

City of Ramsey
Agenda
City Council Special Work Session
Monday, August 23, 2021
5:30 pm
Lake Itasca Room, 7550 Sunwood Drive NW

Remote Attendance available at www.cityoframsey.com/meetings. To maximize social distancing due to the COVID-19 Pandemic, those that can join remotely are encouraged to do so. Those joining remotely and requesting to speak are asked to use a webcam when speaking.

1. **Call to Order**

2. **Topics for Discussion**
 1. Civil Legal Service Interviews

3. **Adjournment**

CC Special Work Session

Meeting Date: 08/23/2021

Title:

Civil Legal Service Interviews

Purpose/Background:

The City advertised a Request for Proposals (RFP) for Civil Legal Services in May, 2021. The Mayor and Council Members will be considering five law firms for Civil Legal Services. The work session begins at 5:30, with the first interview at 5:45 p.m. and the last interview beginning at 8:25 p.m.

Timeframe:

Approximately three and a half hours.

Funding Source:

N/A

Responsible Party(ies):

Kurt Ulrich, City Administrator

Outcome:

Seeking consensus direction on a law firm for Civil Legal Services.

A contract to be negotiated by staff, will be considered by the Council at or before the September 28, 2021 regular City Council meeting, with the contract beginning on or near October 1, 2021.

Attachments

Law Firm Overview

Interview Schedule

Ratwik, Roszak & Maloney, P.A.

Eckberg Lammers, P.C.

Holstad & Knaak, PLC.

Hoff Barry P.A.

Kennedy & Graven Chartered

Form Review

Inbox	Reviewed By	Date
Colleen Lasher	Colleen Lasher	08/16/2021 05:54 PM
Kurt Ulrich	Kurt Ulrich	08/18/2021 03:22 PM
Form Started By: Katie Schmidt		Started On: 08/12/2021 10:22 AM
Final Approval Date: 08/18/2021		

LAW FIRM OVERVIEW – 2021 RFP

Firm	Number of Attorneys	Experience	Proposed Attorney	Proposed Assistant Attorney	Fees – See Individual Proposals for Additional Information
Eckberg Lammers, P.C.	18	Founded in 1949, Eckberg Lammers is one of the most reputable law firms in the eastern Twin Cities Metro. With offices in Stillwater and Hudson, our attorneys serve individual, business, and municipal clients throughout Minnesota and Wisconsin. Eckberg Lammers currently represents sixteen municipalities in a civil capacity, nine in Minnesota and seven in Wisconsin. We also provide prosecution services to eighteen municipalities in Minnesota including the City of Ramsey.	Pamela J.F. Whitmore	Christopher T. Nelson	<p>Retainer Fee (Monthly) Option (see page 13-14 of the proposal for more details): Year 1 \$3000.00 Year 2 \$3090.00</p> <ul style="list-style-type: none"> • Staff meetings as requested, office hours two times per month on the first and third Wednesdays from 1-4pm • Attendance at regular City Council meetings the second and fourth Tuesday of each month. • One hour of labor and employment services per month. <p>Hourly Option (See page 13-14 of proposal for more details): Year 1 \$180.00/hour Year 2 \$185.00/hour</p> <ul style="list-style-type: none"> • \$500 flat fee for regular and special City Council work sessions/meetings, and boards and commission meetings. • Hard costs are billed at cost. Does not charge for mileage or legal assistant services.
Holstad & Knaak, PLC.	4	Holstad & Knaak PLC is a suburban, Twin Cities metropolitan area law firm, with nearly forty years of experience in dealing with the unique problems of cities and other forms of local government. In addition to the practices of principal, Frederic Knaak, are the practices of Donald Kohler, Craig Beuning and Bryce Holstad. Way Holstad remains actively of-counsel to the firm. The lawyers practicing in the firm take care in assuring the firm retains its status as a full-service, suburban law practice. Its smaller size and selective client base assure the availability of lawyers when needed by staff or council members, yet it is not so large as to suffer from the inflexibility of assignments and methods that can create problems with larger firms, as well as add to high overhead costs. We are proud of the excellent relationship we have had over many years with our municipal clients, and would be singularly proud to serve as legal counsel for the City of Ramsey. The Firm's municipal practice consisted of approximately 45% of its billings in the past year.	Frederic W. Knaak	Donald Kohler <u>Paralegal:</u> BethAnn Hanson	<p>Using principally the talents of attorney Frederic W. ("Fritz") Knaak, we are proposing a monthly flat fee of \$4250.00 for all civil matters, or a base hourly rate of \$150.00 per hour for all work performed, excluding major litigation, as specific in more detail in proposal. As a practical matter, the City of Ramsey could expect to remain a priority client of Mr. Knaak and the required work would be done almost entirely by him and his legal assistant. He would be assisted, as needed, in this service by two other experienced attorneys currently working with the firm. Annualized, this contract would be \$51,000.00 per year. The use of a fixed amount in the agreement avoids "fee creep", or slow, imbedded increases and required any future increases to be with the express agreement of the City.</p> <p><u>Retainer Fee (Monthly) Option:</u> \$4250.00 per month See pages 6-8 of the proposal for specific services included in the monthly fee.</p> <p><u>Hourly Rate:</u> \$150.00/hour</p>

Firm	Number of Attorneys	Experience	Proposed Attorney	Proposed Assistant Attorney	Fees – See Individual Proposals for Additional Information
Hoff Barry P.A.	6	Hoff Barry concentrates its practice in the area of municipal representation and municipal litigation defense. Approximately 90 percent of the Firms’ billable hours are devoted to representing public sector clients. We have been named among “Best Law Firms” from 2012 through the present by U.S. News & World Report and “Best Lawyers” in the areas of Municipal Law and Municipal Litigation. These accolades signify both the depth of our experience and quality of representation we provide to our clients.	Sarah Schwarzhoff	Justin L. Templin	<p><u>General Legal Services (See page 15 of the proposal for more details)</u></p> <ol style="list-style-type: none"> 1. Partners/Of Counsel \$165.00/hour 2. Associate Attorneys \$155.00/hour 3. Paralegals \$100.00/hour 4. Legal Assistant/Law /Clerks \$90.00/hour <p><u>Fees for Litigation:</u></p> <ol style="list-style-type: none"> 1. Partners/Of Counsel \$185.00/hour 2. Associate Attorneys \$155.00/hour 3. Paralegals \$100.00/hour 4. Legal Assistants/Law Clerks \$90.00/hour <p><u>Legal matters reimbursed by a developer:</u></p> <ol style="list-style-type: none"> 1. Partners/Of Counsel \$240.00/hour 2. Associate Attorneys \$225.00/hour 3. Paralegals \$120.00/hour 4. Legal Assistants/Law Clerks \$100.00/hour
Kennedy & Graven Chartered	36	Kennedy & Graven is the largest law firm in Minnesota that practices primarily local government law. The firm was founded in 1973 with a practice in local government law, public finance, and development. In 1989 members of a local government law firm, LeFevre, Lefler, Kennedy, O’Brien & Drawz, P.A., joined the organization. Kennedy & Graven provides cities townships, school districts, and other local government units with comprehensive legal counsel, litigation representation, and public policy advocacy. By use of a team approach, Kennedy & Graven is able to deliver services in a comprehensive and economical manner. We take maximum advantage of the unique knowledge and experience that our attorneys have in specific areas of local government law. Kennedy & Graven’s representation of many local government entities often means that the firm has previously encountered an issue and can therefore respond quickly and efficiently.	David T. Anderson	Joseph L. Sathe	<p>General Counsel:</p> <ul style="list-style-type: none"> • Attorneys \$180.00/hour • Paralegals \$110.00/hour • Law Clerks \$90.00 <p>Non-Routine Services (civil litigation not related to ordinance and zoning enforcement; real estate, cable and telecommunication and labor/employment)</p> <ul style="list-style-type: none"> • Attorneys \$210 <p>Specific Development, Redevelopment, Tax Abatement; and TIF Projects</p> <ul style="list-style-type: none"> • Attorneys \$250.00/hour <p>Pass-Through Fees</p> <ul style="list-style-type: none"> • Attorneys \$250.00/hour <p>Overhead Costs (postage, filing fees and witness fees and similar)</p> <ul style="list-style-type: none"> • Photocopying: no charge unless special large projects: 5 cents per copy. • Mileage: Then-current IRS business rate • Westlaw fees: Not charged <p>Future increases will not exceed 3% year over year. Bond counsel services (if requested) will be billed at rates customarily charge by the firm at the time.</p>

Firm	Number of Attorneys	Experience	Proposed Attorney	Proposed Assistant Attorney	Fees – See Individual Proposals for Additional Information																				
Ratwik, Roszak & Maloney, P.A.	14	<p>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 over 100 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.</p>	Joseph Langel	<p>Timothy Sullivan</p> <p>Christopher Shafer – Labor & Employment Matters</p>	<p><u>Proposed Hourly Rates:</u></p> <table border="1"> <thead> <tr> <th></th> <th><u>Miscellaneous</u></th> <th><u>Litigation</u></th> <th><u>Developer Paid</u></th> </tr> </thead> <tbody> <tr> <td>Shareholders:</td> <td>\$150.00/hr</td> <td>\$175.00/hr</td> <td>\$185.00/hr</td> </tr> <tr> <td>Associates:</td> <td>\$150.00/hr</td> <td>\$175.00/hr</td> <td>\$185.00/hr</td> </tr> <tr> <td>Paralegal:</td> <td>\$85.00/hr</td> <td>\$85.00/hr</td> <td>\$85.00/hr</td> </tr> <tr> <td>Legal Secretary:</td> <td>No Charge</td> <td>No Charge</td> <td>No Charge</td> </tr> </tbody> </table> <p>In addition, 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.</p> <p><u>Overhead Costs:</u></p> <ul style="list-style-type: none"> Filing fees, service fees, depositions, etc. are billed at cost. Mileage will be billed at the current rate set by the IRS No charges for photocopies, faxes or word processing 		<u>Miscellaneous</u>	<u>Litigation</u>	<u>Developer Paid</u>	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
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Legal Secretary:	No Charge	No Charge	No Charge																						

CIVIL LEGAL SERVICE INTERVIEWS – MONDAY AUGUST 23, 2021

Time	Law Firm	Interviewee
5:45p	Ratwik, Roszak & Maloney, P.A.	Joseph Langel
6:25p	Eckberg Lammers, P.C.	Pamela J.F. Whitmore
7:05p	Holstad & Knaak, PLC.	Frederic W. Knaak
7:45p	Kennedy & Graven Chartered	David Anderson via zoom
8:25p	Hoff Barry P.A.	Sarah Schwarzhoff

- Special meeting will begin at 5:30pm
- Interviews are 30-40 minutes long

Joseph J. Langel
Direct Phone: (612) 225-6837
jjl@ratwiklaw.com



July 9, 2021

rec'd 7-9-21
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,

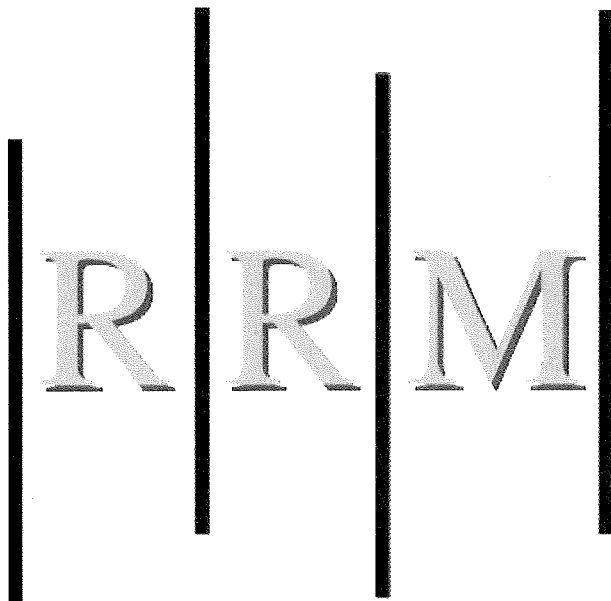


Joseph J. Langel

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*

*Joseph J. Langel
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. Interpreting, 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.

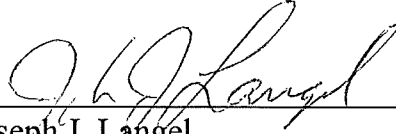
Our firm issues detailed monthly billing statements including itemized dates of service, identification of attorney and any support personnel providing services, actual time spent for services, detailed description of the service provided, fees for the service provided, and all associated costs and expenses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



**ECKBERG
LAMMERS**
ATTORNEYS AT LAW

Received 7-8-21 CL

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Interviewe Uisp

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Reply to Stillwater

July 9, 2021

VIA UPS DELIVERY ONLY

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

Re: City of Ramsey, Legal Services RFP

Dear Ms. Lasher:

On behalf of Eckberg Lammers law firm, it is my pleasure to submit nine copies of the Response to Request for Qualifications and Proposals for Legal Services to the City of Ramsey.

On behalf of the firm, we appreciate the opportunity to respond to the City of Ramsey, and we look forward to discussing our proposals with the City Council and staff. If you have any questions or concerns regarding the enclosed, please do not hesitate to contact me.

Sincerely,

Pamela J. F. Whitmore
PJFW/hrb

Enclosures

Stillwater Office
1809 Northwestern Avenue
Stillwater, MN 55082
Phone: 651-439-2878
Fax: 651-439-2923

Hudson Office
430 Second Street
Hudson, WI 54016
Phone: 715-386-3733
Fax: 715-386-6456



Submitted By:

Eckberg Lammers, P.C.
1809 Northwestern Avenue
Stillwater, Minnesota
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pwhitmore@eckberglammers.com

City of Ramsey, Minnesota
July 9, 2021

Response to Request for
Qualifications and Proposals for
Legal Services

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Proposal Summary

Firm	Eckberg Lammers, P.C.
Attorneys	18
Experience	Founded in 1949, Eckberg Lammers is one of the most reputable law firms in the eastern Twin Cities Metro. With offices in Stillwater and Hudson, our attorneys serve individual, business, and municipal clients throughout Minnesota and Wisconsin.
Scope of Services	City Attorney
Proposed Attorney	Pamela J. F. Whitmore
Proposed Assistant Attorney	Christopher T. Nelson
Fees	We understand each city has different needs, the City may select from either an hourly fee option or an inclusive retainer option. See Fee section for more details.

OVERVIEW OF PROFESSIONAL LEGAL SERVICES

Introduction

Eckberg Lammers, P.C. is pleased to submit this Response to the Request for Proposals for Legal Services issued by the City of Ramsey, Minnesota.

Eckberg Lammers is uniquely qualified to represent the City in all matters. As both a tradition and a current practice, the true strength of Eckberg Lammers is the firm's breadth and depth of knowledge in municipal law and continuing goal to collaborate with municipalities to provide the highest level of service. Engaging with a comprehensive municipal law firm provides the City with robust and consistent representation, freeing public officials to concentrate on the important policy issues facing the City. Eckberg Lammers believes municipal representation is best approached as a partnership with full and frequent communication among all necessary parties and stakeholders. The firm strives to team with its municipal clients in all endeavors, and the firm's attorneys shoulder the educational and advisory roles necessary to enable that success.

Brief History

Eckberg Lammers was established by Lyle Eckberg, who began the practice of law in 1949. Since its founding, the firm has served as civil, prosecution, finance, and special counsel for many municipalities throughout Minnesota and western Wisconsin. The firm's attorneys and staff value the relationships made with elected officials, staff, and residents in the municipalities the firm serves.

In addition to the firm's representation of municipal clients, Eckberg Lammers maintains a general practice, offering legal services in Business and Commercial Law, Banking Law, Real Estate, Employment Law, Estate Planning, Probate and Guardianship, Mediation/Arbitration, Civil Litigation, Personal Injury, and Workers' Compensation. These rich and varied practice areas provide the firm's attorneys deeper perspectives into the issues facing the firm's municipal clients.

Number of Attorneys and Areas of Practice

Eckberg Lammers currently employs 18 attorneys. This strength is reflected by our roster of attorneys. See Appendix A.

Support Personnel & Staffing

The firm employs more than 20 support staff consisting of paralegals, legal assistants, an office administrator, a marketing director, bookkeepers, law clerks, and a receptionist. See Appendix B.

Office Organization, Technology, Research & Support Capabilities

The firm's computer systems are used by attorneys and staff daily for on and off-site work. As part of maintaining a secure and comprehensive computer system, the firm works to ensure maximum security and systems control. All attorneys have laptop and smart-phone access to email documents as needed. The firm drafts, shares, and edits documents with our municipal clients on a daily basis. Attorneys frequently bring laptops

directly to meetings or court for instant feedback and research capability. Consistently delivering timely communication and work product is a source of pride for Eckberg Lammers.

Office Locations

Eckberg Lammers main office locations are in Stillwater, Minnesota and Hudson, Wisconsin. All Attorneys and staff proposed to work with the City are located in the central Twin Cities area. We also maintain flexible meeting spaces throughout the metro.

Stillwater, MN Office
1809 Northwestern Ave
Stillwater, MN 55082
Phone: (651) 439-2878
Fax: (651) 439-2929
contact@eckbergglammers.com

Hudson, WI Office
430 2nd Street
Hudson, WI 54016
Phone: (715) 386-3733
Fax: (715) 386-6456
contact@eckbergglammers.com

Current City Relationships

Eckberg Lammers currently represents sixteen municipalities in a civil capacity, nine in Minnesota and seven in Wisconsin. We also provide prosecution services to eighteen municipalities in Minnesota, including the City of Ramsey. See Appendix C for a comprehensive listing of all current and municipalities represented by the firm.

Malpractice Claims

The firm was the subject of one professional responsibility complaint made by a client in a private matter not involving a municipality. The individual's complaint was resolved privately with the Professional Responsibility Board. The complainant appealed and the appeal was denied. The file is now closed. See attached Declarations page, Appendix D.

CITY ATTORNEY SERVICES – CIVIL

Our civil attorneys understand local government and the importance of being available to our cities for legal advice, as well as being present at meetings. Our attorneys are skilled in drafting and reviewing all legal documents including real estate documents, contracts, correspondence, ordinances, resolutions, and public notices. In conjunction with this, our attorneys are also skilled in communicating to council, staff and others about the aforementioned documents and any process related to those documents. Our civil attorneys are well versed in Open Meeting Law, state data and privacy laws and have presented and trained on these issues across the state. The firm represents municipal clients in state and federal litigation, code enforcement actions, and boundary disputes as needed and participates in settlement negotiations and alternative dispute resolution sessions. We pride ourselves on our commitment to monitoring legislation and keeping our clients current on issues and trends. In addition, our attorneys are seasoned civil litigators, with substantial experience appearing before Minnesota's district and appellate courts, who understand and can explain potential risks or exposures to our civil municipal

clients. As a part of the firm's comprehensive representation of public entities, we also have a dedicated employment law attorney available to the City.

Proposed Lead Attorney

The proposed lead City Attorney is **Pamela J. F. Whitmore**. Pam is a shareholder and municipal attorney with Eckberg Lammers. She is also a Rule 114 Qualified Neutral and lead attorney for our firm's Conflict Management Solutions practice.

Pam has over fifteen years of experience representing municipalities in all areas of general municipal law, litigation, land use, labor and employment, Open Meeting Laws, data practice laws, social media use by employees and elected officials, meeting management, and structures of cities and governance. Pam currently serves as the Assistant City Attorney for Blaine and special counsel for North Mankato.

Prior to joining Eckberg Lammers, Pam spent 5 years with the League of Minnesota Cities and the League of Minnesota Cities Insurance Trust. While there, she guided cities, elected officials, and city attorneys on all facets of municipal law. Pam traveled across the state working with member cities on conflict management, communication, roles, meeting management and governance. Pam has extensive experience advising councils both in and out of meetings, including general contract review, drafting of ordinances and regulations, following and advising on trends and legislation. Pam additionally served as the primary content expert for Open Meeting Law, Meeting Management, Roles, Governance and Social Media Issues for the League of Minnesota Cities Insurance Trust while an attorney there. During this time, she worked closely with lobbyists identifying trends, and served as main point of contact during negotiations regarding proposed legislation for use for Right of Way and public assets. While at the League, Pam worked with municipalities that ranged in size from a couple hundred residents to over 100,000 residents. These municipalities included statutory A & B cities, as well as Charter Cities.

Before working at the League, Pam acquired in-depth litigation experience working on behalf of cities, counties, school districts, and townships. She has appeared in both state and federal court as well as the Minnesota Court of Appeals on a variety of claims against municipalities. Many of those matters involved defending cities in various land use matters (variances, conditional use permits, interim use permits, spot zoning, inverse condemnation, easements, trespass, road use and improvements, assessment actions, condemnation challenges), employment matters, including defending claims of discrimination, sexual harassment, negligent hiring, negligent supervision, hostile work environment, alleged Americans with Disability Act violations and civil rights claims. In this role, Pam defended cities, as well as counties and townships. With respect to the civil rights claims, Pam worked closely with police departments and sheriffs' offices. A few examples include:

- **In the Matter of Application McDuffee (Minn. App. 2008)**: Successfully defended Township's decision to grant conditional use permit to dog breeding facility.
- **Steinke v. Columbus Township (Minn. App. 2007)**: Successfully defended challenge to Township's assessment on landowners' property for water project.

