

**MINUTES OF REGULAR BOARD MEETING
WAUKEGAN PORT DISTRICT**

August 16, 2017

**Waukegan Harbor and Marina
Harbor Office Conference Room
55 South Harbor Place, Waukegan, IL**

The following Board Members were present:

Tom Evers, Member (per note below)
Joe Legat, Secretary
Mike Melius, Member
Randy Podolsky, Real Estate Committee Chairman
Jorge Torres, Assistant Treasurer

The following Board Members were absent:

Gene Bach, Historian
Grant Farrell, Board Chairman

The following Board Officer was present:

Bob Hamilton, Treasurer

District Counsel present:

Thomas Morris

Members of the Port District Staff present:

Don Cento, Founders 3 RES, CFO/COO
Alain Giudice, Founders 3 RES, VP of Marina Division
Phil Cook, Founders 3 RES, Mgr. Marina Accounting
Skip Goss, F/3 Aviation, General Manager, Airport
Tom Cepariski, F/3 Marine, General Manager, Harbor
Joe Seidelmann, F/3 Marine, Harbor Master
Mary McCarthy, F/3 Marine, Staff Accountant
Cathy Smith, F/3 Aviation, Administrative Assistant
Mary Louise Schram, Recording Secretary

Other Public Attendees:

Andrew Hurley, Waukegan Harbor slip tenant
Jeff Logan, Waukegan Harbor slip tenant
Billy McCaffery, Waukegan Harbor slip tenant
Gary Rudd, Waukegan Harbor slip tenant

Call to Order

Mr. Podolsky called the meeting to order at 2:00 PM per Chairman Farrell's direction at last month's Board meeting.

Roll Call

Pledge of Allegiance

Appointment of an Acting Chairman

Motion by Mr. Torres, second by Mr. Melius:
To approve Mr. Podolsky as the Chairman during Chairman Farrell's absence while out of the country.

All members present voted aye and the Board acknowledged the motion carried.

Approval of Remote Participation/Voting – not required

Chairman Remarks / Founders 3 Real Estate Services (RES)/Public Comments

Chairman Remarks – Mr. Podolsky

Mr. Podolsky reported that Chairman Farrell attended the City Club meeting this month and that the Chairman will provide a report upon his return next month. Mr. Podolsky attended the Waukegan Waterfront Working Group meeting and the Sand Management Working Group meetings over the last month, noting that WPD is an active member of both committees. Mr. Ceparski participates regularly with both committees and Board members are referred to him if they want to know more about the work occurring within either committee.

Public Comments

Jeff Logan addressed the Board to share his views regarding the proposed fish cleaning station at the Harbor. He noted that he welcomed the proposed new location and stated concerns about equipment, specifically the grinder, in the hope that new/upgraded equipment will solve the problem with the older/former grinder.

(Note: At 2:04 PM, Board Member Tom Evers joined the meeting in progress.)

Mr. Podolsky responded that the proposed cleaning station includes an upgraded grinder (turbo grinder, 3-phase, 208V). In addition, it will be installed in an open-air facility on concrete, with canopy. It is designed specifically for fish grinding and is reported to be excellent and should alleviate concerns about powering up after filling the grinder. Completion is anticipated on or before April 1st, 2018. It will not include washrooms as future development plans include upgrading the public restrooms near the launch ramp.

Order of the Day – Amend the Agenda

Motion by Mr. Torres, second by Mr. Melius:
To defer the closed session scheduled for today's meeting to the end of the agenda.

All members present voted aye and the Chairman declared the motion carried.

Approval

July 2017 Regular Board Meeting Minutes

Motion by Mr. Evers, second by Mr. Melius:
To approve the July 2017 regular board minutes.

All members present voted aye and the Chairman declared the motion carried.

July 2017 Closed Board Meeting Minutes

Motion by Mr. Melius, second by Mr. Evers:
To approve the July 2017 closed board minutes.

All members present voted aye and the Chairman declared the motion carried.

July 2017 Check Approval

Motion by Mr. Melius, second by Mr. Legat:
To approve the July 2017 check approval as presented to the Board.

On a roll call vote, all members present voted aye and the Chairman declared the motion carried.

July 2017 Financial Report

Motion by Mr. Evers, second by Mr. Melius:
To approve the July 2017 financial report.

