



*Figure 1 Chicago Landmark Humboldt Park Receptory and Stable Building. Source: Wikimedia Commons*

## **Statement of Facts on National Museum of Puerto Rican Arts & Culture Abuse of Public Land and Public Funds**

*Prepared by Preservation Chicago*

The National Museum of Puerto Rican Arts and Culture, led by former Chicago Alderman Billy Ocasio, has been a steward of the Chicago Landmarked Humboldt Park Receptory Building and Stable since 2002, operating a museum and cultural space. Since 2020, it has been advancing plans to develop a new building on the public park land. In the process, it has misrepresented the scope of its project across multiple city and state agencies, and it began construction without owner consent and without proper permits and approval. Located at 3015 W. Division Street in the National Register-listed Humboldt Park, the site is Landmarked for both its building and landscapes.

The growing list of exhibits to this research lays out a clear paper trail – one where the National Museum started in 2020 applying for a state grant and ended with the Museum violating the rules, procedures, and laws of every government institution it encountered along the way. The Museum has:

1. Misrepresented the scope of its work
2. Dramatically changed the original scope of work
3. Plans for additional development of parkland in Humboldt Park with little or no input from the Humboldt Park community, people of Chicago or the Chicago Park District
4. Submitted inconsistent information on various applications and reports since 2020
5. Continues to misrepresent its work and its actions since May 2020

The research continues to unfold -- filling in the pieces of what happened in Humboldt Park. This statement of facts will be updated as new information is uncovered. There are multiple public agencies who are either waiting for a different agency to make a decision or are waiting to see what comes of public opposition. This brief is intended to help all the agencies involved understand what each of the different agencies has been told about the new construction project.

The case for demolition of the illegally constructed event space adjacent to the National Register-listed and Chicago Landmark Humboldt Park Stables seems clear. Every process along the way was ignored, violated, or skirted – including the Chicago Park District, the Chicago Department of Buildings, the Commission on Chicago Landmarks, the State Historic Preservation Office, the Illinois Department of Natural Resources (public museum capital granting agency), and the residents of Chicago. Additionally, there is no evidence of soil engineer analysis, test borings, or soil conditions to assess if (a) the footings and foundation as planned can support a 6,800-square-foot, two-story event space, or (b) the work was completed as indicated in the drawings. This presents the highest level of life safety risk, and the City of Chicago, through the Chicago Park District, the Chicago Department of Buildings or both, should without delay order the cinder block building and its foundation be demolished.

## **Executive Summary**

The leadership of the National Museum of Puerto Rican Arts and Culture (NMPRAC) has willfully and knowingly violated multiple processes set up to ensure that public land is developed only with public agency leadership and approval, the public is included in a healthy community engagement process to ensure that any building on public land serves a greater public purpose, that buildings are decent, safe and sanitary, and that Chicago's historic assets that are protected by Landmark designation are maintained in a way that protects the historic character while also allowing modern updates and improvements.

After FOIA'ing and researching hundreds of pages of documents, emails, letters, and public records, this statement of facts provides a fuller picture of what transpired to get to this point between multiple agencies and a rapidly evolving scope of work on the project.

1. The community was left out of the planning and input process.
2. The public landowner was left out of the planning, review, and approval process.
3. The scope of the project varied widely depending on where and when it was being presented. When the museum applied to the IDNR for a public museum capital grant, they indicated they were planning a 1,500-square-foot archive facility. As recently as January 1, 2023, the museum's web site indicated plans for a 5,000-square-foot facility that were purported to have been approved by the Chicago Park District (an erroneous statement). When plans were submitted to the Department of Buildings after construction was underway, a 6,800-square-foot event center with a sculpture garden had been added to the project scope.
4. Construction began before applying for a required access permit from the Chicago Park District and before applying for a critical building permit from the Chicago Department of Buildings.
5. Plans were not submitted to the Commission on Chicago Landmarks Permit Review Committee for review and approval.

6. The dramatic change in the scope of work was not shared with the state granting agency that awarded \$750,000 toward this project.
7. The State Historic Preservation Office appears to have been influenced late in 2022 to sign off on its review of the 2020 plans when the museum was well into an entirely different set of plans for a building that more than quadrupled in size.
8. The project has been represented in at least three different lights over the last year. First it was a 1,500-square foot archival storage facility depicted only in a sketch submitted to the State Historic Preservation Office. On its website, NMPRAC talks about a 5,000-square foot space that was still called an “archival” facility that had the full support of the Chicago Park District. Finally, after work began and their illegal construction was halted by the City, the Museum has submitted plans for what appears to be a 6,800-square-foot event space with a covered porch and a formal, landscaped garden at its front doors.
9. State and local agency procurement and bidding processes appear to have been ignored throughout the process.

