

RESOLUTION NO. 2015-002

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH
NBS GOVERNMENT FINANCE GROUP FOR FINANCING DISTRICT
ADMINISTRATION, ARBITRAGE REBATE AND CONTINUING DISCLOSURE
SERVICES WITH THREE OPTIONAL ONE YEAR EXTENSIONS FOR A TOTAL
COMPENSATION AMOUNT NOT TO EXCEED \$520,000**

WHEREAS, the current financing district services contract has a termination date of February 28, 2015; and

WHEREAS, Elk Grove Municipal Code Section 3.42.140 requires competitive bidding through a formal Request for Proposal (RFP) procedure; and

WHEREAS, multiple proposals were received and evaluated; and

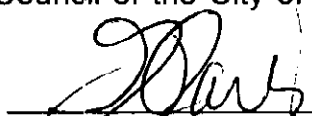
WHEREAS, the proposal submitted by NBS Government Finance Group is the most responsive and offered extensive regional public sector experience; and

WHEREAS, funds are appropriated in the FY 2014-15 Budget of the various project funds to pay for such professional services as needed.

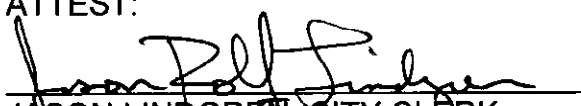
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute the financing district services contract with NBS Government Finance Group for a term of three years with three optional one year extensions. The Consultant shall be paid per Exhibit A, attached hereto and incorporated herein, for annual administration and other services. Total compensation paid to Consultant under this contract, shall not exceed \$520,000. Fiscal Year 2014-15 monies are appropriated for such services within the current budget. Future costs for services will be addressed in future budgets.

BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to take all action and execute all documents reasonably necessary to implement the contract.


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of January 2015



GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

EXHIBIT A
Compensation and Method of Payment

Upon completion of each task, the Consultant will notify the City in writing and request payment for the products and services by submitting an invoice and a brief description of work performed during the billing period. Upon receipt of the invoice, the City will review in a timely manner the products and services noted, and verify completion and authorize payment pursuant to section 4 of this Contract.

The number of parcels and districts shown in the following fee table is from fiscal year 2014/2015 levy. If the actual number of districts or parcels substantially varies, however, a change in fee structure may be negotiated. All hourly and expense rates and fees will remain at the levels presented below for the following services:

1. FINANCING DISTRICT ADMINISTRATION SERVICES

District Name	Parcel Count	Levy	Zones	2015 Fee	2016 Fee	2017 through Feb. 28, 2018 Fee
CFD 2002-1 East Franklin	4,739	4,191,390.00	1	\$4,250.00	\$4,250.00	\$4,250.00
CFD 2003-1 Poppy Ridge	4,110	3,879,731.50	1	\$5,250.00	\$5,250.00	\$5,250.00
CFD 2003-1 Poppy Ridge Services	4,110	779,671.14	1	Included in bonded pricing	Included in bonded pricing	Included in bonded pricing
Street Maintenance District No. 1	7,448	1,065,347.02	1	\$6,000.00	\$6,000.00	\$6,000.00
Laguna West Service Area	2,392	61,764.74	1	\$2,500.00	\$2,500.00	\$2,500.00
CFD 2003-2 Police Services	3,309	1,645,084.64	1	\$3,000.00	\$3,000.00	\$3,000.00
Street Lighting Maintenance District No. 1	50,326	981,267.94	2	\$15,000.00	\$15,000.00	\$15,000.00
CFD 2005-1 Laguna Ridge	2,502	5,010,336.42	1	\$5,250.00	\$5,250.00	\$5,250.00
CFD 2005-1 Laguna Ridge Services	2,502	1,619,329.90	1	Included in bonded pricing	Included in bonded pricing	Included in bonded pricing
CFD 2006-1 Maintenance Services	1,238	827,945.24	1	\$4,200.00	\$4,200.00	\$4,200.00

OPTIONAL SERVICES

These services will not be performed unless formally requested by City staff and authorized by City, in the manner set forth in Section 10 of this Contract.

