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February 23, 2021

Via Electronic Mail

L. J. Arnold, III
City Attorney
City of Green Cove Springs
321 Walnut Street
Green Cove Springs, Florida 32043

Re: Proposal for Annual Non-Ad Valorem Assessment Programs for Solid Waste and Stormwater for the Magnolia West Subdivision

Dear Jim:

This correspondence is written to present a scope of services for Nabors, Giblin & Nickerson, P.A. ("NG&N") to provide professional services and specialized assistance to the City of Green Cove Springs (the "City") and its staff with the continued implementation of annual non-ad valorem assessments for the Magnolia West Subdivision's solid waste and stormwater programs.

Upon receiving notice to proceed, we will work under the detailed critical events calendar and schedule for project deliverables that has been tailored to the City's needs as provided by City staff.

- 1) Advise the City as-needed on the legal and procedural issues concerning the reimposition of solid waste and stormwater non-ad valorem assessment programs, including special benefit, fair apportionment, and procedures.
- 2) Advise the City on any judicial or legislative actions that may affect or require modifications to the City's assessment programs.
- 3) Draft the preliminary and annual rate resolutions that conform to the assessment, already adopted.

- 4) Assist with the legal requirements for the adoption of the preliminary and annual rate resolutions and certification of the assessment roll in accordance with section 197.3632, Florida Statutes, including: (a) the development of the first class notice or TRIM notice, (b) publication of the public hearing, and (c) certification of the assessment roll.

For the legal services provided herein, the City will be billed a lump sum fee of \$3,500.00. The fees will be due and payable in two equal installments as follows:

<u>Payment</u>	<u>Schedule</u>
½ of lump sum fee	June 2021
½ of lump sum fee	September 2021

The lump sum fee for professional services for the assessment programs does not include any on-site visits to the City by NG&N staff. Meeting attendance may be arranged at our standard hourly rates:

Partners	\$300
Associates	\$275
Law Clerks	\$75

Expenses related to meetings will be billed in accordance with Section 112.061, Florida Statute. We will bill our actual costs associated with long distance telephone charges and overnight delivery services. Copies will be billed at 25¢ per page. The City is responsible for any and all newspaper publications, including, but not limited to, making arrangements for publications and any costs associated therewith.

NG&N will work with the City in performing its scope of services.

The professional fees required to assist the City in implementing the contemplated assessment programs does not include litigation defense services. However, we do all of our work with an eye on potential legal challenges in an attempt to maximize both the efficiency and the effectiveness of any defense. In the event there is a challenge, we would be available, on an hourly basis, to assist the City in its defense.

Upon review and satisfactory determination, please execute this correspondence by signing below to indicate acceptance of the attached proposal and to serve as proper Notice to Proceed. If you have any questions, please do not hesitate to contact me.

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We look forward to working with the City of Green Cove Springs again. If you or any other City officials have any questions, please feel free to contact me.

Sincerely,



Heather J. Encinosa

HJE/sb

cc: Steve Kennedy

AGREED TO AND ACCEPTED BY:

Green Cove Springs, Florida

Date