February 24, 2009

TO: Mayor and City Council

FROM: Mark J. Madison, Director of Municipal Utilities

Subject: STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICTS

RECOMMENDATION

It is recommended that the City Council adopt a resolution authorizing the City Manager to execute an amendment to the professional services master Design and Survey Services Contract with Siegfried Engineering, Inc. for an amount not to exceed $138,456 to prepare the annual engineer's reports and assessments for the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1; and schedule of parcels and assessments for the city's five existing Storm Drain Basin Maintenance Districts for the 2009-2010, 2010-2011, and 2011-2012 Tax Years.

Summary

The Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1 and five Storm Drainage Basin Assessment Districts (Arch Road Industrial, Charter Way Industrial Site, Western Pacific Industrial Park, Stockton Airport Business Center, and Airport Gateway Center) were established under the provisions of the Municipal Improvement Act of 1913 and Stockton Improvement Procedure Code. The Act requires an annual engineer's report/schedule of parcels be prepared for each District. The engineer's reports will determine the actual assessments for the applicable Tax Year for all the properties within these districts. Once determined, the City Council must approve these assessments prior to their inclusion in the tax roll. It is recommended that a contract amendment with Siegfried Engineering be approved to perform this work.

DISCUSSION

Background

Within the City are various assessment districts that were formed to finance the construction and later the ongoing maintenance of certain public improvements within the boundaries of each district. These districts impart special benefit to an area. The property owners within that district are responsible to fund only those improvements from which they receive benefit. These improvements include storm drainage facilities. Once these assessment districts are formed, each parcel within the district pays a proportionate share of maintenance expenditures assessed through the annual San Joaquin County tax roll.
The City Council, pursuant to Resolution Numbers 85-0416, 86-1059, 88-0492, 88-0552, and 99-0400, ordered the formation of five storm drainage basin maintenance districts. These storm drainage basins are all located in industrial areas. Similarly, on July 26, 2005, the City Council adopted Resolution Number 05-0392 to establish an assessment district designated as the "Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1" which provides funding for the operations, maintenance, and replacement of stormwater quality treatment devices that are required by the City's Stormwater National Pollutant Discharge Elimination System Permit. The formation of each of these districts was based on the provisions of the Municipal Improvement Act of 1913 and the Stockton Improvement Procedure Code.

The Municipal Improvement Act of 1913 requires that a report be prepared each tax year for which assessments are to be levied and collected. The Act requires that the report be prepared by an engineer. Siegfried Engineering, Inc. has been providing engineering services to each of the storm drainage districts since their establishment. Siegfried's work has generally consisted of preparing an engineer's report or schedule of parcels that includes the district's budget, a description of the improvements to be maintained, and preparation and submittal of the assessment roll to the San Joaquin County Auditor's Office. Siegfried has performed satisfactorily as District Engineer for each of the storm drainage districts during the original contract term and all subsequent extensions. The last contract extension expired with the completion of work for the filing of the Tax Year 2008-2009 tax roll.

On June 7, 2005, the City Council adopted Resolution No. 05-0226, approving Professional Services Master Contracts for design, geotechnical, environmental, and similar professional services with numerous firms, including the subject firm of this proposal. These firms provide services, as needed, to accommodate the City's project schedules. These master contracts are valid for five years and reduce the administrative burden of individual project contracts. The scope of services and fees are negotiated on a project-specific basis and a contract amendment is executed. If the negotiated fee for a particular project exceeds Charter limits, the contract amendment is submitted to the Council for consideration.

Consultant selection for a project is based on the consultants' understanding of the project and approach to meeting the City's needs. Other considerations in the consultant selection process include the firms' qualifications, experience, designated staff, and the ability to provide services on time, within budget, and in accordance with City objectives.

