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**COPY**



**JOURNAL of the PROCEEDINGS  
of the  
CITY COUNCIL  
of the  
CITY of CHICAGO, ILLINOIS**

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**Regular Meeting—Tuesday, December 17, 1985**

**at 10:00 A.M.**

**(Council Chamber—City Hall—Chicago, Illinois)**

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**OFFICIAL RECORD.**

**HAROLD WASHINGTON**  
Mayor

**WALTER S. KOZUBOWSKI**  
City Clerk

### Attendance at Meeting.

*Present* -- Honorable Harold Washington, Mayor, and Aldermen Roti, Rush, Tillman, Evans, Bloom, Sawyer, Beavers, Humes, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Sherman, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schulter, Volini, Orr, Stone.

*Absent* -- None.

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### Call to Order.

On Tuesday, December 17, 1985 at 11:25 A.M. (the hour appointed for the meeting was 10:00 A.M.) Honorable Harold Washington, Mayor, called the City Council to order. Honorable Walter S. Kozubowski, City Clerk, called the roll of members and it was found that there were present at that time: Aldermen Roti, Rush, Tillman, Evans, Bloom, Sawyer, Beavers, Humes, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Sherman, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schulter, Volini, Orr, Stone -- 50.

Quorum present.

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### Invocation.

Alderman George J. Hagopian (30th Ward) opened the meeting with prayer.

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### TRIBUTE TO LATE UNITED STATES ARMY SERGEANT FRANCISCO OCASIO, JR. AND PRIVATE FIRST CLASS DAVID C. LUNDGREEN.

Honorable Harold Washington, Mayor, on behalf of himself and all the members of the City Council, presented the following proposed resolution:

WHEREAS, The tragic loss of 256 lives resulting from the crash of an aircraft on Thursday, December 12, 1985 has affected the entire nation; and

WHEREAS, Among the 256 lives lost in that accident, 248 were American servicemen who were returning from peacekeeping duty in the Middle East; and

WHEREAS, Of those 248 servicemen who perished in that crash, two were residents of Chicago; and

WHEREAS, The nation and the world join with the families of Army Sgt. Francisco Ocasio, Jr. and Pfc. David C. Lundgreen in grieving the loss of these Americans; and

WHEREAS, Sgt. Ocasio, Jr. and Pfc. Lundgreen were members of the Third Battalion of the 101st Airborne Division and were returning to their home base of Fort Campbell in Kentucky; and

WHEREAS, Their untimely death has caused great hardship on their families and brought an entire nation closer together in this time of mourning; now, therefore,

*Be It Resolved*, The Mayor and the City Council of Chicago, assembled here this 17th day of December, 1985, that Sgt. Francisco Ocasio, and Pfc. David C. Lundgreen be honored for their strong belief in freedom for all mankind and for their honorable service to their country, and that a minute of silence be observed by all Chicagoans in their memory; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to the families of Sgt. Francisco Ocasio, Jr. and Pfc. David C. Lundgreen.

Alderman Evans moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the foregoing proposed resolution. The motion *Prevailed*.

On motion of Alderman Evans, seconded by Aldermen Pucinski and Smith, the foregoing proposed resolution was *Adopted*, unanimously, by a rising vote.

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#### TRIBUTE TO LATE MR. RONALD WILLIAMS.

Honorable Harold Washington, Mayor, on behalf of himself and all the members of the City Council, presented the following proposed resolution:

WHEREAS, Mr. Ronald Williams passed away on Wednesday, December 11th, 1985; and

WHEREAS, Mr. Williams was president of Northeastern Illinois University since 1976 and was also president-elect of the American Association of State Colleges and Universities; and

WHEREAS, During his tenure at Northeastern Illinois University, Ronald Williams worked to strengthen the range and quality of undergraduate and graduate programs at the college; and

WHEREAS, Mr. Williams also held positions as provost of the University of the District of Columbia, and faculty member at Ohio University, Oberlin College, Western Washington University and the University of Pittsburgh; and

WHEREAS, Mr. Williams also was the writer of plays and short stories; and

WHEREAS, Ronald Williams served on numerous local, national and international advisory boards and commissions; and

WHEREAS, Mr. Williams is survived by his loving wife, Arlene, his son Robert, his daughter Rhonda and his mother, Mary Moore; now, therefore,

*Be It Resolved*, That the Mayor and the City Council do hereby recognize the outstanding educational and social contributions made by Mr. Ronald Williams and especially the commitment he made to educational progress at Northeastern Illinois University; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to his family, dated this 17th day of December, 1985.

Alderman Laurino moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the foregoing proposed resolution. The motion *Prevailed*.

On motion of Alderman Laurino, seconded by Alderman D. Davis, the foregoing proposed resolution was *Adopted*, unanimously, by a rising vote.

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ALDERMAN ANNA LANGFORD HONORED FOR HER  
ROLE IN HOSTAGE CRISIS.

Honorable Harold Washington, Mayor, on behalf of himself and all the members of the City Council, presented the following proposed resolution:

WHEREAS, Alderman Anna Langford was recently involved in a serious hostage situation at the City of Chicago Traffic Court Building; and

WHEREAS, Alderman Langford was called on to intervene during the crisis by talking to Alvin Leonard Byndom as he held two lawyers hostage in a courtroom in that building; and

WHEREAS, Alderman Langford spoke with Byndom twice on the telephone during the crisis and aided authorities in finding Byndom's daughter; and

WHEREAS, According to the two hostages, Alderman Langford's efforts greatly aided in calming down Byndom and led to his eventual arrest and the release of the two hostages; and

WHEREAS, Alderman Langford exhibited professionalism and control in the face of potential danger that greatly helped to bring a peaceful solution to the crisis; now, therefore,

*Be It Resolved*, By the Mayor and the members of the City Council that Alderman Anna Langford be dutifully honored for her role in the hostage crisis and that her brave efforts and superb professionalism be recognized by everyone concerned; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Alderman Anna Langford, dated this 17th day of December, 1985.

Alderman Bloom moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the foregoing proposed resolution. The motion *Prevailed*.

On motion of Alderman Bloom, seconded by Aldermen Damato, Mell, Frost and Pucinski, the foregoing proposed resolution was *Adopted* unanimously.

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**REPORTS AND COMMUNICATIONS  
FROM CITY OFFICERS.**

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***Referral -- APPROVAL OF AMENDED DESIGNATION FOR  
MOHAWK-NORTH URBAN RENEWAL PROJECT.***

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Housing and Neighborhood Development*:

**OFFICE OF THE MAYOR  
CITY OF CHICAGO**

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Housing, I transmit herewith an ordinance approving an Amended Designation for the Mohawk-North Urban Renewal Project. The purpose of the Amended Designation is to make the legal description of the project conform to the approved boundary map.

Also enclosed are certified copies of a resolution adopted by the Department of Urban Renewal at an Adjourned Regular Meeting held on the 21st day of November, 1985, authorizing the Commissioner to request City Council approval of the ordinance referred to above.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

*Referred --* TRANSFER OF PROPERTY IN HASKINS-HERMITAGE  
URBAN RENEWAL PROJECT AREA TO CHICAGO  
DEPARTMENT OF PUBLIC WORKS.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Housing and Neighborhood Development*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Housing, I transmit herewith an ordinance authorizing the transfer of Parcel PF-1, located at the Westside of Haskins Street between Jonquil Terrace and Juneway Terrace in the Haskins-Hermitage Urban Renewal Project Area. This transfer is to the City of Chicago, Department of Public Works on behalf of the Chicago Transit Authority for the construction of the Howard Yard expansion.

Also enclosed are certified copies of a resolution adopted by the Department of Urban Renewal at an adjourned regular meeting held on the 21st day of November, 1985, authorizing the Commissioner to request City Council approval of the ordinance referred to above.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* APPROVAL OF AMENDMENT NO. 3 TO 63RD-  
DORCESTER REDEVELOPMENT PLAN.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Housing and Neighborhood Development*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Housing, I transmit herewith an ordinance approving Amendment No 3. to the 63rd-Dorchester Redevelopment Plan. This amendment proposes to remove obsolescent and substandard structures and provide institutional and public facilities.

Also enclosed are certified copies of a resolution adopted by the Department of Urban Renewal at an adjourned regular meeting held on the 21st day of November, 1985, authorizing the Commissioner to request City Council approval of the ordinance referred to above.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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**Referred -- APPROVAL OF AMENDMENT TO REDEVELOPMENT  
AGREEMENT IN MADISON-CANAL/PRESIDENTIAL TOWERS  
URBAN RENEWAL PROJECT.**

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Housing and Neighborhood Development:*

**OFFICE OF THE MAYOR  
CITY OF CHICAGO**

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Housing, I transmit herewith an ordinance approving an Amendment to the Redevelopment Agreement in the Madison-Canal/Presidential Towers Urban Renewal Project. This amendment would delete the block bounded by Washington Boulevard, Desplaines Street, Madison Street and the Kennedy Expressway from the requirements of the Redevelopment Agreement.

Also enclosed are certified copies of a resolution adopted by the Department of Urban Renewal at an adjourned regular meeting held on the 21st day of November, 1985, authorizing the Commissioner to request City Council approval of the ordinance referred to above.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred* -- APPROVAL FOR SALE OF PARCEL SIX IN  
MADISON-CANAL URBAN RENEWAL PROJECT.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Housing and Neighborhood Development*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Housing, I transmit herewith an ordinance approving the sale of Parcel 6 in the Madison-Canal Urban Renewal Project.

Also enclosed are certified copies of a resolution adopted by the Department of Urban Renewal at an adjourned regular meeting held on the 21st day of November, 1985, authorizing the Commissioner to request City Council approval of the ordinance referred to above.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred* -- EXECUTION OF LAND WRITE-DOWN GRANT  
AGREEMENT WITH S.W.S. ASSOCIATES.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*



LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Economic Development, I transmit herewith an ordinance authorizing the Commissioner to enter into and execute on behalf of the City of Chicago a Land Write-Down Grant Agreement with S.W.S. Associates, in the amount of \$83,805.00 to expand its business and job opportunities at 630 West 41st Street.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* EXECUTION OF LAND WRITE-DOWN GRANT  
AGREEMENT WITH CRYSTAL CLEAR  
ICE COMPANY.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Economic Development, I transmit herewith an ordinance authorizing the Commissioner to enter into and execute on behalf of the City of Chicago a Land Write-Down Grant Agreement with Crystal Clear Ice Co., in the amount of \$5,913.50 to expand its business and job opportunities at 2130 West Rice Street.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* EXECUTION OF REDEVELOPMENT AGREEMENT  
WITH CONTINENTAL COMMERCIAL  
PARTNERS, LIMITED.

12/17/85

COMMUNICATIONS, ETC.

24837

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Economic Development, I transmit herewith an ordinance authorizing the Commissioner to enter into and execute on behalf of the City of Chicago a Redevelopment Agreement with Continental Commercial Partners, Ltd., an Illinois limited partnership, by which the City will loan \$1,750,000 for development and construction of a shopping center at 76th and Racine.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* EXECUTION OF REDEVELOPMENT AGREEMENT  
WITH AMERICAN NATIONAL BANK AND  
TRUST COMPANY OF CHICAGO.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Economic Development, I transmit herewith an ordinance authorizing the Commissioner to enter into and execute, on behalf of the City of Chicago, a Redevelopment Agreement with American National Bank and Trust Company of Chicago, as Trustee for the benefit of Shetland Properties of Cook County, Inc. The Redevelopment Agreement provides for the City to loan the sum of \$470,000 for purposes of assisting in the rehabilitation and development of the now vacant Sunbeam Appliances manufacturing

facilities, located at 5400 West Roosevelt Road, Chicago, Illinois, into a commercial/light manufacturing industrial park.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred* - EXECUTION OF GRANT AGREEMENT AMENDMENT  
BETWEEN CITY OF CHICAGO AND FEDERAL  
AVIATION ADMINISTRATION.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Aviation*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- I transmit herewith an ordinance authorizing the execution of a grant agreement amendment between the City of Chicago and the Federal Aviation Administration for a rehabilitation project at Chicago- O'Hare International Airport.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred* -- INTERIM USE OF COMMUNITY DEVELOPMENT BLOCK  
GRANT FUNDS TO ASSIST CHINATOWN BASIN  
DEVELOPMENT PROJECT.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Planning, I transmit herewith an ordinance authorizing the interim use of Community Development Block Grant funds under the Housing and Community Development Act of 1974, as amended, to assist in the acquisition and construction of residential and commercial structures for the proposed Chinatown Basin Development Project.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* ISSUANCE OF INDUSTRIAL REVENUE BOND FOR  
FINANCING OF PROJECT BY VERTIFLEX COMPANY.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Economic Development, I transmit herewith an ordinance providing for the issuance of an industrial revenue bond in the amount of \$1,500,000 for the financing of a project by Vertiflex Company.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* ISSUANCE OF INDUSTRIAL REVENUE BOND FOR  
FINANCING OF PROJECT BY REVERE PHOTO  
PLATEMAKERS COMPANY.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Economic Development, I transmit herewith an ordinance providing for the issuance of an industrial revenue bond in the amount of \$1,200,000 for the financing of a project by Revere Photo Platemakers Company.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* ISSUANCE OF INDUSTRIAL REVENUE BOND FOR  
FINANCING OF PROJECT BY CONTINENTAL COMMERCIAL  
PARTNERS, LIMITED.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Economic Development, I transmit herewith an ordinance providing for the issuance of an industrial revenue bond in the amount of \$6,000,000 for the financing of a project by Continental Commercial Partners, Ltd.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

*Referred --* ISSUANCE OF INDUSTRIAL REVENUE BOND FOR  
FINANCING OF PROJECT BY 811 WEST EVERGREEN  
PARTNERSHIP.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Economic Development, I transmit herewith an ordinance providing for the issuance of an industrial revenue bond in the amount of \$1,496,000 for the financing of a project by 811 West Evergreen Partnership.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* MUNICIPAL CODE CHAPTER 200.1 AMENDED  
CONCERNING CHICAGO TRANSACTION TAX.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Budget Director, I transmit herewith an ordinance to amend Chapter 200.1 of the Municipal Code by increasing the tax on lease transactions from six percent to seven percent and by increasing the tax on real estate transactions to \$7.50 per \$1,000 of the transfer price.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* CHICAGO MUNICIPAL CODE CHAPTER 200.6,  
SECTION 200.6-4 AMENDED BY DELETING  
EXEMPTION FOR JET FUEL.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Budget Director, I transmit herewith an ordinance to amend Section 200.6-4 of the Municipal Code by deleting the exemption for jet fuel.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* MUNICIPAL CODE CHAPTER 15.2 AMENDED BY  
AUTHORIZING COLLECTION OF FEES IN  
CONNECTION WITH ISSUANCE OF  
INDUSTRIAL DEVELOPMENT  
BONDS.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Economic Development*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Economic Development, I transmit herewith an ordinance to amend Chapter 15.2 of the Municipal Code to authorize the collection of fees in connection with the issuance of industrial development bonds.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

---

*Referred --* ISSUANCE OF INDUSTRIAL REVENUE BOND FOR  
FINANCING OF PROJECT BY S GROUP, ILLINOIS  
GENERAL PARTNERSHIP.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Commissioner of the Department of Economic Development, I transmit herewith an ordinance providing for the issuance of an industrial revenue bond in the amount of \$2,600,000 for the financing of a project by S Group, an Illinois general partnership.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* COLLECTIVE BARGAINING AGREEMENT  
BETWEEN CITY OF CHICAGO AND AMERICAN  
FEDERATION OF STATE, COUNTY AND  
MUNICIPAL EMPLOYEES, COUNCIL



Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- I transmit herewith an ordinance ratifying and adopting a collective bargaining agreement between the City of Chicago and the American Federation of State, County and Municipal Employees, Council 31.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* SUPPLEMENTAL APPROPRIATION FOR  
JUDGMENT TAX FUND AND TRANSFER OF  
FUNDS.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- In order to comply with the consent decree approved by the Federal District Court for the Northern District of Illinois, I transmit herewith an ordinance to provide for a supplemental appropriation for the Judgment Tax Fund and a transfer of funds.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

*Referred --* TRANSFER OF FUNDS TO PROVIDE FOR PAY  
INCREASES RETROACTIVE TO MAY 15, 1985.

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Budget Director, I transmit herewith an ordinance providing for a transfer of funds in the amount of \$7,685,000 to fund general pay increases retroactive to May 15, 1985.

Your favorable consideration of this ordinance will be appreciated:

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Referred --* MUNICIPAL CODE AMENDED BY ADDING NEW  
CHAPTER 202, ENTITLED "CHICAGO LIQUOR TAX".

Honorable Harold Washington, Mayor, submitted the following communication, which was, together with the proposed ordinance transmitted therewith, *Referred to the Committee on Finance*:

OFFICE OF THE MAYOR  
CITY OF CHICAGO

December 17, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- At the request of the Director of Revenue, I transmit herewith an ordinance amending the Municipal Code of Chicago by adding a new Chapter 202, entitled "Chicago Liquor Tax".

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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**City Council Informed As To Miscellaneous  
Documents Filed In City Clerk's Office.**

Honorable Walter S. Kozubowski, City Clerk, informed the City Council that documents have been filed in his office relating to the respective subjects designated as follows:

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***Referred -- MAYORAL VETO OF 1986 ANNUAL  
APPROPRIATION ORDINANCE AND  
SUBMISSION OF SUBSTITUTE  
ORDINANCE.***

Honorable Harold Washington, Mayor, submitted the following communication, which together with a proposed substitute ordinance was *Referred to the Committee on Finance*:

**OFFICE OF THE MAYOR  
CITY OF CHICAGO**

December 16, 1985.

*To the Honorable, The City Council of the City of Chicago:*

LADIES AND GENTLEMEN -- The 1986 Annual Appropriation Ordinance, as I presented it to the City Council, contained important initiatives to increase the efficiency of existing government services and to broaden the scope of services, while exercising financial restraint. Many of my proposals were rejected in the Committee on Finance, which recommended a substitute Annual Appropriation Ordinance. On December 11, 1985, the City Council passed the ordinance recommended by the Committee on Finance. Some of the revisions made in the Committee, if allowed to stand, would weaken or eliminate governmental improvements proposed in my version of the ordinance. Others offer false economies: the amendments make cuts in personnel which would actually decrease the efficiency of the government's use of time and personnel, and could cost more money in the long run. Still others represent unwise and illegal attempts by the Council majority to restructure the City's government and shift administrative powers from the executive branch to the City Council. I return herewith, without my approval, the Annual Appropriation Ordinance passed by the City Council on December 11, 1985, for the reasons that follow.

**FALSE ECONOMIES**

The Council majority have attempted to reduce costs by cutting personnel that I had requested in several departments and agencies. It is distressingly plain to see, however,

that many of these amendments do not represent true economies for the City, but would actually cost more than they save. The most obvious examples are described below:

*Police Department.* There is no question that public safety and vigorous law enforcement should be of primary concern to all in government. In order to meet this concern, I have directed the Police Department since the beginning of my term to shift police officers from administrative to patrol and other law enforcement duties. I also arranged the transfer of traffic enforcement duties on the expressway system to the State Police, so that Chicago police officers could patrol our neighborhoods. For 1986 I requested the hiring of additional police officers and, at the same time, the addition of civilian personnel to the Police Department, so that more police officers could be involved in police work rather than ministerial functions. The Council majority, by their revisions, propose to hire more officers and to fix a date for their entry into the Police Department. At the same time, however, they have assured that too many officers will be diverted from patrol duties to ministerial functions, and have impeded the hiring and training of new police officers. They have done this by deleting my request for 102 additional civilian parking enforcement aides and other civilian personnel to perform such routine tasks as processing records and fingerprints. These functions will have to be performed by police officers, at higher rates of pay, who can and should be assigned to protect the public. The majority have also reduced the staffing of the police crime laboratory, thereby jeopardizing the laboratory's ability promptly to identify illegal drugs seized by police. This irresponsible cut could eventually result in the release of suspects, because of the failure to complete the necessary analysis in time for trial.

The majority's amendments also place impossible demands on the Police Training Academy. In order to train all the recruits required in the ordinance within the time legislated, the Police Department would have to shorten the training period, increase class sizes and add new, inexperienced training personnel to the Academy staff. These changes would threaten the quality of the training of new officers. To further complicate matters, the majority have reduced the funding for examinations and for training materials.

*Chicago Intervention Network.* In response to public concern over continuing youth gang crime, the City last year established the Chicago Intervention Network to try to prevent gang violence by intervening in crisis situations and diverting young people from gang activity. The network is staffed by full-time City employees and also uses the services of delegate agencies located throughout the City. Although the start of this program was delayed, its results are already noticeable and encouraging. For this reason I proposed not only continuing, but also expanding, the staffing of this program. The Council majority's response was to amend my proposed Annual Appropriation Ordinance by deleting funding, not only for the additional positions, but for all of the positions on the City payroll for the network. This "saving" carries a social cost of abandoned youth and more shattered lives. The financial cost of the majority's amendment is deferred, but will come in the form of ever-escalating expenses for criminal prosecutions and prison facilities.

*Financial Management.* The Council majority also claim to have "saved" property tax money by refusing to levy sufficient funds to pay judgments in 1986. This is clearly a false saving. As the Council knows, the City has entered into a consent decree to pay its judgments on time, rather than make its creditors wait for years, as was done under prior administrations. The Law Department computed, and I requested, the amount necessary

for the City to meet its obligations under the decree. The Council majority ignored the requirements of the court's order and appropriated far less than will be needed to honor the City's obligations. When the judgment fund runs short, the City will not only be forced to appropriate additional money, but will no doubt be assessed the attorney's fees of the parties who force the City into compliance with the consent decree. The problem will be more severe late in the year, as the City's resources are committed to, and used in, other programs.

The Department of Revenue is charged with collecting and processing the bulk of the City's taxes, licenses and business fees. The Council majority deleted 21 positions from this department, in such areas as collections, auditing, license examination, and parking administration. These reductions will seriously hamper the City's efforts to identify tax cheats and collect money due. The experience in other cities indicates that the expansion of collection, examination and auditing staff is money well spent, since the increased payroll yields a return in collections far in excess of the personnel expenditure. Better collections reduce the need for new or increased taxes, which the majority claim to oppose.

In the Comptroller's office, which is responsible for managing the City's finances, the Council majority deleted positions in disbursements and payroll. These cuts will slow down contract payments and paychecks. Increased costs to taxpayers will result, as vendors add carrying costs to their contract prices and the City loses discounts due to slow payment. The City also stands to lose experienced vendors and employees due to delayed payments. The majority also reduced the number of positions in cost control and risk management. These cuts will prevent the City from designing and implementing a comprehensive risk management program to bring down the cost of government. I consider the money spent now on this program to be the true economy measure.

*Purchases, Contracts and Supplies.* Since the beginning of my term, I have tried to upgrade and modernize the Department of Purchases, Contracts and Supplies. Its record system has long been out of date and prone to inaccuracy, and its bureaucracy is outmoded. The inadequacies have been the subject of vigorous debate in the Council chamber. The Council majority have repeatedly expressed their displeasure over slow processing of contracts. The need for modernization will become greater in 1986 and later years, as the O'Hare Development Project moves into a series of large and complex construction and engineering contracts. The City Council recently followed my lead by incorporating a minority business program into this project. This, too, will require additional personnel to certify minority businesses, monitor contractor compliance, and prevent fraud in the minority business and women's business programs. I responded to the Council's concerns and the needs of the future by requesting additional staffing for this department. The Council majority, however, have deleted from the Annual Appropriation Ordinance the additional employees and equipment needed to handle the increasing business of this vital department.

*Datacenter.* In order to modernize and streamline its day-to-day operations, the City must make ever-increasing use of computers to store, manage and interpret information. My proposed Annual Appropriation Ordinance provided staffing to allow the Datacenter to begin instructing other departments and agencies in computer operations and applications. This would not only enhance the various departments' record keeping (which, in some instances, is truly archaic), but would also allow a more rapid, comprehensive review of

City business for planning purposes. The Council majority have removed the funding for this improvement from the ordinance.

*Streets and Sanitation.* In the Department of Streets and Sanitation, I had proposed increases in personnel in the Bureau of Forestry to help reduce the appalling backlog of tree-trimming service requests. Currently, the City operates on a 16-year cycle in the trimming and removal of trees. What this really means is that the City is forced to deal with emergency and traffic hazard cases almost exclusively. Normal forestry operations are performed only when time allows, and worsening conditions escalate the eventual cost of dealing with problems. The Council majority have chosen to disappoint their constituents by deleting my request for new personnel. Meanwhile, the backlog continues to grow. The majority have also deleted 43 refuse truck drivers from the Bureau of Sanitation. This will reduce the efficiency of refuse collections.

*Economic Development.* Unemployment is one of the most pressing problems facing the City of Chicago. For this reason I have instituted a First Source program and requested 19 new positions in the Department of Economic Development for administration of the program. The First Source program is designed to place City residents in positions with companies that use the City's credit, in the form of industrial revenue bonds, to finance or expand their businesses. These bonds allow a private business to borrow money using the City's name and the lower interest rates made available to government agencies. First Source is fair, in that it allows the City's residents to share in the economic benefits of the industrial revenue bonds. It is also a logical extension of the economic development process, because all of the businesses involved are located in the City. The Council majority apparently do not believe that a business using the City for financial assistance should reciprocate by considering the hiring of City residents, for the First Source positions have been eliminated in the majority ordinance. The elimination of these 19 positions now may mean the loss of many more private sector jobs, and their attendant tax and economic benefits, in the months to come.

In another effort to put Chicago's citizens to useful work, I requested funding for a trades apprenticeship program, which would have been administered within the City's work force. Of course, the entire program would first have been brought to the bargaining table, so that the City and the appropriate unions could negotiate the exact terms of the program. The economic benefits of the program are obvious: inexperienced workers receive the proper training, and acquire job skills for life. This program would have served a valuable social purpose as well. Unemployment in Chicago is at its worst among minorities. The courts have repeatedly acknowledged the exclusion of minorities from apprenticeship programs. These programs are prerequisite to journeymen status and union membership. Enrollment in the City's program would most certainly be more open to minority enrollment than such programs have been in the past, and would help to remedy past discrimination.

*Inspections.* Illinois law requires local governments to inspect licensed restaurants twice annually. In order to comply with this requirement, the Department of Consumer Services must have the additional inspectors I requested in my proposed Annual Appropriation Ordinance. The Council majority have taken these inspectors out of the ordinance. The inspections are not done merely to comply with State law, however, but to protect the health of the public. It seems inappropriate to effect a "saving" at a social and economic cost measured by threats to the public health.

In the Department of Inspectional Services, the Council majority have reduced the number of building inspectors. This will undoubtedly mean fewer building inspections. Inspections encourage the proper maintenance and preservation of the City's housing stock. This is especially important in Chicago, which has an older housing stock than many other cities, and whose population is composed overwhelmingly of tenants. At the same time, the ordinance as passed contains an increase in the funding for demolition buildings. This can only contribute to the further loss of residential units in the City.

The foregoing are not all of the ill-conceived cuts, but only some of the most glaring examples. The overall effect of these immediate reductions is obvious. The Council majority have wasted opportunities for increased government efficiency and true, long-term cost saving. Departments can be expected to encounter difficulty in performing their normal functions due to understaffing in important areas. This may well create a need later in the year either for drastic temporary measures (such as reductions in force or services) or for increased revenues through new or increased taxes and fees. Indeed, the location of many of the majority's reductions and deletions indicate that this is the intended effect.

### CHANGES IN GOVERNMENT

The faulty planning exhibited in the majority's ordinance does not end with the reductions made in my proposed Annual Appropriation Ordinance. The ordinance as passed also contains changes in the structure of the City's government. Some of these institutional changes are not only bad government, they are also illegal.

For instance, the majority have proposed dissolving the office of Corporation Counsel and the Department of Law. In their place would be a Counsel to the City Council, who could represent only that body; a Counsel to the Mayor, who could represent only this office; and a Solicitor General, who would be responsible for the remainder of the City's legal business. Such a change would be intolerable. The division of the Law Department into three separate agencies would create needless duplication of effort in many cases, and would prevent any of the proposed legal offices from speaking with final authority for the City.

The proposed change has not been presented in the form of an ordinance to amend or supersede Chapter 6 of the Municipal Code, but in a caption in the Annual Appropriation Ordinance. This is not the proper way to propose a change in the structure of the City's government. An individual ordinance can be debated, defeated, passed or vetoed on its own merits. But, under the procedure used by the majority here, the funding for every City position and function, in every department and agency, is tied to the question of the Law Department's future. Even if the Annual Appropriation Ordinance is a proper way to revise the Municipal Code, however, it is clear that the City Council cannot abolish the office of Corporation Counsel. The office is mandated by statute and has been recognized as a part of the form of the government of the City of Chicago. Article VII, Section 6(f) of the Illinois Constitution provides that a "home rule unit shall have the power subject to approval by referendum to adopt, alter or repeal a form of government provided by law...." It is clear, therefore, that an ordinance is insufficient to accomplish this change.

The majority have also acted illegally in modifying the so-called Compensation Plan. Most of the City's full time employees work within units recognized for collective bargaining purposes in accordance with the Illinois Public Labor Relations Act. Under that Act, it is illegal for an employer to modify, withdraw, diminish or enhance any term or condition of employment unilaterally. Any such change must occur, if at all, only after bargaining with the authorized union. To do less is to commit an unfair labor practice, even if the changes are well intentioned and in the employee's best interests. The changes here are neither. Rather, the Council majority have stripped the Commissioner of Personnel of much of his authority and assumed it for themselves.

The City Council has enacted the Personnel Code, Ch. 25.1 of the Municipal Code. Pursuant to that chapter, the Commissioner of Personnel now has the authority to evaluate the duties of an individual employee and to reclassify him or her to another title, higher or lower, as may be appropriate. The same ordinance allows the Commissioner of Personnel to reclassify a class of positions within a class grade, and to reclassify a class of positions to a higher or lower class grade. Under this Annual Appropriation Ordinance, only the City Council could reclassify personnel. Only the City Council could approve layoffs or reductions in force, regardless of the lack of work or funds for the positions affected. Only the City Council could interpret and administer the Compensation Plan. Only the City Council could issue personnel rules on any matter addressed in the Annual Appropriation Ordinance. Finally, the City Council, in the year before elections, reserves the right to grant a paid holiday to the City's work force, in addition to those already scheduled.

The Chairman of the Committee on Finance would have the sole authority to grant, deny or condition extended sick leave, without the current consultation and recommendation of the Commissioner of Personnel and the head of the affected employee's department. Thus the person most familiar with the employee's position and history, and the person placed by the City Council in charge of personnel matters, are removed from the decision-making process. Under such conditions, extended sick leave is not a matter of thoughtful personnel administration, but one of unbridled discretion.

Finally, the Council majority have reduced the property tax levy for 1986, and have offered as a substitute a 5¢ tax on the sale of each gallon of aviation fuel at O'Hare Airport. This tax is estimated to raise \$42 million in 1986. The wisdom of this particular tax is questionable, for several reasons. First, it applies only to aviation fuel sales, and may run afoul of the Use Agreement governing the relationship between the City and the airlines using O'Hare Airport. Second, the reasons for imposing the tax at only one of the three municipal airports have not been articulated by the Committee on Finance; purchasers at O'Hare may well question why their competitors at Midway Airport have been exempted from this tax. If adopted, this tax is sure to engender litigation, and the proceeds of the tax will probably be escrowed pending final disposition of the issue. Rather than have such a large portion of the City's revenues placed out of reach for an unpredictable amount of time, I feel it is more prudent to bring O'Hare fuel sales within the Chicago Sales Tax, from which these sales were exempted in 1981. The Sales Tax applies to virtually all sales made within the City, and would not expose O'Hare fueling operations to either more or less severe treatment than such operations at Chicago's other two airports.

In accordance with Ch. 24, par. 21-15 of the Illinois Revised Statutes, I transmit herewith a proposed substitute Annual Appropriation Ordinance. In addition to the



change in the aviation fuel sales tax, it incorporates the City Council's proposal for a re-employment program for vocationally rehabilitated employees. It also provides funds for pay raises for most of the City's civilian employees. These raises will be funded by removing the Sales Tax exemption on aviation fuel sales at O'Hare Airport, a new gallonage tax on alcoholic beverage sales, and increased taxes on certain leasing and real estate transactions. Ordinances to effect these tax changes will be submitted to the City Council at its meeting on December 17, 1985. Your favorable consideration of the substitute Annual Appropriation Ordinance will be appreciated.

Very truly yours,  
(Signed) HAROLD WASHINGTON,  
Mayor.

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*Placed on File -- APPROVAL BY CHICAGO PLAN COMMISSION  
AND DEPARTMENT OF PLANNING OF CERTAIN  
PROPOSALS.*

Also, copies of resolutions adopted by the Chicago Plan Commission on December 12, 1985, and reports of the Department of Planning, approving the following proposals, which were *Placed on File*:

*Department of Finance -- Disposition of Vacant City-Owned Properties.*

Referral Number	Address
85-170-02	1358 West Ohio Street
85-171-02	2701-2705 West Roosevelt Road
85-172-02	2618 South Normal Avenue
85-173-02	2701-2709 West 38th Street
85-174-02	1048 West 103rd Street
85-176-02	1944 North California Avenue
85-177-02	4515 South Ellis Avenue
85-178-02	4727-4731 South Indiana Avenue
85-179-02	5313-5315 South Prairie Avenue
85-180-02	7011-7013 South Harper Avenue
85-181-02	7125 South Euclid Avenue

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Referral Number	Address
85-182-02	4412-4416 West Washington Boulevard
85-183-02	3010-3014 West Flournoy Street
85-184-02	3042 West Flournoy Street
85-185-02	1404 South Pulaski Road
85-186-02	1410 South Pulaski Road
85-187-02	2413 South Central Park Avenue
85-189-02	3442 South Western Avenue
85-190-02	517-525 West 70th Street

*Department of Public Works.*

Referral Number	Ward	Proposal
85-191-06	1	State Street Improvement - Cermak Road to Roosevelt Road

*Department of Economic Development.*

Referral Number	Ward	Proposal
85-175-20	15	Designation Report for 63rd- Campbell Blighted Commercial Area

**City Council Informed As To Certain Actions Taken.**

## PUBLICATION OF JOURNAL.

The City Clerk informed the City Council that all those ordinances, etc. which were passed by the City Council on December 11, 1985, and which were required by statute to be published in book or pamphlet form or in one or more newspapers, were published in pamphlet form on December 17, 1985, by being printed in full text in printed pamphlet copies of the Journal of the Proceedings of the City Council of the regular meeting held on December 11, 1985, published by authority of the City Council in accordance with the provisions of Section 5-5 of the Municipal Code of Chicago, as passed on December 22, 1947.

**Miscellaneous Communications, Reports, Etc., Requiring  
Council Action (Transmitted to City Council  
By City Clerk).**

The City Clerk transmitted communications, reports, etc., relating to the respective subjects listed below, which were acted upon by the City Council in each case in the manner noted, as follows:

*Referred -- ZONING RECLASSIFICATIONS OF PARTICULAR AREAS.*

Applications (in triplicate) together with the proposed ordinances for amendment of the Chicago Zoning Ordinance, as amended, for the purpose of reclassifying particular areas, which were *Referred to the Committee on Zoning*, as follows:

Famo Corporation -- to classify as a C1-3 Restricted Commercial District instead of a C1-1 Restricted Commercial District the area shown on Map No. 5-J bounded by

a line 200 feet east of and parallel to North Lawndale Avenue; the alley next north of and parallel to West Armitage Avenue; a line 300 feet east of and parallel to North Lawndale Avenue; and West Armitage Avenue;

Westtown Housing Alternatives, c/o Annette A. Stover, Stover & Company -- to classify as an R4 General Residence District instead of an R3 General Residence District the area shown on Map No. 5-J bounded by

a line 128 feet north of and parallel to West Cortland Street; a line 119.11 feet east of and parallel to North Spaulding Avenue; West Cortland Street; and North Spaulding Avenue.

