



# DU PAGE COUNTY

## DuPage County Board

### Summary

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

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**Tuesday, March 12, 2024**

**10:00 AM**

**County Board Room**

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**1. CALL TO ORDER**

10:00 AM meeting was called to order by Chair Deborah A. Conroy at 10:04 AM.

**2. PLEDGE OF ALLEGIANCE**

Member Covert led the pledge of allegiance.

**3. INVOCATION**

3.A. Reverend Mandi Huizenga from DuPage Unitarian Universalist Church, Naperville

**4. ROLL CALL**

<b>PRESENT:</b>	Conroy, Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Garcia, Gustin, Krajewski, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Galassi
<b>LATE:</b>	LaPlante

**5. PROCLAMATIONS**

5.A. Proclamation Celebrating Women's History Month

5.B. Solar Project Donation

**6. PUBLIC COMMENT Limited to 3 minutes per person**

**The following individuals made public comment:**

Karen Rugg: Tree removal

Tom Butkovich: Senior tax freeze

Rabbi Michael Ben Yosef: Carol Stream police, Isaac Goodlow III

LaVola Williams: Isaac Goodlow III

Genia Reynolds: Isaac Goodlow III

Jasmine Smith: Record of attendance

Michael Hoffmann: Flooding, request for documentation be included in the record of the meeting. Documents provided can be found at the end of the minutes packet

DeDe Labellarte: DuPage Animal Services

Melodee Miller: DuPage Animal Services

Pamela Cygan: DuPage Animal Services

Kathleen Kirkpatrick: DuPage Animal Services

7. CHAIR'S REPORT

Chair Conroy made the following remarks:

As the weather begins to warm up, I want to take note that the busy season for our Stormwater Management Department is already underway. Most of us get to sleep through thunderstorms and heavy rain events, but the Stormwater Team and Sarah Hunn, will be monitoring conditions this spring 24/7 as needed. Thanks to them and all of our staff who are call as we approach severe weather season. This includes Emergency Management, Security, Public Works, and Transportation. We appreciate all you do to keep our campus operating... and to keep people and property safe.

8. CONSENT ITEMS

8.A. [24-0904](#)

DuPage County Board Minutes - Regular Meeting - Tuesday, February 27, 2024

8.B. [24-0795](#)

02-23-2024 Paylist

8.C. [24-0820](#)

02-27-2024 Paylist

8.D. [24-0852](#)

03-01-2024 Paylist

8.E. [24-0880](#)

03-05-2024 Paylist

8.F. [24-0868](#)

03-05-2024 Auto Debit Paylist

8.G. [24-0883](#)

03-06-2024 Corvel Wire Transfer

8.H. [24-0871](#)

Change orders to various contracts as specified in the attached packet.

8.I. [24-0873](#)

County Clerk's Office Monthly Report for Receipts and Disbursements - February 2024

<b>RESULT:</b>	APPROVED THE CONSENT AGENDA
<b>MOVER:</b>	Jim Zay
<b>SECONDER:</b>	Patty Gustin
<b>AYES:</b>	Chaplin, Childress, Covert, Cronin Cahill, DeSart, Eckhoff, Evans, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Galassi

**9. FINANCE - CHAPLIN**

Committee Update

9.A. [FI-R-0051-24](#)

Approval of a second amendment to the grant agreement between the County of DuPage and Northern Illinois Food Bank for the use of ARPA funds. (ARPA ITEM)

WHEREAS, Resolution FI-R-0376-22 allows for the County of DuPage to enter into a grant agreement with Northern Illinois Food Bank, ensuring that households disproportionately impacted by the COVID-19 public health emergency have access to sufficient and wholesome food; and

WHEREAS, by way of Resolution FI-R-0264-23, the County adopted the first amendment to the grant agreement with Northern Illinois Food Bank on November 14, 2023; and

WHEREAS, the County desires to approve a second amendment to the grant agreement with Northern Illinois Food Bank to include: (i) adding fifteen additional months of funding, and (ii) increasing the grant total amount by \$1,589,326, for a new total grant amount of \$4,015,617.

NOW, THEREFORE BE IT RESOLVED, that the DuPage County Board extends the funding period through June 30, 2025, and allocates an additional \$1,589,326 for the Northern Illinois Food Bank Fresh Produce Program and associated administrative costs, subject to the terms of the amended agreement; and

BE IT FURTHER RESOLVED, that the DuPage County Board hereby authorizes the DuPage County Board Chair to enter into the amended agreement attached hereto as Exhibit A.

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

9.B. [FI-R-0052-24](#)

Additional appropriation for the Sale in Error Interest Fund, Company 1100, Accounting Unit 5020, \$15,047. (Treasurer's Office)

WHEREAS, appropriations for the SALE IN ERROR INTEREST 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 SALE IN ERROR INTEREST FUND - COMPANY 1100, ACCOUNTING UNIT 5020 due to more funds being moved to the General Fund than budgeted because of a decrease in Sale-in-errors declared on Tax sale activity in 2023 in the amount of \$15,047 (FIFTEEN THOUSAND, FOURTY-SEVEN AND NO/100 DOLLARS); and

WHEREAS, there is sufficient unappropriated cash in the SALE IN ERROR INTEREST FUND - COMPANY 1100, ACCOUNTING UNIT 5020 to support an additional appropriation of \$15,047 (FIFTEEN THOUSAND, FOURTY-SEVEN AND NO/100 DOLLARS); and

WHEREAS, the need to provide an additional appropriation in the amount of \$15,047 (FIFTEEN THOUSAND, FOURTY-SEVEN AND NO/100 DOLLARS); in the SALE IN ERROR INTEREST FUND - COMPANY 1100, ACCOUNTING UNIT 5020 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 \$15,047 (FIFTEEN THOUSAND, FOURTY-SEVEN AND NO/100 DOLLARS); in the SALE IN ERROR INTEREST FUND - COMPANY 1100, ACCOUNTING UNIT 5020 is hereby approved and added to the Fiscal Year 2023 Appropriation Ordinance.

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

9.C. [FI-R-0053-24](#)

Additional appropriation for the ARPA Fund, Company 1100, Accounting Unit 1215, in the amount of \$500,000. (ARPA INTEREST)

WHEREAS, appropriations for Fiscal Year 2024 were adopted by the County Board pursuant to Ordinance FI-O-0009-23; and

WHEREAS, there is a need for an additional appropriation in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215 for the Infrastructure Investment Program, in the amount of \$500,000 (FIVE HUNDRED THOUSAND AND 00/100 DOLLARS); and

WHEREAS, the Infrastructure Investment Program supports capital equipment purchases or information technology investments for local food pantries; and

WHEREAS, there is sufficient unappropriated revenue in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215 to support an additional appropriation of \$500,000 (FIVE HUNDRED THOUSAND AND 00/100 DOLLARS); and

WHEREAS, the need to provide an additional appropriation in the amount of \$500,000 (FIVE HUNDRED 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 \$500,000 (FIVE HUNDRED THOUSAND AND 00/100 DOLLARS) in the ARPA FUND - COMPANY 1100, ACCOUNTING UNIT 1215 is hereby approved and added to the Fiscal Year 2024 Appropriation Ordinance.

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

9.D. [FI-R-0054-24](#)

Approval of additional funding for the Local Food Pantry Infrastructure Investment Program in the amount of \$500,000. (ARPA INTEREST)

WHEREAS, on August 22, 2023, the DuPage County Board approved Resolution FI-R-0182-23 which permitted the use of ARPA funds for the Local Food Pantry Infrastructure Investment Program (“Program”) in the amount of \$1,000,000; and

WHEREAS, the County wishes to increase funding for the Program using ARPA interest funds in the amount of \$500,000 to provide a “round 2” of funding to local food pantries; and

WHEREAS, the funds awarded under this Program are intended to support capital equipment purchases or information technology investments; and

WHEREAS, the County may prioritize applications that: (i) have not previously received Program funds, (ii) improve the logistics of the overall food pantry distribution system, (iii) consolidate multiple agencies into one data reporting system, (iv) include budgets where the agency shares the total cost with the County, (v) are complete and

detailed, and/or (vi) share resources between agencies (e.g., two agencies sharing a refrigerated truck); and

WHEREAS, the County’s application portal will open on March 15th, 2024 and close on May 15th, 2024; and

WHEREAS, the County has prepared a Grant Agreement (Exhibit A) with local food pantry agencies to provide funding for eligible infrastructure investments.

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.

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

9.E. [FI-R-0055-24](#)

Budget Transfers 03-12-2024 - 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 2024 fiscal year; 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.

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

9.F. [FI-P-0005-24](#)

Recommendation for the approval of a contract purchase order to Marsh & McLennan Agency, LLC, to provide assistance and evaluation of the County's Health and Wellness Benefits, for Human Resources, for the period of April 1, 2024 to March 31, 2025, for a contract total amount not to exceed \$200,000; per RFP 21-003-HR, first and final renewal.

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

WHEREAS, Human Resources requires Health and Wellness Benefits Consulting Services to assist in maintaining competitive and fiscally sound benefit offerings for County employees; and

WHEREAS, the Finance Committee recommends County Board approval for the issuance of a contract purchase order to Marsh & McLennan Agency, LLC., to provide assistance and evaluation of the County's Health and Wellness Benefits for Human Resources.

NOW THEREFORE BE IT RESOLVED, that the County contract covering said, to provide assistance and evaluation of the County Health and Wellness Benefits for the period April 1, 2024 through March 31, 2025 for Human Resources, be, and it hereby approved for the issuance of a contract purchase order by the Procurement Division to Marsh & McLennan Agency, LLC. 755 W. Big Beaver Road, Suite 2300, Troy, MI 48084, for a contract total amount of \$200,000.00; per RFP 21-003-HR, first and final renewal.

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

9.G. [FI-CO-0008-24](#)

Increase Purchase Order 6498-0001 SERV, issued to Ceridian HCM, Inc., in the amount of \$115,000, an increase of 6.39%. (Human Resources)

WHEREAS, Purchase Order 6498-0001 SERV was issued to Ceridian HCM, Inc. on August 1, 2023 by the Procurement Department; and

WHEREAS, the Finance Committee recommends a Change Order to amend purchase order 6498-0001 SERV, to increase the contract total in the amount of \$115,000.00 to process invoices as per the contract agreement.

NOW, THEREFORE BE IT RESOLVED, that the County Board adopts the Change Order dated March 4, 2024, increasing the Contract Purchase Order 6498-0001 SERV issued to Ceridian HCM, Inc., in the amount of \$115,000.00, resulting in an amended contact total amount of \$1,914,562.79.

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

**10. ANIMAL SERVICES - KRAJEWSKI**

Committee Update

**11. DEVELOPMENT - TORNATORE**

Committee Update

**12. ECONOMIC DEVELOPMENT - LAPLANTE**

Committee Update

**13. ENVIRONMENTAL - RUTLEDGE**

Committee Update

**14. HUMAN SERVICES - SCHWARZE**

Committee Update

14.A. [HS-R-0010-24](#)

Authorizing Execution of Intergovernmental Agreement between Pace Suburban Bus and DuPage County Community Services for Paratransit Service in the amount of \$657,200. FY24 (Community Services)

WHEREAS, County of DuPage has appropriated general revenue funds in its FY24 budget for the provision of demand-responsive transportation services for low-income persons traveling to medical appointments and appointments for County services, and services for persons with disabilities traveling to work; and

WHEREAS, County of DuPage recognizes the desirability of collaborating with other government agencies, such as Pace Suburban Bus, to effectively and efficiently implement transportation programs; and

WHEREAS, the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.), enacted by the State of Illinois, permits the establishment of intergovernmental agreements between public agencies to perform governmental services, activities and

undertakings; and

WHEREAS, such an intergovernmental agreement has been negotiated that outlines the terms and conditions associated with the County providing a total of \$657,200.00 (SIX HUNDRED FIFTY-SEVEN THOUSAND TWO HUNDRED AND NO/100 DOLLARS) to Pace Suburban Bus with \$657,200.00 (SIX HUNDRED FIFTY-SEVEN THOUSAND TWO HUNDRED AND NO/100 DOLLARS) being allocated from budget code 1000-1750-53827; and

WHEREAS, it is the opinion of the DuPage County Board, that it is its best interest, and the best interest of its residents, to enter into the aforementioned intergovernmental agreement for the implementation of transportation programs.

NOW, THEREFORE, BE IT RESOLVED that the County Board Chairman is authorized to execute the intergovernmental agreement with Pace Suburban Bus, attached hereto as Exhibit A,

BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this resolution and the executed agreement to Pace Suburban Bus, the DuPage County Department of Community Services, the DuPage County Finance Department, the DuPage County Auditor, and the DuPage County Treasurer.

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

14.B. [HS-P-0015-24](#)

Awarding resolution issued to Comcast Cable Communications Management, LLC, dba Effectv, to provide a Call 211 Of DuPage local advertising campaign for community awareness, from March 12, 2024 through June 30 2024, for a contract total amount not to exceed \$130,000; per RFP #24-023-CS. (Community Services)

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

Board policy; and

WHEREAS, the Human Services Committee recommends County Board approval for the issuance of a contract to Comcast Cable Communications Management, LLC, D/B/A Effectv, to provide a 211 DuPage advertising campaign to include advertising in various forms for community awareness, for the period of March 12, 2024 through June 30, 2024.

NOW, THEREFORE BE IT RESOLVED that County Contract covering said, to provide an advertising campaign, for the period March 12, 2024 through June 30, 2024, for DuPage County through Community Services be, and it is hereby approved for the issuance of a contract by the Procurement Division to Comcast Cable Communications Management, LLC, D/B/A Effectv, 2001 York Road, Oak Brook, IL 60523, for a contract total amount not to exceed \$130,000.00; per RFP #24-023-CS. (Grant Funded)

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

**15. JUDICIAL AND PUBLIC SAFETY - EVANS**

Committee Update

15.A. [JPS-R-0006-24](#)

Authorization to purchase one (1) vehicle for the Children's Center of the DuPage County State's Attorney's Office (Contract amount not to exceed \$45,000.) (State's Attorney's Office)

WHEREAS, the Children’s Center of the DuPage County State’s Attorney’s Office (“Children’s Center”) is adding a new Investigator, and all Investigators require a vehicle to perform their duties; and

WHEREAS, the new vehicle was included in the State’s Attorney’s Office’s budget; however, the vehicle was inadvertently not added to the list of vehicles DuPage County Division of Transportation has authority to purchase through DT-R-0306C-22, approved by the County Board on December 12, 2023; and

WHEREAS, the Division of Transportation is tasked with purchasing vehicles for all County departments and County elected officials; and

WHEREAS, the Illinois bidding statute (55 ILCS 5/5-1022(c)) and the DuPage County Procurement Code (2-355) collectively allow for direct purchase of vehicles when there are extreme supply chain interruptions affecting the availability, supply or delivery schedule of necessary vehicles and there is a history of an inability to place

orders; and

WHEREAS, over the past year, the Division of Transportation has experienced an inability to place and obtain orders in vehicle coops, along with cancellations of vehicle orders; and

WHEREAS, since no cooperatives are accepting new vehicle orders, the Division of Transportation will follow County policy, checking with at least three vendors to determine the competitive price and fair market value of a vehicle suitable for an Investigator at the Children’s Center; and

WHEREAS, the Division of Transportation will work with the Chief Investigator of the State’s Attorney’s Office to determine a suitable vehicle for the Investigator and to purchase said vehicle at fair market value.

NOW, THEREFORE BE IT RESOLVED that the DuPage County Board approves the purchase and delivery of one (1) vehicle, not to exceed \$45,000, for the Children’s Center of the DuPage County State’s Attorney’s Office.

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

**16. LEGISLATIVE - DESART**

Committee Update

16.A. [LEG-R-0002-24](#)

Resolution Adopting the County's 2024 Federal Legislative Program

WHEREAS, members of the Legislative Committee have communicated with County elected officials and staff regarding the needs of County residents; and

WHEREAS, the Legislative Committee has developed a legislative program consisting of a list of priorities for DuPage County to propose and support during the next session of the United States Congress (herein referred to as “2024 Federal Legislative Program” and attached which is incorporated by reference); and

WHEREAS, it is important for the County’s 2024 Federal Legislative Program to be communicated to the public and to our elected officials; and

WHEREAS, County Board Rules provide that a legislative program and duties related thereto receive the advice and consent of a majority vote of the County Board.

NOW, THEREFORE, BE IT RESOLVED per the recommendation of the Legislative Committee, that the DuPage County Board does hereby advise and consent to the adoption of the attached 2024 Federal Legislative Program for DuPage County; and

BE IT FURTHER RESOLVED, that staff and the County’s federal lobbyist are directed to work together with the County’s congressional delegation to advance the 2024 Federal Legislative Program in Washington, D.C.

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

**17. PUBLIC WORKS - GARCIA**

Committee Update

17.A. [PW-R-0002-24](#)

Declaration of the Highland Hills Sanitary District Property as Surplus Real Estate

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to own and operate water treatment and potable water distribution systems, and to enter into agreements for such purposes relating to the ownership and operation of such systems (Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-15001, *et. seq.*); and

WHEREAS, in accordance with the above-referenced authority, the COUNTY operated and maintained a potable water distribution system serving an area known as Highland Hills Sanitary District now known as York Township Water System commonly known as the Highland Hills Sanitary District; and

WHEREAS, the COUNTY previously shut down the Highland Hills Sanitary District’s Water Reservoir (Located inside of the Building) and wells and, moreover, said well and reservoir was not suitable for providing a back-up or emergency water supply to the York Township Water System; and

WHEREAS, the Highland Hills Sanitary District’s building and well was located on a property identified by the PIN 06-20-106-009 (“Subject Property”), and legally

described as follows:

LOT 54, IN SUNNY ACRES UNIT ONE, BEING A PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 9, 1953 AS DOCUMENT 694526, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, due to the foregoing, the COUNTY dismantled and rendered its water system equipment on the Subject Property inoperable, and has further capped the wells; and

WHEREAS, due to the foregoing, on June 8, 2021, the COUNTY previously declared the Subject Property as surplus real estate via County Board Resolution No. PW-R-0296-21; and

WHEREAS, on June 8, 2021, the COUNTY obtained an appraisal of the Subject Property, with said Appraisal determining the value of the Subject Property to be \$91,000, constituting an accurate indication of the property's Fair Market Value; and

WHEREAS, the COUNTY has determined that it is in the best interests of the COUNTY to sell the Subject Property, and that the best value for the Subject Property will be obtained through a sale of the Subject Property via auction, with the minimum reserve price of said auction to be set at \$91,000.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of DuPage County, that the sale of the property by auction noted herein is hereby approved for the total amount of no less than \$91,000, and that the Superintendent of Public Works is hereby authorized to execute and deliver a Quit Claim Deed on behalf of the County of DuPage and to execute any and all other documents necessary for the conveyance of this surplus property, upon review of said documents by the State's Attorney's Office, and the Clerk is authorized to attest to any necessary documents; and

BE IT FURTHER RESOLVED, that the Chair of the County Board, the Superintendent of the Public Works Department and the State's Attorney Office are hereby authorized to act as is necessary and prudent to dispose of the surplus Subject Property via auction, acting in the best interest of the COUNTY and obtaining fair market value for the COUNTY, with the sale funds therefrom being deposited in the Public Works Fund: and

BE IT FURTHER RESOLVED, that the County Clerk transmit copies of this Resolution to the Finance Department; County Auditor; County Treasurer; Nicholas Alfonso, A.S.A.-State's Attorney's Office; the Public Works Department, c/o Superintendent Nick Kottmeyer, and to the Purchasing Division.

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

17.B. [PW-O-0001-24](#)

Acceptance of the Substantive and Technical changes to Chapter 36 of the DuPage County Water Supply, Distribution and Wastewater Treatment Ordinance. (First Reading)

WHEREAS, the Illinois General Assembly has authorized the COUNTY OF DUPAGE (“COUNTY”) to operate a system of waterworks and sanitary sewers, and to adopt by ordinance regulations for the use and operation thereof, pursuant to 55 ILCS 5/5-15001, *et seq.*; and

WHEREAS, in accordance with the above cited statutory authority, the DuPage County Board adopted the Water/Wastewater Use Ordinance as Chapter 36 of the DuPage County Code on February 25, 1988; and

WHEREAS, from time to time it is necessary to amend this Ordinance to provide for the current operational needs of the County’s waterworks and sanitary sewer systems, to protect the fiscal integrity of the system, and to clearly define the procedure for disputes and/or appeals; and

WHEREAS, County staff prepared proposed amendments to the Ordinance to revise the termination of service appeal procedure; and

WHEREAS, County staff prepared the proposed amendment to the Ordinance to revise the amount of days that an applier may appeal the decision of the Public Works Committee regarding their appeal; and

WHEREAS, the proposed amendments to the Water/Wastewater Use Ordinance are reflected in Exhibit A, attached hereto; and

WHEREAS, copies of the proposed amendments are available for review upon request at the DuPage County Public Works Department to any interested party; and

WHEREAS, the proposed amendments to the Water/Wastewater Use Ordinance include the following amendments:

- Revision to Section 36-473, Termination of Service; and
- Revision to Section 36-660, Right to Appeal and Variance

WHEREAS, the Public Works Committee of the DuPage County Board has reviewed and approved the amendments to Chapter 36 of the County Code.

NOW, THEREFORE, BE IT ORDAINED by the DuPage County Board, pursuant to the authority granted to the County by the Illinois General Assembly at 55 ILCS 5/5-15001, *et seq.*, that the amendments to Chapter 36 of the County Code reflected in Exhibit A hereto, are hereby adopted; and

BE IT FURTHER ORDAINED that the amendments to Chapter 36 of the County Code reflected in Exhibit A hereto, shall be effective March 15th, 2024; and

BE IT FURTHER ORDAINED that the DuPage County Public Works Department shall promptly post the as amended Ordinance on the County’s website; and

BE IT FURTHER ORDAINED that the County Clerk shall transmit certified copies of this Ordinance to Nicholas Alfonso/State’s Attorney’s Office; one (1) copy to the Public Works Department.

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

17.C. [PW-P-0006-24](#)

Recommendation for the approval of a contract to Sheffield Safety & Loss Control, LLC, for Safety Program Manager Services, for the period of April 1, 2024 to March 31, 2025, for a total contract amount not to exceed \$100,000 (Public Works \$25,000, Facilities Management \$25,000, Transportation \$25,000, and Stormwater \$25,000), per renewal option under bid #21-064-PW, first and final 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 Sheffield Safety and Loss Control, LLC, for Safety Program Manager Services for Public Works, for the period of April 1, 2024, to March

31, 2025.

NOW, THEREFORE BE IT RESOLVED, that County Contract, covering said, for Safety Program Manager Services for Public Works, for the period of April 1, 2024, to March 31, 2025, be, and it is hereby approved for issuance of a County Contract by the Procurement Division to Sheffield Safety and Loss Control, LLC, 24216 W. Lockport St, Plainfield, IL 60544, for a contract total amount not to exceed \$100,000; per most qualified offer, per bid # 21-064-PW, first and final option to renew.

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

17.D. [PW-P-0007-24](#)

Recommendation for the approval of a contract to Alfa Laval, Inc., to provide repair parts for the Ashbrook gravity belt thickeners and belt presses at the Woodridge Greene Valley Wastewater Treatment Plant and the Knollwood Wastewater Treatment Plant, for Public Works, for the period of May 1, 2024 to April 28, 2028, for a total contract amount not to exceed \$80,000; per 55 ILCS 5/5-1022(c) not suitable for competitive bids. (Sole Source – Alfa Laval, Inc. parts are the only parts that are interchangeable with our existing equipment.)

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

WHEREAS, the Public Works Committee recommends County Board approval for issuance of a contract to Alfa Laval, Inc., to provide repair parts for the Ashbrook gravity belt thickeners and belt presses at the Woodridge Greene Valley Wastewater Treatment Plant and the Knollwood Wastewater Treatment Plant for Public Works, for the period of May 1, 2024, to April 28, 2028, for Public Works.

NOW, THEREFORE BE IT RESOLVED, that the contract, issued to Alfa Laval, Inc., to provide repair parts for the Ashbrook gravity belt thickeners and belt presses at the Woodridge Greene Valley Wastewater Treatment Plant and the Knollwood Wastewater Treatment Plant for Public Works, for the period of May 1, 2024 to April 28, 2028, be, and it is hereby approved for issuance of a County Contract by the Procurement Division to Alfa Laval, Inc., 10470 Deer Trail Drive, for a total contract amount not to exceed \$80,000. Exempt from bidding per DuPage County Procurement Ordinance 2-350 - Sole Source.

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

17.E. [PW-CO-0002-24](#)

Amendment to County Contract #6571-0001 SERV, issued to Fox Valley Fire & Safety Company, Inc., to repair the fire alarm system and Notifier Panel at the Woodridge Greene Valley Wastewater Treatment Plant, for Public Works, for a change order to increase the contract in the amount of \$20,000, resulting in an amended contract amount not to exceed \$93,250, an increase of 27.30%.

WHEREAS, County Contract #6571SERV was approved and adopted by the Public Works Committee on August 8, 2023; and

WHEREAS, the Public Works Committee recommends changes as stated in the Request for Change Order to County Contract #6571SERV issued to Fox Valley Fire & Safety Company, Inc., to repair the fire alarm system and Notifier Panel at the Woodridge Greene Valley Wastewater Treatment Plant, for Public Works, for a change order to increase the contract in the amount of \$20,000.

NOW, THEREFORE BE IT RESOLVED, that the County Board adopts the Request for Change Order to County Contract #6571SERV issued to Fox Valley Fire & Safety Company, Inc., to repair the fire alarm system and Notifier Panel at the Woodridge Greene Valley Wastewater Treatment Plant, for Public Works, for a change order to increase the contract in the amount of \$20,000, taking the original contract amount of \$73,250 and resulting in an amended contract amount not to exceed \$93,250, an increase of 27.30%.

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

17.F. [FM-R-0001-24](#)

Resolution to approve a notice of intent to participate in the coalition by Kane County, Illinois, for the Climate Pollution Reduction Grant implementation application and program.

WHEREAS, the Congress of the United States has enacted Public Law No. 117-169, the Inflation Reduction Act of 2022, and established the Climate Pollution Reduction Grants (CPRG) Program to address greenhouse gas (GHG) pollution contributing to climate change; and

WHEREAS, Kane County, Illinois - Coalition lead applicant; DuPage County, Illinois - subrecipient; Kendall County, Illinois - subrecipient; Lake County, Illinois - subrecipient; Will County, Illinois - subrecipient; City of Aurora, Illinois - subrecipient; City of Batavia, Illinois - subrecipient; City of Elgin, Illinois - subrecipient; City of Highland Park, Illinois - subrecipient; City of Naperville, Illinois - subrecipient; City of Waukegan, Illinois - subrecipient; Village of Downers Grove, Illinois - subrecipient; Village of Mokena, Illinois - subrecipient; and Village of Wheeling, Illinois - subrecipient (hereinafter “the Parties”), are units of local government within the meaning of Section 10 of Article 7 of the Constitution of the State of Illinois; and

WHEREAS, the Parties are also public agencies within the meaning of the Intergovernmental Cooperation Act (5 ILCS 220/1, et. seq.); and

WHEREAS, the Parties are authorized to contract among themselves to obtain or share services, or exercise, combine, or transfer any power or function in any manner not prohibited by law (5 ILCS 220/3); and

WHEREAS, the CPRG program is designed to incentivize eligible applicants to apply for funding together as a coalition to implement GHG reduction measures across multiple municipalities; and

WHEREAS, more than two (2) million residents covered by the coalition will benefit from the award by reducing GHG emissions, improving air pollution, and accelerating the transition to a green economy; and

WHEREAS, prior to receiving any awarded funds by the EPA, the lead applicant for the Coalition (Kane County, Illinois) will be required to submit a forthcoming Memorandum of Agreement (MOA) which will provide documentation that the receiving organizations have consulted with each other and are committed to fulfilling their respective roles and responsibilities to successfully implement the greenhouse gas (GHG) reduction measures described in the application; and

WHEREAS, to apply for, administer, and manage the funds associated with the CPRG grant program, the partner agencies committing to participate in the Coalition are expected to execute said forthcoming Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED by the County Board of DuPage County that the Chair of the DuPage County Board be hereby directed and authorized to execute the Notice of Intent, attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to provide copies of this executed Resolution and the executed Notice of Intent to the County of Kane, Illinois.

