



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

Date: June 26, 2007  
To: Ways & Means/Budget Committee  
Referral to: None

**Subject:** Selection of Bond Counsel

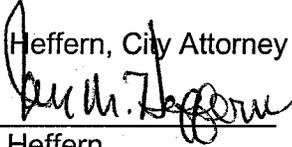
### Recommendation

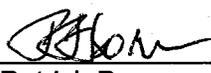
That the City Council authorizes the proper City Officials to enter into three year legal services agreement with Kennedy & Graven and Gray Plant Mooty to provide bond counsel services to the City of Minneapolis; each legal services agreement shall not exceed \$300,000.

Prepared by: Jay M. Heffern, City Attorney

Phone: 673-3272

Approved by: \_\_\_\_\_

  
Jay M. Heffern  
City Attorney

  
Patrick Born  
Chief Financial Officer

Presenters in Committee: Jay M. Heffern, City Attorney

### Financial Impact (Check those that apply)

- No financial impact - or - Action is within current department budget.  
(If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Other financial impact (Explain): Contractual Agreement; Feeds paid from bond proceeds
- Request provided to the Budget Office when provided to the Committee Coordinator

### Background/Supporting Information

In 2001 and 2004, the City used a request for proposal (RFP) process to select bond counsel for the City. The current bond counsel contract expires June 30, 2007. Earlier this year, the City authorized the issuance of a new RFP for bond counsel services. The RFP was sent to all Twin Cities law firms which are listed in the Directory of Municipal Bond Attorneys. To be listed in this directory, it is necessary to have issued one qualifying bond opinion. Three Twin Cities law firms responded to the RFP. The responses were evaluated, based on the criteria in the RFP, by the Chief Financial Officer, the Executive Secretary to the Board of Estimate and Taxation, and the City

Attorney. Based on this review, the reviewers recommend that the City Council authorize the proper City Officials to enter into three year legal services agreement with the Kennedy and Graven law firm. In addition, the reviewers recommend that the City enter into an agreement with Gray Plant Mooty for bond counsel services related to the Common Bond Fund Program. John Green of the Gray Plant Mooty firm has served in this role since 1990 and the CPED staff has strongly recommended a continuation of this relationship. Each three year bond counsel agreement would be in an amount not to exceed \$300,000.