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July 9, 2021

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4:00 PM

Interview e 5:45p

VIA HAND DELIVERY

City of Ramsey
Attn: Colleen Lasher
Administrative Services Director
7550 Sunwood Drive NW
Ramsey, MN 55303

RE: *Proposal for Civil Legal Services*

Dear Ms. Lasher:

Enclosed please find nine copies of the firm's Proposal for Civil Legal Services for the City of Ramsey. Please call if you have any questions. Thank you for the opportunity to submit the proposal.

Very truly yours,

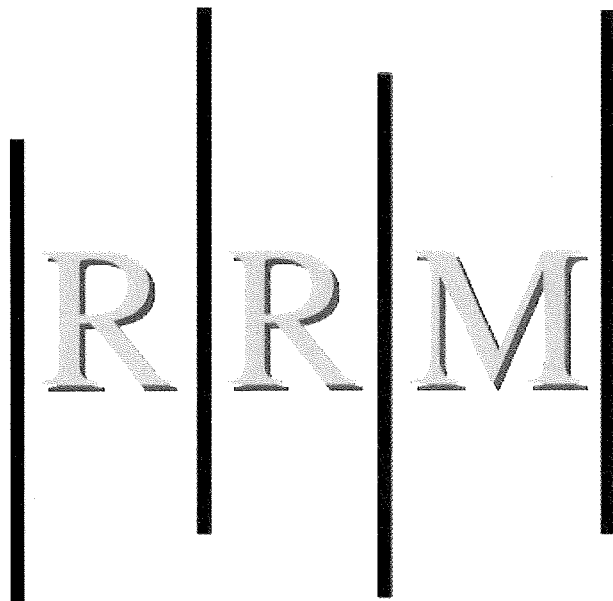


Joseph J. Langel

JJL/cws
Enclosures

RRM: 174282

Over 30 Years of Service



Ratwik, Roszak & Maloney, P.A.

City of Ramsey

*Proposal for Civil Legal Services
July 9, 2021*

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jjl@ratwiklaw.com*

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EXECUTIVE SUMMARY

Ratwik, Roszak & Maloney, P.A., is pleased to present this proposal for providing civil legal services to the City of Ramsey. As detailed below, we are a specialty law firm focused almost exclusively on municipal law. We represent over 100 cities, counties, school districts and joint powers entities throughout the State of Minnesota. The scope of work set forth in the Request for Proposals lists legal services that we have been providing to our clients for many years, including Ramsey.

Joseph Langel would continue to serve as the Ramsey City Attorney. Joe has practiced municipal law for over 25 years, representing cities, counties, and school districts. He is currently the appointed City Attorney for 12 cities, including Ramsey.

FIRM BACKGROUND

The firm was founded more than 34 years ago by Paul Ratwik, John Roszak and Patricia Maloney, each of whom already had extensive experience in municipal law. Since its founding, the firm has expanded and built its practice on the strength of its attorneys and dedication to its public clients. From the beginning, Ratwik, Roszak & Maloney, P.A. focused its practice exclusively on local government law. We take pride in representing cities, counties, school districts and joint powers entities throughout Minnesota. Because of our reputation and expertise, the State of Minnesota also retains the firm for special investigations. The firm's focus is reflected in its billings, 99% of which are to municipal clients. That percentage has remained consistent for many years.

Our attorneys provide a full range of legal services and have expertise in all areas of law affecting public entities, including, but not limited to:

- Public sector labor and employment law
- Public contracting law
- Open Meeting Law and Data Practices Act
- Real estate acquisition (including the use of eminent domain)
- Ordinance drafting
- Code enforcement
- Environmental law
- Municipal litigation
- Contract drafting, including development agreements
- Zoning issues, including variances and conditional use permits

We currently have 14 attorneys and three support staff. A brief description of the attorneys' practice areas is attached. All are experienced municipal law attorneys. There

have been no malpractice claims or ethics complaints against our firm or the firm's attorneys in the last five years. The firm obtains malpractice insurance coverage in the amount of \$5,000,000 from Minnesota Lawyers Mutual. The firm is an equal opportunity employer.

