

City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

City of Lake Elmo City Council Meeting and Workshop

February 12, 2008

6:30 PM

AGENDA

City Council Workshop

1. Call to order Mayor Johnston
2. Introductions Mayor Johnston and Participants
3. Introduction of NIMS Greg Malmquist, City of Lake Elmo, Fire Chief
4. NIMS training Trainer
(2 hours)
5. (Adjourn workshop to city council meeting if action is desired on the request below on 2-12-08)

Consider a request to engage a law firm to represent the city along with Woodbury and Oakdale at the capitol for gaining the PC request for \$15 million in the bonding bill to clean up of the Washington County Landfill (Attachment 1)



ITEM: Consider a request to authorize expenditures for a firm to represent the city's interests by for the funds that PCA requested for the \$15 million in bonding funds for the Washington County Landfill cleanup

SUBMITTED BY: Susan Hoyt, City Administrator

SUMMARY AND ACTION REQUESTED: The city council is being asked to consider a request to join the city of Woodbury and the city of Oakdale in hiring a law firm to represent the city to help secure the PCA request for \$15 million in bonding money to clean up PFCs in the Washington County landfill. The request is being made because of the competitive nature of the bonding funds at the legislature which makes it difficult to secure funding, even if requested by the PCA. The PCA requested the funds in the bonding bill primarily for the dig and line option. The city can request that the dig and truck option be pursued. If the Council chooses to do this, the importance of this action is to get the funding this session and to work with neighboring cities to secure it

The cost of the lobbying firm is \$250 per hour. It is difficult to estimate a cost of the effort. The city may wish to establish a maximum amount since this will need to come from the 2008 General Fund contingency; the other cities may not be establishing a budget limit. The fund balances are being determined at this time.

SUGGESTED MOTION FOR CONSIDERATION if action is desired

Move to participate in hiring Lockridge, Grindal and Nauen to represent the city of Lake Elmo at the legislature in support of the \$15 million bonding request from the PCA to clean up the Washington County Landfill at \$250/hour. (add a maximum dollar amount if desired here)

ATTACHMENTS:

- 1 Letter from Lockridge, Grindal and Nauen
- 2 Profiles of firm representatives

LOCKRIDGE GRINDAL NAUEN

**P.L.L.P.
ATTORNEYS AT LAW**

SUITE 2200
100 WASHINGTON AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55401-2179

TELEPHONE (612) 338-6900
FACSIMILE (612) 338-0881

SUITE 210
415 SECOND STREET, N.E.
WASHINGTON, D.C. 20002-4900

TELEPHONE (202) 544-9840
FACSIMILE (202) 544-9850

WWW.LOCKLAW.COM

ROBERT J. SCHMIT
RICHARD A. LOCKRIDGE
CHARLES N. NAUEN*
H. THEODORE GRINDAL
W. JOSEPH BRUCKNER
CHRISTOPHER K. SANDBERG
J. MICHAEL SCHWARTZ
HARRY E. GALLAHER
WILLIAM A. GENGLER
ERIC C. TOSTRUD*
ROBERT K. SHELQUIST
HENRI G. MINETTE
GREGG M. FISHBEIN
SUSAN E. ELLINGSTAD
KAREN HANSON RIEBEL
KEIDI M. SILTON
GREGORY J. MYERS

OF COUNSEL

DANIEL A. FARBER**
ELIZABETH A. SNELSON
BRADLEY W. ANDERSON
PATRICIA A. BLOODGOOD*

*ALSO ADMITTED IN WISCONSIN

**ADMITTED IN WASHINGTON, D.C. ONLY

YVONNE M. FLAHERTY
DARLA JO. BOGGER
LISA M. FRIEDLAND**
BRIAN R. MCGRATH
DAVID J. KOLE
NATHAN E. BRIDGES
ELIZABETH M. COETZE
DAVID W. ABER
R. BRUCE LEBLANC
CARMEN E. COFFMAN
SARAH M. BURSILL
RACHEL J. SHIBUHANNEN
DAVID B. LEONHARDT
ANNA M. HORNBY HYDEN