Present Situation

The Municipal Utilities Department recently requested a proposal from Siegfried Engineering, Inc. to provide engineering services for the Tax Year 2009-2010 for each
of the storm drainage districts. The proposal is to provide engineering services for a total cost of $44,652 broken down between the districts as follows:

<table>
<thead>
<tr>
<th>District Name</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consolidated Storm Drainage Maintenance</td>
<td>$31,752</td>
</tr>
<tr>
<td>Assessment District No. 2005-1</td>
<td></td>
</tr>
<tr>
<td>Arch Road Industrial Park</td>
<td>$ 2,500</td>
</tr>
<tr>
<td>Storm Drainage Basin Maintenance District</td>
<td></td>
</tr>
<tr>
<td>Charter Way Industrial Site</td>
<td>$ 1,500</td>
</tr>
<tr>
<td>Storm Drainage Basin Maintenance District</td>
<td></td>
</tr>
<tr>
<td>Stockton Airport Business Park</td>
<td>$ 2,600</td>
</tr>
<tr>
<td>Storm Drainage Basin Maintenance District</td>
<td></td>
</tr>
<tr>
<td>Western Pacific Industrial Park</td>
<td>$ 2,500</td>
</tr>
<tr>
<td>Storm Drainage Basin Maintenance District</td>
<td></td>
</tr>
<tr>
<td>Airport Gateway</td>
<td>$ 3,800</td>
</tr>
<tr>
<td>Storm Drainage Basin Maintenance District</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$44,652</strong></td>
</tr>
</tbody>
</table>

Siegfried Engineering's proposal for the two subsequent years are $46,152 and $47,652 for 2010-2011 and 2011-2012 Tax Years respectively.

The Municipal Utilities Department recommends amending the contract with Siegfried to provide engineering services for the storm drainage districts for Tax Years 2009-2010, 2010-2011, and 2011-2012. Siegfried has agreed to perform these services in accordance with the "Scope of Civil Engineering Services" attached as Exhibit A. The total cost of work may increase if there are additional zones formed and annexed that will need to be included in the engineer's report and assessment roll. The rate for any additional zones is included in Siegfried's fee schedule. In consideration of the effort that is required and because of the nature of the work, the department's opinion is that the cost is reasonable.

The Municipal Utilities Department considers Siegfried Engineering, Inc. to be the best-qualified firm to provide the services needed because:

- Siegfried Engineering, Inc. has extensive expertise preparing all prior storm drainage maintenance district reports/schedule of parcels and similar reports for the Stockton Consolidated Landscape Maintenance District No. 96-2 for many years.
Siegfried Engineering, Inc. is a local firm and has experience in dealing with the City's requirements for stormwater quality controls.

FINANCIAL SUMMARY

Funds for this contract amendment are generated by the annual assessments levied in the various storm drainage districts and are available in the Storm Drainage Maintenance Assessment Districts (Fund 072) accounts. No financial action is required at this time. Municipal Utilities will budget sufficient funds to pay for this contract amendment in Tax Years 2009-2010, 2010-2011, and 2011-2012.

PREPARED BY Christina Walter

Respectfully submitted,

MARK J. MADISON
DIRECTOR OF MUNICIPAL UTILITIES

MJM:CW:cla

APPROVED BY

J. GORDON PALMER, JR.
CITY MANAGER

The City and Siegfried Engineering, Inc. entered into a Professional Services Master Contract on June 7, 2005, pursuant to Resolution No. 05-0226, to establish a vendor pool; and

The City now desires to amend the contract with Siegfried Engineering, Inc., to prepare the annual engineer’s report and assessments for the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1; and schedule of parcels and assessments for the Arch Road Industrial Park Storm Drainage Basin Maintenance District, Charter Way Industrial Site Storm Drainage Basin Maintenance District, Stockton Airport Business Park Storm Drainage Basin Maintenance District, Western Pacific Industrial Park Storm Drainage Basin Maintenance District, and Airport Gateway Storm Drainage Basin Maintenance District for the Tax Years 2009-2010, 2010-2011, and 2011-2012; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The Amendment to Professional Services Master Contract between the City and Siegfried Engineering, Inc., a copy of which is attached hereto as Exhibit “A”
and incorporated herein by this reference, in the amount of $138,456, is hereby approved.

2. The City Manager is hereby authorized to execute the Amendment to Professional Services Contract.

3. The City Manager is hereby authorized to take whatever actions are appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED ____________________.

______________________________
ATTEST: ANN JOHNSTON
Mayor of the City of Stockton

______________________________
KATHERINE GONG MEISSNER
City Clerk of the City of Stockton
AMENDMENT TO
PROFESSIONAL SERVICES MASTER CONTRACT
WITH SIEGFRIED ENGINEERING, INC. TO PREPARE THE STOCKTON
CONSOLIDATED STORM DRAINAGE MAINTENANCE ASSESSMENT
DISTRICT No. 2005-1 ANNUAL ENGINEER REPORT AND SCHEDULE
OF PARCELS FOR THE FIVE EXISTING STORM DRAINAGE BASIN
MAINTENANCE DISTRICTS FOR TAX YEARS
2009-2010, 2010-2011, AND 2011-2012

This Amendment to Professional Services Master Contract is made and entered into
on February 24, 2009, by and between the City of Stockton, a municipal corporation,
hereinafter referred to as "CITY," and SIEGFRIED ENGINEERING, INC., hereinafter
referred to as "FIRM," to provide engineering services for the Consolidated Storm Drainage
Maintenance Assessment District No. 2005-1 Annual Engineer’s Report and schedule of
parcels and assessments for the five existing Storm Drainage Basin Maintenance Districts

WITNESSETH:

WHEREAS, CITY and FIRM entered into a Professional Services Master Contract
on June 7, 2005, as part of a vendor pool and desire to amend said Contract by specifying
FIRM to provide civil engineering services for preparing the Annual Engineer’s Report and
tax rolls for the Stockton Consolidated Storm Drainage Maintenance Assessment District
No. 2005-1; and schedule of parcels for the Arch Road Industrial Park Storm Drainage
Basin Maintenance District, Charter Way Industrial Site Storm Drainage Basin
Maintenance District, Stockton Airport Business Park Storm Drainage Basin Maintenance
District, Western Pacific Industrial Park Storm Drainage Basin Maintenance District and
Airport Gateway Storm Drainage Basin Maintenance District for the Tax Years 2009-2010,

NOW, THEREFORE, in consideration of these premises and the following terms
and conditions, the parties hereto agree as follows:

EXHIBIT “A”
1. Section 1, Scope of Services, is hereby amended to include preparation of the annual engineer report and tax roll for the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1; and schedule of parcels and assessments for the Arch Road Industrial Park Storm Drainage Basin Maintenance District, Charter Way Industrial Site Storm Drainage Basin Maintenance District, Stockton Airport Business Park Storm Drainage Basin Maintenance District, Western Pacific Industrial Park Storm Drainage Basin Maintenance District and Airport Gateway Storm Drainage Basin Maintenance District for the Tax Years 2009-2010, 2010-2011, and 2011-2012, attached as Exhibit A and by reference made a part hereof.

2. Section 2, Compensation, is hereby amended (in the amount of $138,456.00) to include Exhibit A. This compensation amount is for preparation of the Annual Engineer’s Report and tax roll for the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1; and schedule of parcels and assessments for the Arch Road Industrial Park Storm Drainage Basin Maintenance District, Charter Way Industrial Site Storm Drainage Basin Maintenance District, Stockton Airport Business Park Storm Drainage Basin Maintenance District, Western Pacific Industrial Park Storm Drainage Basin Maintenance District and Airport Gateway Storm Drainage Basin Maintenance District for the Tax Years 2009-2010, 2010-2011, and 2011-2012.

3. Section 4, Schedule for Completion is hereby amended to include Exhibit A.

4. Section 5, Notices, is hereby amended to provide that FIRM shall notify the City of Stockton, Municipal Utilities Department, Attn: Mark Madison, Director, 2500 Navy Drive, Stockton, CA 95206 on all matters related to the work.

5. All other terms and conditions of the Contract not expressly amended by this document shall remain unchanged and in full force and effect.
IN WITNESS WHEREOF, the parties have caused this Amendment to Contract to be executed on the date and year first written above.

ATTEST:                      CITY OF STOCKTON, a municipal corporation

KATHERINE GONG MEISSNER    By:
City Clerk of the City of Stockton

J. Gordon Palmer, Jr., City Manager

APPROVED AS TO FORM:        SIEGFRIED ENGINEERING, INC.

RICHARD E. NOSKY, JR.       By:
CITY ATTORNEY

By:                          Title: PRESIDENT

Assistant City Attorney
EXHIBIT A

SCOPE OF CIVIL ENGINEERING SERVICES
ANNUAL ENGINEER'S REPORT

December 8, 2008

SCOPE OF SERVICES BY THE CONSOLIDATED STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICT ENGINEER

Siegfried Engineering, Inc. (SEI) shall provide the following Scope of Services (Scope) as the Engineer for the existing thirteen (13) zones and/or subzones of the Stockton Consolidated Storm Drainage Maintenance Assessment District, No. 2005-1 (District):

1. Based on an annual budget prepared for each zone by others and approved by the City of Stockton (City), annually calculate the proposed assessment to be levied against each parcel for the parcel’s share of the budget costs for the following tax year, and annually prepare the Assessment Roll for each zone for the following tax year. Prior to the annual calculation, the following conditions and/or services shall be provided in the order indicated.

   a. The City shall provide to the Engineer the electronic media of the latest available San Joaquin County Assessor's Roll, including the complete parcel data, e.g. area, use code, etc.

   b. The Engineer will identify all parcels having data that has changed from the previous tax year's Assessor's Roll for the purpose of updating data files and identifying changes to the Assessor Parcel Numbers.

   c. The Engineer will identify all revised or added Assessor's Maps.

   d. The Engineer will determine the appropriate cost of living adjustment factor to be applied to each zone.

Prior to completing the calculation, the Engineer will identify any assessment increases against each parcel from the prior year's assessment and will meet with the City staff to review any proposed increase in annual assessments that would trigger the Proposition 218 (Prop. 218) ballot process or otherwise require mailed notices. If appropriate, the Engineer and City staff will attempt to reach a reasonable resolution to the proposed increase in annual assessments.

2. The Annual Engineer's Report for each tax year shall include the following information for each zone:
Exhibit A (Cont'd.)

a. a description of the improvements to be maintained for the next tax year as furnished by the District Manager,

b. an estimate of the maintenance cost of all improvements as furnished by the District Manager,

c. an estimate of administrative costs as furnished by the City,

d. an estimate of the total assessments,

e. an updated Assessment Diagram which is based upon the unchanged Assessment Diagram from the previous Annual Engineer's Reports of the preceding tax year and any added or revised Assessor's Maps (subject to the conditions below) and including an Index Sheet of the District's zones,

f. the Assessment Roll by Assessor's Parcel Number, and

g. the assessment spread of the proposed assessments for the following tax year.

3. The Annual Engineer's Report for the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1 shall be provided for approval by the City Council.

4. The Engineer shall attend City Council meetings and public hearings pertaining to the District as necessary.

5. Following approval by the City Council of the proposed assessments, the Engineer shall provide to the San Joaquin County Tax Assessor the approved assessment spread in electronic media form and in a format compatible with the San Joaquin County Tax Roll for collecting the assessments with next year's San Joaquin County tax bills prior to the August 1 deadline.

a. It is understood that the Scope includes the Engineer making inconsequential changes to the Assessor's Tax Roll. However, it is understood that the addition to the tax roll of a subdivision unit is considered a substantial change. Corrections required as a result of this event shall be considered extra work and shall be subject to the conditions below.

6. It is understood by the Engineer and the City that:

a. The Proposition 218 ballot process or other mailed notice procedures are not required when the proposed annual assessment does not exceed the annual assessment of the preceding year.
Exhibit A (Cont’d.)

b. The Proposition 218 ballot process or other mailed notice procedures are not required for new parcels created from the subdivision of an existing parcel in the District provided that:

1) the original unsubdivided parcel was assigned a maximum annual assessment in a prior Engineer’s Report approved by City Council based upon the anticipated future number of subdivided parcels it may yield, and

2) the assessments against each new parcel does not exceed the maximum annual assessment in accordance with the criteria set forth in the formation of the District.