Our office is in downtown Minneapolis, providing us with centralized access to our statewide clientele. We maintain a comprehensive municipal law library as well as access to Westlaw and other online research sources. We utilize Microsoft Word for document editing. The vast majority of our client communications, even with nearby clients, is by phone and e-mail. We maintain a state-of-the-art computer network and phone system that provides our attorneys with 24-hour access to voice mail, e-mail, and our entire document database and file system.

Timeliness of legal services is of great importance for all our clients. We discuss the timing of assignments with our clients when we receive them to ensure there are no misunderstandings, and we work hard to meet our clients' expectations. Many issues can be handled almost immediately by phone. The status of work being handled by the firm can be reported as formally or informally as the City desires, whether by periodic phone calls, e-mails or ongoing written reports updated weekly or monthly.

ATTORNEY QUALIFICATIONS

Joe Langel would continue to serve as the City Attorney for the City of Ramsey. Joe graduated from Loras College, magna cum laude, with a B.A. degree in Political Science and Economics, earned an M.A. degree in International Relations from the University of Chicago, and earned his law degree, cum laude, from the University of Minnesota Law School. He was admitted to the Minnesota bar in 1994 (license number 249403). Following a year as a judicial law clerk at the Minnesota Court of Appeals, Joe joined Ratwik, Roszak & Maloney and has been practicing municipal law full time ever since. A senior shareholder with the firm, he is a member of the Minnesota State Bar Association, and Federal Bar Association, and is admitted to practice in Minnesota and Wisconsin, as well as Minnesota Federal District Court and the Eighth Circuit Court of Appeals.

Virtually all of Joe's work relates to municipal law. Joe is the appointed City Attorney for the following cities: Ramsey, Brainerd, Crosby, Isanti, Clear Lake, Ironton, Deerwood, Cass Lake, Fifty Lakes, Breezy Point, Blackduck, and Federal Dam. The services provided to these cities is consistent with the scope of work sought by Ramsey, including ordinance drafting and enforcement, comprehensive plans, rezoning, zoning permit applications and disputes, development agreements, plats, redevelopment, special assessments, land acquisition and sale, leases, contracts, bidding, service and mutual aid agreements, and a variety of employment related issues. Joe is available for Ramsey City Council meetings as desired by the Council.

The firm has ample backup to assist Joe. For example, Timothy Sullivan is a shareholder of the firm and has been with Ratwik, Roszak & Maloney, P.A. his entire career. He graduated from Winona State University, earning B.A. and B.S. degrees, magna cum laude, and graduated first in his class from Hamline University School of Law, earning a J.D., summa cum laude. He is admitted to practice in Minnesota, the U.S. District Court for the District of Minnesota, and the Eighth Circuit Court of Appeals. He is a member of the Minnesota State Bar Association and is currently the Chair of the Governmental Liability Committee of the Minnesota Defense Lawyers Association. Throughout his career, Mr. Sullivan has almost exclusively represented public entities, primarily advising municipalities regarding municipal powers and duties, including Data Practices and the Minnesota Open Meeting Law. He has conducted numerous employment investigations and has substantial experience in labor and employment law matters, including discipline and discharge of public employees, interest arbitrations, grievance arbitrations, veterans' preference matters, employee leaves, performance improvement plans, drafting labor agreements, and union negotiations. Mr. Sullivan is the City Attorney for the City of Mayer, the primary Labor/Employment Attorney for the City of Isanti, and is Joe's primary backup in the event Joe is not available.

Another shareholder, Christian Shafer, assists with labor and employment matters. He advises both cities and school districts in employment matters, municipal law, and labor law. He has successfully represented clients in State and federal courts, grievance and discharge arbitrations, and administrative proceedings conducted by the Equal Employment Opportunity Commission, Office for Civil Rights, and Minnesota Department of Human Rights. Christian has also served as an investigator for municipalities, and the State of Minnesota. Christian prides himself on providing clients with easily understood, practical advice. He routinely advises clients on compliance with State and federal employment and benefits laws, including the Family and Medical Leave Act, the Americans with Disabilities Act, the Minnesota Human Rights Act, and the Affordable Care Act. Christian routinely works with Ramsey and Brainerd, and other cities as needed.

