2 AN ORDINANCE TO AMEND LITTLE ROCK, ARK., REV. CODE § 2-241 4 (1988) TO CLARIFY THE AUTHORITY OF THE CITY MANAGER TO 5 AUTHORIZE CITY EXPENDITURES; TO DECLARE AN EMERGENCY; 6 AND FOR OTHER PURPOSES. 7 8 8 WHEREAS, when the City of Little Rock, Arkansas ("the City"), adopted the management form of 9 government in 1956, and installed it in 1957, a City Manager was given broad authority to take ministerial 10 actions on behalf of the City; and, 11 WHEREAS, in 2007, pursuant to a referendum referred by the Board of Directors to the electors, 12 statutory amendments were implemented which allowed a directly elected Mayor to exercise the powers of 13 the City Manager; and, 14 WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and 15 ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of 16 Directors; and, 17 WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify 18 this distinction; 19 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY 10 FLITLE ROCK, ARKANSAS: 11	
 4 (1988) TO CLARIFY THE AUTHORITY OF THE CITY MANAGER TO 5 AUTHORIZE CITY EXPENDITURES; TO DECLARE AN EMERGENCY; 6 AND FOR OTHER PURPOSES. 7 8 WHEREAS, when the City of Little Rock, Arkansas ("the City"), adopted the management form of 9 government in 1956, and installed it in 1957, a City Manager was given broad authority to take ministerial 10 actions on behalf of the City; and, 11 WHEREAS, in 2007, pursuant to a referendum referred by the Board of Directors to the electors, 12 statutory amendments were implemented which allowed a directly elected Mayor to exercise the powers of 13 the City Manager; and, 14 WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and 15 ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of 16 Directors; and, 17 WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify 18 this distinction; 19 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY 20 OF LITTLE ROCK, ARKANSAS: 21 Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is 22 intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
5 AUTHORIZE CITY EXPENDITURES; TO DECLARE AN EMERGENCY; 6 AND FOR OTHER PURPOSES. 7 8 8 WHEREAS, when the City of Little Rock, Arkansas ("the City"), adopted the management form of 9 government in 1956, and installed it in 1957, a City Manager was given broad authority to take ministerial 10 actions on behalf of the City; and, 11 WHEREAS, in 2007, pursuant to a referendum referred by the Board of Directors to the electors, 12 statutory amendments were implemented which allowed a directly elected Mayor to exercise the powers of 13 the City Manager; and, 14 WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and 15 ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of 16 Directors; and, 17 WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify 18 this distinction; 19 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY 20 OF LITTLE ROCK, ARKANSAS: 21 Section 1. Purpose. This ordinance, and its amendment to the Little Rock Code of Ordinances, is 22 intended to clarify the practice of the City as to actions to	
 AND FOR OTHER PURPOSES. WHEREAS, when the City of Little Rock, Arkansas ("the City"), adopted the management form of government in 1956, and installed it in 1957, a City Manager was given broad authority to take ministerial actions on behalf of the City; and, WHEREAS, in 2007, pursuant to a referendum referred by the Board of Directors to the electors, statutory amendments were implemented which allowed a directly elected Mayor to exercise the powers of the City Manager; and, WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 WHEREAS, when the City of Little Rock, Arkansas ("the City"), adopted the management form of government in 1956, and installed it in 1957, a City Manager was given broad authority to take ministerial actions on behalf of the City; and, WHEREAS, in 2007, pursuant to a referendum referred by the Board of Directors to the electors, statutory amendments were implemented which allowed a directly elected Mayor to exercise the powers of the City Manager; and, WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 WHEREAS, when the City of Little Rock, Arkansas ("the City"), adopted the management form of government in 1956, and installed it in 1957, a City Manager was given broad authority to take ministerial actions on behalf of the City; and, WHEREAS, in 2007, pursuant to a referendum referred by the Board of Directors to the electors, statutory amendments were implemented which allowed a directly elected Mayor to exercise the powers of the City Manager; and, WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 government in 1956, and installed it in 1957, a City Manager was given broad authority to take ministerial actions on behalf of the City; and, WHEREAS, in 2007, pursuant to a referendum referred by the Board of Directors to the electors, statutory amendments were implemented which allowed a directly elected Mayor to exercise the powers of the City Manager; and, WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 actions on behalf of the City; and, WHEREAS, in 2007, pursuant to a referendum referred by the Board of Directors to the electors, statutory amendments were implemented which allowed a directly elected Mayor to exercise the powers of the City Manager; and, WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 WHEREAS, in 2007, pursuant to a referendum referred by the Board of Directors to the electors, statutory amendments were implemented which allowed a directly elected Mayor to exercise the powers of the City Manager; and, WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 statutory amendments were implemented which allowed a directly elected Mayor to exercise the powers of the City Manager; and, WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 the City Manager; and, WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 WHEREAS, it is vital to assure that policy decisions are made by the entire governing body, and ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 ministerial actions should be taken only if they implement policy decisions of the Mayor and Board of Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 Directors; and, WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 WHEREAS, to that extent Little Rock, Ark., Rev. Code § 2-241 (1988) should be amended to clarify this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 this distinction; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
 OF LITTLE ROCK, ARKANSAS: Section 1. <i>Purpose</i>. This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken 	
Section 1. <i>Purpose</i> . This ordinance, and its amendment to the Little Rock Code of Ordinances, is intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken	
22 intended to clarify the practice of the City as to actions to be taken by policymakers, and actions to be taken	
23 by Executive or Administrative Officials.	
-	
24 Section 2. Little Rock, Ark., Rev.Code § 2-241 is hereby amended to read as follows:	
25 <i>Authority of City Manager</i> . The City Manager or his authorized representative shall have	
 the exclusive power and responsibility, after the proper exercise of a competitive selection process as set forth in Section 2-242, to make purchases of all supplies, 	
 selection process as set forth in Section 2-242, to make purchases of all supplies, apparatus, equipment, materials and other things, requisite for public purposes in and 	
29 for the City, and to make all necessary contracts for work or labor to be done, or materials	
 30 or other necessary things to be furnished for the benefit of the City, or in carrying out 	
any work or undertaking of a public nature therein; provided, that this authority does not	
 extend to the settlement of litigation in which the City, or any employee, is a party. 	
 Section 3. Prior to the settlement of any litigation in which the City, or an employee or other person 	
34 hired by the City, is a party, the City Attorney or his authorized representative, shall have informed each	

