

# ATTACHMENT B

Resolution 24-xx

Authorizing the Examination of Transactions (Sales) and Use Tax  
Records

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF LANCASTER, CALIFORNIA, AUTHORIZING THE  
EXAMINATION OF TRANSACTIONS (SALES) AND USE  
TAX RECORDS

WHEREAS, pursuant to Ordinance 1122, the City of Lancaster entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions incident to the administration and collection of local sales, use, and transactions taxes; and

WHEREAS, The City Council of the City of Lancaster deems it desirable and necessary for authorized representatives of the City of examine confidential sales, use and transactions tax records of the Department pertaining to sales, use and transactions taxes collected on behalf of 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 establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales, use and transactions tax records of the Department.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER 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 Department is hereby appointed to represent the City of Lancaster with authority to examine sales, use, and transactions tax records of the Department pertaining to sales, use, and transactions taxes collected for the City by the Department pursuant to the contract between the City and the Department. The information obtained by examination of Department records shall be used only for purposes related to the collection of City sales, use and transactions taxes by the Department pursuant to that contract.

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

- (a) City administration
- (b) Revenue management and budgeting
- (c) Community and economic development
- (d) Business license administration

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, deLlamas & Associates is hereby designated to examine the sales, use, and transaction taxes collected for the City by the Department. The person or entity designated by this section meets all of the following conditions:

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

The information obtained by examination of Department records shall be used only for purposes related to the collection of City sales, use and transactions taxes by the Department pursuant to the contract between the City and the Department and for purposes relating to the governmental functions of the City listed in section 2 of this resolution.

Resolution 24-XX

Page 3

PASSES, APPROVED and ADOPTED this 18th day of December 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
ANDREA ALEXANDER  
City Clerk  
City of Lancaster

\_\_\_\_\_  
R. REX PARRIS  
Mayor  
City of Lancaster

STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    )ss  
CITY OF LANCASTER           )

CERTIFICATION OF RESOLUTION  
CITY COUNCIL

I, Andrea Alexander, City Clerk of the City of Lancaster, do hereby certify that this is a true and correct copy of the original Resolution No. 20-65, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this \_\_\_\_\_ day  
of December, 2020.

(seal)

\_\_\_\_\_