

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

_____ Resolution or Ordinance (Blue) _____ Waiver of First Requested
 X Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE: November 13, 2019_ (COW) (B of T) **Date:** November 21, 2019

TITLE: Administrative Hearing Officer Selection

SUBMITTED BY: Deputy Chief, Joe Grage, Police Department

BACKGROUND/POLICY IMPLICATIONS:

Attorney or Law Firm to Adjudicate our Administrative Hearings

FISCAL IMPACT/FUNDING SOURCE:

Time and Materials:
Signage and Village Installation

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X _____	Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

VILLAGE OF LOMBARD POLICE DEPARTMENT



Roy Newton
Chief of Police

Thomas Wirsing
Deputy Chief of Operations

Joseph Grage
Deputy Chief of Administrative Services

Date: 11/13/2019

To: Village Manager Scott Niehaus

From: Deputy Chief Joe Grage

Re: Administrative Hearing Officer Selection

In the early part of this year, we engaged in the process of selecting an attorney or a law firm to adjudicate our Administrative Hearings. The RFP was mailed to a total of twenty (20) attorneys or firms in the Chicagoland area. The list included municipal attorneys and law firms.

The Village received a total of eight proposals in response to the RFP. A selection committee was formed to evaluate the proposals and screen them. The committee reviewed the eight proposals at length and selected four firms or attorneys to interview.

All of the firms or individuals were highly qualified and the selection process was a difficult one. On April 4th, 2019, Deputy Chief Velazquez (retired) prepared a memo indicating that the selection committee had recommended Heather Ryan of Heather Ryan Law, Ltd. Ms. Ryan is a former DuPage County prosecutor who has many years of experience with local prosecution, municipal offenses, ordinance, building code violations, parking and administrative tow hearings.

The selection committee's recommendation was sent to the Public Safety and Transportation Committee on August 5th, 2019. The Public Safety and Transportation Committee approved Ms. Ryan's selection (Legistar#190341).

Ms. Ryan has proposed a fee of \$250.00 for the first hour per session and \$75 .00 for every additional hour per session. The proposed fees are \$100.00 less per session than what our current hearing officer charges. I am attaching Ms. Ryan's letter of engagement and documents related to this process for reference. I am seeking Board of Trustees approval to discontinue services with our current administrative adjudicator and to begin using the services for Ms. Ryan in this role effective January 1st, 2020. There is no set term or further contract proposed by Ms. Ryan. Should have any questions or would like additional information, please do not hesitate to contact me.

villageoflombard.org/lpd

630 / 873-4400 TDD: 630 / 620-5811

DEPT. FAX: 630 873.4496 INVESTIGATIONS FAX: 630 873.4444

235 E. Wilson Avenue Lombard, Illinois 60148



HEATHER RYAN LAW, LTD.

November 11, 2019

Village of Lombard Police Department
Deputy Chief Joseph Grage
235 E. Wilson Avenue
Lombard, IL 60148

RE: Administrative Adjudication Hearing Officer Position

Dear Deputy Chief Joseph Grage,

I am pleased to have received your letter of recommendation to serve as the Administrative Hearing Officer for the Village of Lombard. Upon final approval by the Village Board, I will be available to fill the position effective January 1, 2020.

Accordingly, I submit for Village Board Approval the following provisions governing our engagement. If you, or the Village Board Members have any questions about the provisions, please to not hesitate to contact me. Again, I am pleased to have the opportunity to work with and serve the Village of Lombard in this role.

Scope. I am engaged to provide the Village of Lombard with the following services: to serve as Administrative Adjudication Hearing Officer, and to perform the duties attendant to said position, which include presiding over hearings, hearing testimony, accepting evidence, and issuing written determination based on the evidence. This process will be done for citations being heard through the administrative adjudication hearing process. These hearings will be held twice per month, with both daytime and evening adjudication sessions as deemed appropriate by the parties.

Compensation. The proposed compensation for all necessary work attendant to providing the administrative hearing officer services (including, but not limited to duties of the hearing officer to attend and conduct administrative adjudication hearings, administrative costs, travel, and support staff) are as follows: \$250.00 for the first hour per session, and \$75.00 for every additional hour per session. My firm shall submit an invoice to the Village on a monthly basis for time spent rendering said services.

Term. My representation shall terminate upon completion of services listed pursuant to contract as agreed upon by the parties. The proposed effective date of service as administrative hearing officer is January 1, 2020.

I have also completed an administrative adjudication hearing training program through the Illinois Local Government Lawyers Association which was not listed on my original resume provided in September of 2018. I have included the certificate I was awarded in recognition of completing the program to become a qualified administrative hearing officer. I have also included a copy of my resume and original proposal for your and the Board's convenience. Please let me know should you need anything further to facilitate the process.

I thank you for your time and am confirming my desire to move forward in the process of approval for the Village of Lombard's Administrative Hearing Officer.

Sincerely,

A handwritten signature in blue ink that reads "Heather McArdle Ryan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Heather McArdle Ryan

HMR/ch
Enclosures



ILLINOIS LOCAL GOVERNMENT

SERVING LOCAL GOVERNMENT SINCE 1992

LAWYERS ASSOCIATION

CERTIFICATE OF COMPLETION

**LOCAL GOVERNMENTAL ADMINISTRATIVE
HEARING OFFICER TRAINING**

THIS CERTIFICATE IS AWARDED TO

HEATHER RYAN

**IN RECOGNITION OF COMPLETING THE TRAINING PROGRAM
TO BECOME A QUALIFIED ADMINISTRATIVE HEARING OFFICER**

Dawn S. Peters

DAWN S. PETERS
EXECUTIVE DIRECTOR

SEPTEMBER 4, 2019



HEATHER McARDLE RYAN

200 E. 5th Ave. Suite 115 * Naperville IL 60563 * (630)614-8000 * heather@heatherryanlaw.com

ATTORNEY

Accomplished, organized and solutions focused professional with experience in various areas of civil, criminal and administrative law. Motivated and articulate professional with vast courtroom experience and ability to be concise, logical, and complete in both written and oral communications. Develops good rapport with individuals, as well as clients in managing cases from inception to final disposition. Resourceful individual with ability to anticipate and evaluate all issues to adequately protect clients, and complete projects producing professional results within set deadlines.

