



# City of Chicago



O2013-4210

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 6/5/2013

**Sponsor(s):** Emanuel, Rahm (Mayor)

**Type:** Ordinance

**Title:** Sale of City-owned property at 407 N Kedzie Ave, 413 N Kedzie Ave, 415 N Kedzie Ave, 419 N Kedzie Ave and various additional addresses and conveyance to NeighborSpace for creation of urban farm

**Committee(s) Assignment:** Committee on Housing and Real Estate



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

June 5, 2013

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 sale of city-owned property.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Mayor

**AN ORDINANCE OF THE CITY OF CHICAGO, ILLINOIS  
AUTHORIZING THE CONVEYANCE OF CITY LAND TO NEIGHBORSPACE**

**WHEREAS**, the City of Chicago (the "City") is a home rule unit of government by virtue of the provisions 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 has established the Community Development Commission ("CDC") to, among other things, designate redevelopment areas, approve redevelopment plans, and recommend the sale or lease of parcels located in redevelopment areas, subject to the approval of the City Council of the City ("City Council"); and

**WHEREAS**, pursuant to an ordinance adopted by the City Council on June 10, 1998, and published at pages 70367 through 70499 in the *Journal of the Proceedings of the City Council of the City of Chicago* ("Journal") of such date, the City approved a certain redevelopment plan and project ("TIF Plan") for the Kinzie Industrial Conservation Area Tax Increment Redevelopment Project Area ("TIF Area") pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1, *et seq.*) ("Act"); and

**WHEREAS**, pursuant to an ordinance adopted by the City Council on June 10, 1998, and published at pages 70499 through 70509 in the *Journal* of such date, the City designated the TIF Area as a redevelopment project area pursuant to the Act; and

**WHEREAS**, pursuant to an ordinance (the "TIF Ordinance") adopted by the City Council on June 10, 1998, and published at pages 70509 through 70520 in the *Journal* of such date, the City adopted tax increment allocation financing pursuant to the Act as a means of financing certain redevelopment project costs (as defined in the Act) in the TIF Area incurred pursuant to the TIF Plan; and

**WHEREAS**, there is a lack of sufficient open space in the City for recreational and aesthetic uses, as documented in the comprehensive plan entitled "CitySpace: An Open Space Plan For Chicago" (the "CitySpace Plan"), 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 CitySpace Plan sets forth certain goals and objectives for increasing open space in the City; and

**WHEREAS**, "A Recipe for Healthy Places," an interdisciplinary plan adopted by the Chicago Plan Commission on January 24, 2013 (the "Healthy Places Plan"), recommends that the City create a system of public open spaces for large-scale food growing, job training and food-related education activities; and

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

**WHEREAS**, the City owns eleven (11) vacant parcels of land (approximately 2.28 acres) located in the TIF Area, which are listed on Exhibit A attached hereto and legally described on Exhibit B attached hereto (subject to final survey and title commitment, the "Property"); and

**WHEREAS**, the Property is located at the southwestern edge of the TIF Area and is surrounded by residential homes and institutional uses to the north, an elevated rail line to the south and industrial uses to the east; and

**WHEREAS**, by ordinance adopted on March 26, 1996, and published at pages 18969 to 18979 in the Journal of such date (the "NeighborSpace Ordinance"), the City approved the establishment of NeighborSpace, a not-for-profit corporation, to facilitate the development of open spaces; and

**WHEREAS**, NeighborSpace was formed as a collaboration among the City, the Chicago Park District and the Forest Preserve District of Cook County to address the lack of sufficient open space in the City for recreational and aesthetic uses; and

**WHEREAS**, NeighborSpace was incorporated under the laws of the State of Illinois on May 29, 1996, 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 primary function of NeighborSpace is to own, lease and manage small open spaces in the City for development and maintenance by neighborhood community groups; and

**WHEREAS**, the NeighborSpace Ordinance contemplates that the City would donate, sell or lease land to NeighborSpace, and that NeighborSpace, in turn, would enter into agreements with local groups to use and maintain the land as community gardens or other public open space; and

