

RESOLUTION NO. 2023-034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE DISPENSING WITH THE FORMAL REQUEST FOR PROPOSAL PROCESS PURSUANT TO ELK GROVE MUNICIPAL CODE SECTION 3.42.140(B)(3); AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH HINDERLITER, DE LLAMAS & ASSOCIATES TO PROVIDE UTILITY USER TAX ADMINISTRATION AND TRANSACTIONS AND USE TAX CONSULTING SERVICES; AND AUTHORIZING AN ADDITIONAL EXPENDITURE OF FUNDS NOT-TO-EXCEED \$262,517 PLUS THE TRANSACTIONS AND USE TAX CONTINGENT FEE [FOR A TOTAL EXPENDITURE OF FUNDS OVER THE TERM OF THE CONTRACT NOT-TO-EXCEED \$342,517 PLUS THE CONTINGENT FEE]

WHEREAS, the City has a need for Utility User Tax administration services in the routine course of business; and

WHEREAS, on November 23, 2022, the City Council adopted Ordinance No. 23-2022 pursuant to voter approval of Measure E in the election of November 8, 2022, which amended the Elk Grove Municipal Code and provides for a one-cent per dollar local Transactions and Use Tax; and

WHEREAS, the City has a need for Transactions and Use Tax consulting services to ensure revenue maximization, optimal budgeting, and comprehensive reporting; and

WHEREAS, on August 25, 2021, the City Council approved a contract with Hinderliter, De Llamas & Associates for Sales Tax, Transient Occupancy Tax, and Tourism Marketing District Assessment Services (Contract No. C-21-489); and

WHEREAS, Contract No. C-21-489 allows for amendments, changes, and extensions if those terms are agreeable to both parties; and

WHEREAS, Hinderliter, De Llamas & Associates has agreed to amend the existing contract to provide Utility User Tax administration and Transactions and Use Tax consulting services to the City, with an appropriate confidentiality provision; and

WHEREAS, for the reasons presented, compliance with the formal request for proposal process for seeking a provider for Utility User Tax Administration and Transactions and Use Tax services is not in the best interest of the City.

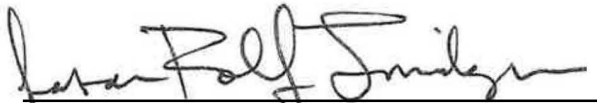
NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Elk Grove hereby dispenses with the formal request for proposal procedure pursuant to Elk Grove Municipal Code Section 3.42.140(B)(3) and authorizes the City Manager to execute an amendment to Contract No. C-21-489 with Hinderliter, De Llamas & Associates, in substantially the form presented, to provide Utility User Tax Administration and Transactions and Use Tax Consulting Services for the City (the "Amendment"); and authorizing an additional expenditure of funds not-to-exceed \$262,517 plus the Transactions and Use Tax Contingent Fee (as defined in the Amendment) *[for a total expenditure of funds over the term of the contract not-to-exceed \$342,517 plus the Contingent Fee (as defined in the Amendment)]*.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 22nd day of February 2023



BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2023-034

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 22, 2023 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Spease, Brewer, Robles, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California