



**Request for City Council Committee Action
From the City Attorney's Office**

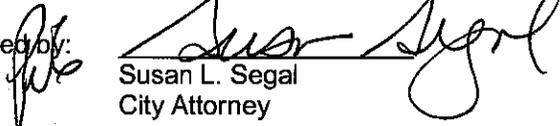
Date: October 20, 2014
To: Ways & Means/Budget Committee
Referral to:

Subject: Waiver of Conflict of Interest for Dorsey & Whitney LLP

Recommendation: That the City Council consent to the selection of Dorsey & Whitney LLP (the "Firm") to serve as bond counsel to the City for the issuance of Health Care System Revenue Bonds (Allina Health System), Series 2014 and waive any conflict of interest arising out of the Firm's representation of Allina Health System, MUFG Union Bank, and the African Development Center in matters unrelated to this transaction or other matters.

Previous Directives: The City Council on August 29, 2014, had consented to and waived any conflict of interest related to the Firm's representation of the City in a conduit bond transaction involving Children's Health Care and certain other civil litigation matters.

Prepared by: Peter W. Ginder Phone: (612) 672-2478

Approved by: 
Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

Financial Impact (Check those that apply)

- No financial impact (If checked, go directly to Background/Supporting Information).
- Action requires an appropriation increase to the ___ Capital Budget or ___ Operating Budget.
- Action provides increased revenue for appropriation increase.
- Action requires use of contingency or reserves.
- Business Plan: ___ Action is within the plan. ___ Action requires a change to plan.
- Other financial impact (Explain):
- Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact

- Neighborhood Notification
- City Goal(s):
- Comprehensive Plan
- Zoning Code
- Other

Background/Supporting Information

The Firm was placed on the City's "Conduit Bond Panel" for 2014-2016. Participation on the Conduit Bond Panel is conditioned on the Firm acting as issuer's counsel, i.e., acting as counsel for the City of Minneapolis. Although they are on the City's Conduit Bond Panel, the City also requires the Firm to notify the City of any conflicts discovered while conducting conflict reviews for representation of parties to conduit bond financing transactions.

The Firm has been asked to represent the City in connection with the issuance of Health Care System Revenue Bonds (Allina Health System), Series 2014, which are to be issued by the City on behalf of Allina Health Care and purchased by MUFG Union Bank, N.A.

The Firm currently represents Allina Health System, MUFG Union Bank, N.A., and the African Development Center on one or more matters which may be adverse to the City. While the representations identified by the Firm are distinct and unrelated to the instant conduit bond financing matter, the City Attorney's Office has determined that it would be appropriate to bring a conflict of interest waiver to the Council and recommends granting a waiver to the Firm in connection with the matter identified above and other matters where the Firm is providing legal services to the City.

PWG:hhp