

CITY OF GROSSE POINTE WOODS
Electronic Committee-of-the-Whole Agenda
Monday, November 23, 2020
7:00 p.m.

Mayor Robert E. Novitke has called a meeting of the City Council, meeting as a Committee-of-the-Whole. The meeting will be conducted by video (Zoom) and telephone conference in accordance with the City of Grosse Pointe Woods City Council Resolution adopted May 4, 2020. This notice is being provided to ensure that those wishing to participate in the meeting have an opportunity to do so. Additional instructions are listed below.

Join Zoom Meeting:

<https://zoom.us/j/95256881246?pwd=a01KMEZ0L3huWHIVajRQL09lcHR2QT09>

Meeting ID: 952 5688 1246

Passcode: 410886

Join by phone:

Dial by your location

888 788 0099 US Toll-free

877 853 5247 US Toll-free

Meeting ID: 952 5688 1246

Passcode: 410886

Facilitator's Statement.

1. CALL TO ORDER
2. ROLL CALL
3. ACCEPTANCE OF AGENDA
4. CITY ATTORNEY
 - A. Duties/Responsibilities of Grosse Pointe Woods City Attorney
 - B. Interview: Timothy A. Dinan/Joel A. Harris
 1. Cover Letter 11/02/20
 2. Proposal for Legal Services
 3. Resume – Timothy Andrew Dinan
 4. Resume – Joel Anthony Harris
 - C. Committee-of-the-Whole Excerpt 10/26/20
 1. Letter 11/17/20 – City Attorney
 2. York, Dolan & Tomlinson, P.C.
 - a. Retention of Legal Services- Amended 11/06/20
 - b. Retention of Legal Services 10/19/20
 - c. Sharing/Division of City Attorney Services Conceptual Breakdown of Responsibilities
 - d. Legal Services Resume

3. Rosati Schultz Joppich and Amtsbuechler
 - a. Retention of Legal Services- Amended 11/11/20
 - b. Retention of Legal Services 10/19/20
 - c. Sharing/Division of City Attorney Services Conceptual Breakdown of Responsibilities
 - d. Firm Resume – Rosati Schultz Joppich Amtsbuechler, PC
 - e. Professional Biographies:
 - 1) Thomas R. Schultz
 - 2) Lisa A. Anderson
 - 3) Steven P. Joppich
 - 4) Lisa J. Hamameh
 - 5) Stephanie Simon Morita
 - f. General Counsel References for RSJA

5. NEW BUSINESS/PUBLIC COMMENT

6. ADJOURNMENT

**Lisa Kay Hathaway, MiPMC-3/MMC
City Clerk**

**IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT)
POSTED AND COPIES GIVEN TO NEWSPAPERS**

The City of Grosse Pointe Woods will provide necessary, reasonable auxiliary aids and services to individuals with disabilities. Closed captioning and audio will be provided for all electronic meetings. All additional requests must be made in advance of a meeting.

Instructions for meeting participation

1. **To join through Zoom:** The meeting may be joined by clicking on the link provided on the agenda at the start time posted on the agenda, enter the meeting identification number, and password. Zoom may provide a couple of additional instructions for first time use. As an alternative to using the link, accessibility to the meeting may be obtained by using the browser at join.zoom.us. If having trouble logging in, try a different browser e.g. Chrome.

Join Zoom Meeting:

<https://zoom.us/j/95256881246?pwd=a01KMEZ0L3huWHIVajRQL09lcHR2QT09>

Meeting ID: 952 5688 1246

Passcode: 410886

2. **Join by telephone:** Dial the toll-free conferencing number provided and enter the meeting identification number, and password. Dial *9 to be heard under Public Comment.

Join by phone:
 Dial by your location
 888 788 0099 US Toll-free
 877 853 5247 US Toll-free
 Meeting ID: 952 5688 1246
 Passcode: 410886

In an effort to alleviate feedback and disruption of the meeting, choose one of the media options, either phone or Zoom, not both.

Meeting notices are posted on the City of Grosse Pointe Woods website home page at www.gpwmi.us and the on-line calendar, both containing a link to the agenda. The agenda contains all pertinent information including business to be conducted at the meeting, a hyperlink to participate using Zoom, and call-in telephone number with necessary meeting identification, and a password. Agendas will also be posted on six (6) City bulletin boards along Mack Avenue.

The following are procedures by which persons may contact members of the public body to provide input or ask questions:

1. To assist with meeting flow and organization, all public comment will be taken at the end of the meeting unless it is moved to a different location on the agenda upon a consensus of the Committee;
2. The phone-in audience, when making public comment please state your name (optional) when called upon;
3. Audience participants will be muted upon entry and will have a chance to speak during the public comment portion of the meeting at the end of the agenda, at which time the microphones will be unmuted.
4. Those joining by Zoom will also be muted and may use the virtual raised “hand” to request to be heard under Public Comment.
5. Those joining by telephone need to dial in using the phone number provided on the agenda. When prompted, enter the meeting number and the password also located on the agenda. Dial *9 to be heard under Public Comment.
6. The published agenda invites participants from the community to provide written questions, comments, and concerns in advance of the meeting to any Elected Official or the City Clerk regarding relevant City business and may be read under Public Comment. Emails may be sent to:

Mayor Robert E. Novitke	mayornovitke@comcast.net	586 899-2082
Art Bryant, Council Member	arthurwbryant@gmail.com	313 885-2174
Ken Gafa, Council Member	kgafa@comcast.net	313 580-0027
Vicki Granger, Council Member	grangergpw@aol.com	313 460-5250
Mike Koester, Council Member	koester.gpw@gmail.com	313 655-4190
Todd McConaghy, Council Member	todd.mcconaghygpw@yahoo.com	248 765-0628
George McMullen, Council Member	george@grmcmullen.net	313 549-6363
Lisa Hathaway, City Clerk	lhathaway@gpwmi.us	313 343-2447

You may contact Lisa Hathaway, City Clerk, at lhathaway@gpwmi.us should you have any questions prior to the meeting starting.

cc:

Council – 7
Berschback
Smith

Hathaway
Rec. Secretary
Email Group

Media - Email
Post -8
File

NOTE TO PETITIONERS: YOU, OR A REPRESENTATIVE, ARE REQUESTED TO BE IN ATTENDANCE AT THE MEETING SHOULD COUNCIL HAVE QUESTIONS REGARDING YOUR REQUEST

DUTIES/RESPONSIBILITIES OF GROSSE POINTE WOODS CITY ATTORNEY

1. Charter Sec. 4.12 outlines the various functions and duties as follows:
 - (a) Act as legal advisor for the Council and be solely responsible to the Council. Advise any officer or department head relating to matters.
 - (b) Prosecute all ordinance violations.
 - (c) Prepare all ordinances, contracts, and other written instruments.
 - (d) Call to the attention of Council all matters of law and changes or developments affecting the City.
 - (e) Perform such other duties as may be prescribed by Charter or the Council.
2. As Prosecuting Attorney, attend all municipal court hearings and address civil infractions and misdemeanors as necessary. Review all misdemeanor warrant authorizations. Under present procedures, after a warrant is authorized, the Public Safety Department prepares a complaint and files it with the Court for arraignment purposes.
3. Attend all Council meetings including Committee of the Whole meetings. Prepare cover letters for specific agenda items as requested by Administration or Council or as necessary in conjunction with the City Attorney's duties.
4. Review all contracts approved by Council and approve for signature.
5. Review and provide general advice to department heads on issues as requested by the City Administrator, Appointed Officials or department heads.
6. The City Attorney is a member of the Election Commission and attends all Election Commission meetings and advises the Commission on general matters.
7. The City attorney represents and attends the Pension Retirement System and Retiree Health Care meetings and advises the City on general matters. Both Boards are represented also by attorney Michael VanOverbeke.
8. Occasionally attend Planning Commission meetings (last Tuesday of each month), especially when public hearings or major zoning/development projects are involved as is requested by the Planning Commission Chair.
9. Defend and litigate other Court cases as directed by Council involving general litigation, zoning matters, equitable actions, FOIA litigation, etc. (But see list of litigation not handled by City Attorney below.)
10. Oversee Tax Tribunal litigation. At present, a majority of the Tax Tribunal cases are handled by the City Attorney with the assistance of WCA Assessing, pursuant to a written contract. Major Tax Tribunal litigation (for example DRSN Real Estate v. Grosse Pointe Woods. "The Rivers") is currently being handled by Hallahan & Associates, P.C.

11. General Insurance Matters: The City Attorney works with the City's general liability insurance carrier along with Administration to determine whether claims should be submitted under the City's policy. The City in conjunction with the policy utilizes the services of McGraw Morris in defense of those claims. In addition, twice a year the City Attorney provides the City Council with a written summary of all pending claims and litigation. Tax Tribunal cases are summarized in a spreadsheet prepared by the City Comptroller and attached to the general summary letter.

12. Matters not handled by the City Attorney:
 - (a) All bond matters and advice. Generally handled now by Pat McGow at Miller Canfield.
 - (b) Insurance defense as previously mentioned above, currently handled by Tom McGraw, Gus Morris, and Stacy Belisle.
 - (c) Union employment matters – all Union matters are handled by Keller Toma, Thomas Fleury. Mr. Fleury also assists the City and City Attorney with non-union employment matters from time to time. The City Attorney assists Administration and Council with general employee matters and matters relating to appointed officials. A comprehensive Employee Handbook exists and is being reviewed/revised by Mr. Fleury with input from the City Attorney.

4B

TIMOTHY A. DINAN & ASSOCIATES, P.C.
1495⁰ EAST JEFFERSON AVE., SUITE 17⁰
GROSSE POINTE PARK, MI 4823⁰
TEL. 313-821-59⁰4 FAX 313-821-59⁰6
t_dinan@yahoo.com
www.timdinan.com

November 2, 2020

City of Grosse Pointe Woods
Attention Lisa Hathaway
19990 Mack Avenue
Grosse Pointe Woods, MI 48236

Dear Ms. Hathaway:

Mr. Harris and I are pleased to offer our services to the City of Grosse Pointe Woods as its city attorneys. Enclosed please find our proposal, background information and references. We look forward to meeting with the City Council on Monday, November 23, 2020.

If you, the council or anyone has any questions, do not hesitate to contact my office at their convenience.

Very Truly Yours,



Timothy A. Dinan

CC: Joel A. Harris, Esq.

TIMOTHY A. DINAN & ASSOCIATES, P.C.
1495⁰ EAST JEFFERSON AVE., SUITE 17⁰
GROSSE POINTE PARK, MI 4023⁰
TEL. 313-021-5904 FAX 313-021-5906
t_dinan@yahoo.com
www.timdinan.com

PROPOSAL FOR LEGAL SERVICES

Timothy A. Dinan and Joel A. Harris, through their respective law firms, propose to offer legal services to the City Council of Grosse Pointe Woods through a third legal entity, *Woods Counsel, PLLC*, which would focus exclusively on the representation of City Council. The anticipated scope of such duties includes:

I. General Duties

A. City Attorney Duties as Set Forth in Grosse Pointe Woods City Charter 4.12

1. Act as legal advisor to the City Council;
2. Prosecute all ordinance violations;
3. Prepare and review all new and current ordinances as needed;
4. Call to the attention of the City Council all matters of law and changes and developments affecting the City of Grosse Pointe Woods;
5. Perform other such duties as prescribed by the City Council.

B. Prosecuting Attorney Duties

1. Attend all Grosse Pointe Woods Municipal Court hearings;
2. Address civil infractions and misdemeanors to effectuate enforcement and the ends of justice;
3. Review all misdemeanor warrant authorizations; and
4. Annually review warrants, prosecutions and convictions for efficacy if requested by City Council.

C. Duties Relating to Functions of the Council and City Officials

1. Attend all City Council meetings;
2. Attend all Committee of the Whole meetings;
3. Prepare cover letters/legal memoranda for specific agenda items as requested by City Council or as necessitated by City Attorney duties;
4. Attend all Election Commission meeting as a member of the Commission and advise the commission on general legal matters;
5. Review all contracts approved by City Council and advise as to their import and affect if signed. Woods Counsel will advise regarding any concerns any agreement may pose;

6. Provide general legal counsel to City Department heads as requested by the City Administrator, Appointed Officials and department heads;
7. Advise the City Administration working in conjunction with the City's insurance defense counsel regarding the efficacy of submission of claims on the City's policy of insurance. We will provide a semi-annual report with summary of all open claims and litigation; and
8. Work with the City Comptroller to provide a listing of Tax Tribunal cases to the City Council with a summary letter regarding the status of these matters.