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*Referred -- CLAIMS AGAINST CITY OF CHICAGO.*

Also, claims against the City of Chicago, which were *Referred to the Committee on Claims and Liabilities*, filed by the following:

Allstate Ins. Co. (2) Harold Vallas and Pearline Baskin;

Continental Ins. and Melissa Broman;

Duncan Jason;

Economy Fire and Cas. Co. and James Rodeghier;

Fenster Kenneth;

Goldenberg Fred;

Hennington Shirley, Hernandez Romo, Holmes Melvin;

Jones Autry;

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King Arlene;

Peoples Gas Light and Coke Co.;

State Farm Ins. Co. (2) Julius Blazys and Celia Sonka, Stovall Arthur;

Waters Marta.

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*Referred* -- SETTLEMENTS AND SUITS WITH ENTRIES OF  
JUDGMENTS AGAINST CITY.

Also, reports from the Corporation Counsel (filed in the Office of the City Clerk on December 12, 1985) addressed to the City Council (signed by Jennifer Duncan- Brice, Assistant Corporation Counsel) as to suits against the City of Chicago in which settlements were made and judgments entered as of the period ended October, 1985, which were *Referred to the Committee on Finance*.

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*Referred* -- REQUEST FOR LEGISLATION TO PROHIBIT  
CITY EMPLOYEES FROM HOLDING MORE THAN  
ONE PAID PUBLIC POSITION OF  
EMPLOYMENT.

Also, a communication from Mr. Patrick Quinn, transmitting an ordinance proposing that City employees be prohibited from holding more than one paid public position of employment at the same time, which was *Referred to the Committee on Municipal Code Revision*.

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**REPORTS OF COMMITTEES.**

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**COMMITTEE ON FINANCE.**

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**TRANSFER OF FUNDS AUTHORIZED IN COMMITTEE ON  
CLAIMS AND LIABILITIES.**

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the City Comptroller and the City Treasurer are authorized and directed to make the following transfer of funds for the year 1985. This transfer will leave sufficient unencumbered appropriations to meet all liabilities that have been or may be incurred during the year 1985 payable from such appropriations.

FROM:

Account	Number	Amount
For Travel	100-1230-200	\$1,000

TO:

Account	Number	Amount
For Contractual Services	100-1230-100	\$1,000

SECTION 2. That the sole purpose of this transfer of funds is to pay outstanding present and future services.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

On motion of Alderman Burke, the foregoing proposed ordinance was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Evans, Bloom, Sawyer, Beavers, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schulter, Volini, Orr, Stone -- 47.

*Nays* -- None.

Alderman Stemberk moved to reconsider the foregoing vote. The motion was lost.

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TRANSFER OF FUNDS AUTHORIZED IN FINANCE-GENERAL.

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the City Comptroller and the City Treasurer are authorized and directed to make the following transfer of funds for the year 1985. This transfer will leave

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sufficient unencumbered appropriations to meet all liabilities that have been or may be incurred during the year 1985 payable from such appropriations.

FROM:

Account	Number	Amount
Interest on Daily Tender Notes	100-9112-959	\$750,000

TO:

Account	Number	Amount
Claims Under Workers' Compensation Act	100-9112-936	\$750,000

SECTION 2. That the sole purpose of this transfer of funds is to pay outstanding Workers' Compensation Claims.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

On motion of Alderman Burke, the foregoing proposed ordinance was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Evans, Bloom, Sawyer, Beavers, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schulter, Volini, Orr, Stone -- 47.

*Nays* -- None.

Alderman Stemberk moved to reconsider the foregoing vote. The motion was lost.

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AUTHORITY GRANTED FOR ISSUANCE OF INDUSTRIAL  
REVENUE BOND FOR PROJECT BY TRI-PACK  
CORPORATION.

The Committee on Finance submitted a report recommending that the City Council pass a proposed ordinance transmitted therewith, authorizing the issuance of an industrial revenue bond in the amount of \$1,000,000 to Tri-Pack Corporation for project located at 2828 South Lock Street.

On motion of Alderman Burke, the said proposed ordinance was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Evans, Bloom, Sawyer, Beavers, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schuler, Volini, Orr, Stone -- 47.

*Nays* -- None.

Alderman Stemberk moved to reconsider the foregoing vote. The motion was lost.

Alderman Burke then requested that the record reflect said passed ordinance was transmitted to the Mayor, who affixed his signature to the ordinance at 11:57 A.M.

The following is said ordinance as passed:

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

WHEREAS, The Issuer, as a home rule unit, and pursuant to Chapter 15.2 of the Municipal Code of the City of Chicago, duly adopted by the City Council of the Issuer on February 10, 1982, as supplemented and amended (the "Enabling Ordinance"), is authorized and empowered to issue its revenue bonds to finance the costs of "industrial development projects", as defined in the Enabling Ordinance, to the end that the Issuer may be able to relieve conditions of unemployment and to encourage and promote the retention and expansion of existing commercial and industrial businesses with the City of Chicago, Illinois; and

WHEREAS, The Department of Economic Development of the City of Chicago has previously entered into a Memorandum of Agreement on August 13, 1985, with Tri-Pack Corporation, an Illinois corporation (the "Company"), whereby the Company agreed to acquire and rehabilitate an approximately 147,000 square-foot building and to acquire certain equipment and machinery therefor, all to be located at 2828 South Lock Street, Chicago, Illinois (the "Project") and to be owned and used by the Company as an industrial, distribution facility for its manufacturing operations; and

WHEREAS, The City Council of the Issuer did approve the form of said Memorandum of Agreement by ordinance duly adopted on October 17, 1985; and

WHEREAS, The Project shall constitute an "industrial development project", within the meaning of the Enabling Ordinance; and

WHEREAS, As a result of negotiations between the Issuer and the Company contracts have been entered into by the Company for the acquisition, construction and rehabilitation of the Project, and it is proposed that the Issuer shall enter into a Loan Agreement (the "Agreement") with the Company, pursuant to which the Issuer shall lend to the Company a sum sufficient, together with other moneys of the Company, to accomplish such acquisition, construction and rehabilitation, or to reimburse the Company for a portion of the costs of such acquisition, construction and rehabilitation and the Issuer is willing to issue its revenue bond to finance the Project upon terms which will be sufficient to pay a portion of the costs of the acquisition, construction and rehabilitation of the Project, or to reimburse the Company for a portion of such costs, as evidenced by such revenue bond, all as set forth in the details and provisions of the Agreement; and

WHEREAS, It is estimated that the costs of the Projects, including costs relating to the preparation and issuance of said revenue bond, will be not less than \$1,000,000; and

WHEREAS, The Project will be of the character and will accomplish the purposes provided by the Enabling Ordinance, and will create additional employment opportunities in the City of Chicago, Illinois; and

WHEREAS, The Issuer proposes to sell a revenue bond hereinafter authorized and designated "Industrial Development Revenue Bond, Series 1985 (Tri-Pack Corporation Project)" upon a negotiated basis to Commercial National Bank of Chicago; and

WHEREAS, Pursuant to the provisions of Section 103(k) of the Internal Revenue Code of 1954, as amended, a public hearing on the proposed plan of financing of the Project through the issuance of said revenue bond was held on November 14, 1985 by the Commissioner of Economic Development of the City of Chicago, or his designee, prior to the adoption of this ordinance, pursuant to notice given by the Commissioner of Economic Development of the Issuer and published in the *Chicago Tribune* on October 30, 1985; now, therefore,

*Be It Ordained by the City Council of the City of Chicago:*

*Definitions.*

SECTION 1. The following words and terms as used in this Ordinance shall have the following meanings unless the context or use indicates another or different meaning or intent:

"Agreement" means the Loan Agreement dated as of December 1, 1985, by and between the Issuer and the Company, as from time to time supplemented and amended.

"Arbitrage Regulation Agreement" means the Arbitrage Regulation Agreement dated as of December 1, 1985, by and among the Issuer, the Company and the Depositary as from time to time supplemented and amended.

"Assignment" means the Assignment and Security Agreement dated as of December 1, 1985, from the Issuer to the Bank, as from time to time supplemented and amended.



"Assignment of Leases and Rents" means the Collateral Assignment of Leases and Rents dated as of December 1, 1985 from the Company to the Bank.

"Bank" means Commercial National Bank of Chicago, as purchaser of the Bond, its successors and assigns, and any subsequent registered owner of the Bond.

"Bond" means the Industrial Development Revenue Bond, Series 1985 (Tri-Pack Corporation Project) of the Issuer, issued in the principal amount of \$1,000,000, pursuant to the Bond Purchase Agreement and this Ordinance.

"Bond Purchase Agreement" means the Bond Purchase Agreement dated as of December 1, 1985, among the Issuer, the Company and the Bank.

"Code" means the Internal Revenue Code of 1954, as amended.

"Company" means Tri-Pack Corporation, a corporation duly organized and validly existing under the laws of the State of Illinois, and any surviving, resulting or transferee corporation as permitted by Section 5.2 of the Agreement.

"Depository" means Commercial National Bank of Chicago, its successors and assigns.

"Enabling Ordinance" means Chapter 15.2 of the Municipal Code of the City of Chicago, duly adopted by the City Council of the Issuer on February 10, 1982, as supplemented and amended.

"Issuer" means the City of Chicago, Cook County, Illinois, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois, and any successor body to the duties or functions of the Issuer.

"Letter of Credit" means the irrevocable Letter of Credit to be issued in favor of the Bank by the Letter of Credit Bank, and any alternate or substitute letter of credit issued in favor of the Bank, as additional security for the Bond.

"Letter of Credit Bank" means (i) Continental Illinois National Bank and Trust Company of Chicago (National Association), a national banking association duly organized and validly existing under the laws of the United States of America, and its successors and assigns, and (ii) the issuer of any alternate or substitute letter of credit and its successors and assigns.

"Mortgage" means the Mortgage and Security Agreement dated as of December 1, 1985, from the Company as Mortgagor to the Bank, as Mortgagee, as from time to time supplemented and amended.

"Note" means the Promissory Note of the Company delivered to the Bank in order to evidence the obligation of the Company to pay amounts sufficient to pay the principal of, premium, if any, and interest on the Bond.

"Ordinance" means this Ordinance, as from time to time supplemented and amended.

"Project" means the building, equipment and related improvements and renovation, all to be used by the Company in the City of Chicago, Illinois, as defined and described in the Agreement and the preambles to this Ordinance.

*Authorization and Approval of the Project.*

SECTION 2. In order to promote the general welfare of the City of Chicago, Illinois, and its inhabitants by relieving conditions of unemployment and encouraging and promoting the retention and expansion of existing commercial and industrial businesses within the City of Chicago, Illinois, the Project shall be and is hereby approved and authorized to be financed through the issuance of the Bond as described herein. The action of the Commissioner of Economic Development of the City of Chicago in publishing notice of said public hearing as required by Section 103(k) of the Code is in all respects hereby ratified, confirmed and approved, and the holding of said public hearing by said Commissioner, or his designee, is hereby acknowledged, ratified, confirmed and approved. The estimated cost of the construction of the Project is not less than \$1,000,000, which will be provided in part by the issuance of the bond hereinafter authorized and the loan of the proceeds thereof to the Company. It is hereby found and declared that the financing of the Project and the use thereof by the Company as hereinbefore provided is necessary to accomplish the public purposes described in the preambles hereto, and that in order to secure the Bond, the execution and delivery of the Agreement, the Note, the Mortgage, the Assignment of Leases and Rents, the Assignment, the Bond Purchase Agreement and the Letter of Credit by the parties thereto, as hereinafter described are necessary and proper.

*Authorization and Payment of Bond.*

SECTION 3. For the purpose of financing a portion of the cost of the Project there shall be and there is hereby authorized to be issued by the Issuer its Industrial Development Revenue Bond, Series 1985 (Tri-Pack Corporation Project) in the aggregate principal amount of \$1,000,000. The Bond shall be issued in the form and denomination set forth in the Bond Purchase Agreement; shall be dated as set forth in the Bond Purchase Agreement; shall be numbered as provided in the Bond Purchase Agreement; shall mature in the amounts and on the dates and shall bear interest at the rates per annum, payable on the dates set forth in the Bond Purchase Agreement; shall be subject to redemption prior to maturity upon the terms and conditions set forth in the Bond Purchase Agreement; shall be subject to purchase upon the terms and conditions and on the dates set forth in the Bond Purchase Agreement; and shall be in such form and have the other terms and provisions set forth in the Bond Purchase Agreement (as executed and delivered). The form of the Bond submitted to the City Council of the Issuer, subject to appropriate insertions and revisions in order to comply with the provisions of the Bond Purchase Agreement, is hereby approved, and when the Bond shall be executed on behalf of the Issuer in the manner contemplated by the Bond Purchase Agreement and this Ordinance in the aggregate principal amount of \$1,000,000, it shall represent the approved form of the Bond of the Issuer.

The Mayor of the Issuer is hereby authorized, empowered and directed to execute the Bond by his manual or facsimile signature and the City Clerk of the Issuer is hereby authorized, empowered and directed to attest the Bond by his manual or facsimile signature and to affix the official seal of the Issuer thereto, all as provided in the Bond

Purchase Agreement, and the Mayor and the Clerk shall cause the Bond, as so executed and attested, to be delivered to the Bank.

*Bond Is Special Limited Obligation.*

SECTION 4. The Bond, together with interest thereon, shall be a special, limited obligation of the Issuer, shall be secured by the Mortgage, the Assignment of Leases and Rents and the Letter of Credit, and shall be payable solely from the revenues and receipts derived from the Agreement, and the Note (except to the extent paid out of moneys attributable to the Bond proceeds, the income from the temporary investment thereof or payments made pursuant to or derived from the Mortgage, the Assignment of Rents and Leases and the Letter of Credit), and shall be a valid claim of the owner thereof only against the funds and other moneys held under the Bond Purchase Agreement and the revenues and receipts derived from Section 4.1(b) of the Agreement and the Note, which revenues and receipts shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the bond, except as may be otherwise expressly authorized in this Ordinance, in the Bond Purchase Agreement or in the Agreement. The bond and the obligation to pay interest thereon do not now and shall never constitute an indebtedness or a loan of credit of the Issuer, the State of Illinois or any political subdivision thereof, or a charge against the general credit or taxing powers of any of them, within the meaning of any constitutional or statutory provisions, but shall be secured as aforesaid, and are payable solely from the revenues and receipts derived from the Agreement and the Note (except as hereinbefore provided). No owner of the Bond shall have the right to compel the taxing power of the Issuer, the State of Illinois or any political subdivision thereof to pay the principal of, premium, if any, and interest on the Bond.

*Agreement, Mortgage, Assignment of Leases  
and Rents and Letter of Credit.*

SECTION 5. As security for the due and punctual payment of the principal of, premium, if any, and interest on the Bond hereby authorized, the Issuer will assign and pledge to the Bank all revenues and receipts derived by the Issuer pursuant to Section 4.1(b) of the Agreement and the Note, together with all right, title and interest of the Issuer in and to the Agreement and the Note, (except any payment made pursuant to Sections 4.5, 5.2, 5.5 and 6.3 of the Agreement relating to indemnification and payment of taxes and expenses of the Issuer, any rights to receive notices under the Agreement, any rights under Section 5.9 of the Agreement and any rights under Section 8.5 of the Agreement to approve amendments to the Loan Agreements and the Note), pursuant to the Assignment.

As further security for the payment of the Note and the principal of, premium, if any, and interest on the bond, the Company will execute and deliver the Mortgage and the Assignment of Leases and Rents and the Letter of Credit Bank will execute and deliver the Letter of Credit. The securing of the Bond by the Mortgage, the Assignment of Leases and Rents and the Letter of Credit are hereby approved by the City Council of the Issuer.

*Sale of the Bond; Execution and Acceptance of Documents.*

SECTION 6. (a) The sale of the Bond to Commercial National Bank of Chicago, at the price of \$1,000,000 and payment therefor pursuant to the Bond Purchase Agreement in

substantially the form which has been presented to the City Council of the Issuer, is hereby in all respects authorized, approved and confirmed by the City Council of the Issuer.

(b) The Agreement, the Assignment, the Arbitrage Regulation Agreement and the Bond Purchase Agreement in substantially the same forms in which the same have been presented to the City Council of the Issuer are hereby approved by said City Council, and the Agreement, the Assignment, the Arbitrage Regulation Agreement and the Bond Purchase Agreement in such forms are in all respects authorized, approved and confirmed by the City Council of the Issuer.

The Mayor or the City Comptroller is hereby authorized, empowered and directed to execute the Agreement, the Assignment, the Arbitrage Regulation Agreement and the Bond Purchase Agreement for and on behalf of the Issuer, and the City Clerk of the Issuer is hereby authorized, empowered and directed to attest the same and to affix thereto the official seal of the Issuer, and the Mayor or the City Comptroller and the City Clerk are hereby authorized, empowered and directed to deliver the Agreement, the Assignment, the Arbitrage Regulation Agreement and the Bond Purchase Agreement, such Agreement, Assignment, Arbitrage Regulation Agreement and Bond Purchase Agreement to be in substantially the same form as presented to and approved by the City Council of the Issuer, or with such changes therein as shall be approved by the officers of the Issuer executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Agreement, the Assignment, the Arbitrage Regulation Agreement and the Bond Purchase Agreement presented to and approved by the City Council of the Issuer.

*Appointment of Depositary.*

SECTION 7. The appointment of Commercial National Bank of Chicago, as depositary and the appointment of the Company as Bond Registrar under the Bond Purchase Agreement, is hereby authorized, approved and confirmed by the City Council of the Issuer.

*Performance Provisions.*

SECTION 8. The Mayor, the City Clerk and the City Comptroller of the Issuer for and on behalf of the Issuer be, and each of them hereby is, authorized, empowered and directed to do any and all things necessary to effect the performance of all obligations of the Issuer under and pursuant to this Ordinance, the advancement of the loan, the execution and delivery of the Bond and the performance of all other acts of whatever nature necessary to effect and carry out the authority conferred by this Ordinance. The Mayor, the City Clerk and the City Comptroller of the Issuer be, and they are hereby, further authorized and directed for and on behalf of the Issuer, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of the authority conferred by this Ordinance or to evidence said authority and to exercise and otherwise take all necessary action to the full realization of the rights, accomplishments and purposes of the Issuer under the Agreement, the Assignment, the Arbitrage Regulation Agreement and the Bond Purchase Agreement and to discharge all of the obligations of the Issuer hereunder and thereunder.

*Severability.*

SECTION 9. If any section, paragraph, clause or provision of this Ordinance shall be ruled by any court of competent jurisdiction to be invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Ordinance.

*Captions.*

SECTION 10. The captions or headings of this Ordinance are for convenience only and in no way define, limit or describe the scope or intent of any provisions of this Ordinance.

*Allocation.*

SECTION 11. The adoption of this Ordinance by the City Council of the Issuer shall be deemed to constitute an allocation to the Bond of \$1,000,000 of the Issuer's share of the private activity bond limit of the State of Illinois for calendar year 1985 under Section 103(n) of the Code, and the Mayor of the Issuer, as the presiding officer of the City Council of the Issuer, or the City Comptroller is hereby authorized to execute a certificate under penalty of perjury, as required by Section 103(n) (12) of the Code, that such allocation was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.

*Provisions in Conflict Superseded.*

SECTION 12. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby superseded, and this Ordinance shall be made available to the public by the City Clerk of the Issuer, in appropriate form, upon request, at the office of the City Clerk, City Hall, Chicago, Illinois. Copies are to be made available in the office of the City Clerk for public inspection and distribution to members of the public who may wish to avail themselves of a copy of this Ordinance. This Ordinance shall be in full force and effect upon its adoption and approval as by law provided.

[Arbitrage Regulation Agreement, Assignment and Security Agreement, Bond Purchase Agreement, Loan Agreement and Memorandum of Agreement are omitted for printing purposes but on file and available for public inspection in the Office of the City Clerk]

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TRANSFER OF FUNDS AUTHORIZED IN DEPARTMENT OF  
CONSUMER SERVICES.

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the City Comptroller and the City Treasurer are authorized and directed to make the following transfer of funds for the year 1985. This transfer will leave sufficient unencumbered appropriations to meet all liabilities that have been or may be incurred during the year 1985 payable from such appropriations.

FROM:

Account	Number	Amount
Repair or Maintenance of Equipment	100-4511-162	\$2,000
Heat, Light and Power	100-4511-182	10,000
Automobile Allowance	100-4511-228	15,000
Gasoline	100-4511-320	5,000
Repair Parts and Materials	100-4511-360	2,000
Office Machines	100-4511-422	10,000
Technical and Scientific Equipment	100-4511-445	4,000

TO:

Account	Number	Amount
Rental of Equipment and Services	100-4511-157	\$27,000
Telephone	100-4511-186	8,000
License Plates, Stickers	100-4511-338	7,500
Stationery and Office Supplies	100-4511-350	5,000

SECTION 2. That the sole purpose of this transfer of funds is to provide funds to cover anticipated expenditures for the balance of fiscal year 1985.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

On motion of Alderman Burke, the foregoing proposed ordinance was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Evans, Bloom, Sawyer, Beavers, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schuler, Volini, Orr, Stone -- 47.

*Nays* -- None.

Alderman Stemberk moved to reconsider the foregoing vote. The motion was lost.

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TRANSFER OF FUNDS AUTHORIZED IN MAYOR'S LICENSE  
COMMISSION AND LOCAL LIQUOR  
CONTROL COMMISSION.

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the City Comptroller and the City Treasurer are authorized and directed to make the following transfer of funds for the year 1985. This transfer will leave sufficient unencumbered appropriations to meet all liabilities that have been or may be incurred during the year 1985 payable from such appropriations.

FROM:

Account	Number	Amount
Salaries and Wages	100-4860-005	\$3,000

TO:

Account	Number	Amount
Court Reporting	100-4860-143	\$3,000

SECTION 2. That the sole purpose of this transfer of funds is to provide funds for a greater number of Appeals than anticipated.

SECTION 3. This ordinance shall be in full force and effect from after its passage.

On motion of Alderman Burke, the foregoing proposed ordinance was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Evans, Bloom, Sawyer, Beavers, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schuler, Volini, Orr, Stone -- 47.

*Nays* -- None.

Alderman Stemberk moved to reconsider the foregoing vote. The motion was lost.

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**AUTHORITY GRANTED FOR ISSUANCE OF FREE PERMITS  
AND REFUND OF FEES FOR CERTAIN CHARITABLE,  
EDUCATIONAL AND RELIGIOUS INSTITUTIONS.**

The Committee on Finance to which had been referred (November 20, December 4, and 11, 1985) sundry proposed ordinances and orders transmitted therewith to authorize the issuance of free permits and refund of fees for certain charitable, educational and religious institutions, submitted separate reports recommending that the City Council pass said proposed ordinances and orders.

On separate motions made by Alderman Burke, each of the said proposed ordinances and orders was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Evans, Bloom, Sawyer, Beavers, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schuler, Volini, Orr, Stone -- 47.

*Nays* -- None.

Alderman Stemberk moved to reconsider the foregoing vote. The motion was lost.

Said ordinances and orders as passed read respectively as follows (the italic heading in each case not being a part of the ordinance or order):

**FREE PERMITS.**

*Chicago and Northwestern/Metropolitan Railroad.*

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the Commissioner of Inspectional Services, the Commissioner of Public Works, the Commissioner of Streets and Sanitation, the Commissioner of Sewers



and the Commissioner of Water are hereby directed to issue all necessary permits, free of charge, notwithstanding other ordinances of the City to the contrary, to Chicago & Northwestern/Metropolitan Railroad, for rehabilitation of existing train station on the premises known as 165 North Canal Street and 547 West Jackson Boulevard.

Said building shall be used exclusively for train station and related purposes and shall not be leased or otherwise used with a view to a profit, and the work thereon shall be done in accordance with plans submitted.

SECTION 2. This ordinance shall take effect and be in force from and after its passage.

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*Northeastern Illinois University.*

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the Commissioner of Inspectional Services, the Commissioner of Public Works, the Commissioner of Streets and Sanitation, the Commissioner of Sewers, and the Commissioner of Water are hereby directed to issue all necessary permits, free of charge, notwithstanding other ordinances of the City to the contrary, to Northeastern Illinois University for electrical installations on the premises known as 4008 West Rosemont Avenue, 5101 North Kimball Avenue and 5500 North St. Louis Avenue.

Said building shall be used exclusively for educational and related purposes and shall not be leased or otherwise used with a view to profit, and the work thereon shall be done in accordance with plans submitted.

SECTION 2. This ordinance shall take effect and be in force from and after its passage.

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*Rehabilitative Systems, Incorporated.*

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the Commissioner of Inspectional Services, the Commissioner of Public Works, the Commissioner of Streets and Sanitation, the Commissioner of Sewers, and the Commissioner of Water are hereby directed to issue all necessary permits, free of charge, notwithstanding other ordinances of the City to the contrary, to Rehabilitative Systems, Inc. for alterations to basement for shelter purposes on the premises known as 415 South Kilpatrick Avenue.

Said building shall be used exclusively for shelter and related purposes and shall not be leased or otherwise used with a view to profit, and the work thereon shall be done in accordance with plans submitted.

SECTION 2. This ordinance shall take effect and be in force from and after its passage.

## REFUND OF FEES.

*Chicago University.*

*Ordered,* That the City Comptroller is hereby authorized and directed to refund the following listed fees to the Chicago University, representing payments for the installation of power reducers in all of the fluorescent light fixtures on the campus, as indicated below:

Permit No.	Amount	Location
CW 673455/1	\$60.00	5811 S. Ellis Avenue
CW 681150/7	30.00	5836 S. Greenwood Avenue
CW 661149/1	60.00	1101 E. 58th Street
CW 673457/8	60.00	1225 E. 60th Street.

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*Northwest Home for the Aged.*

*Ordered,* That the City Comptroller is hereby authorized and directed to refund the amount of \$627.00 to the Northwest Home for the Aged, 6300 N. California Avenue, representing payment of fee for Permit No. B-660194 for remodeling and constructing an additional floor to existing structure.

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AUTHORITY GRANTED FOR REDUCTION IN ANNUAL  
LICENSE FEE FOR SPECIAL POLICEMEN  
EMPLOYED BY NOT-FOR-PROFIT  
INSTITUTION.

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. Pursuant to Chapter 173, Section 6 of the Municipal Code of Chicago, the following charitable institution employs ninety Special Police and shall pay a fee of \$10.00 per license for the year 1986:

Rush-Presbyterian St. Luke's Medical Center, 1753 West Congress Parkway.

SECTION 2. This ordinance shall take effect and be in force from and after its passage.

On motion of Alderman Burke, the foregoing proposed ordinance was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Evans, Bloom, Sawyer, Beavers, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schulter, Volini, Orr, Stone -- 47.

*Nays* -- None.

Alderman Stemberk moved to reconsider the foregoing vote. The motion was lost.

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AUTHORITY GRANTED FOR CANCELLATION OF WATER  
CHARGES TO WEST LAWN LITTLE LEAGUE.

The Committee on Finance submitted a report recommending that the City Council pass the following proposed ordinance transmitted therewith:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the Commissioner of Water and Sewers is hereby authorized and directed to cancel water charges in the amount of \$148.70, charged to the West Lawn Little League, 6336 South Kilbourn Avenue.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

On motion of Alderman Burke, the foregoing proposed ordinance was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Evans, Bloom, Sawyer, Beavers, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schulter, Volini, Orr, Stone -- 47.

*Nays* -- None.

Alderman Stemberk moved to reconsider the foregoing vote. The motion was lost.

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AUTHORITY GRANTED FOR PAYMENTS OF HOSPITAL, MEDICAL  
AND NURSING SERVICES RENDERED CERTAIN INJURED  
MEMBERS OF POLICE AND FIRE DEPARTMENTS.

The Committee on Finance submitted a report recommending that the City Council pass a proposed order transmitted therewith, to authorize payments for hospital, medical and nursing services rendered certain injured members of the Police and Fire Departments.

On motion of Alderman Burke, the said proposed order was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Tillman, Evans, Bloom, Sawyer, Beavers, Humes, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Sherman, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schulter, Volini, Orr, Stone -- 50.

*Nays* -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

The following is said order as passed:

*Ordered*, That the City Comptroller is authorized and directed to issue vouchers, in conformity with schedule herein set forth, to physicians, hospitals, nurses or other individuals, in settlement for hospital, medical and nursing services rendered to the injured members of the Police Department and/or the Fire Department herein named. The payment of any of these bills shall not be construed as an approval of any previous claims pending or future claims for expenses or benefits on account of any alleged injury to the individuals named. The total amount of said claims is set opposite the names of the injured members of the Police Department and/or the Fire Department, and vouchers are to be drawn in favor of the proper claimants and charged to Account No. 100.9112.937:

[Regular orders printed on pages 24873 thru 24877 of this Journal.]

and

*Be It Further Ordered*, That the City Comptroller is authorized and directed to issue warrants, in conformity with the schedule herein set forth, to physicians, hospitals, nurses or other individuals, in settlement for hospital, medical and nursing services rendered the injured members of the Police Department and/or the Fire Department herein named, provided such members of the Police Department and/or Fire Department shall enter into an agreement in writing with the City of Chicago to the effect that, should it appear that any of said members of the Police Department and/or Fire Department have received any sum of money from the party whose negligence caused such injury, or have instituted proceedings against such party for the recovery of damage on account of such injury or medical expenses, then in that event the City shall be reimbursed by such member of the Police Department and/or Fire Department out of any sum that such member of the Police Department and/or Fire Department has received or may hereafter receive from such third party on account of such injury or medical expense, not to exceed the amount that the City may, or shall, have paid on account of such medical expense, in accordance with Opinion No. 1422 of the Corporation Counsel of said City, dated March 19, 1926. The payment of any of these bills shall not be construed as approval of any previous claims pending or future claims for expenses or benefits on account of any alleged injury to the individuals named. The total amount of such claims, as allowed, is set opposite the names of the

injured members of the Police Department and/or Fire Department, and warrants are to be drawn in favor of the proper claimants and charged to Account No. 100.9112.937:

[Third party order printed on page 24878 of this Journal.]

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*Placed on File* -- APPLICATION FOR CITY OF CHICAGO  
CHARITABLE SOLICITATION (TAG DAY) PERMIT  
FOR MARCH OF DIMES.

The Committee on Finance submitted a report recommending that the City Council place on file an application for City of Chicago charitable solicitation (tag day) permit for:

March of Dimes, January 17, 1986 (Chicago area train stations).

On motion of Alderman Burke, the committee's recommendation was *Concurred In* and said application was *Placed on File*.

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*Action Deferred* -- LEVY OF TAXES FOR COMMUNITY  
COLLEGE DISTRICT NUMBER 508.

The Committee on Finance submitted the following report, which was, on motion of Alderman Burke and Alderman Vrdolyak, *Deferred* and ordered published:

CHICAGO, December 17, 1985.

*To the President and Members of the City Council:*

Your Committee on Finance, to which was referred a proposed ordinance authorizing the levy of taxes necessary to enable the Community College District No. 508 to pay rent for its facility located at 226 West Jackson Boulevard in the amount of \$5.7 Million (1986 through 1998) having had the same under advisement, begs leave to report and recommend that Your Honorable Body pass the proposed ordinance transmitted herewith.

This recommendation was concurred in by a viva voce vote of the members of the committee.

