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November 14, 2016

Ms. Elaine Gerety-Warner  
Economic Development Project Manager  
**City of Culver City**  
9770 Culver Blvd  
Culver City, CA 90232

**Subject: Agreement to provide Benefit Assessment District Administrative Services for the West Washington Area Improvement Plan – Phase I and II for three years with an optional renewal for two years thereafter**

Dear Elaine,

NBS would like to thank you for the opportunity to perform the above referenced work for the City of Culver City ("City"). Please find enclosed two (2) copies of our Executed Agreement. Upon signing, please return one copy to the undersigned and keep one copy for your records.

#### **Scope of Work**

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[1982 Act Benefit Assessment District (BAD) Administration]

**Project Schedule.** NBS will communicate with City staff, legal counsel and other interested parties to:

- Establish lines of communication.
- Clarify the specific project goals, components and criteria that will meet the City's preference.
- Identify and resolve any special circumstances that may be involved in the administration of the District.
- Develop project schedules to meet legal requirements and provide for effective interfacing of all involved parties.
- Establish meeting points consistent with schedule to achieve project milestones.
- Establish and coordinate with City staff a schedule to assure completion of necessary actions and compliance with statutes.

**Database Development.** NBS will access current information from various data sources to verify that all parcels within District boundaries are included in the database. NBS will also verify that all land use designations and assessment benefit factors are correct. NBS will update the database with current County Assessor's information including property owner names and addresses, and any other available data that will augment the existing database.

**Budget Development.** NBS will assist City staff to establish an annual District budget for the projected costs of maintaining all improvements. Cost categories may include, but not be limited to, authorized

improvements, maintenance, incidental costs (engineering, legal, District administration), operating reserves, capital improvement reserves, and delinquency reserves.

**Budget Review.** NBS will communicate with City staff to address issues pertaining to costs, improvements, statute requirements and benefit received. NBS will provide analysis of proposed assessments, as well as contributions to be made from the City to the District. NBS will review mailed and published legal notices, establish dates for public meeting and public hearing, if required, verify scheduling, approach, requirements, and other issues related to the successful administration of the District.

**Preliminary Engineer's Report.** NBS will prepare, submit and review with City staff a *Preliminary Engineer's Report*, including description of improvements, plans and specifications, cost estimate, assessment criteria, assessment roll and diagram.

**Noticing and Resolution Coordination.** NBS will coordinate activities to ensure that required tasks are completed within the scheduled time frame. NBS will assist the City (or the City's legal counsel) with preparation of any notice of assessments, public hearings, or other meetings requiring publication. NBS will assist the City (or the City's legal counsel) with preparation of the staff report, all legal notices and the associated resolutions described below:

- Resolution describing improvements, initiating proceeding, and ordering the engineer to prepare and file a report for the District.
- Resolution preliminarily approving the Engineer's Report.
- Resolution of Intention declaring the intention of the City Council to levy and collect assessments and setting a date for the public hearing(s).
- Resolution authorizing the placement of assessments on the property tax bills.

**Meeting Attendance.** NBS will attend up to two (2) public meetings, workshops, and City Council meetings, as requested by the City.

**Levy Submittal.** NBS will submit the levy to the County Auditor-Controller in the required format. Assessments rejected by the County Auditor-Controller will be researched and resubmitted for collection on the County Tax Roll. Any parcels that are not submitted to the County for collection will be invoiced for payment directly to the City.

**Final Engineer's Report.** NBS will prepare, submit and review with City staff a *Final Engineer's Report*, including description of improvements, plans and specifications, cost estimate, assessment criteria, assessment roll and diagram as approved by the City Council.

**Toll-Free Phone Number.** NBS shall provide a toll-free phone number for use by the City, other interested parties and all property owners. NBS will be available to answer questions regarding the District and the ongoing collection of assessments. Bilingual staff is available to assist Spanish-speaking property owners.

## **Fees**

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### **Benefit Assessment District Administrative Services**

#### **Fees for FY 2016/17**

Phase I Consulting Fees	\$2,760.25
Phase II Consulting Fees	2,760.25
Expenses	400.00
<b>Total Not-To-Exceed of Fees Above (1)</b>	<b>\$5,920.50</b>

#### **Fees for FY 2017/18\***

Phase I Consulting Fees	\$2,843.06
Phase II Consulting Fees	2,843.06
Expenses	400.00
<b>Total Not-To-Exceed of Fees Above (1)</b>	<b>\$6,086.12</b>

Fees for FY 2018/19 *	
Phase I Consulting Fees	\$2,928.35
Phase II Consulting Fees	2,928.35
Expenses	400.00
<b>Total Not-To-Exceed of Fees Above (1)</b>	<b>\$6,256.70</b>
(1) See description of expenses below.	

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<b>Optional: FY 2019/20*</b>	
Phase I Consulting Fees	\$3,016.20
Phase II Consulting Fees	3,016.20
Expenses	400.00
<b>Total Not-To-Exceed of Fees Above (1)</b>	<b>\$6,432.40</b>

<b>Optional: FY 2020/21*</b>	
Phase I Consulting Fees	\$3,106.68
Phase II Consulting Fees	3,106.68
Expenses	400.00
<b>Total Not-To-Exceed of Fees Above (1)</b>	<b>\$6,432.40</b>

(1) See description of expenses below

\* Fees are increased by an estimated CPI of 3%, actual CPI will be 3% or less.

## Expenses

Customary out-of-pocket expenses will be billed to the City at actual cost to NBS. These expenses may include, but not be limited to travel, lodging, meals, mailing fulfillment, postage, supplies, reproduction, telephone, data, and mapping.

## Annual Fee Increases

Cost of living increases may be applied to the services listed above on October 1 each year, beginning with October 1, 2017. The COLA would be the actual cost of living increase, based on the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for all urban consumers for the Southern California counties.

## Additional Services

The following table shows our current hourly rates. Additional services authorized by the City, but not included in the scope of work 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
Resource Analyst	95

## Terms

Consulting services will be invoiced monthly. Expenses will be itemized and included in the next regular invoice. If the project is prematurely terminated by either party or delayed for reasons beyond NBS's

control, NBS shall receive payment for work completed. Payment shall be made within 30 days of submittal of an invoice. If payment is not received within 90 days, simple interest will begin to accrue at the rate of 1.5% per month.

Please feel free to contact me if you have any questions or need further information.

Best regards,

**NBS Government Finance Group,  
DBA NBS**

**City of Culver City**

  
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Mike Rentner

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Name

\_\_\_\_\_  
President and CEO  
Title

11/15/2016

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date