



# Office of the City Clerk



O2012-5620

Office of the City Clerk

## City Council Document Tracking Sheet

<b>Meeting Date:</b>	9/12/2012
<b>Sponsor(s):</b>	Emanuel, Rahm (Mayor)
<b>Type:</b>	Ordinance
<b>Title:</b>	Expenditure of open space impact fee funds for Grimes/Fleming Elementary School Garden
<b>Committee(s) Assignment:</b>	Committee on Special Events, Cultural Affairs and Recreation

SP. EV.



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

September 12, 2012

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 ordinances authorizing the expenditure of open space impact fee funds.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Mayor



STATE OF TEXAS,  
COUNTY OF \_\_\_\_\_

NOTARY PUBLIC

## ORDINANCE

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

WHEREAS, the City is authorized under its home rule powers to regulate the use and development of land; and

WHEREAS, it is a reasonable condition of development approval to ensure that adequate open space and recreational facilities exist within the City; and

WHEREAS, on April 1, 1998, the City Council of the City (the "City Council") adopted the Open Space Impact Fee Ordinance codified at Chapter 18 of Title 16 (the "Open Space Ordinance") of the Municipal Code of Chicago (the "Code") to address the need for additional public space and recreational facilities for the benefit of the residents of newly created residential developments in the City; and

WHEREAS, the Open Space Ordinance authorizes, among other things, the collection of fees from residential developments that create new dwelling units without contributing a proportionate share of open space and recreational facilities for the benefit of their residents as part of the overall development (the "Fee-Paying Developments"); and

WHEREAS, pursuant to the Open Space Ordinance, the Department of Revenue ("DOR") has collected fees derived from the Fee-Paying Developments (the "Open Space Fees") and has deposited those fees in separate funds, each fund corresponding to the Community Area (as defined in the Open Space Ordinance), in which each of the Fee-Paying Developments is located and from which the Open Space Fees were collected; and

WHEREAS, the Department of Housing and Economic Development ("HED") has determined that the Fee-Paying Developments built in the Clearing Community Area have deepened the already significant deficit of open space in the Clearing Community Area, which deficit was documented in the comprehensive plan entitled "The CitySpace Plan," adopted by the Chicago Plan Commission on September 11, 1997 and adopted by the City Council on May 20, 1998 pursuant to an ordinance published at pages 69309-69311 of the Journal of the Proceedings of the City Council (the "Journal") of the same date; and

WHEREAS, the Board of Education of the City of Chicago, commonly known as the Chicago Public Schools ("CPS"), is the owner of parcel of land on the campus of Grimes/Fleming Elementary School legally identified and described on Exhibit A hereto (collectively, the "Property"); and

WHEREAS, Openlands, an Illinois not-for-profit corporation, is dedicated to preserving and creating open space; and

WHEREAS, the City, CPS and Openlands desire to create a school garden at the above mentioned school (the "Project") for the benefit and use of the above mentioned school and the Community Area in which it is located; and

WHEREAS, the City desires to grant Openlands impact fee funds to pay for the construction costs associated with building the garden at the Property (the "Project"); and

WHEREAS, HED desires to provide to Openlands Open Space Fees in an amount not to exceed \$239,122 for the Project; and

WHEREAS, the Open Space Ordinance requires that the Open Space Fees be used for open space acquisition and capital improvements, which provide a direct and material benefit to the new development from which the fees are collected; and

WHEREAS, the Open Space Ordinance requires that the Open Space Fees be expended within the same or a contiguous Community Area from which they were collected after a legislative finding by the City Council that the expenditure of the Open Space Fees will directly and materially benefit the developments from which the Open Space Fees were collected; and

WHEREAS, HED has determined that the use of the Open Space Fees to fund the Project will provide a direct and material benefit to each of the Fee-Paying Developments from which the Open Space Fees were collected; and

WHEREAS, HED has determined that Open Space Fees to be used for the purposes set forth herein have come from the specific fund set up by DOR for the Clearing Community Area in which the Fee-Paying Developments are located and from which the Open Space Fees were collected; and

WHEREAS, HED has recommended that the City Council approve the use of the Open Space Fees for the purposes set forth herein through this ordinance; and

WHEREAS, HED has recommended that the City Council make a finding that the expenditure of the Open Space Fees as described herein will directly and materially benefit the Fee-Paying Developments from which the Open Space Fees were collected; now, therefore,

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

SECTION 1. The above recitals are expressly incorporated in and made part of this ordinance as though fully set forth herein.

