater treatment facilities; and the facilities require compliance with NPDES and IEPA regulations to treat wastewater; and

WHEREAS, the aforesaid systems periodically require design, bidding and construction of improvements in order to ensure the efficient and cost-effective operation and compliance thereof; and

WHEREAS, BAXTER & WOODMAN CONSULTING ENGINEERS, (hereinafter the CONSULTANT) has experience and expertise performing design, permit review and wastewater pretreatment compliance and is willing to perform such services for the COUNTY for an amount not to exceed Ninety Five Thousand Dollars (\$95,000); and

WHEREAS, the COUNTY has selected the CONSULTANT in accordance with the Professional Services Selection Process found in Section 2-353 of the DuPage County Purchasing Procedures and Guidelines; and

WHEREAS, BAXTER & WOODMAN CONSULTING ENGINEERS (hereinafter the CONSULTANT) has experience and expertise performing design, bidding and construction improvements and is willing to perform such services for the COUNTY for the period of February 14th, 2023 to November 30th, 2025, for Public Works, for an amount not to exceed \$95,000.

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to provide copies of this Resolution and its attachments to the Public Works Committee Secretary for distribution to the Department of Public Works, Baxter & Woodman Consulting Engineers, 1548 Bond Street, Suite 103, Naperville IL, 60563, and Nicholas Alfonso in the State's Attorney's Office.

RESULT:	APPROVED
MOVER:	Paula Garcia
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

15.C. [PW-P-0059-23](#)

Recommendation for the approval of an agreement between the County of DuPage, Illinois and Trotter & Associates, Inc., for on-call professional engineering services for DuPage County owned water treatment and wastewater treatment facilities and systems for Public Works, for the period of February 14, 2023 to November 30, 2025, for a total contract amount not to exceed \$700,000. Professional Services (Architects, Engineers and Land Surveyors) vetted through a qualification-based selection process in compliance with the Illinois Local Government Professional Services Selection Act, 50 ILCS 510/et. seq.

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to operate and maintain sanitary sewer systems and potable water distribution systems (Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-1500 l, et. seq.); and

WHEREAS, the Illinois State Constitution and Illinois General Assembly have authorized counties, including the County of DuPage (COUNTY), authority to perform various public functions, and to provide essential governmental services, for the benefit of its residents, property owners and businesses; and

WHEREAS, in accordance with the above referenced authority, the COUNTY maintains and operates wastewater treatment facilities and water distribution and wastewater collection systems; and

WHEREAS, the Public Works Department requires professional engineering services for the construction and post construction of various Public Works facilities and systems; and

WHEREAS, TROTTER & ASSOCIATES, INC. (hereinafter the CONSULTANT) has experience and expertise performing project management and engineering and is willing to perform such services for the COUNTY for the period February 14, 2023 to November 30, 2025, for an amount not to exceed seven hundred

thousand dollars and 00/100 (\$700,000.00).

NOW THEREFORE BE IT RESOLVED that the DuPage County Clerk be directed to provide copies of this Resolution and its attachments to the Public Works Committee Secretary for distribution to the Department of Public Works, Trotter & Associates, Inc., 40W201 Wasco Road, St. Charles, IL 60175, and Nicholas Alfonso in the State's Attorney's Office.

RESULT:	APPROVED
MOVER:	Paula Garcia
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

15.D. [FM-P-0060-23](#)

Recommendation for the approval of a contract to Royal Pipe & Supply Company, to furnish and deliver plumbing supplies, by the specified manufacturers at discounted rates, as needed for County Facilities, for the period February 24, 2023, through February 23, 2024, for a total contract amount not to exceed \$148,007.50 per lowest responsible bid #20-133-FM, second option to renew.

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

WHEREAS, the Public Works Committee recommends County Board approval for the issuance of a contract to Team Pipe & Supply Co., d/b/a Royal Pipe & Supply Co., to furnish and deliver plumbing supplies, by the specified manufacturers at discounted rates, as needed for County Facilities, for the period February 24, 2023 through February 23, 2024, for Facilities Management.

NOW, THEREFORE BE IT RESOLVED, that County Contract, covering said, to furnish and deliver plumbing supplies, by the specified manufacturers at discounted rates, as needed for County Facilities, for the period February 24, 2023 through February 23, 2024, for Facilities Management, be, and it is hereby approved for issuance of a contract by the Procurement Division to, Team Pipe & Supply Co., d/b/a Royal Pipe & Supply Co., 2400 W. Lake Street, Melrose Park, IL 60160, for a total contract amount not to exceed \$148,007.50, per lowest responsible bid 20-133-FM, second option to renew.

RESULT:	APPROVED
MOVER:	Paula Garcia
SECONDER:	Yeena Yoo

AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
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15.E. [FM-P-0056-23](#)

Recommendation for the approval of a contract to Red Wing Brands of America, Inc., to furnish safety shoes and work boots, as needed for Facilities Management, Public Works, Stormwater and the Care Center, for the period February 23, 2023, through February 22, 2024, for a contract total not to exceed \$37,900 (Facilities Management \$10,000, Public Works \$20,000, Stormwater \$4,500, Care Center \$3,400); per most qualified offer on Proposal 21-096-FM, first option to renew.

WHEREAS, request for proposal have been taken and processed in accordance with County Board policy; and

WHEREAS, the Public Works Committee recommends County Board Approval for the issuance of a County Contract for the purchase of safety shoes/boots for qualified employees, for the period February 23, 2023 through February 22, 2024, for Facilities Management, Public Works, Stormwater, and the Care Center.

NOW, THEREFORE BE IT RESOLVED, that County Contract, covering said, for the purchase of safety shoes/boots for qualified employees, for the period February 23, 2023 through February 22, 2024, for Facilities Management \$10,000.00, for Public Works \$20,000.00, Stormwater \$4,500.00, and Care Center \$3,400.00, be, and it is hereby approved for issuance of a County Contract by the Procurement Division to, Red Wing Brands of America Inc., 314 Main Street, Red Wing, MN 55066, for a contract total amount not to exceed \$37,900.00, per most qualified offer, by regional retailer, per proposal #21-068-FM, first option to renew.

RESULT:	APPROVED
MOVER:	Paula Garcia
SECONDER:	Yeena Yoo
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

15.F. [FM-R-0600-23](#)

Authorization to submit a grant application to the Community Development Block Grant-COVID-19 RESPONSE (CDBG-CV) funding for the DuPage Care Center, for the Air Handling Units Replacement Project in the amount of \$1,900,000.

WHEREAS, the DuPage Care Center was originally built in 1888 and became a

nursing facility in the 1930s; and

WHEREAS, the DuPage Care Center has developed into one of the most modern, best equipped, professionally staffed, treatment and rehabilitation centers for the chronically ill in the State of Illinois; and

WHEREAS, the mission of the DuPage Care Center is to provide quality long term care as well as short term rehabilitative services to DuPage County residents in a professional and cost-effective manner; and

WHEREAS, the safety and security of the residents, visitors, and employees are of the utmost priorities for the DuPage Care Center; and

WHEREAS, air handling units are necessary to provide the conditioned air for the building; and

WHEREAS, the existing air handling units (AHU S1, S2, S6 and S8) have outlived their useful life and need to be replaced; and

WHEREAS, in addition to providing the heating and cooling for the building, the replacement units will improve airflow, introducing more outside air and increase air changes which will decrease the risk of communicable viruses including COVID-19; and

WHEREAS, the Community Development Block Grant - (CDBG-CV) response program provides Federal funding assistance for public improvements such as replacing the DuPage Care Center's air handling units S1, S2, S6 and S8; and

WHEREAS, the DuPage Care Center's Air Handling Unit Replacement Project is eligible for CDBG-CV program Federal funding assistance; and

WHEREAS, the County proposes making the attached grant application; and

WHEREAS, the DuPage County Care Center is requesting funding for one project at the maximum grant request as follows; \$1,900,000 for the Air Handling Unit Replacement Project which includes the replacement of air handling units S1, S2 S6 and S8 for the DuPage County

WHEREAS, the Public Works Committee of the DuPage County Board has determined that it is in the County's best interest to make an application for CDBG-CV program Federal funding assistance for the DuPage Care Center's Air Handling Unit Replacement Project.

NOW, THEREFORE, BE IT RESOLVED, that the County of DuPage authorizes the DuPage Care Center to submit an application to the Community Development Commission (CDC) for a CDBG-CV in the amount of one million nine hundred thousand dollars (\$1,900,000) for the Air Handling Replacement Project at the DuPage Care

Center; and

RESULT:	APPROVED
MOVER:	Paula Garcia
SECONDER:	Jim Zay
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

16. STORMWATER - ZAY

Committee Update

16.A. [SM-CO-0008-23](#)

AMS Change Order #2 - Elmhurst Quarry East Lobe Pipe Replacement.
SM-P-0088B-22- Amendment to Resolution SM-P-0088A-22, issued to AMS Mechanical Systems for the Elmhurst Quarry Pipe Replacement Project, to increase the contract total amount by \$84,413.46 resulting in an amended contract total amount not to exceed \$1,337,638.77, an increase of 6.74%. Change Order #2.

WHEREAS, Resolution SM-P-0088A-22, was approved and adopted by the County Board on March 8, 2022; and

WHEREAS, the Stormwater Management Committee recommends changes as stated in the changer order to AMS Mechanical Systems, Inc., for construction of the Elmhurst Quarry Pipe Replacement Project, for Stormwater Management.

NOW, THEREFORE BE IT RESOLVED, that County Board adopts the Change Order, dated February 14, 2023 to the contract issued to AMS Mechanical Systems, Inc., for construction of the Elmhurst Quarry East Lobe Pipe Replacement Project, for Stormwater Management, to increase the contract in the amount of \$84,413.46, taking the contract amount of \$1,253,225.31, resulting in an amended contract total amount not to exceed \$1,337,638.77, an increase of 6.74%.

RESULT:	APPROVED
MOVER:	Jim Zay
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Schwarze, Tornatore, Yoo, and Zay
ABSENT:	Eckhoff, and Rutledge

16.B. [SM-R-0061-23](#)

Additional Appropriation for the 2011 Drainage Capital Projects Fund Company 6000,

Accounting Unit 3210, \$36,665.

WHEREAS, appropriations for the 2011 DRAINAGE CAPITAL PROJECTS FUND for Fiscal Year 2023 were adopted by the County Board pursuant to Ordinance FI-O-0059-22; and

WHEREAS, there is a need for an additional appropriation in the 2011 DRAINAGE CAPITAL PROJECTS FUND - COMPANY 6000, ACCOUNTING UNIT 3210 to address drainage and urban flooding issues in Unincorporated DuPage County in the amount of \$36,665 (THIRTY-SIX THOUSAND, SIX HUNDRED SIXTY-FIVE AND NO/100 DOLLARS); and

WHEREAS, there is sufficient unappropriated cash in the 2011 DRAINAGE CAPITAL PROJECTS FUND - COMPANY 6000, ACCOUNTING UNIT 3210 to support an additional appropriation of \$36,665 (THIRTY-SIX THOUSAND, SIX HUNDRED SIXTY-FIVE AND NO/100 DOLLARS); and

WHEREAS, the need to provide an additional appropriation in the amount of \$36,665 (THIRTY-SIX THOUSAND, SIX HUNDRED SIXTY-FIVE AND NO/100 DOLLARS); in the 2011 DRAINAGE CAPITAL PROJECTS FUND - COMPANY 6000, ACCOUNTING UNIT 3210 creates an emergency within the meaning of the Counties Act, Budget Division, (55 ILCS 5/6-1003).

NOW, THEREFORE, BE IT RESOLVED, by the DuPage County Board that an additional appropriation (Attachment) in the amount of \$36,665 (THIRTY-SIX THOUSAND, SIX HUNDRED SIXTY-FIVE AND NO/100 DOLLARS); in the 2011 DRAINAGE CAPITAL PROJECTS FUND - COMPANY 6000, ACCOUNTING UNIT 3210 is hereby approved and added to the Fiscal Year 2023 Appropriation Ordinance.

RESULT:	APPROVED
MOVER:	Jim Zay
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Schwarze, Tornatore, Yoo, and Zay
ABSENT:	Eckhoff, and Rutledge

16.C. [SM-P-0054-23](#)

Recommendation to enter into an Agreement between the County of DuPage, Illinois and Engineering Resource Associates for Professional Engineering Services for hydraulic modeling and floodplain mapping services, for Stormwater Management. This contract covers the period February 14, 2023 through June 30, 2024, for a contract total not to exceed \$70,000. Professional Services in compliance with the Illinois Local Government Professional Services Selection Act, 50 ILCS 510/ et. seq. vetted through a qualification based selection process (Architects, Engineers and Land Surveyors).

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to develop watershed plans, undertake measures to control and

protect against flooding, manage stormwater and to enter into agreements for the purposes of stormwater management and flood control (Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-1062.3 and 5/5-15001 et seq.); and

WHEREAS, the COUNTY's watershed and floodplain mapping models require necessary and varied amounts of updates to reflect watershed wide improvements and watershed plan project construction; and

WHEREAS, GIS floodplain mapping services and the preparation of map revision documents are a necessary requirement to update the Federal Emergency Management Agency (FEMA) floodplain maps; and

WHEREAS, ENGINEERING RESOURCE ASSOCIATES ("CONSULTANT") 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 Seventy thousand dollars and no cents (\$70,000.00); and

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached AGREEMENT between the COUNTY and Engineering Resource Associates. is hereby accepted and approved in an amount not to exceed seventy thousand dollars and zero cents (\$70,000.00) and that the Chair of the DuPage County Board is hereby authorized and directed to execute the AGREEMENT on behalf of the COUNTY.

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached AGREEMENT to Engineering Resource Associates, Attn: Marty Michalisko, 3S701 West Avenue Suite 150, Warrenville, IL 60555; Nicholas Alfonso/State's Attorney's Office; County Auditor; Finance Director; Treasurer; Purchasing; and to the DuPage County Stormwater Management Department, by and through the Stormwater Management Department.

RESULT:	APPROVED
MOVER:	Jim Zay
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Schwarze, Tornatore, Yoo, and Zay
ABSENT:	Eckhoff, and Rutledge

16.D. [SM-P-0055-23](#)

Recommendation to enter into an Agreement between the County of DuPage, Illinois and Gasperec Elberts Consulting, LLC, for On-Call Professional Engineering Services for hydraulic modeling and floodplain mapping services, for Stormwater Management. This contract covers the period February 14, 2023 through June 30, 2024, for a contract total

not to exceed \$70,000. Professional Services in compliance with the Illinois Local Government Professional Services Selection Act, 50 ILCS 510/ et. seq. vetted through a qualification based selection process (Architects, Engineers and Land Surveyors).

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to develop watershed plans, undertake measures to control and protect against flooding, manage stormwater and to enter into agreements for the purposes of stormwater management and flood control (Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-1062.3 and 5/5-15001 et seq.); and

WHEREAS, the COUNTY requires stream surveys that include cross section data, hydraulic structure data and high-water mark data in order to develop hydraulic models of the County's watersheds; and

WHEREAS, several first-time watershed models need to be developed to further support the COUNTY's watershed planning and floodplain mapping programs; and

WHEREAS, the COUNTY requires professional on-call surveying services to provide the stream surveys necessary to develop these hydraulic models; and

WHEREAS, GASPEREC ELBERTS CONSULTING, LLC ("CONSULTANT") has experience and expertise in this area and is in the business of providing such professional land surveying services and is willing to perform the required services for an amount not to exceed Seventy thousand dollars and no cents (\$70,000.00); and

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached AGREEMENT between the COUNTY and Gasperec Elberts Consulting, LLC. is hereby accepted and approved in an amount not to exceed seventy thousand dollars and zero cents (\$70,000.00) and that the Chair of the DuPage County Board is hereby authorized and directed to execute the AGREEMENT on behalf of the COUNTY.

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached AGREEMENT to Gasperec Elberts Consulting, LLC. Attn: Megan Elberts, 1401 Branding Avenue, Suite 230, Downers Grove, IL 60515; Nicholas Alfonso/State's Attorney's Office; County Auditor; Finance Director; Treasurer; Purchasing; and to the DuPage County Stormwater Management Department, by and through the Stormwater Management Department.

RESULT: APPROVED

MOVER: Jim Zay

SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Schwarze, Tornatore, Yoo, and Zay
ABSENT:	Eckhoff, and Rutledge

17. TECHNOLOGY - YOO

Committee Update

17.A. [TE-P-0050-23](#)

Recommendation for the approval of a contract purchase order to Accela, Inc. for Managed Application Services for the Building & Zoning, Transportation, Stormwater, and Public Works departments to provide support with permitting software that will allow on-line submittals, electronic document reviews, permit tracking and mobile inspections by applicants and/or County staff. This contract covers the period of the period February 21, 2023 through February 20, 2024, for a contract total not to exceed \$195,000. Exempt from bidding per 55 ILCS 5/5-1022 “Competitive Bids” (c) not suitable for competitive bids – Sole Source. Accela is the sole provider for this software application.

WHEREAS, a sole source quotation has been obtained in accordance with 55 ILCS 5/5-1022 and County Board policy; and

WHEREAS, the County is authorized to enter into a Sole Source Agreement pursuant to Section 2-350 of the DuPage County Procurement Ordinance; and

WHEREAS, based upon supporting documentation provided by the using Department, the Chief Procurement Officer has determined that it is not feasible to secure bids or that there is only one source for the required goods or services, and/or has determined that it is in the best interests of the County to consider only one supplier who has previous expertise relative to the subject procurement; and

WHEREAS, in accordance with the Chief Procurement Officer’s determination, the Technology Committee recommends County Board approval for the issuance of a contract to Accela, Inc., for managed application services, for the period of February 21, 2023 through February 20, 2024, for the Building & Zoning, Transportation, Stormwater, and Public Works departments .