We will seek efficiencies in providing City Council with legal services and make suggestions on attorney utilization practices to save time, effort, and legal fees for City Council and the City.

Timothy Dinan shall serve as the primary contact to the City Council. Mr. Harris and Mr. Dinan will serve as back up counsel for each other to ensure continuity of service. The legal work will be divided between the two of them according to the type of work requested, the required turnaround time, and specific area of law for which the Council seeks advice.

II. Terms and Conditions

Woods Counsel, LLC would charge the City of Grosse Pointe Woods the following rates:

Attorneys:	\$150 per hour
Paralegals	\$95 per hour
Legal Assistants:	\$70 per hour

Expenses charged as follows

Copies:	\$.10 per copy
Mileage:	Only charged for matters outside of the Grosse Pointes @ current IRS mileage rate
Costs:	Actual costs incurred in performance of City business (i.e. filing fees)

III. Billing

Time is charged for work performed on behalf of the Council whether it takes the form of in-person meetings, telephone consultations, research, drafting, negotiations, discussions with third parties (such as other governmental agencies), travel on your behalf outside of the Grosse Pointes, or our absence from the office on your behalf. Travel time within the Grosse Pointe Community is excluded from the time absent from the office calculation.

Out-of-pocket expenses directly attributed to the services rendered to you will be charged at cost. We will advise you of any foreseeable expenses that are significant, seek Council

approval for them, and ask that you pay these expenses directly. Bills will be transmitted monthly and itemized. Payment terms are 30 days net.

IV. Attorney Qualifications

Timothy A. Dinan is an attorney who has been licensed for 25 years. He practices criminal and civil law with a focus on legal ethics and licensure issues for professionals. Since 2019, he has served as Deputy City Attorney to the Grosse Pointe Woods City Council.

In addition to a full-time practice, he has taught at UDM School of Law, Michigan State University College of Law, Eastern Michigan University and made many professional presentations to attorneys, engineers and other professionals.

Mr. Dinan has been recognized by his peers, the judiciary and his clients for his advocacy and loyalty to his clients. He is the author of a book on admissions to the State Bar of Michigan¹ and edits four chapters of the *Michigan Model Criminal Jury Instructions with ICLE Commentary*².

Mr. Dinan is involved with charities which stress educational development. He is a member of a number of social and civic organizations. He served in the Michigan National Guard from 1984 – 1992 as a Forward Observer and Infantry Scout.

He is married with three adult children. He lives with his wife in Grosse Pointe Farms. He has had his law offices in the Grosse Pointes since 1998. His professional curriculum vitae is attached.

Joel A. Harris is attorney who has been licensed for 14 years. Prior to becoming a lawyer, Mr. Harris provided counsel to business executives in various large, multi-national corporations. He has spent a significant portion of his professional career advising on a wide variety of sophisticated business and legal matters. Mr. Harris relies upon his unique combination of business and legal experience to help clients find solutions to complex issues. His practice is focused on business disputes, business transactional matters, and general civil litigation. His office is located in Grosse Pointe Woods.

Mr. Harris and his wife live in Grosse Pointe Woods with their three children. He is an avid supporter of local youth sports organizations, and a variety of non-profit organizations. His professional curriculum vitae is attached.

Upon acceptance of these terms, a formal engagement agreement shall be prepared for the approval of City Council and executed to begin representation. Thank you for your consideration of our qualifications.

¹ Manual on the Character and Fitness Process for Application to the Michigan State Bar: Law and Practice, AuthorHouse, LLC. 2014 ISBN 987-4969-3410-9

² Published by the Institute of Continuing Legal Education, Ann Arbor, MI

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November 2, 2020

PROFESSIONAL REFERENCES FOR TIMOTHY A. DINAN

Anthea E. Papista, Esq.
Papista and Papista, P.C.
1 Woodward Ave., Suite 2400
Detroit, MI 48226
313-965-1688

John J. Conway, Esq
Law Offices of John J. Conway, P.C.
26622 Woodward Ave., Suite 255
Royal Oak, MI 48067
(313) 961-6525

Cynthia C. Bullington, Esq.
Assistant Deputy Administrator
Michigan Attorney Grievance Commission
535 Griswold, Suite 1700
Detroit, MI 48226
313-961-6585

PROFESSIONAL REFERENCES FOR JOEL A. HARRIS

David Koback
President, D&J Contracting, Inc.
22750 Macomb Industrial Dr.
Clinton Twp., MI 48036
(586) 954-0008

Marc Scaglione
President, Park West Gallery
29469 Northwestern Highway
Southfield, Michigan 48034
(248) 709-2069

Joseph Shapiro, Esq.
3450 Seminole
Detroit, MI 48214
(313) 400-8188

TIMOTHY ANDREW DINAN
Attorney and Counselor at Law
www.timdinan.com
14950 East Jefferson Ave., #170
Grosse Pointe Park, Michigan 48230
(313) 821-5904 t_dinan@yahoo.com

BAR STATUS

Admitted, State Bar of Michigan, February 1994
Admitted, Eastern District of Michigan, U.S. Federal Court, March 1996
Admitted, Western District of Michigan, U.S. Federal Court, June 2016
Admitted, U.S. Supreme Court, April 2000
Admitted, State Bar of Arizona, June 2011
Admitted, 6th Circuit U.S. Court of Appeals, July 2017

PROFESSIONAL EXPERIENCE

PRIVATE PRACTICE – DINAN & ASSOCIATES, P.C. *October 1998 – Present*

The firm currently represents clients in criminal and civil litigation, small business and real estate matters. The firm regularly represents licensed attorneys on attorney misconduct matters, reinstatement of law licenses, and general ethics matters. The firm has represented title insurance carriers and real property interests in litigation matters. It counsels bar applicants for post-exam appeals, and character and fitness bar admission issues. It represents the interests of tenured employees and various licensed professionals before their respective administrative bodies. It coaches sole practitioners and small firms in firm growth, increased efficiency and practice development.

Martindale-Hubbell Rating: <u>AV</u>	2007 - Present
Michigan Super Lawyer Designation	2009 - Present
D Business Top Lawyer	2009, 2013
Avvo.com Rating: 10/10	2013 - Present

MICHIGAN STATE UNIVERSITY COLLEGE OF LAW

Adjunct Professor – Legal Writing & Study Techniques *October 2009 – June 2018*
Developed and implemented classes for Michigan Bar Examination, the Multistate Essay Examination (MEE) and the Multistate Practical Test (MPT). These classes include innovations in practice essay grading, same-day feedback and implementation of techniques designed to increase perception and improve test taking performance.

UNIVERSITY OF DETROIT – MERCY SCHOOL OF LAW

Adjunct Professor – Bar Studies and Strategies *January 2007- May 2009*
Developed and implemented classes to improve bar examination results and study skills. Review substantive law on all tested areas focusing on specific techniques for these subjects.

EASTERN MICHIGAN UNIVERSITY

Adjunct Professor - Construction Management *January 2006 – May 2015*
Subjects taught include construction law, contracts, and legal aspects of construction projects and related topics.

- Undergraduate Level course on Construction Law

- Graduate Level course on Real Estate Development (CNST 529)
- Graduate Level Course on Construction Law topics (CNST 592, 591)
Winter 2008, Spring 2009, Fall 2012, Fall 2013, Fall 2014.

BAKER COLLEGE

Adjunct Instructor – Law Office Management *January 2013 – May 2013*
Classes taught focused on basic legal terminology, law office structure, technical and ethical topics for paralegals and legal assistants.

**SIEMION, HUCKABAY BODARY, PADILLA,
MORGANTI, & BOWERMAN, P.C.**

Litigation Associate *February 1994 – April 1998*
Performed all tasks related to litigation file management and disposition of insurance defense cases. I primarily focused upon automobile negligence, premises liability, products liability and medical malpractice matters. As an associate, I expedited non-insurance general practice matters within the office.

STATE OF MICHIGAN - DEPARTMENT OF ATTORNEY GENERAL

Research Clerk *August 1993 - January 1994*
Special Assistant Attorney General *May 1994 - January 2000*
Supported counsel to the Secretary of State in its defense of driver's licensure matters. This included legal research, drafting of pleadings and review of driver records. Represented the State of Michigan to collect deficient loans and taxes as a Special Assistant AG.

MICHIGAN ARMY NATIONAL GUARD

Fire Support Specialist/Infantry Scout *March 1984 - May 1992*

EDUCATION

The Detroit College of Law (now Michigan State University College of Law); Detroit, Michigan

Juris Doctor, 1993
Class President, 1993

Michigan State University, James Madison College, East Lansing, Michigan

Bachelor of Arts - Political Philosophy, 1988

PROFESSIONAL PRESENTATIONS

**Michigan State University
College of Law**

Preparing for the Michigan Bar Examination
Two-day program for graduating seniors
April/June 2007 – 2009: Presented Semi-Annually

MSU Bar Essay Preparation Program – 5-week lecture workshop focused on developing essay writing skills for Bar Candidates – May/June 2009 – July 2018

Character & Fitness Application Presentation to MSU College of Law, Graduate Candidates – November 2009

	<i>MSU Professionalism in Action</i> ethics presentation to new students at the Law College – August 2011, 2012
University of Detroit Mercy School of Law	<i>University of Detroit Mercy School of Law Professionalism in Action</i> ethics presentation to new students at the Law College – January 2017
Bar-Bri of Michigan	<i>Legal Writing Workshop I</i> May 2004 – February 2014: Presented Semi-annually
	<i>Legal Writing Workshop II</i> June 2004 – February 2014: Presented Semi-annually
	<i>Essay Advantage MI Bar Examination Preparation Lecture</i> May 2014
Wayne County Criminal Advocacy Program	<i>Ethics & Efficiency</i> September 2007
Young Lawyers Section State Bar of Michigan	<i>Taking Charge! of Your Career</i> Panelist and Speaker – February 2008, 2009 Speaker – February 2012
Lakeshore Optimists of Grosse Pointe	Keynote Speaker – <i>Respect for Law Day</i> May 2009
Macomb County Bar Association	Keynote Speaker and Presenter <i>Fire Up Your Career 2010</i> 2-part presentation on Solo Practice Development October/November 2009
Institute of Continuing Legal Education	Moderator and Presenter <i>Criminal Defense Series: Trial Strategies & Tactics</i> June 2012 – Webcast
	Moderator and Presenter <i>Setting Legal Fees</i> June 2013 - Webcast October 2013 – Live Presentation
	Moderator and Presenter <i>Firearms Law in Michigan</i> September 2013 – Webcast
	Moderator and Presenter <i>Medical Marijuana in Michigan</i> April 2015 – Webcast
	Moderator – <i>E Discovery in Michigan</i> July 2015 – Webcast
	Moderator – <i>2016 Criminal Law Update</i> April 2016 – Webcast

Moderator – *Recognizing Real Estate Taxes*
May 2017 – Webcast

Moderator – *2017 Drunk and Drugged Driving
Law Update*
August 2017 – Webcast

Moderator – *2018 Business Court Litigation*
April 2018 – Webcast

Moderator – *2018 Real Property Title Litigation*
August 2018 – Webcast

Moderator – *2018 Court Appointed Receivership*
November 2018 – Webcast

Presenter – *2019 Of Counsel and Gig Practice*
August 2019 – Webcast

Presenter – *2020 Firearms Law in Michigan*
February 2020 - Webcast

State Bar of Michigan	Solo & Small Firm Institute Institute of Continuing Legal Education 2013 Presenter – <i>Business Analysis of Your Files and Time</i> 2014 Presenter – <i>Closing the Deal</i> 2015 Presenter – <i>Client Relationship Management 101</i>
Half Moon Seminars	<i>Ethics in Government Construction Contracts</i> – July 2014 <i>Identifying and Resolving Ethical Issues</i> – July 2015
Oakland County Bar Association	<i>Business File Analysis: Techniques to Help Your Bottom Line</i> OCBA Bench Bar Conference - April 2015
Lakeshore Bar Association	<i>Lead Generation Techniques</i> – March 2016

CONTINUING LEGAL TRAINING

- Criminal Advocacy Program (CAP) - Wayne County Circuit Court – 1999 - 2005
- Capital Case Certified – Wayne County CAP Program 2000 - 2005
- Panel of Appointed Attorneys – Macomb County, January 2000 - 2008
- New Building Construction Seminar – ICLE, January 2001
- Use of Private Investigators in Criminal Cases – ICLE, December 2000
- Polygraph and DataMaster Seminar - ICLE, December 1999
- Michigan No Fault Seminar - ICLE, October 1997
- Power & Persuasion Trial Seminar – PICOM, May 1997
- Negotiation Seminar - ICLE, December 1997
- Real Estate Transaction Seminar - ICLE, April 1997, 2003
- Deposition Seminar – ICLE, January 1995

