

ORDINANCE No. 185084

*Authorize legal service agreement with Hawkins Delafield & Wood LLP for bond counsel services (ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Bond Counsel services are required by the City for issuance of general fund-backed obligations, revenue bonds and notes, housing revenue bonds and notes, tax increment bonds and notes, and special assignment of bonds and notes, and for other services related to its debt program.
2. Harvey W. Rogers and other members of the bond group at the law firm of K&L Gates LLP ("K & L Gates") were selected to provide these services by contract No. 30001306 dated May 1, 2010. The term of that contract was to extend through August 31, 2013.
3. Harvey W. Rogers and other members of the bond group at K & L Gates that provide bond counsel services are transferring to the law firm of Hawkins Delafield & Wood LLP ("Hawkins Delafield") as of December 19, 2011.
4. As a result of this transfer, the City's contract with K & L Gates will be terminated. In addition, to provide continuity of service for bond counsel, it is appropriate to continue the City's use of Harvey Rogers and the bond group as bond counsel at his new firm of Hawkins Delafield.
5. The proposed contract with Hawkins Delafield will be for the remainder of the K & L Gates contract, for the remaining contract price and at the same rate of fees, in substantially similar form to that attached as Exhibit A.
6. To the extent Chapter 5.68 of the City Code requires a different selection procedure, it is appropriate to waive those requirements to retain the same bond counsel for the remainder of the anticipated term.

NOW, THEREFORE, the Council directs:

- a. The City Attorney and Chief Procurement Office are authorized to enter into a contract with Hawkins Delafield & Wood LLP, for bond counsel services, in substantially similar form to that attached as Exhibit A, for an amount not to exceed \$1 million.
- b. If applicable, the provisions regarding selection of bond counsel in City Code Chapter 5.68 are waived.

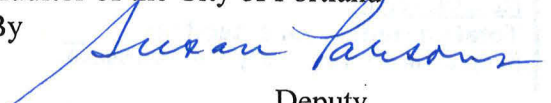
- c. The Mayor and Auditor are authorized to draw and deliver warrants in payment of legal services provided under this ordinance.

Section 2. The Council declares that an emergency exists because it is necessary to provide for the uninterrupted services of bond counsel services; therefore, this ordinance shall be in full force and effect from its passage.

Passed by the Council: JAN 04 2012


Commissioner: Mayor Adams
Prepared by: SDorn; Linda Meng
Date Prepared: December 16, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland
By


Deputy

12-
Agenda No. **185084**
ORDINANCE NO.
Title

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INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>DEC 29 2011</u>
COMMISSIONER APPROVAL	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  Deputy</p> <p>ACTION TAKEN:</p>
Mayor—Finance and Administration - Adams	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL	
Bureau: City Attorney Bureau Head: Linda Meng	
Prepared by: SDorn/LMeng Date Prepared: December 12, 2011	
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date January 4, 2012	
City Attorney Approval	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	