



STATE BOARD OF EQUALIZATION
450 N STREET, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0080
(916) 322-2270 • FAX (916) 324-3984
www.boe.ca.gov

BETTY T. YEE
First District, San Francisco

BILL LEONARD
Second District, Ontario/Sacramento

MICHELLE STEEL
Third District, Rolling Hills Estates

JOHN CHIANG
State Controller

STEVE SHEA
Acting Member
Fourth District, Los Angeles

RAMON J. HIRSIG
Executive Director

STATE BOARD OF EQUALIZATION MEETING
450 N Street, Room 121, Sacramento
August 31 – September 1, 2009
NOTICE AND AGENDA
Meeting Agenda (as of 12:15 p.m., 08/28/09)

Agenda Changes

Monday, August 31, 2009

9:30 a.m. Board Committee Meeting Convenes*

Board Meeting Convenes upon Adjournment of the Board Committee Meeting**

Agenda items occur in the order in which they appear on the agenda. When circumstances warrant, the Board's Chair may modify the order of the items on the agenda. Items may be postponed to a subsequent day; however, items will not be moved to an earlier day.

Board Committee Meetings*

Legislative Committee..... Mr. Shea, Committee Chair

I. 2009 Legislative Proposals

Administration

Set forth below is a suggestion for legislation to be sponsored by the Board in the first year of the 2009-2010 Legislative Session.

- 5-5 Amend Government Code Sections 17280.1 and 17280.2 to specifically provide that the Board shall accept registered warrants as payment for any tax, fee, or surcharge liability to the Board if the registered warrant is issued specifically to that tax, fee, or surcharge payer.

II. 2009 Legislative Bills

Recommendation for Board Position:

- 1. AB 1506 Acceptance of Registered Warrants, Author: Anderson

Customer Services and Administrative

Efficiency Committee

Mr. Leonard, Committee Chair

- 1. Online Tutorial Projects and Virtual Seminars

Update on the activities of the Board of Equalization's Online Tutorial
Projects and Virtual Seminars

Board Meeting**

A. Homeowner and Renter Property Tax Assistance Hearing

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

A1. ~~[Eddie Tobias, 440644+](#)~~

~~For Claimant: Eddie Tobias, Taxpayer~~

~~For Franchise Tax Board: Lisa Lawson, Hearing Representative
Jean Cramer, Tax Counsel~~

B. Corporate Franchise and Personal Income Tax Hearings

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

B1. ~~[Rosendin Electric, Inc., 358879+](#)~~

~~For Appellant: Marty Dakessian, Representative~~

~~LaShelle Wilson, Representative~~

~~For Franchise Tax Board: Ann Hodges, Tax Counsel
Bill Hilson, Tax Counsel~~

B2. ~~[Thomas G. Haas, 447747+](#)~~

~~For Appellant: Tom Haas, Taxpayer~~

~~Eric Tetrault, Representative~~

~~For Franchise Tax Board: Delinda Tamagni, Tax Counsel
Karen Smith, Tax Counsel~~

B3. ~~[Paul Katchadourian, 451078+](#)~~

~~For Appellant: Paul Katchadourian, Taxpayer~~

~~Chris Cook, Representative~~

~~For Franchise Tax Board: Delinda Tamagni, Tax Counsel
Suzanne Small, Tax Counsel~~

C. Sales and Use Tax Appeals Hearings

These items are scheduled for this afternoon session and Tuesday,
September 1, 2009.

D. Special Taxes Appeals Hearing

This item is scheduled for Tuesday, September 1, 2009.

E. Property Tax Appeals Hearings

There are no items for this matter.

F. Public Hearing

F1. ~~[Approval of Proposed Amendments to Sales and Use Tax Regulation
5237, BOARD APPROVAL REQUIRED FOR REFUNDS and Sales and
Use Tax Regulation 5266, APPEALS STAFF RECOMMENDATIONS;](#)~~

[REQUESTS FOR RECONSIDERATION; REQUESTS FOR ORAL HEARINGS+](#).....Mr. Heller

Public hearing on proposed amendments to Regulations 5237 and 5266 to clarify staff's authority to grant or deny certain refunds.