- OWI Law Updates – ICLE, October 2001 - 2008
- OWI Trial Seminar – ICLE, October 2001, 2006
- Drivers License Restoration and Implied Consent Seminar – ICLE October 2008
- Domestic Violence Law Seminar – February 2003
- Michigan Real Estate Title Law: Problems and Solutions – NBI, October 2001
- Major Land Use Laws in Michigan – NBI, December 2001
- Mastering Michigan Real Estate Titles and Title Insurance – NBI, May 2002
- CDAM Semi -Annual Trial Training Seminars – March 2002 - 2010
- Local Government and the Law – Lorman Education Services – March 2003
- Basic Real Estate Course (for broker's license) March – April 2004
- ICLE Assigned Counsel/Felony Non-Support Seminar – July 2005
- U of M/ULI Urban Development Conference – October 2005, 2006
- Urban Land Institute Basic Real Estate Finance – May 2006
- Urban Land Institute Basic Land Development – May 2006
- Site Acquisition/Land Development – Lorman Education Services – June 2006
- Historic Tax Credit in Development – IPED – June 2006
- Creditor Rights Seminar – ICLE, June 2007
- Counseling the Economically Challenged Client – ICLE, October 2007
- Urban Land Institute – Shelby Fort Redevelopment Presentation – May 2009
- Intellectual Property Law 101 – MCBA – August 2009
- Arizona Law for Admissions on Motion Class – March 2011, Phoenix, AZ
- Medicolegal Investigation of Death – May 2011, Wayne State University
- Urban Land Institute – Cobo Hall Redevelopment Seminar – May 2011
- Arizona Law and Professional Conduct Class – March 2012, Phoenix, AZ
- iPad for Lawyers Seminar – State Bar of MI – August 2012, Lansing, MI
- Solo and Small Firm Institute – September 2013, Lansing, MI
- Lawyernomics 2013 – AVVO – April 2013, Las Vegas, NV
- Solo and Small Firm Institute – September 2014, State Bar of MI, Grand Rapids, MI
- Solo and Small Firm Institute – September 2015, State Bar of MI, Novi, MI
- Advanced Legal Writing and Editing – April 2016, Bryan Gardner, Phoenix, AZ
- The Redbook Seminar – April 2016, Bryan Gardner, Phoenix, AZ
- Making Your Case – April 2016, Bryan Gardner, Phoenix, AZ
- Ethics and Cybersecurity – November 2016, ICLE, Plymouth, MI
- Association of Academic Support Educators Workshop – May 2018, St. Louis, MO
- Graduate – ICLE Probate & Estate Planning Certificate Program (April 2019 – May 2020)
- Probate & Estate Planning Institute – May 2019, ICLE, Acme, MI
- Outside Counsel Guidelines and Threat to Practice – April 2020, ABA Online Webinar
- Hot Topics on Conflicts of Interests – April 2020 – Attorney Protective Insurance, Online Webinar
- Drivers License Restoration Seminar – May 2020 – CDAM, Online Webinar
- Michigan Datamaster Update Seminar – June 2020 – CDAM, Online Webinar
- DRE Investigations Related to Marijuana – July 2020 – MI OWI Attorneys Webinar
- Roadside Fluid Testing: Law Update – August 2020 – CDAM, Online Webinar
- Doing Our Best Work for Clients Under Less-Than-Great Circumstances: Remote Prep and Practice Tips for Zoom Courtroom Advocacy in 2020 – September 2020 – CDAM Online Webinar
- Un-Model Behavior: Lessons Learned from Violations of the MRPC – October 2020 – Attorney Protective Insurance, Online Webinar

PROFESSIONAL AFFILIATIONS

- State Bar of Michigan: Criminal Law, Real Estate and Solo Practice Sections
- Sustaining Fellow – State Bar of Michigan Foundation (2010 – Present)
- Member - Incorporated Society of Irish American Lawyers (1996 – Present)
- Member & Past President - Hellenic Bar Association (2001 – Present)
- Lecturer – Wayne County Criminal Advocacy Program (2005)
- Certified - Macomb County Panel of Appointed Counsel (2000-2008)
- Member - Criminal Defense Attorneys of Michigan (2001 – Present)
- Member – National Association of Criminal Defense Lawyers (2001 – 2004)
- Lecturer – Concealed Pistol License Law – Various organizations
- Member – Michigan Land Title Association (2000 – 2004)
- Lecturer & Grader – Bar-Bri of Michigan (Legal Writing) (2005 - 2014)
- Member – Urban Land Institute (2006 -2008)
- Founder & Executive Director – Lakeshore Bar Association (2009 – Present)
- Founder & Executive Director – CCW Defenders of Michigan, LLC (2008 – 2013)
- Member – Great Lakes Self Defense Association (2008 – 2012)
- Co-Host, WMTV’s “Legal Insider” – Grosse Pointe Public Access (2008 – 2014)
- Member – Michigan Coalition of Responsible Gun Owners (2008 – 2013)
- Member – Association of Professional Responsibility Lawyers (2011 – 2013, 2014, 2019 - Present)
- Member – Institute of Continuing Legal Education Criminal Law Advisory Board (August 2011 – October 2018)
- Lecturer and Moderator – Institute of Continuing Legal Education (June 2012 - Present)
- Member – Association of Academic Support Educators (May 2018 – February 2020)
- Member – Frank Lloyd Wright Foundation (April 2014 – Present)
- Member – Frank Lloyd Wright Trust (April 2013 – Present)

PUBLICATIONS AND ARTICLES

Manual on the Character and Fitness Process for Application to the Michigan State Bar – This guidebook discusses the details of applying for the bar, dealing with hearings and answering other questions about the bar application process. Author House, Inc. (2014) ISBN 978-1-4969-3410

Michigan Criminal Jury Instructions Annotated – Chapter 11 – Weapons: Institute of Continuing Legal Education (2014, 2015). The annotations combine legal research and practice experience to accompany the traditional Michigan Criminal Jury Instructions.

Michigan Criminal Jury Instructions Annotated – Chapter 22 – General Property: Institute of Continuing Legal Education (2016). The annotations combine legal research and practice experience to accompany the traditional Michigan Criminal Jury Instructions.

Michigan Criminal Jury Instructions Annotated – Chapter 26 –Receiving/Concealing Stolen Property: Institute of Continuing Legal Education (2016). The annotations combine legal research and practice experience to accompany the traditional Michigan Criminal Jury Instructions.

Michigan Criminal Jury Instructions Annotated – Chapter 29 – Checks: Institute of Continuing Legal Education (2015). The annotations combine legal research and practice experience to accompany the traditional Michigan Criminal Jury Instructions.

Solo's Corner – Quarterly column published for State Bar of Michigan Practice Management Section – devoted to marketing issues for sole practitioners (November 2011 – 2012)

“Thinking Outside the Box”: Published in Vol. 1, No. 2 (Autumn 2008) in Motion Magazine, a publication of Detroit Legal News. This first column in a regular series of attorney-drafted articles focused on making changes in office procedure creatively in order to improve performance.

“Legal Briefs” Newsletter: Published 2 – 3 times per year by my office. It addressed issues of Real Estate Law, Criminal Law and legal issues of general interest. May 2000 – May 2010

“Survey Said: Marketing Matters”: Published in Vol. 6, No. 34 (2003) issue in “The Right to Counsel”, a publication of the Criminal Defense Attorneys of Michigan. This article discussed how attorneys market their practices to the public and among other attorneys.

“Preparation for the Michigan Bar Examination”: First published in January 1999 for Essay Examination preparation seminar and revised in May 2002, May 2007, November 2009, January 2011 and January 2017. This 15-page manual is written to instruct law school graduates on successful techniques of writing the essay portion of the Michigan Bar Examination.

COMMUNITY ACTIVITIES

- Trustee, Board of Trustees – Detroit Cristo Rey High School (July 2011 – July 2017)
Member, Ad Hoc Development Committee (July 2018 – Present)
- Member – Lakeshore Optimists (2005 – 2010)
- Member & Past President – Business Network, Int'l., Pipeline Chapter – Michigan Educational Coordinator – Business Network, International, Pipeline Chapter (2008)
Membership Development Chair (2010) (2007-2010)
- Member – University of Detroit Jesuit High School Alumni Association
 - Chairman: Cub Lawyers Night (2001 – 2015)
 - Member: Alumni Development Board (2001 – 2012)
 - Cub Wheelmen (2005 – Present)
 - Alumnus of the Year 2018
- Member – Detroit Athletic Club (2012 – Present)
 - Chairman: Wednesday 8:30 Men's Bowling League (April 2016 – April 2017)
 - Chairman: Thursday 8:30 Men's Bowling League (April 2018 – April 2019)
 - Chairman: Men's Spring Bowling League (2019)
 - Member: Membership Development Committee (February 2017 – Present)
- Member – St. Isaac Jogues Bowling League, St. Clair Shores, MI (2013 – 2018)
- Volunteer – The Front Porch, Detroit, MI, Bicycle Mechanic (2013 – Present)

- Docent – Gregor and Elizabeth Affleck House – Affiliated with Lawrence Technical University
Bloomfield Hills, MI (Frank Lloyd Wright designed home) (Jan. 2019 – Present)

OTHER NON-LEGAL TRAINING

- Frank Lloyd Wright Foundation – Drafting for Non-Architects – September 2014,
Oak Park, IL
- Zingerman’s Experience (Business Training Seminar) – December 2003
- Zingerman’s Cheese Mastery Class – June 2010
- Barnett Bicycle Institute – Basic Bicycle Mechanics – June 2008
- Barnett Bicycle Institute – Spoke Wheel Lacing Technique – June 2008
- NRA Certified Instructor – Home Firearms Safety; Basic Pistol; Personal Protection in the
Home – April 2005
- Master of Sales Presentation – Brian Tracy – October 2008
- Referral Institute Presentation – Tim Green – October 2008
- Macomb Community College – Fundamentals of Gas Welding - Jan. – May 2012

OTHER PROFESSIONAL LICENSES

Title Insurance Agent September 2003 – Present
Real Estate Broker May 2004 – October 2006
 Affiliated with Kessler & Company – September 2005 – October 2006

JOEL ANTHONY HARRIS
Attorney and Trusted Advisor
21002 Mack Avenue
Grosse Pointe Woods, Michigan 48236
(313) 886-4505 (w) (313) 729-3751 (c)
jaharris27@gmail.com

BAR STATUS

Admitted, State Bar of Michigan, November 2006
Admitted, Eastern District of Michigan, U.S. Federal Court, November 2006

PROFESSIONAL EXPERIENCE

PRIVATE PRACTICE – LAW OFFICE OF JOEL A. HARRIS, PLLC

Grosse Pointe Woods, Michigan **May 2009 – Present**

Mr. Harris' practice primarily focuses on providing business advisory and business litigation services to clients throughout Michigan. The firm also regularly represents clients in real estate, probate, insurance, landlord/tenant, and other general civil litigation matters. The firm seeks to provide clients with a unique blend of sophisticated business experience and creative legal problem solving skills.

DYKEMA GOSSETT, PLLC

Detroit, Michigan **September 2006 – May 2009**

Mr. Harris worked as an associate in Dykema's commercial litigation practice. He was responsible for trial preparation, motion practice, drafting briefs, and managing discovery on behalf of commercial litigation clients in the Financial Services, Automotive, and Health Care industries. Primary areas of practice included:

- Employer/Employee disputes related to sales commissions, trade secrets, confidential and proprietary information, and non-compete/non-solicit agreements.
- General Commercial/Contract dispute litigation.
- Commercial Real Estate Litigation.

ALLISON FISHER INTERNATIONAL

Southfield, Michigan **August 2001 – July 2003**

Mr. Harris worked a business consultant and account manager providing brand/image and consumer research consulting services to General Motors, BMW, Mercedes-Benz, and Porsche. He was solely responsible for maintaining client accounts representing over \$1,000,000 in annual revenue. Mr. Harris provided customized analysis to support marketing, branding, and operational improvements. He managed all aspects of client service delivery, including the presentation of research, analysis, and conclusions to clients.

