



STATE BOARD OF EQUALIZATION  
450 N STREET, SACRAMENTO, CALIFORNIA  
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0080  
(916) 322-2270 • FAX (916) 324-3984  
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BETTY T. YEE  
First District, San Francisco

MICHELLE STEEL  
Third District, Rolling Hills Estates

JEROME E. HORTON  
Fourth District, Los Angeles

JOHN CHIANG  
State Controller

BARBARA ALBY  
Acting Member  
Second District, Sacramento

RAMON J. HIRSIG  
Executive Director

**STATE BOARD OF EQUALIZATION MEETING**  
**450 N Street, Room 121, Sacramento**  
**August 24-25, 2010**

**PRELIMINARY RECORD OF BOARD ACTIONS**

**Tuesday, August 24, 2010**

The following is a preliminary record of Board actions taken at the August 24-25, 2010 Board Meeting. This is not an official record and is subject to correction or modification. The official record of the Board's actions is the minutes of the Board, which will be adopted at a subsequent meeting.

The Board's decision reflects only the issues resolved by the Board at the meeting. Issues resolved prior to the meeting are not reflected in this document.

If you would like specific information regarding items on this Preliminary Record of Board Action, please telephone Joann Richmond at 916-322-1931 or e-mail: [Joann.Richmond@boe.ca.gov](mailto:Joann.Richmond@boe.ca.gov). Please be advised that material containing confidential taxpayer information cannot be publicly disclosed.

A. Homeowner and Renter Property Tax Assistance Hearings  
There are no items for this matter.

**B. Corporate Franchise and Personal Income Tax Hearings**

B1. Christopher J. Hadsell and Catherine C. Hadsell, 477797

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
No final Board determination.	Ms. Yee	Yes
Deferred to a later date.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## B2. Noel Yi and Meiling Yi, 479854

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
No final Board determination.	Ms. Yee	Yes
Deferred to September 2010.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## B3. Brent C. Welling and Viki Lee Welling, 348029

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
No final Board determination.	Ms. Yee	Yes
Deferred to a later date.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## B4. Maureen T. Scarbery and Brian E. Scarbery, 480106

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' appeal denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

**C. Sales and Use Tax Appeals Hearings**

These items are scheduled for Wednesday, August 25, 2010.

There are no items for the following matters:

- D. Special Taxes Appeals Hearings
- E. Property Tax Appeals Hearings

**F. Public Hearing**

This item is scheduled for the afternoon session.

**G. Tax Program Nonappearance Matters – Consent**

## G1. Legal Appeals Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
No final determination on sub-item 1.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- Hearing Notice Sent – No Response
  1. ~~Mark S. Harris, 382766, 382767 (ET)~~
  2. Surinderjeet S. Hundal, 448324 (KH)
  3. Ronnie A. Margolis, 343234 (AC)
  4. Paul L. Swanson, 417810 (GH)
  5. Ron Dixon, 373224 (KH)
  6. Ron J. Keifer, 436183 (KH)
  - 7a. MHCS, Inc., 392204 (OH)
  - 7b. ABC Medical Supply, Inc., 392205 (KH)
- Hearing Notice Sent – Appearance Waived
  8. Frank's Foreign Car Service, Inc., 336170, 353594 (EA)
  9. Stephen Anthony Fernando and Vivina B. Fernando, 468671, 489812 (EH)
- Petitions for Release of Seized Property
  10. Sor Lo, 524507 (ET)
  11. Prasad Leon Pollayil, 528874 (ET)
  12. Mahana Askandafi, 530882 (ET)
  13. David Odom, et al., 530188 (ET)
  14. Alla Eddine Beddar Benhamimi, 524525 (ET)
  15. Adel Mubaraka and Mountaha Mubaraka, 530896 (ET)
  16. Adellita Adel Kurdi, 530199 (ET)
  17. Yong Joa Lee, 527350 (ET)
  18. Yen Oanh Thi Pham, 527340 (ET)
  19. First Funding Capital, Inc., 527319 (ET)
  20. Karen Bau, 530195 (ET)
  21. Jesus Adabache Ortiz and Armando Flores Esquivel, 529430 (ET)
- Petitions for Rehearing
  - 22a. Eric Brian Scherz, 401795 (CH)
  - 22b. Rebecca Ann Scherz, 416659 (CH)
  23. Testout Corporation, 400769 (OH)