Discussion:

Mr. Torres commented on the small expense associated with the Marina event and restated his concern that the line item in question is 424% over budget.

Mr. Ceparski explained again that the line item is neutral or below actual year-end budget amount. The perceived overage is due to the timing of expenditures this year, and next year's budget will appropriate the expenses aligned with the need to expend funds.

Mr. Hamilton stated that he has been reviewing the money management at the three banks where WPD does business, specifically looking at the interest rates offered to ensure that monies are invested to the maximum rate possible. He has found that NorStates is willing to increase the interest rate from the current 0.01%. Mr. Hamilton noted that the public trust interest rate is currently 1.3%.

Mr. Podolsky stated that as Treasurer, Mr. Hamilton may represent WPD in this regard, and to be mindful of our investment policy and the requirements of our enabling statute.

Mr. Hamilton stated that he will review of banking and related investment policies and, following the specific statutes and WPD policies, will continue to work on this over the next month. He will consult and coordinate with Ms. McCarthy and Mr. Morris where appropriate. He asked why WPD had their monies in three different institutions, as the amount of effort by staff to manage/monitor three institutions can be a challenge.

Mr. Morris responded that the multiple institutions were required due to prior bond issues.

On a roll call vote, all members present voted aye and the Chairman declared the motion carried.

Founders 3 RES Remarks – none

Harbor General Manager Remarks

Operations/Status Report

Mr. Ceparski stated, as mentioned during the Chairman remarks, that the Waukegan Waterfront Working Group, CAG (Waukegan Citizen’s Advisory Group), IDNR, and the City are focused on looking for continuity of goals and for all waterfront, beach and WPDs HarborWauk. The goal is to ensure that the aesthetics of the space, as well as the signage, is consistent throughout the Harbor and contiguous properties where applicable.

The Sand Management Working Group met a couple of weeks ago. The primary discussion revolved around the permitting process of the Army Corps of Engineers (ACE) and IDNR. They developed a flow chart to show the multiple levels of approval required for the multiple organizations involved in permitting. Both IDNR and ACE are trying to improve permitting flow of, and access to the status of, permits. The timing of permit approval is a process and it is helpful to understand the flow and possible bottlenecks to improve our understanding and note where greater attention may be needed. Good to know that both organizations are collaborating in an attempt to improve the process and communications.

IDNR sponsored a summer program with citizen volunteers and college students that was designed to measure the beach and sand movement to determine changes in sand and erosion north of the Harbor and at North Beach adjacent the Harbor. Preliminary results indicate that the changes in the sand (movement) were consistent with the report conducted by the ACE in the CAP 107 Study.

Mr. Podolsky added that Mr. Ceparski was also collaborating with the City on the monument site signs.

Mr. Ceparski noted that algae (seaweed) management has been a problem this summer and he confirmed through the Wisconsin DNR that Kenosha Harbor is also dealing with the problem. It is thought that the heavy rains produced run-off carrying lawn chemicals (phosphates) into the lake, which ‘fed’ the overgrowth/bloom. He noted that every pound of phosphate introduced into the water creates 500 pounds of algae overgrowth. WPD is using the harvester where possible and manually hand removing where required. He noted that a lot of manpower has been directed to this task over the last few weeks.

Mr. Podolsky suggested that the harvester be used in the boat pier fairway areas where the equipment will fit to supplement hand harvesting. Mr. Ceparski confirmed that the crew will attend to those areas.

Unfinished Business

- a. Approval for Waukegan Army Corp Feasibility CAP 107 Study, not to exceed \$60,000.

Mr. Ceparski noted that the ACE, State of IL, City of Waukegan, and private businesses continue their effort to support the CAP 107 Study through non-federal funding. The total cost of the study is \$800K of which the government contributes \$450K. The remaining non-federal share for the study of \$350K must be committed to by WPD and affected partners before September 30, 2017, for the study to commence.

Partner	Amount	Status
IDNR	\$100K	Committed
National Gypsum	\$100K	Committed

Larsen Marine	\$ 30K	Committed
City of Waukegan	\$ 60K	Pending City Council Approval
Waukegan Port District	\$ 60K	Pending Board Approval
Total	\$350K	

Mr. Ceparski noted that there is a contingency built in by the CAP 107 Study that is more than the liability to WPD. The payments can be amortized over 18 to 24 months, which allows the expense to be distributed across 2 to 3 budget years.