G. Tax Program Nonappearance Matters – Consent

(Contribution Disclosure forms not required pursuant to Gov. Code § 15626.)

G1. Legal Appeals Matters.....Mr. Levine

- Hearing Notice Sent – No Response
 1. Fouad Mohammed Zamzami, 425054 (CH)
 2. Process Construction, Inc., 350404 (KH)
- Hearing Notice Sent – Appearance Waived
 3. Gary L. Smith and Michael L. Smith, 379795, 382294, 421897 (KH)
- Petitions for Release of Seized Property
 4. Phuoc Huu Do, 488197 (ET)
 5. Sital Singh Dosanjh, 488771 (ET)

G2. Franchise and Income Tax MattersMs. Kelly

- Decisions
 1. Salvador Arevalo, 421278
 2. Lawrence M. Atencio, 459823
 3. Sherry L. Beamer, 449296
 4. Donovan D. Bolton, 423962
 5. Gladys Brooker, 423274
 6. Chandra Dwivedi, 442522
 7. Stanley Firestone and Maxine N. Firestone, 416529
 8. David Fudge, 419989
 9. Dawn Galdes, 446029
 10. Darlene Hurtado, 417822
 11. Dimitri Komatitsch, 447643
 12. Flora Nwande, 400662
 13. Aldo Ocegueda, 414677
 14. Bruce G. Rossiter, 393432
 15. Yolanda G. Saucedo, 421010
 16. Paul Kenneth Schadler, 450116
 17. Judith Y. Serra, 421018
 18. Brian Simmerman, 431686
 19. Marian M. Snyder, 430738
 20. Kevin Sorenson and Maria Sorenson, 450972
 21. David H. Ward, 450986
- Petition for Rehearing
 22. Lippard Associates, Inc., and Sussex Financial Enterprises, 402128

G3. Homeowner and Renter Property Tax Assistance Matters.....Ms. Kelly

- Decisions
 1. Mikie L. Bell, 426503
 2. Silvestre Campos Ortiz, 473089
 3. Glenna Delgado, 422944

4. C. Diep, 424027
5. Jacqueline Earl (Deceased), 429721
6. Johnny Finister, 426233
7. Jennifer R. Fragoso, 443868
8. Reginald Dean Franklin, 423003
9. Lloyd N. Garrison (Deceased), 438003
10. Thuy Van Hoang, 425140
11. Ollie Mae Holliday, 426912
12. Nicole Rebecca Hornung, 458659
13. Eugene Olin Jackson, 458951
14. Carolyn Sims Kenyon, 425162
15. Nery Larios, 445863
16. Albert McCowen, 427186
17. Lafayette Medlock, Jr., 463766
18. Amir Milani, 444282
19. Luis Perez, 432303
20. Nicki Phillips, 472849
21. Rene Rivas, 444497
22. Chandar Sudhakar, 441569
23. Vladimir Vorontsov, 423019
24. Martha Jean Washington, 458769
25. C.D. Waters-Brown, 397109
26. David M. Wendell, 436555
27. Verna Lee Wicks, 450040
28. Wei Kang Wu, 437709
29. Cindy Brito Ybarra, 463697

G4. Sales and Use Taxes Matters..... Ms. Henry

➤ Redeterminations

1. Bonhams & Butterfields Auctioneers Corporation, 402646 (BH)
2. Miller Brewing Company, 433700 (EA)
3. Siemens Energy & Automation, Inc., 391636 (OH)
4. Hassan Kazemini, 416859 (JH)
5. Max Leroy Kistler, 406214 (KH)
6. Mario Joseph Lucchese, 459479 (AC)
7. Critical Path, Inc., 381895 (BH)
8. Thermo Fisher Scientific (Asheville), LLC, 458014 (OH)
9. All States Glass Centers, Inc., 459922 (CH)
10. Simplehuman, LLC, 470293 (AS)
11. First Hospital Products, Inc., 300404 (OH)
12. Whirlpool Corporation, 426187 (OH)
13. Business Intl' So. California, 168218 (EA)
14. Chandy K. Philip, 479514 (BH)
15. BMC Software Distribution, Inc., 469159 (OH)
16. Marco Display Specialists, LP, 314488 (OH)
17. Jerry C. Pak, 469461 (EA)
18. Navegante Charters, LLC, 342929 (FH)
19. Sun Automation, Inc., 426741 (OH)

- Relief of Penalty/Interest
 20. Hermes-Beverly Hills, 491468 (OH)
 21. Houghton Mifflin Harcourt Publishing Company, 489295 (OH)
 22. Chanel, Inc., 491203 (OH)
 23. Honeywell, Inc., 490189 (OH)
 - Denials of Claims for Refund
 24. Genentech, Inc., 381947 (BH)
 25. Nektar Therapeutics, 484899 (BH)
 26. Triumph Actuation Systems-Valencia, 442336 (AR)
 27. Iherb, Inc., 484916 (AP)
 28. Sierra Central Credit Union, 491799 (KH)
 29. Hitachi Global Storage Tech, Inc., 486661 (GH)
 30. Google Technology, Inc., 330698 (GH)
 31. American Auto Financing, Inc., 420729 (EA)
 32. TCG International, Inc., 447118 (EA)
- G5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds..... Ms. Henry
- Credits and Cancellations
 1. Crown Chevrolet, 490303 (CH)
 2. Sunland Ford, Inc., 490319 (EH)
 3. ABC-NACO, Inc., 491818 (OH)
 4. Phillystran, Inc., 491645 (OH)
 5. Veeco Compound Semiconductor, Inc., 489815 (OH)
 6. Bunzl Distribution Northeast, LLC, 489786 (OH)
 7. Golden Mini Mart, Inc., 491555 (AA)
 - Refunds
 8. City of Los Angeles-Controller, 489991 (AA)
 9. Studio Image, Inc., 332534 (AC)
 10. Mid State Bank, 441799 (GH)
 11. Michael John Bishop, 491712 (GH)
 12. Monster Cable Products, Inc., 442167 (BH)
 13. Thoratec Laboratories Corporation, 430573 (CH)
 14. Golden Star Technology, Inc., 490158 (AA)
 15. Primary Color Systems Corp., 450705 (EA)
 16. Autodesk, Inc., 489580 (JH)
 17. The Golden 1 Credit Union, 478766 (KH)
 18. Kronos, Inc., 335831 (OH)
 19. Itron, Inc., 373824 (OH)
 20. Sabre, Inc., 489039 (OH)
 21. Ontrack Data International, Inc., 474784 (OH)
 22. Chevrolet Motor Division, 488587 (OH)
 23. Farmers Insurance Group, 381012 (AS)
 24. Kimberly-Clark Worldwide, Inc., 472033 (OH)
 25. SFS 39, Inc., 478129 (BH)
 26. Sunquest Information Systems, Inc., 468408 (OH)
 27. MP Totalcare Medical, Inc., 434324 (AA)
 28. Jay, LLC, 489665 (KH)
 29. Three Man Corporation, 483477 (FH)

