

**APPROVE ENTERING INTO AN INTERGOVERNMENTAL USE AGREEMENT WITH THE
CHICAGO PARK DISTRICT IN CONNECTION WITH THE CONSTRUCTION AND USE
OF AN INDOOR ATHLETIC FACILITY AT GATELY PARK**

THE CHIEF OPERATING OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an Intergovernmental Use Agreement ("IGA") with the Chicago Park District ("CPD") for the CPD to undertake a project to construct a new indoor track and field facility at Gately Park for shared use with Chicago Public Schools and to authorize the Board of Education of the City of Chicago ("Board") to contribute up to \$2,000,000 to the CPD for the construction, use, maintenance and repair of the athletic facility. The Intergovernmental Use Agreement between the Board and CPD for the joint use of the Athletic Facilities is currently being negotiated. The authority granted herein shall automatically rescind in the event the Intergovernmental Use Agreement is not executed within 120 days of the date of this Board Report. Information pertinent to the Intergovernmental Use Agreement stated as follows.

PARTIES:	Board of Education of the City of Chicago 42 W. Madison Street Chicago, IL 60602 Contact: Chief Operations Officer Phone: 773-553-2900	Chicago Park District 541 N. Fairbanks Chicago, IL 60611 Contact: General Superintendent Phone: 312-742-4500
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PROJECT DESCRIPTION: The Chicago Park District owns a 25-acre park located at 744 E. 103rd Street in Chicago, Illinois in the Pullman and Roseland neighborhoods, known as Gately Park. The Board has agreed to provide funding to CPD for the construction of the new 139,375-square foot Athletic Facility (Exhibit A) that will have a seating capacity of 3,500 and will have the area's first hydraulically banked 200-meter track. The Athletic Facility will also feature a 4,000-square foot warm-up area, eight sprint lanes, two long and triple jump runways and pits, pole-vault runway and pads, a high jump area and scoreboards and will be available for programmatic use by Chicago Public School students. CPD has agreed to construct, maintain and to enter into a twenty (20) year non-revocable IGA with the Board for joint use of the Athletic Facility.

PREMISES: The specific project area is as described on Exhibit A attached hereto.

RESPONSIBILITIES OF PARTIES AND USE OF PREMISES: Under the Intergovernmental Use Agreement with CPD, the Board will have programmatic use of the Athletic Facility for twenty (20) years. CPD and the Board will agree on the use of the Athletic Facility which may include activities during school hours and mutually agreed on after school hours for School related or sponsored programs, practices, interscholastic competitions and intramural games, which may be scheduled on weekends, or such other hours as agreed to by the Board's Chief Administrative Officer. The Board will enter into a use agreement with CPD for the designation of the day-to-day use of the Athletic Facilities. The Board shall not be required to obtain a permit or pay a fee for its use of the Athletic Facilities. CPD will be responsible for construction, maintenance and all costs related to the use and operation of the Athletic Facility. The Board shall have the right, but not the obligation, to maintain the Athletic Facility shown on Exhibit A, if necessary due to maintenance falling below the accepted standard for such Facility, and to seek reimbursement for those costs from the CPD.

TERM: The term of the non-revocable Intergovernmental Use Agreement shall commence on the date the agreement is signed and shall end twenty (20) years thereafter.

CONCESSIONS/TICKETS: The Board shall have the right to control and operate all ticket sales and field concessions during the Board's priority use and shall receive any and all payments due or which shall become due during that time. The CPD shall have the right to control and operate all ticket sales and field concessions during such times when the Board does not have priority use and the CPD is responsible for the scheduling of events.

INSURANCE/INDEMNIFICATION: Insurance and indemnification provisions shall be negotiated by the General Counsel.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions, including indemnification, in the Intergovernmental Use Agreement as may be required to construct and use the new Athletic Facility. Authorize the President and the Secretary to execute any and all documents required to effectuate the twenty (20) year Intergovernmental Use Agreement. Authorize the Chief Administrative Officer or his designee to execute any and all ancillary documents required to administer or effectuate the Intergovernmental Use Agreement.

AFFIRMATIVE ACTION: Exempt.

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

FINANCIAL: Charge to Operations: \$2,000,000
Source of Funds: Capital Funds

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 May 25, 2011 (11-0525-PO2), as amended from time to time shall be incorporated into and made a part of the agreement.


Contingent Liability – The agreements 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:



Arnaldo Rivera
Chief Operating Officer

Approved:



Janice K. Jackson
Chief Executive Officer

Approved as to legal form:







Joseph T. Moriarty
General Counsel

EXHIBIT A

[LEGAL DESCRIPTION SUBJECT TO SURVEY AND APPROVAL]

SITE PLAN FOR
GATELY PARK INDOOR TRACK AND FIELD FACILITY

Sports Field Layout:			
	Baseball	90' Baseline 90' Baseline	300' Outfield Minimum 300' Outfield (RT/LT) 350' CF
	Baseball Softball	90' Baseline	300' Outfield
	Soccer	107' (80 yds) x 230' (110 yds) with 10' Safety Buffer (Dashed)	All Youth Soccer
	Soccer	210' (100 yds) x 250' (110 yds) with 10' Safety Buffer (Dashed)	Youth Soccer, High School (NPHS) & Adult



SITE PLAN