

AMEND BOARD REPORT 02-0925-OP04
**APPROVE A LICENSE AGREEMENT WITH HIGH MOUNTAIN M.B. CHURCH FOR
USE OF THE PARKING LOT AT MCNAIR ACADEMIC CENTER**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into a license agreement with High Mountain M. B. Church for use of the parking lot at McNair Academic Center, located at ~~849 North Leamington~~ Cicero and Walton Streets. 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 amended Board Report. Information pertinent to this license agreement is stated below.

This amended Board Report is necessary to i) correct the address of the premises, ii) revise the term of the license; and iii) revise the license fee.

LICENSEE: High Mountain M. B. Church.
919 North Lavergne Avenue
Chicago, IL 60651
Contact: Pastor Earlie Johnson
Phone: (773) 378-0683

LICENSOR: Board of Education of the City of Chicago

PREMISES: McNair Academic Center parking lot
~~849 N. Leamington~~ Cicero and Walton
Contact: Solomon Gibbs
Phone: (773) 534-6100

TERM: The term of this license agreement shall commence the latter of ~~October 1, 2002~~ on the date Licensee is granted use of the parking lot and end September 30, 2009, with Licensee having an option to renew for an additional five (5) year period.

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

USE: To provide parking for licensee's church attendees. The lot shall be used Saturdays between the hours of 9:00 a.m. and 1:30 p.m., and Sundays between the hours of 9:00 a.m. to 6:00 p.m. Ingress and egress to the parking lot shall be through the alley ~~off of Leamington Street~~.

LICENSE FEE: The license fee shall be \$200.00 per weekend, payable monthly beginning on the date Licensee is granted use of the parking lot, with a 3% increase each year starting ~~October 1, 2003~~ on the One-Year anniversary date of the initial License Fee due date.

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.

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 shall 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 McNair Academic Center on November 1, 2001.

FINANCIAL: Income to be credited to McNair Academic Center.

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:


Bruce Washington
Deputy Chief Operating Officer

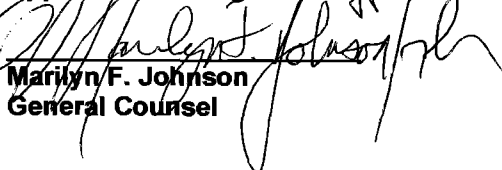
Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:


Kenneth C. Gotsch
Chief Fiscal Officer

Approved as to legal form:


Marilyn F. Johnson
General Counsel