NOW, THEREFORE BE IT RESOLVED, that County Contract, covering said, for managed application services, for the period of February 21, 2023 through February 20, 2024 for the Building & Zoning, Transportation, Stormwater, and Public Works departments, be, and it is hereby approved for issuance of a contract by the Procurement Division to, Accela, Inc., 4375 Solutions Center, Chicago, IL 60677, for a contract total amount not to exceed \$ 195,000.00. Pursuant to 55 ILCS 5/5-1022 (c) not suitable for competitive bids. (Sole provider - Accela is the sole provider for this software application.)

RESULT:	APPROVED
MOVER:	Yeena Yoo
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Schwarze, Tornatore, Yoo, and Zay
ABSENT:	Rutledge

17.B. [TE-P-0049-23](#)

Recommendation for the approval of a contract purchase order to BMC Software, Inc., for annual BMC software licensing and maintenance for MainView zEnterprise Automation and VSAM file management software, for Information Technology. This contract covers the period of March 1, 2023 through February 28, 2024, for a contract total amount of \$42,256.33. Exempt from bidding per 55 ILCS 5/5-1022 (c) not suitable for competitive bids – Sole Source. BMC is the owner of the proprietary source code for this software.

WHEREAS, a sole source quotation has been obtained in accordance with 55 ILCS 5/5-1022 and County Board policy; and

WHEREAS, the County is authorized to enter into a Sole Source Agreement pursuant to Section 2-350 of the DuPage County Procurement Ordinance; and

WHEREAS, based upon supporting documentation provided by the using Department, the Chief Procurement Officer has determined that it is not feasible to secure bids or that there is only one source for the required goods or services, and/or has determined that it is in the best interests of the County to consider only one supplier who has previous expertise relative to the subject procurement; and

WHEREAS, in accordance with the Chief Procurement Officer's determination, the Technology Committee recommends County Board approval for the issuance of a contract to BMC Software, Inc., FOR the annual software license and maintenance for MainView zEnterprise Automation and VSAM file management software, for the period of March 1, 2023 through February 29, 2024, for Information Technology .

NOW, THEREFORE BE IT RESOLVED, that County Contract, covering said, FOR the annual software license and maintenance for MainView zEnterprise Automation and VSAM file management software, for the period of March 1, 2023 through February 29, 2024 for Information Technology, be, and it is hereby approved for issuance of a contract by the Procurement Division to, BMC Software, Inc., 2103 CityWest Boulevard, Houston, TX 77402, for a contract total amount not to exceed \$ 42,256.33. Exempt from bidding per 55 ILCS 5/5-1022 (c) not suitable for competitive bids - Sole Source. (Sole provider - BMC is the owner of the proprietary source code for this software.)

RESULT:	APPROVED
MOVER:	Yeena Yoo
SECONDER:	Jim Zay
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

18. TRANSPORTATION - OZOG

Committee Update

18.A. [DT-R-0053-23](#)

Intergovernmental Agreement between the County of DuPage and Village of Lombard for Central Signal System Expansion #4, pertaining to installation and future maintenance responsibilities, Section 19-DCCSS-014-TL (County to be reimbursed \$486,000).

WHEREAS, the County of DuPage (hereinafter referred to as “COUNTY”) and the Village of Lombard (hereinafter referred to as “VILLAGE”) are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*); and

WHEREAS, Article VII, Section 10, of the 1970 Constitution of the State of Illinois encourages and provides for units of local government to contract and otherwise associate with each other to exercise, combine or transfer any power or function; and

WHEREAS, the COUNTY by virtue of its power set forth in “Counties Code” (55 ILCS 5/1001 *et seq.*) and “Illinois Highway Code” (605 ILCS 5/5-101 *et seq.*) and the VILLAGE by virtue of its power set forth in the “Illinois Municipal Code” (65 ILCS 5/1-1-1 *et seq.*) are authorized to enter into agreements and contracts; and

WHEREAS, the COUNTY is preparing plans and specifications for the Central Signal System Expansion #4, known as COUNTY Section No. 19-DCCSS-04-TL (hereinafter referred to as “PROJECT”); and

WHEREAS, the VILLAGE has requested that the COUNTY install upgraded equipment at VILLAGE traffic signals and facilities, and connect to the existing COUNTY Central Signal System Network; and

WHEREAS, an Intergovernmental Agreement has been prepared and is attached hereto that outlines the engineering financial obligations, shared network use and maintenance responsibilities of the COUNTY and the VILLAGE related to the PROJECT; and

WHEREAS, the Intergovernmental Agreement must be executed.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board, that the Chair and Clerk of said Board are hereby directed and authorized to execute the attached Intergovernmental Agreement with the VILLAGE; and

BE IT FURTHER RESOLVED that two (2) original copies of this resolution and Intergovernmental Agreement be sent to the VILLAGE, by and through the Division of Transportation.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

18.B. [DT-P-0051-23](#)

Recommendation for the approval of a contract to Roland Machinery Company, to furnish and deliver one (1) HD Tandem Roller, for the Division of Transportation, for a contract total not to exceed \$56,017.05; Per Sourcewell contract #060122.

WHEREAS, pursuant to Intergovernmental Agreement between the County of DuPage and National Intergovernmental Purchasing Alliance (Sourcewell), the County of DuPage will contract with Roland Machinery Company; and

WHEREAS, the Transportation Committee recommends County Board approval for the issuance of a contract to Roland Machinery Company, to furnish and deliver one (1) HD Tandem Roller for the Division of Transportation.

NOW, THEREFORE, BE IT RESOLVED that said contract to furnish and deliver one (1) HD Tandem Roller for the Division of Transportation, is hereby approved for issuance to Roland Machinery Company, 816 N. Dirksen Parkway, Springfield, Illinois 62702, for a contract total not to exceed \$56,017.05; per Sourcewell contract #060122.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

18.C. [DT-P-0052-23](#)

Recommendation for the approval of a contract purchase order to Auto Tech Centers, Inc., to furnish and deliver Goodyear tires, as needed for the Division of Transportation, for the period February 15, 2023 through March 31, 2024, for a contract total not to exceed \$150,000; contract pursuant to the Intergovernmental Cooperation Act (NASPO Contract # 19101).

WHEREAS, pursuant to Intergovernmental Agreement between the County of DuPage and National Association of State Procurement Officers (NASPO), the County of DuPage will contract with Auto Tech Centers, Inc.; and

WHEREAS, the Transportation Committee recommends County Board approval for the issuance of a contract to Auto Tech Centers, Inc., to furnish and deliver Goodyear tires, as needed for the Division of Transportation, for the period of February 15, 2023 through March 31, 2024.

NOW, THEREFORE, BE IT RESOLVED that said contract to furnish and deliver Goodyear tires, as needed for the Division of Transportation, for the period of February 15, 2023 through March 31, 2024, is hereby approved for issuance to Auto Tech Centers, Inc., 4005 West Elm Street, McHenry, Illinois 60050, for a contract total not to exceed \$150,000.00.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Liz Chaplin
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

18.D. [DT-P-0050-23](#)

Recommendation for the approval of a contract to Wolter, Inc., to furnish and deliver one (1) Doosan Forklift, for the Division of Transportation, for a contract total not to exceed \$36,658.09; Per Sourcewell contract #091520-DIV.

WHEREAS, pursuant to Intergovernmental Agreement between the County of DuPage and National Intergovernmental Purchasing Alliance (Sourcewell), the County of DuPage will contract with Wolter, Inc.; and

WHEREAS, the Transportation Committee recommends County Board approval for the issuance of a contract to Wolter, Inc., to furnish and deliver one (1) Doosan Forklift for the Division of Transportation.

NOW, THEREFORE, BE IT RESOLVED that said contract to furnish and deliver one (1) Doosan Forklift for the Division of Transportation, is hereby approved for issuance to Wolter, Inc. 3125 Intertech Drive, Brookfield, Wisconsin 53045, for a contract total not to exceed \$36,658.09; per Sourcewell contract #091520-DIV.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

Motion to Combine Items

Member Ozog moved and Member DeSart seconded a motion to combine items E through M. The motion was approved on voice vote, all "ayes".

18.E. [23-0580](#)

DT-R-0004A-19 – Amendment to Resolution DT-R-0004-19, Intergovernmental Agreement between the County of DuPage and Addison Township, for mowing along County roads and rights-of-way, to decrease the funding in the amount of \$18,195.00, resulting in a final County cost of \$54,585.00, a decrease of 25.0%.

WHEREAS, the DuPage County Board heretofore adopted Resolution DT-R-0004-19 on December 11th, 2019 to enter into an Intergovernmental Agreement for mowing of grass and vegetation growing along the roads and rights-of-way under the jurisdiction of the County of DuPage; and

WHEREAS, the current contract total amount is \$72,780.00; and

WHEREAS, Addison Township has completed all obligations under the contract, and there are allocated and unexpected funds remaining under the contract; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the project, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby decreases the funding in the amount of \$18,195.00, resulting in a final County cost of \$54,585.00, a decrease of 25.0%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Sheila Rutledge

18.F. [23-0583](#)

DT-R-0021A-19 – Amendment to Resolution DT-R-0021-19, Intergovernmental Agreement between the County of DuPage and Bloomingdale Township, for mowing along County roads and rights-of-way, to decrease the funding in the amount of \$27,898.00, resulting in a final County cost of \$29,822.00, a decrease of 48.33%.

WHEREAS, the DuPage County Board heretofore adopted Resolution DT-R-0021-19 on January 19th, 2019 to enter into an Intergovernmental Agreement for mowing of grass and vegetation growing along the roads and rights-of-way under the jurisdiction of the County of DuPage; and

WHEREAS, the current contract total amount is \$57,720.00; and

WHEREAS, Bloomingdale Township has completed all obligations under the contract, and there are allocated and unexpected funds remaining under the contract; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the contract, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby decreases the funding in the amount of \$27,898.00, resulting in a final County cost of \$29,822.00, a decrease of 48.33%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Sheila Rutledge

18.G. [23-0579](#)

DT-R-0921B-18 – Amendment to Resolution DT-R-0921A-18, Intergovernmental Agreement between the County of DuPage and the Village of Carol Stream, for mowing along County roads and rights-of-way, to decrease the funding in the amount of \$6,060.10, resulting in a final County cost of \$67,959.90, a decrease of 8.19%.

WHEREAS, the DuPage County Board heretofore adopted Resolutions DT-R-0921A-18 on April 13th, 2021 and DT-R-0921-18 on November 13th, 2018 to enter into an Intergovernmental Agreement for mowing of grass and vegetation growing along the roads and rights-of-way under the jurisdiction of the County of DuPage; and

WHEREAS, the current contract total amount is \$74,020.00; and

WHEREAS, the Village of Carol Stream has completed all obligations under the contract, and there are allocated and unexpected funds remaining under the contract; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the contract, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby decreases the funding in the amount of \$6,060.10, resulting in a final County cost of \$67,959.90, a decrease of 8.19%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Sheila Rutledge

18.H. [23-0585](#)

DT-R-0043A-19 – Amendment to Resolution DT-R-0043-19, Intergovernmental Agreement between the County of DuPage and the Village of Glendale Heights, for

mowing along County roads and rights-of-way, to decrease the funding in the amount of \$43,080.70, resulting in a final County cost of \$25,739.30, a decrease of 62.59%.

WHEREAS, the DuPage County Board heretofore adopted Resolution DT-R-0043-19 on January 29th, 2019 to enter into an Intergovernmental Agreement for mowing of grass and vegetation growing along the roads and rights-of-way under the jurisdiction of the County of DuPage; and

WHEREAS, the current contract total amount is \$68,820.00; and

WHEREAS, the Village of Glendale Heights has completed all obligations under the contract, and there are allocated and unexpected funds remaining under the contract; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the contract, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby decreases the funding in the amount of \$43,080.70, resulting in a final County cost of \$25,739.30, a decrease of 62.59%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Sheila Rutledge

18.I. [23-0586](#)

DT-R-0954A-18 – Amendment to Resolution DT-R-0954-18, Intergovernmental Agreement between the County of DuPage and Naperville Township, for mowing along County roads and rights-of-way, to decrease the funding in the amount of \$221,578.00, resulting in a final County cost of \$169,442.00, a decrease of 56.66%.

WHEREAS, the DuPage County Board heretofore adopted Resolution DT-R-0954-18 on November 27th, 2018 to enter into an Intergovernmental Agreement for mowing of grass and vegetation growing along the roads and rights-of-way under the jurisdiction of the County of DuPage; and

WHEREAS, the current contract total amount is \$391,020.00; and

WHEREAS, Naperville Township has completed all obligations under the contract, and there are allocated and unexpected funds remaining under the contract; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the contract, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby decreases the funding in the amount of \$221,578.00, resulting in a final County cost of \$169,442.00, a decrease of 56.66%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Sheila Rutledge

18.J. [23-0578](#)

DT-R-0242A-19 – Amendment to Resolution DT-R-0242-19, Intergovernmental Agreement between the County of DuPage and the City of Wheaton, for mowing along County roads and rights-of-way, to decrease the funding in the amount of \$2,991.25, resulting in a final County cost of \$2,858.75, a decrease of 51.13%.

WHEREAS, the DuPage County Board heretofore adopted Resolution DT-R-0242-19 on June 25th, 2019 to enter into an Intergovernmental Agreement for mowing of grass and vegetation growing along the roads and rights-of-way under the jurisdiction of the County of DuPage; and

WHEREAS, the current contract total amount is \$5,850.00; and

WHEREAS, the City of Wheaton has completed all obligations under the contract, and there are allocated and unexpected funds remaining under the contract; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the contract, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby decreases the funding in the amount of \$2,991.25, resulting in a final County cost of \$2,858.75, a decrease of 51.13%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Sheila Rutledge

18.K. [23-0582](#)

DT-R-0003A-19 – Amendment to Resolution DT-R-0003-19, Intergovernmental Agreement between the County of DuPage and the Village of Willowbrook, for mowing along County roads and rights-of-way, to decrease the funding in the amount of \$23,260.00, resulting in a final County cost of \$47,030.00, a decrease of 33.09%.

WHEREAS, the DuPage County Board heretofore adopted Resolution DT-R-0003-19 on December 11th, 2019 to enter into an Intergovernmental Agreement for mowing of grass and vegetation growing along the roads and rights-of-way under the jurisdiction of the County of DuPage; and

WHEREAS, the current contract total amount is \$70,290.00; and

WHEREAS, the Village of Willowbrook has completed all obligations under the contract, and there are allocated and unexpected funds remaining under the contract; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining

funds and close out the contract, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby decreases the funding in the amount of \$23,260.00, resulting in a final County cost of \$47,030.00, a decrease of 33.09%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Sheila Rutledge

18.L. [23-0584](#)

DT-R-0019B-19 – Amendment to Resolution DT-R-0019A-19, Intergovernmental Agreement between the County of DuPage and Winfield Township, for mowing along County roads and rights-of-way, to decrease the funding in the amount of \$32,209.00, resulting in a final County cost of \$45,281.00, a decrease of 41.57%.

WHEREAS, the DuPage County Board heretofore adopted Resolutions DT-R-0019A-19 on April 13th, 2021 and DT-R-0019-19 on January 15th, 2019 to enter into an Intergovernmental Agreement for mowing of grass and vegetation growing along the roads and rights-of-way under the jurisdiction of the County of DuPage; and

WHEREAS, the current contract total amount is \$77,490.00; and

WHEREAS, Winfield Township has completed all obligations under the contract, and there are allocated and unexpected funds remaining under the contract; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the contract, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby decreases the funding in the amount of \$32,209.00, resulting in a final County cost of \$45,281.00, a decrease of 41.57%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Sheila Rutledge

18.M. [23-0581](#)

DT-R-0078A-19 – Amendment to Resolution DT-R-0078-19, Intergovernmental Agreement between the County of DuPage and the Village of Woodridge, for mowing along County roads and rights-of-way, to decrease the funding in the amount of \$18,919.72, resulting in a final County cost of \$69,010.28, a decrease of 21.51%.

WHEREAS, the DuPage County Board heretofore adopted Resolution DT-R-0078-19 on February 12th, 2019 to enter into an Intergovernmental Agreement for mowing of grass and vegetation growing along the roads and rights-of-way under the jurisdiction of the County of DuPage; and

WHEREAS, the current contract total amount is \$87,930.00; and

WHEREAS, the Village of Woodridge has completed all obligations under the contract, and there are allocated and unexpected funds remaining under the contract; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the contract, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby decreases the funding in the amount of \$18,919.72, resulting in a final County cost of \$69,010.28, a decrease of 21.51%.

RESULT: APPROVED

MOVER: Mary Ozog

SECONDER: Sheila Rutledge

AYES: Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

18.N. [23-0590](#)

DT-R-0381B-15 – Amendment to Resolution DT-R-0381A-15, Local Public Agency Amendment #1 for Federal Participation between the County of DuPage and Illinois Department of Transportation, for improvements along CH 33/75th Street, from Adams Street to Plainfield Road, Section 15-00233-07-LT to decrease the funding in the amount of \$6,497.37, resulting in an amended total amount of \$247,136.63, a decrease of 2.56%.