- **Doe v. Independent School District No. 152 and City of Moorhead (Minn. App. 2007):** Successfully defended appeal of summary judgment dismissal of City on based on finding of no duty owed to user of Sports Facility.
- **Dropp v. County of Stearns (Minn. App. 2005):** Successfully overturned on appeal lower court decision based on applicability of statutory immunity to County's decision of pole placement.

Pam earned her undergraduate degree from the University of Northern Iowa and her Juris Doctor from University of Iowa, College of Law. She was admitted to the Minnesota Bar Association in 1992. She is involved with many professional and community organizations including the Association of Conflict Resolution – Environment & Public Policy Section, Conflict Resolution Minnesota, MSBA Mock Trial, Meals on Wheels, and University of St. Thomas Mentorship Program.

In the rare case Pam is unavailable for a City staff or City Council meeting, **Christopher T. Nelson** will serve as Assistant City Attorney.

Proposed Assistant Attorneys

Christopher T. Nelson attended Occidental College graduating in with a Bachelor of Arts in Politics and is a graduate of William Mitchell College of Law with a Juris Doctor, *magna cum laude*. He was admitted to the Minnesota Bar Association in 2013.

Chris currently serves as City Attorney for the Cities of Blaine, Scandia, East Bethel, and the Town of St. Joseph, Wisconsin. Prior to joining Eckberg Lammers, Chris practiced in the St. Cloud area, providing representation to the Cities of Pierz, Kimball, St. Joseph, and St. Stephen.

Chris has over six years of municipal law experience and also practices Civil Litigation. He has experience and knowledge in all areas of municipal law, including economic and land development, public improvements, shore land management, negotiating and drafting developer agreements, drafting and enforcing zoning ordinances, comprehensive planning and land use, special assessments, condemnation, and litigation. Chris provides exceptional legal services, including general legal counsel, document drafting and review, development assistance, meeting attendance, and litigation. Examples of Chris' municipal litigation representation are:

- Chris represented the City of St. Joseph, Minnesota in a large special assessment appeal by an educational institution. Chris was successful in getting the appeal dismissed on summary judgment.
- While representing a private litigant who was sued as a co-defendant with the City of Rockville, Chris successfully litigated a post-trial relief motion, which upheld his clients' and the City's actions in the interpretation and enforcement of the City's zoning code. Prior to the post-trial relief motion, the District Court had ordered a private home razed for alleged violations of City zoning codes, over the City's objection and contrary to the City's interpretation of its own code.
- Chris has also represented numerous municipalities in District Court as a criminal prosecutor, arguing numerous evidentiary hearings and handling jury trials.

- Chris recently completed several condemnation actions for the firm's municipal clients.

Other municipal attorneys at Eckberg Lammers would also be anticipated to assist the City on an as-needed or project basis. Eckberg Lammers takes a team approach to assisting our municipal clients, and other attorneys often assist on projects that are time sensitive, larger in scope, or for which a particular attorney has specialized experience.

Labor & Employment Attorney

Lida M. Bannink is the firm's lead Labor and Employment Attorney. Lida earned a Bachelor of Arts degree from Hamline University Summa Cum Laude and received her juris doctor from the University of Wisconsin Law School. She joined Eckberg Lammers in 2015 and was admitted to the Minnesota State Bar in 2017.

Lida is an early point of contact whenever municipalities and/or agencies undertake employee discipline or termination, union negotiations, unemployment insurance disputes, veterans' preference actions, grievance hearings, or other like actions. Lida is well versed in public-sector collective bargaining, the Americans with Disabilities Act (ADA), employee discrimination complaints, the Family and Medical Leave Act (FMLA), as well as other federal and state employment laws.

Lida is actively involved in bettering the community both professionally, such as her involvement in the Minnesota State Bar Association – Labor & Employment Section and the St. Croix Valley Employers' Association, and personally through various volunteer events and charitable giving opportunities.

Some of Lida's larger municipal successes include:

- Successfully assisted a municipality in navigating a complicated employment matter involving a unionized employee, worker's compensation, the American's with Disabilities Act, the Family and Medical Leave Act, Veteran's Preference law, and discipline where the City chose to terminate said employee. This matter spanned approximately 18 months and culminated with a 4-day contested Veteran's Preference Arbitration involving expert witnesses where the City's termination decision was upheld.
- Successfully assisted municipalities in understanding and navigating the complicated web of laws involving employees exhibiting mental distress including worker's compensation, PERA, FMLA, the ADA, the Veteran's Preference Law, and collective bargaining agreements. Multiple of these instances led to negotiated separation agreements.
- Conducted extensive and thorough investigations of conduct to avoid legal liability and guide the City in making determinations on appropriate discipline. The highly detailed investigations assisted in assessing immediate risk and guided the client in making systemic changes to gain organizational efficiency.

Lida works collaboratively with the primary attorney for many of the firm's municipal clients. This comprehensive labor and employment law practice will benefit the City with a fast response time and complete service.

CITY/CITY ATTORNEY RELATIONSHIP

If selected to represent the City in any capacity, the firm will prioritize the City's workflow to provide sound and strategic legal advice and direction to the City Council and staff. In all of the firm's municipalities, our attorneys view themselves as the head of the legal department, and we take an active role in managing legal representation and partnering with our clients. Our attorneys do not consider themselves to be another member of the City Council, as policy decisions should be left completely to the domain of the elected public officials. It will be the firm's role to ensure City staff and the City Council have all necessary information to make decisions, including the legal ramifications for any course of action.

The firm has regular weekday office hours from 8:00 a.m. until 5:00 p.m. Our staff is available during regular office hours. Attorneys are available outside of business hours and are willing to spend additional time as is necessary to fully serve the needs of the City. It is our policy that all phone calls and email inquiries from City staff and officials are returned the same business day, or the next business day (if the inquiry is received late in the day or after business hours). All attorneys are available to the City by office phone, cellular phone, e-mail and facsimile transmission. Our attorneys are able to timely reply to requests by the City and city officials, within three days and five-day response for standard document review (contracts, council cases, and legal documents). The depth of our municipal team ensures our clients have coverage even when the primary attorney is away from the office.

The firm's municipal attorneys will consistently communicate with City staff for general civil matters. An important part of this consistent communication is the preparation of monthly reports to cover the status of project requests and litigation. The firm's attorneys will work with the applicable department to prepare these reports, which may be included in a staff meeting agenda or even in a City Council meeting packet. Our attorneys will supplement these reports with scheduled office hours from 1:00 p.m. to 4:00 p.m. on the first and third Wednesday of the month, along with other meetings upon request.

Our attorneys remain up to date regarding the latest proposed and enacted legislation and case law affecting municipalities. Our attorneys frequently attend seminars and subscribe to municipal list-serves to stay fully informed on all new and trending issues impacting Minnesota municipalities and regularly engage in discussions strategizes best legal policies and practices to help serve our municipal clients. These updates are communicated to our cities, as necessary through electronic communications and trainings.

Eckberg Lammers has state of the art technology including, case management system, Microsoft Office, and, conference capabilities, all which allows firm attorneys to easily communicate with the City Council or City staff

KNOWLEDGE AND EXPERIENCE

The roster of municipalities for which the firm currently serves, and has served over the firm's 70 years, as general counsel illustrates the firm's depth and understanding of municipal law. The firm has individual lawyers who are proficient in general municipal law matters, but are also knowledgeable in matters such as economic development, real estate, litigation, labor and employment, data practices, conflict resolution and more. In addition to advising on matters related to general governance, the following is a compressive listing of more specialized knowledge and experience the firm will provide to the City as detailed in the Scope of Work section of your Request for Proposal.

Contracts

The firm assists its public-sector clients with contract drafting related to joint governmental actions, construction activities, enterprise agreements, regulatory services, vendor arrangements, and the like. They also assist communities with contract drafting and interpretation issues, and work with staff to ensure that each municipality's intent is clearly conveyed in the document. The firm always negotiates with other governmental entities, developers, and private parties with a City's best interests in mind. In addition, our municipal attorneys are experienced negotiating and drafting Joint Powers Agreements with other government entities, having recently completed a multi-jurisdictional mutual aid agreement and updated fire department services agreement for a municipal client.

Public Improvements

Cities maintain a large network of streets and related infrastructure. The most common method to finance and maintain these items is through the special assessment process. During any given capital improvement cycle, the City may entertain multiple improvement and special assessment public hearings, assessed cost determinations, and formal appeals by property owners. Eckberg Lammers has assisted in the drafting and revising of many assessment policies and is available to the City in this endeavor. We are well versed in assisting councils with conducting public improvement and special assessment public hearings, which can often be contentious with high public involvement, as well as procuring and reviewing assessment appraisals.

Condemnation

Eckberg Lammers also has extensive experience in the area of eminent domain. Often other governmental agencies or the applicable county government, are involved in eminent domain issues, and the firm has solid working relationships with these agencies. The firm is experienced litigating contested condemnation proceedings, including court commissioner evidentiary valuation hearings, and its attorneys are actively engaged in several condemnation actions at this time.

Civil Litigation

Eckberg Lammers believes any legal action or dispute requires an experienced municipal attorney's attention. Our attorneys are capable negotiators when it comes to resolving cases short of trial, and will do so when appropriate, with an eye toward zealously but

efficiently representing the City's interests. When cases cannot be resolved, our attorneys are confident litigators before a jury or judge, and they have the respect of judicial personnel in the State of Minnesota.

If selected by the City, the firm will represent the City in all litigation matters not otherwise covered by an insurance defense policy. There is no need for the City to seek outside counsel on a claim not otherwise covered by insurance, as the firm's municipal attorneys have rich experience in all areas that may present a legal action by or against the City, from assessment appeals to zoning enforcement actions. Our firm has an active and growing civil litigation practice, providing zealous representation in litigation to both our municipal and private clients. Our municipal attorneys are actively engaged in several litigations at present for our municipal clients, and have a strong history of delivering results when litigation is required.

Land Use & Environmental

The current roster of municipalities for which Eckberg Lammers serves as general counsel illustrates the firm's strengths and diversity in land use matters. The firm is actively involved in advising and establishing the legal parameters regarding the following:

- Zoning amendments and interpretation
- Conditional Use Permits (CUP)
- Interim moratoria and Interim Use Permits (IUP)
- Plat & subdivision regulations
- Planned Unit Developments (PUD)
- Commercial, residential, industrial and mixed-use developments
- Wetland and Shoreland issues
- Standards regarding ecological resources

The firm's attorneys carefully build a detailed record on either side of a land-use issue for the City Council to reach to a well-supported decision, whether the decision is legislative, such as rezoning, or quasi-judicial, such as a conditional use permit. Our municipal attorneys have worked with numerous cities to draft and update municipal zoning codes. Our attorneys are also experienced with the comprehensive planning process, and advise client cities on the interaction between the City code and the City comprehensive plan.

Economic and Land Development

The firm's municipal attorneys have also guided cities through many preliminary plat and final plat transactions, including the drafting of complex development agreements with large and small developers. Our attorneys frequently draft and negotiate development agreements relating to commercial and residential developments and work closely with City staff to ensure the interests of each municipality are protected, through the placement of letters of credit, insurance and indemnification provisions. The firm is actively involved in advising and establishing the legal parameters in each situation, including carefully

building a detailed record on either side of a land-use issue for the City Council or Plan Commission to reach a well-supported decision.

Open Meeting Laws

Our attorneys are well-versed in the Open Meeting Law, and have assisted the League of Minnesota Cities staff in pursuing and obtaining state law changes specifically related to meetings during the COVID-19 pandemic. Additionally, our attorneys have assisted with some technical changes regarding joining meetings remotely. We are experienced in advising city councils and individual council members regarding the applicability of open meeting law in various scenarios. Our attorneys have worked with the League of Minnesota Cities and the League of Minnesota Cities Insurance Trust to assist with Data Practices Law in conjunction with Open Meeting Laws. Our attorneys have also conducted extensive trainings with respect to Open Meeting Laws.

Code Enforcement, Related Issues/Ordinance, Resolution Development & Interpretation

Code enforcement is frequently cited by municipal staff and officials as a major point of emphasis. Residents notice the accumulation of junk piles, weeds, unkempt lawns, and dilapidated structures. Eckberg Lammers works closely with municipal clerks, building inspectors, engineers, and law enforcement to identify and solve code enforcement problems in all of these contexts. The firm's municipal attorneys have years of experience with hazardous building actions, nuisance activities, junk properties, rental housing issues, dangerous dogs, and quality-of-life violations. The firm offers comprehensive training designed for staff and interested council members discussing code enforcement problems faced on a day-to-day basis. Finally, the firm's municipal attorneys will advise the City on the best methods and strategies to structure its ordinances to provide effective enforcement mechanisms, as well as legislative actions requiring ordinance amendments in the code enforcement area.

Often new ordinances and resolutions are required by state legislative changes. The firm's municipal attorneys stay fully informed on all proposed and newly adopted legislation. The firm then assists each municipality with implementing the new legislation through the drafting of ordinances, and attorneys available to answer legal questions on the subject. The firm's attorneys have also become authorities on the preparation of interim ordinances and moratoria.

Labor & Employment

Our dedicated labor and employment group is able to provide a full spectrum of legal services specifically tailored to protect the City from potential liability and avoid unnecessary litigation. They will actively collaborate with the City to develop, update and implement practical workplace policies and procedures that foster effective employer-employee relations and help avoid and/or limit costly workplace disputes. Our attorneys take a proactive approach to representation, alerting its municipal clients to legal trends on the horizon so each municipality can structure its affairs accordingly. The firm is poised to deliver sound legal representation and advice to the City regarding General Counsel; Litigation; Practices, Policies and Contracts; and/or Audits and Training.

CONFLICTS OF INTEREST

The firm does not foresee any potential conflict of interest with the City of Ramsey. Eckberg Lammers does not currently represent, and has not represented in the past, any public or private client where the representation may conflict with the firm's ability to serve as City attorney for the City. Eckberg Lammers does maintain a real estate practice, but does not currently represent any real estate developers doing business with the City of Ramsey nor any developers that anticipate doing business with the City of Ramsey. We currently are the prosecution attorney for the City. We represent a number of municipalities in both capacities and it does not create a conflict of interest.

The potential for conflicts of interest always exists. The firm maintains a conflict protocol and client registry as required under existing ethics standards for that purpose. The firm is keenly aware that representation of private individuals, real estate developers, contractors and others that may impact any municipal clients and Eckberg Lammers has worked successfully to avoid those conflicts over the years. In the rare event a conflict presents itself, the firm would promptly notify the affected private clients as we are professionally required to do, and if necessary, we would assist in making the requisite referrals and transition the file to other counsel in an efficient manner.

The City should be aware that the firm has an extensive client list in its computer system, which notes all clients, co-parties, experts, consultants, and adverse parties. This list is routed past all attorneys and staff on a regular basis. If any of the attorneys or staff question whether or not a conflict of interest may exist, that file is highlighted and further research is completed to determine whether or not a conflict is present. Before any file is opened, whether for private or public clients, this conflict protocol is followed.

Lastly, no personal or professional relationships exist between any of the proposed lead or assistant attorneys listed in this response with any City Council members or city staff. Again, Pam Whitmore conducted many trainings for the League and the League of Minnesota Cities Insurance Trust so it may be possible a City Council member or city staff member attended one of those trainings.

FEES

Subject to negotiation with the City, Eckberg Lammers proposes the following compensation scenarios.

Option A – Monthly Flat-Fee Retainer:

	Year 1	Year 2
Retainer Fee (Monthly)	\$3,000.00	\$3,090.00
Hourly Rate for All Attorneys	\$180.00	\$185.00
Hourly Rate for Paralegals	\$115.00	\$120.00
Hourly Rate – Attorneys <i>Development Pass-Through, Litigation, Labor & Employment and Additional Services</i>	\$275.00	\$280.00
Hourly Rate – Paralegals <i>Development Pass-Through, Litigation, Labor & Employment and Additional Services</i>	\$155.00	\$160.00

The scope and nature of the general services retainer would cover:

- Staff meetings as requested, office hours two times per month on the first and third Wednesdays from 1:00 p.m. to 4:00 p.m.,
- Attendance at regular City Council meetings the second and fourth Tuesday of each month.
- One hour of labor and employment services per month.

All additional services to the City would be charged at the hourly rate detailed above. Services in relation to developments, litigation, or labor & employment (outside the one hour) would be charged at the development pass-through rate detailed above.

Option B – Hourly:

	Year 1	Year 2
Hourly Rate for All Attorneys	\$180.00	\$185.00
Hourly Rate for Paralegals	\$115.00	\$120.00
Hourly Rate - Attorney <i>Development Pass-Through, Litigation, Labor & Employment</i>	\$275.00	\$280.00
Hourly Rate – Paralegals <i>Development Pass-Through, Litigation, Labor & Employment</i>	\$155.00	\$160.00

The minimum increments billed for each service are recorded in .10 per hour increments.

Meeting attendance for regular and special City Council meetings, Council work sessions, and board commission and committee meetings are proposed to be provided at a flat fee of \$500 per meeting. Other meetings would be billed at the hourly rate detailed above.

Detailed monthly billing statements can be tailored to the requirements of the City. The firm already separates out hourly rates in different files for special projects, personnel,

utility and other items that may not be charged to the general fund, and separates hourly rates and charges that will ultimately be reimbursed through a developer cash deposit or escrow. Any increases in fees and/or billing charges will be based upon the signed contract. The firm will not increase or change any fees outside of the scope of the contract.

Hard Costs

As part of the firm's comprehensive civil legal services, no charges are imposed for routine phone calls. The firm encourages City staff to contact any of our attorneys and support staff without budgetary concerns. If a phone call evolves into a project or work item, that item will transition to the appropriate billing option. The firm has found this approach to be welcomed by cities, as it provides for unfettered legal advice without imposing financial pressure on the city.

Charges passed through at cost:

- Postage, Courier/Delivery
- Process Server Fees

- Publication Fees
- Court Filing Fees
- Document Recording & Closing Fees
- Copies are charged at \$0.20 per page

The firm does not charge for the following:

- Westlaw Research Fees
- Administrative billings for file setup and computer entry
- Mileage reimbursement
- Legal assistant services
- Office Supplies
- Electronic copies of documents

PROFESSIONAL REFERENCES

Eckberg Lammers values the professional relationships we have developed with the administrative staff in each of our member communities. Our references include:

City of North Mankato: John Harrenstein, City Administrator
 1001 Belgrade Ave
 North Mankato, MN 56003
 (507) 625-4141
 johnharrenstein@northmankato.com

City of Hudson: Aaron Reeves, City Administrator
 505 Third Street
 Hudson, WI 54016
 (715) 716-5741
 areeves@hudsonwi.gov

City of Champlin: Bret Heitkamp, City Administrator
 11955 Champlin Drive
 Champlin, MN 55316
 (763) 923-7110
 bheitkamp@ci.champlin.mn.us

City of Blaine: Michelle Wolfe, City Manager
 10801 Town Square Drive
 Blaine, MN 55449
 (763) 785-6120
 mwolfe@blainemn.gov

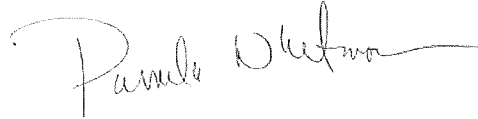
City of East Bethel: Jack Davis, City Administrator
 2241 221st Avenue Northeast
 East Bethel, MN 55011
 (763) 367-7840
 jack.davis@ci.east-bethel.mn.us

CONCLUSION

The breadth and depth of the firm's experience representing municipal clients makes Eckberg Lammers uniquely qualified to provide effective legal services to the City of Ramsey. No other firm can offer the City the comprehensive services that Eckberg Lammers provides. Eckberg Lammers has the demonstrated ability and willingness to maintain close and effective working relationships with its municipal clients. The firm has enjoyed tremendous success representing municipalities of all sizes due to its complete representation, which results from the commitment, ability and communication of all attorneys and staff to deliver to the client the services requested. Eckberg Lammers is excited for the opportunity to provide comprehensive and thorough municipal legal services to the City of Ramsey.

Respectfully submitted this 9th day of July, 2021.

Eckberg Lammers, P.C.



