

**CITY OF MARATHON, FLORIDA
RESOLUTION 2010-09**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AN AGREEMENT WITH GOVERNMENT SERVICES GROUP, INC. (GSG) FOR THE CREATION OF A CITY-WIDE STORMWATER UTILITY NON-AD VALOREM ASSESSMENT PROGRAM FOR FISCAL YEAR 2010-2011; AUTHORIZING THE ACTING CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Ordinance 2005-10, in 2005 the City established a stormwater utility and began collecting non-ad valorem stormwater utility fees; and

WHEREAS, GSG has submitted a proposal to update the City's current stormwater assessment methodology, and update the existing impervious area database developed by the City's previous consultant; and

WHEREAS, GSG is experienced in assisting local governments with the development and implementation of non-ad valorem assessment programs and the City wishes to engage GSG to assist the City in accomplishing the Stormwater Assessment project for Fiscal Year 2010-2011.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

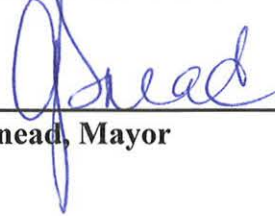
Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The professional services agreement between the City and GSG attached hereto as Exhibit "A," in the amount of \$18,500.00 (plus first class mailing, travel and other approved costs); together with such non-material changes as may be acceptable to the Acting City Manager and approved as to form and legality by the City Attorney, is hereby approved. The Acting City Manager is authorized to sign the professional services agreement on behalf of the City, and expend budgeted funds.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the city of Marathon, Florida, this 26th day of January, 2010.

THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

AYES: Cinque, Keating, Ramsay, Worthington, Snead
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



City Attorney



GOVERNMENT SERVICES GROUP, INC.



December 21, 2009

Via Electronic Transmission

Ms. Susie Thomas
City of Marathon
9805 Overseas Highway
Marathon, FL 33050

Re: Work Plan for Update of the Non-Ad Valorem Assessment Program for Stormwater Management Services

Dear Susie,

This correspondence is written to present a scope of services for Government Services Group, Inc. (GSG) to provide assistance to the City of Marathon (City) and its staff in the update of the City's existing stormwater assessment program for Fiscal Year 2010-11.

Attached as Appendix A is the work plan and proposed fees under which GSG will assist the City in updating and implementing the assessment program. Appendix A also provides a list of project deliverables, delivery schedule and payment schedule. The attached scope of services and fees are based on the following assumptions:

1. The Fiscal Year 2010-11 stormwater assessment program will update the current assessment methodology developed by Chen and Associates for the City.
2. The Fiscal Year 2010-11 assessment database will update the existing impervious area database developed by Chen and Associates for the City.
3. The impervious area data will be acquired by GSG's subconsultant (ACA) through the use of infra-red aerial technology.
4. All legal documentation will be prepared by the City's attorney.

This proposal contemplates a phased approach to the assessment program. Phase One of the proposed Scope of Services includes those tasks associated with the development of preliminary proforma assessment rates based on the updated assessment methodology and updated assessment database. Phase Two of the proposed Scope of Services will provide implementation services to the City based on the current assessment methodology or the updated assessment methodology.

Please note that this proposal includes the services of Aerial Cartographics of America (ACA) located in Orlando, Florida to develop the impervious area information needed to update the stormwater assessment program.

Ms. Susie Thomas
December 21, 2009
Page 2

Established in Orlando, Florida in 1973, ACA is best known as the leader in Low Altitude Mapping Photography (LAMP) and a host of other specialized mapping services. ACA will use infra-red aerial photography analysis to develop the impervious area information.

Upon review and satisfactory determination, please execute this correspondence by signing the last page of Appendix A to indicate acceptance of this proposal and to serve as proper Notice to Proceed. Upon execution, please provide our office with a signed copy of this entire document for our files. Upon receipt of Notice to Proceed, we will provide the City with a detailed critical events calendar and a schedule for project deliverables tailored to the specific circumstances that are unique to this project.

We look forward to working with the City of Marathon on this very important project. If you or any other City officials have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Camille P. Tharpe". The signature is written in a cursive, flowing style.

Camille P. Tharpe
Sr. Vice President

CPT/

Enclosure

Appendix A

STORMWATER ASSESSMENT PROGRAM SCOPE OF SERVICES

Scope of Services

PHASE ONE:

- Task 1: 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 tax bill method of collection.
- Task 2: Generate Preliminary Billing Data** GSG will develop a preliminary billing database from the Monroe County Property Appraiser's records and data obtained by ACA through infra-red aerial photography analysis.
- Task 3: Determine Actual Base Billing Units** GSG will assign the base billing units for each parcel based on the for the stormwater assessment methodology and identify the number of such units in the City.
- Task 4: 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 3.
- Task 5: Generate Preliminary Assessment Roll** Using the proforma assessment rates, GSG will develop a billing database based on the Monroe County Property Appraiser's records to be used as a preliminary assessment roll.