SECTION 2. The City Council hereby finds that the expenditure of the Open Space Fees will directly and materially benefit the residents of those Fee-Paying Developments from which the Open Space Fees were collected and approves the use of the Open Space Fees for the purposes described herein.

SECTION 3. The Commissioner of HED (the "Commissioner") and a designee of the Commissioner are each hereby authorized, subject to the approval of the Corporation Counsel to enter into a grant agreement with Openlands in connection herewith and to provide Open Space Fees proceeds to Openlands in an amount not to exceed \$239,122 from the corresponding funds to pay for expenses permitted under the Open Space Ordinance.

SECTION 4. Open Space Fees in the amount of \$239,122 from the Clearing Community

Area's Open Space Fees Funds are hereby appropriated for the purposes described herein.

SECTION 5. To the extent that any ordinance, resolution, rule, order or provision of the Code, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provisions of this ordinance.

SECTION 6. This ordinance shall be in full force and effect from and after the date of its passage.

**EXHIBIT A**

**DESCRIPTION OF PROJECT**

**Grimes/Fleming Elementary School Garden**

Address:	4918 West 64 <sup>th</sup> Street
PINs:	19-21-205-029
Community Areas:	Clearing
Project Description:	Removing asphalt on school grounds to create a school garden
Amount of Open Space Fees:	\$239,122 from the Clearing Community Area

**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:

Openlands

**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, Suite 1650  
Chicago, IL 60602

C. Telephone: 312.863.6250 Fax: 312.863.6251 Email: jadelmann@openlands.org

D. Name of contact person: Gerald W. Adelman

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):

Grimes/Fleming School Garden

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

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

Specification # N/A and Contract # N/A



**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
<u>No members. Please see attached.</u>	
<hr/>	
<hr/>	
<hr/>	

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
N/A		

**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):

---

---

**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.) <b>NOTE:</b> "hourly rate" or "t.b.d." is not an acceptable response.
--	------------------	--	--

---



---



---

(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:

None

---

---

---

---

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.

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

None

---

---

---

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

None

---

---

---

### 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):

None

---

---

---

---

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.

X 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:

---

---

---

---

## 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):

None

---

---

(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. N/A

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:

---

---

## 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.

Openlands

(Print or type name of Disclosing Party)

By: \_\_\_\_\_

(Sign here)

Gerald W. Adelman

(Print or type name of person signing)

President & CEO

(Print or type title of person signing)

Signed and sworn to before me on (date) 8/31/12,  
at COOK County, IL (state).

Diane Sotiros

Notary Public.

Commission expires: 4/5/16.



**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 to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: 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 executive officers of the Disclosing Party listed in Section II.B.1.a., 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.

---

---

---



## Board of Directors 2012

<b>Officers</b>	
<b>Chair</b>	
<b>Ms. Jill Allread (2012)</b>	
PCI 1 East Wacker Drive, Suite 2450 Chicago, IL 60601 (312) 558-1770 x143 Cell (312) 848-3768 Fax (312) 558-5425 <a href="mailto:jallread@pcipr.com">jallread@pcipr.com</a>	179-3 North Linden Avenue* Oak Park, IL 60302 (708) 383-3747
<b>Treasurer</b>	
<b>Mr. Steven M. Ricchio (2012)</b>	
US Bank* The Rookery Building 209 South LaSalle Street Chicago, IL 60604 (312) 325-8925 Fax (312) 325-8936 <a href="mailto:steven.ricchio@usbank.com">steven.ricchio@usbank.com</a>	300 Radcliffe Court Bloomingdale, IL 60108 (630) 893-2785 <a href="mailto:skricchio@sbcglobal.net">skricchio@sbcglobal.net</a> Spouse: Kimberly
<b>Secretary</b>	
<b>Ms. Carrie C. McNally (2012)</b>	
	1917 North Mohawk Street * Chicago, IL 60614 (312) 649-9538 <a href="mailto:Carrie_McNally@yahoo.com">Carrie_McNally@yahoo.com</a> Spouse: Rick Maechling
<b>Mr. John Tyler Anthony (Tyler) (2012)</b>	
ComEd* 2 Lincoln Centre, 10 <sup>th</sup> Floor Oakbrook, IL 60181 (630) 576-7065 Fax (630) 437-2709 <a href="mailto:john.anthony@comed.com">john.anthony@comed.com</a>	541 Prescott Road Merion Station, PA 19066 (630) 740-5527  Assistant: Debra Frank <a href="mailto:Debra.frank@ComEd.com">Debra.frank@ComEd.com</a> (630) 437-3361

