

**ORDINANCE NO. 23 - \_\_\_\_\_**

**AN ORDINANCE  
APPROVING A WATER PURCHASE AND SALE CONTRACT  
BETWEEN THE DUPAGE WATER COMMISSION  
AND CONTRACT CUSTOMERS**

**RECITALS**

1. **WHEREAS**, the City of Naperville (“City”), is a current customer of the DuPage Water Commission (the “Commission”) pursuant to the Water Purchase and Sale Contract Between the DuPage Water Commission and Charter Customers dated June 11, 1986 (the “Original Contract”); and
2. **WHEREAS**, the Original Contract expires on February 24, 2024; and
3. **WHEREAS**, the Commission and current customers desire and intend to enter into a new Water Purchase and Sale Contract Between The DuPage Water Commission and Contract Customers (the “New Contract”) (attached hereto as Exhibit 1 and incorporated as if fully set forth herein) whereby the Commission will supply water to the customers according to the terms and conditions of the New Contract negotiated between them; and
4. **WHEREAS**, the Corporate Authorities of the City deem it to be in the best interests of the City to approve and enter into the New Contract; and
5. **WHEREAS**, the City is a home rule municipality in accordance with Article VII Section 6(a) of the Constitution of the State of Illinois of 1970, and is enacting this Ordinance pursuant to its home rule authority.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in  
exercise of its home rule authority that:**

**SECTION 1:** The foregoing Recitals are substantive and incorporated herein as though fully set forth in this Section 1.

**SECTION 2:** The Water Purchase and Sale Contract Between The DuPage Water Commission and Contract Customers attached hereto and by this reference incorporated herein and made apart hereof as Exhibit 1, shall be and hereby is approved and ratified.

**SECTION 3:** The Mayor of the City of Naperville is hereby authorized and directed to execute the Water Purchase and Sale Contract Between The DuPage Water Commission and Contract Customers attached as Exhibit 1 on behalf of the City of Naperville, subject to such technical and minor substantive revisions thereto as may be deemed acceptable to the City Attorney of the City of Naperville.

**SECTION 4:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Scott A. Wehrli  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

---

**EXHIBIT 1**

**WATER PURCHASE AND SALE CONTRACT BETWEEN THE DUPAGE WATER  
COMMISSION AND CONTRACT CUSTOMERS**

---