



**A SUBSTITUTE RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

**04-R-0883**

**A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO EXECUTE A 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 FOR FEES AND COSTS FOR SERVICES RENDERED PURSUANT TO SAID RETAINER AGREEMENT IN AN AMOUNT NOT TO EXCEED \$250,000.00; 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 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 issuance of approximately \$750,000,000.00 variable, fixed rate, general airport ("GARB") and passenger facility charge ("PFC") debt ; and

Whereas, the City Attorney now recommends that a 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 a 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 variable, fixed rate, general airport ("GARB") and passenger facility charge ("PFC") Airport Bonds in an approximate amount of \$750,000,000.00

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is hereby authorized to cause payment to be made for all legal fees, expenses and costs due for legal services as bond and disclosure counsel in connection with said 2004 Airport bond issue. Payment shall be rendered in an amount not to exceed \$250,000 for Bond Counsel and Disclosure Council Services, such amounts to be paid from the proceeds of the 2004 Airport Bond Issue.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

MAY 17, 2004  
MAY 25, 2004

RCS# 5754  
5/17/04  
6:01 PM

Atlanta City Council

Regular Session

04-R-0883      RETAIN AGRMNT W/CERTAIN LAW FIRMS BOND &  
DISCLOSURE COUNCIL AVIA PUB FIN \$250,000  
ADOPT ON SUB

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 1  
NOT VOTING: 0  
EXCUSED: 0  
ABSENT 1

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

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04-*P*-0883

(Do Not Write Above This Line)

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*Councilman Mitchell Abshier*

**ADOPTED BY**

- CONSENT REFER MAY 17 2004
- REGULAR REPORT REFER
- ADVERTISE & REFER **COUNCIL**
- 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 \_\_\_\_\_

*Finance*

*5/2/04*

*John G. Starnes*

*Chair*

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

*Other*

*Members*

*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 \_\_\_\_\_

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

*[Signature]*

**CITY PRESIDENT**

MAY 17 2004

MAYOR'S ACTION

*[Signature]*

MAY 25 2004

MAYOR