Mr. Torres asked if Lafarge had been approached to participate.

Mr. Ceparski stated that both Lafarge and St. Mary's had been approached but declined to participate in the study. Both companies stated that their operations have moved to trucking and are not using the Harbor for shipping at this time. Mr. Ceparski will continue to encourage both companies to reconsider using the Harbor for shipping.

Motion by Mr. Evers, second by Mr. Melius:

To approve funding for the Army Corp of Engineers Feasibility CAP 107 Study of the Waukegan Harbor main entry in an amount not to exceed \$60K; applauding the efforts of the partners to help defray the cost.

On a roll call vote, all members present voted aye and the Chairman declared the motion carried.

Mr. Melius asked if there was a strategy to ask Lafarge and St. Mary's to revisit their participation if they begin shipping, again.

Mr. Podolsky clarified that the approved funds are for the study. After the study, there will be three viable solutions presented with costs that range from two million to twenty million dollars where the non-federal share is anticipated to be between four to six million dollars. WPD will approach Lafarge, St. Mary's, and others to request that they contribute to the cost of the solution.

Mr. Hamilton asked if the impact of the solution is to keep the Harbor open for commercial shipping.

Mr. Podolsky answered that the first priority of the project is to ensure that the Army Corps is not required to dredge the Harbor every year to keep it open. The amount currently spent by the Army Corps to dredge versus the revenue derived from commercial shipping is not cost effective. Given this, without a solution, the Army Corps will discontinue dredging the channel to Waukegan Harbor and long term it may become commercially and recreationally unnavigable. Commercial shipping requires a depth of 20 to 22 feet. He added that powerboats require 3 – 5 feet and large sailboats require 10-14 feet of depth. Any depth equal to or less than 15 feet begins to restrict boat traffic. He added that the impact of sand movement and dredging of the north and south channel are different, even though both are affected. Mr. Podolsky stated that the revenue from commercial shipping is desirable, but unless commercial businesses reinstate shipping, WPD would be hard pressed to spend the large sums of monies required to effect a solution. The needs may change based upon the result of the study and the level and type of support from the affected partners and more information is needed which is why the study is so valuable.

- b. Approval for Fish Cleaning Station, Phase I, not to exceed \$50,000.

Mr. Ceparski noted that this bid is for equipment, utilities, and the pad that it goes on. The canopy will go out for bid, separately from this request. Phase II is the construction of the open-air canopy and Phase II is going out for bid and is not ready for review or approval.

Mr. Podolsky noted that this item comes to the Board as Phase I because the equipment cost increases by 7% as of September 1, 2017. In addition, it makes sense to do this work aligned with the construction that is going on at Bay Marine.

Motion by Mr. Melius, second by Mr. Torres:

To approve funds for the fish cleaning station, Phase I, in an amount not to exceed \$50K.

On a roll call vote, all members present voted aye and the Chairman declared the motion carried.

c. Approval for Harbor Signage, additional amount of not to exceed \$10,000.

Mr. Ceparski noted that the Board packet contained images of the proposed signage. Last year, \$40K was approved for signs of which approximately \$5K has been spent. This leaves the project with a balance of about \$35K and the quote to complete the work is \$43K. Mr. Ceparski is asking for not to exceed \$10K to complete the entire signage project. The proposed package work with existing signage, provides a comprehensive appearance for both monumental and directional signage, and looks very nice.

Mr. Podolsky added that WPD is cooperating and collaborating with the City. WPD may be able to reduce costs of fabricating the signs by partnering with the City to use their in-house sign fabrication and installation for a couple of the signs, versus using a third-party vendor. Costs have been broken out by sign, should that option be available.

Mr. Torres asked about CAG signage.

Mr. Podolsky stated that is a different project related to HarborWauk and historical perspective signage that would be placed on HarborWauk and the beach. He noted that CAG has been really slow. In discussions with IDNR and the City, it has been noted that if CAG signs are not resolved in the next 60-days that WPD will go down another path.

Mr. Legat asked if WPD had gone out for bids on the signs. He stated that if no bids were sought that it was his opinion is that WPD should bid this out as he feels the work could be done for less.

Mr. Torres supported Mr. Legat by reminding the Board that he continues to stress the importance of getting more than one bid and asked if there was a reason why this practice was not being followed.