COMPENSATION FOR SCOPE OF SERVICES

1. Listed below is the fee schedule for the preparation of the Annual Engineer’s Report and Assessment Roll for the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1 for the 2009-2010 tax year:

<table>
<thead>
<tr>
<th>District Name</th>
<th>Zone</th>
<th>2009-2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Riverbend</td>
<td>Zone 1</td>
<td>$3,302</td>
</tr>
<tr>
<td>Cannery Park</td>
<td>Zone 2-A</td>
<td>$1,100</td>
</tr>
<tr>
<td>Cannery Park</td>
<td>Zone 2-B</td>
<td>$1,419</td>
</tr>
<tr>
<td>Simbad Estates</td>
<td>Zone 3</td>
<td>$2,200</td>
</tr>
<tr>
<td>Dama Estates</td>
<td>Zone 4</td>
<td>$2,200</td>
</tr>
<tr>
<td>Silver Springs and Gold Springs</td>
<td>Zone 5-A</td>
<td>$1,677</td>
</tr>
<tr>
<td>Silver Springs and Gold Springs</td>
<td>Zone 5-B</td>
<td>$1,100</td>
</tr>
<tr>
<td>Old Oak Estates</td>
<td>Zone 6</td>
<td>$2,200</td>
</tr>
<tr>
<td>Oakmore Meadows</td>
<td>Zone 7</td>
<td>$2,200</td>
</tr>
<tr>
<td>Little Johns Creek North and South</td>
<td>Zone 8</td>
<td>$2,200</td>
</tr>
<tr>
<td>Malisa Manor</td>
<td>Zone 9</td>
<td>$2,200</td>
</tr>
<tr>
<td>Meadowland</td>
<td>Zone 10</td>
<td>$2,200</td>
</tr>
<tr>
<td>Westlake Villages</td>
<td>Zone 11</td>
<td>$2,777</td>
</tr>
<tr>
<td>Moss Gardens</td>
<td>Zone 12</td>
<td>$2,777</td>
</tr>
<tr>
<td>ProLogis Park</td>
<td>Zone 13</td>
<td>$2,200</td>
</tr>
</tbody>
</table>

TOTAL ANNUAL FIXED FEE $31,752

Each fee listed above for the individual zones are to be considered as estimates only. The Total Annual Fixed Fee for this work is for the preparation of the Annual Engineer’s Report for all the zones. These fees do not include, and specifically exclude, any additional extra work which may be required as described below.

The estimated fee schedule for the two (2) subsequent years is:

<table>
<thead>
<tr>
<th>District Name</th>
<th>Zone</th>
<th>2010-2011</th>
<th>2011-2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Riverbend</td>
<td>Zone 1</td>
<td>$3,402</td>
<td>$3,502</td>
</tr>
</tbody>
</table>
Exhibit A (Cont’d.)

Cannery Park .................................................. Zone 2-A ........................................... $1,150 ........................................... $1,200
Cannery Park .................................................. Zone 2-B ........................................... $1,469 ........................................... $1,519
Simbad Estates ............................................. Zone 3 ...................................................... $2,300 ........................................... $2,400
Dama Estates ................................................ Zone 4 ...................................................... $2,300 ........................................... $2,400
Silver Springs and Gold Springs ........................ Zone 5-A ........................................... $1,727 ........................................... $1,777
Silver Springs and Gold Springs ........................ Zone 5-B ........................................... $1,150 ........................................... $1,200
Old Oak Estates .............................................. Zone 6 ...................................................... $2,300 ........................................... $2,400
Oakmore Meadows ......................................... Zone 7 ...................................................... $2,300 ........................................... $2,400
Little Johns Creek North and South ................... Zone 8 ...................................................... $2,300 ........................................... $2,400
Malisa Manor .................................................. Zone 9 ...................................................... $2,300 ........................................... $2,400
Meadowland ................................................... Zone 10 ...................................................... $2,300 ........................................... $2,400
Westlake Villages ........................................... Zone 11 ...................................................... $2,877 ........................................... $2,977
Moss Gardens .................................................. Zone 12 ...................................................... $2,877 ........................................... $2,977
ProLogis Park ................................................ Zone 13 ...................................................... $2,300 ........................................... $2,400