WHEREAS, the DuPage County Board (hereinafter referred to as COUNTY) has heretofore adopted Resolutions DT-R-0381-15 on June 9, 2015 and DT-R-0381A-15 on December 10, 2019, wherein the County entered into a Local Public Agency Agreement (hereinafter referred to as AGREEMENT) with the Illinois Department of Transportation (hereinafter referred to as STATE) that outlined the financial participation of the parties related to construction of improvements along CH 33/75th Street, from Adams Street to Plainfield Road, Section 15-00233-07-LT (hereinafter referred to as IMPROVEMENT); and

WHEREAS, at the time the cost to the County for the IMPROVEMENT was estimated to be \$253,633.00; and

WHEREAS, the IMPROVEMENT has been completed and the COUNTY's final share of cost is \$247,135.63, a decrease of \$6,497.37; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the project, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED, by the DuPage County Board that Resolution DT-R-0155A-15 is hereby amended to reflect a cost of \$247,136.63 instead of and in place of \$253,633.00, a decrease of \$6,497.37, -2.56%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

18.O. [23-0587](#)

DT-R-0543A-15 – Amendment to Resolution DT-R-0543-15 Local Public Agency Agreement for Federal Participation between the County of DuPage and the Illinois Department of Transportation for improvements along CH 31/Plainfield Road, from Lemont Road to Cass Avenue, Section 14-00275-05-RS, to decrease the funding in the amount of \$356,554.81, resulting in an amended total amount of \$1,157,686.19, a decrease of 23.54%.

WHEREAS, the DuPage County Board (hereinafter referred to as COUNTY) has heretofore adopted Resolution DT-R-0543-15 on November 10th, 2015, wherein the COUNTY entered into an Intergovernmental Agreement (hereinafter referred to as AGREEMENT) with the Illinois Department of Transportation (hereinafter referred to as STATE) to improve a segment of CH 31/Plainfield Road, from Lemont Road to Cass Avenue that is approximately 0.82 miles in length and known to the STATE as MFT Section Number 14-00275-05-RS and State Job Number C-91-317-14 (hereinafter referred to as the IMPROVEMENT), by intersection improvement and resurfacing; and

WHEREAS, at the time the estimated cost to the COUNTY for the IMPROVEMENT was \$1,514,241.00; and

WHEREAS, the IMPROVEMENT has been completed and the COUNTY's final share of cost is \$1,157,686.19, a decrease of \$356,554.81; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the project, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED, by the DuPage County Board that Resolution DT-R-0543-15 is hereby amended to reflect a cost of \$1,157,686.19 instead of and in place of \$1,514,241.00, a decrease of \$356,554.81, -23.54%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

18.P. [23-0589](#)

DT-R-0155B-15 – Amendment to Resolution DT-R-0155A-15, Local Public Agency

Agreement between the County of DuPage and Illinois Department of Transportation, for traffic signal upgrades at various County/State intersections, Section 15-00171-07-TL, to decrease the funding in the amount of \$7,020.68, resulting in an amended total amount of \$27,979.32, a decrease of 20.06%.

WHEREAS, the DuPage County Board (hereinafter referred to as COUNTY) has heretofore adopted Resolution DT-R-0155-15 on April 14th, 2015 and DT-R-0155A-15 on December 8th, 2015, wherein the COUNTY entered into an Intergovernmental Agreement (hereinafter referred to as AGREEMENT) with the Illinois Department of Transportation (hereinafter referred to as STATE) for traffic signal modernization at Illinois Route 19 and CH 8/York Road, Section 15-00171-07-TL (hereinafter referred to as PROJECT); and

WHEREAS, at the time the estimated cost to the COUNTY for the PROJECT was \$35,000.00; and

WHEREAS, the PROJECT has been completed and the COUNTY's final share of cost is \$27,979.32, a decrease of \$7,020.68; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the project, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED, by the DuPage County Board that Resolution DT-R-0155B-15 is hereby amended to reflect a final cost of \$27,979.32 instead of and in place of \$35,000.00, a decrease of \$7,020.68, -20.06%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

18.Q. [23-0588](#)

DT-R-0156A-15 – Amendment to Resolution DT-R-0156-15 Local Public Agency Agreement for Federal Participation between the County of DuPage and the Illinois Department of Transportation for improvements related to the installation of the DuPage County Central Signal System, Section 11-DCCSS-00-TL, to decrease the funding in the amount of \$10,878.95, resulting in an amended total amount of \$271,604.05, a decrease of 3.85%.

WHEREAS, the DuPage County Board (hereinafter referred to as COUNTY) has heretofore adopted Resolution DT-R-0156-15 on April 14th, 2015, wherein the COUNTY entered into an Intergovernmental Agreement (hereinafter referred to as AGREEMENT) with the Illinois Department of Transportation (hereinafter referred to as

STATE) for installation of the DuPage County Central Signal System, Section 11-DCCSS-00-TL (hereinafter referred to as the IMPROVEMENT); and

WHEREAS, at the time the estimated cost to the COUNTY for the IMPROVEMENT was \$282,483.00; and

WHEREAS, the IMPROVEMENT has been completed and the COUNTY's final share of cost is \$271,604.05, a decrease of \$10,878.95; and

WHEREAS, it is in the best interest of the County to de-obligate the remaining funds and close out the project, and said change is authorized by law.

NOW, THEREFORE, BE IT RESOLVED, by the DuPage County Board that Resolution DT-R-0156-15 is hereby amended to reflect a cost of \$271,604.05 instead of and in place of \$282,483.00, a decrease of \$10,878.95, -3.85%.

RESULT: APPROVED

MOVER: Mary Ozog

SECONDER: Paula Garcia

AYES: Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

18.R. [23-0591](#)

DT-R-0281A-21 - Amendment to Resolution DT-R-0281-21, issued to Schroeder Asphalt, Inc., for the CH4/Bloomington Road and CH21/Geneva Road intersection improvements, Section 19-00206-11-CH, to increase the funding in the amount of \$20,444.91, resulting in an amended contract total amount of \$705,598.19, an increase of 2.98%.

WHEREAS, the DuPage County Board heretofore adopted Resolution DT-R-0281-21 on May 25th, 2021, issued to Schroeder Asphalt, Inc., for the CH4/Bloomington Road and CH21/ Geneva Road intersection improvements, Section 19-00206-11-CH; and

WHEREAS, the current cost of said contract to the County of DuPage, by and through the Division of Transportation is \$685,153.28; and

WHEREAS, an increase in the amount of \$20,444.91 for the Division of Transportation is necessary, due to unforeseen sprinkler system repairs; and

WHEREAS, the circumstances that necessitate the change in costs were not reasonably foreseeable at the time the contract was signed; and

WHEREAS, an adjustment in funding is in the best interest of the County as is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that Resolution DT-R-0281-21 is amended to reflect a cost of \$705,598.19 instead of and in place of a costs of \$685,153.28, an increase of \$20,444.91, +2.98%.

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Paula Garcia
AYES:	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

19. DISCUSSION19.A. [23-0770](#)

PA99-0646 Pension Obligation Projections Required by the Local Government Wage Increase Transparency Act

RESULT:	NO ACTION REQUIRED
----------------	--------------------

20. OLD BUSINESS

The following members made comment:

Krajewski: Westmont Natatorium events, board rules, online public comment

Zay: Zoom meetings, board rules

DeSart: Public comment

Gustin: Public comment

Ozog: Michigan State gun violence, Michigan Governor's statement

21. NEW BUSINESS

No new business was discussed.

22. EXECUTIVE SESSION

A motion was made by Member Zay and seconded by Member DeSart that pursuant to Open Meetings Act 5 ILCS 120/2 (c) (2), 120/2 (c) (11), and 120/2 (c) (21), the Board move into Executive Session for the purpose of discussing collective negotiating matters and pending litigation, at 12:30 p.m.

A. Pursuant to Open Meetings Act 5 ILCS 120/2 (c) (2) - Collective Negotiating Matters

B. Pursuant to Open Meetings Act 5 ILCS 120/2 (c) (11) - Pending Litigation

A motion was made by Member DeSart and seconded by Member Chaplin to adjourn Executive Session into Regular Session at 12:37 p.m. The motion carried on roll call, all "ayes".

23. MEETING ADJOURNED

With no further business, the meeting was adjourned at 12:38 p.m.

- A. This meeting is adjourned to Tuesday, February 28, 2023 at 10:00 a.m.

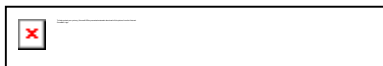
Online Public Comment

All online submissions for public comment from the February 14, 2023 DuPage County Board meeting are included for the record in their entirety. They are found at the back of the minutes packet.

Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 3:03 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 3:02 PM

Meeting Date:	01/23/23
Meeting:	DuPage County Board
Name:	Joe Cosentino
Organization:	
Address:	2357 Elm Rd West Chicago , IL 60185
Daytime Phone:	(630) 441-6670
Comment Type:	Provide testimony/public comment
Subject:	Village Board Members
Comment:	I will read them at the meeting.

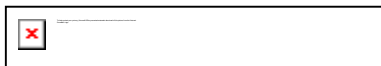
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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 3:26 PM
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Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 3:25 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Megan Sheridan

Organization:

Itasca Food Pantry

Address:

336 W Center St
Itasca, IL 60143

**Daytime
Phone:**

(630) 254-2173

**Comment
Type:**

Provide testimony/public comment

Subject:

ARPA Food

Comment:

\$5M was allocated to helping DuPage pantries with food in this time of need. There is 1.75M is for produce. Another 1M was allocated for pantry food and equipment. There is still 2.25 remaining that has not been finalized. I would like to provide input

to the team that is working on the final 2.25M. There is a pantry in DuPage that can't get a contract with the food bank because the food bank doesn't have the capacity to take them on. This pantry is serving 180 families a week. Which would have made them eligible for \$50,000 of the \$1M, but they would not offer the grant because they don't have a contract with the food bank... Please have someone call me at 630-254-2173.

Thanks,

Megan Sheridan
Pantry Board Member/Volunteer

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Blakely, Heidi

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To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 3:27 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Dena Riddle

Organization:

Address:

511 Corney dr
Plano, IL 60543

**Daytime
Phone:**

**Comment
Type:**

Record of attendance only

Subject:

Sheriff Mendrick

Comment:

Sheriff mendrick is upholding our second amendment right! He is doing his job for WE THE PEOPLE who elected him. No way should he be in ANY TROUBLE AT ALL. He's keeping our constitutional right's! He signed an oath to keep our constitutional

rights, that's why we elect our sheriff's. STOP what you're trying to do, deep state. We the people will keep fighting this it's OUR RIGHT! It's our GOD giving right to PROTECT ourselves and our families ANY WAY WE WANT. It's not up to you.

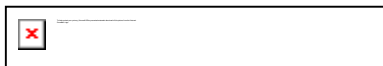
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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 3:39 PM

Meeting Date:	01/24/23
Meeting:	DuPage County Board
Name:	Karen Rugg
Organization:	
Address:	1221 W George St Itasca, IL 60143
Daytime Phone:	(630) 285-0844
Comment Type:	Provide testimony/public comment
Subject:	
Comment:	I wish to make my comments at the meeting

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 4:25 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 4:24 PM

Meeting Date: 01/14/23

Meeting: DuPage County Board

Name: Tony Carter

Organization:

Address:

Daytime Phone:

Comment Type: Provide testimony/public comment

Subject: Sheriff James Mendrick

Comment: To the DuPage County Board,
I believe that Sheriff Mendrick is correct and heading in the right direction in regards to Public Act 102-1116, which will do nothing to curb gun violence. it is my humble opinion that Public Act 102-1116 is unconstitutional and Sheriff Mendrick is

upholding his oath of office. To those deride Sheriff Mendrick, I say you should take a good long look at your selves and at history, as it appears that you are attempting to recreate Nazi Germany and the USSR both of which the US fought against. My final remark is a question, Why do you punish law abiding citizens for the action of criminals?

I hope you reach the correct decision in this matter and the Sheriff Mendrick do his job.

Tony Carter

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Blakely, Heidi

From: noreply@formstack.com
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Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 4:26 PM

**Meeting
Date:**

01/23/23

Meeting:

DuPage County Board

Name:

Joan Weeks

Organization:

Address:

4909 Pershing Avenue
Downers Grove, IL 60515

**Daytime
Phone:**

(630) 390-8599

**Comment
Type:**

Provide testimony/public comment

Subject:

Butt out of Law Enforcement

Comment:

To my knowledge, none of you have any law enforcement experience. I mean the on the street everyday protecting our communities type of law enforcement. You have not attended a law enforcement academy or received any hands on training of

any kind. If that is indeed true, please let Sheriff Mendrick and all law enforcement officials and sworn officers do the job for which they have been trained. They take an oath to uphold the Constitution of the United States. The DuPage County Board does not have the authority to fire Sheriff Mendrick. Neither does Gov Pritzker! Sheriffs are elected officials and are not under your control. Stop threatening those that protect you to try to make yourselves look important. You're making yourselves look stupid. If you don't have personal experience on an issue, shut up about it and let the officials handle it.

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 4:33 PM
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Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 4:32 PM

**Meeting
Date:**

01/23/23

Meeting:

DuPage County Board

Name:

Deborah Peterson

Organization:

Self

Address:

325 W 5th st
Sandwich, IL 60548

**Daytime
Phone:**

**Comment
Type:**

Provide testimony/public comment

Subject:

Support Sheriff Mendrick

Comment:

Dear Board Members,

I would like to state that I support Sheriff Mendrick in his support of the citizens of

Illinois and their right to bear arms under the 2nd Amendment to the Constitution of the United States. The Constitution can not be interpreted. It clearly states our rights SHALL not be infringed.

Please support your Sheriff, as I do.

Most Sincerely,

Deborah Peterson

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Blakely, Heidi

From: noreply@formstack.com
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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 4:56 PM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Susan Kamuda

Organization:

Address: 7802 Eleanor Pl
Willowbrook, IL 60527

Daytime Phone: (630) 888-8687

Comment Type: Record of attendance only

Subject: Assault weapons ban

Comment: I support the assault weapons ban and find it appalling that the Sheriff of DuPage County would take it upon himself to decide which laws he will enforce.

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Blakely, Heidi

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Sent: Monday, January 23, 2023 5:02 PM
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Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 5:01 PM

Meeting Date: 01/23/23

Meeting: DuPage County Board

Name: Harry Lesner

Organization:

Address: 15 south GRANT street
Westmont , IL 60559

Daytime Phone: (630) 969-9127

Comment Type: Provide testimony/public comment

Subject: New Firearms law

Comment: I totally support the Dupage County Sheriff's position on the new unconstitutional Firearms law. The Sheriff shows courage in not supporting an unconstitutional law.

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 6:26 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 6:25 PM

Meeting Date:	01/24/23
Meeting:	DuPage County Board
Name:	Danielle Brandon
Organization:	Self
Address:	13505 S Golden Eagle Cir Plainfield, IL 60544
Daytime Phone:	(630) 981-7893
Comment Type:	Record of attendance only
Subject:	I support Sheriff Mendrick!!
Comment:	JB Pritzker's HB5471 is unconstitutional!! The sheriffs in our state and in our counties have a duty to uphold, to defend and to protect the constitution and our Second Amendment rights as US citizens!! Our current governor is doing nothing

but trying to strip every last right away from us in Illinois.

I stand in full support of Sheriff Mendrick, who is standing strong and courageously in protecting the rights of legal gun owners in DuPage County and against Pritzker and HB5471.

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 6:59 PM
To: Web Master; County Board Public Comment
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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 6:59 PM

Meeting Date: 01/23/23

Meeting: DuPage County Board

Name: Agnieszka Kedzior

Organization:

Address: Winfield, IL 60190

**Daytime
Phone:**

**Comment
Type:** Provide testimony/public comment

Subject: DuPage Co sheriff

Comment: Let the record show that I fully support Sheriff Mendrick's position regarding the unconstitutional weapon ban.
Thank you

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 7:01 PM
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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 7:00 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Bonnie Grabenhoferfo

Organization:

National Organization for Women

Address:

2590 Kendridge Lane
Aurora, IL 60502

**Daytime
Phone:**

**Comment
Type:**

Provide testimony/public comment

Subject:

Sheriff Mendrick

Comment:

I am a long-time resident of DuPage County – a county in which I used to feel safe. I am increasingly concerned about the violence in our society and was relieved that our state lawmakers passed the Protect Illinois Communities Act to help stem the

senseless gun violence that threatens us all. I was shocked and dismayed that Sheriff Mendrick refuses to enforce this law, thus making us apprehensive, wondering if we will be gunned down with an assault weapon the next time we go to the movies, go shopping, or go to a parade. He was elected Sheriff and it is his job to ENFORCE the laws – all the laws – not decide which ones he likes or doesn't like. If he refuses to do his job, he must resign.

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 7:06 PM
To: Web Master; County Board Public Comment
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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 7:05 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Bradley Thompson

Organization:

Self

Address:

6523 Denali Ridge Dr
Plainfield, IL 60586

**Daytime
Phone:**

**Comment
Type:**

Record of attendance only

Subject:

I Support Sherriff Mendrick

Comment:

I frequently work in Naperville and often shop in DuPage County.

I support Sherriff Mendrick's stand on Governor Pritzker's recently signed bill, the

Protect Illinois Communities Act.

I'm neither a lawyer nor a Constitutional scholar. Still, regarding so-called "Assault Weapons" bans, I cite the following reasons why I'm confident they will be overturned (whether in CA, NJ, IL, or any other state).

Illinois Governor J.B. Pritzker signing off on this semi-automatic rifle ban is not unexpected. Unfortunately, this type of legislation will not have any effect on gun violence because, like many ill-fated attempts at restrictive firearms laws, it does not address the actual roots of the problem.

