NAPA COUNTY BOARD OF SUPERVISORS
Board Agenda Letter

TO: Board of Supervisors
FROM: JAMES HUDAK - Treasurer-Tax Collector
Treasurer-Tax Collector
REPORT BY: Bret Prebula, Assistant Treasurer-Tax Collector - 707-299-1710
SUBJECT: Approval of a Resolution increasing the use of the cash difference fund pursuant to Revenue and Taxation Code 2611.5 for tax payments owed to the County

RECOMMENDATION
Treasurer-Tax Collector requests adoption of a resolution increasing the amount authorized for use within the cash difference fund to ten dollars ($10), pursuant to Revenue and Taxation Code 2611.5, for any tax, assessment, penalty, cost or interest which is due and owing the County.

EXECUTIVE SUMMARY
Revenue and Taxation code 2611.5, with Board of Supervisor approval, allows for a cash difference fund to be used to increase the amount tendered to the county for the payment of any tax, assessments, penalty, cost or interest which is due and owing the county, when a difference of ten dollars ($10) or less exists.

The Treasurer-Tax Collector (TTC) is requesting the approval of a resolution to increase the authority under this code section from the current limit of $5 per payment to the code section maximum of $10. The Auditor-Controller has reviewed the TTC’s process and believes it falls within compliance as outlined in the code section.

FISCAL IMPACT
Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT
ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Revenue and Taxation code 2611.5, pursuant to Section 29370 of Chapter 2 of Division 3 of Title 3 of the Government Code, with Board of Supervisor approval, allows for a cash difference fund to be used to increase the amount tendered to the county for the payment of any tax, assessments, penalty, cost or interest which is due and owing the county, when a difference of ten dollars ($10) or less exists.

The Treasurer-Tax Collector (TTC) Office has used this code section for many years but has not utilized the full extent of the code section as the limit to use the cash difference fund is currently $5 or less. The TTC is requesting the Board adopt a resolution increasing the code section under this authority to the maximum allowable amount which is $10. The TTC has polled other counties within the State of California and the vast majority of respondents are utilizing the $10 maximum limit. The cost of staff time to return tax payments that fall within this threshold is more than the maximum level of $10.

There is no fiscal impact as there is no net impact to the County General Fund as the cash difference fund, the payment source for this program, has remained positive each year for the last 10 years. Staff will continue to monitor the balance of this fund, which is approximately $215, to ensure it can address the payment needs under Revenue and Taxation Code Section 2611.5.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve
Reviewed By: Helene Franchi