

**RESOLUTION 2019-002**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS,  
AUTHORIZING CERTAIN TOWN REPRESENTATIVES AND A TOWN CONTRACTOR  
ACCESS TO SALES, TRANSACTIONS AND USE TAX RECORDS  
PURSUANT TO REVENUE AND TAXATION CODE SECTION 7056**

**WHEREAS**, pursuant to Los Gatos Town Code Section 2.60.040, the Town of Los Gatos entered into a contract with the California Department of Tax and Fee Administration (CDTFA) to perform all functions incident to the administration and operation of the District (local) sales and use taxes; and

**WHEREAS**, the Town Council of the Town of Los Gatos deems it desirable and necessary for authorized representatives of the Town to examine confidential sales, transactions and use tax records of the CDTFA pertaining to sales, transactions and use taxes collected by the CDTFA for the Town pursuant to that contract; and

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

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Los Gatos:

**SECTION 1.** The following Town Representatives are hereby authorized to receive and review sales, transactions and use tax records, for the Town of Los Gatos from the California Department of Tax and Fee Administration:

1. Town Manager
2. Assistant Town Manager
3. Town Attorney
4. Finance Director
5. Finance and Budget Manager
6. Budget Analyst
7. Accountant Analyst

8. Community Development Director
9. Economic Vitality Manager
10. Other officer or employee of the Town of Los Gatos designated in writing by the Finance Director to the CDTFA

**SECTION 2.** The following independent contractor for the Town of Los Gatos is hereby also authorized to receive and examine sales, transactions and use tax records for the Town of Los Gatos:

1. Avenue Insights/MuniServices

**SECTION 3.** The Town of Los Gatos hereby certifies that Avenue Insights/MuniServices:

1. Has an existing contract with the Town of Los Gatos to receive sales, transactions and use tax records; and
2. Is required by that contract to disclose information contained in, or derived from, those sales, transactions and use tax records only to an officer or employee of the Town who is authorized by this resolution to examine the information; and
3. Is prohibited by that contract from performing consulting services for a retailer during the term of that contract; and
4. Is prohibited by that contract from retaining the information contained in, derived from those sales, transactions and use tax records, after that contract has expired.

**SECTION 4.** Information obtained by examination of CDTFA records shall be used only for purposes related to the collection of local sales, transactions and use taxes by the CDTFA pursuant to the contract, and for Municipal Revenue Forecasting.

**SECTION 5.** This resolution supersedes all previous authorizations.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California held on the 15<sup>th</sup> day of January 2019, by the following vote:


**COUNCIL MEMBERS:**



**AYES:** Marcia Jensen, Rob Rennie, Marico Sayoc, Barbara Spector, Mayor Steven Leonardis

**NAYS:** None.

**ABSENT:** None.

**ABSTAIN:** None.

SIGNED:   
MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA  
DATE: 1/18/19

ATTEST:   
  
TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA  
DATE: 1/18/19