Respectfully submitted,  
(Signed) EDWARD M. BURKE,  
*Chairman.*

The following is said proposed ordinance transmitted with the foregoing committee report:

(Continued on page 24879)



PAGE 3  
TERMINAL ... W7  
OPERATION ... SUI

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**DEGREE OF**

REPORT DATE 12/17/85  
REPORT TIME 14:02:09  
PROGRAM -- PFR070

EMPLOYEE NAME	***** RANK *****	***** UNIT OR ASSIGNMENT *****	***** DATE *****	TOTAL
BRUTCH	POLICE OFFICER	340000 DISTRICT	8/24/85	50.00
CUNNINGHAM	POLICE OFFICER	340000 DISTRICT	8/15/85	141.50
CURLY	POLICE OFFICER	340000 DISTRICT	7/31/85	167.00
CYABAK	POLICE OFFICER	340000 DISTRICT	1/06/85	118.00
DAILY	POLICE OFFICER	340000 DISTRICT	7/11/85	148.00
DAWE	POLICE OFFICER	340000 DISTRICT	7/30/85	142.50
DAVID	POLICE OFFICER	340000 DISTRICT	8/12/85	44.00
DAVIS	POLICE OFFICER	340000 DISTRICT	6/23/84	231.00
DAWSON	POLICE OFFICER	340000 DISTRICT	7/30/85	167.00
DEAN	POLICE OFFICER	340000 DISTRICT	8/23/85	1194.80
DEAN	POLICE OFFICER	340000 DISTRICT	8/01/85	34.75
DEBORD	POLICE OFFICER	340000 DISTRICT	7/20/85	254.39
DEKATH	POLICE OFFICER	340000 DISTRICT	1/7/85	177.00
DEVLIN	POLICE OFFICER	340000 DISTRICT	8/14/85	168.00
DILLON	POLICE OFFICER	340000 DISTRICT	8/20/85	285.25
DORRIS	POLICE OFFICER	340000 DISTRICT	8/12/85	185.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	7/15/85	137.60
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	65.10
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	188.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	95.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	51.50
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/15/85	171.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	97.10
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	86.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	7/15/85	118.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/10/85	140.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	137.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	109.10
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/10/85	595.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	134.50
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	100.50
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	495.20
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	175.25
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	1624.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	7/10/85	117.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	7/22/85	100.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	119.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	692.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	531.25
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	430.50
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	194.50
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	151.50
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	606.50
DOUGLAS	POLICE OFFICER	340000 DISTRICT	7/20/85	116.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	7/20/85	143.05
DOUGLAS	POLICE OFFICER	340000 DISTRICT	7/20/85	623.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	64.00
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	207.50
DOUGLAS	POLICE OFFICER	340000 DISTRICT	8/20/85	353.35

12/17/85

## REPORTS OF COMMITTEES

24875

12/17/85  
11:00PM - 12:00  
00000000000000000000

CITY OF CHICAGO

CITY BOARD OF COMMISSIONERS

COUNCIL OFFICE OF CHICAGO

REGULAR MEETINGS

REPORT DATE 12/17/85  
REPORT TIME 14:00:09  
PROGRAM -- P18070

EMPLOYEE NAME	***** NAME *****	POLICE OFFICER	***** UNIT OF ASSIGNMENT *****	DATE INJURED	NUMBER TOTAL
BERING	EARL F	POLICE OFFICER	THIRTH DISTRICT	7/21/85	145.50
HOLLAND	ROBERT E	POLICE OFFICER	SEVENTH DISTRICT	7/26/85	511.05
HORLAND	PETER P	POLICE OFFICER	THIRTH DISTRICT	7/14/85	71.40
HORNE	ROBERT N	POLICE OFFICER	THIRTH DISTRICT	7/13/85	55.00
HOMES	BARTON S	POLICE OFFICER	THIRTH DISTRICT	7/09/85	571.00
JACKSON	JAMES	POLICE OFFICER	SEVENTH DISTRICT	7/05/85	300.00
JONES	CHARLES A	POLICE OFFICER	SEVENTH DISTRICT	7/05/85	353.00
KING	MARY J	POLICE OFFICER	THIRTH DISTRICT	7/13/85	117.00
KLETON	WAYNE B	POLICE OFFICER	THIRTH DISTRICT	7/13/85	156.60
LAFLEUR	MARY G	POLICE OFFICER	THIRTH DISTRICT	7/13/85	195.00
LANG	WILLIAM	POLICE OFFICER	THIRTH DISTRICT	7/13/85	4296.36
LEAHY	DE EDWARD	POLICE OFFICER	THIRTH DISTRICT	7/13/85	425.00
LEMIN	NATHAN H	POLICE OFFICER	THIRTH DISTRICT	7/20/85	61.34
LUPI	SAM	POLICE OFFICER	THIRTH DISTRICT	7/08/85	482.00
LYONS	JAMES V	POLICE OFFICER	THIRTH DISTRICT	7/06/85	169.75
MACKILLAN	JACK A	POLICE OFFICER	THIRTH DISTRICT	7/02/85	126.00
MAGLIANO	BRIAN B	POLICE OFFICER	THIRTH DISTRICT	7/04/85	436.00
MADONSKI	JOHN G	POLICE OFFICER	THIRTH DISTRICT	7/04/85	492.00
MANNING	MICHAEL P	POLICE OFFICER	THIRTH DISTRICT	7/04/85	228.75
MCCANN	KATHLEEN	POLICE OFFICER	THIRTH DISTRICT	7/04/85	402.00
MCKELPHIN	PAUL W	POLICE OFFICER	THIRTH DISTRICT	7/02/85	172.00
MCKURRAY	EDITH	POLICE OFFICER	THIRTH DISTRICT	7/02/85	96.00
MCKURRAY	CLIVE	POLICE OFFICER	THIRTH DISTRICT	7/02/85	141.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/01/85	75.50
MCKURRAY	JOHN R	POLICE OFFICER	THIRTH DISTRICT	7/01/85	44.00
MCKURRAY	RONALD	POLICE OFFICER	THIRTH DISTRICT	7/01/85	305.00
MCKURRAY	CLAUDIA F	POLICE OFFICER	THIRTH DISTRICT	7/06/85	342.50
MCKURRAY	JAMES	POLICE OFFICER	THIRTH DISTRICT	7/06/85	132.00
MCKURRAY	GEORGE P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	106.50
MCKURRAY	STANLEY	POLICE OFFICER	THIRTH DISTRICT	7/06/85	225.00
MCKURRAY	KARL J	POLICE OFFICER	THIRTH DISTRICT	7/06/85	29.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	50.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	96.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	15.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	499.07
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	221.50
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	30.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	175.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	82.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	110.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	230.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	166.50
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	157.25
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	100.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	100.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	95.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	93.00
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	313.54
MCKURRAY	JOHN P	POLICE OFFICER	THIRTH DISTRICT	7/06/85	1007.00







FOUR 1  
PERSONAL -- 47  
OFFICIALS -- 506

## CITY OF CHICAGO

## CITY COUNCIL MEMBERS

## COUNCIL MEETINGS OF 12/17/85

## THIRD PARTY DEBTS

REPORT DATE 12/17/85  
REPORT TIME 14:02:09  
PROGRAM-- PF070

EMPLOYEE NAME	RANK	UNIT OF ASSIGNMENT	DATE INJURED	UNIQUE TOTAL
ALBEE	POLICE OFFICER	SEVENTEENTH DISTRICT	7/13/85	2941.55
BARILEAU	POLICE OFFICER	NINETEENTH DISTRICT	7/09/85	1805.00
BONK	POLICE OFFICER	NINETEENTH DISTRICT	6/18/85	2213.50
BROWN	POLICE OFFICER	FIFTH DISTRICT	7/19/85	5570.63
BUTZEN	POLICE OFFICER	FIFTEENTH DISTRICT	8/04/85	163.70
CAP	POLICE OFFICER	FIFTH DISTRICT	7/14/85	173.00
DAFFY	LIEUTENANT	FOURTH DISTRICT	12/16/83	2495.50
ERENSPACHER	POLICE OFFICER	SEVENTEENTH DISTRICT	7/13/85	2204.00
ESCHE	POLICE OFFICER	FIFTEENTH DISTRICT	8/04/85	102.00
FILIPITAK	POLICE OFFICER	TWENTY-SECOND DISTRICT	11/01/84	322.00
BURSKI	POLICE OFFICER	EIGHTEENTH DISTRICT	8/14/85	196.95
GRANEY	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/17/85	323.72
HEERDI	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	8/12/85	363.75
HOLMES	POLICE OFFICER	SEVENTEENTH DISTRICT	7/13/85	10230.00
KENNEDY	POLICE OFFICER	SEVENTEENTH DISTRICT	5/19/85	10449.90
LANG	POLICE OFFICER	SEVENTEENTH DISTRICT	7/09/85	1673.00
MARTINEZ	POLICE OFFICER	SEVENTEENTH DISTRICT	7/02/85	336.75
MCCARTHY	POLICE OFFICER	SEVENTEENTH DISTRICT	3/27/85	113.00
MURDOCK	POLICE OFFICER	FIFTH DISTRICT	7/14/85	251.11
NIZIOLEN	POLICE OFFICER	FIFTH DISTRICT	7/14/85	104.00
ODONNOR	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/25/85	90.30
ONEAL	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/20/85	4943.33
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	2/22/85	33.00
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	5/11/85	2367.50
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	11/25/84	2401.27
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/29/85	128.00
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/20/85	153.75
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	6/17/85	5161.50
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/31/85	561.00
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/13/85	3312.99
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	6/23/85	1032.75
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/10/85	150.75
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/25/85	103.95
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/21/85	216.50
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	6/01/85	639.13
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/17/85	72.00
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/25/85	532.24
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	3/24/85	1056.00
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/12/85	819.50
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/19/85	418.00
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	6/27/85	41.50
QUINN	POLICE OFFICER	ONE HUNDRED AND SEVENTH DISTRICT	7/05/85	125.99

(Continued from page 24872)

WHEREAS, There has been filed with and there is before the City Council of the City of Chicago for consideration a certified copy of a resolution adopted on December 3, 1985 (the "Resolution") by the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois (the "District"), authorizing the execution of a lease agreement (the "Lease") between the District and the Public Building Commission of Chicago, Cook County, Illinois (the "Commission"), for the leasing by the District of a site for community college purposes and a building thereon within the City of Chicago, being commonly known and referred to and being identified by project designation as the Chicago City-Wide College and Central Office (JC-9) located at 226 West Jackson Boulevard and the Resolution further provides that the Board of Trustees (the "Board") of the District order, direct and demand the City Council of the City of Chicago to enact an ordinance for the levy and collection of a direct annual tax sufficient to pay the rents payable under the terms of the Lease to the Commission, as and when such rentals become due, the Resolution being as follows:

**"BOARD OF TRUSTEES OF COMMUNITY COLLEGE  
DISTRICT NO. 508**

County of Cook and State of Illinois

A Resolution approving the form of Lease to be entered into by and between the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, and the Public Building Commission of Chicago, Cook County, Illinois, and providing for the leasing of a site for community college purposes within the City of Chicago, Illinois, commonly known as Chicago City-Wide College and Central Office (JC-9), and a building thereon from said Commission, authorizing its execution and requesting the levy of direct annual taxes by the City Council of the City of Chicago for the payment of the annual rentals as they will become due under the terms of said Lease.

"Whereas, the Public Building Commission of Chicago, Cook County, Illinois (the "Commission"), at the request of the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois (the "District") has undertaken a program for the acquisition of a site for a community college building (the "Site") and the rehabilitation, renovation and improvement of a building thereon for community college purposes (the "Project") in order to meet the educational, technological and vocational needs of persons within the District; and

"Whereas, the District, acting in cooperation with the recommendations of the Department of Planning of the City of Chicago and the comprehensive plan for the City of Chicago has proposed the acquisition of the Site by the Commission and the construction thereon of the Project, such Site and Project pertaining to the community college to be situated within the City of Chicago and being commonly known and referred to and identified by project designation as follows:

Chicago City-Wide College  
and Central Office

(JC-9)

; and

"Whereas, the Commission has heretofore adopted resolutions approving the location of the Site and has approved engineering plans and reports describing the Project and the Site and the Project have been previously approved by the District; and

"Whereas, the acquisition of the Site and the construction of the Project is urgently needed by the District in the providing and furnishing of essential educational facilities to meet the educational, technological and vocational needs and requirements of the inhabitants of the District; and

"Whereas, the Commission is a municipal corporation of the State of Illinois, duly organized and existing pursuant to the "Public Building Commission Act" of Illinois, approved July 5, 1955, as amended, and the Commission will lease the Site, including the Project, to the District in accordance with the terms and provisions of the Lease hereinafter referred to (the "Lease"), which Lease describes in detail the Site and the Project to be constructed thereon and the equipment necessary to be acquired, and the Lease is for a term commencing with the date of its execution and ending on June 30, 2000, and provides for the payment by the District to the Commission of annual rentals on December 1 of each of the years and in the amounts as follows:

Year	Amount
1987	\$5,750,500
1988	5,742,550
1989	5,743,875
1990	5,751,825
1991	5,763,750
1992	5,751,825
1993	5,741,225
1994	5,729,300
1995	5,738,575
1996	5,738,575
1997	5,726,650
1998	5,750,500
1999	5,777,000

and the Lease further provides that the District, as Lessee, will operate and maintain the premises, will undertake to pay the cost of such operation and maintenance, which costs shall be included each year in the annual budget of the District during the term of the Lease, and the Lease requires that this Board direct and demand the City Council of the City of Chicago to enact an ordinance for the levy and collection of a direct annual tax upon all the taxable property within the District sufficient to pay the rentals payable under the terms of the Lease by the District to the Commission as and when the rentals become due, and furthermore, the Lease provides that title to the property leased will be conveyed to the District at such time as all the revenue bonds or other obligations of the Commission incurred incident to the acquisition of the Site and the construction and equipping of the Project thereon have been paid in full;

"Now, Therefore, Be It Resolved by the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, as follows:

"Section 1. That the form, terms and provisions of the proposed Lease be, and they hereby are, in all respects approved, and that the Chairman and Secretary of this Board be, and they hereby are, authorized, empowered and directed to execute, acknowledge, date and deliver the Lease in the name and on behalf of the District, and thereupon to cause the Lease to be delivered to the Commission; that the Lease is to be in substantially the form attached hereto and by reference made a part hereof as though set forth in full herein and hereby approved, or with such changes therein as shall be approved by the officials of the District executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Lease attached hereto, and that from and after the execution and delivery of the Lease, the officials, agents and employees of the District are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Lease as executed.

"Section 2. That all acts and doings of the officials of the District which are in conformity with the purposes and intent of this resolution be, and the same are hereby in all respects, ratified, approved and confirmed.

"Section 3. That for the purpose of providing for the payment of the rent provided for in the Lease as it becomes due, there shall be levied by the City Council of the City of Chicago and there shall be collected a direct annual tax upon all the taxable property within the District sufficient therefor and in particular, but not in limitation of the foregoing, sufficient to produce the following sums for the following years:

<i>Year of Levy</i>	<i>Amount</i>
1986	\$5,750,500
1987	5,742,550
1988	5,743,875
1989	5,751,825

<i>Year of Levy</i>	<i>Amount</i>
1990	\$5,763,750
1991	5,751,825
1992	5,741,225
1993	5,729,300
1994	5,738,575
1995	5,738,575
1996	5,726,650
1997	5,750,500
1998	5,777,000

and, as required by law, the City Council of the City of Chicago is requested to consent by ordinance (the "Ordinance") to the payment of the rent and demand is hereby made upon the City Council of the City of Chicago and the City Council is hereby directed to levy by the Ordinance and provide for the collection of a direct annual tax upon all taxable property within the District sufficient to produce the sums hereinabove set out.

"After the adoption of this Resolution and the Ordinance, the City Clerk of the City of Chicago is hereby directed to file a copy of the Ordinance, duly certified by the City Clerk and having attached thereto a certified copy of the fully executed Lease, in the office of the County Clerk of Cook County, Illinois, and in the office of the County Clerk of Du Page County, Illinois, whereupon it shall be the duty of such Clerks to extend the taxes provided for in this Resolution and levied in the Ordinance and it shall be the duty of such County Clerks to extend annually such taxes against all the taxable property contained within the District in an amount sufficient to pay the annual rentals payable under the terms of the Lease and such taxes shall be levied and collected in like manner as other taxes of the District and shall be in addition to all other taxes now or hereafter authorized to be levied for and on behalf of the District and such taxes shall not be included within any statutory limitation of rate or amount, but shall be excluded therefrom and be in addition thereto and in excess thereof.

"Section 4. After the adoption of this Resolution, a copy hereof duly certified by the Secretary of the District shall be filed with the City Clerk of the City of Chicago with directions for presenting it to the City Council of the City of Chicago for its consideration. After the City Council of the City of Chicago adopts the Ordinance, a copy of the Ordinance and of the proceedings incident to its adoption, duly certified by the City Clerk of the City of Chicago shall be filed with the Secretary of the District.

"Section 5. That the proceeds of the taxes hereby provided to be levied for the payment of the rent shall be set aside in an escrow account to be created pursuant to an escrow

agreement to be entered into between the District and the Continental Illinois National Bank and Trust Company of Chicago, as escrow agent, and such proceeds shall be used only for the payment of the rent as it becomes due.

"Section 6. That the provisions of this Resolution are hereby declared to be separable, and if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions.

"Section 7. That all resolutions, orders or parts thereof, in conflict with the provisions of this Resolution, are to the extent of such conflict, hereby repealed.

"Section 8. That this Resolution shall be in full force and effect upon its adoption by the Board of the District."

; and

WHEREAS, Pursuant to the provisions of Section 18 of the Public Building Commission Act of the State of Illinois, effective July 5, 1955, as amended, the governing body of each municipal corporation entering into a lease with the Commission is required to provide for the levy and collection of a direct annual tax sufficient to pay the annual rentals under such lease as and when such rentals become due and payable; and

WHEREAS, The Board of the District, under authority of Section 7-1.1 and Section 7-18 of the Public Community College Act of the State of Illinois, approved July 15, 1985, as amended, has duly adopted its resolution ordering, directing and demanding the City Council of the City of Chicago to enact an ordinance (the "Ordinance") for the levy and collection of a direct annual tax sufficient to pay the annual rentals as they become due under the terms of the Lease; now, therefore,

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That for the purpose of paying the annual rentals due and payable by the Board of the District under the Lease, there be and there is hereby levied a direct annual tax upon all the taxable property within the District for the purpose of paying such annual rentals provided for by the Lease, and for that purpose there be and there is hereby levied a direct annual tax for each of the years as follows:

Year of Levy	Amount
1986	\$5,750,500
1987	5,742,550
1988	5,743,875
1989	5,751,825
1990	5,763,750



Year of Levy	Amount
1991	\$5,751,825
1992	5,741,225
1993	5,729,300
1994	5,738,575
1995	5,738,575
1996	5,726,650
1997	5,750,500
1998	5,777,000

SECTION 2. That the City Clerk of the City of Chicago be and is hereby ordered and directed to file a certified copy of this Ordinance, having attached a certified copy of the Lease, together with a certified copy of the executed Lease with the County Clerks of the County of Cook and the County of DuPage, Illinois, which certified copies so filed shall constitute the authority for said respective County Clerks and it shall be the duty of said respective County Clerks to extend the tax annually as provided for in and by this Ordinance to pay the annual rentals under the Lease as and when the same become due and payable, and the respective County Clerks shall ascertain the rate percent upon all the taxable property subject to taxation within the District for each of the years 1986 to 1998, inclusive, as that property is assessed or equalized for state and county taxes, which will produce the net amount of not less than the amount provided for in and by this Ordinance and of the annual rentals provided for in the Lease hereto attached, and it shall be the duty of the respective County Clerks annually to extend such tax against all the taxable property contained within the District as herein provided, and sufficient to pay the annual rentals under the Lease hereto attached and such tax shall be collected in like manner as other taxes levied by the City Council of the City of Chicago for and on behalf of the District, and shall be in addition to all other taxes now or hereafter authorized to be levied by the City Council of the City of Chicago for and on behalf of the District and shall not be included within any statutory limitation of rate or amount applicable to taxes to be levied by the City Council of the City of Chicago for and on behalf of the District, but shall be excluded therefrom and be in addition thereto and in excess thereof.

SECTION 3. That this ordinance shall be in full force and effect immediately upon its passage as required by law.

[Lease agreement printed on pages 24885 through  
24974 of this Journal.]

**LEASE**

THIS LEASE made this first day of December, 1985, between the Public Building Commission of Chicago, a municipal corporation of the State of Illinois (hereinafter sometimes referred to as the "Commission"), as Lessor, and the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois (hereinafter sometimes referred to as the "Lessee"):

**WITNESSETH:**

WHEREAS, the Public Building Commission of Chicago is a municipal corporation duly organized under the provisions of the "Public Building Commission Act" of the State of Illinois, approved July 5, 1955, as amended (hereinafter sometimes referred to as the "Act"), for the purpose, among others, of making possible the construction, acquisition or enlargement of public improvements, buildings and facilities at convenient locations within the County Seat of Cook County, Illinois, for use by governmental agencies in the furnishing of essential governmental, health, safety and welfare services to its citizens; and

WHEREAS, the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, acting in cooperation with the Department of Development and Planning of the City of Chicago and the Comprehensive Plan for the City of Chicago has proposed the acquisition of a site and the rehabilitation, renovation and improvement of the Building and Facilities situated thereon by the Public Building Commission of Chicago, such site, building and facilities pertaining to a community college to be situated within the City of Chicago and such site being hereinafter described and such community college and central office being commonly known and referred to and being identified by project designation as follows:

Chicago City-Wide College &  
Central Office at 226 West Jackson Blvd.

(JC-9)

WHEREAS, the Board of Commissioners of the Public Building Commission of Chicago finds that there is an urgent need for the acquisition of this site and the rehabilitation, renovation and improvement thereon of this building and facilities; and

WHEREAS, said site is conveniently located and of a sufficient size to accomplish and effectuate the aforesaid purposes, and sufficient to provide for an appropriate architectural setting for such building and other facilities; and

WHEREAS, the Board of Commissioners of the Public Building Commission of Chicago did, by proper resolution adopted on the date hereinafter indicated, and pursuant to the terms and conditions of the Act, select, locate and designate the following described area, lying wholly within the territorial limits of the City of Chicago, as a site to be acquired for a community college and Central Office and for the rehabilitation, renovation and improvement thereon of the building and facilities, such site being described and designated by Resolution No. 3046 adopted on February 13, 1985 such site (the "Site") being designated and described as follows:

Chicago City-Wide College &  
Central Office at 226 West Jackson Blvd. (JC-9)

Lots 23 through 31, inclusive, and Lot 52 in the Subdivision of Block 92 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois

WHEREAS, the Site has been approved by a majority of the members of the governing body of the County Seat, being the City Council of the City of Chicago, Illinois, as required by Section 14 of said Public Building Commission Act; and

WHEREAS, the fee title to the Site will be acquired by the Public Building Commission of Chicago; and

WHEREAS, the Commission, with the cooperation of the Lessee, has caused to be prepared by the following indicated Architect-Engineer plans and specifications for the rehabilitation, renovation and improvement of the building and facilities for the Site, all as is

contained in a report containing the plans and specifications for the Site, the report being dated as indicated below, prepared by said Architect-Engineer (said building and facilities being sometimes hereinafter referred to as the "Facility" or "Facilities"). Said report and said plans and specifications, now on file in the office of the Commission, have been approved by the Commission as those to be carried out in the consummation of the rehabilitation, renovation and improvement of the Facilities provided for in this Lease and in Bond Resolution No. 3110 of the Commission and are hereby made a part of this instrument by reference; and the Commission agrees to acquire the Site and to cause the rehabilitation, renovation and improvement of the Facilities to be carried out and consummated in accordance with said report, plans and specifications as the same may be modified in accordance with the provisions of this Lease with respect thereto:

<u>Site</u>	<u>Project Designation</u>	<u>Architect-Engineer</u>	<u>Date of Report</u>
Chicago City-Wide College and Central Office	(JC-9)	Community College District No. 508	Sept. 10, 1985

and

WHEREAS, in order to pay a part of the cost of acquiring the Site and rehabilitation, renovation and improvement of the Facilities thereon, it will be necessary that the Commission issue its revenue bonds pursuant to the provisions of Section 15 of the Act and such revenue bonds to be payable from revenues to be received by the Commission from the rentals to be paid by the Lessee to the Commission in accordance with the terms of this Lease; and

WHEREAS, the total cost of acquisition of the Site and of rehabilitation, renovation and improvement of the Facilities thereon, and including without limiting the generality of the foregoing, architectural, engineering, legal and financing costs and an amount sufficient to pay the required interest during the period of renovation on the revenue bonds to be issued by the Commission to pay the cost of acquiring the Site and rehabilitation, renovation and improvement of

the Facilities thereon is estimated to be the aggregate amount of \$38,000,000, which sum is to be provided from the proceeds to be derived from the sale of revenue bonds in the principal amount of \$38,000,000 which are to be issued by the Commission; and

WHEREAS, to provide the necessary revenues for the payment of all of said revenue bonds and all of the interest and premium, if any, thereon, all as hereinafter provided, the parties desire to enter into this Lease, whereby the Commission will lease to the Lessee the Site and Facilities (hereinafter sometimes called the "Leased Premises") for a term and at an annual rental as hereinafter set forth:

NOW, THEREFORE, in consideration of the rents reserved hereunder and the promises and covenants herein made by each of the parties hereto and for other good and valuable consideration, it is covenanted and agreed by the said parties hereto, as follows:

SECTION 1. To carry out the acquisition of the Site and the rehabilitation, renovation and improvement of the Facilities and the financing thereof in accordance with the provisions of the Act, the following actions shall be taken by the Commission:

(A) The Commission shall, pursuant to Section 15 of the Act, provide for the execution and delivery of revenue bonds (the "Revenue Bonds") authorized pursuant to Resolution No. 3110 of the Commission adopted September 10, 1985, entitled "RESOLUTION NO. 3110 Authorizing and Providing for the Issue of \$38,000,000 Public Building Commission of Chicago, Building Revenue Bonds, Series A of 1985" (hereinafter referred to as the "Bond Resolution," a copy of said Bond Resolution being attached hereto and hereby made a part hereof, except that such Bond Resolution does not have attached a copy of the Lease referred to therein), to the purchasers thereof.

(B) The Commission shall forthwith make applications of the proceeds derived from the sale of the Revenue Bonds pursuant to the terms of the Act and the Bond Resolution referred to above.

(C) The Commission shall, with reasonable promptness, acquire the fee title to the Site.

(D) The Commission shall also, as soon as practicable, enter into and execute such contract or contracts with such contractor

or contractors as may be necessary or appropriate to carry out said rehabilitation, renovation and improvement of the Facilities in accordance with said plans and specifications.

(E) The Commission shall require and procure from the contractor or contractors undertaking any part of the rehabilitation, renovation and improvement of the Facilities, performance and payment bonds in connection with each of said contract or contracts and with such surety company or companies and in such amounts and form as may be determined by the Commission.

(F) The Commission shall also require and procure from such contractor or contractors, waivers of all liens or rights of lien for labor and materials furnished in said rehabilitation, renovation and improvement of the Facilities and shall further procure from said contractors or other person, firm or corporation all material and equipment guarantees as may be required by the specifications for the rehabilitation, renovation and improvement of the Facilities.

(G) The Commission shall also require every such contractor to furnish insurance protecting the Commission, the Lessee, and their respective commissioners, board members, officers, agents and employees, as their interests may appear, against any claims for personal and bodily injuries (including death) and property damage that may be asserted because of said rehabilitation, renovation and improvement, said insurance to be of such character and in such amounts as may be determined by the Commission.

(H) The Commission shall, to the extent reasonably obtainable, also require its Architects-Engineer to carry Errors and Omissions Insurance for such period and in such principal sum as the Commission may in its opinion deem necessary.

SECTION 2. In consideration of the rents reserved and the covenants, agreements and other terms and conditions herein provided to be kept, observed and performed by the Lessee, the Commission does hereby lease and demise the following described Site to the Lessee for a term commencing on date of execution of this lease and,

subject to earlier termination under the provisions of Section 4 of this lease, ending on June 30, 2000, together with the Facilities to be located thereon and all other buildings, structures or improvements which may at any time hereafter be constructed on the Site together with:

(A) all machinery, apparatus, equipment, fittings and fixtures of every kind and nature whatsoever that may now or hereafter be placed in any building, structure, or improvement now or hereafter constructed or placed upon the Site or any part thereof and which shall for all purposes hereof be deemed included in the term "Facilities", including, without limitation, all engines, furnaces, boilers, stokers, pumps, heaters, tanks, motors, dynamos, generators, electrical equipment, heating, plumbing, lifting and ventilating apparatus, air cooling and air conditioning equipment and apparatus, gas and electrical fixtures, elevators, shades, awnings, venetian blinds, screens and radiators, and all other building equipment used or procured for use in connection with the operation or maintenance of any such buildings, structures, or improvements;

(B) all right, title and interest of the Commission, now owned or hereafter acquired, in and to all real estate, interest in lands, leaseholds, rights of ways, alleys, passages, tenements, hereditaments, privileges, easements, franchises and appurtenances thereunto belonging or in any wise appertaining to the Site and which shall for all purposes hereof be deemed included in the term "Site".

The respective Site being designated and legally described as:

Chicago City-Wide College &  
Central Office At 226 West Jackson Blvd. (JC-9)

Lots 23 through 31, inclusive, and Lot 52 in the Subdivision of Block 92 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

SECTION 3. In consideration of the leasing of the aforesaid Site and Facilities the Lessee hereby covenants and agrees to pay, or cause to be paid, to the Commission, or to the Trustee designated

under the Bond Resolution, for the Site and Facilities annual rentals for the next ensuing fiscal year on or before December 1 of each year as hereinafter designated, and in the amount on such December 1 date in each such year as set opposite each such year under the heading "Rent" as follows:

<u>Year</u>	<u>Rent</u>
December 1, 1987.....	\$5,750,500
December 1, 1988.....	5,742,550
December 1, 1989.....	5,743,875
December 1, 1990.....	5,751,825
December 1, 1991.....	5,763,750
December 1, 1992.....	5,751,825
December 1, 1993.....	5,741,225
December 1, 1994.....	5,729,300
December 1, 1995.....	5,738,575
December 1, 1996.....	5,738,575
December 1, 1997.....	5,726,650
December 1, 1998.....	5,750,500
December 1, 1999.....	5,777,000

Except in any case in which bonds or other evidences of indebtedness are issued by the Commission for the purpose of refunding all of the Bonds and Parity Bonds outstanding under the Bond Resolution at or before their maturity, not less than 60 days preceding January 1 of the fiscal year in which all of the principal, interest and premium, if any, on all of the Bonds and Parity Bonds (as defined in the Bond Resolution) issued or to be issued under the Bond Resolution, and all of the Commission's administrative expenses and all other accrued and unpaid expenses relating to the projects for which the Bonds were issued, will be paid in full, or provision for their payment will be made, and this Lease will terminate, the Commission covenants that it will cause an audit to be made of its books and accounts relating to the project for which the Bonds were issued by an Independent Public Accountant, which audit report shall estimate the balance of all moneys which will be on hand, as of November 30 next, in the Construction Account if any, the Renewal, Replacement and



Improvement Account, and the Surplus Account for the Site and Facilities leased herein and the Commission shall cause said balance as it actually exists on said November 30th, to be transferred by the Trustee to the Sinking Fund Account, and the final rental payment due by the Lessee shall be only in an amount which, together with the funds in said Sinking Fund Account, will pay in full all of the principal, interest and premium on all of said Public Building Commission of Chicago Building Revenue Bonds, Series A of 1985 and all of the Commission's administrative expenses and all other accrued and unpaid expenses relating to said project, and if thereafter any balance remains in the Sinking Fund Account it shall be paid to Lessee.

SECTION 4. The Commission will (at the time of the execution and delivery of this Lease to the Commission) cause to be deposited with the Continental Illinois National Bank and Trust Company of Chicago, as Escrowee, a quit-claim deed from the Public Building Commission of Chicago to the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, conveying the Site hereinabove legally described, said deed to be delivered by said Escrowee to the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, and this Lease to terminate, upon receipt of a certificate signed by the Secretary and Treasurer of the Public Building Commission of Chicago certifying to the fact that the Trustee has executed proper instruments acknowledging that the obligations of the Commission under the Bond Resolution have been discharged and satisfied in accordance with the provisions of Section 18.1 of the Bond Resolution and all administrative expenses of the Commission and all other accrued and unpaid expenses with respect to said revenue bond issue have been paid in full or provision for their payment has been made.

SECTION 5. Prior to or upon the execution of this Lease, the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois shall adopt proceedings demanding and requesting the City Council of the City of Chicago to provide by ordinance for the levy and collection of a direct annual tax upon all taxable property within the boundaries of Community College District No. 508 sufficient to pay the rent payable under this Lease, as and when the

same becomes due and payable, and after this Lease has been duly executed, the Board of Trustees of Community College District No. 508 shall file in the offices of the County Clerks of Cook and Du Page Counties, Illinois, a certified copy of this Lease as so executed and a certified copy of said tax levying ordinance, which certified copies shall constitute the authority for said County Clerks to Extend the taxes annually necessary to pay the rent payable under this Lease as and when the same becomes due and payable, without limitation as to rate or amount, and in addition to and in excess of all other taxes to be levied by or on behalf of the Board of Trustees of Community College District No. 508. The funds realized by the Board of Trustees of Community College District No. 508 from such tax levies shall not be disbursed for any purpose other than providing for the payment of the rent reserved in this Lease. Prior to the delivery of any of the Bonds, the Lessee agrees to enter into an escrow agreement approved by the Lessor providing, among other things, for the deposit of the funds realized from such tax levies into an escrow account to be maintained by the escrow agent designated in such escrow agreement. Moneys held in such escrow account for the purpose of paying the rentals reserved under this Lease shall be paid to the Trustee designated under the Bond Resolution on or before the due dates of such rental payments.

SECTION 6. The Board of Trustees of Community College District No. 508, as Lessee, shall operate and maintain the Facilities and undertake the cost of such operation and maintenance. The Board of Trustees of Community College District No. 508 shall use and keep the Facilities repaired and maintained in strict compliance with the recommendations of the Architect-Engineer or building management firm or technical staff employed by the Commission to inspect the facilities during each even numbered year (commencing in 1988) as required by the Bond Resolution. Technical staff shall mean those persons who are in the regular employ of the Public Building Commission, who are knowledgeable and experienced in matters pertaining to the maintenance and care of properties, and who are designated by the Commission to make such inspection and to file with the Commission their recommendations and conclusions as to the adequacy of the care and maintenance of the Facilities by the Board of Trustees of

Community College District No. 508, as Lessee. The Board of Trustees of Community College District No. 508, as Lessee, shall provide services, including, but not to the exclusion of other items not specified, water, heat, light, electricity, air conditioning, repairs, replacements, janitor, cleaning and caretaking services, all at the expense of the Board of Trustees of Community College District No. 508 and without right of reimbursement from the Commission therefor; and it will observe and perform all of the applicable terms and conditions contained in the Act, in the Bond Resolution, and the Lease covering the Site and Facilities.

SECTION 7. The costs of operation and maintenance of the Facilities, as required hereinabove in Section 6, shall be included each year in the annual budget of the Board of Trustees of Community College District No. 508 to be prepared annually during the term of this Lease and the Board of Trustees of Community College District No. 508 shall adopt proceedings demanding and requesting the City Council of the City of Chicago to provide by ordinance for the levy and collection of direct annual taxes sufficient to pay such costs of operation and maintenance of the Facilities as is required of the Lessee under the terms of this Lease and the Bond Resolution and such taxes shall be levied and collected annually in like manner with the other taxes of the Board of Trustees of Community College District No. 508.

SECTION 8. If the Commission by resolution determines that sufficient funds are not available to complete the rehabilitation, renovation and improvement of the Facilities, or any part thereof, and that it will be necessary to issue additional bonds pursuant to Article 12 of the Bond Resolution, and the Lessee fails or refuses promptly to enter into a supplemental lease to increase the rent provided for herein by an amount sufficient to pay the principal of and interest on said additional bonds and provide for the levy of taxes necessary to pay such increase in the rent, then the Commission shall cause the Facilities to be completed with such modifications and eliminations as may be required by such lack of funds and in such manner as may be specified by the Architect-Engineer or Architect-Engineers then acting under the provisions of the Bond Resolution. However, the terms and conditions of this Lease, including, without

limitation, the rent payments hereunder as set forth in Section 3 above, shall remain in full force and effect and continue to remain in full force and effect notwithstanding the fact that any or all of the Leased Premises may be untenable or unsuitable for Lessee's purposes for any reason whatsoever.

SECTION 9. The Commission will use its best efforts to complete the Facilities or cause the Facilities to be completed at the earliest possible date in accordance with the construction contracts therefor, provided that the Commission shall not be required to expend any moneys therefor which are not available from the proceeds derived from the sale of the Revenue Bonds as aforesaid and provided, further, that the failure to complete or cause the completion of the Facilities shall not give the Lessee any right to cancel or terminate this Lease or to abate, reduce or make reduction from or offset against any rent payable under this Lease or to fail to perform or observe any of the other covenants or conditions of the Lessee hereunder.

SECTION 10. The Lessee agrees that if the Lessee is in occupancy of the Facilities during the period of rehabilitation, renovation and improvement, to give full access to and to cooperate with each contractor engaged in rehabilitation, renovation and improvement of the Facilities and to permit the Commission and its agents at all reasonable times to enter and inspect such rehabilitation, renovation and improvement.

SECTION 11. The Commission shall have the right during the period of rehabilitation, renovation and improvement of the Facilities to make minor changes in said plans and specifications, pertaining to the Facilities.

SECTION 12. As provided in this Lease and in the Bond Resolution, the Commission agrees to (i) pay the cost of the premiums for insurance which is provided to be maintained by the Commission under this Lease or which the Commission is obligated to maintain under the Bond Resolution, and (ii) pay the administrative expenses of the Commission attributable or allocable to the Leased Premises.

SECTION 13. The Commission shall, prior to the first day of each calendar year during the term of this Lease, file with the Lessee a

certified copy of the annual budget of the Commission as required by and provided for in Section 16.1 of the Bond Resolution.

SECTION 14. The Lessee hereby expressly waives the right to make repairs at the expense of Lessor, which right may be provided for in any statute or law in effect at the time of the execution of this Lease or any statute or law which may thereafter be enacted.

SECTION 15. The Commission covenants that it will maintain an appropriate policy or policies of insurance against builders' risk during the rehabilitation, renovation and improvement of the Facilities or any portion of the Facilities. Upon completion of the Facilities, the Commission will procure from a responsible insurance company or companies, qualified to assume the risk thereof, such insurance coverage against physical loss or damage to the property, including without limiting the generality of the foregoing, fire and extended coverage, vandalism, malicious mischief, and against other risks as may be deemed necessary or advisable by the Commission, with such exceptions as are ordinarily required by insurers of facilities of similar type, in an amount equal to the full replacement value thereof, as certified by the Architect-Engineer in writing filed with the Commission and the Trustee; provided, however, that the requirement to maintain insurance as hereinabove set forth may be waived by the express agreement of the Lessee in writing approved by the Commission and filed with the Trustee, to assume any and all liability and risks of every kind and nature against physical loss or damage to the Facilities and provided, further, that the waiver of such insurance requirement shall not release, impair or diminish the obligation of the Lessee to pay the annual rentals in the amounts hereunder set forth in Section 3 above. Such policy or policies of insurance as may be obtained by the Commission shall contain a waiver by the insurer of the right of subrogation against the contractor, his or its subcontractors, the architect, engineer, and the Lessee, their respective commissioners, board members, officers, agents and employees. The Commission will not carry insurance of any kind on furniture or furnishings or on any fixtures, equipment, improvements or appurtenances owned by the Lessee or leased by the Lessee from other than the Commission and located in said Facilities; and the Commission shall not be obligated to repair any damage thereto resulting from

fire or other casualty or to replace the same if destroyed by fire or other casualty.

All such policies shall be for the benefit of the Commission, shall be made payable to the Commission, and shall be received by the Treasurer and by him forthwith deposited with the Trustee. The Commission shall have the sole right to receive the proceeds of such insurance and to receipt for and settle claims thereunder and shall deposit the same with the Trustee. The proceeds of any and all such insurance shall be held by the Trustee as security for the Bonds issued hereunder until paid out as hereinafter provided.