AREAS OF EXPERIENCE

- | | | |
|---------------------|---------------------------|-------------------------------|
| •Criminal Law | •Trial Preparation | •Motions & Pleadings |
| •Administrative Law | •Discovery /Deposition | •Litigation Strategy |
| •Insurance Defense | •New Business Development | •Client Relationship Building |
-

PROFESSIONAL EXPERIENCE

HEATHER RYAN LAW, LTD., Naperville, IL

2014-Present

Owner

Represent clients in the areas of criminal and administrative law. Practice criminal defense in Cook, DuPage, Kane, Kendall and Will Counties. Represent clients at administrative hearings in front of the Illinois Secretary of State's Office Hearing Division. Represent clients at administrative hearings in front of the Illinois Department of Financial and Professional Regulation. Investigated and researched factual basis for cases, interpreted and applied laws, court decisions, and other legal evidence in trial preparations. Interviewed clients and witnesses in preparation for trials and hearings. Prepared pleadings, motions, and other documents for trials and hearings, and legal proceedings.

Represent students in school discipline issues, including expulsion hearings, suspension hearings, and other related litigation.

Prosecute local municipal ordinance violations and traffic offenses, as well as administrative adjudication of tow hearings for the Village of Lisle. Provide court call coverage for other law firms in need of a municipal prosecutor on an as needed basis for Cities of Wheaton and West Chicago, and Villages of Addison and Carol Stream.

RYAN & RYAN, Naperville, IL

2007-2014

Partner/Co-Owner

Represented clients in the areas of criminal and administrative law. Practiced criminal defense in Cook, DuPage, Kane, Kendall and Will Counties. Represented clients in administrative hearings in front of the Illinois Secretary of State's Office Hearing Division. Investigated and researched factual basis for cases, interpreted and applied laws, court decisions, and other legal evidence in trial preparations. Interviewed clients and witnesses in preparation for trials and hearings. Prepared pleadings, motions, and other documents for trials and hearings, and legal proceedings.

Represent students in school discipline issues, including expulsion hearings, suspension hearings, and other related litigation.

Prosecuted ordinance violations and traffic offenses for the City of Wheaton, Village of Carol Stream and City of West Chicago

RYAN & KAVVADIAS, Naperville, IL

2000-2007

Attorney

Represented clients in the areas of criminal and administrative law. Practiced criminal defense in Cook, DuPage, Kane, Kendall and Will Counties. Represented clients in administrative hearings in front of the Illinois Secretary of State's Office Hearing Division. Investigated and researched factual basis for cases, interpreted and applied laws, court decisions, and other legal evidence in trial preparations. Interviewed clients and witnesses in preparation for trials and hearings. Prepared pleadings, motions, and other documents for trials and hearings, and legal proceedings.

Prosecuted ordinance violations and traffic offenses for the City of Wheaton, Village of Carol Stream and City of West Chicago

DUPAGE COUNTY STATE'S ATTORNEY, Wheaton, IL

1995-2000

Assistant State's Attorney

Served as prosecutor in traffic, misdemeanor, and felony crimes in occurring within DuPage County, Illinois. Prepared documentation, motions, discovery, and jury instructions over the course of each case from complaint or indictment to final disposition. Argued motions and tried cases to verdict in both bench and jury trials. Interviewed and developed rapport with police officers in preparation for witness testimony in front of grand jury as well as bench and jury trials. Interviewed victims of crimes and witnesses in preparation for witness testimony at motions and trials.

Served as prosecutor in the juvenile court division. Prepared and filed petitions for Delinquency and Abused, Neglected and Dependent Minors under the Juvenile Court Act. Prosecuted juveniles for criminal violations of the law, and screened offenses for appropriate disposition from station adjustment, informal/formal probation to petitions for delinquency. Argued motions, conducted detention hearings, bench trials and adjudicatory/dispositional hearings. Represented abused, neglected, and dependent minors, in all phases juvenile court from shelter care hearings, adjudicatory, and termination of parental right hearings. Prepared individuals serving as guardian ad litem, CASA, and caseworkers with the Department of Children and Family services, as well as other service oriented agencies for witness testimony. Developed rapport with children placed in foster care, as well as natural parents and foster care parents in developing and adhering to permanency plans and hearings.

FRENCH, KEZELIS & KOMINAREK, Wheaton and Chicago, IL

1994-1995

Associate Attorney

Practiced litigation in the area of medical malpractice and insurance defense. Worked collaboratively with senior partners to apply strong case management and negotiations skills in evaluating cases, designing litigation strategy, and resolving cases through settlement, arbitration, and trial.

ADMISSIONS AND EDUCATION

Illinois State Bar, 1994

United States District Court, Northern District of Illinois, 1994

The John Marshall Law School, Chicago Illinois

J.D. January 1994

Moot Court Council Member

Moot Court Team Member

711 Intern – DuPage County State's Attorney's Office Civil and Criminal Division

Research Assistant, Professor John Dwight Ingram

Loyola University of Chicago, Chicago, Illinois

B.A. May 1990

Magna Cum Laude

MEMBERSHIPS AND ORGANIZATIONS

Illinois State Bar Association, member 1994- present

DuPage County Bar Association, member 1994 – present

DuPage Association of Woman Lawyers, member 2008 – present

DuPage County Criminal Defense Lawyers, member 2000-present

ILSACA, member 2010 – present

Robert E. Jones Inns of Court, Member 2008 - 2016

**Sts. Peter & Paul School, Naperville, Illinois, Member and Secretary Advancement Board,
2008 – 2014**

Turning Pointe Autism Foundation, Naperville, Illinois, Board of Directors, 2017

**VILLAGE OF LOMBARD
RFQ - ADMINISTRATIVE HEARING OFFICER
STATEMENT OF QUALIFICATIONS & PROPOSAL**

Submission Date: September 17, 2018

**Heather McArdle Ryan
Heather Ryan Law, Ltd.
200 E. 5th Ave, Suite 115
Naperville, IL 60563
630-614-8000
heather@heatherryanlaw.com**