I also suspect that many anti-gun people may not be aware of the legal implications or the likely outcome of so-called 'Assault Weapons Bans.' Due to two landmark Second Amendment decisions by the Supreme Court (Heller in 2008 and Bruen in 2022), any 2A legislation will now be required to meet certain constitutional tests. Whether it is SCOTUS itself, or a District Court, rulings can sometimes be surprising (so-called "conservative" court's ruling in favor of "liberal" cases or "liberal" court's ruling in favor of "conservative" cases). In this case, however, the requirements set forth by the Supreme Court appear to be fairly cut and dried.

In Bruen, SCOTUS made clear that for gun laws to pass constitutional muster, they must be consistent with historical tradition, meaning whether there is a "historical tradition of regulating the conduct in question." The historical focal points center on 1791 (the adoption of the Second Amendment) and 1868 (ratification of the 14th Amendment).

Bruen also ruled that courts are prohibited from considering the balance of interests, meaning that Government is enjoined from balancing the promotion of an important interest (hypothetical claims of public safety, for example) against the constitutional rights of citizens. "To justify its regulation, the government may not simply posit that the regulation promotes an important interest. Rather, the government must demonstrate that the regulation is consistent with this Nation's historical tradition of firearm regulation. Only if a firearm regulation is consistent with this Nation's historical tradition may a court conclude that the individual's conduct falls outside the Second Amendment's 'unqualified command.'" This elimination of a "balance test" may be the element most damaging to future governmental regulation of Second Amendment rights.

In Heller, SCOTUS not only ruled that the Second Amendment protects an individual right to bear arms (thereby ending the dubious "militia only" argument) but that it also protects "arms in common use at the time for lawful purposes like self-defense."

California and New Jersey are already beginning to learn the reality of 2A legislation in a post-Bruen landscape, with lower courts pushing back on certain aspects of their 2A legislation and requiring the government to provide historical evidence

(per Bruen) in support of that legislation. The California Assault Weapons Ban may be ruled unconstitutional long before the lawsuits against the Illinois AWB get that far.

While no final ruling can be predicted with 100% accuracy, a number of things could happen with the Illinois AWB. It is possible that the local Federal Court judge, following the guidelines outlined above, will issue a temporary restraining order that blocks the implementation of this legislation pending the final outcome of litigation.

Given the death grip that the Chicago Democratic Party Machine has on politics in Illinois, it's entirely possible that even a Federal Court judge will not want to incur their wrath. Whether or not a restraining order is granted in the next few days or weeks, it is doubtful that either side will back down.

Ultimately, this will likely find its way to the United States Supreme Court (if the California or New Jersey bans don't make it first). If the District Court rules on behalf of the State and upholds the law (they'd have to manage some real legal and mental gymnastics to justify that), SCOTUS will likely send it back and mandate that the District Court reconsider it in light of Bruen and Heller. If the District Court rules on behalf of the plaintiffs, you can bet that the State of Illinois will appeal. In that case, SCOTUS will either uphold the District Court or take on the case and issue its ruling.

We can trade dubious and cherry-picked statistics with those who see 'gun control' as the way to go. You can create false binary arguments about 2A rights versus public safety and never understand why infringing on the Second Amendment is unconstitutional.

I can only hope that the courts unequivocally rule that semiautomatic firearms and magazines in common use are constitutionally protected. And that starts with locally elected sheriffs standing up for their constituents' inherent right of self-defense and not making those who are otherwise law-abiding citizens felons for owning commonly used and owned firearms and magazines.

Maybe then we can all unite to battle the root cause of gun violence: criminals and disturbed individuals and the legal, social, and psychological factors that give rise to them.

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 7:09 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 7:08 PM

Meeting Date:	01/23/23
Meeting:	DuPage County Board
Name:	Jose Leon
Organization:	
Address:	309 Connor av Lockport , IL 60441
Daytime Phone:	(815) 272-7962
Comment Type:	Provide testimony/public comment
Subject:	Sheriff
Comment:	

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 7:18 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 7:17 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

MOLLY KREMPSKI

Organization:

Address:

6790 MINKLER RD
YORKVILLE, IL 60560

**Daytime
Phone:**

(630) 918-8835

**Comment
Type:**

Provide testimony/public comment

Subject:

HB 5471/SHERIFF MENDRICK

Comment:

The passing of HB 5471 was illegal in both substance and procedure. There is currently a restraining order in place because our corrupt state legislature

attempted to transform an amusement ride safety act into the most aggressive gun ban in the country. It is apparent, now more than ever, why it is mandatory that our constitutionally protected right to keep and bear arms not be infringed.

Sheriff Mendrick took an oath to support the Constitution of the United States. Thank God he has the integrity to uphold that oath. Thank God he willingly inserted himself between the 920-some thousand residents of DuPage County and the corrupt Legislature and Executor of Illinois. How dare anyone suggest that he is anything less than an American hero.

We will never forfeit our right to keep and bear arms in order that we may protect ourselves from the very same coalition that is now attempting to disarm us. America will be secured as a free state. We will not wait for the court's approval. The Constitution settled the case 200 years ago. Even if the courts rule in a way that joins them to that same coalition of corrupted officials, we will STILL not surrender our weapons.

Be careful about picking a fight with Mendrick. When you attack him for upholding the Constitution, you attack the very essence of what it means to be American. It's a fight you will not win. You might feel like you're winning for a while when the media pumps out its propaganda, but there are a lot of us who still understand what it means to be American. We won't surrender. We will show up, and America will remain one nation, indivisible under the headship of Christ, with liberty from our oppressive overlords, and justice for all - that flows as stream from the throne of Almighty God.

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 7:35 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 7:34 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Price Sowers

Organization:

Address:

317 S Dominion Drive
Wood Dale, IL 60191

**Daytime
Phone:**

(630) 433-8572

**Comment
Type:**

Provide testimony/public comment

Subject:

Sheriff Mendrick Support

Comment:

I've lived in DuPage 50 of my 60 years, and until the last few years, we haven't had criminals bold enough to rob grandmothers at gunpoint in our Wal-Mart parking lots, commit armed home invasions, shootings at our malls, and car-jackings in our

upscale neighborhoods.

Meanwhile, we now have Illinois politicians that want to legalize cocaine and fentanyl, while allowing criminals back on the street without posting bail. Yet, the millions of legal firearm owners in Illinois are somehow the problem, and need to be rendered helpless against the rise in criminality. Interesting logic.

Recent SCOTUS decisions should make it clear to all, that they plan to insure "shall not be infringed" remains the law of the land. The resources and tax dollars spent on this unconstitutional law could have been spent on programs that address the root causes of criminality. We voters are keeping tabs on which of you were poor stewards of our trust and tax dollars, and which of you honored your oath to uphold the Constitution and protect your constituents.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 7:57 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 7:56 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Abbey Vath

Organization:

Address:

**Daytime
Phone:**

(630) 816-8762

**Comment
Type:**

Provide testimony/public comment

Subject:

Sheriff Mendrick

Comment:

Sheriff Mendrick is a brave man. He should be praised for refusing to enforce laws that contradict his oath of office. What an honorable man to do what is right in the face of the crowd. Standing up against tyranny when it is needed the most! I support Sheriff Mendrick.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 7:56 PM

Meeting Date: 01/23/23

Meeting: DuPage County Board

Name: Grant Rees

Organization:

Address:

Daytime Phone:

Comment Type: Provide testimony/public comment

Subject: Sheriff Mendrick

Comment: It's awesome to see a sheriff that stands up for the people and upholds the constitution. Sheriff Mendrick should be applauded, not told to resign. The second amendment shall not be infringed. It's good to have a leader that understands and upholds our rights.

Sheriff Mendrick, thank you for statement. God bless you and keep up the good fight. We got your six.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 8:00 PM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Ginger Rees

Organization:

Address:

Daytime Phone: (630) 816-8885

Comment Type: Provide testimony/public comment

Subject: Sheriff Mendrick

Comment: I just want to add my support for a sheriff that will stand up and support the Constitution of the United States. I totally support Sheffield Mendrick, along with most of the sheriffs in Illinois

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 8:02 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

MICHAEL KREMPSKI

Organization:

Address:

6790 MINKLER RD
YORKVILLE, IL 60560

**Daytime
Phone:**

(708) 417-1002

**Comment
Type:**

Provide testimony/public comment

Subject:

HB 5471/SHERIFF MENDRICK

Comment:

The right to keep and bear arms is an inalienable right , that is a God given right of self defense. It is the duty of the government to guard this right, not to impose regulation on that right. Our founding fathers understood this as such. Samuel

Adams said this, "The said Constitution should be never construed...to prevent the people of the United States, who are peaceable citizens, from keeping their own arms." Richard Henry Lee stated that " To preserve liberty, it is essential that the whole body of the people always possess arms...". Sheriff James Mendrick took an oath to uphold that right. Thank you Sheriff Mendrick for standing up to this oppression.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 8:05 PM

Meeting Date:	01/23/23
Meeting:	DuPage County Board
Name:	MARC MALNEKOFF
Organization:	
Address:	DARIEN, IL 60561
Daytime Phone:	(630) 819-1141
Comment Type:	Provide testimony/public comment
Subject:	Sheriff Mendrick
Comment:	I write this comment in support Sheriff Mendrick. He took an oath of office just like the members of this board took when they were sworn in. That means they need to uphold all of the Constitution including the parts they don't agree with. If not they

should resign their office. It seems the board is more interested in persecuting law abiding citizens instead of holding criminals accountable.

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 8:18 PM

Meeting Date: 01/23/23

Meeting: DuPage County Board

Name: Nancy Thompson

Organization:

Address: 451 Norway Circle
Yorkville , IL 60560

**Daytime
Phone:**

**Comment
Type:** Record of attendance only

Subject: Sheriff James Mendrick

Comment: I support Sheriff Mendrick for representing and supporting the US constitution and the 2nd amendment. Since when can states pass laws that go directly against the constitution of the United States?

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 8:19 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

BRIGGS KREMPSKI

Organization:

Address:

6790 MINKLER RD
YORKVILLE, IL 60560

**Daytime
Phone:**

(630) 383-6314

**Comment
Type:**

Provide testimony/public comment

Subject:

SHERIFF MENDRICK STATEMENT

Comment:

As citizens of the United States, we have an obligation to oppose unconstitutional legislation. This duty is of even greater importance for elected officials. Sheriff Mendrick's statements prove his dedication to his oath of office and the Constitution.

He should not be receiving backlash for his comment rather he should be praised.
Everyone should take his actions as an example of true patriotism.

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 8:22 PM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: BRYNN KREMPSKI

Organization:

Address: 6790 MINKLER RD
YORKVILLE, IL 60560

Daytime Phone: (630) 917-0838

Comment Type: Provide testimony/public comment

Subject: SHERIFF MENDRICK

Comment: I support and applaud Sheriff Mendrick for upholding his oath of office. America will be saved!

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 8:22 PM

Meeting Date:	01/23/23
Meeting:	DuPage County Board
Name:	Jose Leon
Organization:	
Address:	IL
Daytime Phone:	(815) 272-7962
Comment Type:	Provide testimony/public comment
Subject:	Sheriff
Comment:	I support the sheriff on his decision to not follow by the gun ban laws because he was sworn to protect are constitutional rights and this new bill infringes on are right to bear arms I stand with all the sheriffs that are standing up for the law abiding citizens like my self and will support them in any way possible

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 8:26 PM

Meeting Date: 01/23/23

Meeting: DuPage County Board

Name: Jose Leon

Organization:

Address:

Daytime Phone: (815) 272-7962

Comment Type: Provide testimony/public comment

Subject:

Comment: To the DuPage County Board,
I would like to express my support and commendation on the recent stance your County Sherrif, James Mendrick has expressed concerning the passing in the Illinois

Legislature of a clearly unconstitutional bill, both at the State and Federal levels.

Mr. Mendrick, along with every other county sheriff in the state, took an oath of office to defend both our State and National constitutions. Nearly 90% of those county sheriffs in Illinois correctly and courageously recognized that the newly passed public act 102-1116 was unconstitutional on several levels.

A Judge in Effingham County validated the unconstitutionality of the way this bill was passed by granting a temporary restraining order to prevent enforcement of this act with the plaintiffs in that suit.

It is my understanding that public voices have been raised challenging Sherriff Mendrick's actions. I am herein writing the members of the DuPage County Board suggesting that those voices should not affect Sherriff' Mendrick in any negative way. In my opinion, Mr Mendrick should be commended for his actions as he not only is supporting his oath of office, he is also supporting the people of DuPage County.

Respectfully.

Jose Leon

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 8:44 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Laura Temple

Organization:

self

Address:

1115 Prairie Ave
Downers Grove, IL 60515

**Daytime
Phone:**

(630) 719-9075

**Comment
Type:**

Provide testimony/public comment

Subject:

The Protect Illinois Communities Act

Comment:

I strongly support the Protect Illinois Communities Act and any actions the board can take to make us safer from the scourge of guns, particularly those regulated in this act. And I believe that Sheriff Mendrick must enforce the laws as written and

signed into law in our state until a court says otherwise. His failure to do so makes me question his commitment to ALL our laws and his ability to do the job he was elected to do. Thank you.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 8:50 PM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Amy Adamec

Organization: Home

Address: 406 PRAIRIEVIEW DR
OSWEGO, IL 60543

Daytime Phone: (615) 483-1681

Comment Type: Record of attendance only

Subject: I support Sheriff Mendrick

Comment: I think it is wrong to force a man to disregard the constitution or resign from his position, especially when his position is to uphold the constitution.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 9:10 PM

**Meeting
Date:**

01/23/23

Meeting:

DuPage County Board

Name:

Laura Hois

Organization:

N/A

Address:

4405 OAKWOOD AVE
DOWNERS GROVE, IL 60515-2712

**Daytime
Phone:**

(630) 544-9734

**Comment
Type:**

Provide testimony/public comment

Subject:

I support Sheriff James Mendrick - and all the other Sheriffs standing up for the
People of the State of Illinois

Comment:

Those members of the County Board who support Governor Pritzker's gun ban,
including the new awful, partisan County Board Chairman, have likely not taken the

time to read Thomas DeVore's 4-count complaint against Governor Pritzker.

DeVore has alleged the process for passing this legislation was unconstitutional. Our Illinois Constitution, Article IV, Section 8 (d) states, "A bill shall be read by title on three different days in each house." That didn't happen.

State Rep. Brad Halbrook explained:

" . . . what happened with the changing bill numbers on the gun ban bill is a prominent example of how bills are passed without 72 hours of review. The Gun Ban Bill that finally passed was HB 5471; the title of the bill was "Insurance Code - Public Adjusters." HB5471 had passed the House on March 4, 2022, as a bill dealing with insurance; it was hijacked and replaced in the Senate (10 months later) on January 9, 2023.

The Democrats skirt the rule that a bill has to be read three different times on three different days before passage by attaching completely unrelated Amendments that do not have to be read three times. When Democrats want to get something done in a hurry, they just "gut and replace" a bill entirely with an Amendment with the opening line of "Replaces everything after the enacting clause".

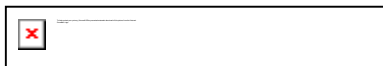
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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 9:16 PM

**Meeting
Date:**

01/04/23

Meeting:

DuPage County Board

Name:

Brock Friedman

Organization:

Address:

1812 Poplar Ave.
Hanover Park, IL 60133

**Daytime
Phone:**

(630) 939-3304

**Comment
Type:**

Provide testimony/public comment

Subject:

In support of Sheriff Mendrick

Comment:

I support Sheriff Mendrick in his opposition to the recently passed gun control law in Illinois. In light of the ruling by SCOTUS in Bruen, this law is unconstitutional in fact and in spirit. It is a clear violation of the 2nd Amendment, the 14th Amendment

and the 5th Amendment. As such, he is right to declare that he will not enforce it because it constitutes the equivalent following an illegal order. In the military we are taught that you must not follow illegal orders, even though taking such a stand can incur severe repercussions in the moment. Law enforcement is held to the same standard, with severe civil and criminal repercussions if one carries out an illegal order.

If the Sheriff were to enforce this law, he would immediately deprive legal, law abiding, PERMITTED, VETTED citizens of their rights as enumerated in the United States Bill of Rights. Therefore he and any others acting in authority would be potentially committing the crime of DEPRIVATION OF RIGHTS UNDER COLOR OF LAW.

TITLE 18, U.S.C., SECTION 242

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

This includes the officials in the state directing law enforcement to knowingly deprive a person or persons of their rights, and does not exclude those lawmakers who in their capacity as elected officials passed a bill that on its face is designed to deprive legal and law abiding citizens of their rights. It might well also include county board officials who threatened and pressured law enforcement such as a Sheriff to illegally deprive one of their rights.

The core of this law compels law enforcement to use force and threats of force against innocent civilians who are legally armed with firearms that have never, ever been prohibited. These same firearms are protected as per Heller. Heller says that firearms in common use for legal purposes can not be prohibited.

The very nature and text of the law as well as the governors numerous speeches regarding firearms make self evident that a multitude of citizens possess these weapons for legal purposes, because the state has never in fact prohibited them and does in fact permit citizens to carry them in public, as per the state law regarding concealed carry. Despite the rhetoric of anti gun politicians in Illinois, Illinois State Police can at any moment prove that a multitude of citizens possess a

variety of firearms for legal purposes. They maintain the FOID system and monitor the number of card holders and conceal carry holders. There are at present about 2.5 million Illinois residents with active FOID cards, and nearly half a million with conceal carry permits. Nothing in the conceal carry law defines assault weapons or places limitations on what kind of hand gun one can carry. Nothing in that law limits capacity of aforementioned handguns. The conceal carry law was not amended in the recent law just passed.

