



## Record of Meeting | August 25, 2016

The Illinois State Toll Highway Authority (the "Tollway") Board of Directors met in regular session on Thursday, August 25, 2016 in the Boardroom of Tollway Headquarters in Downers Grove, Illinois. The Meeting was held pursuant to By-Laws of the Tollway upon call and notice of the Meeting executed by Chairman Robert J. Schillerstrom and posted in accordance with the requirements of the Illinois *Open Meetings Act*. The Meeting was open to the public.

*[Bolded entries indicate issues which may require follow-up to present or report to the Board.]*

### Call to Order / Pledge of Allegiance / Roll Call

Chairman Bob Schillerstrom called the Meeting to order at approximately 9:02 a.m., stating that this is the regularly scheduled meeting of the Board of Directors of the Tollway. He invited attendees to rise and join in the Pledge of Allegiance. He then asked the Board Secretary to call the roll, those Directors present and absent being as follows:

Board Members Present:	Board Members Not Present:
Chairman Bob Schillerstrom	Governor Bruce Rauner <i>[ex officio]</i>
Director Jim Banks	Secretary Randall Blankenhorn <i>[ex officio]</i>
Director Earl Dotson, Jr. (entered at 9:06 a.m.)	Director Corey Brooks
Director Joe Gomez	
Director David Gonzalez	
Director Craig Johnson	
Director Neli Vazquez Rowland	
Director James Sweeney	

The Board Secretary declared a quorum present.

### Public Comment

Chairman Schillerstrom opened the floor for public comment.

The following members of the public offered comments in opposition to the proposed Illinois Route 53/120 Project and to preparing an environmental impact statement (EIS) for the project:



- Barbara Klipp, *Livable Lake County*
- Evan Craig, *Sierra Club*

*[Director Dotson entered the Meeting at approximately 9:06 a.m.]*

Chairman Schillerstrom thanked the speakers for their comments.

### **Chairman's Items**

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*Item 1: Approval of the Minutes of the regular Board of Directors meeting held July 28, 2016.*

Chairman Schillerstrom called for a motion to approve **Chairman's Item 1**, the Minutes of the regular Board of Directors meeting held on July 28, 2016, as presented. Director Banks made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for amendment. Hearing nothing, Chairman Schillerstrom called for a vote. The motion PASSED unanimously.

Chairman Schillerstrom stated that without objection, action on Chairman's Item 2, the Minutes of the Executive Session of the Board of Directors meeting held on July 28, 2016 will be deferred until after consideration in Executive Session.

*Item 3: Approval of Amendment to the By-Laws of the Illinois State Toll Highway Authority.*

Chairman Schillerstrom stated that because all Directors are not present at the Meeting, without objection, Chairman's Item 3, which seeks approval of an amendment to the By-Laws of the Illinois State Toll Highway Authority, will be deferred to a future meeting.

### **COMMITTEE REPORTS**

Chairman Schillerstrom asked the chairs of the following committees of the Board if they had any report to provide on the committees' recent activities:

#### **Finance, Administration & Operations Committee**

Committee Chair Gomez updated the Board on the Finance, Administration and Operations Committee ("FAO Committee") meeting held Friday, August 19, 2016, providing the following highlights:



**FINANCE** presented two items which the FAO Committee recommended placing on the full Board agenda, including payment to the state for cost of the 2015 audit, and approval of workers' compensation claim reserve funding as recommended by an outside actuary.

**PROCUREMENT** presented six items, which were each reviewed and approved by the Committee for placement on the Board agenda with a recommendation for approval.

- Four awards of invitations for bid to purchase OEM printer cartridges, ASCO switches and parts, building materials, and the services of hearing officers.
- Two awards of sole source procurements for the continued purchase of \*999 Motorist Assistance Program services and Avaya PBX maintenance, support, and services.

**ENGINEERING** presented seven items, which were each reviewed and approved by the Committee for placement on the Board agenda with a recommendation for approval:

- A construction contract award to reconstruct the M-7 (Rockford) maintenance facility.
- Two supplements to professional service contract awards for additional construction management services on the Jane Addams Memorial Tollway (I-90) and on the Illinois Route 390 Tollway.
- Two construction contract extra work orders.
- Two amendments to construction contract change order / extra work orders.

**LEGAL** presented one intergovernmental agreement which was reviewed and approved for placement on today's full board agenda.

The final two Legal items on the Meeting agenda, deferred at Committee, are to be reviewed in Executive Session prior to full Board consideration.

