



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Details (With Text)

File #: O2015-1394
Type: Ordinance
File created: 3/18/2015
Status: Passed
In control: City Council
Final action: 4/15/2015
Title: Sale of City-owned property at 1622 N Whipple Ave, 1900 S Avers Ave/3839 W 19th St, 3323 N Drake Ave and 4919 N Winthrop Ave to NeighborSpace
Sponsors: Emanuel, Rahm
Indexes: Sale
Attachments: 1. O2015-1394.pdf

Date	Ver.	Action By	Action	Result
4/15/2015	1	City Council	Passed	Pass
4/9/2015	1	Committee on Housing and Real Estate	Recommended to Pass	Pass
3/18/2015	1	City Council	Referred	

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL MAYOR

March 18,2015

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

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith ordinances authorizing the sale of city-owned property.

Your favorable consideration of these ordinances will be appreciated.

Mayor

Very truly yours,

ORDINANCE

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

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

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

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

WHEREAS, the Avondale, Humbolt Park, Uptown and North Lawndale Community Areas have been identified as having a need for additional open space; and

WHEREAS, the City Council, by ordinances adopted on April 9, 2008 and published in the Journal of Proceedings of the City Council for such date at pages 24221 through 24477, has approved a redevelopment plan and project (the "Plan") for the Ogden / Pulaski Tax Increment Financing (the "Area") pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1 et seq., (the "Act")).- has designated the Area as a "redevelopment project area" under the Act, and has adopted tax increment financing for the Area; and

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

WHEREAS, the City owns the four parcels of real property identified on Exhibit A attached hereto and made a part hereof (collectively, the "Property"); and

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

WHEREAS, NeighborSpace was incorporated under the laws of the State of Illinois as a

not-for-profit corporation on May 29, 1996, organized exclusively for charitable, scientific and educational purposes including, but not limited to, the preservation of open space and parks within the City; and

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

WHEREAS, by Resolution Nos. 14-053-21 and 14-072-21, adopted on July 17, 2014, and Resolution Nos. 14-108-21 and 14-109-21, adopted on December 18, 2014, the CPC recommended the sale of the Property to NeighborSpace; and

WHEREAS, by Resolution No. 14-CDC-31, adopted on July 8, 2014, the Community Development Commission authorized the City's Department of Planning and Development ("DPD") to advertise its intent to negotiate a sale with NeighborSpace for open space with respect to that parcel of the Property which is located in the Area and commonly known as 1900 South Avers Avenue / 3839 West 19th Street, Chicago, Illinois; and

WHEREAS, public notices advertising the proposed sale appeared in the Sun-Times on (i) July 12 and 20, and August 3, 2014 for the parcel commonly known as 1900 S. Avers Avenue / 3839 West 19th Street, Chicago, Illinois (ii) July 21, and August 3 and 17, 2014 for the parcel commonly known as 1622 North Whipple Avenue, Chicago, Illinois, and (iii) December 22, 2014 and January 4 and 18, 2015 for the parcels commonly known as 4919 North Winthrop Avenue and 3323 North Drake Avenue, Chicago, Illinois; and

WHEREAS, no alternative proposals were received by the City prior to the respective deadlines set forth in such advertisements; and

WHEREAS, the City desires to convey the Property to NeighborSpace for use as public open space, including, without limitation, the management and maintenance of community gardens to be known as the "Mindful Living Garden" (3323 North Drake Avenue), "Whipple Street Community Garden" (1622 North Whipple Avenue), "Winthrop Harmony Arts Garden" (4919 North Winthrop Avenue), and "1900-2100 Avers Block Club Garden" (1900 S. Avers Avenue / 3839 West 19th Street); and

WHEREAS, the City Council finds that such conveyance is consistent with the goals and objectives of the Open Space Plan, which, among other things, specifies that parks, open spaces and other community facilities should be located within walking distance of residential developments; and

WHEREAS, the City Council finds that the conveyance of the parcel commonly known as 1900 South Avers Avenue / 3839 West 19th Street, Chicago, Illinois is consistent with the Plan for the Area; and

as public open space use will help alleviate the public open space shortages in the Avondale, Humbolt Park, Uptown and North Lawndale Community Areas, respectively, and is in the best interests of the City; 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 for the sum of One Dollar (\$1.00) per parcel.

