

**DuPAGE AIRPORT AUTHORITY  
SPECIAL BOARD MEETING  
Friday, August 24, 2018**

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A Special Meeting of the Board of Commissioners of the DuPage Airport Authority convened at the Daniel L. Goodwin Flight Center Building, 2700 International Drive, West Chicago, Illinois, First Floor Conference Room; Friday, August 24, 2018. Chairman Davis called the meeting to order at 8:00 a.m. and a quorum was present for the meeting.

**Commissioners Present:** Chavez, Davis, Donnelly, Getz, LaMantia, Ledonne, Posch, Sharp, Wagner.

**Commissioners Absent:** None

**DuPage Airport Authority Staff Present:** David Bird, Executive Director; Mark Doles, Director of Aviation Facilities and Properties; Patrick Hoard, Director of Finance and Prairie Landing Golf Club; Dan Barna, Operations and Capital Programs Manager; Pamela Miller, Executive Assistant and Board Liaison.

**Others in Attendance:** Phil Luetkehans, Schirott, Luetkehans and Garner; Justin Fierz, Midwest Industrial Funds Inc.; Mark Moran, NIA Hiffman.

**Members of the Press:**

None

**PUBLIC COMMENT**

None

**NEW BUSINESS**

**Proposed Resolution 2018-2188; Approving the Concept Plan for Solar Array Facility Submitted by DMCS LLC.**

*Review and approval of concept plan for a solar array facility on a 9.98-acre parcel land owned by the Authority.*

Executive Director Bird read into the record Proposed Resolution 2018-2188 and asked Attorney Luetkehans to review his Board Summary Memorandum. Attorney Luetkehans stated that the Airport Authority previously provided an option to lease property previously utilized as a borrow pit. He continued that this site is not useful or developable and is not visible except through aerial view. He continued by advising that DMCS LLC. submitted a concept plan for a solar array facility to be located on this site. In this concept plan variances are requested to be considered by the City of West Chicago under the Zoning Ordinance. Attorney Luetkehans reviewed these variances and recommended Board approval. Discussion followed.

A **MOTION** was made by Commissioner Ledonne to approve Proposed Resolution 2018-2188; Approving the Concept Plan for Solar Array Facility Submitted by DMCS LLC. The **motion was seconded** by Commissioner Sharp and was unanimously passed by roll call vote (9-0).

**Proposed Resolution 2018-2189; Authorizing the Execution of a First Amendment to the Temporary Construction Easement Agreement with FCL Builders, LLC.**

*Allows FCL to construct a storm water drainage swale on the parcel to the east of the Suncast parcel in the DuPage Business Center.*

Executive Director Bird read into the record Proposed Resolution 2018-2189 and Attorney Luetkehans reviewed the Board Summary Memorandum. He stated that the Airport Authority has previously

approved the sale of 39 acres to the Pritzker Realty Group (PRG) and PRG also has the option to purchase another 40 acres over the next two years. He continued that a temporary construction easement agreement was recently approved by the Board for FCL Builders to utilize the option parcel of land during construction on the original parcel. During construction, the Airport Authority became aware that a portion of the new stormwater drainage swales are located on the option property. Attorney Luetkehans further explained this issue and the action needed for these improvements to be made and for construction to proceed; discussion followed. Board approval was recommended.

A **MOTION** was made by Commissioner Ledonne to approve Proposed Resolution 2018-2189; Authorizing the Execution of a First Amendment to the Temporary Construction Easement Agreement with FCL Builders, LLC. The **motion was seconded** by Commissioner Sharp and was unanimously passed by roll call vote (9-0).

**Proposed Resolution 2018-2190; Authorizing the Execution of a Professional Services Agreement with Christopher B. Burke Engineering, Ltd. for Locating Fiber Optic and Other Easements.**

*Approving a contract for preparation of survey documents showing existing easement locations in the DuPage Business Center.*

Executive Director Bird read into the record Proposed Resolution 2018-2190. Attorney Luetkehans reminded the Board that at the Special Meeting held in July, discussion occurred regarding the need for the Airport Authority to be knowledgeable of where all underground improvements and easements are located at the DuPage Business Center. This Professional Services Agreement will allow Christopher B. Burke Engineering to prepare survey documents to locate the fiber optic duct banks and various other easements in the DuPage Business Center. Discussion followed; Board approval was recommended.

A **MOTION** was made by Commissioner LaMantia to approve Proposed Resolution 2018-2190; Authorizing the Execution of a Professional Services Agreement with Christopher B. Burke Engineering, Ltd. for Locating Fiber Optic and other Easements. The **motion was seconded** by Commissioner Ledonne and was unanimously passed by roll call vote (9-0).

**Proposed Ordinance 2018-328; Ordinance Authorizing an Exception to the Procurement Code for the Relocation of Certain Utility Lines.**

*Suspends the bidding procedures under the Procurement Code to allow the Executive Director to enter into a contract for the relocation of Commonwealth Edison utility line in the DuPage Business Center due to timing issues.*

Executive Director Bird read into the record Proposed Ordinance 2018-328. Attorney Luetkehans reminded the Board of the situation with Commonwealth Edison's easement being located directly under the building site for the Midwest Industrial Funds project. He reviewed the scope of this project and advised that Commonwealth Edison has been very cooperative and willing to relocate the easement. Attorney Luetkehans stated this project needs to move forward as soon as possible and due to timing issues with upcoming Board Meetings. The exception to the Procurement Code as discussed will allow this immediate action. Discussion followed, and it was established that that after passage of this Ordinance, another line of approvals would be added to the process; the Executive Director will obtain the final approval of the Chairman and Vice Chairman prior to executing any necessary agreements.

