

HARRISON, MORELAND, WEBBER & SIMPLOT, P.C.

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JOHN N. MORELAND (RETIRED)
TIMOTHY J. McKAY (1950-2015)

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January 4, 2021

Sandy Jones
City of Bloomfield
111 W. Franklin Street
Bloomfield, IA 52537

RE: Response to Requests for Qualifications for City Attorney

Dear Sandy:

Harrison, Moreland, Webber and Simplot, P.C., has been honored to serve as City Attorney for the City of Bloomfield since January 2008. The firm is interested in continuing in its role as City Attorney.

During the time that we have provided legal services to the City of Bloomfield, we have:

- Reviewed and advised on employment matters and personnel policies/employee handbook.
- Negotiated a revised collective bargaining agreement.
- Handled contested grievance proceedings related to employees.
- Handled a complaint filed with the Iowa Public Information Board.
- Reviewed, revised and prepared resolutions and ordinances on dogs at large, emergency sirens, ATV/ORV, chickens, rental inspections, fences, swimming pools, fire department, library board, load and weight restrictions, parking, parks, sidewalks, weed/grass and cemetery board.
- Reviewed and advised on contracts and agreements, including grant applications and the 28E agreement regarding Mutchler Center.
- Advised regarding real estate issues, including easements and derelict housing.

As you can see from the list above and the attached general biographical information regarding the four partners in the law firm, one of the biggest benefits of our firm serving as City Attorney is the broad range of services that are available through the firm. We have attorneys who handle real estate, employment and litigation matters. We work with a number of small municipalities; we have experience in working on a whole range of issues for municipalities, including nuisance litigation, zoning and related issues. Heather Simplot is a member of the Iowa Association of Municipal Attorneys.

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We are presently working for the City of Bloomfield at a rate of \$185 per hour or the lawyer's regular hourly rate, whichever is less. That rate took effect January 1, 2020. The normal hourly rates for the four partners range from \$225 to \$250 per hour. We would be willing to continue at the rate of \$185 per hour during 2021 and would move to a rate of \$195 per hour effective January 1, 2022.

Since the length of City Council meetings varies dramatically, we would propose to bill for meetings based on the time of attendance at our quoted hourly rate. We can continue to attend the meetings in person, by telephone or Zoom at the preference of the Mayor and City Council. In the event that we attend in person, we will not charge for travel time; however, the City will be charged for mileage if the attorney who attends the meeting does not live in Bloomfield.

In the event that the City of Bloomfield has legal matters that the firm is uncomfortable handling, we will make a recommendation to the Mayor and City Council regarding special counsel for that project. We would also expect that the City would continue to use separate counsel for any bond-related issues.

Please feel free to direct any further questions either to Heather or I.

Very truly yours,



Gayla R. Harrison
GRH/tjw

Enclosures

Pc: Tomi Jo Day
The Honorable Daniel Wiegand

HARRISON, MORELAND, WEBBER & SIMPLOT, P.C.

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GENERAL PRACTICE, PROBATE, FAMILY LAW, CORPORATE,
EMPLOYMENT AND INSURANCE LAW. TRIALS AND APPEALS.

JOHN R. WEBBER, III, born San Francisco, California, November 14, 1956; admitted to bar, 1982, Iowa, U.S. District Court, Northern and Southern District of Iowa, U.S. Tax Court, U.S. Claims Court and U.S. Court of Appeals, 8th Circuit; and 1983, Missouri. *Education*: University of California at Los Angeles (B.A., 1979); Drake University (J.D., 1982). *Member*: First Resources Corporation Board of Directors, Present; Ottumwa Regional Health Center Board of Directors, 1992--1999; Wapello County, Iowa State and American (Member, Sections on: Corporation, Banking, Business, and Real Property, Probate, and Trust Law) Bar Associations; and the Missouri Bar.

MICHAEL J. MORELAND, born Ottumwa, Iowa, December 9, 1962; admitted to bar, 1991, Iowa. *Education*: Creighton University (B.S., 1985); University of Iowa (J.D., 1990). Pi Mu Epsilon; Phi Delta Phi. Member, University of Iowa Law Review, 1989-1990. Admitted to the United States Supreme Court, 1999. Representative, Iowa House of Representatives, 93rd District, 1993-1998; Commissioner, Ottumwa City Planning and Zoning, 1990-1992. *Member*: Wapello County, Eighth Judicial District, Iowa State and American Bar Associations.

GAYLA R. HARRISON, born Kirksville, Missouri, October 3, 1960; admitted to bar, 1986, Iowa; U.S. District Court, Southern District of Iowa and U.S. Court of Appeals, 8th Circuit. *Education*: Drake University (B.F.A., 1983; J.D., with honors, 1986). Law Clerk to Justice Arthur A. McGiverin, Iowa Supreme Court, 1986-1987. Co-Author: "Employment at Will in Iowa: A Journey Forward," 39 Drake Law Review 67, 1989-1990. *Member*: Wapello County, Iowa State (Member, Supreme Court Advisory Committee-Rules of Evidence, 1991-1996; Chair, Labor and Employment Law Section, 1999-2001) and American (Member, Sections on: Litigation; Labor and Employment Law) Bar Associations.

HEATHER M. SIMPLOT, born Oskaloosa, Iowa, August 15, 1979; admitted to bar, 2006, Iowa; U.S. District Court, Southern District of Iowa. *Preparatory Education*, Drake University (B.A., 2002); *Legal Education*, Arizona State University (J.D., 2006). *Member*: Iowa State and American Bar Associations, Wapello County Bar Association, and Eighth Judicial District, Member Family Law Section.

REPRESENTATIVE CLIENTS: Ajinomoto Heartland, Inc.; Ajinomoto USA, Inc.; City of Agency; City of Blakesburg; City of Bloomfield, City of Eddyville; EMC Insurance Companies; Farm Bureau Mutual Insurance Co.; Great West Casualty Ins. Co.; Guaranty National Insurance Co.; Indian Hills Community College; Interpower Corporation; Iowa Mutual Insurance Co.; Nationwide Insurance; Oskaloosa Food Products Corp.; Ottumwa Community School District; Ottumwa Good Samaritan Center; Ottumwa Regional Health Center; River Hills Community Health Center; State Farm Insurance Co.; US Bank; Wells Fargo Bank, Iowa, N.A.; Valley Village Mobile Home Community; Wells Fargo Home Mortgage, Inc.; West Bend Mutual Insurance Co.