The government parties involved in this matter are:

1. The **Chicago Park District (CPD)**. CPD owns the land on which the illegally constructed building sits, and it holds a 99-year rental lease for use of the property to the NMPRAC. The Chicago Park District has a clear and direct process that is to be followed by tenants who would like to alter or add on to existing park structures on park land. It also has a thorough procurement process that must be followed when work to be done on public park land solicits and secures bids for work. CPD also has to issue an access permit for any work done on CPD land. This access permit must be secured prior to the start of any construction.
2. The **Chicago Department of Buildings (DOB)**. DOB reviews and evaluates permit applications. It also enforces violations of permit application processes and investigates the quality of any work done without permits and after permit issuance.
3. The **Chicago Department of Planning and Development (DPD)**. As a Chicago Landmark, any work done on the site of the Humboldt Park Receptory and Stables must go before the Commission on Chicago Landmarks Permit Review Committee, which sits within DPD.
4. The **Illinois Department of Natural Resources (IDNR)**. A division within the IDNR oversees Public Museum Capital Grant funds. NMPRAC was awarded such a grant in 2020 (contract signed May 2021) for a 1,500-square-foot, newly constructed archival facility adjacent to the Humboldt Park Receptory and Stable building.
5. The **Illinois State Historic Preservation Office (SHPO)**. Given that this project was to use public funds (in the form of a state grant), the Museum was required to get SHPO consent that this new construction project adjacent to a Chicago Landmark and within a National Register-listed park would not negatively impact any historic resources in the process.

## Background

The Humboldt Receptory Building and Stables was designated a Chicago Landmark in 2007. At the time, the Institute of Puerto Rican Arts and Culture occupied the space and is named in the Landmark report. The building was designed by noted architectural firm Frommann & Jebsen, and it was built in 1895-96.

From the report itself, “The two-story building, designed by the Chicago architectural firm of Frommann & Jepsen, utilizes a variety of different building materials and forms to create a vividly picturesque appearance within the greenery of Humboldt Park. Configured around an open courtyard, it is constructed of red pressed brick with a foundation of rusticated field stones and pink brick and wood half-timbering on its second story, while the building’s plethora of steeply pitched, cross-gable roofs and dormers are clad in glazed and unglazed roof tiles. A pair of turrets with carved limestone accents further embellishes the building’s roofline.” [Exhibit A, Page 3]

The building underwent a renovation project after a fire in the 1990s (awaiting confirmation of project scope, budget, and funding sources from the Chicago Park District), and according to the Landmark report, the Institute of Puerto Rican Arts and Culture “is currently rehabilitating the building for use as a cultural center and museum, to open in Fall 2007.” [Exhibit A, Page 17] Prior to its Landmarking, it was listed on the Chicago Historical Resources Survey as red-rated – the highest rating used in that survey. The report notes that the Commission identified the following significant features to be protect: “All exterior elevations, including courtyard elevations and rooflines, of the building.” [Exhibit A, Page 19]

The NMPRAC, which operated under the name Institute of Puerto Rican Arts & Culture, has been associated with the Humboldt Park Receptory Building and Stables since signing its first lease agreement on October 23, 2002 [Exhibit AB]. According to that agreement, the Chicago Park District was securing a grant to cover renovations of the historic building. It would then allow the museum to “renovate the building for its intended use,” pending signoff by the Chicago Park District and proof of financial ability to fund the proposed work. All of this work was done prior to the Humboldt Park Receptory and Stables being a Chicago Landmark. The first lease had a 15-year term.

The second lease, also between the Institute of Puerto Rican Arts and Culture and the Chicago Park District, is dated July 31, 2007. Section 2 of this lease indicates that the IPRAC will continue with renovations after prior approval of the Park District. Section 3b of the lease notes the requirement of a “right-of-entry permit by the Park District” for any future renovation work on the building. Section 3f notes: IPRAC shall obtain all required permits and prior written approval on all design and related construction documents from the Park District and keep such documentation in good standing for the duration of the project.” Section 3i notes: “IPRAC shall not make any alteration, improvement, addition to, or perform any construction or renovation on the Building without prior written Park District approval.

Under its current lease agreement, dated January 1, 2014, the museum leases the space for 99 years at a cost of \$1. Section 4 [Exhibit B, Page 3] outlines how the Museum must go about doing any work on the site. It is very clear that no construction will begin without prior CPD written approval. Section 13 of the lease [Exhibit B, Page 5] outlines clear termination procedures for violations of the lease terms. Notably, the lease will terminate if the attempts to cure any lease violations have not been resolved within 30 days “following written notice from the Park District of such failure.”

## **Grant and New Construction Plan Background**

### ***Application for State Capital Grant***

The Museum applied for a grant with the Illinois Department of Natural Resources Public Museum Capital program in 2020. That application was received by the IDNR on May 29, 2020 [Exhibit D]. The Museum’s stated purpose for the \$750,000 grant was to restore windows and doors on the existing

historic structure, upgrade HVAC and other infrastructure in the historic structure, and build a 1,500-square foot archival and collection space facility. The archival space was estimated to cost \$400,000 [Exhibit D, Page 5]. Later in the application, it notes the cost of the new archival facility at \$470,000 [Exhibit D, Page 42]. The application indicates that the archival facility is needed to “save additional funds by eliminating the need of leasing an off-site storage facility and increase our capacity to display exhibits from our own stored collections” [Exhibit D, Page 35]

The conceptual development plan from the grant application shows a 1,500-sf building to the South and west of the existing historic receptory and stable. The original grant application does not appear to show a rendering of what the new construction archival facility will look like. The application notes that the NMPRAC has “created a National Advisory Council” to raise funds and evaluate space needs [Exhibit D, Page 40]. No evidence of a National Advisory Council has been found.