TOTAL ANNUAL FIXED FEE ........................................ $33,052 ........................................... $34,352

The fee schedule for the second and third years of the contract are estimates only. The estimated fee for each zone is based upon the existing number of already developed parcels within that zone as defined by each zone’s original Engineer’s Report. The estimated fees shown above are based upon the number of developed parcels during the 2008-2009 tax year. The actual fees will be calculated using the calculation for additional services shown below and will be based upon the number of developed parcels within each zone at the close of the previous tax year.

2. SEI shall assign a specific SEI job number to identify each zone within the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1. Should zones be consolidated with other zones for any reason, the estimated fees listed in the table above for the zones which are consolidated shall be combined to establish the fees of the newly consolidated zone. In the event zones are deleted from the Annual Engineer’s Report for any reason, the fees associated with each zone will be subtracted from the Total Annual Fixed Fee, except for fees for work already performed for a zone prior to the deletion of the zone.

3. Monthly progress billings will be submitted to the City by SEI as the work proceeds and are due when the bills are submitted.

**ADDITIONAL SERVICES CONSIDERED TO BE EXTRA WORK**

1. It shall be understood and agreed that the following are additional services which are to be considered extra work and that compensation shall be negotiated prior to performing the work:

   a. significant or cumulative changes in the previous year’s Assessor’s Tax Roll or after preparation of the proposed assessments has been completed, including

      i. the addition to the tax roll of a new subdivision within an existing zone or a new subdivision annexed into a zone, and
ii. the addition of new zones or subzones to the District.

2. The extra work for adding new zones or subzones may include, but is not limited to:
   a. revising the Annual Engineer’s Report including:
      i. preparing a description of the boundary of proposed new zones or subzones,
      ii. preparing boundary maps of the proposed new zones or subzones,
      iii. developing formulas for the spread of assessments,
      iv. spreading the assessments,
      v. generating a file based on Assessor's Parcel Numbers that includes the criteria to be used for the spread of assessments, and
      vi. preparing ten (10) copies of the revised Annual Engineer's Report, which shall include the following:
         1) description of improvements to be maintained and furnished,
         2) estimated maintenance cost of the land within the proposed new zone or subzone as furnished to the Engineer by the City from data provided by the Developer,
         3) estimate of zone formation and administration costs and total assessment,
         4) criteria for spreading assessments,
         5) assessment roll listed by Assessor's Parcel Number.
         6) property owners list, and
         7) Assessment Diagram.
   b. post notices, which are provided to the Engineer by the City, at the site,
   c. attend preparatory meetings and public hearings on proposed formation of assessment zone or subzone and on assessments,
   d. prepare modifications to the Annual Engineer's Report and assessments as directed by the City after conclusion of hearings,
Exhibit A (Cont'd.)

e. prepare final assessment roll and reconcile with the San Joaquin County Assessor's roll, and

f. provide electronic media of assessment roll for next tax year.

3. Any work which requires a Proposition 218 ballot process as a result of an increase to the assessments levied the previous year, whether required for a new zone or an existing zone, shall be considered extra work. Compensation shall be negotiated at such time as it may be necessary to perform this extra work. The extra work for a proposition 218 ballot process may include:

   a. prepare and mail necessary notices and ballots pursuant to Proposition 218,

   b. conduct tabulation of ballots submitted in accordance with Proposition 218, and

   c. calculate the specific and general benefit components of the assessments in accordance with the provisions of Proposition 218.