1 member of the Board of Directors, including the Mayor, of the nature of the litigation, the nature of any 2 proposed settlement, and the right to discuss potential settlement in a public meeting; provided, that all 3 such determinations shall be conducted in accordance with the Arkansas Freedom of Information Act.

4 Section 4. Severability. In the event any section, subsection, subdivision, paragraph, subparagraph, 5 item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or 6 unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this 7 ordinance, as if such invalid or unconstitutional provision was not originally a part of this ordinance.

8 Section 5. Repealer. A ll ordinances, resolutions, bylaws, and other matters inconsistent with this 9 ordinance are hereby repealed to the extent of such inconsistency.

10 Section 5. Emergency Clause. The ability to make appropriate decisions on the potential settlement 11 of litigation, and to assure that the Mayor and Members of the Board of Directors are unanimous in such 12 a decision, as well as any requirement for the payment of funds – regardless of the source – and, the acceptance of any conditions, is essential to the public health, safety and welfare; an emergency is; 13 14 therefore, declared to exist and this ordinance shall be in full force and effect from and after the date of its 15 passage. 16 PASSED: November 16, 2021

17 ATTEST **APPROVED:** 18 19 Susan Langley, City Clerk Frank Scott, Jr., Mayor 20 21 **APPROVED AS TO LEGAL FORM:** 22 23 Thomas M. Carpenter, City Attorney 24 25 // 26 // 27 // 28 // 29 // 30 // 31 // 32 // 33 // 34 // 35 // [Page 2 of 2]