



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

SEN. GEORGE RUNNER (Ret.)
First District, Lancaster

FIONA MA, CPA
Second District, San Francisco

JEROME E. HORTON
Third District, Los Angeles County

DIANE L. HARKEY
Fourth District, Orange County

BETTY T. YEE
State Controller

DAVID J. GAU
Executive Director

STATE BOARD OF EQUALIZATION MEETING
450 N Street, Room 121, Sacramento
December 11-14, 2017
NOTICE AND AGENDA
Meeting Agenda (as of 12/13/2017, 3:00 PM)

[Agenda Changes](#)

[Webcast on Monday, December 11, 2017](#)

Monday, December 11, 2017

9:30 a.m. Pledge of Allegiance

Board Meeting Convenes*

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A. Homeowner and Renter Property Tax Assistance Appeals Hearings
There are no items for this matter.

B. Corporate Franchise and Personal Income Tax Appeals Hearings
(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

B1. [Peter Pau and Susanna Pau, 959931 +](#)

For Appellants: Johan Klehs, Representative
Edwin P. Antolin, Attorney
For Franchise Tax Board: Carolyn Kuduk, Tax Counsel
Ciro Immordino, Tax Counsel

B2. [Keyshawn Johnson and Shikiri Johnson, 786255 +](#)

For Appellants: Keyshawn Johnson, Taxpayer
Mardiros H. Dakessian, Attorney
Ruben Sislyan, Attorney
For Franchise Tax Board: Jason Riley, Tax Counsel
Ron Hofsdal, Tax Counsel

C. Sales and Use Tax Appeals Hearings

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

C1. Bernardo/Tocchetto Enterprises, Inc., 915702 (JH) +

For Petitioner: Gaspare Bernardo, Taxpayer
Rosie Bernardo, Witness

For Department: Scott Lambert, Hearing Representative

~~**C2. Barron DuPont Kidd, 692607 (AC) +**~~

~~For Taxpayer: Gary S. Vandeweghe, Attorney~~

~~For Department: Joseph Boniwell, Tax Counsel~~

C3. Kyung Ho Min, 742143 (GH) +

For Petitioner: Kyung Ho Min, Taxpayer
H. Kenneth Ahn, Attorney

For Department: Nenita DeLaCruz, Hearing Representative

D. Special Taxes Appeals Hearings

These items are scheduled for Wednesday, December 13, 2017.

E. Property Tax Appeals Hearings

These items are scheduled for Thursday, December 14, 2017.

F. Public Hearings

There are no items for this matter.

G. Tax Program Nonappearance Matters – Consent(Contribution Disclosure forms not required pursuant to Gov. Code, § 15626.)**G1. Legal Appeals Matters Mr. Angeja**

- Hearing Notice Sent – No Response
 1. Auto Net Enterprises, Inc., 882044 (EH)
 2. Corporate Refreshment Svcs, LLC, 863915 (FH)
 3. Lewis K. Eisaguirre, 741340 (UT)
 4. Mark Malatesta, 729199 (UT)
 5. MMM Delgado Corp., 888141 (EH)
 6. Skorpion Enterprises, 804335 (EH)
 7. Yolanda M. Soper, 857496 (RC)
 - 8a. David Dornan and Stacey Jill Dornan, 876689 (CH)
 - 8b. Alborz Walnut Creek, Inc., 876690 (CH)
 9. Yiu Fun Lee, 881003 (GH)
 10. Gurinder Sira, 710077 (UT)
 11. N&S Mansour Bros., Inc., 522926 (DF)
 12. ZAP, 496989 (JH)
- Hearing Notice Sent – Appearance Waived
 13. Premier Power Renewable Energy, Inc., 851784 (KH)
 14. NBS Design, Inc., 585506, 746929, 863991 (GH)