30. Zappos.com, Inc., 461146 (EH)
31. Nektar Therapeutics, 484899 (BH)
32. Intergraph Public Safety, Inc., 346714 (OH)
33. Sonus Networks, Inc., 354143 (OH)
34. Universal Electronics, Inc., 489438 (EA)
35. Pilot Travel Centers, LLC, 361683 (OH)
36. ASD Specialty Healthcare, Inc., 379043 (OH)
37. Owens & Minor Distribution, Inc., 460061 (OH)
38. Owens & Minor Distribution, Inc., 479859 (OH)
39. Owens & Minor Distribution, Inc., 396948 (OH)
40. Iherb, Inc., 484916 (AP)
41. Raley's, 451328 (JH)
42. Palm, Inc., 435693 (GH)
43. Vision Advertising, Inc., 351521 (AS)
44. Sierra Central Credit Union, 444791 (KH)
45. BJ's Restaurants, Inc., 474062 (EA)
46. Wescom Credit Union, 484394 (AP)
47. Kemiron Pacific, Inc., 312755 (OH)
48. Communications & Power Industries, Inc., 477156 (GH)
49. Movie Theatre Exhibition & Consulting Serv., Inc., 458752 (JH)
50. Americredit Financial Service, Inc., 478141 (OH)
51. USE Credit Union, 415290 (FH)
52. Colgin Partners, LLC, 470344 (JH)
53. Top Auto Finance, Inc., 405476 (AC)
54. Hitachi Global Storage Tech, Inc., 486661 (GH)
55. Transouth Financial Corporation, 382295 (OH)
56. Google Technology, Inc., 330698 (GH)
57. Michael Anthony Management, Inc., 458809 (KH)
58. Community Trust Credit Union, 441561 (KH)
59. American Auto Financing, Inc., 420729 (EA)
60. Premier Truss, LLC, 467809 (EH)
61. Kern Schools Federal Credit Union, 479368 (AR)
62. Linc Government Services, LLC, 474063 (OH)
63. TFC Enterprises, Inc., 432571 (EA)
64. Intertec Systems, LLC, 470338 (OH)
65. United Local Credit Union, 447428 (KH)
66. The American Bottling Company, 488219 (OH)

G6. Special Taxes Matters Mr. Gau

➤ Redeterminations

1. First Student, Inc., 128513,129941, 293173 (MT)
2. First Student, Inc., 331267, 343391, 343394, 344611, 353993 (MT)
3. California Automobile Ins. Co., 343341 (ET) 'CF'
4. California Automobile Ins. Co., 343346 (ET) 'CF'

➤ Relief of Penalty

5. Nationwide Life Insurance Company, 491851 (ET) 'CF'
6. Safeco Insurance Company of America, 488239 (ET) 'CF'
7. Delos Insurance Company, 474955 (ET) 'CF'
8. McLane/Suneast, Inc., 493016 (ET)

- Denial of Claims for Refund
 9. Karabetian Import and Export, Inc., 406850 (ET)
- G7. Special Taxes Matters – Credits, Cancellations, and Refunds Mr. Gau
 - Credits and Cancellations
 1. Sierra Tobacco Distributing, LLC, 213041 (MT) ‘CF’
 2. Sierra Tobacco Distributing, LLC, 213043 (MT)
 - Refunds
 3. Conocophillips Company, 449676 (MT) ‘CF’
 4. First Student, Inc., 353990 (MT)
 5. SCPIE Indemnity Company, 166080 (ET) ‘CF’
 6. Fosters Wine Estates Americas Co., 380190 (ET) ‘CF’
 7. McLane/Suneast, Inc., 387439 (ET)
 8. McLane/Suneast, Inc., 395023 (ET)
 9. McLane/Suneast, Inc., 422650 (ET)
 10. McLane/Suneast, Inc., 434600 (ET)
 11. Diageo North America, Inc., 448267 (ET) ‘CF’

There are no items for the following matters:

- G8. Property Tax Matters
- G9. Cigarette License Fee Matters
- G10. Legal Appeals Property Tax Matters

H. Tax Program Nonappearance Matters – Adjudicatory

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- H1. Legal Appeals Matters.....Mr. Levine
 - Petition for Rehearing
 1. [Vishwa Rup Lakhanpal, 100564, 234649 \(AR\)+](#)
 - Hearing Notice Sent – No Response
 - 2a. [Nijjar Brothers Trucking, Inc., 258549 \(MT\) +](#)
 - 2b. [NB Trucking, Inc., 284086 \(MT\) +](#)
 3. [Conco Paint Company, 57628, 77681, 151419, 165485, 214933, 89000961230, 89000961240, 89000961250, 89000961260 \(MT\) +](#)
 4. [Donald Edward Wood, 397151 \(AA\) +](#)
 - Hearing Notice Sent – Appearance Waived
 5. [Arco Terminal Services Corp, 310137 \(MT\) +](#)
 - Case Heard But Not Decided
 6. [Ron Sanchez, 283578 \(EH\) +](#)
- H2. Franchise and Income Tax MattersMs. Kelly
 - Decisions
 1. Leah Lukrich, 391844
 2. Matt Ward, 431775
 - Petition for Rehearing
 3. NASSCO Holdings, Inc., 317434
 - Hearing Notice Sent – No Response
 4. Robin Nottingham Reid, 467218

H3. Homeowner and Renter Property Tax Assistance Matters
There are no items for this matter.

H4. Sales and Use Taxes Matters..... Ms. Henry
➤ Denial of Relief of Penalty/Interest
1. Brentwood Motors, Inc., 445719 (CH)

There are no items for the following matters:

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

(Contribution Disclosure forms not required pursuant to Gov. Code § 15626.)

I1. Property Taxes Matters
There are no items for this matter.

I2. Offers-in-Compromise Recommendations Ms. Ograd/ Ms. Yang
1. Digby Industries, Inc.
2. Ricky D. Wilson
3. Roberto Shakiba

Chief Counsel Matters

There are no items for the following matters:

J. Rulemaking
K. Business Taxes
L. Property Taxes

M. Other Chief Counsel Matters

M1. [Grotenhuis \(Respondent\) v. County of Santa Barbara](#) Mr. Moon/
[\(Appellant\), 2nd District Court of Appeal No. B212264,](#) Mr. Lambert
[Santa Barbara Superior Court No. 1244393+](#)

Request approval to file amicus curiae brief on a question involving the applicability of Revenue and Taxation Code section 69.5 to corporations.

Administrative Session

The following items are scheduled for Tuesday, September 1, 2009.

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 Tuesday, September 1, 2009.

1:30 p.m. Board Meeting Reconvenes***C. Sales and Use Tax Appeals Hearings****Local Tax Reallocation Hearings**

(Contribution Disclosure forms not required pursuant to Gov. Code § 15626.***)

C1. [City of Union City, 469296+](#)

For Petitioner:	Eric Myers, Representative Janis Varney, Representative Robert Cendejas, Representative
For Department:	Carole Ruwart, Tax Counsel

C2. [City of Pomona and Town of Los Gatos, 469261+](#)

For Petitioner City of Pomona:	Al Koch, Representative Fran Mancina, Representative Arnold Alvarez-Glasman, Attorney Andrew Jared, Representative Linda Lowry, Representative
-----------------------------------	--

For Petitioner Town of Los Gatos:	Al Koch, Representative Fran Mancina, Representative Stephen Conway, Representative
--------------------------------------	---

For Affected Jurisdictions: Cities of Alhambra, Arcadia, Burbank, Carson, Commerce, Covina, Culver City, Glendale, Glendora, Industry, Inglewood, Lakewood, Lancaster, Monrovia, Montebello, Paramount, Redondo Beach, Santa Monica, Signal Hill, South Gate, West Covina, West Hollywood, Whittier:	Robin Sturdivant, Representative Matt Hinderliter, Representative
--	--

For Affected Jurisdictions: Cities of Beverly Hills, Hawthorne, La Mirada, Norwalk, Pasadena, and Palmdale Redevelopment Agency:	Mitchell E. Abbott, Attorney Judy Skousen, Attorney
--	--

For Department:	Carole Ruwart, Tax Counsel
-----------------	----------------------------

Adjourn - The meeting will reconvene on Tuesday, September 1, 2009, at 9:30 a.m.

If you wish to listen to and/or view a live broadcast of the Board meeting, please go to <http://www.boe.ca.gov> and click on Webcast.

If you wish to receive this Notice and Agenda electronically, you can subscribe at www.boe.ca.gov/agenda.

If you would like specific information regarding items on this Notice and Agenda, please telephone (916) 322-2270 or e-mail: MeetingInfo@boe.ca.gov. Please be advised that material containing confidential taxpayer information cannot be publicly disclosed.

The hearing location is accessible to people with disabilities. Please contact Claudia Madrigal at (916) 324-8261, or e-mail Claudia.Madrigal@boe.ca.gov if you require special assistance.

Diane G. Olson, Chief
Board Proceedings Division

- * Public comment on any committee agenda item will be accepted at the beginning of the committee meeting.
- ** Public comment on any agenda item, other than a Closed Session item or an item which has already been considered by a Board Committee, will be accepted at that meeting.
- *** Municipalities are exempt from Contribution Disclosure requirements, for further information please telephone Rick Bennion, Contribution Disclosure Analyst at (916) 445-2130 or email: Richard.Bennion@boe.ca.gov.
- + Material is available for this Item.
- ++ Material will be available at a later date.
- "CF" Constitutional Function – The Deputy State Controller may not participate in this matter under Government Code section 7.9.



STATE BOARD OF EQUALIZATION

450 N STREET, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0080
(916) 322-2270 • FAX (916) 324-3984
www.boe.ca.gov

BETTY T. YEE
First District, San Francisco

BILL LEONARD
Second District, Ontario/Sacramento

MICHELLE STEEL
Third District, Rolling Hills Estates

JOHN CHIANG
State Controller

STEVE SHEA
Acting Member
Fourth District, Los Angeles

RAMON J. HIRSIG
Executive Director

STATE BOARD OF EQUALIZATION MEETING
450 N Street, Room 121, Sacramento
August 31 – September 1, 2009
NOTICE AND AGENDA
Meeting Agenda (as of 12:15 p.m., 08/28/09)

[Agenda Changes](#)

Tuesday, September 1, 2009

9:30 a.m. Board Meeting Reconvenes**

Agenda items occur in the order in which they appear on the agenda. When circumstances warrant, the Board's Chair, may modify the order of the items on the agenda.

C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

C3. [Werther International, Inc., 290751 \(OH\)+](#)

For Petitioner: Kurt Lieber, Taxpayer
For Department: Chris Schutz, Tax Counsel

C4. [James Bass Smith, 353126 \(UT\)+](#)

For Petitioner: Kai Mickey, Representative
For Department: Andrew Kwee, Tax Counsel

C5. [James M. Heim, 379939 \(CH\)+](#)

For Petitioner: James M. Heim, Taxpayer
For Department: Andrew Kwee, Tax Counsel

D. Special Taxes Appeals Hearing

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

D1. [Sukhwant S. Sekhon and Amarjit K. Sekhon, 491719 \(ET\)+](#)

For Petitioner: Sukhwant S. Sekhon, Taxpayer
Amarjit K. Sekhon, Taxpayer
For Department: Monica Silva, Tax Counsel

Administrative Session**N. Consent Agenda** Ms. OlsonN1. [Retirement Resolutions+](#)

- Grace Garcia
- Philip G. Gonzales
- Richard L. Hess
- Cheryl Hronec
- Christopher C. Lu
- David Pidal
- Sue Scheib
- Adela S. Spangler
- Robert L. Thompson
- Lucia M. Vargas
- Lee James Watkins

N2. [Approval of the 2010 Board Workload Plan+](#)

The plan consists of the 2010 Board meeting calendar, average time allocations and significant dates considered in setting Board meeting dates.

N3. [Approval of Revenue and Taxation Code section 6355, Coins and Bullion Bulk Sale Adjustment+](#)

Approval to continue the current bulk sale exemption threshold of \$1,500 in the regulation.

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

O1. Legislative Committee

O2. Customer Service and Administrative Efficiency Committee

P. Other Administrative Matters

P1. Executive Director's Report Mr. Hirsig

a. 2009/10 Budget Update

Information will be provided to the Board regarding the 2009-10 Budget signed on July 28, 2009. The 2009-10 Budget includes statewide unallocated reductions and trailer bills that will impact BOE. Possible Board action or direction.

P2. Chief Counsel Report

There are no items for this matter.

