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Ms. Elaine Gerety-Warner
Senior Management Analyst
City of Culver City
9770 Culver Blvd.
Culver City, CA 90232

Subject: Agreement to Provide Proposition 218 Assessment District Formation Services for the City of Culver City West Washington Blvd Median Improvements Phase IV ("BAD No. 4")

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 print 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 Services

Phase 1 - Proposition 218 Special vs. General Benefit Analysis

Budget Development. NBS will review a budget for the projected costs of improvements, maintenance, and services. Cost categories may include, but not be limited to, all relevant expenses, capital improvements, incidental costs (engineering, legal, City staff, consultants and ongoing administration), operating reserves, capital improvement reserves, and equipment/material replacement reserves.

Parcel Database. NBS will establish a parcel database for assessor parcels as currently shown on the County assessor's parcel maps or development maps. The database will include land divisions, ownership and mailing information, and parcel information relevant to the spread of the assessments.

Special vs. General Benefit Analysis. Review the proposed improvements, maintenance, services, budgets, location and type of improvements, special benefit, general benefit, and recent case law with legal counsel. Meet with City staff and legal counsel to discuss appropriate and/or alternative approaches to the proposed assessment district. Provide staff with related support for the duration of the project.

City Review. NBS will communicate with City staff for the review of costs, improvements, maintenance, services, statute requirements and benefits conferred.

Separation and Quantification of Special and General Benefit. NBS will analyze improvements, maintenance, services, proposed boundaries, district characteristics, parcel characteristics, special and general benefits conferred, and assessment engineering standards and sources to separate and quantify special vs. general benefit in compliance with the special benefit requirements of Proposition 218 for review by all stakeholders.

Method of Assessment (Rates). NBS will prepare a Method of Assessment, including rates, in compliance with the proportionality requirements of Proposition 218 for review by all stakeholders.

Findings and Recommendations Report. Prepare a Report, signed and stamped by an Assessment Engineer, summarizing the findings and recommendations. The main goal of the report is to separate and quantify special and general benefit and to provide a Method of Assessment for the proposed assessment district in accordance with the special benefit and proportionality requirements of Proposition 218 and recent case law. The report will provide analysis and numerical support for the breakdown of special vs. general benefit and the Method of Assessment. The City will use the report to determine the amount of the general fund contribution and the amount that can be assessed under the proposed assessment district. The City may also use the report for community outreach efforts where all stakeholders may provide input and participate in the process.

Toll-Free Phone Number. NBS will provide a toll-free phone number for use by the City staff and all stakeholders. NBS staff will be available to answer questions regarding the Findings and Recommendations Report.

Phase 2 - Proposition 218 Benefit Assessment District Formation Proceedings

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 formation.
- 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.

City Review. NBS will provide analysis of proposed assessments, as well as contributions to be made by the City. NBS will work with City staff, as required, to prepare and review mailed and published legal notices, determine dates for public meeting and public hearing, verify scheduling, approach, requirements, and other issues related to a successful formation.

Resolutions, Notices and Ballots. NBS will work with legal counsel to prepare Resolutions, notices and ballots, as required, for compliance with the Benefit Assessment District law and Proposition 218. NBS will review legal notice of the public hearing to be published by the Clerk, as required, by the Benefit Assessment District law.

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 methodology, assessment roll and diagram.

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 methodology, assessment roll and diagram.

Public Hearing and Ballot Tabulation. NBS will tabulate the ballots returned via the most appropriate method (bar code or other) and report the results to the City Council at the completion of the public hearing.

Diagram Recordation. NBS will record the diagram with the County Recorder.

Levy Calculation. NBS will calculate the first year's levy and process for approval by City Council simultaneously with the assessment formation proceedings.

Toll-Free Phone Number. NBS will provide a toll-free phone number for use by the City staff and all property owners. NBS staff will be available to answer questions regarding the formation of the assessment district.

Meeting Attendance. NBS will attend additional meetings as requested by the City subject to additional expenses for travel.

Fees

Phase 1 - Proposition 218 Special vs. General Benefit Analysis

BAD No. 4 (West Washington Blvd Phase IV) Consulting Fees\$14,500
Estimated Expenses..... \$700*

Phase 2 - Proposition 218 Benefit Assessment District Formation Proceedings

BAD No. 4 (West Washington Blvd Phase IV) Consulting Fees\$7,900
Estimated Expenses..... \$800*

Total Not-To-Exceed of Fees Above (Phases 1 & 2)\$23,900

* Estimate shown, based on approximately 78 parcels, includes assessment diagram preparation and printing costs, mailing fulfillment of Proposition 218 notice, instructions, ballot, postage, and return envelope. Estimate shown does not include return postage, community outreach mailings or any other mailings. See description of expenses below.

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, meals, mailing fulfillment, postage, supplies, telephone, reproduction, assessment diagram (time, materials, plotting and all related costs), and various third-party charges for data, maps, and recording fees.

Additional Services

The following table shows our current 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

City's Responsibilities

The City shall furnish Consultant with any pertinent information that is available to City and applicable to the project. The City shall designate a person to act with authority on its behalf in respect to the project. The City shall promptly respond to Consultant's requests for reviews and approvals of its work, and to its requests for decisions related to the project. City understands and agrees that NBS is entitled to rely on all information and documents supplied to NBS by the City or any of its agents or contractors and other government sources or proxies thereof as being accurate and correct and NBS will have no obligation to confirm that such information and documentation is correct and that NBS will have no liability to City or any third party if such information is not correct.

Terms

Consulting fees will be invoiced on a monthly basis. Expenses will be itemized and included in each invoice. If the project is prematurely terminated by either party or delayed for reasons beyond NBS' 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



Michael Rentner

Name

President and CEO
Title

11/10/16

Date

Title

Date