

**DuPAGE AIRPORT AUTHORITY
REGULAR BOARD MEETING
WEDNESDAY, NOVEMBER 17, 2021**

The Regular Meeting of the Board of Commissioners of the DuPage Airport Authority was convened at the Daniel L. Goodwin Flight Center Building, 2700 International Drive, West Chicago, Illinois, Third Floor Conference Room; Wednesday, November 17, 2021. Chairman Davis called the meeting to order at 3:01 p.m. and a quorum was present for the meeting. Chairman Davis stated that Commissioner LaMantia will be arriving a few minutes late to the meeting. Commissioner Sharp addressed the Board regarding a rumor of his not being a resident of DuPage County. Commissioner Sharp stated that those rumors are false, and that he resides in Glen Ellyn. He would like the Board to know that the rumors are untrue. Chairman Davis stated that the unity of the Board is vital, and the Board is very qualified and informed. Commissioner LaMantia arrived at 3:13 p.m.

Commissioners Present: Charvat, Davis, Chavez, LaMantia, Ledonne, Sharp, Wagner
Commissioners Absent: Getz, Posch

DuPage Airport Authority Staff Present: Mark Doles, Executive Director; Patrick Hoard, Director of Finance; Tom Cleveland, Director Operations and Facilities; Dan Barna, Operations and Capital Projects Programs Manager; Brian DeCoudres, Flight Center General Manager; Phil Luetkehans of Luetkehans, Brady, Garner, and Armstrong LLC.; Kristine Klotz, Executive Assistant and Board Liaison.

Others in Attendance: Dan Pape; CMT; Lori Phlamm, Travel Express Aviation; Cindy Mukenschnahl, Muks, Inc.; Jim Richards, Travel Express Aviation; Steve McLaughlin, Burns & McDonnell; Mark Moran, NAI Hiffman; Ehren Fornier, Faegre Drinker Biddle & Reath LLC.

Member of the Press:
None

PUBLIC COMMENT
None

APPROVAL OF MINUTES

Chairman Davis asked for additions or corrections to the minutes of the September 15, 2021 Finance, Budget and Audit Committee. Commissioner Ledonne made a **MOTION** to Combine the approval of September 15, 2021 Finance, Budget, and Audit Committee Minutes, September 15, 2021 Capital Development, Leasing & Customer Fees Committee Minutes, September 15, 2021 Regular Board Meeting, and October 28, 2021 Special Finance Committee Meeting Minutes. The **motion was second** by Commissioner Sharp. There was no further discussion, the motion passed by a roll call vote (6-0). Commissioner LaMantia was not present for this vote.

DIRECTOR'S REPORT

Executive Director Doles informed the Board the Midwest Industrial Funds, Inc. Phase III closed on November 2, 2021. Phase III is a 24.32 acre parcel located in the DuPage Business Park. The gross sale of Phase III is \$4,396,423.68 with a net to the DuPage Airport Authority of \$4,215,665.88.

Executive Director Doles advised the Board that staff is currently working with the State of Illinois for the DuPage Airport Authority to receive approximately \$149,000 as a grant for operating expenses from the sales tax collected on aviation fuel sales. Chairman Davis questioned the reasoning why the State of Illinois sales tax was incorrect. Executive Director Doles replied to Chairman Davis that the State of Illinois was not in compliance with the Federal tax. The State of Illinois is returning a portion of the sales tax revenue to comply with Federal Aviation Administration regulations which mandates the funds can only be used for aviation expenses.

Customs and Boarder Protection Facility Renovations are in the final phase of completion. Staff will be executing a punch list and the project is tentatively scheduled to complete by the end of the month. Serafin and Staff will work together to schedule a grand opening when completed.

Executive Director Doles stated that the Federal Aviation Administration and DuPage Airport Authority held the annual snow and ice control meeting on October 7, 2021. Plans are being implemented for this winter's snow events. Executive Director Doles informed the Board that the repainting project of runway 2L/20R was completed.

