



Office of the Chicago City  
Clerk



O2011-7281

Office of the City Clerk

City Council Document Tracking Sheet

<b>Meeting Date:</b>	9/8/2011
<b>Sponsor(s):</b>	Rahm Emanuel
<b>Type:</b>	Ordinance
<b>Title:</b>	Ordinance authorizing conveyance of property to NeighborSpace
<b>Committee(s) Assignment:</b>	Committee on Housing and Real Estate



HSG

OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

September 8, 2011

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Housing and Economic Development, I transmit herewith an ordinance authorizing a conveyance of property to NeighborSpace.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

## ORDINANCE

**WHEREAS**, the City of Chicago (the "City") is a home rule unit of government by virtue of the provisions of Article VII, Section 6(e) of the Constitution of the State of Illinois of 1970, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the City Council of the City (the "City Council") finds that there is a lack of sufficient open space in the City for recreational and aesthetic uses, and as a result there is a need to develop small open spaces as parks, gardens and natural areas for public use for the benefit of the citizens of the City; and

**WHEREAS**, the Chicago Plan Commission ("CPC"), the Chicago Park District and the City Council have previously prepared and approved that certain planning document entitled, "CitySpace: An Open Space Plan For Chicago," dated January 1998 (the "Open Space Plan"), which sets forth certain goals and objectives for increasing open space in the City; and

**WHEREAS**, the Open Space Plan sets a minimum standard of two acres of open space per 1,000 residents in a community area by 2010; and

**WHEREAS**, the Open Space Plan found that the Humboldt Park Community Area needed 69.04 acres of public open space to meet the minimum standard of two acres of open space per 1,000 residents; and

**WHEREAS**, the City Council, by ordinances adopted on February 27, 2002 and published at pages 79794-80025 of the Journal of the Proceedings of the City Council ("Journal") of such date, has previously (i) approved a certain redevelopment plan and project (as amended, the "Chicago/Central Plan") for the Chicago/Central Park Tax Increment Financing Redevelopment Project Area (the "Chicago/Central Area") pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1 et seq. ("Act"), (ii) designated the improved portion of the Chicago/Central Area as a "conservation area" redevelopment project area pursuant to the Act, and the vacant portion of the Chicago/Central Area as a "blighted area" redevelopment project area pursuant to the Act, and (iii) adopted tax increment allocation financing pursuant to the Act as a means of financing certain Chicago/Central Area redevelopment project costs (as defined in the Act) incurred pursuant to the Chicago/Central Plan; and

**WHEREAS**, the City Council, by ordinances adopted on March 29, 2006 and published at pages 72958-73124 of the Journal of such date, has previously (i) approved a certain redevelopment plan and project (as amended, the "63rd/Ashland Plan") for the 63rd/Ashland Park Tax Increment Financing Redevelopment Project Area (the "63rd/Ashland Area") pursuant to the Act, (ii) designated the improved portion of the 63rd/Ashland Area as a "conservation area" redevelopment project area pursuant to the Act, and the vacant portion of the 63rd/Ashland Area as a "blighted area" redevelopment project area pursuant to the Act, and (iii) adopted tax increment allocation financing pursuant to the Act as a means of financing certain 63rd/Ashland Area redevelopment project costs (as defined in the Act) incurred pursuant to the 63rd/Ashland Plan; and

**WHEREAS**, the City Council finds that the establishment of additional public open space, community gardens and urban gardens is essential to the general health, safety and welfare of the City; and

**WHEREAS**, the City owns the approximately 5,900 square foot parcel of real property identified on Exhibit A attached hereto and made a part hereof (the "Humboldt Park Property"), which is located in the Chicago/Central Area, and the approximately (in aggregate) 37,000 square foot parcel of real property identified on Exhibit B attached hereto and made a part hereof (the "West Englewood Property", and together with the Humboldt Park Property, collectively, the "Property"); and