COMPENSATION FOR ADDITIONAL SERVICES

1. Compensation for all extra work shall be subject to negotiation and shall be paid in accordance with SEI’s current Charge Rate Schedule. The City agrees that the attached Charge Rate Schedule dated June 14, 2008 is subject to a reasonable adjustment on or about August 1 of each year based upon SEI’s charge rate schedule which is in effect at the time the extra work is performed. Any extra work performed past August 1 of each year shall be performed under SEI’s adjusted Charge Rate Schedule.

2. The Engineer’s fee added to the Total Annual Fixed Fee as a result of addition of zones and/or subzones into the Consolidated Storm Drainage Maintenance Assessment District Annual Engineer’s Report shall set minimum fee plus an additional fee based upon the number of parcels in the newly formed zone.

For extra work performed during the 2009-2010 tax year, the Engineer’s fee shall be the set minimum fee of $2,200 plus the additional fee determined as follows:

- For 0-100 parcels ...........................................................$0
- For 101-250 parcels .....................................................$319
- For 251-500 parcels .....................................................$577
- For 501-750 parcels .....................................................$1,102
- For 751-1000 parcels .................................................$1,627
- For 1001 + parcels ....................................................$2,153
Exhibit A (Cont'd.)

For extra work performed during the 2010-2011 tax year, the Engineer's fee shall be the set minimum fee of $2,300 plus the additional fee determined as follows:

- For 0-100 parcels ..............................................$0
- For 101-250 parcels .............................................$319
- For 251-500 parcels ..........................................$577
- For 501-750 parcels .........................................$1,102
- For 751-1000 parcels .......................................$1,627
- For 1001 + parcels .............................................$2,153

For extra work performed during the 2011-2012 tax year, the Engineer's fee shall be the set minimum fee of $2,400 plus the additional fee determined as follows:

- For 0-100 parcels ..............................................$0
- For 101-250 parcels .............................................$319
- For 251-500 parcels ..........................................$577
- For 501-750 parcels .........................................$1,102
- For 751-1000 parcels .......................................$1,627
- For 1001 + parcels .............................................$2,153

3. It is understood that the above Engineer's fee which will be added to the Total Annual Fixed Fee as a result of addition of zones or subzones into the Consolidated Storm Drainage Maintenance Assessment District Annual Engineer's Report does not include the negotiated compensation for extra work pursuant to Proposition 218.
EXHIBIT A
SCOPE OF CIVIL ENGINEERING SERVICES

December 8, 2008

Scope of Services By The Storm Drain Basin Maintenance District Engineer

Siegfried Engineering, Inc. (SEI) shall provide the following Scope of Services (Scope) as the Engineer for five (5) existing Storm Drain Basin Maintenance Districts (SDBMD):

1. The Engineer shall annually update the schedule of parcels, including their drainage areas and proportional assessment factors to reflect any new lot line adjustments, subdivision maps, or parcel maps which may have been approved by the City during the preceding year, and calculate each parcel’s share of the SDBMD maintenance and administrative costs for the fiscal year.

2. The updated schedule of parcels shall:
   a) identify all parcels having data that changed from the previous tax year’s Assessor’s Roll for the purpose of updating data files and identifying changes to the Assessor Parcel Numbers,
   b) identify all revised or added Assessor’s Maps, and
   c) reflect the appropriate cost of living adjustment factor to be applied to each applicable zone.

3. The Engineer shall:
   a) consult with the Municipal Utility Department staff to establish the budget,
   b) prepare a written budget and schedule of parcels for the next fiscal year for presentation to City Council, and
   c) attend City Council meetings and public hearings pertaining to the District, as necessary.

4. It is understood by the Engineer and the City that:
   a) All existing SDBMD assessment activities are an extension of the original assessment district formed to construct the improvement.
   b) Any new record maps, changing the boundaries of any parcel or creating new parcels within each SDBMD, shall be considered to become a component of the official Assessment Diagram for each SDBMD and, thereby, shall not require new Assessment Diagrams as a part of this Scope.
   c) Any new or additional work to amend the official Assessment Diagram for each SDBMD shall be considered extra work.
   d) The Proposition 218 ballot process or other mailed notice procedures are not required when the proposed annual assessment does not exceed the annual assessment of the preceding year, excluding applicable cost of living adjustment factors.

e) The Proposition 218 ballot process or other mailed notice procedures are not required for new parcels created from the subdivision of an existing parcel in the District provided that the assessments against each new parcel does not exceed the maximum annual assessment of the original existing parcel in accordance with the criteria set forth in the formation of the District.