It is abundantly clear that this large percentage of Illinois citizens and residents is keeping and bearing a multitude of different kinds of firearms for lawful purposes and that easily satisfies Heller. The variety is listed in exhausting detail in the new law. It is undeniable. Furthermore, the non firearm accessories the law says turn a non assault weapon into a real assault weapon are and have been sold legally both online and in innumerable places of legal commerce, including Walmart, Menards, Bass Pro, Cabela's, and many, many other stores both public and private. The outlawing of "Glock switches" is idiotic because they are already against the law and therefore not in common use for legal purposes.

No part of this law is permissible under Bruen. The speeches and admonitions by the governor and anti gun politicians in Springfield about how this law is permissible because it will do something (Illinois Senate president during debate) are no longer legally acceptable under the standard of strict judicial scrutiny as per Bruen. This argument only applied under the old two step weighing/balancing of needs where courts gave government preference over individual rights because government stated some benefit that could possibly be derived from it, no matter how small. That has been done away with. The new test is one step. Text, history and tradition, as per analogous restrictions in 1791, excluding those based in bigotry and discrimination. Illinois did not become a state until 1818, decades after the founding of the nation and the writing of the 2nd Amendment. Therefore there is no analogous Illinois gun control regulation on the books that dates to that founding period. Therefore, as is currently the case for other states facing litigation over AWB's, there is no legal workaround to overcome Bruen.

Therefore, this law is unconstitutional. it does not and will not meet strict judicial scrutiny.

It can be supposed that such a determination by the courts may take time to come to bear and some in this state who hate firearms take solace in this thinking. They take the view that "something done" is better than nothing even if only for a while. This is a horrible, terrible consideration because that something is to strip legal, law abiding citizens of the means to self defense and in most cases make them felons. Such citizens and residents deprived of the means to protect themselves at a time of surging violent crime by criminals released by the same politicians who have passed this law may very likely find themselves facing life and death on the street, on public transportation, in hotels, and on their own property. These are not imaginary constructs. These are real people, including children, who will die

violently for want of law abiding adults having no means of protection. Large parts of Cook County have become a hellscape where large armed groups run wild killing and stealing and raping with no consequence. You are doubtless aware that some of this madness has spilled over into DuPage County. To strip our citizens of the most basic right of free people at any time is monstrous. To strip them of it now is a level of malice that to me and millions of others is unfathomable. At best it can be said the governor and the supporters of this law are wicked and ghoulish, somehow desiring to see inflicted all manner of indignities and harm on the good people of this once great state. Why? I do not know, other than out of sheer hatred.

So the Sheriff and almost all Sheriffs in this state along with almost all law enforcement and most of the officials in most of the counties agree in writing that the law is blatantly unconstitutional and horribly flawed and wrong in every way. Everyone knows that it is the height of insanity to say the state of Illinois can curb violence by attacking those who are not violent or criminals and are in fact highly vetted by the ISP to qualify to keep and bear arms that are in common use for legal purposes. It is the height of insanity to believe criminals facing no consequences for the most horrible acts of murder and depravity will in any way be affected by this law. Why not? Because they are criminals and criminals have no use for the law. And, to enforce this law force by way of guns must be used against innocent people and it is highly likely some may die as a result.

Does the DuPage County Board wish the Sheriff to send SWAT teams to kick down the doors of residents of the county, including those of minorities who are legally armed? It is impossible to imagine law enforcement not needing armed force if sent to deal with those deemed by this law to have become felons in possession of handguns and long guns. Does the board envision SWAT teams in full body armor and tactical gear bursting into the homes of single moms or families with small children? Does the board desire a tactical team to storm the home of decorated military veterans, including those who are disabled and drag them out into the street in the dead of winter and incarcerate them? That is the core of what this law purports to do, to turn the innocent who have committed no crime into felons because they possess a protected firearm. If you not believe this you are a special kind of idiot, because it isn't the governor or the speaker of the Illinois House who will be going door to door to disarm residents. Do YOU intend to do it? I imagine not. You will send the police and therefore put them and innocent citizens and residents in mortal danger.

You by supporting this unconstitutional law will quite literally be starting a shooting war with the people of DuPage County. There will be blood in the streets. Maybe only a few hold out as everyone else is terrified into submission, but if I recall it only took the murder at the hands of the police for a minor infraction of one black man to light the nation on fire in 2020, and he was not of sterling character. Can you imagine what will happen when a black female military veteran and mother that has sworn an oath to the constitution and served her country and her community says no to a law she sees as blatantly illegal, and dies resisting it at the

hands of the DuPage sheriff's department? I shudder at the thought, and you should too. I imagine the rage unleashed would be like nothing in anyone's worst nightmare. And for what? Because progressives in Illinois wanted revenge on those who didn't vote Democrat?

As a historian, I believe such a thing could be called a desire for political violence.

If that is what motivates the governor, it is beyond the scope and ability of the DuPage County Board to address. he and they are who they are. But you do have in your power the ability to take a principled stand and support Sheriff Mendrick instead of condemning him. You can stand up and declare that you believe in the Constitution and believe in the goodness of the legal, law abiding people of both the county and of Illinois. You can refuse this madness and this meanness and this provocation to create a context for political violence.

You can avoid placing yourselves directly in jeopardy of being charged with deprivation of rights under the color of law.

It's so simple and if you love your fellow human beings and believe declaring swathes of them criminals to be a horrible, dirty thing to do, all you need do is stand up and say One simple sentence.

"I support Sheriff Mendrick in upholding the Constitution and the Bill of Rights."

You can do this and you should do this. And you must choose. The time for silence has passed.

Sincerely,

Brock Friedman,
-Jewish Veteran

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 9:49 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 9:49 PM

Meeting Date: 01/23/23

Meeting: DuPage County Board

Name: Kathryn Hailer

Organization:

Address: 3110 Wild Meadow Ln
Aurora, IL 60504

Daytime Phone: (630) 499-9262

Comment Type: Provide testimony/public comment

Subject: assault weapons ban

Comment: I would like to express my support for the IL assault weapons ban and the elected officials who have recognized that we need to take action to prevent the tragedies that come from these weapons.

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Blakely, Heidi

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Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 10:34 PM

Meeting Date: 01/23/24

Meeting: DuPage County Board

Name: John Hakim

Organization:

Address: 820 S. Bruner Street
Hinsdale, IL 60521

Daytime Phone: (630) 325-5022

Comment Type: Provide testimony/public comment

Subject: Support For Sheriff Mendrick

Comment: Dear Chairman Conroy and Honorable Board Members,

I am grateful for the opportunity to make a few comments in support of our County

Sheriff. I came to DuPage County in April 1977 and have had the privilege of being a resident of the County since then. My wife and I chose to live in DuPage County because of several reasons which included excellent schools an excellent economy and exceptional public safety. All of this was made possible by the exceptional County Administration and the committed Sheriff's Department. I am sure that all of you can appreciate how vital public safety is to each one of the residents of DuPage County. Sheriff Mendrick has done an exceptional job in protecting each one of us and our properties. That is what matters to us citizens.

Currently the Sheriff has taken a stand, along with 80% or more of the other Sheriffs in Illinois to not comply with a law that he and his staff deem to be in violation of the Constitution which they are sworn to act in accordance with and protect. This has displeased some of us, but I submit to his understanding of what his constitutional responsibilities are because that is one of the aspects of police training. I do not believe it is our place to call for his compliance or his resignation. The Sheriff, as we all know is a constitutional authority, elected by the citizens, and only we can elect another Sheriff at the next election. I for one will remain grateful for what the Sheriff does for us the common citizens of DuPage County and I will continue to support him. I sincerely hope that you all will do so also.

May God bless each one of you and guide you in all that you do.

Sincerely,

John Hakim

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 10:48 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 10:47 PM

Meeting Date: 01/23/23

Meeting: DuPage County Board

Name: Audrey Galvin

Organization: Individual

Address: 3 Chestnut
CLARENDON HILLS, IL 60514

Daytime Phone: (630) 207-9694

Comment Type: Provide testimony/public comment

Subject: I support Sheriff Mendrick

Comment: My name is Audrey and I support Sheriff Mendrick's position to not enforce the unconstitutional gun ban.

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Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 23, 2023 11:44 PM
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Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/23/23 11:44 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Anne Wick

Organization:

Address:

1534 Grant St
Downers Grove, IL 60515

**Daytime
Phone:**

(630) 258-2497

**Comment
Type:**

Provide testimony/public comment

Subject:

Thank You To the Board Members for Statement Speaking Out Against Sheriff Mendrick's Statement of Intent to Disregard IL Law

Comment:

I want the Board to know I support both the Protect Illinois Communities Act as well as the resolution passed by the previous board to support gun safety legislation. I

am proud to live in Illinois where action has been taken to mitigate rampant gun violence.

I would like to thank Chair Deb Conroy and the board members who spoke out against Sheriff Mendrick's statement of intent to disregard IL State Law. As Scalia wrote in District of Columbia v Heller, 'Like most rights, the Second Amendment right is not unlimited. It is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.' It is the rule of law that protects us as a society, not individual ownership of weapons of war. I am greatly concerned the DuPage Co Sheriff deemed it his prerogative to flagrantly disregard a law that was literally written in blood.

Again, thank you for the work you do and for speaking out.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 2:19 AM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: María Reyes

Organization:

Address: 717 Tamarac Blvd
Addison , IL 60101

Daytime Phone: (630) 973-7582

Comment Type: Provide testimony/public comment

Subject: Support DuPage Sheriff J. Mendrick / HB5471

Comment: I want to know if ALL Illinois Sheriffs are being ridiculed (told to change his policy on HB5471 or resign) as much as DuPage Sheriff J. Mendrick has been? And why not?

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 3:44 AM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Dustin Adams

Organization:

Address: Glen Ellyn, IL 60137

**Daytime
Phone:**

**Comment
Type:** Provide testimony/public comment

Subject: Support Sheriff James Mendrick

Comment: DuPage County Board -

Our Sheriff is taking the right stance on Illinois' unconstitutional gun ban, which effectively turns law abiding citizens into criminals and only serves to persecute those who have heretofore committed no crime.

I, my family and many in the village of Glen Ellyn wholeheartedly stand by our sheriff.

Regards,
Dustin Adams

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 6:16 AM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Ron Muhitch

Organization: Trillium Farms

Address: 1S107 Gardener Way
Winfield, IL 60190

**Daytime
Phone:**

**Comment
Type:** Provide testimony/public comment

Subject: Kerry Farms Rezoning

Comment: Changing Kerry Farms Property zoning to B2, currently zoned residential, which is adjacent to newly developed 85 residential Trillium Farms homes, would adversely affect my property value as a resident. Not in favor

Ron and Sheri Muhitch

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Blakely, Heidi

From: noreply@formstack.com
Sent: Tuesday, January 24, 2023 7:16 AM
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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 7:16 AM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Gina Parrilli

Organization: No e

Address: 248 Blackhawk
Westmont , IL 60559

**Daytime
Phone:** (630) 532-1968

**Comment
Type:** Record of attendance only

Subject: Gun ban

Comment: Please stop playing politics with my life and my families. You know guns don't kill
and you know criminals won't obey laws

Mendrick is outstanding and does much at the county jails for the better of the

felons.

The 2nd amendment is shall not infringe

Weed is Illegal but yet here it is in illinois and the state doesn't obey illegal
immigrant laws either

If you want crime to skyrocket in dupage keep up with your false narrative

I do t feel safe at all anymore now that the democrats are in charge

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 7:32 AM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Grace Clear

Organization: Self

Address: 100 W Butterfield Rd. 502N
Elmhurst, IL 60126

Daytime Phone: (773) 860-2727

Comment Type: Record of attendance only

Subject: Protect Communities Act-Sheriff Mendrick refusal to follow the law.

Comment: Sheriff Mendrick took an oath to follow the laws of the State of IL. Not to pick and choose what laws he wants to enforce. He needs to go if he can not follow orders/laws.

In the last few days there have been more mass shootings in the US, has he forgotten Highland Park so soon?

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 7:58 AM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Brandon Gabry

Organization:

Address:

Daytime Phone:

Comment Type: Provide testimony/public comment

Subject: Supporting Sheriff Mendrick

Comment: I support Sheriff Mendrick and his decision to not enforce HB5471

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Blakely, Heidi

From: noreply@formstack.com
Sent: Tuesday, January 24, 2023 8:29 AM
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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 8:28 AM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Christina Sussman

Organization: ISRA, NRA, IGOT, SAI, GOA

Address: 1551 Orchard Circle
Naperville, IL 60565

Daytime Phone: (630) 717-0174

Comment Type: Record of attendance only

Subject: HB5471

Comment: I fully support my DuPage County Sheriff James Mendrick in his oath to uphold the 2A of the United States Constitution and not enforce this blatantly obvious unconstitutional law against those who legally own firearms.

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Blakely, Heidi

From: noreply@formstack.com
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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 8:38 AM

Meeting Date:	01/24/23
Meeting:	DuPage County Board
Name:	Roy Horras
Organization:	Self
Address:	2s331 Hampton Ct Lombard, IL 60148
Daytime Phone:	(708) 790-1088
Comment Type:	Record of attendance only
Subject:	Sheriff Mendrick
Comment:	I stand in support of Sheriff Mendrick's position as presently stated.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 8:50 AM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Rebecca Rudolph

Organization:

Address: Naperville, IL

**Daytime
Phone:**

**Comment
Type:** Record of attendance only

Subject:

Comment:

Very sad to see our new DuPage County Board Chairwoman use bad legislation from Springfield as an opportunity to malign a colleague who has done so much for DuPage County. Just a few highlights:

Through his work with JUST of DuPage to focus on drug detox and rehab, rates of

relapse have gone from 90% down to 18% in 2 years.

Under Sheriff Mendrick, the County Jail offers programs for life skills, mentoring, counseling and job training, including custodial arts, drywalling and painting, welding and horticulture with COD credits.

The Jail also provides a Gang Desistence Program that allows incarcerated gang members to remove tattoos and markings associated with gang life.

This is real, meaningful work that goes on every day. Every member of the County Board should be supporting Sheriff Mendrick.

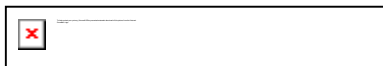
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Blakely, Heidi

From: noreply@formstack.com
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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 9:31 AM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

James Fee

Organization:

None

Address:

333 W. Madison
Villa Park, IL 60181

**Daytime
Phone:**

(630) 941-8730

**Comment
Type:**

Provide testimony/public comment

Subject:

Sheriff James Mendrick's Stand on the unconstitutional law that was passed this month violating the Second Amendment

Comment:

I support Sheriff James Mendrick's position on the unconstitutional law that was passed by the State of Illinois this month, he supports my Second Amendment

rights, and I appreciate his stand on this unjust law. I voted for him as well as a number of the members of the DuPage County Board and I hope and pray that they will continue to protect my constitutional rights. It looks like the majority of the county sheriffs do not support this law, my guess is that it was pushed thru by the law makers in Cook County and a few other counties to enhance the Governor's chances of becoming President. I moved to DuPage County from Cook County in 1995 to get away from the corruption, from what I see on the news, I do not think Cook County got any better in the last 27 years. Please back Sheriff James Mendrick, he knows how to deter crime better than any Cook County or Springfield law maker, I would hate to see DuPage County turn into Cook County, it is a great place to live. Thank you for listening to me, it is important to me that I am heard on this issue.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 9:46 AM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Beata Lekki

Organization:

Address:

1000 Poplar Ave
Medinah, IL 60157

**Daytime
Phone:**

**Comment
Type:**

Provide testimony/public comment

Subject:

Support Sheriff James Mendrick

Comment:

As a DuPage County resident I'm very disappointed to read the press release by Board Chair Deborah Conroy. DuPage County Sheriff James Mendrick is an honorable and constitutional sheriff, he is doing what is expected from him. My 2nd

Amendment is protected and unfortunately Governor Pritzker is simply destroying our rights. Board has no rights to remove or demand resignation from Sheriff Mendrick. He is elected by the people for the people.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 10:04 AM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Mike Giuffre

Organization: Self

Address: 2161 Midhurst Rd
Downers Grove, IL 60516

Daytime Phone:

Comment Type: Provide testimony/public comment

Subject: Support Sheriff Mendrick

Comment: We totally support Sheriff Mendrick and his position on the unconstitutional bill.

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Blakely, Heidi

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Sent: Tuesday, January 24, 2023 10:50 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 10:49 AM

Meeting Date:	01/24/23
Meeting:	DuPage County Board
Name:	Howard Brundage IV
Organization:	Schulz Brundage Inc
Address:	5509 Belmont Rd, Ste. D Downers Grove, IL 60515
Daytime Phone:	(630) 968-4810
Comment Type:	Record of attendance only
Subject:	Support for Sheriff James Mendrick & the 2nd Amendment
Comment:	

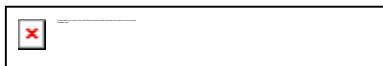
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Blakely, Heidi

From: noreply@formstack.com
Sent: Tuesday, January 24, 2023 1:51 PM
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Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 1:51 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Tim Toronyi

Organization:

Address:

610 Rose Ct
Lisle, IL 60532

**Daytime
Phone:**

**Comment
Type:**

Provide testimony/public comment

Subject:

Dupage County Sheriff

Comment:

I support the Sheriff in all that he is and has done for this county. I support that the new gun law is unconstitutional. Here is a real idea, how about you create a law that focuses on collecting all the illegal guns. We need you to be tough on existing

laws and strict on enforcing jail time for the criminals especially the repeat offenders.

Here is a better use of your time. Stop the criminals from coming from Cook County to terrorize the suburbs. The lawlessness of Cook County should never be tolerated. You need to put pressure on the Chicago Mayor to regain control of the crime and not allow the catch and release to continue.