The Commission covenants that, immediately after any substantial damage to or destruction of any part of the Facilities, it will cause the Architect-Engineer appointed under the Bond Resolution to prepare plans and specifications for repairing, replacing or reconstructing the damaged or destroyed property (either in accordance with the original or a different design) and an estimate of the cost thereof, and to file copies of such estimate with the Trustee and the Lessee.

The proceeds of all insurance referred to in this Section 15 received by the Trustee during the rehabilitation, renovation and improvement of said Facilities shall be held by the Trustee, credited to the Construction Account, and shall be available for and disbursed by the Trustee in the manner and on the showings provided in Section 7.4 under the Bond Resolution for payments from the Construction Account. The proceeds of all insurance referred to in this Section 15 received by the Trustee after the rehabilitation, renovation and improvement of the Facilities has been fully completed, shall be credited by the Trustee to a special account which is hereby created and designated "Public Building Commission of Chicago, Building and Facilities (Series A of 1985) Insurance Account" (hereinafter referred to as the "Insurance Account"), and said proceeds shall be available for, and shall to the extent necessary be applied to, the repair, replacement, or reconstruction of the damaged or destroyed property, and shall be disbursed by check of the Trustee in the manner and upon the showings so far as reasonably applicable, provided in Section 7.4 under the Bond Resolution for payments from the Con-

struction Account. The Trustee shall not be liable for disbursement so made. If such proceeds are more than sufficient for such purpose, the balance remaining shall be by order of the Board deposited by the Trustee to the credit of the Surplus Account. If such proceeds shall be insufficient for such purpose, then the deficiency shall be supplied by the Commission from any moneys available for that purpose in the Surplus Account under the Bond Resolution.

The Commission covenants that, in the case of any substantial damage to or destruction of any part of the Facilities, it will cause the Facilities to be renewed, replaced or reconstructed to the extent possible from the proceeds of insurance and other moneys available for such purpose, and that it will forthwith commence and diligently proceed with such renewal, replacement or reconstruction of the damaged or destroyed property according to plans and specifications prepared or approved by the Architect-Engineer.

The proceeds of any such insurance not applied within eighteen months after their receipt by the Commission to renewing, replacing or reconstructing the damaged or destroyed property (unless it has been prevented from so doing because of conditions beyond its control) shall be credited by the Trustee upon order of the Commission to the Sinking Fund Account under the Bond Resolution.

SECTION 16. The Commission covenants that it will at all times carry or cause to be carried with a responsible insurance company or companies qualified to assume the risk thereof:

(A) Such worker's compensation or employers' liability insurance, covering its employees, as may be deemed necessary or advisable under law.

(B) Public and other liability insurance of such character and amount (if any) as shall be adequate, in the judgment of the Commission, to insure the Commission against risks (if any) to which it may reasonably be or become subject to in the work of rehabilitating, renovating and improving the Facilities, and in leasing the same, but the commission shall not be required to maintain any such insurance to the extent such insurance is carried for its benefit by any lessee, licensee or other person

operating any of the Facilities or by contractors. The proceeds of any such insurance not applied directly in settlement of such liability shall be promptly deposited with the Trustee and by it credited to the Administrative Expense Account in case of risks to which the Commission is subject in operation, and credited to the Construction Account or Insurance Account, as the case may be, in case of risks to which it is subject in the rehabilitating, renovation and improving of the Facilities.

(C) All officers and employees of the Commission authorized to receive or retain the custody of money or to sign vouchers, checks, warrants, or evidences of indebtedness on behalf of the Commission, shall be bonded for the faithful performance of their duties and the faithful accounting of all moneys and other property that may come into their hands, in an amount to be fixed and in a form to be approved by the Commission.

All policies of insurance required by this Section 16 shall name as the insured parties thereunder the Commission, the Architect-Engineers, and the Lessee, as their interests may appear.

SECTION 17. All insurance provided under Section 15 and 16 above shall provide for fifteen days' prior written notice to the Commission and the Trustee of the cancellation or material modification of any such insurance, and shall further provide that, as to the interest of the Commission, such insurance shall not be altered or impaired by any act or omission of anyone other than the Commission.

Within 90 days after the date of the delivery of the Revenue Bonds referred to in the Bond Resolution, and within the first three months of each subsequent fiscal year the Commission shall file with the Lessee and the Trustee a schedule of all insurance policies referred to in Sections 15 and 16 which are then in effect, stating with respect to each policy the name of the insurer, the amount, number and expiration date, and the hazards and risks covered thereby. All such insurance policies shall be open to the inspection of the Trustee, the Lessee, the Bondholders and their agents and representatives.



The Commission will maintain and keep proper books of record and accounts separate from all other records and accounts, in which shall be made full and correct entries of all transactions relating to the Facilities. Not later than 120 days after the close of each fiscal year, the Commission will cause an annual audit of its books, records and accounts for the preceding fiscal year to be made by an Independent Public Accountant and will mail a copy of such audit report to the Trustee and the Lessee. Such books, records and accounts shall be open for inspection to the Trustee and the Lessee at all reasonable times.

No portion of the funds paid by the Lessee to the Commission shall be used for any purpose inconsistent with the conditions of the Bond Resolution and this Lease.

SECTION 18. This Lease shall be deemed and construed to be a net lease, noncancellable by the Lessee during the term hereof, and the Lessee shall pay, subject only to the provisions of Section 8.3(c)(7) of the Bond Resolution and Section 3 of this Lease, to the Commission absolutely net throughout the term of this Lease the rent and all other payments required hereunder, free of any deductions, without abatement, deduction or setoff for any reason or cause whatsoever including, without limiting the generality of the foregoing:

- (i) the failure, from whatsoever cause, to complete the Facilities or the failure from whatsoever cause of the Facilities to comply in any respect or respects with said plans and specification;

- (ii) the failure to complete the Facilities, at or before the beginning of the term of this Lease;

- (iii) any damage to or destruction of the Leased Premises or any part thereof, or any delay, interruption or prevention from any cause whatsoever of the use or occupancy of the Leased Premises or any part thereof, and whether or not resulting from any act of God or the public enemy, or from any restriction or requirement of law, ordinance, rule, or regulation of any public body or authority, State or Federal, having jurisdiction in the premises (whether such restrictions or requirements relate to the use or occupancy of any or all of the Leased Premises or the

quality, character or condition of any or all of the Leased Premises, structures, improvements and equipment thereon or therein, or otherwise);

(iv) any failure of or any defect in the Commission's title to the Leased Premises whether or not such failure or defect interferes with, prevents or renders burdensome the use or occupancy of the Leased Premises or any part thereof;

(v) any failure in whole or in part of the Commission to obtain and maintain the insurance which is provided to be maintained by the Commission under this Lease;

(vi) any failure in whole or in part of the Commission to perform all or any of its other obligations express or implied, to or for the benefit of the Lessee, whether such obligations are provided for in this Lease, result from operation of law, or are provided for in or result from some other contract or agreement at any time or from time to time entered into between the Commission and the Lessee.

SECTION 19. The leasehold rights, duties and obligations of the Lessee under this Lease shall not be assigned or sublet in whole or in part during the term of this Lease or while any Revenue Bonds of the Commission relating to any or all of the Leased Premises are outstanding and unpaid, unless provision has been made for the payment thereof and the obligations of the Commission under the Bond Resolution have been discharged in accordance with the provisions of Section 18.1 of the Bond Resolution, except that the Lessee may sublease all or part of the space leased by it if the Commission agrees to such sublease and if such sublease is permitted by law.

SECTION 20. Any notice or any demand required or permitted hereunder or by the Resolution shall be served in the following manner:

(A) By delivering a duly executed copy thereof to the Secretary of the Commission, if the Commission is being served or to the Secretary of the Lessee, if the Lessee is being served; or

(B) By depositing a duly executed copy thereof in the United States mails, by registered or certified mail, duly addressed to the Commission or the Lessee, as the case may be.

Service by such mailing shall be deemed sufficient if addressed to the Commission or the Lessee, as the case may be, at such address as the Commission or the Lessee may have last furnished the Trustee in writing and until a different address shall be so furnished, by mailing the same as aforesaid, addressed, as the case may be, as follows:

Public Building Commission of Chicago  
Attention: Secretary  
Room 705, Richard J. Daley Center  
Chicago, Illinois 60602

Board of Trustees of  
Community College District No. 508  
Attention: Secretary  
16 East Lake Street  
Chicago, Illinois 60601

SECTION 21. This Lease shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns and shall also inure to the benefit of the holders of any of the Revenue Bonds of the Commission referred to herein, as their interests may appear.

SECTION 22. In the event any covenant, phrase, clause, paragraph, section, condition or provision herein contained is held to be invalid by any court of competent jurisdiction, the invalidity of any such covenant, phrase, clause, paragraph, section, condition or provision shall in no way affect any other covenant, phrase, clause, paragraph, section, condition or provision herein contained.

SECTION 23. All words and phrases defined in the Bond Resolution shall have the same meaning in this Lease.

SECTION 24. This Lease has been executed in several counterparts, each of which may be considered as an original.

IN WITNESS WHEREOF, the Public Building Commission of Chicago, by its Chairman, and the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, by its Chairman, have each caused their respective names to be signed to this instrument and their respective seals to be affixed and attested thereto by their duly authorized officers, the day and year first above written.

PUBLIC BUILDING COMMISSION  
OF CHICAGO

By \_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Secretary

BOARD OF TRUSTEES OF  
COMMUNITY COLLEGE  
DISTRICT No. 508

By \_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Secretary

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## Public Building Commission of Chicago

### RESOLUTION

No. 3110

AUTHORIZING AND PROVIDING FOR THE ISSUE OF

\$38,000,000

PUBLIC BUILDING COMMISSION OF CHICAGO

BUILDING REVENUE BONDS

SERIES A OF 1985

*Authorizing and providing for the issue of \$38,000,000 Public Building Commission of Chicago, Building Revenue Bonds, Series A of 1985, for the purpose of acquiring a site and rehabilitating, renovating and improving the building and facilities situated thereon and providing for the payment of said Bonds.*

*The form of Lease Agreement to be entered into by the Public Building Commission of Chicago and the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois is attached to the Resolution marked Exhibit A, except that such Lease Agreement does not have attached a copy of the Bond Resolution referred to therein.*

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## RESOLUTION NO. 3110

***Authorizing and providing for the issue of \$38,000,000 Public Building Commission of Chicago, Building Revenue Bonds, Series A of 1985, for the purpose of acquiring a site and rehabilitating, renovating and improving the building and facilities situated thereon and providing for the payment of said Bonds.***

WHEREAS, the Public Building Commission of Chicago is a municipal corporation duly organized under the provisions of the "Public Building Commission Act" of the State of Illinois, approved July 5, 1955, as amended, for the purpose, among others, of making possible the construction, acquisition or enlargement of public improvements, buildings and facilities at convenient locations within the County Seat of Cook County, Illinois, for use by governmental agencies in the furnishing of essential governmental, health, safety and welfare services to its citizens; and

WHEREAS, the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, acting in cooperation with the Department of Development and Planning of the City of Chicago and the Comprehensive Plan for the City of Chicago has proposed the acquisition of a site and the rehabilitating, renovating and improving the building and facilities situated thereon by the Public Building Commission of Chicago, such site, building and facilities pertaining to this college to be situated within the City of Chicago and such site being hereinafter described and such community college being commonly known and referred to and being identified by project designation as follows:

Chicago City-Wide College &  
Central Office

(JC-9)

; and

WHEREAS, the Board of Commissioners of the Public Building Commission of Chicago finds that there is an urgent need for the acquisition of such site; rehabilitating, renovating and improving the building and facilities situated thereon; and

WHEREAS, said site is conveniently located and of a sufficient size to accomplish and effectuate the aforesaid purpose, and is sufficient to provide for an appropriate architectural setting for such building and other facilities; and

WHEREAS, the Board of Commissioners of the Public Building Commission of Chicago did, by proper resolution adopted on the date hereinafter indicated, and pursuant to the terms and conditions of the Act, select, locate and designate the following described area, lying wholly within the territorial limits of the City of Chicago, as a site to be acquired for a community college and central office and for the rehabilitating, renovating and improving the Building and Facilities situated thereon, such site being described and designated by Resolution No. 3046 adopted on February 13, 1985, as follows:

Chicago City-Wide College &  
Central Office at 226 West Jackson Blvd. (JC-9)

Lots 23 through 31, inclusive, and Lot 52 in the Subdivision of Block 92 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois;

and

WHEREAS, the selection of said site has been approved by a majority of the members of the governing body of the County Seat, being the City Council of the City of Chicago, Illinois as required by Section 14 of said Public Building Commission Act; and

WHEREAS, the fee title to the above-described property is in the process of being acquired by the Commission; and

WHEREAS, the following Architect-Engineer has prepared a report containing plans and specifications for the rehabilitation, renovating and improvement on said site of building and facilities which Architect-Engineer report containing said plans and specifications has been approved by the Commission and is now on file in the office of the Secretary of the Commission and is dated and further described as follows:

<u>Site</u>	<u>Project Designation</u>	<u>Architect - Engineer</u>	<u>Date of Report</u>
Chicago City-Wide College & Central Office	(JC-9)	Community College District No. 508	September 10, 1985

and

WHEREAS, the Commission will enter into a lease with the Board of Trustees of Community College District No. 508 by which lease said Board of Trustees of Community College District No. 508 agrees to pay rentals commencing on the first day of December, 1987 and on the first day of December of each year thereafter to and including the first day of December, 1999, and for the payment of which rentals said Board of Trustees of Community College District No. 508 will be required to adopt proceedings demanding and requesting the City Council of the City of Chicago to provide for the levy of a direct annual tax upon all taxable property within the boundaries of Community College District No. 508 sufficient to pay the rentals provided by its lease, said taxes to be levied for each of the years 1986 to 1998, inclusive; and



WHEREAS, the Commission has heretofore estimated the cost of acquiring said site above referred to and the cost of rehabilitating, renovating and improving the building and facilities situated thereon and all other expenses connected therewith, including architectural, engineering, legal, and all financing costs;

NOW, THEREFORE, Be It Resolved by the Board of Commissioners of the Public Building Commission of Chicago, Cook County, Illinois, as follows:

#### ARTICLE 1.

##### DEFINITIONS.

SECTION 1.1. *Definitions.* As used in this Resolution the following terms shall have the meanings hereinafter set forth unless the context shall clearly indicate that some other meaning is intended. to wit:

(a) The term "Act" shall mean the "Public Building Commission Act" of the State of Illinois, approved July 5, 1955, as amended.

(b) The term "Administrative Expense" shall mean and include all salaries and wages of office and clerical employees, administrative management, legal and overhead expenses, cost of all collections of Revenue, cost of all stationery and supplies, books, recording tapes, registration equipment, bookkeeping and auditing costs, all fees and expenses of the Architect-Engineer, and the Independent Public Accountant, incurred in compliance with provisions of this Resolution, cost of all publications, and shall include, without limiting the generality of the foregoing, insurance premiums, legal and engineering expenses, fiscal fees, Trustee's, and Registrar's fees and expenses for acting in any capacity in connection with this Resolution, pension requirements, health and hospitalization insurance, all costs of registering Bonds as to principal and any other expenses required to be paid by the Commission, all to the extent properly attributable to the Site, Building and Facilities pursuant to the provisions of this Resolution.

(c) The term "Architect-Engineer" or "Architect-Engineers" shall mean any firm or government agency of architects and engineers of recognized standing, experienced in the field of building design, planning, and construction, which is designated as the Architect-Engineer or Architect-Engineers by the Board of Commissioners, and the members of which firm or agency are entitled to practice and are practicing as such under the laws of the State of Illinois.

(d) The term "Board of Commissioners" or "Board" shall mean the Board of Commissioners of the Public Building Commission of Chicago.

(e) The term "Bond" or "Bonds" means the Public Building Commission of Chicago, Building Revenue Bonds, Series A of 1985, authenticated and delivered under this Resolution.

(f) The term "Bond Counsel" means any attorneys or firm of attorneys of recognized standing as municipal bond counsel selected by the Commission.

(g) The term "Bondholder" or "Holder of Bonds," or any similar term, means any person who shall be the registered owner of any outstanding Bond or Bonds.

(h) The term "Bond Registrar" means such bank or trust company in the City of Chicago, appointed as Trustee under the terms of this resolution, pursuant to Section 13.1.

(i) The term "Building and Facilities" shall mean the improvements herein provided to be made at the building and facilities situated on the site in accordance with the plans and specifications therefor described in the preamble of this Resolution.

(j) The term "Chairman" shall mean Chairman of the Board of Commissioners of the Commission.

(k) The term "City College" shall mean the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois.

(l) The term "Commission" shall mean the Public Building Commission of Chicago.

(m) The term "Counsel" shall mean any attorney or firm of attorneys regularly employed by the Commission to represent it in legal matters.

(n) The term "Depository" shall mean such bank or trust company in the City of Chicago, appointed as Trustee under the terms of this Resolution, pursuant to Section 13.1.

(o) The term "Executive Director" shall mean the Executive Director of the Commission.

(p) The term "Independent Public Accountant" shall mean any firm of certified public accountants of national standing and recognition selected by the Commission, satisfactory to the Trustee, entitled to practice and practicing as such under the laws of the State of Illinois which:

1. is in fact independent and not under the domination of the Commission;

2. does not have any substantial interest, direct or indirect, in any contract with the Commission other than its contract of employment; and

3. is not connected with the Commission other than being regularly retained by the Commission.

(q) The term "Lease" shall mean the lease required to be entered into by and between the Commission and the City College, in accordance with the lease attached hereto, marked Exhibit "A", and made a part hereof by reference.

(r) The term "Lessee" shall mean the City College.

(s) The term "Parity Bonds" shall mean such additional bonds as may be issued under the terms of this Resolution to share ratably and equally in the receipts and revenues derived by the Commission from the acquisition of the Site and rehabilitating,

renovating and improving the Building and Facilities situated thereon provided for and described in the preamble hereto.

(t) The term "Resolution" means this Resolution adopted by the Commission.

(u) The term "Revenue" or "Revenues" shall mean all receipts and revenues received by the Commission as a result of its ownership of the Site, Building and Facilities constituting the program herein provided for and described in the preamble hereto, including all payments under any leases, contracts, or other sources relating thereto.

(v) The term "Secretary" shall mean the Secretary or any Assistant Secretary of the Commission.

(w) The term "Site" shall mean the site to be acquired for use as a City-Wide College and Central Office, the legal description being contained in the preamble of this Resolution.

(x) The term "Treasurer" shall mean the Treasurer or any Assistant Treasurer of the Commission.

(y) The term "Trustee" shall mean the Continental Illinois National Bank and Trust Company of Chicago, in the City of Chicago, Illinois, or its successor.

## ARTICLE 2.

### SITE ACQUISITION AND PLANS FOR THE REHABILITATING, RENOVATING AND IMPROVEMENT OF BUILDING AND FACILITIES SITUATED THEREON AND ESTIMATED COSTS.

SECTION 2.1. The Site proposed to be acquired and the Building and Facilities situated thereon described in the preamble hereto shall be rehabilitated, renovated and improved in accordance with the plans and specifications contained in the respective Architect-Engineer report referred to in the preamble hereto, which report is based on the written requirements of the City College, and which

report and written requirements have heretofore been approved by and are now on file in the office of the Commission.

SECTION 2.2. The Board of Commissioners has heretofore estimated and does hereby estimate and determine the cost of acquiring the aforesaid Site and of rehabilitating, renovating and improving the Building and Facilities situated thereon and equipping the Building and Facilities in accordance with such plans and specifications, including architectural, engineering, legal, administrative and all financing costs, less estimated earnings on the Construction Account, to be as follows:

<u>Site</u>	<u>Project Designation</u>	<u>Amount for Project*</u>
Chicago City - Wide College and Central Office	JC-9	\$38,000,000

\* A detailed summary of the above project costs for said project, dated September 10, 1985, is on file in the Office of the Secretary.

SECTION 2.3. The Board of Commissioners does hereby determine the period of usefulness of the Building and Facilities so rehabilitated, renovated and improved to be 40 years.

SECTION 2.4. The Commission proposes to pay the cost of acquiring the Site and rehabilitating, renovating and improving the Building and Facilities situated thereon by the sale of Bonds authorized hereunder and by interest to be earned during construction, and the Building and Facilities of the Commission described in Section 2.2 hereof shall be rehabilitating, renovating and improving the Building and Facilities situated thereon in accordance with the provisions of this Resolution.

## ARTICLE 3.

## AUTHORIZATION OF BONDS.

SECTION 3.1. For the purpose of paying the cost of acquiring the Site and rehabilitating, renovating and improving the Building and Facilities situated thereon, there be and there is hereby authorized to be issued Bonds of the Commission in the principal amount of \$38,000,000, which Bonds shall be designated "Public Building Commission of Chicago, Building Revenue Bonds, Series A of 1985," and shall be dated, and shall also bear the date of authentication, shall mature and shall be in fully registered form and shall contain provisions all as hereinafter provided. The Bonds shall be issued in the denomination of \$5,000 each and any integral multiple thereof and shall be dated December 1, 1985. The Bonds shall be numbered from 1 upwards. The Bonds shall bear interest at a rate of not to exceed eleven percent (11%) per annum payable semi-annually on January 1 and July 1, commencing on July 1, 1986. Principal and interest will be payable at the office of the Trustee. Said Bonds shall mature serially on January 1 of each of the years and in the amounts as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>
1988 .....	\$ 1,500,000
1989 .....	1,650,000
1990 .....	1,825,000
1991 .....	2,025,000
1992 .....	2,250,000
1993 .....	2,475,000
1994 .....	2,725,000
1995 .....	3,000,000
1996 .....	3,325,000
1997 .....	3,675,000
1998 .....	4,050,000
1999 .....	4,500,000
2000 .....	5,000,000
	<hr/>
	\$38,000,000

Each Bond shall bear interest from its date or from the most recent interest payment date to which interest has been paid or duly provided for, whichever date is later, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on the first days of July and January of each year, commencing on July 1, 1986. Interest on each Bond shall be paid by check or draft of Continental Illinois National Bank and Trust Company of Chicago, Chicago, Illinois or its successor, as bond registrar (the "Bond Registrar"), to the person in whose name such Bond is registered at the close of business on the 15th day of the month next preceding the interest payment date. The principal of the Bonds and redemption premium, if any, shall be payable in lawful money of the United States of America at the principal corporate trust office of the Bond Registrar in Chicago, Illinois.

Bonds due on or after January 1, 1997 are redeemable prior to maturity at the option of the Commission in whole or in part on January 1, 1996 or on any interest payment date thereafter, and if less than all of the outstanding Bonds are to be redeemed, the Bonds to be called shall be called in the inverse order of their maturity and if less than all of a single maturity is to be redeemed then by lot within a maturity in the manner hereinafter provided, the Bonds to be redeemed at a redemption price of 101% of the principal amount redeemed plus accrued interest to the date fixed for redemption.

The Bonds shall be redeemed only in the principal amount of \$5,000 each and integral multiples thereof. In the event of the redemption of less than all the Bonds of like maturity the aggregate principal amount thereof to be redeemed shall be \$5,000 or an integral multiple thereof and the Bond Registrar shall assign to each Bond of such maturity a distinctive number for each \$5,000 principal amount of such Bond and shall select by lot from the numbers so assigned as many numbers as, allocating \$5,000 to each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided that only so much of the principal amount of each Bond shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. The Commission shall, at least forty-five (45) days prior to the redemption date (unless a shorter time period shall

be satisfactory to the Bond Registrar), notify the Bond Registrar of such redemption date and of the principal amount of Bonds to be redeemed. For purposes of any redemption of less than all of the outstanding Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected not more than sixty (60) days prior to the redemption date by the Bond Registrar.

The Bond Registrar shall promptly notify the Commission in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

Unless waived by any holder of Bonds to be redeemed, notice of the call for any such redemption shall be given by the Bond Registrar on behalf of the Commission by mailing the redemption notice by registered or certified mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar.

All notices of redemption shall state:

- (1) the redemption date,
- (2) the redemption price,
- (3) if less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed,
- (4) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and
- (5) the place where such bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal corporate trust office of the Bond Registrar.

Prior to any redemption date, the Commission shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all of the Bonds or portions of Bonds which are to be redeemed on that date.



Notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the Commission shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Bond Registrar at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for the payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered holder a new Bond or Bonds of the same interest rate and maturity in the amount of the unpaid principal.

If any Bond or portion of Bond called for redemption shall not be so paid upon surrender thereof for redemption, the principal shall, until paid, bear interest from the redemption date at the rate borne by the Bond or portion of Bond so called for redemption. All Bonds which have been redeemed shall be cancelled and destroyed by the Bond Registrar and shall not be reissued.

#### ARTICLE 4.

##### PROVISIONS OF BONDS.

SECTION 4.1. The Bonds shall be executed on behalf of the Commission with the manual or facsimile signature of the Chairman, attested with the manual or facsimile signature of its Secretary, with the facsimile seal of the Commission to be printed thereon. In case any of the officers who shall have signed, countersigned or attested any of the Bonds, shall cease to be such officer before the Bonds, so signed, countersigned or attested shall have been actually issued and delivered, such Bonds shall be valid nevertheless, and may be issued by the Commission with the same effect as though the persons who had signed, countersigned or attested such Bonds had not ceased to be such officers. The Trustee shall authenticate the Bonds from time to time upon the order of the Secretary, and shall deliver the same to or upon his order. Only such of the Bonds as shall have thereon a certificate of authentication substantially in the form hereinafter set

forth, duly executed by the Trustee, shall be entitled to any right or benefit under this Resolution. No Bond shall be valid or obligatory for any purpose unless or until such certificate of authentication shall have been duly executed by the Trustee, and such certificate of the Trustee on any such Bond shall be conclusive evidence that such Bond shall have been duly executed and issued under this Resolution. The Trustee's certificate of authentication on any Bond shall be deemed to have been duly executed if signed by an authorized officer of the Trustee, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds that may be issued hereunder at any one time. The Commission is authorized to prepare, and the Bond Registrar shall keep custody of, multiple Bond blanks executed by the Commission for use in the transfer and exchange of Bonds.

SECTION 4.2. The Commission will cause to be kept at the principal office of the Trustee in the City of Chicago, Illinois, as Bond Registrar, at all times while any of the Bonds shall be outstanding and unpaid, books for the registration and transfer of such Bonds.

Upon surrender for transfer of any Bond at the principal corporate trust office of the Bond Registrar, duly endorsed by or accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by the registered owner or his attorney duly authorized in writing, the Commission shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of the same rate of interest and maturity of authorized denominations for a like aggregate principal amount. Any fully registered Bond or Bonds may be exchanged at said office of the Bond Registrar for a like aggregate principal amount of Bond or Bonds of the same rate of interest and maturity of other authorized denominations. The execution by the Commission of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond, provided, however, the principal amount of outstanding Bonds of each maturity authenticated by the Bond Registrar shall not exceed the authorized principal amount of Bonds for such maturity less previous retirements.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period of fifteen (15) days next preceding any interest payment date on such Bond, nor to transfer or exchange any Bond after notice calling such Bond for redemption has been mailed, nor during a period of fifteen (15) days next preceding mailing of a notice of redemption of any Bonds.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid. In the event any of the Bonds are registered in the name of a securities depository which uses a book entry system, the standing of the registered owner to enforce any of the covenants herein may be established through the books and records of such securities depository or a participant therein.

No service charge shall be made to any Bondholder for any transfer or exchange of Bonds, but the Commission or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds.

SECTION 4.3. In case any Bond shall become mutilated in respect of the body of such Bond or shall be determined by the Commission to have been destroyed, stolen or lost, upon proof of ownership satisfactory to the Commission and upon the surrender of such mutilated Bond, at the office of the Trustee in the City of Chicago, Illinois, or upon the receipt of evidence satisfactory to the Commission and the Trustee of such destruction, theft or loss, and upon receipt also of indemnity satisfactory to the Commission and the Trustee and upon payment of all expenses incurred by the Commission and the Trustee for any investigation relating thereto and for each new Bond issued under this Section, the Commission shall cause to be authenticated by the Trustee and issued and delivered, at the office of the Trustee in the City of Chicago, Illinois, a new Bond or Bonds of the same interest rate and maturity and for the same aggregate principal amount, of like tenor and date, bearing the same issue number or numbers, with

such notations as the Commission and the Trustee shall determine, in exchange or substitution for and upon cancellation of the mutilated Bond, or in lieu of and in substitution for the Bond, so lost, stolen or destroyed.

If any such destroyed, stolen or lost Bond shall have matured, payment of the amount due thereon may be made by the Trustee on receipt of like proof, indemnity and payment of expenses.

Any duplicate Bond issued pursuant to this Section shall be entitled to equal and proportionate benefits with all other Bonds issued hereunder. Neither the Commission, nor the Trustee, shall be required to treat both the original Bond and any duplicate Bond as being outstanding for the purpose of determining the principal amount of Bonds which may be issued hereunder or for the purpose of determining any percentage of Bonds outstanding hereunder, but both the original and duplicate Bond shall be treated as one and the same.

## ARTICLE 5.

### BONDS TO BE NEGOTIABLE INSTRUMENTS.

SECTION 5.1 All Bonds issued pursuant to this Resolution, subject to the provisions for registration and transfer herein and in the Bonds contained, shall be negotiable instruments and shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Illinois. The Commission, the Trustee, the Treasurer, the Bond Registrar and any other person may treat the registered owner of a Bond as the absolute owner of the Bond for the purpose of making payment thereon and for all other purposes, and neither the Commission nor the Trustee, Bond Registrar nor the Treasurer shall be bound by any notice or knowledge to the contrary. All payments of or on account of interest or principal to any Bondholder shall be valid and effectual and shall be a discharge of the Commission, the Trustee, Bond Registrar and the Treasurer in respect of the liability for interest or principal, as the case may be, to the extent of the sum or sums so paid.

## ARTICLE 6.

## FORM OF BOND.

SECTION 6.1. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF ILLINOIS  
COUNTY OF COOK

PUBLIC BUILDING COMMISSION OF CHICAGO  
BUILDING REVENUE BOND  
SERIES A OF 1985

No. .... \$ .....  
Dated Date: December 1, 1985 [CUSIP .....]  
Registered Owner:  
Maturity Date                      Principal Amount                      Rate of Interest

The Public Building Commission of Chicago, Cook County, Illinois (the "Commission"), for value received hereby promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the maturity date shown above, the principal amount shown above and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such principal amount from the date of this Bond or from the most recent interest payment date to which interest has been paid, whichever is later, at the interest rate per annum set forth above on July 1 and January 1 of each year commencing July 1, 1986 until said principal sum is paid. Principal of this Bond, is payable in lawful money of the United States of America at the principal corporate trust office of Continental Illinois National Bank and Trust Company of Chicago, Chicago, Illinois, as bond registrar and paying agent (the "Bond Registrar"). Payment of the installments of interest shall be made to the Registered Owner hereof as shown on the registration books of the Commission maintained by the Bond Registrar at the close of business on the 15th day of the month next preceding the interest payment date, and shall be paid by check or draft of the Bond Registrar mailed to such Registered Owner at the address as it appears on such registration books, or at such other address furnished in writing by such Registered Owner to the Bond Registrar.

This Bond is one of an issue of Public Building Commission of Chicago Building Revenue Bonds, Series A of 1985 (the "Bonds") of the Commission. All of the Bonds, of which this Bond is one, are issued and to be issued pursuant to the provisions of the Public Building Commission Act of the State of Illinois, approved July 5, 1955, as amended (the "Act") and pursuant to a Resolution adopted by the Board of Commissioners of the Public Building Commission of Chicago authorizing the issuance of the Bonds (the "Resolution"). A copy of the Resolution is on file at the office of the Treasurer of the Commission and at the Continental Illinois National Bank and Trust Company of Chicago (hereinafter in its several capacities called "Trustee") and reference is hereby made to the Resolution and to any and all amendments or supplements or modifications thereof adopted as therein provided and to the Act for a description of the terms on which the Bonds are issued and to be issued and on which additional bonds may be issued; and the provisions with regard to the Administrative Expense Account, Sinking Fund Account, Renewal, Replacement and Improvement Account and Surplus Account payments, and with regard to the nature and extent of the Revenues, and of the rights of the registered owners of the Bonds. All the terms defined in the Resolution and all covenants of the Resolution shall have the same meaning herein as in the Resolution. The Resolution constitutes a contract between the Commission and the registered owner from time to time of this Bond, and to all the provisions thereof the registered owner hereof, by his acceptance of this Bond, consents and agrees.

The principal of and interest on this Bond and the issue of which it forms a part are payable solely out of the Revenues as defined in the Resolution (the "Revenues"), and are secured by a charge and lien on such Revenues as provided for in the Resolution, and as and to the extent set forth in the Resolution. All such Revenues of the site to be acquired (the "Site") and the rehabilitating, renovating and improving the Building and Facilities situated thereon (the "Building and Facilities") with the proceeds derived from the sale of the Bonds, after the payment of reasonable Administrative Expense, are exclusively and irrevocably pledged to and constitute a trust fund in accordance with the terms hereof and the provisions of the Resolution and in accordance with the provisions of the Act, for the security and

payment of, and for the security and payment of interest on, this Bond and all other parity Bonds that may hereafter be issued under the terms of the Resolution.

The Bonds maturing on or after January 1, 1997 are redeemable prior to maturity at the option of the Commission in whole or in part on January 1, 1996, or on any interest payment date thereafter, and if less than all of the outstanding Bonds are to be redeemed, the Bonds to be called shall be called in the inverse order of their maturity, and if less than all of a single maturity is so redeemed then by lot within a maturity, in the manner hereinafter provided, the Bonds to be redeemed at a redemption price of 101% of the principal amount redeemed plus accrued interest to the date fixed for redemption.

In the event of the redemption of less than all of the Bonds of like maturity, the aggregate principal amount thereof to be redeemed shall be \$5,000 or an integral multiple thereof, and the Bond Registrar shall assign to each Bond of such maturity a distinctive number for each \$5,000 principal amount of such Bond and shall select by lot from the numbers so assigned as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided that only so much of the principal amount of each Bond shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected.

Notice of any such redemption shall be sent by the Bond Registrar on behalf of the Commission by registered or certified mail not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption to the Registered Owner of each Bond to be redeemed at the address shown on the registration books of the Commission maintained by the Bond Registrar, or at such other address as is furnished in writing by such Registered Owner to the Bond Registrar. When so called for redemption, this Bond will cease to bear interest on the specified redemption date, provided funds for redemption are on deposit at the place of payment at that time, and shall not be deemed to be outstanding under the Resolution.

The rights and obligations of the Commission and of the registered owners of the Bonds may be modified or amended at any time

with the consent of the Commission and of the holders of not less than sixty-six and two-thirds per cent (66 $\frac{2}{3}$ %) in principal amount of outstanding Bonds in the manner, to the extent, and upon the terms provided in the Resolution, provided that no such modification or amendment shall extend the maturity of or reduce the interest rate on or otherwise alter or impair the obligation of the Commission to pay the principal or interest at the time and place and at the rate and in the currency provided therein of any Bond without the express consent of the holder or registered owner of such Bond, or permit the creation by the Commission of any mortgage or pledge or lien on the Site or on any part of the Building and Facilities or property situated thereon, or any other lien upon any of the Revenues derived by the Commission from said Site, Building and Facilities except for additional bonds as provided by the Resolution, or permit the creation of a preference or priority of any Bond or Bonds over any other Bond or Bonds, or reduce the percentage of Bonds required for the affirmative vote or written consent to an amendment or modification, all as more fully set forth in the Resolution.