<b>Ms. Adrienne Archia (2013)</b>	
	1722 E. 55 <sup>th</sup> St., Apt. 1 Chicago, IL 60615 (773) 955-7130 Cell (773) 218-5900 Fax (773) 955-7113 ajarchia@comcast.net
<b>Mr. Paul L. Becker (2012)</b>	
US Trust* IL1-231-02-48 231 South LaSalle Street Chicago, IL 60697 (312) 537-6939 Cell (312) 636-4342 Fax (312) 828-1205 paul.becker@ustrust.com	360 Arboretum Circle Wheaton, IL 60187 (630) 221-8711 Spouse: Karen
<b>Mr. Alan Bell (2013)</b>	
Charity & Associates, P.C.* 20 North Clark Street, Suite 1150 Chicago, Illinois 60602 (312) 849-9000 Fax (312) 849-9001 Cell (773) 817-9829 alan.bell@charity-associates.com	3843 North Fremont Street Chicago, IL 60613 (773) 817-9829
<b>Ms. Shaun C. Block (2013)</b>	
	1245 North Astor* Chicago, IL 60610 (312) 943-1729 Fax (312) 943-1738 shaunblock@aol.com Spouse: Andrew
<b>Richard J. Carlson, PhD (Rich) (2013)</b>	
Carlson Environmental, Inc.* 65 East Wacker Place, Suite 2210 Chicago, IL 60601 (312) 346-2140 Cell (312) 593-2114 Fax (312) 346-6956 rcarlson@carlsonenv.com	260 E. Chestnut, Apt. 3301 Chicago, IL 60611 (312) 280-9282 Spouse: Cristina Benitez

<b>Ms. Adrienne Archia (2013)</b>	
	1722 E. 55 <sup>th</sup> St., Apt. 1 Chicago, IL 60615 (773) 955-7130 Cell (773) 218-5900 Fax (773) 955-7113 ajarchia@comcast.net
<b>Mr. Paul L. Becker (2012)</b>	
US Trust* IL1-231-02-48 231 South LaSalle Street Chicago, IL 60697 (312) 537-6939 Cell (312) 636-4342 Fax (312) 828-1205 paul.becker@ustrust.com	360 Arboretum Circle Wheaton, IL 60187 (630) 221-8711 Spouse: Karen
<b>Mr. Alan Bell (2013)</b>	
Charity & Associates, P.C.* 20 North Clark Street, Suite 1150 Chicago, Illinois 60602 (312) 849-9000 Fax (312) 849-9001 Cell (773) 817-9829 alan.bell@charity-associates.com	3843 North Fremont Street Chicago, IL 60613 (773) 817-9829
<b>Ms. Shaun C. Block (2013)</b>	
	1245 North Astor* Chicago, IL 60610 (312) 943-1729 Fax (312) 943-1738 shaunblock@aol.com Spouse: Andrew
<b>Richard J. Carlson, PhD (Rich) (2013)</b>	
Carlson Environmental, Inc.* 65 East Wacker Place, Suite 2210 Chicago, IL 60601 (312) 346-2140 Cell (312) 593-2114 Fax (312) 346-6956 rcarlson@carlsonenv.com	260 E. Chestnut, Apt. 3301 Chicago, IL 60611 (312) 280-9282 Spouse: Cristina Benitez

<b>Mr. George W. Davis (2012)</b>	
	1025 East 50th Street* Chicago, IL 60615 (773) 268-4856 Cell (773) 996-0225 Fax (312) 707-9408 kenwoodgwd@yahoo.com Spouse: Diana
<b>Ms. Garrett Handley Dee (2012)</b>	
	190 N. Ahwahnee Road* Lake Forest, IL 60045 (773) 388-1988 Cell (773) 590-2626 ttgdee@gmail.com Spouse: Terry Dee
<b>Ms. Susan B. DePree (2013)</b>	
	1075 Walden Lane* Lake Forest, IL 60045 (847) 295-5380 Fax (847) 295-5381 sbdepree@gmail.com Spouse: Robert T. DePree (Rob)
<b>Ms. Victoria C. Drake (2012)</b>	
	1338 West Rosedale Avenue* Chicago, IL 60660 (773) 271-4811 Fax (312) 214-4949 agadog@mac.com Spouse: James W. Evan-Cook
<b>Ms. Josephine F. Elting (Jody) (2012)</b>	
Designs by Jody* 152 Baker Road Lake Bluff, IL 60044 (847) 816-6661 Fax (847) 816-6755 dbjinc@sbcglobal.net	26550 Longwood Drive Lake Forest, IL 60045 (847) 816-6809