*[End of Committee Reports]*

Chairman Schillerstrom stressed the particular importance of the Board's oversight role in the procurements (occurring approximately every five years) of the agency's two Trust Indenture consultant contracts (for the Tollway's General Engineering Consultant and Traffic Engineer), which have currently advanced to a phase where staff have selected the most qualified firm for each, in their judgement, and are now negotiating each contract's scope of work, schedule, budget, and consultant fee. He reported that to assist the Board with its oversight, Tollway staff has made available materials (upon signature of a confidentiality agreement) which document the factors that informed Tollway decision-making in the qualification-based selection process, and he encouraged Directors to review these materials over the next 30 days, in advance of presentation of these contracts at committee for consideration of award.



Having no further items, Chairman Schillerstrom called on Executive Director Greg Bedalov.

### **Executive Director**

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**Tollway Acknowledgments:** Executive Director Bedalov highlighted that the Tollway was recently presented with the Illinois Black Chamber of Commerce’s “Government Agency of the Year Award” in recognition of the agency’s commitment to diversity and improving African American procurement participation throughout the state.

**Request for Proposal to Provide Technical Assistance:** Executive Director Bedalov spotlighted a recently issued Tollway request for proposal (RFP) to provide a structured technical assistance program to small construction firms, including disadvantaged, minority- and women-owned business enterprise (D/M/WBE) firms, as well as veteran-owned firms, which will help prepare them to do business with the Tollway. He advised that responses are due to the agency on September 22, 2016.

**Quarterly Financial Review:** Executive Director Bedalov introduced Mike Colsch, Chief of Finance, to present the Quarterly Financial Review covering the budget to actual results for the second quarter of 2016. [See attached presentation.](#)

Director Johnson inquired about the sizable percentage increase to investment income experienced in the second quarter. Mr. Colsch responded that a positive variance resulted from a modest increase by the Federal Reserve to its target fed funds rate, which becomes magnified as a percentage due to the historically low short-term investment rates being received.

Director Vazquez Rowland asked the reason why capital program expenses for the Elgin O’Hare Western Access (“EOWA”) Project were significantly below budget in the second quarter. Mr. Colsch responded that the variance from budget is related to the timing of major land acquisitions, which occurred somewhat later than anticipated, and is not a reflection of construction schedule changes.

**Maintenance Facilities Program:** Noting that the Meeting agenda includes consideration of a contract for the reconstruction of the M-7 (Rockford) Maintenance Site, Executive Director Bedalov introduced Paul Kovacs, Chief Engineer, to provide an overview of the *Move Illinois* Maintenance Site Improvement Program. [See attached presentation.](#)



Director Johnson, highlighting the cost efficiencies which can be achieved, asked if the agency has aspirations of achieving LEED (Leadership in Energy and Environmental Design) Gold certification at the M-7 (Rockford) Maintenance Site. Mr. Kovacs responded that while the Tollway has committed to building to the standards of LEED Silver certification, the agency will exert all reasonable efforts to pursue the additional points needed to achieve a gold rating level, as it has recently achieved at the reconstructed M-1 (Alsip) Maintenance Site.

Chairman Schillerstrom asked about future reconstructions planned as part of the Maintenance Site Improvement Program and whether they will share the current project design and cost (approximately \$26 million). Mr. Kovacs responded that two prototype designs have been developed, the smaller of which is somewhat less expensive and will be utilized in locations with smaller service areas. **Chairman Schillerstrom requested that staff provide information on the two maintenance site prototypes and their costs, and develop and report to the Board the anticipated costs corresponding to each of the projects outlined on the M-Site Improvement Program schedule.**

Director Vazquez Rowland inquired about the population trends in the Rockford area. **Rocco Zucchero, Chief Planning Officer, responded that information and forecasts on area populations and Tollway ridership** is documented in an annual report developed by the agency's Traffic Engineer (CDM Smith) and **will be provided post-meeting.**

**August 2016 Diversity Statistics:** Executive Director Bedalov provided the following diversity statistics for Tollway procurements to be presented this month:

**PROCUREMENT** has six goods and services contracts totaling more than \$1.9 million, which include:

- 16 vendors who are doing business with the Tollway for the first time;
- Six vendors who are registered in the state's Small Businesses Set-Aside Program;
- Four vendors who are certified in the state's Business Enterprise Program (BEP).