Executive Director Doles finalized a one-year office lease agreement with Northern Jet Management. This lease agreement is for 1,026 square feet of vacant office space, located on the third floor of the Flight Center Building. This one-year agreement totals \$19,000 of additional revenue to the DuPage Airport Authority.

Executive Director Doles discussed the operations for the month of October.

Executive Director Doles asked the Board of Commissioners to begin evaluating the vacant Committee spots. Commissioner Sharp and Commissioner Wagner requested to join the Golf Committee, and Commissioner Charvat requested to join Internal Policy and Compliance Committee. Officers and Committees will be approved at the Annual Board Meeting in January.

REVIEW OF FINANCIAL STATEMENTS

Patrick Hoard provided a review of the Financial Statements for October 2021 and discussion followed.

REPORT OF COMMITTEES

Finance, Budget and Audit Committee:

Commissioner Ledonne informed the Board of Commissioners the Finance, Budget and Audit Committee met twice, once on October 28, 2021 and again on November 17, 2021. Committee members all voted unanimously to pass the Tentative Budget for Board approval. Commissioner Ledonne also stated the Committee chose not to include a tax abatement.

Capital Development, Leasing and Customer Fees:

Commissioner Wagner reported the Capital Development Committee did meet, and the Committee members approved all the items on the current agenda.

Internal Policy and Compliance Committee:

Commissioner LaMantia advised that the Internal Policy and Compliance Committee did not meet, and no report was given.

Golf Committee:

Executive Director Doles stated that the Golf Committee was cancelled.

DuPage Business Center:

Mark Moran of NAI Hiffman reported strong activity continuing within the DuPage Business Park. He reviewed the development progress with each parcel. Discussion followed.

OLD BUSINESS

None

NEW BUSINESS

Approving the 2022 Board and Committee Meeting Calendar.

Executive Director Doles stated there is a typographical error on the agenda, reading into record approving the 2022 Board and Committee Calendar not 2021. A **MOTION** was made by Commissioner Ledonne to approve the 2022 Board and Committee Meeting Calendar. The **motion was seconded** by Commissioner Sharp. There was no further discussion, and the motion was unanimously passed by roll call vote (7-0).

Proposed Ordinance 2021-371; Adopting the Tentative Budget and Appropriations Ordinance for the DuPage Airport Authority for the Fiscal Year Beginning January 1, 2022 and Ending December 31, 2022.

Executive Director Doles read into record Proposed Ordinance 2021-371. A **MOTION** was made by Commissioner Ledonne to approve Proposed Ordinance 2021-371; Adopting the Tentative Budget and Appropriations Ordinance for the DuPage Airport Authority for the Fiscal Year Beginning January 1, 2022 and Ending December 31, 2022. The **motion was seconded** by Commissioner Sharp. There was no further discussion and the motion was unanimously passed by roll call vote (7-0).

Proposed Ordinance 2021-372; An Ordinance of the DuPage Airport Authority Levying Taxes for the Fiscal Year Beginning January 1, 2022 and Ending December 31, 2022.

Executive Director Doles read into record Proposed Ordinance 2021-372. A **MOTION** was made by Commissioner Ledonne to approve Proposed Ordinance 2021-372; An Ordinance of the DuPage Airport Authority Levying Taxes for the Fiscal Year Beginning January 1, 2022 and Ending December 31, 2022. The **motion was seconded** by Commissioner Sharp. There was no further discussion and the motion was unanimously passed by roll call vote (7-0).

Proposed Resolution 2021-2475; Authorizing the Execution of a Financial Investment Services Agreement with PMA Asset Management, LLC.

Approves a Financial Investment Services Agreement for a three (3) year term, subject to two (2) additional one (1) year extensions at the sole discretion of the Authority.

