

**DuPAGE AIRPORT AUTHORITY  
CAPITAL DEVELOPMENT, LEASING AND CUSTOMER FEES COMMITTEE  
WEDNESDAY, NOVEMBER 12, 2014**

The meeting of the Capital Development, Leasing and Customer Fees Committee of the DuPage Airport Authority Board of Commissioners was convened at the DuPage Flight Center, 2700 International Drive, West Chicago, Illinois in the First Floor Conference Room on Wednesday, November 12, 2014. Committee Chairman Gorski called the meeting to order at 2: 01 p.m. and a quorum was present.

**Commissioners Present:** Chavez, Gorski, LaMantia, Posch, Wagner.

**Absent:** None

**DAA Staff Present:** Executive Director David Bird; Mark Doles, Director of Aviation Facilities and Properties; Patrick Hoard, Director of Finance; John Schlaman, General Manager of Prairie Landing Golf Club; Pamela Miller, Executive Assistant and Board Liaison.

**Others:** Phil Luetkehans, Schirott, Luetkehans and Garner, LLP; Michael Vonic, CH2M Hill; Dan Pape, Crawford, Murphy and Tilly; Mike Toth, JA Watts, Inc.; Marjorie Howard, Richmond Breslin; Ed Harrington; CenterPoint Properties Trust; Steve Moulton, Burns & McDonnell.

**Press:** None

**CAPITAL DEVELOPMENT**

**NEW BUSINESS**

None

**LEASING AND CUSTOMER FEES**

**NEW BUSINESS**

**Resolution 2014-1892; Authorizing the Execution of a Hangar and Office Lease Agreement with Exelon Business Services Company, LLC.**

*– Authorizes the Execution of a 5 year hangar and office building lease with Exelon Business Services Company LLC for the Authority hangar space known as 2722 International Drive, Hangar Bay #1, which contains approximately 30,240 square feet for a total rental amount of \$966,096 over the five year period.*

Executive Director Bird asked Mark Doles to review the proposed hangar and office space lease with Exelon. Mr. Doles related that in January 2012 the Board approved by Resolution a lease with Exelon and now are an existing tenant located at the North High Tail Hangar Bay #1. Mr. Doles explained that Exelon is now desirous to move to the South High Tail Hangar Bay #1 because their need for more space. He discussed the amount of space to be included in the new lease agreement and the terms for the agreement. Mr. Doles reviewed the anticipated increase in revenues for the Airport Authority with this new lease agreement and also the significant increased fuel sales with the addition of aircraft for Exelon. Discussion followed. Staff recommended approval.

A **MOTION** was made by Commissioner LaMantia to recommend Board approval for Proposed Resolution 2014-1892; Authorizing the Execution of a Hangar and Office Lease Agreement with Exelon Business Services Company, LLC. The **motion was seconded** by Commissioner Posch and was passed by roll call vote (5-0).

**Resolution 2014-1893; Ratifying the Execution of a Site Access Agreement between the DuPage Airport Authority and CenterPoint Properties Trust.**

*– Ratifies the action of the Executive Director in executing a Site Access Agreement between the Authority and CenterPoint to allow access to the property located at 2500 Enterprise Circle to perform testing and soil borings for the potential purchase and development of the property.*

Attorney Luetkehans advised this Site Access Agreement was previously discussed with the Committee and after discussion with the Chairman and Vice Chairman the Executive Director executed the agreement. Staff is seeking ratification of the Executive Director's action to execute this Site Access Agreement and approval is recommended.

A **MOTION** was made by Commissioner Chavez to recommend Board approval for Proposed Resolution 2014-1893; Ratifying the Execution of a Site Access Agreement between the DuPage Airport Authority and CenterPoint Properties Trust. The **motion was seconded** by Commissioner Posch and was passed by roll call vote (5-0).

Attorney Luetkehans asked to review the next agenda items 4. (c), (d), (e) and (f) as one item for discussion purposes. He stated that since the Special Capital Development Committee Meeting on November 4, the site plan has not changed.

The Capital Development Committee's previously recommended additional language for the Minimum Design Standards has been included and is as follows:

*(4) The applicant has appealed to the board by increasing the landscape design standards in order for the site to be architecturally pleasing.*

Attorney Luetkehans then stated that the other significant change since the last committee meeting is the question of how to define building height. The Committee wanted a 10 foot limit above the actual building height and there is a modification to Section 10.5 of the Zoning Ordinance with West Chicago to reflect this change. Discussion followed. Attorney Luetkehans then advised that after the Special Committee Meeting and upon further review, CenterPoint Properties Trust has expressed concerns with the language included in item (4) of the Minimum Design Standards relating to requiring additional landscaping. Ed Harrington of CenterPoint and Marjorie Howard, CenterPoint's Counsel, stated they felt this language was too burdensome with this very time sensitive process and felt this should not be included in the deviations. Commissioner LaMantia stated this deviation was not to create more burden but to give CenterPoint a position with the Board for all proposed developments. Commissioner Gorski stated the language was not intended to inhibit but to assist development.

