

**DuPAGE AIRPORT AUTHORITY
REGULAR BOARD MEETING**

**Wednesday, December 10, 2008
DuPage Flight Center, 2700 International Drive, West Chicago
1st Floor Conference Room**

The Regular Meeting of the Board of Commissioners of the DuPage Airport Authority was convened at the DuPage Flight Center, 2700 International Drive, West Chicago, Illinois, 1st Floor Conference Room; Wednesday, December 10, 2008. A quorum was present for the meeting. Chairman Goodwin introduced a special quest in attendance, DuPage County Treasurer Gwen Henry.

Commissioners Present: Davis, Gillett, Goodwin, Gorski, Huizenga, LaMantia, and Donnelly.

Commissioners Absent: Meagher

DuPage Airport Authority Staff Present: David Bird, Executive Director; Byron Miller, Director of Operations; Mark Doles, Director of Operations Planning; Lisa Maedgen, Director of Finance and Administration; John Schlaman, Director of Golf – Prairie Landing Golf Club; Dan Barna, Manager of Administration; Anna Normoyle, Marketing Coordinator; Pam Miller, Executive Assistant and Board Liaison.

Others in Attendance: Jack Tenison, Director of the DuPage National Technology Park; Phil Luetkehans, Schirott & Luetkehans; Dan Pape, Crawford, Murphy & Tilley; Jim Cross, CenterPoint Properties Trust; Fred Reynolds, CenterPoint Properties Trust; John Lewis, NIPTRC; Gwen Henry, DuPage County Treasurer.

Members of the Press: None

APPROVAL OF MINUTES

Chairman Goodwin asked for additions or corrections to the minutes of the October 15, 2008 Regular Board Meeting and there were none. Commissioner Gorski made a **MOTION** to approve the minutes of the October 15, 2008 Regular Board Meeting and Commissioner Gillett seconded this motion. The motion was passed unanimously by roll call vote (7-0).

Chairman Goodwin asked for additions or corrections to the minutes of the October 15, 2008 Capital Development, Leasing and Customer Fees Committee Meeting and there were none. Commissioner Gorski made a **MOTION** to approve the minutes of the October 15, 2008 Capital Development, Leasing and Customer Fees Committee Meeting and Commissioner LaMantia seconded this motion. The motion was passed unanimously by roll call vote (7-0).

Chairman Goodwin asked for additions or corrections to the minutes of the October 15, 2008 Finance, Budget and Audit Committee Meeting and there were none. Commissioner Huizenga made a **MOTION** to approve the minutes of the October 15, 2008 Meeting of the Finance, Budget and Audit Committee and Commissioner Donnelly seconded this motion. The motion was passed unanimously by roll call vote (7-0).

Chairman Goodwin asked for additions or corrections to the minutes of the November 12, 2008 Finance, Budget and Audit Committee Meeting and there were none. Commissioner Huizenga made a **MOTION** to approve the minutes of the November 12, 2008 Meeting of the Finance, Budget and Audit Committee and Commissioner Davis seconded this motion. The motion was passed unanimously by roll call vote (7-0).

PUBLIC COMMENT

There was no one registered for public comment.

DIRECTOR'S REPORT

Executive Director Bird discussed the monthly statistics for fuel sales and airport operations, stating these statistics are consistent nationwide. He continued that total gallons of fuel sold decreased 27% for the month; year-to-date sales reflect a decrease of 14% and fuel sales have been bolstered by the month-to-month lease agreement with a new tenant, AirNet. Discussion occurred.

Executive Director Bird reported that a Tabletop Emergency Exercise was conducted at the Airport with participants from DuPage County Office of Homeland Security, FAA, West Chicago Fire Protection District and the West Chicago Police Department as well as Airport Authority and Prairie Landing staff. He added that a full-scale live exercise is planned for 2009.

Executive Director Bird advised that the 2009 Budget is essentially complete and will be presented at the January Meeting. Commissioner Huizenga commented briefly on the 2009 budget, as reviewed by the Finance Committee, and discussed the assumptions used to make final budget determinations.

Byron Miller, Director of Operations, discussed the activities of field operations and reported on snow operations and ice control during the month.

John Schlaman, Prairie Landing Golf Club, reported on financial information at the golf course for November and briefly discussed information relating to the 2009 Budget preparation.

Mark Doles, Director of Operations Planning, discussed fuel operations and fuel sales for the Airport during the month. He reported that the major HVAC project at the Government Center has been successfully completed. He also commented briefly on the new tenant, AirNet, and their activities at the Airport.