Lastly, if you don't want to enforce existing laws, how about you create a law that forbids these last minute legislation that doesn't allow anyone time to read them in there entirety before voting. If these politicians cannot be prepared in advance they should not be allowed to submit half ass work that clearly has not been given the thorough review it deserves.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 2:44 PM

**Meeting
Date:**

01/24/23

Meeting:

DuPage County Board

Name:

Jill Dart

Organization:

Address:

442 S Quincy
Hinsdale, IL 60521

**Daytime
Phone:**

**Comment
Type:**

Provide testimony/public comment

Subject:

Automatic Weapons

Comment:

I am firmly against automatic weapons being legal in DuPage county. VOTE NO.
There is no place for this in our community. Automatic weapons do not save lives,

they are not toys/hobbies. They are deadly. Save the next victim, save property values. Make DuPage county safe for families. Do the right thing!

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Blakely, Heidi

From: noreply@formstack.com
Sent: Tuesday, January 24, 2023 4:28 PM
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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 4:28 PM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Karen Cosby

Organization:

Address: 726 leslie ln.
glendale hts., IL 60139

Daytime Phone: (630) 858-0374

Comment Type: Provide testimony/public comment

Subject: DuPage County Sheriff refusing to enforce provisions of the new assault weapons ban.

Comment: I emplor the board to take measures to relieve the sheriff of his duties if he or she does not comply. We don't need someone in charge of law enforcers who will not follow the rules.

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Blakely, Heidi

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Formstack Submission For: **PublicComment**

Submitted at 01/24/23 6:24 PM

**Meeting
Date:**

01/23/23

Meeting:

DuPage County Board

Name:

Christopher P. Gould

Organization:

NA

Address:

945 Wheaton Oaks Drive
Wheaton, IL 60187

**Daytime
Phone:**

(773) 558-4663

**Comment
Type:**

Provide testimony/public comment

Subject:

Rezoning from residential to commercial to allow pot dispensary

Comment:

Sir/Madam:

As long term residents of Dupage County we have seen the decline In accessibility

to various residential configurations and it has escalated recently. While appropriate commercial space is important too, in this instance residential space is more appropriate and the zoning should be maintained as is.

Please vote “No” on the variance/legal change request that would allow Mr. Sheehan to change is long time family property to a commercial zone and Pot Dispensary.. Thank you.

Sincerely,

Chris & Paula Gould
773-558-4663

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Blakely, Heidi

From: noreply@formstack.com
Sent: Wednesday, January 25, 2023 12:55 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/25/23 12:55 AM

**Meeting
Date:**

02/14/23

Meeting:

DuPage County Board

Name:

Andy Kluczny

Organization:

U. S. Citizen

Address:

IL

**Daytime
Phone:**

**Comment
Type:**

Provide testimony/public comment

Subject:

Words do have meaning

Comment:

Chair Conroy, you are correct. Words have meaning, especially your sworn oath to protect and defend the Constitutions of Illinois and the United States. As all elected officials must do, you and the rest of your party, swear to uphold and defend the Constitutions of Illinois and the United States against all enemies foreign and

domestic. Yet here you are failing miserably, barely starting your term of office.

This new travesty of a so called safe community , gun control law is a blatant disregard of the civil rights for all citizens of this state, and our country.

You criticize Sheriff Mendrick and over 90% of the Illinois Sheriffs, who correctly recognize that gun registration and banning was overturned in Chicago, and further clarified by the U.S. Supreme Court as being un-Constitutional. See Supreme Court cases Heller, McDonald, and most recently Bruen.

No one, including soldiers, Police, and citizens, is obligated to follow illegal or un-Constitutional laws or orders. In fact, they are informed that it is their duty to ignore such orders and laws. The US has severely punished people here and abroad, citizens and foreigners alike, who issued or followed illegal orders and laws. Check your history books for WWII and Vietnam for a few examples.

If new racially restrictive laws, or laws forcing the wearing of religious symbols were passed, they would be just as un-Constitutional as this boondoggle gun control attempt. Even if they saved just one life, I would certainly expect law enforcement to not enforce such obviously illegal and un-Constitutional laws.

It is you and your entire party who are very disappointing and hypocritical. Democrats carved out sanctuary cities and counties for illegal immigration, in violation of Federal law. Democratic Attorney's General pick and choose which laws they will prosecute based on political optics and posturing. These are dangerous stances and positions to take, so spare us your veiled, moral indignation.

It is you and your fellow liberals who need to be censured, for picking and choosing what laws you wish to follow, and creating new restrictions on God-given Rights enumerated and protected by our Constitution. Rights are especially important when a majority tries to run over a minority. Pure democracy is 2 wolves and a sheep voting for what to have for dinner.

This new Illinois law is being rightly challenged on many fronts, for being blatantly illegal, and an overreach. Practically all knives, spears, sticks, clubs, chains, guns, and more were weapons of war. Historically U.S. citizens have possessed and used the same weapons that the military used, so the weapons of war hyperbole is all just a red herring. Your side always argues precedence, well this precedence goes back over 225 years. Additionally, what's your position on red SUV's used to kill 6 in Milwaukee, or white pickup trucks used to kill 8 in New York? Hint, its the people doing the act, not the item being used. Your logic would dictate banning these vehicles.

Politicians such as you, Pritzker, and the other supporters of this travesty on our freedoms, need to be held accountable to the full extent of the law regarding your treasonous actions. Sen. Harmon stated that this law was necessary to insure the

security and safety of the state. Why? It's because he and his cohorts have failed to secure the safety of the State by not keeping known, multiple, violent, repeat criminals accountable in court and away from society in prison? They are the real threats.

I sincerely hope you, and those elected officials of similar mind and action are voted out of office in the next election, if not thrown out of office for malfeasance and failure to uphold your duties to the citizens of DuPage County, Illinois, and the United States. I will certainly work to make that happen as soon as possible.

You may not like all the Rights we have, which is your right to believe, but you do not get to dictate which Rights we can enjoy. Furthermore, our Rights are not subject to your opinion of when or how we can exercise them; or only apply as long as they meet your approval of being safe.

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Blakely, Heidi

From: noreply@formstack.com
Sent: Wednesday, January 25, 2023 5:19 AM
To: Web Master; County Board Public Comment
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Formstack Submission For: **PublicComment**

Submitted at 01/25/23 5:18 AM

Meeting Date: 01/25/23

Meeting: DuPage County Board

Name: Velvette Newman

Organization: Concerned citizen

Address: 428 S Erie Street
Wheaton , IL 60187

Daytime Phone: (331) 642-3543

Comment Type: Provide testimony/public comment

Subject: Dupage County Sheriff

Comment: I agree with the sheriff. Why won't the governor take the guns away from the criminals instead of law abiding citizens.
It's illegal for him to pass this law under the second amendment.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Wednesday, January 25, 2023 6:56 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/25/23 6:55 AM

**Meeting
Date:**

01/23/23

Meeting:

DuPage County Board

Name:

Christopher P. Gould

Organization:

NA

Address:

945 Wheaton Oaks Drive
Wheaton, IL 60187

**Daytime
Phone:**

(773) 558-4663

**Comment
Type:**

Provide testimony/public comment

Subject:

Rezoning from residential to commercial to allow pot dispensary

Comment:

Sir/Madam:

As long term residents of Dupage County we have seen the decline In accessibility

to various residential configurations and it has escalated recently. While appropriate commercial space is important too, in this instance residential space is more appropriate and the zoning should be maintained as is.

Please vote “No” on the variance/legal change request that would allow Mr. Sheehan to change is long time family property to a commercial zone and Pot Dispensary.. Thank you.

Sincerely,

Chris & Paula Gould
773-558-4663

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Wednesday, January 25, 2023 12:58 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/25/23 12:58 PM

Meeting Date: 01/25/23

Meeting: DuPage County Board

Name: Barbara Bernacki Alekna

Organization:

Address: 2514 Quail Ct
Aurora, IL 60502

Daytime Phone: (630) 926-3690

Comment Type: Provide testimony/public comment

Subject: Sheriff James Mendrick

Comment: Stop pushing Sheriff Mendrick to resign. He is upholding the Constitution - something you should learn more about. The gun law will be proven unconstitutional and unenforceable.

He has more courage in his little finger than all of you hacks combined.

Start doing something positive for your constituents instead of wasting time and money on this folly.

Barbara Bernacki Alekna

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Wednesday, January 25, 2023 2:29 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/25/23 2:29 PM

Meeting Date: 01/25/23

Meeting: DuPage County Board

Name: Carol Anthony

Organization:

Address: 6530 Double Eagle Dr, 0616
Woodridge, IL 60517

**Daytime
Phone:** (630) 853-2306

**Comment
Type:** Provide testimony/public comment

Subject: Ban on automatic weapons

Comment: It is absolutely outrageous that our Sheriff refuses to support the ban. It is both ignorant and irresponsible!

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Blakely, Heidi

From: noreply@formstack.com
Sent: Thursday, January 26, 2023 12:56 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/26/23 12:56 PM

Meeting Date: 01/24/23

Meeting: DuPage County Board

Name: Keith Riddle

Organization:

Address:

**Daytime
Phone:**

**Comment
Type:** Record of attendance only

Subject: HB 5471

Comment: HB 5471 violates my constitutional rights. I support the sheriff as he is doing his duty and adhering his oath to protect the rights of the people. I oppose any derelict tyrant that supports this type of dictatorial law.

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Blakely, Heidi

From: noreply@formstack.com
Sent: Thursday, January 26, 2023 9:58 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

[Caution: This email originated outside Dupageco.org. Do not click links or open attachments unless you recognize the sender and know the content is safe.]



Formstack Submission For: **PublicComment**

Submitted at 01/26/23 9:58 PM

**Meeting
Date:** 02/14/23

Meeting: DuPage County Board

Name: Andy Kluczny

Organization:

Address: 837 N. LOMBARD ROAD
Addison, IL 60101

**Daytime
Phone:**

**Comment
Type:** Provide testimony/public comment

Subject: Civil Rights

Comment: To Dupage County Board members,

I am writing to you regarding positions some of you have taken regarding Sheriff Mendrick and the new falsed named named Community Safety Act.

Suppose that a new law was passed that barred a particular race from assembling in public. Or another law that would force persons of a specific religion to wear an identifying tag or tatto on their clothing or skin.

Would you be hellbent on enforcing those laws, and censure Sheriffs, or others, for stating that these are obviously un-Constitutional laws?

Clearly both of those examples violate the 1st amendment, and it doesnt require a court order for many people to recognize that these are blantly illegal laws.

Per some of your statements and positions, we would need to follow laws such as this, until maybe a court overturned them.

As to Sheriff Mendrick, he is well versed in the law in order to know what is legal and Constitutional, just as Attorney's General are, and as the overwhelming majority of Illinois Sheriffs are as well (over 90 of 102 Sheriffs is almost 90%, maybe more by now share his view). Yet based on optics or politics, many AG's drop cases where the law was clearly violated. So they also exercise selective enforcement of many laws, and they publicly state that. Unelected Police Chiefs are political in their statements, and in this majority Democratic run state, they must dance to their taskmasters positions. None of this is new.

As to hunting not being impacted (false argument anyway), that is not why the Second Amendment was written. Standing armies have always been used to squash civilian protest of unjust actions. The Founders knew this from harsh experience. This still happens around the world to this day, over 250 years later.

The American Revolution was not started by a tea party in Boston harbor. That was one of many responses to various aggressions leading to it.

In fact, the attempted confiscation of Colonists' arms (rifles, guns, cannons (yes, privately owned), gun powder, lead balls, swords, bayonets, all of it), by the British Army, lead to the "shot heard around the world". Colonial Minutemen, citizens not soldiers, responded. That was the actual start of the Revolution. A revolution against the tyrannical government ruling over them. Their own country at that time.

Someone at the last board meeting had a sign that read, "This is the government our Founders warned us about". That statement reflected the context and thinking at the time the Bill of Rights were drafted, and why the Founders tried to provide recourse from any future tyranny.

The Second Amendment is second only to the the Right of Free Speech, Religion, Free Press, and Peaceable Assembly. It provides the ability to resist tyranny and encroachment of all other rights, which is why it is so highly placed. These rights are always applicable, not just when someone or some group decides it is safe to do so.

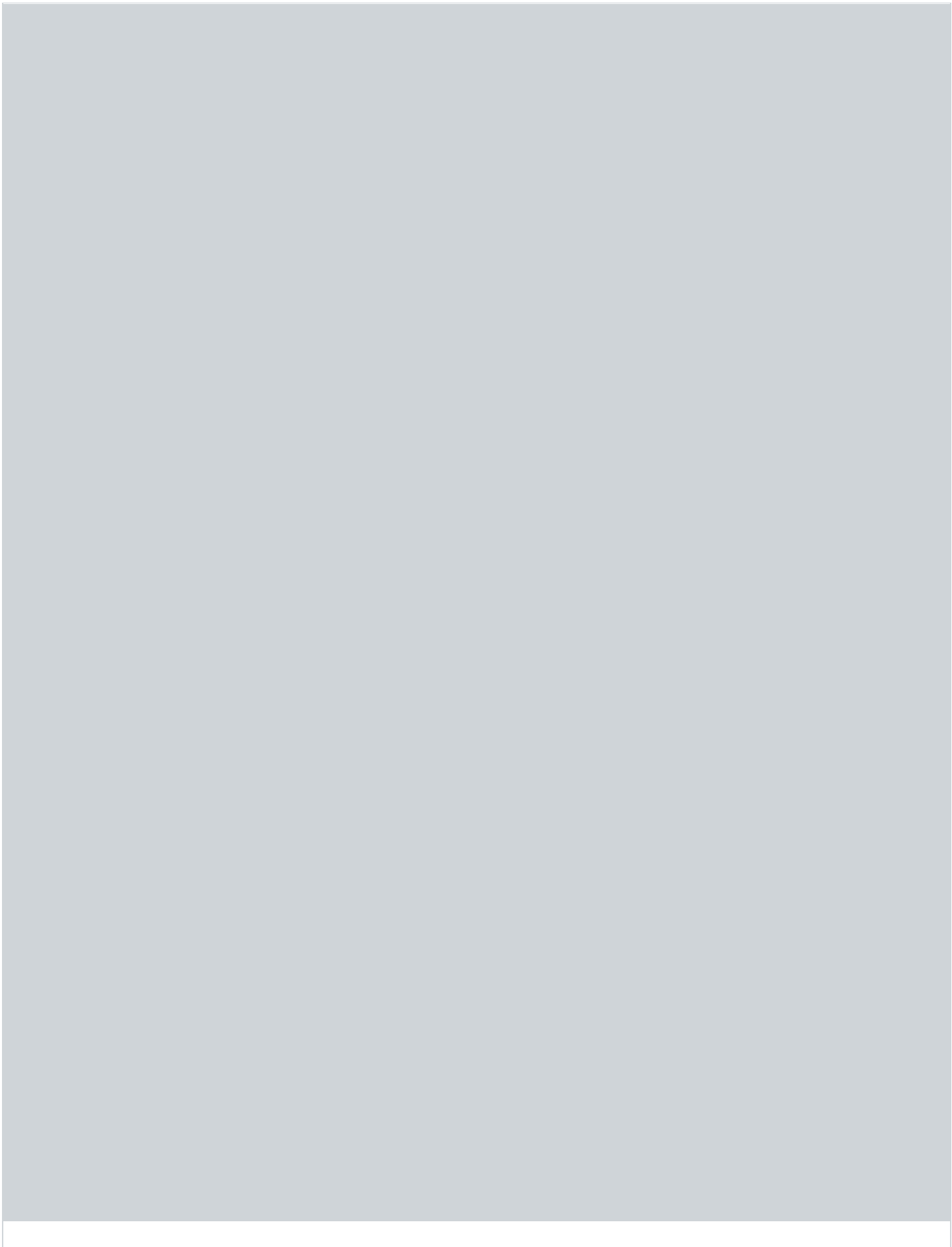
Hunting, target shooting and other lawful uses of guns are a secondary benefit of this amendment. But don't take my word for it, read the actual history and The Federalist Papers written before the Bill of Rights were formalized and finalized. These writings give much context to the thinking and drafting of our Constitution. This is woefully missing in our education system, as evidenced by some of you. Many fellow Board members need to also read up and understand how and why our Rights and Freedoms exist.