PHASE TWO:

- Task 6: Assist With Legal Documents** GSG will advise and assist the City's legal counsel in drafting the initial and final assessment resolutions that conform to the assessment ordinance and that implement the City's policy decisions and proposed methodology.
- Task 7: Assist with Rate Adoption Process** GSG will advise and assist with fulfilling the legal requirements for the adoption of the final assessment rate resolution, including:
- (a) Produce Notice Roll and Data Exports** After verification of final rates for the assessment program, GSG will create the notice roll by applying the rates to the assessment roll. GSG will then produce the data exports needed for the production of notices.
 - (b) Development and Distribution of First Class Notice** GSG will assist the City in developing the first class notice and its distribution to affected property owners.
- Task 8: Create Final Assessment Roll** GSG will update the assessment roll with any corrections and updates received from the City. 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 City.
- Task 9: Certify, Export and Transmit the Final Assessment Roll in Conformance with Uniform Method** Using the final assessment roll, GSG will prepare export files on compatible electronic medium capable of merger with the ad valorem tax roll files and will transmit the file to the Tax Collector in the prescribed format.

DELIVERABLES SCHEDULE PHASE ONE:

Deliverable	Schedule
Notice to Proceed	January 2010
Apportionment Methodology	January – February 2010
Assessment Database	January – March 2010
Proforma Assessment Rates	March –May 2010

DELIVERABLES SCHEDULE PHASE TWO:

Deliverable	Schedule
Initial Assessment Resolution	May - August 2010
First Class Notices	May -- August 2010
Published Notice	May -- August 2010
Final Assessment Resolution	August – September 2010
Final Assessment Rates	August – September 2010
Certify Assessment Roll	by September 2010

FEES AND COSTS

For the professional services and specialized assistance described in the provided and proposed Scope of Services, GSG will work under a “lump sum” fee arrangement of \$9,500 for Phase One, which includes \$6,000 for GSG services and \$3,500 for ACA services. For the professional services and specialized assistance described in the provided and proposed Scope of Services, GSG will work under a “lump sum” fee arrangement of \$9,000 for Phase Two. If the City chooses not to adopt a new program following the completion of Phase One, GSG will provide the services necessary to certify the annual assessment roll under the current methodology and rate structure in Phase Two for a reduced “lump sum” fee arrangement of \$5,000.

The lump sum fee for professional services for both phases includes one on-site visit to the City by GSG staff. Meetings in excess of the included on-site visit may be arranged at our standard hourly rates provided below. All expenses related to additional meetings will be billed in accordance with section 112.061, Florida Statutes. If necessary, in lieu of on-site visits, periodic telephone conference calls may be scheduled to discuss project status.

The standard hourly rates for GSG 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 lump sum fee does not include the costs of producing and mailing the statutorily required first class notices or separate bills. Mailing and production costs depend on the number of assessable parcels of property within the assessment program area, but average approximately \$1.30 per parcel. Payment of mailing and production costs is due at the time of adoption of the initial assessment resolution or like document. For non-domestic notices, mailing charges will include the actual amount of postage beyond the domestic rate and if U.S. postage rates increase prior to mailing, the additional postage per notice will be charged. A \$400 setup fee is charged for mailings to less than 2,000 parcels.

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

The City is also responsible for any costs incurred to obtain information from the property appraiser or other public officials 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 City in its defense.

PAYMENT SCHEDULE

The fee for professional services and specialized assistance will be due and payable on the following schedule, assuming that notice to proceed is received by January 1, 2010. If notice to proceed occurs after this date, payment will be adjusted on the basis of the anticipated number of months remaining to complete the project.

PAYMENT SCHEDULE PHASE ONE:

Schedule	Payment
February 2010	\$4,750 (50% of Phase One Lump Sum Fee)
May 2010	\$4,750 (50% of Phase One Lump Sum Fee)

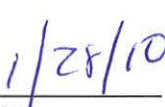
PAYMENT SCHEDULE PHASE TWO:

Schedule	Payment
July 2010	\$4,500 (50% of Phase Two Lump Sum Fee)
September 2010	\$4,500 (50% of Phase Two Lump Sum Fee)

AGREED TO AND ACCEPTED BY:



City of Marathon



Date