

**APPROVE ENTERING INTO A LICENSE AGREEMENT WITH SYSTEM PARKING, INC. FOR USE OF
THE PARKING LOT AT JOYCE KILMER ELEMENTARY SCHOOL**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into a license agreement with System Parking, Inc. for use of the parking lot at Joyce Kilmer Elementary School, located at 6700 North Greenview Street. A written license agreement for such use is currently being negotiated. The authority granted herein shall automatically rescind in the event a written license agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this license agreement is stated below.

LICENSEE: System Parking, Inc.
111 E. Wacker Drive #1407
Chicago, IL 60601
Contact: Tom Phillips, Sr., Senior Vice-President
Phone: (312) 819-5043

LICENSOR: Board of Education of the City of Chicago

PREMISES: Joyce Kilmer Elementary School parking lot
6700 North Greenview Street
Contact: Johnette James
Phone: (773) 534-2115

TERM: The term of this license agreement shall commence December 1, 2001 and shall end November 30, 2002.

EARLY TERMINATION RIGHT: Either party shall have the right to terminate this agreement upon sixty (60) days prior written notice to Licensee.

USE: To provide parking for residents in the area. The lot shall be used Monday through Friday between the hours of 4:00 p.m. to 7:00 a.m. and all day on Saturday and Sunday. Ingress and egress to the parking lot shall be through the alley off of Bosworth Street.

LICENSE FEE: The license fee shall be \$600.00 per month, payable monthly.

MAINTENANCE: Licensee shall maintain the premises in its present condition or better throughout the term of this License and at the expiration of the License, the Premises will be turned over in the same condition as received. Licensee shall keep the premises free of all debris, bottles and trash at all times at Licensee's sole expense. Licensee shall also be responsible for snow removal and striping of the parking lot.

INSURANCE: Licensee will name the Board as an additional named insured under its Comprehensive General Liability Policy. Coverage limits are \$1,000,000 for a combined single limit for both injury and property damage. A Certificate of Insurance is to be furnished to the Board with the provision that there will be no cancellation unless the Board receives 30 days prior written notice.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written license agreement. Authorize the President and Secretary to execute the license agreement. Authorize Chief Operating Officer to exercise options to extend or renew this license agreement.

AFFIRMATIVE ACTION: Exempt.

LSC REVIEW: This action was approved by the LSC for Kilmer Elementary School on November 28, 2001.

FINANCIAL: Income to be credited to Kilmer Elementary School.

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 PAT)

Within Appropriation:



Kenneth C. Gotsch
Chief Fiscal Officer

Approved as to legal form:



Marilyn F. Johnson
General Counsel