

DRAFT

**CONTRACTUAL AGREEMENT
FOR LEGAL SERVICES**

THIS AGREEMENT made and entered into this the ___ day of February, 2022, by and between the City of Smyrna, Georgia (“City”), a political subdivision of the State of Georgia, by and through its governing authority, the Mayor and Council (“Council”), and Butler Snow LLP (“Butler Snow”), whose principal office is located at 1020 Highland Colony Parkway, Suite 1400, Ridgeland, Mississippi 39157, for the performance of special legal services set forth herein by attorneys and employees of Butler Snow.

WITNESSETH:

In consideration of the mutual covenants contained herein, and subject to the terms and conditions stated, it is hereby understood and agreed by the parties hereto as follows:

- I. SCOPE OF SERVICES:** Butler Snow will provide special legal services to the City as follows: (1) advise Council on current legal issues and related law pertaining to redistricting; (2) review and analyze current redistricting plan for the Council, and advise as to related legal issues and develop benchmark plan for same; (3) prepare and draw draft map for the Council and hold a minimum of one (1) public hearing to obtain input from public of proposed map or maps; (5) present final map to Council for adoption; and (6) generally render all legal advice necessary for the proper preparation, adoption and approval of any redistricting plan(s), including the ability to hire consulting experts if needed, the preparation of legal descriptions, and any related litigation.
- II. PERIOD OF PERFORMANCE:** The term of this Agreement shall commence on the date it is approved by the Council and executed by the Mayor and shall expire when Butler Snow completes its scope of services.
- III. RELATIONSHIP OF PARTIES:** It is expressly understood and agreed that Butler Snow is an independent contractor and that the purchase of legal services is not based on an employer-employee relationship.
- IV. PAYMENT TERMS:** As full and complete compensation for the services to be provided, the City will pay Butler Snow a blended hourly rate which will apply to any professional in the firm who works on the matter within the designated category. The blended hourly rates for all professionals in the designated categories are as follows:
 - Senior Partner (20+ years): \$570
 - Partner: \$405

- Partner: \$405
- Associate/Counsel: \$325
- Mapdrawer/Demographer: \$195

Butler Snow shall submit to the City a monthly invoice for the payment of fees and reasonable expenses incurred for the prior month, which shall be paid following approval by the Council. These hourly rates are for the services listed under Scope of Services above. Any services above and beyond those listed above are beyond the scope of this Agreement.

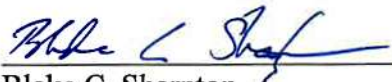
- V. MODIFICATION OR AMENDMENT:** Modifications or amendments to this Agreement may be made upon mutual agreement of the parties, in writing signed by the parties and approved as required by law.
- VI. TERMINATION:** Any party may terminate this Agreement at any time, with or without cause, by giving written notice to the other party of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. In the event of such termination, Butler Snow shall be entitled to receive just and equitable compensation for any specific services completed in a satisfactory manner prior to the date of termination.
- VII. APPLICABLE LAW:** The Agreement shall be governed by and construed in accordance with the laws of the State of Georgia and any litigation with respect thereto shall be brought in the courts of the State of Georgia.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the ___ day of February, 2022.

CITY OF SMYRNA, GEORGIA

By: _____
Mayor Derek Norton

BUTLER SNOW LLP

By: 
Blake C. Sharpton