City work will be coordinated through Joe Langel, who will be the primary point of contact for all legal areas except for labor and employment issues that are handled by Christian Shafer. Joe will assign associates and staff as appropriate given the nature of the work. The firm's associate attorneys are each knowledgeable and experienced in municipal law, and may be assigned to review and draft contracts, research and draft legal opinions, perform investigations and generally assist shareholders in representing the City. Shareholders monitor all work performed by associates to assure that high quality service is provided at the lowest practical cost.

In addition, our support staff is highly professional and experienced in providing assistance on municipal issues, as that has been the focus of our firm since it was

founded. Staff will handle document assembly, scheduling, preparation of routine notices and similar tasks.

CITY / CITY ATTORNEY RELATIONSHIP

We pride ourselves on crafting legally appropriate solutions to accomplish the goals and mission of the client. Whenever possible, we provide a client with a range of options and an analysis of the associated risks and benefits. We emphasize that the client has the obligation to choose the course of conduct after full and complete legal advice.

Typically, our primary contacts are with the City Administrator and the department heads, usually via telephone and e-mail. The appointed city attorney supervises all ongoing issues and remains the primary contact even if some of the work is being handled by other attorneys in the firm. If the city attorney is not available, then the back-up attorney may be contacted. We strive to always have experienced municipal counsel available to respond to City inquiries.

Monthly reports can be provided at the beginning of every month, perhaps in advance of the first day of office hours. All pending projects and issues can be reviewed during office hours. Typically, for more urgent matters, reporting is frequently handled by phone or e-mail to the appropriate staff on an ongoing basis.

We maintain a comprehensive municipal law library as well as access to Westlaw and other online research sources. We utilize Microsoft Word for document editing. The vast majority of our client communications, even with nearby clients, is by phone, e-mail and fax. We maintain a state-of-the-art computer network and phone system that provides our attorneys with 24 hour access to voice mail, e-mail, and our entire document database and file system.

CITIES REPRESENTED, EXPERIENCE AND REFERENCES

Currently, we are the appointed City Attorney for the Cities of Ramsey, Brainerd, Crosby, Isanti, Clear Lake, Cass Lake, Fifty Lakes, Ironton, Deerwood, Breezy Point, Blackduck, Federal Dam and Mayer. We also provide legal services to the Cities of Eagan (labor and employment), and Hastings (labor and employment) as well as special assignments for St. Paul.

We have represented most of these cities for years and have provided all of the civil legal services typically required of a city attorney. These include ordinance drafting and enforcement, zoning and re-zoning, drafting and vacating easements, guiding Chapter 429 assessments and handling appeals, drafting and enforcing development agreements, providing guidance on Open Meeting Law and Government Data Practices Act issues, and so forth. City governance gives rise to a wide variety of legal issues, which makes our work both challenging and interesting.

References

City of Brainerd
Jennifer Bergman, City Administrator
501 Laurel Street
Brainerd, MN 56401
(218) 828-2307
jbergman@ci.brainerd.mn.us

City of Crosby
Matthew Hill, City Administrator
2 Second Street SW
Crosby, MN 56441
(218) 546-5021
matthew.hill@cityofcrosby.com

City of Cass Lake
Sue Uhrinak, City Clerk/Treasurer
333 Second Street NW
Cass Lake, MN 56633
(218) 335-2238
casslake@midconetwork.com

City of Breezy Point
Patrick Wussow, City Administrator
8319 County Road 11
Breezy Point, MN 56472
(218) 532-4441
pwussow@cityofbreezypointmn.us

City of Isanti
Josi Wood, City Administrator
110 1st Avenue NW
Isanti, MN 55040
(763) 444-5512
jwood@cityofisanti.us

CONFLICTS OF INTEREST

When new matters come into the office, the firm's attorneys consult one another and run a conflict check to assure no conflict of interest exists. A list of new matters is circulated weekly to all attorneys. In the event a potential conflict of interest may exist, we promptly notify each client or prospective client. If the firm reasonably believes that representation of one client will not adversely affect the relationship with the other client, we will undertake representation only if both clients consent. If we believe our representation of a client could be materially limited by our relationship with another client, we will not represent the client, but will assist the client in finding adequate representation. Our goal in identifying and resolving all conflicts is to maintain the loyalty present in all our client relationships.