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

17.G. [FM-P-0010-24](#)

Recommendation for the approval of a contract to Cintas Corporation No. 2, to provide and deliver employee uniforms, as needed, for Facilities Management, for the period of March 13, 2024 through March 12, 2025, for a total contract amount not to exceed \$50,000, per lowest responsible bid #23-136-FM.

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 Cintas Corporation No. 2, to provide and deliver employee uniforms, as needed, for the period March 13, 2024 through March 12, 2025, for Facilities Management.

NOW, THEREFORE BE IT RESOLVED, that County Contract, covering said, to provide and deliver employee uniforms, as needed, for the period March 13, 2024 through March 12, 2025, for Facilities Management, be, and it is hereby approved for issuance of a contract by the Procurement Division to, Cintas Corporation No. 2, P.O. Box 625737, Cincinnati, Ohio 45262, for a total contract amount not to exceed \$50,000.00, per lowest responsible bid #23-136-FM.

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

17.H. [FM-P-0011-24](#)

Recommendation for the approval of a contract to Hey and Associates, Inc., for Natural Areas Management, which includes controlled burning and weeding of the native gardens on the County campus, for Facilities Management, for the period of March 12, 2024 through March 11, 2025, for a total contract amount not to exceed \$36,500, per RFP #24-020-FM.

WHEREAS, proposals 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 Hey and Associates, Inc., for professional natural areas management on County campus, for the period March 12, 2024 through March 11, 2025, for the Facilities Management Department.

NOW, THEREFORE BE IT RESOLVED, that County Contract, covering said, for professional natural areas management, for the period March 12, 2024 through March 11, 2025, for the Facilities Management Department, be, and it is hereby approved for issuance of a contract by the Procurement Division to Hey and Associates, Inc., 26575 W. Commerce Drive, Ste 601, Volo, IL 60073, for a total contract amount not to exceed \$36,500.00, per RFP #24-020-FM.

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

17.I. [FM-P-0012-24](#)

Recommendation for the approval of a contract to A&P Grease Trappers, Inc., for sanitary, grease trap and storm basin pumping, jetting, and cleaning, as needed for the County campus, for Facilities Management, for the period of April 14, 2024 through

April 13, 2025, for a total contract amount not to exceed \$82,750, per renewal option under bid award #21-017-FM, third and final option to renew. (\$60,000 for Facilities Management, \$5,200 for Animal Services, and \$17,550 for the Division of Transportation).

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 A&P Grease Trappers, Inc., for sanitary, grease trap, and storm basin pumping, jetting and cleaning as needed, for the period April 14, 2024 through April 13, 2025, for Facilities Management.

NOW, THEREFORE BE IT RESOLVED, that County Contract, covering said, for sanitary, grease trap, and storm basin pumping, jetting and cleaning as needed, for the period April 14, 2024 through April 13, 2025, for Facilities Management, be, and it is hereby approved for issuance of a contract by the Procurement Division to, A&P Grease Trappers, Inc., PO Box 456, West Chicago, IL 60186, for a total contract amount not to exceed \$82,750, per renewal option under bid award #21-017-FM, third and final option to renew. (\$60,000 for Facilities Management, \$5,200 for Animal Services, and \$17,550 for the Division of Transportation).

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

**18. STORMWATER - ZAY**

Committee Update

18.A. [SM-P-0006-24](#)

Recommendation for the approval of a contract issued to Wang Engineering, Inc., for On-Call Geotechnical and Engineering services, for Stormwater Management, for the period of March 12, 2024 through November 30, 2024, for a contract total amount not to exceed \$40,000. Professional Services (Architects, Engineers, and Land Surveyors) vetted through a qualification-based selection process in compliance with the Local Government Professional Services Selection Act, 50 ILCS 510/0.01 et seq.

WHEREAS, the COUNTY by virtue of its power set forth in “Counties Code” (55 ILCS 5/5-1001 et seq.) and its authority to manage and mitigate the effects of

urbanization on stormwater drainage in DuPage County pursuant to Chapter 55, paragraph 5/5-1062.3 is authorized to enter into this AGREEMENT; and

WHEREAS, the COUNTY requires various professional services (surveying, wetland analysis, flood plain modeling, etc.), on an on-call basis, as necessary for its facilities, small-scale stormwater management and drainage investigations (hereinafter referred to as “PROJECT” or “Work Orders”), and

WHEREAS, the CONSULTANT has experience and expertise in this area and is in the business of providing such professional services required by the County and is willing to perform the required services, as needed on an on-call basis, for an amount not to exceed forty thousand dollars and no cents (\$40,000.00).

WHEREAS, the CONSULTANT acknowledges that it is qualified to perform the services covered by this AGREEMENT and is in good standing and has not been barred from performing professional services; and

WHEREAS, the COUNTY has adopted a Stormwater Ordinance. The CONSULTANT acknowledges the necessary oversight to ensure compliance with the Stormwater Ordinance in the event PROJECT necessitates this scope of work.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached AGREEMENT between the COUNTY and Wang Engineering, Inc., is hereby accepted and approved in an amount not to exceed forty thousand dollars and zero cents (\$40,000.00) 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 Wang Engineering, Inc., Attn: Corina Farez, 1145 N. Main Street, Lombard, IL 60148; 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.

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

18.B. [24-0771](#)

Recommendation for the approval to enter into an Intergovernmental Agreement between the County of DuPage and the City of Warrenville, for Cost Share Additional Work Related to the West Branch River Restoration and Hydraulic Improvements Project, for the period of March 12, 2024 through November 30, 2025, for an agreement not to exceed \$25,000.

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

19. **TECHNOLOGY - YOO**

Committee Update

19.A. [TE-P-0006-24](#)

Recommendation for the approval of a contract purchase order to Toshiba Business Solutions, for multi-functional device equipment, supplies, software and service solutions, for all County Departments, for the period of April 1, 2024 through March 31, 2029, for a contract total amount not to exceed \$1,500,000; per lowest responsible bid 24-019-IT.

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

WHEREAS, the Technology Committee recommends County Board approval for the issuance of a contract to Toshiba Business Solutions, to provide multi-functional digital copiers and printers, for the period of April 1, 2024 through March 31, 2029, for various departments and locations.

NOW, THEREFORE BE IT RESOLVED, that said contract is to provide

multi-functional digital copiers and printers, for the period of April 1, 2024 through March 31, 2029 for various departments and locations, be, and it is hereby approved for issuance of a contract by the Procurement Division to Toshiba Business Solutions, 25530 Commercentre Drive, Lake Forest, CA 92630, for a contract total amount not to exceed \$1,500,000.00, per lowest responsible bid #24-019-IT.

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

19.B. [TE-P-0007-24](#)

Recommendation for the approval of a contract purchase order to Insight Public Sector, for the replacement of backup appliances and annual maintenance and support of Veritas Netbackup software, for Information Technology, for the period of April 1, 2024 through March 31, 2026, for a contract total amount of \$374,718.84; contract pursuant to the Governmental Joint Purchasing Act, 30 ILCS 525/2 (OMNIA Partners Contract #23-6692-03). (ARPA Item)

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

WHEREAS, pursuant to the Governmental Joint Purchasing Act (30 ILCS 525/2), the County is authorized to enter into a Joint Purchasing Agreement for the issuance of a contract purchase order to Insight Public Sector, for the replacement of backup appliances and annual maintenance and support of Veritas Netbackup software, for Information Technology; and

WHEREAS, pursuant to Intergovernmental Agreement between the County of DuPage and the OMNIA Partners Contract #23-6692-03, the County of DuPage will contract with Insight Public Sector; and

WHEREAS, the Technology Committee recommends County Board approval for the issuance of a contract to Insight Public Sector, for the replacement of backup appliances and annual maintenance and support of Veritas Netbackup software, for the period of April 1, 2024 through March 31, 2026, for Information Technology.

NOW, THEREFORE BE IT RESOLVED, that County contract, covering said for the replacement of backup appliances and annual maintenance and support of Veritas Netbackup software, for the period of April 1, 2024 through March 31, 2026 for Information Technology, be, and it is hereby approved for issuance of a contract by the

Procurement Division to Insight Public Sector, 6820 Harl Ave., Tempe, AZ 85283-4318, for a contract total amount not to exceed \$374,718.84, per contract pursuant to the OMNIA Partners Contract #23-6692-03.

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

**20. TRANSPORTATION - OZOG**

Committee Update

**20.A. [DT-R-0009-24](#)**

Adoption of a resolution stating the County’s stance on the Complete Streets design criteria for the improvements at the intersection of Illinois Route 53 at 75th Street.

WHEREAS, the Illinois Department of Transportation (hereinafter referred to as STATE), in order to facilitate the free flow of traffic and to ensure the safety of the motoring public, desires to improve the intersection of Illinois Route 53 at 75th Street (hereinafter referred to as IMPROVEMENT); and

WHEREAS, Illinois Route 53 is a designated State Highway that is owned, operated, and maintained by the STATE; and

WHEREAS, 75th Street is a designated County Highway and a Strategic Regional Arterial (SRA), that is owned, operated, and maintained by the County of DuPage (hereinafter referred to as COUNTY); and

WHEREAS, the STATE has the power to approve and determine the final plans, specifications and estimates for all state highways; and

WHEREAS, the STATE’s projects must adequately meet the State of Illinois’ transportation needs, exist in harmony with their surroundings, and add lasting value to the communities they serve; and

WHEREAS, bicycle and pedestrian ways must be given full consideration in the planning and development of STATE transportation facilities, including the incorporation of such ways into STATE plans and programs; and

WHEREAS, the Illinois Highway Code, specifically 605 ILCS 5/4-220, requires the STATE to establish and solely fund bicycle and pedestrian ways in or within one mile of a local entity with a population of over 1,000 people in conjunction with the construction, reconstruction, or other change of any STATE transportation facility except: 1) in pavement resurfacing projects that do not widen the existing traveled way or do not provide stabilized shoulders; 2) where approved by the Secretary of Transportation based upon documented safety issues, excessive cost, or absence of need; or 3) where the local entity passes a resolution stating that a bicycle or pedestrian way does not fit within its

development plan; and

WHEREAS, during the development of highway projects throughout the State of Illinois, the STATE gives consideration to accommodating bicyclists and pedestrians on a need-basis; and

WHEREAS, the STATE has presented the COUNTY, for its consideration, a bicycle and/or pedestrian improvement consisting of shared use paths and sidewalks in the vicinity of the intersection of the IMPROVEMENT, solely funded by the STATE with maintenance to be provided by the COUNTY.

THEREFORE, BE IT RESOLVED, that the COUNTY generally supports the planning, design, and construction of bicycle and pedestrian ways throughout DuPage County via its County Bikeways Plan; however, in this instance the COUNTY has determined the bicycle and pedestrian ways in the vicinity of the IMPROVEMENT, as proposed by the STATE, do not fit within its development plan because they are not recommended in the most recently adopted County Bikeways Plan; and

BE IT FURTHER RESOLVED, that a suitable copy of this resolution be presented to the STATE district office associated with the proposal.

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

20.B. [DT-R-0010-24](#)

Intergovernmental Agreement between the County of DuPage and the City of Wheaton for improvements of the City-owned property adjoining the DuPage County Government Campus. (No County cost).

WHEREAS, the County of DuPage (hereinafter referred to as COUNTY) and the City of Wheaton (hereinafter referred to as CITY) 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 the Counties Code 55 ILCS 5/1001 *et seq.* and in the Illinois Highway Code 605 ILCS 5/5-101 *et seq.* and the CITY by virtue of its home rule power set forth in the Illinois Municipal Code 65 ILCS 5/5-1-1 *et seq.* are authorized to enter into agreements and contracts; and

WHEREAS, the COUNTY has received funding from the Illinois State Board of

Elections Polling Place Accessibility Grant to improve accessibility at election facilities within the DuPage County Fairgrounds, 2015 Manchester Road, Wheaton, IL 60187 (hereinafter referred to as the “PROJECT”); and

WHEREAS, the PROJECT will include engineering and construction of new pavement and associated drainage improvements serving the northeast parking lot of the DuPage County Fairgrounds; and

WHEREAS, the CITY has requested that the COUNTY construct, as a part of the PROJECT, new pavement suitable for heavy truck traffic within the CITY-owned portion of the PROJECT area (hereinafter referred to as the “WORK”); and

WHEREAS, the COUNTY is willing to incorporate the WORK into the construction of the PROJECT because of the benefit to the residents of DuPage County, the CITY and the public; and

WHEREAS, an Intergovernmental Agreement has been prepared and is attached that outlines the rights, responsibilities and financial obligations of the COUNTY and the CITY related to the PROJECT; and

WHEREAS, the Intergovernmental Agreement must be executed before the construction begins.

NOW, THEREFORE, BE IT RESOLVED that the Chair of the DuPage County Board is hereby directed and authorized to execute the attached AGREEMENT on behalf of the COUNTY and the DuPage County Clerk is hereby authorized to attest thereto; and

BE IT FURTHER RESOLVED that one (1) original of this resolution and Intergovernmental Agreement be sent to the CITY, by and through the Division of Transportation.

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

20.C. [DT-R-0011-24](#)

Intergovernmental Agreement between the County of DuPage and Addison Township Road District, for the Addison Township 2024 Road Maintenance Program, Section 22-03000-01-GM. (No County cost)

WHEREAS, the County of DuPage (hereinafter referred to as COUNTY) and the Addison Township Highway Department (hereinafter referred to as TOWNSHIP) are authorized by the 1970 Illinois Constitution, Article VII, Paragraph 10 and by the Intergovernmental Cooperation Act 5 ILCS 220/1 *et seq.* to enter into agreements with each other; and

WHEREAS, the COUNTY is required to hold on deposit Township Motor Fuel Tax funds, and when authorized by the TOWNSHIP with the approval of the Illinois Department of Transportation (hereinafter referred to as IDOT), enter into contracts for improvements to TOWNSHIP roads using said Township Motor Fuel Tax funds; and

WHEREAS, the TOWNSHIP, has published a contract proposal for Section 24-01000-01-GM (hereinafter referred to as the PROJECT) setting forth the terms, conditions and specifications; and

WHEREAS, the estimated cost of said PROJECT is \$22,048.00; and

WHEREAS, the COUNTY is holding on deposit \$22,048.00 in TOWNSHIP Motor Fuel Tax funds which will be authorized by IDOT for use on the PROJECT; and

WHEREAS, an Agreement has been prepared and attached hereto which outlines the PROJECT and financial responsibilities between the COUNTY and the TOWNSHIP; and

WHEREAS, said Agreement must be executed before the PROJECT may proceed.

NOW, THEREFORE, BE IT RESOLVED that the Chair of the DuPage County Board is hereby directed and authorized to execute the attached AGREEMENT on behalf of the COUNTY and the DuPage County Clerk is hereby authorized to attest thereto; and

BE IT FURTHER RESOLVED that one (1) certified copy of this Resolution and one (1) duplicate original Agreement be sent to the Addison Township Highway Department Commissioner, by and through the Division of Transportation.

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

20.D. [DT-R-0012-24](#)

Joint Funding Agreement for construction work between the County of DuPage and the Illinois Department of Transportation for CH 3/Warrenville Road over the East Branch of the DuPage River-Section #14-00124-04-BR (Estimated County cost \$1,507,432.00).

WHEREAS, the County of DuPage (hereinafter referred to as COUNTY) and the State of Illinois Department of Transportation (hereinafter referred to as STATE), in order to facilitate the free flow of traffic and to ensure the safety of the motoring public desire to improve CH 3/ Warrenville Road over the East Branch of the DuPage River, Section 14-00124-04-BR (hereinafter referred to as the IMPROVEMENT); and

WHEREAS, the COUNTY and the STATE desire to cooperate in an effort to construct the IMPROVEMENT because of the immediate benefit of the IMPROVEMENT to the people of the State of Illinois and to the residents of DuPage County; and

WHEREAS, a Joint Funding Agreement for Construction Work for Federal Participation, (hereinafter referred to as AGREEMENT) has been prepared and attached hereto, which outlines the financial participation of the parties related to construction of the IMPROVEMENT; and

WHEREAS, the COUNTY will be the lead agency for construction engineering and will enter into a separate agreement for said construction engineering services, subject to reimbursement from the STATE as outlined in the attached agreement; and

WHEREAS, the STATE will be the awarding authority for the construction of the improvement, with an estimated total cost of construction of \$7,537,158.00, of which up to \$6,029,726.00 to be funded by the STATE, resulting in an estimated cost to the COUNTY of \$1,507,432.00; and

WHEREAS, sufficient funds have been appropriated by the COUNTY to pay for its share of the construction cost of the IMPROVEMENT; and

WHEREAS, said AGREEMENT must be executed before construction of the IMPROVEMENT can begin.

NOW, THEREFORE, BE IT RESOLVED that the Chair of the DuPage County Board is hereby authorized and directed to execute the attached Agreement on behalf of

the COUNTY, and the DuPage County Clerk is hereby authorized to attest thereto; and

BE IT FURTHER RESOLVED that the County Clerk transmit a copy of this Resolution and any associated Illinois Department of Transportation BLR form appropriating the necessary motor fuel tax (bond) funds to pay for the improvement to the State of Illinois Department of Transportation, by and through the Division of Transportation.

BE IT FURTHER RESOLVED, that six (6) original copies of the Resolution and AGREEMENT be sent to the STATE, by and through the DuPage County Division of Transportation.

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

20.E. [DT-P-0015-24](#)

Recommendation for the approval of a contract purchase order to Al Warren Oil Company, Inc., to furnish and deliver gasoline and diesel fuel, as needed for the Division of Transportation and Public Works, for the period of April 1, 2024 through March 31, 2025, for a contract total not to exceed \$1,750,000 (Division of Transportation \$1,000,000/Public Works \$750,000); per renewal option under bid award # 23-011-DOT, first of three renewals.

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

WHEREAS, the lowest most responsible bidder has been designated and the Transportation and Public Works Committees recommend County Board approval for the issuance of a contract purchase order to Al Warren Oil Company, Inc., to furnish and deliver gasoline and diesel fuel, as needed for the Division of Transportation and Public Works, for the period of April 1, 2024 through March 31, 2025.

NOW, THEREFORE, BE IT RESOLVED that said contract to furnish and deliver gasoline and diesel fuel, as needed for the Division of Transportation and Public Works, for the period of April 1, 2024 through March 31, 2025, and is hereby approved for issuance of a contract purchase order to Al Warren Oil Company, Inc., 1646 Summer Street, Hammond, IN 46320, for a contract total not to exceed \$1,750,000.00, per lowest responsible bid # 23-011-DOT, (Division of Transportation \$1,000,000.00, Public Works \$750,000.00).

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

20.F. [DT-P-0016-24](#)

Recommendation for the approval of a contract to Standard Equipment Company, to furnish and deliver one (1) 2024 International HV607 Vactor Chassis with 2100i Sewer Cleaner, for the Division of Transportation, for the period of March 5, 2024 to November 30, 2024, for a contract total not to exceed \$599,660; Contract pursuant to the Intergovernmental Cooperation Act (Sourcewell contract #101221-VTR).

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

WHEREAS, the Transportation Committee recommends County Board approval for the issuance of a contract to Standard Equipment Company, to furnish and deliver one (1) 2024 International HV607 Chassis with Vactor 2100i Sewer Cleaner, as needed for the Division of Transportation.

NOW, THEREFORE, BE IT RESOLVED that said contract to furnish and deliver one (1) 2024 International HV607 Chassis with Vactor 2100i Sewer Cleaner, as needed for the Division of Transportation, is hereby approved for issuance to Standard Equipment Company, 625 S. IL Rt 83, Elmhurst IL 60126, for a contract total not to exceed \$599,660.00, Per Sourcewell Contract # 101221-VTR.

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

20.G. [DT-P-0017-24](#)

Recommendation for the approval of a contract to Stanley Consultants, Inc., to provide Professional Construction Engineering Services for CH 3/Warrenville Road over the East Branch of the DuPage River, Section # 14-00124-04-BR, for the Division of Transportation, for the period of March 12, 2024 through November 30, 2025, for a contract total not to exceed \$801,990. Professional Services (Architects, Engineers &

Land Surveyors) vetted through a qualification-based selection process in compliance with the Local Government Professional Services Selection Act, 50 ILCS 510/0.01 et seq. (County to be reimbursed \$633,736).

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

WHEREAS, the COUNTY requires Professional Construction Engineering Services for its Warrenville Road over the East Branch of the DuPage River Bridge Replacement, Section 14-00124-04-BR; and

WHEREAS, Stanley Consultants, Inc. (hereinafter "CONSULTANT") has experience and expertise in this area and is in the business of providing such professional construction engineering services, and is willing to perform the required services for an amount not to exceed \$801,990.00; and

WHEREAS, the COUNTY has selected the CONSULTANT in accordance with the Professional Services Selection Process found in Section 2-353(1)(a) of the DuPage County Procurement Ordinance; and

WHEREAS, the Transportation Committee has reviewed and recommends approval of the attached Agreement at the specified amount.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached Agreement between the County of DuPage and Stanley Consultants, Inc. be hereby accepted and approved for a contract total not to exceed \$801,990.00 and that the Chair of the DuPage County Board is hereby authorized and directed to execute the Agreement on behalf of the COUNTY; and

BE IT FURTHER RESOLVED that an original copy of this Resolution and Agreement be transmitted to Stanley Consultants, Inc., 8501 W. Higgins Road, Suite 730, Chicago, Illinois 60490, by and through the Division of Transportation; and

BE IT FURTHER RESOLVED that the County Clerk transmit a copy of this Resolution and associated Illinois Department of Transportation BLR form appropriating the necessary motor fuel tax (bond) funds to pay for the improvement to the State of Illinois Department of Transportation, by and through the Division of Transportation.

BE IT FURTHER RESOLVED, that seven (7) original copies of the

Resolution and AGREEMENT be sent to the STATE, by and through the DuPage County Division of Transportation.

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

20.H. [DT-P-0018-24](#)

Recommendation for the approval of a contract to HDR Engineering, Inc., for Professional Concept Development Engineering Services for the CH 11/Army Trail Road at Munger Intersection Improvements, Section 23-00240-11-CH, for the period of March 12, 2024 through November 30, 2025, for a contract total not to exceed \$171,926.78. Professional Services (Architects, Engineers and Land Surveyors) vetted through a qualification-based selection process in compliance with the Local Government Professional Services Selection Act, 50 ILCS 510/0.01 et seq.

WHEREAS, the County of DuPage (hereinafter referred to as COUNTY) by virtue of its power set forth in “Counties Code” (55 ILCS 5/5-1001 *et. seq.*) and “Illinois Highway Code” (605 ILCS 5/5-101 *et. seq.*) is authorized to enter into this agreement (hereinafter “AGREEMENT”); and

WHEREAS, the COUNTY requires Professional Concept Development Engineering Services for the CH 11/Army Trail Road at Munger Intersection Improvements, Section 23-00240-11-CH; and

WHEREAS, HDR Engineering, Inc. (hereinafter referred to as CONSULTANT) has experience and expertise in this area and is in the business of providing such Professional Concept Development Engineering Services, and is willing to perform the required services for an amount not to exceed \$171,926.78; and

WHEREAS, the COUNTY has selected the CONSULTANT in accordance with the Professional Services Selection Process found in Section 2-353(1)(a) of the DuPage County Procurement Ordinance; and

WHEREAS, the Transportation Committee has reviewed and recommends approval of the attached AGREEMENT at the specified amount, for a contract period of March 12, 2024 through November 30, 2025.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached AGREEMENT between the County of DuPage and HDR Engineering, Inc. be hereby accepted and approved for a contract total not to exceed \$171,926.78, and that the Chair of the DuPage County Board is hereby authorized and directed to execute the attached AGREEMENT on behalf of the COUNTY and the DuPage County Clerk is hereby authorized to attest thereto; and

BE IT FURTHER RESOLVED that an original copy of this Resolution and AGREEMENT be transmitted to HDR Engineering, Inc., 8550 West Bryn Mawr Avenue, Suite 900, Chicago, Illinois 60631-3223, by and through the Division of Transportation.

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

20.I. [24-0815](#)

DT-R-0178B-21 Amendment to Resolution DT-R-0178A-21 Intergovernmental Agreement between to County of DuPage and the Village of Lisle for improvements along CH 3/Warrenville Road and the replacement of the bridge over the east branch of the DuPage River; to correct a scrivener’s error (County to be reimbursed \$414,238).

WHEREAS, the County of DuPage (hereinafter referred to as “COUNTY”) has heretofore adopted Resolution DT-R-0178A-21 on January 9, 2024 and resolution DT-R-0178-21 on March 9, 2021, wherein the COUNTY entered into an Intergovernmental Agreement with the Village of Lisle (hereinafter referred to as “VILLAGE”) to improve CH 3/Warrenville Road over the East Branch of the DuPage River by removing and replacing the existing bridge, Section 14-00124-04-BR (hereinafter referred to as “PROJECT”); and

WHEREAS, Resolution DT-R-0178A-21 stated a County cost of \$414,238.00, instead of stating that the County would be reimbursed \$414,238.00 as is specified in the Intergovernmental Agreement.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board, that Resolution DT-R-0178A-21 be amended to reflect the County to be reimbursed in the amount of \$414,238.00; and

BE IT FURTHER RESOLVED that one (1) original copy of this resolution be sent to the VILLAGE, by and through the Division of Transportation.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Mary Ozog

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

**21. DISCUSSION**

21.A. [24-0874](#)

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

<b>RESULT:</b>	NO ACTION REQUIRED
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**22. OLD BUSINESS**

No old business was discussed.

**23. NEW BUSINESS**

No new business was discussed.

**24. EXECUTIVE SESSION**

There was no Executive Session.

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

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

**25. MEETING ADJOURNED**

With no further business, the meeting was adjourned at 11:29 AM.

25.A. This meeting is adjourned to Tuesday, March 26, 2024, at 10:00 a.m.

Michael Hoffmann • [REDACTED] [REDACTED] [REDACTED] • Warrenville, [REDACTED] [REDACTED]



**DuPage County Stormwater Management submits phony reports to the U.S. Army Corps of Engineers in order to obtain a dam permit. And due to the cover-up between the Illinois Department of Natural Resources, the U.S. Army Corps of Engineers Chicago District and DuPage County Stormwater Management, they have endangered thousands of children's lives.**

I am a Warrenville homeowner who has experienced numerous floods on my property because of Fawell Dam. Attached is a brief summary of just a few of the problems regarding the dam. I am asking for your assistance to investigate and rectify the problem of flooding in Warrenville as well as in other affected communities upstream of Fawell Dam.

