

Thursday, November 8, 2018

The Board met at its offices at 450 N Street, Sacramento, at 9:36 a.m., with Mr. Runner, Chairman, Ms. Ma, Vice Chairwoman, and Mr. Horton present, Ms. Stowers present on behalf of Ms. Yee in accordance with Government Code section 7.9.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Stowers.

Mr. Runner congratulated Ms. Ma on her election to California State Treasurer. He also congratulated Ms. Yee and Ms. Stowers on Ms. Yee's reelection to California State Controller. Mr. Horton congratulated them also and made complementary remarks. Ms. Stowers congratulated Ms. Ma and made complementary remarks.

SPECIAL PRESENTATION

Presentation of Retirement Resolution to Brian K. Wiggins

On behalf of the Board, Mr. Runner presented a retirement resolution to Brian K. Wiggins, Professional Advisor to Board Member Runner, First District. Mr. Runner made many complementary remarks and congratulated Brian on his well-earned retirement.

PROPERTY TAXES MATTERS, CONSENT

With respect to the Property Taxes Matters, Consent Agenda, upon a single motion of Mr. Horton, seconded by Ms. Ma and unanimously carried, Mr. Runner, Ms. Ma and Mr. Horton voting yes, Ms. Stowers not participating in accordance with Government Code section 7.9, Ms. Harkey absent, the Board made the following orders:

Petitions for Reassessment of Unitary Value

Trans Bay Cable LLC (0119), 1056747

2018, \$495,700,000.00 Unitary Value

Action: Reduce the 2018 unitary value to \$452,600,000.00 as recommended by staff.

Ms. Stowers not participating in accordance with Government Code section 7.9.

CVIN, LLC (8151), 1057072

2018, \$73,500,000.00, Unitary Value

Action: Reduce the 2018 unitary value to \$66,800,000.00 as recommended by staff.

Ms. Stowers not participating in accordance with Government Code section 7.9.

Petitions for Penalty Abatement on Unitary Value

Wilshire Connection, LLC (7799), 1056697

2018, \$860,000.00 Penalty

Action: Approve the penalty abatement on 2018 unitary value as recommended by staff.

Ms. Stowers not participating in accordance with Government Code section 7.9.

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PC Landing Corp. (8116), 1056740

2018, \$1,000,000.00 Penalty

Action: Approve the penalty abatement on 2018 unitary value as recommended by staff.
Ms. Stowers not participating in accordance with Government Code section 7.9.

LEGAL APPEALS PROPERTY TAXES MATTERS, ADJUDICATORY**Petitions for Reassessment of Unitary Value**

Wild Goose Storage, LLC (0195), 1056753

2018, \$178,900,000.00 Value

Considered by the Board: Presented for Separate Discussion

Contribution Disclosures pursuant to Government Code section 15626: No contribution disclosure forms were filed. The Members noted that their records disclosed no contributions from this taxpayer, his agent or participants.

Action: Upon motion of Ms. Ma, seconded by Mr. Horton and unanimously carried, Mr. Runner, Ms. Ma and Mr. Horton voting yes, Ms. Stowers not participating in accordance with Government Code section 7.9, Ms. Harkey absent, the Board ordered that the petition be granted in part and that the value be reduced to \$159,100,000.00 as recommended by the Legal Department.

Lodi Gas Storage, LLC (0198), 1056754

2018, \$69,600,000.00 Unitary Value

Considered by the Board: Presented for Separate Discussion

Contribution Disclosures pursuant to Government Code section 15626: No contribution disclosure forms were filed. The Members noted that their records disclosed no contributions from this taxpayer, his agent or participants.

Action: Upon motion of Ms. Ma, seconded by Mr. Horton and unanimously carried, Mr. Runner, Ms. Ma and Mr. Horton voting yes, Ms. Stowers not participating in accordance with Government Code section 7.9, Ms. Harkey absent, the Board ordered that the petition be denied as recommended by the Legal Department.

Stockton Terminal and Eastern Railway (0878), 1055631

2018, \$6,380,000.00 Unitary Value

Considered by the Board: Presented for Separate Discussion

Contribution Disclosures pursuant to Government Code section 15626: No contribution disclosure forms were filed. The Members noted that their records disclosed no contributions from this taxpayer, his agent or participants.

Action: Upon motion of Ms. Ma, seconded by Mr. Horton and unanimously carried, Mr. Runner, Ms. Ma and Mr. Horton voting yes, Ms. Stowers not participating in accordance with Government Code section 7.9, Ms. Harkey absent, the Board ordered that the petition be denied as recommended by the Legal Department.

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Petition for Reassessment and Penalty Abatement on Unitary Value

Goose Lake Railway, LLC (0805), 1056674

2018, \$709,000.00 Unitary Value, \$70,900.00 Penalty

Considered by the Board: Presented for Separate Discussion

Contribution Disclosures pursuant to Government Code section 15626: No contribution disclosure forms were filed. The Members noted that their records disclosed no contributions from this taxpayer, his agent or participants.

Action: Upon motion of Ms. Ma, seconded by Mr. Horton and unanimously carried, Mr. Runner, Ms. Ma and Mr. Horton voting yes, Ms. Stowers not participating in accordance with Government Code section 7.9, Ms. Harkey absent, the Board ordered that the petition be denied as recommended by the Legal Department.

ADMINISTRATIVE SESSION**ADMINISTRATIVE MATTERS, CONSENT**

With respect to the Administrative Matters, Consent Agenda, upon a single motion of Mr. Horton, seconded by Ms. Stowers and unanimously carried, Mr. Runner, Ms. Ma, Mr. Horton and Ms. Stowers voting yes, Ms. Harkey absent, the Board made the following orders:

Action: Adopt the following resolution, extending its sincere and grateful appreciation to the retiree for his dedicated service to the State Board of Equalization and to the State of California, their congratulations on the retiree's well-earned retirement, and best wishes to him and his family for continued success, happiness and good health in the years to come ([Exhibit 11.1](#)).

Brian K. Wiggins, Professional Advisor to Chairman George Runner, First Equalization District

Exhibits to these minutes are incorporated by reference.

OTHER ADMINISTRATIVE MATTERS**Property Tax Deputy Director's Report**

David Yeung, Chief, County-Assessed Properties Division, Property Tax Department, provided an overview of the Active Solar Equipment New Construction Exclusion and an update on the project in progress ([Exhibit 11.2](#)).

Henry D. Nanjo, Chief Counsel, and David Yeung, Chief, County-Assessed Properties Division, Property Tax Department, reported the status of items related to the California Alliance of Taxpayer Advocates (CATA) petition for property tax rule changes.

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ANNOUNCEMENT OF CLOSED SESSION

The Board recessed at 10:05 a.m. and reconvened immediately in closed session with Mr. Runner, Ms. Ma, Mr. Horton and Ms. Stowers present.

CLOSED SESSION

The Board met to discuss personnel matters (Gov. Code § 11126(a)(1)).

The Board recessed at 10:10 a.m. and reconvened immediately in open session with Mr. Runner, Ms. Ma, Mr. Horton and Ms. Stowers present.

The Board adjourned at 10:11 a.m.

The foregoing minutes are adopted by the Board on December 12, 2018.

Note: The following matter was removed from the calendar prior to the meeting: *Legislative, Research & Statistics Division Chief's Report: Update on Proposition 5, Property Tax Transfer Initiative.*