

MINUTES
DU PAGE NATIONAL TECHNOLOGY PARK BOARD
May 14, 2007

The meeting was called to order by Chairman Gorski at 1:50 p.m.

Members Present: Kathy Buettner
Gerald Gorski
Dan Goodwin
Peter Huizenga

Staff Present: Jack Tenison, Executive Director
Patti Miller, Executive Assistant

Other Present Pat Turner, Maurides & Foley, L.L.C.
Mark Wrzeszcz, CBBEL
Fred Reynolds, CenterPoint Properties
Jim Brennan, Cray Kaiser
David Bird, DAA
Mark Doles, DAA
Mike Masciola, DAA
Britt Casey, Cushman & Wakefield
Greg LaBerge, Marcus & Millichap
Jim Sotos, Marcus & Millichap

Approval of Minutes

Mbr. Huizenga moved to approve the minutes of March 12, 2007 Board meeting Seconded by Mbr. Buettner. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Buettner, Goodwin and Huizenga. No nays. Motion carried.

Executive Director's Report

Jack Tenison stated Pat Turner, Maurides & Foley, LLC is representing George Maurides, Maurides & Foley. Mr. Turner gave a brief update on Mr. Maurides' condition.

Mr. Tenison stated he has been working with Argonne on their temporary use of the Communications Facility which is moving along fairly well.

Mr. Tenison stated he has been meeting with the University of Illinois and Argonne regarding TRECC relocating into the Argonne facility.

Mr. Tenison stated the Tech Park has made some proposed changes to West Chicago regarding landscape requirements to section 10.5. The proposals will go before the Development Committee at West Chicago May 14, 2007. Mr. Tenison and a representative of Schirott & Luetkehans will be in attendance of the meeting.

Mr. Tenison distributed a design of a temporary sign for the Proton Therapy Center and stated he is confident Argonne will be putting up a sign as well. Mbr. Huizenga stated this is a great sign and has suggested that this one be a model for future signs. Mbr. Huizenga stated that the stakes should be changed to wooden posts.

Mr. Tenison stated as part of discussions on Exhibit K with CenterPoint Properties the Tech Park will be ending the relationship with DuPage Topsoil in terms of removing some of the stockpile material. CenterPoint Properties has indicated an interest in having the fill material on site and they would sign off of that part of Exhibit K if the Tech Park stopped removing the soil. A letter was sent to DuPage Topsoil effective May 25, 2007 to stop removing material.

Mr. Tenison stated the size of the area tested for the gun range remediation needed to be increased. Samples have been taken and are in the process of analysis. Mr. Tenison stated the initial feedback he received from Testing Services Corporation (TSC) is that there will be an additional cost to remove the material and this would probably be approximately \$50,000. Mr. Tenison stated there is funding within the budget for this project but it was an unanticipated issue. Mr. Tenison stated it may be necessary to call a telephone Board meeting to approve this issue.

Mbr. Huizenga questioned whether or not the Tech Park is financially responsible for this project.

Chairman Gorski stated that this issue was in place before any of the present Board members were on the Board and the Board was sensitive to the needs of the environmental concerns immediately. Chairman Gorski thought that because the DAA is the landowner that the Tech Park is potentially responsible for this project.

Mbr. Goodwin stated that it would be a good idea to inform DuPage County of this issue for positive publicity.

Mr. Tenison stated he attended a meeting along with Phil Luetkehans, Christopher Burke, Mark Wrzeszcz and some of the County staff on how to address issues related to overall stormwater site detention and were trying to get the wetland area that is behind the gun range filled in. Mr. Tenison stated the Tech Park paid for mitigation related to this issue but we still need a permit from the County to be able to actually fill in the site. Mr. Tenison stated the Chairman of the Public Works Committee brought up that the DuPage Airport Authority has been dealing with the gun range to assist the County and the Sheriff in a positive manner. Also the Public Works Committee chairman commented that the DAA agreement with the County regarding regional detention was very helpful to the County.

Mbr. Goodwin stated it would be a good idea for the DAA to check the insurance policy regarding this issue.

Project Engineer Report

Mark Wrzeszcz, Christopher B. Burke Engineering, Ltd. ("CBBEL") gave a detailed report on the various projects of the Tech Park:

- *Bike Path* – The contract was awarded to Schroeder Asphalt in the amount of \$191,436.50. The completion date is July 1, 2007.
- *Circle Sidewalks* – This project is approximately 95% complete. The cost for this contract is \$367,000.00. The completion date is scheduled for June 21, 2007.
- *Fabyan Parkway Improvements* – This project is complete.
- *Roosevelt Road Improvements* – The completion date for this project is May 15, 2007. If Johnson Paving does not finish on time there is a penalty of approximately \$400.00 a day.

Financial Reports

Mr. Tenison submitted the balance sheet as of April 30, 2007 and the revised 2007 budget. Mr. Tenison stated the key budget transfer of \$24,000.00 is for the Incubator Study.

Mr. Tenison stated under TSC Category 1 Environmental Issues there is \$86,200.00 left that has not been committed to a contract and this would cover the gun range remediation.

Mr. Tenison stated we are within all of the budget categories and cash available as of the end of April was approximately \$675,000.00. Mr. Tenison stated there are some major summer construction projects coming forward that this amount of funds will not be able to cover. The Airport Authority has received funding from CenterPoint Properties late last year of about \$1,000,000.00 for additional construction activity which the Tech Park has undertaken and a request to the DAA to cover these expenditures will be made when appropriate.

