

**APPROVE ENTERING INTO AN INTERGOVERNMENTAL USE AGREEMENT WITH THE  
CHICAGO PARK DISTRICT IN CONNECTION WITH THE CONSTRUCTION AND USE  
OF ATHLETIC FIELD AT LAWLER PARK**

**THE CHIEF OPERATING OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into an Intergovernmental Use Agreement ("IGA") with the Chicago Park District ("CPD") for the CPD to undertake a project to construct a new artificial turf field for sports such as football/soccer/softball with bleachers and a two-lane track at Lawler Park for shared use with John Hancock College Preparatory High School and to authorize the Board of Education of the City of Chicago ("Board") to contribute up to \$500,000 to the CPD for the construction, use, maintenance and repair of the field. The Intergovernmental Use Agreement between the Board and CPD for the joint use of the Athletic Facilities is currently being negotiated. The authority granted herein shall automatically rescind in the event the Intergovernmental Use Agreement is not executed within 120 days of the date of this Board Report. Information pertinent to the Intergovernmental Use Agreement stated as follows.

<b>PARTIES:</b>	Board of Education of the City of Chicago 42 W. Madison Street Chicago, IL 60602 Contact: Chief Operations Officer Phone: 773-553-2900	Chicago Park District (Vendor # 17852) 541 N. Fairbanks Chicago, IL 60611 Contact: General Superintendent Phone: 312-742-4500
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**PROJECT DESCRIPTION:** The Chicago Park District owns a 4.8-acre park located at 5210 West 64<sup>th</sup> Street, Chicago, Illinois known as Lawler Park. The Board has agreed to provide funding to CPD for the construction of a new artificial turf field for sports such as football/soccer/softball with bleachers and a two-lane track as shown on Exhibit A ("Athletic Field") for programmatic use by John Hancock College Preparatory High School located at 4034 W. 56<sup>th</sup> Street, Chicago, Illinois. CPD has agreed to construct, maintain and to enter into a twenty (20) year non-revocable IGA with the Board for joint use of the Athletic Facilities.

**PREMISES:** The specific project area is in the Clearing Community and bounded by 63<sup>rd</sup> Place to the north, 64<sup>th</sup> Street to the south, Leclaire to the east and Latrobe to the west.

**RESPONSIBILITIES OF PARTIES AND USE OF PREMISES:** Under the Intergovernmental Use Agreement with CPD, the Board will have programmatic use of the Athletic Field for twenty (20) years. CPD and the Board will agree on the use of the Athletic Field which may include activities during school hours and mutually agreed on after school hours for School related or sponsored programs, practices, interscholastic competitions and intramural games, which may be scheduled on weekends, or such other hours as agreed to by the Board's Chief Operating Officer or his designee. The Board will enter a use agreement with CPD for the designation of the day to day use of the Athletic Field. The Board shall not be required to obtain a permit or pay a fee for its use of the Athletic Field. CPD will be responsible for construction, maintenance and all costs related to the use and operation of the Athletic Field. The Board shall have the right, but not the obligation, to maintain the Athletic Field, if necessary due to maintenance falling below the accepted standard for such Facilities, and to seek reimbursement for those costs from the CPD.

**TERM:** The term of the non-revocable Intergovernmental Use Agreement shall commence on the date the agreement is signed and shall end twenty (20) years thereafter.

**CONCESSIONS/TICKETS:** The Board shall have the right to control and operate all ticket sales and field concessions during the Board's priority use and shall receive any and all payments due or which shall become due during that time. The CPD shall have the right to control and operate all ticket sales and field concessions during such times when the Board does not have priority use and the CPD is responsible for the scheduling of events.

**INSURANCE/INDEMNIFICATION:** Insurance and indemnification provisions shall be negotiated by the General Counsel.

**AUTHORIZATION:** Authorize the General Counsel to include other relevant terms and conditions, including indemnification, in the Intergovernmental Use Agreement as may be required to construct and use the new Athletic Field. Authorize the President and the Secretary to execute any and all documents required to effectuate the twenty (20) year Intergovernmental Use Agreement. Authorize the Chief Operating Officer or his designee to execute any and all ancillary documents required to administer or effectuate the Intergovernmental Use Agreement.

**AFFIRMATIVE ACTION:** Exempt.

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

**FINANCIAL:** Charge to Operations: \$500,000  
Source of Funds: Capital Funds

**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 June 26, 1996 (96-0626-PO3), as amended from time to time shall be incorporated into and made a part of the agreement.

Ethics – The Board’s Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time shall be incorporated into and made a part of the agreement.

Contingent Liability – The agreements 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:**

**Approved:**

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*Arnaldo Rivera*  
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DocuSigned by:  
*Janice K. Jackson*  
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**Arnaldo Rivera**  
Chief Operating Officer

**Janice K. Jackson**  
Chief Executive Officer

Approved as to legal form: 

DocuSigned by:  
*Joseph T. Moriarty*  
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**Joseph T. Moriarty**  
General Counsel

**EXHIBIT A**  
**SITE PLAN FOR LAWLER PARK ARTIFICIAL TURF FIELD**

