

Professional Services Agreement
Legal Services
Gautier, Mississippi

Section 1. Employment. The City hereby agrees to employ **Dogan & Wilkinson, PLLC** as City Attorney in accordance with the terms and provisions of this agreement hereinafter set forth.

Section 2. Duties. Attorney shall perform all duties of the City Attorney as set forth in the job description, attached hereto as Exhibit "A" to this agreement, and other duties as may be assigned from time to time by the City Manager and/or City Council.

Section 3. Commencement of Employment - Term. Attorney employment shall commence effective as of August 29, 2013, and shall continue unless terminated in the manner provided in this agreement from year to year.

Section 4. Compensation. City Attorney will be paid a retainer in the amount of seven thousand nine hundred sixteen dollars and sixty-seven cents (\$7,916.67) per month. This amount is a true retainer fee and its payment by client to attorney guarantees that the attorney will set time aside for providing legal services. The retainer provides for Attorney attendance at the customary twice monthly meetings of the City Council, as well as all customary and usual services performed as City Attorney including but not limited to those duties provided in Exhibit "A". Likewise, the above retainer will include all City Prosecutor services.

All litigation services are included in the above retainer amount with the exception of Reasonable Expenses as provided in Section 5. **Dogan & Wilkinson, PLLC** reserves the right to renegotiate all litigation services at an hourly rate after the first year of employment.

The above retainer shall not include legal services related to bonds and/or annexation.

The City will provide no medical, dental, vision, life, disability and other insurance policies for the attorney. Further, as the City has hired a firm of attorneys, no contribution for retirement benefits will be remitted.

Section 5. Reasonable Expenses. City agrees to pay all reasonable costs including but not limited to: postage costs, including First Class and Overnight, as needed. costs include filing fees, service of papers, deposition and transcript costs, appraisals, photocopying and faxing.

Section 6. Termination of Employment. By ninety (90) day written notice sent via registered United States Mail.

Section 7. Professional Liability. Attorney to provide.

Section 8. General Provisions

A. This agreement constitutes the entire agreement between the parties, and both parties

acknowledge that there are no other agreements, oral or otherwise.

B. The parties hereby further agree that this agreement cannot be amended or modified without the written concurrence of both parties.

C. If any provision or portion of this agreement is held to be unconstitutional, invalid, or unenforceable, the City shall have the right, at its option, to declare the agreement void and enter into negotiations with the Attorney for execution of a new personal services agreement.

D. Notice. Any notices required to be given by the City to Attorney or by Attorney to the City shall be delivered to the following parties at the following addresses:

City Address:
3330 U.S. 90
Gautier, MS 39553

Attorney Address:
734 Delmas Avenue
Pascagoula, MS 39567

Exhibit A
to Professional Services Agreement
Legal Services
Gautier, Mississippi

Typical Duties (not exhaustive):

1. Provide general legal advice.
2. Represent the City in limited administrative litigation and related negotiations.
3. Maintain a knowledge of issues facing the City of Gautier and be prepared to offer legal opinions.
4. Contracts--as needed prepare, review, consult, and approve.
5. City Council actions--review and approve legislative documents.
6. Purchasing--participate and recommend appropriate purchasing actions.
7. Grants--assist Agency in federal and state grant process when requested.
8. Work with other assigned counsel, departments, and elected officials as required.
9. Attend work sessions and meetings with City Manager, City Council and/or staff when requested.
10. Report to and receive assignments from the City Manager and/or City Counsel.
11. Counsel will provide advice and interpretation of municipal corporation law as it applies to the City of Gautier including federal laws as well as state and local statutes and ordinances.
12. Work with state and federal reviewing agencies on City related matters.
13. Attend twice monthly meeting of the City Council.
14. Any other matters so approved by the City Council.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 215-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Consent Agenda Items 1, 3-8 is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by Councilwoman Martin, seconded by Councilman Jones and the following vote was recorded:

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of September 3, 2013.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 216-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City of Gautier 2013 Continuing Disclosure Submission from Butler, Snow, O'Mara, Stevens & Cannada, PLLC in connection with the \$7,000,000 City of Gautier General Obligation Bonds Series 2010 dated August, 1, 2010 (CUSIP Number 368069 AA8) and \$9,195,000 Combined Utility System Revenue Refunding Bonds, Series 2012 (GUSIP Number 36806P AG9) is hereby received and approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by Councilwoman Martin, seconded by Councilman Jones and the following vote was recorded:

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of September 3, 2013.

August 15, 2013

VIA E-MAIL AT MAYOR@GAUTIER-MS.GOV

Mr. Gordon Gollott, Mayor
Ms. Cindy Russell, City Clerk
3330 Highway 90
Gautier, MS 39553

Re: City of Gautier, Mississippi 2013 Continuing Disclosure Submission

Dear Mayor Gollott and Ms. Russell:

A full copy of the City's 2013 Disclosure Submission was e-mailed to the above referenced e-mail address. Enclosed please find a copy of the City's 2013 Disclosure Submission that was filed (without the audits and budgets) for and on behalf of the City. Please review and make sure that all of the information contained in the 2013 Disclosure Submission is correct. If there are any revisions, please e-mail the changes to elizabeth.garner@butersnow.com. Upon receipt of the revisions, I will file a supplement to the 2013 Disclosure Submission with the appropriate repository. If there are no changes, please retain a copy of the 2013 Disclosure Submission for your records. We suggest that the 2013 Disclosure Submission be spread upon the minutes of the Board at its next meeting. In order to be in compliance with your Continuing Disclosure Agreement, please send me a copy of the 2012 Audit for submission. If the 2012 Audit is not complete, please send unaudited financials for 2012 and a copy of the audited financials when final.

