

CONSULTANT AGREEMENT – NOTICE OF AUTHORIZATION

Date: June 28, 2019

Project: City of Reedley, TUT Measure

Description of Work: Election Coordination and Advisory Services

Budget: Time and materials not to exceed \$10,000, plus out-of-pocket expenses not to exceed \$750.

Table 1: DTA's Hourly Rates

2019 Fee Schedule	
President/Managing Director	\$290/Hour
Senior Vice President	\$250/Hour
Vice President	\$225/Hour
Senior Manager	\$200/Hour
Manager	\$185/Hour
Senior Associate	\$175/Hour
Associate II	\$165/Hour
Associate I	\$150/Hour
Research Associate II	\$140/Hour
Research Associate I	\$125/Hour

Out-of-pocket and administrative expenses shall be equal to 3% of DTA's billings for labor, plus travel costs and any outside vendor payments, not to exceed a total of \$750. All hourly rates for services apply through December 31, 2019, and are subject to a cost-of-living increase at that time. On or about the first two weeks of each month during which consulting services are rendered hereunder, Consultant shall present to Client an invoice covering the current consulting services performed and reimbursable expenses incurred pursuant to this Notice of Authorization. Invoices shall be paid by Client within 30 days of the date of each invoice. A 1.2% charge may be imposed monthly against accounts that are not paid within 45 days of the date of each invoice. The prevailing party in any legal action brought by one party against the other and arising out of this Consultant Agreement shall be entitled, in addition to any other rights and remedies it may have, to reimbursement for its expenses, including court costs and reasonable attorneys' fees.

Consultant:
David Taussig & Associates, Inc. d/b/a DTA



Nathan D. Perez, Esq.

Client:
City of Reedley



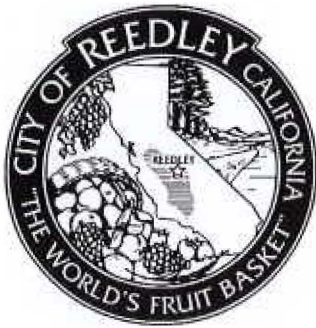
Authorized Signature

Brief Description of Scope of Services:

DTA shall perform the services described under Tasks 1-5 in the Scope of Work identified in the attached Advisory Services proposal, subject to limitations in the attached Fee Schedule.

Advisory Services Scope of Work

- Task 1:** Consultant shall assist Client in the preparation of a Schedule of Events identifying the necessary steps and relevant deadlines related to a proposed Transactions and Use Tax (TUT) measure.
- Task 2:** Consultant shall provide clarification and guidance on procedural elements related to the proposed TUT, including permissible and impermissible actions by City Staff.
- Task 3:** Consultant shall, to the extent necessary, assist in the preparation of the documentation necessary in order to pass the proposed TUT, including the ordinance(s) and resolution(s).
- Task 4:** Consultant shall review and provide feedback on documents, ballot/supporting language, and arguments as requested by Client, detailing strategies employed by other successful measures.
- Task 5:** Consultant shall attend one (1) formal meeting with City Staff or Council to educate or discuss processes, findings, or advisability of the proposed TUT.



REEDLEY CITY COUNCIL

- ☐ Consent
☒ Regular Item
☐ Workshop
☐ Closed Session
☐ Public Hearing

ITEM NO: 12

DATE: August 13, 2019

TITLE: APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE A CONSULTANT AGREEMENT WITH DAVID TAUSSIG & ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$10,750 FOR TRANSACTIONS AND USE TAX MEASURE ADVISORY SERVICES AND ELECTION COORDINATION

SUBMITTED: Paul A. Melikian, Assistant City Manager *PM*

APPROVED: Nicole R. Zieba, City Manager *NZ*

RECOMMENDATION

Request Council approve and authorize the City Manager to execute the attached consulting agreement with David Taussig & Associates, Inc. in an amount not to exceed \$10,750 for Transactions and Use Tax (TUT) Measure Advisory Services and Election Coordination.

EXECUTIVE SUMMARY

With the support of the City Council, staff will work towards a March 2020 ballot measure to request voter approval of a TUT measure (aka "sales tax") to generate critical additional revenue necessary to maintain services through the coming years of significant projected shortfalls in revenue to meet rising operational costs. A new tax measure is a complex project that has many required documents and deadlines, and it is common for public agencies to hire an experienced consultant to assist with the process. (The City used a consultant for the 2007/2008 Measure 'G' tax measure.) David Taussig & Associates ('DTA') has worked on many tax measures in California, and most recently in this region, assisted the City Kingsburg in its successful passage of a sales tax measure. The consultant will work in conjunction with the City Attorney on the review and submission of all required documents within deadlines; specifically:

- Prepare a schedule of events identifying all necessary steps and relevant deadlines to a proposed tax measure;
- Provide clarification and guidance on procedural elements related to the proposed measure, including permissible and impermissible actions by City staff;
- Assist in the preparation of documentation necessary to pass a proposed tax measure, including ordinances and resolutions;
- Review and provide feedback on documents, ballot/supporting language, and suggesting strategies used by other successful measures;
- Attend meetings with staff and/or Council to discuss/advise on the proposed measure.

FISCAL IMPACT

No new appropriations are needed for this Agreement. Services will be paid from savings from the budget for the Economic Development Study that was cancelled. Per the attached Consultant Agreement, services rendered will be billed by DTA on a time and materials basis not to exceed \$10,000, plus out of pocket expenses not to exceed \$750.

ATTACHMENT

Agreement with David Taussig & Associates, Inc.