Also attached is a sample of research I have done regarding Fawell Dam. I have much more information and documents than I have included with this letter. Please read the attached pages and contact me at your earliest convenience for further information. I can be reached at [REDACTED] or email me at [REDACTED].

Respectfully yours,

[REDACTED]  
Michael Hoffmann

August 7, 2023

UPDATE

To my knowledge, the only thing in this updated letter that has changed is that the county has rebuilt the levy that protects Bower Elementary School. This validates the information in my first letter. At the time the county rebuilt the levy, they also extended the levy from Bower Elementary School to Warrenville Road along the west side of the river on the east side of River Road. This not only increases the flooding in Warrenville but also other communities upstream of Fawell Dam.

The intent of the first letter was not to get the levy rebuilt but to get the Fawell Dam removed because without the Fawell Dam, Warrenville would not need the levy.

The original construction of Fawell Dam was completed in 1971. The dam is what is called a run-of-the-river dam, which means it has a dry reservoir until it rains and then they close the sluise gates (flood gates). Engineers tell me that at the time of construction per dam safety regulations, they would have been required to buy out all the property, or obtain the flood rights to the property, upstream of the dam that would be inundated by flood waters created by the dam. Illinois Department of Transportation (IDOT) did not do that.

In Warrenville, Illinois, DuPage County, on the West Branch of the DuPage River our flood plain elevations start at the top of Fawell Dam. Many private and public properties are under those flood plain elevations. The lowest elevation on my property is 683.98 feet. The crest of Fawell Dam's elevation is 693 feet. That leaves my property under the flood pool of Fawell Dam by over 9 feet. The elevation of the flood pool at 693 feet is inside three of my houses. In the storm of September 13, 14, and 15, 2008, the storm water at the dam rose to the elevation of 691+ feet. At my houses with the back water curve effect from the flood pool of Fawell Dam (the back water curve effect is the extra water elevation created by the flowing water trying to push itself into the flood pool, which this effect can extend miles upstream of the flood pool), it caused the water to back up to an elevation of 695.80 feet. That elevation is in four of my houses.

I FOIA'd the U.S. Army Corps of Engineers, Chicago District's (USACECD) file on the Fawell Dam/Naperville Dam and Reservoir, and I was told that the USACECD had no permit or record of the original dam on file, but they did have a file on the documents that were presented to the USACECD in order to obtain a permit (#199800901) for the initiation of the Fawell Dam modifications project which had started actual construction in the fall of 1999. I read that file and found many interesting bits of information.

I then obtained a file from the DuPage County Stormwater Management Department of Environmental Concerns (DCSMDEC) on the Fawell Dam/Naperville Dam and Reservoir. I found many more documents showing that the Illinois Department of Natural Resources/Office of Water Resources (IDNR/OWR) and DuPage County DEC knew they were flooding Warrenville, West Chicago, Wheaton, Winfield, and possibly communities farther north.

One of the most interesting documents I found is from the DCSMDEC. It is the addendum report dated April 12, 1998, for the Fawell Dam permit application #19980094. It is addressed to Mr. Mark Matusiak, Senior Project Manager, U.S. Army Corps of Engineers, Chicago District, 111 N. Canal Street, 6<sup>th</sup> Floor, Chicago, Illinois, 60606-7206.

This report was created by Woodward-Clyde Consultants which was working under contract for DCSMDEC for the dam modifications project. This report was based on studies from 115 storm events beginning March 1, 1949, and ending July 17, 1993. I began checking the peak flow comparison list at location Node: 4104, Node name: U/S of Warrenville Road (cross section 201045), river station: 38.5951 miles of the West Branch DuPage River. The reason I picked this location is because it is one block downstream from my property, and I was fortunate to have a United States Geological Service (USGS) metering station about one block upstream from my property: the USGS metering station #05540095 West Branch DuPage River, Warrenville, Illinois.

On the peak flow comparison list in this report, it lists the maximum water level in feet and it lists the maximum flow in cfs (cubic foot per second). In each list it shows column headings titled as follows: "Wide Open," "IDOT 86," "Difference." This is because at that time, the sluise gates on the Fawell Dam were wide open and DCSMDEC wanted to operate the sluise gates to the IDOT 1986 operating procedures, and in the third column it shows the difference between the two operating procedures.

I checked the Historic USGS #05540095 metering station records, and I found they only go back to October 1968 when the metering station was made operational. I could only verify 68 storm events. However, of the 68 storm events, every cfs flow I verified was so far off the historic record of USGS metering station #05540095, you will not believe it until you see it for yourself.

The table below is an example of the largest storm events—one 100-year event and two 50-year events of the 68 storm events—in which Woodward/Clyde greatly exaggerated cfs flows.

Event	Date	Woodward/Clyde cfs flow with gates wide open	Actual USGS cfs flow recorded	Percent difference
100-year event	8/22/72	4594.20	49	9,376%
50-year event	6/26/83	3475.40	35	9,930%
50-year event	8/12/87	3502.40	38	9,216%

I checked certain storms with precipitation records that were in the Fawell Dam file from the U.S. Department of Commerce National Oceanic and Atmospheric Administration, Station Identification #11020338, Aurora, Illinois, and the USGS Station #05540060 Kress Creek at West Chicago, Illinois, precipitation records. I discovered that on many of the storm event dates, it did not rain at all, and in some storm events, it had not rained on that date and for nine days before that date.

In summary, the report that was provided to the USACECD to obtain the permit for the Fawell Dam modifications project was based on phony storms. I believe the reason for doing this is because the state of Illinois IDNR/OWR and DCSMDEC has always told us that the Fawell Dam's flood pool does not extend beyond the East-West Tollway/I-88. They needed to create storm events with cfs flows large enough to create flood water elevations high enough to make up the graphs in the report so they could show the USACECD and Warrenville that we would flood to those elevations whether the sluise gates were opened or closed.

The IDNR/OWR and DCSMDEC has destroyed my property and property value through flooding and changing the flood plain. When I bought my property, I had no flood plain on it. It was considered river side property. I could build up to 20 feet from the river bank. Now I have 100-year flood plain all the way in front of my house, and I have 500-year flood plain almost to the street. The September 13, 14, and 15, 2008, flood was considered an 85-year storm event according to Strand Associates Inc. (engineers), Joliet, Illinois. In that storm event, Warrenville had to sand bag the flood waters out of our 500-year flood plain. When FEMA remaps the flood plain, it is going to destroy the property values of hundreds and possibly thousands of properties in Warrenville and upstream.

Due to the elevation of the crest of Fawell Dam and the bottom elevations of Diehl Road Bridge and I-88 bridge, it sets up Warrenville for a potential mega disaster because of the secondary damming effects of I-88 and Diehl Road Bridge and Berm. After taking elevation measurements, I believe Warrenville could see an additional 7-10 feet or more of water than we saw in September 2008. According to DuPage County, there is a very real possibility that a storm event upstream of the dam could occur in the future and cause water to flow over the dam. In September, we were within 20 inches of seeing this scenario.

The state of Illinois, DuPage County, and the U.S. Army Corps of Engineers Chicago

Division has always told us that the dam has no effect on Warrenville. The USACECD prepared a report in June 1975 called Flood Plain Information West Branch DuPage River, Kress Creek and Klein Creek DuPage County, Illinois, that stated the Fawell Dam north of Naperville was constructed as a flood control structure.

A standard project flood will flood about 400 acres, extending from the dam to the East-West toll way. The flooded areas are either agriculture or land within the McDowell Grove Forest Preserve. This statement is misleading because it leaves you to believe that the Fawell Dam only floods about 400 acres between the dam and the East-West toll way (known now as I-88) and that the land is within the McDowell Grove Forest Preserve. That is not the truth because the crest of the dam before the dam modifications project was three feet higher at the elevation of 696 feet. This means even a larger area in Warrenville would be submerged under the flood pool of Fawell Dam.

As of September 22, 2008, at a regular meeting held at Warrenville City Hall, Anthony J. Charlton, Director of DuPage County Stormwater Management Department and County Board Commissioner Jim Zay, Chairman of the County Stormwater Committee, again and again assured us that the Fawell Dam had no affect on Warrenville. The answer Mr. Charlton gave me per my question was, "The flood pool that is created by the dam does not extend beyond I-88."

I have a document dated October 6, 1997 from Christine M. Klepp, P.E., Project Engineer Stormwater Management Division to Mr. Donald R. Vonnahme, Director of Illinois Department of Natural Resources Office of Water Resources, which clearly states, "The original construction of Fawell Dam by IDOT/OWR includes the north levee located on the west bank of the West Branch DuPage River just upstream of the toll way." This levee is within the existing FEMA 100-year flood pool and protects an elementary school.

I also have a document that is dated October 20, 1997, from Anthony J. Charlton, P.E., Principal Engineer, to Mr. Donald Vonnahme, Director of Illinois Department Natural Resources Office of Water Resources. This letter states "The intent of this letter is to provide you with our understanding of the conclusion reached during our October 15 meeting in Springfield regarding Fawell Dam." In paragraph four, it states, "Levees upstream of the tollway are not considered to be 'holding' back the flood pool and are therefore, not required to have PMF [probable maximum flood] protection per dam safety regulations."

I believe that at the meeting of October 15 is when DuPage County took over the cover up from the state of Illinois, and that is probably when the 115 storm events were created.

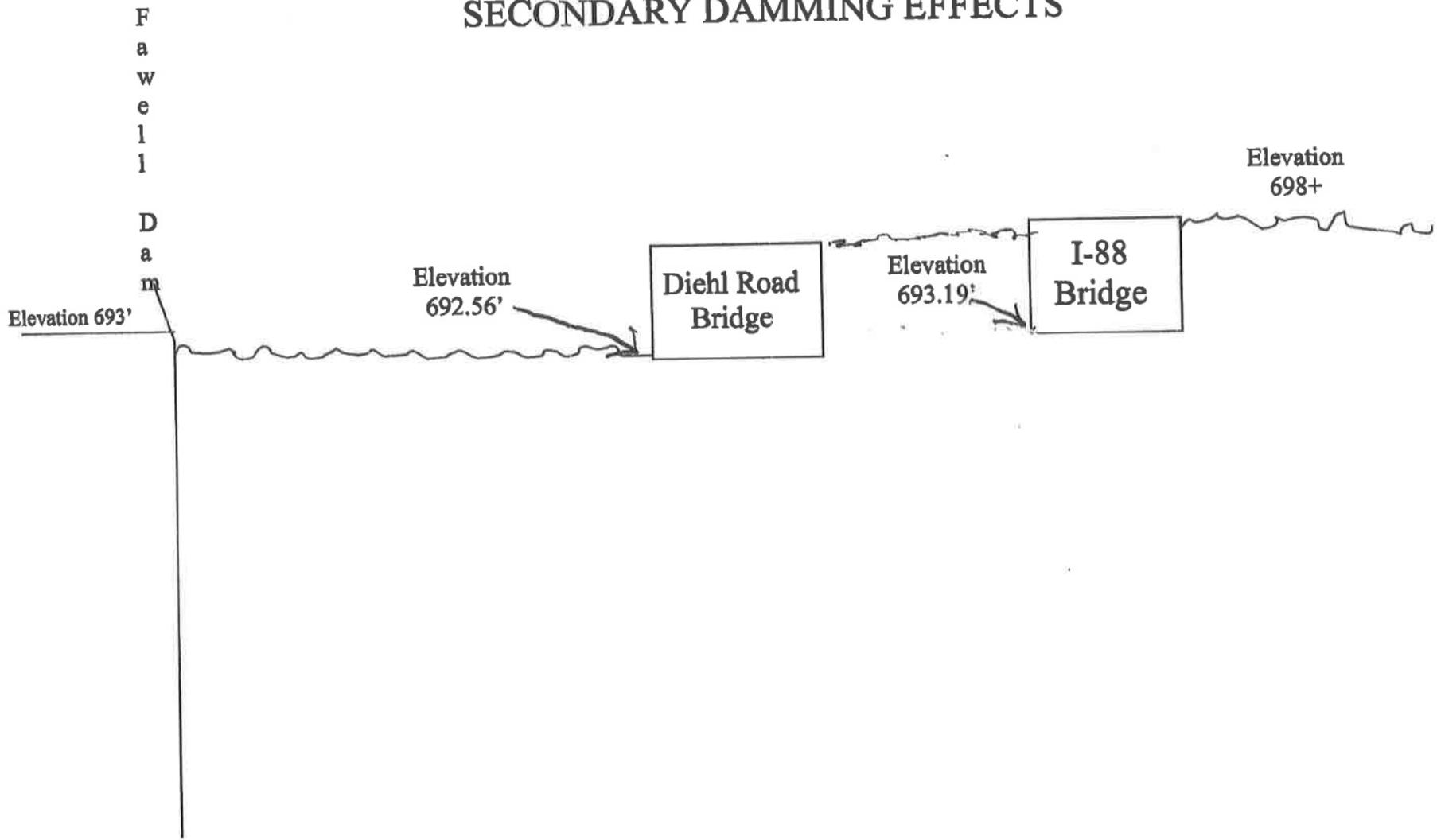
In Summary, the state of Illinois, DuPage County, and the U.S. Army Corps of Engineers Chicago District by covering up the effects of the Fawell Dam have not only allowed, but also have caused, the flooding of Warrenville, West Chicago, Wheaton, Winfield, and possibly other communities farther north, putting Warrenville and my homes as well as others into the flood pool of Fawell Dam.

They have, in fact, allowed the north levees upstream of the toll way to remain in an unsafe condition. The levees are holding back the flood pool and are, therefore, required to have PMF protection per dam safety regulations of the state of Illinois. So, the state of Illinois, DuPage County, and the U.S. Army Corps of Engineers Chicago District have, over the years, recklessly and irresponsibly endangered the lives of thousands of children due to the fact the north levee is the levee that protects Bower Elementary School. As I write this letter, there are 480 children being protected by an unsafe levee. We need to address this problem with expediency to avoid any potential disasters such as loss of lives and flooding thousands of people whose property is not in the flood plain and who do not have flood insurance.

The sluise gates to the Fawell Dam need to be locked open until the dam can be removed because the dam cannot exist and cannot be operated without flooding Warrenville. DuPage County has made the flooding worse by eliminating a 48 inch un-gated concrete pipe, and it appears that it was done without a permit at the time of the modifications.

I have enclosed copies of the information herein disclosed, and I have far too many backup materials to include with this letter. However, all the information I have is available to anyone who would like copies. Please contact me for copies at [REDACTED] or email me at [REDACTED].

# SECONDARY DAMMING EFFECTS





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DuPage County  
ROBERT J. SCHILLERSTROM  
COUNTY BOARD CHAIRMAN

**DEPARTMENT OF ENVIRONMENTAL CONCERNS**

April 12, 1998

Mr. Mark Matusiak, Senior Project Manager  
U.S. Army Corps. of Engineers  
Chicago District  
111 N. Canal Street, 6<sup>th</sup> Floor  
Chicago IL. 60606-7206

**Re: Addendum Report for Fawell Dam permit application 199800901**

Dear Mr. Matusiak:

Please find attached the following report entitled 'Fawell Dam Modifications Project: Permit Application 199800901'. This report is provided in response to your letter dated December 22, 1998. The report includes additional information requested regarding the County's permit application for the modification of Fawell Dam. The report includes:

- Overall goals and objectives of the project.
- Details of the dam operating procedure.
- The effects of dam operation upon the upstream and downstream riparian environment in both the current and proposed operating condition.

Please note that this application involves Phase I of the project to bring the dam into compliance with the State dam safety standards. As we discussed at our March 23, 1998 meeting we are proposing to operate the dam based on the State's 1986 operating rule. Phase II of the project is not included in this application as an operating procedure does not exist at this time. A phase II operating plan will require additional signoff from IDNR.

This Department respectfully requests an expeditious review of the addendum material, and would appreciate any further comments you may have on this project. Please contact me if you have any questions regarding this submittal or if you require any further information.

Sincerely,

  
Christine Klepp, P.E.  
Project Engineer

cc Tony Charlton  
Jon Steffen  
Maxine Everington

The addendum Report for Fawell Dam was based on these 115 storm events  
Peak Flow Comparison at Selected Locations

110

8

Node: 4104  
 Node Name: U/S of Warrenville Road (Cross Section 2010US)  
 River Station: 38.5951 miles

Storm Event STARTING	Approx. Stor Frequency (yr)	Marimum Water Level, ft			Maximum Flow, cfs		
		Wide Open (ft)	IDOT 86 (ft)	Difference (ft)	Wide Open (cfs)	IDOT 86 (cfs)	Difference (cfs)
3/1/49		687.25	687.26	0.01	656.30	659.00	2.70
6/13/49	2	688.53	688.52	-0.01	1129.70	1122.00	-7.70
7/20/49		687.38	687.40	0.02	696.40	701.30	4.90
12/28/49		689.18	689.18	0.00	1451.70	1446.80	-4.90
3/1/50		687.45	687.44	-0.01	718.10	715.30	-2.80
4/22/50		689.65	689.62	-0.03	1698.30	1678.70	-19.60
6/1/50		688.31	688.28	-0.03	1035.50	1020.60	-14.90
12/31/50		687.44	687.45	0.01	715.90	718.50	2.60
2/15/51	2	688.63	688.61	-0.02	1171.60	1163.40	-8.20
5/9/51		688.48	688.48	0.00	1105.10	1103.30	-1.80
1/12/52	2	688.75	688.75	0.00	1229.20	1232.00	2.80
3/6/52		687.86	687.87	0.01	856.60	860.90	4.30
6/3/53		687.33	687.34	0.01	679.60	685.60	6.00
7/20/53		687.97	687.94	-0.03	901.70	887.90	-13.80
3/23/54	5	689.95	689.92	-0.03	1891.60	1857.20	-34.40
4/23/54		689.25	689.21	-0.04	1489.70	1465.50	-24.20
5/31/54		688.20	688.21	0.01	987.20	989.60	2.40
8/15/54		688.21	688.23	0.02	991.50	1001.40	9.90
10/2/54	25	691.46	691.59	0.13	2921.00	2855.10	-65.90
2/14/55		688.00	688.00	0.00	906.50	906.80	0.30
6/1/55		687.94	687.95	0.01	885.80	889.60	3.80
4/26/56		688.27	688.27	0.00	1017.50	1014.90	-2.60
2/24/57		688.26	688.23	-0.03	1012.80	999.90	-12.90
7/11/57	50	692.16	692.16	0.00	3524.90	3469.70	-55.20
2/21/58		686.96	686.96	0.00	570.00	570.00	0.00
4/21/58		687.34	687.35	0.01	683.50	686.80	3.30
6/7/58	2	688.69	688.69	0.00	1197.10	1197.10	0.00
7/1/58		688.18	688.18	0.00	978.50	978.50	0.00
3/4/59		687.47	687.47	0.00	725.40	725.40	0.00
6/24/59		686.29	686.30	0.01	402.90	404.70	1.80
1/10/60	10	690.60	690.64	0.04	2308.30	2308.70	0.40
3/25/60		687.49	687.49	0.00	726.10	726.10	0.00
7/27/61		687.33	687.33	0.00	674.50	674.50	0.00
9/11/61		689.25	689.20	-0.05	1490.30	1465.70	-24.60

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Peak Flow Comparison at Selected Locations

3/7/62		688.20	688.20	0.00	984.90	984.90	0.00	
7/1/62		687.13	687.15	0.02	623.00	628.30	5.30	
4/28/63		687.79	687.80	0.01	831.10	834.40	3.30	
7/12/63		686.76	686.77	0.01	517.10	518.00	0.90	
4/1/64		687.23	687.23	0.00	648.80	650.40	1.60	
7/15/64	2	688.55	688.56	0.01	1133.20	1137.00	3.80	
2/4/65		687.57	687.58	0.01	754.00	756.00	2.00	
7/12/65		687.33	687.34	0.01	681.40	684.60	3.20	
4/17/66	5	689.78	689.78	0.00	1775.70	1765.60	-10.10	
3/7/67		686.71	686.72	0.01	501.50	503.10	1.60	
3/30/67		688.23	688.24	0.01	998.70	1003.00	4.30	
6/6/67		687.59	687.60	0.01	763.40	766.20	2.80	
8/14/68		690.36	690.38	0.02	2141.40	2153.20	11.80	
6/3/69		687.52	687.53	0.01	739.00	742.20	3.20	48
7/16/69		687.08	687.08	0.00	603.30	603.20	-0.10	3.6
10/9/69		689.35	689.37	0.02	1538.60	1547.00	8.40	14
5/11/70		688.21	688.21	0.00	986.90	988.10	1.20	100
5/31/70		687.98	687.97	-0.01	900.40	900.10	-0.30	146
8/23/71		687.35	687.37	0.02	688.60	694.80	6.20	13
3/11/72		689.05	689.05	0.00	1385.30	1385.30	0.00	35
4/14/72	2	688.59	688.56	-0.03	1151.30	1141.30	-10.00	132
8/22/72	100	693.58	693.60	0.02	4594.20	4592.80	-1.40	49
9/11/72		689.11	689.12	0.01	1416.50	1417.30	0.80	76
12/25/72		689.33	689.31	-0.02	1523.80	1513.80	-10.00	64
4/20/73		688.08	688.08	0.00	928.80	929.40	0.60	165
1/18/74		688.33	688.34	0.01	1039.10	1047.30	8.20	47
2/24/74		688.36	688.38	0.02	1053.20	1057.20	4.00	340
5/13/74		688.19	688.19	0.00	981.70	981.50	-0.20	148
1/5/75		688.41	688.41	0.00	1070.30	1071.90	1.60	29
4/17/75		689.06	689.08	0.02	1383.70	1393.50	9.80	99
8/28/75		688.21	688.18	-0.03	994.90	982.80	-12.10	24
2/29/76		688.87	688.88	0.01	1288.80	1292.40	3.60	101
4/24/76		688.07	688.07	0.00	937.70	937.90	0.20	98
6/29/77		687.20	687.21	0.01	640.30	642.20	1.90	30
8/3/77		687.53	687.53	0.00	742.30	742.40	0.10	15
6/30/78		687.85	687.86	0.01	854.90	857.00	2.10	79
9/12/78		687.72	687.69	-0.03	807.20	796.80	-10.40	21
2/22/79		690.80	690.84	0.04	2432.00	2422.90	-9.10	57
4/7/79		689.22	689.22	0.00	1469.90	1470.10	0.20	235
8/14/80		687.63	687.61	-0.02	776.80	770.00	-6.80	193
9/7/80		688.04	688.04	0.00	923.80	926.20	2.40	290
4/27/81		688.51	688.52	0.01	1117.10	1123.70	6.60	128

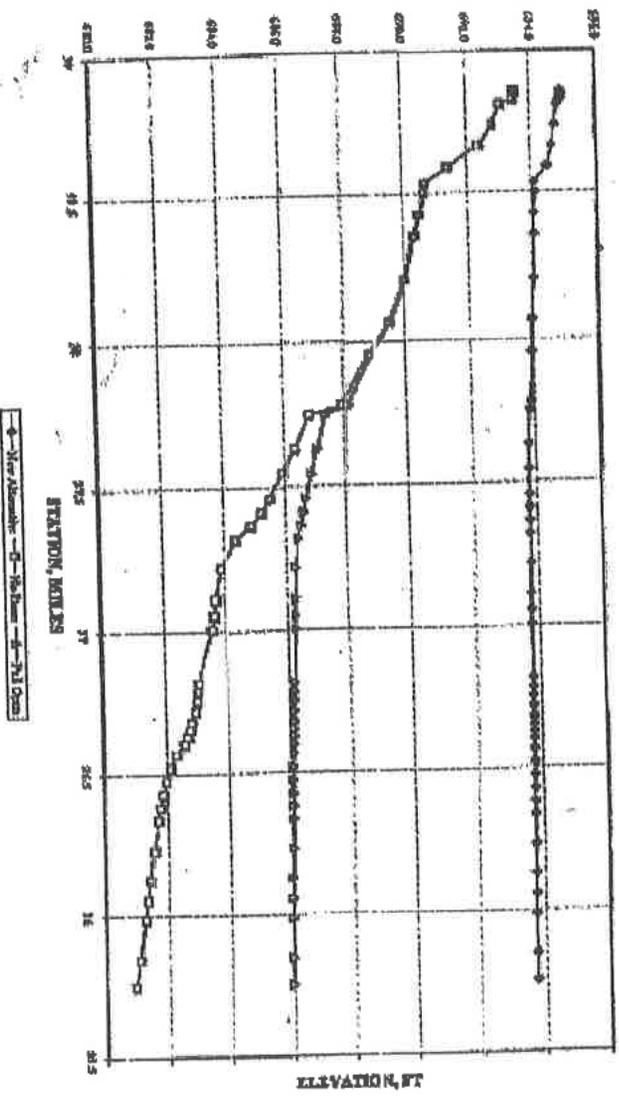
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Peak Flow Comparison at Selected Locations

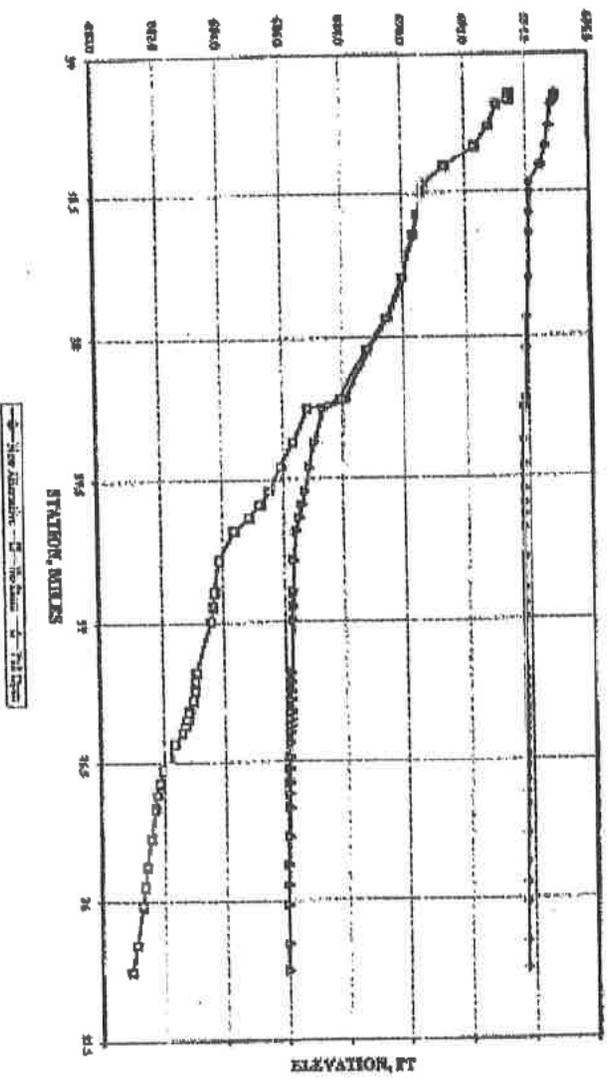
5/28/81		688.22	688.18	-0.04	997.20	982.50	-14.70	67
6/12/81		687.75	687.75	0.00	815.20	815.80	0.60	101
3/8/82	2	688.59	688.60	0.01	1154.10	1156.00	1.90	54
7/20/82		687.59	687.57	-0.02	764.40	755.80	-8.60	87
8/6/82		689.41	689.41	0.00	1576.90	1577.10	0.20	105
12/1/82		690.73	690.82	0.09	2400.40	2355.50	-44.90	141
12/22/82		688.51	688.51	0.00	1117.90	1118.00	0.10	81
3/2/83		684.90	684.90	0.00	126.30	126.30	0.00	80
3/25/83	5	689.66	689.63	-0.03	1702.50	1679.90	-22.60	121
6/26/83	50	692.08	692.08	0.00	3475.40	3475.00	-0.40	35
10/20/83		687.42	687.44	0.02	710.80	715.30	4.50	<del>67</del>
11/22/83		688.20	688.17	-0.03	989.30	976.60	-12.70	105
2/8/84		688.47	688.48	0.01	1098.60	1099.10	0.50	36
3/14/84		688.22	688.22	0.00	995.60	995.70	0.10	68
2/14/85		689.52	689.48	-0.04	1632.60	1607.60	-25.00	32
8/8/86		684.29	684.29	0.00	66.40	66.40	0.00	40 e
9/20/86	2	688.70	688.70	0.00	1207.40	1207.50	0.10	57
8/12/87	50	692.16	692.37	0.21	3502.40	3473.90	-28.50	38
4/4/88		687.97	687.97	0.00	895.50	895.80	0.30	272
7/29/88		686.46	686.46	0.00	442.90	443.00	0.10	25
10/16/88		687.58	687.59	0.01	760.70	764.80	4.10	31
8/3/89	2	688.59	688.59	0.00	1156.40	1155.70	-0.70	63
8/31/89		688.19	688.22	0.03	985.20	995.60	10.40	37
2/18/90		688.14	688.14	0.00	959.60	960.20	0.60	140
3/4/90		688.41	688.41	0.00	1072.70	1077.00	4.30	141
5/3/90	5	689.62	689.65	0.03	1675.10	1682.80	7.70	41
8/17/90		687.73	687.73	0.00	813.10	813.90	0.80	36
11/26/90		688.73	688.74	0.01	1218.90	1221.30	2.40	50
4/7/91		688.65	688.66	0.01	1177.60	1181.60	4.00	102
5/22/91		687.98	687.98	0.00	898.80	900.80	2.00	187
10/2/91		687.50	687.51	0.01	734.10	737.20	3.10	25
10/23/91		687.33	687.33	0.00	676.10	676.10	0.00	33
12/6/91		686.13	686.14	0.01	364.80	366.10	1.30	113
9/6/92		687.48	687.48	0.00	725.30	725.30	0.00	40
12/28/92	5	689.74	689.75	0.01	1743.00	1743.20	0.20	49
1/19/93		688.07	688.08	0.01	934.60	937.20	2.60	75
3/15/93		688.61	688.61	0.00	1162.90	1161.90	-1.00	76
6/13/93		688.17	688.15	-0.02	975.30	969.90	-5.40	151
7/17/93		687.16	687.15	-0.01	630.30	627.00	-3.30	34