Mr. Podolsky reminded the Board that the signage package was previously approved by them under the direction of the prior Harbor General Manager and that today's request is to complete a project that is already in-process, before the Board, and with a vendor who has expended considerable resources to-date. It is Mr. Podolsky's recommendation that if WPD goes out to bid at this time that the Board understand and recognize that that current vendor has completed the design work without specific compensation. He requests that the Board approve today's request and that staff will go out for competitive bid, ensuring that the bid request identifies the same design, same materials, and the same specs.

Motion by Mr. Torres, second by Mr. Legat:

To direct the staff to obtain competitive bids for signage, ensuring that the bid request identifies the same design, same materials, and the same specs, in an amount not to exceed the total request of \$45K which includes \$35K unspent and \$10K additional funds.

On a roll call vote, all members present voted aye and the Chairman declared the motion carried.

Mr. Podolsky thanked Mr. Legat for his attention to this requirement and asked that Board members provide referrals of qualified sign companies who could be asked to bid.

Mr. Torres, upon noting the complexity of the sign specifications and hearing that some vendors declined to bid, stated that the bid process must be well documented. If a vendor was asked to bid and they declined because they could not meet the bid specs, the vendor should be requested to provide an email or letter that clearly states that they are unable to bid. WPD must be able to demonstrate their attempt to acquire multiple bids.

Mr. Podolsky directed Mr. Cento, Mr. Guidice, and Mr. Ceparski to identify qualified vendors and obtain a minimum of two additional bids.

- d. Approval for North Pier gate, not to exceed \$50,000.

Mr. Ceparski reported that \$50K was approved in this year's capital budget to improve the North Pier gate. The current gate is a maintenance nightmare for the Harbor staff and, often, the staff is unable to get a vehicle through the gate. Mr. Ceparski stated that he recommends doing this work while the other construction (Bay Marine) is active. The proposed gate is aesthetically similar to the South Pier gate and the real goal is to improve functionality and reduce maintenance and repair.

Mr. Podolsky noted that this is a welding and powder-coating job and that bids have been received according to staff.

Mr. Torres stated that he appreciates the reinvestment of set aside funds from the capital budget being used to improve the infrastructure of the District.

Motion by Mr. Melius, second by Mr. Legat:
To approve funding for the North Pier gate, not to exceed \$50K.

On a roll call vote, all members present voted aye and the Chairman declared the motion carried.

New Business

- a. ADA Canoe/Kayak going to bid.

Mr. Ceparski reviewed the updated plan for the ADA Kayak/Canoe launch noting that the work will go out for bid. The drawing was updated to reflect the fish cleaning station that moved a few feet east of its current location.

Mr. Podolsky shared that the reason for the slight adjustment to the location is to ensure that these structures align with the master plan and allow for the promenade/boardwalk requirement of no less than 16 feet. The item will return for Board action when the bids are in and a recommendation can be made.

Mr. Torres asked if there are any grants available for this project.

Mr. Podolsky replied that grants were applied for and paid for the equipment. Once the design is complete, the goal is to determine if there are additional grants and/or to look for corporate sponsorship for the related improvements to the area.

- b. Approval for differed tree maintenance Phase I, not to exceed \$6,000.

Mr. Ceparski reported that the total capital budget for tree maintenance is \$30K of which he is currently requesting \$6K, deferring \$24K until later this year or early next year. The plan includes removing dead ash trees and trimming the canopy of all trees within the main marina area.

Mr. Podolsky added that this is long deferred maintenance, which is sorely required to improve the Harbor aesthetics. He added that Mr. Seidelmann went out for bid to landscape contractors and this is the recommendation from staff.

Motion by Mr. Torres, second by Mr. Melius:

To approve funds for tree maintenance Phase I, not to exceed \$6,000.

On a roll call vote, all members present voted aye and the Chairman declared the motion carried.

Mr. Podolsky added a closing comment to share that the company awarded the bid for tree maintenance is the same company that is providing lawn maintenance services for the remainder of this summer, taking over for staff. He added that staff was directed to bid out lawn maintenance services to include a three or four-year plan to get the Harbor property in order and not obligate WPD to a long-term agreement.

Mr. Podolsky extended his thanks to Mr. Ceparski, Mr. Seidelmann and staff for all the heavy lifting they are doing for the many projects occurring at the Harbor.