Subject to the provisions for registration and transfer contained herein and in the Resolution, this Bond shall have all the qualities and incidents of a negotiable instrument under the laws of the State of Illinois. The Commission, its Treasurer, and the Trustee, Paying Agents, Bond Registrar and any other person may treat the registered owner of this Bond, as the absolute owner hereof and thereof for the purpose of receiving payment hereof and thereof and for all other purposes and shall not be affected by any notice to the contrary, whether this Bond be overdue or not.

This Bond is transferable by the registered holder hereof in person or by his attorney duly authorized in writing at the principal corporate trust office of the Bond Registrar in Chicago, Illinois, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Bond. Upon such transfer, a new Bond or Bonds of authorized denominations of the same rate of interest and maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.



The Bonds are issued in fully registered form in the denomination of \$5,000 each or authorized integral multiples thereof. This Bond may be exchanged at the principal corporate trust office of the Bond Registrar for a like aggregate principal amount of Bonds of the same rate of interest and maturity of other authorized denominations, upon the terms set forth in the Resolution.

The Commission covenants and agrees that so long as any of the Bonds remain outstanding, unless provision has been made for the payment thereof and the obligations of the Commission under the Resolution have been discharged in accordance with the provisions of the Resolution, it will establish and collect rentals for the use of the Site, Building and Facilities so that its Revenues will be sufficient at all times to provide for the payment of the Bonds through the Sinking Fund Account, and the payments into the Administrative Expense Account, Sinking Fund Account, Renewal, Replacement and Improvement Account and Surplus Account.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed, precedent to and in the issuance of this Bond, exist, have happened and have been performed in due time, form and manner as required by the Constitution and Statutes of the State of Illinois. Neither the principal of nor interest on this Bond is an indebtedness or obligation of the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, or any other political subdivision of or municipality within the State, or an obligation or an indebtedness or a claim against any of the property of the Commission within the purview of any statutory or constitutional limitation or provision.

The execution by the Trustee of its Certificate of Authentication hereon is essential to the validity of this Bond, and is conclusive evidence of the due execution and issue hereof under the aforesaid Resolution.

IN WITNESS WHEREOF, the Public Building Commission of Chicago, by its Board of Commissioners, has caused this Bond to be executed with the facsimile signature of its Chairman, with the facsimile seal of the Commission to be printed hereon, attested by its Secretary, all dated the first day of December, 1985.

PRINTED  
FACSIMILE  
SEAL

.....  
*Chairman*

ATTEST:

.....  
*Secretary*

## CERTIFICATE OF AUTHENTICATION

This is one of the Bonds of the issue designated therein and described in the within-mentioned Resolution of the Public Building Commission of Chicago.

CONTINENTAL ILLINOIS NATIONAL BANK  
AND TRUST COMPANY OF CHICAGO,  
TRUSTEE AND BOND REGISTRAR

By .....  
*Authorized Officer.*

\* \* \*

## ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto .....

(Name and Address of Assignee)

the within Bond, and does hereby irrevocably constitute and appoint ..... as attorney to transfer the said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: .....

Signature guaranteed: .....

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

## ARTICLE 7.

## CUSTODY AND APPLICATION OF CONSTRUCTION ACCOUNT.

SECTION 7.1. After payment of all interim borrowings incurred by the Commission with respect to the Commission's project JC-9, the balance of the proceeds derived from the sale of the Bonds authorized hereby, at the time of the delivery of the Bonds or of any part thereof to the purchaser, shall be promptly deposited by the Treasurer with the Trustee (the Trustee being hereby designated as the Depository therefor), and held by the Trustee in an account which is hereby created and designated "Public Building Commission of Chicago Building and Facilities (Series A of 1985) Construction Account" (the "Construction Account"), and all of the said funds realized from the sale of the Bonds and all Revenues realized from said project and deposited in said account shall be used and applied to the cost of acquiring the Site and of the Building and Facilities as described in Section 2.1 for which the Bonds are being issued, subject to the restrictions and transfer provided for in Section 7.3.

All interest and any profit or proceeds realized on funds in the Construction Account shall be credited to the Construction Account. Pending their application as provided by this Resolution, all such funds shall be subject to a lien and charge in favor of the holders of the Bonds issued and outstanding under this Resolution and for the further security of such holders until paid out or transferred as herein provided.

SECTION 7.2. For the purpose of this Resolution the cost of acquiring the Site and of rehabilitating, renovating and improving the Building and Facilities situated thereon, herein provided for, shall include all appurtenances in connection therewith and, without intending to limit or restrict any definition of such acquisition, rehabilitating, renovating and improving the Building and Facilities situated thereon under the provisions of the Act, shall include the following:

- (a) Obligations incurred for labor, materials, supplies and services and to architects, engineers, contractors and material-men and suppliers in connection with the acquiring of the Site

and the rehabilitating, renovating and improving the Building and Facilities situated thereon;

(b) Interest accrued and to accrue on Bonds prior to the commencement of the Site acquisition and rehabilitating, renovating and improving the Building and Facilities situated thereon at any time there are no other funds available for that purpose;

(c) The fees and expenses of the Registrar and Paying Agent and the Trustee for all of their services under or in connection with this Resolution until the filing of the Certificate of Completion of the Site acquisition and the rehabilitating, renovating and improving the Building and Facilities situated thereon;

(d) The cost of preliminary investigations to determine the feasibility or practicability of acquiring the Site and rehabilitating, renovating and improving the Building and Facilities situated thereon and fees for consultants, and, by way of illustration and not in limitation thereof, fees for preparation of specifications, building performance guidelines and management consultants, and all fees and expenses of Architect-Engineer for making reports, estimates, plans and specifications, and other engineering services, and fees for any other consulting surveys and reports in connection with such work and the issuance of Bonds therefor, surveys and estimates of costs of Revenues and other estimates and for supervising the construction as well as the performance of all other duties of Architect-Engineer set forth herein in relation to rehabilitating, renovating and improving the Building and Facilities situated thereon or the issuance of Bonds therefor;

(e) Legal expenses and fees, financing costs, costs of audits and of preparing and issuing the Bonds, wages of office and clerical employees, general administrative expenses, pension requirements and health, hospitalization and other necessary insurance;

(f) All other items of expense not elsewhere in this Section specified incident to the rehabilitating, renovating and improving the Building and Facilities situated thereon, the financing

thereof, the placing of the same in operation (including the initial premiums on any insurance required or obtained under the provisions of this Resolution), and the acquisition of the real property comprising the Site, property rights and franchises and including title insurance, if any, and costs of surveys, appraisals, relocation expenses authorized by statute and other expenses in connection with such acquisition; and

(g) Any expense heretofore or hereafter incurred by the Commission for any of the foregoing purposes, and also any amounts necessary for Administrative Expense during the period of acquiring the Site and rehabilitating, renovating and improving the Building and Facilities situated thereon and any other expenses reasonably necessary or incident to such Site acquisition and the rehabilitating, renovating and improving the Building and Facilities situated thereon and the placing of the same in operation.

SECTION 7.3. The Trustee shall promptly, after receiving the funds referred to in Section 7.1 hereof, set aside from said funds referred to in Section 7.1 and credit to the Sinking Fund Account, provided for in Section 8.3 hereof, an amount sufficient to pay interest accrued and to accrue up to and including July 1, 1987. The balance of the proceeds derived from the sale of the Bonds shall be held in the Construction Account and used and applied, as provided in Section 7.2 hereof, for the acquisition of a Site and rehabilitation, renovating and improving the Building and Facilities situated thereon for which the Bonds were issued.

Earnings received on the investment of the amount required to pay interest accrued or to accrue on the Bonds up to and including July 1, 1987 and deposited in the Sinking Fund Account pursuant to this Section 7.3 shall be credited to the Construction Account.

SECTION 7.4. Transfers or payments from the Construction Account referred to in Section 7.1, except those authorized and directed to be made under the provisions of Section 7.3., shall be made for payment of the cost of acquiring a Site and rehabilitating, renovating and improving the Building and Facilities situated thereon in accordance with the provisions of this Section.

All payments shall be made by check of the Trustee upon written order of the Board, signed by the Chairman and countersigned by the Treasurer, and each such order shall state in respect of such payments:

1. The item number of the payment and the project number;
2. The name of the person, firm or corporation to whom the payment is due;
3. The amount to be paid and the purpose for which the obligation is to be paid; and if for the acquisition of a Site, or portion thereof, the legal description of the real property;
4. That obligations in the stated amounts have been incurred by the Commission, for the payment of cost of rehabilitating, renovating and improving the Building and Facilities and that each item thereof is a proper charge against the Construction Account and has not been paid; and
5. The amount of any notice of lien or liens on public funds made pursuant to the Illinois Mechanics' Lien Law which has not been released or will not be released simultaneously with the payment of such obligations. If such notice of lien on public funds will not be so released with the payment referred to in said order, the Trustee shall deduct the amount stated in such notice of lien on public funds (if not theretofore reserved from payment under a previous order) and reserve the same for the period required under the provisions of the Illinois Mechanics' Lien Law relating to liens on public funds (currently Ill. Rev. Stat. 1979, Ch. 82, par. 23), and upon the expiration of such statutory period, as certified by the Treasurer of the Commission, to forthwith make payment of the same to the party or parties entitled thereto.

If such order directs payment for work or materials stated therein to be under the supervision of the Architect-Engineer, it shall be accompanied by a certificate signed by the Architect-Engineer, certifying that the obligations in the amounts stated have been incurred by the Commission and that each item thereof is a proper charge against the Construction Account, shall identify the project on whose behalf the obligation was incurred, and indicate that the same has not been paid.

Upon receipt of any such order and accompanying certificate, if required, the Trustee shall pay such obligation to the party named in the order and charge the same against the Construction Account.

Funds in the Construction Account shall not be expended for other than the cost of acquiring the Site and of rehabilitating, renovating and improving the Building and Facilities situated thereon and as herein provided.

The Commission will use its best efforts to acquire the Site and to complete the Building and Facilities thereon at the earliest possible date in accordance with the construction contracts therefor, provided that the Commission shall not be required to expend any moneys therefor which are not available from the proceeds derived from the sale of the Bonds and provided, further, that the failure to acquire the complete Site proposed to be acquired and the failure to complete or cause the completion of the Building and Facilities thereon, or any of them, will not give Lessee the right to cancel or terminate its Lease or to abate, reduce or make reduction from or offset against any rent payable under its Lease or to fail to perform or observe any of the other covenants or conditions of the Lessee thereunder.

In addition to the foregoing, the Trustee shall, upon order signed by the Chairman and countersigned by the Treasurer, at one time or from time to time until the Certificate of Completion is filed with the Trustee, pay to the Treasurer by check of the Trustee from the Construction Account a sum or sums not to exceed \$25,000, such sum or sums to be used by the Commission as the Building and Facilities (Series A of 1985) Revolving Fund (the "Revolving Fund") for payment of items of expense during construction which cannot be conveniently paid as herein otherwise provided. Such Revolving Fund shall be replenished from time to time upon written order of the Chairman, countersigned by the Treasurer, directed to the Trustee, accompanied by certificate signed by the Treasurer setting forth an itemized statement of the purposes for which the prior funds were expended and the balance remaining and that they were all proper charges against and payable from the Construction Account, it being the intent of this paragraph to provide a Revolving Fund for the Commission to be maintained at all times in an amount not to exceed \$25,000.



SECTION 7.5. All orders, certificates and other papers received by the Trustee, as required in this Article 7 as conditions of payment from the Construction Account, may be relied upon by the Trustee, without any investigation, and shall be retained in the possession of the Trustee, subject at all reasonable times to the inspection of the Commission, the Treasurer of the City College, the Architect-Engineers, any Bondholder and the agents and representatives thereof.

SECTION 7.6. After all obligations of any kind or character, including all liens on public funds, have been fully paid on account of the acquisition of the Site and rehabilitating, renovating and improving the Building and Facilities situated thereon, there shall be filed with the Trustee a certificate executed by the Chairman and Treasurer stating that all obligations incurred in connection with the acquisition of the Site, including liens on public funds for the rehabilitating, renovating and improving the Building and Facilities situated thereon have been paid and satisfied, accompanied by a certificate of the Architect-Engineer that said rehabilitating, renovating and improving the Building and Facilities has been fully completed. Upon receipt of such certificates, the Trustee shall, without further order or direction, transfer the remaining funds in the Construction Account to the Sinking Fund Account.

SECTION 7.7. Moneys held by the Trustee for the credit of the Construction Account shall, as nearly as may be practicable, be continuously invested and reinvested by the Trustee in bonds, notes, certificates of indebtedness, Treasury bills or other securities guaranteed by the full faith and credit of the United States of America as to principal and interest or interest-bearing savings accounts, interest bearing certificates of deposit or interest-bearing time deposits constituting direct obligations of any bank as defined by the Illinois Banking Act and which deposits are insured by the Federal Deposit Insurance Corporation, or short term discount obligations issued by the Federal National Mortgage Association which shall mature, or which shall be subject to redemption by the holder thereof at the option of such holder, not later than the respective dates, as estimated by the Executive Director, when said moneys will be required for the purpose intended. It shall be the duty of the Executive Director to file

with the Trustee from time to time the estimated dates when such funds will be required and the Commission covenants that it will cause to be filed such estimates and cause the Trustee to make investments of the moneys to the credit of the Construction Account as provided by this Section.

All interest accruing thereon and any profit or proceeds realized from any such investment shall be credited to the Construction Account, and any loss resulting from the sale of such investments shall be charged to the Construction Account. The Trustee shall sell at the best price reasonably obtainable or present for redemption any obligations so purchased whenever it shall be necessary so to do in order to provide moneys to meet any payment or transfer from such account. Neither the Trustee, the Treasurer nor the Commission shall be liable or responsible for any loss resulting from any such investment or from the sale of securities delivered to the Trustee by the Commission.

#### ARTICLE 8.

##### CUSTODY AND APPLICATION OF REVENUES.

SECTION 8.1. The Commission covenants and agrees that so long as any of the Bonds remain outstanding, unless provision has been made for the payment thereof and the obligations of the Commission under this Resolution have been discharged in accordance with the provisions of Section 18.1 of this Resolution, the Site, Building and Facilities shall be operated on a fiscal year basis commencing on the first day of January and ending on the last day of December of each year, and all Revenues derived by the Commission from the Site, Building and Facilities shall be deposited by the Escrow Agent with the Trustee (which Trustee is hereby designated as the Depositary therefor) within three full business days after receipt thereof. All sums so deposited by the Escrow Agent with the Trustee shall be credited by the Trustee to the "Public Building Commission of Chicago Building and Facilities (Series A of 1985) Revenue Fund", which is hereby created (the "Revenue Fund"). Any advance rentals shall be held in the Revenue Fund and invested and be applied to the payment

of the rent for the fiscal year or years for which the advance payment was made. Rentals payable on December 1 of each year shall be considered as rentals for the fiscal year commencing on the succeeding January 1.

SECTION 8.2. The Trustee in each fiscal year shall first, without further order or direction, transfer from said Revenue Fund to the Treasurer, to be deposited by him with the Depositary in the separate commercial account which is hereby created by the Commission and designated the "Public Building Commission of Chicago Building and Facilities (Series A of 1985) Administrative Expense Account" (the "Administrative Expense Account"), the amount budgeted for such year as provided by Section 16.1 of this Resolution; provided that in no event shall the Trustee transfer to the Treasurer for deposit to said Administrative Expense Account in any fiscal year more than the amount for that particular fiscal year set forth in Section 16.1 of this Resolution plus any additional funds that may be transferred from the Surplus Account as authorized by Section 9.4 of this Resolution for such fiscal year. The funds in said Administrative Expense Account shall be used by the Commission to pay the reasonable Administrative Expense in connection with the Building and Facilities and a pro rata share of the Commission's general administrative expense for the current fiscal year as provided in the annual budget adopted in accordance with the provisions of Section 16.1 of this Resolution.

SECTION 8.3. After making the transfer of funds to the Treasurer as required by Section 8.2 hereof, the Trustee shall credit the balance of the Revenues referred to in Section 8.1 hereof in the following order of priority to the following respective accounts, that is:

Public Building Commission of Chicago Building Revenue Bonds (Series A of 1985), Sinking Fund Account (the "Sinking Fund Account")

Public Building Commission of Chicago Building and Facilities (Series A of 1985) Renewal, Replacement and Improvement Account (the "Renewal, Replacement, and Improvement Account")

Public Building Commission of Chicago Building and Facilities (Series A of 1985) Surplus Account (the "Surplus Account")

Each of said accounts is hereby created and the Commission hereby covenants and agrees to cause each of them to be maintained and all moneys credited to each account shall be held in trust by the Trustee and applied, used, and withdrawn only for the purposes and as hereinafter authorized:

(a) There shall be credited in each fiscal year to the Sinking Fund Account an amount sufficient to pay the principal of and interest on all outstanding Bonds (including all Parity Bonds) authorized to be issued hereunder which will become due on January 1 and July 1 of each fiscal year. All moneys deposited pursuant to the provisions hereof in said account shall be used only for the purpose of paying the principal of and interest on the Bonds of this issue, or any Parity Bonds, as the same shall become due, and funds sufficient to pay such maturing principal or interest, or both, shall be forwarded to the Paying Agent prior to each current maturity date of such principal or interest, or both.

(b) After crediting the amount required to be credited to the Sinking Fund Account, there shall be credited in the fiscal year 1988 to the Renewal, Replacement and Improvement Account the sum of \$50,000 and in each fiscal year thereafter the sum of \$50,000 until said account aggregates the sum of \$500,000. Whenever any money is paid out of said account credits into said account shall be resumed and continued until the balance in said account again aggregates the sum established by this subparagraph.

The funds of said account shall be withdrawn from said account from time to time and used for the purpose of renewing, replacing and improving any part of the Building and Facilities which have become obsolete, worn out or otherwise unusable, or to provide extraordinary repairs whenever no other funds are available for that purpose. Payments shall be made by the Trustee from such fund only upon submission to the Trustee of a certified copy of a resolution adopted by the Commission reciting that

funds are to be used for renewing, replacing or improving part of the Building or Facilities which have become obsolete and worn out or otherwise unusable, identifying the Building or Facilities to be renewed, replaced or improved. The funds held in said account to the extent necessary shall also be used to prevent or remedy a default in the payment of the interest on or principal of the Bonds and shall by resolution of the Board be transferred by the Trustee to the Sinking Fund Account when no other funds are available for that purpose.

(c) All moneys remaining in the Revenue Fund as established by this Resolution, after crediting the requirements in each fiscal year to the respective accounts hereinabove provided for, shall be credited as soon as, and as often as, received to the Surplus Account and shall be used in the order and for the purposes as follows:

(1) to credit the Sinking Fund Account in order to make up or prevent any deficiency therein.

(2) to credit the Administrative Expense Account with any additional funds that the Commission may direct be transferred from the Surplus Account to the Administrative Expense Account, as authorized by Section 9.4.

(3) to credit the Renewal, Replacement and Improvement Account to make up any deficiency in the current fiscal year's required credits thereto and at the discretion of the Commission to credit the Renewal, Replacement and Improvement Account with additional funds whenever such crediting may, in the opinion of the Commission, be desirable or necessary.

(4) at the discretion of the Commission, if the proceeds of any insurance shall be insufficient to repair, replace or reconstruct damaged or destroyed property, for credit to the Public Building Commission of Chicago Building and Facilities (Series A of 1985) Insurance Account referred to in Section 11.1 and applied for the purposes therein stated.

(5) if for any reason the construction and equipping of the Building and Facilities provided for in this Resolution,

and for which Bonds have been issued, shall not have been fully completed as contemplated by the plans and specifications therefor, then, at the discretion of the Commission, moneys in this account may be credited to the Construction Account and used for the completion thereof in accordance with such plans and specifications or as such plans and specifications may have been modified.

(6) not less than forty-five (45) days prior to the end of each fiscal year, if there are funds remaining in the Surplus Account after making up any deficiency existing in the Sinking Fund Account, the same shall be credited to the next annual rental payment due from the City College, and the Certificate of the Treasurer of the Commission certifying as to the amount of said surplus funds available for credit to the next annual rental payment due from the City College, shall be filed with the Treasurer of the City College, as notice of such credit on the next succeeding rental payment due from the City College. An additional copy of such certification shall be filed with the Trustee and upon receipt of such the Trustee shall, prior to the date the rental is due and without further order or direction, transfer said sum as certified from the Surplus Account to the Revenue Fund for credit to the accounts as provided by Sections 8.2 and 8.3.

SECTION 8.4. Money in the Administrative Expense Account created in Section 8.2 may be invested by the Treasurer, and money in any of the accounts hereinabove created in Section 8.3 shall be invested by the Trustee from time to time, in bonds, notes, certificates of indebtedness, Treasury bills or other securities guaranteed by the full faith and credit of the United States of America as to principal and interest or interest bearing savings accounts, interest bearing certificates of deposit or interest bearing time deposits constituting direct obligations of any bank as defined by the Illinois Banking Act and which deposits are insured by the Federal Deposit Insurance Corporation, or such bank obligations secured by such classes of investments of the United States of America above referred to, which investments shall mature, or which shall be subject to redemption by

the holder thereof at the option of such holder, prior to the date on which the moneys in said accounts will be needed, but in no event later than two years from the date of any such investment. Such securities shall be sold from time to time without further direction from the Commission whenever funds are needed for the purpose for which said account has been created. All investments purchased under the provisions of this Section 8.4 until sold shall be deemed at all times to be a part of the account from the moneys of which they shall have been purchased. All earnings received on any funds so invested, or profit or loss resulting from the sale of any such investments, shall be credited or charged to the account for which the investment was made, except that earnings received on the investment of the amount required to pay interest accrued or to accrue on the Bonds up to and including July 1, 1987, and deposited in the Sinking Fund Account pursuant to Section 7.3 of this Resolution, shall be credited to the Construction Account. The Board, the Treasurer, or the Trustee shall not be liable or responsible for any loss resulting from any such investment.

SECTION 8.5. So long as any of the Bonds remain outstanding, unless provision has been made for the payment thereof and the obligations of the Commission under the Resolution have been discharged in accordance with the provisions of Section 18.1 of this Resolution, Revenues derived by the Commission from the ownership of the Site, Building and Facilities, and all income, interest, and profits thereon, and all other moneys and securities under the terms of this Resolution paid or to be paid to or held or to be held by the Treasurer, or the Trustee, are, until paid out or transferred as provided by this Resolution, hereby pledged to and charged with and subjected to a lien for the payments of the principal of and interest on all Bonds in accordance with their terms and the provisions of this Resolution and are hereby subjected to a lien and charge in favor of all present and future holders of all Bonds as security for the performance and observance of all of the covenants, agreements, and conditions in the Bonds and herein contained for the equal and proportionate benefit, protection, and security of all present and future holders of any and all of the Bonds issued and to be issued under this Resolution, without preference, distinction, or priority as to lien or

otherwise of any one Bond over any other of the Bonds authorized by this Resolution, by reason of priority in time of authorization, issue, sale, or negotiation thereof or otherwise.

#### ARTICLE 9.

##### TRANSFERS AND DISBURSEMENTS FROM ACCOUNTS OF THE PUBLIC BUILDING COMMISSION OF CHICAGO CREATED BY ARTICLE 8.

SECTION 9.1. The funds of the Administrative Expense Account may be transferred by the Treasurer to a separate bank account in an amount not to exceed the amount budgeted each fiscal year for Administrative Expenses of the Site, Building and Facilities and be disbursed by the Treasurer on the written order of the Board, signed by the Chairman and countersigned by the Treasurer. It shall be the duty of the Treasurer not later than one hundred twenty (120) days after the end of each fiscal year to file an accounting of the expenditure of funds from said separate account with the Trustee setting forth an itemized statement of the purposes for which such funds were expended and that they were all for proper charges against and payable from said Administrative Expense Account.

SECTION 9.2. The Trustee, without further order or direction, shall, as Paying Agent, apply the moneys to the credit of the Sinking Fund Account to the payment of interest and principal and applicable redemption premium, if any, from time to time becoming due on the Bonds.

SECTION 9.3. Disbursements from the Renewal, Replacement and Improvement Account shall be made by check of the Trustee in accordance with the provisions of Sections 7.4 and 8.3(b) of this Resolution.

SECTION 9.4. Moneys to the credit of the Surplus Account shall be transferred by the Trustee at any time and from time to time without further order or direction for making up any deficiencies in the Sinking Fund Account. If the Sinking Fund Account has been credited with all amounts required to be credited, the Board may by resolution direct the transfer of moneys in the Surplus Account for



the credit of additional funds to the Administrative Expense Account for the purposes provided for by Section 8.2, or, upon first receiving a certification from the Architect-Engineer that it is necessary and essential to the efficient operation of the Building and Facilities that such funds be used for one or more of the purposes referred to in subparagraphs 3, 4 and 5 of paragraph (c) of Section 8.3, together with an estimate of cost thereof, may by resolution direct the transfer of said funds to the credit of any one or more of the accounts referred to in subparagraphs 3, 4 and 5 of paragraph (c) of Section 8.3. The Board may also by resolution direct the transfer of funds for the purpose of the redemption and payment of any Bonds which are called for redemption prior to maturity and by such resolution shall direct the transfer of funds for such purpose to the account referred to in subparagraph (6) of paragraph (c) of Section 8.3 of this Resolution. A certified copy of such resolution, or resolutions, accompanied by a certified copy of the certificate of the Architect-Engineer, if necessary, as herein provided, shall be filed with the Trustee and the Trustee, upon receipt of such instruments shall make the proper transfer and credit as herein provided.

No such transfers shall be made by the Trustee, nor shall the Board adopt any resolution providing for such transfers within forty-five (45) days prior to the end of each fiscal year and any funds remaining in the Surplus Account within forty-five days prior to the end of each fiscal year shall be credited to the rental payment of the City College as provided by subparagraph (7) of paragraph (c) of Section 8.3.

SECTION 9.5. Notwithstanding any other provision contained in this Resolution, the Trustee, for the purposes, under the circumstances, and in accordance with the provisions specified in Section 3 of the Lease, shall transfer to the Sinking Fund Account all moneys on hand in the Construction Account, the Renewal, Replacement and Improvement Account and the Surplus Account.

SECTION 9.6. The Treasurer in making any disbursements under Section 9.1 hereof may rely upon the orders and certificates required in this Section and neither the Trustee nor the Depositary shall have any liability with respect to such disbursements nor any duty to inquire into the propriety or application thereof.

## ARTICLE 10.

## COVENANTS WITH BONDHOLDERS.

SECTION 10.1. The Commission covenants that it will fix and establish rentals and other charges for the use of the Site, Building and Facilities so that the Revenues of the Commission will be sufficient at all times to pay the Bonds and the interest thereon, as the same shall become due and payable, and all other requirements herein provided.

The Commission further covenants that it will promptly pay the principal of, and interest on, all Bonds issued under the provisions of this Resolution at the place, on the dates, and in the manner provided herein, and in said Bonds.

SECTION 10.2. The Commission covenants that it will acquire and own fee title to the Site herein provided to be acquired and it will forthwith proceed to rehabilitate, renovate, and improve the Building and Facilities situated thereon as described in Section 2.1, for which Bonds have been issued, according to the Architect-Engineers' report based on the preliminary plans and specifications heretofore approved and placed on file in the office of the Commission, and in conformity with the Act, and that it will complete such work with all practicable expediency, free and clear of all liens.

The Commission covenants that all of its contracts for the rehabilitation, renovation and improvement of the certain Building and Facilities herein provided for shall be submitted to the Architect-Engineer and that no such contracts shall be entered into and no partial or final payments on such contracts will be made without the approval of the Architect-Engineer.

The Commission covenants that, except as otherwise provided in this Resolution, each such contract for labor or materials or construction will also provide that payments thereunder shall not be made by the Commission in excess of ninety per cent (90%) of current estimates approved by the Architect-Engineer until the aggregate amount of payments withheld equals five per cent (5%) of the contract price, which amount shall be payable as follows:

- (a) Upon certification by the Architect-Engineer of "substantial completion" of the work, payment may be made

upon certification and approval by the Architect-Engineer of such portion of such withheld funds as will not reduce such withheld funds below an amount representing 2% of the adjusted contract price; and

(b) The balance shall be payable upon "final acceptance" of the work by the Architect-Engineer.

Nothing in this Section 10.2 shall be interpreted as in any way affecting the right or obligation of the Commission to withhold funds in addition to the retained percentage provided for in this paragraph, on account of notices of lien on public funds as provided in this Resolution.

SECTION 10.3. The Commission covenants that it will require that the City College keep the Building and Facilities repaired and maintained in strict compliance with the recommendations of the Architect-Engineer or building management firm or technical staff employed by the Commission for that purpose except for such amounts as the Commission shall expend from the Renewal, Replacement and Improvement Account set forth in Section 8.3(b). The Commission also covenants to require the City College to provide services, including, but not to the exclusion of other items not specified, water, heat, light, electricity, air conditioning, repairs, replacements, janitor, cleaning and caretaking services, all at City College expense and without right of reimbursement from the Commission therefor; and that it will observe and perform all of the applicable terms and conditions contained in the Act, in this Resolution, the Lease and any other leases covering the premises upon which the Building and Facilities are located.

SECTION 10.4. The Commission covenants that, so long as any of the Bonds remain outstanding, unless provision has been made for the payment thereof, and the obligations of the Commission under this Resolution have been discharged in accordance with the provisions of Section 18.1 of this Resolution, it will not issue any bonds or other evidences of indebtedness, except pursuant to the provisions of this Resolution, secured by a pledge of the Revenues of said Commission from the Site, Building and Facilities; and that it will not create or suffer to be created any lien or charge upon the Building, Facilities or

property or any part thereof or upon the Revenues therefrom except the lien and charge of the Bonds secured hereby upon such Revenues, or such additional Parity Bonds that may be issued pursuant to the provisions of this Resolution, and that, from such Revenues or other available funds, it will pay or cause to be discharged, or will make adequate provision to satisfy and discharge, within sixty days after the same shall become payable; all lawful claims and demands for labor, materials, supplies or other objects; provided, however, that nothing in this Section contained shall require the Commission to pay or cause to be discharged, or make provision for, any lien or charge so long as the validity thereof shall be contested in good faith and by appropriate legal proceedings which stay the enforcement thereof.

SECTION 10.5. The Commission covenants that it will, for the purpose of performing and carrying out the duties imposed upon the Architect-Engineer by this Resolution, employ Architect-Engineer from time to time to perform the duties required by this Resolution, each having nationwide and favorable repute for skill and experience in such work.

The Commission further covenants that it will cause the respective Architect-Engineer or building management firm or technical staff employed by the Commission for that purpose, to make an inspection of the Building and Facilities during each even numbered year (commencing in 1988), and submit to the Commission their respective reports not later than ninety days preceding the end of each such even numbered year setting forth their findings as to whether the Building and Facilities have been maintained by the City College, as required in this Resolution and in the Lease, in good repair, working order and condition, and their recommendations as to:

- (a) Proper maintenance, repair and operation to be performed by the Lessee during the ensuing fiscal years;
- (b) Any other recommendations they deem in their judgment should be carried out by the Lessee to keep the Building and Facilities in proper repair in order to assure an efficient operation thereof;
- (c) The insurance to be carried on the respective Building and Facilities under the provisions of this Resolution.

A copy of such report shall be filed with the Trustee and the City College.

SECTION 10.6. The Commission covenants that, except as in this Resolution otherwise permitted, it will not sell or mortgage the Site, Building and Facilities or any part thereof. The Commission may, however, from time to time sell any of its machinery, fixtures, apparatus, instruments or other movable property, if the Commission shall determine that such articles are no longer needed or are no longer useful in connection with the construction and equipping of the Building and Facilities and the net proceeds thereof shall, as soon as practicable, be applied to the replacement of the articles so sold or disposed of, or shall be deposited to the credit of the Sinking Fund Account; provided that prior to the completion of the construction and equipping of the Building and Facilities the net proceeds of any such sale of machinery, fixtures, apparatus, tools, instruments or other movable property acquired by the Commission from the proceeds of Bonds issued on account of said Building and Facilities or from other income or Revenues shall not be so applied or deposited, but shall be credited to the Construction Account.

SECTION 10.7. The Commission covenants that it will faithfully, diligently and punctually do all things required of it, and will comply with all reasonable requests, and will file all schedules and reports provided by this Resolution.

SECTION 10.8. The Commission covenants that all payments under the Lease entered into by and between the Commission and the City College, and pertaining to the Site, Building and Facilities referred to in this Resolution, shall inure to the benefit of the holder of any of the Bonds authorized hereunder and the Commission further agrees that it will properly enforce all obligations of the City College with respect to the Site, Building and Facilities and it will not make or consent to any change or modification of the aforesaid Lease which would reduce the rates, rentals, fees or charges of the City College thereunder, extend the time for payment of rentals provided therein, nor permit any change in operation or occupancy which would reduce the required payments under the lease to the Commission, except as herein and in the Lease provided.

SECTION 10.9. The commission further covenants and agrees that any provisions in this Resolution to the contrary notwithstanding, it will take no action which would result in making the interest payable on any of the Bonds hereby authorized subject to federal income taxes by reason of the Bonds being classified as "arbitrage bonds" within the meaning of the provisions of Section 103(c) of the Internal Revenue Code of 1954, as amended, relating to arbitrage bonds.

SECTION 10.10. The Commission recognizes that the initial purchasers and the registered owners from time to time of the Bonds will have accepted them on, and paid therefor a price which reflects, the understanding that interest thereon is exempt from federal income taxation under the laws in force at the time the Bonds shall have been delivered. In this connection, the Commission agrees that it will take no action which may render the interest on any of the Bonds subject to federal income taxation.

The Commission further recognizes that Section 103(j) of the Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon is exempt from federal income taxation under the laws in force at the time the Bonds are delivered. In this connection, the Commission agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

#### ARTICLE 11.

##### INSURANCE AND RECORDS.

SECTION 11.1. The Commission covenants that:

It will maintain an appropriate policy or policies of insurance against builders' risk during the construction of the Building and Facilities or any portion of the Building and Facilities. Upon completion of the Building and Facilities, the Commission will procure from responsible insurance company or companies, qualified to assume the risk thereof, such insurance coverage against physical loss or damage to the property, including without limiting the generality of the foregoing, fire and extended coverage, vandalism, malicious mischief, and against other risks as may be deemed necessary or advisable by the Commission, with such exceptions as are ordinarily

required by insurers of facilities of similar type, in an amount equal to the full replacement value thereof, as certified by the Architect-Engineer in writing filed with the Commission and the Trustee; provided, however, that the requirement to maintain insurance as hereinabove set forth may be waived by the express agreement of the Lessee in writing approved by the Commission and filed with the Trustee, to assume any and all liability and risks of every kind and nature against physical loss or damage to the Building and Facilities and provided, further, that the waiver of such insurance requirement shall not release, impair or diminish the obligation of the Lessee to pay annual rentals in the amounts thereunder set forth in Section 3 of the Lease. Such policy or policies of insurance as may be obtained by the Commission shall contain a waiver by the insurer of the right of subrogation against the contractor, his or its subcontractors, the architect, engineers, and the Lessee, their respective commissioners, board members, officers, agents and employees. The Commission will not carry insurance of any kind on furniture or furnishings or on any fixtures, equipment, improvements, or appurtenances owned by the City College, or leased by the City College, from other than the Commission and located in the Building and Facilities; and the Commission shall not be obligated to repair any damage thereto resulting from fire or other casualty or to replace the same if destroyed by fire or other casualty.

All such policies shall be for the benefit of the Commission, shall be made payable to the Commission, and shall be received by the Treasurer and by him forthwith deposited with the Trustee. The Commission shall have the sole right to receive the proceeds of such insurance and to receipt for and settle claims thereunder and shall deposit the same with the Trustee. The proceeds of any and all such insurance shall be held by the Trustee as security for the Bonds issued hereunder until paid out as hereinafter provided.

The Commission covenants that, immediately after any substantial damage to or destruction of any part of the Building and Facilities, it will cause the Architect-Engineers to prepare plans and specifications for repairing, replacing or reconstructing the damaged or destroyed property (either in accordance with the original or a

different design) and an estimate of the cost thereof, and to file copies of such estimate with the Trustee and the Lessee.