NMPRAC notes in its state grant application that the archival facility will enable the organization to meet “all requirements for accreditation through the AAM (American Alliance of Museums) [Exhibit D, Page 41].

NMPRAC’s application for the state grant indicates that it intends in a later phase to “establish an outdoor entertainment stage similar to Ravinia” [Exhibit D, Page 40]. This Ravinia-like proposal does not appear to have gone through any community input sessions or Chicago Park District review and approval.

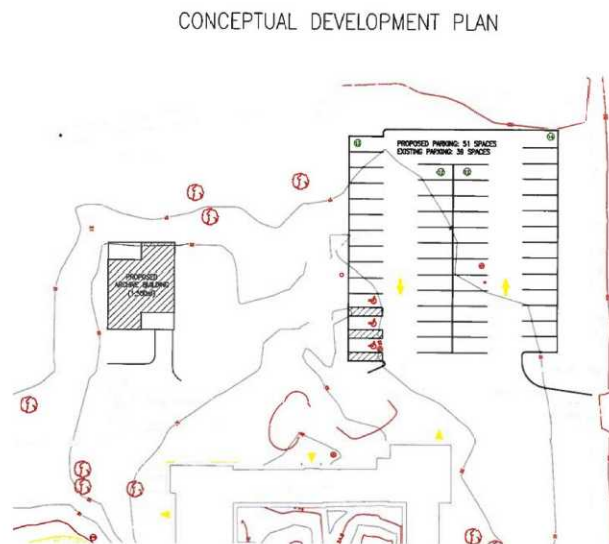


Figure 2 Conceptual Development Plan 2020 [Exhibit D]

### **State Grant Award and Grant Agreement**

A copy of the agreement between the IDNR and NMPRAC was signed by the NMPRAC on December 18, 2020, and it was fully executed on May 12, 2021. Item 5.2 of this Agreement details the process for scope of work revisions [Exhibit F, Page 31 of PDF].

The instances where the grant agreement terms were violated to date is long and growing. To name just a few:

1. The museum did not seek IDNR approval for significant changes of scope of work prior to the start of construction.
2. The museum did not get SHPO sign-off on its project prior to the start of construction.
3. The museum did not get permits from the CPD and the Department of Buildings prior to the start of construction.
4. The museum indicated that no trees would be cut down as a result of this development. There appears to have been a tree canopy in southwest corner of the development site, and this warrants further investigation.
5. The museum has not produced proof of an open, competitive bidding process to secure contracts for the work – namely with its architect (Luis A. Martinez) and its general contractor (Exemplary Builders) [Exhibit F, PDF Page 37].

The IDNR grant administrator staff noted in a Zoom meeting on January 17, 2023 they have no indication from their files that work related to their grant had begun. They noted they will not pay for anything that is not in compliance with their grant. Staff noted they are working closely with the Chicago Park District to assess the work and how it relates to the grant agreement. Included at this January 17, 2023 meeting were the following IDNR staff: Gary Eicken, Ann Fletcher, and Patrick Davis.

Despite the museum noting on its one quarterly grant report an anticipated bid advertisement date of March 1, 2022, there is no indication that the museum followed the granting agency's comprehensive bid procurement process. Despite beginning construction drawings in November 2021, there is no indication on Questions 22 and 23 of the IDNR's quarterly report from the museum that any performance accomplishments or spending expectations are off course.

Despite NMPRAC's obligation to submit quarterly reports to the IDNR as a part of the aforementioned grant agreement, FOIA responses show that only one quarterly report had been submitted, and it was prepared in January 2022. Per the January 2022 quarterly periodic financial report submitted to IDNR by the Museum, \$8,950 of the \$750,000 grant has been expended to date – listed as "Post-Adjustment Grant Expenses" [Exhibit AA, Page 1]. During a January 17, 2023 meeting with IDNR staff, staff indicated that no funds were yet expended under this grant agreement.