PEAK WATER SURFACE ELEVATION DURING JUL 1957 STORM

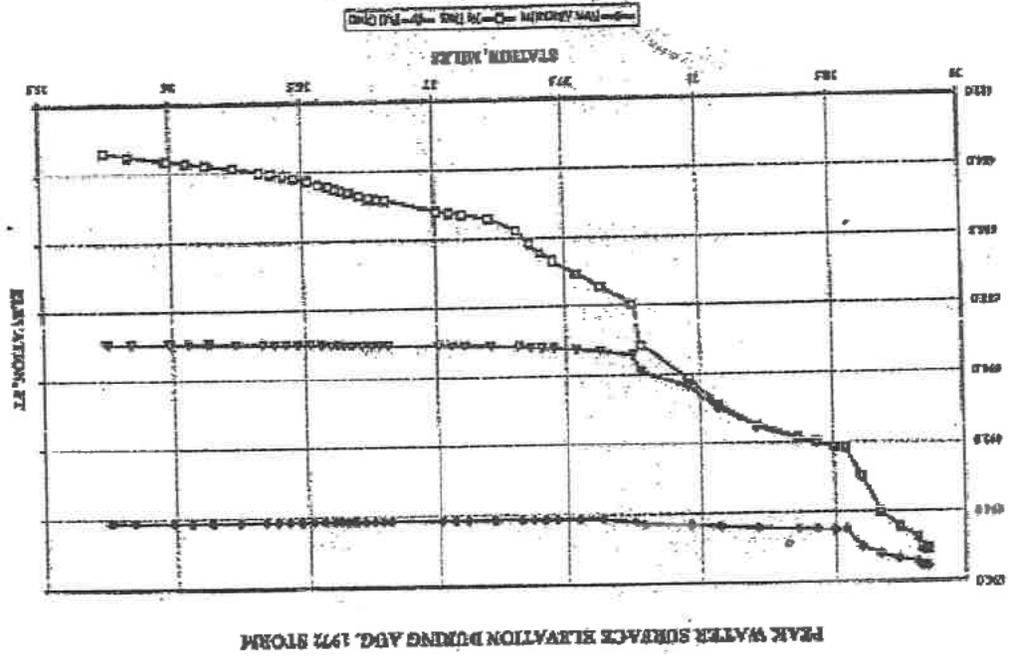
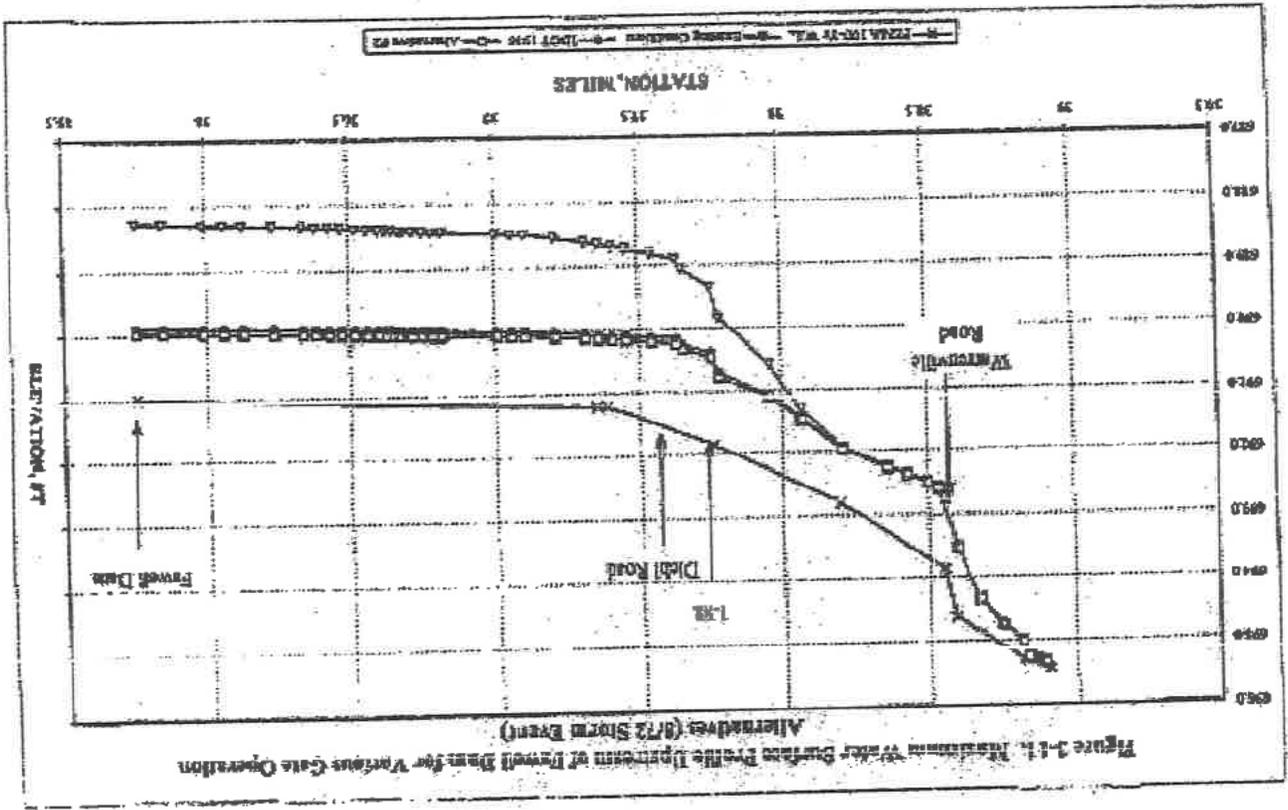


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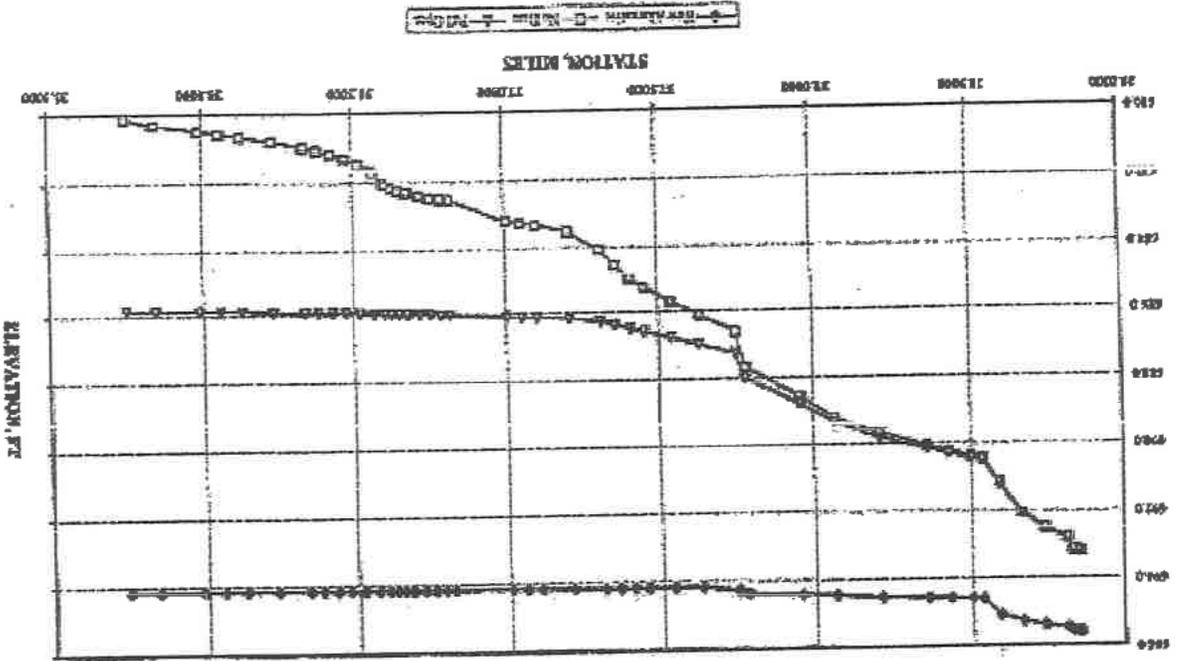


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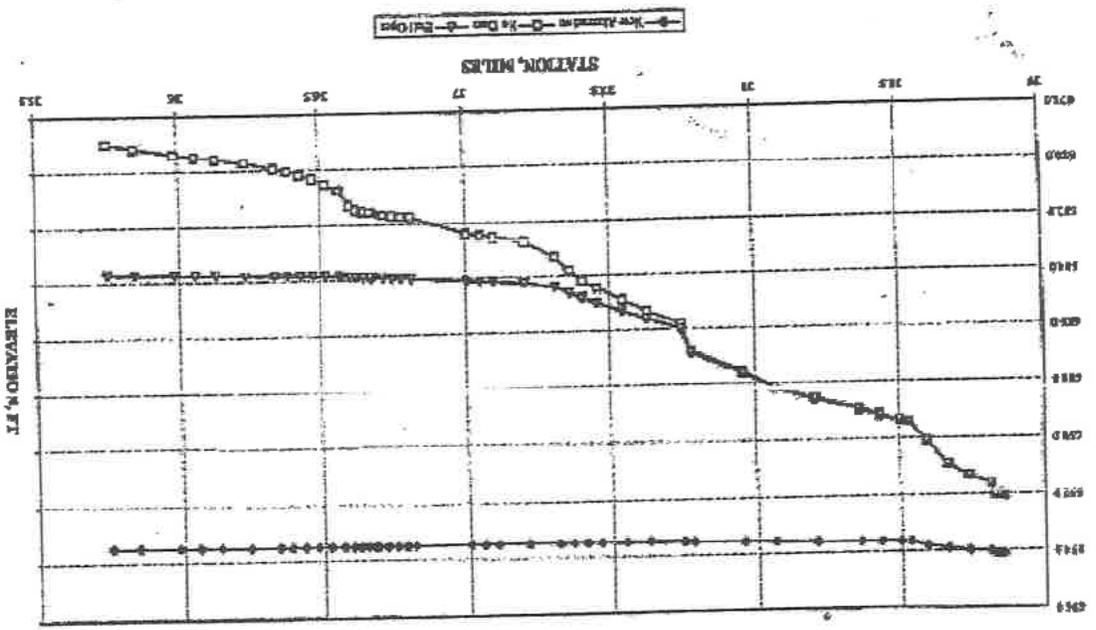
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PEAK WATER SURFACE ELEVATION DURING AUG. 1947 STORM

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PEAK WATER SURFACE ELEVATION DURING DEC. 1962 STORM

# FLOOD PLAIN

## INFORMATION

WEST BRANCH DUPAGE RIVER,  
KRESS CREEK & KLEIN CREEK

**DUPAGE COUNTY, ILLINOIS**

PREPARED FOR THE COUNTY OF DUPAGE BY THE DEPT. OF THE ARMY, CHICAGO DISTRICT,  
CORPS OF ENGINEERS, CHICAGO, ILLINOIS

JUNE 1975

The width of the Intermediate Regional Flood on Kross Creek will vary from 50 to 3200 feet. The structures will cover industrial land in the upper reaches. The remaining flood plain will be of agricultural and undeveloped lands. There is a residential area along the stream near Keller Road. The houses are outside the limits of the IRF.

From the upstream study limit to the north boundary of Carol Stream, Klein Creek flows through undeveloped or agricultural land. Within this reach the Intermediate Regional Flood will vary from 80 to 1100 feet. Within Carol Stream this flood will be between the road and 2300 feet wide and will inundate residential developments. From Carol Stream to the confluence with the West Branch DuPage River, the IRF will cover an area 50 to 1600 feet wide through agricultural or undeveloped land.

The increased population demands will make these flood plain areas more inviting for development unless restricted by local zoning ordinances and good flood plain management. Typical cross sections of the flood plain at selected locations are shown on Plates 25 thru 28.

**Obstructions** - During floods, debris collecting on bridges and culverts could decrease their carrying capacity and cause greater water depths (backwater effect) upstream of these structures. Since the occurrence and amount of debris are indeterminate factors, only the physical characteristics of the structures were considered in preparing profiles of the Intermediate Regional and Standard Project Floods. Similarly, the maps of flooded areas show the backwater effect of obstructive bridges, but do not reflect increased water surface elevation that could be caused by debris collecting against the structures, or by deposition of silt in the stream channel under structures.

As previously indicated, there are two dams within the study area which have no flood control capacities. The dam at the McDowell Grove Forest Preserve will not seriously alter the flow characteristics of the flood waters. The dam at the Warrenville Grove Forest Preserve will increase flood levels about 3 to 4 feet.

The Pawell Dam, north of Naperville, was constructed as a flood control structure. A Standard Project Flood will flood about 400 acres, extending from the dam to the East West Parkway. The flooded areas are either agricultural or land within the McDowell Grove Forest Preserve.

There are 92 bridges in the study area and most of them obstruct flows to some degree during both floods. The approach embankments of bridges that cross the flood plain are obstructive to overbank floodflows. In some cases, the bridges may be high enough not to be inundated by Intermediate, however, are approach embankments are subject to flooding and rendered impassible.

Table A shows pertinent elevations of selected bridge and culvert structures in the study area and shows the relationships of the structures to flood elevations.

**Velocities of flow** - Water velocities during floods depend largely on the size and shape of the cross sections, stream slope, and conditions of the channel itself, all of which vary on the study area.

The upper reach of the West Branch DuPage River, north of the East West Parkway, has channel velocities that vary from 1.5 to 7.3 feet per second for the Intermediate Regional Flood. Water flowing at the higher velocities is capable of causing erosion to stream banks and fill around bridge abutments and transporting large objects. The propagating effect of the flood wave causes a drop in velocity between the highway and the dam to about 1.0 feet per second. From the dam to the downstream study limits, the velocities are between 2.5 and 5.5 feet per second.

TABLE 5 (Continued)  
ELEVATION DATA

Bridges Across West Branch DuPage River,  
Kress Creek & Klein Creek

Identification	Mileage Above	Water Surface		
		Mouth	Under Clearance	Intermediate Regional
<u>West Branch DuPage River</u>				
Dam	38.9		695.7	699.6
Ford	38.7		694.4	698.5
Warrenville	38.6		693.8	697.8
F-W Tollway	37.7		695.0	696.1
E-W Tollway	37.7		695.0	694.7
Foot Bridge	36.8		686.2	694.6
McDowell	36.6		682.9	694.3
Dam	36.5		691.1	694.2
Fawell Dam	35.7		691.0	694.0
Hwy 34	35.5	678.9	680.9	688.1
Burlington	35.2	695.1	679.6	684.0
Jaylinton	34.7	670.5	677.8	681.8
Engle St	33.9	670.5	673.5	677.1
Main St.	33.7	670.7	672.0	676.7
Washington	33.6	669.4	670.6	674.8
Hillside St	33.2	666.3	669.0	672.4
Cartel St	32.2	661.7	661.3	667.0
Road	32.0	659.5	661.0	665.4
Old Abner	31.8		659.5	664.5
Hobson	31.5	657.0	657.5	663.2
75th St	31.4	660.6	655.8	659.8
79th St	30.8	654.9	653.5	657.2
87th St	29.9	643.2	646.4	652.7
Unfinished Bridge	29.9		645.7	652.7
Highway	29.3	647.5	642.1	650.1
<u>Kress Creek</u>				
Hawthorne Lane	6.3	749.0	751.8	751.8
Industrial Dr.	6.0	747.7	750.5	750.2
CanW RR Spur	6.7	745.5	749.6	749.6
Road	5.3	743.7	748.7	748.4
Road	5.2	744.8	745.1	745.4
Road	5.0	741.2	745.0	745.3

(a) Water surface elevation upstream of bridge at 1500 feet mean sea level, 1929 adjustment  
(b) Feet, mean sea level, 1929 adjustment

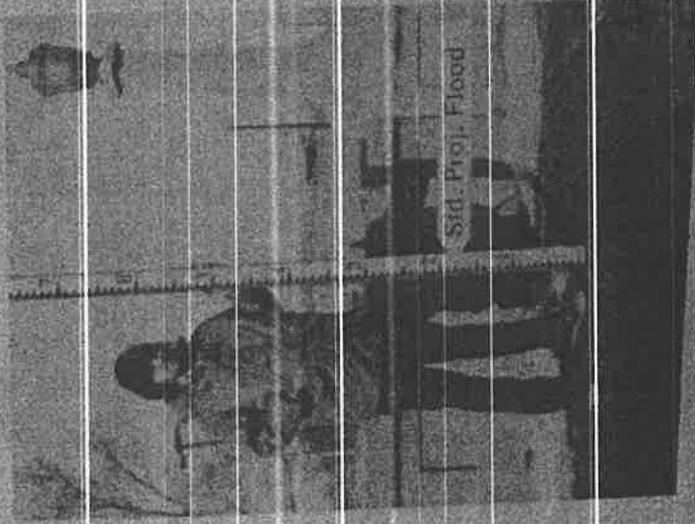


Figure 11.

Future Flooding at Main Street  
Bridge, Naperville, Looking Toward  
the City Administration Building  
West Branch, DuPage River

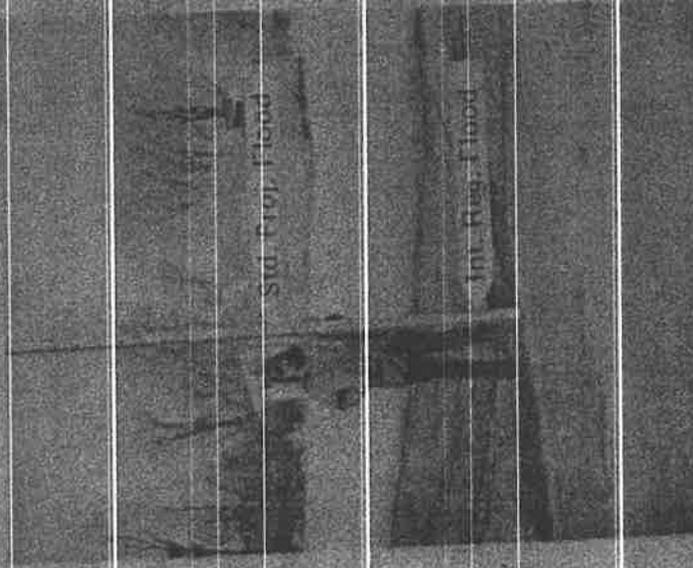


Figure 13.

Future Flooding at Valley Cross  
Section, at River and Rogers  
Streets, Naperville, West Branch  
DuPage River

5-29-97  
FOR COST. WITH STAFF  
REVISIONS. 1002

26 May 1997

6E03054

Don Vonnahme  
Illinois Department of Natural Resources  
Office of Water Resources  
3215 Executive Park Drive  
Springfield, IL 62703

Dear Don:

Re: Fawell Dam, Outstanding Engineering Issues

DuPage County has expressed an interest in taking ownership of the existing Fawell Dam from the Illinois Department of Transportation (IDNR), if IDNR is willing to bring the dam into compliance with their own dam safety regulations. We feel this project can be a mutually beneficial project for the State of Illinois to reduce their maintenance cost and liability on an unpermitted high hazard dam and to provide DuPage County with additional flood control benefits. We feel if the dam is maintained in a safe condition and operated properly the project can provide additional flood control benefits to the City of Naperville. We have been working an accelerated schedule to bring this proposed project on line and have hired our own consultant to develop plans and specifications and construction costs to bring the dam into compliance with dam safety regulations. We have submitted these documents to your dam safety staff, planning staff and to the design staff.

We are trouble by statements your staff has made recently during a telephone conference call on May 14, 1997 that they are not concerned about the cost of the project or the impact the project has on adjacent landowners. This project because of its size and being located between the City of Warrenville and Naperville will require a willingness to work with the local communities to construct this project in a timely and cost effective manner. We feel that one of the strengths and success of the DuPage County Stormwater Program has been the willingness to work with upstream and downstream concerns on projects to understand the issues. We are more than willing to be responsible for the public involvement for IDNR on this project if the project design incorporates both the concerns of upstream and downstream landowners.

We feel that our consultant has documented three outstanding issues which we believe IDNR has identified during the review of this project which will add undue cost to the project. While IDNR is responsible for cost of the project these items we feel do not add any benefit, additional safety or reduced maintenance cost to the project.

1) In a letter dated May 22, 1997 from Mr. William Boyd he states that upstream face protection is required on the main dam and on the saddle dam. We assume this face protection is a requirement for wave action. We have estimated the cost of this requirement to be in

Don Vranshine

Illinois Department of Natural Resources

Office of Water Resources

26 May 1997

Page 2

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MAY 29 1997

excess of \$4.5 million dollars for a reservoir which is dry except during storms. We feel the upstream face protection does not provide any additional protection for over natural vegetation for this project.

2) In an April 28, 1997 letter Mr. Boyd states that a full geotechnical investigation is required for the Saddle Dam. We agree with this statement except we would prefer to conduct the investigation prior to construction. The Saddle Dam is approximately 6,500 feet long and is primarily used to pass the Probable Maximum Flood, thus no permanent pool is stored against the embankment. Our consultant has checked the stability of the proposed structure with reasonable soil parameter from the site and has found the Factor of Safety 5.0. Instead of drilling various locations along the saddle dam during the design phase we propose to put the cost of the geotechnical investigation into the cost of construction of a cutoff trench prior to construction. Our consultant has advised us that the least cost, best design and method of construction is to construct a 5-foot deep cutoff trench below the entire foundation of the saddle dam to review the foundation soils then compacting the same homogenous embankment material we will use for the saddle dam. We feel this method provides the project with a higher degree of safety than the proposed method by IDNR.

3) In the May 22, 1997 letter Mr. Boyd states that HRC-1 rainfall-runoff model should not be calibrated for the PMF. DuPage County has collected numerous rainfall and runoff measurements of extreme events which have occurred in this watershed over the last 10-years. Two of these events are greater than the estimated 100-year rainfall by the Illinois State Water Survey. We feel a hydrologic model or any model should be calibrated prior to making hydrologic predictions. We feel an uncalibrated model may result in an inaccurate prediction of the PMF which could mean either additional cost to the project or not adequately protecting the downstream owners.

I would like to meet with you June 25, 1997 to discuss the project and work through these issues. My staff looks forward to working with IDNR on bringing this dam into dam safety compliance for the safety of the people of DuPage County and completing the transfer of ownership of this project.

Yours Sincerely

Handwritten note in a cloud shape:  
Add ?  
• Rives Road geotech  
• 100-year flood pool re-analysis  
• Saddle dike dam-break

Greg Wilcox  
Big Cheese



DuPage County  
GAYLE M. FRANZEN  
COUNTY BOARD CHAIRMAN

**DEPARTMENT OF ENVIRONMENTAL CONCERNS**  
(630) 682-7130

October 6, 1997

Mr. Donald R. Vonnahme, Director  
Illinois Department of Natural Resources  
Office of Water Resources  
3215 Executive Park Drive  
Springfield, IL 62703

Subject: Fawell Dam, 100-year Flood Pool Levees

Dear Don,

The purpose of this letter is to request clarification on the Illinois Department of Natural Resources/Office of Water Resources Dam Safety (IDNR/OWR) criteria for owning or having easements for the 100-year flood pool. The original construction of Fawell Dam by IDOT/OWR included the north levee located on the west bank of the West Branch DuPage River just upstream of the Tollway. This levee is within the existing FEMA 100-year flood pool and protects an elementary school. As you are aware, we are anticipating modifying the operation of Fawell Dam and possibly increasing the storage for the 100-year event. We would be proposing to raise this levee from elevation 693 to 695 due to the increased 100-year flood pool elevation. Please provide clarification on whether or not the County will be required to protect this levee from failure of a larger event such as the Probable Maximum Flood (PMF).

Preliminary hydraulic analyses indicate that several other upstream modifications may also be necessary with a modified gate operation and revised 100-year flood pool. Some of these modifications include the following:

- A section of Raymond Road approximately 2800 feet upstream of the right abutment of the dam would be raised or a berm would be constructed parallel to Raymond Road on Forest Preserve property in order to contain the proposed 100-year flood pool. Please

Mr. Donald Vonnahme  
Illinois Department of Natural Resources  
October 6, 1997  
Page 2

provide us with design constraints if a berm is constructed. It is unclear why this area was not addressed during the time that Fawell Dam was originally constructed since it is well below the current crest of the dam.

- A new levee to the east of Ferry Creek upstream from the Tollway would be constructed,
- River Road would be raised from a point just upstream of the north levee to Warrenville Road,
- A flood wall would be constructed around the Towne Tap just downstream from Warrenville Road.

Please provide clarification on whether or not any of these structures will need to be protected in any way for the PMF event. Our proposed designs will be constructed to elevation 695.0 which is one foot higher than our proposed 100-year flood pool. Since these structures are not part of the main dam, we have not considered the PMF event in these designs. The topography in the area would also not lend itself to such a design constraint. To date, we have not been required to provide PMF protection to the north levee. We have assumed that the modifications to these other structures will be considered in the same way.

