

APPROVE ENTERING INTO A FACILITIES USE RENEWAL AGREEMENT WITH CATHOLIC BISHOP OF CHICAGO FOR THE USE OF PARKING LOT AT ST. NICHOLAS OF TOLENTINE

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into a facilities use renewal agreement with the Catholic Bishop of Chicago for the use of the parking lot at St. Nicholas Tolentine by Hubbard High School. A written renewal agreement for such use is currently being negotiated. The authority granted herein shall automatically rescind in the event a written renewal agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

LICENSOR: Catholic Bishop of Chicago
Attention: Real Estate
155 East Superior Street
Chicago, IL 60611
Contact Person: Maureen A. O'Brien
Phone: (312) 751-8221

LICENSEE: Chicago Board of Education
125 S. Clark Street – 16th Floor
Chicago, IL 60603
Contact: Urie Clark, Director, Real Estate
Phone: (773) 553-2950

FACILITIES: Parking lot located at St. Nicholas of Tolentine
3756-3758 W. 62nd Place
27 Spaces

ORIGINAL FACILITIES USE AGREEMENT: The original use agreement dated September 1, 2001 (Board Report 01-0627-OP2), as amended by (02-0424-OP2) provided for a term commencing September 11, 2001 and ending June 30, 2002 for the same facilities use and compensation.

RENEWAL TERM: The term of the facilities use renewal shall be for a period of ten (10) months commencing September 1, 2002 and ending June 30, 2003.

USE: To be used by Hubbard High School, 6200 S. Hamlin to provide parking spaces. Licensee shall be restricted to use of the lot Mondays through Fridays between the hours of 8:00 am – 5:00 pm. Ingress and egress shall be from the alley at 62nd Place and Hamlin.

LICENSE FEE: During the renewal term of the Facilities Use Agreement, Licensee shall pay a license fee of \$4,000, payable in monthly installments of \$400.

OPERATION & MAINTENANCE: At the expiration of the Facilities Use Agreement, the Facilities will be turned over in the as good condition as received. Licensee shall keep the Premises free of all debris, bottles and trash at all times at the sole expense of the Licensee. Licensee shall provide snow removal during the times when Licensee uses the Premises.

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

AFFIRMATIVE ACTION: Exempt.

LSC REVIEW: LSC approval is not applicable to this action.

FINANCIAL: Charge to Hubbard School - \$4,000
Budget Classification: 1670-552-000-6000-5480

Fiscal Year: 2003

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 members during the one year period following expiration or other termination of their terms of office.

Indebtedness – The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.


Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



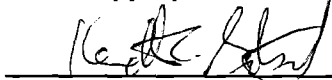
Timothy Martin
Chief Operating Officer

Approved:



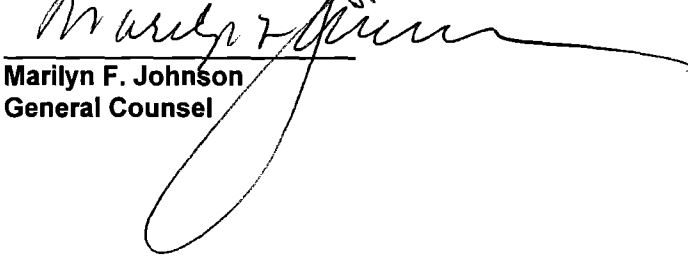
Arne Duncan
Chief Executive Officer *by PAD*

Within Appropriation:



Kenneth C. Gotsch
Chief Fiscal Officer

Approved as to legal form:



Marilyn F. Johnson
General Counsel