### ***State Historic Preservation Office Review***

The State Historic Preservation Office (SHPO) directive is to "protect the state's historic resources and promote them so that the public enjoys them and learns from them."  
[<https://www2.illinois.gov/dnrhistoric/About/Pages/default.aspx>]

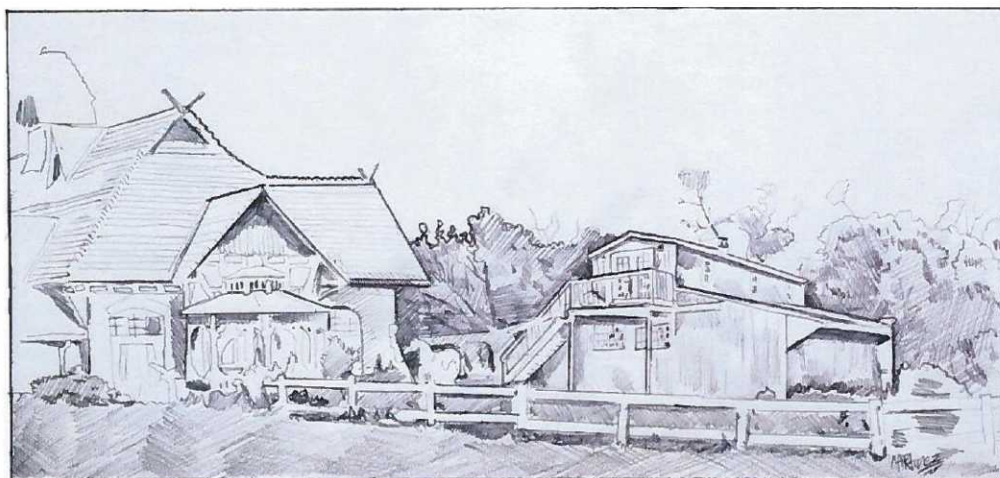
The SHPO received a request to review this project in 2020 as a part of the state granting agency requirements.

Correspondence to and from the SHPO's office is attached as Exhibit J, including a September 18, 2020 email from Billy Ocasio (CEO of NMPRAC) to Marge Schroeder, Mary Jo Weller, Dawn Cobb, and David Hernandez. In that September 2020 email, Ocasio notes one sentence about the exterior treatments planned for the new construction archival facility: "We will suggest wood siding, cedar, painted with colors to match the main building."

On November 5, 2020, the SHPO's office issued a conditional approval letter indicating that it needs additional documents to complete its review, specifically: "Site plans, buildings plans, and elevations of the new buildings must be submitted to this office for review and comment as they are developed. The new building's design and materials must be compatible with the historic character of Humboldt Park. The proposed location of the new building is approved."

A detailed scope of the existing building renovation work was submitted to the SHPO's office [Exhibit I]. It includes a scope of work for the window and door restoration, as well as a site map and a detailed key of every window and door to be restored. It is unclear if any of this restoration work was completed to date, if Chicago Park District was aware of the proposed exterior restoration work, or if any level of skilled restoration experience was required or used to complete any of the work.

The SHPO files are the first place where a sketch of the proposed design is submitted. No building sketch appears to have been included in the original application for state funding to the IDNR.



*Figure 3 Artist Rendering of Proposed 1,500-sf Archival Facility [Exhibit C]*

The SHPO's review of this submission would remain dormant until October 7, 2022, when it issued a letter to the state granting agency indicating "We have not received the requested elevations; however, after reexamining the project submission that we received on 9/23/20, we find that the conceptual sketch included in the original submission is sufficient for our review." When pressed repeatedly to explain what triggered this reconsideration of the submissions, SHPO staffer Anthony Rubano told Mary Lu Seidel (Preservation Chicago) on a phone call that it was actually her outreach to the SHPO's office that triggered a reevaluation of the submission. He noted as well that it was at this time that the SHPO staff saw the September 18, 2020 email from Billy Ocasio indicating "We will suggest wood siding, cedar, painted with colors to match the main building." Rubano noted that this response was enough to waive the submission of site plans, detailed drawings, and details of materials to be used.

This response from the SHPO's office is uncharacteristic of an agency known for its strict and rigid standards for reviewing requests of this nature. State historic preservation offices and Tribal historic preservation offices across the country are tasked with upholding standards to protect historic architectural, landscape, and cultural assets. The state would do well to investigate why the SHPO reversed its 2020 decision about the review. The timing of reversal aligns very clearly with the pressure the museum was experiencing about its illegal construction adjacent to the Humboldt Park Receptory

and Stable Building. It is inconsistent with SHPO standard operating procedure to change its decision without the submission of any additional information. Also, a vague statement of “We will suggest wood siding...” is an inadequate response with the SHPO’s solid record of holding applicants to the Secretary of Interior Standards for new construction adjacent to a historic structure.

The SHPO’s office met with representatives from the NMPAC on October 31, 2022 to discuss complaints about the project and to review the fluctuating scopes of work for the project. Carol Wallace from the SHPO’s office initiated the call for a meeting on October 24, 2022, noting “our office received complaints about the latest project we have on file.” Within that string of email correspondence (Exhibit Q), Ocasio demonstrates mostly a commitment to get this review finalized as quickly as possible so his team can resume construction and finish the work by May 2023 (the term of the IDNR capital museum project grant).