Pamela J. F. Whitmore
(651) 351-2133
pwhitmore@eckberglammers.com

APPENDIX A

Roster of Attorneys

Eckberg Lammers has 18 attorneys who work collaboratively to deliver a full spectrum of legal services for every client. The following is a summary of each attorney's area(s) of practice:

Attorney:	Area(s) of Practice:
Pamela J.F. Whitmore*	Municipal Law, Rule 114 Qualified Neutral- Minnesota, Employment Law, Civil Litigation, Alternative Dispute Resolution
Christopher T. Nelson	Municipal Law, Civil Litigation, Labor and Employment Law
Thomas R. Loonan	Municipal Law, Business Law, Commercial Real Estate
Nicholas J. Vivian*	Municipal Law, Banking and Finance, Business Law
Lida M. Bannink*	Labor and Employment Law, Municipal Law, Civil Litigation
Kevin S. Sandstrom*	Municipal Law, Civil Litigation, Worker's Compensation
Imran Ali*	Director of Law Enforcement Education & Training, Municipal Prosecution, Litigation, Personal Injury
Thomas J. Weidner*	Municipal Prosecution, Civil Litigation
Derek T. Archambault	Municipal Prosecution
Kari E. O'Leary	Municipal Prosecution
Eric J. Sherburne	Banking and Finance
Ashley M. Kemplin-Gamm	Commercial Real Estate, Municipal Real Estate
Patrick J. Sweeney	Municipal Law, Civil Litigation
Mitchell S. Sell	Civil Litigation, Municipal Prosecution
Anneliese L. McCahery	Municipal Law, Municipal Prosecution
Joseph D. Van Thomme*	Municipal Prosecution
Patrick J. Boley	Estate Planning and Probate
Jane M. Hill	Estate Planning and Probate

** Indicates shareholder(s)*

APPENDIX B

Support Personnel

The firm has a stable and consistent staff base that has steadily grown over time. All positions are filled with employees who have the experience and knowledge to meet the requirements of the firm's municipal clients. Our support is as follows:

Name	Title	Practice Area(s)
Heather Blesener	Legal Assistant	Municipal Law, Labor & Employment
Danette Langness	Paralegal	Municipal Law, Banking and Finance, Business Organization
Carol Dawson	Paralegal	Municipal Law, Labor & Employment, Civil Litigation
Julie Wheeler	Legal Assistant	Municipal Law, Banking and Finance, Business Organization
Missy Barstow	Legal Assistant	Prosecution
Kelly Salo	Legal Assistant	Prosecution
Julie Meredith	Legal Assistant	Prosecution
Kelly Deweerd	Legal Assistant	Prosecution
Taylor Thoreson	Victim/Witness Coordinator	Prosecution
Linda Wikoff	Victim/Witness Coordinator	Prosecution
Andrea Evans	Paralegal	Real Estate
Jen Kosky	Paralegal	Personal Injury
Jenny Brodrick	Paralegal	Personal Injury
Karen Stoltzmann	Paralegal	Probate
Kathy Wahlman	Legal Assistant	Civil Litigation, Workers' Compensation
Shelley de St. Aubin	Legal Assistant	Estate Planning
Kim Pepera	Office Administrator	
Linda Junco	Accountant	
Dana Reynolds	Marketing Director	
Charmagne Banaszek	Receptionist	

APPENDIX C

Represented Municipalities

Eckberg Lammers has historically maintained a significant focus in municipal and public-sector practice and, since its inception, has been one of the leading municipal law firms in the Twin Cities Metro area and beyond. The following list includes a listing of all current Eckberg Lammers represented municipalities:

City Attorney for the Following:

Bayport	Oak Park Heights
Blaine	Scandia
East Bethel	Star Prairie, WI
Forest, WI	St. Joseph, WI
Hudson, WI	St. Mary's Point
Lake St. Croix Beach	Swiss, WI
Mendota	Trade Lake, WI
New Richmond, WI	Wyoming

Prosecution Services for the Following:

Bayport	Mendota
Blaine	Morristown
Circle Pines	Newport
Crystal	Northfield
Dundas	Oak Park Heights
East Bethel	Ramsey
Faribault	Robbinsdale
Lake St. Croix Beach	St. Mary's Point
Mahtomedi	Woodbury



ECKBERG LAMMERS

ATTORNEYS AT LAW



Pam Whitmore
Attorney, Rule 114 Qualified Neutral

651-351-2133
pwhitmore@eckberglammers.com

Pam is a shareholder and attorney with Eckberg Lammers. She is also a Rule 114 Qualified Neutral and lead attorney for our Conflict Management Solutions practice. She also practices extensively in Municipal Law and Employment Law.

Her in-depth litigation experience working on behalf of cities, counties, school districts, and townships has provided her extensive knowledge regarding many facets of municipal law. She is well versed in open meeting laws, data practices, utilities and telecommunications, land use, workplace investigations, social media in the workplace, and discrimination and harassment claims. She has appeared in both state and federal court as well as the Minnesota Court of Appeals, prevailing in many. Examples include:

- **In the Matter of Application McDuffee (Minn. App. 2008):** Successfully defended Township's decision to grant conditional use permit to dog breeding facility.
- **Steinke v. Columbus Township (Minn. App. 2007):** Successfully defended challenge to Township's assessment on landowners' property for water project.
- **Doe v. Independent School District No. 152 and City of Moorhead (Minn. App. 2007):** Successfully defended appeal of summary judgment dismissal of City on based on finding of no duty owed to user of Sports Facility.
- **Dropp v. County of Streamns (Minn. App. 2005):** Successfully overturned on appeal lower court decision based on applicability of statutory immunity to County's decision of pole placement.

Pam is also a Rule 114 Qualified Neutral in the State of Minnesota. She specializes in conflict management services, which benefits municipalities and other governmental bodies, as well as private businesses. She provides a holistic process for organizations to learn how to engage others, be open to perspectives, generate integrative solutions, and take the next steps towards improved communication, collaboration, and strategic planning.

When not working, you can find Pam on the golf course with her husband, on walks with her dog, or cooking for one or more of her three adult kids and friends.

About Eckberg Lammers, P.C.

Founded in 1949, Eckberg Lammers, P.C. is a fixture in the Twin Cities metropolitan area. With offices in Stillwater and Hudson, our attorneys serve clients throughout Minnesota and Wisconsin across a wide platform of practice areas. Our mission is to Build and Strengthen Communities through long-term relationships with municipalities, financial institutions, business and individuals to creatively solve legal needs.

Stillwater Office

1809 Northwestern Avenue
Stillwater, MN 55082
Phone: 651-439-2878
Fax: 651-439-2923

Areas of Practice

Conflict Management Solutions
Alternative Dispute Resolution/
Mediation
Employment Law
Municipal Law

Bar Admissions

Minnesota
Wisconsin

Education

Rule 114, Qualified Neutral - State
of Minnesota
Strategic Planning &
Measurement, University of
Minnesota Continuing Education
University of Iowa, College of Law
Iowa City, IA, J.D.
University of Northern Iowa Cedar
Falls, IA, B.S.

Professional Affiliations

Minnesota State Bar Association
Member, Public Law Section
Ramsey County Bar Association
Member
Minnesota Association City
Attorneys, *Member*
Association of Conflict Resolution
- Environment and Public Policy
Section, *Member*
The International Municipal
Lawyers Association, *Member*

Community Involvement

Minnesota State Bar Association
Mock Trial, *Coach and Judge*
Meals on Wheels
Volunteer
Community Engagement
Practitioners Group, State of
Minnesota
University of St. Thomas Law
School, *Mentor*



**ECKBERG
LAMMERS**
ATTORNEYS AT LAW



Christopher Nelson
Attorney

651-351-2137
cnelson@eckberglammers.com

Christopher Nelson is an attorney in our Municipal Law Group as well as in our Labor and Employment practice. He has developed an exceptional acumen for guiding local government clients throughout Minnesota, representing numerous municipalities prior to joining Eckberg Lammers.

Christopher works diligently with his clients across a variety of issues facing municipalities to protect their interests and help them achieve their goals, including:

- | | |
|--------------------------------------|----------------------|
| Comprehensive plans | Land development |
| Contract negotiation and preparation | Real Estate |
| Easements | Zoning ordinances |
| FFCRA | CARES Act Compliance |

He also has experience helping business and public sector clients effectively navigate the full spectrum of employment law by providing general counsel and litigation support.

Christopher attended Occidental College graduating in with a Bachelor of Arts in Politics and from William Mitchell College of Law with a Juris Doctor, *magna cum laude*. After graduation from law school, Christopher worked in the public sector, where he clerked for the Honorable Ross L. Leuning of the Third Judicial District gaining experience on civil, criminal and family law cases. He then worked for the Housing Justice Center focusing on affordable housing litigation and policy before starting private practice in 2017.

Christopher lives in Mahtomedi. He enjoys spending time with family, skiing, and time on the water.

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eckberglammers.com

Stillwater Office
1809 Northwestern Avenue
Stillwater, MN 55082
Phone: 651-439-2878
Fax: 651-439-2923

Areas of Practice
Municipal Civil Counsel

Bar Admissions

Minnesota
Wisconsin
U.S. District Court – District of Minnesota

Education

William Mitchell College of Law,
St. Paul, MN
J.D., magna cum laude

Occidental College,
Los Angeles, CA
B.A., magna cum laude

Professional Affiliations

Minnesota State Bar Association
Member

State Bar of Wisconsin
Member

Community Involvement

Advocates for Human Rights
Pro bono Counsel

Prepare & Prosper
Volunteer Tax Preparer

Greater White Bear Lake
Community Foundations'
Leadership Tomorrow Program
Member

Honors & Awards

Occidental College's
representative at Pembroke
College, Cambridge University
- 2006-2007

AmeriCorps VISTA/Equal Justice
Works Fellowship with the Housing
Justice Center
- 2016-2017

William Mitchell Law Review
Member

William Mitchell's Thomas Tang
National Civil Rights and Williams
Institute Moot Courts
Member



ECKBERG LAMMERS

ATTORNEYS AT LAW



Lida Bannink Attorney

651-351-2116
lbannink@eckbergammers.com

Lida Bannink is a shareholder and attorney in our labor and employment practice as well as a litigator in our business and individual law groups. She routinely advises employers, both businesses and municipalities, on how to manage the complex web of laws and regulations to support the entity's human resource needs. Lida is especially adept at synthesizing complex legal and factual materials and clearly communicating all aspects of a matter to her clients. When called upon to litigate, she is a strong advocate in the courtroom. She focuses in the following areas:

LABOR & EMPLOYMENT

- Employee performance issues
- Family & Medical Leave Act (FMLA)
- American's with Disabilities Act (ADA)
- Separation/termination agreements
- Discrimination and harassment
- Families First Coronavirus Response Act "FFCRA"
- Workplace investigations
- Noncompete/confidentiality agreements
- Wage & overtime/medical leave
- Whistleblowing & retaliation
- Employment handbooks
- Collective bargaining
- Telecommuting agreements
- Worker classification

Lida is actively involved in bettering the community both professionally, such as her involvement in the St. Croix Valley Employers' Association, and personally through various volunteer events and charitable giving opportunities. She was raised on her family's rural farm in Clear Lake, Wisconsin and now resides in Western Wisconsin with her husband and three daughters. She has a passion for the outdoors and helping others in need.

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Phone: 651-439-2878
Fax: 651-439-2923

Areas of Practice

Labor & Employment
Municipal Labor & Employment
Business & Commercial Litigation
Civil Litigation

Bar Admissions

Wisconsin
Minnesota
U.S. District Court
Western District of Wisconsin
U.S. District Court
Eastern District of Wisconsin
U.S. Court of Appeals
Seventh Circuit

United States Supreme Court

Education

University of Wisconsin, Madison, WI
J.D.
Hamline University, St. Paul, MN
B.A., summa cum laude

Professional Affiliations

Minnesota State Bar Association
Council, Labor and Employment section, Member
State Bar of Wisconsin
Member
St. Croix Valley Bar Association
Member

Community Involvement

St. Croix Valley Employers
Association
Programming Committee Member, Member
New Richmond Chamber of
Commerce
Member
Hudson Chamber of Commerce
Member
Greater Stillwater Area Chamber of
Commerce
Member

Frederic W. Knaak*
fknaak@klaw.us
Craig J. Beuning
cbeuning@klaw.us



Received 7-8-21 AL
Interview at 7:05 p.
Of Counsel
Thomas M. Dailey, P.A.
(1943-2015)
Wayne B. Holstad**

Paralegal
BethAnn Hanson
bhanson@klaw.us

**Also Licensed in
Wisconsin & Colorado
*Qualified Neutral under Rule 114
**Also Licensed in Iowa,
Federal Court of Claims,
& US Court of Appeals
Washington, D.C.*

July 8, 2021

Mr. Kurt Ulrich, City Administrator
City of Ramsey
7550 Sunwood Drive NW
Ramsey MN 55303

**VIA ELECTRONIC MAIL
AND PERSONAL DELIVERY**
kulrich@ci.ramsey.mn.us

Re: Request for Proposal for City Legal Services

Dear Mr. Ulrich:

Enclosed herewith please find our firm's proposal to provide the City of Ramsey with civil legal services. We believe that our strong commitment in providing exceptional, customized representation for our public sector clients sets us apart from the firms that are unable to dedicate their time in the same way. Our focus over the years has been this approach with the cities we represent, and it has been successful and appreciated by our clients.

We appreciate the opportunity to offer our services to the City of Ramsey and hope to be able to discuss how we can be of service with you.

Best regards,

A handwritten signature in cursive script, appearing to read 'Frederic W. Knaak', is written over the typed name.

Frederic W. Knaak, Esq.

Enclosures

(9 copies delivered via personal service)

PROPOSAL

OF

HOLSTAD & KNAAK, PLC,

TO PROVIDE LEGAL SERVICES

FOR

THE CITY OF

RAMSEY, MINNESOTA

Submitted on June 28, 2021

By: Frederic W. Knaak, Esq., for

Holstad & Knaak, PLC.
4501 Allendale Drive
St. Paul, MN 55127
Office: (651) 490-9078
Facsimile: (651) 490-1580
Email: fknaak@klaw.us

Introduction and Proposal Summary

The law firm of Holstad & Knaak, PLC, is very pleased for the opportunity to respond to the request for proposals offered by the City of Ramsey, Minnesota, for legal services. We firmly believe that our firm possesses unique qualities with its mix of qualified attorneys and considerable experience in handling challenging municipal issues for small cities in Minnesota over its forty-year history; its aggressive use of new technology, and its emphasis on its Minneapolis - St. Paul suburban roots and community experiences – all of which would make the firm an exceptionally good fit to serve the City of Ramsey as its legal counsel

Using principally the talents of attorney Frederic W. ("Fritz") Knaak, we are proposing a **monthly flat fee** of **\$4,250.00** for all civil matters, or a base hourly rate of \$150.00 per hour for all work performed, excluding major litigation, as specified in more detail below. As a practical matter, the City of Ramsey could expect to remain a priority client of Mr. Knaak and the required work would be done almost entirely by him and his legal assistant. He would be assisted, as needed, in this service by two other experienced attorneys currently working with the firm. Annualized, this contract would be **\$51,000.00 per year**. The use of a fixed amount in the agreement avoids "fee creep", or slow, imbedded increases and requires any future increases to be with the express agreement of the City.

Firm Background and Qualifications

General Background:

Holstad & Knaak PLC is a suburban, Twin Cities metropolitan area law firm, with nearly forty years of experience in dealing with the unique problems of cities and other forms of local government. In addition to the practices of principal, Frederic Knaak, are the practices of Donald Kohler, Craig Beuning and Bryce Holstad. Wayne Holstad remains actively of-counsel to the firm.

The lawyers practicing in the firm take care in assuring the firm retains its status as a full-service, suburban law practice. Its smaller size and selective client base assure the availability of lawyers when needed by staff or council members, yet it is not so large as to suffer from the inflexibility of assignments and methods that can create problems with larger firms, as well as add to high overhead costs. We are proud of the excellent relationship we have had over many years with our municipal clients, and would be singularly proud to serve as legal counsel for the City of Ramsey. The Firm's municipal practice consisted of approximately 45% of its billings in the past year. It has been and remains fully compliant with all federal and state requirements regarding civil rights, both as to its employment practices and its handling of public matters for its clients.

Attorneys:

As a practical matter, the attorneys in this practice have developed extensive experience in specific venues - particularly municipal and land use law. Mr. Knaak, for example, had been the City Attorney for the City of Newport, Minnesota, since 1982, providing both civil and prosecutorial legal services. In that capacity, he was directly involved in the financial and bonding matters involved in the creation of the tax increment financing district in that City related to the construction of the RDF plant and the ongoing industrial redevelopment of that City. He had represented the City of Newport in the full range of services that relate to municipal practice. He is also currently the City Attorney for Afton, Minnesota, having represented that City in all civil matters and prosecutions for more than ten (10) years.

Mr. Knaak was the City Attorney of Fridley, Minnesota, a suburban community of about 30,000 residents in Anoka County, Minnesota, where he served for sixteen years on civil matters and prosecution of zoning code enforcement. He has also served as City Attorney for the City of Lake Elmo from 1985 to 1990 on civil matters, where he was involved in a wide range of matters related to development and represented that City in a particularly difficult period in its development history. He has also served as City Attorney for Maplewood, Minnesota, as well as the White Bear Lake Conservation District.

Mr. Knaak and our other attorneys in the firm have been involved in all levels and areas of municipal practice, from arbitration of labor disputes to zoning matters, including civil litigation practice (involving trials and appeals in both State and Federal courts), ordinance drafting, as well as code and criminal prosecutions. Mr. Knaak, specifically, has been involved in labor negotiations with employees, large and small project tax increment financing and development issues, assessments and assessment hearings, as well as fielding everyday inquiries and complaints from citizens. The strength of the firm's experience in these areas lie in the fact that its municipal clients have been smaller cities and other local units of government who are dependent on a high level of service from their legal counsel, and Mr. Knaak and the firm are well aware of the difficulties and pressures that cities of this size, as well as their councils and staff, can face.

In addition, Mr. Knaak's ten-year tenure in the Minnesota legislature, including a major leadership role, has given him a considerable background in many areas of law, including municipal finance and data privacy - two areas of particular legislative and statutory expertise acquired by him in that period. His familiarity with the legislative process has come into play for municipal clients on several occasions when he has been called upon to assist in lobbying specific proposals on their behalf. Mr. Knaak is the former Chairman of the Minnesota Bar Association Technology Committee and Co-Chair of the Minnesota Electronic Real Estate Recording Task Force. He is currently a board member for LCL, Lawyers Concerned for Lawyers, a nationally recognized organization of support for lawyers and judges in Minnesota. He is a frequent lecturer on matters of municipal law for attorneys in Minnesota and Wisconsin.

Mr. Donald Kohler currently assists on matters for the Cities of Newport and Afton, Minnesota. Mr. Kohler has extensive experience in district court, as well as extensive appellate experience. He has argued cases before the Minnesota Court of Appeals, Minnesota Supreme Court, and the Workers' Compensation Court of Appeals. He is

particularly knowledgeable in the areas of labor law and employer liability.

Mr. Kohler is the former chairman and a board member of the City of White Bear Lake Planning Commission, from 2005 – 2010. Previously, Mr. Kohler was a member of the White Bear Lake Conservation District Board for over 3 years. Mr. Kohler has been practicing law since 1999 and is a well-regarded general practitioner with experience in a wide range of areas. In the summer of 2009, he was mentioned in the local publication “Law and Politics” under the “Who’s Who” section of workers’ compensation practitioners.

Craig J. Beuning has been an active attorney with the firm for nearly 20 years. His deep experience is primarily in the real estate and criminal appellate areas of law.

Bryce Martin Holstad joined the firm in July of 2020. Prior to becoming an associate at HKB, Mr. Holstad earned his J.D., *cum laude* from Michigan State University College of Law in 2019 and Bachelor of Science from the University of Minnesota in 2014. Mr. Holstad started his legal career at Iowa’s largest law firm, serving the North Central Lakes region of Iowa Legal Aid as a staff attorney. At Iowa Legal Aid, Mr. Holstad represented low-income clients in pro-bono cases primarily in real-estate takings, municipal, landlord-tenant, and family law. Prior to entering law school, Mr. Holstad started a title company with a local law firm in the Twin Cities, Arden Title, and continues to serve as their Chief Counsel. With ten years of title experience prior to becoming an attorney, his extensive real estate knowledge offers a wide array of insight to legal issues facing participants in real estate matters.

The resumes of Messrs. Knaak, Beuning, Kohler and Holstad are attached, and we ask that they be considered included in this proposal by reference. It is expected that Mr. Knaak would continue to serve as the attorney principally responsible on all Ramsey matters.

Support Personnel & Infrastructure

The support staff for the firm consists primarily of Paralegal BethAnn Hanson, who can be expected to be the principal non-attorney staff person designated to work on the City of Ramsey matters. Ms. Hanson has come to our firm with a high level of experience in litigation and general practice management. She has over 30 years of legal experience including, but not limited to, extensive real estate, corporate document drafting, banking and class action suits. She echoes our belief that providing exceptional service and being accessible to our clients is of primary importance. Ms. Hanson takes pride in building and maintaining outstanding relationships with clients and professional personnel alike, and ensures that our clients have the most up-to-date information on their cases. Ms. Hanson employs a high level of skill in drafting documents, trial preparation, general research and office management, and takes great pride in ensuring the best outcome for our respective clients. The firm also hires experienced contract support personnel on an as-needed basis.

The office is organized as a highly efficient, fully networked, computer-intensive practice

utilizing numerous online research services, such as Lexis®. The firm also has a large, more traditional law library. We would welcome an inspection or tour of our office for a further review of these resources. It is our assessment that these assets are currently being used at nowhere near their full capacity. Our expectation would be that the City's needs and requests would continue to receive our highest priority in utilization of our resources.