## G2. Franchise and Income Tax Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
No final determination on sub-items 13 and 15.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## ➤ Decisions

1. Claude Boehm, 470273
2. Ronald R. Diamond and Elaine Diamond, 472937
3. DRC Properties, LLC, 473517
4. Michael R. Forbes, 479662
5. Thomas P. Jones II, 472660
6. Kenneth W. Knutson and Angela M. Knutson, 440749
7. Michele C. Kunz, 488148
8. Edward Martinez, 473585
9. John Mauricio (Deceased), 467789
10. Third Step Productions, LLC, 351210
11. Nayankumar Patel and Ragini Patel, 493155
12. Gwendolyn A. Webber, 485103

## ➤ Petitions for Rehearing

- ~~13. Bruce Culver and Donna Turner Culver, 480448~~
14. Jerry Douglas and Annamaria Douglas, 423815
- ~~15. Donald A. Wattson and Christine A. Wattson, 446005~~

## G3. Homeowner and Renter Property Tax Assistance Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## ➤ Decisions

1. Ronnie Crawford, 444023
2. Maria Dodos, 484589
3. Frank Gaines, 478805
4. Scott W. Hanks, 444212
5. Lillie Hinton, 437554
6. Jimmy Hooper, 425151
7. Bridget E. Johnson, 434339
8. Carlos Mercado, 398640
9. Jose Munetones, 480381
10. Maria Elena Padilla, 442545

11. Moises Perea Romo, 449941
12. Elizabeth Rowland, 480584
13. Kenneth Savidge, 441583
- Petition for Rehearing
14. A. Woods, 443186

#### G4. Sales and Use Taxes Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- Redeterminations
  1. Fleetwood Enterprises, Inc., 513910 (EH)
  2. Synthes North America, Inc., 488961 (OH)
  3. Mark Glassman, 430594 (JH)
  4. Mark Hayes Stuart, 523244 (EH)
  5. Imax Corporation, 464386 (OH)
  6. Chrysler Financial Company, LLC, 263012 (OH)
  7. Autohaus West, LLC, 489021 (EA)
  8. American Apparel, LLC, 489340 (AA)
  9. Cellco Partnership, 487055 (OH)
  10. Steve Lee, 467788 (GH)
  11. Nextel of California, Inc., 482477 (OH)
  12. GTE Mobilnet of Santa Barbara, LP, 479518 (OH)
  13. Cenvo Corporation, 483493 (OH)
  14. Serco Management Services, Inc., 400359 (OH)
  15. Arredondo Group, Inc., 459784 (AA)
  16. American Apparel, Inc., 489343 (AA)
  17. Windorware, LLC, 509660 (AR)
- Relief of Penalty/Interest
  18. Tesoro Refining and Marketing Company, 533375 (OH)
  19. Cardinal Health 200, Inc., 530784 (OH)
- Denials of Claims for Refund
  20. Callidus Technologies, 479649 (OH)
  21. Century Steel Holdings, Inc., 352041 (AA)
  22. Corona Networks, Inc., 224524 (GH)
  23. Institutional Superstore, LP, 450879 (OH)

## G5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
No final determination on sub-items 25.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes, except not participating in sub-items 7 and 9.

