

RESOLUTION NO. STA 07-_____

**A RESOLUTION AUTHORIZING
EXAMINATION of TRANSACTIONS (SALES) and USE TAX RECORDS**

WHEREAS, pursuant to Ordinance No. STA-0002 and STA-04-01 of the Sacramento Transportation Authority (STA) and Section 7270 of the Revenue and Taxation code, the STA entered into a contract with the State Board of Equalization to perform all functions incident to the administration and operation of the Measure A Transactions and Use Tax; and

WHEREAS, STA deems it desirable and necessary for authorized representatives of the STA to examine confidential transactions and use tax records of the State Board of Equalization pertaining to transactions and use taxes collected by the Board for STA pursuant to that contract; and

WHEREAS, Section 7056 of the Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Board of Equalization records, and establishes criminal penalties for the unlawful disclosure of information contained in or derived from the transactions and use tax records of the Board;

**NOW, THEREFORE THE GOVERNING BOARD OF THE SACRAMENTO
TRANSPORTATION AUTHORITY RESOLVES AS FOLLOWS:**

1. That the Executive Director or Senior Transportation Administrator or an officer or employee of the STA designated in writing by the Executive Director to the State Board of Equalization is hereby appointed to represent STA with authority to examine transactions and use tax records of the Board pertaining to transactions and use taxes collected for STA by the Board pursuant to the contract between STA and the Board. The information obtained by examination of Board records shall be used only for purposes related to the collection of the transactions and use taxes by the Board pursuant to the contract.
2. That the Executive Director or Senior Transportation Administrator or other officer or employee of STA designated in writing by the Executive Director to the Board of Equalization is hereby appointed to represent STA with authority to examine those transactions and use tax records of the Board for purposes related to the following governmental functions of STA:
 - a) Review of sales tax records to ensure proper allocation and remittance to STA.
 - b) Other governmental functions as required by STA

The information obtained by examination of Board records shall be used only for those governmental functions of STA listed above.

3. That MuniServices, LLC is hereby designated to examine the transactions and use tax records of the Board of Equalization pertaining to the transactions and use taxes

collected for STA by the Board. The person or entity designated by this section meets all of the following conditions:

- a) has an existing contract with STA to examine those transactions and use tax records;
- b) is required by that contract to disclose information contained in, or derived from those transactions and use tax records only to the officer or employee authorized under Sections 1 & 2 above;
- c) is prohibited by that contract from performing consulting services for a retailer during the term of that contract;
- d) is prohibited by that contract from retaining the information contained in, or derived from, those transactions and use tax records after that contract has expired.

BE IT FURTHER RESOLVED that the information obtained by examination of Board records shall be used only for purposes related to the collection of transactions and use taxes for STA by the Board pursuant to the contract between STA and Board.

Adopted by the Governing Board of the Sacramento Transportation Authority this 8th day of November, 2007.

AYES:

NOES:

ABSTAIN:

ABSENT:

Ken Cooley
Chair of the Governing Board

ATTEST:

Clerk of the Board