



Record of Meeting | September 22, 2016

The Illinois State Toll Highway Authority (the “Tollway”) Board of Directors met in regular session on Thursday, September 22, 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 Corey Brooks	Director James Sweeney
Director Earl Dotson, Jr. <i>(entered at 9:05 a.m.)</i>	
Director Joe Gomez	
Director David Gonzalez	
Director Craig Johnson	
Director Neli Vazquez Rowland <i>(entered at 9:23 a.m.)</i>	

The Board Secretary declared a quorum present.

Public Comment

Chairman Schillerstrom stated that without objection, consideration of public comment will be deferred briefly to accommodate the anticipated arrival of additional speakers.



Chairman's Items

Item 1: Approval of the Minutes of the regular Board of Directors meeting held August 25, 2016.

Chairman Schillerstrom called for a motion to approve **Chairman's Item 1**, the Minutes of the regular Board of Directors meeting held on August 25, 2016, as presented. Director Banks 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 by unanimous vote of those Directors present.

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 August 25, 2016, will be deferred until after consideration in Executive Session.

[Director Dotson entered the Meeting at approximately 9:05 a.m.]

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

Chairman Schillerstrom called for a motion to approve **Chairman's Item 3**, amendment to the Tollway's By-Laws to effect the elimination of the Executive Committee as a standing committee of the Tollway Board. Director Banks made a motion for approval; seconded by Director Brooks. Chairman Schillerstrom asked if there are any questions, concerns or requests for amendment. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Banks, Director Brooks, Director Dotson, Director Gomez, Director Gonzalez, Director Johnson, Chairman Schillerstrom (7)

Nays: None (0)

The motion was PASSED.

Public Comment (continued)

At this time, Chairman Schillerstrom opened the floor for public comment.

The following members of the public offered comments critical of the Board's vote to oppose award of contract I-15-4246R at the July Board meeting:

- Mike Saltijeral, Industrial Fence Inc., Chicago, Illinois



- The Hon. Martin Sandoval, Illinois State Senator
- Alderman Gilbert Villegas, Chicago, Illinois
- The Hon. Luis Arroyo, Illinois State Representative

[Director Vazquez Rowland entered the Meeting at approximately 9:23 a.m.]

The following members of the public expressed concerns about the level of participation by African Americans in Tollway project work and offered recommendations on improving diversity results:

- Omar Shareef, African American Contractors Association, Chicago, Illinois
- Paul McKinley, Voices of the Ex-Offenders (V.O.T.E), Chicago, Illinois
- Dr. Eliyahh Ysr'Al, Internal Congregations of Ysr'Al, Chicago, Illinois

Additionally, John Scifers, Illinois Chapter President of the Elite Service-Disabled Veteran-Owned Business Network and member of the Tollway's Diversity Advisory Council, addressed the Board. Mr. Scifers highlighted the Tollway's leadership nationally in the engagement of veteran- and service-disabled veteran-owned businesses and encouraged the Board's continued support of these initiatives.

Chairman Schillerstrom thanked the speakers for their comments.

Chairman's Items (continued)

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 Wednesday, September 14, 2016, providing the following highlights:

PROCUREMENT presented two items which the FAO Committee recommended placing on the full Board agenda, including a request to utilize a Department of Central Management Services (CMS) master contract for the continued purchase of bulk rock salt for 11 Tollway locations, and the award of an invitation to bid for the purchase of winter roadway abrasives.



BUSINESS SYSTEMS presented one item which was approved for placement on the Board agenda with a recommendation for approval, an award of a sole source contract to Accenture LLP for continued purchase of a toll transaction management system.

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

- One construction contract award for fiber optic relocation work. This contract was won based on credits earned in the Tollway's Earned Credit Program. Through the Earned Credit Program the Tollway continues to encourage contractors and subcontractors to hire and provide job opportunities to qualified candidates, including underemployed African-Americans, Latinos, Asian-Americans, women, eligible offenders and exonerated individuals, veterans and other *Workforce Investment Act* eligible individuals.
- One professional service contract award for construction management services associated with a new westbound entrance ramp in conjunction with ramps at Roselle Road on the Jane Addams Memorial Tollway (I-90).
- One supplement to a professional services contract award for additional construction management services in support of the diversity program.
- One construction contract extra work order related to a claim.
- Two items related to the sale of excess property.

LEGAL presented four items, each an intergovernmental agreement, which were reviewed and approved for placement on the Board agenda with the Committee's recommendation for approval.

