



RESOLUTION 2014-068

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONSTRUCTION EXCISE TAX INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN METRO AND THE CITY OF SHERWOOD

WHEREAS, Metro and the City of Sherwood ("City") are parties to the Construction Excise Tax Intergovernmental Agreement to Collect and Remit Tax ("CET Collection IGA"), dated June 16, 2006, which provides that the City will collect and remit Construction Excise Taxes pursuant to the Metro Construction Excise Tax, Ordinance # 06-1115, and Metro Code Chapter 7.04; and

WHEREAS, the CET Collection IGA provides that the City will retain a Five Percent (5%) administrative fee from the CET it collects; and

WHEREAS, the original sunset date for the CET Collection IGA was tied to the original sunset date of the Metro CET, which was to be the date on which Metro certified that all collecting jurisdictions had remitted a total of \$6.3 million in CET; and

WHEREAS, while Metro collected the initial \$6.3 million, because of the public benefit the program provides, in 2009 the Metro Council extended the Construction Excise Tax via Ordinance No. 09-1220, with a new sunset date of September 30, 2014 along with additional anticipated revenue; and

WHEREAS, in 2014 Metro engaged a broad-based stakeholder advisory group, including many local jurisdictions, to determine whether to further extend the Construction Excise Tax, and extension of the CET was supported by the advisory group and MPAC; and

WHEREAS, on June 19, 2014 the Metro Council adopted Ordinance No. 14-1328 extending the CET with a new sunset date of December 31, 2020; and

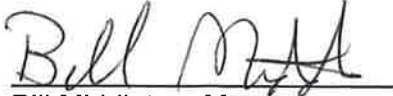
WHEREAS, the City Council wishes to extend the CET Collection IGA to reflect the new CET sunset date with all other provisions in the CET Collection IGA remaining unchanged;

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The Sherwood City Council hereby authorizes the City Manager to sign the amendment to the IGA, attached as Exhibit 1.

Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 18th day of November 2014.


Bill Middleton, Mayor

Attest:


Sylvia Murphy, MMC, City Recorder

**AMENDMENT TO
CET COLLECTION IGA
METRO / CITY OF SHERWOOD**

This Amendment to the Metro – City of Sherwood Construction Excise Tax Intergovernmental Agreement to Collect and Remit Tax (“Amendment”), is effective as of September 30, 2014, by and between Metro, a metropolitan service district organized under the laws of the state of Oregon, located at 600 Northeast Grand Avenue, Portland, OR, 97232 (“Metro”), and the City of Sherwood, a municipal corporation, located at 22560 SW Pine Street, Sherwood , OR 97140 (the “City”), collectively referred to as “Parties.”

WHEREAS, Metro and the City are parties to the Construction Excise Tax Intergovernmental Agreement to Collect and Remit Tax dated June 22, 2006 (“CET Collection IGA”), which provides that the City will collect and remit Construction Excise Taxes pursuant to the Metro Construction Excise Tax, Ordinance # 06-1115, and Metro Code Chapter 7.04;

WHEREAS, the CET Collection IGA provides that the City shall retain a Five Percent (5%) administrative fee from the CET it collects; and

WHEREAS, the original sunset date for CET collection was tied to the original sunset date of the Metro CET, which was the date on which Metro certified that all collecting jurisdictions had remitted a total of \$6.3 million in CET; and

WHEREAS, in 2009 the Metro Council extended the Construction Excise Tax via Ordinance No. 09-1220, with a new sunset date of September 30, 2014; and

WHEREAS, in 2014 Metro engaged an advisory group consisting of a broad based stakeholder group, including many local jurisdictions, to determine whether to extend the Construction Excise Tax, and extension of the CET was supported by the advisory group and MPAC, and on June 19, 2014 the Metro Council adopted Ordinance No. 14-1328 extending the CET with a new sunset date of December 31, 2020; and

WHEREAS, the Parties wish to amend their CET Collection IGA to reflect the new CET sunset date;

NOW THEREFORE, the Parties agree as follows:

SECTION 1. The Parties hereby amend Section 10 of their CET Collection IGA, to **delete** the existing language in Section 10 which states
“Sherwood shall cease collection of the Construction Excise Tax pursuant to this CET Collection IGA on the last day of the month which Metro certifies to Sherwood that a total of \$6.3 million has been collected by the Metro-area local jurisdictions and has been remitted to and received by Metro” [remainder of section remains]

And **insert**

“Sherwood shall cease collection of the Construction Excise Tax pursuant to this CET Collection IGA on December 31, 2020.”

SECTION 2. All other provisions of the CET Collection IGA shall remain in full force and effect.

SECTION 3. This Amendment to the CET Collection IGA is effective retroactive to September 29, 2014.

Metro

City of Sherwood

By: Martha Bennett
Title: Metro Chief Operating Officer

By: Joseph Gall
Title: Sherwood City Manager