VILLAGE OF LOMBARD
ADMINSTRATIVE HEARING OFFICER QUALIFICATION FACTORS

A. Narrative Describing the Individual's Law Practice, Areas of Concentration, and Representative Clients.

Heather Ryan Law, Ltd. is an S Corporation in the State of Illinois, in good standing, specifically formed for the purposes of providing comprehensive legal services for private clients in the areas of criminal law, as well as administrative law. In addition to providing services for private clients, Heather Ryan Law, Ltd. collaborates with other Illinois law practices in providing services to municipalities in municipal prosecutions for DUI, Traffic, Ordinance, Parking, Building Code violations, as well as Administrative Tow Hearings.

B. Qualifications of Heather Ryan Law, Ltd.

Heather Ryan is a life long resident of DuPage County, and has served the community as an Assistant State's Attorney, municipal prosecutor, and attorney in private practice since 1994. Her legal career began with a brief stint in private practice before she accepted a position as an assistant state's attorney in the DuPage County State's Attorney's Office in April, 1995. She had advanced to the felony division as a second chair, previously prosecuting traffic, misdemeanor, and juvenile delinquency and abuse/neglect cases before leaving the office in July 2000.

Ms. Ryan is a former principal with the Naperville based law firm, Ryan & Ryan, a general partnership, and currently maintains Heather Ryan Law, Ltd., located in the historic Fifth Avenue Station Building in downtown Naperville. Ms. Ryan has offered counsel to the residents of Naperville, as well as the surrounding communities since 2000.

Ms. Ryan currently handles criminal and traffic matters for clients throughout the Chicagoland area, mostly appearing in court in Cook, DuPage, Kane, Kendall, and Will counties. In addition to representing clients in the area of criminal law, she advocates for clients in the area of administrative law. Her experience in the area of administrative law ranges from conducting formal and informal hearings in front of the Illinois Secretary of State, Department of Administrative Hearings to hearings in front of the Illinois Department of Financial and Professional Regulation. In addition to these areas of practice, Ms. Ryan also has experience in representing private clients in front of administrative hearing officers, and counseling them through the administrative adjudication process.

Ms. Ryan also has eighteen years of experience providing legal services for various municipalities in Dupage County. She currently serves as a prosecutor for the Village of Lisle's local municipal traffic offenses, ordinance, building code violations, parking, and administrative tow hearings. Other municipal traffic and ordinance

prosecutions that she has provided coverage for include Addison, Carol Stream, Elmhurst, Lisle, Lombard, West Chicago, and Wheaton. Further municipal prosecution experience includes representing the Village of Stone Park in liquor commission hearings, and related legal services.

Ms. Ryan also has experience as a member of hearing tribunal, presiding over an election dispute in Winfield Township, being previously appointed by former DuPage County Chief Judge Stephen J. Culliton.

C. COST PROPOSAL FOR SERVICES

In the Request for Proposal, the Village identifies that the duties of the Administrative Hearing Officer are to include the authority to preside over hearings, hear testimony and accept evidence, and issue written determinations based on the evidence for citations being heard through the administrative adjudication process. The administrative adjudication hearings are scheduled twice per month, with both daytime and evening adjudication sessions.

The suggested compensation for ALL necessary work attendant to provision of the foregoing administrative hearing officer services (including, but not limited to, duties of hearing officer to attend and conduct administrative adjudication hearings, administrative costs, travel, and support staff) are as follows:

\$250.00 for the first hour per session
\$75.00 for every additional hour per session

D. MUNICIPAL AND ADMINISTRATIVE REFERENCES

1. Dave Anderson, Chief of Police, Village of Lisle Police Department
2. Eric Ertmoed, Village Manager, Village of Lisle
3. Christopher Pavini, Chief of Police, Village of Stone Park Police Department
4. Denise Westnedge, Former Department Supervisor, Department of Administrative Hearings, Illinois Secretary of State's Office.
5. Laurie Taylor, Hearing Officer, Department of Administrative Hearings, Illinois Secretary of State's Office.
6. Hon. Paul Marchese, Associate Judge, 18th Judicial Circuit, DuPage County
7. Hon. Christine Cody, Associate Judge, 18th Judicial Circuit, Dupage County
8. Hon. Kavita Athanikar, Associate Judge, 18th Judicial Circuit, DuPage County

Respectfully submitted,

Heather Ryan Law, Ltd
200 E. 5th Ave, Suite 115
Naperville, IL 60563
630-614-8000
heather@heatherryanlaw.com



MEMORANDUM

TO: Public Safety & Transportation Committee
FROM: Roy Newton, Chief of Police
Nicole Aranas, Assistant Village Manager
DATE: August 5, 2019
SUBJECT: RECOMMENDATION FOR AN ADMINISTRATIVE HEARING OFFICER

Attached please find information recommending selection of an Administrative Adjudication Hearing Officer for the Village of Lombard. Deputy Chief Velazquez, prior to retirement, administered a process seeking proposals from qualified individuals to serve as hearing officer for the Village and drafted a recommendation for the selection of Heather Ryan of Heather Ryan Law, Ltd.

Chapter 100 of the Lombard Municipal Code provides for the adjudication of municipal ordinance violations, including Building Code violations. The Code provides for a hearing officer with the following duties: preside at hearings to determine whether or not code violations exist, hear testimony and accept evidence; preserve and authenticate a record of the hearing, and issue written findings, decisions and orders.

