

RESOLUTION R-2023-109

**A RESOLUTION APPROVING AN EXTENSION OF THE WATER SUPPLY CONTRACT BETWEEN
THE DUPAGE WATER COMMISSION AND THE CITY OF CHICAGO**

WHEREAS, in 1984, the DuPage Water Commission (the "Commission") entered into a Water Supply Contract Between the DuPage Water Commission and the City of Chicago (the "Water Supply Contract") for the Commission to purchase Lake Michigan water from the City of Chicago ("Chicago") to provide to the Commission's customers; and

WHEREAS, the City of Wheaton (the "City") is a customer of the Commission and purchases Lake Michigan water from the Commission; and

WHEREAS, the Water Supply Contract expires on March 19, 2024; and

WHEREAS, the Water Supply Contract grants the Commission the option to unilaterally extend the Water Supply Contract on the same terms and conditions for a period not less than ten (10) years nor more than forty (40) years; and

WHEREAS, the Commission has commenced negotiations with Chicago on a new water supply contract, but the Commission does not believe that a new water supply contract will be executed before the current Water Supply Contract expires; and

WHEREAS, pursuant to Section 16 of the Water Purchase and Sale Contract Between the DuPage Water Commission and Contract Customers, the Commission held a public meeting of its customers on October 31, 2023 to present the status of negotiations and current proposed terms and conditions regarding a new water supply contract with Chicago; and

WHEREAS, the Commission has deemed it to be in the interest of the Commission and its customers to exercise its option to extend the Water Supply Contract under its current terms and conditions for a period not less than 15 years and not more than 20 years; and

WHEREAS, the City Council deems it to be in the best interests of the City and its residents to approve and consent to an extension of the Water Supply Contract for a period not less than 15 years and not more than 20 years.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wheaton, Illinois as follows:

SECTION 1: The foregoing recitals are hereby incorporated herein and made a part hereof as findings of the City Council.

SECTION 2: The City Council hereby approves and consents to the Commission's extending the Water Supply Contract for a period not less than 15 years and not more than 20 years, without further action by the City Council.

SECTION 3: The City Clerk is hereby authorized and directed to provide a copy of this Resolution to the Commission immediately after its approval.

ADOPTED this 18th day of December 2023.



Philip J. Suess

Mayor

ATTEST:



Andrea Rosedale

City Clerk

Roll Call Vote:

Ayes: Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller

Nays: None

Absent: None

Motion Carried Unanimously