

**APPROVE ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CHICAGO
RELATING TO CONTINUED PARTICIPATION WITH THE CITY OF CHICAGO IN A 5-YEAR SCHOOL
BUILDING ACCESSIBILITY RENOVATION PROGRAM, INCLUDING NEGOTIATING, EXECUTING AND
DELIVERING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CHICAGO**

THE CHIEF EXECUTIVE OFFICER REPORT THE FOLLOWING DECISION:

Approve entering into an Intergovernmental Agreement with the City of Chicago in a 5-year School Building

herein shall automatically rescind in the event a written agreement is not executed within 120 days of the date of this Board Report. Information pertinent to this agreement is stated below.

AGENCY: City of Chicago
121 North LaSalle Street
Room 600
Chicago, Illinois 60602

Also for Year One of the Program, pursuant to the 2008 Ordinance, the City and the Board entered into an Intergovernmental Agreement (the "2009 Intergovernmental Agreement") specifying 27 schools to be rehabilitated for improved accessibility, including the 15 rehabilitation projects specified in the 2008 Ordinance that would receive a specified portion of tax increment financing and 12 schools to be rehabilitated using Board funds.

For the second, third, fourth, and fifth years of the Program ("Years Two Through Five of the Program"), the Board and the City agreed to together dedicate not less than \$25,000,000 each year, subject on the City's part

to due authorization and the appropriation of funds.

To continue in Years Two through Five of the Program, on April 13, 2011 the City Council approved an Ordinance (the "2011 Ordinance"), April 13, 2011 a copy of which Ordinance is on file with the Secretary of the Board, in which the City Council has determined that it is necessary and in the best interests of the City that the

To continue in Years Two Through Five of the Program, pursuant to the 2011 Ordinance, approximately 60 schools have been or shall be rehabilitated for improved accessibility, including: the 11 rehabilitation projects

The Board will commit a total of \$5,700,000 to several of the projects listed in the ordinance, in addition to the amounts being funded by the City. Such Board funding will be proposed in a separate Board Report. Such funding will be contingent upon Board authorization of an overall 2012 Capital Improvement Program budget and will be deducted from the Board's annual dedicated ADA portion of that 2012 Capital Improvement Program budget.

CONTRIBUTION: See above.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written agreement. Authorize the President and Secretary to execute the agreement. Authorize the Board President to

execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION: Exempt

LSC REVIEW: Local School Council approval is not applicable to this report

FINANCIAL: Charge to Department of Housing and Economic Development - \$0 Fiscal Year 2011
Budget Classification: N/A
Source of Funds: N/A

GENERAL CONDITIONS:

Inspector General – Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member during the one year period following expiration or other termination of their term of office.

Approved for Consideration:



Patricia L. Taylor
Chief Operating Officer

Approved:



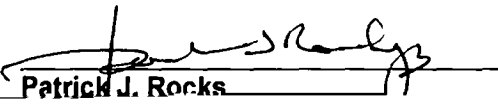
Terry Mazany
Chief Executive Officer

Within Appropriation:



Diana S. Ferguson
Chief Financial Officer

Approved as to legal form:



Patrick J. Rocks