P3. Deputy Director's Report

There are no items for the following matters:

- a. Sales and Use Tax
- b. Property and Special Taxes

- c. [Administration+](#) Ms. Houser
1. Facilities Update
Update on the on-going projects at 450 N Street.
 2. 2010/11 Budget Change Proposals – Draft Budget Change Proposals for Board Action. An oral presentation of the Draft Budget Change Proposals for 2010/11.
 - a. [BOE Headquarters Facilities – Placeholder+](#)
Serves as a placeholder request for resources to meet the business operations needs of BOE by moving Headquarters staff to a new facility.
 - b. [San Diego District Office+](#)
Requests resources to protect the health and safety of employees by moving the San Diego District staff to new facilities that meet business operation needs.
 - c. [Ramp Down—Temporary 1.0 Percent State Sales and Use Tax Rate Increase +](#)
Requests resources to ramp down the temporary 1.0 percent sales and use tax rate increase.
 - d. [Increase Revenue through Agricultural Inspection Station Tax Leads+](#)
Provides permanent funding to continue the current successful pilot program with the California Department of Food and Agriculture to collect tax lead information at the agricultural border stations.
 - e. [Ensuring Fuel Tax Compliance+](#)
Provides funding for two successful limited-term fuel tax projects that protect and enhance the tax base of the Transportation Fund Tax Program.
 - f. [Budget Restoration – Placeholder+](#)
Requests FY 2010/11 restoration of the approximate \$40.5 million in personal services funding anticipated to be reduced from the BOE budget in the Budget Act of 2009/10.
- d. Technology
There are no items for this matter.

Announcement of Closed Session Ms. Olson

Q. Closed Session

- Q1. Discussion and approval of staff recommendations regarding settlement tax and fee matters in dispute (Rev. & Tax. Code §§ 7093.5, 9271, 30459.1, 32471, 40211, 41171, 43522, 45867, 46622, 50156.11, 55332, and 60636)
- Q2. Pending litigation: *Governor Arnold Schwarzenegger, et al. v. State Controller John Chiang, et al.*, Sacramento County Superior Court Case No. 34-2009-80000158 (Gov. Code § 11126(e))
- Q3. Pending litigation: *Schroeder, et al. v. Board of Equalization, et al.* Sacramento Superior Court Case No. 34-2008-00004467-CU-MT-GDS; *Frankot, et al. v. Board of Equalization, et al.*, Sacramento Superior Court Case No. 34-2008-00012174-CU-PO-GDS; and, *Allen, et al. v. Board of Equalization, et al.*, Sacramento Superior Court, Case No. 34-2008-00017014-CU-TT-GDS (Gov. Code § 11126(e)(2)(B)(i))
- Q4. Discussion and action on personnel matters (Gov. Code § 11126(a))

Announcement of Open Session..... Ms. Olson

Adjourn

If you wish to listen to and/or view a live broadcast of the Board meeting, please go to www.boe.ca.gov and click on Webcast.

If you wish to receive this Notice and Agenda electronically, you can subscribe at www.boe.ca.gov/agenda.

If you would like specific information regarding items on this Notice and Agenda, please telephone (916) 322-2270 or e-mail: MeetingInfo@boe.ca.gov. Please be advised that material containing confidential taxpayer information cannot be publicly disclosed.

The hearing location is accessible to people with disabilities. Please contact Claudia Madrigal at (916) 324-8261, or e-mail Claudia.Madrigal@boe.ca.gov if you require special assistance.

Diane G. Olson, Chief
Board Proceedings Division

* Public comment on any committee agenda item will be accepted at the beginning of the committee meeting.

** Public comment on any agenda item, other than a Closed Session item or an item which has already been considered by a Board Committee, will be accepted at that meeting.

- *** Municipalities are exempt from Contribution Disclosure requirements, for further information please telephone Rick Bennion, Contribution Disclosure Analyst at (916) 445-2130 or email: Richard.Bennion@boe.ca.gov.
- + Material is available for this Item.
- ++ Material will be available at a later date.
- "CF" Constitutional Function – The Deputy State Controller may not participate in this matter under Government Code section 7.9.