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**THE CITY OF BLUE ISLAND  
COOK COUNTY, ILLINOIS**

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**RESOLUTION  
NUMBER 2019-033**

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**A RESOLUTION OF THE CITY OF BLUE ISLAND, COOK COUNTY,  
ILLINOIS APPOINTING FORMER ASSISTANT U.S. ATTORNEY  
SERGIO ACOSTA AND AKERMAN LLP AS A LEGISLATIVE  
COUNSEL SOLELY FOR THE PURPOSE OF CONDUCTING AN  
INDEPENDENT INVESTIGATION INTO THE PURCHASE OF TWO  
CHEVROLET TAHOE MOTOR VEHICLES IN 2018 AND ADVISING  
THE COUNCIL ON THE LEGALITY OF THE CIRCUMSTANCES  
SURROUNDING THE PURCHASE PURSUANT TO SECTION 30.06 OF  
THE CITY OF BLUE ISLAND CODE OF ORDINANCES**

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**DOMINGO F. VARGAS, Mayor  
RANDY HEUSER, City Clerk**

**DEXTER JOHNSON  
WILLIAM CAZARES  
NANCY RITA  
TOM HAWLEY  
JOHNNY RINGO HILL  
CANDACE CARR  
ALECIA SLATTERY**

**ANNETTE ALEXANDER  
FRED BILOTTO  
KEVIN DONAHUE  
BILL FAHRENWALD  
MIKE MECH  
RAEANN CANTELO-ZYLMAN  
JIM KLINKER**

**Aldermen**

## **RESOLUTION NUMBER 2019-033**

**A RESOLUTION OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS  
APPOINTING FORMER ASSISTANT U.S. ATTORNEY SERGIO ACOSTA AND  
AKERMAN LLP AS A LEGISLATIVE COUNSEL SOLELY FOR THE PURPOSE OF  
CONDUCTING AN INDEPENDENT INVESTIGATION INTO THE PURCHASE OF  
TWO CHEVROLET TAHOE MOTOR VEHICLES IN 2018 AND ADVISING THE  
COUNCIL ON THE LEGALITY OF THE CIRCUMSTANCES SURROUNDING THE  
PURCHASE PURSUANT TO SECTION 30.06 OF THE CITY OF BLUE ISLAND  
CODE OF ORDINANCES**

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**WHEREAS**, the City of Blue Island, Cook County, Illinois (the "*City*") is a duly organized and existing city 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 and adopt resolutions for the benefits of the residents of the City; and

**WHEREAS**, 65 ILCS 5/8-1-1 of the Illinois Municipal Code authorizes the Mayor and City Council of the City of Blue Island (the "*Corporate Authorities*") to control the finances of the City; and

**WHEREAS**, 65 ILCS 5/8-1-2 of the Illinois Municipal Code authorizes the Corporate Authorities to appropriate money provided that each such appropriation is only for a corporate purpose; and

**WHEREAS**, unbeknownst to the City Council of the City of Blue Island (the "*City Council*") and without serving any corporate purpose of the City, two (2) Chevrolet Tahoe motor vehicles were acquired with City funds and registered to the City in 2018; and

**WHEREAS**, a website associated with the purchase of the two (2) Chevrolet Tahoe motor vehicles was obtained and presented as an official domain of the City; and

**WHEREAS**, the City Council has determined that the appointment of a legislative counsel is required to investigate the facts and circumstances concerning both the use and acquisition of the website and the acquisition of the two (2) Chevrolet Tahoe motor vehicles with City funds in 2018 and their subsequent registration to the City; and

**WHEREAS**, the City Council will utilize the investigation in order to review past practices and undertake needed legislative action to prohibit unauthorized expenditures of City funds, including but not limited to the drafting of legislation to update City purchasing policies and procedures and amending the Code of Blue Island, Illinois ("*City Code*") regarding the appropriation and use of City funds; and

**WHEREAS**, it is universally acknowledged that the power to investigate is an essential and appropriate legislative function and duty; and

**WHEREAS**, such authority is necessary for a legislative body to acquire the expertise needed to knowledgeably and effectively draft legislation; and

**WHEREAS**, absent a legislative body's ability to provide for an investigation into past practices in order to inform itself and use such knowledge to draft applicable regulations for the appropriation and use of funds as well as such other necessary legislation required to protect the health, safety and welfare of the residents and taxpayers of the City; and

**WHEREAS**, the Corporate Authorities have determined that the appointment of a legislative counsel to investigate the purchase and registration of the two (2) Chevrolet Tahoe motor vehicles is in the best interest of the City in order to ensure that appropriate practices for City governance are established to preserve and protect the health, safety and welfare of its residents.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Blue Island, Cook County, Illinois as follows:

**Section 1.** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** That the City Council hereby appoints Akerman, LLP, through its partner, Sergio Acosta, as a legislative counsel pursuant to Section 30.06 of the City Code solely for the purpose outlined in the above recitals at an hourly rate of \$485 per hour; and that the Corporate Authorities hereby find and determine that the foregoing appointment conforms in all respects with Illinois law.

**Section 3.** That the initial costs of the investigation shall be capped at \$15,000, at which time the legislative counsel shall report its findings to the Finance Committee.

**Section 4.** The officials, officers, and employees of the City are hereby authorized and directed to provide such necessary documentation to the legislative counsel and undertake such actions on behalf of the City in order to allow the legislative counsel to investigate and recommend appropriate legislation to prevent the use of City funds in such a situation, as herein described.

**Section 5.** Any legal fees incurred pursuant to the appointment of Akerman, LLP as a legislative counsel shall be paid from the City's General Fund from funds appropriated to Legal Fees, or such other line-item as the City Council deems appropriate.

**Section 6.** If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any other provision of this Resolution.

**Section 7.** All ordinances, resolutions, motions or orders in conflict with this Resolution are hereby repealed to the extent of such conflict.

**Section 8.** This Resolution shall be in full force and effect upon its passage, approval and publication as provided by law.

*[Left intentionally blank]*

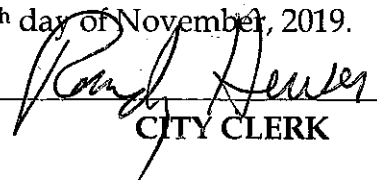
ADOPTED this 12<sup>th</sup> day of November, 2019, pursuant to roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON		X			
Alderman ALEXANDER	X				
Alderman BILOTTO	X				
Alderman CAZARES	X				
Alderman RITA	X				
Alderman DONAHUE	X				
Alderman HAWLEY		X			
Alderman FAHRENWALD		X			
Alderman MECH	X				
Alderman HILL	X				
Alderman CANTELO-ZYLMAN	X				
Alderman CARR	X				
Alderman SLATTERY			X		
Alderman KLINKER	X				
Mayor DOMINGO F. VARGAS					
<b>TOTAL</b>	10	3	1		

APPROVED: this 12<sup>th</sup> day of November, 2019.

MAYOR REFUSED TO SIGN  
**MAYOR OF THE CITY OF BLUE ISLAND,  
 COUNTY OF COOK AND STATE OF ILLINOIS**

ATTESTED and Filed in my office this  
 12<sup>th</sup> day of November, 2019.

  
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**CITY CLERK**