<b>Mr. Joseph M. Flavin (2012)</b>	
British Petroleum 10 South Wacker Drive Chicago, IL 60606 Cell (630) 418-3528 joe.flavin@bp.com	4720 Linden Place* Downers Grove, IL 60515 (630) 435-5253 Spouse: Maureen
<b>Mr. Hugh D. Frisbie (2012)</b>	
(847) 517-7070 hugh.frisbie@mcgladrey.com	17202 US Highway 14* Woodstock, IL 60098 (815) 337-6838 Spouse: Marlene
<b>Mr. John M. Haight, III (Terry) (2013)</b>	
	604 Ravine Avenue* Lake Bluff, IL 60044 (847) 234-8892 Fax (847) 234-0779 terry.haight@gmail.com Spouse: Christine (Tina)
<b>Mr. Jonathan C. Hamill (Jon) (2013)</b>	
Segall, Bryant & Hamill* 10 South Wacker Drive, Suite 3500 Chicago, IL 60606 (312) 474-1222 Fax (312) 474-0521 jhamill@sbhic.com	545 Oak Knoll Road Barrington, IL 60010 (847) 381-8381 Fax (847) 381-9820 Spouse: Nancy
<b>Mr. Mark M. Harris (2014)</b>	
The Boeing Company 100 N. Riverside M/C 5003-1001 Chicago, IL 60606-1596 (312) 544-2823 Mark.M.Harris@boeing.com	4744 Woodland Avenue* Western Springs, IL 60558 (708)246-7447 Spouse: Lori



<b>Mr. Joseph M. Flavin (2012)</b>	
British Petroleum 10 South Wacker Drive Chicago, IL 60606 Cell (630) 418-3528 joe.flavin@bp.com	4720 Linden Place* Downers Grove, IL 60515 (630) 435-5253 Spouse: Maureen
<b>Mr. Hugh D. Frisbie (2012)</b>	
(847) 517-7070 hugh.frisbie@mcgladrey.com	17202 US Highway 14* Woodstock, IL 60098 (815) 337-6838 Spouse: Marlene
<b>Mr. John M. Haight, III (Terry) (2013)</b>	
	604 Ravine Avenue* Lake Bluff, IL 60044 (847) 234-8892 Fax (847) 234-0779 terry.haight@gmail.com Spouse: Christine (Tina)
<b>Mr. Jonathan C. Hamill (Jon) (2013)</b>	
Segall, Bryant & Hamill* 10 South Wacker Drive, Suite 3500 Chicago, IL 60606 (312) 474-1222 Fax (312) 474-0521 jhamill@sbhic.com	545 Oak Knoll Road Barrington, IL 60010 (847) 381-8381 Fax (847) 381-9820 Spouse: Nancy
<b>Mr. Mark M. Harris (2014)</b>	
The Boeing Company 100 N. Riverside M/C 5003-1001 Chicago, IL 60606-1596 (312) 544-2823 Mark.M.Harris@boeing.com	4744 Woodland Avenue* Western Springs, IL 60558 (708)246-7447 Spouse: Lori

