

ORDINANCE NO. 007-122

AN ORDINANCE AUTHORIZING
INDEMNIFICATION AGREEMENTS
FOR NORTH PARK GARAGE AND
98TH STREET SHOPS AND A
PERMIT AGREEMENT FOR BUS
STORAGE AND EMPLOYEE
PARKING ON METROPOLITAN
WATER RECLAMATION DISTRICT
LAND ADJACENT TO THE
AUTHORITY'S NORTH PARK
GARAGE, CHICAGO, ILLINOIS

WHEREAS, The Authority's North Park bus garage is located at Foster and Kedzie Avenues, Chicago, Illinois; and

WHEREAS, The Metropolitan Water Reclamation District ("MWRD") owns vacant land immediately east of the Authority's garage ("Property"); and

WHEREAS, The Property is 450' x 177' (79,650 square feet) in size; and

WHEREAS, The Authority is performing certain facility renewal work at North Park garage which requires the use of the Property for staging and vehicle parking; and

WHEREAS, The Authority and the MWRD negotiated a two-year permit for the Property at a \$58,000 annual fee; and

WHEREAS, Under the permit agreement, either party may cancel upon 90' days notice, and the Authority must indemnify MWRD for its use of the Property; and

WHEREAS, Staff recommends that CTA enter into the permit agreement with MWRD; and

WHEREAS, In addition to the permit agreement, staff is required to obtain from the City of Chicago a special use permit and variance in order to construct the deep-clean bus washer building on the Property; and

WHEREAS, To allow CTA to continue with the permitting process for the deep-clean bus washer building and complete its construction by December 31, 2007, the City's zoning administrator seeks an indemnification from the Authority for all loss and costs the City may incur because a construction permit is issued pending its applications for a variance and special use permit; and

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WHEREAS, The Authority will also construct a deep-clean rail washer building at its 98th rail shop; and

WHEREAS, The City's zoning administrator requires an indemnification similar to that needed for the North Park deep-clean bus washer; and

WHEREAS, Staff seeks Transit Board authorization to execute both indemnification agreements with the City of Chicago; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Chairman of The Chicago Transit Board, or her designee, is authorized to enter into a two-year permit agreement with the Metropolitan Water Reclamation District (MWRD) for use of MWRD property, approximately 450' x 177' in size, and as further described on Exhibit A attached hereto. The CTA shall indemnify MWRD for its use of the subject property. The annual permit fee is \$58,000. The other terms and conditions shall be substantially in conformance with Exhibit B attached hereto.

SECTION 2. The Chairman, or her designee, is authorized to execute indemnification agreements with the City of Chicago for all loss and costs it may incur because a construction permit is issued pending the Authority's application for a special use and/or variance at both North Park garage and 98th Street Shops. The indemnification agreement shall be substantially in conformance with Exhibit C and Exhibit D attached hereto.

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

APPROVED:

PASSED:

Chairman

October 15, 2007

Assistant Secretary

October 15, 2007