

August 14, 2024

City of Mission
Attn: Patricia Rigney, City Attorney
Email: prigney@missiontexas.us
1201 E. 8th Street
Mission, Texas 78572

Re: Engagement Letter for Legal Services – Special Counsel

Dear City Attorney Rigney:

Thank you for the opportunity to provide Special Counsel Legal services for the City of Mission (the “City”). Below, provided for your review, are our rates for the scope of services requested for Special Counsel.

I, Rebecca S. Hayward, will be the supervising Partner and the attorney performing the legal work for the City. DNRBS&Z has found that the practice of billing clients on an hourly basis for work completed, and with invoices submitted monthly, works best for our clients and us. Our invoices are due on receipt and are past due after thirty days. The current engagement will be billed as Special Counsel, and our hourly billing rates for the different levels of engagement are as follows:

\$300 per hour for Partners; \$275.00 per hour for Senior Associates; \$250.00 per hour for Associates; and \$125 per hour for Paralegals

All related travel or other expenses are charged "at cost" with no "mark-up" and all related mileage is charged by multiplying the actual miles traveled by the then current IRS rate. Copy rates are .20 cents per page, color copies are .70 per page, and fax rates are .50 cents per page. We do not charge Westlaw, Lexis, or any other online research fees. All invoices shall be sent by email unless you direct otherwise. Once we are able to formally review documents and create a plan, we can provide a better idea of the overall cost of the project.

It is understood that the information exchanged between you, your representatives, and the Firm is subject to the lawyer-client relationship and is therefore both privileged and confidential. All communications and information are subject to the confidentiality provisions of Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct and Rule 503 of the Texas Rules of Evidence.

Pursuant to State law, the Firm recognizes that the City may not enter into a contract with a company for goods and services unless the contract contains a written verification from the company that it; (i) does not boycott Israel; and (ii) will not boycott Israel during the term of the contract (Texas Government Code, Chapter 2270.002). As such, the Firm hereby verifies that it does not boycott Israel, and agrees that, during the term of this Agreement, will not boycott Israel as that term is defined in the Texas Government Code, Section 808.001, as amended. Further, the Firm hereby certifies that it is not a company identified under Texas Government Code, Section 2252.152 as a company engaged in business with Iran, Sudan, or Foreign Terrorist Organization.

Non-Boycott of Energy. Pursuant to Texas Senate Bill 13 (2021), Contractor certifies that either (i) it does not boycott Israel and will not boycott energy companies; and (2) will not boycott energy companies during the term of the contract resulting from this solicitation. Contractor shall state any facts that make it exempt from the boycott certification as an attachment to this agreement.

Non-Boycott of Firearm Entity. Pursuant to Texas Senate Bill 19 (2021), Contractor certifies that it: (a) does not have a practice, policy, guidance, or directive that discriminates against firearm entity or firearm trade association; and (b) will not discriminate during the term of the contract against a firearm entity or firearm trade association.

Please execute this letter in the space provided below to acknowledge formal acceptance of the terms and conditions of our engagement on behalf of the City of Mission and insert the effective date. Please return the executed letter to our office via facsimile at (956) 421-3621 or by email at rshayward@rampagelaw.com.

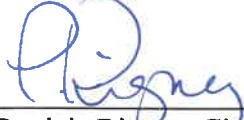
We look forward to working with you and City officials as needed. If you have any questions or need clarification regarding the above information, please do not hesitate to contact me at (956) 421-4904.

Very truly yours,

DENTON NAVARRO RODRIGUEZ BERNAL
SANTEE & ZECH
A Professional Corporation

Rebecca S. Hayward
Rebecca S. Hayward

ACCEPTED:



Patricia Rigney, City Attorney
City of Mission

8/27/24

Effective Date



Denton Navarro Rodriguez Bernal Santee & Zech, P.C.
attorneys & counselors at law • rampagelaw.com

San Antonio | Rio Grande Valley | Austin | Texas Gulf Coast

701 E. Harrison, Suite 100 | Harlingen, Texas 78550-9165

O 956-421-4904 | F 956-421-3621

**STATEMENT OF QUALIFICATIONS
CIVIL SERVICE ATTORNEY
CITY OF MISSION, TEXAS**

BY

DENTON NAVARRO RODRIGUEZ BERNAL SANTEE & ZECH, P.C.

LEGAL NAME OF RESPONDENT LAW FIRM

REBECCA S. HAYWARD

CONTACT PERSONS

PARTNER / SHAREHOLDER

TITLE

(956) 206-9638 (cell)

TELEPHONE NUMBER

(956) 421-3621

FAX NUMBER

rschayward@rampagelaw.com

E-MAIL ADDRESS

701 E. HARRISON AVE., STE. 100

COMPLETE MAILING ADDRESS

HARLINGEN, TEXAS

CITY/STATE

78550

ZIP

REBECCA S. HAYWARD

PARTNER / SHAREHOLDER

AUTHORIZED SIGNATURE

STATEMENT OF ORGANIZATION

The law firm of Denton, Navarro, Rodriguez, Bernal, Santee & Zech, P.C. (the "Firm") is a Professional Corporation organized under the Texas Business & Commerce Code. The Firm has a total of four regional offices located in San Antonio, the Rio Grande Valley (Harlingen, Texas), Central Texas (Austin, Texas), and the Texas Gulf Coast (League City, Texas). See <https://www.rampagelaw.com>.

