

THIRD AMENDMENT TO AGREEMENT TO PERFORM PROFESSIONAL SERVICES

This third amendment ("Third Amendment") to the agreement for the provision of public opinion research and strategic communication services dated September 18, 2018 ("Agreement"), by and between the City of Redlands, a municipal corporation ("Customer" / "City"), and Terris Barnes Walters Boigon Heath, Inc. dba TBWB Strategies ("Consultant"), is made and entered into this 3rd day of September, 2019.

RECITALS

WHEREAS, it is the desire of the City and Consultant to amend their existing Agreement, specifically Payments to Consultant, Article 5, of the Agreement, such that total compensation to consultant shall increase from One Hundred Thirty One Thousand Two Hundred and Fifty dollars (\$131,250), to One Hundred Ninety One Thousand Seven Hundred and Fifty dollars (\$191,750), to account for and expanded scope of services including the development, printing and mailing of informational notices to registered voters within the City;

NOW, THEREFORE, City and Consultant agree as follows:

AGREEMENT

Section 1. Article 5 of the Agreement, entitled "Payments to Consultant," is hereby amended to read as follows:

"5.1 Total compensation for Consultant's performance of the Services shall not exceed the amount of One Hundred Ninety One Thousand Seven Hundred and Fifty dollars (\$191,750)."

Section 2. Exhibit "A" of the Agreement, entitled "Scope of Services," is hereby amended to read as follows:

"1. Ballot Measure Development. Prior to Approval of a Revenue Measure by Client's governing body (the term "Approval" meaning the governing body having taken action to adopt a resolution or ordinance calling for an election with respect to the Revenue Measure), TBWBH shall perform the services described in items 1-8 below, as needed, to assist Client in preparing the Revenue Measure for the ballot, and within fourteen (14) days after Approval of a Revenue Measure, TBWBH shall perform the services described in item 9 below, as needed, each of the services to be subject to Client's approval:

- 1) Recommend a final tax type, tax rate, duration and tax structure;
- 2) Recommend the final the list of programs and services to be funded by the measure and prepare messaging that clearly articulates how these programs will benefit from additional revenue provided by the measure;
- 3) Recommend any exemptions and procedures for qualifying for exemptions as needed;
- 4) Recommend procedures for the taxpayer accountability protections, including a process for an independent citizens' oversight committee;

- 5) Work with legal counsel/City Attorney to develop a resolution or ordinance calling for the election;
 - 6) Work with legal counsel/City Attorney to develop the 75-word ballot question;
 - 7) Work with legal counsel/City Attorney to develop and refine the full text of the measure and other materials that will appear in the ballot pamphlet mailed to all voters;
 - 8) Present recommendations, documents and resolutions to Client's administration and governing body for approval; and
 - 9) Work with the County Registrar of Voters Office to assist Client in completing the process of qualifying for the ballot.
1. Public Information. Prior to, and up to fourteen (14) days after, Approval of a Revenue Measure, TBWBH shall perform any of the following services as needed to raise awareness of Client's funding needs and the Revenue Measure proposal, each of the services to be subject to Client's approval as required by Section 7 below:
- 1) Develop informational fact sheets to be distributed at community functions;
 - 2) Provide content related to the Revenue Measure to be added to Client's website, included in email updates and added to newsletters;
 - 3) Prepare PowerPoint presentations for community meetings;
 - 4) Write, design, and produce mailings to educate, inform and engage voters;
 - 5) Manage all design, print and production of mailings, including: repress, printing, labeling, postage, shipping, sales tax and mailing to all registered voters in the City for up to 3 informational mailers
 - 6) Develop strategies and plans to inform and engage key internal stakeholder groups;
 - 7) Develop strategies and plans to inform and engage influential external groups including elected leaders, business leaders, city leaders, ethnic community leaders, faith community leaders, taxpayer groups and others.
2. Tracking Survey. TBWB shall perform any of the following services as needed to assess the feasibility of the Measure for Client:
- 1) TBWB shall supervise creation of a tracking survey of registered voters, to be conducted by True North Research including recommending draft language for questions and taking an active role in questionnaire development, targeting and related matters;
 - 2) Collaborate with True North Research to design, conduct and analyze an opinion survey of voters in the City's jurisdiction to assess the continued electoral feasibility of a Measure;
 - 3) TBWB shall ensure that Pollster's survey is created and conducted in a timely manner;
 - 4) Analyze past election results in the District and region to understand voter turnout trends and other relevant voting patterns;
 - 5) Research other local tax proposals that may be heading to an upcoming ballot that could compete with Client's Measure;

- 6) Make a specific recommendation to City Staff and City Council regarding type of revenue measure to pursue, optimal election date, election type, tax rate, tax structure and other important Revenue Measure features to the City; and
- 7) Client shall own all polling data from the scientific survey of registered voters.”

Section 3. All other provisions of the Agreement shall remain unchanged by this Third Amendment and in effect.

IN WITNESS WHEREOF, the parties have executed this Third Amendment, to be effective as of September 3, 2019.

CITY OF REDLANDS

TBWB STRATEGIES



Paul W. Foster, Mayor

By 

Joy Tatarka, Partner

ATTEST:



Jeanne Donaldson, City Clerk