**ENGINEERING** has one construction contract totaling \$25.8 million, which includes:

- Five firms doing business with the Tollway for the first time;
- Nine subcontractors which are certified as D/M/WBEs;
- Three subcontractors which are certified veteran-owned firms.

Of the \$25.8 million in recommended Engineering contract awards, more than \$7.8 million, or 30 percent, is committed to veteran-owned or disadvantaged firms.



This contract includes a veteran commitment of 1.58 percent and a disadvantaged business enterprise (“DBE”) commitment of more than 30 percent.

## Items for Consideration

Chairman Schillerstrom reminded those in attendance that each of the following items for consideration has been reviewed in detail, discussed and approved at committee for placement on the Meeting agenda with the relevant committee’s recommendation for Board approval.

### Finance

*Item 1: Resolution approving the payment to the Illinois Auditor General Audit Expense Fund for the 2015 Financial and Compliance Audit in the amount of \$622,200.00.*

Chairman Schillerstrom called for a motion to approve **Finance Item 1**. Director Banks made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Banks, Director Johnson, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

*Item 2: Resolution approving the funding for the Workers’ Compensation Insurance Claim Reserve Fund in the amount of \$7,922,000.00 for the 2016-2017 program year, including a reduction of \$3,712,000.00 for open claims for program years prior to April 30, 2016.*

Chairman Schillerstrom called for a motion to approve **Finance Item 2**. Director Johnson made a motion for approval; seconded by Director Gomez. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Gomez, Director Banks, Director Dotson, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.



## Procurement

Item 1: Award of Contract 16-0019 to Margaret E. Chapello; Marcie R. Claus; The Cosgrove Law Firm LLC (Audrey Cosgrove); Thomas Cosgrove; Robert J. Dargis; Frank R. Dufkis; Christopher R. Gorman, Esq.; Patricia Kladis-Schiappa, Esq.; The Law Office of William G. Worobec, P.C. (William G. Worobec); Law Offices of Frank Soto, Ltd. (Frank Soto); Legal Resolve, Inc. (Shelby Webb, Jr., Esq.); Lawrence Necheles; Sharon Finegan Patterson; Precision Business Solutions, Inc. (Wendy D. Calvert); Reyes Kurson, Ltd. (Gerald Alder, James Robinson, Latasha Thomas); Simpson Dattilo, LLC (Matthew Thomas Dattilo); Barbara J. Spain; Susan Davis Brunner LLC (Susan Davis Brunner); Thomas D. Resnick, P.C. (Thomas D. Resnick); Lorri Scott; Joel R. Skinner; Veterans Family Law Services, P.C. (Kimberly Backman); Evan T. Voboril; and Zachary C. Wilson for the purchase of Hearing Officers in an aggregate amount not to exceed \$540,000.00 (Tollway Request for Proposal).

Chairman Schillerstrom called for a motion to approve **Procurement Item 1**. Director Johnson made a motion for approval; seconded by Director Vazquez Rowland. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Director Johnson inquired about the criteria for selection as a hearing officer. Executive Director Bedalov responded that the vendors must be attorneys licensed in the State of Illinois with five years of experience.

Hearing nothing further, Chairman Schillerstrom called for a roll call on the pending motion, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Vazquez Rowland, Director Banks, Director Dotson, Director Gomez, Director Gonzalez, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

Item 2: Award of Contract 16-0079 to Atlas Stationers, Inc. for the purchase of OEM Printer Cartridges in an amount not to exceed \$651,235.00 (Tollway Invitation for Bid).

Chairman Schillerstrom called for a motion to approve **Procurement Item 2**. Director Banks made a motion for approval; seconded by Director Gomez. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:



Yeas: Director Banks, Director Gomez, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

*Item 3: Award of Contract 16-0016 to Active Electrical Supply Company for the purchase of ASCO Switches and Parts in an amount not to exceed \$113,691.86 (Tollway Invitation for Bid).*

Chairman Schillerstrom called for a motion to approve **Procurement Item 3**. Director Johnson made a motion for approval; seconded by Director Vazquez Rowland. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Vazquez Rowland, Director Banks, Director Dotson, Director Gomez, Director Gonzalez, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

*Item 4: Award of Contract 14-0072RRR to Associated Lumber Industries, Inc. and Murphy Home Center, Inc. (d.b.a. Murphy Ace Hardware) for the purchase of Building Materials in an amount not to exceed \$87,014.86 (Tollway Invitation for Bid).*

Chairman Schillerstrom called for a motion to approve **Procurement Item 4**. Director Banks made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Banks, Director Johnson, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

