

RESOLUTION 10-18

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

**AMEND FY 09/10 BUDGET TO AUTHORIZE FUNDING RELATED TO THE SAN
FRANCISCO BAYKEEPERS LAWSUIT**

WHEREAS, on October 1, 2009, the City was provided a 60 day Notice of Violations and Intent to File Suit under the Federal Water Pollution Control Act from the San Francisco Baykeeper; and

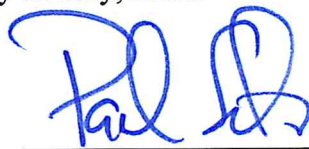
WHEREAS, on October 27, 2009 City Council adopted a resolution amending FY09/10 budget in the Sanitation Enterprise Fund and appropriated \$125,000 in funding to cover consultant and legal services to evaluate the alleged violations, to defend the city and to work with Baykeeper to negotiate a settlement; and

WHEREAS, the initial budget, which did not contemplate litigation activities nor the protracted information requests and demands from Baykeeper for additional data, has been exhausted due to a lengthy negotiation process with San Francisco Baykeeper and their insistence on initiating and pursuing litigation activities in federal court; and

WHEREAS, additional budget is needed to bring negotiations with Baykeeper to a close, to prepare a Consent Decree and to dismiss the lawsuit without further litigation activities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Millbrae that FY 09/10 budget be amended to include \$110,000 appropriation for the activities recited above to settle the lawsuit filed by the San Francisco Baykeeper.

REGULARLY PASSED and adopted this 11th day of May, 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 11th day of May 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