## ➤ Credits and Cancellations

1. Paramount Petroleum Corporation, 487706 (AA)
2. Beverly Hills Antiques, Inc., 532027 (AS)
3. Qiagen Operon, Inc., 523749 (CH)
4. Fullerton Dodge, Inc., 531720 (EA)
5. Gold Key Lease, Inc., 203924 (OH)
6. Hanes & Associates, Inc., 496292 (AR)

## ➤ Refunds

7. Toyota Motor Sales, U.S.A., Inc., 490630 (AS)
8. Advance Business Graphics, 416034 (EH)
9. Nissan North America, Inc., 532365 (OH)
10. Bank of the West, 361937 (CH)
11. Redwood Credit Union, 515872 (JH)
12. United States Pipe & Foundry Company, 480716 (OH)
13. Chrysler, LLC, 532990 (OH)
14. Sprint Spectrum Equipment Company, LP, 463894 (OH)
15. Plavan Commercial Fueling, Inc., 533523 (FH)
16. Mirant California, LLC, 531393 (CH)
17. Amphastar Pharmaceuticals, Inc., 529209 (EH)
18. Metso Paper USA, Inc., 478145 (OH)
19. Wells Fargo Dealer Services, Inc., 515828 (EA)
20. Calpine Corporation, 438009 (GH)
21. Hansen Beverage Company, 448412 (EH)
22. Travis Credit Union, 515860 (JH)
23. Wescom Credit Union, 519018 (AP)
24. Arcadia Financial, Ltd, 515831 (OH)
25. ~~California Coast Credit Union, 465442 (FH)~~
26. Transouth Financial Corporation, 515844 (OH)
27. American Finance & Associates Corp., 479659 (AC)
28. The Trizetto Group, Inc., 531991 (EA)
29. Bay Federal Credit Union, 515859 (GH)
30. Nextel Systems Corporation, 479249 (OH)
31. KC Employees Federal Credit Union, 509991 (AR)
32. Bio-Medical Applications of California, 468191 (OH)
33. Redbox Automated Retail, LLC, 520130 (OH)
34. ABG Acquisition Corporation, 530336 (EH)

There are no items for the following matters:

- G6. Special Taxes Matters
- G7. Special Taxes Matters – Credits, Cancellations, and Refunds
- G8. Property Tax Matters
- G9. Cigarette License Fee Matters
- G10. Legal Appeals Property Tax Matters

#### H. Tax Program Nonappearance Matters – Adjudicatory

H1. Legal Appeals Matters

- Hearing Notice Sent – No Response
  - 1. ~~John Ray James Ford, 436515 (JH)~~
- Cases Heard But Not Decided
  - 2a. Elizabeth Wardley Kwong, 316054 (AP)
  - 2b. Raymond Wah Kwong, 316055 (AP)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' petitions partially granted/denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

3. Medical Equipment & Supplies Discount Center, Inc., 400764 (EH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition partially granted/denied.	Ms. Yee	Yes
	Ms. Alby	No
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

4. A Realty Publications, Inc., 343231, 373181, 379332, 391653 (EH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petitions denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Not participating

## H2. Franchise and Income Tax Matters

## ➤ Decisions

## 1. James R. Evans and Robin B. Evans, 416415

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' appeal partially granted/denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## 2. Adele J. Fasano, 474165

## 3. Kenneth K. Low and Linda Marissa Low, 474345

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' appeal denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## ➤ Petitions for Rehearing

## 4. Joe L. Santos, 445970

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition for rehearing granted.	Ms. Yee	No
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	No

## 5. Klaus W. Wang, 441035

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition for rehearing granted.	Ms. Yee	No
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	No

## H3. Homeowner and Renter Property Tax Assistance Matters

## ➤ Decision

## 1. Melva M. Johnson, 443872

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's appeal denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## H4. Sales and Use Taxes Matters

There are no items for this matter.

## H5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds

## ➤ Refund

## 1. Wells Fargo Dealer Services, Inc., 492529 (EA)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's claim granted.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

There are no items for the following matters:

H6. Special Taxes Matters

H7. Special Taxes Matters – Credits, Cancellations, and Refunds

H8. Property Tax Matters

H9. Cigarette License Fee Matters

H10. Legal Appeals Property Tax Matters

**I. Tax Program Nonappearance Matters**

## I1. Property Taxes Matters

There are no items for this matter.

## I2. Offers in Compromise Recommendations

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang	Yes

1. Mal-Wal of Southern California
2. George and Magee Bralla
3. Paul Spraetz
4. Hiep Tu Thai and Russell's Seafood Palace Corp.
5. Bobby Ross Willis and Sandra Mae Willis
6. Kwang Min Lee and Myung Suk Lee

## I3. Local Tax Reallocation Matters

There are no items for this matter.

