



ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to approve a Resolution authorizing and directing the Mayor and City Clerk to execute a Settlement Agreement and Mutual Release in The City of St. Charles v. Fox River & Countryside Fire/Rescue District.
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Presenter:	Brian Townsend/Gerry Gorski
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Please check appropriate box:

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
<input type="checkbox"/>	Planning & Development	<input checked="" type="checkbox"/>	City Council (1/7/13)
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	

Estimated Cost:		Budgeted:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
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If NO, please explain how item will be funded:

Executive Summary:

The City of St. Charles is currently engaged in litigation with the Fox River & Countryside Fire/Rescue District (formerly known as the St. Charles & Countryside Fire Protection District) regarding disputes pertaining to an intergovernmental agreement between the parties. The parties have agreed to settle the matter and a resolution to authorize the execution of the settlement agreement is required.

Attachments: *(please list)*

Resolution Authorizing Execution of the Settlement Agreement.

Recommendation / Suggested Action *(briefly explain):*

Staff recommends that the City Council approve a Resolution authorizing and directing the Mayor and City Clerk to execute a Settlement Agreement and Mutual Release in The City of St. Charles v. Fox River & Countryside Fire/Rescue District.

For office use only:

Agenda Item Number: IC

**City of St. Charles, Illinois
Resolution No. 2013- _____**

**A Resolution Authorizing and Directing the Mayor and City
Clerk to Execute a Certain Settlement Agreement and Mutual
Release in the City of St. Charles, Plaintiff V. Fox River &
Countryside Fire/Rescue District (Sixteenth Judicial Circuit
Kane County, Illinois)**

**Presented & Passed by the
City Council on _____, 2013**

BE IT RESOLVED, by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois as follows:

Section 1: That the Mayor and City Clerk be and the same are hereby authorized and directed to execute on behalf of the City of St. Charles that certain "Settlement Agreement" in the matter captioned *The City of St. Charles, Plaintiff v. Fox River & Countryside Fire/Rescue District* (Sixteenth Judicial Circuit), a copy of which is attached hereto as Exhibit "A" and made a part hereof.

Section 2: This Resolution shall be in full force and effect upon its adoption and approval in accordance with law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this ____ day of January 2013.

PASSED by the City Council of the City of St. Charles, Illinois, this ____ day of January 2013.

APPROVED by the Mayor of the City of St. Charles, Illinois, this _____ day of January 2013.

Donald P. DeWitte, Mayor

ATTESTL

City Clerk

COUNCIL VOTE:

Ayes: _____

Nays: _____

Absent: _____

Abstain: _____