

MINUTES  
DU PAGE COUNTY TECHNOLOGY PARK BOARD  
May 11, 2004

The meeting was called to order by Chairman Gorski at 4:30 p.m.

Members Present: David Chicoine  
Duane Gengler  
Daniel Goodwin  
Gerald Gorski  
Peter Huizenga

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

Other Present Chris Burke, Christopher B. Burke Engineering  
George Maurides, Maurides & Foley, L.L.C.  
Paul Wiese, SmithGroup JJR  
Jim Brennan, Cray, Kaiser LTD.  
Jerry Zielinski, WESTEC  
Pat Statwick, NASA  
Jake Griffin, Daily Herald  
Byron Miller, DAA  
David Bird, DAA  
Kimberley Wayne, City of West Chicago  
Bill Grady, Chicago Tribune  
GP Yeh, Fermi Lab

Approval of Minutes

Mbr. Huizenga moved to approve the minutes of March 15, 2004 and April 23, 2004. Seconded by Mbr. Chicoine. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler and Huizenga. No nays. Motion carried.

Executive Director's Report

Jack Tenison provided a report updating the status of various aspects of the DuPage County Technology Park project since the last Board meeting of April 23, 2004. Mr. Tenison stated that the Knight Infrastructure submitted the final design plans for Roosevelt Road and the main north south access road intersection. These plans are being reviewed by The Illinois Department of Transportation. Knight Infrastructure has also completed plans on the fiber optics and communications hut which are being reviewed by the City of West Chicago.

Mr. Tenison stated that he still has not received formal notification from the state regarding the state reimbursement of the second half of the grant funding.

Mr. Tenison stated that he is working out an issue with the city regarding the landscape plan. The various types of plant materials that are included in the design to re-create the prairie are not listed as approved landscape materials in the Intergovernmental Agreement with West Chicago and therefore amendments need to be made. Mr. Tenison is working with the West Chicago Planning Commission to receive the necessary variances.

Mr. Tenison stated that he is in the process of addressing an issue regarding state tax exempt status for the Technology Park. This relates to paying state sales tax on material purchased. It was assumed that the Tech Board's 501(c3) status extended to state sales tax exemption, however, there is a separate process for applying for such an exemption. The Landworks Ltd. contract price was based on the Tech Park being eligible for this sales tax exemption. Attorneys for both the Tech Park and Airport Authority are exploring using the Airport Authority's exemption since the Airport Authority would be the ultimate recipient of these materials.

Chairman Gorski would like to have the agreement regarding state tax exempt status between the DuPage Technology Park and the DuPage Airport Authority resolved by the next Tech Park Board Meeting.

#### Project Engineer Report

Chris Burke, Christopher B. Burke Engineering, Ltd. and Jack Tenison met with the City of West Chicago and the contractors and consultants that are currently working on different aspects of the Tech Park. Mr. Burke gave a detailed report on the various projects of the Tech Park:

- Main Access Drive/Phase II Project – Placement of the surface course and restoration work still need to be done.
- Construction of Pond E – Harry W. Kuhn will be the contractor performing the work of the construction of Pond E.
- Sanitary Sewer and Water Main Project – Gluth Brothers is substantially completed with this work; final testing still needs to be performed.
- Roadway Lighting Project – This construction should be started within the next week.
- Construction Observation Services for Roadway Lighting Project – Christopher B. Burke Engineering, Ltd. will be performing the construction observation.
- Landscaping and Entrance Features Project – Landworks Ltd. has begun to drop off landscape materials to the site. SmithGroup JJR is the construction management on this project.
- Construction Observation – Approved change orders for Kudrna & Associates, Ltd. for work related to the construction of Pond E.
- Commonwealth Edison Project – Consists of installing 2-12,000 volt (12KV) electrical service lines to provide power for the proposed roadway lighting control cabinets and aerator control cabinets.

### Financial Reports

Mr. Tenison submitted the certification list of the checks from the state checking account.

Mbr. Goodwin asked if DuPage County has spent any money on the Tech Park to date and if so how much. Mr. Tenison stated DuPage County provided a loan of \$500,000 that begins payback in the year 2007 at \$100,000 a year with no interest.

Mbr. Huizenga moved to approve corporate resolution 2004-19 Review and Approval of DuPage County Technology Park, N.F.P. State Checking Account Detail for the Period March 1, 2004 thru April 30, 2004. Seconded by Mbr. Goodwin. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, Goodwin and Huizenga. No nays. Motion carried.

### Presentation Regarding Incubator Facilities Within State

Mbr. David Chicoine, University of Illinois gave a presentation on the two technology parks that are under his jurisdiction. The Chicago Technology Park is located downtown within the Illinois Medical District and the Research Park at the University of Illinois in Champaign.

### Presentation of Audit Report for the Year 2003

Jim Brennan, Cray, Kaiser LTD. presented the audit for FY2003. He indicated the only management letter recommendation concerned submitting a request to retain the interest income to DCEO according to the procedures mentioned in the grant agreement Part IV, Section 4.2.

Mr. Brennan also discussed the issue of no state reimbursement for expenditures during the last year and the need to address the issue of the disallowed costs.