Executive Director Doles read into record Proposed Resolution 2021-2475. A **MOTION** was made by Commissioner Ledonne to approve Proposed Resolution 2021-2475; Authorizing the Execution of a Financial Investment Services Agreement with PMA Asset Management, LLC. The **motion was seconded** by Commissioner Sharp. Discussion followed and the motion was unanimously passed by roll call vote (7-0).

Proposed Resolution 2021-2476; Ratification of the Executive Director's Execution of a Change Order to the Contract with G.E. Riddiford Company, Inc. for Re-Roofing of DuPage Airport Authority Facilities.

Ratifies the Executive Director's execution of a \$63,847.92 change order for removing and replacing wet insulation on the Flight Center lower perimeter roof, which exceeded the original board approved construction cost by \$18,990.96.

Executive Director Doles read into record Proposed Resolution 2021-2476. A **MOTION** was made by Commissioner Ledonne to approve Proposed Resolution 2021-2476; Ratification of the Executive Director's Execution of a Change Order to the Contract with G.E. Riddiford Company, Inc. for Re-Roofing of DuPage Airport Authority Facilities. The **motion was seconded** by Commissioner Sharp. There was no further discussion and the motion was unanimously passed by roll call vote (7-0).

Proposed Resolution 2021-2477; Award of a Design-Build Contract to Chapple Design-Build for the Prairie Landing Maintenance Building Expansion.

Approves a design-build contract for expanding the existing Prairie Landing Maintenance Building. Total authorized construction cost not-to-exceed \$405,000 which includes a 10% owner's contingency.

Executive Director Doles read into record Proposed Resolution 2021-2477. A **MOTION** was made by Commissioner Ledonne to approve Proposed Resolution 2021-2477; Award of a Design-Build Contract to Chapple Design-Build for the Prairie Landing Maintenance Building Expansion. The **motion was seconded** by Commissioner Sharp. There was no further discussion and the motion was unanimously passed by roll call vote (7-0).

Proposed Resolution 2021-2478; Award of a Contract to Integral Construction, Inc. for the Prairie Landing Clubhouse Locker Room Renovation Phase I.

Approves a contract for men's and women's locker room renovations at the Prairie Landing Clubhouse. Total authorized construction cost not-to-exceed \$190,520 which includes a 10% owner's contingency.

Executive Director Doles read into record Proposed Resolution 2021-2478.

Commissioner Charvat stated that she felt it necessary to vote no on this Resolution and explained her reasons for voting in that manner.

A **MOTION** was made by Commissioner Ledonne to approve Proposed Resolution 2021-2478; Award of a Contract to Integral Construction, Inc. for the Prairie Landing Clubhouse Locker Room Renovation Phase I. The **motion was seconded** by Commissioner Sharp. There was no further discussion and was passed by roll call vote (6-1).

Proposed Resolution 2021-2479; Ratifying the Execution of a Fourth Amendment to Vacant Land Purchase Agreement with Midwest Industrial Funds, Inc.

Ratifies Legal Counsel's execution of an Amendment to Vacant Land Purchase Agreement with Midwest Industrial Funds, Inc. repealing the executed Third Amendment related to possible infrastructure costs associated with development.

Executive Director Doles read into record Proposed Resolution 2021-2479. A **MOTION** was made by Commissioner Ledonne to approve Proposed Resolution 2021-2479; Ratifying the Execution of a Fourth Amendment to Vacant Land Purchase Agreement with Midwest Industrial Funds, Inc. The **motion was seconded** by Commissioner Sharp. There was no further discussion and was passed unanimously by roll call vote (7-0).

Proposed Resolution 2021-2480; Approving the Development Plan for Discovery Drive Investors II, LLC at 705 Discovery Drive.

Approves the Development Plan with deviations from the Minimum Design Standards for Discovery Drive Investors II, LLC at 705 Discovery Drive.

