



A RESOLUTION

BY COUNCILMEMBER DEBI STARNES

**A RESOLUTION AUTHORIZING THE CITY OF ATTORNEY TO EXECUTE A RETAINER AGREEMENT WITH THE LAW FIRMS OF KUTAK ROCK LLP AND GEORGE HOWELL & ASSOCIATES TO SERVE AS CO-BOND COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH THE ISSUANCE OF THE WESTSIDE TAX ALLOCATION DISTRICT BONDS; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO PAY FEES, NOT TO EXCEED THE SUM OF \$50,000, AND COSTS FOR LEGAL SERVICES RENDERED PURSUANT TO SAID AGREEMENT; TO RESCIND CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Redevelopment Powers Law (O.C.G.A. § 36-44-1 et seq.) provides for the establishment of redevelopment powers and the creation of redevelopment plans and tax allocation districts by counties and municipalities in the State of Georgia; and

**WHEREAS**, the City of Atlanta has authorized the issuance of Tax Allocation District ("TAD") bonds to implement provisions of the Redevelopment Plans as adopted by the Council of the City of Atlanta and approved by the Mayor; and

**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 to the Atlanta City Council in connection with the issuance of City bonds; and

**WHEREAS**, the City Attorney solicited written proposals from numerous law firms in the City of Atlanta to serve as Bond Counsel for the city in connection with the issuance of TAD bonds; and

**WHEREAS**, the law firms of Kutak Rock LLP and George Howell & Associates submitted proposals to serve as Bond Counsel for the City in connection with TAD bond issues; and

**WHEREAS**, the City Attorney, in consultation with the Chief Financial Officer, recommended the law firms of Kutak Rock LLP and George Howell & Associates to serve as Co-Bond Counsel to the City in connection with the issuance of TAD bonds; and

**WHEREAS**, the City Attorney was authorized to retain Kutak Rock LLP and George Howell & Associates to serve as Bond Counsel in connection with the issuance of various TAD bonds.



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

**Section 1.** The City Attorney is hereby authorized to execute a retainer agreement with the law firms of Kutak Rock LLP and George Howell & Associates to serve as Bond Counsel to the City of Atlanta in connection with the issuance of approximately \$40,000,000.00 in Tax Allocation District Bonds for the Westside Tax Allocation District.

**Section 2.** The Chief Financial Officer is hereby authorized to remit payment of all legal fees, expenses, and costs due for legal services rendered by Kutak Rock LLP and George Howell & Associates in connection with said TAD bond issue, such amounts to be paid from the proceeds of the TAD bond issue; provided that the legal fees authorized herein shall not exceed the sum of \$50,000.00, plus actual expenses incurred by Kutak Rock LLP and George Howell & Associates.

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

A true copy,

*Rhonda Daughtrick Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

AUG 16, 2004  
AUG 20, 2004

RCS# 5937  
8/16/04  
2:51 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-14 EXCEPT:04-R-1339  
04-R-1391  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

8-16-4 Council Meeting		
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1375	41. 04-R-1317	59. 04-R-1336
2. 04-O-1206	42. 04-R-1400	60. 04-R-1337
3. 04-O-1209	43. 04-R-1320	61. 04-R-1338
4. 04-O-1354	44. 04-R-1321	62. 04-R-1340
5. 04-O-1357	45. 04-R-1322	63. 04-R-1341
6. 04-O-1366	46. 04-R-1323	64. 04-R-1342
7. 04-O-0437	47. 04-R-1324	65. 04-R-1343
8. 04-O-1350	48. 04-R-1325	66. 04-R-1344
9. 04-O-1351	49. 04-R-1326	67. 04-R-1345
10. 04-O-1368	50. 04-R-1327	68. 04-R-1346
11. 04-O-1247	51. 04-R-1328	69. 04-R-1347
12. 04-O-1221	52. 04-R-1329	70. 04-R-1348
13. 04-R-1372	53. 04-R-1330	
14. 04-R-1273	54. 04-R-1331	
15. 04-R-1388	55. 04-R-1332	
16. 04-R-1402	56. 04-R-1333	
17. 04-R-1403	57. 04-R-1334	
18. 04-R-1404	58. 04-R-1335	
19. 04-R-1304		
20. 04-R-1392		
21. 04-R-1393		
22. 04-R-1394		
23. 04-R-1395		
24. 04-R-1396		
25. 04-R-1397		
26. 04-R-1398		
27. 04-R-1355		
28. 04-R-1356		
29. 04-R-1373		
30. 04-R-1308		
31. 04-R-1309		
32. 04-R-1310		
33. 04-R-1311		
34. 04-R-1349		
35. 04-R-1367		
36. 04-R-1370		
37. 04-R-1312		
38. 04-R-1313		
39. 04-R-1315		
40. 04-R-1316		

**04-P-1372**

(Do Not Write Above This Line)

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*Rosalind Rubens Newell*  
 Rosalind Rubens Newell, Deputy City Attorney

**ADOPTED BY**

**AUG 16 2004**

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

Date Referred 7/19/04

Referred To: Finance / Executive

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

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

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

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

**First Reading**

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

*FINANCIAL SERVICES*  
 Committee

Date 7/28/04

Chair Debi Starnes

Action Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

Members \_\_\_\_\_

*Debi Starnes*  
*Chair*

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

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

Members \_\_\_\_\_

Executive

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

**Committee**

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 \_\_\_\_\_

Members \_\_\_\_\_

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

- FINAL COUNCIL ACTION**
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Vote
  - RC Vote

**CERTIFIED**

**CERTIFIED**  
 AUG 16 2004  
*Debi Starnes*  
 COUNCIL PRESIDENT

**CERTIFIED**  
 AUG 16 2004  
*Rosalind Rubens Newell*  
 MUNICIPAL CLERK

**MAYOR'S ACTION**

**APPROVED**  
*Rosalind Rubens Newell*  
 2004  
**MAYOR**