Municipal "Flowchart"

Two types of work currently arrive at the firm from its public body clients, criminal and civil, and each is handled differently. All matters related to civil issues, either in terms of requests for work or matters that arise through the course of the representation of the client, are handled through Mr. Knaak, who is directed by the City Administrator. All work done for the City is supervised by Mr. Knaak. Although some contact does occur normally between other City personnel and other attorneys in the firm, all such contacts requiring work are reported and memorialized. Any work done by the lawyers in the firm in cooperation with City personnel is directed through the Administrator. We find this practice reduces possible conflict and redundancy. We expect Mr. Holstad will be Mr. Knaak's principal backup in this area.

Throughout the nearly 40 years of representing cities, Mr. Knaak has developed an excellent working relationship with the League of Minnesota Cities, its staff, the League's insurance trust, and the various firms the LMC has used in representing cities on insured litigation issues in the past. Mr. Knaak is very actively involved in teaching and training activities done under the auspices of the League and State Bar Association for city attorneys and law firm personnel, and within the past two years has conducted continuing legal education seminars for City Attorneys in the area of subdivision law, the use of development agreements, open meeting laws, data practices and legal ethics.

Bond and Finance Experience

Although attorneys in this practice have extensive experience in representing municipalities in dealing with bond issues on a variety of matters, none could be considered a "bond counsel" as that term is generally understood in the legal community. It is generally not accepted practice for bond counsel and a city attorney representing a municipality issuing bonds to be of the same firm because of ethical conflict considerations. This firm also has extensive experience on issues of private sector banking, securities and financing issues, and a growing practice in that area, but we do not expect to become bond counsel or a securities-related practice at this time or in the foreseeable future.

Fixed Monthly Fee Proposal:

Civil

Experience has shown us that a **fixed-fee** arrangement is preferable over traditional retainer arrangements, where feasible, for cost-conscious municipal clients. Over the past several decades, we have been a leader among municipal law firms in advancing this concept and are pleased to see it becoming a more common practice. We are proposing such an arrangement here. While it imposes some risk on the part of the firm for increased and unanticipated needs and demands for services by the City, particularly over time, it has the benefit, from our perspective, of a predictable and consistent revenue stream.

From the City's perspective, it has the benefit of a fixed, budgeted amount for services that eliminates the risk of an unpleasant "surprise" during a month in which legal counsel's presence is required more often than usual. Moreover, a fixed fee tends to be a good preventative measure, eliminating the disincentive that exists in an hourly fee arrangement to consult an attorney early in the process, when a lot of problems can be more easily solved with timely advice and help.

We propose to represent the City of Ramsey on all civil matters, except individual civil litigation files requiring more than ten hours of attorney time in any month, as part of a flat monthly fee of \$4,250.00. We have reviewed, assessed and included in that amount those items listed in the Request for Proposal, as stated and qualified as follows:

- A. Attend City Council meetings and other City Board, Authority, Commissioner or Committee meetings as requested by the City Council or City Clerk/Administrator.
- B. Draft and/or review ordinances, resolutions, and correspondence, as requested. Review City Council agendas and meeting minutes as requested.
- C. Advise the Mayor, Council Members, City Clerk/Administrator, Department Heads and other staff on city legal matters.
- D. Prepare and/or review municipal contracts, such as contracts for public improvements, joint powers agreements, construction, and purchase of equipment.
- E. Review of the Municipal Code on a regular basis and provide assistance in the drafting of any needed modifications or amendments.
- F. Represent City in matters related to the enforcement of City building and zoning codes.
- G. Research and submit legal opinions on municipal or other legal matters, as requested by City Council or City Clerk/Administrator.

- H. Meet with the City Council, Economic Development Authority, City Administrator, Department Heads and City Staff as needed to review Council agenda items, and the status of all legal matters before the City.
- I. Provide legal briefings regarding new or proposed legislation affecting municipal operations and activities.
- J. Provide advice and training on open meeting law, data practice, parliamentary procedure, records retention and privacy issues, including HIPPA.
- K. Provide advice and training on open meeting law, data practice, parliamentary procedure, records retention and privacy issues, including HIPPA.
- L. Represent, as needed, the City in employment related issues, labor negotiations, arbitration, administrative hearings and in litigation involving same.
- M. Interpret and advise with respect to municipal employment matters including, but not limited to PERA, labor agreements, personnel policy, FMLA, Veterans' Preference.
- N. Defend City in litigation (except in those cases where insurance companies are required to provide defense) including, but not limited to, 1) human rights claims; 2) condemnation; 3) permits and administrative actions; and 4) labor and employment matters.
- O. Defend City in uninsured claims and other insurance matters.
- P. In coordination with Bond Counsel, review of financing, special assessments, bonds and insurance requirements required by or for City contracts or activities.
- Q. Represent City in the acquisition of properties for public improvements, easements, and parks.
- R. Represent City in condemnation proceedings for public improvement projects.
- S. Represent City in workers' compensation matters.
- T. Initiate litigation on behalf of City as requested by City Council.
- U. Interpret and advise regarding zoning and/or land use questions.

- V. Interpret and advise regarding impact fees and legal uses.
- W. Advise and represent the City on environmental matters.
- X. Prepare and/or review the following:
 - a. Conditional Use Permits and Documentation
 - b. Vacation of Rights-of-way
 - c. Special Assessments
 - d. Planned Unit Developments
 - e. Development Agreements
 - f. Subdivision and Zoning Requests
- Y. The firm shall not subcontract out or assign any interest in the contract and shall not transfer any interest in the same without prior written consent of the City.

In addition, we would impose the additional requirement of meeting from time to time with the City Administrator and the staff to review the status of all legal matters before the City and providing a written status report on all current litigation and unresolved matters.

In instances where cumulative litigation time on any given file exceeds ten hours in a single month for that individual file, time spent on that file beyond ten hours would be billed at the hourly rate of \$150.00 per hour for attorneys, with no distinction between them as to rate, and \$80.00 per hour for paralegal or clerk time. Our review of the City's circumstances, as well as our experience with municipalities in the past, leads us to believe this sort of occurrence would be a very infrequent occurrence.

To the extent possible, all hourly billed services that could be performed by a paralegal or law clerk will be billed at the paralegal rate irrespective of whether they are performed by a paralegal or an attorney. The minimum increment of time billed by the firm is the tenth (1/10) of an hour, or six minutes. Long distance calls totaling under \$25.00 per month, and copying costs up to 2000 copies per month, would be included in the fee. Time and copies in excess of those figures would be billed at cost. The production of trial exhibits and any disbursements related to securing a witnesses' testimony through a subpoena would be billed at nominal cost. Ordinarily, where witness fees have been less than \$200, we have not billed them.

Our firm would expect to provide monthly statements and summaries that would fully itemize all time spent, as well as a detailed accounting of expenditures, to the City. We have the capacity to modify this report to provide such additional information as the City of Ramsey might require.

Notwithstanding the foregoing proposal, this firm is willing to be engaged for civil legal services with the City, under a traditional hourly billing rate, if that would be the approach preferred by the City.

Assurances, Insurance and Conflict Disclosures

The signatory of this proposal made on behalf of the firm of Holstad & Knaak, PLC, is Frederic W. Knaak, who represents by this Proposal that he has full and complete authority to make all representations made herein on behalf of himself and the Firm, and to bind the Firm in any contract made with the City of Ramsey as the result of this proposal.

While we have been fortunate in originating no claims for any errors caused by our representation over the past forty years, we believe that the protection of an ample insurance coverage for clients is part of responsible municipal legal practice. The Firm's professional liability coverage is provided by the Berkley Insurance Group for \$2,000,000 for any individual claim related to its professional services, with a \$2,000,000 aggregate cap for any single occurrence, and a \$5000 deductible per claim. The firm also maintains similar coverages on its Error and Omission policy related to any work in the real estate and title insurance areas of its practice. A copy of the Declarations Page of the policy is attached, included and incorporated by reference.

After a complete review of our current and former clients, we represent that we are unaware of any current or likely potential conflict of interest with the City or that would in any way conflict with our ability to serve as the City's attorney. Our representations as to possible conflicts involve currently known matters to Mr. Knaak and the law firm. All members of the Firm review, on regular basis, a summary of all new clients of the Firm with the express purpose of determining whether any conflicts may exist with existing clients. It is our policy to both advise clients when a conflict occurs and withdraw from representation. We have never experienced a situation in which the policy has had to be implemented. If a conflict were to arise, our priority would be the continuing servicing of the City's needs and we would decline any representation that would conflict with it.

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Municipal References

The following individuals have agreed to serve as references for the firm and in particular, Mr. Knaak, with respect to legal representation:

Mr. Ronald Moorse
City Administrator, City of Afton
3033 Saint Croix Trail
Afton, MN 55001
(651) 436-5090

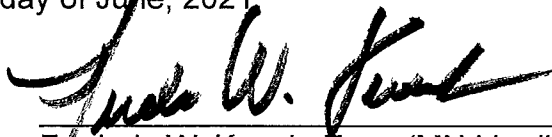
The Hon. Bill Palmquist
Mayor of Afton
3033 Saint Croix Trail
Afton, MN 55001
(651) 436-5090

Mr. Richard Pribyl
Former City Finance Director
City of Fridley
14952 Central Avenue
Ham Lake, MN 55304
(612) 701-2769

Mr. Timothy Geraghty
Newport Mayor of 33 years
120 17th Street
Newport, MN 55055
(651) 459-6790

Additional references and information supplementing and clarifying this proposal will gladly be furnished by Mr. Knaak upon request.

Signed and submitted this 30th day of June, 2021



Frederic W. Knaak, Esq., (MN Lic. #56777)
for Holstad & Knaak, PLC



INSURANCE BINDER

DATE (MM/DD/YYYY)
06/15/2021**THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON THE REVERSE SIDE OF THIS FORM.**

PRODUCER Mercer Consumer, a service of Mercer Health & Benefits Administration LLC PO Box 310179 Des Moines, IA 50331-0179		COMPANY Berkley Insurance Company		BINDER # 1	
		EFFECTIVE DATE 06/14/2021		EXPIRATION DATE 07/14/2021	
		EFFECTIVE TIME 12:01		TIME <input checked="" type="checkbox"/> 12:01 AM <input type="checkbox"/> NOON	
PHONE (A/C, No, Ext): 800-435-7904		FAX (A/C, No):		<input type="checkbox"/> THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY #: PLP-1382855-P6	
CODE:		SUB CODE:		DESCRIPTION OF OPERATIONS/VEHICLES/PROPERTY (Including Location)	
AGENCY CUSTOMER ID KN109593		INSURED Holstad & Knaak, PLC Attorneys at Law			

TYPE OF INSURANCE	COVERAGE/FORMS	LIMITS		
		DEDUCTIBLE	COINS %	AMOUNT
PROPERTY CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input type="checkbox"/> SPEC <input type="checkbox"/> _____ <input type="checkbox"/> _____				
GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> _____ <input type="checkbox"/> _____ RETRO DATE FOR CLAIMS MADE:		EACH OCCURRENCE		\$
		DAMAGE TO RENTED PREMISES		\$
		MED EXP (Any one person)		\$
		PERSONAL & ADV INJURY		\$
		GENERAL AGGREGATE		\$
		PRODUCTS - COMP/OP AGG		\$
VEHICLE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> _____ <input type="checkbox"/> _____		COMBINED SINGLE LIMIT		\$
		BODILY INJURY (Per person)		\$
		BODILY INJURY (Per accident)		\$
		PROPERTY DAMAGE		\$
		MEDICAL PAYMENTS		\$
		PERSONAL INJURY PROT		\$
		UNINSURED MOTORIST		\$
				\$
VEHICLE PHYSICAL DAMAGE DED <input type="checkbox"/> ALL VEHICLES <input type="checkbox"/> SCHEDULED VEHICLES <input type="checkbox"/> COLLISION: _____ <input type="checkbox"/> OTHER THAN COL.: _____		<input type="checkbox"/> ACTUAL CASH VALUE <input type="checkbox"/> STATED AMOUNT <input type="checkbox"/> _____		\$
GARAGE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> _____ <input type="checkbox"/> _____		AUTO ONLY - EA ACCIDENT		\$
		OTHER THAN AUTO ONLY:		\$
		EACH ACCIDENT		\$
		AGGREGATE		\$
EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM RETRO DATE FOR CLAIMS MADE:		EACH OCCURRENCE		\$
		AGGREGATE		\$
		SELF-INSURED RETENTION		\$
WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY		<input type="checkbox"/> WC STATUTORY LIMITS		\$
		E.L. EACH ACCIDENT		\$
		E.L. DISEASE - EA EMPLOYEE		\$
		E.L. DISEASE - POLICY LIMIT		\$
SPECIAL CONDITIONS/ OTHER COVERAGES Lawyers' Professional Liability Claims Made Retro Date Full Prior Acts Policy # PLP-1382855-P7 Per Incident \$2,000,000 Aggregate Limit \$2,000,000 Deductible PC \$5,000 Includes forms and endorsements as listed on the quotation accepted on 06/11/2021. This binder is subject to receipt of premium in full by 07/14/2021 or within 30 days, otherwise this binder is null and void.		FEES		\$
		TAXES		\$
		ESTIMATED TOTAL PREMIUM	\$	12,495.00

NAME & ADDRESS Holstad & Knaak, PLC Attorneys at Law 4501 Allendale Drive Saint Paul, MN 55127		MORTGAGEE LOSS PAYEE <input type="checkbox"/>	ADDITIONAL INSURED <input type="checkbox"/>
		LOAN #	
		AUTHORIZED REPRESENTATIVE <i>Anita G. Brown</i>	

CONDITIONS

This Company binds the kind(s) of insurance stipulated on the reverse side. The Insurance is subject to the terms, conditions and limitations of the policy(ies) in current use by the Company.

This binder may be cancelled by the Insured by surrender of this binder or by written notice to the Company stating when cancellation will be effective. This binder may be cancelled by the Company by notice to the Insured in accordance with the policy conditions. This binder is cancelled when replaced by a policy. If this binder is not replaced by a policy, the Company is entitled to charge a premium for the binder according to the Rule and Rates in use by the Company.

Applicable in California

When this form is used to provide insurance in the amount of one million dollars (\$1,000,000) or more, the title of the form is changed from "Insurance Binder" to "Cover Note".

Applicable in Delaware

The mortgagee or Obligee of any mortgage or other instrument given for the purpose of creating a lien on real property shall accept as evidence of insurance a written binder issued by an authorized insurer or its agent if the binder includes or is accompanied by: the name and address of the borrower; the name and address of the lender as loss payee; a description of the insured real property; a provision that the binder may not be canceled within the term of the binder unless the lender and the insured borrower receive written notice of the cancellation at least ten (10) days prior to the cancellation; except in the case of a renewal of a policy subsequent to the closing of the loan, a paid receipt of the full amount of the applicable premium, and the amount of insurance coverage.

Chapter 21 Title 25 Paragraph 2119

Applicable in Florida

Except for Auto Insurance coverage, no notice of cancellation or nonrenewal of a binder is required unless the duration of the binder exceeds 60 days. For auto insurance, the insurer must give 5 days prior notice, unless the binder is replaced by a policy or another binder in the same company.

Applicable in Maryland

The insurer has 45 business days, commencing from the effective date of coverage to confirm eligibility for coverage under the insurance policy.

Applicable in Michigan

The policy may be cancelled at any time at the request of the insured.

Applicable in Nevada

Any person who refuses to accept a binder which provides coverage of less than \$1,000,000.00 when proof is required: (A) Shall be fined not more than \$500.00, and (B) is liable to the party presenting the binder as proof of insurance for actual damages sustained therefrom.

Applicable in the Virgin Islands

This binder is effective for only ninety (90) days. Within thirty (30) days of receipt of this binder, you should request an insurance policy or certificate (if applicable) from your agent and/or insurance company.

Lawyers Professional Liability Insurance

NOTICE: THIS POLICY PROVIDES COVERAGE ON A CLAIMS MADE AND REPORTED BASIS SUBJECT TO ITS TERMS. THIS POLICY APPLIES ONLY TO ANY CLAIM FIRST MADE AGAINST THE INSUREDS AND REPORTED TO THE INSURER DURING THE POLICY PERIOD OR ANY EXTENDED REPORTING PERIOD THAT MAY APPLY.

PLEASE READ AND REVIEW THE POLICY CAREFULLY AND DISCUSS THE COVERAGE WITH YOUR INSURANCE AGENT OR BROKER.

IF INDICATED IN ITEM 5. A. BELOW, THE LIMIT OF LIABILITY AVAILABLE TO PAY DAMAGES OR SETTLEMENTS SHALL BE REDUCED AND MAY BE COMPLETELY EXHAUSTED BY AMOUNTS INCURRED AS LEGAL DEFENSE COSTS. THE INSURER SHALL NOT BE LIABLE FOR LEGAL DEFENSE COSTS OR FOR THE AMOUNT OF ANY JUDGMENT OR SETTLEMENT AFTER EXHAUSTION OF THE LIMIT OF LIABILITY.

Whenever printed in this Declarations Page, the boldface type terms shall have the same meanings as indicated in the Policy.

- Item 1. Name and Address of Named Insured:** **Policy Number: PLP-1382855-P6**
Holstad & Knaak, PLC Attorneys at Law
4501 Allendale Drive
Saint Paul, MN 55127
- Item 2. Policy Period:** From June 14, 2020 (inception date) to June 14, 2021 (expiration date)
(Both dates at 12:01 a.m. Standard Time at the address of the **Named Insured**)
- Item 3. Limits of Liability for the Policy Period:**
A. \$2,000,000 each **Claim**, but in no event exceeding
B. \$2,000,000 in the aggregate for all **Claims**
- Item 4. Supplemental Coverages Limit of Liability:**
\$100,000 in the aggregate for all Supplemental Coverages during the **Policy Period**
- Item 5. Claim Expenses for the Policy Period:**
 A. **Claim Expenses** Reduce the Limit of Liability in Item 3. above
 B. **Claim Expenses** in Addition to the Limit of Liability in Item 3. above
Claim Expense Limit: \$2,000,000 in the aggregate for all **Claims** during the **Policy Period**
- Item 6. Deductible:**
 A. **Aggregate Deductible - All Claims** \$5,000
 B. **Each Claim Deductible** N/A
 i. The Deductible applies to **Damages and Claim Expenses**
 ii. The Deductible applies only to **Damages**
- Item 7. Death or Disability and Non-Practicing Extended Reporting Period Limit of Liability (inclusive of Damages and Claim Expenses):**
A. \$2,000,000 each **Claim**, but in no event exceeding
B. \$2,000,000 in the aggregate for all **Claims**
- Item 8. Premium:** \$12,186

BERKLEY INSURANCE COMPANY

Item 9. Forms and Endorsements attached at inception: LPL 39400 (rev. 12-14)

1	701-CR-	0419	CLAIM REPORTING PROCEDURES
2	LPL 205201	(05-14)	Disciplinary Proceeding Supplemental Coverage for Privacy Breach Claims
3	LPL 306901	(05-14)	Prior Acts Date for Listed Insured
4	LPL 306902-CW	(02-15)	Addition of Insured
5	LPL 400907	(09-14)	Specific Entity Exclusion
6	LPL 504901	(07-14)	Addition to Section V. D. Other Insurance
7	LPL 604101	(05-14)	Mercer Consumer Modification to Non-Practicing Extended Reporting Period
8	LPL-MN-PAE	(05-14)	Minnesota Policy Amendatory Endorsement
9	LPL-MN-PHN	(05-14)	Minnesota Policyholder Notice

Item 10. Notice to the Insurer as provided in section V. A. shall be sent to: All other notices to be given to the Insurer shall be sent to:

Berkley Select Claims Department on behalf of
Berkley Insurance Company
550 W. Jackson Blvd, Suite 500, Chicago, IL 60661
Toll Free: (844) 465-6256 Fax: (312) 207-1933
Email: newclaim@berkleysselect.com

Berkley Select on behalf of
Berkley Insurance Company
550 W. Jackson Blvd, Suite 500, Chicago, IL 60661
Toll Free: (800) 446-2100

These Declarations along with the completed and signed Application and the Lawyers Professional Liability Insurance Policy shall constitute the contract between the Named Insured and the Insurer.