*Item 5: Award of Contract 16-0072 to Marketing Alternatives, Inc. for the purchase of \*999 Motorist Assistance Program Services in an amount not to exceed \$300,000.00 (Tollway Sole Source).*

Chairman Schillerstrom called for a motion to approve **Procurement Item 5**. Director Gomez made a motion for approval; seconded by Director Banks. Chairman Schillerstrom asked if there





are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Gomez, Director Banks, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

*Item 6: Award of Contract 16-0077 to Netrix, LLC for the purchase of Avaya PBX Maintenance, Support, and Services in an amount not to exceed \$259,478.76 (Tollway Sole Source).*

Chairman Schillerstrom called for a motion to approve **Procurement Item 6**. Director Johnson made a motion for approval; seconded by Director Vazquez Rowland. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Vazquez Rowland, Director Banks, Director Dotson, Director Gomez, Director Gonzalez, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

## Engineering

*Item 1: Award of Contract RR-16-4258 to William Charles Construction Company, LLC for Maintenance Facility Building Construction at Maintenance Facility M-7 (Rockford) on the Jane Addams Memorial Tollway (I-90) at Milepost 15.2 (Business US 20) in the amount of \$25,795,281.70.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 1**. Director Sweeney made a motion for approval; seconded by Director Gomez. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Director Sweeney asked whether the facility will use geothermal heating and cooling to achieve LEED certification. Mr. Kovacs responded in the negative, remarking, however, that the Tollway has implemented a geothermal system at an equipment building at the I-90/Illinois Route 47 interchange.



Hearing nothing further, Chairman Schillerstrom called for a roll call on the pending motion, the vote of yeas and nays being as follows:

Yeas: Director Sweeney, Director Gomez, Director Banks, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

*Item 2: Acceptance of Proposal from Tecma Associates, Inc., on Contract I-14-4192 for Interchange Improvements, on the Jane Addams Memorial Tollway (I-90) at Milepost 62.2 (Barrington Road Interchange), in an amount not to exceed \$906,873.39.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 2**. Director Johnson made a motion for approval; seconded by Director Banks. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Banks, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

*Item 3: Acceptance of Proposal from Graef-USA Inc., on Contract I-13-4625 for Design and Construction Management Upon Request, on the Elgin O'Hare Western Access (EOWA), in an amount not to exceed \$330,000.00.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 3**. Director Vazquez Rowland made a motion for approval; seconded by Director Sweeney. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Vazquez Rowland, Director Sweeney, Director Banks, Director Dotson, Director Gomez, Director Gonzalez, Director Johnson, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.



*Item 4: Extra Work Order on Contract I-15-4663 to Lindahl Brothers, Inc. for Detention Pond, Pump Station, and Advanced Earthwork Construction on the Elgin O'Hare Western Access (EOWA) adjacent to Milepost 0.2 to Milepost 0.7 in the amount of \$692,471.88.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 4**. Director Sweeney made a motion for approval; seconded by Director Gomez. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Director Dotson inquired about the reference in the item summary Diversity Program detail to "DBE work still in progress". Mr. Kovacs responded that the note indicates that the project work is currently only 11 percent complete, with the bulk of DBE utilization either in progress or yet to come.

Hearing nothing further, Chairman Schillerstrom called for a roll call on the pending motion, the vote of yeas and nays being as follows:

Yeas: Director Sweeney, Director Gomez, Director Banks, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

*Item 5: Extra Work Order on Contract I-13-4168 to F.H. Paschen, S.N. Nielsen & Associates, LLC for Roadway and Bridge Reconstruction on the Jane Addams Memorial Tollway (I-90) at Milepost 67.4 (Meacham Road), in the amount of \$255,000.00.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 5**. Director Johnson made a motion for approval; seconded by Director Dotson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Dotson, Director Banks, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

*Item 6: Amendment to Change Order / Extra Work Order on Contract I-13-4168 to F.H. Paschen, S.N. Nielsen & Associates, LLC for Roadway and Bridge Reconstruction on the Jane Addams Memorial Tollway (I-90) at Milepost 67.4 (Meacham Road), in the amount of \$585,000.00.*



Chairman Schillerstrom called for a motion to approve **Engineering Item 6**. Director Dotson made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Director Vazquez Rowland observed that while the project work is reported as 83 percent complete, the DBE earned to-date is only approximately half of the 20.35 percent commitment. Mr. Kovacs responded that DBE work is still in progress on this contract. He emphasized that DBE performance of all contracts is actively monitored, evaluated and reported on a monthly basis by the Engineering and Diversity Departments, with almost all contracts ultimately achieving their DBE utilization commitments. In regards to change orders / extra work orders, Mr. Kovacs noted that in almost all cases the Tollway is able to collaborate with the prime to facilitate DBE participation in the added work at a level commensurate with the DBE commitment of the underlying contract; however, there are circumstances when changes or extra work requests by the Tollway do not fall within the scope of the DBE subcontractors and thus may impact the overall contract DBE percentage goal.