The Village issued a Request for Qualification (RFQ) seeking qualified vendors to serve as Administrative Hearing Officer. The RFQ was published and sent to multiple attorneys and law firms practicing in this specialty. Eight responses were received and four attorneys/firms were selected for in-person interviews.

Upon evaluation of the submissions and interviews, Deputy Chief Velazquez, drafted a recommendation to select Heather Ryan of Heather Ryan Law, Ltd. as Administrative Hearing Officer. A memo in support of the recommendation is attached. If the recommendation for Administrative Hearing Officer is confirmed by the Committee and Village, staff will work to transition from the current services provider to the newly selected hearing officer.

Please let me know if you have any questions or concerns.



LOMBARD POLICE DEPARTMENT



Date: April 8, 2019

To: Roy Newton – Chief of Police

From: Cynthia Velazquez – Deputy Chief of Police

Re: Recommendation for Administrative Hearing Officer

For the last several months, we have engaged in the process of selecting an attorney or a law firm to adjudicate our Administrative Hearings. The RFP was mailed to a total of twenty (20) attorneys or firms in the Chicagoland area. The list included municipal attorneys and law firms.

The Village received a total of eight proposals in response to the RFP. A selection committee was formed to evaluate the proposals and screen them. The committee reviewed the eight proposals at length and selected four firms or attorneys to interview.

All of the firms or individuals were highly qualified and the selection process was a difficult one. However, the selection committee would like to recommend Heather Ryan of Heather Ryan Law, Ltd.. Ms. Ryan is a former DuPage County prosecutor who has many years of experience with local prosecution, municipal offenses, ordinance, building code violations, parking and administrative tow hearings. I am attaching the original proposal received from Ms. Ryan's firm for your review

Ms. Ryan has proposed a fee of \$250.00 for the first hour per session and \$75.00 for every additional hour per session. The proposed fees are \$100.00 less per session than what our current hearing officer charges. Although Ms. Ryan is less expensive we are not compromising quality at all. Ms. Ryan is experienced, knowledgeable and is well respected amongst her colleagues. It is my recommendation that we hire Ms. Ryan as our Administrative Hearing Officer. If you should have any questions, or would like additional information, please do not hesitate to contact me.



**VILLAGE OF LOMBARD, ILLINOIS
REQUEST FOR QUALIFICATIONS
ADMINISTRATIVE HEARING OFFICER**

DATE ISSUED: August 15, 2018

I) REQUEST FOR QUALIFICATIONS

The Village of Lombard, Illinois "Village" is requesting qualifications from experienced attorneys with the ability to serve as Administrative Hearing Officer pursuant to a professional services agreement with the Village. The Administrative Hearing Officer shall have the authority to conduct Village administrative adjudication hearings regarding vehicular regulation violations and other violations of the Lombard Code of Ordinances. Duties of the hearing office shall include, but not be limited to, the authority to preside over hearings, hear testimony and accept evidence, and issue written determinations based upon the evidence. Qualified individuals must be an attorney licensed to practice law in the State of Illinois and have knowledge of and experience in general civil procedure, the rules of evidence and administrative practice. The Hearing Officer shall be appointed by the Village Manager based upon recommendations from the Village review team

II) BACKGROUND INFORMATION

The Village of Lombard is a non-home rule municipality of approximately 43,500 residents located in central DuPage County. In 2017, the Village issued 5,631 citations (5,059 parking and 572 administrative tows). Approximately 68% of all citations in 2017 were heard through the administrative adjudication process (3,842 adjudications). Appearances were made in person or via e-mail protest in 26% of adjudicated citations (1,005). Administrative adjudication hearings are regularly scheduled twice per month, with both daytime and evening adjudication sessions.

III) SCOPE OF SERVICES

The selected Administrative Hearing Officer shall have the authority to conduct administrative hearings, including but not limited to, the authority to:

- Preside over administrative hearings as adjudicator to determine whether or not code violations exist;
- Administer oaths;
- Issue subpoenas to secure attendance of witnesses and production of relevant papers or documentation;
- Hear testimony and accept evidence relevant to the existence of a code violation;
- Rule upon motions, objections, and the admissibility of evidence;
- Preserve and authenticate a transcript and record of the hearing and all exhibits and evidenced introduced at the hearing;

- Issue and sign a written finding, decision and order stating whether a code violation exists. Specifically includes making final determinations of vehicular violation liability and validity of notices of impending driver's license suspensions;
- Assess fines and penalties for violations of Village code;
- Issue certified notices to the Chief of Police regarding the immobilization of vehicles whose owners have received more than three or more final determinations liability, relative to vehicular parking violations, which remain unpaid.

IV) VILLAGE PROVISIONS

The Village will provide the selected Administrative Hearing Officer with the following:

- Copies of, or full access to, all pertinent Village Code provisions, policies, rules and regulations.
- Reasonable access to all pertinent documents and records for use in rendering decisions.
- Appropriate facilities to conduct hearings, and administrative support to facilitate the efficient conduct of such hearings.

V) PROPOSALS

Qualified applicants are invited to submit:

- A brief narrative describing the individual's law practice or firm, including areas of concentration and representative clients.
- Biographical information on the attorney, including specific information regarding any prior administrative adjudication experience pertaining to parking and towing as well as property, building, nuisance and licensing code enforcement activity.
- Information on the fees to be charged, including compensation for administrative costs, travel, support staff, if any.
- A list of not less than three references, preferably within the public sector.

Proposals are due no later than Monday, September 17, 2018 at 4:30 p.m.

Qualifications shall be sent to:

Cyndy Velazquez
 Deputy Chief of Police
 Village of Lombard
 235 E. Wilson Avenue
 Lombard, IL 60148
Velazquezc@villageoflombard.org

All qualifications must be clearly marked "RFQ – Administrative Hearing Officer"

The Village will review the proposals and may request further information from one or more individuals or firms before making a final decision. After reviewing the qualifications, the Village may select one or more individual attorneys or firms to be interviewed. The Village reserves the right to accept or reject any and all submissions and to waive technicalities.



