

RESOLUTION NO. _____

Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Appropriate \$150,000.00 (One Hundred Fifty Thousand Dollars) From The Class Action Settlement Agreement With Monsanto Company To Account Number 475-24475011

WHEREAS, the Monsanto Company manufactured, sold, tested, disposed, released, marketed, promoted, and managed polychlorinated biphenyls (PCBs); and

WHEREAS, PCBs are toxic and persistent in the environment, including the San Francisco Bay; and

WHEREAS, the City of Emeryville is obligated under the Municipal Regional Permit (MRP) issued by the San Francisco Regional Water Quality Control Board to control the runoff of PCBs in stormwater to the San Francisco Bay; and

WHEREAS, a Class Action was filed against Monsanto Company related to the impairments to the environment from PCBs, which was settled in 2020 with amendments in 2021; and

WHEREAS, the City of Emeryville was a Class Member in that lawsuit and was awarded compensatory damages in the amount of \$219,989.00 in April 2024 that was allocated to Account Number 475-2447501;

WHEREAS, the City of Emeryville applied for additional relief due to significant incurred and anticipated costs relating to PCB remediation and MRP compliance and was awarded compensatory damages in the amount of \$150,000.00 in May, 2025;

WHEREAS, the City of Emeryville's costs for managing PCB runoff in compliance with the MRP are maintained in the Capital Improvement Plan project ESI-01, account 475-24475011; now, therefore, be it

RESOLVED, by the City Council of the City of Emeryville that the City Manager is authorized to appropriate the amount of \$150,000 from the Class Action Settlement Agreement With Monsanto Company to Capital Improvement Plan project ESI-01, Account Number 475-24475011 for use in efforts to control PCB runoff in the City's stormwater system.

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ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Tuesday, July 1, 2025, by the following vote:

AYES:	_____	_____
NOES:	_____	_____
ABSTAIN:	_____	_____
ABSENT:	_____	_____

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO FORM:

DocuSigned by:
John Kennedy
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CITY ATTORNEY