Perhaps you could discuss these alternatives with Greg and Tony at your meeting on October 15, since these decisions may affect design modifications which are currently in progress. If you have any questions regarding this letter or would like to discuss these issues in more detail, please call me at (630) 682-6708. Thank you for your time and attention to this matter.

Sincerely,



Christine M. Klepp, P.E.  
Project Engineer  
Stormwater Management Division

- c Mr. Mel Allison, IDNR/OWR-Springfield
- Mr. Arlan Juhl, IDNR/OWR-Springfield
- Mr. Rick Gosch, IDNR/OWR-Springfield
- Mr. Marty Stralow, IDNR/OWR-Springfield
- Mr. Jim Pence, IDNR/OWR-Springfield
- Mr. Bill Schuck, IDNR/OWR-Springfield
- Mr. Gary Jereb, IDNR/OWR-Schaumburg

Mr. Donald Vonnahme  
Illinois Department of Natural Resources  
October 6, 1997  
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- Mr. Bill Boyd, IDNR/OWR-Schaumburg
- Mr. Mark Hoskins, IDNR/OWR-Schaumburg
- Mr. Tony Charlton, DEC
- Mr. John Sikora, WCC-Denver
- Mr. Togan Aiper, WCC-Chicago
- Mr. Don Glondys, WCC-Chicago
- Mr. Jeffrey Limp
- Mr. Jack Cobb
- Ms. Jeannette Clark
- File - WBA/IS/Fowell Dam/Correspondence



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DuPage County  
GAYLE M. FRANZEN

COUNTY BOARD CHAIRMAN

**DEPARTMENT OF ENVIRONMENTAL CONCERNS**

(630) 682-7130

October 20, 1997

Mr. Don Vonnahme, Director  
Illinois Department Natural Resources  
Office of Water Resources  
3215 Executive Park Drive  
PO Box 19484  
Springfield, IL 62794-9484

Dear Don:

The intent of this letter is to provide you with our understanding of the conclusion reached during our October 15<sup>th</sup> meeting in Springfield regarding Fawell Dam.

1. Two scenarios regarding the construction of the Fawell Dam rehabilitation were discussed. Under Scenario 1 the State would perform the rehabilitation work and then turn the project over to the County. All eligible structures would be protected for the full PMF. The State would be required to obtain any land rights necessary from the Forest Preserve District of DuPage County to complete the work. Under Scenario 2 the Dam ownership would be transferred to the County and then the restoration work performed by the County. All eligible structures would be protected to at least 0.6 of the PMF. The County will also be responsible for securing the dam safety permit and acquiring any necessary land rights for modifications to the dam. **Decision:** The party's agreed to proceed with scenario 2.
2. Dam safety regulations regarding the saddle dike were discussed. The County's understanding is that the saddle dike can be either protected from overtopping or prevented from overtopping. Areas where flow is over in-situ material do not require protection from the PMF. It is acceptable to the

State to use properly designed fuse plugs to control the failure of the saddle dike provided the controlled failure does not result in breaching of the 100-yr flood pool. This criterion would also be acceptable for any new embankment necessary to control the 100-yr pool downstream of the Tollway. The County will also explore the possibility of constructing a side channel emergency spillway at the east abutment of the dam in order to lower the peak elevation of the PMF.

- 3. Currently, the State is not comfortable with the defined 100-yr. flood pool. The County, through its consultant, will run the traditional design storms and then meet with Rick Gosch to resolve any outstanding issues. The analysis will be completed for both the existing and proposed conditions.

DNR  
P. 50x  
L. 30x

- 4. Levees upstream of the Tollway are not considered to be "holding" back the flood pool and are therefor not required to have PMF protection per dam safety regulations.

- 5. Transfer of the structures, real property, rights and easements currently held by the State for the Fawell Dam, to the County, will only occur after the State legislature has appropriated funding necessary to complete the rehabilitation work.

Please review this letter and provide me with any comments you may have. The County is proceeding with design of the structures based on our understanding so please provide any comments as soon as possible.

Sincerely,



Anthony J. Chariton, P.E.  
Principal Engineer

- C Greg Wilcox, DEC
- Jeff Dailey, DEC
- Christine Klepp, DEC
- Mel Allison, IDNR-OWR
- Marty Stralowe, IDNR-OWR

CITY OF WARRENVILLE

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE/  
COMMITTEE OF THE WHOLE

Minutes of Regular Meeting Held on Monday,  
September 22, 2008, at City Hall

Chairman Alderman Bill Weidner called the meeting to order at 7:00 p.m.

B. ROLL CALL

Present: Mayor David Brummel, Aldermen Clare Barry, Fred Bevier, Christopher Halley, Dan Leonard, David Schuftz, Bill Weidner, and Matt Wiesbrock

Absent: None

Also Present: Assistant City Administrator Jennifer McMahon, Community Development Director Ron Mentzer, Public Works Superintendent Mike Smith, Code Enforcement Officer Rick Hoppenrath, City Clerk Emily Larson, and Deputy City Clerk Ana Vainisi

Absent: City Administrator John Coakley

C. PLEDGE OF ALLEGIANCE

D. CITIZENS COMMENTS

Deferred to allow citizens to speak during the presentation of their items of interest.

E. OFFICIALS AND STAFF COMMENTS

2008 Flood

Mayor Brummel addressed the standing-room only crowd inviting them to contact him or anyone on staff with their questions or concerns regarding the flood. Tonight would not be their only opportunity to make their concerns known.

Central DuPage Hospital (CDH) Proton Therapy Facility

Mayor Brummel announced that the CDH Proton Facility had received approval from the State Health Department and would be moving their entire oncology facility to Cantera in Warrenville, investing \$200 million in the community. This center is expected to attract people from all around the country, treating approximately 1,500 people a year for five to seven weeks of standard treatment.

2008 Flood

Alderman Aschauer asked if the road closures could be posted on the website the next time a similar disaster occurs.

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intervals. Alderman Bevier asked that the County representatives return to a future meeting and report on the results of their investigation into this incident. Mr. Charlton stated that the City would have to request the County to pursue further investigation. The Stormwater Management Division provides flood relief to many communities under their regional stormwater program and becomes involved only upon the request of a community. Commissioner Zay concurred that it sounded like Warrenville was making a request and suggested results may be available within four to six weeks.

Charlton stated that the flood pool elevation of 691 feet ends at Ferry Creek, south of the tollway where it starts sloping up. Alderman Aschauer stated that the levels of the dam translated into more water toward Warrenville. Mr. Charlton stated that what happens upstream does not affect areas down stream. This was confirmed by an independent study conducted for Warrenville by Strand and Associates some years back. Alderman Aschauer stated that in the 1996 event, the floodgates were opened. Mr. Charlton replied that the County did not take over operations of Fawell Dam until after the 1996 event. Alderman Aschauer felt that a new dam and an old operating plan may not be compatible. Mr. Charlton stated the intent of the dam is to keep Naperville from flooding and it worked the way it is supposed to. He agreed there is a flooding problem in Warrenville that needs to be addressed but was confident that it is not related to the operation of Fawell Dam.

Mike Hoffman, Second Street, asked why the flood plain maps were changed. Mr. Charlton stated that since the 1970's, FEMA has been updating the flood plain maps to keep up with current area conditions and more sophisticated data availability. Mr. Hoffman asked why the flooding was so much worse this time. Mr. Charlton stated that the flood pool that is created by the dam does not extend beyond I-88. Commissioner Zay referred to the Strand study conclusion that the Fawell Dam would not create flooding conditions for Warrenville.

Dan Dzija, Timber Drive, expressed concerns about the children returning to Bower School, especially in view of rumors that petroleum had leaked from the gasoline tanks at the Phillips 66 and thorium floating down river. He asked if anyone had tested around Bower for contamination, and noted that Park District children were playing soccer in the Bower fields over the weekend. CD Director Mentzer stated that according to Fire Chief Kleinwachter, after Fire District personnel investigated several reports, there was no evidence found that gasoline had leaked. The assumption is that the pressure from the high water above ground acted to cause fumes to vent out of the tanks and allowing the smell of gasoline to escape. He indicated that Mr. John Wills would address the thorium issue later in the meeting.

Mary Jo Huber, Batavia Road, stated she was a resident for 45 years and never had water in her basement until this past weekend. She noted that once the gates were opened, the water went down rapidly, then just trickled out and backed up. She asked if Fawell Dam is not affecting Warrenville, then why not take it out along with the other two dams. Mr. Charlton stated that the Warrenville Grove and McDowell Grove dams were low flow

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dams created for recreational purposes, not for flood control. Fawell Dam is built for flood control. The average flow rate for the West Branch of the DuPage River, measured at the Warrenville Grove Dam, is 40 to 60 cubic feet per second. This storm resulted in a flow rate of almost 5,000 cubic feet per second and the magnitude of the rainfall was larger than the river could handle. There are 90 square miles of land that drains into all the tributaries that feed into the West Branch of the DuPage River.

Connie Schmidt, Landon Drive, stated that a creek runs behind her property and it did not damage at Bower School, stating that half the school was lost, including the gym, cafeteria, and classrooms. All materials and supplies in the area of the school were lost and the impact to the children and teachers was huge. She asked what was the peak of the storm and the peak of the river. She also stated a concern that thorium may have leaked down to Bower. Mr. Charlton replied that according to the gages, the river peaked between 7:00 p.m. to 9:00 p.m. Sunday night.

Bob Siebert, Albright Court, asked whether the ongoing construction at McDowell Grove slowed down the water flow, or whether it caused additional problems. Mr. Charlton stated that the construction work did not affect the water elevation. Mr. Siebert noted that at one time the County had promised to take steps or possibly buy out residential properties prone to flooding, and asked what has the County done since 1991 to protect those homes. Mr. Charlton stated that the volunteer buy-out program was only for properties in the flood plain. The program was suspended because of lack of funding. Any new development is required to provide detention or retention facilities. Mr. Siebert noted that conditions have changed since 1986, but the dam operation plan being followed is pre-1986, and that the original primary purpose of Fawell Dam was not to provide flood protection, but to provide enough water for the Naperville sanitation facility. A secondary benefit was that it could also contain flooding. Mr. Siebert noted that only three things have changed in the past 40 years affecting the river: 1) Fawell Dam, 2) Cantera, and 3) construction along McDowell. He believed that Bower School was not flooded because of the dike, it was caused by stormwater drainage failure, and advised the County to restrict developers from failing to provide adequate stormwater detention facilities.

Terry Walker, River Road, asked what could be done to slow down the water flow north of I-88. Mr. Charlton agreed that the matter required further study to find alternative structural solutions along the entire West Branch through West Chicago and downstream. He encouraged the City to spend its resources trying to find the source of the problem and fixing it, rather than concentrating on the dam operations. He stated there is enough encroachment on the floodplain in Warrenville that water cannot move through the City unrestricted. It would be up to the City and the County, as a regional authority, to update the watershed plan for the DuPage River so as to provide both local and regional benefits.

Mary Walker, River Road, asked if the City was making a request tonight for the County's help with this study. Alderman Weidner stated that the City was still in the fact-finding stages and needed further time to discuss the issue and decide on the next steps.

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She supports the City Council and the County getting together to investigate this problem. She was grateful for the responsiveness of the City.

Pam Nielsen, Vice-President of the Bower PTA, thanked the community who came forward to help the children at Bower. Half of the school is out of commission from the flooding. She thanked Target in Warrenville and Target in Wheaton for replacing all the school supplies for 70 children. She thanked the teachers and staff at the school for continuing to commit to the children in these difficult times.

Greg Siebert, Rogers Avenue, cited a report being circulated through the audience showing the Fawell Dam saddle dams benefit Cress Creek residents in Naperville. Mr. Charlton stated that the dam follows the requirements of the State's dam safety permit, which requires that an emergency spillway be created. Mr. Siebert stated that as a parent he did not feel comfortable returning his children to Bower School. He asked why was Bower School allowed to be built on a floodplain. Mr. Charlton replied that the school board would best answer that question, however, the City and County would continue their on-going evaluation of all the flooding that happened in the Bower School area. The water did go over the top of the berm at Bower, meaning that the berm could have settled since it was built. A common problem being faced by communities today is aging infrastructure, its maintenance, and its replacement. Mr. Siebert asked if the County took this into consideration when new developments are approved. Mr. Charlton replied that DuPage County has one of the most restrictive stormwater management ordinances in the Country.

Mike Moses, Iroquois Court, related his experiences with floods in 1978, 1987, 1996, and 2008, and he expects to get flooded again in the future. He asked if the three bridges: Williams Road, Warrenville Road, and Butterfield Road are acting as dams, would it help if they were raised. Mr. Charlton agreed that these roads acted as dams, but if any of the bridges were removed, their absence would have an effect downstream. The County is willing to work with the community on its watershed and flood planning, but a lot of communities choose to fix the problem themselves. If Warrenville decides to work with the County on a regional approach, the County is very willing to work with the City.

Charles Scouten, Forestview Drive, stated that flow impediments help Naperville but flood Warrenville. He suggested the flow impediments, including the low flow dam at Renouf Drive, be identified, prioritized, and mitigated. The area under the bridges should be cleaned up to keep the water flowing

Jeff Nielsen, Parkview Avenue, asked that if Fawell Dam makes a lake, then where is the shoreline? Mr. Charlton stated that the shoreline for the lake would be within the McDowell Forest Preserve, downstream of I-88, its capacity would be 693 feet at the crest of the dam in excess of a 500-year storm. It is possible that the dike that protects Bower School was never built that high, or that it settled over the years. These are all issues the City and County will be looking at. Mr. Nielsen indicated that if the shoreline is south of I-88, then it could not have impacted Bower School. Mr. Charlton stated that

the movement of water downstream could not get through. The dam would not send water north of I-88.

Scott Burgess, Patterman Road, asked what other flood control devices the County controlled. Mr. Charlton stated that only Fawell Dam affects the West Branch of the DuPage River. There is a new reservoir in West Chicago and one in Carol Stream, but they have no movable structures. Mr. Burgess said he called the County at 10:00 p.m. on Saturday night and was put on hold, then told to go to the NOAA website (National personnel were not very helpful. They would have evacuated if they had know the corner would flood so badly. Commissioner Zay thanked Mr. Burgess for his candid report and he will investigate the personnel responses.

Rosalie Pitchman, Batavia Road, suggested the City form a committee, including concerned residents, to investigate the flooding issues and solutions. Alderman Weidner stated that the Council is still in the fact-finding stages and would keep her suggestion in mind since the Council has made every effort to keep the citizens involved in all important issues.

William Lowe, Forestview Drive, asked if opening the gates earlier would have spared Warrenville some of the flooding. Mr. Charlton stated that the water levels in Warrenville would not have been different, but Naperville would have flooded.

Pat Farmer, Second Street, asked if the level of the pool rising caused water flowing into the pool to slow down. Mr. Charlton stated that the studies are not completed yet. The County is willing to work with the City to solve the problem.

Sharon Herrero, Curtis Avenue, stated that she went to look at the damage at Bower School on Monday afternoon and was surprised to find no one working there at the time. She was referred to the school board for an answer.

Jerry Carstens, Curtis Avenue, asked if geologic formations had anything to do with ground water flow. Mr. Charlton stated that it normally takes seven to ten days for ground water to migrate through natural soils. The flooding sources and solutions need to be found for Warrenville.

Mr. Charlton thanked the City staff for their great effort and cooperation over this extreme rainfall event. Commissioner Zay concurred with the appreciation for City staff. He noted that the City of Chicago had spent \$3 million on a deep tunnel, which was filled by Saturday morning. In comparison, DuPage County did not fare so badly. Alderman Weidner thanked the presenters for their care and concern.

## 2. DuPage River Cleanup - Thorium Remediation Activities

John Wills of Christopher B. Burke Engineering West, LTD., showed a Power Point slide presentation of the pile of "targeted" material. It did not get carried away by the flood since there is a containment berm built around the material, which was covered with a

20 May 1997  
6E03054

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Arlan Juhl  
Illinois Department of Natural Resources  
Office of Water Resources  
3215 Executive Park Drive  
Springfield, IL 62703

Dear Arlan

**Re: Fawell Dam, Existing 100-Year Flood Pool**

The purpose of this letter is to document the existing 100-year flood pool for Fawell Dam. The Illinois Department of Natural Resources (IDNR), Dam Safety Guidelines state the owner of the dam must have ownership or easement for the 100-year flood pool elevation. DuPage County believes the cost for acquiring the land or easement for the existing 100-year flood pool is the responsibility of IDNR.

The FEMA 100-year regulatory discharge at Fawell Dam is 4,900 cfs and the regulatory HEC-2 model dated August 3, 1976, has a starting elevation of 691.0. At this time, DuPage County has not updated the 100-year FEMA floodplain mapping on the West Branch of the DuPage River and do not have any basis for modifying the 100-year discharge. The FEMA model does not provide any documentation as to the basis for the starting elevation at the dam. We have revised the hydraulic modeling on the West Branch by using the FEQ model and have provided this model to your department. We have generated a single stage-discharge curve from the model from the TSFLONG Period of Record (1949-1993) for all 3 gates completely open. A regression equation was developed from the simulated upstream stages and flows and we have extrapolated the curve for higher flows, the curve is shown on Figure 1. For the 100-year discharge of 4,900 cfs, the corresponding 100-year flood elevation is 691.3. We believe the revised hydraulic analysis provides a better representation of the dam by accounting for the downstream tailwater conditions for a full range of flows.

As part of the agreement for taking ownership of the dam we will include a provision for IDNR to be responsible for acquiring ownership or easement in the upstream pool to elevation 691.3.

Yours Sincerely  
Woodward-Clyde (NZ) Ltd

John Sikora  
Project Engineer  
Project Engineer

Christine Klepp



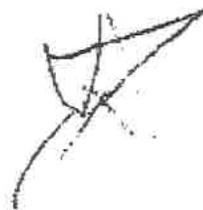
**Christine Klepp**  
From: Christine Klepp  
Sent: Tuesday, October 14, 1997 4:48 PM  
To: Anthony Charlton  
Subject: FW: Fawell legislation

**Christine Klepp**  
Sent: Tuesday, October 14, 1997 4:46 PM  
To: 'Anthony Charlton'  
Subject: Fawell legislation

I was reading the letter we sent to Arlan regarding the 100-year flood pool again this afternoon and found the following sentence: "As part of the agreement for taking ownership of the dam we will include a provision for IDNR to be responsible for acquiring ownership or easement in the upstream pool to elevation 681.3". This should be included in the pending legislation if it is not already. Chris



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DuPage County  
GAYLE M. FRANZEN  
COUNTY BOARD CHAIRMAN

**DEPARTMENT OF ENVIRONMENTAL CONCERNS**

(630) 682-7130

May 20, 1997

Mr. Arlan Juhl  
Illinois Department of Natural Resources  
Office of Water Resources  
3215 Executive Park Drive  
Springfield, IL 62703

Dear Arlan,

**Re: Fawell Dam, Existing 100-Year Flood Pool**

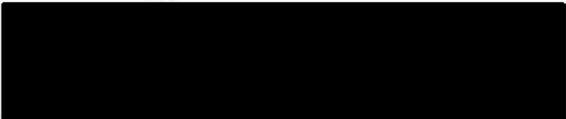
The purpose of this letter is to document the existing 100-year flood pool for Fawell Dam. The Illinois Department of Natural Resources (IDNR), Dam Safety Guidelines state that the owner of the dam must have ownership or easement for the 100-year flood pool elevation. DuPage County believes the cost for acquiring the land or easement for the existing 100-year flood pool is the responsibility of IDNR.

The FEMA 100-year regulatory discharge at Fawell Dam is 4,900 cfs and the regulatory HEC-2 model dated August 3, 1976, has a starting elevation of 691.0. At this time, DuPage County has not updated the 100-year FEMA floodplain mapping on the West Branch of the DuPage River and do not have any basis for modifying the 100-year discharge. The FEMA model does not provide any documentation as to the basis for the starting elevation at the dam. The hydraulic modeling on the West Branch has been revised by our consultant, Woodward-Clyde, using the FEQ model and has been provided to your department. A single stage-discharge curve was generated using the model results from the TSFLONG period of record (1949-1993) for all 3 gates completely open. A regression equation was developed from the simulated upstream stages and flows and the curve was extrapolated for higher flows. The rating curve for the dam is shown on sheet 2 of 15 in the 95% draft submittal drawings for the Fawell Dam modifications. For the 100-year discharge of 4,900 cfs, the corresponding 100-year flood elevation is 691.3. We believe the revised hydraulic analysis provides a better representation of the dam by accounting for the downstream tailwater conditions for a full range of flows.

Mr. Arlan Juhl  
May 20, 1997  
Page 2

As part of the agreement for taking ownership of the dam we will include a provision for IDNR to be responsible for acquiring ownership or easement in the upstream pool to elevation 691.3. Please respond if you concur with this method of determining the 100-year flood elevation for IDNR's ownership or easement requirements.

Sincerely,



Christine M. Klepp, P.E.  
Project Engineer  
Stormwater Management Division

- c Mr. Faruk Oksuz, WCC-Chicago
- Mr. John Sikora, WCC-Denver
- Mr. Steve Rogers, WCC-Denver
- File - WB/MS/Fawell Dam/Correspondence

MEMORANDUM

**Date:** April 8, 1997  
**To:** Don Zelinga  
**From:** Gregory Wilcox, Director  
**Subject:** Fawell Dam impact assessment

*Early  
fed. lease review.  
Thanks,  
Chris*

This memo is in regards to the proposed modifications to and operation of Fawell Dam which is located on the West Branch DuPage River in the McDowell Grove Forest Preserve. Woodward Clyde Consultants has been working over the last several months on ways to bring the dam into compliance with dam safety regulations and alternative operating schemes for the gates.

The proposed spillway crest elevation of the dam has been set at elevation 694, two feet lower than what presently exists there today. The County and the State will be required to purchase either the property or the flood rights within this flood pool elevation. The State will most likely need to obtain the property or the flood rights up to elevation 692, which is the current FEMA 100-year floodplain elevation. Any additional flood benefits which result from a change in the operation of the dam will be the County's responsibility. In order to minimize the number of properties affected by such a flood pool elevation, it has been proposed to raise sections of Ferry and River Roads to elevation 695 which provides for one foot of freeboard. In addition, a levee along Ferry Creek from Ferry Road north to Forestview Drive has been proposed. This levee would also be constructed to elevation 695.

DEC staff had a meeting with Kevin Carroll and representatives from SDI Consultants on March 19, 1997, to discuss the Fawell Dam project and its potential impact on DuPage roadways, underpasses and storm sewer systems. In a letter to Kevin Carroll on March 27, DEC requested that Transportation provide such an impact assessment since they are the best qualified to do so. In response, the Division of Transportation feels that DEC should determine any impact through a comprehensive drainage study.

We recommend that the Division of Transportation hire SDI Consultants to provide an impact assessment with input and direction from the Department of Environmental Concerns and their consultant, Woodward Clyde.



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DuPage County  
GAYLE M. FRANZEN  
COUNTY BOARD CHAIRMAN

**DEPARTMENT OF ENVIRONMENTAL CONCERNS**

(630) 682-7130

January 27, 1997

Senator James "Pate" Philip  
Senate President, 23<sup>rd</sup> District  
50 E. Oak Street, Suite 250  
Addison, Illinois 60101

Dear Senator Philip,

The County of DuPage, in cooperation with The Illinois Department of Natural Resources - Office of Water Resources (IDNR-OWR), have been analyzing the dam safety and maintenance needs of the Fawell Dam. The dam is currently operated by the State and is located upstream of the City of Naperville in the McDowell Woods Forest Preserve over the West Branch of the DuPage River. The dam provides flood protection to the City of Naperville and other downstream areas.

The dam was built prior to current dam safety regulations and poses a significant safety risk for those residents and businesses located downstream of the structure. The dam's current flood control appurtenances do not currently operate due to vandalism. This results in a reduction of the potential flood control benefit to downstream communities. Additionally, there are properties upstream of the dam in Warrenville that are within the current flood pool boundary created by the dam. These properties have not been compensated for their use which is also contrary to dam safety regulations.

The County has worked with IDNR-OWR to determine the necessary improvements and have identified the following costs:  
1) \$5.0 million for dam safety improvements and maintenance repairs, and 2) \$1.0 million for land acquisition. Funding for this

~~project, without the land acquisition phase, was included in the IDNR-OWR budget request. This request has already been rejected by the Governor's Office. The County and its engineer will have the necessary plans to allow for an IDNR-OWR letting by May 1997. This means the project could begin in Summer 1997 if funding is secured. Therefor, the County is requesting your assistance in obtaining funding for both phases of this project in the IDNR-OWR budget.~~

The County has expressed a willingness to take over ownership, operation and maintenance of the dam once the existing structure has been restored and improved to a safe condition. It is our understanding that actual transfer of ownership will require action by the Illinois Legislature. We would appreciate your guidance and assistance in developing and implementing the transfer agreement.

What is most needed at this time is your assistance in securing the \$6.0 million in funding necessary for the Office of Water Resources to repair and provide dam safety improvements to the Fawell Dam in the coming budget year. If you or your staff require any additional information on the project itself, please contact Mr. Anthony Charlton, P.E. of the County's Stormwater Management Division at (630) 682-8709.

Sincerely,

---

Gayle M. Franzen, Chairman  
DuPage County Board

---

John J. Case, Chairman  
Stormwater Management Committee

c Senator Beverly Fawell, 20<sup>th</sup> District

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**Christine Klepp**

**From:** Anthony Charlton  
**Reply To:** achariton@dupageco.org  
**Sent:** Monday, May 03, 1999 7:53 AM  
**To:** 'John\_Sikora@urscorp.com'  
**Cc:** Christine Klepp; 'Don Glondys'  
**Subject:** RE: IDNR Permit

I think Don Glondys or yourself should give Marty and or Paul a call and convince them to use the level pool. I don't trust Paul to come up with the right answer on his own.

-----Original Message-----

**From:** John\_Sikora@urscorp.com [mailto:John\_Sikora@urscorp.com]  
**Sent:** Friday, April 30, 1999 5:13 PM  
**To:** achariton@dupageco.org; cklepp@dupageco.org; HAUDXXX0@urscorp.com  
**Subject:** IDNR Permit

Christine/Tony,

I contacted Bill Boyd to follow up on his data request to Christine last week. He said that Dam Safety has decided to work on issuing a permit for no operation of the gates. He seemed like he was trying to issue the permit before the Corps permit so he is not holding anything up. He is contacting the Corps to see when they will be issuing their permit. He said for him to finish the permit he needs only needs the following three items:

- 2 sets of Fawell Plans. Hollis will be sending the mylars out for copying on Mon.
- Revised Fawell Flood Wall plans and specs which incorporate Bill Shucks comments. We will have this out to you Wed night FedEx.
- Revised EAP and O and M plan. Hollis and Grog will work on this on Mon. My initial review is some of these comments will require some coordination with yourselves and DuPage FEMA. I think if we need to coordinate some items here which may take some time they would put a stipulation on the permit instead of holding the permit up until this item is completed.

I will be out of the office on Mon and Tues. Contact Hollis if you need anything or leave me a message and I will return it when I get a chance.

Bill said the big item for getting the permit for the gate operation will be the 100-year flood pool ownership. I suggested he start talking with Paul to decide on what the 100-year flow/hydrograph will be and what methodology will be used to determine the flood pool on a run-of-the-river dam. I suggested the level portion of the flood pool. Bill said he thought that sounded reasonable but he would check with Springfield.

