

RESOLUTION NO. 4052

A RESOLUTION DESIGNATING KUTAK ROCK L.L.P. AS BOND COUNSEL FOR THE CITY OF OVERLAND PARK, KANSAS; APPROVING THE LETTER OF ENGAGEMENT FOR PROFESSIONAL LEGAL SERVICES AS BOND COUNSEL DATED JANUARY 1, 2014, AND RESCINDING RESOLUTION NO. 3699.

WHEREAS, pursuant to Resolution No. 3699 the City has utilized the bond counsel services of Kutak Rock L.L.P. as bond counsel; and

WHEREAS, the City desires to continue to utilize the bond counsel services of Kutak Rock L.L.P.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

1. That as required by Resolution No. 3356, the performance of the previously appointed bond counsel, Kutak Rock L.L.P., has been reviewed.

2. That based on the City's satisfaction with the performance and services of said Bond Counsel, the City desires to continue utilizing the services of Kutak Rock L.L.P.

2. That the law firm of Kutak Rock L.L.P., is hereby designated as Bond Counsel for the City of Overland Park effective January 1, 2014.

3. That the Letter of Engagement for Professional Legal Services dated January 1, 2014, incorporating the terms and conditions, including the Schedule of Fees, set forth in the October 29, 2008 letter of engagement between Kutak Rock L.L.P. and the City is approved.

4. That future changes to the Letter of Engagement for Professional Legal Services as Bond Counsel, including the Schedule of Fees attached thereto, shall be approved by the City Attorney, who shall report such changes to each member of the Governing Body.

5. That Resolution No. 3699 is hereby rescinded.

ADOPTED by the Governing Body this 13<sup>th</sup> day of January, 2014.

APPROVED AND SIGNED by the Mayor this 13<sup>th</sup> day of January, 2014.

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Carl Gerlach, Mayor

ATTEST:

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Marian Cook  
City Clerk

APPROVED AS TO FORM:

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Michael R. Santos  
City Attorney

**KUTAK ROCK LLP**  
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WICHITA

January 1, 2014

Michael R. Santos, Esq.  
City Attorney  
Overland Park City Hall  
8500 Santa Fe Drive  
Overland Park, KS 66212

Re: Letter of Engagement For Professional Legal Services as Bond Counsel

Dear Mr. Santos:

This letter is to confirm that Kutak Rock LLP (the "Firm") would be pleased to continue to serve as Bond Counsel to the City of Overland Park, Kansas (the "City"). The Firm requests that you consider this letter as our agreement to represent the City as its Bond Counsel upon the same terms and conditions and for the fees set forth in the October 29, 2008, letter of engagement between the Firm and the City subject to appropriate update as to staff, term and other matters agreed to by the parties. The Firm understands that an engagement through 2018 is contemplated, subject, however, to earlier review and termination at the sole discretion of the City. The designated principal contacts with respect to this representation will be Dorothea K. Riley, Joseph D. Serrano and Kathryn Pruessner Peters.

If you need any additional information, please do not hesitate to contact us. We look forward to the opportunity to continue working with the City.

Sincerely,



Dorothea K. Riley