

RESOLUTION NO. 112-09

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,
APPROPRIATING THE AMOUNTS RECEIVED FROM THE SETTLEMENT OF THE
CHEVRON UTILITY USER TAX UNDERPAYMENT TO THE GENERAL FUND**

WHEREAS, on February 17, 2009, the Council of the City of Richmond, California, approved a settlement with Chevron USA regarding a dispute over Chevron's underpayment of its utility user tax; and

WHEREAS, pursuant to the settlement agreement Chevron was to pay twenty-eight million dollars (\$28,000,000) with an immediate cash payment of thirteen million dollars (\$13,000,000) in fiscal year 2008-2009 and the remaining fifteen million dollars (\$15,000,000) being paid to the City over the next three years; and

WHEREAS, three million dollars (\$3,000,000) of the initial thirteen million dollar (\$13,000,000) cash payment was to be dedicated to the Bay Trail through Richmond; and

WHEREAS, there was no designation for the ten million dollars (\$10,000,000) remaining after the three million dollars (\$3,000,000) dedicated to the Bay Trail was deducted from the initial thirteen million dollars (\$13,000,000); and

WHEREAS, utility user taxes are generally a component of the general fund revenues and are used for general fund purposes; and

WHEREAS, the City Council desires to allocate the remaining ten million dollars (\$10,000,000) of the initial Chevron settlement payment to the general fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richmond that ten million dollars (\$10,000,000) of the initial thirteen million dollar (\$13,000,000) Chevron utility user tax settlement payment to the general fund revenues for fiscal year 2008-2009.

I hereby certify that the foregoing resolution of the Council of the City of Richmond was duly passed and adopted at a meeting thereof held October 13, 2009, by the following vote:

AYES: Councilmembers Bates, Butt, Rogers, Ritterman, Viramontes,
Vice Mayor Lopez, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 112-09**, finally passed and adopted by the Council of the City of Richmond at a meeting held on October 13, 2009.