**Chief Counsel Matters**

There are no items for the following matters:

- J. Rulemaking
- K. Business Taxes
- L. Property Taxes
- M. Other Chief Counsel Matters

**Administrative Session**

The following items are scheduled for Wednesday, August 25, 2010.

- N. Consent Agenda
- O. Adoption of Board Committee Reports and Approval of Committee Actions
- P. Other Administrative Matters

**Q. Closed Session**

These items are scheduled for Wednesday, August 25, 2010.

**B. Corporate Franchise and Personal Income Tax Hearings**

## B5. George Daniel, 518507

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' appeal denied.	Ms. Yee	Yes
The Board imposed a \$750 frivolous appeal penalty.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## B6. Judith Rich, 505587—No Appearance

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' appeal denied, except FTB's concession to reduce the accuracy-related penalty for 2002 to \$677.30.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

B7. ~~Isaac Contreras, 519049~~

## F. Public Hearing

F1. Proposed repeal of Property Tax Rule 471, *Timberland*, and the proposed amendments of Property Tax Rule 1020, *Timber Value Areas*

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes



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**STATE BOARD OF EQUALIZATION MEETING**  
**450 N Street, Room 121, Sacramento**  
**August 24-25, 2010**

**PRELIMINARY RECORD OF BOARD ACTIONS**

**Wednesday, August 25, 2010**

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**Board Committee Meetings** – Please see Page 14, O. Adoption of Board Committee Reports and Approval of Committee Actions, for voting results.

**C. Sales and Use Tax Appeals Hearings**

C1. Grimmway Enterprises, Inc., 379508, 379965 (AR)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition granted.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

C2. Main Street California, Inc., 224746 (OH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

~~C3. Eric Thomas Welch, 325518 (KH)~~

C4. Eugenia D. Valdez, 482782 (KH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition denied.	Ms. Yee	Yes
The Board directed staff to consider a generous payment plan for the taxpayer.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

C5. Lynne Marie Gallagher and Francis Xavier Gallagher, 459368 (BH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
No final Board determination.	Ms. Yee	Yes
The Board ordered that the petition be submitted for decision, granting the taxpayer 30 days to file supporting documents, the Department 30 days to respond, and the Appeals Division 30 days thereafter to review parties' submissions and provide its recommendation to the Board.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

C6. Jen Kubala and Sharon Stencil, 473195 (KH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' petition partially granted/denied.	Ms. Yee	Yes
The Board directed staff to inform the taxpayer of the Offer in Compromise Program.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

**Administrative Session****N. Consent Agenda**

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## N1. Retirement Resolutions

- Irene Johnson (Amendment)
- Barbara A. Lee
- Michelle Maciel
- Patricia Molina
- Gloria Reid

## N2. Approval of the 2011 Board Workload Plan

## N3. Approval of Coins and Bullion Bulk Sale Adjustment pursuant to Revenue and Taxation Code section 6355

## N4. Adoption of Property Tax Forms

- BOE-566-K *Oil and Gas Operating Expense Data for 20\_\_*
- BOE-566-D *Oil and Dissolved Gas Production Report for 20\_\_*

**O. Adoption of Board Committee Reports and Approval of Committee Actions**

## O1.1. Legislative Committee - July 13, 2010

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Adopted committee report and approved the actions therein.	Ms. Yee	Yes
	Ms. Alby	Yes
For details see:	Ms. Steel	Yes
<a href="http://www.boe.ca.gov/legdiv/legmeetings10.htm">www.boe.ca.gov/legdiv/legmeetings10.htm</a>	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## I. 2010 Legislative Proposals

## Business Taxes – Sales and Use Taxes

- 3-7 Add Section 6480.10 to the Revenue and Taxation Code to allow specified suppliers and wholesalers of motor vehicle and/or diesel fuel a credit for their costs in complying with the Sales and Use Tax and the Fuel Taxes Laws.