**WHEREAS**, pursuant to an ordinance adopted by the City Council on March 26, 1996, and published at pages 18970 to 18979 in the Journal of Proceedings of the City Council of such date (the "NeighborSpace Ordinance"), the City approved the establishment of NeighborSpace, an Illinois not-for-profit corporation ("NeighborSpace"), as a collaboration among the City, the Chicago Park District and the Cook County Forest Preserve District to address the lack of sufficient open space in the City for public park and open space uses; and

**WHEREAS**, NeighborSpace was incorporated under the laws of the State of Illinois as a not-for-profit corporation on May 29, 1996, organized exclusively for charitable, scientific and educational purposes including, but not limited to, the preservation of open space and parks within the City; and

**WHEREAS**, the NeighborSpace Ordinance authorizes the City to sell or lease real property to NeighborSpace for use as open space benefiting the citizens of the City, subject to the approval of the City Council; and

**WHEREAS**, the City desires to convey the Humboldt Park Property to NeighborSpace for development and use as the Ujima Community Garden, which is anticipated to be operated by the West Humboldt Park Development Council ("WHPDC"); and

**WHEREAS**, the City desires to convey the West Englewood Property to NeighborSpace for development and use as the Honore Street Farm, which is anticipated to be operated by Growing Home, an Illinois not-for-profit corporation ("Growing Home"), as an urban agricultural garden, where produce may be sold to the general public, and which shall be designed and operated in part as a transitional employment program in the organic farming business that will serve homeless and low-income individuals; and

**WHEREAS**, the City Council finds that the conveyance of the Humboldt Park Property to NeighborSpace for the Ujima Garden is consistent with the goals and objectives of the Chicago/Central Plan for the Chicago/Central Area, including, without limitation, providing for the expansion of recreational opportunities to better serve area residents, and is otherwise in the best interests of the City; and

**WHEREAS**, the City Council finds that the conveyance of the West Englewood Property to NeighborSpace for the Honore Street Farm is consistent with the goals and objectives of the 63rd/Ashland Plan for the 63rd/Ashland Area, including, without limitation, creating an attractive environment,

reducing or eliminating deleterious conditions within the project area, and enhancing the appearance of arterial streets, and is otherwise in the best interests of the City; and

**WHEREAS**, by Resolution No. 10-CDC-69, adopted by the Community Development Commission ("CDC") on October 12, 2010, the CDC authorized what is currently the Department of Housing and Economic Development ("DHED") to advertise its intention to enter into the negotiated sale with Neighborspace for the Humboldt Park Property, approved DHED's request to advertise for alternative proposals, and approved the sale of the Humboldt Park Property to Neighborspace if no alternative proposals were received; and

**WHEREAS**, public notices advertising DHED's intent to enter into a negotiated sale of the Humboldt Park Property to Neighborspace for One Dollar (\$1.00) and requesting alternative proposals appeared in the Chicago Sun-Times on October 17, 2010, October 31, 2010, and November 7, 2010; and

**WHEREAS**, no alternative proposals were received by the deadline indicated in the aforesaid notice; and

**WHEREAS**, by Resolution No. 11-CDC-13, adopted by the Community Development Commission ("CDC") on March 8, 2011, the CDC authorized DHED to advertise its intention to enter into the negotiated sale with Neighborspace for the West Englewood Property, approved DHED's request to advertise for alternative proposals, and approved the sale of the West Englewood Property to Neighborspace if no alternative proposals were received; and

**WHEREAS**, public notices advertising DHED's intent to enter into a negotiated sale of the West Englewood Property to Neighborspace for One Dollar (\$1.00) and requesting alternative proposals appeared in the Chicago Sun-Times on August 3, 2011, August 14, 2011, and August 28, 2011; and

**WHEREAS**, no alternative proposals were received by the deadline indicated in the aforesaid notice; now therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** The foregoing recitals, findings and statements of fact are hereby adopted as the findings of the City Council.