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

Diversity & Inclusion Committee

Committee Chair Brooks updated the Board on the Diversity & Inclusion Committee meeting held Wednesday, September 14, 2016, providing the following highlights:

The Tollway's Department of Diversity and Strategic Development provided the Committee a number of updates:

- The Tollway is completing the framework for the new "Partnering for Growth" mentor/protégé program for construction, and met with the Road Builders Equal Employment Opportunity Committee earlier this month to discuss the program.



- The Tollway is drafting a request for proposal seeking technical assistance to prepare qualified individuals for entry into approved US Department of Labor apprenticeship programs, facilitate job placement and sponsorship opportunities with construction contractors and provide employment support and retention services that enable participants to establish careers in the construction industry.
- The Tollway has issued a request for proposal seeking one or more vendors to provide training to small businesses in Chicago Southland, Cook County and areas towards Rockford.
- The Tollway is hosting an event on October 14 at Moraine Valley College in Palos Hills for veteran-owned firms interested in doing business with the Tollway.
- The Tollway is moving forward with a new request for proposal to purchase a customized electronic data collection and monitoring software system. The system fulfills a recommendation from the Tollway's Disparity Study, and will enhance the agency's ability to conduct outreach, track goals, monitor compliance and develop innovative success metrics for the Tollway's diversity program.
- The Tollway's Diversity Advisory Council (DAC) is meeting in October, where they are expected to establish an attendance policy and introduce the DAC members who volunteered to chair each of the free-standing committees, with support from Tollway staff.

Additionally, the most recent disadvantaged business enterprise (DBE) and veteran participation and Equal Employment Opportunity (EEO) statistics were reviewed, showing that overall participation is strong:

- Since January 1, 2011, the Tollway has paid \$855 million to disadvantaged, minority or woman-owned business enterprise (D/M/WBE) firms on construction and professional services contracts, amounting to 22.5 percent of all dollars spent on these services. Additionally, the amounts paid annually to DBE firms have increased each year:
 - In 2012, the first full year of the *Move Illinois* capital program, the Tollway paid \$39.2 million to DBE construction firms and \$37.9 million to DBE professional services firms. In 2015, these numbers increased to \$193.3 million to DBE construction firms and \$91.2 million to DBE professional services firms. This increase is due in part to the Tollway's efforts to increase awareness of upcoming bid opportunities.
- Nearly 360 certified DBE firms have worked on Tollway projects since *Move Illinois* began, including 175 firms that had never worked with the Tollway before.
- Since the Tollway established veteran goals on professional services and construction contracts, the Tollway has paid more than \$28 million to certified veteran-owned firms.



- EEO data reveals that since January 2011, 40.7 percent of all construction hours worked in the field on Tollway construction contracts were by African Americans, Hispanics or other ethnic groups – well exceeding the 19.6 percent EEO minority goal established for the Tollway’s geographical area – and that women worked 5.6 percent of all hours logged in the field.

These figures show significant progress made in greater participation by minorities, but challenges remain. The Committee and agency will continue to work to break down barriers and provide more opportunities for inclusion.

[End of Committee Reports]

Chairman Schillerstrom recognized Executive Director Bedalov for his recent election to the Board of Directors of the International Bridge, Tunnel and Turnpike Association for a two-year term that begins on January 1, 2017.

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

Executive Director’s Items

Inspector General’s Report: Executive Director Bedalov highlighted how the agency works collaboratively with the Office of Inspector General (“OIG”) to enhance the quality of Tollway operations. He then introduced T.J. Hengesbach, Tollway Inspector General, to present the OIG Summary Activity Report, conveyed semi-annually pursuant to requirements of the *Toll Highway Act*, for the period of March 1, 2016 to August 31, 2016. [See attached report.](#)

Tollway Acknowledgments: Executive Director Bedalov thanked Mike Stone, Chief of Staff, for his years of service to the Tollway and extended good wishes for success in his new position with Northwestern University’s Kellogg School of Management. Mr. Bedalov then recognized Sharon Ferguson, previously with the Procurement and Engineering/Planning Departments, for her appointment as EEO/AA/ADA Officer for the Tollway. Lastly, the Executive Director recognized Wayde Tabor for his recent promotion to General Manager of Maintenance and Traffic.

