

**Attorneys:**

Russell J. Gallian \*  
Michael I. Welker \*◊+  
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◊ Licensed in Nevada  
+ Licensed in Arizona  
± Licensed in California  
~ U.S. Patent & TM  
◊ Arbitrator / Mediator  
^ VA Accreditation

Brian L. Olson  
(1969-2010)

William F. Rummier  
(1943-2015)



**GALLIAN WELKER &  
BECKSTROM, L.C.**

April 28, 2021

Via Email

Mayor Dale Beddo  
Town of Apple Valley  
1777 North Meadowlark Drive  
Apple Valley, Utah 84737  
[dbeddo@applevalleyut.gov](mailto:dbeddo@applevalleyut.gov)

**Re: Town of Apple Valley  
Unsolicited Proposal for Town Attorney Position**

Dear Mayor Beddo:

It was a pleasure speaking with you this week. As we discussed, I am interested in serving as Apple Valley's Town Attorney. However, to ensure that the Town complies with state law, the Town should follow the requirements of Utah's Procurement Code, find in Title 63G, Chapter 6a, when hiring a new attorney. This is because an attorney's services qualifies as "professional services" under the Procurement Code. A town is free to adopt its own procurement code, but if it has not, then the town must follow the state's Procurement Code. I looked at the Town's ordinances and did not see a procurement code, so the state Procurement Code will apply.

To comply with the standard procedures of the Procurement Code, the Town should prepare and publish a "Request for Proposals" as described in UCA § 63G-6a-703 and 63G-6a-112. After reviewing all proposals submitted by the deadline, the Town Council can then select an attorney to award the contract.

The Procurement contains some potential exceptions that could eliminate the need to go through the process of requesting proposals. Utah Code section 63G-6a-803 allows a municipality to forego the standard procurement process if the procurement is necessary to: "(a) avoid a lapse in a critical government service; (b) mitigate a circumstance that is likely to have a negative impact on public health, safety, welfare, or property; or (c) protect the legal interests of a public entity." I understand that Shawn Guzman is leaving his position as Town Attorney, which will leave the Town without legal representation. I do not know the details of that transition. It would be up to the Town Council to decide if the circumstances constitute an emergency warranting forgoing the standard procurement process.

In any event, Utah Code section 63G-6-712 allows for the submission of unsolicited proposals, which are defined as proposals submitted without the municipality having published a formal Request for Proposals. An unsolicited proposal cannot be accepted

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by the Town until the standard procurement process has been completed, unless an exception applies as explained above. Please consider this letter my unsolicited proposal.

As far as my background and experience, I grew up in Virgin, Utah. I graduated from Utah State University in 2010 with a degree in Finance, then I graduated from Washburn School of Law in 2013. During law school, I was the editor of the school's law journal and received awards for papers I wrote on public land and taxation matters. I have been a practicing attorney with the law firm Gallian Welker & Beckstrom since 2013, and I am presently a partner in the law firm.

As an associate attorney, I assisted Russell Gallian as the attorney for Santa Clara City, and I was instrumental in successfully defending Santa Clara City in the lawsuits that resulted when a City dike broke in 2012 and flooded many houses. Presently, I am the Town Attorney for Rockville and the Chairman of the Hurricane City Planning Commission. As such, I am not only well-versed in current municipal law, but I also have a feel for the issues that are facing the communities in Washington County. I have attached my resume to this letter for your review.

I am providing with this letter a Letter of Representation, which sets out my understanding of the scope of work for which I will be hired and the contract prices and terms. Should the Town elect to hire me, please sign the Letter of Representation at the bottom.

Of course, please let me know if you have any questions.

Sincerely,

GALLIAN WELKER  
& BECKSTROM, L.C.



Dayton L. Hall

# Dayton L. Hall

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## EXPERIENCE

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### **Attorney - Partner**

October 2013 – Present

Gallian Welker & Beckstrom, L.C.

St. George, UT

- Conduct consultations, advise clients, negotiate disputes, and litigate matters regarding real property rights, water rights, municipal land use and zoning, contract law, probate and estate law, and general business law
- Retain and work with appraisers, accountants, and other experts to ascertain facts and opinions in the course of litigation
- Licensed to practice law in Utah, Nevada, and Arizona

### **Planning Commissioner, Chairman**

March 2019 – Present

Hurricane City Planning Commission

Hurricane, Utah

- Promote the orderly development within Hurricane City through the consideration and approval or rejection of various applications for land use and zoning
- Make recommendations to the Hurricane City Council regarding City planning matters
- Draft land use ordinances for consideration and adoption by the City Council
- Chair public meetings and hearings in the absence of the Chairperson

### **Law Clerk**

May 2011 – October 2013

Gallian Welker & Beckstrom, L.C.

St. George, UT

- Researched legal issues and prepared internal memoranda for attorneys
- Met with clients to gather information regarding their legal issues
- Collected, reviewed, and organized litigation documents
- Drafted motions, supporting memoranda, and other documents to submit to the court

### **Legal Intern**

Summer 2010

Utah State Courts, First Judicial District

Logan, UT

- Conducted legal research, drafted case summaries, and attended court proceedings
- Worked closely with law clerks on matters before the court

### **Property Manager**

March 2007 – March 2010

Dayton's Place, LLC

Logan, UT

- Researched and identified suitable rental property for purchase
- Marketed the property, investigated potential tenants, and resolved tenant issues

### **Tour Guide**

Summers 2008, 2009

Zion Outback Safaris

Virgin, UT

- Quickly formed friendly and professional relationships with a diverse clientele

### **Operator/Record Keeper/Laborer**

Summers and Seasonal 2004 – 2009

Cindy Taylor Trucking and Construction

St. George, UT

- Installed, constructed, and repaired various types of infrastructure systems, including water and waste water utilities
- Managed jobsite materials and records

# Dayton L. Hall

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## EDUCATION

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<b>Juris Doctor</b>	May 2013
Washburn University School of Law	Topeka, KS
<ul style="list-style-type: none"><li>• Magna Cum Laude</li><li>• Top Papers: Public Land Law; Legal Analysis, Research and Writing I and II; Conflict of Laws; Tax Policy Seminar (“A” with Distinction)</li><li>• TYLA Mock Trial Team: 2012 Regional Tournament Finalist</li><li>• <i>Washburn Law Journal</i>, Articles Editor, Volume 52<ul style="list-style-type: none"><li>- Solicited, managed, and edited articles written by professors and practitioners</li><li>- Reviewed and provided final edits for student articles before publication</li></ul></li></ul>	
<b>BS Finance; Minors in Personal Financial Planning and Economics</b>	May 2010
Utah State University, Jon M. Huntsman School of Business	Logan, UT
<ul style="list-style-type: none"><li>• Cum Laude</li><li>• Financial Planning Association, President</li></ul>	April 2008 – April 2010

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## COMMUNITY SERVICE BACKGROUND

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<b>Varsity Scouting Coach</b>	August 2013 – June 2017
Boy Scouts of America	Hurricane, UT
<ul style="list-style-type: none"><li>• Organized and carried out the Boy Scouting program, including high adventure, sporting, and other elements to accomplish the aims of character development, citizenship training, and personal fitness</li></ul>	
<b>County Delegate</b>	2016
Washington County Republican Party	Hurricane, UT
<b>Volunteer Leader</b>	September 2004 – September 2006
Hong Kong, China	
<ul style="list-style-type: none"><li>• Coordinated and supervised the service of approximately 150 volunteers</li><li>• Learned Cantonese in order to communicate with residents</li></ul>	
<b>Eagle Scout Award Recipient, BSA</b>	August 2003