

RESOLUTION NO. 25-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE,
CALIFORNIA, AUTHORIZING THE EXAMINATION OF THE CITY'S
TRANSACTIONS AND USE TAX RECORDS.**

WHEREAS, pursuant to Ordinance No. 2016-199 of the City of Menifee ("City") and Section 7270 of the Revenue and Taxation Code, the City entered into a contract with the State Board of Equalization ("Board of Equalization" or "Board") to perform all functions incident to the administration and operation of the Transactions and Use Tax Ordinance; and,

WHEREAS, the City deems it desirable and necessary for authorized representatives of the City 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 the City 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 City Council of the City of Menifee resolves and orders as follows:

Section 1. That the City Manager, Finance Director, Accounting Manager, or other officer or employee of the City designated in writing by either the City Manager or Finance Director to the Board of Equalization is hereby appointed to represent the City with authority to examine transactions and use tax records of the Board pertaining to transactions and use taxes collected for the City by the Board pursuant to the contract between the City and the Board. The information obtained by examination of Board records shall be used only for purposes related to the collection of the City's transactions and use taxes by the Board pursuant to the contract.

Section 2. That the City Manager, Finance Director, Accounting Manager, or other officer or employee of the City designated in writing by the City Manager or Finance Director to the Board of Equalization is hereby appointed to represent the City with authority to examine those transactions and use tax records of the Board for purposes related to the following governmental functions of the City:

- a) Administrative
- b) Budgeting & Forecasting
- c) Economic Development
- d) Monetary Oversight
- e) Planning

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

Section 3. That Hinderliter, de Llamas (HdL) Companies is hereby designated to examine the transactions and use tax records of the Board of Equalization pertaining to transactions and use taxes collected for the City by the Board. The person or entity designated by this section

meets all of the following conditions:

- a) has an existing contract with the City 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 Section 1 or Section 2 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; and
- 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.

Section 4. That Urban3, LLC, is hereby designated to examine the transactions and use tax records of the Board of Equalization pertaining to transactions and use taxes collected for the City by the Board. The person or entity designated by this section meets all of the following conditions:

- a) has an existing contract with the City 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 Section 1 or Section 2 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; and
- 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.

Section 5. This Resolution is not subject to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA") pursuant to sections 15060(c)(2) (the activities will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activities are not a project as defined in section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3.

Section 6. The City Clerk shall certify to the adoption of this Resolution.

Section 7. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2025.

Ricky Estrada, Mayor

Attest:

Stephanie Roseen, City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney