

MINUTES
DU PAGE COUNTY TECHNOLOGY PARK BOARD
June 23, 2003

The meeting was called to order by Jack Tenison at 4:18 p.m.

Members Present: Duane Gengler
Dan Goodwin
Gerald Gorski
Peter Huizenga
Kenneth Schmidt

Staff Present: Jack Tenison, Executive Director

Other Present: Steve Collins, Wight & Co.
Charlie Thurston, Benedictine University
Dayle Gillett, Inland Group
Chris Burke, Christopher B. Burke Engineering
George Maurides, Maurides & Foley, L.L.C.
Bill Grady, Chicago Tribune
Jack Frawley, DuPage Airport
Jake Griffin, Daily Herald

Election for Temporary Acting Board Chairman

The resignation of Robert Schillerstrom as a member and Chairman of the DuPage County Technology Park Board was received. Mbr. Goodwin moved to elect Jack Tenison acting Board Chairman for the purpose of conducting an election for permanent Board Chairman. Seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin, Huizenga and Schmidt. No nays. Motion carried.

Election to Nominate New Chairman

Jack Tenison opened the floor for nominations for Chairman of the DuPage County Technology Park Board. Mbr. Goodwin moved to nominate Mbr. Gorski as Board Chairman, seconded by Mbr. Huizenga. Mbr. Gengler moved that nominations be closed, seconded by Mbr. Schmidt. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin, Huizenga and Schmidt. No nays. Motion carried.

Chairman Gorski thanked the Board for their support and confidence.

Approval of Minutes

Mbr. Huizenga moved to approve the minutes of March 18, 2003. Seconded by Mbr. Schmidt. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin, Huizenga and Schmidt. No nays. Motion carried.

Financial Reports

Jack Tenison stated that the Tech Park has about \$12 million cash on hand-\$11.7 million in state funds and approximately \$300,000 in county dollars. Mr. Tenison stated that the

expenses for this year to date total \$653,077.20 and handed out financial reports for the time span of January 1, 2003 – June 17, 2003 which included the following:

- Expenses by line item (State Funds)
- State Checking Transaction Detail Report (all checks written from the beginning of the year until June 17, 2003)
- Account Balance Statement

Mr. Tenison explained that the reasons for having five accounts are to segregate the state funds from the county dollars and to earn as much interest as possible.

Mr. Tenison stated that he has not received any new information on the outstanding state grant funds but he has spoken with the state and they are still reviewing the grant. We did receive notification from the county's lobbyist that the Tech Park funding had been appropriated by the General Assembly.

Mbr. Goodwin explained that the state grant fund only provided for capital expenditures for development. In order to fund operating expenses DuPage County advanced \$500,000 to the Tech Park interest free, not to be paid back until 2007.

The Board requested that they be given a historical summary of expenses and suggested that another format for the operating statement might be useful.

Update on Road Construction Status

Chris Burke of Christopher B. Burke Engineering (CBBEL) provided information on the construction of Phase I of the primary north south road. Phase 2 is under review by the city of West Chicago. Jack Tenison stated that the Tech Park has enough funds to finish the entire north south road.

Chairman Gorski stated that we are seeking some variations from the subdivision control ordinance and questioned if that relates to the round-a-bouts. Mr. Burke stated that there are two variances that are being requested and they are of a technical matter. One is the length of tangent and the other is turning radius. Mr. Tenison stated that the Tech Park will be before the Planning Commission, the Development Committee and the Village Board during July. Mr. Burke estimated that bidding to construct the remainder of the road should take place late July or early August.

Chris Burke stated that CBBEL has featured plans for both an entrance on Fabyan Parkway and Route 38, Roosevelt Road. Fabyan Parkway should be the primary entrance because future plans are to relocate Roosevelt Road where it crosses the Union Pacific Railroad with an underpass. CBBEL wants to avoid putting in any main entrance features that will be torn out in the future.

Recommended Policy Regarding Overall Site Storm Water Detention

Chris Burke stated that CBBEL is trying to locate the appropriate detention storage. It is anticipated that for the property north of Fabyan Parkway four different ponds will be needed and these ponds would cover about 40 acres. Construction should take place as development takes place. Mr. Burke stated that the ponds would be wet bottom and about 10 feet deep, however, there is the flexibility of making them anywhere from 18 inches to

18 feet deep depending on the need. Mr. Burke noted that under the city's ordinance aerators need to be put in the ponds. CBBEL has chosen to put in bubblers not the sprayers.

