



**A RESOLUTION**

**BY COUNCILMEMBER H. LAMAR WILLIS**

**02-R-1285**

**A RESOLUTION AUTHORIZING THE INTERIM CITY ATTORNEY TO EXECUTE AN AMENDED RETAINER AGREEMENT WITH THE LAW FIRMS OF SUTHERLAND ASBILL & BRENNAN AND THOMAS, KENNEDY, SAMPSON & PATTERSON TO SERVE AS BOND COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH PUBLIC FINANCE TRANSACTIONS (INCLUDING THE ISSUANCE OF BONDS AND NOTES) FOR THE DEPARTMENT OF AVIATION; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO PAY FEES AND COSTS FOR LEGAL SERVICES RENDERED PURSUANT TO SAID RETAINER AGREEMENT IN AN AMOUNT NOT TO EXCEED \$150,000; TO RESCIND RESOLUTION 02-R-0974; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 2-991 of the Code of Ordinances for the City of Atlanta provides certain procedures for the selection and recommendation of Bond Counsel; and

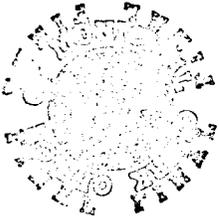
**WHEREAS**, the Interim City Attorney solicited written proposals from numerous law firms in the City of Atlanta to serve as Bond Counsel for the City of Atlanta's Department of Aviation in connection with issuance of bonds and notes to finance the Hartsfield Development Plan ; and

**WHEREAS**, as a result of the foregoing solicitation, the law firms of Sutherland Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson were selected to serve as Bond Counsel for the Department of Aviation in connection with the issuance of the Bond Anticipation Notes; and

**WHEREAS**, the Council authorized the Interim City Attorney to execute a retainer agreement between the City of Atlanta and the law firms of Sutherland Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson pursuant to 02-R-0974; and

**WHEREAS**, the Department of Law has now determined that it would be in the City's best interest to obtain assistance from Bond Counsel in the role of Disclosure Counsel in addition to that of Bond Counsel and therefore seeks authority to expand the scope of representation.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES** that the Interim City Attorney the City of Atlanta is hereby authorized to execute a retainer agreement with the law firms of Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson to serve as Bond Counsel to the City of Atlanta's Department of

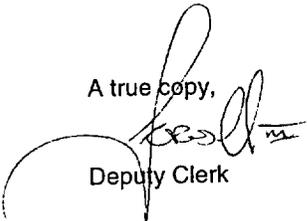


Aviation in connection with certain Public Finance Transactions, including the issuance of Bond Anticipation Notes in the approximate amount of \$350,000,000.00.

**Be it further resolved** that the Chief Financial Officer is hereby authorized to cause payment of all legal fees, expenses, and costs due for legal services rendered by Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson in connection with said bond issue, such amounts to be paid from the proceeds of the bond issue; provided that the legal fees authorized herein shall not exceed the sum of \$150,000.00, plus actual expenses incurred by Sutherland, Asbill & Brennan or Thomas, Kennedy, Sampson & Patterson.

**Be it finally resolved** that Resolution 02-R-0974 be and is hereby rescinded.

A true copy,

  
Deputy Clerk

**ADOPTED** by the Council  
**APPROVED** by the Mayor

JULY 15, 2002  
JULY 22, 2002

**RESOLUTION**

**02-*R*-0974**

**BY FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION, AUTHORIZING THE INTERIM CITY ATTORNEY TO EXECUTE A RETAINER AGREEMENT IN AN AMOUNT NOT TO EXCEED \$100,000 WITH THE LAW FIRMS OF SUTHERLAND ASBILL & BRENNAN AND THOMAS, KENNEDY, SAMPSON & PATTERSON TO SERVE AS BOND COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH PUBLIC FINANCE TRANSACTIONS (INCLUDING THE ISSUANCE OF BONDS AND NOTES) FOR THE DEPARTMENT OF AVIATION; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO PAY FEES AND COSTS FOR LEGAL SERVICES RENDERED PURSUANT TO SAID RETAINER AGREEMENT; TO RESCIND CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 2-991 of the Code of Ordinances for the City of Atlanta provides certain procedures for the selection and recommendation of Bond Counsel for the City of Atlanta's Department of Aviation to the Atlanta City Council in connection with the issuance of bonds; and

**WHEREAS**, the Interim City Attorney has solicited written proposals from numerous law firms in the City of Atlanta to serve as Bond Counsel for the City of Atlanta's Department of Aviation in connection with Public Finance Transactions (including bonds and notes).

**WHEREAS**, the law firms of Sutherland Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson submitted proposals to serve as Bond Counsel for the Department of Aviation in connection with the Public Finance Transactions, and the Interim City Attorney, in consultation with the Chief Financial Officer, recommends the law firms of Sutherland Asbill & Brennan and Thomas, Kennedy, Sampson & Kennedy to serve as Bond Counsel to the Department of Aviation in connection with the issuance of the Bond Anticipation Notes.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES as follows:**

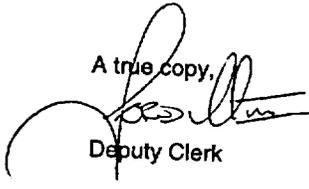
**Section 1.** That the Interim City Attorney the City of Atlanta is hereby authorized to execute a retainer agreement with the law firms of Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson to serve as Bond Counsel to the City of Atlanta's Department of Aviation in connection with Public Finance Transactions (including bonds and notes) in the approximate amount of \$350,000,000.