Cheers,

John

**Christine Klepp**

**From:** John\_Sikora@urscorp.com[SMTP:John\_Sikora@urscorp.com]  
**Sent:** Friday, April 30, 1999 5:13 PM  
**To:** acharlton@dupageco.org; cklepp@dupageco.org; HAUDEXX0@urscorp.com  
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John

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20 May 1997  
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Arlan Juhl  
Illinois Department of Natural Resources  
Office of Water Resources  
3215 Executive Park Drive  
Springfield, IL 62703

Dear Arlan

**Re: Fawell Dam, Existing 100-Year Flood Pool**

The purpose of this letter is to document the existing 100-year flood pool for Fawell Dam. The Illinois Department of Natural Resources (IDNR), Dam Safety Guidelines state the owner of the dam must have ownership or easement for the 100-year flood pool elevation. DuPage County believes the cost for acquiring the land or easement for the existing 100-year flood pool is the responsibility of IDNR.

The FEMA 100-year regulatory discharge at Fawell Dam is 4,900 cfs and the regulatory HEC-2 model dated August 3, 1976, has a starting elevation of 691.0. At this time, DuPage County has not updated the 100-year FEMA floodplain mapping on the West Branch of the DuPage River and do not have any basis for modifying the 100-year discharge. The FEMA model does not provide any documentation as to the basis for the starting elevation at the dam. We have revised the hydraulic modeling on the West Branch by using the FEQ model and have provided this model to your department. We have generated a single stage-discharge curve from the model from the TSFLONG Period of Record (1949-1993) for all 3 gates completely open. A regression equation was developed from the simulated upstream stages and flows and we have extrapolated the curve for higher flows, the curve is shown on Figure 1. For the 100-year discharge of 4,900 cfs, the corresponding 100-year flood elevation is 691.3. We believe the revised hydraulic analysis provides a better representation of the dam by accounting for the downstream tailwater conditions for a full range of flows.

As part of the agreement for taking ownership of the dam we will include a provision for IDNR to be responsible for acquiring ownership or easement in the upstream pool to elevation 691.3.

Yours Sincerely  
Woodward-Clyde (NZ) Ltd

John Sikora  
Project Engineer  
Project Engineer

Christine Klepp



**Klepp, Christine**

**From:** Klepp, Christine  
**Sent:** Tuesday, November 23, 1999 4:52 PM  
**To:** 'John Sikora'; 'Hollis Ude'; 'Don Glondys'  
**Subject:** Flood inundation maps for various gate operations at Fawell

41

Please make sure that Greg Glunz receives a copy of this too (I do not have his e-mail address).

John and Greg prepared a memo dated October 18 for me regarding the approach that was used to determine the compensation the County might be obligated to paying if the dam were removed or the gates not operated. In the memo it is stated that "the gate operation scenario resulted in the smallest floodplain downstream and the no dam scenario had the largest floodplain downstream". Maps showing the amount of land that becomes inundated for the 1957, 1983, 1972 and 1987 storm events were also sent showing what properties were damaged and who is eligible for buyout under the County's current policy. These maps show how much area is flooded for the following scenarios: existing, no dam and gate operation. Only in the 1957 and 1983 events does the gate operation inundate the least amount of land. This conflicts with what was stated in the October 18, 1999 memo. The other two events actually show that the gate operation floods more property than it does today without the gates operating. This is not something that I want to show Naperville or its residents.

I need an explanation as soon as possible regarding this. We need to show events that the gate operation works the best at.

If you have any questions, please call me at 630-682-6708. Thanks, Chris

gregglunz@urscorp.com

*[Handwritten signature]*  
KLEPP

*[Handwritten signature]*

# L&S ASSOCIATES, INC.



9200 South Kingery Road  
Willowbrook, IL 60527-6848  
Phone: 630.325.0252  
Fax: 630.325.8194  
BLindley@direcway.com

June 10, 2009

Michael Hoffman  
3 S. 436 Second Street  
Warrenville, IL 60555

Re: Fawell Dam  
L&S Proj. 03136

Dear Mr. Hoffman:

After years working for and with the engineering staff of the City of Naperville, I have finally been questioned about the Fawell Dam, which since about 1970 regulates the flow in the West Branch of the DuPage River. Until now, nobody has been interested enough to request an opinion other than to determine what type of storm would produce a *bank full capacity* in the channel of the West Branch of the DuPage River as it passed through the City of Naperville.

The term *bank full capacity* requires some understanding of basic hydraulics and the knowledge that while *water always flows downhill*, the movement of water on the surface of the earth is the result of gravity and not the slope of the pipe or the natural river channel. This can be understood by examining Exhibit 1 which illustrates the average energy slope of flood waters generated by the floods of 1950 and 1954. North of the Burlington tracks, the flood water slope or energy gradient is 3.5 feet per mile, and south of the tracks it is 6.4 feet per mile. Further upstream on the West Branch of the DuPage River, the average energy slope increases to 4.6 feet per mile and 6.7 feet per mile (refer to Exhibit 2).

Surface storm water always moves in a natural channel due to the forces of gravity until the resistance to flow, such as channel roughness; road and railroad crossings; vegetation; changes in direction; dams; or other manmade features limits the rate of flow in the down slope direction. The water then builds up to move perpendicular to the down slope direction and into the overbank channel area now referred to as *floodplain*. This floodplain area adjacent to the natural channel of a stream has always existed in nature. As the volume of rainfall excess increases by paving over natural soil and vegetation, the use of this natural floodplain area increases. This is especially vexing to property owners such as you who find that somehow the areas designated as floodplain now occupy a much greater portion of his property and occur much more frequently than had been experienced prior to the rehabilitation of a manmade restriction to a natural channel, such as the Fawell Dam on the West Branch of the DuPage River. This frequently gives rise to the statement that "*the 100-year storm now seems to occur every 5 to 10 years.*"

Prior to the 1970 construction of this Fawell Dam, there were several fixed dams with crest elevations noted; along with the recorded flood water elevations along the West Branch of the DuPage River (refer to Exhibits 1 & 2). Recall that numerous road and railroad crossings were also noted as other manmade restrictions which did little to alter the average energy slope of the West Branch of the DuPage River as it passed through Naperville, Warrenville, and West Chicago. A feature of these fixed dams was the provision of a *low flow* system to convey the most frequent flow rate, average flow rate, or minimal flow rate past that location without any increase in the level of flow upstream or downstream of the structure.

To document this condition of flow rates, the U.S. Geological Survey (USGS) Water-Data Reports were obtained for the five (5) active recording stations along the West Branch of the DuPage River and a



portion of these reports are summarized on calculation sheet 1 of 4. Please note that a relationship between the maximum flow rate ever recorded and the drainage area has also been established. Consider that all of the total flow not passing the gage station had been temporarily stored in the *floodplain* upstream. This comparison of peak recorded flow rate in relation to the total drainage area could be considered as *bank full capacity* since any rainfall excess accumulations would be temporarily stored in the floodplain. All that additional surface storm water produced by a change in land usage within the tributary watershed should be required to temporarily store or detain any volume necessary so that the conveyance of surface storm water did not exceed this *bank full capacity* of the receiving channel. In this manner, the existing natural *floodplain* of property owners adjacent to a waterway such as you would not have greater utilization of this feature of overbank temporary storage as changes in land usage occurred in the dominant portion of the watershed.

It is my understanding that since the Fawell Dam rehabilitation was completed in 1999 and 2000, you and your neighbors in Warrenville have experienced an increase in the frequency, duration, and elevation of surface water that accumulates on your property adjacent to the West Branch of the DuPage River. The DuPage County staff has reported that the extent of the Fawell Dam *flood pool* which is established at an elevation of 691 does not extend north of the I-88 tollroad right-of-way and the inundated property created by this *flood pool* all remains within the property under the jurisdiction and ownership of the Forest Preserve District of DuPage County. This is confirmed on the Flood Insurance Rate Map (FIRM), and I have no disagreement with this situation.

However, a subject not investigated is the *normal pool* of the Fawell Dam. The plans bearing the title of "*Plan of Existing Conditions*" prepared by Woodward-Clyde Consultants dated July 24, 1998, (prior to the rehabilitation of the Fawell Dam) identify a 48-inch diameter RCP that extends from the upstream to the downstream side of the dam structure that is west of the main 10'-11'-10' wide 10' high spillway culverts. However, the "*Division of Waterways Naperville Reservoir Plans*" identify this portion of the dam to be "*118 Lin. Ft. 48" R/C Pipe*" with an invert (bottom of the pipe) at elevation of 671.67 which would be three feet below the level of the entrance gate floor of 674.67. Photo 8 taken November 7, 1984, and the photo taken May 21, 1986, (both taken prior to Fawell Dam rehabilitation) show debris accumulating at the inlet end of the 48-inch diameter pipe location. This indicates that it was in operation as a low flow component of the Fawell Dam operation, in an inlet submerged condition. Since the 48-inch diameter RCP is not visible in these photos, it can only be that it was constructed with the top of the pipe at or below the level of the entrance to the main spillway culverts, as shown in the sketch provided on calculation sheet 2 of 4. The Woodward-Clyde Consultants' plans prepared July 24, 1998, and bearing the title "*General Plan and Profile of Dam Modifications*" confirm this location with a note, "*Center Line 48" RCP to be Grouted*" (see sheet 13).

As noted on the Woodward-Clyde Consultants' plan sheet titled "*General Vicinity Plan*" dated July 24, 1998, the "*Reservoir Storage Curve*" records the storage volume between elevations 676 and 678 to be 35-acre feet, and increases to 107-acre feet at elevation 678. Using this data, the *normal pool* area upstream of the dam would occupy about 17 acres that would increase to 40 acres at elevation 680.

The USGS Gaging Station Flow Records for the West Branch of the DuPage River were obtained for the period prior to rehabilitation of the Fawell Dam and some are summarized on calculation sheet 1 of 4. The records of the upstream gage 05540095 located 400 feet upstream from Warrenville Forest Preserve Dam in Warrenville was considered as being a reasonable location to establish the flow of surface water into the normal pool of the Fawell Dam. The capacity of the low flow 48-inch diameter RCP was also something that should be discussed. Utilizing the data published on Chart 2 in the U.S. Department of Transportation Federal Highway Administration Hydraulic Engineering Circular No. 5 dated December



1965 (reprinted April 1977) and considering inlet control and a square edge with headwall entrance conditions, the flow in cubic feet per second for various inlet elevations was calculated and is provided on calculation sheet 3 of 4.

The number of days each month that the recorded flow in the West Branch of the DuPage River was capable of being carried in **total** through the low flow 48-inch diameter pipe is also provided in the lower section of calculation sheet 3 of 4. Note that in April, May, and June 1970 there were no days when the total flow in the river could pass through the low flow system. However, in the next two months (July and August) all of the flow would be accommodated in that low flow system. The significance of this is that when the flow of the river is being accommodated in the low flow system, the normal pool of the Fawell Dam would be lower than the floor of the main culverts and the storage volume available in the normal pool area would be in the range of 14- to 28-acre feet greater than when the normal pool elevation was at elevation 675. This low flow system was eliminated during the Fawell Dam modification and no longer exists, which eliminates any normal pool elevations lower than 676 and reduces the available storage volume in the normal pool up to 140-acre feet.

When establishing open channel water elevations in a natural waterway where the flow is *tranquil* or *subcritical*, the use of a *backwater analysis* that considers *steady flow* is usually considered to be acceptable. This system of calculating the level of water in a channel uses the downstream water levels to establish the loss of energy necessary to move the specific volume of water (Q) through the resistance that exists in the channel. Calculation sheet 4 of 4 includes a brief sketch of this condition to illustrate the principle using a constant flow upstream elevation and uniform channel conditions with varied downstream water levels. For any given flow rate there will be an increase in the elevation of water flow in the upstream channel as an increase occurs in the downstream water levels. This should help you understand why, since the modification of the Fawell Dam no longer has a *normal pool* lower than the level of the three main culverts in the main channel, that for any storm event that produces flow in the channel of the West Branch of the DuPage River passing your properties on Second Street in Warrenville the water level will be somewhat higher and cover more of your property that exists between the river channel and Second Street than would have been covered when the 48-inch diameter low flow pipe at the dam was operational.

It is the same situation with the calculations used to establish the Base Flood Elevations (BFE) of 694 at Warrenville Road and 695 at the Main Street crossing of the West Branch of the DuPage River. This BFE is established using flow rates starting at the appropriate elevation of the flood pool of the Fawell Dam considering only flow through the main three-gated channels of the structure and ignoring the 150 to 300 cubic feet per second (cfs) capacity of that low flow 48-inch diameter pipe that no longer is operational. The elimination of this feature that formerly existed in this structure prior to modification would also produce lower flood pool elevations and lower BFE's in the channel of the West Branch of the DuPage River passing through the Village of Warrenville and your properties on Second Street.

The 15 photographs taken on May 22, 2009, have been annotated to explain what each of them illustrates. Photo 9 clearly shows the steel plate that has been placed to eliminate the low flow of water from the normal pool into the downstream channel illustrated in photos 3, 8, 13, 14, and 15. Photos 6, 9, and 10 indicate that little velocity exists in the water accumulating in the normal pool upstream of the Fawell Dam. The FIRM of the West Branch of the DuPage River confirms that this lack of velocity also exists in the flood pool when the level of water at the I-88 roadway at 691 is the same as it is at the dam some 2.3 miles downstream.



According to the Woodward-Clyde information, this volume of water would be about 2,275 acre feet that represents a large amount of material at rest that also requires a large amount of energy to start it moving again. This effort is provided by the difference in elevation of water that exists upstream and downstream of the Fawell Dam which for the 100-year event will be nine feet (691-682). At this nine-foot difference in elevation, the conveyance ability at the Fawell Dam is about 4,660 cfs. At the average flow rate of 2,400 cfs, it would require six hours to move this volume past the dam with no additional inflow. A flood routing process would provide a more accurate determination of the duration of higher than normal water levels in the area upstream of the Fawell Dam. However, it will be longer without the low flow system in operation than it would have been if this system remained functional. The longer that water remains above the 674.6 elevation in the area north of the Fawell Dam, the longer that flood water will remain on the property between the West Branch of the DuPage River channel and Second Street in Warrenville

A drainage system for the I-88 tollroad that discharges to the West Branch of the DuPage River has been recently constructed as part of the widening improvements. This is another valid reason that the normal pool level north of the Fawell Dam on the West Branch of the DuPage River has been increased. I have not thoroughly examined the total extent of this I-88 tollroad drainage system. I do know however that this drainage system has intercepted a significant watershed flow north of Washington Street in Naperville that formerly drained south to a location downstream of the Fawell Dam. The revised I-88 tollroad drainage system now directs this watershed flow west and into the normal pool upstream of the Fawell Dam, where the elimination of the low flow 48" diameter pipe has already increased the level of this normal pool.

Should you have any questions regarding this matter, please contact our office at your convenience.

Sincerely,

L & S ASSOCIATES, INC.



R. W. Lindley, P.E., President

- encl: Exhibit 1 – Profiles of Floods on West Branch DuPage River
- Exhibit 2 – Profiles of Floods on West Branch DuPage River
- Calculation Sheets 1-4 of 4
- Annotated Color Photos 1-14 (various dates)
- Annotated Color Photos 1-15 taken 5/22/09

cc: City of Naperville/Bill Novack (w/encl.)

RWL/sz  
RWL/FAWELLDAM.DOC



# LINDLEY & SONS, INC.

9200 S. Kingery Road Hinsdale, Illinois 60521  
 (708) 325-8190 FAX (708) 325-8843

JOB FAWELL DAM / MIKE HOFFMAN

SHEET NO. 1 OF \_\_\_\_\_ SCALE \_\_\_\_\_

CALCULATED BY R.W.L. DATE 05.26.09 CHECKED BY \_\_\_\_\_

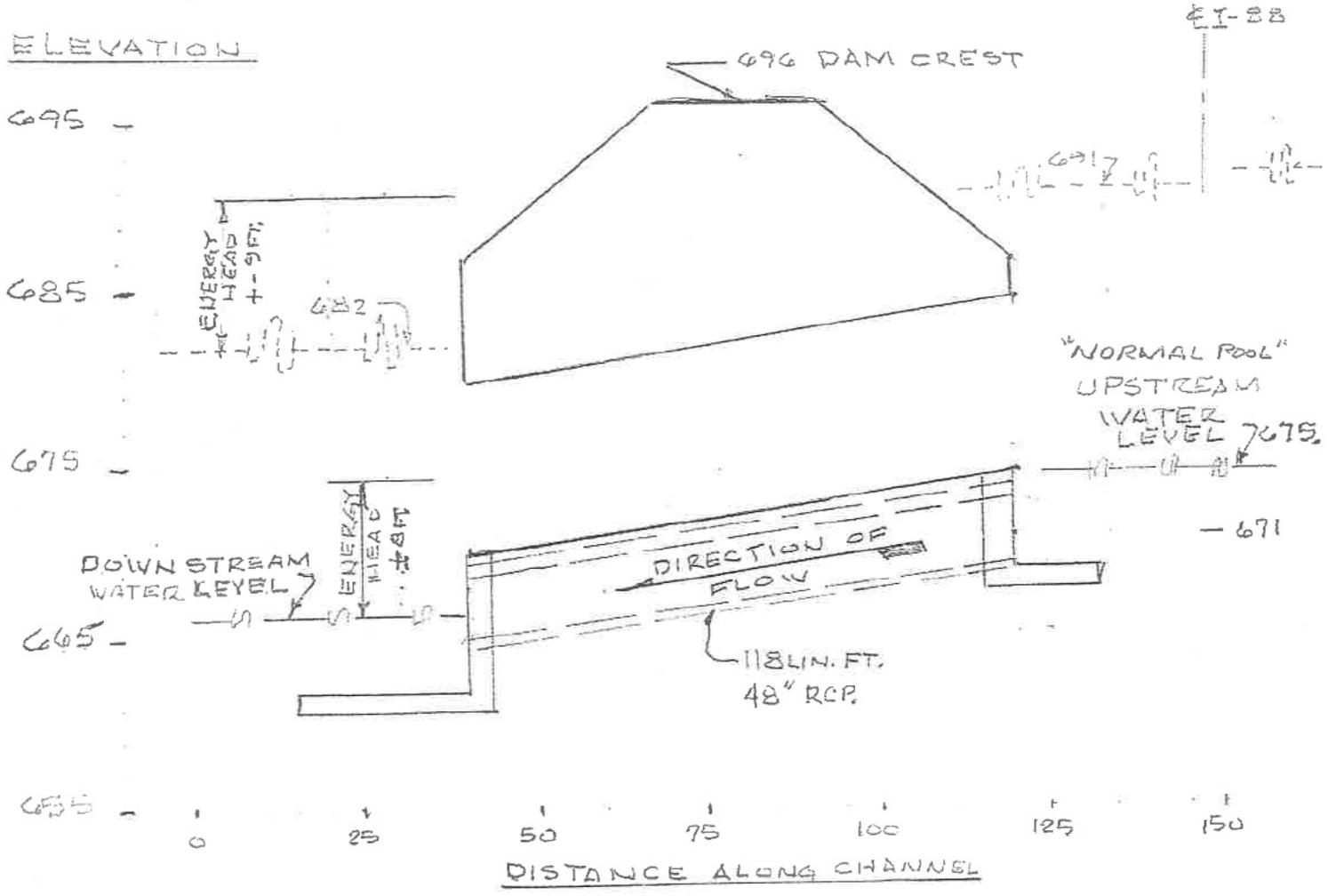
storm water management • civil engineering • landscape architecture

UPSTREAM			DOWNSTREAM			SHOREWOOD					
05539900			05540095			05540275		05540130		05540500	
D.A. 18,240acs.			D.A. 57,856acs.			D.A. 6,336		D.A. = 78,720		D.A. = 207,360	
CFS/AC. = 0.0539			CFS/AC. = 0.0600			CFS/AC. = 0.2762		CFS/AC. 0.0841		CFS/AC. 0.0834	
YR.	MAX.	AVG.	MAX.	AVG.	MAX.	AVG.	MAX.	AVG.	MAX.	AVG.	
1962	58	365	162	107	1750	10.6	200	153	11400	289	
1965											
1968											
1971											
1974											
1977											
1980											
1983	134	34	420	179					1110	203	
1986	111	33	801	83	NOT AVAILABLE		NOT AVAILABLE		1570	205	
1989											
1991											
1994	653	40	1590	96	147	6.45	2240	124	3330	306	
998	519	45	1420	124	280	13.9	1650	164	11400	453	
999	520	50	1510	154	160	13.9	1770	179	4410	523	
2000	418	34	1480	99.5	144	9.57	1880	116	3610	367	
2001	623	53	1260	129	180	11.1	1640	169	3790	418	
2002	607	64	2020	147.6	359	13.03	2660	201.9	4800	491.3	
2003	464	29	1260	80	95	4.82	1440	98.6	2020	288	
2004	499	45	1140	119	137	9.83	1240	142	3300	417	
2005	440	33	943	79.7	163	7.06	1330	109	3540	348	



JOB FAWELL DAM / MIKE HOFFMAN  
 SHEET NO. 2 OF \_\_\_\_\_ SCALE \_\_\_\_\_  
 CALCULATED BY R.W.L. DATE 09/27/09 CHECKED BY \_\_\_\_\_  
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CAPACITY OF 48 IN. DIA. LOW FLOW PIPE



CAPACITY OF 48" Ø LOW FLOW PIPE

± 675 LOW ENERGY SLOPE  $\frac{8'}{118'} = 0.0678 \text{ FT/FT.} = \pm 300 \text{ CFS } V = \pm 20 \text{ FT/SEC}$

± 691 HIGH ENERGY SLOPE  $\frac{9'}{118} = 0.0763 \text{ FT/FT.} = 350 \text{ CFS } V = \pm 28 \text{ FT/SEC.}$

FLOW AT LEVEL ± 671 WITH ENTRANCE LOSSES =  $HW/O = 0.5 = 22 \text{ cfs}$

± 672	"	"	"	$HW/O = 0.75 = 45 \text{ cfs}$
± 673	"	"	"	$HW/O = 1.0 = 70 \text{ cfs}$
± 675	"	"	"	$HW/O = 1.5 = 110 \text{ cfs}$



**LINDLEY & SONS, INC.**

9200 S. Kingery Road Hinsdale, Illinois 60521  
 (708) 325-8190 FAX (708) 325-8843

JOB FAWELL DAM / MIKE HOFFMAN

SHEET NO 3 OF \_\_\_\_\_ SCALE \_\_\_\_\_

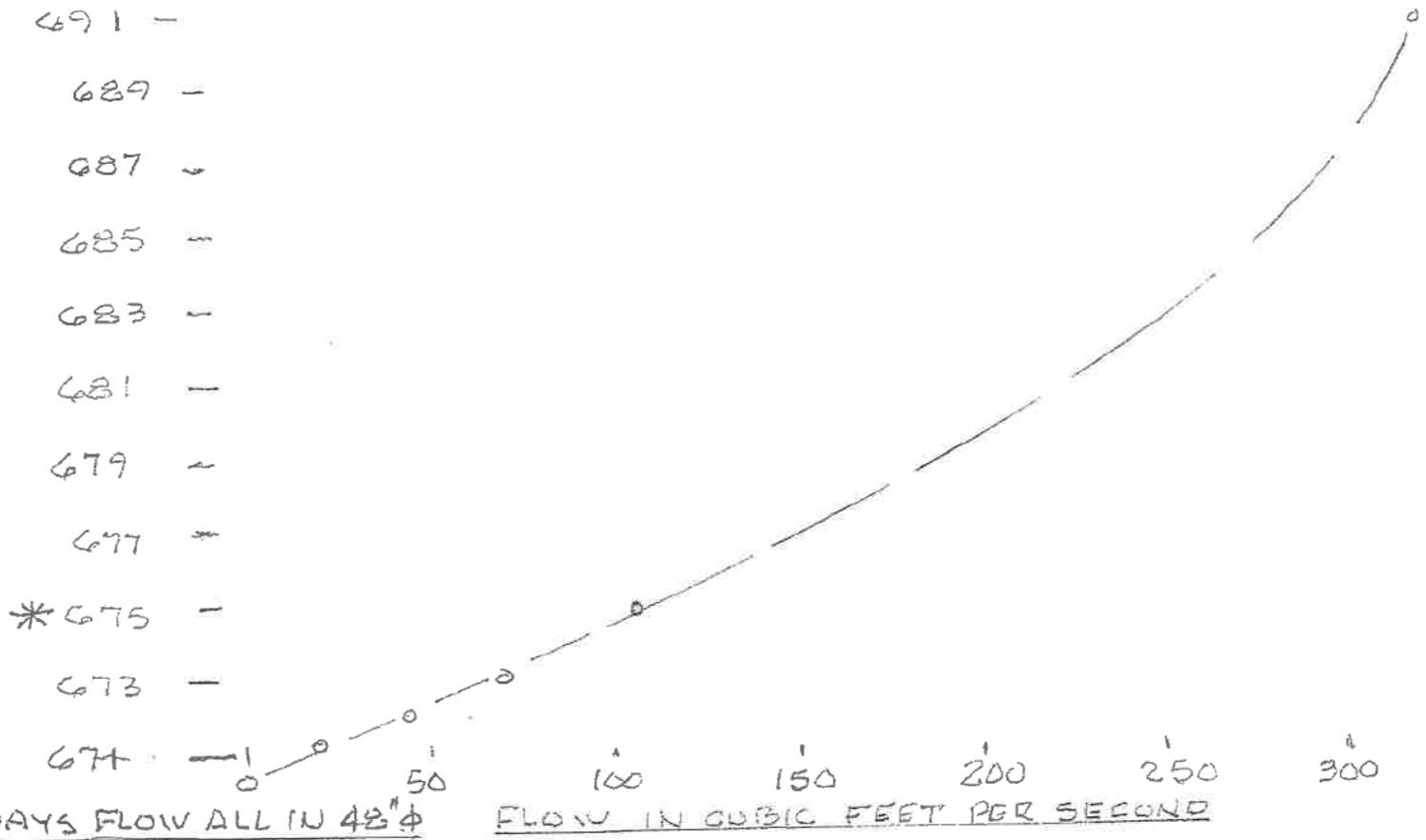
CALCULATED BY R.W.L. DATE 05.27.69 CHECKED BY \_\_\_\_\_

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CAPACITY OF 48" DIA. RCP

UPSTREAM WATER ELEV.