***ADMITTED IN NEW YORK ONLY

GOVERNMENT RELATIONS†

DENNIS M. MCGRATH
ALYSON J. HARTIG
REBECCA K. HERTZ
MATTHEW S. SCHNEIDER
ALANNE H. FAIR
BRANDI M. WILLIAMS
MEGAN G. HILLER
EMILY J. SHENKMAN
ROBERT N. JOHNSON

†NON-ADMITTED ATTORNEYS

February 1, 2008

VIA ELECTRONIC MAIL

Mr. Clinton P. Gridley
City Administrator
City of Woodbury
8301 Valley Creek Road
Woodbury, MN 55125-3330

Dear Clint:

This follows our conversation Friday, January 25, 2008, regarding Lockridge Grindal Nauen ("LGN") representing the City of Woodbury with regard to 3M's future clean up of landfill sites in Woodbury and Washington County. Let me provide you with some brief background of our firm and also set out our hourly rates for such representation.

LGN is a 40 attorney firm with offices in Minneapolis and Washington, D.C. Our practice areas include complex litigation, lobbying and certain specialty areas, including environmental law. Over the years we have represented governmental and business in many environmental matters. In addition to the City of Woodbury, our environmental clients include Hennepin County, the City of Minneapolis, Thomson West and other local and regional companies. We have also lobbied on environmental issues for these entities and many others, including the Association of Minnesota Counties and Ramsey County.

I have been practicing environmental law for over twenty years. I am co-chair of the Hennepin County Bar Association Environmental Law Section. I am also a member of the Council of the Environmental, Energy and Natural Resources Section of the Minnesota State Bar Association. I teach advanced environmental law at the University of Minnesota Law School. Over the years I have represented many clients in landfill matters.

Mr. Clinton P. Gridley
City of Woodbury
February 1, 2008
Page 2

Harry Gallaher's practice focuses on environmental compliance, real estate and environmental review. Harry represents Thomson West, SDI, Mesabi Nugget, Mesabi Mining and numerous other clients on environmental matters and has been involved in many real estate and development projects throughout the Twin Cities.

To the extent legislative issues are involved, Ted Grindal heads our lobbying area. You know Ted well through his prior work for the City of Woodbury. He is very experienced in handling environmental matters in the legislative arena.

I enclose biographical materials and a description of Lockridge Grindal Nauen's environmental law practice.

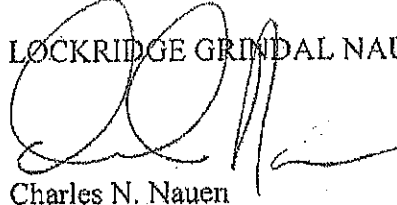
Regarding rates, we would charge the City of Woodbury by the hour. My hourly rate for such matters is \$340.00, Harry's is \$300.00 and Ted's is \$340.00. We would agree to a discount to \$250.00 per hour blended rate for attorney time in this matter. Staff time, if any, would be less, and we would charge out-of-pocket expenses. As you know from our previous work for the City of Woodbury, if you have any questions or comments regarding our statements, you should contact us and we will resolve any issues.

We look forward to representing the City of Woodbury in this matter. We believe we can bring to your side of the table our experience and knowledge of environmental law, the environmental agencies involved, and landfill matters.

Please contact me if you require any additional information.

Very truly yours,

LOCKRIDGE GRINDAL NAUEN P.L.L.P.



Charles N. Nauen

Enclosures

c: H. Theodore Grindal
Harry E. Gallaher



Harry E. Gallaher,

the firm's managing partner, practices in the areas of environmental compliance, real estate and corporate law. Mr. Gallaher counsels businesses, Indian tribes and individuals on environmental review processes, site remediation and clean-up, facility audits, commercial and industrial development matters, land use planning, condemnation, property acquisition, sale and leasing and corporate formation and governance. He has served as a court-appointed condemnation commissioner in Hennepin County, Minnesota. Mr. Gallaher received his law degree with honors in 1989 from Drake University Law School, where he was editor-in-chief of the Drake Law Review, his master's degree from the University of Chicago in 1984 and his bachelor's degree from the University of Minnesota in 1981.