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

NeighborSpace shall allow the Property to be used only as open space. The City, acting through the Commissioner of the City's Department of Planning and Development, or any successor department thereto, shall have authority to release this covenant upon the request of NeighborSpace. If NeighborSpace allows the Property to be used for any purpose other than open space without first obtaining a release of this covenant, the City may re-enter and take possession of the Property, terminate the estate conveyed to NeighborSpace, and revert title to the Property in the City.

Solely with respect to the 1900 South Avers Avenue / 3839 West 19th Street parcel, NeighborSpace shall allow such parcel to be used only for a use consistent with the City's Ogden / Pulaski Redevelopment Plan until such plan expires.

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 LEGAL DESCRIPTION OF PROPERTY

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

Parcel 1 (Mindful Living Garden) [To come]

COMMONLY KNOWN AS: 3323 NORTH DRAKE AVENUE, CHICAGO, ILLINOIS PERMANENT

INDEX NO.: 13-23-407-004-0000

Parcel 2 (Whipple Street Community Garden) [To come]

COMMONLY KNOWN AS: 1622 NORTH WHIPPLE AVENUE, CHICAGO, ILLINOIS PERMANENT

INDEX NO.: 13-36-326-030-0000

Parcel 3 (Winthrop Harmony Arts Garden) [To come]

COMMONLY KNOWN AS: 4919 NORTH WINTHROP AVENUE, CHICAGO, ILLINOIS PERMANENT

INDEX NO.: 14-08-410-007-0000

Parcel 4 (1900-2100 Avers Block Club Garden) [To come]

COMMONLY KNOWN AS: 1900 SOUTH AVERS AVENUE / 3839 WEST 19TH STREET,

CHICAGO, ILLINOIS

PERMANENT INDEX NO.: 16-23-319-023-0000

4

**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:

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant ⁿ

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.L) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party:

C. Telephone: hiVh Fax: ??3' O^C\<\ Email: Utetyl^f^@Aie^UW-S^cg..c

D. Name of contact person: ^g/> ■//ekpka.tt't%_

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

\jill\VkfOf&d± I100 ~ct-!CW I^lOt'A. c.Uk 6ou-<&- [0O>MiJ--pJ~ Stud ^-...Avws- w
G. Which City agency or %ep"artr&nt is requesting this EDS? Q?fZu^fo&'& 0^/%£/vu/v^ ck-mQ.
On {ye (op >rle./Cf~

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

Specification #

and Contract #

Page 1 of 13

SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

☐ Person

☐ Limited liability company

☐ Publicly registered business corporation

☐ Limited liability partnership

☐ Privately held business corporation

☐ Joint venture

☐ Sole proprietorship

☐ Not-for-profit corporation

☐ General partnership

(Is the not-for-profit corporation also a 501(c)(3))?

☐ Limited partnership

☐ Yes ☐ No

☐ Trust

☐ Other (please specify)

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

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

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

I. 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

JCS-

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,

Page 2 of 13

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
------	------------------	---

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.

Page 3 of 13

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

)4^h

(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.

Page 4 of 13

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").

Page 5 of 13

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:

Page 6 of 13

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").

n o a ;

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.

j\oKq_

-

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION L 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):

Page 7 of 13

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.L, proceed to Items D.2. and D.3. If you checked "No" to Item D.L, 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

Page 8 of 13

comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

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):

(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.

Page 9 of 13

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:

Page 10 of 13

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:

Page 11 of 13

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.L, 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.

(Print or type name of Disclosing Party)

(Sign here)

(Print or type name of person signing)

(Print or type title of person signing)

>Ah>iMjj <C. I&fryyr^ -- Notary Public.

Signed and sworn to before me on (date) ^Ui'Mafy r^^i j <9-A / ^» at C
no /A County, I3Z({i^ p \ S (state).

Commission expires: / ~ Q - ,0-0 I

Page 12 of 13

Neighbor_S^^^

445 N. SACRAMENTO BLVD, SUITE 204, CHICAGO, IL 60612 | 773-826-3240 | WWW.NEIGHBOR-SPACE.ORG <http://WWW.NEIGHBOR-SPACE.ORG>

NeighborSpace Board of Directors 2015

VICE PRESIDENT Commissioner Deborah Sims
Forest Preserve District of Cook County

SECRETARY Edward K. Uhler
Millennium Park, Inc.

