**MEMORIAL PARK DISTRICT**

COOK COUNTY, ILLINOIS

**RESOLUTION**

NUMBER 2021-01

**A RESOLUTION**

**APPROVING AND AUTHORIZING**

**THE SETTLEMENT OF PENDING LITIGATION**

**BY AND BETWEEN**

**THE MEMORIAL PARK DISTRICT AND**

**FAITH BAILEY**

GWENDOLYN EVANS, President

MADALYN ARREDONDO, Vice-President

CHARLES J. MILLER

SALENA MARTINEZ

THEODORE “TED” STEISKAL

Park District Board

Published in pamphlet form by authority of the

President and the Board of Commissioners of Memorial Park District

on this the 17th day of August, 2021

RESOLUTION NO. 2021-01

**A RESOLUTION**

**APPROVING AND AUTHORIZING**

**THE SETTLEMENT OF PENDING LITIGATION**

**BY AND BETWEEN**

**THE MEMORIAL PARK DISTRICT AND**

**FAITH BAILEY**

 **WHEREAS**, the Memorial Park District, Cook County, Illinois, is a Park District organized pursuant to the laws of the State of Illinois (hereinafter referred to as the “Park District”);

 **WHEREAS**, Plaintiff, Faith Bailey, has made certain allegations in which the Memorial Park District has denied liability and has defended the claim of liability;

 **WHEREAS**, the Memorial Park District (hereinafter referred to as “Park District”) desires to avoid incurring further costs, expenses and the risks associated with litigation and trial;

 **WHEREAS**, the representatives for the parties have entered into discussions pertaining to the amicable resolution of the claim and the parties hereto have reached a resolution as to the issues raised in the claim and wish to terminate any possibility of litigation;

 **WHEREAS**, all parties hereto have had the benefit of counsel and have agreed to the terms of a settlement which have been reduced to the form and manner of a Release a copy of which is attached hereto and made a part hereof as Exhibit A; and

 **WHEREAS**, it is in the best interests of the Memorial Park District to approve the settlement of the litigation as referenced herein.

 **NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Memorial Park District, Cook County, Illinois, in open meeting assembled, hereby adopts the following:

**Section One - Recitals**

 The Board of Commissioners hereby find that all of the recitals hereinbefore stated as contained in the preamble to this resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this resolution as legislative findings.

**Section Two – Approval of Settlement**

The Memorial Park District Board of Commissioners hereby approves the settlement of the litigation referenced herein in an amount not to exceed $22,000.00.

**Section Three – Authorization and Direction**

 The Memorial Park Board of Commissioners hereby authorize the Director of Parks and Recreation to execute any and all documents necessary to effectuate the settlement of the litigation referenced herein and authorize the Board Secretary to attest to any such documents as shall be approved by the Park District’s Attorney including but not limited to the Release attached hereto and made a part hereof as Exhibit A.

**Section Four - Other Actions Authorized**

 The officers, employees and/or agents of the Park District shall take all actions necessary or reasonably required to carry out and give effect to the intent of this resolution and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

**Section Five - Authorization of Expenditures**

 The Board of Commissioners hereby authorize and direct the expenditure of all costs related to the settlement of the litigation referenced herein.

**Section Six - Acts of Park District Officials**

 That all past, present and future acts and doings of the officials of the Park District that are in conformity with the purpose and intent of this resolution are hereby, in all respects, ratified, approved, authorized and confirmed.

**Section Seven – Effective Date**

 This resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

**Section Eight – Conflict Clause**

 All resolutions, parts of resolutions or board actions in conflict herewith are hereby repealed to the extent of such conflict.

**Section Nine – Saving Clause**

 If any section, paragraph, clause or provision of this resolution is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this resolution, which are hereby declared to be separable.

**Section Ten – Recording**

 This resolution shall be entered into the minutes and upon the journals of the Memorial Park District.

Remainder of Page Intentionally Left Blank

 **DECIDED** pursuant to a roll call vote as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| Roll Call Vote: | Ayes | Nayes | Absent |
| Gwendolyn Evans, President |  |  |  |
| Madalyn Arredondo, Vice-President |  |  |  |
| Commissioner Charles J. Miller |  |  |  |
| Commissioner Selena Martinez |  |  |  |
| Commissioner Theodore “Ted” Steiskal |  |  |  |
| TOTAL |  |  |  |

 **PASSED AND APPROVED** by the Board of Commissioners of Memorial Park District, Cook County, Illinois, this the 17th day of August, 2021.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Gwendolyn Evans

 Board President

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Pamela Cobbs

Board Secretary

**STATE OF ILLINOIS )**

 **) SS**

**COUNTY OF COOK )**

 I, Pamela Cobbs, do hereby certify that I am the duly appointed, and qualified Park District Secretary in and for the Memorial Park District, Cook, County, Illinois; that I am the keeper of the files, records, and seal of said Park District, and that the following is a true and correct copy of Resolution No.2021-01

**A RESOLUTION**

**APPROVING AND AUTHORIZING**

**THE SETTLEMENT OF PENDING LITIGATION**

**BY AND BETWEEN**

**THE MEMORIAL PARK DISTRICT AND FAITH BAILEY**

adopted and approved by the Board of Commissioners at an official meeting held on August 17, 2021 and that the vote on the motion for adoption was as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | YES | NO | ABSENT | PRESENT |
|  |  |  |  |  |
| Gwendolyn Evans |  |  |  |  |
| Madalyn Arredondo |  |  |  |  |
| Charles J. Miller |  |  |  |  |
| Selena Martinez |  |  |  |  |
| Theodore “Ted” Steiskal |  |  |  |  |
|  |  |  |  |  |
| TOTAL |  |  |  |  |

 I do further certify that the deliberations of the Board on the adoption of said Resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Park District Code of the Memorial Park District, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

 I further state that this Certification is issued under my hand and the seal of the Memorial Park District as required in the Illinois Park District Code.

 **IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Memorial Park District, Cook County, Illinois on the date set forth herein.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (SEAL)

Pamela Cobbs

Board Secretary

Exhibit A

Release