

1 [Authorizing consulting firm to examine confidential State Board of Equalization tax records.]

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3 **Resolution authorizing Bay Area Economics to examine sales or transaction and use**
4 **tax records of the State Board of Equalization on behalf of the City and County of San**
5 **Francisco pursuant to California Revenue and Taxation Code Section 7056.**

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7 WHEREAS, The City and County of San Francisco has entered into a contract with the
8 firm of Bay Area Economics (BAE) to perform consulting services related to determining
9 allowable recovery of City service expenditures from public trust revenues held in the Harbor
10 Revenue fund (Charter Section B6.406); and

11 WHEREAS, Section 7056 of the California Revenue and Taxation Code allows the
12 governing body of a city and county by resolution to authorize persons other than officers and
13 employees to examine confidential sales or transaction and use tax records of the State
14 Board of Equalization on behalf of the City and County, subject to certain conditions; now,
15 therefore, be it,

16 RESOLVED, That the City and County of San Francisco certifies that BAE : (1) has an
17 existing contract with the City and County to examine those sales or transaction and use tax
18 records; (2) is required by that contract to disclose information contained in, or derived from,
19 those sales or transaction and use tax records only to an officer or employee of the City and
20 County who is authorized under Section 7056 of the California Revenue and Taxation Code to
21 examine the information; (3) is prohibited by that contract from performing consulting services
22 for a retailer during the term of that contract; and (4) is prohibited by that contract from
23 retaining the information contained in, or derived from, those sales or transaction and use tax
24 records after the contract has expired; and be it

1 FURTHER RESOLVED, That the firm of Bay Area Economics is authorized to examine
2 sales or transaction and use tax records of the State Board of Equalization on behalf of the
3 City and County; and be it

4 FURTHER RESOLVED, That information obtained by examination of said State Board
5 of Equalization records shall be used only for purposes related to the collection of City and
6 County sales or transaction and use taxes for the area under jurisdiction of the San Francisco
7 Port Commission and be it

8 FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall transmit a
9 certified copy of this Resolution to: State Board of Equalization, P.O. Box 942879,
10 Sacramento, CA 94279-0027, Attn: Senior Tax Auditor.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 031421

Date Passed:

Resolution authorizing Bay Area Economics to examine sales or transaction and use tax records of the State Board of Equalization on behalf of the City and County of San Francisco pursuant to California Revenue and Taxation Code Section 7056.

August 19, 2003 Board of Supervisors — CONTINUED

Ayes: 7 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin

Absent: 1 - Newsom

Excused: 3 - Daly, Maxwell, Sandoval

August 26, 2003 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin,
Sandoval


Excused: 2 - Daly, Dufty


File No. 031421

I hereby certify that the foregoing Resolution was ADOPTED on August 26, 2003 by the Board of Supervisors of the City and County of San Francisco.

AUG 28 2003

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Willie L. Brown Jr.