Authorized Representative:



Date Issued: June 15, 2020

CURRICULUM VITAE

Frederic W. ("Fritz") Knaak
Attorney at Law

HOLSTAD & KNAAK, PLC
4501 Allendale Drive
St. Paul, Minnesota 55127
fknaak@klaw.us
651-490-9078 – telephone
651-490-1580 - facsimile

EMPLOYMENT =====

2013 – Present, **President, HOLSTAD & KNAAK, PLC**

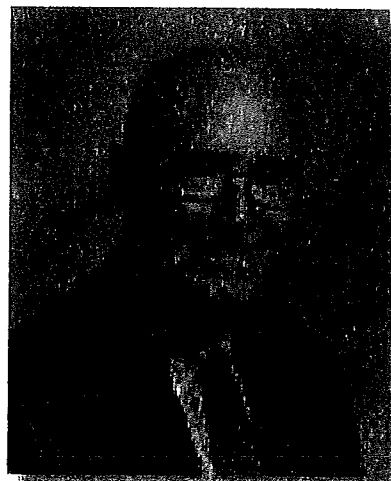
2009 - 2013, **Partner, HOLSTAD & KNAAK, PLC**
St. Paul, Minnesota

1998 - 2001, **Partner, HOLSTAD & KNAAK, PLC.**
Vadnais Heights, Minnesota

2002 – 2007, **KNAAK & KANTRUD, P.A.**
Vadnais Heights, Minnesota

1995 - 1997 **Of Counsel, HOLSTAD & LARSON, P.L.C.,**
Vadnais Heights, Minnesota

1985 - 1995 **RAUENHORST & KNAAK,**
Roseville, Minnesota
(Formerly Rauenhorst, Carlson & Knaak)



In private general practice of law with rapidly-expanding law firms in northeast suburban Twin Cities area. Broad background includes substantial trial and appellate litigation experience in state and federal courts over approximately 38 years of private law practice; legal counsel and former City Attorney for cities of Fridley, Maplewood and Lake Elmo (including criminal prosecution), current legal counsel (civil and prosecution for the cities of Afton and Newport, Minnesota, Legal Counsel, Independent School District 833. Forest Lake, Minnesota, the White Bear Lake Conservation District, and a variety of medium-sized and smaller private, corporate, other business and individual clients, American located primarily in the Twin Cities Metropolitan Area. The client base also includes a number of European businesses. Served as counsel, officer and member on the boards of directors of several corporate clients, including one "Inc. 500" national business concern, and charitable organizations, including as legal counsel for the White Bear Lake Area Lions Club. Principal areas of practice are general litigation, administrative and public law, criminal law, business law and litigation, local government, zoning, municipal law and probate. From 1996 through 2000, practice also included responsibilities as an appointed Contract Administrative Law Judge for the State of Minnesota.

Knaak has served as local counsel on a number of major constitutional cases before the Federal Courts, recently serving as legal counsel to the Minnesota Secretary of State in the recent Redistricting litigation. He was also lead counsel for the Minnesota Senate Republican Caucus and for the Senator Norman Coleman Recount.

1983 - 1993: MINNESOTA STATE SENATE, St. Paul, Minnesota

Elected: State Senator in 1982; re-elected 1986 and 1990. Served as Senator from District 53 including parts of Ramsey and Washington Counties in the northeastern suburban metropolitan area. Elected: Floor Leader and Assistant Minority Leader.

Committees: Judiciary, Education, Education Funding Subcommittee, Metropolitan Affairs, Rules and Administration; Member, Legislative Commission to Review Administrative Rules; Member,

State Council on Black Minnesotans; Member, Legislative Commission of Children, Youth and Family Members; 1992 Legislator of the Year, Minnesota Association of Treatment Programs.

1978 - 1985: PETERSON, POPOVICH, KNUTSON & FLYNN,
St. Paul, Minnesota (Currently Knutson, Flynn, Hetland & Deans)

Private practice as Associate Attorney for law firm representing Minnesota School Board Association and over 100 school districts and other public employers in Minnesota and neighboring states. Experience includes advising large organization on employment and labor-related matters, including: work stoppages, employee benefits, contract management and interpretation; appearances in trial and administrative tribunals.

PROFESSIONAL ASSOCIATIONS & ACTIVITIES =====

Member, Anoka, Ramsey and Washington County Bar Associations

Member, Minnesota, Wisconsin, Colorado

Member, American Bar Association and Association of Trial Lawyers of America

Member, Gamma Eta Gamma Law Fraternity

Member, Minnesota City Attorney's Association

Qualified Neutral under Rule 114

Member Representing Attorneys, Minnesota Electronic Real Estate Recording Task Force (Appointed 2005, reappointed by Governor Pawlenty in 2006)

Minnesota Lawyers Concerned for Lawyers Member, (a private, non-bar affiliated organization of Minnesota attorneys dedicated to assisting chemically dependent lawyers and their families), 1984 - Present; (Board of Directors, 1986 - 1993; Secretary, 1987)

Administrative Law Judge, State of Minnesota (1996 - 2000)

COURTS =====

Admitted: to the Courts of the State of Minnesota, October, 1979
Admitted: the Courts of the States of Colorado and Wisconsin, 1994
Admitted: as Attorney and Counselor to United States Court District of Minnesota, March, 1980
Admitted: as Attorney and Counselor to United States Supreme Court and the Court of Appeals, Eighth Circuit
Admitted: Pro Hoc Vice, Superior Court, Maricopa County, Phoenix, Arizona, 1994

EDUCATION =====

University of Minnesota Law School, Juris Doctor, December, 1978
St. John's University, Bachelor of Arts, Summa Cum Laude, 1975
State University of Florence, Italy
University of Foreigners, Perugia, Italy
Rutgers College
White Bear Lake Senior High School, Honors, 1971

PERSONAL =====

Children: Benjamin, 29; Andrew, 28; Joseph, 25; Paul, 23; and Mary, 21 years old

Member, American Land Title Association (ALTA), Vadnais Heights Economic Development Corporation; White Bear Lake Area Chamber of Commerce

Hobbies and Pastimes: Reading (history, law & poetry); Internet and computers; running & exercise; poetry; gardening; Italy & things Italian; Regular Political Analyst, KTCA TV (Almanac), Minnesota; Political Commentator WLKX, Forest Lake, Minnesota.

FOREIGN LANGUAGES =====

Italian: (fluent)
Spanish: (reading knowledge and some speaking ability)
French: (reading knowledge and some speaking ability)

REFERENCES =====

Mr. Ronald Moorse
City Administrator
City of Afton
3033 Saint Croix Trail
Afton, MN 55001
651-436-5090

Mr. Richard Pribyl
Former City Finance Director, City of Fridley
14952 Central Avenue
Ham Lake, MN 55304
612-701-2769

Ms. Deb Hill
City Administrator
City of Newport
596 Seventh Avenue
Newport, MN 55055
651-459-5677

Further references will be furnished on request.

Donald W. Kohler, Attorney at Law
4525 Allendale Drive
White Bear Lake, MN 55127
(651) 426-1869
Email: dkohler@kohlerlaw.com

EDUCATION

Hamline University School of Law, Saint Paul, MN
December 1998 Graduate; Admitted to the Minnesota Bar 1999

Metropolitan State University, Saint Paul, MN
Bachelor of Arts, Communications, 1991

**WORK
EXPERIENCE**

Donald W. Kohler, Attorney at Law
(December 1999 - Present)

- Represent clients throughout the legal process
- Practicing mainly in the areas of personal injury and workers' compensation, insurance law, and estate planning

Knaak & Associates, P.A., Vadnais Heights, MN
Of Counsel

(June 2002 - Present)

- Cover city prosecution, council meetings, and associate on municipal client files

Schroeder & Mandel, P.A., Minneapolis, MN
Contract Attorney

(December 1999 - May 2000)

- Write and prepare settlement demands
- Contact clients regarding settlement issues
- Review medical records and write medical summaries

Of Counsel

(February 2009 - Present)

- Associate on workers' compensation files

Thomas W. Krauel & Assoc., White Bear Lake, MN
Law Clerk

(March 1997 - December 1999)

- Write and prepare settlement demands for presentation to insurers
- Draft pleadings, motions, memorandum and appellate briefs
- Assist with trial proceedings

Of Counsel

(December 1999 - Present)

- Associate on personal injury and workers' compensation files

Federal Public Defender's Office, Minneapolis, MN

Law Clerk

(May 1997 - October 1997)

- Wrote appeals to Federal District Court, 8th Circuit, and U.S. Supreme Court
- Performed legal research on Westlaw and hardcover
- Assisted and observed trial proceedings

Ramsey County Public Defender's Office, Maplewood, MN

Certified Student Attorney - Minnesota Justice Foundation Volunteer

(September 1996 - May 1997)

- Interviewed and represented defendants at arraignment
- Represented defendants at omnibus hearings
- Performed legal research and background investigations on clients

Legal Assistance of Washington County, Stillwater, MN

Law Clerk - Minnesota Justice Foundation Volunteer

(May 1996 - September 1996)

- Performed legal research
- Wrote pleadings and judgment decrees for marriage dissolutions
- Assisted with client intake

University Affiliated Family Physicians, Saint Paul, MN

Medical Records Representative

(September 1994 - September 1995)

- Wrote clinic policy manual for medical records department
- Supervised coding and filing departments
- Maintained and updated over 10,000 patient records
- Arranged for records to be transferred to other clinics
- Responded to request for release of patient records

Hennepin County Medical Center, Minneapolis, MN

Medical Records Clerk

(April 1994 - September 1994)

- Planned and implemented delivery of patient records to in-house clinics
- Updated records and correspondence

Cardiac Pacemakers, Inc., Arden Hills, MN

Library Assistant and Customer Service Representative/ Contract

Employee

(September 1992 - April 1994)

- Performed literature searches for physicians, sales representatives & engineers
- Processed orders, entered orders and arranged for shipments

Freelance Correspondent, Saint Paul, MN

Correspondent for community newspapers

St. Croix Valley Press, White Bear Press, The Monitor, and The Voice
(May 1991 - September 1992)

- Covered city council meetings for three local communities
- Interviewed community members for articles
- Researched and wrote community interest articles
- Assisted with editing and layout of newspapers.

United Parcel Service, Minneapolis, MN

Delivery Driver

(February 1980 - September 1991)

- Dealt with customer concerns about shipping policies
- Provided delivery services to businesses and private residences

OTHER

Memberships, Community Service, Misc.

- Volunteer Attorney Legal Assistance of Washington County
- Chair of Fee Dispute Panel 19th District Bar Association
- Member of Minnesota State Bar Association, Ramsey County Bar Association, and 19th District Bar Association
- Member of Minnesota Association for Justice
- Former Chairman and Board Member, City of White Bear Lake Planning and Zoning Commission (2005 -2010)
- Former Member White Bear Lake Conservation District Board Member (2002 - 2005)
- Mentioned in Law & Politics "Who's Who", Summer 2009

CRAIG J. BEUNING, JD

cbeuning@klaw.us

PROFESSIONAL PROFILE

As summarily identified herein, my professional profile includes extensive hands-on experience in numerous fields of business development and venture capital procurement (both nationally and internationally) including, but not limited to, healthcare industry legal/regulatory compliance, complex business litigation, contract negotiations and drafting, land acquisition and human resources.

WORK HISTORY

Holstad & Knaak, P.L.C.

- Conducted litigation under the supervision of Mr. Knaak and Mr. Holstad including, but not limited to, contract disputes, criminal prosecution, business law, real estate law, insurance litigation and municipal land-use projects. Acquired National Title Insurance licensing for entities seeking to conduct title insurance business in multiple states.

Beuning Consulting

- Financial consulting and venture capital procurement for entities and/or individuals involved in the fields of healthcare, clean energy, land acquisition and development, “green” building products and various IT/Wi-Fi based endeavors.

Green Deconstruction of the United States

- Company owner who worked with MS and LA state officials to implement a business model in which dilapidated housing in Mississippi and Louisiana was de-constructed by utilizing state-of-the-art technology to create an 80% landfill reduction by re-use of reclaimed materials.

ProTech Records

- Company owner in charge of, among other things, regulatory compliance and oversight with newly enacted Hipaa/Hitech laws and pending healthcare legislation (Affordable Care Act) at its infancy enactment stages in 2010

Rankin County School District, Brandon, MS

- Engaged as a substitute teacher for the Rankin County School District. I teach and have taught nearly every high school subject area and have successfully completed all Praxis Teaching Exams necessary for licensure with a concentration in business.

EDUCATION

Hamline University, Bachelor of Arts

Hamline University School of Law, Deans List, Juris Doctor, 2000

BRYCE MARTIN HOLSTAD

115 Linden St. E ♦ Stillwater, MN 55082 ♦ 651-398-0162 ♦ holstad1@msu.edu

PROFESSIONAL PROFILE

Innovative, analytical and results-driven Staff Attorney & Legal Advocate with over five years of proven experience in project management, legal analysis, research, compliance and negotiation and ten years of real estate title examination experience. Leverages documented expertise in cross-functionality, bolstering performance among staff and providing essential legal expertise. Cultivates excellence among workforce, providing exceptional public policy advice and assisting with practice recommendations. Collaborates and communicates on essential legal topics, devising effective methodologies for court presentation. Demonstrates unparalleled dedication to client interests through representation in legal and title proceedings.

AREAS OF EXPERTISE

- ♦ Specialized Knowledge
- ♦ Critical Thinking
- ♦ Client Interviewing
- ♦ Training & Mentoring
- ♦ Profit & Loss Analysis
- ♦ Legal Research & Writing
- ♦ Negotiation & Consulting
- ♦ Business Administration
- ♦ Project Management
- ♦ Strategic Planning
- ♦ Community Networking
- ♦ Trial & Litigation Experience

PROFESSIONAL EXPERIENCE

HKB LAW, P.A.

WHITE BEAR LAKE, MN

JULY 2020 – PRESENT

Attorney

- ♦ Demonstrated continued commitment to representation of low-income individuals continuing experience at Iowa Legal Aid in Landlord/Tenant disputes. Perform client intake conferences and conduct appropriate referrals to community agencies as necessary. Coordinate with firm attorneys to facilitate delivery of wide range of legal services. Established trust and rapport with clients.
- ♦ Assessed legal needs of clients and determined best methods to promote legal positioning in real estate, trust, estate and litigation. Coordinated cases with managing attorney and collaborated on cases with other attorneys. Negotiated ethical and beneficial solutions to legal matters.
- ♦ Develop strategy, arguments and testimony to present cases in court and other forums. Perform complex legal research on topics of constitutional law, real estate litigation and family matters. Prepare memorandums, briefs and documentation for court consideration. Maintain broad knowledge of changes in legislation and state statutes.

ARDEN TITLE, LLC

VADNAIS HEIGHTS, MN

2015 – PRESENT

Chief Council

- ♦ Examined and issued title insurance, quiet titles and probate procedures. Reviewed commitment requirements to properly convey title. Increased revenue from \$700K to \$3M in one year. Developed marketing strategy to maximize file intake volume and complex file acquisition. Established remote closing office in the Twin Cities area serving Minnesota, Wisconsin, Iowa and Michigan area. Reviewed work quality and performance, inserting

Bryce Martin Holstad

Résumé ♦ Page Two

PROFESSIONAL EXPERIENCE (Continued)

corrections as necessary to ensure adherence to customer requests, company procedures, regulatory compliance and accuracy.

- ◆ Resolved customer complaints by expediting orders and explaining procedures and legal compliance. Acted as consumer complaint manager by interacting directly with customers.
- ◆ Established new web system by customizing software, ensuring adherence to business directives. Crafted an automatic reporting system, displaying file deadlines and process completion. Researched case management systems to facilitate relationships with development companies and underwriters.
- ◆ Developed and implemented company operations policy. Participated in business development and community customer relations activities and seminars. Collaborated with a network of individual closers and conducted corporate and staff meetings. Nominated as Young Title Professional of the Year by Missouri Land Association.

IOWA LEGAL AID

MASON CITY, IA

2019 – JULY 2020

Staff Attorney

- ◆ Demonstrated commitment to representation of low-income individuals. Performed client intake conferences and conducted appropriate referrals to community agencies as necessary. Coordinated with private attorneys to facilitate delivery of wide range of legal services. Established trust and rapport with clients.
- ◆ Assessed legal needs of clients and determined best methods to promote client safety and stability. Communicated appropriate legal advice to clients. Provided civil legal representation to eligible clients consistent with professional standards and procedures. Coordinated cases with managing attorney and collaborated on cases with other staff attorneys. Negotiated ethical and beneficial solutions to legal matters.
- ◆ Developed strategy, arguments and testimony to present cases in court and other forums. Participated in client outreach and community networking events. Performed complex legal research on topics of tax, divorce, custody, benefits and evictions. Prepared memorandums, briefs and documentation for court consideration. Maintained broad knowledge of changes in legislation and state statutes.
- ◆ Maintained accurate records in case management system and performed administrative tasks. Participated in staff meetings and traveled to attend additional training seminars. Selected by senior management for recognition as tax advocate after participating in daily training on IRS client representation and tax law research.

LICENSES

Law Licenses

State of Minnesota

State of Iowa

Resident Title Producers License

Minnesota

Bryce Martin Holstad

Résumé ■ Page Three

Professional Experience (continued)

EDUCATION & ADDITIONAL TRAINING

Juris Doctor, *Cum Laude*

Great Lakes First Amendment Legal Clinic, Jurisprudence Award in Constitutional Law, Dean's List
Michigan State University College of Law, East Lansing, MI

Bachelor of Science in Political Science, Law & Government & Applied Business

University of Minnesota, Minneapolis, MN

**Consumer Debt Disputes, Difficult Clients, Public Assistance & Benefits, Landlord Tenant, Exonerations,
Divorce, Custody, & Protective Order Training**

Iowa Legal Aid

AFFILIATIONS

Member

Cerro Gordo County Bar Association, Minnesota State Bar Association & Iowa State Bar Association

Managing Member

Holstad Farms, LLC

Education Committee Member

American Land Title Association

651-398-0162 • holstad1@msu.edu

BethAnn M. Hanson

1833 100th Street
New Richmond, WI 54017
(612) 242-0214
AlphaBN1@hotmail.com

Experience

Paralegal/Office Manager – City Attorney’s Office, General Practice 05/2017 to Present
Holstad & Knaak, PLC – St. Paul, MN

- Answer and direct incoming telephone inquiries, e-mails;
- Responsible for and draft initial court filings and case management;
- Draft correspondence, discovery, pleadings;
- Monitor case status and proactively prepare for upcoming court dates;
- Initiate and maintain client contact for all matters;
- Maintain and manage court calendar;
- Manage and oversee all criminal proceedings for various cities; track and maintain criminal files; correspondence with court and deputies; request and review criminal records; prepare subpoenas; trial preparation;
- Prepare and present research; maintain filing; billing; miscellaneous office duties.

Paralegal/Office Manager – Criminal Defense, Personal Injury 11/2015 to 05/2017
Sand Law, LLC – St. Paul, MN

- Answer and direct incoming telephone inquiries, e-mails;
- Responsible for and draft initial court filings and case management;
- Draft correspondence, discovery, pleadings;
- Monitor case status and proactively prepare for upcoming court dates;
- Maintain client contact, provide case status updates to clients, follow up with clients to obtain documents necessary for future court dates;
- Manage calendars;
- Implement online postage system and office supply accounts;
- Update and maintain all filing systems;
- Miscellaneous office duties including scanning, e-filing, copying.

Paralegal/Office Manager – General Practice 06/2015 to 11/2015
Carl Ranum, Esq. – Stillwater, MN

- Answer and direct incoming telephone inquiries, e-mails;
- Responsible for and draft initial court filings and case management;
- Draft correspondence, discovery, pleadings;
- Accounts Receivable/Accounts Payable;
- Oversee and manage all areas of solo practitioner.

Paralegal – Family Law, Estate Planning, Foreclosure 11/2012 to 6/2013
Heywood, Cari & Anderson, S.C. – Hudson, WI

- Draft correspondence, discovery, pleadings, financial disclosure statements;
- Monitor case status and proactively prepare for upcoming court dates;
- Schedule and prepare for depositions, trial prep, pretrial submissions;
- Correspond with clients regarding changes, status, preparation for hearings;
- Draft and revise estate planning documents; witness;

Paralegal/Billing Manager – Family Law

08/2011 to 11/2012

Huson Law Firm, PLLC – Maplewood, MN

- Initiate new client contact, open new files in both billing and database;
- Prepare correspondence, discovery, pleadings as case progresses and initial case filings;
- Rectify previous billing system problems and maintain proper billing procedures;
- Track and clarify previous trust fund issues, maintain trust account, prepare monthly billing statements;
- Extensive client contact via e-mail and telephone to aid in the process of cases;
- Coordinate meetings, CLE information, filing information, deadlines;
- Review medical records and prepare medical summaries for expert review;
- Manage case files, deadlines, court filing, trial preparation, depositions;
- Maintain office supplies and bank deposits.

Legal Assistant – Workers' Compensation and Personal Injury

09/2010 to 08/2011

Thill Law Firm, P.A. – St. Louis Park, MN (*temporary position*)

- Review workers' compensation files, determine status of case and advise attorney of where matter is at and either perform next step or request how to proceed;
- Organize existing files and implement new process of organization for new files;
- Initial file work-up, including sending out client questionnaires and initial contact with DOLI, medical providers, Workers' Compensation Division and employers;
- Perform review of workers' compensation claim and summarize same;
- Review medical records and prepare medical summaries for furtherance of claim;
- Initiate and maintain client contact for status of ongoing treatment and providers; obtain authorizations to obtain records or same;
- Follow-up with insurance providers regarding wage loss checks;
- Manage files and perform customary/standard process follow-up;
- Draft general correspondence, memoranda, discovery; answer discovery and serve and file same;

Other Experience

I have been employed in the legal field since 1987. I have worked as a word processor, a legal secretary, a legal assistant, and a paralegal. I have experience in corporate, family, real estate, transactional, insurance defense, estate planning, banking, employment law, personal injury, immigration, and litigation areas of law. I am proficient with all office equipment, Microsoft Office, TABS, Clio, RingCentral, PC DOCS), Time Matters, Excel, ECF Filing, transcription machines, facsimile machines, telephones and scanning. I am familiar with court filing procedures and all related items thereto. I type at approximately 110 wpm and am extremely diligent in my work. I believe in working together as a team towards a shared goal, and am extremely skilled in soliciting important information and utilizing the same to be successful in my work. I enjoy my career, and it is reflected both in my work product and how I conduct myself while performing the same.