- G2. Franchise and Income Tax Matters Mr. Epolite
- Hearing Notice Sent – No Response
 1. Charles K. Lwanga, 981752
 2. Ranbir Sahni and Rekha Sahni, 981510
 3. Christopher Walworth and Cari Walworth, 916636
 - Hearing Notice Sent – Appearance Waived
 4. Anne Titus, 996247
 - Decisions
 5. Melese Adamu, 793835
 6. Advent Engineering Partners, 995888
 7. John N. Alphson, 815755
 8. Maria Barajas, 987711
 9. Michelle G. Barhaghi, MD, PC, 982846
 10. Patricia H. Crews, 949732
 11. Leah DeLeon, 926561
 12. Equative, Inc., 987575
 13. Family Pacific 8, LLC, 985524
 14. Tony Faryniarz and Susan Faryniarz, 978047
 15. Amir Fathie and Shideh Shafi, 994800
 16. Thomas Fisher, 979947
 17. Edward P. Fiszler, 957458
 18. Forbes Global Holdings, Inc., 975854
 19. Robert Joseph Frisz, 932136
 20. Sergey Frolov and Liliya Rymar, 892918
 21. Joseph T. Fugate and Alice J. Reddy, 922309
 22. Dorothy J. George, 929694
 23. Gustavo Gonzalez, 979153
 24. Gerald Grenier and Kathy Grenier, 978681
 25. Dax Hock and Sarah A. Breck, 993832
 26. Hydropot Grow Juice, LLC, 974109
 27. Julie Isom, 950082
 28. Deandre D. Kimble, 981852
 29. Grant Layton, 843054
 30. Wendla L. Liljestrand Irrevocable Trust, 984523
 31. Suzette C. Manalang, 948822
 32. Solomon R. Mangolini, 975543
 33. William J. McDonald and Judith Mcdonald, 949056
 34. Media Capital Associates, LLC, 984393
 35. Terry J. Morris, 951302
 36. Patricia (Taylor) Ogden and Francis L. Taylor, 944667
 37. Pacrim Venture Partners 1-Q L.P., 974189
 38. William Pelzer, Jr. and Beth Pelzer, 980187
 39. Michele Poste, 927501
 40. Ameir Rasheed, 596465
 41. Desiree Robinson Moody, 850993
 42. David A. Rowe, 937498
 43. SF Real Estate, Inc., 991115
 44. Rolando Solano, 941435

45. Gary Sparks and Karla Sparks, 974032
46. Clifford Traylor and Evangelina Barroso Traylor, 950897
47. John A. Vertullo and Barbara J. Vertullo, 910370
48. Owen T. Viola and EVA Marie Viola, 848294
49. Frederick Scott Walmsley, 994542
50. Richard T. Warman, 738839
51. Roy Williams, 994545
52. Jay Wollenhaupt, 866861
53. Ching Yea Wu and Hsi Wen Wu, 988761
54. Lin Xiang, 990294
55. Jiwei Yang and Zhanghua Yan, 950083
56. Yingli Green Energy Americas, Inc., 935950
57. Margaret C. Yung and Wai Yung, 974811
58. Paul Zraggen and Helen M. Zraggen, 994537

There are no items for the following matters:

- G3. Homeowner and Renter Property Tax Assistance Matters
- G4. Sales and Use Taxes Matters
- G5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds

G6. Special Taxes Matters

This item is scheduled for Thursday, December 14, 2017.

There are no items for the following matters:

- G7. Special Taxes Matters – Credits, Cancellations, and Refunds
- 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. Angeja
 - Petitions for Rehearing
 1. SJCBC, LLC, 576954, 655010 (GH)
 - Section 40 (AB 2323) Matter
 2. [Zimmer US, Inc., 773995, 801742 \(EA\) +](#)
- H2. Franchise and Income Tax Matters Mr. Epolite
 - Petitions for Rehearing
 1. Jeffrey Moffatt and Staretta Moffatt, 878764
 2. Kimothy Sampson, 800048
 - 3a. Richard Schotts, Jr., 798666
 - 3b. Andrea Schotts, 800099

There are no items for the following matters:

- H3. Homeowner and Renter Property Tax Assistance Matters
- H4. Sales and Use Taxes 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
This item is scheduled for Thursday, December 14, 2017.

- H9. Cigarette License Fee Matters
There are no items for this matter.

- H10. Legal Appeals Property Tax Matters
This item is scheduled for Thursday, December 14, 2017.

I. Tax Program Nonappearance Matters

- I1. Property Taxes Matters
This item is scheduled for Thursday, December 14, 2017.

There are no items for the following matters:

- I2. Offer in Compromise Recommendations
- I3. Local Tax Reallocation Matters

Chief Counsel Matters

Items that appear under these matters provide information to the Members and may require Board action or direction.

There are no items for the following matters:

- J. Rulemaking
- K. Business Taxes
- L. Property Taxes

M. Other Chief Counsel Matters

- ~~M1. Contract Over \$1 Million + Mr. Nanjo~~
Approval of Kerr & Wagstaff’s contract amendments for outside counsel.

Administrative Session

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N. Consent Agenda Ms. Richmond
(Contribution Disclosure forms not required pursuant to Gov. Code, § 15626.)

N1. Retirement Resolution +

- David J. Gau

N2. Approval of Board Meeting Minutes

- **October 24-25, 2017 +**

N3. Approval of Assessors' Handbook Section 531, Residential Building Costs +

Request approval for publication of the 2018 revision of Assessors' Handbook Section 531, *Residential Building Costs*.

