



Legislation Details (With Text)

File #: 2024-0631
Type: Consent Calendar Item **Status:** Agenda Ready
File created: 5/6/2024 **In control:** County Administrator
On agenda: 6/10/2024 **Final action:**
Title: California Department of Tax and Fee Administration (CDTFA) - Measure H District Tax Agreements
Sponsors: County Administrator
Indexes:

Attachments: 1. Summary Report, 2. Attach A - Agreement to Administer and Operate County's Transactions and Use Tax Ordinance, 3. Attach B - Agreement for Examination of Confidential Records, 4. Attach C - Resolution to Authorize the County Executive to Execute Agreements with the State Department of Tax and Fee Administration, 5. Attach D - Transactions and Use Tax Ordinance, 6. Attach E - Certification of Final 2024 Presidential Primary Election Results, 7. Attach F - Resolution for Examination of Confidential Records

Date	Ver.	Action By	Action	Result
6/10/2024	1	Board of Supervisors	Approved as recommended	Pass

To: Sonoma County Board of Supervisors
Department or Agency Name(s): County Administrator's Office
Staff Name and Phone Number: Christel Querijero, 707-565-7071
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:
California Department of Tax and Fee Administration (CDTFA) - Measure H District Tax Agreements

Recommended Action:

- A) Adopt a Resolution to Authorize County Executive to Execute Agreements with the State Department of Tax and Fee Administration for Implementation of the Local Transaction and use Tax on Behalf of the County of Sonoma authorized by Sonoma County voters;
- B) Adopt a Resolution to authorize representatives of the County to examine Transaction and use (Sales) Tax Records; and
- C) Authorize County Executive or designee to coordinate with the California Department of Tax and Fee Administration to execute any other necessary documents to proceed with the administration of the tax.

Executive Summary:

On [September 26, 2023](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6361588&GUID=8CF11D3C-B5D9-4DEC-AD0F-A50ED85A18B4&Options=&Search=>) <<https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6361588&GUID=8CF11D3C-B5D9-4DEC-AD0F-A50ED85A18B4&Options=&Search=>>>, the Board of Supervisors adopted a resolution calling a special election for March 5, 2024, on the proposed sales tax measure entitled, "Improved and Enhanced Local Fire Protection, Paramedic Services, and Disaster Response Initiative and Sales Tax Petition" (Measure H), and combining the special election with the statewide election on March 5, 2024.

Measure H was passed successfully and approves a one-half of a cent per dollar sales tax on the sale and use of tangible property within Sonoma County, including both incorporated and unincorporated areas, until ended by the voters, to supplement existing funding for wildfire prevention and preparedness, paramedic services, and emergency and disaster response, raising approximately \$60,000,000 annually. The final election results for the March 5, 2024, Presidential Primary Election shows that the 2024 Measure H known as the Local Emergency Services and Disaster Response Sales Tax was approved by 61.71% of the voters and will become operative as of October 1, 2024. The implementation of the measure requires agreements and additional information be provided to the California Department of Tax and Fee Administration.

Discussion:

Following the successful passage of Measure H, staff received communication from the California Department of Tax and Fee Administration (CDTFA) on April 25, 2024, requesting the following information in order to implement this new tax.

Item	Requires Board Approval or Authorization
1. Preparatory Agreement - Agreement for Preparation to Administer and Operate County’s Transaction and Use Tax Ordinance (Att. A)	Yes
2. Administration Agreement - Agreement for State Administration of County Transactions and Use Taxes (Att. B)	Yes
3. Resolution to Execute Agreement with CDTFA for Implementation of the Local Transactions and Use Tax (Att. C)	Yes
4. Measure H Transactions and Use Tax Ordinance (Att. D)	Yes - ordinance was approved by the Board on 4/16/24, when the Board accepted the official 3/5/24 election results
5. Certification of Final Election Results for Measure H (Att. E)	Yes - Board adopted resolution accepting the official canvass on 4/16/24 < ">https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6631061&GUID=E4739001-2128-47C7-8DAF-B9D44806AEBD&Options=&Search=>
6. Local Revenue Branch Contact Form for CDTFA and County Communications related to legal, financial, administrative correspondences	No
7. Resolution for Examination of Confidential Records - authorizing County representatives to examine CDTFA’s Measure H sales or transaction and use tax records (Att. F)	Yes
8. Consultant Agreement, if applicable	No, not applicable

9. Designation Letter From County Executive to CDTFA referencing Board resolution that authorizes County representatives to review confidential Measure H sales and use tax and transaction and use tax information	No -this letter will be a CEO follow up action after Att. F is authorized by the Board
10. County Contact Form for Notification & Appeals from CDTFA	No
11. EFT Authorization Agreement authorizing CDTFA to make direct deposits (EFT) to the County for Measure H disbursement	No
12. Media and Registration Request Form - contact information for County representatives that will receive media from CDTFA	No

The deadline to submit this information to the CDTFA is June 12, 2024. Pursuant to Revenue and Taxation Code section 7265, new tax or changes approved by voters is scheduled to become effective on October 1, 2024.

Strategic Plan:

N/A

Racial Equity:

N/A

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

On [April 16, 2024](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6631061&GUID=E4739001-2128-47C7-8DAF-B9D44806AEBD&Options=&Search=>) <<https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6631061&GUID=E4739001-2128-47C7-8DAF-B9D44806AEBD&Options=&Search=>>>, the Board of Supervisors adopted the resolution accepting the official canvass of the vote for the March 5, 2024, Presidential Primary Election.

On [January 23, 2024](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6484840&GUID=14366DE6-DBA5-4AD6-B17B-DD03FD5F5C2E&Options=&Search=>) <<https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6484840&GUID=14366DE6-DBA5-4AD6-B17B-DD03FD5F5C2E&Options=&Search=>>>, the Board of Supervisors passed Resolution 24-0023, authorizing consolidation of any local election to be held on March 5, 2024, in the same territory or in territory that is in part the same, with the March 5, 2024, Presidential Primary Election.

On [September 26, 2023](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6361588&GUID=8CF11D3C-B5D9-4DEC-AD0F-A50ED85A18B4&Options=&Search=>) <<https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6361588&GUID=8CF11D3C-B5D9-4DEC-AD0F-A50ED85A18B4&Options=&Search=>>>, the Board of Supervisors adopted a resolution submitting the “Improved and Enhanced Local Fire Protection, Paramedic Services, and Disaster Response Initiative and Sales Tax Petition” to the voters of Sonoma County

On [September 12, 2023](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6338188&GUID=927F17A6-F5F9-4774-8CAB-6B50A3FC9F45&Options=&Search=>) <<https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6338188&GUID=927F17A6-F5F9-4774-8CAB-6B50A3FC9F45&Options=&Search=>>>, the Board of Supervisors accepted the certificate of sufficiency regarding the proposed Initiative and directed the Registrar of Voters to bring back a Resolution placing the proposed Initiative on the March 5, 2023, statewide election.

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

N/A

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Attach A - Agreement for Preparation to Administer and Operate County's Transactions and Use Tax Ordinance

Attach B - Agreement for State Administration of County Transactions and Use Taxes

Attach C - Resolution to Authorize the County Executive to Execute Agreements with the State Department of Tax and Fee Administration

Attach D - Transactions and Use Tax Ordinance

Attach E - Certification of Final 2024 Presidential Primary Election Results

Attach F - Resolution for Examination of Confidential Records

Related Items "On File" with the Clerk of the Board:

N/A