Board Comments - none

Airport General Manager Remarks

Operations/Status Report

Mr. Goss reported that fuel volume is down; the gap is 17% and continues to narrow, slowly.

The Waukegan Air Show is a go for Saturday, September 9, 2017, the second Saturday in September. Unfortunately, the F-111 will not be mounted on its new display as was hoped (it is on display).

Mr. Goss reported on the status of capital improvement projects. Rehabilitations of taxiways Bravo and Charlie are just underway. Fence Phase IV was awarded and the work will begin next Spring. The fence project borders the southern perimeter of the Airport. Mr. Goss approached the City and they vacated the right-of-way in the area. The trees will be removed, the fence added, and a high-speed gate will be added for fire department access. Another project, the Fraley property, is an obstruction and will be acquired next year. The Airport was awarded a grant to widen, rehabilitate, and resurface the Airport entrance road. The new road will also include a path for walkers. The Airport was also awarded a \$900K grant to study the runway (Mr. Goss referred to the map for clarity) as it is aging. The Airport has also begun work on securing a new runway, which is progressing well. A location to place the electric vehicle charging station was identified and will be added to the main parking lot. Signature Flight Support is contributing to the project, which leaves very little or no cost for WPD to cover.

Mr. Goss moved to the financial plan feasibility study, which was in the budget. He received four bids from appraisers to appraise properties around the Airport as part of the future financial plan.

Mr. Hamilton asked if there are properties that WPD may be looking at to purchase.

Mr. Goss responded that these are properties already owned by WPD. The goal is to understand how much revenue could be gained if the properties were rented? How much should each rent for? How much tax should be paid as the local portion? The answers to these questions and others contribute much needed information for the Airport financial plan.

Mr. Goss reported that there would be a Corporate User's meeting hosted by and at the Airport on Tuesday, August 29th. Attendees will meet the new Tower Manager, talk about future projects at the Airport, winter operations, meet, greet, get to know each other, and share ideas.

Mr. Hamilton stated that he received an interesting phone call from a representative of the Airline Owners and Pilots Association (AOPA) and he touted Waukegan as an abusive situation with respect to the FBO operator and his treatment of general aviation. The representative also shared that the tie-down fee for a single engine general aviation aircraft that wants to stay overnight was approximately \$85. Mr. Hamilton stated that he was recently in North Carolina and paid \$15 for the same fee. Mr. Hamilton added that it was no wonder the Airport did not have many transient aircraft.

Mr. Morris asked if there was a written report on this topic and Mr. Hamilton responded that there was not.

Mr. Goss stated that he is aware of complaints of unfair practice on the part of Signature and AOPA has been in contact with him. He added that he and Mr. Cento have been talking with leadership at Signature for months. Mr. Goss stated that the Waukegan Airport is public domain and that the federal government pays for aircraft parking area.

Mr. Podolsky requested that Mr. Goss identify and document the FBO concerns (Signature) and let's see if a formal complaint comes in. He added support to Mr. Goss' point that the Airport management is already aware of concerns about the Airport FBO, including fuel prices and other fees, and they are being addressed. Mr. Podolsky also added that the Real Estate Committee is taking a serious look at their practices, and as their leases become due, and all of these things are being taken into account.

Mr. Torres asked if Mr. Goss documents all of this and Mr. Goss replied that he does.

Unfinished Business

Mr. Goss reported that during routine inspection it was noted that there is a runway with a crack developing that needs to be filled and maintained and that \$30K was included in the capital budget for this purpose. Mr. Goss obtained three bids.

- a. Runway Maintenance expense approval for \$30,000.

Motion by Mr. Melius, second by Mr. Evers:

To approve funding for runway maintenance expense not to exceed \$30,000.

On a roll call vote, all members present voted aye and the Chairman declared the motion carried.

Mr. Podolsky recognized Mr. Rudd, public participant, to address the Board.

Mr. Rudd asked about the state of aviation at the Airport.

Mr. Goss responded that it is steady and that the aim is to grow. Mr. Goss added that fuel traffic is down as reported earlier in the meeting.

Mr. Rudd wanted to know more about the FBO fees and why those fees belonged to Signature and not the Airport. He added that he wanted to know how those fees could be justified.