LOMBARD POLICE DEPARTMENT



Date: April 8, 2019

To: Roy Newton – Chief of Police

From: Cynthia Velazquez – Deputy Chief of Police

Re: Recommendation for Administrative Hearing Officer

For the last several months, we have engaged in the process of selecting an attorney or a law firm to adjudicate our Administrative Hearings. The RFP was mailed to a total of twenty (20) attorneys or firms in the Chicagoland area. The list included municipal attorneys and law firms.

The Village received a total of eight proposals in response to the RFP. A selection committee was formed to evaluate the proposals and screen them. The committee reviewed the eight proposals at length and selected four firms or attorneys to interview.

All of the firms or individuals were highly qualified and the selection process was a difficult one. However, the selection committee would like to recommend Heather Ryan of Heather Ryan Law, Ltd.. Ms. Ryan is a former DuPage County prosecutor who has many years of experience with local prosecution, municipal offenses, ordinance, building code violations, parking and administrative tow hearings. I am attaching the original proposal received from Ms. Ryan's firm for your review

Ms. Ryan has proposed a fee of \$250.00 for the first hour per session and \$75.00 for every additional hour per session. The proposed fees are \$100.00 less per session than what our current hearing officer charges. Although Ms. Ryan is less expensive we are not compromising quality at all. Ms. Ryan is experienced, knowledgeable and is well respected amongst her colleagues. It is my recommendation that we hire Ms. Ryan as our Administrative Hearing Officer. If you should have any questions, or would like additional information, please do not hesitate to contact me.



HEATHER RYAN LAW, LTD.

September 17, 2018

**Ms Cyndy Velazquez
Deputy chief of Police
Village of Lombard
235 E. Wilson Avenue
Lombard, IL 60148**

Re: RFQ – Administrative Hearing Officer

Dear Ms. Velazquez,

I would like to thank you for giving me the opportunity to submit my qualifications and proposal for the position of Administrative Hearing Officer with the Village of Lombard. I am pleased to submit my qualifications and proposal herein, as well as my resume. Please contact me directly should you need anything further.

Sincerely,

Heather McArdle Ryan

**VILLAGE OF LOMBARD
RFQ - ADMINISTRATIVE HEARING OFFICER
STATEMENT OF QUALIFICATIONS & PROPOSAL**

Submission Date: September 17, 2018

**Heather McArdle Ryan
Heather Ryan Law, Ltd.
200 E. 5th Ave, Suite 115
Naperville, IL 60563
630-614-8000
hcather@heatherryanlaw.com**

VILLAGE OF LOMBARD
RFQ - ADMINISTRATIVE HEARING OFFICER QUALIFICATION FACTORS

A. Narrative Describing the Individual's Law Practice, Areas of Concentration, and Representative Clients.

Heather Ryan Law, Ltd. is an S Corporation in the State of Illinois, in good standing, specifically formed for the purposes of providing comprehensive legal services for private clients in the areas of criminal law, as well as administrative law. In addition to providing services for private clients, Heather Ryan Law, Ltd. collaborates with other Illinois law practices in providing services to municipalities in municipal prosecutions for DUI, Traffic, Ordinance, Parking, Building Code violations, as well as Administrative Tow Hearings. Municipalities that she has provided services for in the last eighteen years are Addison, Carol Stream, Elmhurst, Lisle, Lombard, West Chicago, and Wheaton. Heather Ryan is the President, and sole principal of Heather Ryan Law, Ltd. and has been licensed to practice law in the State of Illinois since May 5, 1994.

B. Qualifications of Heather Ryan Law, Ltd.

Heather Ryan is a life long resident of DuPage County, and has served the community as an Assistant State's Attorney, municipal prosecutor, and attorney in private practice since 1994. Her legal career began with a brief stint in private practice before she accepted a position as an assistant state's attorney in the DuPage County State's Attorney's Office in April, 1995. She had advanced to the felony division as a second chair, previously prosecuting traffic, misdemeanor, and juvenile delinquency and abuse/neglect cases before leaving the office in July 2000.

Ms. Ryan is a former principal with the Naperville based law firm, Ryan & Ryan, a general partnership, and currently maintains Heather Ryan Law, Ltd., located in the historic Fifth Avenue Station Building in downtown Naperville. Ms. Ryan has offered counsel to the residents of Naperville, as well as the surrounding communities since 2000.

Ms. Ryan currently handles criminal and traffic matters for clients throughout the Chicagoland area, mostly appearing in court in Cook, DuPage, Kane, Kendall, and Will counties. In addition to representing clients in the area of criminal law, she advocates for clients in the area of administrative law. Her experience in the area of administrative law ranges from conducting formal and informal hearings in front of the Illinois Secretary of State, Department of Administrative Hearings to hearings in front of the Illinois Department of Financial and Professional Regulation. In addition to these areas of practice, Ms. Ryan also has experience in representing private clients in front of administrative hearing officers, and counseling them through the administrative adjudication process.

Ms. Ryan also has eighteen years of experience providing legal services for various municipalities in Dupage County. She currently serves as a prosecutor for the Village of Lisle's local municipal traffic offenses, ordinance, building code violations, parking, and administrative tow hearings. Other municipal traffic and ordinance prosecutions that she has provided coverage for include Addison, Carol Stream, Elmhurst, Lisle, Lombard, West Chicago, and Wheaton. Further municipal prosecution experience includes representing the Village of Stone Park in liquor commission hearings, and related legal services.

Ms. Ryan also has experience as a member of hearing tribunal, presiding over an election dispute in Winfield Township, being previously appointed by former DuPage County Chief Judge Stephen J. Culliton.

Ms. Ryan's vast trial experience in the court room, as well as in the area of administrative hearings will allow her to effectively and efficiently preside over administrative hearings to determine whether a code violation exists. She also knows the importance of preserving and authenticating a transcript and record of all hearings, including exhibits and evidence introduced at all hearings.