Education

Inver Hills Community College – Inver Grove Heights, MN (1987)

Legal Secretarial Science Program – Legal Secretary Certificate

[REDACTED]

Holstad & Knaak, PLC
4501 Allendale Drive
St. Paul, MN 55127
651- 490-9078

February 27, 2017

[REDACTED]

STATEMENT OF SERVICES RENDERED

Monthly Fee for General Legal Services

Flat Fee of [REDACTED] + Costs

<u>Date</u>	<u>Civil</u>	<u>Time</u>
1-30-17	Telephone conference with staff, review correspondence, research	1.50
2-2-17	Prepare for and attend City Council meeting	5.00
2-6-17	Telephone conferences, research	1.00
2-10-17	Review miscellaneous correspondence, research	1.75
2-13-17	Miscellaneous correspondence review and research	1.25
2-16-17	Prepare for and attend City Council Meeting, miscellaneous research	5.75
2-17-17	Miscellaneous correspondence review and research	1.00
2-20-17	Miscellaneous file review	1.00
2-23-17	Research, draft ordinance	1.50
2-24-17	Correspondence review, research	<u>1.00</u>
	HOURS	20.75

<u>Date</u>	<u>Criminal</u>	<u>Time</u>
1-26-17	Prepare for and attend omnibus/court trial calendar	2.50
1-31-17	Review for upcoming prosecution calendar	.75
2-1-17	Attend pretrials and arraignments	4.00
2-8-17	Attend pretrials and arraignments	4.00
2-9-17	Prepare for and attend omnibus/court trial calendar	3.00
2-15-17	Attend pretrials and arraignments	4.00
2-22-17	Prepare for and attend pretrials	2.50
2-23-17	Prepare for and attend omnibus hearings	<u>2.00</u>
	HOURS	22.75

Paralegal:

Review court notices, emails, requests for records and respond to same, correspondence to court, State Patrol, Washington County Sheriff's Department and defense attorneys regarding reports, files and court appearances; telephone conferences with victims, witnesses, defendants, draft complaints, compile records, reports and draft new case file sheet for court, miscellaneous correspondence, research regarding complaints, discuss prosecution files with attorney Knaak, review files in MNCIS and update files regarding same, prepare files for prosecutor, record dispositions, review reports, and draft complaints, investigation and jury trial preparation for jury trials, miscellaneous paralegal duties, etc.

Criminal 27.00

Assist with various civil files, correspondence, documents, ordinance matters, research, miscellaneous, personnel issues and drafting documents, correspondence and telephone conferences regarding same, miscellaneous civil matters

Civil 10.00

PARALEGAL HOURS: 37.00

COSTS: \$0 SUMMARY

TOTAL HOURS: Civil: 30.75 hrs. (attorney and paralegal hours)
Criminal 49.75 hrs. (attorney and paralegal hours)
Litigation 0
Total hours: 80.50
Monthly amount \$ [REDACTED]
Costs \$ 0
TOTAL \$ [REDACTED]

I certify this bill is accurate and correct.

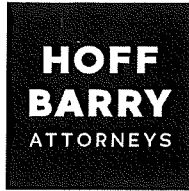
s/s Frederic W. Knaak

Frederic W. Knaak
Attorney at Law

PLEASE MAKE YOUR CHECK PAYABLE TO: *HOLSTAD & KNAAK, PLC*

THANK YOU!

Received 7-6-21 AL



Interview @ 8:25pm
confirm sent 8.12.2021

Sarah Schwarzhoff | Of Counsel | 952.746.2713 | sswarzhoff@hoffbarry.com

July 1, 2021

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

RE: City of Ramsey's Request For Proposals For City Attorney Legal Services

Dear Ms. Lasher:

Please find enclosed nine paper copies of Hoff Barry, P.A.'s proposal to provide legal services for the City of Ramsey. In submitting this proposal, we commit to perform the work as requested and declare that this proposal is an irrevocable offer open for 90 days. We are fully capable of performing the scope of legal services requested by the City and have extensive experience representing municipal clients. We work to develop positive open communications with city staff and officials to facilitate good working relationships and to respond to the city's concerns in a timely fashion. We have found that when the relationship between city staff and city officials is dynamic and trusting, ultimately, the city council and city's residents are the beneficiaries. Our office strives to return all client communication within the same business day it is received. We are aware that our clients often have deadlines for meetings and we seek to ensure that our responses occur in a timely fashion that allows the city to meet those deadlines. We utilize the best qualities of each member of the firm to solve our municipal clients' legal needs.

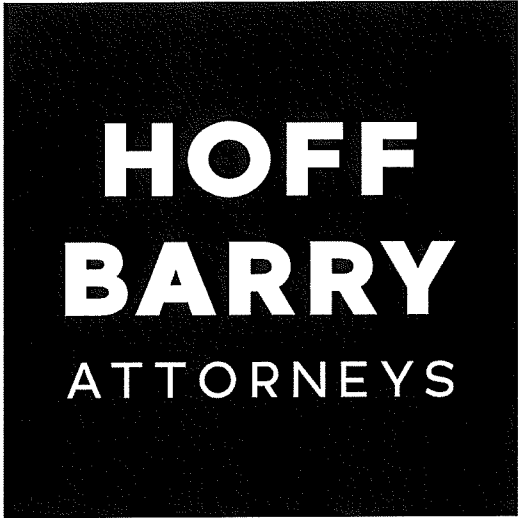
We focus on remaining current on legal issues that affect cities to ensure that our clients can take timely action on new and emerging issues. We continually keep up-to-date on all areas of municipal law by attending and presenting at relevant continuing legal education seminars. We often deal with issues for one client that are relevant to our other clients. We bring those issues and our experience to the attention of all of our clients.

Thank you for the opportunity to submit this response to your Request for Proposals.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Schwarzhoff", written over a horizontal line.

Sarah Schwarzhoff
HOFF BARRY, P.A.
Enclosure



**RESPONSE TO CITY OF RAMSEY'S REQUEST FOR
PROPOSALS FOR CITY ATTORNEY LEGAL SERVICES**

July 1, 2021

Submitted By:

HOFF BARRY, P.A.
100 Prairie Center Drive, Suite 200
Eden Prairie, MN 55344
(952) 746-2700

Contact Person/Lead Attorney

Sarah E. Schwarzhoff
Direct: (952) 746-2713
E-mail: sschwarzhoff@hoffbarry.com

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A. FIRM BACKGROUND

Introduction/History

Hoff Barry, P.A. (the “Firm” or “Hoff Barry”) submits this proposal (“Proposal”) in response to the City of Ramsey’s (“City”) Request for Proposals for Professional Legal Services (“RFP”) in the area of municipal representation.

Hoff Barry concentrates its practice in the area of municipal law and attorneys in the Firm have extensive experience in both municipal representation and municipal litigation defense. Approximately 90 percent of the Firm’s billable hours are devoted to representing public sector clients. We have been named among “*Best Law Firms*” from 2012 through the present by *U.S. News & World Report* and “*Best Lawyers*” in the areas of Municipal Law and Municipal Litigation. These accolades signify both the depth of our experience and quality of representation we provide to our clients.

Approach to Representation and Timeliness

The primary goal of our municipal representation is to provide timely and legally sound advice to the City. In addition to assisting the City in making reasonable decisions on a routine basis, when necessary, we want City staff and Council to feel prepared to make difficult ones.

To provide prompt and effective municipal representation, we work collaboratively with City staff to identify the City’s objectives and time frame for the completion of projects. In order to accomplish that goal, we seek to develop relationships with City staff and engage as counselors. We strive to create positive open communication with City staff and officials. In other words, City staff should feel as if we are just down the hall. As a result, we are able to help identify and prioritize alternative approaches to issues and engage in a creative problem-solving process.

Part of developing trust and rapport with our city clients is simply being there. We take pride in prompt response times. If our attorneys receive a voicemail or e-mail, they typically respond within hours. Additionally, we work with City staff to develop appropriate expectations with respect to long-term projects and meet those agreed upon parameters. The Firm will typically provide updates on current projects and litigation matters by having continual contact with City staff and the City Council. In our experience, very few projects are outstanding for a period of time longer than a month. However, a monthly reporting system can be established after discussions regarding the City’s desires and needs.

In addition to establishing an effective working relationship with City staff, the significant number of local governments that Hoff Barry represents provides the Firm with a broad knowledge of current issues and topics that affect cities. The Firm represents a variety of cities, small and large, rural and urban. This diversity of experiences as it relates to municipal development and local priorities enables our attorneys to harness a wealth of internal perspectives as we address questions or problems that arise for our clients. The Firm’s team approach is an integral part of our practice that allows our client cities to reap the benefits of the skills and experiences of all our attorneys.

Office, Attorneys, Support Personnel

Hoff Barry is located at 100 Prairie Center Drive, Suite 200, Eden Prairie, Minnesota 55344. Telephone: (952) 746-2700. Facsimile: (952) 941-7968. The Firm’s website address is www.hoffbarry.com.

There are a total of 6 attorneys associated with the Firm:

Sarah E. Schwarzhoff, Of Counsel
Shelley M. Ryan, Partner
Justin L. Templin, Partner
Scott B. Landsman, Partner
George C. Hoff, Of Counsel
Thomas G. Barry, Jr., Of Counsel

The Firm employs a paralegal and an office manager:

Sarah Reinhart, Litigation and General Municipal Support Paralegal
Nancy Raley, Office Manager

Attorneys in the Firm are involved in the planning committee for the Minnesota Association of City Attorneys Conference and regularly present at both the annual conference and at other Continuing Legal Education programs sponsored by the League of Minnesota Cities. Our Firm's involvement and relationship with other practitioners assists in remaining current on all legal developments that affect cities and evaluating responses to legal issues facing cities.

The Firm has extensive experience in working with cities as city attorney and defense counsel. The Firm works in a collegial, team-centered environment. From time to time, the unique perspective or knowledge of all our attorneys may be utilized on behalf of a client.

Client Conflict

We do not presently represent, nor have we represented, clients who have been involved in, or benefited from, litigation with the City, or who are involved in development within the City. Further, we do not anticipate any conflicts between representing the City and our other municipal clients.

Real Estate Developers

We do not represent any real estate developers.

Jurisdiction

We do not represent any local units of government having jurisdiction within or contiguous to the City of Ramsey.

Conflict Checks

Prior to accepting retention of new matters and clients, the Firm conducts an electronic search of open and closed files for any matters that may present a conflict of interest. Additionally, all Firm attorneys meet on a regular basis to discuss and keep the Firm apprised of matters and clients currently represented.

Technology/Legal Research

Hoff Barry has complete online access to all federal and state statutes, cases, rules, and regulations allowing us to do necessary legal research from our office. Our utilization of online research and email allows the Firm to streamline legal services and provide cost savings to our clients. Our

attorneys and paralegals routinely interact with clients via e-mail and are able to share documents through e-mail, Dropbox, or ShareFile. Attorneys and paralegals use Microsoft Word for document drafting and editing as well as Adobe.

Ethics Complaints

In 2021 a complaint for prosecutorial misconduct was filed against Sarah Schwarzhoff. Ms. Schwarzhoff was not the prosecutor for the city in question and the Minnesota Board of Professional Responsibility dismissed the complaint without investigation, determining that prosecutorial misconduct did not occur. No other ethics complaints have been filed against the Firm or its attorneys in the last five years.

B. MUNICIPAL LEGAL SERVICES AND RESPONSIBILITIES

The Firm prides itself in providing timely and effective representation to its municipal clients. Our nationally recognized firm will provide the following legal services:

Ordinances and Resolutions. We have wide-ranging experience in drafting and reviewing ordinances and resolutions. We work with staff and the Council to ensure resolutions and ordinances reflect the objectives of the city and its residents.

Zoning and Subdivision. We have extensive experience with zoning and subdivision regulations from drafting codes to enforcing compliance. We regularly work with staff to interpret code and statute provisions in specific situations. We draft relevant documents including conditional and interim use permits, variance approvals or denials, and agreements with residents and applicants. We negotiate with developers and draft development agreements and PUD agreements which are recorded against the property to ensure future compliance.

Review of Council Agenda Items and Minutes. We regularly review the agenda items and minutes for our clients. We find that reviewing agenda items before the meetings allows us to identify any concerns and address those concerns prior to consideration by the Council.

Bidding and Contracts. We work with our clients on the purchasing and contracting process to ensure compliance with State statute. We assist in the drafting of requests for bid/proposals to guarantee that all information the city needs to make an informed decision is provided. We have a great deal of experience in drafting, reviewing and negotiating contracts. We review and revise contracts to ensure that the city is protected, and we negotiate with third parties to reach mutually agreeable solutions. We have drafted and negotiated numerous agreements for our clients including service and equipment contracts with private parties, Joint Powers Agreements with local cities and counties, and cooperative agreements with other parties such as the Shakopee Mdewakanton Sioux Community.

Meetings and Phone Conferences with Council, Manager and Staff. As described above, our municipal representation relies heavily on our relationship with the City Manager and staff. Our availability and close relationship ensures we are familiar with city operations and can often address issues before they arise.

Code Enforcement. We regularly advise our clients on drafting, updating and enforcement of the city code. We work with staff to ensure that the code reflects the views of the city and its residents. We focus on clarity and procedure to ensure that enforcement can be timely and cost effective. We have worked informally with residents to ensure code compliance but have also pursued litigation when necessary. We have experience with regulation relating to emerging and longstanding issues such as short-term rentals, right-of-way management, food trucks, digital signs and public nuisances.

Real Estate and Condemnation. We have extensive experience in real estate legal services, including drafting title and plat opinions, drafting and negotiating complex purchase agreements and real estate documents, and providing consultation and direction on a variety of municipal real estate issues and transactions. Further, we have experience in negotiation, preparation and acquisition of

easements for street, utility and other public purposes, and initiation and prosecution of eminent domain proceedings.

Public Projects. We provide legal consultation and direction on issues relating to public improvement projects. In Minn. Stat. Chap. 429 proceedings, we assist staff in drafting resolutions and special assessment agreements and recommending appraisers. We review the notices and process to ensure that requirements of the statute are met. In negotiating the resolution of assessment appeals, we maintain the city's position, ensuring that the city has not compromised itself for future assessment projects. If necessary, we represent cities in assessment appeals.

Legal Updates. We frequently provide our clients with updates related to legislation and court opinions. Our extensive municipal clientele means that we often have firsthand information on arising issues. We also attend regular updates sponsored by entities such as the League of Minnesota Cities to ensure we can keep our clients update on new legal matters.

Municipal Financing. We have assisted in negotiating and drafting TIF agreements. We have litigated lawsuits over TIF and taxing authority issues. We are familiar with and have worked with federal grants administered through USDA and state grants through DEED and MPCA on municipal projects.

Municipal Litigation. We regularly represent cities throughout Minnesota as defense counsel appointed through the League of Minnesota Cities Insurance Trust and as special counsel. We have handled a wide variety of cases, including but not limited to: land use litigation and development issues, including constitutional, Religious Land Use and Institutionalized Persons Act and historic preservation claims; zoning and licensing disputes; construction claims; contract claims; TIF claims; alleged open meeting law violations; public bidding; and other disputes questioning municipal authority. In addition to trial work at the district court level, we are experienced in appellate work and have argued over 90 cases in the Minnesota Court of Appeals, Minnesota Supreme Court and the federal Eighth Circuit Court of Appeals. We have handled over 400 civil litigation cases for the League of Minnesota Cities Insurance Trust in both State and Federal courts. In addition, we have been hired as special counsel by a number of cities where conflict situations exist in a variety of areas, including development and personnel. Our extensive litigation experience provides us with a unique ability to recognize potential liability and provide advice for our clients.

Personnel. We regularly work on personnel matters for our clients from hiring and updating personnel policies to discipline and termination. We have represented our clients in veterans' preference hearings and grievance hearings and we have negotiated and drafted settlement agreements for departing employees. We have been involved in labor negotiations and disputes including meetings, hearings, mediations, arbitrations and litigation.

Data Practices and Open Meeting. We have extensive experience in data practices and open meeting issues. We regularly review data practices requests and work with staff to provide appropriate and timely responses. We have drafted and updated data practices policies to ensure compliance with the ever-changing regulations. We also work with staff to reduce the costs of data requests by ensuring that the requests are appropriately narrowed and if necessary by providing a

phased response or requiring prepayment from the requestor. We also provide regular advice regarding the application of the open meeting law.

Comprehensive Plan and Metropolitan Council. With several clients in the metropolitan area we regularly work with the Metropolitan Council in connection with comprehensive plans, grant funding, sanitary sewer operations and transportation.

Federal and State Law. We regularly work with our clients to ensure that their practices comply with Federal and State law as well as with any existing City Code or City policy. Ensuring our clients are in compliance with existing applicable law is essential.

Annexation. We have worked with our clients to negotiate and enter into orderly annexation agreements. We have worked with the Office of Administrative Hearings relating to orderly annexation agreements, annexation by ordinance and contested cases. We have represented our clients in both contested cases and orderly annexation matters.

C. ATTORNEY QUALIFICATIONS

Sarah E. Schwarzhoff will serve as the Lead Attorney for the City with Justin L. Templin serving as secondary. Ms. Schwarzhoff will be responsible for undertaking the responsibilities detailed in this Proposal with Mr. Templin and other attorneys at the Firm providing assistance only as needed. Ms. Schwarzhoff will attend all City Council meetings and committee meetings as requested by the City Manager. We pride ourselves on our ability to treat all of our clients as our priority. With four full time attorneys with extensive experience in municipal law we are able to ensure excellent and timely responses on all City matters. If Ms. Schwarzhoff is ever unable to respond to a City concern in a timely manner, one of the other expert attorneys is always available to address the matter.

SARAH E. SCHWARZHOFF

sschwarzhoff@hoffbarry.com

- a. B.A., *magna cum laude*, Drake University, 2005; J.D., *magna cum laude*, University of Minnesota, 2008.
- b. Sarah Schwarzhoff joined the Firm, as of counsel, in 2018 after several years of practice at another highly ranked municipal law firm. Ms. Schwarzhoff has focused on municipal law since 2008 and has developed extensive experience. She has worked with clients on numerous land use, eminent domain and real estate issues. Ms. Schwarzhoff is the City Attorney for the City of Prior Lake and represents Delano Municipal Utilities and Dresbach Township. In her representation of Prior Lake, she has advised the City during its establishment of Technology Village, a business incubator, and worked with the City on an extensive review of the City's ordinances and bylaws. She has drafted numerous development agreements, planned unit development agreements and assessment agreements. She has worked on all manner of municipal contracts including energy contracts under Minn. Stat. §471.345 and cooperative agreements and grants involving cities, counties, the State and the Shakopee Mdewakanton Sioux Community. She has worked extensively with the Data Practices Act and Open Meeting Law, advising clients on general compliance and on solutions for specific issues. She has also worked with various clients to draft and review new and updated ordinances and resolutions. Ms. Schwarzhoff has worked with several of her clients on personnel and labor relations matters. Ms. Schwarzhoff also has experience working in annexation and detachment issues, road establishment, protection and vacation, and municipal contracting.
- c. Ms. Schwarzhoff is admitted to the Minnesota Bar.
- d. Ms. Schwarzhoff will serve as lead attorney.

Ms. Schwarzhoff will be assisted by the other attorneys at the Firm. A brief description of their qualifications and experiences follows:

JUSTIN L. TEMPLIN

jtemplin@hoffbarry.com

- a. B.A., Phi Beta Kappa, University of Minnesota, 1996; J.D., *cum laude*, University of Minnesota, 2000.
- b. Justin Templin joined the Firm in 2002. Mr. Templin's practice includes representing Minnesota cities, both in the metropolitan area and statewide, in the litigation and dispute resolution of complex land use and constitutional matters. Mr. Templin is the City Attorney for the City of Maple Grove, and advises City staff and officials on a range of matters including contracts, data practices, ordinance interpretation and enforcement, and land use and zoning issues. He has managed large procurement projects on behalf of City governments, and has significant experience in negotiating contracts. In addition to public sector representation, Mr. Templin has represented private entities and individuals in a variety of business matters, including drafting and revising operating agreements, employment matters, asset sales and acquisitions, and reorganizations.
- c. Mr. Templin is admitted to the Minnesota State Bar, the U.S. District Court for the District of Minnesota, and the U.S. Court of Appeals for the 8th Circuit.
- d. Mr. Templin will provide advice on data practices issues, general legal services, and general litigation support.

SHELLEY M. RYAN

sryan@hoffbarry.com

- a. B.S., University of Minnesota, 1999; J.D., *magna cum laude*, Hamline University School of Law, 2005.
- b. Mrs. Ryan currently serves as the City Attorney for the City of Circle Pines ("Circle Pines") and has served in that capacity since approximately June 2015. In her role with Circle Pines, Mrs. Ryan advises the City on general municipal law matters, including, but not limited to, data practices, municipal contracting law, the Open Meeting Law, development agreements, code enforcement (nuisance and zoning violations), hazardous building removal, and employment issues. Mrs. Ryan also serves as an assistant City Attorney for the City of Maple Grove ("Maple Grove"). In that role, Mrs. Ryan advises staff on issues relating to municipal contracting and code enforcement. Mrs. Ryan has extensive experience in working with property owners and license holders to ensure compliance with city code provisions, including, when necessary, representing Circle Pines and Maple Grove in legal proceedings to compel compliance.