On November 21, 2022, the SHPO’s office wrote to the IDNR granting agency explaining why it was rescinding the October 7, 2022 approval letter for the project. The email from Dawn Cobb notes that after getting complaints about the project, they had a call with the project architect. It was then they indicated a realization that the project scope had shifted from a 1,500-square-foot building to a 6,800—square-foot building. The letter notes as well: “In addition, the exterior was to resemble a stable but the plan included too many windows. The building is described as an archive building but there are no HVAC or other climate control plans. The landowner wasn’t even aware of the project but has since received a copy of the grant application.”

Carey L. Mayer, from the SHPO’s office, after reversing its previous approval of the project, noted in a November 21 letter [Exhibit S] that the property is owned by the Chicago Park District, something she indicated they just learned on November 17, 2022.

### ***Chicago Park District***

The Chicago Park District notes in a September 16, 2022 letter to the museum that it had a meeting with Billy Ocasio on August 12, 2022 (Exhibit M). Such a meeting indicates that the Chicago Park District knew about the illegal construction at some point prior to the August 12 meeting – at least five weeks prior to the Department of Building’s stop work order in October 2022 on the illegal construction being undertaken.

In the October 3, 2022 Exemplary Builders application to the CPD for an access permit, the project scope again notes the work is done to “comply with the requirements for museum accreditation....” The same Project Scope notes that the site for the new construction was previously a manure pit and temporary dump site. Such soil conditions would warrant extensive soil evaluations to assess the suitability to withstand the weight of the building being proposed for the site. While the construction drawings submitted to the Chicago Department of Buildings in October 2022 note the need for soil testing and engineer analysis, no such soil reports have been uncovered at any of the public agencies who are involved in the scope of this project. In fact, the October 3, 2022 application also notes: “Soil tests were conducted for ensuring proper design criteria for the development.” Lacking proper soil analysis and design by a licensed structural engineer places the building at a heightened risk for structural failure and introduces a threat to life safety.





*Figure 4 Image of cinder block illegal construction adjacent to historic Humboldt Park Receptory and Stables Building; Date October 23, 2022; Source: Block Club Chicago*

The October 3, 2022 access application also notes: “The site is secured using a black iron fence throughout and within the project site is secured. Access to and from the site is controlled at a single entry gated” [Exhibit N]. A site visit by Mary Lu Seidel on January 25, 2023 revealed that the single entry point is to the parking lot of the museum. Any visitor to the museum (whether they arrive on foot, bicycle, or motorized vehicle) can walk freely amongst and within the cinder block foundation that is sitting unfinished on the site. Graffiti sprayed on the cinder blocks after work stopped (since covered with paint) indicates the vulnerability of the site as it stands. The application is signed by Luis A. Martinez as “Project Manager, Exemplary Builders.”

Rosa Escareno, General Superintendent and CEO of CPD wrote a letter to the NMPRAC on January 5, 2023, indicating that the museum has violated its lease agreement, requiring the museum to retain a project consultant at its own cost (and with CPD approval) to facilitate this project through the proper steps to get approval and clearance. CPD also noted that the access permit application received in October 2022 was “incomplete and do not meet our requirements.” CPD noted as well that a public engagement process must be initiated once all project plans are ready for review. The letter states that a minimum of one community meeting will fulfill this requirement.

While the NMPRAC noted in a November 11, 2022 Block Club Chicago article (Exhibit AD) that “honest mistakes were made,” the paper trail that follows this project to date tells a different story. Billy Ocasio said he was not aware he needed permits for this project. However, in his quarterly report to the state granting agency [Exhibit Z], he indicates that the construction permitting process will begin on March 1, 2022. Had the museum believed at the time of writing this report that a permit was not needed (something Ocasio has claimed in his defense), he would have more likely entered “N/A” in this section as he did in other sections that were not applicable.

There is no indication that the museum followed the Chicago Park District’s extensive bid procurement process in retaining the architect, general contractor, and any subcontractors who did the illegal work to date on the new building. It is also unclear if they are meeting the local hiring and apprentice requirements for this project per its grant and lease agreements.



Figure 5 Graffiti on unsecured construction site; evidence of stump of mature tree removed without permit; photo taken 12/09/2022; Source: Kurt Gippert

### **Department of Buildings**

The cover sheet for the museum's Department of Buildings permit application indicates that the 6,800-square-foot building will cost \$650,000 to build. It lists Luis Martinez, Billy Ocasio, and Exemplary Builders as contact people. Exemplary Builders is listed as having a Des Plaines, Illinois address. No licensed structural engineer is identified.

The full DOB permit application from NMPAC is dated October 14, 2022. On Page 2 of that application, the museum does not check the box that this project is related to a Chicago Landmark [Exhibit X]. In the Zoning use narrative, they note: "New 2 story concrete block detached **inactive** storage building." The building is listed at 6,800 square feet and a height of 37'6". The land area is calculated at 129,600 square feet, indicating an awareness that the site includes the Chicago Landmarked receptory and stable building. On Page 4 of the application's "Application Routing Questions," the museum says the work done under this permit is not government-owned or receiving government construction funding. **Both of the answers in that response are false.** The application was signed by Luis A. Martinez on October 10, 2022. Exemplary Builders representative Nick Psychogios also signed the application on October 12, 2022.