The Firm has a total of 18 attorneys, including shareholders and partners. With legal support and administrative support staff, the Firm employs approximately 45 employees. See <https://www.rampagelaw.com>.

The Firm's mission statement is dedicated to the sole and exclusive purpose of providing legal services to local government in the State of Texas. The Partners and Shareholders of the Firm, along with many of its associates, have worked in or with local government – in municipalities, county government, and other local government entities as a principal component of their legal career. This includes both general counsel work, as well as special counsel work, and litigation in state and federal court, as well as in administrative and in arbitration forums.

The Firm's strength derives primarily from its commitment to a single, but diverse, client base, which is Texas local government. All of the Firm's clients are Texas municipalities, counties, or other units of local government. The Firm does not have any private sector clients and it does not handle any plaintiff's work unless it is on behalf of a local government entity. The Firm's litigation work is dedicated to either direct hire defense litigation for local government, or as assigned litigation work from a Risk Pool, such as the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) or the Texas Association of Counties Risk Management Pool (TACRMP) or other specialized public-sector Risk Pools, like the Texas Water Conservation Association & Risk Management Fund (TWCARMF).

Please see our attached statement of qualifications.

Respectfully submitted,

Rebecca S. Hayward

Rebecca S. Hayward

Partner / Shareholder

Texas Bar No. 24080709

STATEMENT OF INTEREST

The attorneys of Denton, Navarro, Rodriguez, Bernal, Santee & Zech, P.C., proudly represent dozens of governmental bodies and quasi-public agencies throughout Texas. Emphasizing unique, sophisticated, and cost-effective solutions, we handle a broad spectrum of issues relating to public sector labor relations and negotiations, state and federal civil litigation, and civil service law. We also provide general and special counsel legal services for government entities on matters such as policy and planning, ethics compliance and agency relations. The Firm has been in business for 32 years.

One practice specialty that exists for those municipalities (and counties) that have civil service law for public safety personnel, that is, firefighters and police officers. Within the Firm there exists a cadre of attorneys who have a concentrated area of practice in municipal civil service. This is reflected in the Firm's website, which highlights "Civil Service Law" as a specific practice specialty within the Firm. See <https://www.rampagelaw.com/civil-service-law-disciplinary-appeals-arbitrations/civil-service-law>.

Although all attorneys in the Firm are seasoned municipal and local government lawyers, the attorneys with the specialized civil service experience who would be primarily responsible to provide legal services under this RFQ are the following:

Rebecca S. Hayward	Partner / Shareholder	Primary Team Leader
Clarissa Rodriguez	Partner / Shareholder	
Kelly Albin	Senior Attorney	

A list of other key personnel is listed below under Section 3. All attorneys listed are available 24 hours a day via cell phone/email for the City Manager, Chief of Police, Fire Chief, Civil Service Director, and other staff as selected by the City Manager.

Ms. Hayward works primarily out of the Rio Grande Valley Office located at 701 E. Harrison, Suite 100, Harlingen, TX 78550. A majority of the work required will be handled out of the Harlingen office. However, all firm clients have access to the depth of knowledge and experience of all the attorneys in our four offices located in San Antonio, League City, and Austin, Texas.

COMMUNICATION STYLE AND METHOD OF APPROACH

The Firm's communication style relies initially on identification of the key group of City administrators who would serve as the designated points of contact for the Firm whenever there is a need for legal services. Similarly, the Firm designates the Partner in Charge of the team as the initial point of contact for the intake of the legal service request, along with one other experienced attorney and one primary legal support staff.

The primary purpose of this arrangement is to assure that 1) all requests for legal services are coming from an authorized person; and 2) there is accountability and control of the costs

associated with providing legal services. This is typically the best approach for the cities with which we work.

In our experience, the authorized points of contact on the City's side are one or more of the following individuals: 1) City Manager; 2) City Attorney; 3) HR Director or Civil Service Director; 4) Chief of Police; and, 5) Fire Chief.

For the Civil Service Team, the authorized points of contact are the Partners in Charge of the team, (i.e. Rebecca S. Hayward and/or Clarissa Rodriguez); and one legal support staff member knowledgeable in the area (Angelica Martinez).

SUMMARY OF PAST EXPERIENCE

The Firm has represented most of the cities in Texas that have been involved in the development of case law in Texas courts since the Civil Service Act (originally 1269m, Texas Revised Civil Statutes) was passed and adopted by the legislature in 1949.