The proceeds of all insurance referred to in this Section 11.1 received by the Trustee during the construction and equipping of the Building and Facilities shall be held by the Trustee, credited to the Construction Account, and shall be available for and disbursed by the Trustee in the manner and on the showings provided in Section 7.4 for payments from the Construction Account. The proceeds of all insurance referred to in this Section 11.1 received by the Trustee after the construction and equipping of the Building and Facilities has been fully completed, shall be credited by the Trustee to a special account which is hereby created and designated "Public Building Commission of Chicago, Building and Facilities (Series A of 1985) Insurance Account" (the "Insurance Account"), and said proceeds shall be available for, and shall to the extent necessary be applied to the repair, replacement, or reconstruction of the damaged or destroyed property, and shall be disbursed by check of the Trustee in the manner and upon the showings, so far as reasonably applicable, provided in Section 7.4 for payments from the Construction Account. The Trustee shall not be liable for disbursement so made. If such proceeds are more than sufficient for such purpose, the balance remaining shall be by order of the Board deposited by the Trustee to the credit of the Surplus Account. If such proceeds shall be insufficient for such purpose, then the deficiency shall be supplied by the Commission from any moneys available for that purpose in the Surplus Account.

The Commission covenants that, in the case of any substantial damage to or destruction of any part of the Building and Facilities, it will cause the Building and Facilities to be renewed, replaced or reconstructed to the extent possible from the proceeds of insurance and other moneys available for such purpose, and that it will forthwith commence and diligently proceed with such renewal, replacement or reconstruction of the damaged or destroyed property according to plans and specifications prepared or approved by the Architect-Engineers.

The proceeds of any such insurance not applied within eighteen months after their receipt by the Commission to renewing, replacing or reconstructing the damaged or destroyed property (unless it has



been prevented from so doing because of conditions beyond its control) shall be credited by the Trustee upon order of the Commission to the Sinking Fund Account.

SECTION 11.2. The Commission covenants that it will at all times carry or cause to be carried with a responsible insurance company or companies qualified to assume the risk thereof:

(a) Such worker's compensation or employers' liability insurance covering its employees, as may be deemed necessary or advisable under law.

(b) Public and other liability insurance of such character and amount (if any) as shall be adequate, in the judgment of the Commission, to insure the Commission against risks (if any) to which it may reasonably be or become subject to in the rehabilitation, renovation and improvement of said Building and Facilities, and in leasing the same, but the Commission shall not be required to maintain any such insurance to the extent such insurance is carried for its benefit by any lessee, licensee or other person operating the Building and Facilities or by contractors. The proceeds of any such insurance not applied directly in settlement of such liability shall be promptly deposited with the Trustee and by it credited to the Administrative Expense Account in case of risks to which the Commission is subject in operation, and credited to the Construction Account or Insurance Account, as the case may be, in case of risks to which it is subject in the rehabilitation, renovation and improvement of said Building and Facilities.

(c) All officers and employees of the Commission authorized to receive or retain the custody of money or to sign vouchers, checks, warrants, or evidences of indebtedness of behalf of the Commission, shall be bonded for the faithful performance of their duties and the faithful accounting of all moneys and other property that may come into their hands, in an amount to be fixed and in a form to be approved by the Commission.

All policies of insurance required by this Section 11.2 shall name as the insured parties thereunder the Commission, the Architect-Engineer and the Lessee, as their interests may appear.

All insurance provided under Sections 11.1 and 11.2, above, shall provide for fifteen days' prior written notice to the Commission and the Trustee of the cancellation or material modification of any such insurance, and shall further provide that, as to the interest of the Commission, such insurance shall not be altered or impaired by any act or omission of anyone other than the Commission.

SECTION 11.3. Within ninety days after the delivery of the Bonds and within the first three months of each subsequent fiscal year the Commission shall file with the Trustee a schedule of all insurance policies referred to in Sections 11.1 and 11.2 which are then in effect, stating with respect to each policy the name of the insurer, the amount, number and expiration date, and the hazards and risks covered thereby. Copies of such schedule shall be mailed to the Lessee. All such insurance policies shall be open to the inspection of the Trustee, the Lessee, the Bondholders and their agents and representatives.

Any appraisalment or adjustment of any loss or damage under any policy payable to the Commission and any settlement or payment of indemnity under any policy in which the Commission is interested, which may be agreed upon between the Commission and any insurer shall be evidenced to the Trustee by a certificate, signed by the Chairman and Secretary, which certificate may be relied upon by the Trustee as conclusive. The Trustee shall not in any way be liable or responsible for any breach by the Commission of insurance requirements of this Resolution or for the collection and applications of insurance moneys in case of any loss or damage or liability and the Trustee need make no inquiry with respect to the performance of such requirements or such collections and applications.

SECTION 11.4. The Commission covenants that it will keep accurate records, of the total cost of acquiring the Site and rehabilitating, renovating and improving said Building and Facilities; the Revenues collected and of the application of such Revenues; and that it will maintain the following records which shall be open at all reasonable times at the office of the Commission to the inspection of the Trustee, Treasurer of the City College, the purchasers or holders of the Bonds, and their agents and representatives:

- (a) An income and expense account.
- (b) Record of all deposits to the credit of and withdrawals from each account created under the provisions of this Resolution.
- (c) The details of all Bonds issued, paid, purchased or redeemed.
- (d) A balance sheet as of the end of each such year.
- (e) Record of revisions (if any) in rentals and other charges.

The Commission further covenants that not later than one hundred and twenty (120) days after the close of each fiscal year it will cause an audit to be made of its books and accounts relating to the Site, Building and Facilities, including a detailed report and financial statement of its operations and of its assets and liabilities, by an Independent Public Accountant. Promptly thereafter copies of each such audit report shall be filed with the Trustee, and also with the Secretary. Copies of such audit report shall also be mailed to the City College, and all Bondholders who shall have filed their names and addresses with the Commission for such purpose. Each such audit report shall set forth the findings of the Independent Public Accountant whether the moneys received by the Commission under the provisions of this Resolution have been applied in accordance with the provisions of this Resolution, and whether any payments or liabilities for administrative expense in the preceding fiscal year were in excess of the annual budget for such fiscal year.

Such audit report shall be open at all reasonable times to the inspection of the Bondholders and their agents and representatives.

The Commission further covenants that it will cause any additional reports or audits relating to the Site, Building and Facilities to be made as required by law and that, as often as may be requested, it will furnish to the Trustee, and the holder of any Bond issued hereunder, such other information concerning the Site, Building and Facilities or the operation thereof as any of them may reasonably request. The cost of such reports and audits shall be treated as an Administrative Expense of the Commission.

## ARTICLE 12.

## ADDITIONAL BONDS.

SECTION 12.1. To the extent necessary to pay the cost of acquiring the Site and rehabilitating, renovating and improving said Building and Facilities, funds shall be advanced and disbursed from the Construction Account as provided in and by this Resolution, to the end that the work provided for and authorized by the preamble and Article 2 of this Resolution shall be completed according to said plans and specifications therefor, provided, that if sufficient funds are not available in the Construction Account to complete the Building and Facilities provided for in said preamble and Article 2 for which Bonds have been issued under the limitations prescribed by this Resolution, additional bonds to the extent necessary to provide additional funds for acquiring the Site and for completing the Building and Facilities may be issued under and secured by this Resolution at any time or from time to time ranking on a parity with the Bonds then outstanding and issued under this Resolution. Under no circumstances may any prior lien bonds be issued. Such additional bonds shall be designated "Public Building Commission of Chicago, Building Revenue Bonds Series A of 1985" with such appropriate particular designation added to said title as the Commission may determine, and shall be dated and bear such interest rate or rates (not in excess of maximum rate provided by law) payable on January 1 and July 1 of each year as may be determined by the Commission, and shall mature serially on January 1. Any such additional bonds shall be authorized by resolution to be adopted by the Commission, which shall direct their issue, execution, authentication and delivery to a purchaser, and such additional bonds shall be in the form as provided for in such resolution, but before such bonds shall be issued or authenticated there shall be filed with the Trustee the following:

- (a) A certificate signed by an Independent Public Accountant setting forth the amounts set aside from the Construction Account that were required to be set aside for purposes other than acquiring the Site and rehabilitating, renovating and improving said Building and Facilities under Section 7.3, the amounts expended for acquiring the Site and rehabilitating,

renovating and improving said Building and Facilities described in the preamble and Article 2 to date of such certificate, and the amount of money in the Construction Account then available for acquiring the Site and rehabilitating, renovating and improving said Building and Facilities.

(b) A certificate signed by the Architect-Engineer stating that additional funds are necessary to complete acquiring the Site and rehabilitating, renovating and improving said Building and Facilities, and that the balance of the funds to the credit of the Construction Account is insufficient to pay the cost of acquiring the Site and rehabilitating, renovating and improving said Building and Facilities, and setting forth the amount of additional funds that will be required and that said additional funds will be sufficient to pay the balance of the cost of completion of such work.

(c) A certificate signed by Counsel for the Commission that a Supplemental Lease or Supplemental Leases have been executed between the City College and the Commission providing for additional annual payments, for use and occupancy of the Site, Building and Facilities involved, which will be sufficient to amortize the additional bonds that are to be issued.

SECTION 12.2. The Commission further covenants that except for the issuance of additional bonds to complete such work as provided for in Section 12.1, no additional bonds to share ratably and equally in the income and revenue of the Site, Building and Facilities may be issued so long as any of the Bonds remain outstanding, unless provision has been made for the payment thereof and the obligations of the Commission under this Resolution have been discharged in accordance with the provisions of Section 18.1 of this Resolution.

### ARTICLE 13.

#### CONCERNING THE TRUSTEE, PAYING AGENT AND BOND REGISTRAR, APPOINTMENT.

SECTION 13.1. Continental Illinois National Bank and Trust Company of Chicago, in the City of Chicago, is hereby appointed as

Trustee and Bond Registrar. The Trustee shall signify its acceptance of the duties and obligations imposed upon it by this Resolution as Trustee and Bond Registrar by executing a Certificate of Authentication endorsed upon the Bonds, and, by executing such certificate upon any Bond, the Trustee shall have been deemed to have accepted such duties and obligations not only with respect to the Bonds so authenticated, but with respect to all Bonds authorized to be issued by this Resolution, but only, however, upon the terms and conditions set forth in this Resolution.

Any right or immunity conferred upon, and any reference in this Resolution to, the Trustee shall be deemed to be a right or immunity conferred upon or a reference to the Trustee in its capacity as Trustee, Bond Registrar and Paying Agent unless the context clearly makes such reference inapplicable to the Trustee acting in one or more of such capacities.

SECTION 13.2. Continental Illinois National Bank and Trust Company of Chicago, in the City of Chicago, Illinois, is hereby designated and appointed as the Paying Agent.

SECTION 13.3. The recitals, statements, covenants and representations contained in this Resolution or in the Bonds (exclusive of the Trustee's certificate on the Bonds) shall be taken as the recitals, statements, covenants and representations of the Commission, and the Trustee assumes no responsibility and shall not be liable for the correctness of the same. The Trustee makes no representations as to the validity or sufficiency of this Resolution or of any supplemental resolution directing the issue of any Bonds hereunder, or of any Bonds issued thereunder or as to the application of proceeds of the Bonds or of the Revenues or other funds of the Commission or of the moneys paid by the Trustee to or for the account of the Commission, or in respect of the lien or security or availability of remedies afforded by this Resolution, and shall not incur any responsibility in respect thereof or with respect to performance by the Commission of its covenants and agreements in this Resolution set forth. The Trustee shall be under no responsibility or duty with respect to the issuance of the Bonds for value. The Trustee shall not be liable for any interest on moneys deposited with it pursuant to the provisions of this Resolution.

except interest actually collected by it from investments made pursuant to this Resolution.

In the absence of a written notice to the Trustee from the holders of not less than ten per cent (10%) in principal amount of all Bonds then outstanding, which states that they have information or other reasons which lead them to suspect the existence of a default and which states such information or other reasons, the Trustee shall be under no duty to make any investigation or inquiry regarding defaults by either the Commission or the Treasurer or any other employee of the Commission in any of the matters or things to be done or performed by any thereof, and, further, the Trustee may conclusively assume that there has been no default by either the Commission or the Treasurer or any other employee of the Commission in any of the matters or things to be done or performed by any of them (except for default in payment of moneys to the Trustee which the Commission or the Treasurer is required to pay or transmit to the Trustee on or before a specified date or the failure to file audits or reports of insurance policies required to be filed with the Trustee) unless and until the Trustee is notified in writing of a default by the holders of not less than ten per cent (10%) in principal amount of all Bonds then outstanding, specifying the default.

The Trustee shall be under no obligation or duty to make any investigation or inquiry regarding defaults, or to commence any action or suit or to perform any remedial act which would involve it in any expense or liability, or to institute or defend any suit in respect hereof, or to advance any of its own moneys, unless in each case indemnified to its reasonable satisfaction.

The Trustee shall not be liable in connection with the performance of its duties hereunder, except for its own negligence.

SECTION 13.4. The Trustee shall, without making any investigation or inquiry, be protected (a) in relying and acting upon, and in assuming the correctness and truth of, any statement contained in any notice, ordinance, resolution, request, consent, order, certificate, estimate, report, opinion, Bond, budget or other paper or document believed by it to be genuine, and to have been signed or presented by the proper party or parties, either in his, her or their

own behalf or believed to be duly authorized and empowered to do so in a fiduciary or representative capacity and (b) in assuming that any amounts paid to it by the Commission or Treasurer are the amounts required to be paid to the Trustee pursuant to the provisions of this Resolution and that the amounts and kinds of insurance required to be taken out by the Commission pursuant to the provisions of this Resolution have been taken out and are in force. The Trustee may consult with counsel, who may be counsel to the Commission, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it under this Resolution in good faith and in accordance with such opinion of counsel.

Whenever the Trustee shall deem it necessary or desirable that a matter with respect to the Commission be proved or established prior to taking or suffering any action under this Resolution, such matter (unless other evidence in respect thereof be herein specifically prescribed) may be deemed to be conclusively proved and established by a certificate of an authorized officer of the Commission and such certificate shall be full warrant for any action taken or suffered in good faith in accordance with the provisions of this Resolution upon the faith of such certificate.

Except as otherwise expressly provided in this Resolution, any request, consent, order, notice, certificate, estimate, report, opinion, budget or other paper or other document required or permitted to be furnished pursuant to any provision hereof by the Commission to the Trustee shall be sufficiently executed if executed in the name of the Commission by an authorized officer thereof.

SECTION 13.5. The Trustee may become the owner of any Bonds or act as bank or depositary (otherwise than under this Resolution) for or loan money to the Commission or any contractor or other person dealing with the Commission, or any owner of Bonds, or otherwise deal therewith in each case with the same rights it would have if it were not Trustee or acting in any other capacity hereunder. To the extent permitted by law, the Trustee may act as depositary for, and permit any of its officers or directors to act as a member of, or in any other capacity with respect to, any committee formed to protect the



rights of Bondholders or to effect or aid in any reorganization growing out of the enforcement of the Bonds or this Resolution, whether or not any such committee shall represent the holders of a majority in principal amount of the Bonds then outstanding.

SECTION 13.6. The Commission shall pay to the Trustee from time to time reasonable compensation for all services rendered under this Resolution, and also all reasonable expenses, charges and other disbursements, including those of its attorneys and agents and experts retained by it, incurred in and about the performance of the Trustee's powers and duties under this Resolution and the Trustee shall have a lien therefor on any and all funds at any time to the credit of the Administrative Expense Account. The Commission further agrees to indemnify and save the Trustee harmless against any liabilities which it may incur in the exercise and performance of its powers and duties hereunder, and which are not due to its own negligence or default.

All compensation, expenses, charges and other disbursements of the Trustee paid during the acquisition of the Site and rehabilitation, renovation and improvement of the Building and Facilities as described in Section 2.1 hereof shall be paid from the Construction Account and thereafter all compensation, expenses, charges and other disbursements of the Trustee shall be paid from the Administrative Expense Account provided by Section 8.2 of this Resolution.

SECTION 13.7. The Trustee may at any time resign and be discharged of the duties and obligations created by this Resolution by giving not less than sixty days' written notice to the Commission and publishing notice thereof specifying the date when such resignation shall take effect, once in each week for two successive calendar weeks in a daily newspaper published in the English language and of general circulation in the City of Chicago, Illinois, and such resignation shall take effect upon the date specified in such notice unless previously a successor shall have been appointed by the Commission.

SECTION 13.8. The Trustee may be removed at any time by an instrument or concurrent instruments in writing, upon sixty days' notice, filed with the Trustee and signed by the holders of a majority in principal amount of the Bonds then outstanding, or by their attorneys-in-fact duly authorized.

SECTION 13.9. In case at any time the Trustee shall resign or shall be removed or shall become incapable of acting, or shall be adjudged a bankrupt or insolvent, or if a receiver, liquidator or conservator of the Trustee, or of its property, shall be appointed, or if any public officer shall take charge or control of the Trustee, or of its property or affairs, a successor may be appointed by the Board or, if the Board does not act within thirty days, then by the holders of a majority in principal amount of the Bonds then outstanding, by an instrument in writing signed and acknowledged by the Board or by such Bondholders or by their attorneys-in-fact duly authorized and delivered to such successor Trustee, notification thereof being given to the predecessor Trustee. The Commission shall publish notice of any such appointment made by it once in each week for two consecutive calendar weeks, in one daily newspaper published in the English language and of general circulation in the City of Chicago, Illinois, and in the City of New York, New York, the first publication to be made within twenty days after such appointment.

If in a proper case no appointment of a successor Trustee shall be made pursuant to the foregoing provisions of this Article 13 within forty-five days after the Trustee shall have given to the Commission written notice as provided in this Article 13, or after a vacancy in the office of the Trustee shall have occurred by reason of removal or its inability to act, the Trustee or the holder of any Bond may apply to any court of competent jurisdiction to appoint a successor Trustee. Said court may thereupon, after such notice, if any, as such court may deem proper and prescribe, appoint a successor Trustee.

Any Trustee appointed under the provisions of this Article 13 in succession to the Trustee shall be a bank or trust company organized under the laws of the State of Illinois or a national banking association, doing business and having its principal office in the City of Chicago, Illinois, and having a capital and surplus aggregating at least \$10,000,000, if there be such a bank or trust company or national banking association willing and able to accept the office on reasonable and customary terms and authorized by law to perform all the duties imposed on it by this Resolution.

SECTION 13.10. Any successor Trustee appointed under this Resolution shall execute, acknowledge and deliver to its predecessor Trustee, and also to the Commission, an instrument accepting such appointment, and thereupon such successor Trustee, without any further act, deed or conveyance, shall become fully vested with all moneys, estates, properties, rights, powers, duties, and obligations of such predecessor Trustee, with like effect as if originally named as Trustee, and the predecessor Trustee shall promptly furnish an accounting to and permit the successor Trustee to secure from the records of the predecessor Trustee, such information as may be required by the successor Trustee to perform its duties and obligations as such successor, and shall deliver to the successor Trustee instruments then in its possession for the inspection of the holders of Bonds; but the Trustee ceasing to act shall nevertheless, on the written request of the Commission, or of the successor Trustee, execute, acknowledge and deliver such instruments of conveyance and further assurance and do such other things as may reasonably be required for more fully and certainly vesting and confirming in such successor Trustee all the right, title and interest of the predecessor Trustee in and to any property held by it under this Resolution, and shall pay over, assign and deliver to the successor Trustee any money or other property held by it under this Resolution subject to the trusts and conditions herein set forth, including all records and books of registry.

SECTION 13.11. Any company into which any Trustee may be merged or converted or with which it may be consolidated or any company resulting from any merger, conversion or consolidation to which it shall be a party or any company to which any Trustee may sell or transfer all or substantially all of its corporate trust business, provided such company shall be a bank or trust company organized under the laws of the State of Illinois or a national banking association and shall have an office for the transaction of its business in the City of Chicago and State of Illinois, and shall be authorized by law to perform all the duties imposed upon it by this Resolution, shall be the successor to such Trustee without the execution or filing of any paper or the performance of any further act.

SECTION 13.12. In case any of the Bonds contemplated to be issued under this Resolution shall have been authenticated but not delivered, any successor Trustee may adopt the Certificate of Authentication of any predecessor Trustee so authenticating such Bonds and deliver such Bonds so authenticated; and in case any of the said Bonds shall not have been authenticated, any successor Trustee may authenticate such Bonds in the name of the predecessor Trustee, or in the name of the successor Trustee, and in all such cases such certificate shall have the full force which is in said Bonds or in this Resolution provided that the certificate of the Trustee shall have.

SECTION 13.13. The Commission shall promptly notify the Trustee, in writing, of the names and signatures of those of its officers and employees who are authorized by law and this Resolution to sign, countersign or execute all orders, certificates and other documents required to be signed, countersigned or executed by this Resolution.

All orders, certificates and other documents required by this Resolution to be signed, countersigned, executed or attested by a designated officer or employee of the Commission shall be equally effective if signed, countersigned, executed or attested by any other officers or employees of the Commission who may now or hereafter be authorized by law to sign, countersign, execute or attest to such orders, certificates and other instruments, upon submission to the Trustee of satisfactory evidence of such authority.

SECTION 13.14. Any moneys held by the Paying Agent which have not been disbursed in the payment of the principal of or interest or applicable redemption premium, if any, on the Bonds within ten years from the final maturity of the Bonds issued under this Resolution shall be transferred to the Commission by the Paying Agent, and at the time of making such transfer the Paying Agent shall furnish the Commission with a schedule of the matured Bonds and the aggregate amount of the matured interest for each applicable interest maturity for the payment of which such moneys were being held. Upon making the transfer of such moneys, together with a schedule of unpaid or unredeemed Bonds, the Paying Agent shall be relieved of any further duty with respect to said matured Bonds; provided, however, the Paying Agent before paying over such moneys may require publica-

tion of notice in a newspaper published in the English language and of general circulation in the City of Chicago, Illinois, that on a date specified such moneys will be turned over to the Commission pursuant to the provisions of this Section and thereafter holders of outstanding Bonds shall look only to the Commission for payment.

#### ARTICLE 14.

##### EVENTS OF DEFAULT.

SECTION 14.1. The Commission shall be in default under this Resolution if one or more of the following events (herein called "events of default") shall happen, to-wit:

(a) Failure to make due and punctual payment of the principal of any Bond when and as the same shall become due and payable;

(b) Failure to make due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable, and such default shall have continued for a period of thirty days;

(c) Failure to make due and punctual payment or satisfaction of any required payments to the Sinking Fund Account within the fiscal year within which such payments shall become due and payable, and such failure shall have continued for a period of one hundred eighty days;

(d) The Commission shall for any reason be rendered incapable of fulfilling its obligation hereunder;

(e) Judgment for the payment of money shall be rendered against the Commission as a result of its ownership of the Site, Building and Facilities and any such judgment shall not be discharged within ninety days from the entry thereof or an appeal shall not be taken therefrom or from the order, decree or process upon which or pursuant to which such judgment shall have been granted or entered, in such manner as to set aside or stay the execution of or levy under such judgment, order, decree or process or the enforcement thereof;

(f) Any proceeding shall be instituted, with the consent or acquiescence of the Commission, for the purpose of effecting a composition between the Commission and its creditors or for the purpose of adjusting the claims of such creditors, pursuant to any Federal or State statute now or hereafter enacted, if the claims of such creditors are under any circumstances payable from the revenues of the Building and Facilities; or

(g) The Commission shall fail in the due and punctual performance of any other of the covenants, conditions, agreements or provisions contained in the Bonds or in this Resolution required on the part of the Commission to be performed, and such failure shall have continued for a period of ninety days after written notice specifying such failure and requiring same to be remedied shall have been given to the Commission by the Trustee, which may (but need not) give such notice in its discretion, and shall give notice at the request of the holders of not less than ten per cent (10%) in aggregate principal amounts of the Bonds then outstanding.

SECTION 14.2. If an event of default shall happen and be continuing, then and in each and every such case the holders of not less than twenty-five per cent (25%) in aggregate principal amount of the Bonds at the time outstanding shall be entitled, upon notice in writing to the Commission and to the Trustee, to declare the principal of all of the Bonds then outstanding hereunder and the interest accrued thereon to be due and payable immediately, and upon such declaration the same shall be immediately due and payable, anything in this Resolution or in the Bonds contained to the contrary notwithstanding.

SECTION 14.3. From and after the date of notice in writing of a default as hereinabove provided in Section 14.2, all of the Revenues and all sums then held or thereafter received by the Treasurer hereunder, shall be applied by the Treasurer and, to the extent then held or thereafter received by the Trustee, shall be applied by the Trustee in the order following and, if payment is made upon Bonds, upon presentation of the several Bonds, and the stamping thereon of the payment if only partially paid, or upon the surrender thereof if fully paid:

First, to the payment of current obligations incurred by the Commission for Administrative Expense prior to said written notice of default, including all compensation claims and expenses of the Trustee in carrying out the provisions of this Section 14.3 and all other services performed under this Resolution including reasonable compensation to its agents, attorneys and counsel, and then to the payment of the costs and expenses of the holders of the Bonds in declaring such event of default, including reasonable compensation to their agents, attorneys and counsel;

Second, in case the principal of the Bonds shall not have matured by their terms, or by declaration, to the payment of the interest in default in the order of the maturity of the installments of such interest, with interest on the overdue installments at the rate specified in the Bonds, such payments to be made ratably to the persons entitled thereto without preference or priority;

Third, in case the principal of the Bonds shall have matured by their terms, or by declaration, to the payment of the whole amount then owing and unpaid upon the Bonds for principal and interest, with interest on the overdue principal at the rate of interest specified in such Bonds and on installments of interest at the rate specified in the Bonds on which said interest is overdue, and in case such moneys shall be insufficient to pay in full the whole amount so owing and unpaid, then to the payments so far as may be of such principal and interest without preference or priority of principal over interest, or of interest over principal, or of any installment of interest over any other installment of interest, ratably to the aggregate of such principal and interest.

SECTION 14.4. Subject to any contractual limitations binding upon the holders of any of the Bonds (including the provisions of Sections 14.1, 14.2 and 14.5 hereof and any other limitations herein upon the exercise of any remedy to holders holding a specific proportion or percentage of the Bonds), any holder of Bonds shall have the right, for the equal benefit and protection of all holders of Bonds similarly situated:

(a) By suit at law or proceedings in equity to compel observance by the Commission or by any of its officers, agents and

employees of any contract or covenant made by the Commission with the holders of Bonds as provided in this Resolution, and to compel the Commission and any of its officers, agents, and employees, to perform any duties required to be performed for the benefit of the holders of the Bonds as provided by this Resolution and the Act, and to enjoin the Commission and any of its officers, agents or employees from taking any action in conflict with any contract or covenant with the holders of the Bonds as provided by this Resolution and the Act;

(b) By action or suit in equity to require the Commission to account as if it were the trustee of an express trust; or

(c) By action or suit in equity to enjoin any acts or things which may be unlawful or in violation of the rights of the holders of Bonds.

No remedy conferred hereby upon the Trustee or any holder of Bonds is intended to be exclusive of any other remedy, but each such remedy is cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred hereby. No waiver of any default or breach of duty or contract by the holder of any Bond shall extend to or shall affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of the Trustee or the holder of any Bond to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every right and every remedy conferred upon the Trustee or the holders of Bonds may be enforced and exercised from time to time and as often as may be deemed expedient. In case any suit, action or proceeding to enforce any right or exercise any remedy shall be brought or taken and then discontinued or abandoned, or shall be determined adversely to the Trustee or the holders of Bonds, then, and in every such case, the Commission, the Trustee and the holders of Bonds shall be restored to their former positions and rights and remedies as if no such suit, action or proceeding had been brought or taken.

SECTION 14.5. The Trustee appointed hereunder may, but need not, act as a trustee to represent the Bondholders in the matter of exercising and prosecuting on their behalf such rights and remedies



as may be available to such holders under the provisions of the Bonds and this Resolution as well as under the Act or other provisions of applicable law (and the successive respective holders of the Bonds and by taking and holding the same, shall be conclusively deemed to have so appointed the Trustee). Upon the event of any default or other occasion giving rise to a right in such Trustee so to represent the Bondholders, such Trustee may, but need not, take such action on behalf of the Bondholders as may seem appropriate to it and, upon the request in writing of the holders of not less than twenty-five per cent (25%) in principal amount of all the Bonds then outstanding, which request shall specify such default or occasion and the action to be taken by the Trustee, and upon being furnished with indemnity satisfactory to it, such Trustee shall take such action on behalf of the Bondholders as may have been so requested.

Except as in Section 14.4 provided, no holder of any Bond shall have any right by virtue or by availing of any provision of this Resolution or the Act or other provisions of applicable law to institute any suit, action or proceeding, at law or in equity, for the appointment of any trustee in bankruptcy, receiver, liquidator or custodian of the Revenues and other funds pledged or held hereunder, unless such holder shall previously have given to the Trustee written notice of an existing default, and unless, also, there shall have been tendered to the Trustee security and indemnity satisfactory to it against all costs, expenses and liabilities which might be incurred in or by reason of such action, suit or proceeding, and unless, also, the holders of not less than twenty-five per cent (25%) in aggregate principal amount of all the Bonds then outstanding shall have requested the Trustee in writing to take action with respect to such default and the Trustee shall have declined (and the Trustee may decline) to take such action or failed so to do within thirty days thereafter; it being intended that no one or more holders of Bonds shall have any right in any manner to institute or prosecute any action, suit or proceeding for the appointment of a trustee in bankruptcy, receiver, liquidator or custodian of the Revenues and other funds pledged or held hereunder, except in the manner herein provided, and for equal, proportionate benefit of all holders of outstanding Bonds; provided that nothing contained in this Resolution or in the Bonds shall affect or impair the obligation to

pay the principal of and the interest on the Bonds as in this Resolution provided, or shall affect or impair the right of action, which is absolute and unconditional, of the holders of the Bonds otherwise to enforce payment thereof by virtue of the contract embodied in the Bonds and in this Resolution and the Act and other applicable statutes and provisions of law, or to enforce any of the covenants or provisions in the Bonds, this Resolution, the Act, or other applicable statutes or provisions of law, except as hereinabove provided with respect to suits, actions or proceedings for the appointment of any trustee in bankruptcy, receiver, liquidator or custodian of the Revenues and other funds pledged or held hereunder.

SECTION 14.6. The Trustee is hereby appointed (and the successive respective holders of the Bonds issued hereunder, by taking and holding the same, shall be conclusively deemed to have so appointed it) the true and lawful attorney-in-fact of the respective holders of the Bonds, with authority, which it may but need not exercise, to make or file, irrespective of whether the Bonds or any of them are in default as to payment of principal or interest, in the respective names of the holders of the Bonds, or in behalf of all holders of the Bonds, as a class or classes, any proof of debt, amendment of proof of debt, petition or other document, to receive payment of any sum or sums becoming distributable on account thereof, and to execute any and all other papers and documents and to do and perform any and all acts and things for and in behalf of the respective holders of the Bonds, or in behalf of such holders as a class or classes, as may be necessary or advisable in the opinion of any such attorney-in-fact in order to have the respective claims of such holders of Bonds allowed in any equity receivership, insolvency, liquidation, bankruptcy or other similar proceedings to which the State of Illinois or the Commission may at any time be a party, and to receive payment of or on account of such claims; and each and every receiver, assignee or trustee in bankruptcy is hereby authorized by each of the respective holders of the Bonds to make such payments to such attorney-in-fact, and, in the event that such attorney-in-fact shall consent to the making of such payments directly to such holders, to pay to such attorney-in-fact any amount which may be due to it for compensation and expenses, including counsel fees, incurred by it up to the date of such distribution.

Anything in the foregoing to the contrary notwithstanding, the Trustee need not act or advance its own moneys unless in each case indemnified to its reasonable satisfaction.

#### ARTICLE 15.

##### MODIFICATION AND AMENDMENT.

SECTION 15.1. This Resolution and the rights and obligations of the Commission and of the holders of the Bonds may be modified or amended at any time by resolution supplemental hereto adopted by the Board pursuant to an affirmative vote at a meeting of the Bondholders held in accordance with this Section, or with the written consent, without a meeting, of the holders of sixty-six and two thirds per cent ( $66\frac{2}{3}\%$ ) of the principal amount of all of the Bonds then outstanding; provided that no such modification or amendment shall extend the maturity of or reduce the interest rate on, or otherwise alter or impair the obligation of the Commission to pay the principal or interest at the time and place and at the rate and in the currency provided therein of any Bond, without the express consent of the holder of such Bond, nor permit the creation by the Commission of any mortgage or pledge or lien upon the Site, Building or Facilities, or upon the Revenues held or pledged hereunder, other than the lien and pledge created by this Resolution, nor permit the creation of a preference or priority of any Bond or Bonds over any other Bond or Bonds, nor reduce the percentage of Bonds required for the affirmative vote or written consent to an amendment or modification, nor, without the written assent of the Trustee thereto, modify any of the rights, immunities or obligations of the Trustee at any time acting hereunder.

SECTION 15.2. The Commission may at any time call a meeting of the holders of the Bonds. Every such meeting shall be held in the City of Chicago, State of Illinois, at such time and place as may be specified in the notice calling such meeting. Written notice of such meeting, stating its time and place and in general terms the business to be submitted, shall be given by the Secretary to the Trustee who shall mail a copy of such notice, postage prepaid, not less than thirty nor more than sixty days before such meeting, to each registered owner of

Bonds then outstanding, at his address, if any, appearing on the books of registration, and such notice shall be published by the Secretary at least once a week for two successive calendar weeks in a daily newspaper having a general circulation in the City of Chicago, Illinois, and in New York City, New York, the first publication to be not less than thirty nor more than sixty days prior to the meeting.

SECTION 15.3. Attendance and voting by Bondholders at such meeting may be in person or by proxy. Owners of registered Bonds may, by an instrument in writing under their hands, appoint any person as their proxy to vote at any meeting for them.

SECTION 15.4. The Commission may with the consent of the Trustee make and from time to time vary such rules and regulations as it shall deem proper for the authentication of proxy voters, including rules and regulations covering authentication of Bondholders' consents by fiduciaries and other representatives, and shall keep copies of such rules and regulations on file in the office of the Trustee and of the Secretary. Representatives of the Commission and the Trustee may attend such meetings and take part therein, but shall not be entitled to vote thereat.

SECTION 15.5. Persons named by the Commission shall act as temporary chairman and secretary of any Bondholders' meeting. A permanent chairman and secretary shall be selected by the Bondholders and proxies present by a majority vote of the aggregate principal amount of Bonds represented. The permanent chairman of the meeting shall appoint two inspectors of votes who shall count all votes cast at the meeting, except votes on the election of chairman and secretary as aforesaid, and who shall make and file with the secretary of the meeting their verified written report of the votes so cast at the meeting. The ballots, if any, cast at the meeting shall not be attached to such election report but shall be filed separately with the Commission.

SECTION 15.6. The holders of not less than sixty-six and two-thirds per cent (66 $\frac{2}{3}$ %) in principal amount of all Bonds outstanding shall constitute a quorum for the transaction of business. Less than a quorum, however, shall have power to adjourn from time to time

without any other notice than the announcement thereof at the meeting; provided, however, that if such meeting is adjourned by less than a quorum for more than thirty days, notice thereof shall forthwith be mailed by the Secretary at least seven days prior to the adjourned date of the meeting, in the manner provided in Section 15.2 and such notice shall be published by the Secretary in the manner provided in said Section 15.2 at least once in each thirty-day period of such adjournment.