Proposition 218 Special vs. General Benefit Analysis	TBD
D-FAST Online Software	
Annual Fee	\$4,250
One-Time Setup Fee	Waived

1.2 DELINQUENCY MANAGEMENT SERVICES

Reminder Letters (1)	\$15
Demand Letters (1)	30
Lienholder Letters (1, 2)	40
Lienholder Research (Notice of Default Not Filed)	Hourly
Foreclosure Letters	50
Payment Plan Administration	300
Tax Roll Removal (3, 4)	75
Removal of the Notice of Intent to Remove Delinquent Installments (4)	25
Subsequent Foreclosure Fees (4)	100

All fees are based on a per parcel/per district basis, except as noted below.

1. This fee will be recovered as part of the next levy.
2. Letter is sent to lienholders where public Notice of Default has been filed. Fee reduced to \$20 when sent jointly with Demand or Foreclosure Letter to same parcel.
3. This fee includes filing of the "Notice of Intent to Remove Delinquent Installments" but does not include County fees for removal from the tax roll.
4. This fee is per parcel/per district/per year from the initiation of the foreclosure.

1.3 SPECIAL TAX CONSULTING (BOND ISSUANCE SUPPORT)

Request for services will be made on a project-by project basis under a Task Order approved by the City specifying detailed scope of work, schedule, budget and performance measurements. All work orders will be prepared based on the approved hourly rate fee schedule of this Contract. The services provided under this section shall not exceed a total compensation of \$100,000 for the entire term of the Contract, including optional extensions.

2. ARBITRAGE REBATE COMPLIANCE SERVICES

The fees below have been negotiated for the City, and include a legal opinion.

Base Fees

Commitment Fee:..... \$250
 Report Fee (per annual report including legal opinion):..... 1,500

Additional Service Fees

Computation Periods in Excess of 18 Months (per year): \$500
 Commingled Funds Analysis (as appropriate): 500
 Transferred Proceeds Analysis (as appropriate): 750
 Variable Rate Issues: 500

3. CONTINUING DISCLOSURE SERVICES

Continuing Disclosure	2015 Fee	2016 Fee	2017 through Feb. 28, 2018 Fee
Elk Grove Finance Authority \$90,875,000 Special Tax Revenue Bonds, Series 2005	\$1,500.00	\$1,500.00	\$1,500.00
Elk Grove Finance Authority \$15,900,000 Special Tax Revenue Bonds, Series 2006	250.00	250.00	250.00
City of Elk Grove CFD 2005-1 \$67,670,000 Special Tax Bonds, Series 2007	1,500.00	1,500.00	1,500.00
Totals	\$3,250.00	\$3,250.00	\$3,250.00
Report Fee See Above			
Significant Event Notification hourly or \$100 per event			
Dissemination Services			
Report Dissemination (per recipient) \$25			
Significant Event Dissemination (per recipient) \$25			
Posting to NBS website No charge			

Hourly Rates

Additional services authorized by the City but not included in the scope of services will be billed at this rate or the then applicable hourly rate.

Title	Hourly Rate
Director	\$ 205
Senior Consultant/Engineer	160
Consultant	140
Analyst	120
Clerical/Support	95

Under no circumstances shall the aggregate amount paid under this Contract exceed the amount specified in Section 4A above and if the Contract is approved by the City Manager, all compensation paid to Consultant each year shall meet the cost limitation set forth in City of Elk Grove Municipal Code Chapter 3.42.

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2015-002**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 14, 2015 by the following vote:

AYES : COUNCILMEMBERS: *Davis, Hume, Detrick, Ly, Suen*

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*


**Jason Lindgren, City Clerk
City of Elk Grove, California**