C. Cost Proposal for Services

In the Request for Proposal, the Village identifies that the duties of the Administrative Hearing Officer are to include the authority to preside over hearings, hear testimony and accept evidence, and issue written determinations based on the evidence for citations being heard through the administrative adjudication process. The administrative adjudication hearings are scheduled twice per month, with both daytime and evening adjudication sessions.

The proposed compensation for ALL necessary work attendant to provision of the foregoing administrative hearing officer services including, but not limited to, duties of hearing officer to attend and conduct administrative adjudication hearings, are as follows:

\$250.00 for the first hour per session
\$75.00 for every additional hour per session

I would not charge for administrative costs, travel, or support staff.

D. Municipal and Administrative References

1. Dave Anderson, Chief of Police, Village of Lisle Police Department, 630-271-4200
2. Eric Ertmoed, Village Manager, Village of Lisle, 630-271-4100
3. Sgt. Tim Dempsey, Sergeant, Village of Lisle, 630-271-4200
4. Christopher Pavini, Chief of Police, Village of Stone Park Police Department, 708-450-3216

5. Denise Westnedge, Former Department Supervisor, Department of Administrative Hearings, Illinois Secretary of State's Office, 217-782-7065
6. Laurie Taylor, Hearing Officer, Department of Administrative Hearings, Illinois Secretary of State's Office, 815-740-7166
7. Hon. Paul Marchese, Associate Judge, 18th Judicial Circuit, DuPage County, 630-407-8933
8. Hon. Christine Cody, Associate Judge, 18th Judicial Circuit, Dupage County, 630-407-8933
9. Hon. Kavita Athanikar, Associate Judge, 18th Judicial Circuit, DuPage County, 630-407-8933

Respectfully submitted,

Heather Ryan Law, Ltd
200 E. 5th Ave, Suite 115
Naperville, IL 60563
630-614-8000
heather@heatherryanlaw.com

HEATHER McARDLE RYAN

200 E. 5th Ave. Suite 115 * Naperville IL 60563 * (630)614-8000 * heather@heatherryanlaw.com

ATTORNEY

Accomplished, organized and solutions focused professional with experience in various areas of civil, criminal and administrative law. Motivated and articulate professional with vast courtroom experience and ability to be concise, logical, and complete in both written and oral communications. Develops good rapport with individuals, as well as clients in managing cases from inception to final disposition. Resourceful individual with ability to anticipate and evaluate all issues to adequately protect clients, and complete projects producing professional results within set deadlines.

AREAS OF EXPERIENCE

- | | | |
|---------------------|---------------------------|-------------------------------|
| •Criminal Law | •Trial Preparation | •Motions & Pleadings |
| •Administrative Law | •Discovery /Deposition | •Litigation Strategy |
| •Insurance Defense | •New Business Development | •Client Relationship Building |
-

PROFESSIONAL EXPERIENCE

HEATHER RYAN LAW, LTD., Naperville, IL

2014-Present

Owner

Represent clients in the areas of criminal and administrative law. Practice criminal defense in Cook, DuPage, Kane, Kendall and Will Counties. Represent clients at administrative hearings in front of the Illinois Secretary of State's Office Hearing Division. Represent clients at administrative hearings in front of the Illinois Department of Financial and Professional Regulation. Investigated and researched factual basis for cases, interpreted and applied laws, court decisions, and other legal evidence in trial preparations. Interviewed clients and witnesses in preparation for trials and hearings. Prepared pleadings, motions, and other documents for trials and hearings, and legal proceedings.

Represent students in school discipline issues, including expulsion hearings, suspension hearings, and other related litigation.

Prosecute local municipal ordinance violations and traffic offenses, as well as administrative adjudication of tow hearings for the Village of Lisle. Provide court call coverage for other law firms in need of a municipal prosecutor on an as needed basis for Cities of Wheaton and West Chicago, and Villages of Addison and Carol Stream.

RYAN & RYAN, Naperville, IL

2007-2014

Partner/Co-Owner

Represented clients in the areas of criminal and administrative law. Practiced criminal defense in Cook, DuPage, Kane, Kendall and Will Counties. Represented clients in administrative hearings in front of the Illinois Secretary of State's Office Hearing Division. Investigated and researched factual basis for cases, interpreted and applied laws, court decisions, and other legal evidence in trial preparations. Interviewed clients and witnesses in preparation for trials and hearings. Prepared pleadings, motions, and other documents for trials and hearings, and legal proceedings.

Represent students in school discipline issues, including expulsion hearings, suspension hearings, and other related litigation.

Prosecuted ordinance violations and traffic offenses for the City of Wheaton, Village of Carol Stream and City of West Chicago

RYAN & KAVVADIAS, Naperville, IL

2000-2007

Attorney

Represented clients in the areas of criminal and administrative law. Practiced criminal defense in Cook, DuPage, Kane, Kendall and Will Counties. Represented clients in administrative hearings in front of the Illinois Secretary of State's Office Hearing Division. Investigated and researched factual basis for cases, interpreted and applied laws, court decisions, and other legal evidence in trial preparations. Interviewed clients and witnesses in preparation for trials and hearings. Prepared pleadings, motions, and other documents for trials and hearings, and legal proceedings.

Prosecuted ordinance violations and traffic offenses for the City of Wheaton, Village of Carol Stream and City of West Chicago

DUPAGE COUNTY STATE'S ATTORNEY, Wheaton, IL

1995-2000

Assistant State's Attorney

Served as prosecutor in traffic, misdemeanor, and felony crimes in occurring within DuPage County, Illinois. Prepared documentation, motions, discovery, and jury instructions over the course of each case from complaint or indictment to final disposition. Argued motions and tried cases to verdict in both bench and jury trials. Interviewed and developed rapport with police officers in preparation for witness testimony in front of grand jury as well as bench and jury trials. Interviewed victims of crimes and witnesses in preparation for witness testimony at motions and trials.