### Presentation Regarding Master Developer Responses

Mr. Tenison provided the Board with the key milestones in the selection process of Master Developer for the Tech Park. An advertisement was placed in the Daily Herald on March 26, 2004 and March 31, 2004 to ensure that as many potential developers were considered as possible for Master Developer. Nine companies indicated an interest in responding by requesting the application. On May 3, 2004 CenterPoint Properties Trust was the only firm to complete the application.

The CenterPoint response agrees with all the assumptions included in the application. These key assumptions include:

- Development of the entire site.
- Ground leases for the property for 50 years.
- Complying with site and tenant guidelines created by the Technology Park.
- Assuming responsibility for any and all brokerage fees.
- Construction of a 40,000 square foot incubator facility within one year.

CenterPoint Properties Trust has agreed to the following:

- Pay ground lease rates of \$.31 per square foot of the net acreage and to provide an annual increase of 2%.
- Take down a minimum of 25 acres every 12 months.
- Pay 1% of all building and land gross rent.

The DuPage Airport Authority would be the recipient of the ground lease payments. Mr. Tenison has provided the Board with an overview of the potential monthly income in the first years of such an agreement. This assumes 425 acres of developable property and an agreement signed by October 2004 but it does not take into consideration present value of money, invest of these funds or the 1% gross rent payments.

Mbr. Huizenga moved to approve corporate resolution 2004-20 approval to enter into negotiations with CenterPoint Properties to act as Master Developer. Seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, Goodwin and Huizenga. No nays. Motion carried.

#### Amendment to Harry W. Kuhn Contract Regarding Pond E

Mr. Burke stated the City of West Chicago has requested that along with the construction of Stormwater Pond E, the Tech Park expand the project to include both underground and above ground stormwater transit systems to move stormwater toward Kress Creek. It is recommended to use the previous low bid prices of Harry W. Kuhn for this required additional work. The adjustment of the construction contract with Harry W. Kuhn is estimated to be \$114,501.

Mbr. Chicoine moved to approve corporate resolution 2004-21 Fifth Amendment of “Contract Document Number 01-294A for DuPage County Technology Park Main Access Drive-Phase II”. Seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, Goodwin and Huizenga. No nays. Motion carried.

#### Revise Easement Area

Mr. Tenison stated that there are two reasons for the revised easement recommendation. First, the City of West Chicago is requiring additional work related to the creation of Pond E. This additional work requires a larger easement area for the grading and placing structures to convey stormwater to the eastside of the roadway toward Kress Creek. Second, is for the work related to the landscaping contract. The total additional area requested is 6.203 acres. If approved this would create a total easement area of 111.626 acres.

Mbr. Huizenga moved to approve corporate resolution 2004-22 Fourth Amendment of Temporary Construction and Access Easement Between DuPage County Technology Park, N.F.P. and DuPage Airport Authority. Seconded by Mbr. Goodwin. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, Goodwin and Huizenga. No nays. Motion carried.

### Review and Discussion of Site Guidelines

Mr. Tenison stated in February 2004 each Board member received a draft copy of the Development Procedures and Guidelines prepared by SmithGroup JJR. Mr. Tenison has requested the Board provide any comments, changes and/or additions before the final document is completed. Mr. Tension stated that he has received feedback from both CenterPoint Properties and the City of West Chicago. The Board made no recommendations for changes to the presented site guidelines.

### Review Options Concerning Name Change for DuPage County Technology Park, N.F.P.

Mbr. Huizenga has requested that the Board consider changing the name of the DuPage County Technology Park, N.F.P. Mr. Tenison has given the Board the following suggestions:

- DuPage Technology Park
- The Technology Park of DuPage
- The J. Dennis Hastert Technology Park
- The James “Pate” Philip Technology Park
- The West Suburban Technology Park
- The Technology Park of West Chicago
- Silicon Prairie Technology Park

Mbr. Gengler suggested that the Board consider street names to include J. Dennis Hastert and James “Pate” Philip.

Mr. Tenison suggested using the names of chemical elements or compounds for road names. That approach could provide a tie into the names of the two national laboratories in DuPage County – Fermi and Argonne.

Mbr. Chicoine recommended to the Board that the Board should start thinking of naming locations and places at the park.

Mr. Tenison stated that the City of West Chicago has requested to have the Tech Park designed as part of the city and encompass that designation within the entrance features in some way and asked the Board if they had any concerns with this request. No concerns were raised by the Board.

Mbr. Chicoine moved to approve corporate resolution 2004-23 to change the name of the DuPage County Technology Park, N.F.P. to DuPage Technology Park, N.F.P. Seconded by Mbr. Goodwin. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, Goodwin and Huizenga. No nays. Motion carried.

### Old Business

None

New Business

Mbr. Gengler stated that it is very important that the Master Developer makes sure that every Tech Park tenant are informed through their lease of the DuPage Airport Authority's noise situation.

Adjournment

With no further business remaining before the Board, the meeting was adjourned at 5:56 p.m. on a motion by Mbr. Huizenga, seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, Goodwin and Huizenga. No nays. Motion carried.

Respectfully submitted,

Patti Miller