

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS**

**Meeting Date:** June 12, 2019

**Subject/Title:** Approve Addendum No. One to the Professional Services Agreement with NBS Government Finance Group for Assessment Engineering Services

**Submitted by:** Brian Helmick, Fire Chief

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**RECOMMENDATION FOR ACTION**

Staff recommends that the East Contra Costa Fire Protection District (District) Board of Directors (Board) adopt a resolution approving Addendum No. One to the professional services agreement with NBS Government Finance Group (NBS) for assessment engineering services, increasing the not-to-exceed amount of the contract by \$45,000 for a new not-to-exceed amount of \$138,280, and authorizing the Fire Chief to execute the addendum in a form approved by Legal Counsel.

**STRATEGIC INITIATIVE**

East Contra Costa Fire Protection District Strategic Plan 2019-2023 and Implementation Action Plan (IAP):

- Goal A: Ensure financial stability and sustainability
  - Strategy A5: Pursue parcel taxes, assessments and other District-wide revenue alternatives that resolve tax and fee inequities among District residents.

**PREVIOUS ACTION**

On January 9, 2019, the Board adopted the five-year Strategic Plan and on February 13, 2019, the Board approved the related IAP.

On March 13, 2019, the Board awarded a contract to NBS to perform a development impact fee study, user fee study, and community facilities district formation study.

On May 8, 2019, the Board received a report from NBS and Clifford Moss outlining plans to evaluate options for new revenue measures, including development impact fees, community facilities districts, and a benefit assessment.

**BACKGROUND**

As part of its Strategic Plan, the District is evaluating potential sources of additional revenue, including revising the development impact fees and user fees imposed within its service area, as well as new parcel taxes for fire protection and emergency response services. On March 13, 2019, the Board awarded a contract to NBS to conduct a development impact fee study, a user fee study, and a community facilities district formation study that will allow the District to comply with legal requirements on these forms of revenue and to ensure that the costs of providing service are equitably distributed.

As discussed at the May 8, 2019 Board meeting, staff has identified a benefit assessment as an additional potential revenue source. The District's enabling legislation authorizes it to levy assessments for fire suppression services and capital improvements. However, Article XIII D of

the California Constitution requires that an agency seeking to impose an assessment prepare a detailed engineer's report establishing that the amount of the assessment on each parcel does not exceed the reasonable cost of the proportional special benefit conferred on that parcel.

NBS has prepared a proposal to perform assessment engineering services, including the preparation of an engineer's report to support a new proposed assessment, for a sum not-to-exceed \$45,000. Staff has reviewed the NBS proposal and determined that the proposed price is fair and reasonable. The proposed addendum would add the assessment engineering services to the scope of services of the existing contract between the District and NBS, increasing the total not-to-exceed amount of the contract to \$138,280. NBS prepared an engineer's report for the District in 2014 in support of a previous unsuccessful effort to establish an assessment district for fire suppression services.

The proposed contract amendment does not bind the District to pursue a potential fire suppression assessment, and related protest ballot and public hearing process, but would enable it to do so.

#### **FINANCIAL IMPACT**

The cost of this work is included in the proposed Fiscal Year 2019-20 Operating Budget.

#### **ATTACHMENTS**

Resolution

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS  
STATE OF CALIFORNIA**

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**RESOLUTION NO. 2019-\_\_**

**APPROVING ADDENDUM NO. ONE TO THE PROFESSIONAL SERVICES AGREEMENT  
WITH NBS GOVERNMENT FINANCE GROUP**

**WHEREAS**, the East Contra Costa Fire Protection District (District) provides fire protection and emergency response services throughout its service area; and

**WHEREAS**, the District adopted a five-year Strategic Plan in December, 2018 and a related Implementation Action Plan in February, 2019, which includes pursuing assessments and other District-wide revenue alternatives that resolve tax and fee inequities among District residents; and

**WHEREAS**, the Fire Protection District Law of 1987 (Health & Safety Code §§ 13260 *et seq.*) authorizes the District to impose assessments to fund fire suppression services and capital improvements; and

**WHEREAS**, Article XIII D of the California Constitution requires a public agency proposing to levy an assessment to prepare an engineer's report detailing the special benefit derived by each assessed parcel and the reasonable cost of providing the special benefit to that parcel; and

**WHEREAS**, NBS Government Finance Group (NBS) is performing several other revenue-related studies for the District and has previously prepared an engineer's report for the District for a proposed benefit assessment; and

**WHEREAS**, NBS has prepared a proposal to perform engineering assessment services relating to a potential new benefit assessment for the District for a sum not-to-exceed \$45,000; and

**WHEREAS**, staff has reviewed the NBS proposal and determined the proposed price to be fair and reasonable; and

**WHEREAS**, staff recommends that the Board of Directors approve an addendum to the professional services agreement with NBS amending the scope of work to include assessment engineering services and increasing the total not-to-exceed amount from \$93,280 to \$138,280, and authorize the Fire Chief to execute an amendment to the agreement with NBS in a form acceptable to Legal Counsel.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Directors of the East Contra Costa Fire Protection District hereby approves, and authorizes the Fire Chief to sign, Addendum No. One to the Professional Services Agreement with NBS Government Finance Group amending the scope of work to include assessment engineering services and increasing the total not-to-exceed amount from \$93,280 to \$138,280, in a form acceptable to Legal Counsel.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 12th day of June, 2019 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Brian J. Oftedal  
President, Board of Directors

ATTEST:

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Brian Helmick  
Clerk of the Board