



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Authorizing the City Attorney to negotiate and execute a specialized Legal Services Contract with a joint team, consisting of the law firms Williams Dirks Dameron LLC and the Hardwick Law Firm, LLC, a City certified MBE, for the provision of legal services related to the failure of Hyundai and KIA to include anti-theft technology in certain models of their vehicles. The Ordinance waives the contract solicitation and award provisions. This contract is a contingency fee arrangement and any fees will be paid out of any monetary recovery (after expenses). This ordinance does not encumber or appropriate funds.

### Discussion

Hyundai and KIA have failed to include anti-theft technology in certain models of their vehicles. The lack of immobilizers has made the Hyundai and KIA vehicles easier to steal and the City less safe. The City needs specialized outside Counsel to investigate and work with City personnel to determine the costs that City has incurred as a result of the companies' failure to include the anti-theft technology in its vehicles, and if appropriate bring an action against manufacturers and distributors of Hyundai and KIA.

Williams Dirks Dameron LLC and the Hardwick Law Firm, LLC, a City certified MBE (collectively, the "Firm"), specialize in representing public entities in both class action suits and complex litigation and Williams Dirks Dameron LLC is currently representing the City in the *In re National Opioids Litigation*, 17-ND-2804, and *City of Kansas City, Missouri v. Jimenez*, 2016-CV00829 (the firearms litigation). For the last eight months, the Firm has been studying and monitoring Hyundai's and KIA's failure to include anti-theft technology in certain models of vehicles and the resulting damage to public entities.

The City will not advance any funds, as any contract for legal services will contain a standard contingency fee arrangement with all legal fees and expenses subtracted from any future settlement or damage recovery. Section 3-35(b)(5), Code of Ordinances, provides that if the Council finds that it is "in the best interests of the city", the Council may waive contract solicitation and award provisions otherwise set out in the Code of Ordinances.



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### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

Not applicable

3. How does the legislation affect the current fiscal year?

It does not.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Not applicable

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

Potentially

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Public Safety (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):



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- Reduce violent crime among all age groups, placing an emphasis on young offenders
- Evaluate and identify areas of opportunity in the emergency response delivery system to ensure the best possible patient outcome
- Improve the diversity of employee recruitment, succession planning, and retention in the Police and Fire Departments
- Increase effectiveness and efficiencies of operations at Municipal Court and work to achieve the best possible outcomes for those served
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### Prior Legislation

None.

### Service Level Impacts

This will enable to the Law Department to focus its litigation team on other matters.

### Other Impacts

1. What will be the potential health impacts to any affected groups?

Not applicable

2. How have those groups been engaged and involved in the development of this ordinance?

Not necessary.

3. How does this legislation contribute to a sustainable Kansas City?

Not applicable

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes, all CREO requirements are in the contract draft.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

The MWBE goals are 0%MBE and 0%WBE per the CREO annual goals manual.