The Firm's civil service work is a practice specialty that Attorneys Ricardo Navarro and Lowell Denton have been handling since 1908s's when they worked for Bexar County, Texas and the City of San Antonio, Texas, respectively, as in-house counsel.

Rebecca S. Hayward, Partner/Shareholder, is Texas Board Certified in Labor and Employment law, and is also a member of the civil service team, is a Partner/Shareholder who has over 10 years of experience working with municipal and county civil service systems in the State of Texas. Her experience includes representing cities in all aspects of the Texas Civil Service Act, including contested disciplinary proceedings to third party hearing examiners or the Civil Service Commission, and litigation of civil service issues.

Ms. Hayward along with the civil service team routinely advise and work on creating, updating, re-writing, and modifying classification ordinances, civil service rules, regulations, policies, and departmental rules and policies of police and fire departments. Most recently, Mr. Navarro and the Firm were retained to transition Missouri City from non-civil service to a civil service city which include the creation of the Civil Service Commission, the Civil Service Rules and Regulations, as well as the required ordinances for the police and fire classifications.

Additionally, the civil service team advises through the civil service testing process, the creation of entry level and promotional lists, and resolution of grievances, complaints, and disputes pertaining to this function. The team also advises department heads through internal administrative investigations, discipline, and handling of critical disciplinary appeals or other civil service personnel actions that trigger civil service appellate review.

Ms. Hayward along with the civil service team also specialize in the negotiation of collective bargaining and meet and confer agreements on behalf of the municipalities with Fire and Police Associations. Ms. Hayward has served as the lead chief negotiator and/or legal advisor for the cities of Austin, Del Rio, Big Spring, Sweetwater, Brownsville, Pharr, Harlingen, San Benito, San Juan, Alice, Falfurrias, and Laredo. Ms. Hayward as well as the civil service team have also worked on post-contract issues and related contract grievance arbitrations and litigation.

Ms. Hayward experience also includes defending and advising governmental employers in both civil service and non-civil service labor and employment issues including Whistleblower

Act, First Amendment, due process, FMLA, and discrimination and harassment claims made pursuant to Title VII, ADEA, ADA, PWFA, and state laws. Ms. Hayward routinely defend governmental entities in federal civil rights claims, and state law tort claims.

Client References

CIVIL SERVICE CITY	REFERENCE
Alice, Texas	Odilia Rodriguez, CSC Director 361-668-7213 odilia.rodriguez@cityofalice.org
Austin, Texas	Sarah Griffin, Labor Relations Officer 512-974-4986 Sarah.griffin@austintexas.gov
Edinburg, Texas	Jaime Ayala, Chief of Police 956-874-3304 jaimeayala@cityofedinburg.com
Del Rio, Texas	Manuel Chavez, ACM 830-309-7003 Manuel.chavez@cityofdelrio.com
Eagle Pass, Texas	Cynthia Campos, HR and CSC Director 830-773-1111 Ex. 2042 ccampos@eaglepasstx.us
Harlingen, Texas	Michael Kester, Chief of Police 956-216-5024 efernandez@myharlingen.us
Pharr, Texas	Ricky Rodriguez, City Attorney 956-460-3883 Patricia.rigney@pharr-tx.gov
San Antonio, Texas	Elizabeth Provencio, 1 st Deputy City Attorney 210-887-8222 Elizabeth.Provencio@sanantonio.gov
San Benito, Texas	Mario Perea, Chief of Police 956-361-3804 mperea@cityofsanbenito.com
San Juan, Texas	Adelaida Cordero, HR / CSC Director 956-223-2200 acordero@sjtx.us
Sweetwater, Texas	Lisa Adames, Assistant City Manager/CS Director 325-236-6313, Ext. 1311 ladames@coswtr.org

NAMES OF PRINCIPALS & KEY PERSONNEL

While all attorneys in the Firm are seasoned municipal and local government lawyers, the attorneys with specialized civil service experience who would be primarily responsible to provide legal services under this RFQ are the following:

Rebecca S. Hayward Partner / Shareholder
<https://www.rampagelaw.com/attorney/rebecca-s-hayward/>

Clarissa Rodriguez Partner / Shareholder
<https://www.rampagelaw.com/attorney/clarissa-m-rodriguez/>

Kelly R. Albin Senior Attorney
<https://www.rampagelaw.com/attorney/albin-kelly-r/>

The Firm hereby represents and commits that the civil service team members identified herein are all attorneys licensed by the Texas Supreme Court and in good standing. In addition, the assigned key professional staff have many years of experience within the Firm, are properly trained in the area of civil service law and procedure and are qualified and competent to serve as support staff for the Firm's Civil Service Team.

NAMES AND DISCIPLINES OF SUB-CONSULTANTS (IF ANY)

None

LISTING OF LITIGATION AGAINST FIRM

None

Amount of Professional Liability Insurance coverage carried by the Firm

\$1,000,000.00

Name and phone number of person at the banking institutions where the Firm does business

Broadway Bank, Tom Duran, Senior Vice President, 210-283-6640