Jack Tenison has requested policy direction from the Board on the following:

- 1) Centralized Park Detention versus Individual Building Site Detention – would like to go with a centralized system given the layout of the land. Unfortunately it will be in four spots but this is a better approach rather than having to negotiate with each individual tenant as they come in. It will also give a more uniform overall appearance to the site and will provide consistency.
- 2) Floodplain/Wetland Mitigation and Compensatory Storage versus No Mitigation – recommending that we mitigate where appropriate to maximize the amount of developable land. The timing of that mitigation would be contingent on the amount and speed at which property is leased and should be coordinated with other infrastructure improvements underway.
- 3) Inclusion of the 160 acres south of Fabyan Parkway in the Stormwater Plan or Exclusion – recommending that we continue to make no improvements to this property until it is clear that this property will be included in the Technology Park site. Mbr. Goodwin stated that several possibilities exist for use of the property south of Fabyan Parkway. The Tech Park has been approached by developers interested in purchasing or leasing all or part of the land. If we take that approach the DAA would save commission costs and deal directly with them.
- 4) Maintenance of Stormwater Facilities – need to figure out who is actually going to maintain them. Chairman Gorski stated that the Airport already has the personnel and equipment and is a governmental entity that benefits from the Tort Immunity Act as opposed to the Tech Park which is a not-for-profit organization. Mbr. Goodwin suggested that an association may need to be formed that is a separate legal entity. The user then picks up his proportional share of the expenses. When 80-90% of the land is sold we turn the association over. George Maurides, Maurides & Foley stated that the association would never be turned over because we would never sell the land. He offered that the Tech Park may want to control the maintenance in order to maintain certain standards and charge the tenants for this service.

Mbr. Goodwin moved to approve Corporate Resolution 2003-7 Stormwater Policies as amended per discussion (see attached Resolution). Seconded by Mbr. Huizenga. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin, Huizenga and Schmidt. No nays. Motion carried.

Update on Argonne and CenterPoint Properties

Jack Tenison stated that we have been working with Argonne for over a year to find appropriate financing to construct the Argonne building. The Tech Park's role was to connect Argonne with build to suite developers and for Argonne to choose which company best addressed their needs. Argonne and CenterPoint Properties have signed a letter of intent and are waiting for authorization from Congress. Mr. Tenison has spoken to Speaker Hastert's staff and has provided all the appropriate information.

Mbr. Goodwin noted that CenterPoint Properties was not chosen by anyone on the Board nor has anyone on the Board worked with them before. CenterPoint Properties is not being paid anything by the Tech Park and they are not receiving a commission. This is a speculative venture for CenterPoint Properties and if all works out they will make money on the rent.

Jack Tenison stated that whether it is CenterPoint Properties or any private sector developer it will benefit the city of West Chicago because the taxes will be paid on this piece of property. If a governmental entity constructed the facility there may be an issue whether the land is taxable or not.

Mbr. Goodwin stated that other users are interested in being at the Tech Park because Argonne may locate here. This demonstrates when you attract an anchor tenant like Argonne others will follow. Extra accommodations may have to be done to get Argonne in but it is the most important component to date.

Adoption of 2003 Operating Budget and Annual Service Agreements with Northern Illinois University, Maurides & Foley, Wolf & Co.

Jack Tenison presented a proposed budget for the 2003 calendar year and projected budgets through 2006 at the March 18, 2003 meeting of the Technology Board. Mr. Tenison requested Board approval of the 2003 operating budget and the annual service contracts with the following firms:

- 1) Northern Illinois University – Clerical support in the amount of \$18,000 annually.
- 2) Maurides & Foley, L.L.C. – Legal Services in an amount not to exceed \$120,000 annually.
- 3) Wolf & Company LLP – Accounting and financial services in an amount not to exceed \$18,000 annually.

The NIU contract would be flat rate amount. The Maurides & Foley and the Wolf & Company contract would be an annual not to exceed amount based on actual services rendered and on monthly billing reviewed by the Executive Director.

The Board requested information on the contracts for these organizations and the hourly rate requested prior to approving the budget for these organizations.

Mbr. Schmidt moved to approve Corporate Resolution 2003-8 Approval of the Annual Operating Budget for the fiscal year 2003. Seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin, Huizenga and Schmidt. No nays. Motion carried.

Adoption of Future Meeting Dates

Jack Tenison requested that the Board approve the following list for future meeting dates of the DuPage County Technology Board:

- August 11, 2003
- October 20, 2003
- January 12, 2004
- March 8, 2004
- May 10, 2004

July 12, 2004
September 13, 2004
November 8, 2004

Mr. Tenison explained that the dates shown are the same dates for the DAA Board meetings and would like to schedule each meeting after the DAA Board meets. The Board requested that the next meeting be September 8, 2003 and that they revisit meeting dates at the next Board meeting.

