

## RESOLUTION NO. 2026-2084

### **A RESOLUTION OF THE CITY OF AURORA, MISSOURI, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE TOLLING AGREEMENTS AND GRANTING FURTHER AUTHORITY**

**WHEREAS**, the City of Aurora, Missouri (the "City"), has initiated audits to determine the existence or extent of possible underpayment of the gross receipts license tax in Chapter 615 of the Municipal Code of the City of Aurora, Missouri by persons or entities subject to such tax operating in the City ("Audits"); and

**WHEREAS**, the City and Cello Partnership d/b/a Verizon Wireless ("Verizon"), along with Verizon's affiliates, desire to enter into a tolling agreement, as more fully described in Exhibit 1 attached hereto ("Verizon Tolling Agreement"), and the Council finds it in the best interest of the City to enter into such tolling agreement; and

**WHEREAS**, the City and the New Cingular Wireless PCS, LLC, a/k/a AT&T Mobility and Southwestern Bell Telephone Company (collectively "AT&T"), desire to enter into a tolling agreement, as more fully described in Exhibit 2 attached hereto ("AT&T Mobility Tolling Agreement"), and the Council finds it in the best interest of the City to enter into such tolling agreement; and

**WHEREAS**, the City and T-Mobile LLC, a Delaware limited liability company ("T-Mobile Central") on behalf of itself and T-Mobile Central's affiliates (collectively, "T-Mobile"), desire to enter into a tolling agreement, as more fully described in Exhibit 3 attached hereto ("T-Mobile Central Tolling Agreement"), and the Council finds it in the best interest of the City to enter into such tolling agreement; and

**WHEREAS**, the City and Sprint Spectrum LLC, a Delaware limited liability company ("Sprint Spectrum"), successor in interest to Sprint Spectrum LP, on behalf of itself and Spring Spectrum's affiliates (collectively, "Sprint"), desire to enter into a tolling agreement, as more fully described in Exhibit 4 attached hereto ("Sprint Tolling Agreement"), and the Council finds it in the best interest of the City to enter into such tolling agreement; and

**WHEREAS**, while conducting Audits, the City may require additional tolling agreements with other persons or entities subject to the City's gross receipts license tax, and the Council finds it in the best interest of the City to enter into such tolling agreements substantially the same as Exhibits 1,2,3 and 4; and

**WHEREAS**, while conducting the Audit, the City may be required, as authorized by law, to compel by subpoena the production of books, papers, and other evidence for the purpose of investigating the existence or extent of possible underpayment of the gross receipts license tax.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA:**

**Section 1.** The City Council hereby authorizes the City Manager to execute on behalf of the City the Verizon Tolling Agreement, substantially in the form attached hereto as "Exhibit 1", authorizes the City Manager to execute on behalf of the City the AT&T Mobility Tolling Agreement, substantially in the form attached hereto as "Exhibit 2", authorizes the City Manager to execute on behalf of the City the T-Mobile Central Tolling Agreement, substantially in the form attached hereto as "Exhibit 3", authorizes the City Manager to execute on behalf of the City the Sprint Tolling Agreement, substantially in the form attached hereto as "Exhibit 4", and hereby further authorizes the City Manager to execute on behalf of the City tolling agreements substantially in the form of Exhibits 1,2,3 and 4 with other persons or entities subject to the City's gross receipts license tax as required during the Audits.

**Section 2.** Pursuant to Chapters 605 and 615 of the Municipal Code of the City of Aurora, Missouri, among other authorities, the City Council hereby authorizes the City Manager and City Clerk as the City License Officer as necessary during the Audits to issue and compel by subpoena the production of such person's or entity's books, papers, and other evidence for the purpose of investigating the existence or extent of possible underpayment of the gross receipts license tax.

**Section 3.** The City Council hereby authorizes the City Manager and Special Legal Counsel to take all further actions as may be necessary to carry out the intent of this Resolution and the Audits.

**Section 4.** The recitals contained above are incorporated in this Resolution as if fully set forth herein.

**Section 5.** This Resolution is adopted and shall be in full force and effect on and after its passage and approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AURORA THIS 24<sup>th</sup> DAY OF MARCH 2026.**

**APPROVED:**

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Tony Kennedy, Mayor

**ATTEST:**

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Kamy Kulow, City Clerk