

April 28, 2004

04-0428-OP3

**APPROVE ENTERING INTO A LICENSE AGREEMENT WITH WINDY CITY VALET LLP FOR USE
OF PARKING LOT AT ANDERSEN SCHOOL**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into a license agreement with Windy City Valet LLP for use of the Parking Lot at Andersen School, located at 1148 N. Honore. 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: Windy City Valet LLP
729 W. Briar
Chicago, IL 60657
Contact: Dan Mihail
Phone: (773) 895-7332

LICENSOR: Board of Education of the City of Chicago

PREMISES: Andersen School (Front Parking Lot)
1148 N. Honore
Contact: Suzanne Dunaway
Phone: (773) 534-4276

TERM: The term of this license agreement shall commence on June 1, 2004 and shall end May 30, 2007.

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

USE: The above premises shall be used by Licensee on Mondays through Sundays from 6:00 p.m. to 6:00 a.m..

LICENSE FEE: The license fee for the first year shall be \$800.00 per month payable monthly directly to the school and shall increase as follows:

Year 2: \$ 900.00 monthly
Year 3: \$1,000.00 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 during Licensee's use at Licensee's sole expense. During its use, Licensee shall also be responsible for snow removal.

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.

AFFIRMATIVE ACTION: Exempt.

LSC REVIEW: This action was approved by the LSC for Andersen School on March 30, 2004.

FINANCIAL: Income to be credited to Andersen 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.

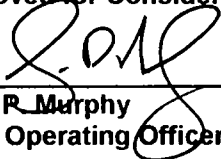
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their 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.

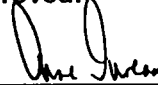
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



Sean P. Murphy
Chief Operating Officer

Approved:



Arne Duncan
Chief Executive Officer

Within Appropriation:



John Maiorca
Chief Financial Officer

Approved as to legal form:



Ruth Moscovitch
General Counsel