9th Annual Family Safety Fair: Executive Director Bedalov announced that the 9th Annual Family Safety Fair, hosted by the Tollway and Illinois State Police District 15, is taking place at Tollway Headquarters on Saturday, September 24th. He highlighted that the annual free event offers identification cards for children, as well as child safety seat inspection and installation



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

ENGINEERING has one construction contract totaling \$3.8 million, and one professional services contract totaling \$1.7 million, which include:

- One firm that has worked previously as a subcontractor for the Tollway and is now working as a prime for the first time on a Tollway contract.

Of the \$5.5 million in recommended Engineering contract awards, nearly \$1.4 million, or 25 percent, is committed to veteran-owned or disadvantaged firms.

Both contracts include commitments for disadvantaged, minority- and women- owned business enterprise (D/M/WBE) firm participation, ranging from 14 to 50 percent per contract. One contract includes a veteran commitment of one percent. Of these contracts:

- One subcontractor is certified as both veteran-owned and D/MBE.
- One prime consultant is certified as D/WBE.
- One subconsultant is certified as D/MBE.
- One subconsultant is a certified veteran-owned firm.

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.

Procurement

Item 1: Renewal of Contract 15-0076 to Cargill Salt Div. and Compass Minerals America, Inc. for the purchase of Bulk Rock Salt in an aggregate amount not to exceed \$2,737,641.00 (Order Against CMS Master Contract).

Chairman Schillerstrom called for a motion to approve **Procurement Item 1**. 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 on the pending motion, the vote of yeas and nays being as follows:

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



Nays: None (0)

The motion was PASSED.

Item 2: Award of Contract 16-0070 to Thelen Materials, LLC for the purchase of Winter Roadway Abrasives in an amount not to exceed \$322,078.00 (Tollway Invitation for Bid).

Chairman Schillerstrom called for a motion to approve **Procurement 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 Brooks, Director Dotson, Director Gonzalez, Director Vazquez Rowland, Chairman Schillerstrom (8)

Nays: None (0)

The motion was PASSED.

Business Systems

Item 1: Award of Contract 16-0083 to Accenture LLP for the continued purchase of a Toll Transaction Management System in an amount not to exceed \$22,000,000.00 (Tollway Sole Source).

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

Director Vazquez Rowland, noting her understanding that sole source procurements are not subject to Business Enterprise Program ("BEP") goal-setting requirements, reiterated her suggestion made at committee that it may be appropriate to established BEP goals for certain sole source contracts. John Donato, Chief of Procurement, responded that based on the Director's suggestion, staff is in the process of developing a protocol for Diversity Department review of sole source contracts for BEP goal-setting opportunities.

Chairman Schillerstrom inquired about the term of the contract and whether provisions are included for potential extension. Shana Whitehead, Chief of Business Systems, responded that the subject contract has an 18 month term, after which terms and renewal options for system maintenance provided under a separate concurrent contract with the vendor remain available to the agency.



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 Banks, Director Brooks, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Chairman Schillerstrom (7)

Nays: None (0)

Abstentions: Director Gomez (1)

The motion was PASSED.

Engineering

Item 1: Award of Contract I-16-4269 to John Burns Construction Company for Fiber Optic Relocation, Systemwide, in the amount of \$3,790,982.00.

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

Chairman Schillerstrom asked for further explanation of the purpose and scope of the contract, particularly of relocation work on the Jane Addams Memorial Tollway (I-90). Paul Kovacs, Chief Engineer, responded that the task order based contract is for fiber optic relocation work, including relocations to complete the fiber work (returning temporarily relocated facilities to their "final resting place") along the Jane Addams Memorial Tollway (I-90), as well as for interchange construction on the Elgin O'Hare Western Access and similar work on other corridors, as necessary.

Director Johnson requested confirmation that fiber optic facilities currently temporarily housed upon roadside poles during the rebuilding of I-90 are ultimately to be buried. Mr. Kovacs confirmed.

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 Banks, Director Brooks, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Chairman Schillerstrom (8)

Nays: None (0)

The motion was PASSED.



Item 2: Acceptance of Proposal from Gewalt Hamilton Associates, Inc. / Atlas Engineering Group Inc. (JV), on Contract I-14-4193 for Roselle Road Interchange, on the Jane Addams Memorial Tollway (I-90) at Milepost 65.5 (Roselle Road Interchange), in an amount not to exceed \$1,679,688.08.

Chairman Schillerstrom called for a motion to approve **Engineering Item 2**. Director Vazquez Rowland 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 Vazquez Rowland, Director Dotson, Director Banks, Director Brooks, Director Gomez, Director Gonzalez, Director Johnson, Chairman Schillerstrom (8)

Nays: None (0)

The motion was PASSED.

