



AGENDA REPORT

Finance Department

DATE:	December 20, 2022
TO:	Mayor Butt and Members of the City Council
FROM:	Nickie Mastay, Deputy City Manager Delmy Cuellar, Director of Finance Dave Aleshire, City Attorney
Subject:	First Contract Amendment with NHA Advisors, LLC
FINANCIAL IMPACT:	There will be no fiscal impact since NHA Advisors, LLC will be utilized on an as-needed basis and the costs will be paid for with funds deposited to the City in advance by developers and memorialized by Deposit and Funding agreements as drafted by the City Attorney.
PREVIOUS COUNCIL ACTION:	October 5, 2021
STATEMENT OF THE ISSUE:	City staff members are seeking to amend its contract with NHA Advisors LLC to continue to provide Municipal Advisor services on an as-needed basis.
RECOMMENDED ACTION:	APPROVE a first amendment to the contract with NHA Advisors, LLC, in the amount of \$100,000, to continue to provide Municipal Advisor services on an as-needed basis, for a new total contract amount not to exceed \$200,000, and a term ending October 6, 2024 – Finance (Nickie Mastay/Delmy Cuellar 510-620-6790).

DISCUSSION:

On October 5, 2021, the City Council adopted Resolution No. 120-21 authorizing professional services agreements for licensed Municipal Advisor consulting services for land-secured financing districts and other financial services on an on-call, as-needed basis (Attachment 3). This resolution established a list of qualified firms to assist the City's project team in comprehensively anticipating and leveraging its future performance of those elements of its agreements that pertain to the establishment of one or more land-secured benefit assessment districts.

NHA Advisors, LLC (NHA) is one of the qualified firms on the established list. NHA specializes in the negotiation of land-secured financing with developers on behalf of public agencies and their experience includes all forms of community facilities districts and special assessment districts. Their work has served the City in a number of ways including their participation on the refinancing team for the City's 2022 Pension Obligation Bond that refinanced the prior swap bond to a fixed rate bond. Additionally, NHA's work was vital for analysis of the Point Molate land financing and now Terminal 1.

City staff members would like to continue to utilize NHA's consulting expertise for the City's various land agreements and add \$100,000 to the existing contract, for a total not-to-exceed contract amount of \$200,000. The original contract term remains from October 6, 2021 through October 6, 2024.

DOCUMENTS ATTACHED:

Attachment 1 – NHA Advisors LLC Original Contract

Attachment 2 – 1st Amendment to NHA Advisors LLC Contract (proposed)

Attachment 3 – October 5, 2021 Staff Report and Resolution No 120-21