

**AMEND BOARD REPORT 08-0602-OP2  
AMEND BOARD REPORT 07-0725-OP5**

**APPROVE ENTERING INTO AN AGREEMENT WITH ROSELAND LITTLE LEAGUE BASEBALL ORGANIZATION, INC. FOR THE INSTALLATION AND USE OF A TURF FIELD AT GWENDOLYN BROOKS HIGH SCHOOL**

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

Approve entering into an Agreement with the Roseland Little League Baseball Organization, Inc. ("Roseland") regarding the installation and usage of a turf field at Gwendolyn Brooks High School ("Project"). This Project will benefit the Board of Education students, Roseland community organizations, and others within the Roseland area. A written agreement is currently being negotiated. No construction on the Project shall occur prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 90 days of the date of this amended Board Report. Information pertinent to this agreement is stated below.

This amended Board Report is necessary to correctly reflect the proper name of the Roseland Little League Baseball Organization, to change the date of anticipated completion of the Project to change the description of the project, and to eliminate the Board's early termination right.

This April 2009 amendment is necessary to change the terms regarding the (i) obligation to maintain the Project (ii) construction completion date (iii) Boards priority usage of the Project and (iv) Board's approval of plans and specifications. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 90 days of the date of this Amended Board Report. Information pertinent to this agreement is stated below.

<p><b>PARTIES:</b> Board of Education Department of Operations &amp; Department of Real Estate 125 South Clark Street, 17<sup>th</sup> Floor Chicago, IL 60603 Contact: <del>Heather Obera</del>/Lori Woodman Phone: 773.553.2280</p>	<p>Roseland Little League Baseball Organization, Inc., an Illinois not for profit Corporation 12483 S. Michigan Ave Chicago, IL 60628 Contact: Jackie Johnson Phone: 773.568.1460</p>
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**PROJECT LOCATION:** Gwendolyn Brooks High School (the "School"), located at 250 East 111<sup>th</sup> Street, Chicago, IL 60628

**DESCRIPTION OF PROJECT:** Roseland shall construct one regulation high school turf football/soccer field, surrounded by a 6-lane running track, and a score board (collectively the "Field"). ~~The Board shall approve, in writing, the plans and specifications prior to the start of construction.~~

**PROJECT COST:** The projected cost of the Project shall not exceed \$1,000,000.

**FUNDING OF PROJECT:** Roseland is the recipient of a grant from the City of Chicago's Empowerment Zone/Enterprise Community in the amount of \$1,000,000. Roseland shall be responsible for all costs of construction of the Field the Project.

**TERMS OF AGREEMENT:** The agreement will provide for the installation, construction and shared use of the Project. Roseland will be granted a license to use the Field Project at a cost of One Dollar per annum. General annual maintenance operations will be performed by the Board at the Board's sole cost and one half (1/2) of the cost thereof shall be reimbursed by Roseland. The license for usage shall be granted for a term commencing upon execution of the Agreement and ending December 31, ~~2028~~ 2029. It is anticipated that all installation and construction shall be completed by ~~August 31, 2008~~ September 1, 2009.

**USEAGE OF THE PROJECT:** The Board and Roseland will have shared use of the Field Project with the Board having priority for its related sports teams during their regular ~~and post~~-season schedules and Roseland having priority usage at all other times. The terms of the annual usage shall be agreed to by the parties on or before the beginning of each school year.

**AUTHORIZATION:** Authorize the General Counsel to include other relevant terms and conditions in the written agreement including, but not limited to any indemnification agreements. Authorize the President and Secretary to execute the agreement. Authorize the General Counsel to execute all ancillary documents required to administer or effectuate this agreement. Authorize the Chief Operating Officer to agree to the annual usage of the Project between the parties.

**AFFIRMATIVE ACTION:** Not applicable.

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

**FINANCIAL:** No cost to the Board for installation and construction.

**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 June 23, 2004 (04-0623-PO4), 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 fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s)

Approved for Consideration:

  
M. Hill Hammock Stephen M. Wilkins  
Chief Operating Property Officer

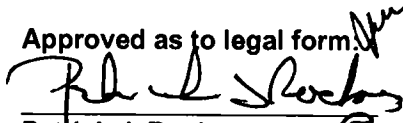
Approved:

  
Arne Duncan Ron Huberman  
Chief Executive Officer

Within Appropriation:

  
Pedro Martinez  
Chief Financial Officer

Approved as to legal form.

  
Patrick J. Rocks  
General Counsel