

# **ILLINOIS INTERNATIONAL PORT DISTRICT**

## **Record of Proceedings of the REGULAR BOARD MEETING**

**November 16, 2012**

The regular meeting of the Board of Directors of the Illinois International Port District was held Friday, November 16, 2012, at 9:30 a.m., at the Illinois International Port District, 3600 E. 95<sup>th</sup> St., Chicago, Illinois. Kathleen Dart, Secretary, called the roll, and the following Directors were present: Terry Sullivan, Henry Wisniewski, Victor Crivello, Dean Maragos and Charles Bowen. Ms. Dart reported that Chairman Forde was present and a quorum was present.

**Also present:** Anthony Ianello, Executive Director; Kurt Oelerich, Treasurer; Frank Kudrna, URS Corp.; Michael Leroy, Neal & Leroy LLC;

**General public present:** Steve Mosher – North America Stevedoring; Tom Shepherd – Southeast Environmental Task Force; Mark Carroll – The Rowing Group

### **Executive Committee**

There was no meeting.

### **Board Meeting Minutes – October 19, 2012**

The Minutes of the October 19, 2012 Board Meeting were presented, and a Motion for approval was made by Mr. Sullivan, seconded by Mr. Bowen, and passed unanimously.

### **REPORTS OF STANDING COMMITTEES**

#### **Leases and Agreements Committee**

Counsel Leroy reported on the current status of the Emesco litigation.

Chairman Forde reported that he and Counsel Leroy are still negotiating the Harborside Agreement with Kemper Sports Management and have only one provision to settle. The contract should be ready for circulation shortly.

Chairman Forde explained that LCSC has paid a small fee for six-month's access to a parcel of land on Port District property in order to permit them to perform due diligence. They have proposed an amended contract that would extend this right for another year. Mr. Bowen moved to allow the extension; Mr. Wisniewski, seconded the Motion, and it passed unanimously.

Mr. Maragos moved to enter into Executive Session and was seconded by Mr. Sullivan. Because the public attendees would have to leave and return at the end of Executive Session, it was decided to hold the Executive Session at the end of the meeting. Mr. Maragos moved to exit Executive Session, was seconded by Mr. Sullivan, and the Motion passed unanimously.

### **Marketing Committee**

There was no report.

### **Legislative Committee**

There was no report.

### **Finance and Personnel Committee**

Treasurer Oelerich reported on the Port income statement, Harborside income statement, consolidated income statement, balance sheet, and check register for the month of October 2012. A Motion to accept the financial statements was made by Mr. Sullivan, seconded by Mr. Bowen, and passed unanimously.

### **Treasurer's Report**

Treasurer Oelerich explained an adjustment to revenue which more accurately represented the Amusement Tax paid by Harborside. Both the Port District and Harborside remain on budget, and we are less than \$5,000 off budgeted revenues. Chairman Forde complimented the accurate handling of the budgeting process.

### **UNFINISHED BUSINESS**

RFP – Letter of Credit: Treasurer Oelerich reported that there are ten or eleven parties interested in bidding, and over the course of the next two weeks discussions will be held with them.

RFP – Pension: A draft has been forwarded to Vice Chairman Fitzmaurice for input after which it will be distributed.

### **NEW BUSINESS**

2013 Budget: Treasurer Oelerich added a third column to the proposed budget to reflect currently projected numbers for 2012. He pointed that the most significant change is with regard to lease revenue. As leases are signed, they are put into the projections rather than just estimations. Input received during the next month will be incorporated into the final budget to be presented in December.

RFP – Auditor: Chairman Forde made a Motion to distribute an RFP to choose an auditor for the Port District. Mr. Sullivan seconded the Motion, and it passed unanimously.

December Board Meeting: Mr. Bowen moved that due to the Christmas holiday, the December Board Meeting would take place one week early on December 14, 2012 with the Committee Meetings taking place on December 12. Mr. Sullivan seconded the Motion, and it passed unanimously.

Executive Director's Contract: Chairman Forde proposed that at the expiration of the Executive Director's current contract in January he be made an "at will" employee with the same salary as a matter of policy. Mr. Forde made the appropriate Motion; Mr. Bowen seconded; and it passed unanimously.

Asian Carp: Mr. Kudrna reported in detail to the Board on an Advisory Committee meeting he had attended which addressed the Asian Carp issue and closing of the waterways with comments from representatives of the Great Lakes Commission, the Great Lakes & St. Lawrence Cities Initiative, Greenleaf Advisors, Illinois Dept. of Natural Resources, the U.S. Army Corps of Engineers, and others. URS will continue to monitor these meetings and report to the Port District.

#### **Public Comment**

Mr. Shepherd was informed that he could address his issues relating to the Millennium Reserve to the Chairman of the Leases and Agreements Committee, Michael Forde.

Mr. Carroll proposed to use the lake along Port District property for rowing races.

#### **EXECUTIVE SESSION**

Mr. Maragos moved to enter into Executive Session to discuss Clean Harbors litigation, an agreement with BMO as financial advisor, and repairs at Iroquois Landing. Mr. Sullivan seconded, and the Motion passed unanimously.

Mr. Maragos moved to exit Executive Session; Mr. Forde seconded, and the Motion passed unanimously.

#### **Resolution PD-12-15**

Mr. Bowen made a Motion to retain the services of Levenfeld Pearlstein LLC to represent the Port District in the Clean Harbors litigation at an adjusted rate of \$225/hour, the same as that of Neal & Leroy. Mr. Sullivan seconded the Motion, and it passed unanimously.

**Resolution PD-12-16**

Mr. Bowen made a Motion to sign the agreement with BMO as financial advisor to the Port District but with slightly improved terms than originally submitted. Mr. Crivello seconded the Motion and it passed with an abstention from Mr. Maragos.

**Resolution PD-12-17**

Mr. Sullivan made a Motion to direct Staff and Port engineers to continue to study conditions at the dock at Iroquois Landing, and secondly to close off the portion of the dock that has failed. Mr. Bowen seconded the Motion, and it passed unanimously.

Chairman Forde moved to revise the 2012 Budget to include payments to Port consultants that had not been included in the original budget.

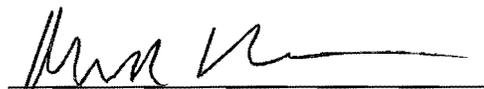
**ADJOURNMENT**

The next meeting of the Board of Directors will take place on Friday, December 14, 2012 at the Illinois International Port District, 3600 E. 95<sup>th</sup> St., Chicago, Illinois.

There being no further business, a Motion to adjourn was made by Mr. Sullivan, seconded by Mr. Wisniewski and passed unanimously.



Kathleen M. Dart  
Secretary



Michael K. Forde  
Chairman