- c. Mrs. Ryan is admitted to the Minnesota State Bar, the U.S. District Court for the District of Minnesota and the U.S. Court of Appeals for the 8th Circuit.
- d. Mrs. Ryan will provide advice on code enforcement, general legal services, and general litigation support as needed.

SCOTT B. LANDSMAN
slandsman@hoffbarry.com

- a. B.A., University of Minnesota-Duluth, 1994; J.D.; Hamline University School of Law, 1998.
- b. Scott Landsman has been with the Firm since 1999. He is extensively involved in the general municipal representation, real estate and improvement projects by, among other things, handling real estate transactions, negotiating and drafting developer's agreements and planned unit development agreements, attending city meetings, ordinance and code enforcement and drafting, negotiating and drafting municipal contracts, advice and assistance to representative cities in the bidding process, TIF financing, eminent domain, land use regulations, zoning and planning, and providing consultation and direction on a wide range of municipal issues. He has represented several municipalities as special counsel in the formation of joint powers entities and as development special counsel. Mr. Landsman is the current City Attorney for the cities of Maple Plain, Zumbro Falls, Hammond and Seaforth and the Board Attorney for the Joint Water Powers Board of St. Michael, Albertville and Hanover. He also serves as Assistant City Attorney for Maple Grove and Watertown, and Special Counsel for the cities of New Brighton, Waconia, Hamburg and Seaforth. Mr. Landsman has been recognized as an expert on shoreland regulation and land use, presenting frequently at continuing legal education seminars. Mr. Landsman is part of *The Law of the Great Outdoors Quick Answer Book*, published July, 2018 and August, 2020 by Minnesota CLE. He has been selected as one of Minnesota's "Rising Stars" in the legal profession as featured in the publication *Minnesota Law & Politics*.
- c. Mr. Landsman is admitted to the Minnesota State Bar, the U.S. District Court for the District of Minnesota and the U.S. Court of Appeals for the 8th Circuit.
- d. Mr. Landsman will provide advice on development issues, general legal services, and general litigation support as needed.

GEORGE C. HOFF

ghoff@hoffbarry.com

- a. B.A., University of Minnesota, 1970; J.D., *cum laude*, William Mitchell College of Law 1977.
- b. George Hoff has been with the Firm since 1977. Mr. Hoff has represented cities in Minnesota consistently since his entry into practice in 1977, as a city attorney, special counsel and defense counsel. Ninety-five percent of his current practice consists of municipal representation, including general representation and litigation involving cities and their elected officials. The remaining five percent of his practice is in the area of real estate and general civil litigation. Mr. Hoff has been involved in complex litigation for client cities and through the League of Minnesota Cities Insurance Trust since 1986, with a special emphasis on land use, redevelopment and civil rights claims. Further, Mr. Hoff has extensive experience in negotiating and drafting agreements related to development and redevelopment. Mr. Hoff is a frequent lecturer to municipal officials, and has lectured at Continuing Legal Education matters with respect to municipal issues. He was selected from 1994 through the present as one of the “Leading Lawyers” in Minnesota by the publication *Guidebook to Law and Leading Lawyers* and a “Super Lawyer” in the publication *Minnesota Law & Politics* since 2003 and was also selected in the Top 100 Lawyers in Minnesota from 2011 through 2013. From 2008 through the present he was selected for inclusion in *The Best Lawyers in America* in the specialty of Municipal Law. He has served as past President of the Minnesota City Attorney's Association. Mr. Hoff has extensive trial and appellate experience.
- c. Mr. Hoff is admitted to the Minnesota State Bar, the U.S. District Court for the District of Minnesota, the U.S. Court of Appeals for the 8th Circuit, and the United States Supreme Court.
- d. Mr. Hoff will provide support and advice on all matters affecting the City on as need basis.

SARAH R. REINHART

sreinhart@hoffbarry.com

- a. B.A., Criminal Justice, St. Cloud State University, St. Cloud, MN; M.S, Criminal Justice, St. Cloud State University, St. Cloud, MN.
- b. Ms. Reinhart is responsible for all paralegal duties at the firm, including overseeing day-to-day responsibilities for all of our litigation on behalf of municipalities. Ms. Reinhart performs legal and factual research to support our clients and is responsible for drafting and editing legal documents, including court pleadings, agreements, contracts, and legal memoranda.

D. FIRM'S CLIENTS

The Firm has not done any recent work for the City of Ramsey. Attorneys with the Firm currently serve as designated civil city attorney for the following governmental entities:

- City of Prior Lake (Sarah Schwarzhoff)
- City of Cannon Falls (Sarah Schwarzhoff)
- City of Circle Pines (Shelley Ryan)
- City of Maple Grove (Justin Templin)
- City of Maple Plain (Scott Landsman)
- City of Zumbro Falls (Scott Landsman)
- City of Hammond (Scott Landsman)
- City of Seaforth (Scott Landsman)
- Joint Water Powers Board of St. Michael, Albertville, and Hanover (Scott Landsman)
- Delano Municipal Utilities (Sarah Schwarzhoff)
- Dresbach Township (Sarah Schwarzhoff)

Attorneys with the Firm routinely represent the following governmental clients as special counsel:

- City of Minneapolis
- City of Elk River
- City of Orono
- City of St. Cloud
- City of Baxter
- City of Rochester
- City of Waconia
- City of LaPorte
- City of Hollandale
- City of Garrison
- City of Dayton
- City of New Brighton
- Lake Minnetonka Conservation District

Over the last two decades, attorneys with the Firm have represented hundreds of cities of various sizes throughout the state as litigation defense counsel through the League of Minnesota Cities Insurance Trust.

E. REFERENCES FOR SARAH SCHWARZHOFF AND HOFF BARRY

Neil Jensen
City Administrator
City of Cannon Falls
913 River Road
Cannon Falls, MN 55009
Telephone: (507) 263-9300
Email: njensen@cannonfallsmn.gov
Reference for: Sarah Schwarzhoff

Paul Twite
General Manager
Delano Municipal Utilities
11 Bridge Avenue West
PO Box 65
Delano, MN 55328
Phone: (763) 972-0557
Email: ptwite@delanomn.us
Reference for: Sarah Schwarzhoff

Kim Low
Town Clerk
Dresbach Township
46851 Riverview Drive
La Crescent, MN 55947
Phone: (608) 484-0700
Email: dresbachmn@gmail.com
Reference for: Sarah Schwarzhoff

Heidi Nelson
City Administrator
City of Maple Grove
12800 Arbor Lakes Parkway
P.O. Box 1180
Maple Grove, MN 55311
Telephone: (763) 494-6000
Email: hnelson@maplegrovern.gov
Reference for: Justin Templin and Hoff
Barry

Mark Rossow
Assist. Program Claims Manager
League of Minnesota Cities
145 University Avenue West
St. Paul, MN 55103
Telephone: (651) 281-1282
Email: mrossow@lmc.com
Reference for: Justin Templin and Hoff
Barry

F. FEES

General Legal Services

Hoff Barry proposes hourly fees as follows:

The fees for general legal services that are paid from the City's general fund are as follows:

- | | |
|--------------------------------|-------------------|
| 1. Partners/Of Counsel | \$165.00 per hour |
| 2. Associate Attorneys | \$155.00 per hour |
| 3. Paralegals | \$100.00 per hour |
| 4. Legal Assistants/Law Clerks | \$ 90.00 per hour |

The fees for litigation related matters that are paid from the City's general fund are as follows:

- | | |
|--------------------------------|-------------------|
| 1. Partners/Of Counsel | \$185.00 per hour |
| 2. Associate Attorneys | \$155.00 per hour |
| 3. Paralegals | \$100.00 per hour |
| 4. Legal Assistants/Law Clerks | \$ 90.00 per hour |

Legal matters that are reimbursed by a developer, other third-party or non-general fund are as follows:

- | | |
|--------------------------------|-------------------|
| 1. Partners/Of Counsel | \$240.00 per hour |
| 2. Associate Attorneys | \$225.00 per hour |
| 3. Paralegals | \$120.00 per hour |
| 4. Legal Assistants/Law Clerks | \$100.00 per hour |

The City will be billed at our cost for expenses such as postage, court filing fees, process server fees, courier or delivery charges, witness fees, document recording and closing fees, court reporter transcription fee, and off-site photocopies.

The Firm does not charge for on-site photocopying and access to Westlaw.

The fees for legal services will be billed at .25 hour increments.

Hoff Barry will send the City monthly billing statements for fees and costs incurred. The billing statements will indicate in detail the work completed, the matter number, the individual conducting the work, the amount of time spent, the hourly rate, and the total costs for the work.

G. INSURANCE COVERAGE

Malpractice Claims and Insurance Coverage

No malpractice claims have been filed against Hoff Barry or its attorneys in the last five years. The Firm's professional carrier is New York Marine and General Insurance Company. The insurance policy contains limits of liability of \$2,000,000 per claim and \$2,000,000 in the aggregate, which is consistent with maximum municipal tort liability under Minn. Stat. § 466.04.

Hoff Barry carries insurance with CNA Insurance. The Firm carries policies as follows: general liability insurance (\$2,000,000 per occurrence, \$4,000,000 aggregate); umbrella coverage (\$2,000,000 each incident, \$2,000,000 aggregate); commercial automobile (\$1,000,000 each incident); workers compensation (\$100,000 each accident). A copy of the Firm's insurance is available on request.

Interview @ 7:45p

PROPOSAL FOR LEGAL SERVICES

CITY OF RAMSEY

July 8, 2021



Contact: David T. Anderson

(612) 337-9274

danderson@kennedy-graven.com

kennedy-graven.com

Minneapolis 150 South Fifth Street | Suite 700 | Minneapolis, MN 55402
Saint Paul Infor Commons | 380 Saint Peter Street | Suite 750 | Saint Paul, MN 55102
St. Cloud 501 West St. Germain Street | Suite 304 | St. Cloud, MN 56301



July 8, 2021

Colleen Lasher
Administration Services Director
City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303

Re: Proposal for Civil Legal Services

Dear Ms. Lasher:

Thank you for the opportunity to present the City of Ramsey with a proposal for civil legal services.

Kennedy & Graven practices almost exclusively in local government law. We represent cities, townships, school districts, counties, and various other government entities throughout the State of Minnesota. The foundation of the firm's success rests on solid, long-term client relationships and the delivery of responsive, practical, and high-quality solutions to both common and unique problems.

Please feel free to contact me if you have any questions or if you would like any additional information about myself or the firm.

Thank you for your consideration.

Sincerely,

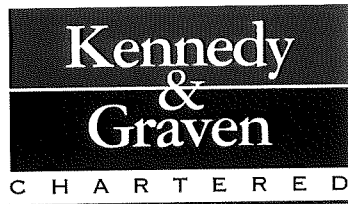
KENNEDY & GRAVEN, CHARTERED

/s/ David T. Anderson

David T. Anderson
Shareholder, Proposed City Attorney

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General & Special Counsel to Local Governments

THROUGHOUT MINNESOTA

ABOUT KENNEDY & GRAVEN

Kennedy & Graven is the largest law firm in Minnesota that practices primarily local government law. The firm was founded in 1973 with a practice in local government law, public finance, and development. In 1989, members of a leading local government law firm, LeFevre, Lefler, Kennedy, O'Brien & Drawz, P.A., joined the organization.

Kennedy & Graven provides cities, townships, school districts, and other local government units with comprehensive legal counsel, litigation representation, and public policy advocacy.

By use of a team approach, Kennedy & Graven is able to deliver services in a comprehensive and economical manner. We take maximum advantage of the unique knowledge and experience that our attorneys have in specific areas of local government law. Kennedy & Graven's representation of many local government entities often means that the firm has previously encountered an issue and can therefore respond quickly and efficiently.

The Kennedy & Graven team consists of numerous attorneys, paralegals, and support staff focused on local government law.

Kennedy & Graven practices in all major areas of local government law, including:

- General Counsel
- Employment and Labor
- Land Use
- Public Utilities
- Litigation
- Real Estate
- Eminent Domain
- Municipal Bonds
- Public Finance
- Economic Development and Redevelopment
- Construction



**Largest law firm
in Minnesota
serving primarily
local governments**



95%
of the firm's work
is related to local
government law



30+
ATTORNEYS
with diverse backgrounds
and areas of expertise
in local government law



The firm has provided
services for more than
300 Cities
200 Townships
100 Schools

FIRM BACKGROUND

History

Kennedy & Graven, Chartered, combines the tradition and history of two of the state's leading law firms in the fields of local government law, public finance, and development. The law firms of LeFevre, Lefler, Kennedy, O'Brien & Drawz, P.A., founded in 1958, and Holmes & Graven, Chartered, founded in 1973, combined their law practices in 1989 to form Kennedy & Graven. Since 1989, Kennedy & Graven has expanded and diversified its representation of public and private clients. The firm's practice continues to focus on local government law, public finance, litigation, labor and employment law, condemnation, education law and real estate.

General Qualifications

Kennedy & Graven, Chartered, is the largest law firm in Minnesota that focuses its practice almost exclusively on local government law.

Every attorney at the firm is experienced in general and specialized aspects of local government law. This experience includes the many common issues that cities face, such as ordinance drafting, complying with the Open Meeting Law and the Data Practices Act, planning and zoning implementation, real estate, administrative enforcement, public utilities, public finance, and more. This experience includes working with joint powers entities, planning commissions, charter commissions, economic development authorities, housing and redevelopment authorities, and other boards and committees.

The firm's representation of many local government entities often means that when a municipal client has a legal issue, an attorney at the firm has reviewed the same or similar issue previously for a different client and has the experience, knowledge, and information to respond quickly and efficiently.

Number of Attorneys

The firm has 36 attorneys and over 95% of the firm's work is local government law. There are 22 shareholders (partners), 13 associates, and one of-counsel attorney.

Please see **Exhibit A** for a list of our attorneys and the areas of law that they practice.

Expertise and Services

Kennedy & Graven provides legal services to local government entities in all major areas including the following:

- Local Government Operations and Management. Kennedy & Graven assists its clients in the full range of issues that arise in the operation of local governments from special assessments and contracting to data practices and election issues. Our role in assisting a local government includes both special one-time projects and making sure we are available as needed to advise on any day-to-day issues in a timely and efficient manner.
- Economic Development and Redevelopment. Kennedy & Graven serves as development counsel throughout Minnesota and has negotiated numerous development/redevelopment contracts and assisted in every aspect of such transactions, from real estate to environmental matters. Attorneys at

the firm have extensive experience in real estate development, which includes land acquisition, sale, leases, easements, options, subdivision, and zoning.

- Municipal Finance. Kennedy & Graven is one of the state's most active firms in public finance. As a nationally recognized bond counsel firm, Kennedy & Graven has acted as bond counsel for over 250 public entities in Minnesota. The firm and six of its attorneys are members of the National Association of Bond Lawyers and are listed in the Municipal Bond Attorneys of the United States section of "The Bond Buyer's Directory" ("Red Book"). Kennedy & Graven has a broad base of experience in connection with the issuance and sale of public debt, at the local, regional, and state levels. We have acted as bond counsel, underwriter's counsel, company counsel and issuer's counsel in the issuance of general obligation bonds, tax increment revenue bonds, industrial development bonds, and single family and multifamily housing bonds.
- Tax Increment Financing. We assist local units of government of all sizes navigate through the tax increment financing process. Attorneys with the firm have worked to create and administer every type of TIF district allowed under state law and have worked on some of the most complex TIF arrangements developed throughout the state.
- Real Estate. Our firm has a long history of handling real estate matters for public clients. The firm advises municipalities in the acquisition and development of land, sales of undeveloped and developed property, financing structures for real estate transactions, lease agreements, title review and resolution of title issues, subdivision of land, and common ownership communities. The firm is frequently retained to conduct title registration actions and actions to resolve adverse title claims.
- Public Contracting and Construction. Attorneys at Kennedy & Graven regularly advise our municipal clients on public contracting matters, including answering bidding questions, drafting, and revising construction contracts, and drafting and negotiating architect and engineer contracts. Examples of this work include negotiating the terms of the engineering contract and the terms of the construction contract for a \$30,000,000 wastewater treatment facility; negotiating the terms of a mechanical engineering contract for a major HVAC project; and counseling a municipal client through close-out of a park building construction project under threat of litigation.
- Code Enforcement. Our attorneys regularly assist local government clients on code enforcement matters, including drafting and revision of ordinances, enforcing public nuisance and housing maintenance provisions, and abating hazardous buildings.
- Eminent Domain. Kennedy & Graven handles both routine and complex condemnation proceedings, including public purpose challenges, quick-take challenges, severance claims, going concern claims, relocation claims and fixture value claims. Examples of acquisitions handled by the firm include the acquisition of over 30 parcels for construction of a 5.5-mile interceptor sewer for the City of Willmar; numerous parcels of right of way for construction of a short line railroad by the Itasca County Regional Railroad Authority; and the acquisition of a parking lot for St. Paul Police Headquarters.
- Utilities, Telecommunications and Franchise Law. Kennedy & Graven represents many cities throughout the state on cable franchising, right-of-way, and other utility matters. Several of our attorneys have broad experience regarding issues such as utility rates and rate design, franchise negotiations, and use of the right-of-way by utilities including small cell (5G) providers. The firm represents the Suburban Rate Authority (SRA), a joint powers organization consisting of 32 metropolitan area suburban municipalities in which the City is a member. The SRA regularly

intervenes in rate cases before the Minnesota Public Utilities Commission that involve Xcel Energy, CenterPoint, Qwest, and other utilities as parties. We also represent several cable commissions.

- Municipal Litigation. Since its inception, Kennedy & Graven has engaged in a substantial and varied litigation practice representing local governments. Our primary areas of litigation practice are eminent domain, land use, real estate, franchise/utility/telecommunications, construction, employment, and general municipal matters.
- Employment Law/Labor Relations. The firm is actively involved in the employment and personnel area. Our experiences include discipline/discharge cases; unemployment compensation hearings; race, sex, disability and age discrimination cases; sexual harassment cases; Veterans' Preference Act cases; reviews of personnel policies/handbooks, employment contracts and affirmative action plans; advice on pay equity/comparable worth plans; FLSA issues, labor-management contracts; PERA issues, and Minnesota Government Data Practices Act issues. Kennedy & Graven has defended related cases in federal and state courts, arbitrations, and before the Minnesota Human Rights Department, the federal EEOC, the Minneapolis Commission on Civil Rights, and the Commissioner of Veterans Affairs.

Support Personnel and Office Organization

Kennedy & Graven has seven paralegals: three in public finance, three in real estate, and one in litigation. The firm has 14 additional staff in legal administrative assistant or administrative positions, including a firm administrator who is a former city attorney.

Kennedy & Graven is a professional corporation. The firm is run by an executive committee, which consists of five members who serve staggered two-year terms. The firm's president is elected annually by the firm's board of directors. The firm administrator reports to the president and the executive committee is responsible for the implementation of the directives from the executive committee and for overseeing the day-to-day operations of the firm. Legal administrative assistants are assigned to designated attorneys. Law clerks and paralegals are available to all attorneys on an as-needed basis.

Office Locations

The firm's main office is in Minneapolis with satellite offices in St. Paul and St. Cloud.

Minneapolis (Main Office):

Fifth Street Towers
150 South Fifth Street
Suite 700
Minneapolis, MN 55402

(612) 337-9300
(800) 788-8201 - Toll Free
(612) 337-9310 – Fax

Saint Paul:

US Bank Center
101 East Fifth Street
Suite 2650
Saint Paul, MN 55101

(651) 294-3589
By appointment

St. Cloud:

501 West Germain Street
Suite 320
St. Cloud, MN 56301

(320) 240-8200
By appointment

Malpractice or Ethics Claims

The firm has been sued once for a malpractice claim in its 48 years history. This claim was in the 1990's and related to a public finance matter.

PROPOSED TEAM

The firm proposes Dave Anderson as lead city attorney. Dave would be the primary legal adviser to the city and would be responsible for the overall coordination of work to the extent other firm attorneys are involved. He would be the principal contact person for the city and would attend meetings as requested.



David T. Anderson
Proposed City Attorney

PROFESSIONAL CHRONOLOGY

- 2008 B.A., University of Wisconsin – Madison, Madison, WI
- 2012 J.D., *cum laude*, Mitchell Hamline School of Law, St. Paul, MN
- 2012-2013 Judicial Law Clerk, Minnesota’s First Judicial District
- 2013-2016 Assistant Sherburne County Attorney
- 2016-2021 Associate Attorney at Kennedy & Graven, Chartered
- 2021-Present Shareholder at Kennedy & Graven, Chartered

LEGAL TRAINING AND YEARS OF PRACTICE

After graduating from the University of Wisconsin-Madison with a Bachelor of Arts in History and Political Science, Dave attended Mitchell Hamline School of Law in St. Paul where he graduated with honors. During law school, he served for two years on the *Hamline Law Review* and handled a full case load for the Ramsey County Attorney’s Office. Following law school, Dave clerked for the Honorable Christian S. Wilton in Minnesota’s First Judicial District before spending three years as a prosecuting attorney in the Sherburne County Attorney’s Office. During his time as a prosecutor, Dave handled a wide variety of cases and gained extensive litigation experience. He acted as lead counsel on several jury trials, including felony cases, and worked alongside numerous local government agencies. His experience as a prosecutor provided him with extensive knowledge and background on how local government units operate. Dave joined Kennedy & Graven in 2016 and is now a shareholder in the firm’s municipal department.

