

RESOLUTION NO. 23 - _____

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

RECITALS

1. **WHEREAS**, in 1984, the DuPage Water Commission (the “Commission”) entered into a Water Supply Contract Between the Commission and the City of Chicago (the “Water Supply Contract”) for the Commission to purchase Lake Michigan water from the City of Chicago (the “City”) to provide to the Commission’s customers; and
2. **WHEREAS**, the City of Naperville (“Naperville”) is a customer of the Commission and purchases Lake Michigan water from the Commission; and
3. **WHEREAS**, the Water Supply Contract expires on March 19, 2024; and
4. **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
5. **WHEREAS**, the Commission has commenced negotiations with the City 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
6. **WHEREAS**, pursuant to Section 16 of the Water Purchase and Sale Contract Between the DuPage Water Commission and Charter 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 the City; and

7. **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
8. **WHEREAS**, the Corporate Authorities of the City of Naperville deem it to be in the best interests of the City of Naperville 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; and
9. **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 adopting this Resolution pursuant to its home rule authority.

NOW THEREFORE, BE IT RESOLVED 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 and are made a part hereof as findings of the Corporate Authorities of the City of Naperville.

SECTION 2: The Corporate Authorities of the City of Naperville hereby approve and consent 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 of Naperville.

SECTION 3: This Resolution 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