\*FLOW THRU THE MAIN CHANNEL OCCURS



YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1968										31	28	24
1969	15	28	26	7	28	21	17	31	30	23	30	31
1970	31	25	21	0	0	0	31	31	12	31	30	21
1971	31	18	20	30	28	30	31	31	30	31	30	26
1972	31	29	17	0	19	15	20	11	6	6	0	27
1973	10	20	0	0	0	20	31	31	30	31	30	11
1974	10	18	8	6	4	2	31	31	30	31	30	31

49-85



**LINDLEY & SONS, INC.**

9200 S. Kingery Road Minsdale, Illinois 60521  
(708) 325-8190 FAX (708) 325-8643

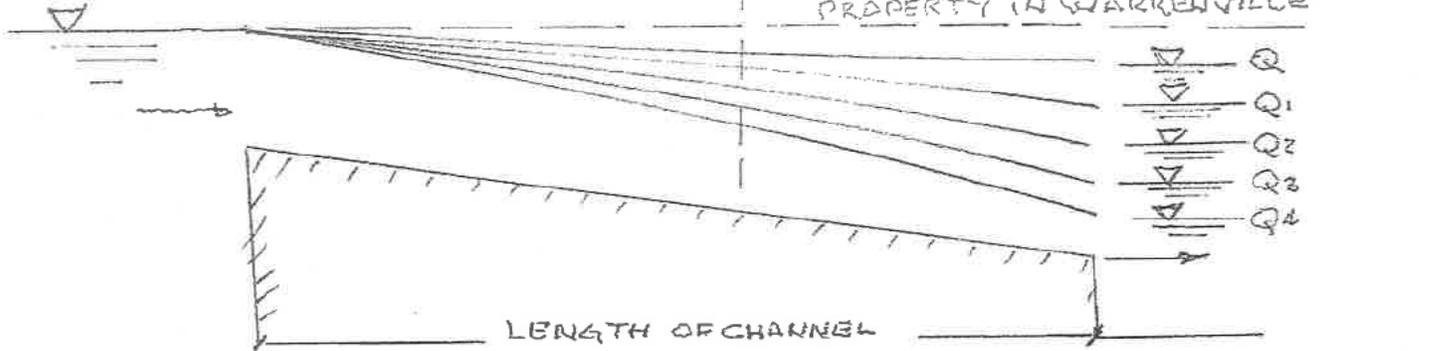
JOB FAWELL DAM / MIKE HOFFMAN

SHEET NO 4 OF \_\_\_\_\_ SCALE \_\_\_\_\_

CALCULATED BY R.W.L. DATE 05-29-09 CHECKED BY \_\_\_\_\_

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$G = \text{CONSTANT}$



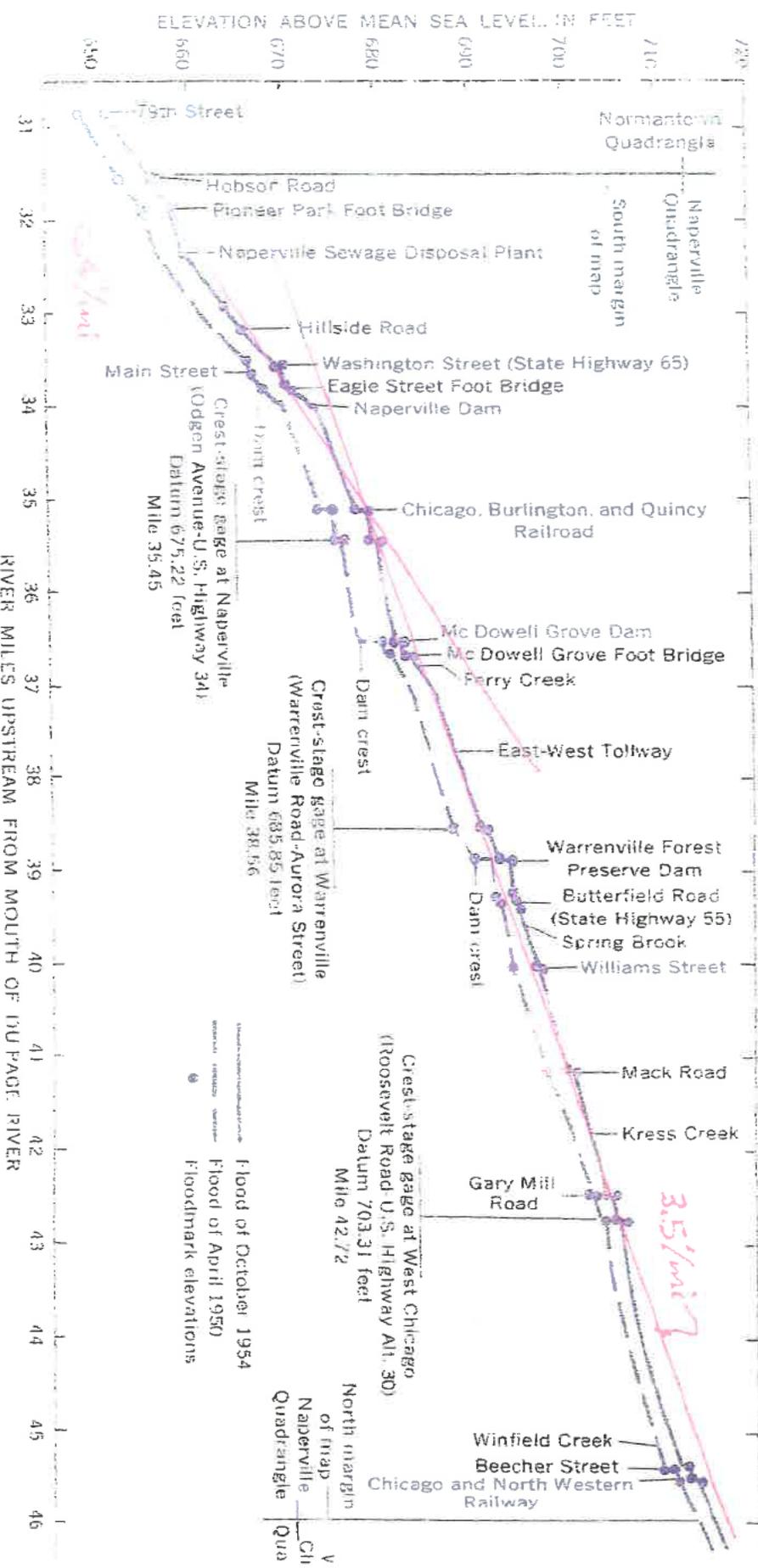


FIGURE 5--Profiles of floods on West Branch Du Page River

EXHIBIT 1

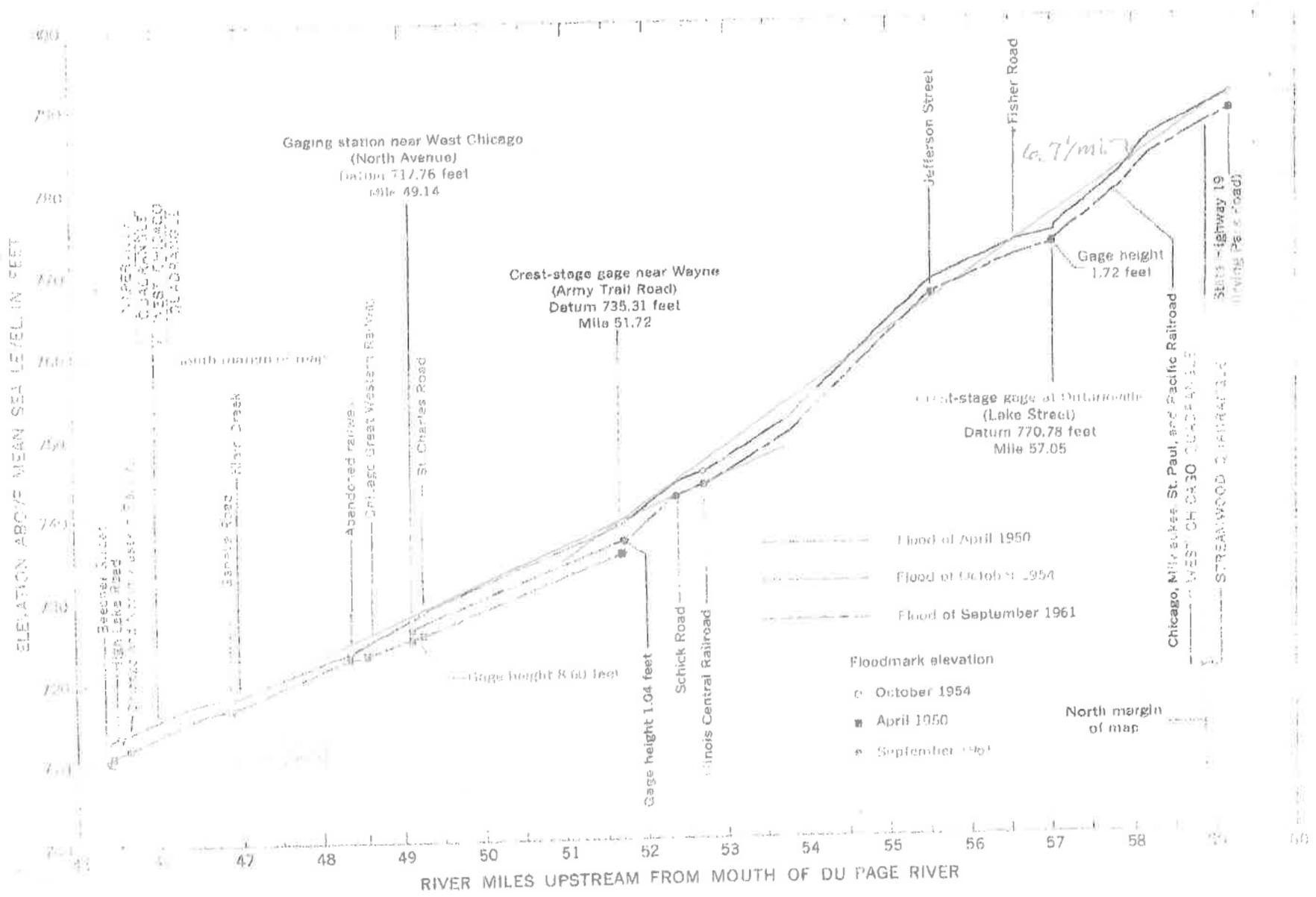
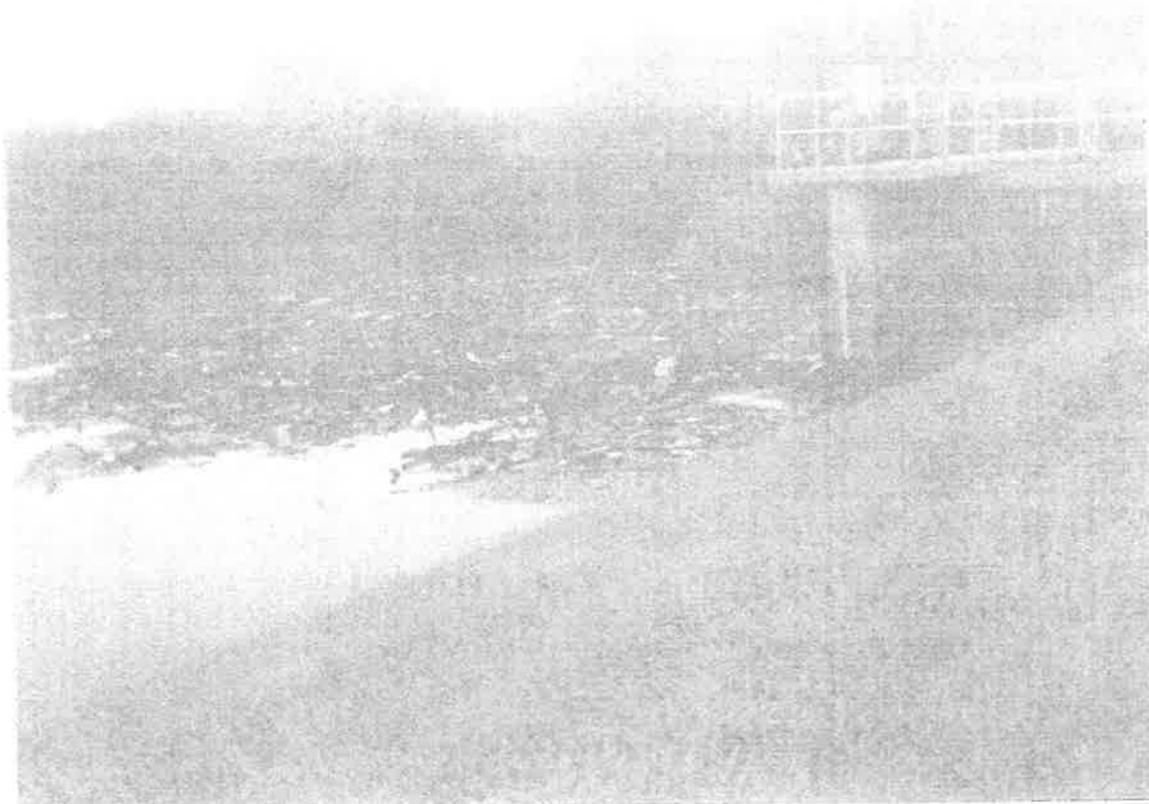


FIGURE 5.—Profiles of floods on West Branch Du Page River

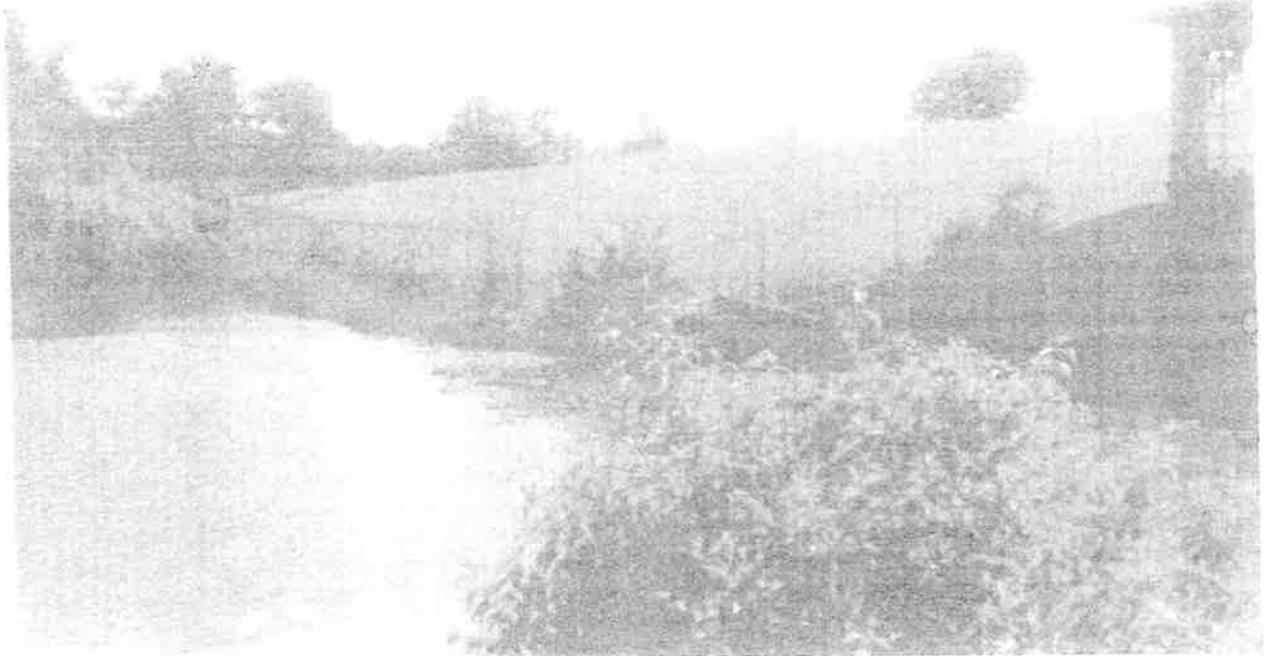
EXHIBIT 2



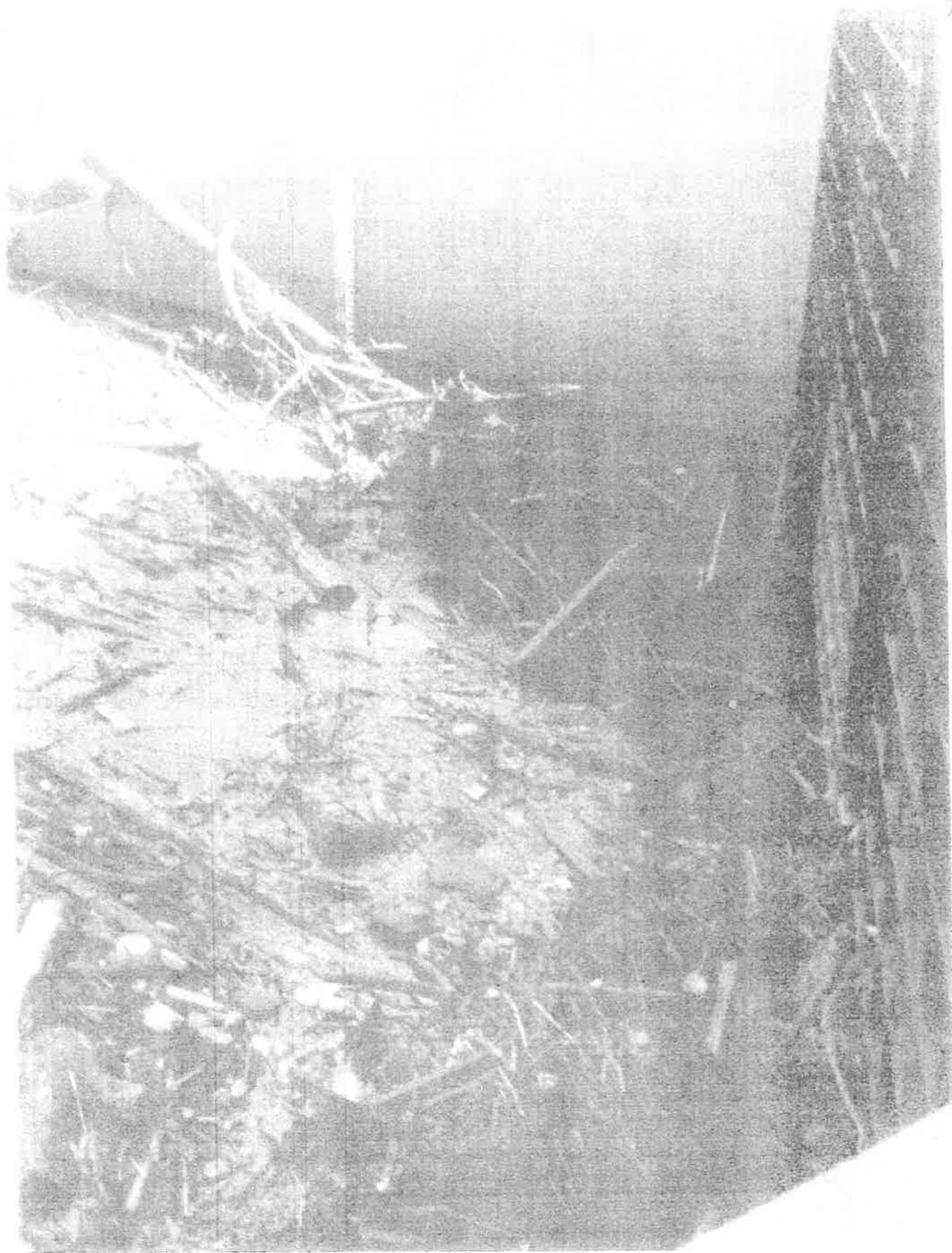
1. Debris accumulation north (upstream) of dam prior to rehabilitation. Date photo was taken is unknown.



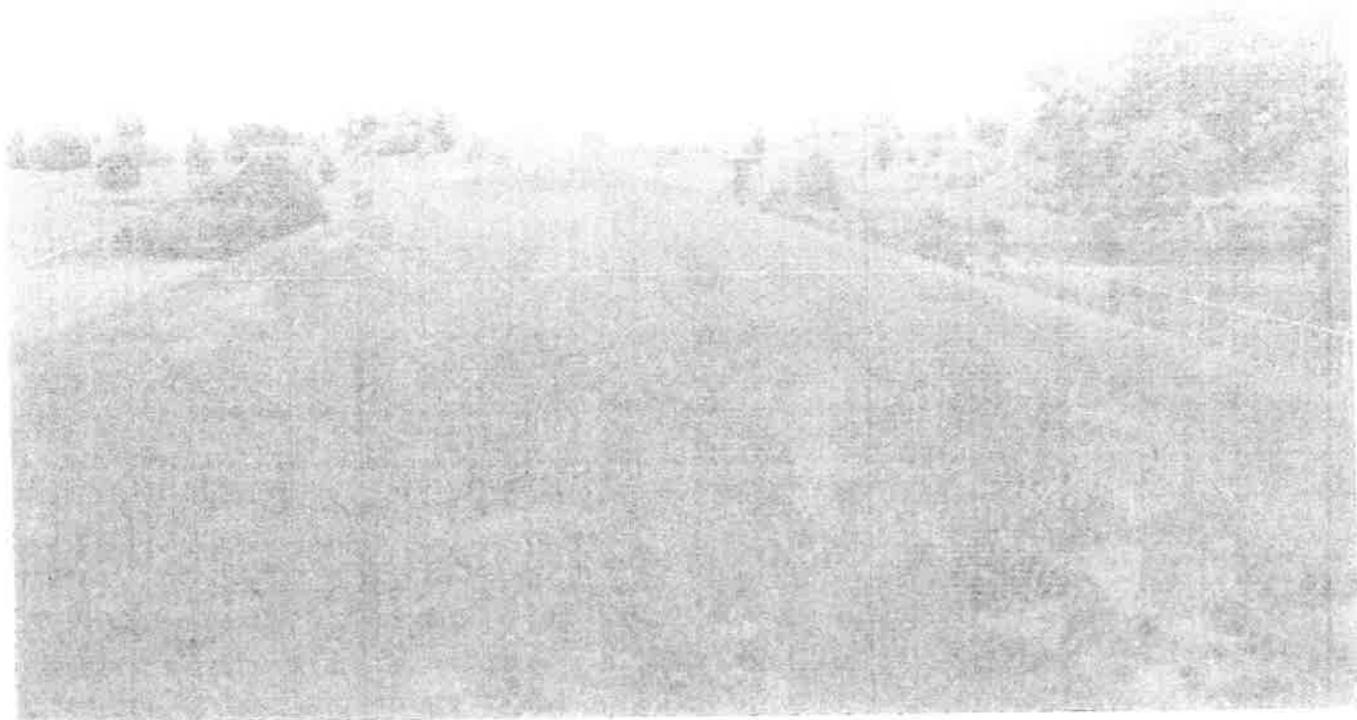
2. Downstream side of dam with gates open. Photo taken June 1981.



3. Area north (upstream) of dam gates. Photo taken June 1981.



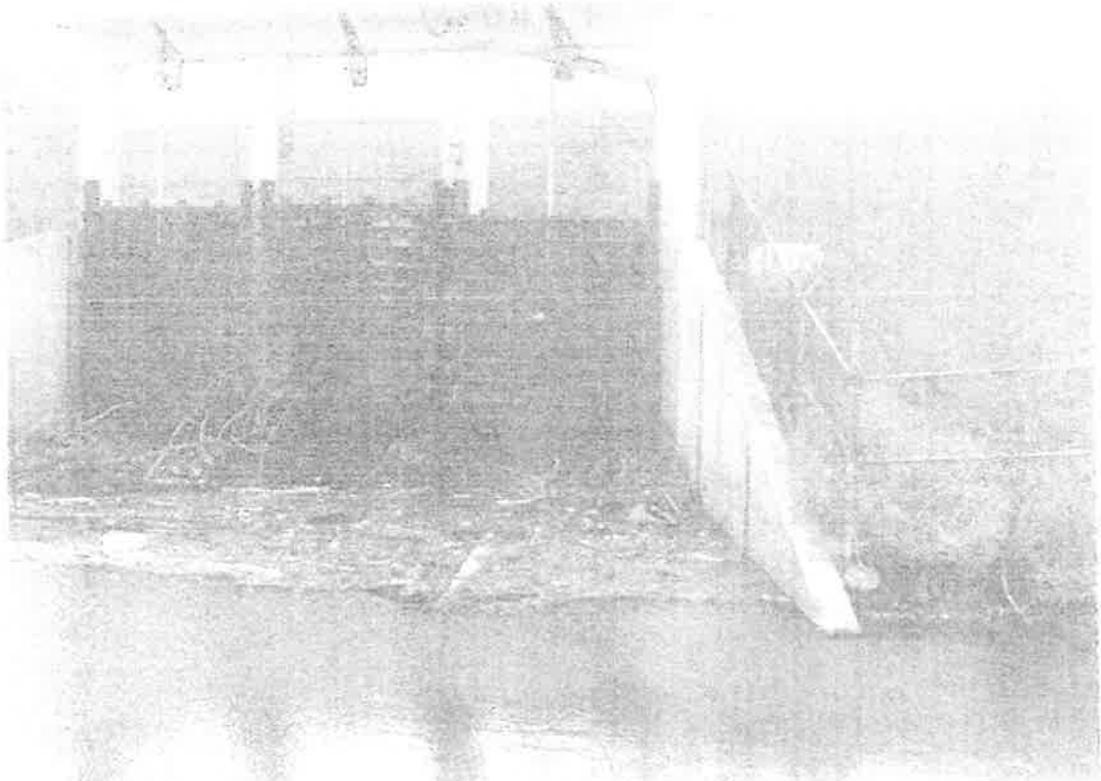
4. Debris accumulation north (upstream) of dam gates which are partially closed. Photo taken June 1981.



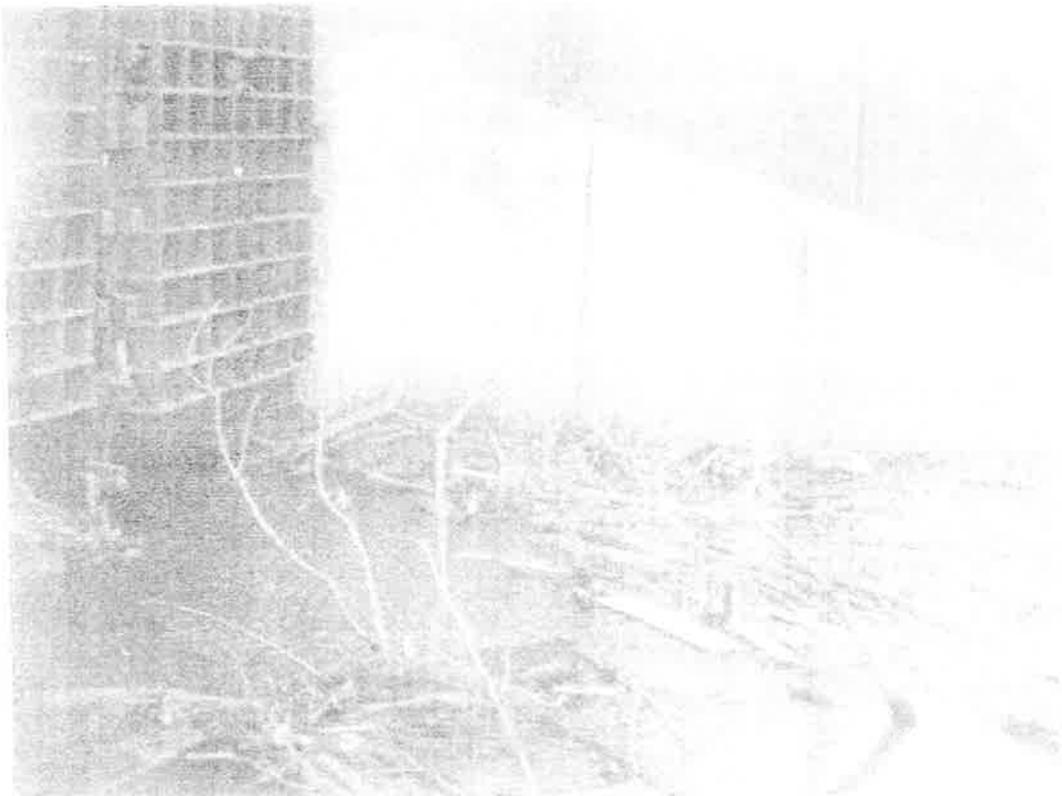
5. Dam crest view from east of control gates looking west. Photo taken June 1981.