Hearing nothing further, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Dotson, Director Johnson, Director Banks, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

*Item 7: Amendment to Change Order / Extra Work Order on Contract I-15-4237 to Judlau Contracting, Inc. for Inside Roadway and Bridge Reconstruction on Jane Addams Memorial Tollway (I-90) from Milepost 73.3 (Oakton Street) to Milepost 76.5 (Mannheim Road), in the amount of \$1,933,442.75.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 7**. Director Johnson made a motion for approval; seconded by Director Banks. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Banks, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.



## Legal

*Item 1: Approval of an Intergovernmental Agreement with the Fox River Water Reclamation District ("District") in which the tollway is consenting to the annexation of a Tollway parcel for the purpose of establishing district jurisdiction. The annexation is necessary to allow the District to service a Pace Bus Service facility near Randall Road and I-90. Cost to the Tollway: \$0.*

Chairman Schillerstrom called for a motion to approve **Legal Item 1**. Director Gomez made a motion for approval; seconded by Director Banks. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Gomez, Director Banks, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

Chairman Schillerstrom stated that without objection, action on Legal Items 2 and 3, related to pending litigation, will be deferred until after consideration in the Executive Session.

## Executive Session

Chairman Schillerstrom called for a motion to enter Executive Session pursuant to exceptions provided in Sections 2(c)1, 2(c)5, 2(c)8, 2(c)11, 2(c)14 and 2(c)21 of the Illinois *Open Meetings Act* to consider Tollway matters related to the performance of specific employees, purchase of real property, security procedures for the safety of employees or public property, potential or pending litigation, assignment of personnel for criminal investigatory purposes, and the minutes of closed meetings. Director Gomez made a motion, pursuant to the sections specified, to enter Executive Session; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Gomez, Director Johnson, Director Banks, Director Dotson, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.



At approximately 10:00 a.m. the Board entered into Executive Session.

### Return from Executive Session and Action (if any)

At approximately 10:44 a.m., the Board re-entered the public session of the Meeting.

Chairman's Item 2: *Approval of the Minutes of the Executive Session of the Board of Directors meeting held July 28, 2016.*

Chairman Schillerstrom called for a motion to approve **Chairman's Item 2**, the Minutes of the Executive Session of the Board of Directors meeting held on July 28, 2016, as presented. Director Johnson made a motion for approval; seconded by Director Gomez. Chairman Schillerstrom asked if there are any questions, concerns or requests for amendment. Hearing nothing, Chairman Schillerstrom called for a vote. The motion PASSED unanimously.

Legal Item 2: *Authorization to Enter into a Contract with Frasco, Inc., for Investigative Services. Cost to the Tollway: As discussed in Executive Session.*

Chairman Schillerstrom called for a motion to approve **Legal Item 2**, authorization to contract with Frasco, Inc. for Investigative Services at an upper limit of compensation of \$50,000 per contract year, with total payments not to exceed \$250,000. Director Banks made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Banks, Director Johnson, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

Legal Item 3: *Authorization to Enter into a Workers Compensation Settlement – Michael Giliberto. Cost to the Tollway: As discussed in Executive Session.*

Chairman Schillerstrom called for a motion to approve **Legal Item 3**, authorizing staff to proceed with a workers' compensation settlement with Mr. Michael Giliberto, consistent with terms discussed in Executive Session. Director Gomez made a motion for approval; seconded by Director Banks. Chairman Schillerstrom asked if there are any questions, concerns or requests



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for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Gomez, Director Banks, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (8)

Nays: None (0)

The motion PASSED.

### **Adjournment**

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There being no further business before the Board, Chairman Schillerstrom requested a motion to adjourn. Motion to adjourn was made by Director Sweeney, seconded by Director Banks. Chairman Schillerstrom called for a vote. The motion PASSED by unanimous vote of those Directors present.

The Meeting was adjourned at approximately 10:46 a.m.

Minutes taken by: \_\_\_\_\_

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority