
THE VILLAGE OF BLOOMINGDALE
DUPAGE COUNTY, ILLINOIS

RESOLUTION
NUMBER 2022-R-16

**A RESOLUTION
APPROVING AND AUTHORIZING
THE EXECUTION OF
AN ENGAGEMENT LETTER FOR
SPECIAL COUNSEL**

FRANCO A. COLADIPIETRO, Village President
PAMELA S. HAGER, Village Clerk

VINCE ACKERMAN
WILLIAM BELMONTE
BILL BOLEN
FRANK BUCARO
PATRICK SHANNON
JUDI VON HUBEN

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of Bloomingdale
on this the 25th day of July, 2022

RESOLUTION NO. 2022-R-16

**A RESOLUTION
APPROVING AND AUTHORIZING
THE EXECUTION OF
AN ENGAGEMENT LETTER FOR
SPECIAL COUNSEL**

WHEREAS, the Village of Bloomingdale is a home rule unit of local government with authority granted pursuant to the Illinois Constitution of 1970, to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Village of Bloomingdale (hereinafter referred to as "Village") upon approval of the corporate authorities may enter into an Agreement with another party pursuant to Illinois Statute;

WHEREAS, the Village pursuant to the Illinois Municipal Code (65 ILCS 5/3.1-30-5) may select and appoint certain professionals to serve in various professional fields of expertise, specifically, the Village may select attorneys to represent the Village in specialized matters as so designated by the Village;

WHEREAS, the Village has identified specific attorneys that practice in specialized areas of the law in which it is interested in engaging to represent the Village in furtherance of the Stratford Mall Redevelopment Project (hereinafter referred to as the "Project");

WHEREAS, Amanda Ripp, Walker Wilcox Matousek LLP (hereinafter referred to as "Special Counsel") is a licensed attorney in the State of Illinois who specializes in the practice area of eminent domain, the Village desires to engage the services of the individual and her firm for the specific purpose of acquiring certain real estate by eminent domain as part of the Project;

WHEREAS, the Village is interested in entering into certain engagement letter defining the scope of services and engaging the respective attorney as Special Counsel within their designated practice areas in furtherance of the completion of the Project; and

WHEREAS, the Village of Bloomingdale Corporate Authorities are of the opinion that it is in the best interests of the Village of Bloomingdale to enter into the attached engagement letters with Special Counsel for the purposes referenced herein.

NOW, THEREFORE, BE IT RESOLVED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Bloomingdale, DuPage County, Illinois, pursuant to its "Home Rule Powers" as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to the resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this resolution as legislative findings.

Section Two – Approval of Engagement of Special Counsel

The Corporate Authorities hereby appoint special counsel for the purposes of providing the services as set forth in and defined by scope of the engagement letters, specifically, the Stratford Mall Redevelopment Project.

Section Three – Approval of Engagement Letter

The Corporate Authorities hereby approves the Engagement Letter (hereinafter referred to as the "Agreement") substantially in the form attached hereto and made a part hereof as Exhibit A and directs the Village Administrator or his designee to negotiate final terms, if any, with the advice of the Village Attorney.

Section Four – Authorization and Direction

The Village President is hereby authorized to execute, and the Village Clerk is hereby authorized to attest to the Agreement, substantially in the form of such Agreement which is attached hereto as Exhibit A, with such changes therein as shall be approved by the Village Attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such Agreement.

Section Five - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this resolution otherwise to consummate the transactions contemplated herein and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Six - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this resolution are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Seven – Authorization of Expenditures

The Corporate Authorities hereby authorize and direct the expenditure of all costs related to the execution of the Agreement, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements of the Agreement and of this Resolution.

Section Eight – Waiver of Bidding Process

To the extent that any requirement of bidding would be applicable to any of the transactions contemplated hereunder, the same is hereby waived.

Section Nine – Exercise of Home Rule Powers

This resolution represents an exercise of the home rule powers conferred upon the Village of Bloomingdale by the Constitution of the State of Illinois. This resolution is specifically intended to preempt any conflicting law, regulation, rule or other code provision to the extent permitted under the Constitution of the State of Illinois.

Section Ten – Effective Date

This resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Eleven - Publication

This resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Twelve – Conflict Clause

All resolutions, parts of resolutions and/or board actions in conflict herewith are hereby repealed to the extent of such conflict.

Section Thirteen – Saving Clause

If any section, paragraph, clause or provision of this resolution is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this resolution which are hereby declared to be separable.

Section Fourteen – Recording

This resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Bloomingdale.

The Remainder of this Page has been Intentionally Left Blank / Roll Call Vote to follow:

DECIDED pursuant to a roll call vote as follows:

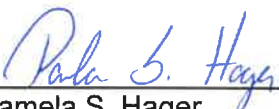
	YES	NO	ABSENT	PRESENT
Vince Ackerman			X	
William Belmonte	X			
Bill Bolen	X			
Frank Bucaro	X			
Patrick Shannon	X			
Judi Von Huben	X			
Franco A. Coladipietro (only if necessary)				
TOTAL	5	0	1	

PASSED AND APPROVED by the Village of Bloomingdale Board of Trustees on the 25th day of July, 2022.



Franco A. Coladipietro
Village President

ATTEST:



Pamela S. Hager
Village Clerk

Exhibit A
Engagement Letter