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

ORDINANCE NO. 976

**AN ORDINANCE AUTHORIZING THE EXECUTION AND
DELIVERY OF AN AGREEMENT BETWEEN THE VILLAGE OF
MELROSE PARK AND AMAUDIT 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 22ND DAY OF MAY 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 23rd day of MAY 2006**

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AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BETWEEN THE VILLAGE OF MELROSE PARK AND AMAUDIT 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 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, as part of the ongoing efforts of the Village of Melrose Park to lower costs and improve the quality of the governmental services it provides, the Village wishes to review and analyze current municipal electric, telecom and gas utility service taxes, franchise fees and collections; and

WHEREAS, to accomplish this object, the Village of Melrose Park wishes to enter into certain agreement, entitled "Municipal Franchise & Tax Audit Agreement" (hereinafter or otherwise the "Agreement") with AmAudit to perform certain audit

services more specifically described herein, a copy of which is attached hereto as Exhibit A, and made a part hereof by this reference; and

WHEREAS, the President and the Board of Trustees (the "Corporate Authorities") of the Village of Melrose Park, County of Cook, State of Illinois, have determined that it is advisable, necessary and in the best interest of the Village and its operations to execute an agreement between the Village of Melrose Park and AmAudit for such audit services; 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 Village President and Board of Trustees of the Village (the "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 does 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 and approve the execution of an agreement for audit services between the Village of Melrose Park and AmAudit.

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.
APPROVAL OF & AUTHORIZATION TO EXECUTE AGREEMENT**

Section 10.00 Approval and Execution of Documents.

The form, terms and provisions of the Agreement between the Village of Melrose Park and AmAudit are hereby approved in substantially the same form as attached hereto and made a part hereof as Exhibit A, with such insertions, omissions and changes as shall be approved by the Village President and/or Village Attorney or other members of the governing body of the Village executing the same, the execution of such documents being conclusive evidence of such approval; and the Village President is hereby authorized and directed to execute and the Village Clerk is authorized and directed to attest and countersign the Agreement between the Village of Melrose Park and AmAudit and any related exhibits attached thereto. The Village Clerk is further authorized and directed to place the Seal of the Village on said document(s).

Section 11.00 Other Actions Authorized.

The officers and employees of the Village shall take all action necessary or reasonably required by the parties to the Agreement, to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

Any and all actions whether past, present or future, performed by officials and employees of the Village, in connection with carrying out and consummating the transactions contemplated by this Ordinance, are hereby, by this reference, authorized, approved and ratified.

Section 12.00 Acts of Village Officials.

That all prior acts and doings of the officials of the Village, which were in conformity with the purposes and intent of this Ordinance, are hereby, in all respects, ratified, approved, authorized and confirmed.

**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 Board of Trustees that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had 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 and approval, as provided by the Illinois Municipal Code, as amended.

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

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

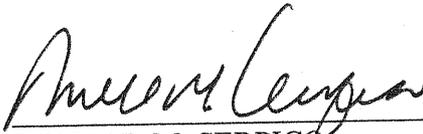
NAY VOTES:

ABSTAIN:

ABSENT:

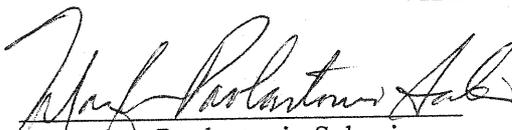
SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
TWENTY-SECOND DAY OF MAY, 2006 A.D.

APPROVED:



RONALD M. SERPICO,
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: May 22, 2006
Published in pamphlet form: May 23, 2006