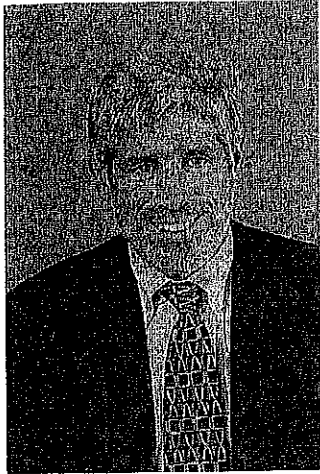
Lockridge Grindal Nauen P.L.L.P.

Suite 2200
100 Washington Avenue South
Minneapolis, MN 55401-2179
(612) 339-6900

Suite 210
415 Second Street N.E.
Washington, D.C. 20002-4900
(202) 544-9840

hegallaher@locklaw.com

www.locklaw.com



Charles N. Nauen,

heads the firm's environmental law practice and represents clients in environmental and commercial litigation in federal, state and administrative trials and appeals. Mr. Nauen represents his firm's meat and poultry clients on commercial and environmental matters in Minnesota, Wisconsin, North Dakota, South Dakota, Iowa and Nebraska and represented Hennepin County, Minnesota from 1994 to 1999 in solid waste flow control litigation in federal and state court. He filed the first citizen environmental lawsuit under the Clean Water Act in Minnesota in 1988 and has prosecuted and defended citizen suits since then. Mr. Nauen serves as an adjunct professor of advanced environmental law at the University of Minnesota Law School, is the co-chair of the Environmental Law Committee of the Hennepin County Bar Association and serves on the 2004/2005 Minnesota State Bar Association (MSBA) Environmental & Natural Resources Law Section Council. He has served as a court-appointed special master and mediator in several environmental and commercial disputes. He graduated cum laude from the University of Minnesota Law School in 1980 and *cum laude* from Baylor University in 1976.

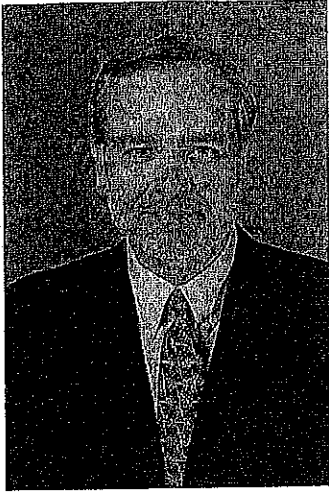
Lockridge Grindal Nauen P.L.L.P.

Suite 2200
100 Washington Avenue South
Minneapolis, MN 55401-2179
(612) 339-6900

Suite 210
415 Second Street N.E.
Washington, D.C. 20002-4900
(202) 544-9840

cnnaugen@locklaw.com

www.locklaw.com



H. Theodore Grindal

is the partner in charge of the Government Relations practice group at the firm. He graduated in 1976 from Augsburg College with a bachelor's degree, *cum laude*. He then graduated from the University of Minnesota Law School in 1979 with a juris doctorate degree.

After law school, he served in the Minnesota Attorney General's office as a Special Assistant Attorney General. In 1983, he joined the firm and has built an extensive practice working principally in the areas of health care, tax, tribal and general business issues for numerous clients. Since college, Ted has participated in many political campaigns for local and state-wide offices. He has been recognized as one of the top eight lobbyists in Minnesota by the *Star Tribune* newspaper and has been honored by inclusion in *The Best Lawyers in America* publication for health care law. He has been named a Super Lawyer by the *Minnesota Journal of Law and Politics* for government relations every year since inception.

Lockridge Grindal Nauen P.L.L.P.

Suite 2200
100 Washington Avenue South
Minneapolis, MN 55401-2179
(612) 339-6900

Suite 210
415 Second Street N.E.
Washington, D.C. 20002-4900
(202) 544-9840

htgrindal@locklaw.com

www.locklaw.com