Item 3: Acceptance of Proposal from Robert E. Hamilton Consulting Engineers, Inc. on Contract I-13-4111 for Supplemental Construction Management for Document Compliance, Systemwide, in the amount of \$3,344,000.00 from \$3,360,000.00 to \$6,704,000.00.

Chairman Schillerstrom called for a motion to approve **Engineering 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 Brooks, Director Dotson, Director Gomez, Director Gonzalez, Chairman Schillerstrom (8)

Nays: None (0)

The motion was PASSED.

Item 4: Extra Work Order on Contract I-13-5675 to IHC Construction Companies, LLC for Noise and Retaining Wall Construction and Drainage Improvements on the Jane Addams Memorial Tollway (I-90) from Milepost 68.1 (I-290/IL Route 53) to Milepost 70.7 (Arlington Heights Road), in the amount of \$373,815.00.

Chairman Schillerstrom called for a motion to approve **Engineering Item 4**. Director Banks 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 Banks, Director Dotson, Director Brooks, Director Gomez, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Chairman Schillerstrom (8)

Nays: None (0)

The motion was PASSED.

Item 5: Land Acquisition – Sale of Excess Property in the amount of \$46,500.00 for Parcel TW-1C-10-141. EX located on the easterly side of I-294 and south of 147th Street in Posen, Cook County. Cost to the Tollway: N/A.

Chairman Schillerstrom called for a motion to approve **Engineering Item 5**. 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 Brooks, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Chairman Schillerstrom (8)

Nays: None (0)

The motion was PASSED.

Item 6: Land Acquisition – Sale of Excess Property in the amount of \$27,150.00 for Parcel NS-702-012.2EX located north of Willow Drive, south of 127th Street and west of I-355 in Lemont, Cook County. Cost to the Tollway: N/A.

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

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

Nays: None (0)

The motion was PASSED.

Legal



Item 1: Approval of an Intergovernmental Agreement with the Illinois Department of Transportation and the Village of Posen regarding I-294/57 interchange emergency vehicle preemption (EVP) equipment. Cost to the Tollway: \$0.

Chairman Schillerstrom called for a motion to approve **Legal Item 1**. 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 Brooks, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Chairman Schillerstrom (8)

Nays: None (0)

The motion was PASSED.

Item 2: Approval of an Intergovernmental Agreement with DuPage County, the City of Wood Dale, the Village of Itasca, and Wood Dale Park District regarding construction enhancements at Illinois Route 390 Tollway from Arlington Heights Road to Lively Boulevard. Cost to the Tollway: \$41,773.00.

Chairman Schillerstrom called for a motion to approve **Legal Item 2**. Director Vazquez Rowland made a motion for approval; seconded by Director Banks. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Director Johnson complimented staff for their work with local municipalities to address local concerns and to accommodate within Tollway projects certain enhancements (later reimbursed to the agency) which provide benefit to these communities.

Chairman Schillerstrom asked for further explanation of the payment arrangements for enhancements to be incorporated within Tollway work. Rocco Zuccherro, Chief Planning Officer, responded that Tollway costs for enhancements requested by the City of Wood Dale, Wood Dale Park District, and DuPage County are being satisfied by reducing the balance owed (based on assessed fair market value) to each of these parties for land each have conveyed to the agency under this agreement.

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 Vazquez Rowland, Director Banks, Director Brooks, Director Dotson, Director Gomez, Director Gonzalez, Director Johnson, Chairman Schillerstrom (8)



Nays: None (0)

The motion was PASSED.

Item 3: Approval of an Intergovernmental Agreement with Cook County and Village of Schaumburg which outlines the sharing of costs and project responsibilities associated with the addition of a new westbound I-90 on-ramp at Roselle Road as well as improvements to the existing Central and Roselle Roads. Cost to the Tollway: \$8,697,438.00.

Chairman Schillerstrom called for a motion to approve **Legal Item 3**. Director Vazquez Rowland made a motion for approval; seconded by Director Brooks. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Chairman Schillerstrom inquired about the cost sharing arrangements for ramp additions made at the request of local municipalities. Executive Director Bedalov responded that typically costs in this context are shared in equal proportion between the requesting party(s) and the agency. He advised that in the subject agreement, Cook County's share of the total cost for the project is estimated as 50 percent, the Village of Schaumburg's share is estimated as 10 percent, and the Tollway's share is estimated as 40 percent.

