

August 24, 2016

MEMORANDUM REPORT 16-0824-OP2

**APPROVE RENEWAL OF INTERGOVERNMENTAL AGREEMENT WITH CITY COLLEGES
FOR USE OF THE BUILDING LOCATED AT 3400 N AUSTIN AVE**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve renewal of the Intergovernmental Agreement ("IGA") with the Board of Trustees of Community College District No. 508 ("City Colleges") for use of the building and premises located at 3400 North Austin Avenue in Chicago. A written agreement extending and amending the IGA is currently being

RIGHT OF FIRST REFUSAL: City Colleges grants CPS the exclusive right of first refusal and first option to purchase the Premises. City Colleges must provide notice to CPS prior to offering or accepting an offer to sell Property to another party.

REAL ESTATE TAXES: The Property is currently exempt from real estate taxes. The General Counsel is hereby authorized to contest and appeal any action to tax the Property or the Board's use of the

property. In the event the Property or the Board's use becomes taxable after all appeals have been taken

and failed, the Board authorizes the payment of the real estate taxes in addition to the fees below.

INSURANCE/DEMNIIFICATION: Any and all insurance/indemnification language shall be negotiated by the General Counsel.

OTHER TERMS AND CONDITIONS: All other terms and conditions of the original ICA shall remain the

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 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:



Approved:

