

ORDINANCE NO. 180029

Authorizing an amendment to the legal services agreement with Husch Blackwell LLP for the provision of legal services related to the proposed terminal modernization project; appropriating \$450,000.00 from Aviation Account No. 18-8300-627270-611060-62180497 into Law Department Account No. 18-1000-131506-610120; authorizing the City Attorney to expend this sum for this purpose; and recognizing this ordinance as having an accelerated effective date pursuant to Section 503(a)(3)(C) of the Charter.

WHEREAS, because of the aging of the current terminal and appurtenant facilities at Kansas City International Airport (“KCI”), and the importance of improving the functionality of KCI for the airlines, airline passengers and general public who use KCI, the Council recognized that there is a need to plan for the modernization of the existing terminals and their appurtenant facilities by demolishing the existing terminals and replacing them with a single terminal that will better serve airline passengers, the airlines and the general public; and

WHEREAS, the Council passed Ordinance No. 170390 authorizing the City Attorney “to negotiate and execute agreements with Husch Blackwell LLP and Wilmer Cutler Pickering Hale and Dorr LLP to provide legal services as lead counsel . . . related to the proposed terminal modernization project” and for the services of certain other experts and appropriated an initial sum of \$475,000.00 for these services; and

WHEREAS, pursuant to the authority granted by Ordinance No. 170390, the City Attorney entered into separate legal services contracts with Husch Blackwell LLP and Wilmer Cutler Pickering Hale and Dorr LLP on behalf of the City for those two firms to provide legal services related to the KCI terminal modernization project and to retain certain other needed experts; and

WHEREAS, at the November 7, 2017 special election, a majority of the voters authorized the City “to construct a new passenger terminal at Kansas City International Airport and demolish existing terminals as necessary” by voting in favor of Question No. 1; and

WHEREAS, the Council later passed Ordinance No. 170563 and then Committee Substitute for Ordinance No. 171011, appropriating an additional \$956,130.00 to pay for the legal services provided by these two law firms and expert costs; and

WHEREAS, the Council has determined that an additional appropriation of funds is necessary to provide funding for continued legal services to be provided by Husch Blackwell LLP; and

WHEREAS, for any future legal services provided by Husch Blackwell LLP the firm will be required to provide invoices for legal services and related expenses to be issued to the City every two calendar weeks and will be required to use all reasonable

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efforts to limit the number of attorneys billing for particular matters to only those essential to providing a particular item of legal services; and

WHEREAS, 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 Code of Ordinances; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That \$450,000.00 is appropriated from the Aviation Department Account No. 18-8300-627270-611060-62180497 to the Law Department Account:

18-1000-131506-610120	Outside Attorney Consulting	\$450,000.00
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Section 2. That the City Attorney is authorized to execute an amendment to the existing legal service agreement, as amended, with Husch Blackwell LLP for its continued provision of legal services as lead counsel related to the KCI proposed terminal modernization project in an additional aggregate amount not to exceed \$450,000.00.

Section 3. That the City Council hereby determines that due to the aging of the current terminal and appurtenant facilities at Kansas City International Airport, the importance of improving the functionality of KCI for the airlines, airline passengers and general public who use KCI and the City’s immediate need for continued specialized and experienced legal assistance in a variety of areas of law presented by the proposed terminal modernization project, the Council hereby finds that it is in the best interests of the City, within the meaning of that phrase as set out in Section 3-35(b)(5), Code of Ordinances, to waive contract solicitation and award provisions otherwise set out in the City’s Code of Ordinances.

Section 4. That this ordinance, because it appropriates money, is hereby recognized as having an accelerated effective date pursuant to Section 503(a)(3)(C) of the Charter.

Section 5. That pursuant to Section 3-347(b), Code of Ordinances, the Council hereby again determines that it is in the best interests of the City to waive the requirements of Article IV, Chapter 3, Code of Ordinances as to the legal services contract described herein and does hereby waive those requirements.

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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:

Galen Beaufort
Assistant City Attorney