After discussion, Commissioner Wagner made a **MOTION** to accept CenterPoint Properties Trust recommendation that Item (4) *the applicant has appealed to the board by increasing the landscape design standards in order for the site to be architecturally pleasing*, be extracted from the modifications for the Minimum Design Standards. The **motion was seconded** by Commissioner Posch and was passed by roll call vote (3-2).

Attorney Luetkehans advised there were no changes other than the modifications made to the Minimum Design Standards and as amended by the prior vote. Discussion continued, and each of the Resolutions were voted upon.

**Resolution 2014-1895; Authorizing the Execution of the Fourth Amendment to the Intergovernmental Agreement with the City of West Chicago.**

*– Authorizes execution of the Fourth Amendment to the IGA with the City of West Chicago, amending Section 10.5 of the West Chicago Zoning Ordinance. Allows additional variations to be sought, modifies*

*the light industrial maximum height, clarifies the definition of height and allows additional landbanking of parking on site.*

A **MOTION** was made by Commissioner Chavez to recommend Board approval for Proposed Resolution 2014-1895; Authorizing the Execution of the Fourth Amendment to the Intergovernmental Agreement with the City of West Chicago. The motion was seconded by Commissioner Posch and was passed unanimously by roll call vote (5-0).

**Resolution 2014-1896; Authorizing the Execution of the First Amendment to the Amended and Restated Development Agreement to Develop and Lease between the DuPage Airport Authority and CenterPoint Properties Trust.**

– Authorizes the execution of the First Amendment to the Amended and Restated Development Agreement, which amends the exhibits to the document known as the Authority Applicable Documents and Minimum Design Standards. Sets forth the standards under which to review deviations from the Minimum Design Standards.

Commissioner Wagner made a **MOTION** to recommend Board approval for Proposed Resolution 2014-1896; Authorizing the Execution of the First Amendment to the amended and Restated Development Agreement to Develop and Lease between the DuPage Airport Authority and CenterPoint Properties Trust with the amendments as discussed. The **motion was seconded** by Commissioner Chavez and was passed by roll call vote (3-2).

**Resolution 2014-1897; Authorizing the Execution of the First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for DuPage Business Center.**

– Authorizes the execution of the First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for the DuPage Business Center, which amends the exhibits to the documents known as the Authority Applicable Documents, Minimum Design Standards and Section 10.5 of the City of West Chicago Zoning Ordinance.

A **MOTION** was made by Commissioner LaMantia to recommend Board approval for Proposed Resolution 2014-1897; Authorizing the Execution of the First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for DuPage Business Center. The **motion was seconded** by Commissioner Chavez and was passed unanimously by roll call vote (5-0).

**Resolution 2014-1894; Approving the Concept Plan for 2500 Enterprise Circle.**

– Approves the concept Plan dated November 5, 2014 for a 299,250 square foot light industrial building on 14.55 acres at 2500 Enterprise Circle with variations related to parking and height under the Minimum Design Standards and Section 10.5 of the West Chicago Zoning Ordinance.

A **MOTION** was made by Commissioner Posch to recommend Board approval for Proposed Resolution 2014-1894; Approving the concept Plan for 2500 Enterprise Circle. The **motion was seconded** by Commissioner Chavez and was passed unanimously by roll call vote (5-0).

**Resolution 2014-1898; Authorizing the Execution of a Site Access Agreement between the DuPage Airport Authority and CenterPoint Properties Trust.**

– Approves the execution of a Site Access Agreement between the Authority and CenterPoint to allow access to the property located southwest of Enterprise circle to perform testing and soil borings for the potential purchase and development of the property.

Attorney Luetkehans explained this resolution should be to “authorize the execution” of the Site Access Agreement rather than to “ratify the execution” because it has not yet been signed by the Executive Director. He stated this is the same type of agreement as was done for Project Steel and for the same type of work to be accomplished by CenterPoint for Project Spectrum. Approval is recommended.

A **MOTION** was made by Commissioner Chevez to recommend Board approval for Proposed Resolution 2014-1898; Authorizing the Execution of a Site Access Agreement between the DuPage Airport Authority and CenterPoint Properties Trust. The **motion was seconded** by Commissioner Posch and was passed unanimously by roll call vote (5-0).

#### **RECESS TO EXECUTIVE SESSION**

There was no Executive Session.

#### **OTHER BUSINESS**

None

Commissioner Wagner made a **MOTION** to adjourn the Capital Development, Leasing and Customer Fees Committee Meeting; the **motion was seconded** by Commissioner Chavez and the committee meeting was adjourned at 2:50 p.m.

**Approved at the January 14, 2015 Board Meeting**  
**Daniel J. Wagner, Chairman**  
**Capital Development, Leasing and Customer Fees Committee**