

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: December 8, 2011 (COW)(B of T) ~~December 27, 2011~~ *Jan 19, 2012*

TITLE: Request to approve a purchase in the amount of \$685.80 to Giagnorio's Pizza

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

Pursuant to 65 ILCS 5/3.1-55-10(b)(2) and 50 ILCS 105/3(b)(2), the elected or appointed municipal officer may provide materials, merchandise, property, services or labor to the municipality under the following circumstances:

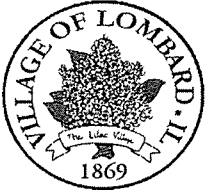
- A. Public disclosure of interest;
- B. Abstain from voting;
- C. Majority vote approves (of all holding office – 4 of the other 6 Board members);
- D. Contract does not exceed \$2,000; and
- E. Aggregate of all contracts does not exceed \$4,000 in fiscal year.

The Village has historically used several local restaurants, such as Giagnorio's, Old Towne Pizza, Buona Beef, Subway, Jimmy John's and Pot Belly, for various meetings, workshops and storm events, as needed.

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X <i>Timothy Sexton</i> _____	Date <u>12/8/11</u>
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.



To: Village President and Board of Trustees
David Hulseberg, Village Manager

From: Timothy Sexton, Director of Finance

Date: December 8, 2011

Subject: Giagnorio's Pizza Bill

Attached are three invoices for pizza purchased from Giagnorio's Pizza for a total \$685.80.
According to our legal counsel:

In response to your inquiry, please be advised as follows:

1. Pursuant to 65 ILCS 5/3.1-55-10(a):

A municipal officer shall not be:

Financially interested directly in the officer's own name or indirectly in the name of any other person, association, trust or corporation, in:

- A. Any contract, work or business of the municipality; or
- B. The sale of any article;

whenever the expense, price or consideration of the contract, work, business or sale is paid either from the treasury or by an assessment levied by state or ordinance.

2. Pursuant to 50 ILCS 105/3(a):

No person holding any office, either by election or appointment under the laws or constitution of Illinois, may:

Be in any manner financially interested directly in his own name or indirectly in the name of any other person, association, trust or corporation in any:

- A. Contract; or
- B. The performance of any work;

in the making or letting of which such officer may be called upon to act or vote.

- 3. Notwithstanding the foregoing, pursuant to 65 ILCS 5/3.1-55-10(b)(2) and 50 ILCS 105/3(b)(2), the elected or appointed municipal officer may provide materials, merchandise, property, services or labor to the municipality under the following circumstances, which would appear to apply to the present situation:

- A. Public disclosure of interest;
- B. Abstain from voting;
- C. Majority vote approves (of all holding office – 4 of the other 6 Board members);
- D. Contract does not exceed \$2,000; and
- E. Aggregate of all contracts does not exceed \$4,000 in fiscal year.

Based on the foregoing, Trustee Giagnorio must request that the approval of said purchases be voted on separately from the normal Accounts Payable approval process. When the vote takes place, Trustee Giagnorio must publicly disclose his ownership of Giagnorio's Pizza, and abstain from voting when his name is called as part of the roll call on the motion.

Staff recommends approval of this expenditure.

863849

INVOICE

SOLD TO Village of Lombard		SHIP TO Com Case Crew			
ADDRESS		ADDRESS			
CITY, STATE, ZIP ATTN: KATE BURKE		CITY, STATE, ZIP			
CUSTOMER ORDER NO.	SOLD BY	TERMS	F.O.B.	DATE 5-15-11	
ORDERED	SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
1		14" SAUSAGE PIZZA			14.80
1		14" PEPPERONI PIZZA			14.80
1		14" Am. Bacon, BL. OLIVE PIZZA			16.30
		TAX Exempt			0
		Total			45.90
		Pick-up 12:30			

adams 5840

INVOICE

SOLD TO Lombard Police Department		SHIP TO			
ADDRESS		ADDRESS			
CITY, STATE, ZIP Lombard, IL 60148		CITY, STATE, ZIP			
CUSTOMER ORDER NO.	SOLD BY	TERMS	F.O.B.	DATE 5-15-11	
ORDERED	SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
4		18" Cheese			70.40
5		18" S			98.00
4		18" S, GP, M			94.40
		TAX Exempt			0
		Total!			262.80

adams 5840



GIANORIOS PIZZA & PASTA
434 S MAIN ST
LOMBARD, IL 60148

863846

INVOICE

SOLD TO VILLAGE OF LOMBARD		SHIP TO			
ADDRESS		ADDRESS			
CITY, STATE, ZIP		CITY, STATE, ZIP			
CUSTOMER ORDER NO.	SOLD BY	TERMS	F.O.B.		
			DATE 4-21-11		
ORDERED	SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
1		18" CHEESE PIZZA			17.60
2		18" SAUSAGE PIZZA			39.20
1		18" M.O.G.P PIZZA			23.60
1		14" RANCHO PIZZA			N/C
1		1/2 TRAY SALAD			22.50
TAX Exempt					0
TOTAL					102.90

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DELIVER BY 5:30

ADDRESS LOMBARD TIRE WAPT.		ADDRESS			
CITY, STATE, ZIP		CITY, STATE, ZIP			
CUSTOMER ORDER NO.	SOLD BY	TERMS	F.O.B.		
			DATE		
ORDERED	SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
	3/22	2 18" CHEESE PIZZAS			35.20
	"	2 18" SAUSAGE PIZZAS			39.20
	"	1 16" SAUSAGE PIZZA			17.-
	3/23	2 18" CHEESE PIZZAS			35.20
	"	2 18" SAUSAGE PIZZAS			39.20
	"	1 16" SAUSAGE PIZZA			17.-
	3/24	2 18" CHEESE PIZZAS			35.20
	"	2 18" SAUSAGE PIZZAS			39.20
	"	1 16" SAUSAGE PIZZA			17.00

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TAX Exempt \$ ~~0~~
TOTAL 274.20