**WHEREAS**, the City desires to convey the Property to NeighborSpace for the creation of an urban farm to be known as "Chicago FarmWorks," subject to an ingress/egress easement to be approved by separate ordinance (the "Easement") in, on, over and across the Phase II Site (as hereinafter defined) in favor of a business located to the east of the Phase II Site; and

**WHEREAS**, NeighborSpace will partner with Heartland Human Care Services, Inc. ("HHCS"), a not-for-profit human rights advocacy organization, to establish the urban farm on the Property; and

**WHEREAS**, NeighborSpace will own the Property and HHCS will construct and manage the urban farm; and

**WHEREAS**, HHCS intends to use the urban farm for job training in landscaping and horticultural skills, and also plans to sell fresh produce to the Greater Chicago Food Depository for redistribution to communities in need; and

**WHEREAS**, the proposal for Chicago FarmWorks includes the construction of outdoor hoop houses and growing fields for crop production, perimeter fencing, on-site parking spaces for employees and trainees, a dedicated area for washing produce and an overhead shade structure for employees; and

**WHEREAS**, a portion of the Property will be made accessible to the public as a community garden; and

**WHEREAS**, the urban farm will be developed in two phases on separate portions of the Property (the "Phase I Site" and the "Phase II Site"), as depicted on the aerial photograph attached hereto as Exhibit C; and

**WHEREAS**, the City has completed the environmental remediation and site preparation work on the Phase I Site, and intends to commence work on the Phase II Site in the summer and fall of 2013; and

**WHEREAS**, the City intends to convey the Phase I Site upon passage and approval of this ordinance, and intends to convey the Phase II Site at a later date upon completion of the environmental and site preparation work at such site and approval of an ordinance authorizing the transfer of the Easement; and

**WHEREAS**, the Healthy Places Plan is meant as a guide for Chicago to address the epidemic of obesity, improve the well-being of its residents, expand the economy and create a healthier urban environment, specifically in community areas that have an elevated risk for obesity-related diseases; and

**WHEREAS**, the Property is located in the Humboldt Park Community Area, which has been identified as one of the areas in Chicago with an elevated risk for obesity-related diseases; and

**WHEREAS**, the redevelopment of the Property as an urban farm will not displace any existing industrial business, residential developments or adversely impact any recent investments in the TIF Area; and

**WHEREAS**, the City Council finds that the conveyance of the Property to NeighborSpace is in the best interests of the City; and

**WHEREAS**, the use of the Property as public open space is consistent with the purposes and objectives of the TIF Plan; and

**WHEREAS**, the Board of Directors of NeighborSpace approved the acquisition of the Property on January 31, 2012; and

**WHEREAS**, on July 19, 2012, the Chicago Plan Commission approved the rezoning of the Property from a manufacturing district to a commercial district so the City could convey the Property to NeighborSpace for use as an urban farm; and

**WHEREAS**, by Resolution No. 13-CDC-11, adopted on April 9, 2013, the CDC authorized the Department of Housing and Economic Development (the "Department") to advertise its intent to negotiate a sale with NeighborSpace for disposition of the Property and to request alternative proposals for redevelopment, and recommended the sale of the Property to NeighborSpace if no responsive alternative proposals were received at the conclusion of the advertising period, or, if alternative proposals were received, if the Department determined in its sole discretion that it was in the best interest of the City to proceed with NeighborSpace's proposal; and

**WHEREAS**, public notices advertising the Department's intent to enter into a negotiated sale of the Property with NeighborSpace and requesting alternative proposals appeared in the Chicago Sun-Times on April 21, May 5 and May 19, 2013; and

**WHEREAS**, no other responsive proposals were received by the deadline indicated in the aforesaid notices; **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 the Property to NeighborSpace in its "as is" condition for the sum of One and No/100 Dollar (\$1.00) per parcel, subject to the Easement.