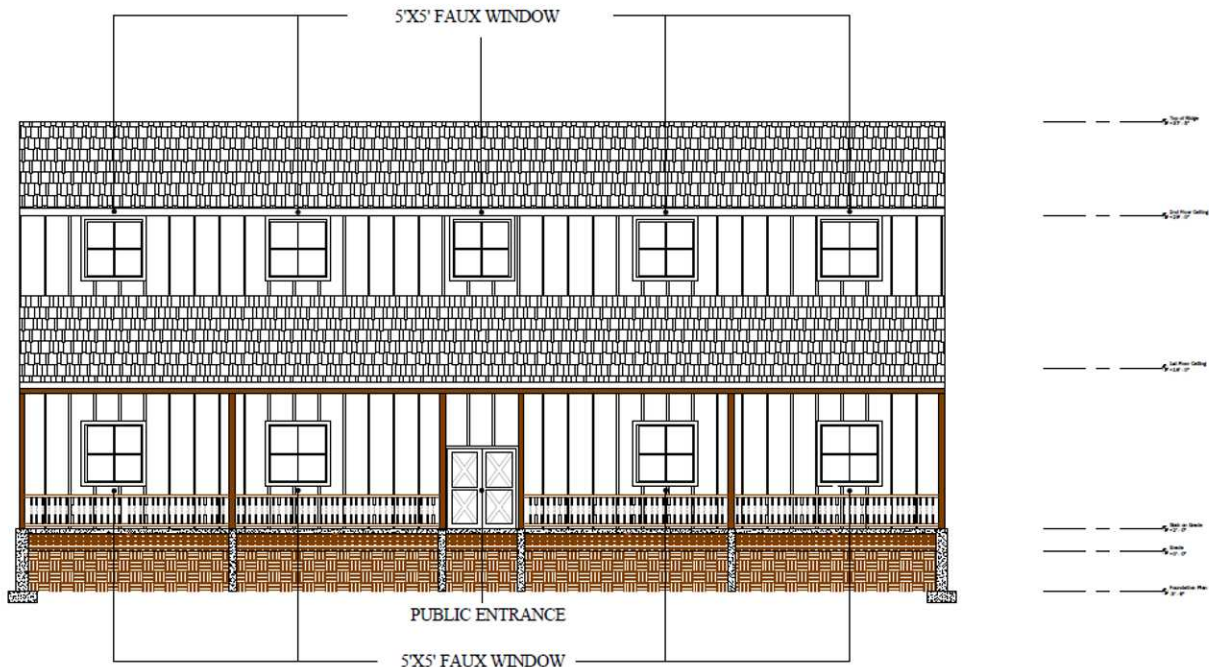


Figure 6 Construction drawing detail of 6,800-square-foot event space (October 2022)

### Construction drawings

The construction drawings have a first date of November/2021. The first revision was completed on 11/10/2021. Additional revision dates include 11/16/2021, 11/17/2021, 2/18/2022, 3/10/2022, 3/16/2022, 3/29/2022, 9/16/2022, and again on 9/16/2022. At no point during these revisions did the NMPRAC consider submitting these draft drawings to either its landlord, the Chicago Park District, or the granting agency, the Illinois Department of Natural Resources, for review.

In the Structural Notes on Sheet G.S. 300 of the drawings, under the heading “Foundations” and “Concrete Reinforcing,” the drawings indicate (among other things) that:

1. All foundation excavations shall be inspected by a soils testing laboratory prior to placement of concrete.
2. Contractor shall notify Architect immediately in the event the soils conditions encountered vary from those shown on the boring logs.
3. Calcium chloride and/or admixtures containing calcium chloride shall not be used in concrete.
4. Test cylinders shall be made and tested as outlined in Chapter 16 of ACI-301 specification or per architectural specifications.

No record of soils testing laboratory evaluations or boring logs has been discovered through multiple FOIA requests to public agencies. Further, all the footings and foundation work were done prior to submitting permit applications to the landowner or the Department of Buildings. There is no evidence that a licensed structural engineer was involved in the design or construction supervision of the illegal building. Without earth-penetrating equipment and extensive evaluation, there is no way to determine whether the drawings reflect a foundation that will withstand the soil conditions, and there is no way to confirm that the footings and foundation were built according to those drawings. Public records,

however, do indicate a museum, architect, and contractor willing to violate multiple agreements and code requirements to begin this construction without approvals and permits. With multiple, documented inaccuracies in its paperwork and correspondence, the Chicago Department of Buildings would do well to doubt the quality of any of the work done prior to securing building permits.

A total of three construction document revisions (11/10/2021, 11/16/2021 and 11/17/2021) were completed before the NMPRAC submitted its one and only quarterly report to the IDNR Capital Museum Project grant administration team. In that quarterly report, dated January 27, 2022, they do not indicate a change in the scope of work for this grant agreement. They do not indicate making any progress on the restoration and scope of work related to the historic receptory and stable building.