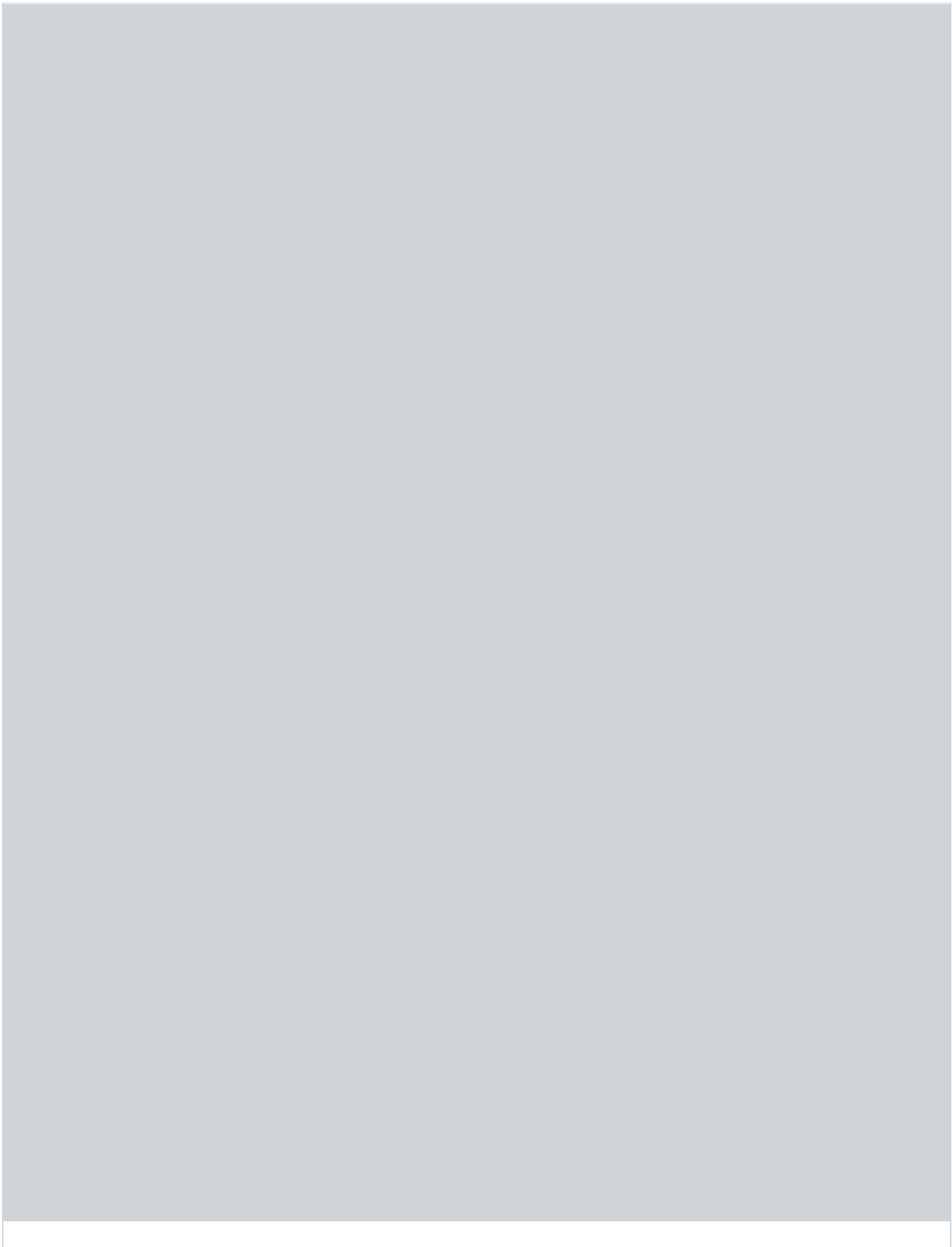
There is an ongoing fight to restore our rights to keep and bear arms, that have been infringed as the saying goes, "by death of a thousand cuts." Everyone knows the end game being pushed by Liberals and most Democrats. Full outright repeal of the Second Amendment, and banning all firearms. The phrases are out there all the time. "This is the right first step", for instance. First step to what and where? Language gamesmanship is played to make extreme restrictions on freedoms palatable in sound bites.

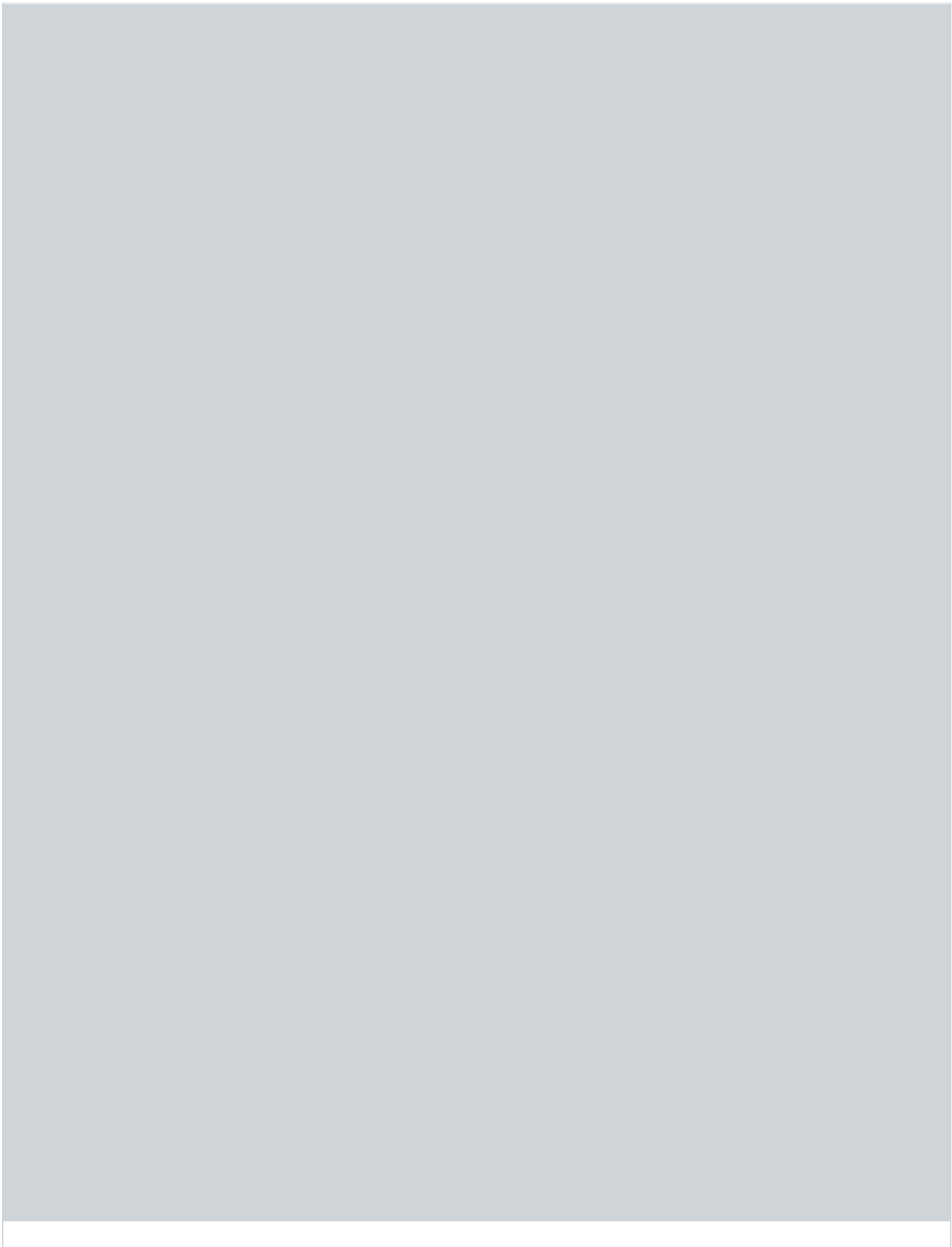
I dont know whether any of you or your families engage in hunting, nor do I really care about that. But I do know that many people who push gun control and restrictions on rights, start their statements with I am a hunter or sportsman, or have family members that do so. It's very telling of their ignorance of the issues, as the Second Amendment does not specifically address hunting. They lie or spin the truth to try to gain some gravitas in their statements, as if they are somehow part of the group being impacted.

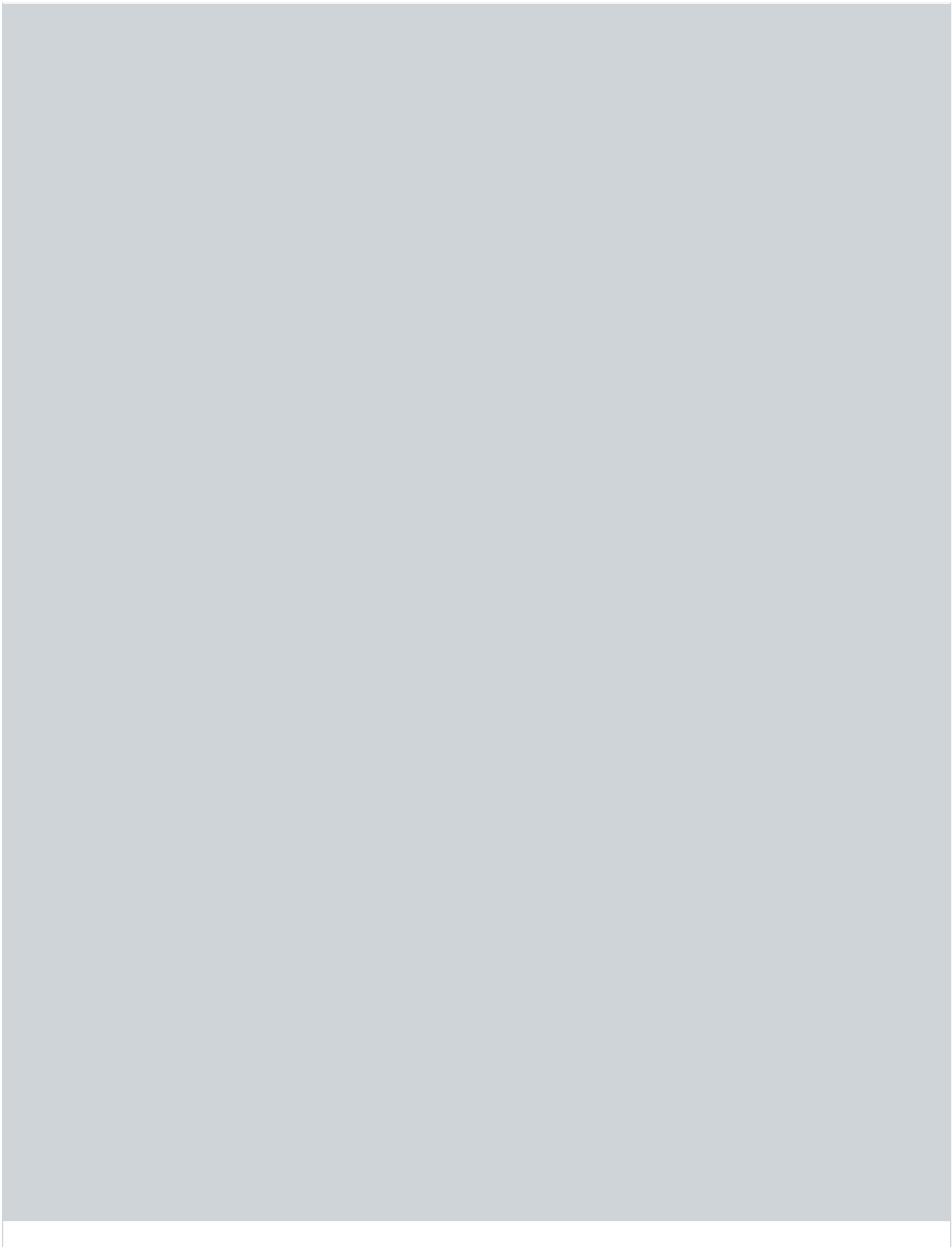
Regards,

Andy Kluczny









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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Thursday, January 26, 2023 10:03 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/26/23 10:03 PM

**Meeting
Date:** 02/14/23

Meeting: DuPage County Board

Name: Andy Kluczny

Organization:

Address: 837 N. LOMBARD ROAD
Addison, IL 60101

**Daytime
Phone:**

**Comment
Type:** Provide testimony/public comment

Subject: Civil Rights

Comment: To Dupage County Board members,

I am writing to you regarding positions some of you have taken regarding Sheriff Mendrick and the new falsed named named Community Safety Act.

Suppose that a new law was passed that barred a particular race from assembling in public. Or another law that would force persons of a specific religion to wear an identifying tag or tatto on their clothing or skin.

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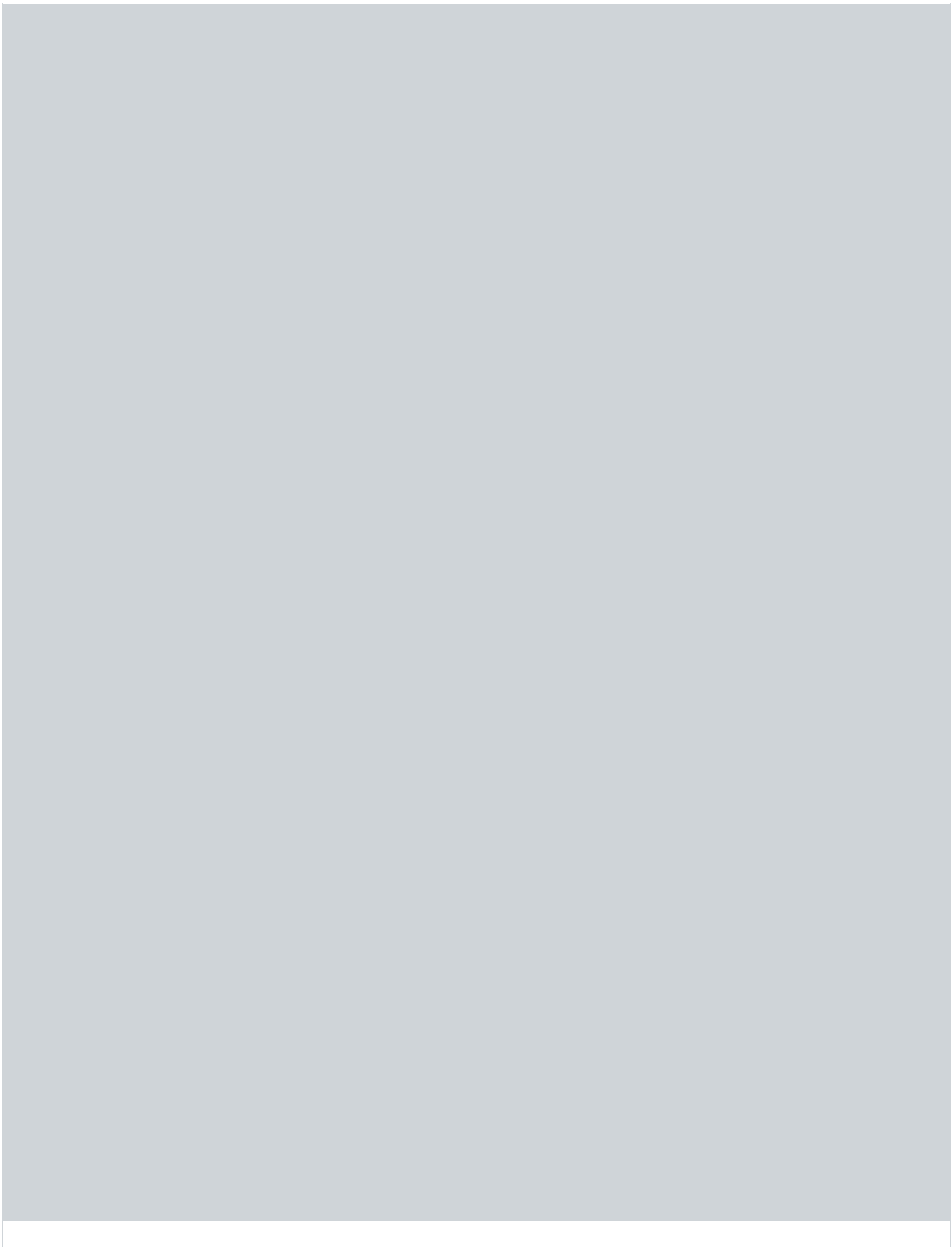
Hunting, target shooting and other lawful uses of guns are a secondary benefit of this amendment. But don't take my word for it, read the actual history and The Federalist Papers written before the Bill of Rights were formalized and finalized. These writings give much context to the thinking and drafting of our Constitution. This is woefully missing in our education system, as evidenced by some of you. Many fellow Board members need to also read up and understand how and why our Rights and Freedoms exist.