**SECTION 2.** The City hereby approves the conveyance of (a) the Humboldt Property to NeighborSpace for the sum of One and No/100 Dollar (\$1.00), for construction of a community garden in substantial accordance with the site plan attached to this ordinance as **Exhibit C** and made a part hereof, and (b) the West Englewood Property to NeighborSpace for the sum of One and No/100 Dollar (\$1.00), for construction of an urban agricultural garden in substantial accordance with the site plans attached to this ordinance as **Exhibit D-1** and **Exhibit D-2**.

**SECTION 3.** The Mayor or his proxy is authorized to execute, and the City Clerk is authorized to attest, a quitclaim deed (or quitclaim deeds) conveying the Property to NeighborSpace. The quitclaim deeds shall include the following covenant running with the land, or language substantially similar and acceptable to the Corporation Counsel:

SA:Neighborspace (Ujima and Honore)v1

NeighborSpace shall allow the Property to be used only as public open space and as a community or urban garden. The City, acting through the Commissioner of Housing and Economic Development, shall have authority to release this covenant upon the request of NeighborSpace. If NeighborSpace allows the Property to be used for any purpose other than public open space and as a community or urban garden without first obtaining a release of this covenant, the City may re-enter and take possession of the Property, terminate the estate conveyed to NeighborSpace, and re-vest title to the Property in the City.

As a condition to each such conveyance, the Commissioner of the Department of Housing and Economic ("Commissioner") shall review and approve the form and substance of the site operation and management agreements between NeighborSpace and WHPDC (as to the Humboldt Park Property) and between NeighborSpace and Growing Home (as to the West Englewood Property), which agreements shall include such environmental remediation, insurance, water supply, raised garden bed and/or hoop house construction, training and employment (as applicable to the West Englewood Property) and other provisions as the Commissioner may deem necessary or appropriate. The Commissioner, or a designee of the Commissioner are each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver such supporting documents as may be necessary to carry out the purposes and intent of this ordinance.

**SECTION 4.** If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

**SECTION 5.** All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 6.** This ordinance shall be in full force and effect immediately upon its passage and approval.