Mr. Podolsky asked Mr. Rudd to meet with Mr. Goss so he could gather all the background and information to answer his questions. He noted that they were great questions and tie into the earlier discussion about how the FBO's business practices reflect on the Airport operations. Mr. Rudd agreed and he and Mr. Goss exchanged contact info.

New Business - none

Board Comments – none

Closed Session at 1:00 PM

- **Personnel Matters To 5 ILCS 120/2 (c)(1) of the Open Meetings Act**
- **Property Matters To 5 ILCS 120/2(c)(1)(6)(11) of the Open Meetings Act**
- **Litigation Matters To 5 ILCS 120/2(c)(1)(11) of the Open Meetings Act**

Motion by Mr. Melius, second by Mr. Evers:

To move to closed session for the purpose of discussion related to personnel **5 ILCS 120/2 (c)(1)** and property matters **5 ILCS 120/2(c)(1)(6)(11)** and litigation matters **5 ILCS 120/2(c)(1)(11)**.

On a roll call vote, all members present voted aye and the Chairman declared the motion carried.

Open Session at 1:18 PM

Reconvened into Open Session at 1:18 PM.

Present: Chairman Podolsky, Mr. Evers, Mr. Legat, Mr. Melius, Mr. Torres

New Business

Mr. Legat stated that he wanted to introduce New Business. He explained that he was concerned about the practice of placing the RFP for legal services on the website only and that by not posting a public announcement for bid in the local press limits the pool of potential bidders. He is concerned that limited access could be interpreted to be a sole source procurement practice. Therefore, he recommends that the Board revisit the practice and adjust the timing for this year's bid process.

Motion by Mr. Legat

To extend the receipt of proposals for the legal services RFP deadline from August 25, 2017, to October 1, 2017, and authorize funds to advertise the RFP in print media.

Discussion:

Mr. Torres asked Ms. Smith for the posted date of the notice and she responded that the posting has been on the web site since June 21, 2017, confirming that an advertisement was not placed in print media.

Mr. Podolsky stated that recent practice (last couple of years) has been to post all notices (bids and RFPs) on the web site only.

Mr. Podolsky restated the motion presented by Mr. Legat.

Mr. Hamilton stated that it is his opinion that print advertising is not required for notifications of this RFP, noting that there are online automatic search engines that scrub for these postings, which, in turn, provide an automated notice to the person or company who is tracking.

Mr. Podolsky assured the Board that he is personally aware that this RFP has been shared with other firms who have the capabilities needed to respond. He then asked Mr. Morris for his legal opinion on whether or not a print ad would be required in addition to the web site posting. Mr. Podolsky added that recent practice for all RFPs posted by WPD is to post on the web site, only.

Mr. Legat restated his position that it is his opinion that the RFP should be placed in print media where it has greater exposure and that without print advertising that WPD opens itself to the risk of sole source procurement practices.

Mr. Torres asked Ms. Smith if there had been responses to the RFP received to date. Ms. Smith responded that one has been received so far and the due date is August 25, noting that she cannot disclose who has or has not submitted.

Mr. Podolsky recommended letting the process continue through the August 25 deadline, adding that the number of bids received will determine whether this RFP response would be considered a sole source. Mr. Podolsky stated that if the Board is not satisfied with the quality or quantity of responses to the RFP that they can take no action, rebid the RFP, and include advertising at that time. Looking at the number of responses received provides a method of evaluating Mr. Legat's legitimate concern.

Mr. Evers asked if there had been a second to the motion and Mr. Morris responded that there had not been a second to the motion that the Board is in discussion. Mr. Evers restated the motion under discussion for clarity.

Mr. Morris responded to the question asked earlier by Mr. Podolsky regarding the RFP postings. Mr. Morris stated that it is his opinion that the advertising of bids is usually a process when you are buying something that a large number of people can provide, hoping that the award will be made based on the lowest price. In professional services, which would include legal services, you are evaluating based on the quality of the package, also considering cost, as well as the content of the proposal. This is why WPD used a request for proposal (RFP) rather than an invitation to bid. Board members interested in bringing in a newer law firm that would be an appropriate party to bring in could have advised them to look at the web site to attain the RFP. Mr. Morris stated that he has directed other attorney's and firms to look at the RFP in case they wanted to submit a proposal. It is incumbent on the legal entity to decide how vigorously they want to pursue potential business. Mr. Morris stated that when he was first approached in 1989, it was the Board members who reached out to various firms to request responses to the RFP. A Board is not interested, for example, in every single painter responding, but in trying to find specific painters with the background, skill, and demonstrated ability aligned with the request.

