

10. OLD BUSINESS

a. Water Quality Issues

4. **RESOLUTION 06-094 AMENDING RESOLUTION 06-068 WHICH ESTABLISHED THE CITY OF SANIBEL ENVIRONMENTAL LEGAL DEFENSE FUND; AMENDING SUCH RESOLUTION TO EXPAND THE PURPOSES AND USES FOR SUCH FUND; AND PROVIDING AN EFFECTIVE DATE**

**CITY OF SANIBEL
RESOLUTION 06-094**

A RESOLUTION AMENDING RESOLUTION 06-068 WHICH ESTABLISHED THE CITY OF SANIBEL ENVIRONMENTAL LEGAL DEFENSE FUND; AMENDING SUCH RESOLUTION TO EXPAND THE PURPOSES AND USES FOR SUCH FUND; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted City of Sanibel Resolution 06-068 to establish the City of Sanibel Environmental Legal Defense Fund in order to provide a mechanism for contributions by the general public to legal costs and certain other administrative costs paid by the City in defending the health and integrity of the water surrounding the City of Sanibel, including it's bays and estuaries, from the disastrous effects of the freshwater releases from Lake Okeechobee; and

WHEREAS, it has been recommended to the City Council that the purposes and the uses for such contributions from the general public be expanded to include any matter relating to the defense or protection of Sanibel's environment; and

WHEREAS, the City Council finds that it is appropriate and in the best interest of the citizens of Sanibel to expand the purposes and uses for the citizen contributions to the Sanibel Environmental Legal Defense Fund;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sanibel, Florida, that:

SECTION 1. All funds contributed to the Sanibel Environmental Legal Defense Fund shall be maintained in a Special Revenue Fund established by the City and shall be used for legal fees, expert and consultant fees, and related costs and fees and for "out-of-pocket" costs (e.g. educational mailings and activities, notices, public affairs consultant, etc.) expended by the City in it's effort:

- a. To protect the waters surrounding Sanibel Island, including it's bays and estuaries, from the adverse effects of massive nutrient-laden freshwater releases from Lake Okeechobee; and/or
- b. To protect any aspect of the environment of the City of Sanibel deemed necessary or appropriate by the Sanibel City Council.

SECTION 2. This resolution shall amend City of Sanibel Resolution 06-068.

SECTION 3. This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Sanibel, Florida, this 18^h day of May, 2006.

AUTHENTICATION:

Carla Brooks Johnston, Mayor

Pamela Smith, City Clerk

APPROVED AS TO FORM:

Kenneth B. Cuyler
Kenneth B. Cuyler, City Attorney

6/22/06
Date

Vote of Council Members:

Johnston _____
Denham _____
Brown _____
Jennings _____
Rothman _____

Date filed with City Clerk: _____