

BUFFALO FISCAL STABILITY AUTHORITY

RESOLUTION NO. 04 -21

APPROVE ENGAGEMENT OF MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C. AS BOND AND DISCLOSURE COUNSEL

WHEREAS, the Buffalo Fiscal Stability Authority (“BFSA”) was formed by Chapter 122 of the Laws of 2003 to “oversee the city’s budget, financial and capital plans; to issue bonds, note and other obligations to achieve budgetary savings through debt restructuring; to finance short-term cash flow or capital needs; and if necessary, to develop financial plans on behalf of the city id the city is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the BFSA is empowered to employ counsel to assist in the performance of its duties; and

WHEREAS, the BFSA is a public authority of the State of New York and as such is governed by certain state laws that specify the method for the procurement of certain services; and

WHEREAS, the BFSA has adhered to the method for the procurement of professional services through the issuance of a request for proposals for bond and disclosure counsel; and

WHEREAS, the BFSA set a response date to the request for proposals for bond and disclosure counsel no later than December 15, 2003; and

WHEREAS, a selection committee consisting of BFSA Directors and Staff selected Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. as the firm most capable of carrying out the required duties;

NOW THEREFORE BE IT RESOLVED, that the Buffalo Fiscal Stability Authority does hereby engage the law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. to provide legal and professional services to the BFSA on an as-needed basis as requested by the BFSA. Such services shall be undertaken for such amounts and on such terms as agreed upon by the Chair, Vice Chair or Executive Director.

This Resolution shall take effect immediately.

Approved February 18, 2004

/S/ Richard Tobe
Secretary