

**AN AMENDED RESOLUTION BY
FINANCE EXECUTIVE COMMITTEE**

05-R-1196

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO EXTEND A RETAINER AGREEMENT WITH THE LAW FIRM OF POWELL GOLDSTEIN LLP TO SERVE AS OUTSIDE COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH THE MATTERS RELATED TO THE SALE AND REDEVELOPMENT OF CITY HALL EAST, THE CREATION OF A PUBLIC SAFETY BUILDING AND THE CREATION OF A NEW JOINT 911 FACILITY; TO AUTHORIZE EXPENDITURES FOR THOSE PURPOSES IN AN AMOUNT NOT TO EXCEED \$100,000.00 TO BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1A01 524001 T31001 (GENERAL - FUND CONSULTANT/PROF. SERVICES - UNALLOCATED FUND WIDE EXPENSES); AND FOR OTHER PURPOSES.

WHEREAS, the City issued RFP FC-7636-03 in December of 2003 for the Sale and Redevelopment of 675 Ponce De Leon Avenue, N.E. and 641 North Avenue; and

WHEREAS, the City by Ordinance 04-O-1892 declared the property at 675 Ponce De Leon Avenue, N.E. and the property located at 641 North Avenue N.E. as surplus; and

WHEREAS, Ordinance 04-O-1892 authorized the negotiation of the sale of the properties to the most responsible and responsive bidder; and

WHEREAS, the sale of City Hall East will result in the relocation of the City Police and Parks department; and

WHEREAS, the City is implementing plans for the relocation of those departments but any plans will not be completed for a minimum of two years; and



WHEREAS, due to the complexity of the sale, redevelopment and relocation of City departments, the City Attorney has determined that a purchase and sale agreement and a development agreement are necessary; and

WHEREAS, the City Hall East properties are associated with the Certificates of Public Participation (C.O.P.s) issued by the City in the development of city property; and

WHEREAS, the law related to C.O.P.s financing is a highly specialized area; and

WHEREAS, Powell Goldstein, LLP assisted the City in the issuance of the C.O.P.s; and

WHEREAS, the C.O.P.s obligations need to be removed from the properties prior to their sale; and

WHEREAS, the City Attorney has determined it appropriate and necessary to engage the legal services of the law firm of Powell Goldstein, LLP as outside counsel in all matters related to the sale and redevelopment of City Hall East as provided in Section 2-407 of the Code of Ordinances; and

WHEREAS, Powell Goldstein, LLP has successfully assisted the City Law Department in negotiations with the proposed purchaser to date; and

WHEREAS, Powell Goldstein, LLP has incurred fees and expenses totaling \$25,000 in these matters; and

WHEREAS, negotiation of the terms associated with the purchase and sale agreement and development agreement are ongoing and thus require Powell Goldstein, LLP's continued assistance to the City Law Department; and

WHEREAS, the City Attorney has determined that the law firm of Powell Goldstein, LLP has both the Commercial Real Estate expertise in deals of this size as well as considerable legal resources necessary to augment the expertise in the City Law Department.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the City Attorney be and is authorized to extend its retention agreement with the law firm of Powell Goldstein, LLP to serve as outside counsel to the City Attorney in connection with the matters related to the sale and



redevelopment of City Hall East, the creation of a public safety building and the creation of a new joint 911 facility.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized to incur legal fees, costs and expenses related to this matter in an amount not to exceed \$100,000.00.

BE IT FINALLY RESOLVED that the Chief Financial Officer is hereby authorized to remit payment of all legal fees, expenses and costs due for legal services rendered by the law firm of Powell Goldstein, LLP in connection with the foregoing matters, once approved for payment by the City Attorney, in an amount not to exceed \$100,000.00 to be paid from Fund Account and Center Number 1A01 524001 T31001 (General Fund - Consultant/Prof. Services – Unallocated Fund Wide Expenses).

A true copy


Deputy Clerk

ADOPTED as amended by the Council
APPROVED by the Mayor

JUL05, 2005
JUL12, 2005

RCS# 6810
7/05/05
3:03 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 5-19 EXCEPT 05-R-1140

ADOPT

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

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

CONSENT I

7/05/05

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-1198 2. 05-O-1071 3. 05-O-1050 4. 05-O-1051 5. 05-O-1206 6. 04-O-1364 7. 05-O-1058 8. 05-O-1059 9. 05-O-1083 10. 05-O-1092 11. 05-R-0113 12. 05-R-1213 13. 05-R-1007 14. 05-R-1046 15. 05-R-1048 16. 05-R-1088 17. 05-R-1137 18. 05-R-1138 19. 05-R-1139 20. 05-R-1141 21. 05-R-1196 22. 05-R-1239 23. 05-R-1136 24. 05-R-1124 25. 05-R-1125 26. 05-R-1130 27. 05-R-1193 28. 05-R-1197 29. 05-R-1212 30. 05-R-1237	31. 05-R-1142 32. 05-R-1143 33. 05-R-1144 34. 05-R-1145 35. 05-R-1146 36. 05-R-1147 37. 05-R-1148 38. 05-R-1149 39. 05-R-1150 40. 05-R-1151 41. 05-R-1152 42. 05-R-1238	43. 05-R-1153 44. 05-R-1154 45. 05-R-1155 46. 05-R-1156 47. 05-R-1157 48. 05-R-1158 49. 05-R-1159 50. 05-R-1160 51. 05-R-1161 52. 05-R-1162 53. 05-R-1163 54. 05-R-1164 55. 05-R-1165 56. 05-R-1166 57. 05-R-1167 58. 05-R-1168 59. 05-R-1169 60. 05-R-1170 61. 05-R-1171 62. 05-R-1172 63. 05-R-1173 64. 05-R-1174 65. 05-R-1175 66. 05-R-1176 67. 05-R-1177 68. 05-R-1178 69. 05-R-1179 70. 05-R-1180 71. 05-R-1181 72. 05-R-1182 73. 05-R-1183 74. 05-R-1184 75. 05-R-1185 76. 05-R-1186 77. 05-R-1187 78. 05-R-1188 79. 05-R-1189 80. 05-R-1190 81. 05-R-1191

05-1196
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A RESOLUTION BY 05-R-
 FINANCE EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO EXTEND A RETAINER AGREEMENT WITH THE LAW FIRM OF POWELL GOLDSTEIN LLP TO SERVE AS OUTSIDE COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH THE MATTERS RELATED TO THE SALE AND REDEVELOPMENT OF CITY HALL EAST, THE CREATION OF A PUBLIC SAFETY BUILDING AND THE CREATION OF A NEW JOINT 911 FACILITY; TO AUTHORIZE EXPENDITURES FOR THOSE PURPOSES IN AN AMOUNT NOT TO EXCEED \$100,000.00 TO BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1A01 (GENERAL FUND)-524001 (CONSULTANT SERVICES)-T31001 (NON-DEPARTMENTAL); AND FOR OTHER PURPOSES.

Judith K. Disantis
 Judith K. Disantis, City Attorney

AS AMENDED ADOPTED BY

- CONSENT REFER JUL 05 2005
- 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:
 Referred To:

Committee _____
 Date _____
 Chair _____
 Referred To _____

FIN Committee
 Date 6/20/05
 Chair Devin McSteen

Action
 Fav, Adv, Hold (see rev. side)
 Other 05 Approved

1 Members
[Signature]
[Signature]
[Signature]

Refer To
Alan Shank
Alan Shank

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 FC Vote

CERTIFIED

JUL 05 2005

CERTIFIED
 JUL 05 2005
[Signature]
 Municipal Clerk

MAYOR'S ACTION

[Signature]
 Mayor