INDEPENDENT CONSULTANT

Chicago, Illinois/Detroit, Michigan

January 2001 – August 2001

Mr. Harris worked as an independent business consultant to clients in Illinois and Michigan from January until August 2001, when he relocated from Illinois to Michigan. Among other projects, Mr. Harris provided a review and analysis of an internal employee survey for Tenneco Automotive, Inc. that led to increased employee communications from management.

PROXICOM, INC.

Chicago, Illinois

July 2000 – December 2000

Mr. Harris worked as a consultant providing clients with innovative ways to identify new business opportunities and offer e-business services to customers. Mr. Harris developed case studies on emerging, best-practice technology initiatives of industry-leading companies. He analyzed emerging technology trends to support executive management in creating business development plans. He provided strategic analysis to improve web sites content and design.

ARTHUR ANDERSEN

Chicago, Illinois

August 1997 – June 2000

Mr. Harris provided market research and analysis to executive management of Arthur Andersen related to the worldwide market for tax, legal, accounting, and business consulting services. His research and analysis supported corporate-level, strategic planning initiatives for the development of new lines of business services for client. He researched and analyzed competitors' strategic product and business objectives, marketing initiatives, market share, financial performance, and overall market positioning. Mr. Harris created detailed competitor profiles to assist firm management in understanding the impact of competitor market activity.

He also worked as part of small team managing the \$10 billion arbitration dispute that eventually led to the separation of Andersen Consulting from Arthur Andersen. Mr. Harris was responsible for managing internal document production and review. He supervised research teams reviewing and analyzing documents. He also served as a key liaison to public relations, brand/marketing, corporate governance, and firm management related to media communications and post-arbitration strategic business planning.

ANDERSEN CONSULTING

Chicago/Northbrook, Illinois

December 1993 – August 1997

Mr. Harris worked for a group within Andersen Consulting that developed and licensed large-scale, electronic customer information systems. Mr. Harris assisted in the selection, hiring, and oversight of external research vendors. He independently researched emerging market trends and provided strategic analysis to executive management to support the development of new client services and future products. He wrote weekly electronic market updates distributed

to over 200 personnel. Mr. Harris also supported sales personnel involved in competitive bids and worked as a liaison between the sales and legal departments regarding the licensing of software development methodologies and systems.

EDUCATION

University of Detroit Mercy School of Law

Juris Doctor, May 2006, Magna Cum Laude

Honors: Frank Murphy Honor Society, Ralph M. Freeman Foundation Award, Edward M. Babcock Memorial Scholarship, Dean's Scholarship, Law Review

Kalamazoo College

Bachelor of Arts, Political Science, June 1993

Foreign Study: Madrid, Spain – September 1991 to February 1992

COMMUNITY ACTIVITIES

DETROIT DOG RESCUE – Board Member

Mr. Harris served on the Board of Directors for Detroit Dog Rescue from 2017 to 2019. He joined the Board at a time when DDR was facing significant financial and management issues. During his time at DDR, Mr. Harris worked with the Board and DDR's management team to improve DDR's financial and management operations.

DETROIT INSTITUTE OF ARTS – FOUNDER'S JUNIOR COUNCIL

Mr. Harris served on the Board of the Founder's Junior Council at the Detroit Institute of Arts from 2007 to 2009. As a member of the Board, Mr. Harris assisted in the planning and holding fundraising events to support the DIA.

GROSSE POINTE WOODS-SHORES LITTLE LEAGUE – Coach/Volunteer

Mr. Harris has supported the local little league as a coach and volunteer from 2012 until present. In addition to coaching, Mr. Harris served as an advisor and volunteer to the little league when it sought approval from the City of Grosse Pointe Woods to make field improvements in 2018.

4C

Committee-of-the-Whole Excerpt
10/26/20

The purpose of tonight's meeting was to conduct interviews for City Attorney with the following individuals:

1. 7:00 p.m. – Timothy D. Tomlinson;
2. 7:30 p.m. – Thomas R. Schultz.

The Mayor confirmed the candidates had received and reviewed the duties and responsibilities list as prepared by the City Attorney. The Mayor stated that the appointment should be effective January 1, plan to resolve the appointment by the first part of December, and that this item be brought back to a Committee-of-the-Whole Meeting scheduled for November 23, 2020.

The Mayor asked that the City Attorney and City Administrator meet administratively with both attorneys to identify which attorney would be the lead attorney, and to clarify fees including drive time. This information will be discussed at the November 23rd meeting.

Hearing no objections, the following item was discussed under New Business:

- There was a consensus of the Committee for the City Attorney to advise Mr. Dinan that if he so desired he could submit a resume regarding the City Attorney position.

CHARLES T. BERSCHBACK

ATTORNEY AT LAW

24053 EAST JEFFERSON AVENUE

ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400

FAX (586) 777-0430

blbwlaw@yahoo.com

November 17, 2020

The Honorable Mayor and City Council
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE: Legal Services Proposals
COW Agenda 11/23/20

Dear Mayor and Council:

At a previous meeting, Mr. Smith and I were directed to discuss details and revisions to the legal services proposals submitted by Rosati Schultz Joppich and Amtsbuechler, and York, Dolan & Tomlinson. I have now attached each firms revised proposals for discussion at the November 23, 2020 meeting.

In accordance with Council's direction, Mr. Dinan submitted a proposal, which I have also attached.

Very truly yours,



CHIP BERSCHBACK

CTB:gmr
Enclosures

YORK, DOLAN & TOMLINSON, P.C.

Attorneys and Counselors at Law
22600 Hall Road, Suite 205
Clinton Township, Michigan 48036
586-263-5050
Fax 586-263-4763

John A. Dolan (jdolan@yorkdolanlaw.com)
Timothy D. Tomlinson (ttomlinson@yorkdolanlaw.com)

Fred A. York (1930-1989)

November 6, 2020

Ms. Lisa Kay Hathaway
City Clerk/F.O.I.A. Coordinator
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE: Retention of Legal Services - Amended

Dear Ms. Hathaway:

I have been asked to provide you with information about our law firm for the City's consideration in selecting new general counsel to provide city attorney services on an ongoing basis. Please accept this correspondence as an expression of our willingness to serve the City in such capacity should you so desire.

I have enclosed a firm resume about our firm and John (Jack) Dolan and I, the attorneys who would be involved in providing services to the City. I would be the firm's primary contact with the City. In my absence, Mr. Dolan would handle matters on our behalf. In the event both of us are unavailable, we would turn to Rosati, Schultz, Joppich & Amtsuchler, P.C. to assist us as further discussed below.

Possible Joint Representation with Rosati, Schultz, Joppich & Amtsuchler, P.C.

We understand that we are not the only firm that the City has reached out to for firm resumes. We have spoken with Thomas Schultz of Rosati, Schultz, Joppich & Amtsuchler, P.C. Because our firms have worked well together in the past, we determined that it might be helpful to the City if we explored a collaboration or joint representation of the City. To that end, you will see our cover letters being similar so as to address similar concerns.

If the City is interested in such an arrangement, we have prepared, with Mr. Schultz, a possible list of shared city attorney services and a breakdown of who might do what. Obviously, whether to enter into such an arrangement is a decision for the City. Given our synergies, we believe the City would benefit from our joint expertise.

Ms. Lisa Kay Hathaway
City Clerk/F.O.I.A. Coordinator
City of Grosse Pointe Woods
November 6, 2020
Page 2

General Terms of Service

Our firm would serve the City at the following *blended* hourly rates: Shareholders \$155.00 and Associates at \$145.00. Unless directed otherwise, we would bill all services on a monthly basis for the previous month's activities. Each billing will identify the attorney performing the work, the matter on which the attorney worked, a description of the work performed, and the time spent on the task. The time of legal services will be billed in increments of 1/10 (0.1) of an hour (6 minutes.) For example, if 18 minutes are spent preparing a brief letter, the charge will be 3/10 (0.3) of an hour.

It is our practice to provide our clients with a detailed description of our billing entries. This will enable the City Administration to clearly and easily identify the project that each entry relates to and exactly what work was done on that project in the amount of time identified. We believe that you should not have to guess at what services were rendered on your behalf or spend time finding out. Although we find that this practice virtually eliminates billing questions and issues, we always welcome the opportunity to discuss and address any concerns should they arise. Furthermore, our billing system allows flexibility in terms of how billings are formatted and organized. As such, upon request, we will do everything we can to customize our billing statements in a manner that will assist the City Administration in effectively and efficiently processing them.

Of additional note, our firm carries a professional liability insurance policy in the amount of \$2,000,000.00 per occurrence/\$2,000,000.00 per aggregate through Aspen American Insurance Company. A copy of our Certificate of Liability Insurance will be provided upon request at any time. If the City decides to proceed with our firm as its legal counsel, for this we will remain insured for legal malpractice with these policy limits throughout our representation of the City.

With regard to the duration of our representation, we do not believe it appropriate to bind the City, as a client, to our firm for any period of time. As such, the City may terminate our services at any time, with or without advance notice, and for any reason or no reason at all. However, in the unlikely event that we were to discontinue our relationship, we would provide the City at least ninety (90) days advance written notice to give the City an opportunity to find new representation, as long as our Rules of Professional Conduct do not direct otherwise.

As a final matter, the Michigan Rules of Professional Conduct indicate that my firm and I carry certain ethical obligations to avoid conflicts with existing, former, and prospective clients. In anticipation of potentially being retained by the City, we have checked our firm's data base and


Ms. Lisa Kay Hathaway
City Clerk/F.O.I.A. Coordinator
City of Grosse Pointe Woods
November 6, 2020
Page 3

have not identified any potential conflicts of interest relative to the City other than representation of the Southeast Macomb Disposal Authority of which the City is indirectly associated with through its affiliation with the Milk River Drainage District. If any conflict should arise, directly or indirectly, we would promptly notify the City of same.

We would be honored to serve the City of Grosse Pointe Woods as its legal counsel, and we sincerely appreciate the opportunity to submit these materials to you for consideration. If the City desires to retain our services as provided in this letter, please sign in the space provided below and return a copy to my attention.

Very truly yours,

YORK, DOLAN & TOMLINSON, P.C.



Timothy D. Tomlinson

TDT/jabh

Accepted:
CITY OF GROSSE POINTE WOODS

BY: _____

ITS: _____

YORK, DOLAN & TOMLINSON, P.C.

Attorneys and Counselors at Law
22600 Hall Road, Suite 205
Clinton Township, Michigan 48036
586-263-5050
Fax 586-263-4763

RECEIVED

OCT 19 2020

CITY OF GROSSE POINTE WOODS
CLERK'S DEPARTMENT
York (1930-1989)

John A. Dolan (jdolan@yorkdolanlaw.com)
Timothy D. Tomlinson (ttomlinson@yorkdolanlaw.com)

October 19, 2020

Ms. Lisa Kay Hathaway
City Clerk/F.O.I.A. Coordinator
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE: Retention of Legal Services

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October 19, 2020
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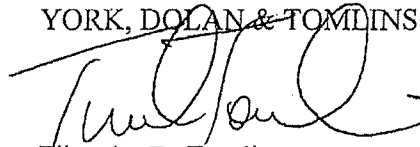
Ms. Lisa Kay Hathaway
City Clerk/F.O.I.A. Coordinator
City of Grosse Pointe Woods
October 19, 2020
Page 3

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Very truly yours,

YORK, DOLAN & TOMLINSON, P.C.



Timothy D. Tomlinson

TDT/jabh

Accepted:
CITY OF GROSSE POINTE WOODS

BY: _____

ITS: _____

**GROSSE POINTE WOODS
SHARING/DIVISION OF CITY ATTORNEY SERVICES
CONCEPTUAL BREAKDOWN OF RESPONSIBILITIES**

This document outlines a possible splitting up of City Attorney services for the City of Grosse Pointe Woods between two law firms – York, Dolan, & Tomlinson, PC (YDT) and Rosati, Schultz, Joppich & Amstbuechler, PC (RSJA). The categories listed track the general duties performed by general counsel on behalf of local municipalities.