Mbr. Gengler moved to approve the next DuPage County Technology Board meeting be held September 8, 2003 at 4:00 p.m. in the first floor conference room at the DuPage Airport following the DAA Board meeting. Seconded by Mbr. Goodwin. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin, Huizenga and Schmidt. No nays. Motion carried.

Update on Gun Range

Jack Tenison stated that as construction continues on the roadway the issue of the gun range needs to be addressed. The direction from the DAA was for Mr. Tenison to help facilitate continued usage of the gun range. Mr. Tenison has been working with the Sheriff's Office, Harry W. Kuhn Construction and the insurance company that insures Harry W. Kuhn Construction. They have worked out an agreement as to the process of how the facility will be used while construction is going on during Phase 1 of construction. The Sheriff's Office has taken some steps to deal with this issue:

- Completed a trajectory analysis
- New flagging system
- New use notification system

The Tech Park has received from the Sheriff's Office written documentation that the gun range can be operated safely while construction continues. This has been accepted by the insurance carrier for Harry W. Kuhn.

Update on "Requests-for-Qualifications" for Exclusive Agent to Lease or Sell Approximately 160 Acres South of Fabyan Parkway

Jack Tenison stated that on behalf of the DuPage Airport Authority the Tech Park put out a RFQ related to lease or sell the 160 acres south of Fabyan Parkway. The RFQ was sent out to 26 companies and nine responses have been received. Mr. Tenison is in the process of reviewing these proposals. This activity has raised a great deal of interest, not only from agents but from developers that may have an interest in the property. The Board requested Mr. Tenison to work with the DAA staff to create a matrix to review those responses.

Authorization to Sign Checks in Excess of \$15,000 Where Board Approved Contracts Exist

Jack Tenison stated that as we increase the amount of construction activity the number of checks greater than \$15,000 that need to be disbursed will continue to rise. At the present time all checks greater than \$15,000 require two signatures. Operationally, when a check in excess of \$15,000 needs a second signature it is transmitted through the mail to the appropriate Board member for counter signature. This process could be prone to checks

being lost in transit. Also, even with everyone involved expediting the procedure it can add several weeks to the pay process.

Mr. Tenison recommends that the Board change the process to allow the Executive Director to sign checks in any amount in those situations where the Technology Board has authorized a contract with the vendor and the amount of the check is less than or equal to the authorized contract amount. The other alternative is to have a Board member that is readily available to sign checks. As of now the signatories are Robert Schillerstrom, Mbr. Schmidt and Jack Tenison. Mbr. Goodwin suggested that the Tech Park limit construction pay-outs to once a month and believes that two signatures are absolutely essential. Robert Schillerstrom will be taken off of the signatory list, Chairman Gorski and Mbr. Goodwin will be added.

Mbr. Huizenga moved to approve Corporate Resolution 2003-9 Authorization to Sign Checks with the amendment that the requirements stay the same in that there be two signatures for checks exceeding \$15,000 and that Chairman Gorski and Mbr. Goodwin become additional signatories. Seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin, Huizenga and Schmidt. No nays. Motion carried.

Old Business – Authorization to Enter Into Contract for Consulting Services for Marketing and Communications with Edelman Public Relations Worldwide in Amount not to exceed \$40,000

Jack Tenison gave an update on the process to choose marketing and communications firm for the Tech Park. Mr. Tenison stated that we need an overall approach from a marketing standpoint. The Tech Park has to be positioned correctly to be competitive with other areas outside of Illinois as well as within the state. Mr. Tenison stated that at the present time he lacks some of the basic marketing tools to present the Tech Park properly. Mbr. Gengler stated that the Airport staff has done an exceptional job on brochures and suggested that Mr. Tenison speak with them on helping him create a brochure. Mr. Tenison has agreed to speak with the DAA staff and see what criteria they can meet but he still believes that we need a philosophical approach from a marketing standpoint on how the Tech Park should be positioned nationally to be competitive. It is also important to keep uniformity with theme, logo, print style etc.

Mbr. Huizenga moved to approve Corporate Resolution 2003-10 Engaging Edelman Public Relation. Seconded by Mbr. Gengler. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. 1 abstain: Mbr. Schmidt. Motion carried.

New Business

None

Executive Director's Update

None

Adjournment

With no further business remaining before the Board, the meeting was adjourned at 6:45 p.m. on a motion by Mbr. Huizenga, seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin, Huizenga and Schmidt. No nays. Motion carried.

Respectfully submitted,

Patti Miller