A **MOTION** was made by Commissioner Ledonne to approve Proposed Ordinance 2018-328; Ordinance Authorizing an Exception to the Procurement Code for the Relocation of Certain Utility Lines. The **motion was seconded** by Commissioner Sharp and was unanimously passed by roll call vote (9-0).

**Proposed Resolution 2018-2191; Approving the Execution of a First Amendment to the Vacant Land Purchase Agreement with Enterprise West Chicago LLC.**

*Extending the Commencement of Construction Date an additional twelve months.*

Executive Director Bird read into the record Proposed Resolution 2018-2191 and Attorney Luetkehans reviewed the Board Summary Memorandum. He advised the Airport Authority entered into a purchase agreement with Enterprise West Chicago to purchase 40 acres in the DuPage Business Center; the closing for this land purchase is set to occur no later than September 12, 2018. He continued that Enterprise West Chicago is seeking an extension of its time to start the construction project for 24 to 48 months after closing due to a proposed expansion of their planned warehouse and distribution facility. Discussion followed. Board approval was recommended.

A **MOTION** was made by Commissioner LaMantia to approve Proposed Resolution 2018-2191; Approving the Execution of a First Amendment to the Vacant Land Purchase Agreement with Enterprise West Chicago LLC. The **motion was seconded** by Commissioner Sharp and was unanimously passed by roll call vote (9-0).

**Proposed Resolution 2018-2192; Approving the Execution of a Second Amendment to Vacant Land Purchase Agreement with Midwest Industrial Funds, Inc.**

*Extends the previously agreed inspection period and allows the closing on said sale to occur on or before April 1, 2019.*

Executive Director Bird read into the record Proposed Resolution 2018-2192. Attorney Luetkehans advised, as discussed earlier in the meeting, ComEd, AT&T and the City of West Chicago's watermain easements are running directly through the area of the intended building site for Midwest Industrial Funds. Due to the delays involved with the easement relocation, Midwest Industrial is requesting another extension of their inspection period. He reviewed the scope of this proposed second amendment and Justin Fierz of Midwest Industrial also addressed the Board. Discussion continued.

A **MOTION TO TABLE** Proposed Resolution 2018-2192 pending discussion in Executive Session was made by Commissioner Ledonne. The **motion to table was seconded** by Commissioner Sharp and was unanimously passed by voice vote.

**Proposed Resolution 2018-2193; Approving the Execution of a Vacant Land Purchase Agreement with Scannell Properties LLC.**

*Approves the sale of approximately 39 acres (including option) for the approximate sale price of \$6,200,766.*

Proposed Resolution 2018-2193 will be discussed in Executive Session and voted upon when regular session of the Special Board Meeting reconvenes.

**RECESS TO EXECUTIVE SESSION**

A **MOTION** was made by Commissioner LaMantia to recess to Executive Session for the discussion of pending, probable or imminent litigation; the purchase or lease of real property for the uses of the DuPage Airport Authority; and the setting of a price for sale or lease of property owned by the DuPage Airport Authority. The **motion was seconded** by Commissioner Getz and was passed unanimously by roll call vote (9-0). The Special Meeting was recessed to Executive Session at 8:52 a.m. and was reconvened at 9:25 a.m. Upon roll call, a quorum was present for the remainder of the Special Board Meeting.

**Proposed Resolution 2018-2192; Approving the Execution of a Second Amendment to Vacant Land Purchase Agreement with Midwest Industrial Funds, Inc.**

*Extends the previously agreed inspection period and allows the closing on said sale to occur on or before April 1, 2019.*

A **MOTION** was made by Commissioner Ledonne to modify the previous motion to approve Proposed Resolution 2018-2192 to include the changes as discussed during the Executive Session; striking paragraph #2 in the exhibit. The **motion was seconded** by Commissioner Sharp and was unanimously passed by roll call vote (9-0).

A **MOTION** was then made by Commissioner Ledonne to approve Proposed Resolution 2018-2192; Approving the Execution of a Second Amendment to Vacant Land Purchase Agreement with Midwest Industrial Funds, Inc. subject to the modifications made as discussed during the Executive Session. The **motion was seconded** by Commissioner Sharp and was unanimously passed by roll call vote (9-0).

**Proposed Resolution 2018-2193; Approving the Execution of a Vacant Land Purchase Agreement with Scannell Properties LLC.**

*Approves the sale of approximately 39 acres (including option) for the approximate sale price of \$6,200,766.*

Executive Director Bird read into the record Proposed Resolution 2018-2193. Discussion followed.

A **MOTION** was made by Commissioner Sharp to approve Proposed Resolution 2018-2193; Approving the Execution of a Vacant Land Purchase Agreement with Scannell Properties LLC. The **motion was seconded** by Commissioner Chavez and was unanimously passed by roll call vote (9-0).

A **MOTION** was made by Commissioner Sharp to adjourn the Special Meeting of the DuPage Airport Authority Board of Commissioners. The **motion was seconded** by Commissioner Donnelly and was passed unanimously by voice vote; the meeting was adjourned at 9:32 a.m.

  
Stephen L. Davis, Chairman

(ATTEST)

  
Donald C. Sharp, Secretary