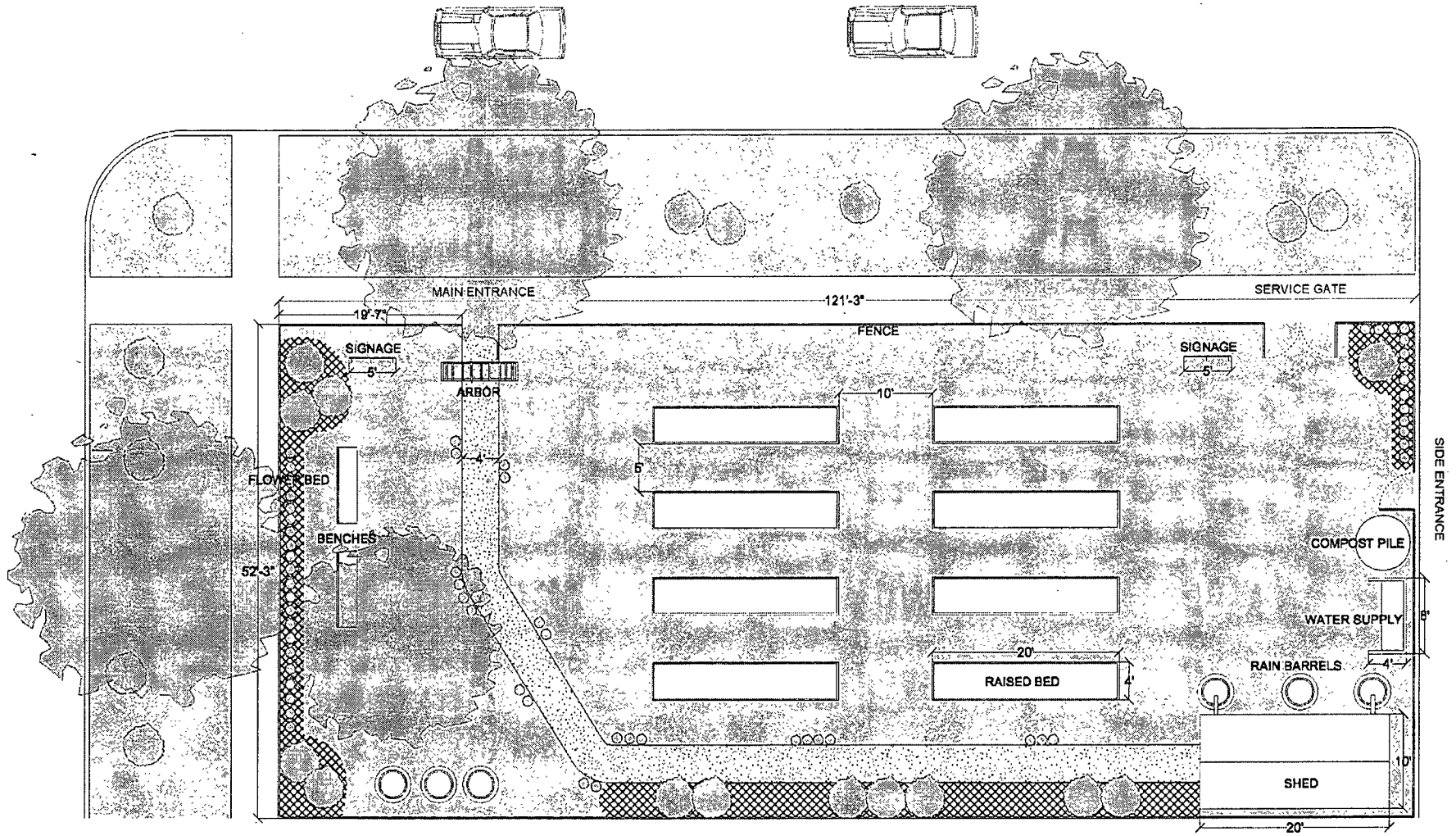


**EXHIBIT C  
HUMBOLT PROPERTY SITE PLAN  
(ATTACHED)**

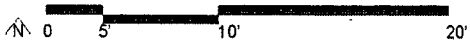
W OHIO ST

EXHIBIT C




N CENTRAL PARK AVE



UJIMA GARDEN SITE PLAN  
 N CENTRAL PARK AVE + W OHIO ST  
 SCALE 3/32"=1'-0"



