



**A RESOLUTION AS SUBSTITUTED  
BY FINANCE/EXECUTIVE COMMITTEE**

03-<sup>R</sup>1860

**A RESOLUTION TO AUTHORIZE THE 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 AND DISCLOSURE COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH THE ISSUANCE OF CERTAIN AVIATION PUBLIC FINANCE TRANSACTIONS; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO CAUSE PAYMENT TO BE MADE IN THE AMOUNT OF \$150,000 FOR FEES AND COSTS FOR SERVICES RENDERED PURSUANT TO SAID AMENDED RETAINER AGREEMENT; TO RESCIND CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.**

**Whereas**, Section 2-991 of the Code of Ordinances of the City of Atlanta prescribes certain procedures for the selection and recommendation of Bond Counsel for the City of Atlanta to the Atlanta City Council; and

**Whereas**, the City Attorney has determined that there is a need for bond and disclosure counsel in connection with the issuance of certain Airport Refunding Bonds in an approximate amount of \$150,000,000 and;

**Whereas**, the City Attorney solicited written proposals from qualified law firms to serve as Bond Counsel in for the City for a term of two years with an option to renew that engagement for an additional two years, in connection with the issuance bonds and notes to finance the expansion and development related to the Hartsfield Development Plan; and

**Whereas**, based upon the competitive selection process, the law firms of Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson submitted the most responsive proposals; and

**Whereas**, the selection of Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson as bond counsel for Aviation Finance Transactions has previously been approved by legislation of this Council; and



**Whereas**, there is a need for bond and disclosure counsel services related to an anticipated refunding of certain 1994 Airport Bonds which became callable on January 1, 2003, thus resulting in a debt service savings to the City of Atlanta Airport;

**Whereas**, the City Attorney now recommends that an amended retainer agreement be executed with the law firms of Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson to provide the services described above.

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves** that the City Attorney is authorized to execute an amended retainer agreement with the law firms of Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson to serve as Bond Counsel and Disclosure Council to the City of Atlanta in connection with the issuance of certain Airport Refunding Bonds in an approximate amount of \$150,000,000.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is hereby authorized to cause payment to be made of all legal fees, expenses and costs due for legal service as bond and disclosure counsel in connection with said Airport bond issue. Payment shall be rendered in the amount of \$150,000 for Bond Counsel and Disclosure Counsel Services, such amounts to be paid from the proceeds of the Airport Refunding Bond Issue.

**BE IT FINALLY RESOLVED** that all Resolutions in conflict herewith are hereby rescinded.

A true copy,

*Phonda Daughin Johnson*  
Municipal Clerk, CMC

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

NOV 03, 2003  
NOV 10, 2003



RCS# 5123  
11/03/03  
1:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I 03-R-1860

ADOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 1  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 3

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

CONSENT I

RCS# 5124  
11/03/03  
1:42 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I 03-R-1676

ADOPT

YEAS: 9  
NAYS: 0  
ABSTENTIONS: 1  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 3

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

CONSENT I

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1721 2. 03-O-1723 3. 03-O-1835 4. 03-O-1848 5. 03-O-1678 6. 03-O-1679 7. 03-O-1680 8. 03-O-1681 9. 03-O-1682 10. 03-O-1683 11. 03-O-1684 12. 03-O-1494 13. 03-O-1651 14. 03-O-1652 15. 03-O-1689 16. 03-O-1700 17. 03-O-1701 18. 03-O-1829 19. 03-O-1695 20. 03-O-1375 21. 03-O-1511 22. 03-O-1666 23. 03-O-1667 24. 03-O-1838 25. 03-R-1504 26. 03-R-1658 27. 03-R-1808 28. 03-R-1860 29. 03-R-1861 30. 03-R-1815 31. 03-R-1816 32. 03-R-1817 33. 03-R-1676 34. 03-R-1800 35. 03-R-1804 36. 03-R-1866 37. 03-R-1668 38. 03-R-1810 39. 03-R-1811 40. 03-R-1863	41. 03-R-1869 42. 03-R-1870 43. 03-R-1873 <b>Items Adversed on Consent</b> 44. 03-R-1729 45. 03-R-1730 46. 03-R-1731 47. 03-R-1732 48. 03-R-1733 49. 03-R-1734 50. 03-R-1735 51. 03-R-1736 52. 03-R-1737 53. 03-R-1738 54. 03-R-1739 55. 03-R-1740 56. 03-R-1741 57. 03-R-1742 58. 03-R-1743 59. 03-R-1744 60. 03-R-1745 61. 03-R-1746 62. 03-R-1747 63. 03-R-1748 64. 03-R-1749 65. 03-R-1750 66. 03-R-1751 67. 03-R-1752 68. 03-R-1753 69. 03-R-1754 70. 03-R-1755 71. 03-R-1756 72. 03-R-1757 73. 03-R-1758 74. 03-R-1759 75. 03-R-1760 76. 03-R-1761 77. 03-R-1762 78. 03-R-1763 79. 03-R-1764	80. 03-R-1765 81. 03-R-1766 82. 03-R-1767 83. 03-R-1768 84. 03-R-1769 85. 03-R-1770 86. 03-R-1771 87. 03-R-1772 88. 03-R-1773 89. 03-R-1774 90. 03-R-1775 91. 03-R-1776 92. 03-R-1777 93. 03-R-1778 94. 03-R-1779 95. 03-R-1780 96. 03-R-1781 97. 03-R-1782 98. 03-R-1783 99. 03-R-1784 100. 03-R-1785 101. 03-R-1786 102. 03-R-1787 103. 03-R-1788 104. 03-R-1789 105. 03-R-1790 106. 03-R-1791 107. 03-R-1792 108. 03-R-1793 109. 03-R-1794 110. 03-R-1795 111. 03-R-1796 112. 03-R-1797 113. 03-R-1798 114. 03-R-1799 115. 03-R-1840 116. 03-R-1003

Council member C Mitchell  
Abstained

**03-2-1860**  
(Do Not Write Above This Line)

A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION TO AUTHORIZE THE 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 AND DISCLOSE COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH THE ISSUANCE OF CERTAIN AVIATION PUBLIC FINANCE TRANSACTIONS; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO CAUSE PAYMENT TO BE MADE FOR FEES AND COSTS FOR SERVICES RENDERED PURSUANT TO SAID AMENDED RETAINER AGREEMENT; TO RESCIND CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.

APPROVED: **ADOPTED BY**  
NOV 03 2003

Rosalind Rubens Newell  
Deputy City Attorney  
**COUNCIL**  
**SUBSTITUTE**

- 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 \_\_\_\_\_  
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Date Referred \_\_\_\_\_  
Referred To: \_\_\_\_\_

First Reading  
Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

File Committee  
Date 10/29/03  
Chair [Signature]  
Action Fav, Adv, Hold (see rev. side) [Signature]  
Other [Signature]  
Members [Signature]

[Signature]  
[Signature]  
[Signature]  
Refer To [Signature]

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  
Readings  
 Consent  V Vote  RC Vote

CERTIFIED

CERTIFIED  
NOV 03 2003

ATLANTA CITY COUNCIL PRESIDENT  
[Signature]

CERTIFIED  
NOV 03 2003  
[Signature]  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED  
[Signature]  
NOV 10 2003  
MAYOR