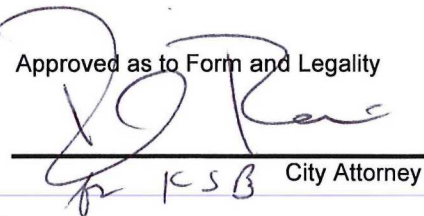


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2015 AUG 13 AM 8:59

Approved as to Form and Legality

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 85752 C.M.S.

RESOLUTION AUTHORIZING THE EXAMINATION OF PREPAID MOBILE TELEPHONY SERVICES SURCHARGE AND LOCAL CHARGE RECORDS

WHEREAS, pursuant to Ordinance No. 12844 C.M.S. of the City of Oakland and the Local Prepaid Mobile Telephone Services Collection Act, the City of Oakland, hereinafter called "Local Jurisdiction," entered into a contract with the State Board of Equalization, hereinafter referred to as the "Board," to perform all functions incident to the administration and collection of the prepaid mobile telephony services surcharge and local charges (Rev. & Taxation Code §42101.5); and

WHEREAS, the Local Jurisdiction deems it desirable and necessary for authorized representatives of the Local Jurisdiction to examine confidential prepaid mobile telephony services surcharge and local charge records pertaining to the prepaid mobile telephony services surcharge and local charges collected by the Board for the Local Jurisdiction pursuant to the contract; and

WHEREAS, the Board will make available to the Local Jurisdiction any information that is reasonably available to the Board regarding the proper collection and remittance of a local charge of the Local Jurisdiction by a seller, including a direct seller, subject to the confidentiality requirements of Sections 7284.6, 7284.7, and 19542 of the Revenue and Taxation Code; and

WHEREAS, Sections 42110 and 42103 of the Revenue and Taxation Code set forth certain requirements and conditions for the disclosure of Board of Equalization records and establish criminal penalties for the unlawful disclosure of information contained in or derived from the prepaid mobile telephony services charges and local charge records of the Board; now, therefore, be it

RESOLVED: That the Revenue and Tax Administrator, Principal Revenue Analyst, Revenue Analyst, Revenue Operations Supervisor and Tax Auditor II/III or other officer or employee of the Local Jurisdiction designated in writing by the City Administrator to the Board is hereby appointed to represent the Local Jurisdiction with authority to examine prepaid mobile telephony services surcharge and local charge records of the Board pertaining to prepaid mobile telephony

services surcharge and local charges collected for the Local Jurisdiction by the Board pursuant to the contract between the Local Jurisdiction and the Board; and be it

FURTHER RESOLVED: That the information obtained by examination of the Board records shall be used only for purposes related to the collection of the Local Jurisdiction's prepaid mobile telephony services surcharge and local charges by the Board pursuant to the contract; and be it

FURTHER RESOLVED: That the information obtained by examination of the Board records shall only be used for purposes related to the collection of the Local Jurisdiction's prepaid mobile telephony services surcharge and local charges by the Board pursuant to the contract between the Local Jurisdiction and the Board.

AUG 25 2015

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES - APPROVED DURING CITY COUNCIL RECESS
PURSUANT TO RESOLUTION NO. 82580
ABSENT - C.M.S., DATED 03-02-10
ABSTENTION -

ATTEST: LaTonda Simmons for
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California