RDAVEY 03.05.2010

-  MULCH
-  GRAVEL
-  GRASS

**EXHIBITS D-1 AND D-2  
WEST ENGLEWOOD PROPERTY  
(ATTACHED)**



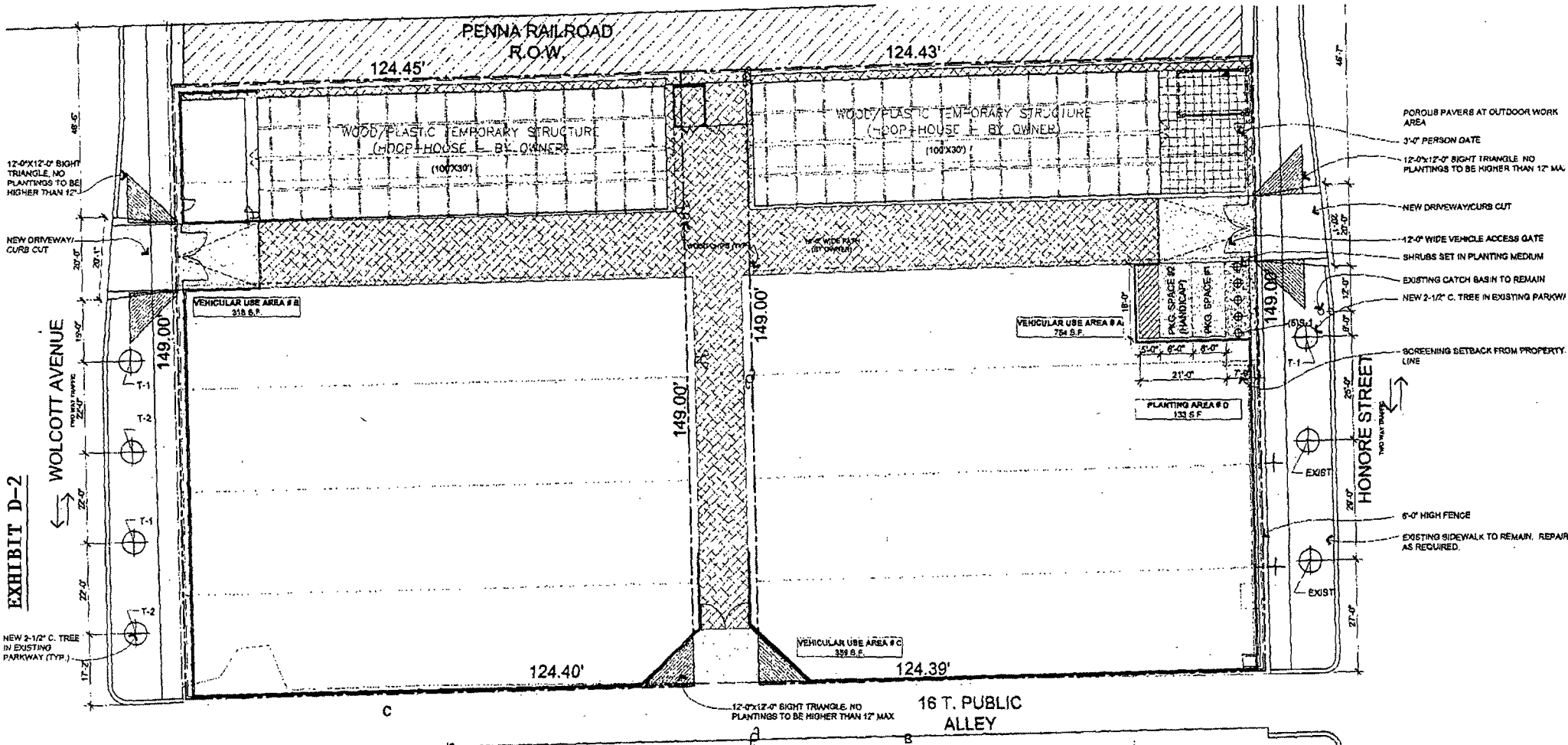


EXHIBIT D-2

# 1 PROPOSED SITE PLAN

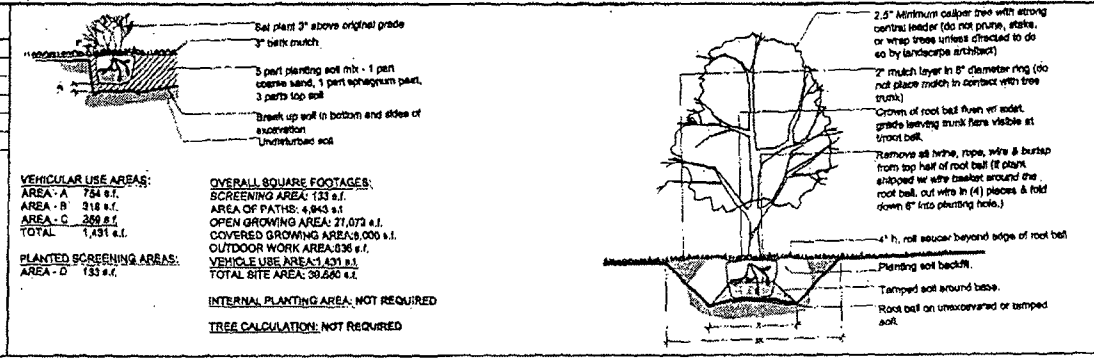
SCALE: 1:25

LANDSCAPING SCHEDULE & DETAILS				
TYPE	BOTANICAL NAME	COMMON NAME	QTY.	SIZE
T-1	Malus domestica "honeygold"	Dwarf Apple	3	
T-2	Pyrus Communis "Bartlett"	Dwarf Pear	2	
S-1	Rubus Idaeus	Raspberry	5	