N4. Approval of Assessors' Handbook Section 534, Rural Building Costs +

Request approval for publication of the 2018 revision of Assessors' Handbook Section 534, *Rural Building Costs*.

N5. Approval of Assessors' Handbook Section 581, Equipment and Fixtures Index, Percent Good and Valuation Factors +

Request approval for publication of the 2018 revision of Assessors' Handbook Section 581, *Equipment and Fixtures Index, Percent Good and Valuation Factors*.

O. Adoption of Board Committee Reports and Approval of Committee Actions
There are no items for this matter.

P. Other Administrative Matters

P1. Executive Director's Report Mr. Gau

1. Organizational Update

Report on the status of pending and upcoming organizational issues.

2. Board Meeting Day Addition + (Rescheduled to December 14, 2017)

P2. Chief Counsel Report
There are no items for this matter.

P3. Property Tax Deputy Director's Report
This item is scheduled for Thursday, December 14, 2017.

Announcement of Closed Session Ms. Richmond

Q. Closed Session (Rescheduled to December 14, 2017)

Q1. Discussion and action on personnel matters (Gov. Code, § 11126(a)(1)).


Announcement of Open Session..... Ms. Richmond

R. Board Member Requested Matters
There are no items for this matter.

Recess - The meeting will reconvene on Tuesday, December 12, 2017, at 9:30 a.m.

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Joann Richmond, Chief
Board Proceedings Division

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+ Material is available for this item.

'CF' Constitutional Function – The Deputy State Controller may not participate in this matter under Government Code section 7.9.



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Tuesday, December 12, 2017

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C. Sales and Use Tax Appeals Hearings

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

C4. [First American Title Insurance Company, 612003 \(EA\) +](#)

For Claimant: Stan Tarbell, Taxpayer
Karri Rozario, Representative
Joseph A. Vinatieri, Attorney
Leighton M. Anderson, Attorney
For Department: Robert Tucker, Tax Counsel

~~C5. [Hamdiah Saleh Aldahebi, 939596 \(CH\) +](#)~~

~~For Petitioner: Hassen Mohsen, Representative
For Department: Nenita DeLaCruz, Hearing Representative~~

C6. [Body Wise International, LLC, 552589 \(EA\) +](#)

For Petitioner: Lucian Khan, Attorney
Jesse W. McClellan, Attorney
For Department: Scott Claremon, Tax Counsel

C7. [Medimarts, Inc., 763614 \(GH\) +](#)


For Petitioner: David Armstrong, Taxpayer
Stephen A. Horner, Attorney
For Department: Brad Heller, Tax Counsel

- C8. [Tomassian Enterprises, Inc., 873502 \(GH\) +](#)
For Petitioner: Greg Tomassian, Taxpayer
Jesse W. McClellan, Attorney
For Department: Scott Lambert, Hearing Representative
- C9. [Gourmet 88 Management, Inc., 850780, 870558, 907579, 908779 \(AC\) +](#)
For Petitioner/Claimant: Marc Brandeis, Representative
Greg Reynolds, Representative
For Department: Robert Tucker, Tax Counsel

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C. Sales and Use Tax Appeals Hearings

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

C10. [Robert Warren Rosenbaum, 532193 \(DF\) +](#)

For Petitioner: Stephen L. Labiak, Attorney
For Department: Kevin Smith, Tax Counsel

C11. [Doomid, Inc., 416893, 552763 \(DF\) +](#)

For Petitioner/Claimant: Shawn Nazari, Representative
For Department: Scott Lambert, Hearing Representative

C12. [Doomid, Inc., 626011, 681012 \(DF\) +](#)

For Petitioner/Claimant: Shawn Nazari, Representative
For Department: Scott Lambert, Hearing Representative

C13a. [Century House, LLC, 869612 \(CH\) +](#)

C13b. [Century House, LLC, 596676, 785032, 979759 \(CH\) +](#)

For Taxpayer/Claimant: Mitchell Stradford, Representative
Jesse W. McClellan, Attorney
For Department: Scott Claremon, Tax Counsel

C14. [Koch Supplies, Inc., 554415 \(OH\) +](#)

For Claimant: Joan Armenta-Roberts, Representative
For Department: Scott Claremon, Tax Counsel

C15a. Partnership of Mary Jo Robinson and Deborah Ann Ibey, 607538 (FH) +
 C15b. Arrangements Unlimited, Inc., 607541 (FH) +