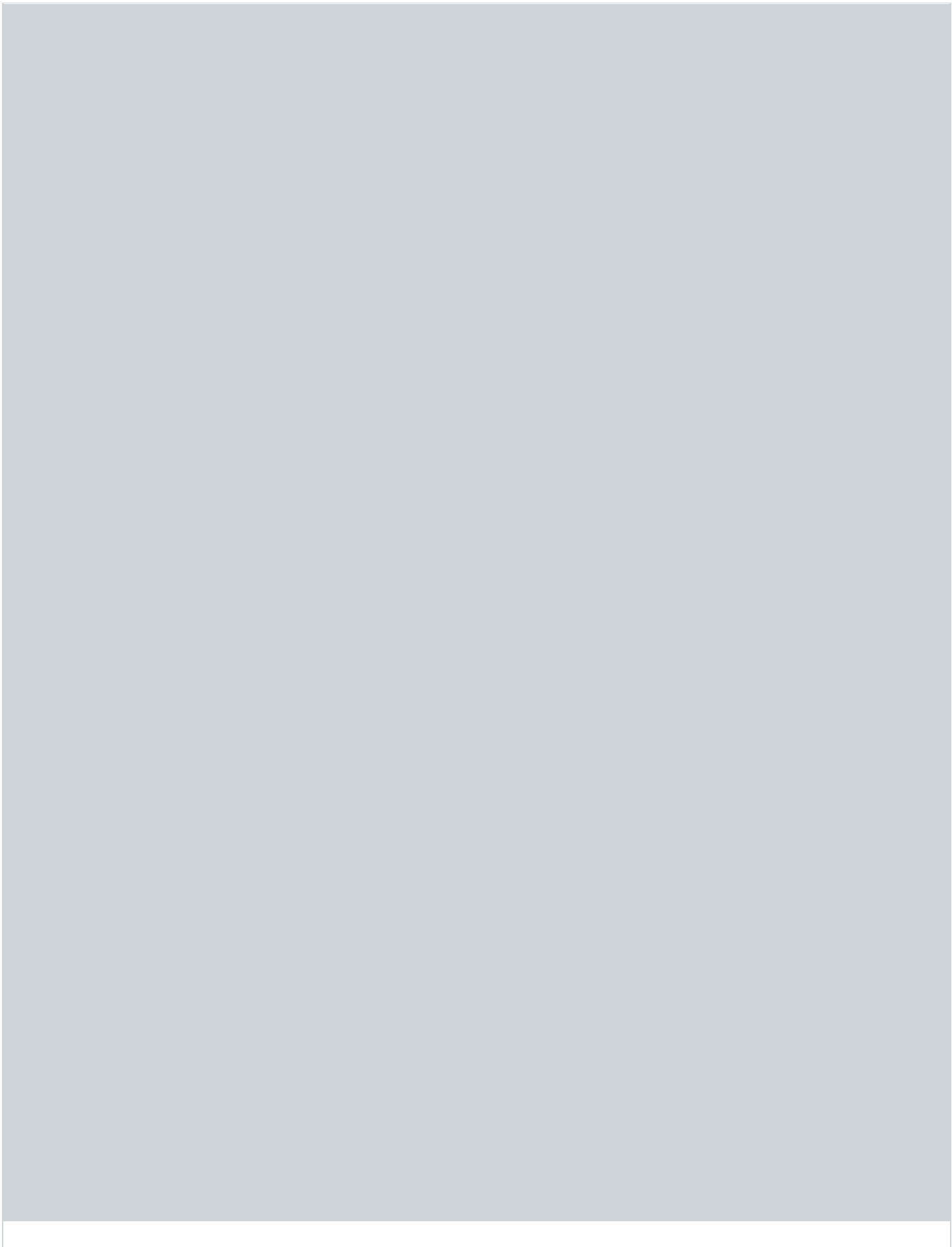
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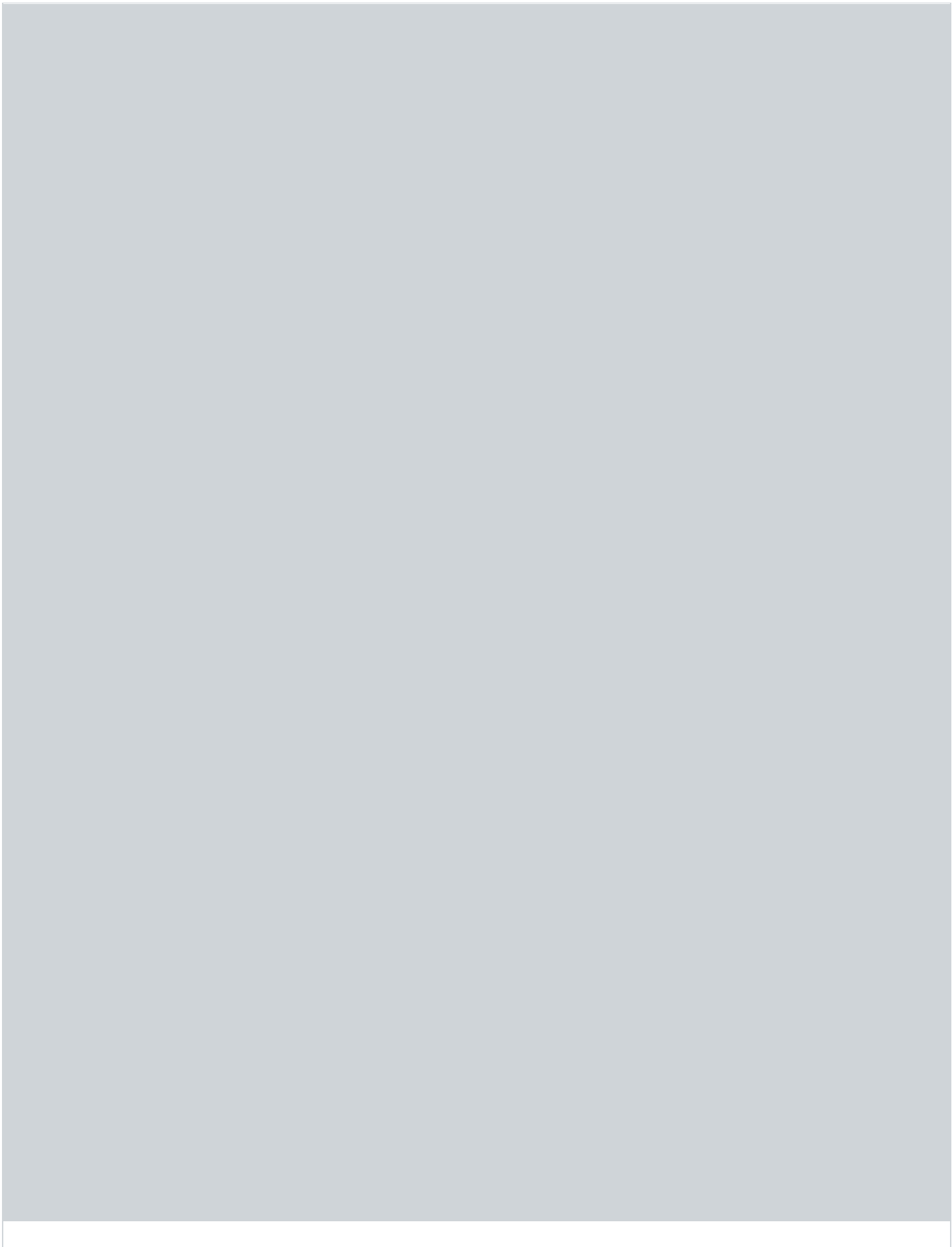
I dont know whether any of you or your families engage in hunting, nor do I really care about that. But I do know that many people who push gun control and restrictions on rights, start their statements with I am a hunter or sportsman, or have family members that do so. It's very telling of their ignorance of the issues, as the Second Amendment does not specifically address hunting. They lie or spin the truth to try to gain some gravitas in their statements, as if they are somehow part of the group being impacted.

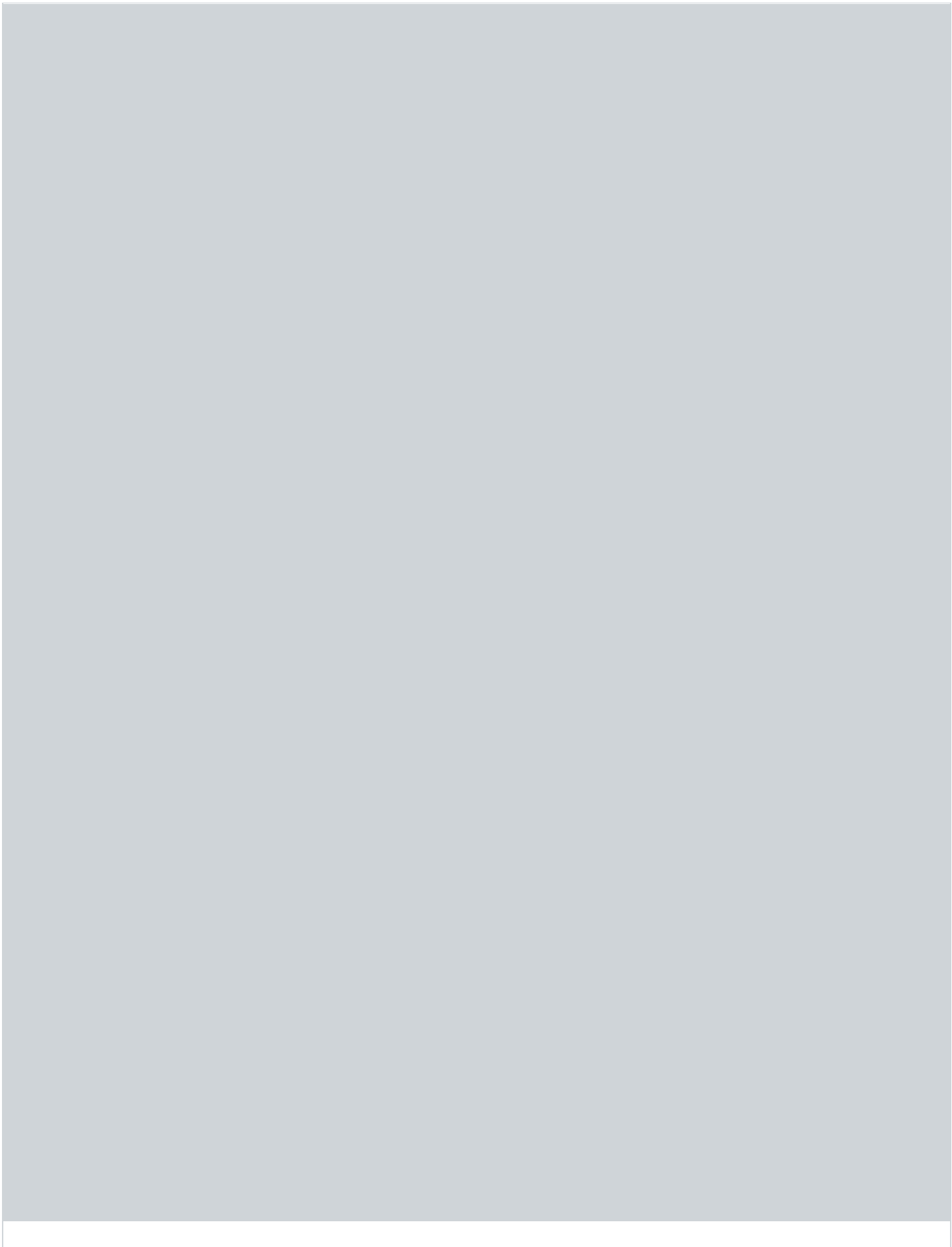
Regards,

Andy Kluczny









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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Friday, January 27, 2023 11:07 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/27/23 11:07 AM

**Meeting
Date:**

02/14/23

Meeting:

DuPage County Board

Name:

Sandra Alexander

Organization:

Address:

**Daytime
Phone:**

**Comment
Type:**

Record of attendance only

Subject:

Censure of Sheriff Mendrick

Comment:

I would like to commend the DuPage County Board for the masterful way that you conducted the meeting on January 24th. Given the divisive issue and the passion on both sides, I felt that the Board Members were respectful and that Chair Conroy conducted a transparent and open public meeting. Please note that I was not able

to be there in person but I viewed the recording of the public comment period, and spoke with several people who were at the meeting including some who gave testimony in support of the assault weapons ban and believe that Sheriff Mendrick is overstepping his authority by stating he will not enforce the law.

I am writing to let you know that I believe Sheriff Mendrick must be censured for his actions on this matter. In my opinion he acted in an unprofessional manner repeatedly over the past few weeks which needlessly inflames our community and is reckless, particularly in the current political climate.

1) Sheriff Mendrick issued his press release on January 13, before the first law suit was even filed. He stated that neither he or his office will enforce certain provisions in the law. It is unclear why he felt the need to do that as he knew that the County Board had voted to support the bill last fall, and a lawsuit was widely expected. He could have waited for the lawsuit to unfold and be adjudicated by the courts, but instead he issued a press release that ignited a debate that was already brewing across the state; bringing that discourse directly to our doorstep.

2) He issued multiple public statements that were unprofessional, deceptive and flat out untruthful both on his Facebook page and also on a Fox TV interview (<https://video.foxnews.com/v/6319313684112>). He stated that he got "hundreds of calls" from citizens complaining that the Sheriff would be coming to their doors and asking for their guns. On the Fox News interview he said he got involved in the issue because the law was unclear who had authority to enforce it, and stated he was concerned it was another unfunded mandate. He also said he has been working in a "hostile environment" in the County. If he believed the law to be unclear then why did he take a public stand against it before getting clarification? If he had done that he could have reassured citizens who mistakenly believed that their guns would be taken away, and that nothing in the law required the Sheriff's office to come door-to-door for their guns. Instead his words inflamed the public, and he has now proudly posted a link to the Fox News interview on his Facebook page.

3) After legislators and other elected officials held a press conference, he issued public statements that were derogatory toward them; calling out a US Congressman publicly. Words have consequences and he is putting County officials, state lawmakers, and members of Congress at risk by his inflammatory rhetoric.

I should also point out that my friends who were in attendance at the County Board Meeting on Monday noted that many in the overflow crowd were shouting and cheering when the pro-Sheriff public spoke, but that they jeered and harassed those who spoke in favor of the ban and against the Sheriff's decision. I could see this was happening on the recording I viewed. Many cars in the parking lot had out of state license plates, and many members in the crowd were from the NRA and the Illinois State Rifle Association who may or may not have been residents of DuPage County.

In my opinion, the Sheriff bears responsibility for his unprofessional public

statements and media appearances which are dividing our community, drawing even more volatile individuals to our doorstep who are issuing threats to our public officials. He is also drawing people to the County who don't reside here, who are intimidating and harassing our residents.

Sheriff Mendrick is choosing to be adversarial rather than trying to calm the community when tensions are already very high. This is dangerous and threatens the safety and security of our County, something he is obliged to protect. Sheriff Mendrick must be censured. I await your response to my communication.

Thank you,

Sandra Alexander
DuPage County Resident

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Sunday, January 29, 2023 10:26 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/29/23 10:26 AM

Meeting Date: 01/29/23

Meeting: DuPage County Board

Name: Susan Bedrossian

Organization: myself

Address: 1503 East Harrison Avenue
Wheaton, IL 60187

Daytime Phone: (630) 639-8126

Comment Type: Provide testimony/public comment

Subject: Sheriff Mendrick

Comment: I fully support Sheriff Mendrick and his stance on the new "gun law." The legality of the law is being decided in the courts.

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Blakely, Heidi

From: noreply@formstack.com
Sent: Sunday, January 29, 2023 9:21 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/29/23 9:21 PM

Meeting Date: 02/14/23

Meeting: DuPage County Board

Name: Helene Lamarre

Organization: NA

Address: 6530 Double Eagle Dr Unit 317
Woodridge, IL 60517

Daytime Phone: (630) 917-2903

Comment Type: Provide testimony/public comment

Subject: Mendrick Censure

Comment: Please vote to censure this unlawful sheriff. He thinks he is above the law. He is being paid by the citizens of DuPage County to enforce the law, not just the ones he likes or agrees with politically. Only the legislature can pass laws and law enforcement

individuals must ENFORCE all law.

I would like my comments to be placed on file. Thank you.

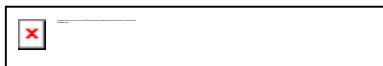
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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 30, 2023 7:25 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/30/23 7:25 AM

**Meeting
Date:**

02/14/23

Meeting:

DuPage County Board

Name:

Donna Pucciani

Organization:

Address:

Flint Creek Rd
Wheaton, IL 60189

**Daytime
Phone:**

**Comment
Type:**

Provide testimony/public comment

Subject:

Censure of Sheriff Mendrick

Comment:

I support the Board's censure of Sheriff Mendrick as long as he refuses to observe and enforce the law. I sincerely hope that he will put public safety ahead of his personal biases and follow the ban on weapons of war in our streets. I have a right

to be safe, to make sure our children are safe in schools, and my neighbors are safe in their daily lives from the escalating gun violence that plagues American society. Please call Sheriff Mendrick to account on this crucial public health issue and his obligation to follow the law.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, January 30, 2023 5:09 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 01/30/23 5:08 PM

Meeting Date: 02/14/23

Meeting: DuPage County Board

Name: Suzen Baxter

Organization:

Address: Elmhurst, IL 60126

**Daytime
Phone:**

**Comment
Type:** Provide testimony/public comment

Subject: Support FOR censure

Comment: I want to share my support for censure of the Sheriff, in response to his public statement on HB5471

Blakely, Heidi

From: noreply@formstack.com
Sent: Friday, February 10, 2023 7:46 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

[Caution: This email originated outside Dupageco.org. Do not click links or open attachments unless you recognize the sender and know the content is safe.]



Formstack Submission For: **PublicComment**

Submitted at 02/10/23 7:46 AM

**Meeting
Date:**

02/14/23

Meeting:

DuPage County Board

Name:

Joanne Tyree

Organization:

Address:

138 S YALE AVE
VILLA PARK, IL 60181

**Daytime
Phone:**

(708) 288-1131

**Comment
Type:**

Provide testimony/public comment

Subject:

Support for the Protect Illinois Communities Act

Comment:

Americans lost our collective soul and our right to proclaim American excellence when six year olds' bodies were torn apart at Sandy Hook and we did nothing. We amplified our indifference in the years since by doing absolutely nothing about

mass shootings, the true American carnage. Thank God that our Illinois state government has now taken an important step to address private ownership of assault weapons, weapons designed specifically to kill as many humans as possible as fast as possible. The passage and enforcement of this law in DuPage County is, literally, the very least we can do to address mass shootings. I thank Chair Deb Conroy and those members of the Board that have taken a stand on the enforcement of this issue by Sheriff Mendrick. His political gamesmanship when the lives of children are at stake is sickening.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Blakely, Heidi

From: noreply@formstack.com
Sent: Friday, February 10, 2023 10:52 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: **PublicComment**

Submitted at 02/10/23 10:51 AM

**Meeting
Date:**

02/10/23

Meeting:

DuPage County Board

Name:

Sue Ross

Organization:

The Coalition for Spiritual and Public Leadership

Address:

966 S. Fern Ave.,
Elmhurst, IL 60126

**Daytime
Phone:**

(630) 605-3323

**Comment
Type:**

Provide testimony/public comment

Subject:

Protect Illinois Communities Act

Comment:

Please enter into the record my support as an Illinois resident and voter for the Protect Illinois Communities Act. It is especially important to me that this act bans the sale and ownership of assault weapons in Illinois. This ban will protect our

residents in public from the kinds of mass shootings that have become all too common across the United States. I urge our elected officials to continue to work on passing other sensible gun reform legislation.

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