REVIEW OF OCTOBER FINANCIAL STATEMENTS

Executive Director Bird asked Lisa Maedgen to provide a review of the October Financial Statements and discussion followed.

REPORT OF COMMITTEES

Finance, Budget and Audit Committee:

Commissioner Huizenga commented previously on the budget process and had nothing further to report.

Internal Policy and Compliance Committee:

Commissioner Gillett advised that the Internal Policy and Compliance Committee had not met since the last Board Meeting.

Golf Committee:

Commissioner Donnelly advised that the Golf Committee had not met since the last Board Meeting. He briefly commented on weather related issues recently experienced at the golf course and complimented staff.

Capital Development, Leasing and Customer Fees:

Commissioner Gorski advised that the Capital Development Committee met earlier with all committee members present. He continued that the Committee would unanimously recommend Board approval for the following agenda items: 9. e. Proposed Resolution 2008-1410 relating to the Master Plan Project; 9.f. Proposed Resolution 2008-1395, an agreement with Crawford, Murphy and Tilly; 9.g. Proposed Resolution 2008-1411 relating a SASO Agreement with Superior Air Ambulance; 9.h. Proposed Resolution 2008-1412 relating to an Extension of the License and Indemnity Agreement with CenterPoint; and 9. j. relating to the Northern Illinois Proton Treatment and Research Center, LLC. In reference to Agenda item 9. i. relating to the License Indemnity Agreement with NIPTRC for signage, Commissioner Gorski advised that the Committee will recommend approval for the placement of one onsite sign; the License and Indemnity Agreement should be further reviewed by attorneys. The Committee did not have an Executive Session and deferred action on the items included under Other Business for discussion by the full Board at the Executive Session.

Jack Tenison, DNTP Director, advised that efforts for Tech Park development are slow from a marketing standpoint, and construction. He continued that work is still underway with West Chicago for the dedication of the infrastructure at the Tech Park.

Mr. Tenison reported that a committee will be developed including representatives from the Airport Authority, DAA Board, and CenterPoint to address marketing issues to determine ways to attract additional tenants. Chairman Goodwin, appointed Commissioners Gorski and LaMantia to be a part of this committee. Mr. Tenison then discussed potential future development opportunities for the Technology Park.

OLD BUSINESS

None

NEW BUSINESS

Proposed Resolution 2008-1416; Award of Bid to Cryotech Deicing Technology for the Procurement of Runway Deicing Fluid.

Executive Director Bird asked Dan Barna to address this proposed resolution. Mr. Barna explained that earlier in 2008 the Airport was not able to secure bids due to a national shortage of this product and the product was rebid in October. He continued that three responses were received and Cryotech Deicing Technology was the low and responsive bidder; Staff and the Finance, Budget and Audit Committee recommended Board approval.

A **MOTION** was made by Commissioner Donnelly to approve Proposed Resolution 2008-1416; Award of Bid to Cryotech Deicing Technology for the Procurement of Runway Deicing Fluid. The motion was seconded by Commissioner Davis and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2008-1413; Disposition of Surplus Personal Property.

Executive Director Bird asked Mr. Barna to discuss this proposed resolution. Mr. Barna stated that a new phone system was installed for the Airport Authority and the Flight Center during 2008. He continued that authority to sell the old system on eBay is requested. Staff and the Finance, Budget and Audit Committee recommended approval.

A **MOTION** was made by Commissioner Davis to approve Proposed Resolution 2008-1413; Disposition of Surplus Personal Property. The motion was seconded by Commissioner LaMantia and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2008-1408; Authorization of Additional Funds for KCW Environmental Conditioning Inc. for Government Center HVAC Renovation Project.

Executive Director Bird asked Mark Doles to discuss this matter. Mr. Doles advised that authorization for additional funds is required to close out the renovation project for the HVAC system at the Government Center. Mr. Doles reviewed the details of the renovation project and explained that the additional amount of \$19,230.86 is requested for unforeseen items needed to complete the project. The total project costs is \$203,730.21 and remains under the total budgeted amount. Staff and the Finance, Budget and Audit Committee recommended approval.

A **MOTION** was made by Commissioner Huizenga to approve Proposed Resolution 2008-1408; Authorization of Additional Funds for KCW Environmental Conditioning Inc. for Government Center HVAC Renovation Project. The motion was seconded by Commissioner Gillett and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2008-1409; Authorizing the Execution of a Contract with Shaw Environmental Inc. for Soil Excavation and Disposal Services at 1920 W. Roosevelt Road West Chicago Illinois.