**Section 2.** That the Chief Financial Officer is hereby authorized to remit payment of all legal fees, expenses, and costs due for legal services rendered by Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson in connection with said bond issue, such amounts to be paid from the proceeds of the bond issue; provided that the legal fees authorized herein shall not exceed the sum of \$100,000.00, plus actual expenses incurred by Sutherland, Asbill & Brennan and



Thomas, Kennedy, Sampson & Patterson.

**BE IT FURTHER RESOLVED** that all resolutions and parts of resolutions in conflict herewith are hereby rescinded.

A true copy,  
  
Deputy Clerk

**ADOPTED** by the Council  
**APPROVED** by the Mayor

JUN 03, 2002  
JUN 10, 2002

RCS# 3906  
7/15/02  
7:45 PM

Atlanta City Council

Regular Session

02-R-1285

Willis Resolution Regarding  
Retaining Bond Council  
ADOPT

YEAS: 10  
NAYS: 1  
ABSTENTIONS: 1  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

|           |              |           |            |
|-----------|--------------|-----------|------------|
| Y Smith   | NV Archibong | N Moore   | A Mitchell |
| Y Starnes | NV Fauver    | Y Martin  | Y Norwood  |
| Y Young   | Y Shook      | Y Maddox  | Y Willis   |
| Y Winslow | NV Muller    | Y Boazman | NV Woolard |

**CORRECTED COPY**

02-R-1285

(Do Not Write) **0974**

**A RESOLUTION**

BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION, AUTHORIZING THE INTERIM CITY ATTORNEY TO EXECUTE A RETAINER AGREEMENT WITH THE LAW FIRMS OF SUTHERLAND ASBILL & BRENNAN AND THOMAS, KENNEDY, SAMPPSON & PATTERSON TO SERVE AS BOND COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH THE CITY OF ATLANTA TRANSACTION (INCLUDING THE ISSUANCE OF BONDS AND NOTES) FOR THE DEPARTMENT OF AVIATION; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO PAY FEES AND COSTS FOR LEGAL SERVICES RENDERED PURSUANT TO SAID RETAINER AGREEMENT; TO RESCIND SAID RETAINER AGREEMENT; TO RESCIND CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.

*Robert J. ...*  
Counselman ...

- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred \_\_\_\_\_

Referred To: \_\_\_\_\_

Date Referred \_\_\_\_\_

Referred To: \_\_\_\_\_

Date Referred \_\_\_\_\_

Referred To: \_\_\_\_\_

Committee FINANCE/EXECUTIVE

Date 5/29/02

Chair ...

Referred To \_\_\_\_\_

FIN Committee

Date 5/29/02

Chair ...

Action  Fav, Adv, Hold (see rev. side)

Other \_\_\_\_\_

Members

*...*

*...*

*...*

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action  Fav, Adv, Hold (see rev. side)

Other \_\_\_\_\_

**ADOPTED BY**

JUN 03 2002

**COUNCIL**

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action  Fav, Adv, Hold (see rev. side)

Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action  Fav, Adv, Hold (see rev. side)

Other \_\_\_\_\_

Members \_\_\_\_\_

FINAL COUNCIL ACTION

2nd  1st & 2nd  3rd

Consent  V Vote  RC Vote

**CERTIFIED**

**CERTIFIED**

JUN 03 2002

ATLANTA CITY COUNCIL PRESIDENT

*...*

**CERTIFIED**

JUN 03 2002

*...*

MAYOR'S ACTION

**APPROVED**

*...*

JUN 10 2002

MAYOR

RCS# 3906  
7/15/02  
7:45 PM

Atlanta City Council

Regular Session

RESOLUTION

Willis Resolution Regarding  
Retaining Bond Council  
ADOPT

YEAS: 10  
NAYS: 1  
ABSTENTIONS: 1  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

|           |              |           |            |
|-----------|--------------|-----------|------------|
| Y Smith   | NV Archibong | N Moore   | A Mitchell |
| Y Starnes | NV Fauver    | Y Martin  | Y Norwood  |
| Y Young   | Y Shook      | Y Maddox  | Y Willis   |
| Y Winslow | NV Muller    | Y Boazman | NV Woolard |

RESOLUTION

02-R-1285

(Do Not Write Above This Line)

A RESOLUTION BY COUNCIL MEMBER H. LAMAR WILLIS

A RESOLUTION AUTHORIZING THE INTERIM CITY ATTORNEY TO EXECUTE AN AMENDED RETAINER AGREEMENT WITH THE LAW FIRMS OF SUTHERLAND ASBILL & BRENNAN AND THOMAS, KENNEDY, SAMPSON & PATTERSON TO SERVE AS BOND COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH PUBLIC FINANCE TRANSACTIONS (INCLUDING THE ISSUANCE OF BONDS AND NOTES) FOR THE DEPARTMENT OF AVIATION; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO PAY FEES AND COSTS FOR LEGAL SERVICES RENDERED PURSUANT TO SAID RETAINER AGREEMENT IN THE AMOUNT NOT TO EXCEED \$150,000; TO RESCIND RESOLUTION 02-R-0974; AND FOR OTHER PURPOSES.

Adopted by Roll Call

Council member C. Mitchell Abstained 7/15/02

- CONSENT REFER
REGULAR REPORT REFER
ADVERTISE & REFER
1st ADOPT 2nd READ & REFER
PERSONAL PAPER REFER

Date Referred
Referred To:
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee
Date
Chair
Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

ADOPTED BY Members

JUL 15 2002

COUNCIL

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

- 2nd
1st & 2nd
3rd
Consent
V Vote
RC Vote

CERTIFIED

CERTIFIED
JUL 15 2002

ATLANTA CITY COUNCIL PRESIDENT

Catherine W. Howard

CERTIFIED
JUL 15 2002

Frank D. Scarborough
MAYOR

MAYOR'S ACTION

APPROVED

Frank D. Scarborough
MAYOR