

RESOLUTION NO. 08- 11

INTRODUCED BY:

Councilperson Hoffman
Councilperson Havercroft

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES NORTH
APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE
COLORADO DEPARTMENT OF REVENUE AND THE CITY OF CASTLE PINES
NORTH REGARDING CONTROL OF CONFIDENTIAL DATA**

WHEREAS, it is anticipated that the Colorado Department of Revenue (the "Department") will be collecting sales taxes on behalf of the City; and

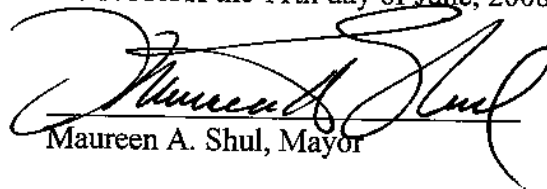
WHEREAS, the Department will have confidential data relating to the collection and administration of the sales taxes which the Department would like to share with the City; and

WHEREAS, the City and the Department desire to enter into a memorandum of understanding regarding the control of such confidential data.


THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO:

The City Council hereby approves the Memorandum of Understanding Re: Control of Confidential Data between the Colorado Department of Revenue and the City, in substantially the form attached hereto as Exhibit A.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH the 11th day of June, 2008.

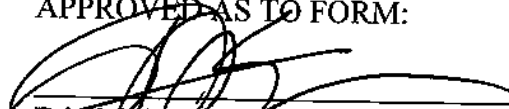

Maureen A. Shul, Mayor

ATTEST:



Carl E. Kollmar, City Clerk

APPROVED AS TO FORM:



Erin M. Smith
City Attorney

Exhibit A

Memorandum of Understanding Re: Control of Confidential Data

STATE OF COLORADO

TAXPAYER SERVICE DIVISION
Department of Revenue

1375 Sherman Street
Denver, Colorado 80261



Bill Ritter, Jr.
Governor

Roxanne Huber
Executive Director

MEMORANDUM OF UNDERSTANDING RE: CONTROL OF CONFIDENTIAL DATA

Pursuant to 29-2-106(4), C.R.S., and for the purpose of obtaining from the Colorado Department of Revenue ("Department") confidential information concerning local sales taxes collected and administered by the Department on behalf of the city/county/ special district (hereafter referred to as "Jurisdiction") of Castle Pines North appoints

(Name) Douglas Gilbert

(Title) Treasurer, an employee of the Jurisdiction, to receive this confidential information. The appointee, on behalf of the Jurisdiction and on his or her own behalf, hereby agrees as follows:

A. Safeguarding Confidential Information:

1. To store and maintain confidential information in a secure place, physically and/or electronically, and to keep adequate records of what confidential information is received and the disposition thereof.
2. To restrict access to such information to persons whose duties and responsibilities require such access, and to make certain that confidential information is not disclosed to unauthorized persons.
3. To keep confidential the Jurisdiction's sales tax account number and computer password(s) issued by the Department, and to immediately provide written notification to the Department of any change in person designated in this Memorandum and/or the need for a new password for any reason.
4. To keep confidential the monthly report web site address and the Department's local government support email address.
5. To allow the Department to review the adequacy of the safeguard measures established hereunder.
6. It is understood and agreed that if any of these safeguard provisions are violated, the Department may refuse to furnish any additional information concerning the status of vendors' accounts and/or impose additional or alternative safeguard procedures. It is understood and agreed that violators of confidentiality statutes may be subject to criminal prosecution and removal from office.

B. Maintaining Accurate Records:

1. The Jurisdiction shall take an active role in identifying retailers within the municipal boundaries, including, but not limited to, reviewing monthly Department reports to determine whether retailers are incorrectly excluded or included in Department reports and timely advising the Department of annexations or other changes in municipal involving retailers.
2. The jurisdiction shall contact said retailers who are not correctly identified in Department reports to determine whether such retailers should be included or excluded on monthly reports.
3. The Jurisdiction shall timely notify the Department of corrected information or unresolved issues concerning said retailers.

Dated at <u>Castle Pines North</u> , Colorado this <u>11th</u> day of <u>June</u> 20 <u>08</u>	
Municipality or County of <u>Douglas County, City of Castle Pines North</u>	Contact Email Address*** <u>dgilbert@castlepinesnorth-co.gov</u>
By* Title <u>Mayor</u>	Title <u>Treasurer</u>
By** Appointee	
APPROVED EXECUTIVE DIRECTOR, DEPARTMENT OF REVENUE	
By	Title <u>City County Tax Coordinator</u>

*Signature of the chief administrative officer or his/her designee who has authority to enter into contractual agreements on behalf of the jurisdiction. The person signing should be someone other than the appointee.

**I have read the Memorandum of Understanding on Control of Confidential Data as set forth above and I promise and agree to safeguard all confidential information received from the Department of Revenue under this agreement.

***Notification of matters related to the Local Government Sales Tax Information System will be sent to this email address. The User ID Final Password will also be sent to this email address.