SECTION 15.7. A record, in duplicate, of the proceedings of each meeting of Bondholders shall be prepared by the permanent secretary thereof and shall have attached thereto the original reports of the inspectors of votes and affidavits by a person or persons having knowledge of the facts, showing a copy of the notice of the meeting and setting forth the facts with respect to the mailing and publication thereof under the provisions of Section 15.2 and, in a proper case, under the provisions of Section 15.6. Such a record shall be signed and verified by the affidavits of the permanent chairman and the permanent secretary and shall be delivered to the Trustee and the Secretary. Any records so signed and verified shall be conclusive proof of the matters therein stated. Copies of any resolution adopted by such meeting shall be furnished to and mailed by the Trustee to each registered owner of Bonds and notice of the fact of the adoption of such resolution (stating that a copy thereof is available for inspection at the office of the Trustee) shall be published by the Secretary at least once a week for two successive calendar weeks in a daily newspaper published in the English language and having a general circulation in Chicago, Illinois, and also by like publication in a newspaper published in New York City, New York, the first publication in each case to be made not more than ten days after the date of the adoption of such resolution. Proof of such mailing and publication by the affidavit or affidavits of a person or persons having knowledge of the facts shall be filed with the Trustee and the Secretary. No such resolution adopted by such meeting shall be binding unless a valid resolution of the Commission be passed containing the modifications or amendments authorized by the resolution adopted by such meeting. A copy of said resolution of the Commission, certified by its Secretary, shall be filed with the Trustee. If such resolution of the Commission is adopted,

then it shall be deemed conclusively to be binding upon the Commission, and the holders of all Bonds (except as otherwise hereinabove specifically provided in this Section) at the expiration of sixty days after such filing, except in the event of a final decree of a court of competent jurisdiction setting aside the resolution adopted by such meeting of Bondholders or annulling the action taken thereby in a legal action or equitable proceeding for such purpose commenced within such sixty-day period. Nothing in this Section shall be deemed to authorize or permit, by reason of any call of a meeting of Bondholders or of any right expressly or impliedly conferred hereunder to make such call, any hindrance or delay in the exercise of any right or rights conferred upon or reserved to the Trustee, or to the Bondholders, under any of the provisions of this Resolution or of any resolution amendatory hereof or supplemental hereto or of the Bonds issued hereunder.

SECTION 15.8. The Commission may at any time adopt a valid resolution amending the provisions of the Bonds or of this Resolution or of any resolution amendatory hereof or supplemental hereto to the extent that such an amendment is permitted by the provisions of Section 15.1, to take effect when and as provided in this Section. A copy of such resolution, together with a request of the Commission to Bondholders for their consent thereto, shall be mailed by the Trustee to each registered owner of Bonds and notice of the adoption thereof shall be published in the manner provided in Section 15.2 for the mailing and publication referred to in that Section. Such resolution shall not be effective unless and until there shall have been filed with the Trustee the written consents of the percentage of holders of outstanding Bonds specified in Section 15.1, and a notice shall have been published as hereinafter in this Section provided. Each such consent shall be effective only if accompanied by proof of ownership of the Bonds for which such consent is given, which proof shall be such as is permitted by Section 15.4. Any such consent shall be binding upon the holder of the Bonds giving such consent and on any subsequent holder of such Bonds (whether or not such subsequent holder has notice thereof) unless such consent is revoked in writing by the holder giving such consent or a subsequent holder by filing such revocation with the Trustee prior to the first date when the notice hereinafter in

this Section provided for has been published. After the holders of the required percentage of Bonds shall have filed their consents to the resolution, the Trustee shall mail and the Secretary shall publish a notice to the Bondholders in the manner provided in Section 15.2 for the mailing of notice of the resolution adopted at a meeting of Bondholders and publication of a notice of adoption thereof referred to in said Section stating in substance that the resolution has been consented to by the holders of the required percentage of Bonds and will be effective as provided in this Section. A certificate of the Trustee reciting compliance with the provisions hereof shall be filed with the Commission and shall be conclusive proof of the matters therein stated and the resolution shall be deemed conclusively binding upon the Commission, the Trustee and the holders of all Bonds at the expiration of sixty days after the filing with the Commission of the certificate as aforesaid, except in the event of a final decree of a court of competent jurisdiction setting aside such consent in a legal action or equitable proceeding for such purpose commenced within such sixty-day period.

SECTION 15.9. Bonds authenticated and delivered after the effective date of any action taken as provided in this Article 15 may bear a notation, by endorsement or otherwise, in form approved by the Commission and the Trustee as to such action, and in that case, upon demand of the holder of any Bond outstanding at such effective date and presentation of his Bond for the purpose at the office of the Trustee, a suitable notation shall be made on such Bond by the Trustee as to any such action. If the Commission shall so determine, new Bonds so modified as to conform to such Bondholders' action shall be prepared and authenticated, and upon demand of the holder of any Bond then outstanding shall be exchanged at the principal office of the Trustee in the City of Chicago, Illinois, without cost to any Bondholder, for Bonds then outstanding, upon surrender of such Bonds.

SECTION 15.10. Bonds owned or held by or for the account of the Commission shall not be deemed outstanding for the purpose of any vote or consent or other action or any calculation of outstanding Bonds in this Article provided for, and shall not be entitled to vote or consent or take any other action in this Article provided for.

## ARTICLE 16.

## ADMINISTRATIVE EXPENSE BUDGET.

SECTION 16.1. The Commission at least 60 days prior to the beginning of each fiscal year, commencing with the fiscal year beginning January 1, 1988 and continuing through each fiscal year thereafter until all of the Bonds are paid, shall prepare and adopt a budget covering Administrative Expense for the ensuing fiscal year in an amount not to exceed \$150,000 for each of said fiscal years, plus any unencumbered amount the Commission may reasonably estimate will remain to the credit of the Administrative Expense Account at the end of the then current fiscal year plus any additional funds that may be transferred from the Surplus Account as authorized by Section 9.4 of this Resolution.

A certified copy of such annual budget as adopted shall be filed prior to the beginning of the fiscal year with the Lessee and the Trustee, and be mailed by the Commission to any Bondholder who shall have filed his name and address with the Secretary for that purpose.

Expenses in any fiscal year shall not be incurred in excess of the budget for said fiscal year.

## ARTICLE 17.

## SALE OF BONDS.

SECTION 17.1. After this Resolution becomes effective, the Bonds herein authorized shall be sold by the Board in such manner as it may determine and the award of the sale of said Bonds shall be made to the acceptable bidder on the basis of the lowest interest cost to the Commission; provided, however, that the price for such Bonds shall be not less than par and accrued interest to date of delivery. The execution and delivery of said Bonds shall be subject to the prior execution of the Lease by and between the Public Building Commission of Chicago and the City College for use and occupancy of the Site, Building and Facilities and providing for annual rental payments sufficient to pay the Commission's costs of operation and which is to be



applied toward its Administrative Expenses, the annual requirements of the Renewal, Replacement and Improvement Account in connection with the Site, Building and Facilities, and to amortize and pay the principal of and interest on the Bonds herein authorized as the same become due.

If the acceptable bidder offers to purchase said Bonds bearing interest at a lower rate or rates than the maximum herein provided, then the Board shall adopt a supplementary resolution fixing the interest rate or rates on such Bonds in accordance with the terms of the acceptable offer to purchase the same and directing the officers of the Commission to execute and deliver the Bonds to such purchaser bearing interest at such lower rate or rates so specified by the acceptable bidder.

#### ARTICLE 18.

##### SATISFACTION AND DISCHARGE OF RESOLUTION.

SECTION 18.1. If the Commission shall pay and discharge the entire indebtedness on all outstanding Bonds in any one or more of the following ways:

(a) by paying or causing to be paid the principal of (including redemption premium, if any) and interest on all outstanding Bonds, as and when same becomes due and payable;

(b) by depositing with the Trustee, in trust, at or before maturity, money in the necessary amount to pay or redeem (when redeemable) all outstanding Bonds;

(c) by delivering to the Trustee, for cancellation by it, all outstanding Bonds; or

(d) by depositing with the Trustee, in trust, bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of the United States of America, or securities or obligations the prompt payment of principal and interest of which is fully guaranteed by a pledge of the full faith and credit of the United States of America (the "Government Securities") or cash in such amount as the Trustee shall determine

will, together with the income or increment to accrue thereon, without consideration of any reinvestment of the principal amount thereof or the interest earned thereon, be fully sufficient to pay or redeem (when redeemable) and discharge the indebtedness on all Bonds at or, at the option of the Commission, before their respective maturity dates;

and if the Commission shall also pay or cause to be paid all other sums payable hereunder by the Commission, or make adequate provision therefor, then and in that case the obligations of the Commission under this Resolution shall become null and void, and thereupon the Trustee shall, forthwith execute proper instruments acknowledging satisfaction of the and discharging the Commission from its obligations hereunder. The satisfaction and discharge of this Resolution shall be without prejudice to the rights of the Trustee to charge and be reimbursed by the Commission for any expenditures which it may thereafter incur in connection herewith.

Any moneys, funds, securities, or other property remaining on deposit in any fund or investment under this Resolution (other than the cash and Government Securities deposited in trust as above provided) shall, upon such satisfaction by and discharge of the Commission from its obligations hereunder, forthwith be transferred, paid over and distributed to the Commission and the City College as their respective interests may appear.

The Commission or the City College may at any time surrender to the Trustee for cancellation by it any Bonds previously authenticated and delivered which the Commission or the City College may have acquired in any manner whatsoever, and such Bonds, upon such surrender and cancellation, shall be deemed to be paid and retired.

Upon the deposit with the Trustee, in trust, at or before maturity, of cash or Government Securities in the necessary amount to pay or redeem all outstanding Bonds (whether upon or prior to their maturity or the redemption date of such Bonds), provided that if such Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been given as provided in Article 3 herein, or

provisions satisfactory to the Trustee shall have been made for the giving of such notice, this Resolution may be discharged but the liability of the Commission in respect of such Bonds shall continue but the holders thereof shall thereafter be entitled only to payment out of the cash or Government Securities deposited with the Trustee as aforesaid.

None of the outstanding Bonds hereunder may be advance refunded by the deposit of cash or Government Securities with the Trustee as aforesaid nor may this Resolution be discharged if by reason thereof the interest on such refunded Bonds becomes subject to federal income taxation to the recipient thereof. In determining the foregoing, the Trustee may rely upon an opinion of Bond Counsel (which opinion may be based upon a ruling or rulings of the Internal Revenue Service) to the effect that the interest on the Bonds being refunded will not be subject to federal income taxation, notwithstanding such satisfaction.

#### ARTICLE 19.

##### PARTIAL INVALIDITY.

SECTION 19.1. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.

#### ARTICLE 20.

##### EFFECTIVE DATE.

SECTION 20.1. This Resolution shall be in full force and effect immediately upon its adoption as provided by law.

## COMMITTEE ON BUILDINGS.

*Action Deferred* -- MUNICIPAL CODE CHAPTER 62, SECTION  
62-8.3 AMENDED CONCERNING ROOF COVERINGS AND  
OTHER TECHNICAL CORRECTIONS.

The Committee on Buildings submitted the following report, which was, on motion of Alderman Evans and Alderman Frost, *Deferred* and ordered published:

CHICAGO, December 17, 1985.

*To the President and Members of the City Council:*

Your Committee on Buildings having had under consideration a proposed ordinance (which was referred on September 6, 1984) to amend Chapter 62, Section 62-8.3 of the Municipal Code with respect to roof coverings and making certain other technical corrections, begs leave to recommend that Your Honorable Body pass the said proposed ordinance which is transmitted herewith.

This recommendation was concurred by the members of the committee with no dissenting votes.

Respectfully,  
(Signed) FRED B. ROTI,  
*Chairman.*

The following is said proposed ordinance transmitted with the foregoing committee report:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. The Municipal Code of Chicago, Chapter 62, Section 62-8.3, is hereby amended by deleting the language in brackets and substituting therefore the italic language as follows:

62-8.3. Every roof placed on a building or structure shall be covered with Class A or Class B roof coverings except that Class C roof coverings shall be [~~excepted~~] *accepted* on:

- (1) Buildings of one or two family residential use.
- (2) Buildings of wood frame construction.
- (3) Buildings located outside of the fire limits which on the basis of height and area could be of wood frame construction under this code.

SECTION 2. This ordinance shall be in full force and effect from and after the date of its passage.

*Action Deferred -- MUNICIPAL CODE CHAPTER 62.1, SECTION  
62.1-3 AMENDED BY ADDING NEW SECTION 62.1-3(H)  
CONCERNING HANDICAPPED PERSONS' REGISTRY.*

The Committee on Buildings submitted the following report, which was, on motion of Alderman Evans and Alderman Frost, *Deferred* and ordered published:

CHICAGO, December 17, 1985.

*To the President and Members of the City Council:*

Your Committee on Buildings having had under consideration a proposed ordinance (which was referred on November 13, 1985) to amend Chapter 62.1, Section 62.1-3 by adding a new Section 62.1-3(H) with respect to a registry of environmentally limited occupants and visitors in elevated buildings, and an emergency procedure plan, begs leave to recommend that Your Honorable Body pass the substitute ordinance which is transmitted herewith.

This recommendation was concurred in by the members of the committee with no dissenting votes.

Respectfully,  
(Signed) FRED B. ROTI,  
*Chairman.*

The following is said proposed substitute ordinance transmitted with the foregoing committee report:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That Chapter 62.1, Section 62.1-3 of the Municipal Code of the City of Chicago is hereby amended by adding a new Section 62.1-3(H), the language in italics as follows:

62.1-3(H). *In a conspicuous and clearly marked location at the information desk and/or at a location approved by the Fire Department, a registry is to be maintained of all environmentally limited persons visiting a building, indicating the floor which that individual will be located. A registry of environmentally limited permanent occupants in the building shall be updated on a semi-annual basis and available at the approved location. Registration by environmentally limited persons shall be voluntary.*

(A) *A written emergency procedure plan which has prior approval of the Chicago Fire Department as to content and location shall be displayed and designed to take into consideration the special needs of environmentally limited persons.*

SECTION 2. *Failure of any building owner, operator or agent to comply with the provisions of this section shall result in fines of up to \$200.00 per day.*

SECTION 3. This ordinance shall be in force and effect from and after its passage and publication.

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*Action Deferred* -- MUNICIPAL CODE CHAPTER 78, SECTION  
78-25 AMENDED BY ADDING NEW SECTION 78-25.1  
CONCERNING HANDICAPPED PERSONS' REGISTRY.

The Committee on Buildings submitted the following report, which was, on motion of Alderman Evans and Alderman Frost, *Deferred* and ordered published:

CHICAGO, December 17, 1985.

*To the President and Members of the City Council:*

Your Committee on Buildings having had under consideration a proposed ordinance (which was referred on November 13, 1985) to amend Chapter 78, Section 78-25 of the Municipal Code by adding a new Section 78-25.1 with respect to a registry of environmentally limited occupants and visitors in elevated buildings, and an emergency procedure plan, begs leave to recommend that Your Honorable Body pass the substitute ordinance which is transmitted herewith. .

This recommendation was concurred in by the members of the committee with no dissenting votes.

Respectfully,  
(Signed) FRED B. ROTI,  
*Chairman.*

The following is said proposed substitute ordinance transmitted with the foregoing committee report:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That Chapter 78, Section 78-25 of the Municipal Code of the City of Chicago is hereby amended by adding a new Section 78-25.1, the language in italics as follows:

*78-25.1. The following provisions shall apply to all new elevator installations and to all elevators in existing buildings three stories or more in height used for residential and commercial occupancy in whole or part:*

*(A) In a conspicuous and clearly marked location at the information desk and/or at a location approved by the Fire Department, a registry is to be maintained of all environmentally limited persons visiting a building, indicating the floor which that individual will be located. A registry of environmentally limited permanent occupants*

*in the building shall be updated on a semi-annual basis and available at the approved location. Registration by environmentally limited persons shall be voluntary.*

*(B) A written emergency procedure plan which has prior approval of the Chicago Fire Department as to content and location shall be displayed and designed to take into consideration the special needs of environmentally limited persons.*

SECTION 2. *Failure of any building owner, operator or agent to comply with the provisions of this section shall result in fines of up to \$200.00 per day.*

SECTION 3. This ordinance shall be in force and effect from and after its passage and publication.

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Action Deferred -- MUNICIPAL CODE CHAPTER 79 AMENDED  
BY ADDING NEW SECTION 79-5.22 CONCERNING  
HANDICAPPED PERSONS' REGISTRY.

The Committee on Buildings submitted the following report, which was, on motion of Alderman Evans and Alderman Frost, *Deferred* and ordered published:

CHICAGO, December 17, 1985.

*To the President and Members of the City Council:*

Your Committee on Buildings having had under consideration a proposed ordinance (which was referred on November 13, 1985) to amend Chapter 79 of the Municipal Code by adding a new Section 79-5.22 with respect to a registry of environmentally limited occupants and visitors in elevated buildings, and an emergency procedure plan, begs leave to recommend that Your Honorable Body pass the substitute ordinance which is transmitted herewith.

This recommendation was concurred in by the members of the committee with no dissenting votes.

Respectfully,  
(Signed) FRED B. ROTI,  
Chairman.

The following is said proposed ordinance transmitted with the foregoing committee report:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That Chapter 79 of the Municipal Code of the City of Chicago is hereby amended by adding a new Section 79-5.22, the language in italics as follows:

79-5.22 *The following provision shall apply to all new elevator installations and to all elevators in existing buildings three stories or more in height used for residential and commercial occupancy in whole or in part shall comply with the provisions of this code.*

(A) *In a conspicuous and clearly marked location at the information desk and/or at a location approved by the Fire Department, a registry is to be maintained of all environmentally limited persons visiting a building, indicating the floor which that individual will be located. A registry of environmentally limited permanent occupants in the building shall be updated on a semi-annual basis and available at the approved locations. Registration by environmentally limited persons shall be voluntary.*

(B) *A written emergency procedure plan which has prior approval of the Chicago Fire Department as to content and location shall be displayed and designed to take into consideration the special needs of environmentally limited persons.*

SECTION 2. *Failure of any building owner, operator or agent to comply with the provisions of this section shall result in fines of up to \$200.00 per day.*

SECTION 3. This ordinance shall be in force and effect from and after its passage and publication.

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## COMMITTEE ON INTERGOVERNMENTAL RELATIONS.

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### ILLINOIS GENERAL ASSEMBLY PETITIONED TO COMMENCE HEARINGS ON LEGALIZATION OF NOT-FOR-PROFIT FUNDRAISING ACTIVITIES.

The Committee on Intergovernmental Relations submitted the following report:

CHICAGO, December 17, 1985.

*To the President and Members of the City Council:*

Your Committee on Intergovernmental Relations, having had under consideration two resolutions (which were referred on December 4, 1985) memorializing the Illinois General Assembly to commence hearings on legalizing "Las Vegas Night" or "Casino Night" fundraising activities by not-for-profit organizations. The resolutions also called for strict controls which would prohibit nefarious elements from operating and profiting from such ventures.

This recommendation, as amended, was concurred in unanimously by the members of the committee.

Respectfully submitted,  
(Signed) ROMAN C. PUCINSKI,  
Chairman.



On motion of Alderman Pucinski, the said proposed resolution as amended, transmitted with the foregoing committee report was *Adopted* by a viva voce vote.

The following is said resolution as adopted:

WHEREAS, Various fundraising activities by certain not-for-profit agencies known as "Las Vegas Night" or "Casino Nights" have been shut down by order of Chicago Police Department Superintendent Fred Rice who has determined that such events violate the Illinois Gambling Statute; and

WHEREAS, Dozens of fundraisers such as "Casino Nights" and "Las Vegas Nights" have been cancelled as a result of the Chicago Police Department's strict construction of the Illinois Gambling Statute; and

WHEREAS, Eleemosynary organizations such as religious institutions and educational institutions must have the means at their disposal to raise revenue in order to hold down the cost of school tuitions, community services, and the general cost of their operations and activities; and

WHEREAS, The Illinois General Assembly has already made numerous exceptions to the general prohibition of gambling in the Illinois Gambling Statute such as that for the Illinois Lottery, bingos, raffles and para-mutuel betting; and

WHEREAS, The fundraising activities of not-for-profit organizations are certainly worthy of being exempted from the general statutory prohibition of gambling; and

WHEREAS, Since public school education is financed by the state lottery, private education should be permitted to be financed by "Las Vegas-type" of fundraising; now, therefore,

*Be It Resolved*, By the City Council of the City of Chicago that the Illinois General Assembly is hereby memorialized to immediately commence hearings on the subject of legalizing "Las Vegas Night-type" or "Casino-type" fundraising activities by not-for-profit organizations; and

*Be It Further Resolved*, That the Illinois General Assembly amend existing state statutes to permit private schools and not-for-profit charitable organizations to conduct "Las Vegas Nights" under strict controls which would prohibit nefarious elements from operating and profiting from such ventures.

**MATTERS PRESENTED BY THE ALDERMEN****(Presented By Wards, In Order, Beginning With The Fiftieth Ward).**

Arranged under the following subheadings:

1. Traffic Regulations, Traffic Signs and Traffic-Control Devices.
2. Zoning Ordinance Amendments.
3. Claims.
4. Unclassified Matters (arranged in order according to Ward numbers).
5. Free Permits, License Fee Exemptions, Cancellation of Warrants for Collection and Water Rate Exemptions, Etc.

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**1. TRAFFIC REGULATIONS, TRAFFIC SIGNS  
AND TRAFFIC-CONTROL DEVICES.**

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***Referred -- ESTABLISHMENT OF LOADING ZONES AT ALL  
TIMES AT SPECIFIED LOCATIONS.***

Alderman Natarus (42nd Ward) presented two proposed ordinances to establish loading zones at all times at the locations designated, which were *Referred to the Committee on Traffic Control and Safety*, as follows:

Location	Distance
North Michigan Avenue (east side)	At East Nathan Hale Court and at East Pioneer Court;
West Oak Street	At 115 (adjacent to the west entrance of Henrotin Hospital) in lieu of parking meters 1001, 1002, 1003 and 1004.

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***Referred -- AMENDMENT OF ONE-WAY TRAFFIC  
RESTRICTION ON PORTION OF WEST  
GEORGE STREET.***

Alderman Kotlarz (35th Ward) presented a proposed ordinance to restrict the movement of vehicular traffic to a westerly direction on West George Street from North Pulaski Road to the first alley east thereof (instead of from Central Park Avenue to North Pulaski Road), which was *Referred to the Committee on Traffic Control and Safety*.

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***Referred -- REMOVAL OF PARKING METERS AT 115 WEST  
OAK STREET.***

Alderman Natarus (42nd Ward) presented a proposed order for the removal of parking meters 1001, 1002, 1003, and 1004 (parking meter area 247) at 115 West Oak Street for the establishment of a loading zone, which was *Referred to the Committee on Traffic Control and Safety*.

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*Referred--* PROHIBITION OF PARKING AT ALL TIMES  
AT SPECIFIED LOCATIONS.

The aldermen named below presented proposed ordinances to prohibit at all times the parking of vehicles at the locations designated, for the distances specified, which were *Referred to the Committee on Traffic Control and Safety*, as follows:

Alderman	Location and Distance
SAWYER (6th Ward)	South Vernon Avenue (west side) at 9432 (except for handicapped);
HUELS (11th Ward)	West 48th Street at 1030 (except for handicapped);
BRADY (15th Ward)	South Rockwell Street at 7103 (except for handicapped);
KRYSTYNIAK (23rd Ward)	South Lamon Avenue at 5136 (except for handicapped);
CULLERTON (28th Ward)	North McVicker Avenue at 4037 (driveway);
KOTLARZ (35th Ward)	West George Street (both sides) from North Pulaski Road to the first alley east thereof;
DAMATO (37th Ward)	West Ohio Street at 5000;
O'CONNOR (40th Ward)	West Leland Avenue at 2659 (except for handicapped);
	West Summerdale Avenue at 2837 (except for handicapped);
	North Washtenaw Avenue at 4858 (except for handicapped);

Alderman	Location and Distance
PUCINSKI (41st Ward)	West Bryn Mawr Avenue (both sides) from North Cumberland Avenue to North Fairview Avenue;
NATARUS (42nd Ward)	North Cleveland Avenue (east side) between West Oak Street and West Hobbie Street -- tow-away zone;
OBERMAN (43rd Ward)	East Burton Place, from a point 20 feet west of North Astor Street to the first alley west thereof -- tow-away zone.

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*Referred -- PROHIBITION OF PARKING DURING SPECIFIED HOURS ON PORTION OF NORTH WESTERN AVENUE.*

Alderman Mell (33rd Ward) presented a proposed ordinance to prohibit the parking of vehicles on the west side of North Western Avenue from a point 200 feet south of West Lyndale Street to a point 200 feet north of West Fullerton Avenue from 4:00 P.M. to 6:00 P.M. on Mondays through Fridays, which was *Referred to the Committee on Traffic Control and Safety.*

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*Referred -- ESTABLISHMENT OF "RESIDENT PERMIT PARKING" ZONE AT 5500 SOUTH NEWLAND AVENUE.*

Alderman Krystyniak (23rd Ward) presented a proposed order to establish a "Resident Permit Parking" zone on both sides of South Newland Avenue at 5500 from 9:00 A.M. to 5:00 P.M. on Mondays through Fridays, which was *Referred to the Committee on Traffic Control and Safety.*

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*Referred -- SPEED LIMITATION ON PORTION OF EAST 107TH STREET.*

Alderman Hutchinson (9th Ward) presented a proposed ordinance to limit the speed of vehicles to 20 miles per hour on East 107th Street from South Michigan Avenue to South King Drive, which was *Referred to the Committee on Traffic Control and Safety.*

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*Referred -- INSTALLATION OF TRAFFIC SIGNS.*

The aldermen named below presented proposed orders for the installation of traffic signs, of the nature indicated and at the locations specified, which were *Referred to the Committee on Traffic Control and Safety*, as follows:

Alderman	Location and Type of Sign
<i>BLOOM</i> (5th Ward)	East 57th Street and South University Avenue -- "All-Way Stop";
<i>HUTCHINSON</i> (9th Ward)	East 115th Street and South Prairie Avenue -- "Stop";
<i>HUELS</i> (11th Ward)	West 37th Street and South Hermitage Avenue -- "Stop";
	West 34th Place and South Wolcott Street -- "Stop";
<i>SHEAHAN</i> (19th Ward)	West 112th Street and South Albany Avenue -- "4-Way Stop";
<i>CULLERTON</i> (38th Ward)	West Cullom Avenue and North Menard Avenue -- "All-Way Stop";
<i>MC LAUGHLIN</i> (45th Ward)	North New England Avenue at the intersection of West Strong Avenue -- "Stop";
<i>STONE</i> (50th Ward)	North Richmond Street and West Arthur Avenue -- "Stop";
	West Devon Avenue between North Campbell Avenue and North Maplewood Avenue -- "Stop";
	West Pratt Avenue and North Francisco Avenue -- "4-Way Stop".

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*Referred --* AMENDMENT OF TRAFFIC WARNING SIGN ON  
PORTION OF NORTH FRANCISCO AVENUE.

Alderman Stone (50th Ward) presented a proposed ordinance amending an ordinance passed on June 28, 1983, (C. J. P. p. 316), which was *Referred to the Committee on Traffic Control and Safety*, as follows:

"North Francisco Avenue	West Arthur Avenue stopping North Francisco Avenue."
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By striking:

"stopping North Francisco Avenue."

And inserting in lieu thereof:

"stopping West Arthur Avenue."

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*Referred* -- ESTABLISHMENT OF WEIGHT LIMITATION ON  
PORTION OF WEST SUPERIOR STREET.

Alderman Nardulli (26th Ward) presented a proposed ordinance to fix a weight limit of five tons for trucks and commercial vehicles on West Superior Street from North Noble Street to North Ashland Avenue, which was *Referred to the Committee on Traffic Control and Safety*.

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2. ZONING ORDINANCE AMENDMENTS.

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None.

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3. CLAIMS.

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*Referred* -- CLAIMS AGAINST CITY OF CHICAGO.

The aldermen named below presented two proposed claims against the City of Chicago for the claimants named as noted respectively, which were *Referred to the Committee on Claims and Liabilities*, as follows:

Alderman	Claimant
CULLERTON (38th Ward)	Portage Manor Condominium;
LAURINO (39th Ward)	Lawrence Stipisic.

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4. UNCLASSIFIED MATTERS

(Arranged in Order According to Ward Numbers).

Proposed ordinances, orders and resolutions were presented by the aldermen named below, respectively, and were acted upon by the City Council in each case in the manner noted, as follows:

Presented by

**ALDERMAN SAWYER (6th Ward):**

*Referred --* PAYMENT OF SPECIAL POLICE LICENSE FEE BY  
TRUE LIGHT BAPTIST CHURCH.

A proposed ordinance requiring True Light Baptist Church to pay a ten dollar fee per license for the special police employed therein pursuant to Chapter 173, Section 173-6 of the Chicago Municipal Code; which was *Referred to the Committee on Finance*.

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Presented by

**ALDERMAN HUMES (8th Ward) and OTHERS:**

*Referred --* AMENDMENT TO 1986 ANNUAL APPROPRIATION  
ORDINANCE.

A proposed amendment, presented by Aldermen Humes, Sherman and Kelley, to the 1986 Annual Appropriation Ordinance concerning allocation of additional monies for certain City Council standing committees, which was *Referred to the Committee on Finance*.

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Presented by

**ALDERMAN HUTCHINSON (9th Ward):**

*Referred --* REQUEST FOR PAVING OF SPECIFIED PUBLIC  
ALLEY BY SPECIAL ASSESSMENT.

A proposed order requesting the paving of the "T" alley bounded by South State Street, East 121st Place, South Michigan Avenue and East 122nd Street, with concrete by special assessment, which was *Referred to the Committee on Streets and Alleys*.

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Presented by

**ALDERMAN VRDOLYAK (10th Ward):**

*Referred --* COOK COUNTY BOARD OF COMMISSIONERS  
COMMENDED FOR SUBMISSION OF ADVISORY  
REFERENDUM QUESTION REGARDING  
CAPPING OF UTILITY CHARGES.

A proposed resolution commending the Cook County Board of Commissioners for its authorization of the submission of an advisory referendum question regarding the capping of utility charges, which was *Referred to the Committee on Finance*.

---

Presented by

**ALDERMAN LANGFORD (16th Ward):**

*Referred --* ISSUANCE OF PERMITS FOR MAINTENANCE OF  
EXISTING CANOPIES AT SPECIFIED LOCATIONS.

Two proposed orders for the issuance of permits to the individuals and organizations listed for the maintenance and use of existing canopies attached to specified buildings or structures, which were *Referred to the Committee on Streets and Alleys*, as follows:

Alfred A. Moss and Ruth W. Moss -- 1208 West 63rd Street; and

Nelson Brothers Furniture Corporation -- 6535 South Halsted Street.

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Presented by

**ALDERMAN KELLAM (18th Ward):**

*Referred --* URGING OF CHICAGO FINANCIAL INSTITUTIONS  
TO REPORT ON TRANSACTIONS PERFORMED WITH  
BRITISH OCCUPIED AREA OF IRELAND.

A proposed resolution urging all financial institutions located in the City of Chicago to submit annual reports to the City Council on all transactions performed with the British occupied area of Ireland, which was *Referred to the Committee on Intergovernmental Relations*.

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Presented by

**ALDERMAN KELLEY (20th Ward) and OTHERS:**

*Referred --* AMENDMENT TO 1986 ANNUAL APPROPRIATION  
ORDINANCE.



A proposed amendment, presented by Aldermen Kelley, Evans, Rush, Damato, Cullerton, Laurino, Kotlarz, Frost, W. Davis, Nardulli, D. Davis, Gabinski, Hagopian, Smith, Tillman, Natarus, Sherman, Streeter, Humes, Beavers, Langford, Hutchinson, Santiago, Mell, Hansen, Krystyniak, and Roti, to the 1986 Annual Appropriation Ordinance concerning the allocation of additional monies for assistant secretaries to the aldermen, et cetera, which was *Referred to the Committee on Finance.*

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Presented by

**ALDERMAN KRYSTYNIAK (23rd Ward):**

**CONGRATULATIONS EXTENDED TO VOLUNTEERS WHO  
PARTICIPATED IN INTERNAL REVENUE SERVICE  
TAX EDUCATION PROGRAM.**

A proposed resolution reading as follows:

WHEREAS, The volunteer income assistants are giving free assistance at community locations to individuals who can not afford professional tax help, and those citizens of the City of Chicago are assisting in the preparation of simple tax returns for lower-income, elderly, non-English speaking, and handicapped taxpayers at neighborhood and community centers, libraries, churches, and shopping malls; and

WHEREAS, The Mayor and the aldermen are being asked to recruit and encourage the involvement of volunteers in this program of tax counseling for the elderly, and for the Community Outreach Tax Program, and for the Small Business Tax Workshops, and in general, helping people to understand the federal tax program, and to prepare their own returns; now, therefore,

*Be It Resolved*, That the Mayor and the members of the City Council gathered here on this 17th day of December, 1985, do hereby congratulate the volunteers in the I.R.S. Tax Education Programs and request the adequate steps be taken to publicize and to obtain additional volunteers.

Alderman Krystyniak moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the foregoing proposed resolution. The motion *Prevailed*.

On motion of Alderman Krystyniak, the foregoing proposed resolution was *Adopted*, unanimously.

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Presented by

**ALDERMAN W. DAVIS (27th Ward):**

*Referred --* **INSTALLATION OF BUS PASSENGER SHELTER  
AT SPECIFIED INTERSECTION.**

A proposed order to install a bus passenger shelter for northbound passengers at the intersection of West Warren Boulevard and North California Boulevard, which was *Referred to the Committee on Local Transportation*.

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Presented by

**ALDERMAN BANKS (36th Ward):**

*Referred --* CHICAGO HOUSING AUTHORITY URGED TO  
REPAIR EXISTING PROPERTIES PRIOR TO  
PURCHASE OF NEW PROPERTY.

A proposed resolution urging the Chicago Housing Authority to repair existing properties with current funding rather than use said funding to purchase new property, which was *Referred to the Committee on Housing and Neighborhood Development*.

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Presented by

**ALDERMAN DAMATO (37th Ward):**

*Referred --* ISSUANCE OF SIGN PERMIT FOR ERECTION  
OF SIGN/SIGNBOARD AT SPECIFIED LOCATION.

A proposed order for the issuance of a sign permit to Foster and Kleiser for the erection of a sign/signboard at 5712 West Grand Avenue for advertising purposes, which was *Referred to the Committee on Zoning*.

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Presented by

**ALDERMAN NATARUS (42nd Ward):**

*Referred --* ESTABLISHMENT OF TAXICAB STAND 563  
ON PORTION OF EAST CHICAGO AVENUE.

A proposed ordinance to establish taxicab stand 563 on East Chicago Avenue, along the south curb, from a point 15 feet west of the main lobby entrance to 161 East Chicago Avenue to a point 40 feet west thereof for two taxicabs, which was *Referred to the Committee on Local Transportation*.

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Presented by

**ALDERMAN NATARUS (42nd Ward) and  
ALDERMAN KELLEY (20th Ward):**

*Referred* -- AMENDMENTS TO 1986 ANNUAL APPROPRIATION  
ORDINANCE.

Five proposed amendments to the 1986 Annual Appropriation Ordinance concerning the allocation of increased monies for various positions, which was *Referred to the Committee on Finance*.

---

Presented by

**ALDERMAN MC LAUGHLIN (45th Ward):**

CONGRATULATIONS EXTENDED TO NINE YOUNG MEN ON  
EARNING WEBELOS SCOUTS' "CITIZENSHIP SKILL  
AWARD".

Alderman McLaughlin moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon nine proposed resolutions congratulating nine young men on earning the Webelos Scouts' "Citizenship Skill Award". The motion *Prevailed*.

On separate motions made by Alderman McLaughlin, each of the said proposed resolutions was *Adopted*, unanimously.

