



Office of the City Manager

CONSENT CALENDAR
July 24, 2018

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Phillip L. Harrington, Director, Department of Public Works
 Subject: Contract 10712 Amendment: SCI Consulting Group for Clean Stormwater Rate Study and Proposition 218-Compliant Process

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10172 with SCI Consulting Group to add \$10,500 to its contract for a Clean Stormwater rate study and balloting process that was done in compliance with Proposition 218 to additionally prepare levy files for Alameda County on behalf of the City, resulting in a not-to-exceed amount of \$240,500 for the term ending August 10, 2019.

FISCAL IMPACTS OF RECOMMENDATION

An amount of \$10,500 is needed for SCI to complete this work. If the levy rolls are not submitted to the County, the City will not be able to collect \$2.34 million for Clean Stormwater fees and \$500,000 for Street Lights for Fiscal Year (FY) 2018-2019. Funding is available in the Clean Stormwater Fund (831) for FY 2019.

This contract amendment has been assigned to CMS No. LCKGJ.

CURRENT SITUATION AND ITS EFFECTS

Property owners passed the 2018 Clean Stormwater Fee and the 2018 Street Lighting Assessment District, which were adopted by Council through Resolution No. 68,483 and Resolution No. 68.482-N.S., respectively, on June 12, 2018. The 2018 Clean Stormwater Fee and Street Lighting Assessment will be paid through the Alameda County property tax bill beginning in FY 18-19. In order for the fee/assessment to be included on the property taxes the County must receive a levy roll listing all property owners and the amounts owed. SCI, the engineering and financial consultant firm that assisted the City through the Proposition 218 process, prepared the levy roll to be submitted to the County for FY 18-19. Due to limited staff resources, contracting with SCI is the most efficient method to complete this task.

BACKGROUND

The City adopted the Clean Stormwater Ordinance on August 8, 1991, No. 6070-N.S. to fund clean stormwater operations and capital expenses. In 1982, the City adopted the Street Lighting Assessment District to pay for the installation and maintenance of streetlights. Property owners pay for both programs through their property tax bill.

Neither fees have been increased above the initial levels approved in 1991 and 1982. Due to City-wide budget deficits that impacted the programs, the City initiated the Proposition 218 process to increase the revenues through a new stormwater fee and new streetlight assessment. Proposition 218 requires property owners to approve new or increased fees/assessments through a balloting process. Property owners received ballots in mid-April and ballots were tabulated on May 29-30, 2018.

ENVIRONMENTAL SUSTAINABILITY

No negative environmental effects have been identified.

RATIONALE FOR RECOMMENDATION

The newly approved measures are needed to fund operations, maintenance, and capital improvements for the stormwater and streetlight programs. In order for the revenue to be collected, Alameda County must receive the levy rolls. City staff is currently focused on implementing the new financial system. Therefore, City staff does not have the resources to prepare the levy roll required by the County.

ALTERNATIVE ACTIONS CONSIDERED

Council could choose not to approve the amendment, and SCI would not prepare the levy roll. If City staff prepared the levy roll, staff would have to stop working on the implementation of the new financial software. If neither SCI nor the City prepares the levies and submits them to the County, the City will lose \$2.84 million in revenue beginning in FY 2018-19 and increasing every year afterward.

CONTACT PERSON

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Sean O'Shea, Administrative and Fiscal Manager, Public Works (510) 981-6306

Attachments:

1: Resolution

RESOLUTION NO. -N.S.

CONTRACT NO. 10712 AMENDMENT: SCI CONSULTING GROUP FOR CLEAN STORMWATER RATE STUDY AND PROPOSITION 218-COMPLIANT PROCESS

WHEREAS, the City desired a contractor for professional services to conduct a rate study in compliance with Proposition 218 to increase Clean Stormwater rates; and

WHEREAS, a Request for Proposals, Specification No, 17-11138-C, was released in May 2017, with four firms responding; and SCI Consulting Group (SCI) was selected as the firm which best met the City's needs; and

WHEREAS, the necessary services were completed in compliance with Proposition 218; and

WHEREAS, an additional amount of \$10,500 is needed for to prepare levy files for Alameda County on behalf of the City; and

WHEREAS, funding is available in the Clean Stormwater Fund (831) for Fiscal Year (FY) 2019 to increase the contract amount for a new not-to-exceed amount of \$240,500 for the term ending August 10, 2019, and the contract amendment has been entered into the City database with CMS No. LCKGJ.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to amend Contract No 10712 with SCI Consulting Group to prepare levy files for Alameda County on behalf of the City for an amount not to exceed \$240,500 for the term ending August 10, 2019. A record signature copy of the contract and said contract amendment is to be on file in the Office of the Clerk.