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 Vazquez Rowland, Director Brooks, Director Banks, Director Dotson, Director Gomez, Director Gonzalez, Director Johnson, Chairman Schillerstrom (8)

Nays: None (0)

The motion was PASSED.

Item 4: Approval of an Intergovernmental Agreement with the Illinois Department of Transportation "IDOT" allowing for the sharing of IDOT data necessary for the Tollway's website trip planner. Cost to the Tollway: \$0

Chairman Schillerstrom called for a motion to approve **Legal Item 4**. Director Vazquez Rowland 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 Vazquez Rowland, Director Johnson, Director Banks, Director Brooks, Director Dotson, Director Gomez, Director Gonzalez, Chairman Schillerstrom (8)



Nays: None (0)

The motion was PASSED.

Chairman Schillerstrom stated that without objection, action on Legal Items 5, 6 and 7, related to pending litigation and land acquisition, 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)5, 2(c)8, 2(c)11, and 2(c)21 of the Illinois *Open Meetings Act* to consider Tollway matters related to the purchase of real property, security procedures for the safety of employees or public property, potential or pending litigation, and the minutes of closed meetings. Director Gomez made a motion, pursuant to the sections specified, to enter Executive Session; 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 Brooks, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Chairman Schillerstrom (8)

Nays: None (0)

The motion was PASSED.

At approximately 10:36 a.m. the Board entered into Executive Session.

[Director Dotson departed the Meeting during Executive Session at approximately 11:32 a.m.]

Return from Executive Session and Action (if any)

At approximately 11:55 a.m., the Board re-entered the public session of the Meeting.

Legal Item 5: Approval of an Intergovernmental Agreement with the City of Chicago (Department of Aviation) regarding land acquisition at O'Hare Airport. Cost to the Tollway: As discussed in Executive Session.

Chairman Schillerstrom called for a motion to approve **Legal Item 5**, authorization to enter into an intergovernmental agreement with the City of Chicago (Department of Aviation) regarding land



acquisition at O'Hare Airport, consistent with terms discussed in Executive Session. 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 Brooks, Director Gonzalez, Director Vazquez Rowland, Chairman Schillerstrom (7)

Nays: None (0)

The motion was PASSED, Director Dotson having departed previously.

Chairman Schillerstrom thanked staff for their efforts to develop and consummate final agreement with the City of Chicago (Department of Aviation).

Legal Item 6: Authorization to Enter into a Workers Compensation Settlement – Sam Esposito. Cost to the Tollway: As discussed in Executive Session.

Chairman Schillerstrom called for a motion to approve **Legal Item 6**, authorizing staff to proceed with a workers' compensation settlement with Mr. Sam Esposito, consistent with terms discussed in Executive Session. Director Banks 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 Banks, Director Vazquez Rowland, Director Brooks, Director Gomez, Director Gonzalez, Director Johnson, Chairman Schillerstrom (7)

Nays: None (0)

The motion was PASSED, Director Dotson having departed previously.

Legal Item 7: Authorization to Enter into a Land Acquisition Litigation Settlement regarding Parcel No. NW-6C-13-009. Cost to the Tollway: As discussed in Executive Session.

Chairman Schillerstrom called for a motion to approve **Legal Item 7**, authorizing staff to proceed with a land acquisition litigation settlement regarding Parcel No. NW-6C-13-009, 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 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 Brooks, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Chairman Schillerstrom (7)

Nays: None (0)

The motion was PASSED, Director Dotson having departed previously.

Chairman's Item 2: Approval of the Minutes of the Executive Session of the Board of Directors meeting held August 25, 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 August 25, 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 was PASSED by unanimous vote of those Directors present, Director Dotson having earlier departed.

New Business

Chairman Schillerstrom inquired if there is any new business the Board wishes to discuss.

Director Vazquez Rowland inquired about the appropriateness of a motion to reconsider the Board's previous vote (at the July Board meeting) to oppose award to Industrial Fence, Inc., of contract I-15-4246R. Chairman Schillerstrom explained that pursuant to *Robert's Rules of Order*, a motion to reconsider must be made within a limited time after the action on the original motion. He advised that time has lapsed under which such a motion would be in order.

Adjournment

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

The Meeting was adjourned at approximately 12:04 p.m.



Minutes of the
Regular Board of Directors Meeting

Christi Regnery

Minutes taken by: _____

Christi Regnery
Board Secretary
Illinois State Toll Highway Authority