

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL WORKSHOP
AUGUST 11, 2009 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Approval of Administrative Hearing Officer Agreement Extension	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Motion <input type="checkbox"/> Discussion Only	Robert Porter Chief of Police

SYNOPSIS

A resolution has been prepared authorizing an agreement for a one-year extension for administrative hearing services with Victor Puscas of Aurora, Illinois in the amount of \$4,600.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2008-2013 identified *Exceptional Municipal Organization*. A supporting objective of this goal is *Village Government Trusted and Respected by Residents*.

FISCAL IMPACT

The FY09 Budget provides \$4,600 in the General Fund for this service.

RECOMMENDATION

Approval on the August 11, 2009 consent agenda.

BACKGROUND

Officer Victor Puscas has overseen the Police Department's administrative tow hearings for the past several years. In 2008, the Village completed a competitive, qualification based selection for administrative tow hearing services and Mr. Puscas was again selected to continue in his role as an Administrative Hearing Officer. The Village enacted a one-year agreement with Mr. Puscas on August 28, 2008.

Per the Village's purchasing policy, contracts may be extended a maximum of two times in the event the cost of the service does not increase more than 2%. Mr. Puscas has agreed not to increase his hourly rate or make any changes to the original agreement. Staff has been very pleased with Mr. Puscas' services and is recommending that his contract be extended for a period of one year.

ATTACHMENTS

Resolution
Agreement

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING AN EXTENSION TO AN AGREEMENT FOR
ADMINISTRATIVE HEARING OFFICER LEGAL SERVICES
BETWEEN THE VILLAGE OF DOWNERS GROVE AND VICTOR E. PUSCAS, JR.**

BE IT RESOLVED by the Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

1. That the form and substance of a proposed Extension Agreement (the "Agreement") between the Village of Downers Grove (the "Village"), and Victor E. Puscas, Jr. ("Counsel") to providing for legal services related to Administrative Hearings for Police Department vehicle tows for the Village of Downers Grove through August 27, 2010, and other matters related thereto, as set forth in the form of the Agreement submitted to this meeting with the recommendation of the Village Manager, is hereby approved.

2. That the Village Manager and Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal and deliver the Agreement, substantially in the form approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall deem necessary.

3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Agreement.

4. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

5. That this Resolution shall be in full force and effect from and after its passage as provided by law.

Mayor

Passed:
Attest: _____
Village Clerk

**AN EXTENSION TO AN AGREEMENT FOR
ADMINISTRATIVE HEARING OFFICER LEGAL SERVICES
BETWEEN THE VILLAGE OF DOWNERS GROVE
AND VICTOR E. PUSCAS, JR.**

The Village of Downers Grove, Illinois (the "Village") and Victor E. Puscas, Jr. ("Counsel") entered into an agreement for professional legal services on the 28th day of August, 2008. Pursuant to the terms stated therein, the parties desire to extend the Agreement through 2010, under the following terms:

1. All prior terms from the 2008/2009 Agreement remain in full force and effect, except as specified below.
 - a. Pursuant to Section 5(a) of the Agreement, the parties agree to extend the Agreement for a period of one (1) year ending on August 27, 2010.

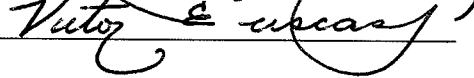
VILLAGE OF DOWNERS GROVE

By: _____
Dave Fieldman, Village Manager

Attest: _____
April Holden, Village Clerk

Date: _____

VICTOR E. PUSCAS, JR.

By: 
Title: HEARING OFFICER

Attest: _____

Date: 7/23/09