LANDSCAPE ARCHITECT'S CERTIFICATION:  
 THE UNDERSIGNED LANDSCAPE ARCHITECT, REGISTERED IN THE STATE OF ILLINOIS, ACKNOWLEDGES THAT THE LANDSCAPE PLANTING PLAN AND CONSTRUCTION DETAILS SHOWN ON THE ATTACHED LANDSCAPE PLAN(S) FOR THE PROPERTY AT 5836 S. WOOD STREET, CHICAGO, ILLINOIS, HAS BEEN DESIGNATED IN ACCORDANCE WITH THE REQUIREMENTS OF TITLE 10, CHAPTER 92 OF THE CHICAGO MUNICIPAL CODE, THE LANDSCAPING STANDARDS OF THE CHICAGO ZONING ORDINANCE, AND THE GUIDE TO THE CHICAGO LANDSCAPE ORDINANCE.

LANDSCAPE ARCHITECT: \_\_\_\_\_ (DATE)

**PLANTING TIME: JUNE 15, 2012**



**DRAFT**  
**06.11.11**

**GROWING HOME FARM EXPANSION**

5836 NORTH HONORE STREET  
 CHICAGO ILLINOIS

**SHED STUDIO**

1843 W. RACE STREET  
 CHICAGO, ILLINOIS 60622  
 P: 773.291.8398 / 12.731.4832  
 F: 312.421.0287

REV.	DATE	ISSUE

DRAWN BY: ARMAN  
 CHECKED BY: ARMAN

**L.1.1**

CITY OF CHICAGO  
ECONOMIC DISCLOSURE STATEMENT  
AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:

NeighborSpace

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1.  the Applicant  
OR


2.  a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest: \_\_\_\_\_  
OR

3.  a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in which the Disclosing Party holds a right of control: \_\_\_\_\_

B. Business address of the Disclosing Party: 25 E. Washington St., Suite 1670  
Chicago, IL 60602

C. Telephone: 312-431-9406 Fax: 312-427-6251 Email: bhelphand@neighbor-space.org

D. Name of contact person: Ben Helphand

E. Federal Employer Identification No. (if you have one): 

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

Transfer of 5831-45 S. Wolcott Ave., 5830-40 S. Honoré St. and  
545 N. Central Park Ave.

G. Which City agency or department is requesting this EDS? Dept. of Housing and Economic Development

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Specification # \_\_\_\_\_ and Contract # \_\_\_\_\_

**SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS**

**A. NATURE OF THE DISCLOSING PARTY**

1. Indicate the nature of the Disclosing Party:

- |   |   |
|---|---|
| <input type="checkbox"/> Person                                   | <input type="checkbox"/> Limited liability company                  |
| <input type="checkbox"/> Publicly registered business corporation | <input type="checkbox"/> Limited liability partnership              |
| <input type="checkbox"/> Privately held business corporation      | <input type="checkbox"/> Joint venture                              |
| <input type="checkbox"/> Sole proprietorship                      | <input checked="" type="checkbox"/> Not-for-profit corporation      |
| <input type="checkbox"/> General partnership                      | (Is the not-for-profit corporation also a 501(c)(3))?               |
| <input type="checkbox"/> Limited partnership                      | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Trust                                    | <input type="checkbox"/> Other (please specify)                     |

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

ILLINOIS

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

Yes

No

N/A

**B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:**

1. List below the full names and titles of all executive officers and all directors of the entity.

**NOTE:** For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party.

**NOTE:** Each legal entity listed below must submit an EDS on its own behalf.

Name

Title

No members that are legal entities.

