



Legislation Details (With Text)

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|-----------------------|--|----------------------|---|----------------------|--------------------------|
| File #: | 16-0252 | Version: | 1 | Name: | FM - Franchise Tax Board |
| Type: | Contract | Status: | | CCIS: | CCIS |
| File created: | 2/19/2016 | In control: | | City Council: | City Council |
| On agenda: | 3/22/2016 | Final action: | | 3/22/2016: | 3/22/2016 |
| Title: | Recommendation to authorize City Manager to execute an agreement with the California Franchise Tax Board (FTB) for records obtained from the FTB Taxpayer information System and Business Entity Tax System, at no cost to the City, with a term of June 1, 2016 through December 31, 2018. (Citywide) | | | | |
| Sponsors: | Financial Management | | | | |
| Indexes: | Agreements | | | | |
| Code sections: | | | | | |
| Attachments: | 1. 032216-C-5sr.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|------------------------|--------|
| 3/22/2016 | 1 | City Council | approve recommendation | Pass |

Recommendation to authorize City Manager to execute an agreement with the California Franchise Tax Board (FTB) for records obtained from the FTB Taxpayer information System and Business Entity Tax System, at no cost to the City, with a term of June 1, 2016 through December 31, 2018. (Citywide)

In 2001, the State of California passed Assembly Bill 63 (AB 63), the Local Government Sharing Program, which permits the State to share certain income tax information with local governments. Under the program, participating cities are provided a list of businesses within the City that filed California income tax returns. The City can then ensure these businesses have applied for and received City business licenses.

The agreement will authorize the City continue to participate in the Local Government Sharing Program for the 2016, 2017 and 2018 tax years. The information that will be provided by the FTB is the taxpayer name, address, social security number or taxpayer identification number, and principal business activity code. This information allows the Department of Financial Management to identify businesses in the City that are operating without a business license.

The City has been participating in the Local Government Sharing program since the 2002 tax year. Since 2002, the identification of unlicensed businesses from this program has resulted in additional revenue to the General Fund. The City will continue to devote additional staff time to the program to ensure the receipt of business license revenue from identified businesses.

Along with other participating cities, this agreement allows FTB and the City to enter into a

reciprocal agreement to exchange tax data specific to City business license information for tax administration purposes.

The proposed agreement contains the following major provisions:

Length of term: June 1, 2016 through December 31, 2018. This agreement is for tax years 2016, 2017 and 2018 only. In order to participate in future years, a new agreement will be required.

Confidentiality: Each City employee with access to the FTB records will be required to sign a confidentiality agreement. The City shall destroy the FTB records within three years of receipt.

Compensation: The City will pay the State of California \$0.

This matter was reviewed by Deputy City Attorney Amy R. Webber on February 4, 2016 and by Budget Management Officer Victoria Bell on March 2, 2016.

City Council action on this item is requested on March 22, 2016, to ensure the agreement's execution and transmittal to the State by June 30, 2016.

It is anticipated that participation in this program will have a positive impact to General Fund revenue for FY 16. This agreement will provide additional support to our local economy by generating business license tax revenue in Long Beach.

Approve recommendation.

JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:

PATRICK H. WEST
CITY MANAGER