6. Upstream side of dam. Photo taken November 7, 1984.



7. Note gates partially open, debris buildup. Photo taken November 7, 1984.



8. Upstream side of dam gates partially open. Photo taken November 7, 1984.



9. Dam crest access road looking west. Photo taken May 23, 1985.



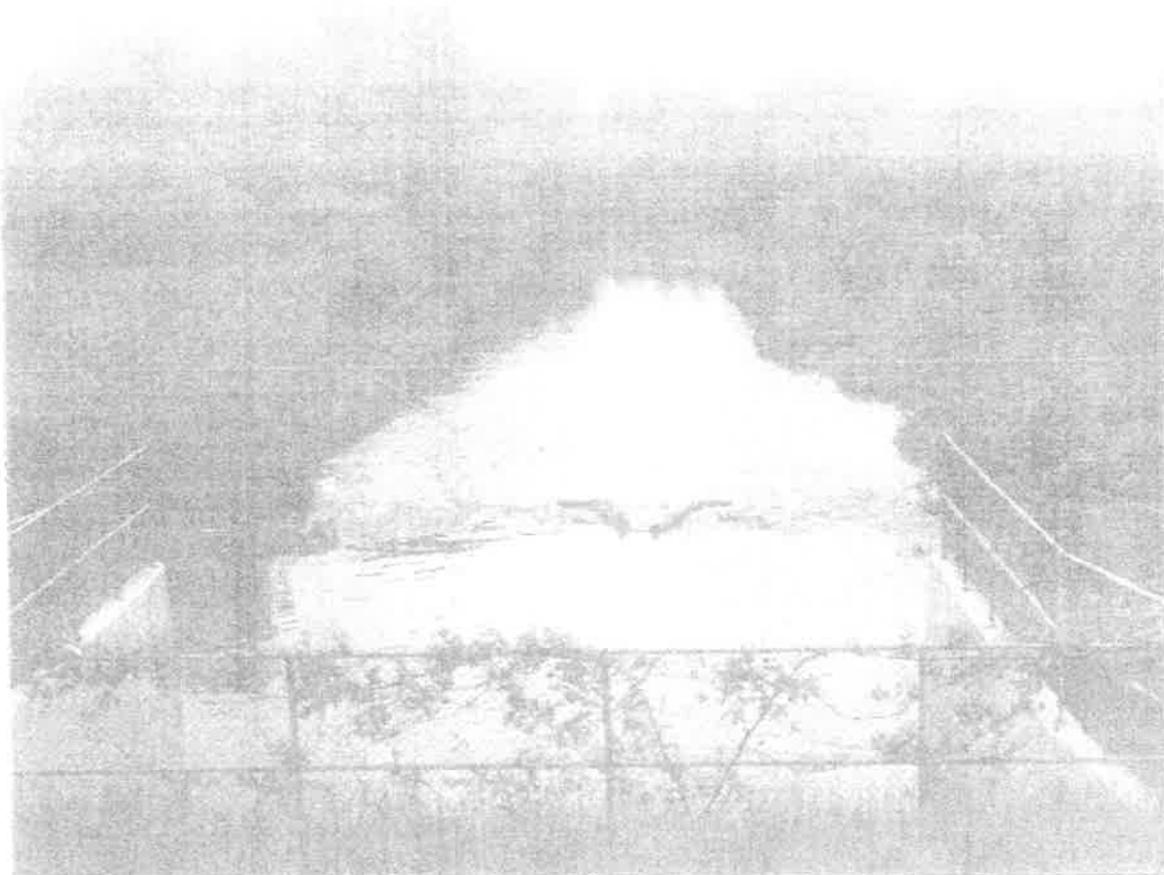
10. Dam crest at structure looking east. Photo taken May 23, 1985.



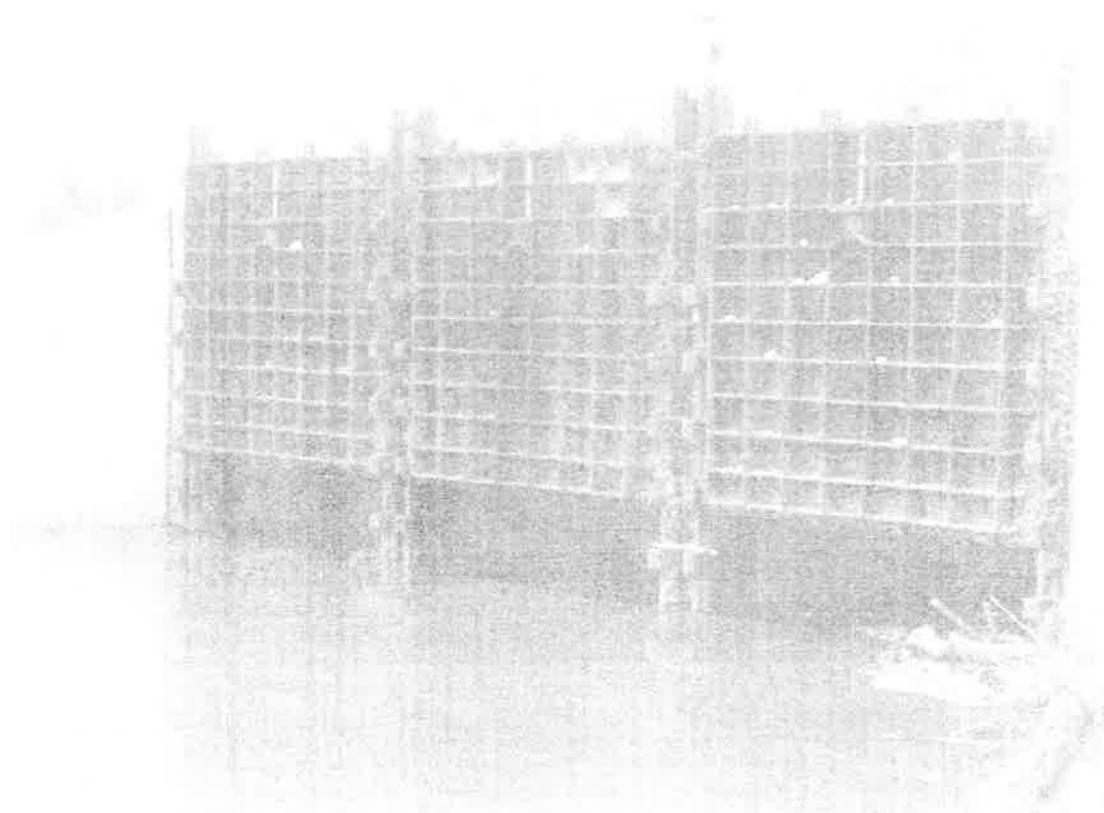
11. View of dam crest from west end looking to east. Photo taken May 23, 1986.



12. Ramp to reservoir for trash removal. Photo taken May 21, 1986.



13. View of channel downstream (south) of dam structure. Photo taken May 21, 1986.



14. Gates partially open or partially closed. Note debris buildup at the inlet to the 48" diameter pipe. Photo taken May 21, 1986.

58-09

# Fawell Dam Photos Taken 5/22/09



1. View of the crest from west to east.

61-85

Fawell Dam  
Photos Taken 5/22/09



2. View of the crest east of control unit.

82-85

Fawell Dam  
Photos Taken 5/22/09



3. Downstream channel of the West Branch of the DuPage River.

58-85

Fawell Dam  
Photos Taken 5/22/09



4. Control of gates shown fully open.

58-59

# Fawell Dam Photos Taken 5/22/09



5. Gate control system.

58-508

# Fawell Dam Photos Taken 5/22/09



6. Upstream channel of West Branch of the DuPage River.

66-85

Fawell Dam  
Photos Taken 5/22/09



7. Dam crest view from gate control to the west.

87-85

Fawell Dam  
Photos Taken 5/22/09

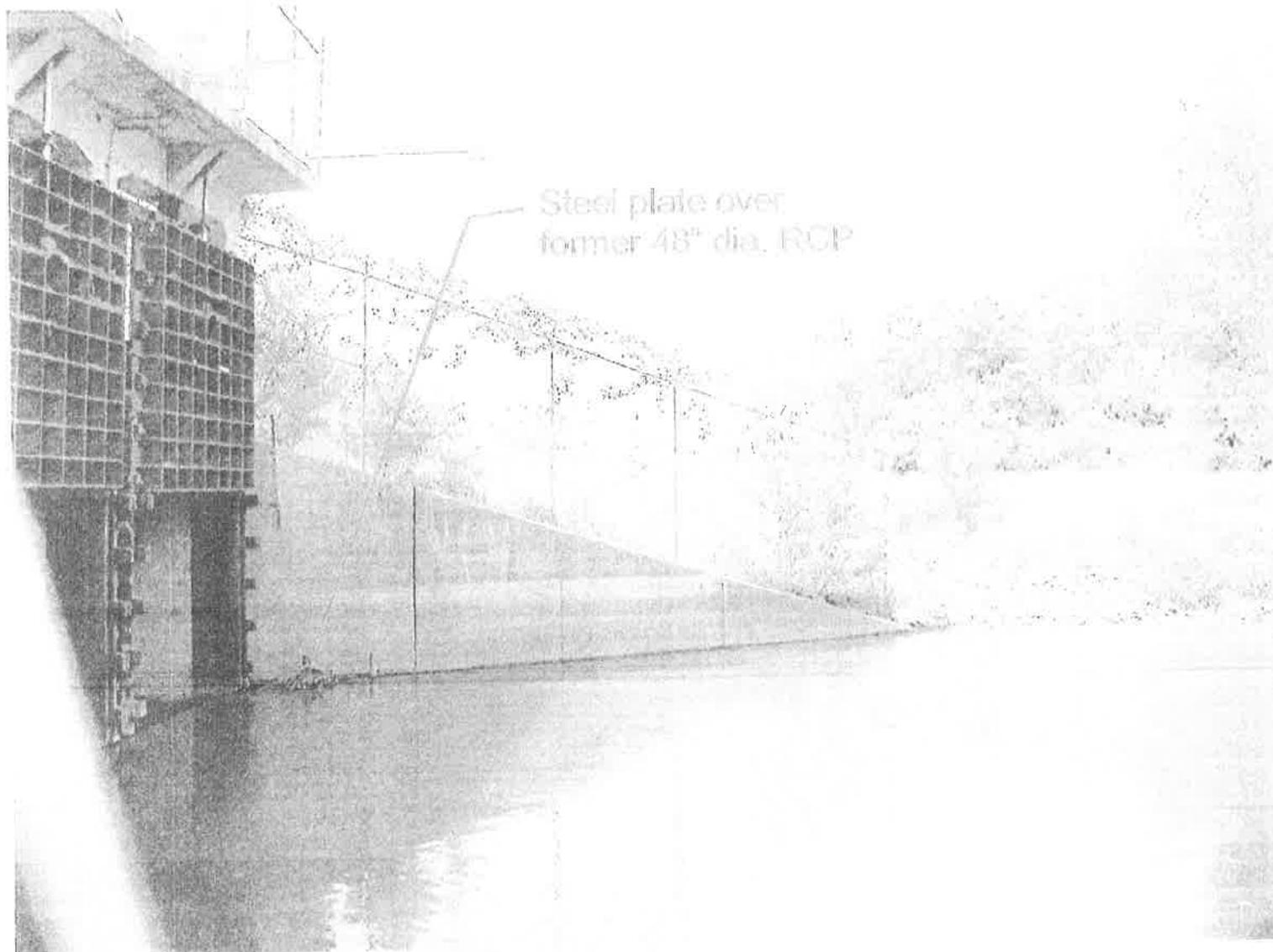


8. West Branch of the DuPage River channel downstream (south) of the Fawell Dam.

88-88

# Fawell Dam

Photos Taken 5/22/09

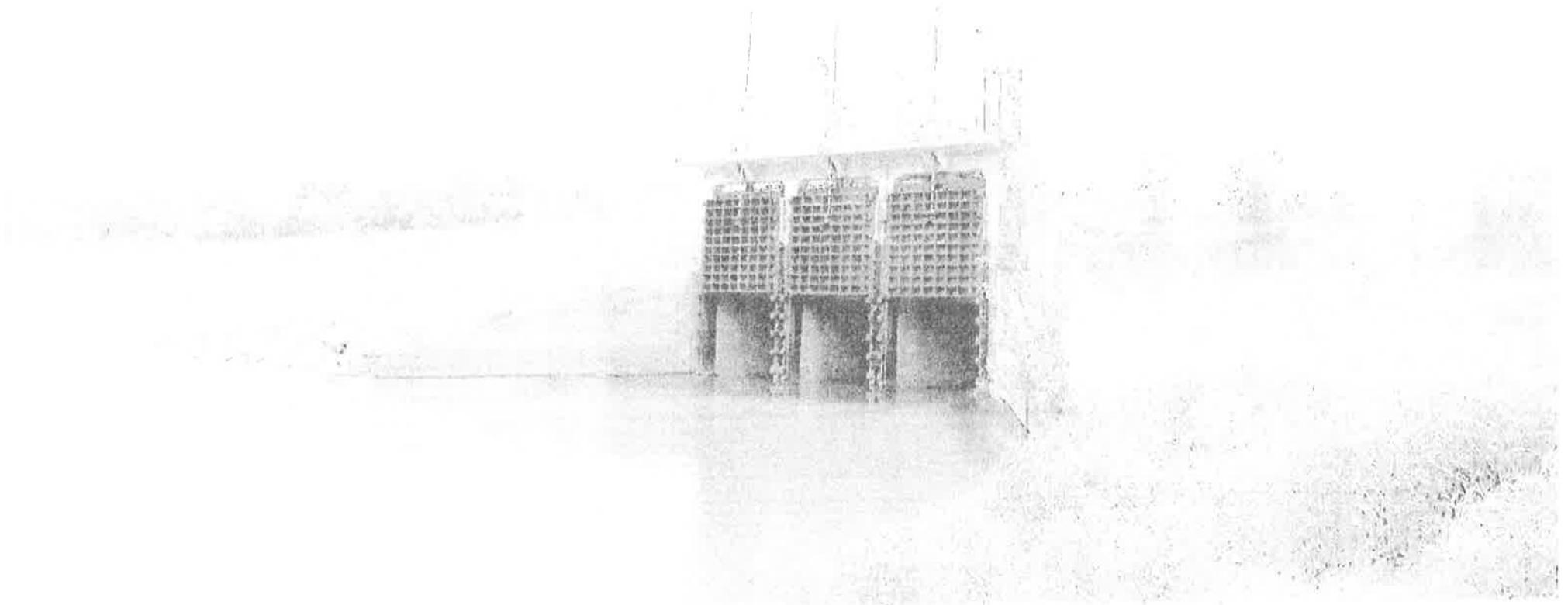


9. Upstream face of the Fawell Dam.

89-85

# Fawell Dam

Photos Taken 5/22/09



10. Upstream face of the Fawell Dam.

70-85

Fawell Dam  
Photos Taken 5/22/09



11. Path to upstream face of the Fawell Dam.

58-17

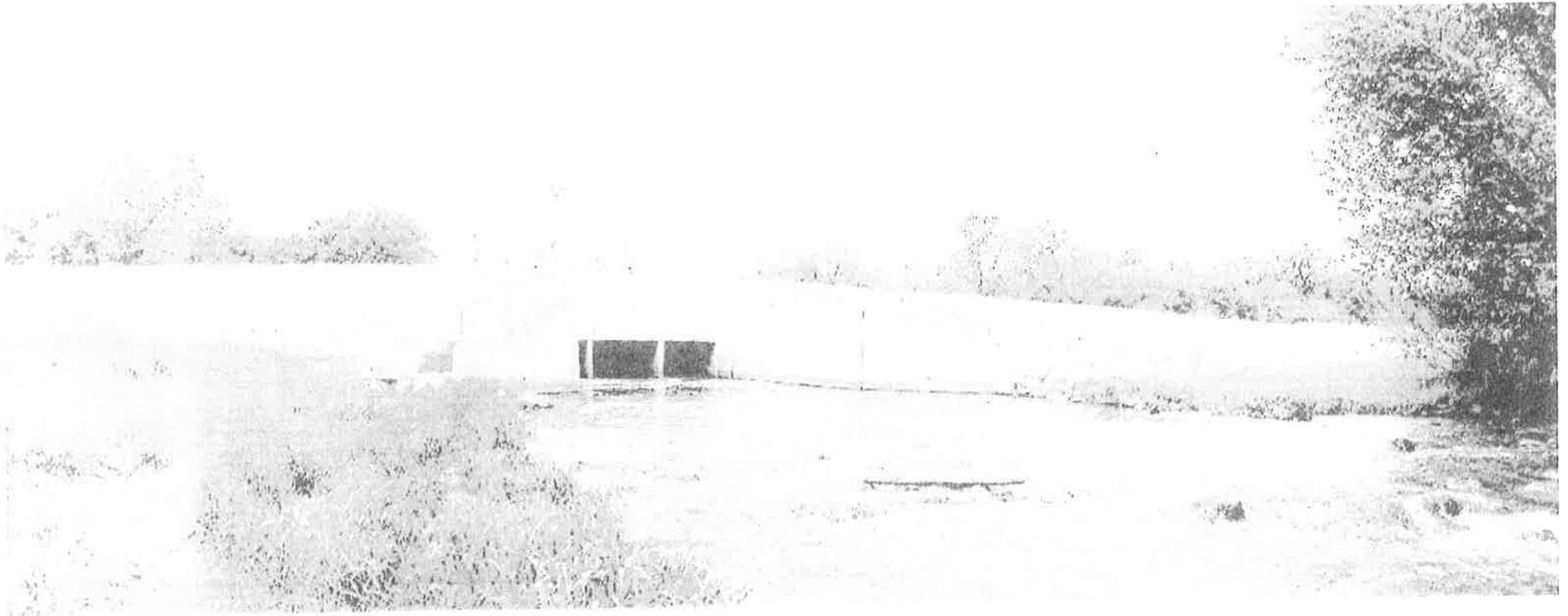
Fawell Dam  
Photos Taken 5/22/09



12. Radio control building west of gates.

72-81

# Fawell Dam Photos Taken 5/22/09



13. Downstream face of the Fawell Dam. Note ripples and increased velocity.

73-85

Fawell Dam  
Photos Taken 5/22/09



14. View of downstream ripples.

74-85

Fawell Dam  
Photos Taken 5/22/09



15. Channel of the West Branch of the DuPage River downstream of the Fawell Dam.



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
CHICAGO DISTRICT, CORPS OF ENGINEERS  
111 NORTH CANAL STREET  
CHICAGO, ILLINOIS 60606-7206

312-353-6400

1 of 11  
75-83  
SEP 15 1999  
KATH WOZNIAK

Construction-Operations Division  
Regulatory Branch  
199800901

SUBJECT: Proposed Modifications to Fawell Dam on the West Branch  
DuPage River, and Extension of a Flank Levee, in Naperville,  
DuPage County, Illinois

DuPage County Department of Development & Stormwater  
Attn: Christine Klepp  
421 N. County Farm Road  
Wheaton, Illinois 60187

Dear Ms. Klepp:

The U.S. Army Corps of Engineers has authorized the above-  
referenced project under Section 404 of the Clean Water Act  
and/or Section 10 of the Rivers and Harbors Act of 1899.  
Enclosed is your copy of the executed permit which becomes  
effective on the date of this letter.

This determination covers only your project as described  
above. If the design, location, or purpose of the project is  
changed, you should contact this office to determine the need for  
further authorization. If it is anticipated that the activity as  
described cannot be completed within the time limits of the  
authorization, you must submit a request for a time extension to  
this office at least thirty (30) calendar days prior to the  
expiration date of your permit. Failure to do so will result in  
the District's re-evaluation of your project, which may include  
the issuance of a public notice.

Once you have completed your project, please sign and return  
the enclosed compliance certification. If you have any  
questions, contact Ms Leesa Beal, chief of the Permit Section, at  
telephone number (312) 353-6428, extension 4028.

Sincerely,

[Redacted Signature]  
Mitchell A. Isoe  
Chief, Regulatory Branch

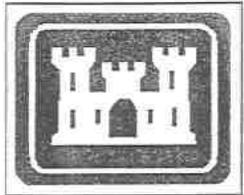
Enclosures

Copies Furnished (w/ permit):

United States Fish & Wildlife Service (Rogner)  
Illinois Environmental Protection Agency (Yurdin)  
Illinois Department of Natural Resources (Schanzle)  
Illinois Department of Natural Resources/OWR (Jereb)

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77-85



# DEPARTMENT OF THE ARMY PERMIT

**Permittee:** DuPage County Department of Development & Stormwater  
421 N. County Farm Road  
Wheaton, Illinois 60187

**Application No.:** 199800901

**Issuing Office:** CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS

**DEFINITIONS:** The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform the work in accordance with the terms and conditions specified below.

**Project Description:** Modifications to the existing Fawell Dam, which include the construction of a spillway, strengthening of the dam and the extension of the existing flank levee (saddle dike) on the West Branch of the DuPage River, in Naperville, DuPage County, Illinois. The work would also include improvements to allow for the operation of flood gates. To mitigate for the loss of 0.24 acres of wetlands, the permittee will purchase wetland credits at a ratio of 5:1 from the Cornerstone Lakes mitigation wetlands site. In addition, the permittee will undertake a riparian enhancement plan at three property sites located along the West Branch of the DuPage River. All work is based on plans dated July 24, 1998 (dam) and concept plan dated June 23, 1999 (riparian enhancement).

**Project Location:** West Branch DuPage River, in Naperville, DuPage County, Illinois (Sections 2, 11 and 14 of Township 38 North, Range 9 East).

Permit Conditions:

General Conditions

1. The time limit for completing the work authorized ends on September 6, 2002. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being accomplished in accordance with the terms and conditions of your permit.

Special Conditions

1. This permit is based on all material submitted as part of application number 199800901. You must comply with all applicable regulations in carrying out this project. Failure to comply with the terms and conditions of this permit may result in suspension and revocation of your permit.

2. Within ninety (90) days of permit issuance, you must submit the final plans for the riparian enhancement as described in your submittal dated June 23, 1999, for the review and approval of the Chicago District.

3. You must notify this office of any proposed revisions of the above documents and receive approval by this office before work affected by the revision is begun.

4. Any wetland areas created or preserved as mitigation for work authorized by this permit shall not be made subject of a future Department of the Army application, except for the purposes of enhancing or restoring the mitigation area associated with this permit as approved by this office.

5. You must notify this office and receive approval from this office prior to the transfer of this permit and liabilities associated with the compliance with its terms and conditions. The transferee must sign the permit in the space provided and forward a copy of the permit to this office.

6. All areas impacted by implementation of the permitted activity shall be mulched and seeded immediately after construction and/or grading activities.

7. The permittee shall implement soil erosion control measures consistent with the practice and standards and specifications in the Illinois Urban Manual (1995).

**Further Information:**

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:

( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this Authorization.

a. This permit does not obviate the need to obtain other federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. The Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on the behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modifications, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in the reliance on the information you provided.

5. Reevaluation of Permit Decision. The office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 established a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as a permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



9/10/99  
DATE

~~PERMITTEE~~  
DuPage County Department of Development &  
Stormwater  
Anthony Charlton, Director

This authorization becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



15 Sept 99

FOR AND ON BEHALF OF  
Peter J. Rowan, P.E.  
Lieutenant Colonel, U.S. Army  
District Engineer

DATE

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
TRANSFEREE

\_\_\_\_\_  
DATE



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# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 Mary A. Gade, Director

217/782-0610

January 15, 1999

Chicago District  
Corps of Engineers  
111 North Canal Street  
Chicago, IL 60606

Re: DuPage County Department of Environmental Concerns  
Modify Fawell Dam-West Branch, DuPage River  
Log # C-1070-98 [CoE appl.# 199800901]

Gentlemen:

This Agency received a request on July 6, 1998 from the DuPage County Department of Environmental Concerns requesting necessary comments concerning modifications to the Fawell dam on the West Branch of the DuPage River, including the construction of a spillway and two sections of flank levee. The work will impact 0.24 acres of wetland, to be mitigated at a commercial wetland bank. We offer the following comments.

Based on the information included in this submittal, it is our engineering judgment that the proposed project may be completed without causing water pollution as defined in the Illinois Environmental Protection Act, provided the project is carefully planned and supervised.

These comments are directed at the effect on water quality of the construction procedures involved in the above described project and are not an approval of any discharge resulting from the completed facility, nor an approval of the design of the facility. These comments do not supplant any permit responsibilities of the applicant toward the Agency.

This Agency hereby issues certification under Section 401 of the Clean Water Act (PL 95-217), subject to the applicant's compliance with the following conditions:

1. The applicant shall not cause:
  - a. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation;
  - b. water pollution defined and prohibited by the Illinois Environmental Protection Act; or
  - c. interference with water use practices near public recreation areas or water supply intakes.
2. The applicant shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.
3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.
4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The

applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of staked straw bales, sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 5 (five) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

5. The applicant shall implement erosion control measures consistent with the "Standards and Specifications for Soil Erosion and Sediment Control" (IEPA/WPC/87-012) or the "Illinois Urban Manual" (IEPA/USDA, NRSC; 1995).

6. The proposed work shall be constructed with adequate erosion control measures (i.e., silt fences, straw bales, etc.) to prevent transport of sediment and materials to the adjoining wetlands.

This certification becomes effective when the Department of the Army, Corps of Engineers, includes the above condition #1 through 6 as conditions of the requested permit issued pursuant to Section 404 of PL 95-217.

This certification does not grant immunity from any enforcement action found necessary by this Agency to meet its responsibilities in prevention, abatement, and control of water pollution.

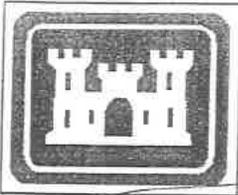
Very truly yours,



Thomas G. McSwiggin, P. E.  
Manager, Permit Section  
Division of Water Pollution Control

TGM/by/

- cc: IEPA, Records Unit
- IEPA, DWPC, FOS, Maywood
- IDNR, OWR, Schaumburg
- USEPA, Region 5
- DuPage County Department of Environmental Concerns
- Christopher B. Burke Engineering, Ltd.



# PERMIT COMPLIANCE CERTIFICATION

*Refer to Page 1, last paragraph*

Permit Number: 199800901

Permittee: DuPage County Department of Development & Stormwater

Date of Issuance: September 15, 1999

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of said permit and that compensatory wetland mitigation was completed in accordance with the approved mitigation plan.<sup>1</sup>

\_\_\_\_\_  
PERMITTEE

\_\_\_\_\_  
DATE

Upon completion of the activity authorized by this permit and any mitigation required by the permit, this certification must be signed and returned to the following address:

U.S. Army Corps of Engineers  
Chicago District, Regulatory Branch  
ATTN: Enforcement/Compliance  
111 North Canal Street, 6th Floor  
Chicago, Illinois 60606-7206

Please note that your permitted activity is subject to compliance inspections by Corps of Engineers representatives. If you fail to comply with this permit, you may be subject to permit suspension, modification, or revocation.

<sup>1</sup> If compensatory mitigation was required as part of your authorization, you are certifying that the mitigation area has been graded and planted in accordance with the approved plan. You are acknowledging that the maintenance and monitoring period will begin after a site inspection by a Corps of Engineers representative or after thirty days of the Corps' receipt of this certification. You agree to comply with all permit terms and conditions, including additional reporting requirements, for the duration of the maintenance and monitoring period.