

RESOLUTION 10-12

**CITY OF MILLBRAE, COUNTY OF SAN MATEO
STATE OF CALIFORNIA**

**AUTHORIZING EXECUTION OF AN AGREEMENT AMENDING TREATMENT OF
UNEXPENDED FUNDS RAISED FOR MILLBRAE COMMUNITY YOUTH CENTER**

WHEREAS, the City of Millbrae, the Millbrae School District and the Millbrae Lions Club previously entered into agreements contemplating the City's renovation and use of the Scout House for youth programs and activities once the community raised at least \$250,000 in resources to support such renovation and use; and

WHEREAS, the Millbrae Lions Club (Lions) and the Millbrae Community Foundation (MCF) have developed a Designated Fund Agreement to address certain procedures and responsibilities for handling the funds raised for this project, now referred to as the "Millbrae Community Youth Center"; and

WHEREAS, the Lions and the MCF have requested the City also to sign the Designated Fund Agreement to acknowledge that the MCF will retain the funds raised for the project until such time as the City elects to proceed, and return contributions to donors who request it in the event the project does not proceed; and

WHEREAS, since the original agreement for the project envisioned the City retaining any unexpended funds should the project not proceed, the shift in this role to the MCF represents an amendment of Paragraph G to the Property Transfer Agreement, dated December 16, 2008, between the City and the Lions; and

WHEREAS, the City Council supports this change in the treatment of unexpended funds for the project if it does not proceed.

NOW, THEREFORE, BE IT RESOLVED, that the Millbrae City Council authorizes the City Manager to execute the Designated Fund Agreement thereby recognizing an amendment to Paragraph G of the Property Transfer Agreement as follows:

(1) The Millbrae Community Foundation, rather than the City, will retain the funds raised to support the Millbrae Community Youth Center until such time as the City elects to proceed with the project; and

(2) Should the project not proceed, the unexpended monies in the Millbrae Community Foundation's Project Fund will remain with the Millbrae Community Foundation to be used for youth programs and service grants.

REGULARLY PASSED and adopted this 9th day of March, 2010.



MAYOR

ATTEST:



CITY CLERK

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 9th day of March 2010, by the following vote:

AYES:	COUNCILMEMBERS:	Seto, Quigg, Colapietro, Papan, and Holober
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
EXCUSED:	COUNCILMEMBERS:	None


CITY CLERK