I have also enclosed our Statement of Services. Please place the Statement in line for payment at your earliest convenience and return a copy of the Statement for Services with your payment.

If you have any questions, please do not hesitate to contact us. I appreciate the opportunity to work with you again this year and look forward to working with you in the future.

Very truly yours,

BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC



Elizabeth L. Garner

STATEMENT FOR SERVICES

Mr. Gordon Gollott, Mayor
Ms. Cindy Russell, City Clerk
3330 Highway 90
Gautier, MS 39553

Client Matter #: 022787.044519

Re: Gautier, Mississippi Continuing Disclosure

Fees and expenses for legal services rendered
for preparation and submission of Continuing
Disclosure Statement

\$1,500.00

ButlerSnow 16989764v1

Post Office Box 6010
Ridgeland, MS 39158-6010

T 601.948.5711
F 601.985.4500
www.butlersnow.com

Suite 1400
1020 Highland Colony Parkway
Ridgeland, MS 39157



Submission ID:EP604053
03/28/2013 11:34:40

CONTINUING DISCLOSURE (SUBMISSION STATUS: PUBLISHED)

FINANCIAL/OPERATING FILING (CUSIP-9 BASED)

Rule 15c2-12 Disclosure

Annual Financial Information and Operating Data: Economic and Demographic Information, 2011 Audit, 2013 Budget, for the year ended 09/30/2012

Audited Financial Statements or CAFR: 2011 Audit, for the year ended 09/30/2011

Failure to Provide Annual Financial Information: Notice of Failure to File Annual Financial Information, for the year ended 09/30/2012

DOCUMENTS

Financial Operating Filing

- gautierdiscl.pdf posted 03/28/2013
- Gautier11.pdf posted 03/28/2013
- gautiernotice.pdf posted 03/28/2013

THE FOLLOWING ISSUERS ARE ASSOCIATED WITH THIS CONTINUING DISCLOSURE SUBMISSION:

CUSIP-6	State	Issuer Name
368069	MS	GAUTIER MISS
36806P	MS	GAUTIER MISS COMBINED UTIL SYS REV

THE FOLLOWING 27 SECURITIES HAVE BEEN PUBLISHED WITH THIS CONTINUING DISCLOSURE SUBMISSION:

CUSIP-9	Maturity Date
368069AA8	08/01/2011
368069AB6	08/01/2012
368069AC4	08/01/2013
368069AD2	08/01/2014

368069AE0	08/01/2015
368069AF7	08/01/2016
368069AG5	08/01/2017
368069AH3	08/01/2018
368069AJ9	08/01/2019
368069AK6	08/01/2020
368069AL4	08/01/2021
368069AM2	08/01/2022
368069AN0	08/01/2023
368069AP5	08/01/2024
368069AQ3	08/01/2025
368069AR1	08/01/2026
368069AS9	08/01/2027
368069AT7	08/01/2028
368069AU4	08/01/2029
368069AV2	08/01/2030
36806PAA2	03/01/2013
36806PAB0	03/01/2014
36806PAC8	03/01/2015
36806PAD6	03/01/2016
36806PAE4	03/01/2017
36806PAF1	03/01/2018
36806PAG9	03/01/2019

Submitter's Contact Information

Company: Butler Snow O'Mara Stevens & Cannada, PLLC
 Name: ELIZABETH GARNER
 Address: P.O. BOX 22567
 City, State Zip: JACKSON, MS 39225
 Phone Number: 6019854406
 Email: elizabeth.garner@butlersnow.com

**CONTINUING DISCLOSURE INFORMATION STATEMENT
BY THE CITY OF GAUTIER, MISSISSIPPI
(2013)**

Pursuant to the Continuing Disclosure Agreements (the "Continuing Disclosure Agreement") executed by the City of Gautier, Mississippi (the "City"), in connection with the following bond issues:

1. \$7,000,000 City of Gautier, Mississippi General Obligation Bonds Series 2010 dated: August 1, 2010 (CUSIP Number 368069 AA8); and
2. \$9,195,000 City of Gautier, Mississippi Combined Utility System Revenue Refunding Bonds, Series 2012 (CUSIP Number 36806P AG9).

the City hereby provides the information described in such Continuing Disclosure Agreement.

Section 1. Annual Report.

- A. Updated financial information and operating data of the City; attached hereto as **APPENDIX A** and information on the City combined utility system; attached hereto as **APPENDIX B**;
- B. Updated financial statements of the City¹; attached hereto as **APPENDIX C** and **APPENDIX D**; and
- C. Updated budgeted or estimated revenues and expenditures of the City; attached hereto as **APPENDIX E**.

Section 2. Event Notice.

The City certifies that none of the event notices have occurred with respect to the Bonds.

Section 3. Certification.

We, the undersigned officers of the City, hereby certify as follows:

That the information, representations and warranties of the City contained herein are true and correct in all material respects on and as of the date of this Continuing Disclosure Information Statement. Further, this Continuing Disclosure Information Statement does not contain any untrue statements of material fact or omit to state any material fact necessary in order to make the statements made herein in light of the circumstances under which they were made, not misleading.

¹ If the audited financial statement for the City is not available as of the date of this disclosure, the City will provide a copy of same when the audit report becomes available.

IN WITNESS WHEREOF, the City has caused this Continuing Disclosure Information Statement to be executed in its name by its undersigned officer, duly authorized, all as of the date first above written.

CITY OF GAUTIER, MISSISSIPPI

By: *Lonny Fortson*
MAYOR

(SEAL)

ATTESTED:

By: *Cynthia Puseer*
CITY CLERK