YDT

- Municipal Court (Prosecutions)
 - Department of Public Safety
- Planning and Zoning
 - Planning Office, including day-to-day advice, zoning ordinance review/drafting and enforcement
 - Planning Commission, advise and attend meetings
- Building Department
 - Construction code analysis and advice
 - Enforcement of state and local construction codes
- Public Works
 - DPW assistance, day-to-day
 - Engineering
 - Plan review
 - Water and Sewer
 - Contract review
 - Ordinance drafting and review
 - Backups
 - Coordinate with GLWA, Detroit, Wayne County

RSJA

- General City Administration
 - All aspects of general city administration
 - Department assistance day-to-day for
 - City Administrator
 - HR (see below)
 - Parks and Recreation
 - Finance
 - Clerk (FOIA, elections, notices)
 - Assessor
 - Contract review
 - General ordinance drafting and review
- Attend City Council meetings
- Zoning Board of Appeals, advise and attend meetings
- Litigation (not covered by insurance)
- MTT

Labor/Employment – For discussion

LEGAL SERVICES RESUME
ON BEHALF OF
CITY OF GROSSE POINTE WOODS

Timothy D. Tomlinson
John A. Dolan
YORK, DOLAN & TOMLINSON, P.C.
22600 Hall Road, Suite 205
Clinton Township, Michigan 48036
Phone: 586-263-5050
Fax: 586-263-4763
ttomlinson@yorkdolanlaw.com
jdolan@yorkdolanlaw.com

1. EXECUTIVE SUMMARY.

Mission Statement and Guiding Principles

Our mission statement and guiding principles are built upon the cornerstones of integrity and hard work. Approximately 80 percent of our work is governmental. Our guiding principles include a pro-active approach, a same-face approach, an emphasis on client communication and an avoidance of encroachment upon administrative and policy-making prerogative.

We have always emphasized a pro-active approach. We attempt to foresee outcomes from decision-making processes and evaluate whether they will evolve into potential problems, including potential litigation. Issues are evaluated, examining risk probability and risk tolerance. We attempt to scrutinize the nature and length of potential problems as well as the real cost to the municipality. We believe these tactics have reduced litigation expense in the communities we represent.

We follow a same-face approach. Tim Tomlinson and John "Jack" Dolan will be the two attorneys that the administration, department heads and councilmembers encounter. Tim Tomlinson will be the primary attorney with responsibility to the City. We believe such an approach provides better oversight and avoids problems involving the sufficiency of follow through. It has been our experience that seamless representation can be provided by two experienced partners furnishing legal services.

We emphasize open and immediate client communication. We attempt to focus on the quality of communication. Clearly understanding a client's concerns and communicating thought processes in a concise and understandable manner which allows administrators and policymakers to appropriately act upon and rely upon information is essential.

We are vigilant in avoiding encroachment into the authority exercised by administrators and policymakers. We will suggest a pro-active approach and if approved, will work closely with the administrator or policymaker to execute that approach. We will not make recommendations or undertake tasks unless we are clearly instructed to do so and the scope of the undertaking is well-defined and understood.

2. **FIRM ATTORNEYS.**

Attorney Timothy D. Tomlinson

Licensed attorney for over 23 years. Appeared and orally argued before the Michigan Supreme Court, the Michigan Court of Appeals, Federal District Court, and Sixth Circuit Court of Appeals. Representation in all areas of municipal law. Tried to conclusion an extensive number of cases involving municipal-related issues. Michigan State University, B.A. Public Administration, 1992; Detroit College of Law, J.D. Cum Laude, 1996.

Attorney John A. Dolan

Licensed attorney for over 40 years. Tried to conclusion numerous cases involving municipal issues in Michigan and Federal Courts. Appeared and orally argued before the Michigan Supreme Court, the Michigan Court of Appeals, Federal District Court, and Federal Sixth Circuit Court of Appeals. Representation in all areas of municipal law. Serves Macomb County Circuit Court as a neutral mediator for in excess of 25 years. University of Illinois, B.A. with distinction, 1974; Wayne State University, J.D., 1977.

Both Mr. Dolan and Mr. Tomlinson have been with the same firm their entire legal careers.

3. **HISTORY OF FIRM.**

YORK, DOLAN & TOMLINSON, P.C. is an outgrowth of several predecessor firms. In 1969, the law firm of Towner, Rosin, York & McNamara was formed. In approximately 1979, the law firm split up and a law firm known as Fred York & Associates, P.C. was formed. Approximately 4 years later, that firm changed its name and became known as York & Dolan, P.C. In 1989, Mr. York passed away. In 1990, Joseph Ciaramitaro became associated with the firm and the firm, a short time later, changed its name to York, Dolan and Ciaramitaro, P.C. At the end of 2001, Joseph Ciaramitaro left the firm and the firm was renamed YORK, DOLAN & TOMLINSON, P.C.

4. **CONTACT INFORMATION.**

York, Dolan & Tomlinson, P.C.
22600 Hall Road, Suite 205
Clinton Township, MI 48036
(On the southside of Hall Road between Elizabeth Road and Groesbeck Highway.)

telephone: (586) 263-5050
facsimile: (586) 263-4763
ttomlinson@yorkdolanlaw.com

5. **HOURS OF ACCESSIBILITY.**

Mr. Tomlinson and Mr. Dolan will be accessible, either at the office or through mobile telephone. For emergency purposes, they will be accessible 24-hours a day through mobile phone numbers.

6. **RESPONSIVENESS.**

The standard time frame to respond to directions or inquiries from the City Council or City Personnel will be to respond as soon as possible to telephone calls, which in virtually all cases, will be on the day the call is made, more often than not, within one hour. When matters require research, generally, an initial impression can be provided within 24 to 48 hours depending on the complexity of the matter. If the circumstances are an emergency, shorter time frames can be met.

7. **RESPONDENT'S QUALIFICATIONS.**

As municipal attorneys, we have a broad range of experience dealing in all aspects of municipal law. Municipal law represents approximately 80% of our work performed.

<u>Municipal Clients</u>	<u>Continuously Since</u>
Charter Township of Clinton	1977
City of Roseville	1992
City of New Baltimore	2002
Chippewa Valley Schools	2005
41B District Court	2007
Macomb Intermediate School District	2008

We also serve a number of smaller authorities, including the Recreation Authority of Roseville-Eastpointe, South Macomb Disposal Authority and Southeast Macomb Sanitary District.

8. **AREAS OF EXPERTISE.**

The following is a brief detail of experience in various municipal areas:

Department or Function

Assessing. Handling of tax appeals before the Michigan Tax Tribunal. Assistance in matters involving the Michigan State Tax Commission. Assistance in the preparation and review of resolutions involving industrial facilities tax abatements. Review and interpretation of statutes.

Building. Review and interpretation of State statutes. Assistance in enforcement, both at the District Court level and in Circuit Court, including appeals.

Capital Improvements. Assistance in determining needs. Reviewing contracts. Exploring and establishing financing mechanisms.

City Clerk. Election-related issues and all issues pertaining to the operation of the Clerk's office, including Michigan Freedom of Information Act requests and Open Meetings Act compliance.

City Development. Assistance with the Planning Department with respect to the establishment, review and amendment of Master Plans and Zoning Ordinances. Assistance with respect to the establishment of Downtown Development Authorities, Brownfield Authorities and other development-related areas permitted under applicable statutes. Assistance with water and sewer and environmental-related issues.

District Court. Currently responsible for complaint review, preparation of complaints and warrants, prosecutions in the City of Roseville (since 1992) and the City of New Baltimore (since June, 2002). We have handled all aspects of municipal prosecutions, including pre-trials, motions, bench and jury trials.

Engineering. Draft and review contracts for retention of outside consulting engineers. Draft and review easements. Consultation and review with regard to contractual water and sewer issues involving the Great Lakes Water Authority. Assistance and review, preparation and interpretation of contract documents and the establishment of ordinances.

Finance. Review and provide opinions with respect to interpretation of applicable laws.

Fire Department. Assistance with regard to Emergency Management, First Responder, Advanced Life Support, mutual aid, collective bargaining, employee relations, litigation and training procedures.

General Administration. Preparation and review of contracts. Review and interpretation of various statutes. Development and review of policies and procedures. All aspects of general administration.

Major Roads. Acquisition of right of way. Highway liability claims. Contract supervision and review. Rules and regulations regarding right of way. Review and interpretation of statutes.

Personnel/Labor Relations. Handling grievances, matters before the Michigan Employment Relations Commission, collective bargaining, Act 312 arbitration, arbitration, Act 78 Police and Fire, police department trial board proceedings.

Planning Commission. Advice and opinions to the Planning Commission, review of procedures.

Planning Office. Advice and opinions to the Planning Office, including ordinance update and review.

Police Department. Handling of police discipline. Assistance and review, preparation of internal regulations and rules. Handling of labor arbitration and police and fire civil service matters.

Purchasing. Review and interpretation with respect to applicable laws. Reviewing applicability of purchasing regulations in particular circumstances.

Self-Insurance/Lawsuits. Currently handle bodily and personal injury claims for the Charter Township of Clinton and City of Roseville, including areas such as highway liability, automobile accidents, slip and fall, sexual harassment, sex discrimination, excessive force, zoning (including taking damage claims), various other damage claims under common law tort theories or constitutionally dimensioned. Handling litigation on a variety of subjects.

Telecommunications/Cable. Negotiation of cable franchises, drafting of ordinances relating to cable television and telecommunication permits. Review of policies and procedures and applicable law.

Water and Sewer. Review of contracts and administration with respect to installation of water and sewer improvements. Review of ordinances. General administration of Department. Review of claims relating to water and sewer back-ups. Review of issues with Great Lakes Water Authority and the State of Michigan.

Zoning Board of Appeals. Advice and opinions to Zoning Board of Appeals. Attendance at selected Zoning Board of Appeals meetings. Handling of appeals from the Zoning Board of Appeals to the Macomb County Circuit Court.

Zoning/Code Enforcement. Assistance in commencement of proceedings in both District and Circuit Court. Furnishing advice and counsel.

9. **CLIENT REFERENCES.**

Robert Taylor, Mayor, City of Roseville

29777 Gratiot Avenue, P.O. Box 290, Roseville, MI 48066

Phone: (586) 445-4510

Contract since 1992 for legal services handling all municipal matters. Timothy Tomlinson is lead attorney. All staff participates in representation.

Scott Adkins, City Manager, City of Roseville

29777 Gratiot Avenue, P.O. Box 290, Roseville, MI 48066

Phone: (586) 445-4510

Contract since 1992 for legal services handling all municipal matters. Timothy Tomlinson is lead attorney. All staff participates in representation.

John Dupray, Mayor, City of New Baltimore

36535 Green Street, New Baltimore, MI 48047

Phone: (586) 725-2121

Contract since 2002 for legal services handling litigation and general counsel work. Tim Tomlinson is lead attorney. All staff participates in representation.

Ronald Roberts, Superintendent, Chippewa Valley Schools

19120 Cass Avenue, Clinton Township, MI 48038

Phone: (586) 723-2005

Contract since 2005 for legal services as general counsel. Timothy Tomlinson is lead attorney. All staff participates in representation.

THOMAS R. SCHULTZ
tschultz@rsjalaw.com

27555 Executive Drive, Suite 250
Farmington Hills, Michigan 48331
P 248.489.4100 | F 248.489.1726
rsjalaw.com



ROSATI SCHULTZ
JOPPICH | AMTSBÜCHLER

November 11, 2020

Ms. Lisa Kay Hathaway
City Clerk/FOIA Coordinator
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE: Retention of Legal Services

Dear Ms. Hathaway:

I have been asked to provide you with information about our law firm for the City's consideration in selecting new general counsel to provide city attorney services on an ongoing basis. I have enclosed a firm resume describing our firm, along with the professional biographies of the attorneys who would be involved in providing services to the City. I would also invite you to visit our website at www.rsjalaw.com for more information and news about our firm.

Lisa Anderson, Steve Joppich, and I would be the firm's primary contacts with the City, but others involved would include Lisa Hamameh and Stephanie Morita. We use a "team" approach for representing our clients; while we all have areas of municipal law we concentrate in, everyone in the firm pitches in as needed.

Possible Joint Representation with York, Dolan & Tomlinson

We understand that we are not the only firm that the City has reached out to for firm resumes. We have spoken with Tim Tomlinson of York, Dolan & Tomlinson. Because our firms have worked well together in the past, and because the City has used both our services in the past, we determined that it might be helpful to the City if we explored a collaboration or joint representation of the City. To that end, you will see our cover letters being similar so as to address similar concerns. The intention is that the two firms would, in addition to the services provided in the attached, be available to each other as "back up" for all services provided.

If the City is interested in such an arrangement, we have prepared, with Mr. Tomlinson, a possible list of shared city attorney services and a breakdown of who might do what. Obviously, whether to enter into such an arrangement is a decision for the City.

