

## ORDINANCE

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

**WHEREAS**, there is a lack of sufficient open space in the City for recreational and aesthetic uses; and

**WHEREAS**, there is a need and desire to develop typically small, open spaces as pocket parks, gardens and natural areas for public use for the benefit of the residents of the City; and

**WHEREAS**, pursuant to an ordinance adopted on May 26, 2021 and published in the Journal of the Proceedings of the City Council of the City for such date at pages 30444 through 30455, the City, through the Department of Planning and Development ("**DPD**"), entered into an agreement (the "**Agreement**") with the Chicago Park District (the "**Park District**") and the Forest Preserve District of Cook County (the "**Forest Preserve District**," and collectively with the City and the Park District, the "**Parties**") to support NeighborSpace, an Illinois not-for-profit corporation ("**NeighborSpace**"); and

**WHEREAS**, since its establishment, NeighborSpace has been dedicated to developing, preserving and maintaining open space in the City; and

**WHEREAS**, DPD wishes to amend the Agreement to increase the amount of its annual contribution to NeighborSpace, subject to annual appropriations, and change the term of the Agreement (the "**First Amendment**"); now, therefore,

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

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

**SECTION 2.** Subject to approval by the City's Corporation Counsel, the Commissioner of Planning and Development, or a designee thereof, on behalf of the City, is authorized to execute and deliver the First Amendment substantially in the form attached hereto as Exhibit A to allow the City to increase its annual contribution to NeighborSpace to \$185,000, subject to annual appropriations, and to extend the term of the Agreement to and including December 31, 2033 (the "**Expiration Date**"), including the ability to further extend the Agreement for an additional five years after the Expiration Date, also subject to appropriations and through a written agreement between the Parties, and enter into such other documents and amendments as may be necessary between the Parties.

**SECTION 3.** To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or part thereof, conflicts with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provisions of this ordinance.

**SECTION 4.** This ordinance shall take effect upon its passage and approval.