PROFESSIONAL AFFILIATIONS

- Minnesota State Bar Association, Member
- Hennepin County Bar Association, Member
- International Municipal Lawyers Association (IMLA), Member
- Minnesota City Attorneys Association, Member

CLIENTELE/MEETINGS

Dave is currently city attorney for the cities of Clearwater (2020), Maple Lake (2019), Wahkon (2019), Holdingford (2019) and Franklin (2018), general counsel for the Bassett Creek Watershed Management Commission (2018), and assistant city attorney for numerous Minnesota cities, including Hopkins, Maplewood, Woodbury, Oakdale, Medina, Mounds View, New Prague, and Faribault. Dave is available on the second and fourth Tuesday of every month for city council meetings, and he is also available for Wednesday officer hours, as requested in the city's RFP.

MUNICIPAL LAW EXPERIENCE

Dave's day-to-day practice is concentrated in general municipal law, including, but certain not limited to, land use matters, public contracting, real estate, data practices, economic development and redevelopment, and code enforcement. Dave's representation of cities includes numerous appearances before trial and appellate courts within the state on various issues. Recently, Dave brought a successful lawsuit for specific performance against an area landowner who breached a purchase agreement with a client city. While Dave does not focus his practice on litigation, he has also handled lawsuits regarding hazardous properties, special assessment challenges, and public nuisances.

Dave has represented cities in a broad range of land use and planning matters. Dave also uses his experience at the county level to navigate the complex interaction of local laws and other regulations with respect to land use issues. He has advised cities on issues related to general development activity, zoning code reviews and recodifications, and a host of other land use, planning, development, and real estate matters. Dave is extensively involved with development-related work throughout the metro area, including in both Woodbury and Medina, and regularly works alongside staff from said cities to facilitate development activities.

Dave has experience drafting and reviewing numerous types of agreements for city clients. Aside from traditional development and redevelopment agreements, Dave also has experience drafting and revising standard form agreements prepared for construction contracts, including AIA and EJCDC documents, and professional services agreements. Dave has also drafted employment agreements for city employees and a broad range of other agreements which have been proposed to cities.

Lastly, Dave has significant experience with drafting and reviewing ordinances and resolutions for municipal clients, including working with numerous cities on very extensive recodification projects. While Dave has also worked with municipal clients on personnel and other employment-related matters, there are other attorneys at the firm that specialize in municipal employment law who are always willing and available to assist our city attorney clients, as necessary.

OFFICE LOCATION/ACCESSIBILITY

Dave works out of the firm's downtown Minneapolis office.



Joseph L. Sathe
Proposed Assistant City Attorney

PROFESSIONAL CHRONOLOGY

- 2013 B.A., *magna cum laude*, Hamline University, St. Paul, MN
- 2013-2015 Executive Assistant & Policy Aide to the General Counsel, Office of the Governor
- 2015-2017 Assistant to the Commissioner, Minnesota Department of Human Services
- 2019 J.D., Mitchell Hamline School of Law, St. Paul, MN
- 2019-Present Associate Attorney, Kennedy & Graven, Chartered

LEGAL TRAINING AND YEARS OF PRACTICE

Joe graduated from Mitchell Hamline in spring 2019 with a JD and was admitted to practice law in Minnesota in the fall of 2019. He has worked in the municipal department at Kennedy & Graven since 2019.

Joe focuses his practice on general municipal law and addresses matters in the areas of zoning, land use, data practices, city code and charter interpretation and other general municipal law issues. He also drafts and reviews contracts, joint powers agreements, and proposed ordinances and resolutions.

In addition, Joe represents the Suburban Rate Authority (SRA), a joint powers entity consisting of 32 municipalities, has appeared on SRA's behalf before the Public Utilities Commission, and has spent the last 16 months serving as the firm's primary attorney working on matters related to COVID-19, including use of emergency powers, the CARES Act, and the American Rescue Plan Act.

Prior to becoming an attorney, Joe worked for the state of Minnesota, first as the Executive Assistant and Policy Aide to the General Counsel in the Office of the Governor and then as Assistant to the Commissioner at the Minnesota Department of Human Services. During his time at the state, Joe gained experience navigating through complex, multi-layered issues at both the statewide and agency level.

PROFESSIONAL AFFILIATIONS

- Minnesota State Bar Association, Member
- Hennepin County Bar Association, Member
- International Municipal Lawyers Association (IMLA), Member
- Minnesota City Attorneys Association, Member

MUNICIPAL LAW EXPERIENCE

Joe has worked exclusively in the municipal department at Kennedy & Graven and has supported the firm's city attorneys with both transactional and litigation-related matters. Joe's day-to-day duties include responding to questions from the firm's clients related to land use, including zoning applications, purchase agreements, easements, and other related work. This work includes both front-end questions related to authority as well as reacting to issues such as nonconforming uses.

Joe routinely reviews, revises, and drafts contracts varying in topic from purchase of city goods, agreements for services, memoranda of understanding, joint powers agreements, and other general municipal contracts. Joe also supports the firm's city attorneys related to employment matters through research and response to specific incidents as they arise.

Joe has extensive work experience preparing and drafting ordinances and resolutions including providing advice of technical edits, review and revision of sections that require updating based on changes in the law and amending complex code sections ranging in topic from entire zoning codes to lawful gambling ordinances.

CLIENTELE

Joe provides assistant city attorney services for a number of clients, including Fridley, Montrose, Mounds View, Osseo, Robbinsdale, Tonka Bay, Rosemount, and Woodbury.

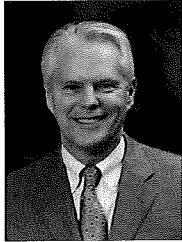
OFFICE LOCATION/ACCESSIBILITY

Joe works out of the firm's downtown Minneapolis office.

Team Approach and Special Counsel

Kennedy & Graven uses a team-based approach to the practice of law, which allows us to leverage the experiences and expertise of everyone within the firm to deliver the highest service at potential significant cost savings when compared to other firms. For example, the city attorney may ask to assign certain specific matters to a special counsel in the firm if the city attorney believes it is more efficient for the city to do so. The city attorney would retain overall responsibility to ensure that the needs of the city are being met.

Special Counsel examples include:



James M. Strommen

Public Utilities and Construction Law

Jim Strommen is a shareholder at Kennedy & Graven and is well-regarded in the areas of construction and public utilities law. Since 1990, he has been general counsel to the Suburban Rate Authority, a joint powers organization of metropolitan area cities that total over one million persons in population. The SRA intervenes in electric, gas, and telecommunications matters before the Minnesota Public Utilities Commission. Jim also serves as general counsel to the Minnesota Valley Transit Authority, and he has an active municipal litigation practice. Jim further represents cities and school districts in all phases of public construction projects. During his career, Jim has prosecuted criminal cases, won large damage awards and established significant legal precedent in appellate courts.



Jessica E. Schwie

Litigation

Jessica Schwie is a shareholder at Kennedy & Graven, Chartered, and practices in the areas of litigation and employment law. With more than fifteen years of civil litigation experience and success, Jessica has developed a solid reputation amongst her clients and in the community as a detailed, thorough and assertive trial lawyer, investigator, and pre-litigation advisor that is able to manage difficult situations.



Jenny S. Boulton

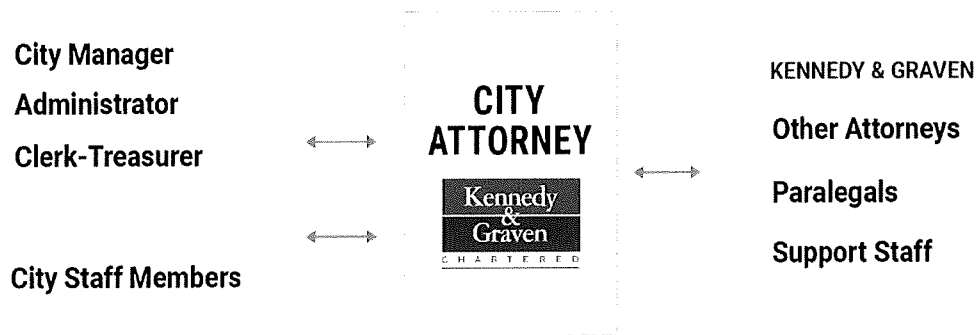
Public Finance and Municipal Bonds

Jenny Boulton is a shareholder at Kennedy & Graven, Chartered and practices in almost all areas of public finance including general obligation bonds, revenue bonds, tax-exempt lease financing, 501(c)(3) bond financing, rental housing bonds, industrial development revenue bonds, tax increment financing, abatement, and economic development. Jenny has served as bond counsel and special development counsel to numerous cities, Housing and Redevelopment Authorities, Economic Development Authorities, Port Authorities, and other governmental entities for approximately 22 years. Jenny also acts as counsel to many of those cities and their related HRAs, EDAs and Port Authorities in connection with their tax increment financing, abatement and other economic development and redevelopment matters.

CITY/CITY ATTORNEY RELATIONSHIP

Structure of Working Relationships

The structure of working relationships for our municipal clients varies from city to city, as we are willing and able to adapt to client expectations. In most cases, city staff members and occasionally city council members communicate directly with the city attorney who then channels the flow of work. In some cases the city administrator, manager or clerk-treasurer (as the case may be) works directly with the city attorney. City staff members tend to develop relationships with other attorneys at the firm having expertise in specific subject matter areas and may certainly feel free to communicate directly with them without going through the city attorney.



Response Time

It is our philosophy to make every attempt to respond the same day to requests for legal services.

As city attorney, Dave Anderson would be the main contact person and personally handle much of the city's legal work, however the city is free to work with any attorney it prefers. The city attorney may assign certain specific matters to another attorney in the firm if, as outlined previously, the city attorney believes it is more efficient for the city to do so.

Dave is generally available to answer calls directly or respond to voicemails, certainly within 24 hours. Response to e-mails and requests for document drafting or review will vary depending on the extent of time needed to develop a response. However, most e-mails are responded to within a day if they are not urgent.

As a firm dedicated primarily to representing local governments, Kennedy & Graven has a sufficient number of attorneys and support staff, as well as the breadth and depth of knowledge and experience to make sure that Ramsey, like all of the firm's clients, gets prompt and competent service within its expected timelines.

Monthly Reporting

The city attorney will work with the city staff to develop an acceptable system of monthly reporting on pending projects to the extent desired. We are flexible and able to accommodate the client's wishes, whether it is attending staff meetings to provide an in-person report or sending updates or reports to summarize the status of various matters.

Computer Resources

The firm uses technology in a variety of ways to increase efficiency and effectiveness. The firm has a centralized document management system which allows every user to easily find and access any document, both on-site and remotely. This database includes all of the firm's documents since 1997. We utilize the Microsoft Office 365 software suite and Egnyte-brand file transfer protocol, if needed, for the sending and uploading of large or numerous documents. This includes documents which may need to be sent from the firm to a client, or vis versa. The firm primarily uses Westlaw Edge for computerized legal research with an inclusive subscription containing all major sources relevant to municipal law.

COMPENSATION

The firm proposes an hourly rate for all services. Please see **Exhibit B** for proposed hourly fees, costs and reimbursable expenses. The minimum increment of billable time is 6 minutes (0.1 hour). Travel time and meeting attendance will also be billed at the proposed hourly rates.

CLIENTS/CONFLICT OF INTEREST

Please see **Exhibit C** for a representative list of cities that the firm represents.

As mentioned above, Dave is currently city attorney for Clearwater, Maple Lake, Wahkon, Holdingford and Franklin, along with the Bassett Creek Watershed Management Commission. As previously noted, Dave is available to attend Tuesday council meetings as requested and is available on the first and third Wednesday's for office hours and staff meetings. In his absence, Joe Sathe is also able to attend.

We are not aware of any current or former client in which our representation would conflict with the City of Ramsey. The firm does or has represented the following contiguous local units of government:

City of Anoka – Public Finance/Municipal Bonds
City of Nowthen – Public Finance/Municipal Bonds
City of Elk River – Public Finance/Municipal Bonds

The firm has a computerized conflict-checking system that is used to identify potential conflicts. The system maintains a database containing the names of all clients of the firm and all opposing parties. This database is checked each time that the firm opens a new matter. If a potential conflict exists we notify each client. If an actual conflict exists, we would withdraw from representing either client unless both clients consent to our representation.

REFERENCES

Please see **Exhibit D** for a list of references.

EXHIBIT A

FULL LIST OF KENNEDY & GRAVEN ATTORNEYS

Kennedy & Graven has 36 attorneys with diverse backgrounds and expertise. Below is a summary of each attorney's areas of practice:



Robert A. Alsop
Shareholder

Employment Law, Housing Law, Litigation



Dave T. Anderson
Shareholder

Municipal Law



Ronald H. Batty
Shareholder

Municipal Law, Economic Development & Redevelopment



Andrew M. Biggerstaff
Shareholder

Municipal Law, Economic Development & Redevelopment,
Litigation



Jenny Boulton
Shareholder

Economic Development & Redevelopment, Municipal Bonds,
Public Finance



Michelle Christy
Associate

Litigation, Labor and Employment Law



Josh P. Devaney
Associate

Litigation



Julie Eddington
Shareholder

Municipal Bonds, Public Finance



Gina Fiorini
Shareholder

Municipal Bonds, Public Finance



Troy J. Gilchrist
Shareholder & President

Municipal Law, Township Law, Watershed Law



Jason M. Hill
Associate

Municipal Law, Township Law



Martha N. Ingram
Shareholder

Economic Development & Redevelopment, Municipal Bonds,
Public Finance



Alex D. Ivan
Associate

School Law, Special Education



Libby J. Kantner
Associate

Public Finance, Municipal Bonds



Sam B. Ketchum
Associate

Municipal Law, Litigation, Environmental Law



Brian D. Lehinger
Associate

Real Estate Law, Municipal Law



Jordan C. Leitzke
Associate

Municipal Law, Employment and Labor Law



Sofia E. Lykke
Shareholder

Public Finance, Municipal Bonds



Gregory S. Madsen
Shareholder

Employment and Labor Law, School Law

Maren T. Magill
Associate

Public Finance, Municipal Bonds



Peter Martin
Shareholder

School Law, Employment and Labor Law, Real Estate Law



Scott J. Riggs
Shareholder

Municipal Law, Real Estate Law, Township Law



Joseph L. Sathe
Associate

Municipal Law



Jessica E. Schwie
Shareholder

Litigation; Employment Law



Sarah J. Sonsalla
Shareholder

Real Estate Law, Employment Law, Municipal Law



James M. Strommen
Shareholder

Litigation, Public Utility Law, Construction Law



James J. Thomson
Shareholder

Municipal Law, Land Use, Litigation



Mary D. Tietjen
Shareholder

Municipal Law, Employment and Labor Law, Litigation



John Utley
Of-Counsel

Municipal Bonds, Public Finance



Nick Valle
Associate

Real Estate



Robert J.V. Vose
Shareholder

Municipal Law, Public Utility Law



Maggie R. Wallner
Shareholder

Employment and Labor Law, Litigation, School Law



Adam C. Wattenbarger
Shareholder

School Law, Municipal Law, Litigation



Michelle Weinberg
Associate

Litigation

Josh P. Weir
Associate

Real Estate Law, Eminent Domain



Larry M. Wertheim
Shareholder

Real Estate Law

EXHIBIT B

PROPOSED FEES

Hourly billing information is noted below. Future increases will not exceed 3% year over year. Bond counsel services (if requested) will be billed at rates customarily charged by the firm at the time.

	2021
GENERAL COUNSEL (All work identified in the RFP's scope of work unless addressed elsewhere below)	
Hourly rate for all attorneys	\$180
Hourly rate for Support Personnel (All matters unless addressed elsewhere below)	
Paralegals	\$110
Law Clerks	\$90
NON-ROUTINE SERVICES (civil litigation not related to ordinance and zoning enforcement; real estate; cable and telecommunication and labor/employment)	
All attorneys	\$210
SPECIFIC DEVELOPMENT, REDEVELOPMENT, TAX ABATEMENT; AND TIF PROJECTS	
All Attorneys	\$250
PASS-THROUGH FEES	
All Attorneys	\$250

OVERHEAD COSTS

The firm bills its out-of-pocket costs for such things as postage, filing fees and witness fees, and similar items.

Photocopying: No charge unless special large projects: 5 cents per copy.

Mileage: Then-current IRS business rate

Westlaw fees: Not charged

EXHIBIT C

REPRESENTATIVE CITIES, TOWNS, AND OTHER ENTITIES

Kennedy & Graven is the appointed city attorney for over 50 cities in Minnesota. The Firm also serves as general or special counsel to a diverse collection of cities, townships, school districts, and counties across Minnesota.

DESIGNATED CITY ATTORNEY FOR THE FOLLOWING CITIES:

Belle Plaine	Mounds View
Brooklyn Center	Nerstrand
Brooklyn Park	New Brighton
Clearwater	New Prague
Cokato	Nicollet
Crystal	North Oaks
Faribault	Oak Grove
Franklin	Oakdale
Fridley	Osseo
Greenwood	Pine Island
Holdingsford	Rice
Hopkins	Richfield
Independence	Robbinsdale
Kenyon	Rogers
Kettle River	Rosemount
Lauderdale	Sandstone
Lake City	Shakopee
Lake Elmo	Spring Park
Mantorville	Tonka Bay
Maple Lake	Victoria
Maplewood	Wahkon
McGrath	Watson
Medina	West Concord
Minnetonka Beach	White Bear Lake
Minnetrista	Wilton
Mound	Woodbury

GENERAL COUNSEL TO THE FOLLOWING ECONOMIC DEVELOPMENT AUTHORITIES, HOUSING AND REDEVELOPMENT AUTHORITIES, AND PORT AUTHORITIES:

Albert Lea	Marshall
Belle Plaine	Maple Lake
Blaine	Medina
Bloomington	Minnetonka
Brainerd	Minnetrista
Brooklyn Center	Monticello
Brooklyn Park	Mound
Burnsville	Mounds View

Chanhassen
Clearwater
Columbia Heights
Columbus
Crystal
Faribault
Grand Rapids
Hopkins
Kenyon
Lake City
Lino Lakes
Mantorville

New Prague
Richfield
Robbinsdale
Rosemount
Roseville
Saint Louis Park
Saint Paul
Sandstone
Scott County Community Development
Agency
Shakopee
Wanamingo
West Concord
White Bear Lake
Woodbury

**SPECIAL COUNSEL OR BOND COUNSEL TO DOZENS OF CITIES,
COUNTIES, JOINT POWERS ORGANIZATIONS, AND OTHER PUBLIC
BODIES, INCLUDING:**

Belle Plaine
Blackduck
Brainerd
Bloomington
Burnsville
Cokato
Columbia Heights
Detroit Lakes
Duluth
Dundas
Grand Rapids
Hopkins
Inver Grove Heights
Jordan
Marshall
Metropolitan Council

Minneapolis Community Planning and
Economic Development Department
Minnetonka
Monticello
Mounds View
New Prague
State of Minnesota
Owatonna
Pipestone
Rochester
Saint Paul
Stacy
Staples
Vergas
Virginia
Concord
West Saint Paul

GENERAL COUNSEL TO SPECIAL PURPOSE ENTITIES:

Cable Commissions:

Apple Valley, Rosemount, Farmington
Lake Minnetonka
Quad Cities
Arlington, Gaylord, Winthrop, Gibbon
Southern Minnesota

Other JPAs:

Lake Minnetonka Conservation District
Local Government Information Systems
(LOGIS)
Suburban Rate Authority (SRA)

Watershed Management Commissions:

Bassett Creek
Lower Rum River
Middle Mississippi River
Middle St. Croix
Shingle Creek
Vadnais Lakes
West Mississippi

TOWNSHIPS IN MINNESOTA:

List is available upon request.

SCHOOL DISTRICTS IN MINNESOTA:

List is available upon request.

EXHIBIT D

DAVE ANDERSON REFERENCES

City of Medina

Scott Johnson
City Administrator
Phone: (763) 473-8840
Email: scott.johnson@medinamn.gov

City of Clearwater

Annita Smythe
City Administrator
Phone: (320) 558-2428
Email: asmythe@clearwatercity.com

City of Hopkins

Jason Lindahl
City Planner
Phone: (952) 548-6342
Email: jlindahl@hopkinsmn.com

Bassett Creek Watershed Management Commission

Laura Jester
Administrator
Phone: (952) 270-1990
Email: laura.jester@keystonewaters.com

City of Woodbury

Eric Searles
City Planner
Phone: (651)-714-3532
Email: eric.searles@woodburymn.gov