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**VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 1008

**AN ORDINANCE AUTHORIZING AND APPROVING THE
EXECUTION AND DELIVERY OF A CERTAIN AGREEMENT
FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK,
STATE OF ILLINOIS.**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK**

THIS 13TH DAY OF NOVEMBER 2006

**RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

Board Of Trustees

**JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
RUBEN LOMELI
ARTURO J. MOTA
ANTHONY J. PRIGNANO**

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**Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 14TH day of NOVEMBER 2006**

ORDINANCE NO. 1008

AN ORDINANCE AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A CERTAIN AGREEMENT FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

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WHEREAS, the Village of Melrose Park, Cook County, State of Illinois (“the Village”) is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the Village President, the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005 and the Village Board of Trustees (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Tom "T.K." Klein, Ruben Lomeli, Trustee Arturo J. Mota and Anthony J. Prignano, having taken office on May 2, 2005, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the Village wishes to implement an automatic traffic law enforcement system and a system for the collection of any citations issued pursuant thereto; and

WHEREAS, it is necessary to retain a firm in order to provide a system for automatic traffic law enforcement and the collection of citations issued pursuant thereto; and

WHEREAS, RedSpeed Illinois LLC (hereinafter “RedSpeed”) provides automatic law enforcement systems and collection services for citations issued pursuant thereto; and

WHEREAS, the Village desires to retain RedSpeed to provide automatic law enforcement systems and collection services for citations issued pursuant thereto (hereinafter the "Traffic Services"); and

WHEREAS, the Village Board has determined and does hereby determine that it is advisable and in the best interests of the Village and its residents to retain RedSpeed to perform the Traffic Services for the Village; and

WHEREAS, to accomplish this objective, the Village and RedSpeed desire to enter into a certain agreement to perform the Traffic Services for the Village (hereinafter referred to as the "RedSpeed Agreement"), a redline copy of which is attached hereto as Exhibit "A" and is made a part hereof by this reference; and

WHEREAS, the President and the Village Board have determined and do hereby determine that it is necessary, advisable and in the best interests of the Village and its residents to retain RedSpeed to perform the Traffic Services and to that end, authorize the Village to enter into the RedSpeed Agreement after proper negotiations; and

NOW THEREFORE, BE IT ORDAINED by the Village President and the Board of Trustees of the Village of Melrose Park, Cook County, Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

The President and Village Board hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true, and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to authorize the RedSpeed Agreement and to authorize the negotiation, execution and delivery of the RedSpeed Agreement.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Sections 05-09. Reserved.

**ARTICLE II.
AUTHORIZATION TO ENTER AGREEMENT.**

Section 10.00 Approval & Adoption of Agreement.

That the form, terms and provisions of the RedSpeed Agreement, including exhibits and attachments, between the Village and RedSpeed, in connection with the Traffic Services, is hereby approved in substantially the same form as attached hereto and made a part hereof, by this reference, as Exhibit "A", with such insertions, omissions and changes as shall be approved by the Village President and/or the Village Attorney.

Section 11.00 Authorization for Execution of Agreement.

The Village President is hereby authorized and directed to execute, and the Village Clerk, if necessary, is hereby authorized and directed to attest and countersign the RedSpeed Agreement and any related exhibits attached thereto, and the Village Clerk, if necessary, is also authorized to affix the seal of the Village to such documents.

Section 12.00 Other Actions Authorized.

The Village President, Village Clerk and other officers, employees and/or agents of the Village are hereby authorized and directed to take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by this Ordinance and to take all action necessary in conformity therewith including, without limitation, the execution and delivery of the RedSpeed Agreement.

**ARTICLE III.
SAVINGS CLAUSES,
PUBLICATION, EFFECTIVE DATE**

Section 13.00 Headings.

The headings for the articles, sections, paragraphs, and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

Section 14.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Village Board that this Ordinance would have been

adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof not been included.

Section 15.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded.

Section 16.00 Publication.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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Section 17.00 Effective date

This Ordinance shall be in full force and effect upon passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Conteduca, Trustee Italia, Trustee Mota,
Trustee Prignano

NAY VOTES:

ABSTAIN:

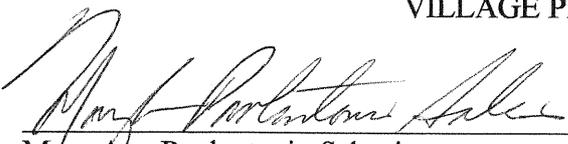
ABSENT: Trustee Klein, Trustee Lomeli

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
THIRTEENTH DAY OF NOVEMBER, 2006 A.D.

APPROVED:


RONALD M. SERPICO,
VILLAGE PRESIDENT

ATTEST:


Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: November 13, 2006
Published in pamphlet form: November 14, 2006