

**RESOLUTION AUTHORIZING PARTICIPATION WITH THE CITY OF CHICAGO IN 5-YEAR SCHOOL BUILDING ACCESSIBILITY RENOVATION PROGRAM, INCLUDING NEGOTIATING, EXECUTING AND DELIVERING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CHICAGO**

**WHEREAS**, the Board of Education of the City of Chicago (the "Board") has the responsibility to ensure access to the programs of the Chicago Public Schools within the meaning of the Americans with Disabilities Act (the "ADA") and Section 504 of the Rehabilitation Act ("Section 504"), and in accordance with Board Policies 501.1 and 501.3; and

**WHEREAS**, those laws and Board policies require the Board to ensure that all programs, services, and activities of the Board are accessible when viewed in their entirety, including requiring the renovation of existing school buildings to be accessible within the meaning of the ADA where necessary;

**WHEREAS**, as part of its responsibilities under the ADA and Section 504, the Board has constructed new accessible buildings, has renovated many of its existing buildings, and will continue to renovate additional existing buildings for improved accessibility; and

**WHEREAS**, the Board and the City of Chicago (the "City") are committed to providing access to public schools for students, parents, employees and community members with disabilities; and

**WHEREAS**, the Board and the City intend to embark on a joint five-year program to rehabilitate public schools to increase accessibility (the "Program"); and

**WHEREAS**, pursuant to the Ordinance described below, 27 schools, 15 of which are the subject of the Intergovernmental Agreement hereto attached (the "2008 Intergovernmental Agreement"), shall be rehabilitated during the first year of the Program using City funds; and

**WHEREAS**, the Board and the City intend that the Board and the City shall together dedicate not less than \$25,000,000 in each of the second, third, fourth and fifth years of the Program, subject, on the City's part, to due authorization and the appropriation of funds; and

**WHEREAS**, by an Ordinance approved by the City Council of the City (the "City Council") at a meeting on April 9, 2008, a copy of which Ordinance is on file with the Secretary of the Board, the City Council has determined that it is necessary and in the best interests of the City that the City agree to use a portion of tax increment financing monies to fund the 15 school rehabilitations listed in the 2008 Intergovernmental Agreement; and

**WHEREAS**, by the Ordinance, the City Council has determined that the costs of rehabilitating the schools as described in the 2008 Intergovernmental Agreement constitute "capital costs of a taxing district" within the meaning and purposes of the Illinois Tax Increment Allocation Redevelopment Act, as amended (the "Act"), and that such costs are consistent with the City's program for accomplishing the objectives of certain applicable redevelopment plans for certain Redevelopment Project Areas (as defined in the Ordinance); and

**WHEREAS**, the cost of rehabilitation of the 15 schools listed in the Ordinance is estimated to be approximately \$14,250,250.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF EDUCATION OF THE CITY OF CHICAGO:**

1. The President of the Board, the Chief Financial Officer of the Board and the Treasurer of the Board (each, an "Authorized Officer"), or a designee of any Authorized officer, are each hereby directed and authorized to execute and deliver to the City the 2008 Intergovernmental Agreement, in substantially the form filed with the Secretary of the Board and made a part hereof (together with such

changes therein as shall be approved by the Authorized Officer (or a designee thereof) executing the same), with such execution to constitute conclusive evidence of such Authorized Officer's approval and this Board's approval of any changes or revisions therein from the form of 2008 Intergovernmental Agreement on file with the Secretary of the Board.

2. The Secretary of the Board and each Assistant Secretary of the Board are hereby authorized to attest, on behalf of the Board, to any signatures on any intergovernmental agreement or other document executed and delivered pursuant to this Resolution.

3. The Chief Financial Officer and the Treasurer of the Board, as appropriate, are each hereby authorized to accept, on behalf of the Board, any funds that the Board is entitled to receive pursuant to the 2008 Intergovernmental Agreement, and the Director of the Office of Management and Budget is hereby directed to establish an appropriate budget classification for any funds so received. Upon receipt of any funds received pursuant to this Resolution, the Chief Financial Officer shall communicate to the Board the amount of funds received and the date the funds were received.

4. The President and each other Authorized Officer are hereby authorized to take such further action as may be necessary to implement the Program, to receive and apply the City funds for the purposes specified in the Ordinance and the 2008 Intergovernmental Agreement.

5. The President and each other Authorized Officer are hereby authorized to take such further action as may be necessary to implement the Program or to achieve the purposes contemplated in the Ordinance, the 2008 Intergovernmental Agreement and this Resolution, including, but not limited to amending or renegotiating any outstanding intergovernmental agreements between the Board and the City.

6. This resolution is effective immediately upon its adoption.