

AN ORDINANCE 100235

AUTHORIZING THE ENGAGEMENT OF ATTORNEYS AND LAW FIRMS TO SERVE AS BOND COUNSEL FOR THE CITY OF SAN ANTONIO IN CONNECTION WITH VARIOUS FINANCINGS.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Pending Issuances. The City Council confirms the engagement of the attorneys and law firms identified below in this section as bond counsel to complete the following pending debt issuances:

TRANSACTION	LEAD COUNSEL	CO-BOND COUNSEL
Pension Obligation Bonds	Winstead, Sechrest & Minick, P.C.	William T. Avila
2006 G.O. Forward Refunding	Fulbright & Jaworski L.L.P.	Escamilla & Poneck, Inc.
Convention Center Hotel Revenue Bonds (Special Project)	McCall, Parkhurst & Horton, Inc.	Escamilla & Poneck, Inc.
Empowerment Zone Bonds	McCall, Parkhurst & Horton, Inc.	

SECTION 2. Future Issuances. The City Council confirms the engagement of the attorneys and law firms identified in the table below, as bond counsel for the identified future debt issuances. The engagements shall be for debt issuances initiated by the Finance Director on or after the effective date of this ordinance through September 30, 2007. The City Council may, in its discretion, by ordinance, authorize an extension of these engagements for two additional one-year periods after September 30, 2007, such terms to commence October 1st and terminate September 30 of each of the following years.

TRANSACTION	LEAD COUNSEL	CO-BOND COUNSEL
General Obligation Bonds	Fulbright & Jaworski L.L.P.	William T. Avila
Certificates of Obligation	Fulbright & Jaworski L.L.P.	William T. Avila
S.A. Housing Trust Finance	Fulbright & Jaworski L.L.P.	
Lease/Purchase Financings	Fulbright & Jaworski L.L.P.	
Parking Revenue Bonds	McCall, Parkhurst & Horton L.L.P.	Holland & Knight L.L.P.
Airport System Improvement Revenue Bonds (PFC's & GARB's)	McCall, Parkhurst & Horton L.L.P.	
Municipal Drainage Utility System Revenue Bonds	Loeffler Tuggey Pauerstein Rosenthal L.L.P. and Vinson & Elkins L.L.P.	
Library District (Special Project)	Loeffler Tuggey Pauerstein Rosenthal L.L.P. and Vinson & Elkins L.L.P.	
ESPADA (Terramark/A&M) Economic Development Corp. (Special Project)	Winstead, Sechrest & Minick, P.C.	

SECTION 3. Pool. The City Attorney, in consultation with the Finance Director, is authorized to engage any attorney or firm identified in this ordinance to serve as bond counsel, in connection with issuance of the following types of financings, if and when such an issuance is initiated by the Finance Director:

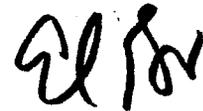
- Airport Facilities Revenue Bonds;
- Tax Increment Financing Bonds;
- Greater Kelly Development Corporation;
- Brooks Development Authority;
- Public Improvement Districts;
- Special Assessment Districts;
- Interest Rate Exchange Transactions;
- Variable Rate Demand Bonds;

- Auction Rate Securities;
- Tax-Exempt Commercial Paper;
- Conduit Financings, to include without limitation, Economic Development, Health Care, Higher Education, Housing Authority, Municipal Facilities Corporation and Local Development Corporation; and
- Issuance of any other debt not otherwise described by Section 1 or Section 2 of this ordinance, where the City is authorized or obligated to engage counsel, as determined by the Finance Director in consultation with the City Attorney.

SECTION 4. Fees. The City Attorney, in consultation with the Finance Director, is authorized to negotiate a fair and reasonable fee, in accordance with industry standards for bond counsel services, and to execute any and all documentation necessary to engage such services with any of the attorneys and firms listed in this ordinance. With the exception of a Special Project, bond counsel services and fees are payable and contingent upon the issuance of bonds. A Special Project is one which requires legal consultation but which may not result in the issuance of a debt instrument. Fees for Special Projects are negotiable on a case by case basis and may be paid from bond proceeds or other available funds, subject to City Council approval. In all instances, fees are authorized to be divided between the Lead Counsel and Co-Bond Counsel, on a 70%-30% basis, unless negotiated otherwise.

SECTION 5. Effective Date. This ordinance is effective on January 16, 2005.

PASSED AND APPROVED this 6h day of January, 2005.



M A Y O R
EDWARD D. GARZA

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

Agenda Voting Results

Name: 33.

Date: 01/06/05

Time: 03:24:00 PM

Vote Type: Multiple selection

Description: An Ordinance authorizing the engagement of attorneys and law firms to serve as bond counsel for the City of San Antonio in connection with various financings. [Presented by Andrew Martin, City Attorney; J. Rolando Bono, Interim City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2	Not present			
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		