**Compensation For Scope Of Services**

Listed below is the estimated fee schedule for the Scope of Services for each of the five (5) existing Districts:

<table>
<thead>
<tr>
<th>District</th>
<th>2009-2010</th>
<th>2010-2011</th>
<th>2011-2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arch Road Industrial Park</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storm Drainage Basin Maintenance District</td>
<td>$2,500</td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
<tr>
<td>Charter Way Industrial Site</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storm Drainage Basin Maintenance District</td>
<td>$1,500</td>
<td>$1,500</td>
<td>$1,500</td>
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<tr>
<td>Stockton Airport Business Park*</td>
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<tr>
<td>Storm Drainage Basin Maintenance District</td>
<td>$2,600</td>
<td>$2,700</td>
<td>$2,800</td>
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<tr>
<td>Western Pacific Industrial Park</td>
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<tr>
<td>Storm Drainage Basin Maintenance District</td>
<td>$2,500</td>
<td>$2,500</td>
<td>$2,500</td>
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<tr>
<td>Airport Gateway*</td>
<td></td>
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</tr>
<tr>
<td>Storm Drainage Basin Maintenance District</td>
<td>$3,800</td>
<td>$3,900</td>
<td>$4,000</td>
</tr>
</tbody>
</table>

**TOTAL ANNUAL FIXED FEE**

<table>
<thead>
<tr>
<th>2009-2010</th>
<th>2010-2011</th>
<th>2011-2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>$12,900</td>
<td>$13,100</td>
<td>$13,300</td>
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</table>

*NOTE: Airport Gateway SDBMD and a portion of Stockton Airport Business SDBMD have an existing Cost of Living Adjustment (COLA) factor, which is reflected in the proposed fee schedule.

Each fee listed above for the individual districts are to be considered as estimates only. The Total Annual Fixed Fee is the fixed fee for the Scope for all five (5) districts. These fees do not include, and specifically exclude, any additional extra work described below.

SEI shall assign a specific job number to identify each SDBMD. Should a SDBMD be consolidated with another SDBMD for any reason, the estimated fees of the SDBMDs which are consolidated shall be combined to establish the fees of the newly consolidated district.

Work on the annual report for each SDBMD will be provided in the spring and early summer months. Monthly progress billings will be made as the work proceeds and payments are due when the bills are submitted.

**Additional Services Considered To Be Extra Work**

It shall be understood and agreed that the following are additional services which are to be considered extra work and that compensation shall be negotiated prior to performing the work:
1. The preparation and mailing of necessary notices and ballots pursuant to Proposition 218.

2. The tabulation of ballots submitted in accordance with Proposition 218.

3. If assessments are increased, the calculation of the specific and general benefit components of the assessments in accordance with the provisions of Proposition 218. If benefits are other than entirely specific benefits, the City will provide the criteria to make the required distinction between specific and general benefits.

4. The preparation of an Amended Assessment Diagrams to reflect property boundary changes since initial formation of the SDBMD.

5. The preparation of a schedule of parcels, including drainage areas and proportional apportionment factors, and the calculation of the amounts to be levied against the parcels for sub-districts created within any SDBMD.

Compensation for Extra Work

Compensation for all extra work shall be subject to negotiation, but compensation shall be paid in accordance with SEI's current Charge Rate Schedule. The City agrees that the attached Charge Rate Schedule dated June 14, 2008 is subject to a reasonable adjustment on or about August 1 of each year based upon SEI's charge rate schedule which is in effect at the time the extra work is performed. Any work performed past August 1 of each year shall be performed under the adjusted Charge Rate Schedule for the following period.