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
No final Board determination.	Ms. Yee	
	Ms. Alby	
	Ms. Steel	
	Mr. Horton	
	Mr. Chiang/ Ms. Mandel	

## II. 2010 Legislative Bills

## Recommendation for Board Position:

1. **SB 884** Use Tax Registrants: Due Dates, Author: Ashburn and Runner

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Support	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## O1.2. Legislative Committee – August 25, 2010

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Adopted committee report and approved the actions therein. For details see: <a href="http://www.boe.ca.gov/legdiv/legmeeting/s10.htm">www.boe.ca.gov/legdiv/legmeeting/s10.htm</a>	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

## I. Status Report on the 2010 Board-Sponsored Legislation Package:

- AB 151 Authorizes the sale, exchange, lease, or any combination thereof, of the current BOE headquarters building in Sacramento; Author: Jones
- AB 2314 Related to the retroactive granting of a disabled veterans' property tax exemption; Author: Block
- AB 2332 Authorizes the BOE to request the Contractor's State License Board for a denial or suspension of a contractor's license for failure to resolve any outstanding final tax or fee liabilities; Author: Eng
- AB 2433 Authorizes the BOE to admit into evidence EDD's confidential employment tax information in hearings and court proceedings to resolve disputes regarding the BOE's administration of a tax law, amount owed by a taxpayer, or a refund; Author: Ruskin
- AB 2676 Board-sponsored Business Tax provisions; Author: Ma
- AB 2733 Related to the Cigarette and Tobacco Products Licensing Act; Author: Ruskin
- SB 1028 Imposes interest on a daily basis in cases where the BOE, itself, meeting as a public body, finds that it would be inequitable to impose an entire month's interest on a prepayment or payment made one day late, under specified circumstances; Author: Correa
- SB 1494 Property Tax omnibus and tax administration bill; Author: SR&T

~~II. 2010 Legislative Bills~~~~— Recommendation for Board Position~~

- ~~1. AB 2545 Telephone Taxes: Equitable and Uniform Statewide Standards: BOE Public Hearings; Author: De La Torre~~

~~Q2.—Customer Service and Administrative Efficiency Committee—August 25, 2010~~**P. Other Administrative Matters**

## P1. Executive Director's Report

1. ***BOE 2010-15 Final Strategic Plan and 3-Year Business Plan 2010-13***

## P2. Chief Counsel Report

There are no items for this matter.

## P3. Sales and Use Tax Deputy Director's Report

1. Informal Discussion Paper on the Field Office of the Future

## P4. Special Taxes and Fees Deputy Director's Report

There are no items for this matter.

## P5. Administration Deputy Director's Report

1. Facilities Update
  - a. Headquarters Facilities
  - b. Headquarters Annex
2. 2010/11 and 2011/12 Budget Update, Furlough Plan and Layoffs
  - a. Information may be provided to the Board regarding the Governor's 2010/11 Budget, Governor's Executive Order S-1210, State Employee Furlough, and layoffs.
3. 2011/12 DRAFT Budget Change Proposals (BCPs)
  - a. Permanent Establishment of the Statewide Compliance and Outreach Program (SCOP) – this proposal requests funding to convert 147.0 limited-term positions to permanent in order to continue the SCOP program.

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendation.	Ms. Yee	Yes
	Ms. Alby	No
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- b. Enhancing Tax Compliance – request funding to expand the audit and collection programs, and resources to allow participation in the High Intensity Financial Crimes Area (HIFCA) task force; and for agreements with out-of-state attorneys to collect debt.

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendation.	Ms. Yee	Yes
	Ms. Alby	No
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- c. Board of Equalization (BOE) Offices of the Future - requests funding to begin the journey to relocate BOE Headquarters, and implement new district and field office footprints, starting with the San Diego and San Marcos offices.

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendation.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- d. BOE Rent Increase (Placeholder) - requests funding for an increase in BOE headquarters rent should the State sell bonds in the Fall of 2010.

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendation.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- P6. Technology Deputy Director's Report  
There are no items for this matter.

**Q. Closed Session**