The firm presently represents over 100 public entities consisting of cities, counties, school districts and joint powers entities. We are not aware of any party that the firm represents or has represented that would create a direct conflict of interest with our representation of the City of Ramsey. The firm does not represent developers.

MUNICIPAL EXPERIENCE

General Municipal Law

This category encompasses many statutes and common law rules, including those addressing Council powers, parliamentary procedures, the public purpose doctrine, Joint Powers Act, bid law, Open Meeting Law, code enforcement, and so on. As city attorneys, we handle these issues on a daily basis. We have rendered opinions on these issues dozens of times and routinely give speeches on many of them. Because we specialize in municipal law, we are very familiar with these matters and can often respond to questions without needing to spend a substantial amount of time researching.

Development Issues

We have drafted and negotiated many development and escrow agreements, routinely review plats and related title work, and generally assist City staff with any questions arising out of the development process. This includes developing a “standardized” development agreement that staff can use to facilitate the development process. We have represented cities in zoning requests and appeals, including providing general counsel on interpreting zoning ordinances and suggesting revisions. Mr. Langel has undertaken a number of eminent domain actions over the years, including through the hearing process and appeal, and is experienced in both annexation and detachment proceedings, as well as drafting orderly annexation agreements. Chapter 429 assessment issues are common. Mr. Langel routinely advises cities on the process, including retaining appropriate appraisers, and represents cities through contested hearings and appeals.

Economic Development

Mr. Langel routinely assists cities with buying and selling land (purchase agreements, title work, drafting deeds, clearing title, etc.), drafting business subsidy agreements and development agreements (as mentioned above), drafting easements (right-of-way, utility, trail, encroachment, etc.), and enforcing agreements and easements on behalf of cities. Mr. Langel also assists cities with grant applications as well as other documents required by other levels of government (State, USDA, IRRR, etc.).

Ordinances / City Code

We routinely draft, review and revise city ordinances of all kinds and will assist in the codification process. Interpretating, providing advice on, and enforcing city codes are tasks undertaken by the firm on a daily basis. We routinely draft letters to residents on code issues, obtain administrative search warrants, undertake the statutory hazardous structure procedure to remove dangerous buildings, and assist with nuisance abatement.

We also assist with enforcement of rental maintenance codes and zoning codes, including through the administrative hearing process.

Government Data Practices

This firm frequently fields questions under the Minnesota Government Data Practices Act and has given numerous speeches and presentations on the statute and its application. We also draft requests for opinions from the Department of Administration when requested, assist with data requests, and defend cities from claims that they violated the MGDPA. We have considerable depth of experience in this area.

Contract Law

We draft, review and litigate all kinds of contracts, such as construction contracts (AIA, EJCDC and custom), purchase and development agreements (discussed above), non-real estate purchase agreements, collective bargaining agreements, etc. A common contract issue concerns the application and interpretation of the bid law. Mr. Langel is routinely sought for his expertise in this area and is a frequent presenter on the topic.

Franchise / Utility Law

Mr. Langel has negotiated multiple cable and utility franchise agreements for several cities. Mr. Langel is also general counsel for the Brainerd Public Utility Commission (water, sewer and electric utilities) and represented it in a franchise fee dispute. Mr. Langel has also represented cities in disputes with utility users over utility fees, connection requirements and debt collection.

Municipal Leases

Mr. Langel has drafted, reviewed, and negotiated dozens of leases for various government entities, both as landlord and lessee. Mr. Langel routinely assists cities with landlord/tenant issues, including lease violations and non-payment.