2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name	Business Address	Percentage Interest in the Disclosing Party
NA		

**SECTION III -- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS**

Has the Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any City elected official in the 12 months before the date this EDS is signed?

Yes       No

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

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**SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES**

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.



Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
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N/A

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(Add sheets if necessary)

Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities.

**SECTION V -- CERTIFICATIONS**

**A. COURT-ORDERED CHILD SUPPORT COMPLIANCE**

Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

Yes       No       No person directly or indirectly owns 10% or more of the Disclosing Party.

If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in compliance with that agreement?

Yes       No

**B. FURTHER CERTIFICATIONS**

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

3. The certifications in subparts 3, 4 and 5 concern:

- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)

is  is not

a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

Any words or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when used in this Part D.

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

Yes

No

NOTE: If you checked "Yes" to Item D.1., proceed to Items D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

Yes

No

3. If you checked "Yes" to Item D.1., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:

Name	Business Address	Nature of Interest

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

**E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS**

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

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**SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS**

**NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.**

**A. CERTIFICATION REGARDING LOBBYING**

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

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(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

**B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY**

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?

Yes                       No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)

Yes                       No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

Yes                       No

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

Yes                       No

If you checked "No" to question 1. or 2. above, please provide an explanation:

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**SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE**

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at [www.cityofchicago.org/Ethics](http://www.cityofchicago.org/Ethics), and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

F.2. If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U. S. General Services Administration.

F.3. If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

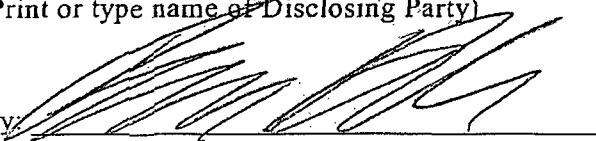


NOTE: If the Disclosing Party cannot certify as to any of the items in F.1., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

**CERTIFICATION**

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS and Appendix A (if applicable) on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS and Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.

NEIGHBORSPACE  
(Print or type name of Disclosing Party)

By:   
(Sign here)

BEN HELPHAND  
(Print or type name of person signing)

EXECUTIVE DIRECTOR  
(Print or type title of person signing)

Signed and sworn to before me on (date) August 15, 2011,  
at Cook County, Illinois (state).

Sally E. Hamann Notary Public.

Commission expires: 1-20-2014.





NeighborSpace

25 East Washington Street  
Suite 1670  
Chicago, IL 60602

312.431.9406 p  
312.427.6251 f  
[www.neighbor-space.org](http://www.neighbor-space.org)

## NeighborSpace Board of Directors 2011

### President

Alicia Mazur Berg  
Vice President of Campus Environment  
Columbia College Chicago  
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Chicago, IL 60605  
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[aberg@colum.edu](mailto:aberg@colum.edu)  
2 Year Term, expires June 2012

### Vice-President

Deborah Sims  
Commissioner, District 5  
Forest Preserve District of Cook County  
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Chicago, IL 60602  
(312) 603-6381  
(312) 603-2583 Fax  
2 Year Term, expires June 2011

### Secretary

Edward K. Uhlir  
Program Director  
Millennium Park, Inc.  
201 E. Randolph Street  
Chicago IL 60601-6530  
(312) 744-2053  
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2 Year Term, expires June 2011

### Treasurer

Cynthia A. Bergmann  
Attorney  
Freeborn & Peters, LLC  
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Chicago, IL 60606-6677  
(312) 360-6000, (312) 360-6652 (direct line)  
[cbergmann@freebornpeters.com](mailto:cbergmann@freebornpeters.com)  
2 Year Term, expires June 2012

