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.