<b>Mr. Scott Jamieson (2012)</b>	
Bartlett Tree Expert Company 1960 Old Willow Road Northbrook, IL 60062-7077 (847) 559-1801 Cell (847) 770-0141 Fax (847) 559-1803 sjamieson@bartlett.com	632 South Kennicott Avenue* Arlington Heights, IL 60005 (847) 398-0865 Cell (708) 257-7885 scottjamieson@comcast.net Spouse: Diane
<b>Ms. Iris Krieg (2012)</b>	
Iris Krieg & Associates* 333 North Michigan Avenue, Suite 510 Chicago, IL 60601 (312) 641-5776 Fax (312) 641-5736 Iriskrieg1@aol.com	1333 Maple Avenue #3-F Evanston, IL 60201 (847) 328-5822 Spouse: James Hardy
<b>Ms. Janis W. Notz (2013)</b>	
	399 West Fullerton Pkwy* Chicago, IL 60614 (773) 348-5196 Fax (773) 348-5262 jancan399@aol.com Spouse: John
<b>Mr. Andrew Otting (Andy) (2013)</b>	
Scott Byron & Co., Inc.* 30088 North Skokie Highway Lake Bluff, IL 60044 (847) 689-0266 Fax (847) 689-0277 jmelius@scottbyron.com Assistant: Judy Melius	1228 Judson Evanston, IL 60202 (847) 475-1574 Spouse: Laura Hohnhold
<b>Ms. Wendy J. Paulson (2014)</b>	
401 N. Michigan Avenue, Suite 3100 Chicago, IL 60611 (312) 450-8206 Fax (312) 464-9401 Cell (917) 623-9876 wendy@wendypaulson.com	154 W. Dundee Road Barrington, IL 60010 (312) 450-8206 Spouse: Henry "Hank"

<b>Mr. J. Timothy Ritchie (Tim) (2013)</b>	
	70 East Cedar, #702* Chicago, IL 60611 (312) 642-4851 jtr032338@aol.com
<b>Mr. Charles Saltzman (Chuck) (2013)</b>	
30 North Michigan Avenue #1004* Chicago, IL 60602 Fax (312) 782-0474 lcsaltzman@comcast.net	760 Bronson Lane Highland Park, IL 60035 Cell (224) 217-0092 (847) 926-9531 Spouse: Louise
<b>Mr. Patrick Shaw (2012)</b>	
	860 North Lake Shore Drive #13K* Chicago, IL 60611 (312) 664-8090 Fax (312) 664-1687 patrick.shaw@me.com Spouse: Mary Sue Glosser
<b>Mrs. Nancy W. Sutherland (2013)</b>	
	4039 Central Avenue* Western Springs, IL 60558 (708) 246-5318 Cell (708) 784-9010 Fax (708) 246-5318 nancysutherland@msn.com Spouse: George
<b>Mr. Randall G. Vickery (2012)</b>	
Freeborn & Peters LLP* 311 South Wacker Drive, Suite 3000 Chicago, IL 60606 (312) 360-6718 rvickery@freebornpeters.com  Assistant: Kathy Steidinger ksteidinger@freebornpeters.com (312) 360-6547	124 7 <sup>th</sup> Avenue LaGrange, IL 60525 Cell (708) 220-0555 Spouse: Charlene

<b>Mr. J. Timothy Ritchie (Tim) (2013)</b>	
	70 East Cedar, #702* Chicago, IL 60611 (312) 642-4851 jtr032338@aol.com
<b>Mr. Charles Saltzman (Chuck) (2013)</b>	
30 North Michigan Avenue #1004* Chicago, IL 60602 Fax (312) 782-0474 lcsaltzman@comcast.net	760 Bronson Lane Highland Park, IL 60035 Cell (224) 217-0092 (847) 926-9531 Spouse: Louise
<b>Mr. Patrick Shaw (2012)</b>	
	860 North Lake Shore Drive #13K* Chicago, IL 60611 (312) 664-8090 Fax (312) 664-1687 patrick.shaw@me.com Spouse: Mary Sue Glosser
<b>Mrs. Nancy W. Sutherland (2013)</b>	
	4039 Central Avenue* Western Springs, IL 60558 (708) 246-5318 Cell (708) 784-9010 Fax (708) 246-5318 nancysutherland@msn.com Spouse: George
<b>Mr. Randall G. Vickery (2012)</b>	
Freeborn & Peters LLP* 311 South Wacker Drive, Suite 3000 Chicago, IL 60606 (312) 360-6718 rvickery@freebornpeters.com  Assistant: Kathy Steidinger ksteidinger@freebornpeters.com (312) 360-6547	124 7 <sup>th</sup> Avenue LaGrange, IL 60525 Cell (708) 220-0555 Spouse: Charlene

## Honorary Directors

<b>Anthony T. Dean (Tony)</b>	
3204 RFD Long Grove, IL 60047 (847) 438-1305 FAX: (847) 438-9169 tonydean@mindspring.com Spouse: Lawrie	
<b>Marshall Field, V</b>	
225 W. Wacker Drive, Ste. 1500 Chicago, IL 60606	