### Directors

John Baird  
Chairman  
Baird & Warner, Inc.  
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Gia Biagi  
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2 Year Term, expires June 2012

Cathy Geraghty  
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Shemuel B. Israel, DC  
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Chicago, Illinois 60624  
773-722-2561  
[drsbisrael@ameritech.net](mailto:drsbisrael@ameritech.net)  
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## Board of Directors - continued

Bob Pickens  
Vice President  
Chicago Park District  
541 North Fairbanks Court  
Chicago, IL 60611  
(312) 742-4739  
[BNFL70@aol.com](mailto:BNFL70@aol.com)  
2 Year Term, expires June 2011

Christy Webber  
President  
Christy Webber Landscapes  
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(773) 533-0477  
[christy@christywebber.com](mailto:christy@christywebber.com)  
2 Year Term, expires June 2011

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## Ex Officio Directors

Arnold Randall  
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Forest Preserve District of Cook County  
536 North Harlem Avenue  
River Forest, IL 60305  
(708) 771-1511  
[Arnold.Randall@cookcountyil.gov](mailto:Arnold.Randall@cookcountyil.gov)

Michael P. Kelly  
General Superintendent  
Chicago Park District  
541 North Fairbanks Court  
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## Non-Voting Directors

Glenda Daniel  
Director of Urban Greening  
Openlands  
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[gdaniel@openlands.org](mailto:gdaniel@openlands.org)

Kathy Dickhut  
Deputy Commissioner  
Department of Housing and Economic  
Development  
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Chicago, IL 60602  
(312) 744-1074  
[kdickhut@cityofchicago.org](mailto:kdickhut@cityofchicago.org)

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## Executive Director

Ben Helphand  
Executive Director  
25 E. Washington Street, Suite 1670  
Chicago, IL 60602  
312-863-6292  
[helphand@gmail.com](mailto:helphand@gmail.com)

### **Board of Directors - continued**

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[BNFL70@aol.com](mailto:BNFL70@aol.com)  
2 Year Term, expires June 2011

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Christy Webber Landscapes  
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[christy@christywebber.com](mailto:christy@christywebber.com)  
2 Year Term, expires June 2011

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### **Ex Officio Directors**

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River Forest, IL 60305  
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[Arnold.Randall@cookcountyil.gov](mailto:Arnold.Randall@cookcountyil.gov)

Michael P. Kelly  
General Superintendent  
Chicago Park District  
541 North Fairbanks Court  
Chicago, IL 60611  
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[m.kelly@chicagoparkdistrict.com](mailto:m.kelly@chicagoparkdistrict.com)

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### **Non-Voting Directors**

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---

### **Executive Director**

Ben Helphand  
Executive Director  
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Chicago, IL 60602  
312-863-6292  
[helphand@gmail.com](mailto:helphand@gmail.com)

**CITY OF CHICAGO  
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT  
APPENDIX A**

**FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND  
DEPARTMENT HEADS**

**This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.**

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related, by blood or adoption, to the mayor, any alderman, the city clerk, the city treasurer or any city department head as parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all corporate officers of the Disclosing Party, if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

Yes

No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of

such familial relationship.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

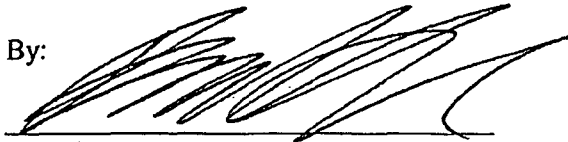
**CERTIFICATION**

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

NEIGHBORSPACE  
(Print or type name of Disclosing Party)

Date: 6/27/11

By:



(Sign here)

BEN HELPHAND  
(Print or type name of person signing)

EXECUTIVE DIRECTOR  
(Print or type title of person signing)

Signed and sworn to before me on (date) June 27, 2011, by Ben Helphand  
at Cook County, Illinois (State).

Sally E. Hamann Notary Public.

Commission expires: 1-20-2014.