Served as prosecutor in the juvenile court division. Prepared and filed petitions for Delinquency and Abused, Neglected and Dependent Minors under the Juvenile Court Act. Prosecuted juveniles for criminal violations of the law; and screened offenses for appropriate disposition from station adjustment, informal/formal probation to petitions for delinquency. Argued motions, conducted detention hearings, bench trials and adjudicatory/dispositional hearings. Represented abused, neglected, and dependent minors, in all phases juvenile court from shelter care hearings, adjudicatory, and termination of parental right hearings. Prepared individuals serving as guardian ad litem, CASA, and caseworkers with the Department of Children and Family services, as well as other service oriented agencies for witness testimony. Developed rapport with children placed in foster care, as well as natural parents and foster care parents in developing and adhering to permanency plans and hearings.

FRENCH, KEZELIS & KOMINAREK, Wheaton and Chicago, IL

1994-1995

Associate Attorney

Practiced litigation in the area of medical malpractice and insurance defense. Worked collaboratively with senior partners to apply strong case management and negotiations skills in evaluating cases, designing litigation strategy, and resolving cases through settlement, arbitration, and trial.

ADMISSIONS AND EDUCATION

Illinois State Bar, 1994

United States District Court, Northern District of Illinois, 1994

The John Marshall Law School, Chicago Illinois

J.D. January 1994

Moot Court Council Member

Moot Court Team Member

711 Intern – DuPage County State's Attorney's Office Civil and Criminal Division

Research Assistant, Professor John Dwight Ingram

Loyola University of Chicago, Chicago, Illinois

B.A. May 1990

Magna Cum Laude

MEMBERSHIPS AND ORGANIZATIONS

Illinois State Bar Association, member 1994- present

DuPage County Bar Association, member 1994 – present

DuPage Association of Woman Lawyers, member 2008 – present

DuPage County Criminal Defense Lawyers, member 2000-present

ILSACA, member 2010 – present

Robert E. Jones Inns of Court, Member 2008 - 2016

Sts. Peter & Paul School, Naperville, Illinois, Member and Secretary Advancement Board, 2008 – 2014

Turning Pointe Autism Foundation, Naperville, Illinois, Board of Directors, 2017

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Minutes

Wednesday, August 7, 2019

7:00 PM

Lorraine G. Gerhardt Community Room

Public Safety & Transportation Committee

*Trustee Dan Whittington, Chairperson
Andrew Honig, Alternate Chairperson
Jennifer Perkins, Michael Corso, John Larkin,
Robert Corbino, Gary Cation and John Mullins*

1.0 Call to Order and Pledge of Allegiance

The meeting was called to order by Chairperson Whittington at 7:00 PM.

2.0 Roll Call

Present 6 - Dan Whittington, Jennifer Perkins, Michael Corso, John Larkin Jr., Bob Corbino, and John Mullins

Absent 1 - Gary Cation

Staff Present:

Chief Newton, Police Department
Sgt. Menolascino, Police Department
Chief Sander, Fire Department
Matthew Lew, Civil Engineer, Public Works Department
Jamie Cunningham, Asst. Director, Finance Department
Nick Partipilo, Intern, Village Managers Office

3.0 Public Participation

Anthony Giovacchini, 220 W. Graham Avenue

4.0 Approval of Minutes

A motion was made by John Larkin, Jr., seconded by Bob Corbino, that the Minutes of the May 1, 2019 meeting be approved. The motion carried unanimously.

5.0 Unfinished Business

6.0 New Business

[190309](#)

Finley Road/Pinebrook Drive Sidewalk Extension and Signal Removal

Staff recommendation to approve extension of public sidewalk on the west side of Finley Road south to Oak Creek Drive and removal of the pedestrian traffic signal at Finley and Pinebrook. (DISTRICT #2)

Lew reviewed the item. The pedestrian signal was constructed about 30 years ago and is underutilized. The new signal at Finley and Oak Creek now has full pedestrian access and is located about 700' south. Staff proposes to fill the sidewalk gap between Pinebrook and Oak Creek. The ROI would only be a few of years. Additionally, if the recommendation is positive, staff will also look at adding a left turn lane

at Pinebrook for northbound to westbound traffic. There is not currently a turn not there because the median signal is in that location.

A motion was made by John Larkin, Jr., seconded by Bob Corbino, that this Request be recommended to the Board of Trustees for approval. The motion passed by an unanimous vote.

190322

200 Block of W. Graham, Speeding Concern

A resident request for traffic control to reduce speeding. (DISTRICT #2)

Mr. Giovacchini addressed the committee regarding speeding on W. Graham. The complaint initiated in the 200 block because of a couple of severe speeders, speeding to the point that 911 was called. He spoke with residents in several other blocks of Graham and they agree that there is an issue in the area. He added that he understands we live near the high school and he's ok with that, however, it gets somewhat dangerous on Taylor sometimes because parents stop on both sides of street and in middle of street, even though it's signed No Parking. The issue on Graham though, seems to be the cut-through traffic when the light at Wilson turns red. Don't have a problem with people driving through the neighborhood, but traffic from 5 pm-7 pm seems to increase because it's 30 mph with no stop sign. Although the Police Department does a fantastic job controlling speed on Wilson, would like the Safety Committee to at least be aware of this issue and look at it. Think it's silly that Wilson, Madison and other streets are 25 mph, but smaller residential streets that are cut-through are 30 mph. At 35 not necessarily going to get a ticket, but with cell phones and speeding push on Facebook, all of these things combined are a recipe for dangerous residential streets.

