

1 **RESOLUTION NO. _____**

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3 **A RESOLUTION TO AUTHORIZE AN APPROPRIATION TO THE**
4 **MUSEUM OF DISCOVERY IN THE AMOUNT OF ONE HUNDRED**
5 **SEVENTY-FIVE THOUSAND DOLLARS (\$175,000.00); TO AUTHORIZE**
6 **THE CITY ATTORNEY TO SEEK REIMBURSEMENT, PAYMENT OR**
7 **APPROPRIATE LEGAL ACTION FROM ANY POTENTIALLY**
8 **RESPONSIBLE PARTY FOR THE COST OF MOLD REMEDIATION AT**
9 **THE MUSEUM PROPERTY; TO AUTHORIZE THE CITY ATTORNEY**
10 **TO SEEK REIMBURSEMENT, PAYMENT OR APPROPRIATE LEGAL**
11 **ACTION AS NECESSARY FOR DAMAGES CAUSED BY THE**
12 **FEBRUARY 2021 SNOW STORM; AND FOR OTHER PURPOSES.**

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14 **WHEREAS**, it was discovered that action needed to be taken to remediate a mold problem at any area
15 impacted by the Museum of Discovery, and the cost of such remediation was approximately One Hundred
16 Seventy-Five Thousand Dollars (\$175,000.00) to accomplish even though the problem was not caused by
17 the Museum; and,

18 **WHEREAS**, it was necessary for the Museum of Discovery to advance these costs in order to maintain
19 operations; and,

20 **WHEREAS**, in February 2021, a significant snow storm hit the City of Little Rock, Arkansas, causing
21 a virtual shut down of the City, and during this snow storm there was significant water damage done to the
22 Museum of Discovery which may require litigation to assure that the party pays for the damages to the area
23 occupied by the Museum as well as to its exhibits.

24 **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY**
25 **OF LITTLE ROCK, ARKANSAS:**

26 **Section 1.** The City Manager is authorized to direct the payment of a sum not to exceed One Hundred
27 Seventy-Five Thousand Dollars (\$175,000.00) for the cost to complete mold remediation at the Museum
28 of Discovery.

29 **Section 2.** Funds for this payment shall come from an appropriate account in the City General Fund,
30 provided that if recovery of these funds from another party is accomplished as a result of the terms of this
31 resolution, these funds shall be repaid to the same account unless otherwise provided by resolution of the
32 City Board of Directors.

1 **Section 3.** In February 2021, the Museum of Discovery suffered extensive water damage as a result
2 of the significant snow storm that hit the City of Little Rock, and severely disrupted services for a several
3 day period of time; to the extent that recovery of the funds from another party can be accomplished, the
4 City Attorney is directed to pursue such an action on behalf of the Museum, as well as, any appropriate
5 action to recover the funds required for mold remediation as set forth in Section 2 of this resolution.

6 **Section 4. *Severability.*** In the event any title, paragraph, item, sentence, clause, phrase, or word of
7 this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication
8 shall not affect the remaining portions of the resolution which shall remain in full force and effect as if the
9 portion so declared or adjudged invalid or unconstitutional were not originally a part of the resolution.

10 **Section 5. *Repealer.*** All laws, ordinances, resolutions, or parts of the same, which are inconsistent
11 with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

12 **ADOPTED: June 15, 2021**

13 **ATTEST:**

APPROVED:

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16 **Susan Langley, City Clerk**

_____ **Frank Scott, Jr., Mayor**

17 **APPROVED AS TO LEGAL FORM:**

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21 **Thomas M. Carpenter, City Attorney**

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