

**RESOLUTION NO. 2022-301**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING EXAMINATION OF  
SALES OR TRANSACTIONS AND USE TAXES RECORDS**

**WHEREAS**, pursuant to Ordinance No. 23-2022 of the City of Elk Grove (City) and Revenue and Taxation Code section 7270, the City entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions incidental to the administration and collection of sales and use taxes; and

**WHEREAS**, the City Council of the City of Elk Grove deems it desirable and necessary for an authorized representative of the City to examine confidential sales and use tax records of the California Department of Tax and Fee Administration (Department) pertaining to sales and use taxes collected by the Department for the City pursuant to that contract; and

**WHEREAS**, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Department records, and Section 7056.5 of the California Revenue and Taxation Code establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales or transactions and use tax records of the Department.

**NOW, THEREFORE**, the City Council of the City of Elk Grove hereby resolves as follows:

**Section 1.** That the City Manager, or other officer or employee of the City designated in writing by the City Manager to the California Department of Tax and Fee Administration, is hereby appointed to represent the City with authority to examine sales or transactions and use tax records of the Department pertaining to transactions and use taxes collected for the City by the Department pursuant to the contract between the City and the Department.

**Section 2.** That the information obtained by examination of Department records shall be used only for purposes related to the collection of City transactions and use taxes by the Department pursuant to that contract and the following governmental functions:

- (a) Budget Development
- (b) Revenue Analysis and Forecasting
- (c) Economic Development
- (d) Economic Analysis
- (e) Strategic Planning and Innovation

The information obtained by examination of Department records shall be used only for those governmental functions of the City listed above.

**Section 3.** That Hinderliter, De Llamas & Associates dba HdL Companies (HdL Companies) is hereby designated to examine the sales or transactions and use tax records of the Department pertaining to transactions and use taxes collected for the City by the Department. The person or entity designated by this section meets all of the following conditions, which are also included in the contract between the City and HdL Companies:

- a) has an existing contract with the District to examine those sales or transactions and use tax records;
- b) is required by that contract to disclose information contained in, or derived from, those sales or transactions and use tax records only to the officer or employee authorized under Section 1 of this resolution to examine the information.
- 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 sales or transactions and use tax records, after that contract has expired.

**BE IT FURTHER RESOLVED** that the information obtained by examination of Department records shall be used only for purposes related to the collection of District transactions and use taxes by the Department pursuant to the contract between the District and the Department and for those purposes relating to the governmental functions of the District listed in section 2 of this resolution.

**Section 4.** That this resolution supercedes all prior resolutions of the City Council of the City of Elk Grove adopted pursuant to subdivision (b) of Revenue and Taxation Code section 7056.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 14<sup>th</sup> day of December 2022




BOBBIE SINGH-ALLEN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,  
CITY ATTORNEY

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2022-301**

STATE OF CALIFORNIA        )  
COUNTY OF SACRAMENTO    )        ss  
CITY OF ELK GROVE         )

*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on December 14, 2022 by the following vote:*

**AYES:**           **COUNCILMEMBERS:** *Singh-Allen, Spease, Brewer, Robles, Suen*

**NOES:**           **COUNCILMEMBERS:** *None*

**ABSTAIN:**       **COUNCILMEMBERS:** *None*

**ABSENT:**       **COUNCILMEMBERS:** *None*

  
\_\_\_\_\_  
**Jason Lindgren, City Clerk**  
**City of Elk Grove, California**