

ELLESON LEGAL CONSULTING, PLLC

Elizabeth Elleson, Attorney at Law
Austin, Texas 78750
512-964-1220

September 15, 2023

Mayor Stephanie Fisher and
City Council
City of Johnson City
Johnson City, Texas

Re: Resignation

Mayor Fisher and Council:

Due to personal family and health reasons, I am unable to continue serving as your city attorney and regretfully must submit my resignation.

It has been a sincere honor to have served as the city's attorney for the past nine years. I have enjoyed working personally with each one of the Council to make goals come to fruition. I shall miss especially the camaraderie and rapport I have had with each of you. Even though I will not be your official city attorney, I trust that our friendship will continue.

To provide time for seeking my replacement, my resignation will be effective at the end of this current fiscal year, September 30th. This will also allow me time to wrap up any jobs I am presently working on.

Thank you for a great nine years! Good luck to you and your future endeavors!

Sincerely yours,



Elizabeth Elleson
City Attorney
City of Johnson City

Cc: Rick Schroder, Chief Administrative Officer, City of Johnson City

CITY OF JOHNSON CITY, TEXAS



NOTICE TO BIDDERS

REQUEST FOR QUALIFICATIONS (RFQ)
CITY ATTORNEY / LEGAL SERVICES

NOTICE is hereby given that the City of Johnson City, Texas is seeking an individual attorney / law firm to provide City Attorney / Legal Services on an at will basis. All proposals must be clearly marked "**SEALED BID – RFQ 2023 CITY ATTORNEY / LEGAL SERVICES**" and returned to City Hall, 303 E. Pecan Dr., Johnson City, TX 78636, by Friday, October 13, 2023 at 3:00 p.m. CST, at which time they will be publicly opened and acknowledged in the City Hall Council Chamber. The City of Johnson City reserves the right to reject any or all proposals and to waive any and all formalities, as deemed to be in the best interest of the City.

All inquiries should be directed to Chief Administrative Officer Rick Schroder via email at rschroder@johnsoncitytx.org or by telephone at (830) 868-7111, Ext. 8.

REQUESTS FOR QUALIFICATIONS
City Attorney / Legal Services

Article I. Purpose

The City of Johnson City, a Type A General Law Municipality, is seeking Statements of Qualifications (SFQ) from individual attorneys and/or law firms for the purpose of providing legal services to the City of Johnson City on an at will basis. In order to be considered, proposals must address each of the points requested in this document, including rates and fees.

The individual and/or firm will be tasked with providing general municipal counsel, basic legal services, advice on special projects, and advice to the City Council. The City requests that one attorney be designated as the point of contact or lead attorney. Accessibility to and a timely response from the attorney is essential to the position.

Article II. Service Required

The individual and/or firm selected is to have a Juris Doctorate from an accredited law school, a license to practice law in the State of Texas, and be a member in good standing of the State Bar of Texas. Experience with Texas municipalities and knowledge of Texas municipal law, open meetings / records acts, personnel law, utility law, election law, and land use and zoning regulations is required.

Basic legal services required include:

- a. Reviewing and drafting ordinances, resolutions, contracts, agreements, deeds, and easements;
- b. Providing advice regarding government operations, elections, open meetings, public information, City ordinances, State law, personnel matters, property matters, and real estate matters, including annexation, zoning, and condemnation;
- c. Reviewing agendas and materials for Council meetings, anticipating and preparing legal advice on items to be addressed at the Council meeting, and attending Council meetings (Regular meetings are generally at 6:00 p.m. on the 1st and 3rd Tuesday of each month, plus special meetings upon request of City Council);
- d. Providing legal opinions upon request; and
- e. Preparing requests for any necessary Attorney General opinions.

The firm will be required to provide a detailed, itemized billing on a monthly basis. In order to avoid misunderstanding, legal services may be engaged by the Mayor, any City Councilmember, Chief Administrative Officer, or City Secretary. That said, a standing request exists for legal review of contracts, requests for qualifications, requests for proposals, ordinances and resolutions presented to City Council for consideration at its Regular Meeting, anticipating and preparing

legal advice on issues up for consideration, as well as attendance at the Regular City Council meetings. All other requests must have City Council approval prior to commencement of the service, including citizens' inquiries. Counsel will be required to generally familiarize himself/herself with general municipal law and keep abreast of legislation affecting cities outside the scope of billable services. Pre-authorized reference materials and on-going training and travel expenses will be reimbursable in accordance with City policy.

Article III. Proposal Requirements

Please provide the following:

1. Firm or individual name and contact information, including e-mail and website addresses and year organized.
2. Attach a list of Principals in the firm. Include a biographical sketch of each, including education, years of experience, years of municipal law experience, and any areas of specialty within the field of municipal law.
3. Provide the name of the assigned attorney and complete resume who will have primary responsibility for the City of Johnson City legal matters.
4. Provide a list of attorneys who will provide services to the City. Include a description of these attorneys' education, years of legal experience, years of municipal legal experience, and any areas of specialty within the field of municipal law.
5. Provide a complete list of all past and present municipal clients, including email and phone contact information.
6. Provide a brief summary of the firm's experience in each of the following areas and your strategy for managing those areas which your firm does not have experience and would need to outsource:
 - a. Business contracts and agreements.
 - b. Ordinances and resolutions.
 - c. Real estate matters, including deeds and easements.
 - d. Elections.
 - e. Open meetings and open records.
 - f. State law, as it pertains to municipalities.

- g. Personnel matters.
 - h. Zoning and development processes.
 - i. Municipal Court prosecution.
 - j. Public safety.
7. Please list any client that you currently represent that could cause a potential conflict and/or be a potential litigant against the City of Johnson City. Describe how you would resolve these current or future potential conflicts of interest.
 8. If your firm has represented any client in the past five (5) years against the City of Johnson City or one of its employees, please describe the case(s).
 9. If you have participated in any litigation in the last five (5) years in which the City of Johnson City or one of its employees was named as a defendant, please describe the case(s).
 10. Proposed hourly rates for each attorney assigned to the City of Johnson City or any alternative fee structure you propose, as well as billing increments, billing period and travel rates.
 11. List of references and contact information.
 12. Any other items which the firm/individual deems necessary.

Each submittal should also provide a summary detailing the experience and understanding of the role of providing consulting legal services. The summary should also include the firm/individual mission statement and a statement of values.

Article IV. Evaluation Process

Statements of Qualifications are due Friday, October 13, 2023 at 3:00 p.m. CST. Based on the City Council's review of submittals, the selected finalists may be required to interview with the City Council at its regular meeting on October 17, 2023 prior to appointment.

All qualification/proposal packets must clearly mark "SEALED BID – RFQ 2023 CITY ATTORNEY / LEGAL SERVICES" and must be sealed and addressed to:

City of Johnson City, Texas
303 E. Pecan Dr. (Physical)
P.O. Box 369 (Mailing)
Johnson City, TX 78636