General Terms of Service

Our firm would serve the City at the following *blended* hourly rates: Shareholders \$155.00 and Associates at \$145.00. (If we are retained under this agreement, we would also agree to reduce the fee we are currently charging the City as special counsel to this hourly rate as well.) Unless directed otherwise, we would bill all services on a monthly basis for the previous month's activities. Each billing will identify the attorney performing the work, the matter on which the

November 11, 2020

Page 2

attorney worked, a description of the work performed, and the time spent on the task. The time of legal services will be billed in increments of 1/10 (0.1) of an hour (6 minutes.) For example, if 18 minutes are spent preparing a brief letter, the charge will be 3/10 (0.3) of an hour. We acknowledge that there is some distance between our main offices (in Farmington Hills) and the City. At this point, however, it is not clear how often we will be at the City offices. We propose that, for now, the firm charge for travel only one direction (or 50% time). After a period of time (perhaps a year), we can revisit the issue and make sure it is fair for both of us.

As mentioned above, we expect that there will be more than one attorney performing services for the City at any given time. We generally do not "double-bill," however; we will make every effort to make sure that work is not duplicated and that the use of more than one attorney on an issue at a time is kept to a minimum.

It is our practice to provide our clients with a detailed description of our billing entries. This will enable the City Administration to clearly and easily identify the project that each entry relates to and exactly what work was done on that project in the amount of time identified. We believe that you should not have to guess at what services were rendered on your behalf or spend time finding out. Although we find that this practice virtually eliminates billing questions and issues, we always welcome the opportunity to discuss and address any concerns should they arise. Furthermore, our billing system allows flexibility in terms of how billings are formatted and organized. We will do everything we can to customize our billing statements in a manner that will assist the City Administration in effectively and efficiently processing them.

Our firm carries a professional liability insurance policy in the amount of \$5,000,000.00 per occurrence/\$5,000,000.00 per aggregate and a commercial general liability policy in the amount of \$1,000,000 per occurrence/\$2,000,000 aggregate through Professional Concepts Insurance Agency, Inc. A copy of our Certificate of Liability Insurance would be provided upon request at any time. If the City decides to proceed with our firm as its legal counsel, we will remain insured for legal malpractice with these policy limits throughout our representation of the City.

With regard to the duration of our representation, we do not believe it appropriate to bind the City, as a client, to our firm for any period of time. As such, the City may terminate our services at any time, with or without advance notice, and for any reason or no reason at all. However, in the unlikely event that we were to discontinue our relationship, we would provide the City at least ninety (90) days advance written notice to give the City an opportunity to find new representation, as long as our Rules of Professional Conduct do not direct otherwise.

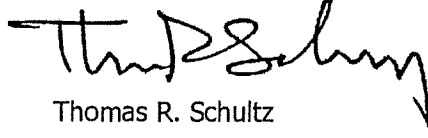
As a final matter, the Michigan Rules of Professional Conduct indicate that the firm has certain ethical obligations to avoid conflicts with existing, former, and prospective clients. In anticipation of potentially being retained by the City, we have checked our firm's data base and have not identified any conflicts of interest relative to the City.

We would be honored to serve the City of Grosse Pointe Woods as its legal counsel, and we sincerely appreciate the opportunity to submit these materials to you for consideration. If the City desires to retain our services as provided in this letter, please sign in the space provided below and return a copy to my attention.

November 11, 2020
Page 3

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC



Thomas R. Schultz

TRS/jah
Enclosure

Accepted:

CITY OF GROSSE POINTE WOODS

BY: _____

ITS: _____

RECEIVED
OCT 19 2020
CITY OF GROSSE POINTE WOODS
CLERK'S DEPARTMENT

THOMAS R. SCHULTZ
tschultz@rsjalaw.com

27555 Executive Drive, Suite 250
Farmington Hills, Michigan 48331
P 248.489.4100 | F 248.489.1726
rsjalaw.com



ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

October 19, 2020

Ms. Lisa Kay Hathaway
City Clerk/FOIA Coordinator
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE: Retention of Legal Services

Dear Ms. Hathaway:

I have been asked to provide you with information about our law firm for the City's consideration in selecting new general counsel to provide city attorney services on an ongoing basis. I have enclosed a firm resume describing our firm, along with the professional biographies of the attorneys who would be involved in providing services to the City. I would also invite you to visit our website at www.rsjalaw.com for more information and news about our firm.

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Possible Joint Representation with York, Dolan & Tomlinson

We understand that we are not the only firm that the City has reached out to for firm resumes. We have spoken with Tim Tomlinson of York, Dolan & Tomlinson. Because our firms have worked well together in the past, and because the City has used both our services in the past, we determined that it might be helpful to the City if we explored a collaboration or joint representation of the City. To that end, you will see our cover letters being similar so as to address similar concerns.

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October 19, 2020

Page 2

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With regard to the duration of our representation, we do not believe it appropriate to bind the City, as a client, to our firm for any period of time. As such, the City may terminate our services at any time, with or without advance notice, and for any reason or no reason at all. However, in the unlikely event that we were to discontinue our relationship, we would provide the City at least thirty (30) days advance written notice to give the City an opportunity to find new representation, as long as our Rules of Professional Conduct do not direct otherwise.

As a final matter, the Michigan Rules of Professional Conduct indicate that my firm and I carry certain ethical obligations to avoid conflicts with existing, former, and prospective clients. In anticipation of potentially being retained by the City, we have checked our firm's data base and have not identified any conflicts of interest relative to the City.

We would be honored to serve the City of Grosse Pointe Woods as its legal counsel, and we sincerely appreciate the opportunity to submit these materials to you for consideration. If the City desires to retain our services as provided in this letter, please sign in the space provided below and return a copy to my attention.

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC



Thomas R. Schultz

TRS/jah
Enclosure

Accepted:
CITY OF GROSSE POINTE WOODS

BY: _____

ITS: _____

**GROSSE POINTE WOODS
SHARING/DIVISION OF CITY ATTORNEY SERVICES
CONCEPTUAL BREAKDOWN OF RESPONSIBILITIES**

This document outlines a possible splitting up of City Attorney services for the City of Grosse Pointe Woods between two law firms – York, Dolan, & Tomlinson, PC (YDT) and Rosati, Schultz, Joppich & Amtsbuechler, PC (RSJA). The categories listed track the general duties performed by general counsel on behalf of local municipalities.

YDT

- Municipal Court (Prosecutions)
 - Department of Public Safety
- Planning and Zoning
 - Planning Office, including day-to-day advice, zoning ordinance review/drafting and enforcement
 - Planning Commission, advise and attend meetings
- Building Department
 - Construction code analysis and advice
 - Enforcement of state and local construction codes
- Public Works
 - DPW assistance, day-to-day
 - Engineering
 - Plan review
 - Water and Sewer
 - Contract review
 - Ordinance drafting and review
 - Backups
 - Coordinate with GLWA, Detroit, Wayne County

RSJA

- General City Administration
 - All aspects of general city administration
 - Department assistance day-to-day for
 - City Administrator
 - HR (see below)
 - Parks and Recreation
 - Finance
 - Clerk (FOIA, elections, notices)
 - Assessor
 - Contract review
 - General ordinance drafting and review
- Attend City Council meetings
- Zoning Board of Appeals, advise and attend meetings
- Litigation (not covered by insurance)
- MTT

Labor/Employment – For discussion



**ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER**

*Law Firm Overview
for
City of Grosse Pointe Woods*

October 19, 2020

Submitted by:

Rosati, Schultz, Joppich & Amtsbuechler, PC

27555 Executive Drive, Suite 250

Farmington Hills, MI 48331-3550

P 248.489.4100

F 248.489.1726

RSJALAW.COM

OUR LAW FIRM

Rosati Schultz Joppich & Amtsbuechler, PC is a full-service municipal law firm of 25 lawyers. We are a municipal law firm, first and foremost. All of our attorneys concentrate their practices in areas relating to the representation of local governmental entities. Our law firm originated in 1993 with 11 lawyers who had a shared goal of offering the highest quality and most cost-effective legal counsel to public service and governmental agencies throughout the State of Michigan. Over the years we have grown to include lawyers who can provide virtually every legal service required by a local government. We are fully committed to serving communities by helping elected and appointed officials effectively, efficiently, and lawfully perform their duties and serve their residents. It's what we do, all day every day.

The attorneys in our firm have established a reputation for providing sound, well-reasoned, and circumspective legal advice and representation to local governments throughout the state. As such, we are able to provide the City of Grosse Pointe Woods with an unmatched group of experienced and dedicated attorneys who can provide all of the day-to-day legal services required to achieve the objectives you retain us to assist with. As indicated in our proposal letter, Tom Schultz would be designated as the lead attorney for the City, and he would have the support of the other 24 municipal law specialists in our firm behind him should the need arise. Please feel free to explore our website at www.rsjalaw.com where you can review the professional biographies of all of our municipal law attorneys, and also learn more about our firm.

Our firm and its attorneys are highly regarded within the profession. *U.S. News & World Report – Best Lawyers* has recognized Rosati Schultz Joppich & Amtsbuechler, PC as a Tier 1 Firm in the Litigation-Municipal category for the years 2013-2020. Additionally, nine attorneys with the firm have been named to the *Best Lawyers in America* list by one of the nation's widest-used lawyer ranking systems, with several having been designated "Lawyer of the Year" by Best Lawyers in the area of Municipal Law. Also, multiple attorneys have been awarded the highest ranking of "AV Preeminent" by Martindale-Hubbell, which is considered the most recognized Peer Ranking organization among lawyers; ten attorneys have been named *Super Lawyers* in the areas of municipal law, land use/zoning, and/or litigation, by the national legal publisher Thomson Reuters; and six attorneys have been named *Top Lawyers* in Southeastern Michigan's *Hour Magazine* and *Dbusiness* in the areas of municipal law, land use/zoning, or constitutional law.



We have made it a priority to align our goals with those that we serve. At RSJA, living the practical side of government is a daily occurrence. Our attorneys presently hold a variety of public offices in their own communities. These include a City Councilmember, a Planning Commission Member, two Zoning Board of Appeals members, as well as two past mayors and other current and past volunteer positions in their communities. Our willingness to contribute in our own neighborhoods further motivates us to stay current on the latest legal developments so that we can pass that information on to our clients at no extra cost.

As a way to give back to our profession of municipal law and the Michigan communities we represent, we also regularly author books, articles, and other periodicals to keep those involved in public service up to speed on frequently changing and "hot" issues affecting particular areas of the law. Tom Schultz, Carol Rosati, and Steve Joppich have all co-authored chapters in the book *Michigan Municipal Law* (2012, updated 2018), a comprehensive practice book for municipal lawyers and municipal officials in the State of Michigan. Carol Rosati also authored and edited *Michigan Zoning, Planning and Land Use* (2010), and Tom Schultz and Steve Joppich are the past co-editors of the *Public Corporation Law Quarterly*, the professional publication of the State Bar of Michigan relating to municipal law. Both Steve Joppich and Tom Schultz have been contributing authors in the *Michigan Planning and Zoning News*, which is subscribed to by planning and zoning officials across the State of Michigan.

Each year RSJA attorneys can also be counted on to present seminars for the Michigan Township Association (MTA), Michigan Municipal League and its Michigan Association of Municipal Attorneys (MML-MAMA), Institute for Continuing Legal Education, Government Law Section of the State Bar of Michigan, Municipal Law Committee of the Oakland County Bar Association, Michigan Municipal Risk Management Authority (MMRMA), National Public Risk Managers Association (PRIMA), Michigan Public Risk Managers Association, National Association of Governmental Risk Pools, Michigan Association of Chiefs of Police, Regional Police Academies, the Michigan Sheriff's Association, Michigan Township Supervisors Association, the Michigan Society of Real Estate Appraisers, Michigan Society of Planning Officials, and the Michigan Local Government Managers Association.

Our firm utilizes a proactive approach to cost-effectively help manage our clients' risks and liabilities. For example, attorneys from our firm co-authored the FOIA Coordinator Handbook,



which was published and is distributed by the MMRMA to public officials across the State of Michigan to assist them in their efforts to comply with the often daunting public disclosure requirements contained in that law. Also, four attorneys from RSJA have appeared in and contributed to "Anatomy of a Lawsuit," a training DVD produced by the MMRMA which involved a hypothetical "dramatization" of a typical civil case, geared toward providing non-lawyers with an idea of what to expect if they ever became a party to litigation. The film received a first-place award in the pool category from the National PRIMA.

Additionally, Rosati Schultz Joppich & Amtsbuechler, P.C. was selected in 2012 by *American Milestones* for a special feature educational segment on municipal law for Public Television. You may view the segment on our website at <https://www.rsjalaw.com/news/page/4/>.

THANK YOU!