Mbr. Huizenga stated he was very impressed with Byron Miller and staff on how good a job they did on the cleanup from winter. Mr. Tenison concurred with Mbr. Huizenga.

Mbr. Buettner moved to approve corporate resolution 2007-5 entitled “Approve Second Revised 2007 Budget”. Seconded by Mbr. Huizenga. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Buettner, Goodwin and Huizenga. No nays. Motion carried.

Award Contract For Legal Services During 2007 to Maurides & Foley, L.L.C.

Mr. Tenison stated the contract amount for 2006 was a not to exceed amount of \$175,000.00. Mr. Tenison stated there will be less construction activity this year and is hopeful there will be less activity for Maurides & Foley. Mr. Tenison stated the rates have remained the same and is requesting approval of an amount of \$150,000.00 for legal services for 2007.

Mbr. Huizenga moved to approve corporate resolution 2007-6 entitled “Approval of Annual Service Agreement with Maurides & Foley, L.L.C.”. Seconded by Mbr. Goodwin. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Buettner, Goodwin and Huizenga. No nays. Motion carried.

Approve Adjustment to 2006 Budget to Cover Missing Legal Service Invoice

Mr. Tenison stated the June 2006 invoice was never received from Maurides & Foley and was not discovered until March 2007. Paying this invoice would exceed the Board authorized amount by \$13,545.06. Mr. Tenison is requesting the Board to approve the not to exceed amount from the approved 2006 amount of \$175,000.00 to \$188,545.06. The additional \$18,607.47 will be charged to the 2006 budget.

Mbr. Goodwin questioned what the significance was to have a not to exceed amount on the contracts. Mr. Tenison stated the not to exceed amount was so the Board has control for him to come back and justify the amount that goes over the approved amount.

Mbr. Goodwin moved to approve corporate resolution 2007-7 entitled “Approval of Additional 2006 Fees to Maurides & Foley, L.L.C.”. Seconded by Mbr. Huizenga. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Buettner, Goodwin and Huizenga. No nays. Motion carried.

Approval of Funding for Incubator Study

Mr. Tenison is recommending that an analysis regarding constructing a technology incubator building at the Tech Park be considered. Part of that analysis includes a conceptual plan presented to the board. Once the analysis is complete the Board will be able to determine whether it makes sense to go ahead with this project. Some of the key questions this study will cover are the following:

- What types of companies will live in this facility? This will determine the mix of the building facilities. This information will address the question of the percentage of wet-lab, dry-lab and traditional office space.
- What will the facility look like? This will address the ratio of leased space to support space and the key features required to attract tenants. A building conceptual plan will be produced.
- How much will it cost to build the facility?
- How much will the facility cost to operate? This component would include the development of a conceptual budget and estimates of lease rates based on usage.

Mr. Tenison stated he first encountered Facilities Solutions Group (FSG) at a conference through the Association of University Research Parks (AURP). FSG presented information on what they were doing in terms of incubators across the United States. One other key factor in choosing FSG is that they are local and that would bring down the cost of travel associated with preparing the report.

Mbr. Goodwin stated it has to be decided whether or not the airport wants to commit itself to an ongoing operational funding requirement of an incubator.

Chairman Gorski raised a concern regarding an FAA rule concerning funds diversion. This rule does not allow the subsidizing of non-airport activities. Chairman Gorski believed the first thing that needs to be answered is to what extent can an incubator facility legally be built without jeopardizing previously received FAA grants for Airport operations.

Mbr. Huizenga moved to approve corporate resolution 2007-8 entitled “Approval of Approval of Funding for Incubator Study”. Seconded by Mbr. Goodwin. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Buettner, Goodwin and Huizenga. No nays. Motion carried.

Presentation by Cray, Kaiser, Ltd. of 2006 Audit

Jim Brennan, Cray, Kaiser LTD. presented the audit for FY2006. He reviewed his report with the Board and addressed their questions.

Amendments To By-Laws

Mr. Tenison stated DuPage County Board Chairman Robert Schillerstrom has requested the Technology Board consider changes to the composition of the Board. These changes were presented at the March 12, 2007 Tech Park Board meeting. The only change in the proposals submitted by the County Board Chairman related to the selection of the Chairman of the Technology Board. The revised change proposes selection of the Tech Park Chairman by the Tech Park Board members.

Mbr. Huizenga stated he has some substantial objections and there was not enough time to discuss this agenda item and would like to defer to the next Board meeting. Mbr. Huizenga's motion did not receive a second.

Mbr. Buettner moved to approve Resolution 2007-9 Amendments to the Articles of Incorporation and By-Laws of the DuPage National Technology Park, N.F.P. Seconded by Mbr. Goodwin. Roll call vote: 3 ayes: Chairman Gorski Mbr. Buettner and Mbr. Goodwin. 1 nay Mbr. Huizenga. Motion carried.

Old Business

None

New Business

Chairman Gorski presented the Board with his resignation letter effective immediately. Chairman Gorski stated he really enjoyed serving on the Tech Park Board and thanked all of the past and present Board members and Mr. Tenison.

Adjournment

With no further business remaining before the Board, the meeting was adjourned at 3:17 p.m. on a motion by Mbr. Huizenga, seconded by Mbr. Buettner. Voice vote: 4 ayes: Chairman Gorski and Mbrs. Buettner, Goodwin and Huizenga. No nays. Motion carried.

Respectfully submitted

Patti Miller