Executive Director Bird asked Byron Miller to address this issue. Mr. Miller explained the Board previously approved a contract with Shaw Environmental Inc. to remove an Underground Storage Tank at the *Old Car Lot* site located on Airport property. He advised that once the tank was removed it was determined there was some contamination of the site and this Change Order would allow Shaw Environmental to perform additional soil excavation services and testing. Shaw will then recommend an appropriate course of action for closure of this site with the Illinois Environmental Protection Agency. Mr. Miller advised that the Change

Order with Shaw Environmental would be a "not-to-exceed" amount of \$14,500. Staff and the Finance, Budget and Audit Committee recommended Board approval.

A **MOTION** was made by Commissioner Donnelly to approve Proposed Resolution 2008-1409; Authorizing the Execution of a Contract with Shaw Environmental Inc. for Soil Excavation and Disposal Services at 1920 W. Roosevelt Road West Chicago, Illinois. The motion was seconded by Commissioner Davis and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2008-1410; Authorizing Funding of the Master Plan Project at 100% Pending Release of Funds by the State of Illinois.

Executive Director Bird explained that the Airport Authority was informed that the Governor would not release the State's portion of the Master Plan funding; the Participation Agreement has been fully executed and Division of Aeronautics representatives stated that release of these funds at a future time is possible, however no timeframe for this release of funds could be anticipated. Executive Director Bird discussed the options for managing this situation and recommended that the Airport Authority be authorized to fund the States portion of the project, in the amount of \$249,584 to complete the Airport Master Plan. With Board approval these funds will be included in the 2009 Budget. Discussion occurred. Staff and the Capital Development, Leasing and Customer Fees Committee recommended Board approval.

A **MOTION** was made by Commissioner Gillett to approve Proposed Resolution 2008-1410; Authorizing Funding of the Master Plan Project at 100% Pending Release of Funds by the State of Illinois. The motion was seconded by Commissioner LaMantia and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2008-1395; Authorizing Engineering Agreement with Crawford Murphy and Tilly for the Design Phase for Contract 1 – Widen Runway 2L/20R to 150'.

Executive Director Bird explained that one of the elements proposed in the Airport Master Plan is widening and strengthening the primary runway. He continued that two options were presented that would increase the Airports crosswind capability; widen the primary runway 2L/20R; or to lengthen and widen Runway 10/28 which would involve land acquisitions and highway relocation. Executive Director Bird advised that Jacobs Consultancy determined the most cost effective method of increasing the airports crosswind capability would be to widen Runway 2L/20R. He further added that, in anticipation of a forthcoming stimulus package and to put the Airport in a position to be competitive for any available funding, the Airport Authority would pay up front for the design phase of this project at a "not-to-exceed" amount of \$124,900. He continued that there would be potential for reimbursement in the future when the project is funded. Staff and the Capital Development, Leasing and Customer Fees Committee recommended Board approval.

A **MOTION** was made by Commissioner Gorski to approve Proposed Resolution 2008-1395; Authorizing Execution of an Engineering Agreement with Crawford Murphy and Tilly for the Design Phase for Contract 1 – Widen Runway 2L/20R to 150'. The motion was seconded by Commissioner LaMantia and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2008-1411; Authorizing the Execution of a SASO Agreement with Superior Air Ambulance.

Executive Director Bird asked Mark Doles to discuss this SASO (Special Aviation Services Operator Agreement). Mr. Doles advised that Superior Air Ambulance has been a subtenant of Calamos for one year and have extended their sublease through November 30, 2009. He advised that a new SASO Agreement with the Airport Authority is required for the same period of time and will be coterminous with the subtenant lease. Staff and the Capital Development, Leasing and Customer Fees Committee recommended Board approval of this agreement.

A **MOTION** was made by Commissioner Gillett to approve Proposed Resolution 2008-1411; Authorizing the Execution of a SASO Agreement with Superior Air Ambulance. The motion was seconded by Commissioner Davis and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2008-1412; Authorizing the Execution of an Extension to the License and Indemnity Agreement with CenterPoint Properties Trust for the Communications Building.

Executive Director Bird asked Attorney Luetkehans to address this request for an extension.

Attorney Luetkehans stated that the Board had previously authorized a License and Indemnity Agreement with CenterPoint for access to the Communications Building located at the DuPage National Technology Park and an extension to this agreement is being requested until the lease agreement is finalized. This License and Indemnity Agreement extension will expire January 30, 2009 and the final lease agreement will be completed by that date. Staff and the Capital Development Leasing and Customer Fees Committee recommended Board approval.