We appreciate the opportunity to present this proposal to serve the City of Grosse Pointe Woods community. If you have any questions, please feel free to direct them to Tom Schultz at (248) 345-8810.



Thomas R. Schultz

Thomas R. Schultz is a shareholder in the firm and has concentrated his practice in municipal law for over 25 years. He is currently the City Attorney for the City of Novi, the City of Farmington, and the City of Sylvan Lake. He provides general counsel services to several other Oakland County communities including the City of Farmington Hills. Tom assists these communities and others with day-to-day legal work: reviewing and administering contracts, handling land use and development issues, assisting with FOIA and OMA compliance, property taxation and special assessments, property maintenance/nuisance abatement and ordinance prosecutions, public works support, and the acquisition of land for public purposes.



Tom has been regularly involved in litigation at all levels on issues affecting local governments, including in the state district, circuit, and appellate courts, and in the federal trial and appellate courts, as well as before various state administrative entities such as the Michigan Tax Tribunal. He has argued several cases on behalf of municipalities before the United States Court of Appeals for the Sixth Circuit, the Michigan Supreme Court, and the Michigan Court of Appeals. Thomas has authored or co-authored several appellate amicus (or "friend of the court") briefs on local governmental issues for the Michigan Municipal League, the Government Law Section of the State Bar of Michigan and the American Society of Planners.

Contact Information:

Farmington Hills Office
Phone: (248) 489-4100
Fax: (248) 489-1726
Email: tschultz@rsjalaw.com

Practice Areas

- General Municipal Law
- Zoning and Land Use
- Constitutional Law and Civil Rights
- Real Estate and Construction

Education

- University of Detroit School of Law, J.D., 1988
- University of Detroit, B.A., 1985

Professional Activities/Memberships

- Michigan Municipal League Legal Defense Fund
Board Member, 2011-present (Current President)
- Michigan Association of Municipal Attorneys
Board Member, 2011-present (Current Chair)
- State Bar of Michigan
Government Law and Real Estate Sections
- Oakland County Bar Association
Municipal Law Committee

Awards

- Named in Leading Lawyers Michigan Edition--Governmental, Municipal, Lobbying & Administrative Law; Land Use, Zoning & Condemnation Law and Real Estate Law: Commercial, 2017-2020
- Listed in The Best Lawyers in America in the areas of Litigation-Municipal and Municipal Law, 2009-2020
- Listed in Best Lawyers, Litigation: Municipal, Troy area "Lawyer of the Year", 2016, 2019
- Listed in Best Lawyers, Litigation: Municipal, Detroit area "Lawyer of the Year", 2014
- Selected to Thomson Reuters Super Lawyers, 2006-2020
- Listed in Top Lawyers, DBusiness and Hour Magazine, in the area of Municipal Law, 2009-2019
- Received the Distinguished Municipal Attorney Award from the Michigan Association of Municipal Attorneys, 2010

Publications

- Co-Author with Gerald A. Fisher of Chapter 2, "Limitations on Local Government Under Federal Constitution and Laws," Michigan Municipal Law, 2012, updated 2018
- Authored "Reinventing Michigan 2011 — Don't Forget the Public Interest" for Legal Briefs, a publication of the Michigan Association of Municipal Attorneys, 2011
- Authored "Michigan Supreme Court Narrows the Applicability of the RLUIPA in Zoning Cases," for Planning and Zoning News, 2007
- Authored "It's Not About *Kelo*: The Eminent Domain Ballot Proposal" in Planning and Zoning News, 2006
- Authored "*Kelo v. New London*: Economic Development A 'Public Use' for Which Eminent Domain May be Exercised — Just Not in Michigan," for Planning and Zoning News, 2005
- Authored "Closest to the People: In Defense of Home Rule for Local Governments," in Laches, the Oakland County Bar Association's monthly publication, 2003

Presentations/Courses Taught

- MAMA/PCLS, "Limitations on Local Government Under Federal Constitution and Laws," March 18, 2016
- MAMA/PCLS, "Hot Topics in Planning and Zoning: Koontz v. St. John's River Water Management District," March 18, 2014
- Michigan Local Government Management Association, "Dealing with 'Zombie' Developments: Half-Finished Subdivisions, Empty Office parks, Abandoned Strip Malls," February 10, 2010
- Real Property Law Section, "Homeward Bound" — the Site Condominium Approval Process, February 1, 2007
- MAMA/PCLS, "Hot Topics in Municipal Law: Current Issues on the Eminent Domain Front," February 16, 2006
- Public Corporation Law Section Annual Winter Seminar, "Silver Linings in Wayne County v. Hathcock," February 11, 2005

Lisa A. Anderson

Lisa A. Anderson is a shareholder with the firm, practicing in the areas of municipal law, land use, zoning, constitutional law, and trial and appellate advocacy. Lisa has successfully represented the interests of and has secured victories for governmental entities in trial and appellate courts across the state. Her areas of expertise include the defense of constitutional law claims involving land use and zoning disputes, First Amendment claims, takings, due process, equal protection, police civil rights actions, as well as employment claims, ordinance challenges, code enforcement, claims involving qualified and governmental immunity, among others. In addition to a robust litigation and appellate practice, Lisa represents municipalities and governmental entities on boards and commissions, provides guidance on the Open Meetings Act, Freedom of Information Act, FCC and telecommunications issues, and provides general counsel services on a broad range of municipal issues.



As a former law clerk in trial and appellate courts at the state and federal level, Lisa leverages her knowledge of the internal workings of the courts to advocate for her clients. She is a long-time member of her local planning commission, zoning board of appeals, and board of review and understands the unique challenges faced by public boards and commissions.

Lisa was appointed to the Board of Directors for the Michigan Defense Trial Counsel (MDTC), a leading association of lawyers dedicated to the defense of individuals and entities in civil litigation. She Co-Chairs the Municipal & Governmental Liability Section of the MDTC and is the former Chair of the Municipal Law Committee for the Oakland County Bar Association. Lisa regularly authors articles for leading publications on issues that affect governmental entities and municipal law.

Contact Information:

Farmington Hills Office
Phone: (248) 489-4100
Fax: (248) 489-1726
Email: landerson@rsjalaw.com

Practice Areas

- General Municipal Law
- Zoning and Land Use
- Constitutional Law and Civil Rights
- Appellate Advocacy
- Insurance Defense

Education

- University of Detroit Mercy School of Law, J.D., *summa cum laude*, 1996
- Michigan State University, B.S., 1987

Professional Activities/Memberships

- Michigan Defense Trial Counsel
Board Member, 2020 - present
Co-Chair, Municipal & Governmental Liability Section, 2019-present
- Oakland County Bar Association
Chair, Municipal Law Committee, 2016-2017
Vice Chair, Municipal Law Committee, 2015-2016
- Michigan Association of Municipal Attorneys
- State Bar of Michigan
Government Law Section
Appellate Practice
Administrative Law
- American Bar Association
- Federal Bar Association

Publications/Presentations

- Author, "The First Amendment and Local Government Use of Social Media," State Bar of Michigan, 2020
- Author, "From Gas Stations to Growlers: New Liquor Laws Change the Way We Buy and Sell Booze," Laches, published by the Oakland County Bar Association, January 2018
- Author, Municipal Law Updates, Planning and Zoning News, 2014 – present
- Author, Municipal Law Updates, Michigan Defense Quarterly, quarterly publication of the Michigan Defense Trial Counsel, 2018-2020
- Author, "New FAA Drone Regulations: What You Need to Know," Laches, published by the Oakland County Bar Association, October 2016
- Presenter, "The New Law on Signs," Michigan Association of Municipal Attorneys, March 2019
- Presenter, "Sign Regulation after Reed v Town of Gilbert," Michigan Association of Code Enforcement Officers, June 2017
- Co-Organizer and Moderator, "Substance Abuse in our Cities and Suburbs," Oakland County Bar Association, May 2017

Community Activities/Involvement

- Northville Township Planning Commission
Former Chair and current Commission Member, 1999 to 2007; 2014 to present
- Northville Township Zoning Board of Appeals
Board Member, 1999 to 2007; 2013-2016
- Northville Township Board of Review
Board Member, 1998-1999

Steven P. Joppich

Steven P. Joppich has devoted his legal career to representing the interests of governmental entities. Since 1994, he has assisted local governments throughout Michigan with a variety of legal issues both in and out of the courtroom. As a result, Steve has gained substantial experience in a diverse and broad cross section of municipal law, with the following being a sampling of his municipal law practice:



- General and special counsel to cities, townships & villages
- Zoning, land use and planning law
- Development issues
- Public property purchases, sales, leases & development
- Medical and recreational marihuana
- Public works (water, sewer, storm, roads, rate challenges, etc.)
- Wetland and natural resource/preservation techniques
- Signs and billboards
- Contracts
- Ordinance drafting
- Freedom of Information Act
- Open Meetings Act
- Intergovernmental agreements and authorities
- Libraries
- Constitutional law (due process, takings, equal protection, free speech, etc.)
- Corridor improvement authorities (CIAs)
- Tax increment financing (TIFs)
- Special assessment districts (SADs)
- Tax abatements
- Historic districts
- Parks and recreation
- Lake boards
- Election law
- Adult business regulations
- Code enforcement
- Blighted properties and dangerous buildings
- Condemnation/eminent domain
- Riparian rights
- Oil, gas, and mineral rights & regulation
- Annexation, 425 Agreements, charters & incorporations

Contact Information:

Farmington Hills Office
Direct Dial: (248) 482-8789
Phone: (248) 489-4100
Fax: (248) 489-1726
Email: sjoppich@rsjalaw.com

Education

- Detroit College of Law (now Michigan State University College of Law), J.D.
- University of Michigan, B.A.

Professional Activities/Memberships

- State Bar of Michigan - Government Law Section
Current Councilmember (2009-present), Past Chairperson (2018-2019)
- State Bar of Michigan - Real Estate Law Section
Current Member

- State Bar of Michigan – Marihuana Law Section
Current Member
- Oakland County Bar Association - Municipal Law Committee
Current Member, Past-Chairperson (two terms)
- Michigan Association of Municipal Attorneys
Current Member
- Michigan Municipal League
Current Member
- Michigan Townships Association
Current Member
- Michigan State Bar Foundation
Fellow
- Oakland County Bar Foundation
Fellow
- Catholic Society of Lawyers
Current Member
- State of Michigan – Marihuana Regulatory Agency Licensing Stakeholder Workgroup
Appointee

Admitted to Practice

- All courts in the State of Michigan
- United States Court of Appeals for the Sixth Circuit
- United States District Court for the Eastern District of Michigan

Awards

- Designated "Lawyer of the Year" by Best Lawyers, Municipal Law, 2014, 2015, 2019
- Listed in Best Lawyers in America, Litigation-Municipal, 2018-2021
- Listed in The Best Lawyers in America, Litigation-Real Estate and Municipal Law, 2012-2021
- Selected to Super Lawyers by Thomson Reuters, 2007-2020
- Named Top Lawyer by DBusiness and Hour Magazine, Municipal Law, 2011-2020
- Named in Leading Lawyers Michigan Edition--Land Use, Zoning & Condemnation Law and Real Estate Law: Commercial, 2019
- "AV Preeminent" ranking with Martindale-Hubbell, which is the highest possible ranking by the most recognized, peer review rating for attorneys.
- Member of the inaugural class of inductees into the Academy of Michigan Municipal Attorneys by the Michigan Association of Municipal Attorneys under the Michigan Municipal League, September 2012 - present)

Publications/Presentations

- Co-Author of the *Michigan Municipal Law* book published by the Institute of Continuing Legal Education, 2012, updated 2018
- Speaker at multiple seminars of the Michigan Association of Municipal Attorneys Association (MAMA), Michigan Townships Association (MTA), Government Law Section of the State Bar of Michigan, Michigan Association of Code Enforcement Officials (MACEO), Institute of Continuing Legal Education (ICLE), Michigan Municipal Risk Management Authority (MMRMA) and Oakland County Bar Association
- Co-Editor of the *Public Corporation Law Quarterly*, a publication of the Government Law Section of the Michigan Bar Association, 2007-2017
- Author of published article for *The Review*, a publication of the Michigan Municipal League (MML) (2020)

- Author of published articles for *Public Corporation Law Quarterly*, 2009-2011
- Author of published articles for *Laches*, a publication of the Oakland County Bar Association, 2007-2011
- Author of a published article for *Smart Business Magazine*, 2011
- Author of a published article for the *Michigan Planning & Zoning News*, 2011
- Regular contributing author of reports regarding recent cases in the *Michigan Planning & Zoning News*, 2007-2018
- Regularly provides training seminars for individual planning commissions, zoning boards of appeals, and other municipal boards, commissions and councils

Community Involvement

- Xemplar Club of Farmington/Farmington Hills (non-profit community service organization)
Active Member, Past President
- Community Homes (nonprofit charitable organization for people with developmental disabilities)
Board of Directors
- Coach, Manager and Volunteer in youth sporting programs

Lisa J. Hamameh

Lisa J. Hamameh practices primarily municipal law, land use and zoning, Condominium and Homeowners' Association law.

