

**APPROVE ENTERING INTO A MASTER INTERGOVERNMENTAL LICENSE AGREEMENT WITH
CHICAGO PARK DISTRICT FOR USE OF FACILITIES**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into a master intergovernmental license agreement ("Master IGA") with the Chicago Park District ("CPD") that will address the usage of school facilities by the CPD and the usage of Park District facilities by CPS. A written Master IGA is currently being negotiated. The authority granted herein shall automatically rescind in the event a Master IGA is not executed within 120 days of the date of this Board Report. Information pertinent to the Master IGA is stated below.

PARTIES:	Board of Education of City of Chicago 125 S. Clark Street Chicago, IL 60603 Contact: Lori Woodman Phone: 773-553-2922	Chicago Park District 541 N. Fairbanks Chicago, IL 60611 Contact: Mark Thomas Phone: 312-744-4000
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TERM: The term of the Master IGA shall commence August 1, 2009 and end July 31, 2019.

BASIC TERMS OF THE MASTER IGA: The Master IGA will provide as follows:

- 1) Allow each party to use the other party's facilities for their own programs, at no cost to either party;
- 2) Address all major legal concerns, such as liability and insurance, that will apply to all schools (except for those schools that are subject to distinct and separate IGAs with the Park District and those schools that are under the Campus Park and/or Campus Kids Programs) so that all usage agreements between CPD and CPS will be subject to the same general terms and conditions;
- 3) Provide a mechanism for each school principal and local park district supervisor to enter into annual usage agreements;
- 4) Set forth a dispute resolution procedure; and
- 5) Provide a framework for the supervision, security, maintenance and cleaning of the facilities.

ENGINEER'S OVERTIME: The Board recognizes that there is engineer's overtime cost associated with CPD using CPS facilities during non-school hours. Therefore, the Board shall provide a fund for such overtime that will be managed by the Facilities Department. All schools incurring overtime expense for engineers due to CPD programming may submit proper documentation to the Facilities Department for payment.

AUTHORIZATION: Authorize school principals to enter into annual usage agreements using the usage form attached to the Master IGA. Authorize the General Counsel to include other relevant terms and conditions in the Master IGA including mutual indemnification and insurance clauses. Authorize the President and Secretary to execute the Master IGA. Authorize the Director of Sports Administration and/or the Chief Education Officer to take all necessary action to resolve disputes in accordance with the terms of the Master IGA.

AFFIRMATIVE ACTION: Exempt.

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

FINANCIAL: Charge: Department of Facilities and Maintenance
FY10 \$1,500,000
Budget Classification: 11180-230-52400-254002

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.

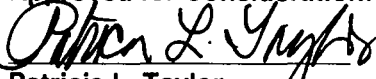
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member during the one year period following expiration or other termination of their 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 current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:




Patricia L. Taylor
Chief Facilities Officer

Approved:



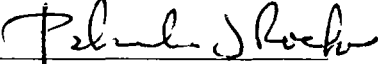
Ron Huberman
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to legal form:



Patrick J. Rocks
General Counsel