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

NeighborSpace shall use, or permit the use, of the Property as open space only, including, without limitation, as a community garden or urban farm. If NeighborSpace uses, or permits the use, of the Property for any other purpose, the City may re-enter and take possession of the Property, terminate the estate conveyed to NeighborSpace, and revert title to the Property in the City

**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 A – List of City-Owned Parcels Comprising Property

Exhibit B – Legal Description of Property

Exhibit C – Location of Phase I and Phase II Sites

EXHIBIT A

LIST OF CITY-OWNED PARCELS COMPRISING PROPERTY

PIN	Address	Sq. Ft.	Acres	Ward	CA No.	Community Area
16-12-109-011	419 N. Kedzie Ave.	2,500	0.06	27	23	Humboldt Park
16-12-109-013	415 N. Kedzie Ave.	2,500	0.06	27	23	Humboldt Park
16-12-109-014	413 N. Kedzie Ave.	2,500	0.06	27	23	Humboldt Park
16-12-109-028	407 N. Kedzie Ave.	20,200	0.46	27	23	Humboldt Park
16-12-111-008	405 N. Albany Ave.	58,500	1.34	27	23	Humboldt Park
16-12-111-011	428 N Whipple St.	2,200	0.05	27	23	Humboldt Park
16-12-111-012	426 N. Whipple St.	2,200	0.05	27	23	Humboldt Park
16-12-111-013	424 N. Whipple St.	2,200	0.05	27	23	Humboldt Park
16-12-111-014	420 N. Whipple St.	2,200	0.05	27	23	Humboldt Park
16-12-111-015	418 N. Whipple St.	2,200	0.05	27	23	Humboldt Park
16-12-111-016	416 N. Whipple St.	2,200	0.05	27	23	Humboldt Park
TOTAL		99,400	2.28			

**EXHIBIT B**

**LEGAL DESCRIPTION OF PROPERTY**

(ATTACHED)

## LEGAL DESCRIPTIONS

LOT 1 IN BALDWIN'S RESUBDIVISION OF LOTS 29 TO 32, INCLUSIVE IN BLOCK 3 IN TAYLOR'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as:  
419 North Kedzie Avenue  
Chicago, Illinois  
P.I.N. 16-12-109-011

LOT 3 IN B. A. BALDWIN'S SUBDIVISION OF LOTS 29 TO 32 OF BLOCK 3 OF JAMES W. TAYLOR'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as:  
415 North Kedzie Avenue  
Chicago, Illinois  
P.I.N. 16-12-109-013

LOT 4 IN THE RESUBDIVISION OF LOTS 29 TO 32, INCLUSIVE OF BLOCK 3 OF JAMES W. TAYLOR'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as:  
413 North Kedzie Avenue  
Chicago, Illinois  
P.I.N. 16-12-109-014

LOTS 21, 22, 23, 27, AND 28 IN BLOCK 3 IN TAYLOR'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THAT STRIP OF LAND FORMERLY PART OF THE ALLEY IN SAID BLOCK 3 LYING NORTH OF THE SOUTH LINE OF LOT 23 AND SOUTH OF THE NORTH LINE OF LOT 21 IN BLOCK 3 PRODUCED EAST AND WEST AND NOW LOCATED IN COOK COUNTY, ILLINOIS IN COOK COUNTY, ILLINOIS.

Commonly known as:  
407 North Kedzie Avenue  
Chicago, Illinois  
P.I.N. 16-12-109-028

Legal Descriptions (Continued)

PARCEL 1: LOTS 11 TO 22 BOTH INCLUSIVE TOGETHER WITH THE WEST ½ OF THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING EAST AND ADJOINING SAID LOTS 11 TO 22 BOTH INCLUSIVE, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTH EAST ¼ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. PARCEL 2; LOTS 25 TO 29 INCLUSIVE TOGETHER WITH THE EAST ½ OF THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING WEST AND ADJOINING SAID LOTS 25 TO 29 BOTH INCLUSIVE, TOGETHER WITH THE WEST ½ (EXCEPT THE EAST 20 FEET THEREOF) OF THE VACATED NORTH WHIPPLE STREET LYING EAST OF AND ADJOINING THE EAST LINES OF LOTS 25 TO 29, BOTH INCLUSIVE, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION AFORESAID IN COOK COUNTY, ILLINOIS.