A **MOTION** was made by Commissioner LaMantia to approve Proposed Resolution 2008-1412; Authorizing the Execution of an Extension to the License and Indemnity Agreement with CenterPoint Properties Trust for the Communications Building. The motion was seconded by Commissioner Gorski and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2008-1417; Authorizing the Execution of a License and Indemnity Agreement for Signage Relating to Northern Illinois Proton Treatment and Research Center, LLC (NIPTRC).

Executive Director Bird asked Attorney Phil Luetkehans to discuss this request. Attorney Luetkehans explained that a request was submitted to CenterPoint by Northern Illinois Proton Treatment and Research Center for the placement of three ground signs; one sign located on the lease premises and two signs located outside the lease premises. He continued that this was brought to the Capital Development Committee and after review the Committee is recommending approval of one sign to be located on the lease premises. The Committee expressed concern with placing the two signs located off the lease premises and deferred action on this pending further review of the agreement and consideration of including the names of the Airport Authority and the Technology Park on the signs. Discussion occurred.

A **MOTION** was made by Commissioner Gorski to approve placement of the sign located on the lease premises and to defer action relating to the placement of the two signs located off the lease premises pending further review by Attorneys. The motion was seconded by Commissioner LaMantia and was passed unanimously by roll call vote (7-0).

Approval of Revised Exhibit K to the Ground Lease Agreement with Northern Illinois Proton Treatment and Research Center, LLC (NIPTRC).

Executive Director Bird asked Attorney Phil Luetkehans to discuss this request. Attorney Luetkehans explained that attached to the current Ground Lease Agreement with NIPTRC is an Exhibit K listing various environmental documents. He continued that NIPTRC asked to have the ability to review these documents and all were provided with the exception of nine documents that were not located. He requested approval for a revised Exhibit K to be inserted into the Ground Lease Agreement of NIPTRC, deleting the documents that are unavailable for review. This revised Exhibit K would be for the NIPTRC Ground Lease only.

A **MOTION** was made by Commissioner LaMantia to approve revised Exhibit K to the Ground Lease Agreement with Northern Illinois Proton Treatment and Research Center (NIPTRC). The motion was seconded by Commissioner Gorski and was passed unanimously by roll call vote (7-0)

Chairman Goodwin recessed the regular meeting at 5:10 p.m. for a short break and the meeting resumed at 5:25 p.m.

A **MOTION** was made by Commissioner LaMantia to recess to Executive Session for the discussion of pending, probable or imminent litigation; employee matters; the purchase or lease of real property for the use of the DuPage Airport Authority; the setting of a price for sale or lease of property owned by the DuPage Airport Authority; and the discussion and semi annual review of lawfully closed Executive Session Minutes. The motion was seconded by Commissioner Gorski and was passed unanimously by roll call vote (7-0); the Regular Meeting was recessed at 5:26 p.m.

The Executive Session adjourned and the Regular Meeting was reconvened at 6:30 p.m.; upon roll call, there was a quorum present for the remainder of the Regular Board Meeting

Proposed Resolution 2008-1421; Disclosure of Executive Session Minutes.

There were no Executive Session Minutes to be disclosed.

Proposed Resolution 2008-1415; Approval of Agreement to Lease Option Land with Northern Illinois Proton Treatment and Research Center, LLC (NIPTRC).

A **MOTION TO TABLE** Proposed Resolution 2008-1415; Approval of Agreement to Lease Option Land with Northern Illinois Proton Treatment and Research Center, LLC (NIPTRC) was made by Commissioner LaMantia. The motion was seconded by Commissioner Gorski and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2008-1420; Authorizing the Execution of a First Amendment to Lease with Illinois Aviation Academy Inc.

Commissioner Gorski made a **MOTION TO TABLE** Proposed Resolution 2008-1420; Authorizing the Execution of a First Amendment to Lease with Illinois Aviation Academy Inc. The motion was seconded by Commissioner Gillett and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2008-1418; Authorizing Amendment to the Camden Aviation Lease Agreement.

A **MOTION TO TABLE** Proposed Resolution 2008-1418; Authorizing Amendment to the Camden Aviation Lease Agreement was made, seconded and was passed unanimously by voice vote.

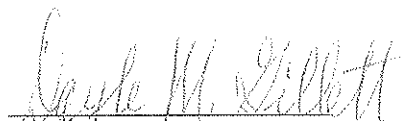
OTHER BUSINESS

None

A **MOTION** was made by Commissioner Huizenga to adjourn the Regular Meeting of the DuPage Airport Authority Board of Commissioners. The motion was seconded by Commissioner Davis and was passed unanimously by voice vote; the meeting was adjourned at 6:35 p.m.


Daniel L. Goodwin, Chairman

(ATTEST)


Dayle M. Gillett
Secretary