She earned her Bachelor of Science degree in Criminal Justice from Wayne State University in 1995 and is a 2000 graduate of Wayne State University Law School.

Lisa has been recognized by Michigan *Super Lawyers* for seven consecutive years – in 2011 and 2012 she was recognized as a "Rising Star" and from 2013-2018 she was included as a "Super Lawyer" for Government, Cities and Municipalities. She was also selected for *Best Lawyers in America*® 2016-2020 in municipal law and as a Top Lawyer for *dbusiness* in 2014, 2017-2020. In 2014, Lisa was selected for the 2014 class of "Women in the Law" by *Michigan Lawyers Weekly*. Additionally, in 2011, she was awarded the Frances R. Avadenka Memorial Award by the Oakland County Bar Association, for her contributions to the community outside of the legal profession.



She is a frequent presenter at the Michigan Townships Association's Annual Conference & Expo. She is a guest speaker at the White Lake Citizen's Academy – Judicial Night. Lisa presents training sessions for municipal clients relative to parliamentary procedure, zoning and land use, ordinance enforcement, municipal civil infractions and criminal law updates.

Lisa is the co-author of a chapter on Liquor Licensing in the Michigan Institute of Continuing Legal Education's publication *Michigan Municipal Law, 2012*; and a chapter on Plea Bargaining in *Michigan Criminal Procedure, 2010*. Hamameh authored the cover story for the Michigan Townships Association's March 2016 publication *Michigan Township Focus* titled "What's Brewing with Liquor License Regulation." She authored an article for the Oakland County Bar Association's publication *Laches*, titled "Sign, Sign, Everywhere a Sign" and co-authored an article for the same publication titled "Municipal Prosecutions 101."

In 2018, Lisa was elected to serve on the State Bar of Michigan's (SBM) Board of Commissioners. The SBM Board of Commissioners provide oversight to the State Bar on finance, public policy, professional standards and member services and communications. SBM is the governing body for the 42,000-plus lawyers in the State of Michigan.

Contact Information:

Farmington Hills Office
Phone: (248) 489-4100
Fax: (248) 489-1726
Email: lhamameh@rsjalaw.com

Practice Areas

- General Municipal Law
- Prosecutions and Ordinance Enforcement
- Zoning and Land Use
- Real Estate and Construction

Education

- Wayne State University Law School, JD
- Wayne State University, B.S., Criminal Justice

Professional Activities/Memberships

- State Bar of Michigan
Commissioner District I (2018-2021)
Young Lawyers Section, Executive Council Member (2018-2010)
Criminal Law Section, Member
Real Estate Section, Member
Government Law Section, Member
Character & Fitness Committee – District I (2014-2018)
- Michigan State Bar Foundation
Fellow
- Oakland County Bar Foundation
Board of Trustees, Member
Fellow
- Oakland County Bar Association
American Inns of Court (2003-2007)
Municipal Law Committee, Chair (2005-2006); Member (2003 – present)
New Lawyers Committee, Director (2003-2010)
Membership Committee, Chair (2010-2012); Member (2009-2018)
- Macomb County Bar Association (2000 – present)
- American Bar Association (2000 – present)
- Michigan Association of Municipal Attorneys
Member

Admitted to Practice

- Michigan

Awards

- Listed in the Best Lawyers in America, Municipal Law, 2016-2020
- Names in as a Top Lawyer by dBusiness, 2014, 2017-2020
- Selected to Thomson Reuters Super Lawyers for Government, Cities and Municipalities, 2013-2019
- Selected to Thomson Reuters Super Lawyers Rising Stars in Government, Cities and Municipalities, 2011-2012
- Listed in Lawyers Weekly "Women in the Law", 2014
- Awarded the Frances R. Avadenka Memorial Award by the Oakland County Bar Association for contributions to the community outside of the legal profession, 2011

Publications/Presentations

- Publication: **What's Brewing with Liquor License Regulation**, Michigan Township Focus, March 2016

- Publication: **Sign, Sign, Everywhere a Sign**, Laches, October 1, 2013
- Publication: **Municipal Prosecutions 101**, Laches, 2013
- Publication: **Chapter on Liquor Licensing**, Michigan ICLE: Michigan Municipal Law, 2012
- Publication: **Chapter on Plea Bargaining**, Michigan ICLE: Michigan Criminal Procedure, 2010
- Presentation: **What the Heck is an SAD?**, Michigan Townships Association Annual Conference & Expo, April 2019
- Presentation: **Parliamentary Procedures at its Worst**, Michigan Townships Association Annual Conference & Expo, April 2019
- Presentation: **Regulating Liquor Licensing in your Community**, Michigan Townships Association Annual Conference & Expo, April 2018
- Presentation: **It Shouldn't Be This Hard to Clean Up That Property**, Michigan Townships Association Annual Conference & Expo, April 2017
- Presentation: **Liquor Control Updates**, Macomb Michigan Townships Association Chapter, February 2015
- Presentation: **Municipal Civil Infractions and Liquor License Updates**, Macomb Michigan Townships Association Chapter, November 2015

Community Service

- Children's Hospital of Michigan (1999-2014)
- Judge for the Michigan Center for Civic Education High School Mock Trial Tournaments (2007 and 2011)
- Coach for Youth in Government Team at Stoney Creek High School (2009)

Stephanie Simon Morita

Stephanie Simon Morita concentrates her practice in municipal law, local taxation law, and property tax appeal defense. She has extensive trial experience representing municipalities in valuation disputes in the Michigan Tax Tribunal, and has also successfully litigated valuation and tax disputes in Circuit, Probate and Bankruptcy courts. Her representation of clients in property tax and exemption matters has also extended to appearances before the State Tax Commission, Federal District Courts, and Appellate Courts in the State of Michigan.



Stephanie's work has encompassed plat vacation, construction and real property title disputes, litigation of real property sale—specific performance and trespass nuisance claims, Open Meetings Act, Freedom of Information Act, zoning, construction contract drafting and administration of the construction of public works, ordinance review and drafting, mutual aid agreements, local government contracts, and arbitration.

Contact Information:

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Fax: (248) 489-1726
Email: smorita@rsjalaw.com

Practice Areas

- General Municipal Law
- Taxes and Assessing
- Appellate Advocacy
- Real Estate and Construction

Education

- Wayne State University Law School, J.D., 1995
- University of Michigan, A.B. with Honors, 1992

Professional Activities/Memberships

- State Bar of Michigan
Member, 1995-present
Member, Council for the Appellate Practice Section, 2008-present
Secretary, Appellate Practice Section Council, 2011-2013
Treasurer, Appellate Practice Section Council, 2013-present
- Michigan Municipal League Finance Committee
2017-present

Representative Tax Cases

- *Menard, Inc. v City of Escanaba*, 315 Mich App 512 (2016) – Big Box (Appellate Amicus briefing)
- *Detroit Lions, Inc. v City of Dearborn*, 302 Mich App 676 (2013) – Special Purpose Property
- *Leahy v Orion Twp.*, 269 Mich App 527 (2006) – Jurisdiction Issue

- *Walnut Creek Country Club v Lyon Township*, MOAHR 17-002531 (2019) – Country Club
- *Beshears v City of Novi*, Docket no. 415404 (2013) – Lakefront Home
- *Lynch v Novi*, Docket no. 371093 (2012) – Residential Property
- *Eight-Haggerty Properties v Novi*, Docket nos. 371620 and 371622 (2012) – Vacant Land
- *Eight Mile & Haggerty Land Co. v Novi*, Docket no. 363342 (2012) – Big Boy Restaurant
- *Comau, Inc. v City of Novi*, Docket no. 351412 (2011) – Industrial
- *Miss Dig System, Inc. v City of Auburn Hills*, Docket no. 350051 (2011) – Charitable Exemption
- *Sears, Roebuck & Co. v City of Novi*, Docket no. 337849 (2009) – Mall Anchor Department Store
- *Detroit Medical Center v City of Novi*, Docket no. 327024 (2009) – Medical Office Building

Publications/Presentations

- Presenter, Oakland County Association of Township Supervisors, "Dark Store/Big Box/Property Tax," May 2018
- Author, "Escanaba Winds 'Dark Store' Taxation Appeal", March/April 2018 edition of The Review, published by Michigan Municipal League
- Presenter, Great Lakes Chapter of the Appraisal Institute, "Appraising for the Tax Tribunal," February 2018
- Presenter, City of Rochester Hills "Women in Government," February 2018
- Presenter, Rochester Area American Association of University Women, "What it Takes to Lead," October 2015
- Presenter, Oakland County Bar Association Municipal Law Committee, "Hot Topics in Property Tax Law," September 2015
- Co-Author, "What Judges Say About How to Brief That Arcane Appeal (and Practically Everything Else)," Michigan Bar Journal, February 2013
- Presenter, Appellate Practice Section, Seminar on the "Economics of Appellate Practice," May, 2011
- Author, "Free Beer – A Truly Intriguing Tale of Property Taxation and Foreclosure," Laches, published by the Oakland County Bar Association, July 2008
- Presenter, National Business Institute's Seminar on Property Tax Law in Michigan, 2003
- Presenter, Institute for Professionals in Taxation Michigan One-Day Tax Update Seminar, 2003
- Presenter, National Business Institute's Seminar on Property Tax Law in Michigan, 2002
- Author, "Basement Flooding Claims Under Public Act 222 of 2001," Laches, published by the Oakland County Bar Association, November 2002
- Co-Author, "Vacation of Platted Land Dedicated for Public Use," Public Corporation Law Quarterly, December 1999, reprinted with permission in the Michigan Real Property Review, Spring 2000

Community Activities/Involvement

- City of Rochester Hills Brownfield Redevelopment Authority, 2007-2015 and 2019-present
- City of Rochester Hills City Council, 2013-present
- Avondale Youth Assistance Board of Directors, 2013-present
- Paint Creek Trailway Commission Member, 2013-2015
- City of Rochester Hills City Council Vice President, 2015-2019
- City of Rochester Hills Planning Commission, 2015-2019
- Older Person's Commission Board of Directors, 2015-2019
- City of Rochester Hills Museum Foundation Board 2015-present

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ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

October 27, 2020

Ms. Lisa Kay Hathaway
City Clerk/F.O.I.A. Coordinator
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE: General Counsel References for RSJA

Dear Ms. Hathaway:

At last night's meeting, our firm was asked to supply references to supplement the materials submitted to the City last week. We offer the following as firm references:

David Boyer, City Manager
City of Farmington Hills
31555 West Eleven Mile Road
Farmington Hills, MI 48336
(248) 871-2500 - business
(248) 231-8464 - cell
dboyer@fhgov.com

Vince Pastue, City Manager
City of Monroe
120 E. First Street
Monroe, MI 48161
(734) 384-9144
vincent.pastue@monroemi.gov

David Murphy, City Manager
City of Farmington
23600 Liberty Street
Farmington, MI 48335
(248) 474-5500 x 2221
dmurphy@farmgov.com

Amy Sullivan, City Manager
City of Huntington Woods
26815 Scotia Road
Huntington Woods, MI 48070
(248) 581-2632
asullivan@hwmi.org

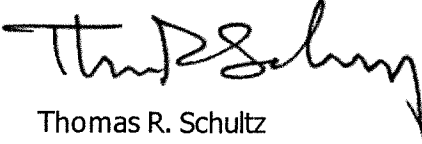
Clay Pearson, City Manager
City of Pearland
11200 Broadway, #3511
Pearland, TX 77584
(281) 652-1663 - business
(281) 979-4460 - cell
cpearson@pearlandtx.gov

October 27, 2020
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I would like to express again our thanks for the opportunity to interview last night. If there is anything else the City would like to know about our firm, please do not hesitate to let me know.

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

A handwritten signature in black ink, appearing to read "Thomas R. Schultz". The signature is fluid and cursive, with a long horizontal stroke at the beginning and a vertical stroke at the end.

Thomas R. Schultz

TRS/jah