

ORDINANCE NO. [R-2014-00221] 140203

Waiving a requirement of Section 2-83(a), Code of Ordinances, and authorizing the City Attorney to execute a contract with Husch Blackwell LLP, for the provision of legal services in connection with the creation of one or more Transportation Development Districts; and recognizing an emergency.

WHEREAS, the City is actively pursuing multiple expansion lines to its downtown streetcar system; and

WHEREAS, financing of the expansion lines may include the establishment of one or more Transportation Development Districts (“TDD”); and

WHEREAS, the formation of any TDD(s) will require various legal services; and

WHEREAS, the original project team included an attorney with Husch Blackwell LLP such that the firm is already familiar with the project and the formation of any TDD(s) for the downtown streetcar system; and

WHEREAS, the short timeline and project efficiencies support the use of Husch Blackwell LLP in forming any TDD(s); and

WHEREAS, the City Manager has approved a solicitation waiver on the grounds that public solicitation would result in increased costs for the City or would otherwise not be in the best interest of the City due to the timeline contemplated for establishing any TDDs, and that Husch Blackwell LLP has unique or specialized experience suited to the project such that it is in the City’s best interests to utilize it due to the expertise developed by its attorneys in successfully representing the City in establishing the initial transportation development district; and

WHEREAS, Husch Blackwell LLP occasionally represents clients in litigation or negotiations with the City and is willing to represent the City in any TDD efforts only if the law firm is able to continue to represent those clients and other such clients in the future; and

WHEREAS, the waiver of future conflicts and waiver of existing conflicts shall be determined in accordance with the terms of the engagement letter authorized herein; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the provision of Section 2-83(a), Code of Ordinances, prohibiting a City department from entering into a legal services contract with an attorney or a law firm which represents any party in litigation against the City is hereby waived for the legal services contract with Husch Blackwell LLP to provide services to the City in any TDD effort.

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Section 2. That the City Attorney is hereby authorized to execute an engagement letter in substantial form to that attached hereto and incorporated herein. The waiver of existing conflicts and waiver of future conflicts shall be determined in accordance with the terms of the engagement letter.

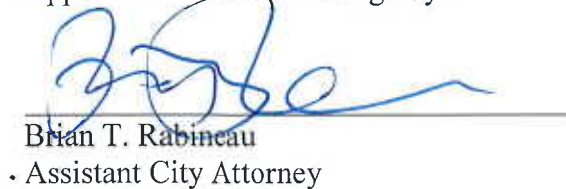
Section 3. That the City Attorney is hereby authorized to execute a \$55,000.00 contract with Husch Blackwell LLP from funds previously appropriated to Account No. 14-2080-122570-B, and to amend that contract subject to the identification of additional funds for such purposes.

Section 4. That this ordinance, relating to the design, repair, maintenance or construction of a public improvement, is recognized as an emergency measure within the provisions of Section 503 of the City Charter and shall take effect in accordance with that section.

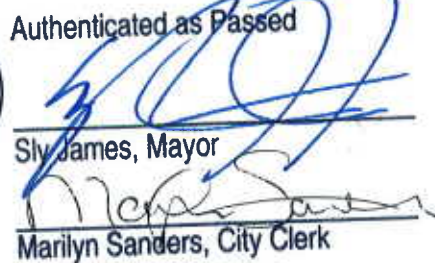
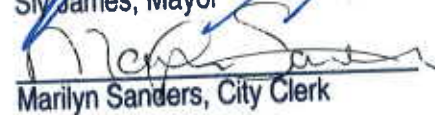
I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.


Randall J. Landes
Director of Finance

Approved as to form and legality:


Brian T. Rabineau
Assistant City Attorney



Authenticated as Passed

Sly James, Mayor

Marilyn Sanders, City Clerk

MAR 06 2014
Date Passed