The following are said resolutions as adopted (the italic heading in each case not being a part of the resolution):

*Webelos Scout Daniel Chambers.*

WHEREAS, Daniel Chambers, a member of Webelos Scouts, Pack 3943 has participated in the many performance activities displaying his patriotism and good citizenship; and

WHEREAS, Daniel Chambers has diligently fulfilled the necessary notebook achievements relating to our country and government; and

WHEREAS, Daniel Chambers having completed these necessary requirements, Daniel Chambers, Webelos Scouts, Pack 3943, has earned his "Citizenship Skill Award"; and

WHEREAS, Daniel Chambers, a resident of Chicago's great northwest side, maintains an excellent status in school; and

WHEREAS, Daniel Chambers, has been a positive influence with his associates and in the community. He represents the best in youth of our great City, of which its leaders are so justly proud; now, therefore,

*Be It Resolved*, That we, the Mayor and members of the City Council of the City of Chicago, gathered here this 17th day of December, 1985, A.D., do recognize and salute this fine scout for his hard work and effort in attaining his "Citizenship Skill Award". We offer our congratulations as well as our best wishes to this fine young citizen for a bright, happy, prosperous future; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Webelos Scout Daniel Chambers.

---

*Webelos Scout Brian Clark.*

WHEREAS, Brian Clark, a member of Webelos Scouts, Pack 3943 has participated in the many performance activities displaying his patriotism and good citizenship; and

WHEREAS, Brian Clark has diligently fulfilled the necessary notebook achievements relating to our country and government; and

WHEREAS, Brian Clark having completed these necessary requirements, Brian Clark, Webelos Scouts, Pack 3943, has earned his "Citizenship Skill Award"; and

WHEREAS, Brian Clark, a resident of Chicago's great northwest side, maintains an excellent status in school; and

WHEREAS, Brian Clark, has been a positive influence with his associates and in the community. He represents the best in youth of our great City, of which its leaders are so justly proud; now, therefore,

*Be It Resolved*, That we, the Mayor and members of the City Council of the City of Chicago, gathered here this 17th day of December, 1985, A.D., do recognize and salute this fine scout for his hard work and effort in attaining his "Citizenship Skill Award". We offer our congratulations as well as our best wishes to this fine young citizen for a bright, happy, prosperous future; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Webelos Scout Brian Clark.

---

*Webelos Scout Richard Gols.*

WHEREAS, Richard Gols, a member of Webelos Scouts, Pack 3943 has participated in the many performance activities displaying his patriotism and good citizenship; and

WHEREAS, Richard Gols has diligently fulfilled the necessary notebook achievements relating to our country and government; and

WHEREAS, Richard Gols having completed these necessary requirements, Richard Gols, Webelos Scouts, Pack 3943, has earned his "Citizenship Skill Award"; and

WHEREAS, Richard Gols, a resident of Chicago's great northwest side, maintains an excellent status in school; and

WHEREAS, Richard Gols, has been a positive influence with his associates and in the community. He represents the best in youth of our great City, of which its leaders are so justly proud; now, therefore,

*Be It Resolved*, That we, the Mayor and members of the City Council of the City of Chicago, gathered here this 17th day of December, 1985, A.D., do recognize and salute this fine scout for his hard work and effort in attaining his "Citizenship Skill Award". We offer our congratulations as well as our best wishes to this fine young citizen for a bright, happy, prosperous future; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Webelos Scout Richard Gols.

---

*Webelos Scout Jason Josaitis.*

WHEREAS, Jason Josaitis, a member of Webelos Scouts, Pack 3943 has participated in the many performance activities displaying his patriotism and good citizenship; and

WHEREAS, Jason Josaitis has diligently fulfilled the necessary notebook achievements relating to our country and government; and

WHEREAS, Jason Josaitis having completed these necessary requirements, Jason Josaitis, Webelos Scouts, Pack 3943, has earned his "Citizenship Skill Award"; and

WHEREAS, Jason Josaitis, a resident of Chicago's great northwest side, maintains an excellent status in school; and

WHEREAS, Jason Josaitis, has been a positive influence with his associates and in the community. He represents the best in youth of our great City, of which its leaders are so justly proud; now, therefore,

*Be It Resolved*, That we, the Mayor and members of the City Council of the City of Chicago, gathered here this 17th day of December, 1985, A.D., do recognize and salute this fine scout for his hard work and effort in attaining his "Citizenship Skill Award". We offer our congratulations as well as our best wishes to this fine young citizen for a bright, happy, prosperous future; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Webelos Scout Jason Josaitis.

---

*Webelos Scout Christopher Moore.*

WHEREAS, Christopher Moore, a member of Webelos Scouts, Pack 3943 has participated in the many performance activities displaying his patriotism and good citizenship; and

WHEREAS, Christopher Moore has diligently fulfilled the necessary notebook achievements relating to our country and government; and

WHEREAS, Christopher Moore having completed these necessary requirements, Christopher Moore, Webelos Scouts, Pack 3943, has earned his "Citizenship Skill Award"; and

WHEREAS, Christopher Moore, a resident of Chicago's great northwest side, maintains an excellent status in school; and

WHEREAS, Christopher Moore, has been a positive influence with his associates and in the community. He represents the best in youth of our great City, of which its leaders are so justly proud; now, therefore,

*Be It Resolved*, That we, the Mayor and members of the City Council of the City of Chicago, gathered here this 17th day of December, 1985, A.D., do recognize and salute this fine scout for his hard work and effort in attaining his "Citizenship Skill Award". We offer our congratulations as well as our best wishes to this fine young citizen for a bright, happy, prosperous future; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Webelos Scout Christopher Moore.

---

*Webelos Scout Michael Piantkowski.*

WHEREAS, Michael Piantkowski, a member of Webelos Scouts, Pack 3943 has participated in the many performance activities displaying his patriotism and good citizenship; and

WHEREAS, Michael Piantkowski has diligently fulfilled the necessary notebook achievements relating to our country and government; and

WHEREAS, Michael Piantkowski having completed these necessary requirements, Michael Piantkowski, Webelos Scouts, Pack 3943, has earned his "Citizenship Skill Award"; and

WHEREAS, Michael Piantkowski, a resident of Chicago's great northwest side, maintains an excellent status in school; and

WHEREAS, Michael Piantkowski, has been a positive influence with his associates and in the community. He represents the best in youth of our great City, of which its leaders are so justly proud; now, therefore,

*Be It Resolved*, That we, the Mayor and members of the City Council of the City of Chicago, gathered here this 17th day of December, 1985, A.D., do recognize and salute this fine scout for his hard work and effort in attaining his "Citizenship Skill Award". We offer our congratulations as well as our best wishes to this fine young citizen for a bright, happy, prosperous future; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Webelos Scout Michael Piantkowski.

---

*Webelos Scout Christopher Rzany.*

WHEREAS, Christopher Rzany, a member of Webelos Scouts, Pack 3943 has participated in the many performance activities displaying his patriotism and good citizenship; and

WHEREAS, Christopher Rzany has diligently fulfilled the necessary notebook achievements relating to our country and government; and

WHEREAS, Christopher Rzany having completed these necessary requirements, Christopher Rzany, Webelos Scouts, Pack 3943, has earned his "Citizenship Skill Award"; and

WHEREAS, Christopher Rzany, a resident of Chicago's great northwest side, maintains an excellent status in school; and

WHEREAS, Christopher Rzany, has been a positive influence with his associates and in the community. He represents the best in youth of our great City, of which its leaders are so justly proud; now, therefore,

*Be It Resolved*, That we, the Mayor and members of the City Council of the City of Chicago, gathered here this 17th day of December, 1985, A.D., do recognize and salute this fine scout for his hard work and effort in attaining his "Citizenship Skill Award". We offer our congratulations as well as our best wishes to this fine young citizen for a bright, happy, prosperous future; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Webelos Scout Christopher Rzany.

---

*Webelos Scout James Salvinski.*

WHEREAS, James Salvinski, a member of Webelos Scouts, Pack 3943 has participated in the many performance activities displaying his patriotism and good citizenship; and

WHEREAS, James Salvinski has diligently fulfilled the necessary notebook achievements relating to our country and government; and

WHEREAS, James Salvinski having completed these necessary requirements, James Salvinski, Webelos Scouts, Pack 3943, has earned his "Citizenship Skill Award"; and

WHEREAS, James Salvinski, a resident of Chicago's great northwest side, maintains an excellent status in school; and

WHEREAS, James Salvinski, has been a positive influence with his associates and in the community. He represents the best in youth of our great City, of which its leaders are so justly proud; now, therefore,

*Be It Resolved*, That we, the Mayor and members of the City Council of the City of Chicago, gathered here this 17th day of December, 1985, A.D., do recognize and salute this fine scout for his hard work and effort in attaining his "Citizenship Skill Award". We offer our congratulations as well as our best wishes to this fine young citizen for a bright, happy, prosperous future; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Webelos Scout James Salvinski.

---

*Webelos Scout Paul Stelzer.*

WHEREAS, Paul Stelzer, a member of Webelos Scouts, Pack 3943 has participated in the many performance activities displaying his patriotism and good citizenship; and

WHEREAS, Paul Stelzer has diligently fulfilled the necessary notebook achievements relating to our country and government; and

WHEREAS, Paul Stelzer having completed these necessary requirements, Paul Stelzer, Webelos Scouts, Pack 3943, has earned his "Citizenship Skill Award"; and

WHEREAS, Paul Stelzer, a resident of Chicago's great northwest side, maintains an excellent status in school; and

WHEREAS, Paul Stelzer, has been a positive influence with his associates and in the community. He represents the best in youth of our great City, of which its leaders are so justly proud; now, therefore,

*Be It Resolved*, That we, the Mayor and members of the City Council of the City of Chicago, gathered here this 17th day of December, 1985, A.D., do recognize and salute this fine scout for his hard work and effort in attaining his "Citizenship Skill Award". We offer our congratulations as well as our best wishes to this fine young citizen for a bright, happy, prosperous future; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Webelos Scout Paul Stelzer.



*Referred* -- ISSUANCE OF PERMIT FOR MAINTENANCE OF  
EXISTING CANOPIES AT SPECIFIED LOCATION.

Also, a proposed order for the issuance of a permit to John V. May Funeral Home for the maintenance and use of two existing canopies attached to the building or structure at 4553-4561 North Milwaukee Avenue, which was *Referred to the Committee on Streets and Alleys*.

---

Presented by

**ALDERMAN MC LAUGHLIN (45th Ward) and  
ALDERMAN LAURINO (39th Ward):**

CONGRATULATIONS EXTENDED TO MRS. LILLIAN O'DONNELL  
ON OCCASION OF HER NINETY-THIRD BIRTHDAY.

A proposed resolution reading as follows:

WHEREAS, Mrs. Lillian O'Donnell, a longtime resident of the great northwest side of the City of Chicago, celebrated her ninety-third birthday December 15, 1985; and

WHEREAS, Long active in her City and community, Lillian O'Donnell is the widow of Patrick O'Donnell, who worked for the City of Chicago Department of Sewers for many years; and

WHEREAS, An active 45th Ward resident, Lillian O'Donnell is celebrating her birthday with her many friends, among whom she can count leaders of our great City of Chicago; now, therefore,

*Be It Resolved*, That we, the Mayor and members of the City Council, gathered here this 17th day of December, 1985, A.D., do hereby offer our congratulations to Mrs. Lillian O'Donnell on the occasion of her ninety-third birthday, and that we extend to this fine citizen our most sincere wishes for many more years of happiness and prosperity; and

*Be It Further Resolved*, That a suitable copy of this resolution be presented to Mrs. Lillian O'Donnell.

Alderman McLaughlin moved to *Suspend the Rules Temporarily* to permit immediate consideration of and action upon the foregoing proposed resolution. The motion *Prevailed*.

On motion of Alderman McLaughlin, the foregoing proposed resolution was *Adopted*, unanimously.

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Presented by

**ALDERMAN VOLINI (48th Ward):**

*Referred* -- ISSUANCE OF PERMITS FOR MAINTENANCE OF  
EXISTING CANOPIES AT SPECIFIED LOCATIONS.

Two proposed orders for the issuance of permits to the organizations listed for the maintenance and use of existing canopies attached to specified buildings or structures, which were *Referred to the Committee on Streets and Alleys*, as follows:

5000 Marine Drive Corporation -- 5000 North Marine Drive; and

Park Edgewater Condominium Association -- 6101 North Sheridan Road.

---

Presented by

**ALDERMAN ORR (49th Ward):**

*Referred* -- CLOSING TO TRAFFIC ON PORTIONS OF  
SPECIFIED PUBLIC WAYS FOR LANDSCAPING  
PURPOSES.

A proposed ordinance to close to traffic portions of West Juneway Terrace, North Haskins Avenue and a public alley for purposes of becoming part of the landscaped areas of Triangle Park, which was *Referred to the Committee on Streets and Alleys*.

---

*Referred* -- ISSUANCE OF PERMIT FOR MAINTENANCE OF  
EXISTING CANOPY AT SPECIFIED LOCATION.

Also, a proposed order for the issuance of a permit to Forman Realty Corporation, for the maintenance and use of an existing canopy attached to the building or structure at 1209 West Sherwin Avenue, which was *Referred to the Committee on Streets and Alleys*.

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Presented by

**ALDERMAN STONE (50th Ward):**

*Referred* -- AMENDMENT OF CHICAGO MUNICIPAL CODE  
CHAPTER 194A CONCERNING SPECIAL USES IN  
CERTAIN ZONING DISTRICTS.

A proposed ordinance to amend Chapter 194A, Article 7.3-1 of the Chicago Municipal Code concerning special uses in R1 Single Family Residence Districts, which was *Referred to the Committee on Zoning*.

5. *FREE PERMITS, LICENSE FEE EXEMPTIONS, CANCELLATION  
OF WARRANTS FOR COLLECTION, AND WATER RATE  
EXEMPTIONS, ETC.*

Proposed ordinances, orders, etc. described below, were presented by the aldermen named, and were *Referred to the Committee on Finance*, as follows:

FREE PERMITS:

*BY ALDERMAN D. DAVIS* (29th Ward):

Loretto Hospital, 645 S. Central Avenue -- for rehabilitation of the building on the premises known as 5506 W. Harrison Street.

*BY ALDERMAN GABINSKI* (32nd Ward):

St. Mary of the Angels Church -- for renovation of former convent for an office for Divine Worship on the premises known as 1800 N. Hermitage Avenue.

*BY ALDERMAN LAURINO* (39th Ward):

Korean American Service Center -- for construction of multiple apartment building for the elderly on the premises known as 4444 N. Harding Avenue.

LICENSE FEE EXEMPTIONS:

*BY ALDERMAN BRADY* (15th Ward):

Holy Cross Hospital, 2701 W. 68th Street.

*BY ALDERMAN LANGFORD* (16th Ward):

Saint Bernard Hospital, 64th Street and the Dan Ryan (3).

*BY ALDERMAN NARDULLI* (26th Ward):

Casa Central (Nursing Home), 1401 N. California Avenue.

*BY ALDERMAN HAGOPIAN* (30th Ward):

St. Joseph Home of Chicago, Incorporated, 2650 N. Ridgeway Avenue.

*BY ALDERMAN DAMATO* (37th Ward):

St. Anne's Hospital, 4950 W. Thomas Street.

*BY ALDERMAN NATARUS* (42nd Ward):

Northwestern Memorial Hospital, East Superior Street and North Fairbanks Court.

BY ALDERMAN SCHULTER (47th Ward):

Martha Washington Hospital, 4055 N. Western Avenue.

CANCELLATION OF WARRANTS FOR COLLECTION:

BY ALDERMAN SHEAHAN (19th Ward):

St. Christina Church, 3333 W. 111th Street -- boiler and fuel burning equipment inspections.

BY ALDERMAN PUCINSKI (41st Ward):

Resurrection High School, 7500 W. Talcott Avenue -- elevator inspection.

BY ALDERMAN NATARUS (42nd Ward):

Northwestern Memorial Hospital, 215 E. Superior Street -- building inspection.

REFUND OF FEE:

BY ALDERMAN GABINSKI (32nd Ward):

Lady of the Angels Office of Divine Worship, 1800 N. Hermitage Avenue -- refund of Building Permit 661786 for the amount of \$1,223.65.

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**APPROVAL OF JOURNAL OF  
PROCEEDINGS.**

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JOURNAL (November 26, 1985).

Alderman Burke moved to *Correct* the printed Official Journal of the Proceedings of the regular meeting held on Tuesday, November 26, 1985, as follows:

Page 22876 -- by deleting the date "December 1, 1985," appearing on the twentieth line from the top of the page and inserting the date "March 1, 1986," in lieu thereof.

The motion *Prevailed*.

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JOURNAL (December 11, 1985).

The City Clerk submitted the printed Official Journal of the Proceedings of the regular meeting held on December 11, 1985, at 10:00 A.M., signed by him as such City Clerk.

Alderman Burke moved to *Approve* said printed Official Journal and to dispense with the reading thereof. The question being put, the motion *Prevailed*.

**UNFINISHED BUSINESS.**

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**AUTHORITY GRANTED FOR INSTALLATION OF  
IDENTIFICATION PYLON ON SOUTHEAST  
CORNER OF NORTH MICHIGAN  
AVENUE AND EAST  
SUPERIOR  
STREET.**

On motion of Alderman Cullerton, the City Council took up for consideration the report of the Committee on Streets and Alleys deferred and published in the Journal of the Proceedings of November 6, 1985, pages 21785-21786, recommending that the City Council pass a proposed order authorizing the installation of an identification pylon on the southeast corner of North Michigan Avenue and East Superior Street for the Water Tower Bank.

On motion of Alderman Cullerton, the said proposed order was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Tillman, Evans, Bloom, Sawyer, Beavers, Humes, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Sherman, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schuler, Volini, Orr, Stone -- 50.

*Nays* -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

The following is said order as passed:

*Ordered*, That the Commissioner of Public Works is hereby authorized and directed to issue a permit to the Water Tower Bank, 717 N. Michigan Avenue, to erect and install an identification pylon on E. Superior Street on the east point of the City parkway located near the southeast corner of N. Michigan Avenue and E. Superior Street, subject to the approval of plans upon the payment of fees, without compensation, and on the condition that the adjoining property owner shall assume full responsibility for maintenance and repair, and shall indemnify, ensure and hold harmless the City of Chicago from all liability.

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**AUTHORITY GRANTED FOR EXECUTION OF LEASE WITH  
XL DISPOSAL CORPORATION FOR PROPERTY AT  
64TH AND STATE STREETS TO BE USED  
FOR MAINTENANCE AND PARKING  
OF CITY TRUCKS AND  
STORAGE OF SALT.**

On motion of Alderman Burke, the City Council took up the report of the Committee on Finance deferred and published in the Journal of the Proceedings of December 11, 1985, pages 23809-23813, recommending that the City Council pass a proposed ordinance authorizing the execution of a lease with XL Disposal Corporation for approximately four acres of land at 64th and State Streets to be used for the maintenance and parking of City trucks and the storage of salt.

On motion of Alderman Burke, the said proposed ordinance was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Bloom, Humes, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Langford, Kellam, Sherman, Stemberk, Krystyniak, Marzullo, Nardulli, Smith, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Hansen, McLaughlin, Orbach, Schulter, Volini, Orr, Stone -- 35.

*Nays* -- Aldermen Rush, Tillman, Evans, Sawyer, Streeter, Kelley, W. Davis, D. Davis, Oberman -- 9.

Alderman Vrdolyak moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

WHEREAS, The Department of Streets and Sanitation requires a truck maintenance, parking and salt storage facility on the south side of the City of Chicago; and

WHEREAS, The XL Disposal Corporation has offered to lease approximately four acres of land in the vicinity of 64th and State Streets in the City of Chicago; and

WHEREAS, The XL Disposal Corporation has agreed upon the execution of the lease to construct improvements upon the land consisting of: an 18,600 square foot truck maintenance facility and parking garage, four underground fuel tanks, a 6,000 square foot concrete slab for the storage of salt, a parking area for truck and employee parking, and a security fence; and

WHEREAS, The lease will be for a term of ten years with a gross monthly rental of \$9,606 and the sum of \$200,000 paid as advance rental for site improvements shall be deducted from the gross rental leaving a net monthly rental of \$7,939; now, therefore,

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. The Commissioner of the Department of Streets and Sanitation is authorized to execute a lease with XL Disposal Corporation for a four acre site at 64th and State Streets to be improved as a truck maintenance, parking and salt storage facility subject to the approval of the Corporation Counsel, said lease being in substantially the following form:

[Lease printed on pages 25002 through 25004 of this Journal.]



**KEEP  
PREMISES  
IN REPAIR**

8. Lessee shall not be obliged to incur any expense for repairing any improvements upon the premises or equipment thereon, and the Lessee at his own expense will keep all improvements in good repair, and in proper condition, having Lessee's control, excepted as well as in a good tenable and repairable condition and will comply with all local, state and federal regulations, laws and ordinances, including as well as local requirements of all competent authorities in that behalf. Lessee will be responsible for and improvements from deterioration due to ordinary wear and from having same repaired, and if Lessee does not make repairs as required hereunder promptly and adequately, Lessor may cause such repairs and pay the costs thereof, and such costs shall be so much additional rent immediately due and payable by Lessee to Lessor.

**ACCESS TO  
PREMISES**

9. Lessee will allow Lessor free access to the Premises for the purpose of examining, measuring, or to make any needed repairs or alterations in or on the Premises which Lessor may deem necessary, and have placed upon the Premises at all times notice of "For Sale" and "To Rent" and will not interfere with same.

**ABANDON-  
MENT AND  
RELETTING**

10. If Lessee shall abandon or vacate the Premises, and Lessee shall not occupy the Premises for more than thirty (30) days, Lessor's breach of any of the covenants herein, the same may be held for such rent and upon such terms as Lessor may deem fit, and if a sufficient sum shall not be paid monthly after paying the expenses of such reletting and collecting to satisfy the rent hereunder, Lessor may sue for the same and pay all expenses monthly during the remaining period of this lease.

**HOLDING  
OVER**

11. Lessee will, at the termination of this lease by lapse of time or otherwise, yield up immediately to Lessor, and bring to the Lessor, as liquidated damages for the whole time said premises held, the sum of **FIVE THOUSAND DOLLARS (\$5,000.00)** per day, but the provisions of this clause shall not be held as a waiver by Lessor of any right of recovery as hereinafter set forth in the event of the rent or any part thereof, or any other act in apparent defiance of the provisions of the rent to forfeit this lease and the term hereby granted for the period then understood, and the balance of the covenants herein.

**EXTRA  
FIRE  
HAZARD**

12. There shall not be allowed kept or used on the Premises any inflammable or explosive materials and such as may be necessary for use in the business of the Lessee, and in such case the same shall be delivered and stored in a vault and used in accordance with the rules of the applicable fire departments and statutes and ordinances now or hereafter in force.

**DEFAULT  
BY  
LESSEE**

13. If default be made in the payment of the above rent, or any part thereof, or in any of the covenants contained in the lease, the Lessee, Lessor may at any time thereafter as by a writ of possession and order of the court, or any part thereof, with or without the right to remove the same, without prejudice to any other right or remedy hereunder provided for, and Lessor shall have at all times the right to distrain upon the same, and have a valid and first lien upon all personal property which Lessee now owns, or may hereafter acquire, and have an interest in, which shall be subject to such distraint as security for payment of the rent hereunder.

**NO RENT  
DEDUCTION  
OR SET OFF**

14. Lessee's covenant to pay rent is and shall be independent of each and every other covenant, and Lessee agrees that any claim by Lessee against Lessor shall not be deducted from rent nor set off against any rent in any action.

**RENT AFTER  
NOTICE  
OR SUIT**

15. It is further agreed, by the parties hereto, that after the service of notice, or the commencement or after final judgment for possession of the Premises, Lessor may receive and collect any rent due and payment of said rent shall not waive or affect said notice, said suit, or said judgment.

**PAYMENT OF  
COSTS**

16. Lessee will pay and discharge all reasonable costs, attorney's fees and expenses that shall be incurred by Lessor in enforcing the covenants and agreements of this lease.

**RIGHTS  
CUMULATIVE**

17. The rights and remedies of Lessor under this lease are cumulative. The exercise or use of any one or more thereof shall not bar Lessor from exercise or use of any other right or remedy provided herein, or provided by law, nor shall exercise or use of any right or remedy by Lessor waive any other right.

**FIRE AND  
CASUALTY**

18. In case the Premises shall be rendered untenable during the term of this lease by fire or casualty, Lessor at his option may terminate the lease or repair the Premises within ten days thereafter, elects to repair, this lease shall remain in effect provided such repairs are completed within said time, shall not have repaired the Premises within said time, then at the end of such time the term hereby granted shall terminate. If this lease is terminated by reason of fire or casualty as herein specified, rent shall be apportioned to the day of such fire or other casualty.

**SUBORDINATION**

19. This lease is subordinate to all mortgages which may now or hereafter affect the Premises.

**PLURALS;  
SUCCESSORS**

20. The words "Lessor" and "Lessee" wherever herein occurring and used shall be construed "Lessors" and "Lessees" in case more than one person constitutes either party to this lease, and all the covenants and agreements contained shall be binding upon and inure to their respective successors, heirs, administrators and assigns and may be exercised by any or their attorneys or agent.

**SEVERABILITY**

21. Wherever possible each provision of this lease shall be interpreted in such manner as to be valid and under applicable law, but if any provision of this lease shall be prohibited by or invalid under law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this lease.



RIDER TO LEASE BY AND BETWEEN  
CITY OF CHICAGO AND I-L DISPOSAL CORPORATION  
DATED AUGUST 7, 1984

## PREMISES

22. The premises leased hereunder include:

(a) a parcel of land containing approximately four (4) acres, fenced and partially paved, as outlined in red on Exhibit A attached hereto and made a part hereof (the legal description of such parcel is set forth in Paragraph 23 hereof);

(b) a garage and office building containing approximately 18,500 square feet to be constructed on said parcel as outlined in blue on said Exhibit A in accordance with the plans and specification attached hereto and made a part hereof as Exhibit B;

(c) the following underground tanks: one 10,000 gallon gasoline storage; three 500 gallon oil products storage; one 1500 gallon waste oil storage; and

(d) a 6,000 square feet concrete pad for oil storage as shown on said Exhibit A.

23. The legal description of the Premises is as follows:

As set forth on Exhibit C attached hereto and made a part hereof.

## TERM

24. The term of this lease shall commence on the date the premises are ready for occupancy and continue thereafter for a term of ten (10) years.

## GOVERNMENTAL PERMITS

25.(a) Lessee assumes the risk that its proposed operations comply with all applicable zoning and other laws relating to the use of the Premises and to that end Lessee agrees to use its best efforts to secure all necessary exceptions, variances, special use permits, licenses, authorities, etc., that may be necessary to permit Lessee to conduct its proposed operations on the Premises.

(b) In its operations on the Premises, Lessee shall comply with all applicable laws, ordinances, rules and regulations of any government authority. Lessee shall further protect Lessor is to any fines, penalties or other charges that may be asserted against Lessor arising out of or from Lessee's operations.

## SECURITY DEPOSIT, RENTAL, AND TAXES

26.(a) Lessee has deposited with Lessor the sum of Sixteen Thousand and no/100ths Dollars (\$16,000.00) which shall be held by Lessor as a security deposit for Lessee's true and faithful performance hereunder. Lessee shall replenish such security deposit from time to time to the extent that any amount thereof is applied by Lessor to cure any default of Lessee hereunder. At the termination of this lease, Lessor shall apply such amounts from said security deposit as may be necessary (and to the extent adequate therefor) to cure any remaining defaults of Lessee and shall refund the balance, if any, to Lessee within thirty (30) days thereafter.

(b) the gross monthly rental for the Premises shall be Nine Thousand Six Hundred Six and no/100ths Dollars (\$9,606.00). Upon execution of this lease, Lessee

PAGE 11

SECTION 2. This ordinance shall be effective upon its passage.

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AUTHORITY GRANTED FOR EXECUTION OF EIGHTEEN  
REHABILITATION LOANS PURSUANT TO DEPARTMENT  
OF HOUSING AND URBAN DEVELOPMENT RENTAL  
REHABILITATION PROGRAM AND COMMUNITY  
DEVELOPMENT BLOCK GRANT PROGRAM.

On motion of Alderman Burke, the City Council took up for consideration the report of the Committee on Finance deferred and published in the Journal of the Proceedings of December 4, 1985, pages 23076 and 23581 through 23584, recommending that the City Council pass a proposed ordinance authorizing the execution of eighteen (18) rehabilitation loans pursuant to the Department of Housing and Urban Development Rental Rehabilitation Program and the Community Development Block Grant Program.

On motion of Alderman Burke, the said proposed ordinance was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Tillman, Evans, Bloom, Sawyer, Beavers, Humes, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Sherman, Stemberk, Krystyniak, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Gabinski, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schuler, Volini, Orr, Stone -- 46.

*Nays* -- None.

Alderman Stemberk moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

WHEREAS, The City of Chicago (the "City"), a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, has heretofore found and does hereby find that there exists within the City a serious shortage of decent, safe and sanitary rental housing available to persons of low and moderate income; and

WHEREAS, The City has determined that the continuance of a shortage of rental housing affordable to persons of low and moderate income is harmful to the health, prosperity, economic stability and general welfare of the City; and

WHEREAS, The Government of the United States, pursuant to authority granted it in Section 17 of the United States Housing Act of 1937, as amended, has created the Rental Rehabilitation Program (the "Rental Rehabilitation Program") in Section 301 of the Housing and Urban Rural Recovery Act of 1983, which program among other things, provides for Federal grants to local governments to help finance rehabilitation of privately owned residential structures devoted primarily to rental use and which units are eligible

for rent subsidy programs so as to increase their accessibility to low and moderate income persons; and

WHEREAS, The United States Department of Housing and Urban Development has approved the allocation of \$10,679,900 of Rental Rehabilitation Program grant funds to the City; and

WHEREAS, The City of Chicago has programmed \$3,000,000 in Year X Community Development Block Grant funds for its Multi-Unit Rehabilitation Assistance Program (the "MULTI-Program"), wherein low interest rehabilitation loans are made available to owners of rental properties containing five or more dwelling units in low and moderate income areas, said MULTI Program administered by the City's Department of Housing; and

WHEREAS, The Department of Housing has preliminarily reviewed and approved the making of eighteen (18) low interest rehabilitation loans in the aggregate amount of \$5,658,548 said loans to be funded in part with Rental Rehabilitation Program funds and in part with MULTI Program funds where said funds, when loaned, will leverage an additional \$9,809,854 in private investment for the rehabilitation of 440 dwelling units, and wherein said loans are each in excess of \$75,000 and are more particularly described in "Exhibit A" attached hereto and made a part hereof; and

WHEREAS, The City Council of the City, by an ordinance duly adopted on February 20, 1985, authorized certain technical amendments to the "Substitute Ordinance (passed by the City Council on June 6, 1984) Authorizing Submission of the Final Statement of Objectives and Projected Use of Funds for Community Development Block Grant Entitlement to the U. S. Department of Housing and Urban Development for the Year X", wherein said technical amendments require, in part, that any loans in the amount of \$75,000 or more funded, in whole, or by 25% or more with Year X Community Development Block Grant funds shall be subject to the review and approval of City Council; now, therefore,

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. The Commissioner of the Department of Housing is hereby authorized to issue final loan commitments to the proposed owners/borrowers itemized in Exhibit A for the loan amount listed therein.

SECTION 2. The aforesaid Commissioner is hereby authorized to enter into, negotiate and execute such agreements, documents, or notes as are required or necessary to implement the terms and program objectives of the Rental Rehabilitation and the MULTI Programs.

SECTION 3. This ordinance shall be in full force and effect by and from the date of its passage.

Exhibit A attached to this ordinance reads as follows:

*Exhibit A*

12/17/85

## UNFINISHED BUSINESS

25007

Owner/Borrower	Rental Rehab./MULTI	Private
Carter/Jenkins 1116-18 E. 46th St. 12 D.U.'s	\$120,000.00	\$82,000.00
Neighborhood Inst. 6924 S. Clyde 26 D.U.'s	\$307,000.00	\$669,670.00
Kenwood-Oakland Scattered sites 30 D.U.'s	\$891,000.00	\$559,704.00
Crossroads 7201 S. Merrill 40 D.U.'s	\$160,900.00	\$1,600.00
Ritter 6026 N. Winthrop 58 D.U.'s	\$290,000.00	\$405,000.00
King Drive Assoc. 4351-59 S. King Dr. 19 D.U.'s	\$380,000.00	\$304,000.00
Neighborhood Inst. 7048 S. Merrill 41 D.U.'s	\$675,000.00	\$663,444.00
E. Bolton 619 N. Kostner 8 D.U.'s	\$100,000.00	\$73,800.00
Bailey 7027-29 S. East End 14 D.U.'s	\$115,000.00	\$165,000.00
LSM Venture 7253 S. Evans 18 D.U.'s	\$157,000.00	\$149,000.00
Phillips Partnership 7756 S. Phillips 14 D.U.'s	\$90,000.00	\$100,000.00

Owner/Borrower	Rental Rehab./MULTI	Private
J. Martin 1410 E. 68th St. 6 D.U.'s	\$165,000.00	\$70,000.00
C. Bulter/East Lake Mgmt. 5042-44, 505-52 S. Drexel 12 D.U.'s	\$260,000.00	\$353,800.00
McGill Terrace 821-27 E. 49th St. 48 D.U.'s	\$327,000.00	\$1,406,600.00
Peoples Housing 7732-42 N. Paulina 22 D.U.'s	\$175,848.00	\$909,749.00
Bethel New Life 4320 W. Madison 26 D.U.'s	\$676,000.00	\$791,987.00
Voice of the People 852 W. Sunnyside 4426 N. Magnolia 912 W. Montrose 4813 N. Winthrop 30 D.U.'s	\$620,000.00	\$1,366,100.00
Lawrence 7448-54 S. Calumet 16 D.U.'s	\$148,800.00	\$140,000.00
<hr/> 440 D.U.'s	<hr/> \$5,658,548.00	<hr/> \$9,809,854.00

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**MISCELLANEOUS BUSINESS.**

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**PRESENCE OF VISITORS NOTED.**

Honorable Harold Washington, Mayor, called the Council's attention to the presence of the following visitors:

John H. Sengstacke, Owner and President of the *Chicago Defender* newspaper.

### Time Fixed for Next Succeeding Regular Meeting.

By unanimous consent, Alderman Burke thereupon presented a proposed ordinance which reads as follows:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the next succeeding regular meeting of the City Council of the City of Chicago to be held after the meeting held on Tuesday, the seventeenth (17th) day of December, 1985, at 10:00 A.M., be and the same is hereby fixed to be held on Monday, the twenty-third (23rd) day of December, 1985, at 10:00 A.M., in the Council Chamber in the City Hall.

SECTION 2. This ordinance shall take effect and be in force from and after its passage.

On motion of Alderman Burke, the foregoing proposed ordinance was *Passed*, by yeas and nays as follows:

*Yeas* -- Aldermen Roti, Rush, Tillman, Evans, Bloom, Sawyer, Beavers, Humes, Hutchinson, Vrdolyak, Huels, Majerczyk, Madrzyk, Burke, Brady, Langford, Streeter, Kellam, Sheahan, Kelley, Sherman, Stemberk, Krystyniak, Henry, Marzullo, Nardulli, W. Davis, Smith, D. Davis, Hagopian, Santiago, Gabinski, Mell, Frost, Kotlarz, Banks, Damato, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Oberman, Hansen, McLaughlin, Orbach, Schuler, Volini, Orr, Stone -- 50.

*Nays* -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

**Adjournment.**

Thereupon, Alderman Burke moved that the City Council do *Adjourn*. The motion *Prevailed* and the City Council *Stood Adjourned* to meet in regular meeting on Monday, December 23, 1985, at 10:00 A.M., in the Council Chamber in the City Hall.

A handwritten signature in black ink, reading "Walter S. Kozubowski". The signature is written in a cursive, flowing style with a large, prominent "W" and "K".

WALTER S. KOZUBOWSKI,  
*City Clerk.*