RESOLUTION

TO AMEND THE INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF CHICAGO, THE BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT NO. 508 AND THE PUBLIC BUILDING COMMISSION

WHEREAS, the City of Chicago (the "City") is a duly constituted and existing municipality within the meaning of Section 1 of Article VII of the 1970 Constitution of the State of Illinois (the "Constitution") having a population in excess of 25,000 and is a home rule unit of local government under Section 6(a) of Article VII of the Constitution; and

WHEREAS, Section 10 of Article VII of the Constitution authorizes units of local government to contract among themselves in any manner not prohibited by law or ordinance and to use their credit, revenues and other resources to pay costs and to service debt related to intergovernmental activities; and

WHEREAS, the Intergovernmental Cooperation Act of the State of Illinois, as amended, authorizes public agencies to exercise any power or powers, privileges or authority which may be exercised by such public agency individually to be exercised and enjoyed jointly with any other public agency in the State of Illinois; and

WHEREAS, pursuant to the Public Building Commission Act (50 ILCS 20/1 et seq), the City Council of the City (the "City Council") created the Public Building Commission of Chicago (the "Commission") to facilitate the acquisition and construction of public buildings and facilities for use by local public agencies in the furnishing of essential governmental services; and

WHEREAS, pursuant to the provisions of the Public Community College Act, as amended, the City constitutes one community college district, which community college district is a body politic and corporate by the name of "Community College District No. 508, Cook County, Illinois" governed by the Board of Trustees thereof (the "Board of Trustees"); and

WHEREAS, the provision of educational services [technical training programs] and community college facilities to the inhabitants of the City pertains to the government and affairs of the City and is a lawful exercise of the home rule powers of the City; and

WHEREAS, pursuant to an ordinance adopted by the City Council of the City (the "City Council") on September 29, 1999 and published at pages 11355 – 11388 of the Journal of Proceedings of the City Council for such date (the "1999 Ordinance"), it was deemed in the best interests of the inhabitants of the City and necessary for the welfare of the government and affairs of the City to finance the construction of a new facility and to finance and refinance improvements, repairs, rehabilitations and renovations to and equipment and furnishing for the educational facilities owned or used by the City Colleges of Chicago (the "Capital Improvement Program"); and
WHEREAS, pursuant to the 1999 Ordinance, the City issued its General Obligation Bonds (City Colleges of Chicago Capital Improvement Project, Series 1999 (the “Bonds”)) in the amount of $308,964,430.80 on November 30, 1999 for the purposes of paying costs of the Capital Improvement Program and paying the expense of issuing the Bonds; and

WHEREAS, the Board of Trustees is a taxing district under the Act; and

WHEREAS, the City, the Commission and the Board of Trustees entered into that certain Intergovernmental Agreement Among the City of Chicago, Board of Trustees of Community College District No. 508, County of Cook and State of Illinois and The Public Building Commission of Chicago dated August 8, 2000 (as amended on December 24, 2003 by an Amendment to Intergovernmental Agreement among the City of Chicago, the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois and the Public Building Commission of Chicago (Capital Improvements Program)) (the “Agreement”) whereby the parties agreed to set forth their objectives and respective duties and responsibilities and to describe the procedures and guidelines to be followed with respect to the implementation of the Capital Improvement Program; and

WHEREAS, pursuant to the Agreement, the Commission shall perform the coordination, construction management and administration of the Capital Improvement Program, the Board of Trustees, in consultation with the Commission, shall determine the nature and scope of the Projects and approve in writing the building scope and budget for each project and the City shall make the proceeds of the Bonds available for payment of the costs incurred by the Commission on behalf of the Board of Trustees to implement the Capital Improvement Program in accordance with the budget as approved by the Board of Trustees and the Commission from time to time; and

WHEREAS, the parties now desire to further amend the Agreement to allow for the City to make the proceeds of the Bonds available for payment of the cost incurred directly to the Board of Trustees to implement the Capital Improvement Program in accordance with the budget from time to time and allow the Board of Trustees to directly, incur cost, solicit bids or proposal, implement the coordination, management and administration of the Capital Improvement Program and enter into contracts for services and/or provide labor, materials, equipment and other work and facilities required for the Capital Improvement Program;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, hereby approves an amendment to the Intergovernmental Agreement among the City. The Board and the Commission and authorizes the Chairman to execute all documents as may be necessary or required.

Respectfully Submitted,

Wayne D. Watson
Chancellor

December 7, 2006