TREASURER Cynthia A. Bergman
Freeborn & Peters, LLC

Commissioner Erika Allen
Chicago Park District

Lee Bey
University of Chicago

Commissioner Michelle Boone
Department of Cultural Affairs and Special Events

Walter Burnett, Jr.
Alderman 27th Ward

Kathy Dickhut
Department of Housing and Economic Development

Dr. Shemuel Israel
North Lawndale Greening Committee

Michael Kelly
Chicago Park District

Arnold Randall
Forest Preserve District of Cook County

Elvia Rodrigues Ochoa
Openlands

Chris Slattery
Forest Preserve District of Cook County

Christy Webber
Christy Webber Landscapes

Beth White
Trust for Public Land
Vice -President
Deborah Sims
Commissioner, District 5
Forest Preserve District of Cook County
1] 8 North Clark Street, Room 567
Chicago, IL 60602
(312)603-6381
(312) 603-2583 Fax

Secretary
Edward K. Uhlir Program Director Millennium Park, Inc. 201 E. Randolph Street Chicago IL 60601-6530 (312) 744-2053 ed.uhlir@sbcglobal.net <mailto:ed.uhlir@sbcglobal.net>

Treasurer
Cynthia A. Bergmann Attorney
Freeborn & Peters, LLC
311 South Wacker Drive, Suite 3000
Chicago, IL 60606-6677
(312) 360-6652
cbergmann@freeborn.com <mailto:cbergmann@freeborn.com>

Directors

Erika Allen
Commissioner
Chicago Park District
541 North Fairbanks Court
Chicago, IL 60611
773-376-8882
erika@growingpower.org

Lee Bey
Special Projects Manager Arts and Public Life Initiative University of Chicago 301 E. Garfield Chicago il 60637 773-834-

4158 Bey@uchicago.edu <mailto:Bey@uchicago.edu>

Michelle T. Boone Commissioner

Dept of Cultural Affairs and Special Events 78 E. Washington Street, Room 300 Chicago, IL 60602 312-744-8923

Michelle.Boone@cityofchicago.org <http://icargo.org>

Walter Burnett Alderman, 27th Ward 4N Western Ave, Unit IC Chicago, IL 60612 312-432-1995

wburnett@cityofchicago.org <mailto:wburnett@cityofchicago.org>

Shemuel B. Israel, DC Healthy Habits By Design PO Box 802927. Chicago, Illinois 60680 773-722-2561

nlgreeningcommittee@gmail.com <mailto:nlgreeningcommittee@gmail.com>Chris Slattery

Director of Planning & Development Forest Preserve District of Cook County 536 North Harlem Avenue River Forest, IL 60305 708-771-1572

Chris. Slattery@cookcountyil.gov

Christy Webber President

Christy Webber Landscapes 2900 W. Ferdinand Street Chicago, IL 60612 (773)533-0477 christy@christywebber.com

<mailto:christy@christywebber.com>

Elizabeth White

Director, Chicago Area Office

The Trust for Public Land

120 S. LaSalle Street, Suite 2000

Chicago, IL 60603

312-750-9825

beth.white@tpl.org <mailto:beth.white@tpl.org>

Ex Officio Directors

Arnold Randall

General Superintendent

Forest Preserve District of Cook County

536 North Harlem Avenue

River Forest, IL 60305

(708)771-1511

Arnold.Randall@cookcountyil.gov

Michael P. Kelly Superintendent Chicago Park District 541 North Fairbanks Court Chicago, IL 60611 (312) 742-4200

Michael.Kelly@chicagoparkdistrict.com <mailto:Michael.Kelly@chicagoparkdistrict.com>

Non-Voting Directors

Elvia Rodriguez Ochoa Neighborhood Programs Director Openlands

25 East Washington Street, Suite 1650 Chicago, IL 60602 (312)863-6255

erodriguez-ochoa@openlands.org <mailto:erodriguez-ochoa@openlands.org>

Kathy Dickhut

Deputy Commissioner

Dept. of Planning and Development

City of Chicago

City Hall, Room 905, 121 N. LaSalle Street

Chicago, IL 60602
(312) 744-1074
kd ickhut@cityofchicago.org

Executive Director

Ben Helphand
Executive Director
NeighborSpace
445 N. Sacramento Blvd
Chicago, IL 60612
773-826-3127
helphand@gmail.com <mailto:helphand@gmail.com>

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

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related 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 ILB.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?

[JYes

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.

Page 13 of 13

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX B

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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 (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

1. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

[] Yes [X] No

2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

[] Yes

[] No

[X] Not Applicable

3. If yes to (1) or (2) above, please identify below the name of the person or legal entity identified as a building code scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

/M,

,

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.