Commonly known as:  
405 North Albany Avenue  
Chicago, Illinois  
P.I.N. 16-12-111-008

LOT 35 TOGETHER WITH THE EAST ½ OF THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING WEST AND ADJOINING SAID LOT 35, IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTH EAST ¼ OF THE SOUTH WEST ¼ OF THE NORTH WEST ¼ OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as:  
428 North Whipple Street  
Chicago, Illinois  
P.I.N. 16-12-111-011

LOT 41 IN THE SUBDIVISION OF BLOCK 3 IN LOWTHER'S SUBDIVISION OF THE EAST ½ OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ (EXCEPT THAT PART LYING NORTH OF BARRY POINT ROAD) OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as:  
426 North Whipple Street  
Chicago, Illinois  
P.I.N. 16-12-111-012

Legal Descriptions (Continued)

LOT 42 IN THE SUBDIVISION OF BLOCK 3 IN LOWTHER'S SUBDIVISION OF THE EAST ½ OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ (EXCEPT THAT PART LYING NORTH OF BARRY POINT ROAD) (EXCEPT THAT PART LYING NORTH OF BARRY POINT ROAD) OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as:  
424 North Whipple Street  
Chicago, Illinois  
P.I.N. 16-12-111-013

LOT 43 IN THE SUBDIVISION OF BLOCK 3 IN T. D. LOWTHER'S SUBDIVISION OF THE EAST ½ OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ (EXCEPT THAT PART LYING NORTH OF BARRY ROAD) OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as:  
420 North Whipple Street  
Chicago, Illinois  
P.I.N. 16-12-111-014

LOT 44 IN BLOCK 3 IN LOWTHER'S SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (EXCEPT THAT PART OF THE NORTH BARRY POINT ROAD) IN SECTION 13, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as:  
418 North Whipple Street  
Chicago, Illinois  
P.I.N. 16-12-111-015

LOT 45 IN THE SUBDIVISION OF BLOCK 3 IN T. D. LOWTHER'S SUBDIVISION OF THE EAST HALF OF THE NORTH EAST QUARTER OF THE NORTHWEST QUARTER IN SECTION 13, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART NORTH OF BARRY POINT ROAD) IN COOK COUNTY, ILLINOIS.

Commonly known as:  
416 North Whipple Street  
Chicago, Illinois  
P.I.N. 16-12-111-016

EXHIBIT C

LOCATION OF PHASE I AND PHASE II SITES

(ATTACHED)

# Proposed Negotiated Sale of City Land to NeighborSpace CHICAGO FARMWORKS

407, 413-15 & 419 N. Kedzie Avenue,  
405 N. Albany Avenue and 416-28 N. Whipple Street



Phase I

Phase II

Enhanced Google Earth Photograph

## LEGEND



Chicago FarmWorks  
Project Boundary



**City of Chicago**

Rahm Emanuel, Mayor

Department of Housing and Economic Development

Andrew J. Mooney, Commissioner

HED-BZP/SDD 03/18/13 MAR

**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:

445 N. Sacramento Blvd.  
Chicago IL 60612

C. Telephone: 773-826-3127 Fax: 773-442-0299 Email: bhelphand@neighbor-space.o

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):

Sale of the Chicago FarmWorks urban farm located at 407 N. Kedzie Ave.  
to NeighborSpace

G. Which City agency or department is requesting this EDS? Department 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
<u>See attached list</u>	
<u>No members</u>	

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

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

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):

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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.

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:

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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.

Neighbor Space

(Print or type name of Disclosing Party)

By: 

(Sign here)

Ben Helfhand

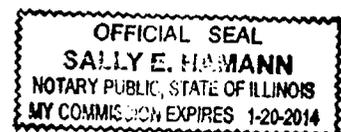
(Print or type name of person signing)

Executive Director

(Print or type title of person signing)

Signed and sworn to before me on (date) March 21, 2013,  
at Cook County, Illinois (state).

Sally E. Hamann Notary Public.



Commission expires: 1-20-2014

**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.

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