There is no indication on the drawings for this proposed building of anything resembling an inactive, archival facility. Archival facilities, often located off site from a museum campus (like the Art Institute of Chicago), need exacting temperatures, specialized lighting, and humidity controls depending on whether the archival materials are paper, canvas, sculptures, or film (to name just a couple of examples). The large, open room on the first floor, and the large, open second floor present more as a public event space than an archival storage facility. Additionally, the museum at no place in all its paperwork, has indicated any specific temperature, light, and humidity archival controls that will be installed in the new building.

### **Commission on Chicago Landmarks**

Per FOIAs to the Chicago Department of Planning and Development and Commission on Chicago Landmarks, it does not appear that the NMPRAC has submitted any paperwork to date to the Commission on Chicago Landmarks for consideration and review.

The Landmark report for the Humboldt Park Receptory and Stable Building notes that the exterior elevations and the exterior elevations in the interior courtyard are protected by the designation. A project that disrupts the views of this Landmarked exterior appear to trigger a review by DPD staff and be taken to the Commission on Chicago Landmarks Permit Review Committee for approval.

### **“Honest mistakes were made”: A Timeline**

Date	Description	Source
5/25/2020	NMPRAC submits a Public Museum Capital grant	Exhibit D
11/4/2020	SHPO issues conditional approval letter	Exhibit E
5/12/2021	IDNR and NMPRAC grant agreement fully executed	Exhibit F
11/10/2021	Date of first revision to current NMPRAC construction drawings	Exhibit Y
11/16/2021	Date of second revision to current NMPRAC construction drawings	Exhibit Y
11/17/2021	Date of third revision to current NMPRAC construction drawings	Exhibit Y
1/27/2022	NMPRAC quarterly grant report, noting an anticipated Bid Advertisement and construction permitting process on March 1, 2022	Exhibit Z

2/18/2022	NMPRAC construction drawings listed as 25% complete	Exhibit Y
3/10/2022	NMPRAC construction drawings listed as 50% complete	Exhibit Y
3/16/2022	NMPRAC construction drawings listed as 75% complete	Exhibit Y
3/29/2022	NMPRAC construction drawings listed as 100% complete	Exhibit Y
8/12/2022	CPD holds a meeting with the NMPRAC as noted in 9/16/2022 letter from CPD to NMPRAC	Exhibit M
8/30/2022	Resident report to 311 made about construction activity behind the Humboldt Park Receptory and Stables	Exhibit G
9/16/2022	Billy Ocasio is acknowledged in a letter from CPD agreeing to stop construction and seek a building permit	Exhibit M
9/16/2022	CPD writes letter to NMPRAC summarizing August 12, 2022 meeting	Exhibit M
9/16/2022	NMPRAC construction plans listed as adding Code Compliance Matrix Sht. CS1.1; and 2 <sup>nd</sup> Floor Emergency Exit System added as well	Exhibit Y
9/24/2022	“Dispatcher Inspector to the 8/30/2022 311 complaint notes that “Violations/Recommend Court” on its report	Exhibit G
10/3/2022	Exemplary Builders (general contractor) submits access permit application to CPD	Exhibit N
10/7/2022	Chicago Department of Buildings issues stop work order at site	
10/7/2022	SHPO office issues letter reversing its 2020 conditional approval of the museum’s IDNR grant scope of work	Exhibit K
10/14/2022	NMPRAC construction drawings submitted to Department of Buildings with permit application. NMPRAC notes on application that the project is not government-owned, and it is not receiving any government funding, which are both false statements.	Exhibit Y
10/23/2022	Community resident captures image of cinder block building being constructed in Humboldt Park	Exhibit H
10/31/2022	SHPO’s office meets with NMPRAC to discuss complaints about the project scope; SHPO sees updated drawings for first time	Exhibit Q
11/11/2022	Block Club Chicago story about illegal construction runs: “Humboldt Parkers Want City to Tear Down Unauthorized Building Next to Landmarked Museum”	Exhibit AD
11/17/2022	SHPO writes to NMPRAC saying it has to reopen review of submissions since new drawings are significantly different from original submission in 2020	Exhibit R
11/18/2022	SHPO writes email to Dawn Cobb at IDNR seeking a copy of the IDNR grant agreement for the Chicago Park District	Exhibit O
11/21/2022	Dawn Cobb from SHPO emails granting agency IDNR detailing what led to decision to rescind its 10/7/2022 approval	Exhibit P
11/21/2022	Carey L. Mayer, Deputy SHPO, writes Dawn Cobb noting that CPD owns the land	Exhibit S
12/19/2022	CPD FOIA response that they have no copies of a Phase I environmental report on file for the project	Exhibit T

1/4/2023	CPD FOIA response that they do not have copies of soil evaluations, soil engineer/engineering reports, or test cylinders on the project	Exhibit U
1/5/2023	CPD letter to NMPRAC to restart the process from Step 1	Exhibit V
1/11/2023	Chicago Reader story runs: “No walk in the park: What to do about a half-built intrusion on a landmark?”	Exhibit AE

**Community engagement**

At no point throughout any of this process did the NMPRAC conduct any open and public community engagement proceedings. They indicate in their application to the state for grant funds that they have established a National Advisory Council for this project, but no evidence of such a council appears to exist. The museum has advanced its own vision for a Ravinia-like setting on its grounds – again a vision that seems devoid of a genuine and robust community engagement process.

