

**THIRD AGREEMENT TO RENEW AND AMEND
THE INTERGOVERNMENTAL AGREEMENT**

Municipal Employees' Annuity and Benefit Fund of Chicago

This Third Agreement to Renew and Amend the Intergovernmental Agreement ("**Third Renewal Agreement**") is entered into as of the latest date set forth on the signature page hereto, but is deemed effective as of January 1, 2023 (the "**Effective Date**"), by and between the City of Chicago, an Illinois municipal corporation (the "**City**") and the Board of Education of the City of Chicago, a body politic and corporate, commonly known as the Chicago Public Schools (the "**Board**" or "**CPS**").

RECITALS

WHEREAS, the Municipal Employees' Annuity and Benefit Fund of Chicago (the "Fund") is a pension fund established and operated pursuant to Article 8 of the Illinois Pension Code (40 ILCS 5/8-101 *et seq.*, as amended) (the "Code"); and

WHEREAS, pursuant to the Code, certain employees and retired employees of the City ("City Employees") and certain employees and retired employees of the Board ("Board Employees"), among others, are entitled to be paid certain annuities and benefits by the Fund; and

WHEREAS, according to the Code, the Fund is to be funded, in part, by contributions from the City; and

WHEREAS, the City and the Board entered into that certain Intergovernmental Agreement on January 21, 2020 (the "**Original Agreement**") pursuant to which the Board reimbursed the City a portion of the amount of the City's required contribution under Section 5/8-173 of the Code attributable to the annuities and benefits for Board Employees for an original term commencing January 21, 2020 and continuing through the end of the City's 2020 fiscal year, which was December 31, 2020 (the "**Original Term**"); and

WHEREAS, the City and the Board of Education subsequently entered into a First Agreement to Renew and Amend (the "First Renewal Agreement") which extended the Original Term through the end of the City's 2021 fiscal year, which is December 31, 2021; and

WHEREAS, the City and the Board of Education subsequently entered into a Second Agreement to Renew and Amend (the "Second Renewal Agreement") which extended the Original Term through the end of the City's 2022 fiscal year, which is December 31, 2022. The Original Agreement, the First Renewal Agreement, and the Second Renewal Agreement shall be collectively referred to as the "**Existing Agreement**;" and

WHEREAS, pursuant to Section 3 of the Existing Agreement, and by mutual agreement of the parties, the Agreement may be renewed annually, but not past calendar year 2059, under the same terms and conditions, provided that adequate funding is available, and the parties now desire to undertake a one-year renewal of the Agreement. The Existing Agreement and this Third Renewal Agreement shall be collectively referred to herein as the "**Agreement**;"

NOW THEREFORE, in consideration of the mutual promises and the terms and conditions set forth herein, the parties hereby agree as follows:

ARTICLE ONE: INCORPORATION OF RECITALS; DEFINITIONS

A. Recitals. The recitals set forth above are hereby incorporated into and made a part of this Third Renewal Agreement.

B. Definitions. Capitalized terms used but not otherwise defined herein shall have the same

meanings set forth in the Agreement.

ARTICLE TWO: THIRD EXERCISE OF OPTION TO RENEW

The Agreement is hereby renewed for one (1) year, commencing January 1, 2023 and continuing through December 31, 2023 ("**Third Renewal Term**"), unless terminated sooner as specified in the Agreement.

ARTICLE THREE: AMENDMENT TO SECTION 2

Section 2 of the Existing Agreement is hereby amended by inserting the following new paragraph:

"The Board of Education hereby agrees that it shall pay the City, not later than March 30, 2024, \$175,000,000 from the Board of Education's fiscal year 2023 and 2024 budget, to be applied to the City's fiscal year 2023 Fund contribution."

ARTICLE FOUR: NO OTHER AMENDMENTS

Except as specifically renewed or amended herein, all terms and conditions of the Existing Agreement are and shall remain in full force and effect during the Third Renewal Term.

ARTICLE FIVE: COUNTERPARTS AND ELECTRONIC SIGNATURES

This Third Renewal Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, all of which together shall constitute one instrument. A signature delivered by facsimile or other electronic means shall be considered binding for both parties.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, each of the parties has caused this Third Renewal Agreement to be executed as of the latest date set forth below.

BOARD OF EDUCATION OF THE CITY OF CHICAGO, a body politic and corporate 

CITY OF CHICAGO, an Illinois municipal corporation

DocuSigned by:
Jianan Shi
By: _____
Jianan Shi
Board President

DocuSigned by:
Jill Jaworski
By: _____
Jill Jaworski
Chief Financial Officer



DocuSigned by:
Susan Narrajos
Attest: _____
Susan Narrajos
Board Secretary

Date: January 5, 2024 | 11:58:01 AM CST

Date: January 3, 2024 | 12:56:36 PM CST

DocuSigned by:
Pedro Martinez
By: _____
Pedro Martinez, Chief Executive Officer

Board Report: 23-1214-EX5

Approved as to legal form:  

DocuSigned by:
Ruchi Verma

Ruchi Verma, General Counsel