

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE AUTHORIZING THE CITY MANAGER
TO EXECUTE AN AGREEMENT WITH THE BOARD OF
EQUALIZATION FOR STATE COLLECTION AND
ADMINISTRATION OF THE CITY'S UTILITY USERS'
TAX ON PREPAID WIRELESS SERVICE AND RELATED
DOCUMENTS**

WHEREAS, pursuant to Ordinance No. 3102-16 of the City of Sunnyvale ("City") and the Local Prepaid Mobile Telephony Services Collection Act, the City entered into a contract with the State Board of Equalization (the "Board"), to perform all functions incident to the administration and collection of the prepaid mobile telephony services surcharge and local charges (Rev. & Tax. Code, § 42101.5) effective January 1, 2017; and

WHEREAS, the Board requires that City: enter into a contract with the Board for State collection and administration of the City's utility users' tax on prepaid wireless service ("contract"); certify the City's Utility User's Tax ordinance, its rate and applicability; and adopt a resolution authorizing certain persons access to confidential information of the Board that is reasonably available to the Board regarding the proper collection and remittance of a local charge of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City Manager is hereby authorized to sign on behalf of the City a contract with the Board, certification that the City's UUT ordinance covers prepaid wireless services, and any other related documents required by the Board to perform all functions incident to the administration and collection of the prepaid mobile telephony services surcharge and local charges (Rev. & Tax. Code, § 42101.5); and

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney