

1. Requested Motion:

Meeting Date: Dec. 16, 2013

Motion to approve funding in the amount of \$21,500 to Government Services Group for the completion of a storm water assessment analysis to identify necessary charges to support the impending infrastructure work.

Motion to approve funding in the amount of _____ to CDM Engineering to provide impervious area calculations necessary for GSG to complete its assessment analysis.

Why the action is necessary: To determine if the town council wishes to move forward with work to determine a funding methodology to support the storm water infrastructure work facing the community.

What the action accomplishes: Enables the necessary analysis to identify expected storm water rates.

2. Agenda:

3. Requirement/Purpose:

4. Submitter of Information:

☐ Consent
☒ Administrative

☐ Resolution
☐ Ordinance
☒ Other

☐ Council
☒ Town Staff
☐ Town Attorney

5. Background:

- The town has just completed the groundbreaking for the Potable Water System rebuild.
- A part of the initial phase includes storm water system improvements with significant funding support through a limited federal grant.
- It makes great sense from a logistical perspective to continue storm water system improvements as the Town continues with the Potable system rebuild.
- There is currently no specific funding mechanism available to support additional storm water infrastructure work.
- In order to fully understand the financial/funding implications, an assessment analysis should be undertaken. This is somewhat similar to an analysis done to establish potable water rates.
- Government Services Group (GSG) is a company well versed in completing such analyses and has submitted a proposal for this work in the amount of \$21,500. That proposal is included as an exhibit.
- In order to accomplish the assessment analysis, GSG will need access to certain impervious area calculations that will be provided by the engineering firm CDM should Town Council approve this effort and approval of the respective contracts. At the time this form was prepared, CDM had not had sufficient time to complete its cost proposal. That will be available by Wednesday, 12/11/13.
- Once the assessment analysis is complete, then Town Council will use that information to determine whether to move forward and in what manner.
- Approval of this work in no way obligates the town to initiate an assessment as it merely provides critical information necessary to make that judgment.

6. Alternative Action: Decline to undertake the analysis

7. Management Recommendations: Approve funding for the required analysis.

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Parks & Recreation Director	Town Clerk
						

9. Council Action:

☐ Approved ☐ Denied ☐ Deferred ☐ Other

Terry Stewart

From: Camille Tharpe <ctharpe@govserv.com>
Sent: Wednesday, December 04, 2013 2:17 PM
To: Terry Stewart
Subject: Revised proposal
Attachments: Ft Myers Beach Stormwater Proposal_12-4-13.pdf

Per your discussion today, I have enclosed a revised proposal for the stormwater assessment program to update the dates for the project. Please note that this scope of services provides for the performance of data collection tasks to be conducted by Town staff or the Town engineer, including, but not limited to field measurement, field research, and verification of impervious area data needed for database population. The magnitude of this data collection effort will be dependent on the quality of data available in the Lee County tax roll database. The amount of field measurement necessary to generate a valid billing file will not be known until this task is initiated.

GSG will develop the preliminary field work database from the Lee County Property Appraiser's records that will serve as the basis for the data gathering by the Town staff or Town Engineer. However, at a minimum, the amount of impervious area on each improved non-residential parcel in the Town correlated to each tax parcel identification number must be collected, validated and verified by the Town. In addition, depending on the nature of the Town data, various rate classes may require sampling to establish the relative billing units for each class. This involves drawing samples of parcels by rate class and field measuring the impervious area associated with the sample.

Please call me if you have questions about this proposal or the tasks related to the impervious area. We look forward to working with you.

Camille P. Tharpe
Senior Vice President
Government Services Group, Inc.
1500 Mahan Drive Suite 250
Tallahassee, FL 32308
Office: (850) 681-3717
Cell: (850) 294-0819
ctharpe@govserv.com



December 4, 2013

Mr. Terrance Stewart, Town Manager
Town of Fort Myers Beach
2523 Estero Blvd.
Fort Myers Beach, Florida 33931-3354

Re: Town of Fort Myers Beach – Stormwater Assessment Program

Dear Mr. Stewart,

This correspondence is written to present a proposal for Government Services Group, Inc. (GSG) to provide professional services and specialized assistance to the Town of Fort Myers Beach (Town) and its staff with the development and implementation of a stormwater assessment program. We understand that the Town wants to implement the assessment program using the Town's existing utility billing system.

The objective of this project is to develop non-ad valorem special assessments based on public policy established by the Town within the constraints of readily available data and legal precedent. To fulfill this objective, we will accomplish the following tasks:

1. Provide specialized services that assist the Town in developing legally defensible methods of apportioning the assessments;
2. Provide implementation assistance to impose and collect the special assessments using the utility bill; and
3. Provide an assessment database based on the ad valorem tax roll that the Town will use to collect the monthly assessments.

The enclosed work plan is designed to provide the following deliverables during this project:

- An Assessment Memorandum which includes (a) the description of the apportionment methodology and (b) the assessment cost calculations;
- Billing algorithms necessary to calculate the assessments pursuant to the proposed methodology;
- The final assessment rates; and,
- Assistance to the Town's legal counsel with the preparation of all legal documents for the annual assessment program that will allow for the utility bill collection method.

Mr. Terrance Stewart, Town Manager
Town of Fort Myers Beach
December 4, 2013
Page 2

Attached as Appendix A is the work plan under which GSG will assist the Town in developing the assessment program. The scope of services is based on the following assumptions:

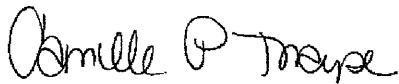
- The Town will provide adequate data associated with the costs of providing stormwater services.
- GSG will prepare an assessment database based on the ad valorem tax roll data.
- The Town will assign specific billing units to utility accounts that correlate to buildings contained on the ad valorem tax roll (i.e., utility account numbers can be tied to each building on a parcel and the utility accounts contain parcel identification numbers from the ad valorem tax roll).
- GSG will not be responsible for any assignment of parcel identification numbers to utility accounts or vice versa (if required).

For services provided by GSG, we will work under a lump sum professional fee arrangement described in Appendix A and receive payment pursuant to the schedule in Appendix A. A lump sum method of compensation eliminates any uncertainty in the total fee.

The professional fees required for assisting the Town in developing and implementing the contemplated assessment program does not include litigation defense services. However, we do all of our work in developing and implementing assessment programs with an eye on potential legal challenges in an attempt to maximize both the efficiency and the effectiveness of any defense. In the event there is a challenge, we would be available, on an hourly basis, to assist the Town in its defense.

We look forward to working with the Town of Fort Myers Beach on this very important project. If you or any other Town officials have any questions, please feel free to telephone me at (850) 681-3717.

Sincerely,



Camille P. Tharpe
Senior Vice President

CPT/

Enclosures

Appendix A

STORMWATER ASSESSMENT PROGRAM

Stormwater Assessment Program Scope of Services

The scope of services is based on the following assumptions:

1. The stormwater assessment program will be implemented in 2014.
2. At a minimum, the following data must be collected, validated and verified by the Town or the Town's stormwater engineer:
 - The Residential Rate Class will require sampling to establish the relative billing units for each square foot tier range. This involves drawing samples of parcels by rate class and field measuring the impervious area associated with the sample. Since it is not uncommon to list the "footprint" of a single-family residence, but not the associated driveway, a sample of driveways will need to be field-measured, should the Lee County Property Appraiser not list the square footage of paved driveways.
 - In addition, for the Non-Residential Rate Classes, the amount of impervious area on each parcel in the service area will need to be obtained.

Note that while the Property Appraiser's data is a good starting point for many classes of parcels, most appraisal systems do not have adequate information to estimate impervious area for condominium complexes, mobile home parks, and government owned parcels. In addition, commercial and industrial properties will also typically have to be field measured.

- The GIS boundaries for all stormwater basins or service areas, if required.
 - A list of all parcel numbers with on-site stormwater mitigation facilities which are privately maintained and an estimate of the year in which those facilities were put in place.
3. The Town will provide personnel to conduct any other field work necessary to ensure complete data for the ad valorem tax roll.
 4. The Town will provide the necessary budget information and other data required to develop the assessment methodology and rates.
 5. The Town will be active participants and provide timely direction for any outstanding issues as they arise.

Task 1: Project Initiation GSG will conduct a kick-off meeting with Town staff to discuss the proposed assessment program, obtain data and information and explain the preliminary approach to the stormwater assessment program and a general method for identifying and apportioning the Town's stormwater costs. Evaluate existing stormwater budget, engineering information, public works data, reports and all other data relating to the provision and proposed provision of stormwater services and facilities in the Town.

Task 2: Identify Full Costs (Revenue Requirements) of the Stormwater Program for Fiscal Year 2013-14 and Future Fiscal Years GSG will evaluate the full cost of the proposed stormwater services using the Town's most current budget and financial information. This full cost analysis will include (i) the costs of maintaining and operating the Town's stormwater system based on the identified service requirement scenarios; (ii) capital project costs; (iii) indirect and/or administrative costs and (iv) billing and collection costs associated with using the utility bill collection method. The Fiscal Year 2013-14 full costs will be extrapolated for a three to five-year period.

Task 3: Develop a Method of Identifying and Apportioning the Costs Using the current ad valorem tax roll and the stormwater services data, GSG will develop a method of apportioning the costs and

developing rates. Review and revise the assessment methodology for legal sufficiency and compatibility with the utility bill method of collection.

Task 4: Generate Preliminary Field Work Database GSG will develop a preliminary field work database from the Lee County Property Appraiser's records and other data that the Town may provide and that is available in a timely manner, in electronic form.

This scope provides for the performance of data collection tasks to be conducted by Town staff or the Town engineer, including, but not limited to field measurement, field research, and verification of parcel data needed for database population. The magnitude of this data collection effort will be dependent on the quality of data available in the Lee County tax roll database.

The amount of field measurement necessary to generate a valid billing file will not be known until this task is initiated. At a minimum, the amount of impervious area on each improved non-residential parcel in the Town correlated to each tax parcel identification number must be collected, validated and verified by the Town. In addition, depending on the nature of the Town data, various rate classes may require sampling to establish the relative billing units for each class. This involves drawing samples of parcels by rate class and field measuring the impervious area associated with the sample.

Note that while the Property Appraiser's data is a good starting point for many classes of parcels, most appraisal systems do not have adequate information to estimate impervious area for condominium complexes, mobile home parks, and government owned parcels.

Task 5: Assign Base Billing Units Using the preliminary billing database based on the field work performed by Town staff, GSG will assign the billing units for each parcel based on the stormwater assessment methodology and identify the number of such units in the Town.

Task 6: Credits/Surcharges Policy and Impacts GSG will assist in developing a policy to provide credits or surcharges to those properties that (1) do not discharge into the Town stormwater system, (2) have excessive discharge rate requirements, (3) exceed maximum stormwater discharge volumes or (4) have excessive pollutant concentrations.

Task 7: Develop Pro Forma Assessment Rates GSG will calculate pro forma assessment rates and proforma revenue generation based on data collected through the execution of Task 6.

Task 8: Generate Preliminary Assessment Roll Using the proforma assessment rates, GSG will develop a billing database based on the Lee County Property Appraiser's records to be used as a preliminary assessment roll.

Task 9: Prepare and Present Assessment Report GSG will prepare and present an Assessment Report that documents the work effort to date and includes (a) the description of the apportionment methodology and (b) the assessment cost calculations.

Task 10: Assist With Legal Documents, if necessary GSG will advise and assist the Town's legal counsel in the drafting of all legal documents required to implement the Stormwater assessment program.

Task 11: Assist with Rate Adoption Process GSG will advise and assist with fulfilling the legal requirements for the adoption of the final assessment rates including adoption of an ordinance and/or resolution(s).

Task 12: Create Final Assessment Roll GSG will update the assessment roll with any corrections and updates received from the Town. Final rates will be verified and extended to the updated data in order to create the final assessment roll. The final roll will be provided to the Town.

Task 13: Advise Town Regarding Utility Bill Correlation GSG will provide advice to the Town in the correlation of the ad valorem tax database to the utility billing system as needed.

FEES AND COSTS

For the professional services described in the proposed Scope of Services, GSG will work under a lump sum fee arrangement of \$21,500. Except as noted below, this lump sum fee includes reimbursement for all out-of-pocket expenses.

The lump sum fee for professional services includes two (2) on-site visits to the Town by GSG staff. While the purpose of these trips is negotiable and at the Town's direction, the intent of these meetings is to present the Assessment Memorandum and assist in the implementation of the assessment program. Additional on-site meetings may be arranged at our standard hourly rates, as authorized by the Town. Expenses related to on-site meetings will be billed in conformance with section 112.061, Florida Statutes. In lieu of on-site visits, we are available to participate in periodic telephone conference calls to discuss project status.

GSG's standard hourly rates are as follows:

GOVERNMENT SERVICES GROUP, INC.

Chief Executive Officer	\$225
Senior Vice President	\$175
Vice President	\$160
Senior Project Manager/Consultant/Project Coordinator	\$160
Consultant/Database Analyst/Technical Services	\$130
Administrative Support	\$ 50

The Town is responsible for any and all newspaper publications, including, but not limited to, making arrangements for publications and any costs associated therewith.

The Town is also responsible for any costs incurred to obtain information from the property appraiser or other public official that is necessary for the assessment program.

Please note that GSG works with the premise of developing and implementing assessment programs with an eye on potential legal challenges in an attempt to maximize both the efficiency and the effectiveness of any defense. Nonetheless, the fees outlined above for professional services do not include any provision for litigation defense. Accordingly, in the event there is a legal challenge, GSG would be available, on an hourly basis, to assist the Town in its defense.

DELIVERABLES SCHEDULE

Deliverable	Schedule
Notice to Proceed	December 2013
Kick-off Meeting/Data Collection	January 2014
Develop Stormwater Assessment Database	January – March 2014
Develop Impervious Area Data	January – March 2014
Proforma Budget Development	January – March 2014
Proforma Assessment Rates	March – April 2014
Assessment Report	April – May 2014
Town Implements Assessments Program	May – October 2014
Town Begins Collection	May – October 2014

PAYMENT SCHEDULE

The lump sum fee for professional services and specialized assistance will be due and payable, based on the following schedule and assuming that notice to proceed is received in June 2013. If notice to proceed occurs after this date, the payment schedule will be condensed over the anticipated number of months remaining to complete the project.

Schedule	Payment	Amount
February 2014	50% of lump sum fee	\$10,750
June 2014	50% of lump sum fee	\$10,750
Total		\$21,500

ACCEPTED AND AGREED TO (STORMWATER ASSESSMENT PROGRAM):

BY:

Town of Fort Myers Beach

Date