Trial / Litigation

As municipal attorneys, we have handled numerous litigation matters for our clients in state and federal court. We have represented our municipal clients in contract, condemnation, code enforcement, assessment appeals, land use appeals, annexation and other litigation. For example, Mr. Langel and Christian Shafer prevailed at the Court of Appeals on two landmark special assessment cases involving over \$1 million in assessments for interstate interchange improvements. Mr. Langel also recently represented Brainerd in a contract claim lawsuit brought by a utility contractor and is currently representing a county on a sewer utility contract claim. We also represent cities

when court orders are needed for demolition of hazardous buildings, administrative search warrants, nuisance abatement and collections. This list does not include various forms of administrative actions (e.g., cartway hearing, interest arbitration, grievance arbitrations, DHR charges, etc.) that our firm regularly handles.

Labor and Employment Law

This firm has an extensive history in labor and employment law, handling such issues on a daily basis for dozens of governmental entities statewide. We have performed hundreds of employment investigations, negotiated hundreds of millions of dollars' worth of collective bargaining agreements, and represented the government in hundreds of employment discipline matters and labor grievances. We are experts in state and federal public sector labor and employment law, representing cities, counties, school districts and joint powers entities all across Minnesota.

Negotiation Experience

As referenced above, negotiations are commonly part of acquiring land (whether in fee or by easement), drafting contracts, settling contract disputes, and as part of the contested case process (whether that is litigation, arbitration or mediation), regardless of the subject matter (e.g., labor negotiations, employment disputes, land issues, eminent domain, annexation, construction disputes, etc.). The firm's attorneys are comfortable performing whatever negotiations our clients request, and we do so on a regular basis.

FEES

Our billing is for actual time incurred in 1/10 hour (6 minute) increments. We propose the following hourly rates:

	MISCELLANEOUS	LITIGATION	DEVELOPER PAID
Shareholders	\$150.00/hr.	\$175.00/hr.	\$185.00/hr.
Associates	\$150.00/hr.	\$175.00/hr.	\$185.00/hr.
Paralegal	\$85.00/hr.	\$85.00/hr.	\$85.00/hr.
Legal Secretary	No Charge	No Charge	No Charge

In addition, we propose to continue the retainer agreement currently in place (\$3,215/mo. for 2021, \$3,375/mo. for 2022). Work that is outside the typical retainer agreement would include contested case matters and those development matters where the cost of legal services is reimbursed by the developer. Another option is flat rates for certain services, such as attending meetings. Flat fees can be used in conjunction with hourly rates and retainers.

Overhead costs are billed separately. Out-of-pocket costs (e.g., filing fees, service fees, depositions, etc.) are billed at cost, without surcharges. Mileage will be billed at the current rate set by the IRS. There are no charges for photocopies, faxes or word processing.

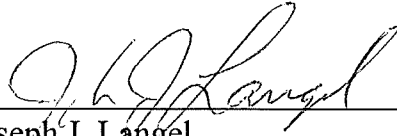
Our firm issues detailed monthly billing statements including itemized dates of service, identification of attorney and any support personnel providing services, actual time spent for services, detailed description of the service provided, fees for the service provided, and all associated costs and expenses related to the service provided. Billing statements are also organized by project.

Thank you for providing the opportunity to submit this Proposal. We look forward to hearing from you.

Respectfully submitted,

RATWIK, ROSZAK & MALONEY, P.A.

By: _____


Joseph J. Langel

RRM: 409502

RATWIK, ROSZAK & MALONEY, P.A.
Attorneys' Résumés

ANN R. GOERING

Education:

William Mitchell College of Law, J.D., *cum laude*, 1990
Hamline University, B.A., 1985

Legal Career:

Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:

Labor and employment law, including employment litigation and arbitration, investigations, defense of harassment and discrimination claims, negotiation and administration of collective bargaining agreements; employee discipline and discharge; general school law; federal and state court civil litigation; data privacy and open meeting law.