**Summary – Call to Action**

The Chicago Park District and the Chicago Department of Buildings should immediately require the National Museum of Puerto Rican Arts and Culture to demolish the illegally constructed 6,800-square-foot event space, and it should go through the permitting and application process anew for whatever facility it hopes to construct adjacent to a Chicago Landmark and in a National Register-listed park. There has been no indication of a good-faith effort by the museum to be honest or transparent in its interactions with the Chicago Park District, the Chicago Department of Buildings, the State Historic Preservation Office, the Illinois Department of Natural Resources Capital Public Museum grant administrators, or community residents.

The CEO of the museum, Billy Ocasio, is a former 4-term alderman in the City of Chicago. His architect, Luis A. Martinez, was a former Department of Buildings permit inspector. As this statement of facts demonstrates, any claims of honest mistakes being made is further evidence of a disingenuous museum operator trying to circumvent the public input process to build an event space on public parkland without any public agency or community input. No one on the development team – Billy Ocasio, Luis A. Martinez, and Exemplary Builders – appears to have any proven expertise to design and build archival storage facilities.

The museum provides an extraordinary venue to showcase Puerto Rican Arts and Culture. Its exhibits are powerful and beautiful representations of the art, people, and culture of Puerto Rico. It is a great asset to the City of Chicago and the nation, and it appears to have maintained the historic receptory and stable building in good condition. That being said, none of those good works and benefits should translate to allowing the illegal construction of a new building on public land. It sets a dangerous precedent for future illegal construction on public land, and it does not ensure the public health and safety of future visitors. With no documentation that the foundation work as proposed will be adequate to support the two-story building, and no evidence of soil tests/soil engineer reports/test cylinders, it is impossible to confirm that the drawings reflect a foundation adequate for soil conditions or that the contractor constructed the foundation work as detailed in the drawings. The only safe action to protect the public interest is to have the NMPRAC tear down the illegal cinder block building and begin anew in accordance with all the mandatory procedures.

## **Attached Exhibits:**

- A. Humboldt Park Receptory Building and Stable Landmark Report (2007)
- B. Lease Agreement between CPD and NMPRAC (dated 1/1/2014)
- C. 2020 artist rendering of planned “archival” storage facility (Image Source: NMPRAC submission to the Office of Realty & Capital Planning for grant and to SHPO for historic review)
- D. IDNR Public Museum Capital Grant Application (Received by IDNR on May 29, 2020)
- E. SHPO Conditional Approval Consent Letter (dated November 5, 2020)
- F. IDNR and NMPRAC Grant Agreement (fully executed on May 21, 2021)
- G. 311 Humboldt Park Stable Service Request Detail (initiated on August 30, 2022)
- H. Image of cinder block building under construction (capture date September \_\_\_\_, 2022)
- I. Stable window restoration plan (Source: SHPO’s office)
- J. Archival Plans 2020 submitted to SHPO’s office (Source: SHPO’s office)
- K. SHPO Letter approving plans as submitted, reversing previous decision (10/7/2022)
- L. SHPO Letter to IDNR granting agency with conditional approval (11/5/2020)
- M. CPD Letter to NMPRAC (9/16/2022)
- N. Application to Chicago Park District for access permit (10/3/2022)
- O. SHPO Correspondence Seeking Grant Application for CPD
- P. SHPO Email to IDNR Rescinding Previous Approval
- Q. SHPO Email Response to NMPRAC Questions 20221123
- R. SHPO Letter to IDNR Rescinding Approval 20221117
- S. SHPO Letter to IDNR noting CPD owns land and requires consultations 20221121
- T. CPD FOIA Response No Environmental Reports on File 20221219
- U. CPD FOIA Response No soil testing results 20230104
- V. CPD Letter to NMPRAC 20230105
- W. Department of Buildings Permit Application Cover Sheet 20221014
- X. DOB Permit Application 20221014
- Y. NMPRAC Permit Drawings 2022
- Z. NMPRAC IDNR Grant Quarterly Report 20220127

AA. NMPAC IDNR Quarterly Financial Report 20220126

AB. Institute of Puerto Rican Arts Culture contract CPD 2002October

AC. Institute of Puerto Rican Arts Culture contract 20070731

AD. "Humboldt Parkers Want City To Tear Down Unauthorized Building Next to Landmarked Museum,"  
Block Club Chicago, November 11, 2022

AE. "No walk in the park: What to do about a half-built intrusion on a landmark?", Chicago Reader,  
January 11, 2023