Mr. Morris stated that in his judgment, advertising in a newspaper would be a big waste of money. Promoting this RFP by word of mouth and encouraging entities to respond to the RFP would be perfectly appropriate would get a wide variety of people interested, some of which the Board would find capable. This would apply to engineering and/or architectural services, as well.

Mr. Evers seconded the motion presented by Mr. Legat.

Motion by Mr. Legat, second by Mr. Evers:

To extend the receipt of proposals for the legal services RFP deadline from August 25, 2017, to October 1, 2017, and authorize the funds to advertise in print media.

Mr. Evers continued his comments by stating that he supports the recommendation by the Chairman by keeping the current RFP deadline and evaluate the responses that are received. Mr. Evers recommended that a review of this topic be added to next month's Board agenda to review the responses received and for a more fulsome discussion.

Mr. Podolsky added that the topic would fall into the closed session agenda under personnel and professional services.

Mr. Cento stated that concerning today's print ads that no one is going to be looking at the newspaper for an ad for a legal firm. He added a point of clarification, recommending extending the posting through the available internet resources by possibly sending out an email blast to law firms.

Mr. Podolsky asked Mr. Cento if F/3 distributed the RFP link for legal services to any law firms, and Mr. Cento will check.

Mr. Torres stated that he sees no difference between the insurance RFP and legal services RFP, noting that the insurance RFP was not posted in print ads, was posted on the web site, and also brought to the attention of potential bidders by word of mouth, particularly by Board members.

Mr. Legat stated that he does not feel that it is incumbent on Board members to advertise for services and restated that he believes that funds associated with advertising are well spent.

Mr. Podolsky stated that the question is whether the monies spent on print advertising are cost effective and productive, per Mr. Cento's earlier comment.

Mr. Hamilton reiterated that there are internet services that scour the sites to identify opportunities for contractors and service providers and that in his opinion and experience, there is ample access via this method of using the internet for notification.

Mr. Podolsky stated that if there is only one bid for the legal services RFP that he would be the first to recommend rebidding and finding a way to get more bidders, noting that Mr. Legat's concern is sole source bidding. Mr. Podolsky asked Mr. Legat if he would agree to withdraw the motion with the understanding that the Board will not proceed with a sole source bid for the legal services RFP. Mr. Legat declined.

Mr. Evers withdrew his second to the motion, noting that the second was to allow the discussion.

There being no motion before the Board as the second was withdrawn, no action was taken.

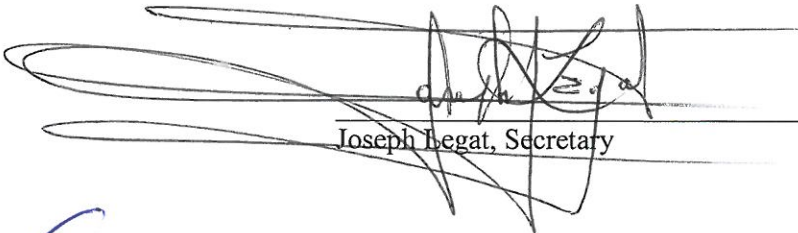
Mr. Podolsky reminded the Board that they will not proceed to award the legal services contract unless they have multiple bids to consider and acknowledged that Mr. Legat's point was well noted.

Adjournment – 3:30 PM

Motion by Mr. Melius, second by Mr. Evers:
To adjourn.

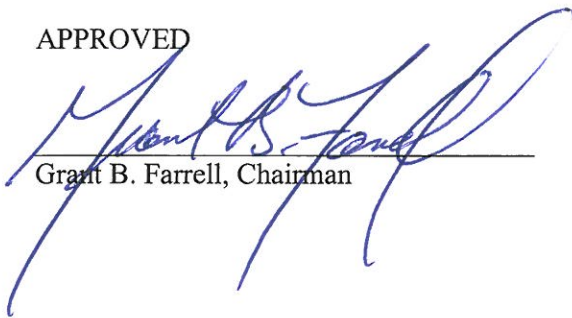
All members present voted aye and the Chairman declared the meeting ended.

Meeting adjourned at 3:30 PM



Joseph Legat, Secretary

APPROVED



Grant B. Farrell, Chairman