



Chicago Park District

Legislation Text

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AUTHORITY TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS WITH THE CITY OF CHICAGO AND VARIOUS STATE, LOCAL AND FEDERAL 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 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, the federal government, 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 further recommended that the Board authorize the General Superintendent, or their designee, to negotiate, enter into, and execute any such agreements, amendments, indemnities, and instruments necessary to obtain these Intergovernmental Funds and/or services, perform any and all acts as shall be necessary or advisable in connection with the transactions described herein for calendar year 2023 any and all authority necessary to enter into such agreements provided that such are not in conflict with the Chicago Park District or Code or not specifically authorized therein.

II. Agreement Information

Grantor: City of Chicago, federal government, and other Illinois State and Local Governmental Agencies

Transfer Type: Intergovernmental transfer of various City of Chicago, federal government, and other Illinois State and local Governmental Agency funds for Park District projects.

Agreements: Intergovernmental agreements, amendments to intergovernmental agreements and assignment of grant agreements, if applicable, temporary right 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.

Authorization: Authorize the General Superintendent and designees to negotiate, enter into, and execute such intergovernmental agreements, amendments to intergovernmental agreements, assignment of grant 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 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, federal government, and other Illinois state and local governmental agencies agree to set aside 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.

In order for the Park District to receive these Intergovernmental Funds the City of Chicago, federal government, and other Illinois state and local governmental agencies may require the General Superintendent, or their designee, to enter into and execute agreements which state the source, amount and purpose of the Intergovernmental Funds or services. To more efficiently effectuate the acceptance of these services and/or funds, it is recommended that for calendar year 2023, the Board grant the authority as stated in the above "Authorization" Section. An annual report will be prepared and presented to the Board of Commissioners indicating the amount, source and use of any 2023 Intergovernmental Funds the Park District has agreed to accept. Designees of the General Superintendent shall include the Chief Financial Officer, Chief Administrative Officer, General Counsel, Chief Operating Officer, Chief of Staff, Chief Programming Officer, Deputy Chief Operating Officer, or any Director of the related and appropriate department in which such Intergovernmental Funds are directed. Further, the General Superintendent or the previously listed designees may further designate relevant individuals to enter into said agreements.

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).