Executive Director Doles read into record Proposed Resolution 2021-2480. A **MOTION** was made by Commissioner Ledonne to amend and approve Proposed Resolution 2021-2480 with legal counsels' corrections. The legal corrections made to Proposed Resolution 2021-2480 removed the following:

1. requirement of overnight storage of trailers being located in the rear and interior side yards; and

The **motion was seconded** by Commissioner Sharp. There was no further discussion and was passed unanimously by roll call vote (7-0).

RECESS TO EXECUTIVE SESSION

Commissioner LaMantia made a **MOTION** to recess to Executive Session for the discussion of pending, probable of imminent litigation; employee matters; the purchase of 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 Ledonne and was passed unanimously by roll call vote (7-0). The Regular Meeting was recessed to Executive Session at 3:38 p.m. and reconvened at 4:25 p.m. Upon roll call, a quorum was present for the remainder of the Regular Board Meeting.

OTHER BUSINESS

Proposed Resolution 2021-2481; Disclosure of Executive Session Minutes.

Approves the disclosure of Executive Session Minutes that the Board of Commissioners has determined are no longer necessary to keep confidential.

Executive Director Doles read into record Proposed Ordinance 2021-2481. A **MOTION** was made by Commissioner Ledonne to approve Proposed Ordinance 2021-2481; Disclosure of Executive Session Minutes. The **motion was seconded** by Commissioner Sharp. There was no further discussion, and the motion was passed by roll call vote (7-0).

Proposed Resolution 2021-2482; Travel Express Settlement Agreement.

Approves a Settlement Agreement between the DuPage Airport Authority and Travel Express Aviation.

Executive Director Doles read into record Proposed Resolution 2021-2482. A **MOTION** was made by Commissioner Ledonne to Combine Proposed Resolution 2021-2482; Travel Express Settlement Agreement, Proposed Resolution 2021-2483; Travel Express Lease Agreement, and Proposed Resolution 2021-2484; Travel Express Specialized Aviation Service Organization Agreement. These three Resolutions are all related to the same topic as discussed in Executive Session. The **motion was seconded** by Commissioner Sharp. There was no further discussion and the motion was unanimously passed by roll call vote (7-0).

Proposed Resolution 2021-2485; Approving the Execution of a Vacant Land Purchase Agreement with Scannell Properties #559, LLC.

Executive Director Doles read into record Proposed Resolution 2021-2484. A **MOTION** was made by Commissioner Ledonne to approve Proposed Resolution 2021-2484; Approving the Execution of a Vacant Land Purchase Agreement with Scannell Properties #559, LLC. The **motion was seconded** by Commissioner Sharp. There was no further discussion and the motion was unanimously passed by roll call vote (7-0).

Proposed Ordinance 2021-373; Ordinance Providing for the Acquisition Through Negotiation of Condemnation of an Avigation Easement and a Restrictive Covenant over Certain Property Commonly Known as 445 Kautz Road, St. Charles, IL 60174 for Airport Purposes by the DuPage Airport Authority.

Executive Director Doles read into record Proposed Ordinance 2021-373. A **MOTION** was made by Commissioner Ledonne to approve Proposed Ordinance 2021-373; Ordinance Providing for the Acquisition Through Negotiation of Condemnation of an Avigation Easement

and a Restrictive Covenant over Certain Property Commonly Known as 445 Kautz Road, St. Charles, IL 60174 for Airport Purposes by the DuPage Airport Authority. The **motion was seconded** by Commissioner Sharp. No further discussion and the motion was passed by a roll call vote (7-0).

A **MOTION** was made by Commissioner Ledonne to adjourn the Regular Meeting of the DuPage Airport Board of Commissioner. The **motion was seconded** by Commissioner Sharp and was passed unanimously by voice vote; the meeting was adjourned at 4:29 p.m.

A handwritten signature in cursive script, appearing to read 'Herbert A. Getz', written over a horizontal line.

Herbert A. Getz, Chairman

(ATTEST)

A handwritten signature in cursive script, appearing to read 'Donald C. Sharp', written over a horizontal line.

Donald C. Sharp, Secretary