JOSEPH J. LANGEL

Education:

University of Minnesota Law School, J.D., *cum laude*, 1994
University of Chicago, M.A., 1988
Loras College, B.A., *magna cum laude*, 1987

Legal Career:

Minnesota Court of Appeals, Judicial Law Clerk for Judge Thomas Kalitowski, 1994-95;
Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:

General Counsel, general civil litigation (including construction litigation), general municipal and public contracting laws, planning and zoning, condemnation and real estate.

MARGARET A. SKELTON

Education:

William Mitchell College of Law, J.D., *cum laude*, 1993
University of Wisconsin, B.A., *with honors*, 1989

Legal Career:

Attorney, Torres Law Offices
Assistant City Attorney, City of St. Paul
Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:

Civil litigation, labor and employment law, including labor negotiations, discrimination, harassment, constitutional torts, discipline, termination and arbitration.

JENNIFER K. EARLEY

Education:

William Mitchell College of Law, J.D., 1995
Winona State University, B.A., *cum laude*, 1989

Legal Career:

Shareholder, Knutson, Flynn & Deans, P.A.
Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:

Civil litigation, labor and employment law, including labor negotiations, discrimination, harassment, constitutional torts, discipline, termination and arbitration.

ERIN E. BENSON

Education:

William Mitchell College of Law, J.D., *cum laude*, 2006
University of Minnesota, B.A., 2002

Legal Career:

Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:

General municipal law, school law, and labor and employment law.

LAURA T. BOOTH

Education:

Hamline University School of Law, J.D., *cum laude*, 1987
Michigan State University, B.A., 1981

Legal Career:

Partner, Ratwik, Roszak & Maloney, P.A.
Founder and Managing Partner, Booth Law, LLC
Partner, Rider Bennett, LLP

Primary Areas of Practice & Experience:

Special education law, school law, litigation, employment law, and appellate advocacy.

CHRISTIAN R. SHAFER

Education:

University of Minnesota Law School, J.D., *magna cum laude*, 2007
University of Michigan, B.A., 2004

Legal Career:

Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:

General municipal law, school law, and labor and employment law.

TIMOTHY A. SULLIVAN

Education:

Hamline University School of Law., *summa cum laude*, 2010
Winona State University, B.A. 2006; B.S. *magna cum laude*, 2007

Legal Career:

Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:

General municipal law, school law, and labor and employment law.

NATHAN B. SHEPHERD

Education:

University of Minnesota Law School, J.D., *magna cum laude*, 2011
Gustavus Adolphus College, B.A., 2004

Legal Career:

Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:

General municipal law, school law, and labor and employment law.

ELIZABETH M. MESKE

Education:

William Mitchell College of Law, J.D., *cum laude*, 2015
University of Minnesota, B.A., *cum laude*, 2011

Legal Career:

Attorney, Knutson, Flynn & Deans, P.A.
Attorney, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:

General municipal law, school law, and labor and employment law.

FRANK E. LANGAN

Education:

University of St. Thomas School of Law, J.D., *summa cum laude*, 2017
Pomona College, B.A., 2011

Legal Career:

Attorney, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:

General municipal law, school law, and labor and employment law.

ADAM J. FRUDDEN

Education:

University of Minnesota Law School, J.D., *cum laude*, 2018
Oakland University, M.A.T., 2014
Denison University, B.A., 2012

Legal Career:

Attorney, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:

General municipal law, school law, and labor and employment law.

JORDAN H. SODERLIND

Education:

William Mitchell College of Law, J.D., *magna cum laude*, 2014
St. Olaf College, B.A., 2010

Legal Career:

Attorney, Anderson, Larson, Saunders, Klaassen & Dahlager, PLLP
Attorney, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:

General municipal law, school law, and labor and employment law.

ANNA R. SCHWINGLER

Education:

University of St. Thomas School of Law, J.D., *cum laude*, 2020
Gustavus Adolphus College, B.A., 2015

Legal Career:

Attorney, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:

General municipal law, school law, and labor and employment law.