



# Chicago Park District

## Legislation Text

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### **AUTHORITY TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS WITH THE CITY OF CHICAGO AND VARIOUS STATE AND LOCAL GOVERNMENTAL AGENCIES TO ACCEPT THE TRANSFER OF VARIOUS FUNDS AND SERVICES FOR PARK PROJECTS**

**To: The Honorable Board of Commissioners of the Chicago Park District**

#### **I. Recommendation**

It is recommended that the Board of Commissioners of the Chicago Park District (the “Board”) enter an order authorizing the acceptance of services and funds and entering into corresponding agreements to allow funding from various funding sources, including but not limited to those funds derived from: Tax Increment Financing (TIF), Open Space Impact Fees (OSIF), the Aldermanic Menu Program (Menu), bonds, settlements or judgments, or grants, (collectively referred to as the “Intergovernmental Funds”) from the City of Chicago and other Illinois state and local governmental agencies. These Intergovernmental Funds and/or services will be applied toward the payment or reimbursement of the acquisition, development, and renovation costs of various Park District property or projects.

It is also recommended that the Board authorize the General Superintendent, or his designee, to negotiate, enter into, and execute any such agreements, amendments, indemnities, and instruments necessary to obtain these funds and/or services and perform any and all acts as shall be necessary or advisable in connection with the transactions described herein for the remainder of the 2018 calendar year, provided that such are not in conflict with the Chicago Park District Code or not specifically authorized therein.

It is further recommended that the Board authorize the General Superintendent, or his designee, to negotiate, enter into, and execute any such agreement, amendments and perform any and all acts as shall be necessary or advisable to participate as a member in and implement recommendations of governmental agency task forces and other initiatives.

#### **II. Agreement Information**

Grantor/Agency: Various Governmental Agencies

Transfer Type: Acceptance and transfer of funds for Park District projects and programs.

Agreements: Intergovernmental agreements, amendments to intergovernmental agreements and assignment of grant agreements, license agreements, if applicable, temporary rights of entry, easements, restrictive covenants, and any other agreements or instruments necessary to comply with any restrictions of record for a portion or

the entirety of the Property and the transfer of funds for development or necessary to participate in governmental agency task forces and other initiatives.

Authorization: Authorize the General Superintendent to negotiate, enter into, and execute such intergovernmental agreements, amendments to intergovernmental agreements, assignment of grant agreements, license agreements, indemnities, and instruments and perform any and all acts as shall be necessary or advisable in connection with the transactions described herein, including compliance with existing easements, if any, filing of street and alley vacation or dedication applications, plats of dedication, and other applicable requirements. Authorize the General Superintendent to negotiate, enter into, and execute intergovernmental agreements, amendments to intergovernmental agreements and perform any and all acts as shall be necessary or advisable in connection with participation in governmental agency task forces and other initiatives. Authorize the General Counsel to include other relevant terms and conditions in the written agreements, amendments and transfer instruments. Authorize the Secretary to attest as to the signing of the Agreements and transfer instruments and keep an original copy of the Agreement on file.

### III. Explanation

From time to time, the City of Chicago and other Illinois state and local governmental agencies agree to provide services and/or Intergovernmental Funds generated or obtained through various City and other Illinois state and local governmental programs, initiatives, or actions for the use and benefit of the Park District. The Park District agrees to apply these Intergovernmental Funds and/or services toward the payment or reimbursement of costs associated with the acquisition of property and/or the development, renovation, or enhancement of various Park District property or projects. Furthermore, the City of Chicago and other Illinois state and local governmental agencies agree to establish and participate in governmental agency task forces and other initiatives for purposes such as improving cooperation between and among the governmental agencies, improving processes, increasing accountability, and/or economize public funds.

In order for the Park District to participate in governmental agency task forces or other initiatives or to receive these Intergovernmental Funds, the City of Chicago and other Illinois state and local governmental agencies may require the General Superintendent, or his designee, to enter into and execute agreements which state the source, amount and purpose of the Intergovernmental Funds or services. To more efficiently participate in governmental agency task forces, other initiatives and to facilitate the acceptance of Intergovernmental services and/or funds, it is recommended that for the remainder of the 2018 calendar year, the Board grant the authority as stated in the above "Authorization" Section.

### IV. General Conditions

1) *Conflicts*: The Agreement shall not be legally binding on the Chicago Park District if entered into in violation of the provisions of 50 ILCS 105, the Public Officer Prohibited Activities Act.

2) *Ethics*: The Chicago Park District's Ethics Code, Chapter III of the Code of the Chicago Park District, shall be incorporated into and made part of the agreement.

3) *Contingent Liability*: Any agreement lawfully entered into for a period of more than one year shall be

executory only for the amounts for which the Park District may become liable in succeeding fiscal years pursuant to 70 ILCS 17(i).