For Petitioners: Mary Jo Robinson, Taxpayer
 Deborah A. Ibey, Taxpayer
 Priscilla A. Burpee, Representative
 Jesse W. McClellan, Attorney
 For Department: Kevin Smith, Tax Counsel

C16. Dabney Bixel, Inc., 770560 (AC) +

For Petitioner: Jesse W. McClellan, Attorney
 For Department: Kevin Smith, Tax Counsel

C17. Patti Roscoe & Associates, Inc., 611281, 851908, 926981, 926982,
 943152 (FH) +

For Taxpayer/Claimant: Jesse W. McClellan, Attorney
 For Department: Kevin Smith, Tax Counsel

~~C18. Scott Alex Perez, 585515 (AC) +~~

~~For Petitioner: James Dumler, Representative
 For Department: Robert Tucker, Tax Counsel~~

D. Special Taxes Appeals Hearings

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

D1. Tobacco Republic Incorporated, 727806 (STF) +

For Taxpayer: Oneida Morgan Hawley, Taxpayer
 Victoria Reyes, Witness
 Angelique Reyes, Witness
 For Department: Joshua Aldrich, Tax Counsel

~~D2. Farmers Insurance Exchange, 495241 (STF) 'CF' +~~

~~For Petitioner: Marilyn A. Wethekam, Attorney
 For Dept. of Insurance: Laszlo Komjathy, Attorney
 For Department: Julia Himovitz, Tax Counsel~~

Petition for Release of Seized Property Hearing


D3. Jason Allen Kagawa, 1015726 +

For Petitioner: Jason Kagawa, Taxpayer
 For Department: Joshua Aldrich, Tax Counsel

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Joann Richmond, Chief
Board Proceedings Division

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Special Presentation

- Presentation of Retirement Resolution..... Ms. Harkey
David J. Gau, Executive Director +

E. Property Tax Appeals Hearings

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

Petition for Reassessment of Unitary Value

E1. La Paloma Generating Company, LLC (1112), 1017428 'CF' +

For Petitioner: C. Stephen Davis, Taxpayer
For Department: Sarah Garrett, Tax Counsel

E2. Lodi Gas Storage, LLC (198), 1017430 'CF' +

For Petitioner: C. Stephen Davis, Taxpayer
For Department: Julia Himovitz, Tax Counsel

G. Tax Program Nonappearance Matters – Consent

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

G6. Special Taxes MattersMs. Kalfsbeek

- Grant-One Day Interest Relief
1. Epic Ventures, Inc., 1037414 (STF) 'CF'

H. Tax Program Nonappearance Matters – Adjudicatory

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

- H8. Property Tax Matters Mr. Kinnee
- Petition for Reassessment of Unitary Value
 1. Trans Bay Cable, LLC (119), 1019384 ‘CF’
 2. Torrance Valley Pipeline Company (409), 1019388 ‘CF’
- H10. Legal Appeals Property Tax Matters..... Mr. Ambrose
- Petition for Reassessment of Unitary Value
 1. California Northern Railroad (810), 1018162 ‘CF’
 2. Central Oregon & Pacific Railroad (802), 1018159 ‘CF’
 3. San Joaquin Valley Railroad Company (897), 1018157 ‘CF’
 4. Crimson Pipeline, LP (490), 1017339 ‘CF’
 5. Frontier California, Inc. (201), 1017434 ‘CF’

I. Tax Program Nonappearance Matters(Contribution Disclosure forms not required pursuant to Gov. Code, § 15626.)

- I1. Property Taxes Matters..... Mr. Kinnee
- Audit
 1. Zayo Group, LLC (7778) ‘CF’
 2. Conterra Ultra Broadband, LLC (8089) ‘CF’
 - Board Roll Changes
 3. 2017 Board Roll of State-Assessed Property ‘CF’

Administrative Session

Items that appear under these matters provide information to the Members and may require Board action or direction.

P. Other Administrative Matters

- P3. Property Tax Deputy Director’s Report Mr. Kinnee
1. **Aircraft Representative Period +**
Pursuant to Revenue and Taxation Code section 1153, adoption of the representative period for the 2018 tax year for the assessment of aircraft operated by certificated air carriers.
- P1. Executive Director’s Report Mr. Gau
2. **Board Meeting Day Addition + (Rescheduled from December 11, 2017)**
Proposal to add a December 2017 Sacramento Board Meeting Date.

Announcement of Closed Session Ms. Richmond

Q. Closed Session (Rescheduled from December 11, 2017)


Q1. Discussion and action on personnel matters (Gov. Code, § 11126(a)(1)).

Announcement of Open Session..... Ms. Richmond

Adjourn

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