Sgt. Menolascino reported that between May 27th and June 9th, a speed study with radar signs was done. The highest speed was 41 mph-45 mph, which was two cars going eastbound. One was at 6 a.m. and one was at noon. During rush hours, the average speed is 33 mph. Mr. Giovacchini commented that it would be different if the study was done without drivers knowledge. He added that the issue is when the sign comes down, they get to the crest at Lincoln and once they know it's clear the foot goes on the gas pedal. It seems like you can time the traffic on Graham with when the light on Wilson turns red. They know they can cut through. It's allowed, but it shouldn't be the more convenient path. Then compounding the issue is that 50% are on phone going down the block. The speed and inattention seems to be excessive.

Corso asked what the code says about speed limit posting. Sgt. Menolascino replied that reducing the speed limit is going to cause more speeding. The solution is education, engineering and enforcement. We've done the signs and did do enforcement. The Department will continue enforcement and will do a covert study. Lowering the speed limit

and putting stop signs where they don't belong doesn't work. Mr. Giovacchini commented that counterpoint to people driving what they're comfortable, then why not get rid of speed limits. It's not necessarily a solution but he would like to have a dialogue about it.

Corso asked if it's worse when school is in session. Mr. Giovacchini answered that it is a little bit worse for a brief window. Corso also asked if the neighbors are going to be happy having to go around the block if right turns are restricted. Mr. Giovacchini replied that he has signatures from most people on the street. They were all up to at least considering any options. He added that maybe the street just enforcement. That block has not been so calm in 15 years as it was the two weeks the police were sitting out there. Sgt. Menolascino clarified that it was during morning and evening rush hours.

It was decided that a covert study will be done once school begins.

[190323](#)

Police Department Parking

Staff recommendation to remove one handicap parking spot in the parking lot between the Village Hall and the Police Department. The Village will still be within ADA guidelines with removal of this spot.

Chief Newton reviewed the item. There are two spots are severely underutilized. The elimination of one spot creates two regular spots which will be used for maintenance vehicles and squad cars only.

A motion was made by John Larkin, Jr., seconded by John Mullins, that this Request be recommended to the Board of Trustees for approval. The motion passed by an unanimous vote.

[190341](#)

Recommendation for an Administrative Hearing Officer

A recommendation from staff to select Heather Ryan of Heather Ryan Law, Ltd. as Administrative Hearing Officer.

Chairperson Whittington asked what the Administrative Hearing Officer does. Chief Newton explained that the Hearing Officer handles parking tickets, etc. Rather than sending them to Circuit Court in Wheaton they are handled at Village Hall. The Village hires an attorney to serve as the Hearing Officer. The current Hearing officer has been in place for 15 years. A Request for Qualifications was sent out and Heather Ryan of Heather Ryan Law, Ltd is the recommended attorney.

A motion was made by Bob Corbino, seconded by John Larkin, Jr., that this Request be recommended to the Board of Trustees for approval. The motion carried unanimously.

7.0 Other Business

[190291](#)

Social Media and Board, Committee and Commission Training

Partipilo reviewed the presentation.

[190324](#)

2020 Budget Overview - Presentation

Review and discussion regarding the Village of Lombard proposed 2020 Budget.

Cunningham reviewed the presentation.

[190327](#)

Committee Member Reappointments

All committee members in attendance were agreeable to being reappointed.

8.0 Information Only

[150468](#)

Fire Department Reports/Information

Chief Sander reviewed highlights of the monthly reports.

There are currently two candidates in the academy and the department has hired its first female firefighter.

There was a structure fire on Main Street and a very windy night. It was determined it was caused by discarded smoking materials that caught a deck on fire.

The week of May 19th was National EMS Week. On May 18th there was a hazardous materials incident in downtown Lombard. A business owner dumped hazardous materials into the sewer. The material was highly corrosive and he received burns.

In June, FF/PM Tim Hogan retired. Also, Maris Hoving graduated as valedictorian from academy. June 8th the Fire Department sponsored Kids Corner at Cruise Nights. June 10th a part-time Inspector was hired.

[150469](#)

Police Department Reports/Information

Chief Newton explained that the department has gone to a new county-wide 911 system, which has been disappointing and has not lived up to expectations. Since it's county-wide it includes both police and fire. The department is still trying to figure out how to get statistics. The last two months the department has not been able to get call load distribution. The system will not download it.

He also advised that the department is considerably short-handed. Currently running with 6-8 officers less than approved for, however, six officers were just sworn in. Five of those officers are in field training and one is in the academy. We still need to hire 2 or 3 more to start fall academy. That will bring us to full staff. Chief Newton went on to point out that he credits the current officers and the hard work they've been doing while so short-staffed. They've held their own and done a great job.

Sgt. Menolascino advised that July 25th was Speed Awareness Day. The department made 164 stops; 86 speeding, 1 aggravated speeding and 36 warnings. Overall 110 tickets were written, 54 warnings and 1 DUI arrest.

Sgt. Menolascio told the committee taht for 2018 Lombard was 7th in the state for DUI arrests and #1 per number of officers, making 4.5 arrests per officer. However, now the issue is texting.

Perkins asked what will happen when marijuana is legalized. How will the Police determine if someone is under the influence, can't do a breathalyzer. Chief Newton replied that is certainly a concern for law enforcement. He added that in states that have legalized it, there is certainly an increase in cannabis dui. Illinois has already had 14% increase just with medical marijuana. The challenge will be in court since there is no street test. Blood and urine will account for having it in their system, but how do you prove they were impaired at that time. Until some medical company comes up with an on-scene test that proves someone has "x" amount of THC in their system at the time of being stoped then you can do that, but how do you do that. Can we poke someones finger on a traffic stop? That's quite an invasion; that would be a search warrant act.

Corbino commented that there has been a lot of truck traffic on Grace Street heading toward North Avenue. Sgt. Menolascino pointed out that there is an 80 Ton weight limit between St. Charles and North Ave.

Mullins asked about the schedule for road construction that is occurring at 22nd and Fairfield. Lew replied that he will look into it and get back to him.

9.0 Adjournment

A motion was made by John Larkin, Jr., seconded by Bob Corbino, to adjourn the meeting at 8:10 PM. The motion carried unanimously.