1	RESOLUTION NO
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3	A RESOLUTION TO AMEND LITTLE ROCK, ARK., RESOLUTION NO.
4	15,445 (APRIL 20, 2021) TO EXTEND THE STATE OF DECLARATION OF
5	A LOCAL DISASTER EMERGENCY FOR 120 DAYS TO, AND
6	INCLUDING, DECEMBER 29, 2021; TO SPECIFICALLY ENDORSE THE
7	CONTINUATION OF DECLARATION OF LOCAL DISASTER
8	EMERGENCY 2021-02 AS TO THE WEARING OF MASKS WITHIN THE
9	CORPORATE LIMITS OF THE CITY OF LITTLE ROCK, ARKANSAS;
10	AND FOR OTHER PURPOSES.
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12	WHEREAS, in 2021 while the vaccinations for COVID-19 were available to persons over the age of
13	twelve (12) years there was a new development with the spread of infections from different variants of
14	COVID-19, and in Arkansas particularly, the Delta Variant created overwhelming issues for hospitals,
15	health care workers, and the general public including, but not limited to, more than one time that there were
16	no available Intensive Care Unit ("ICU") beds in any hospital within the area; and,
17	WHEREAS, the City is aware of the provisions of 2021 ARK. ACTS 1002, but also believes, as held
18	by the Pulaski Circuit Court in McClane v. State of Arkansas and Little Rock School District v. Honorable
19	Asa Hutchinson, No. 60CV-21-4692 & 60CV-21-4763, the legislative action suffers from constitutional
20	shortcomings including, but not limited to, a violation of the separation of powers provision, and the Equal
21	Protection provision, of the Arkansas Constitution; and,
22	WHEREAS, the most recent data from the Centers for Disease Control ("CDC") website show that
23	while there has been progress, still only 46.1% of the population in Pulaski County, Arkansas, have been
24	vaccinated for COVID-19, and that approximately 33,982 children under the age of twelve (12) are
25	unvaccinated; and,
26	WHEREAS, currently 1,224 persons per 100,000 population within Pulaski County are infected with
27	COVID-19, and there have been seventeen (17) additional deaths for an average of 4.34 per 100,000
28	population; and,
29	WHEREAS, Declaration of Local Disaster Emergency No. 2101-02, issued on August 5, 2021
30	("DLDE 2021-02"), established a requirement to wear masks on City property, and issued a strong
31	encouragement that others impose such requirements for private property, and the terms of this declaration
32	should be continued for 120 days; and,
33	<b>WHEREAS</b> , in addition, there will be review of the necessity of the maintenance of the terms of the

terms of DLDE 2021-02 approximately every thirty (30) days during a Regular or Special Called Meeting

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of the Little Rock Board of Directors.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY
OF LITTLE ROCK, ARKANSAS:
Section 1.
(a) Pursuant to the authority granted in Ark. Code Ann. § 12-75-108 (a) (3), the Board of Directors
continues and renews the Declaration of a Local Disaster Emergency for a period of 120 days,
to, and including, December 29, 2021, as permitted in Little Rock, Ark., Resolution No. 15,445
(April 20, 2021);
(b) Little Rock, Ark., Resolution No. 15,445, § 1 particularly, is hereby amended pursuant to the
effective term of the declaration of a local disaster emergency set forth within this resolution.
Section 2. The provisions Declaration of Local Disaster Emergency 2021-01 and Declaration of
Disaster Emergency 2021-02, shall remain in effect, or to the extent that these declarations are amended to
reflect the extension of time within this resolution, as amended.
Section 3. Periodic Review of this Resolution.
(a) The provisions of this resolution shall be reviewed approximately every thirty (30) days during
a meeting of the Board of Directors; as this point, these dates are:
(i) Tuesday, September 28, 2021; and,
(ii) Tuesday, October 26, 2021; and,
(iii) Tuesday, November 23, 2021; and,
(iv) Tuesday, December 28, 2021.
(b) Notice is hereby given that for the dates of the meetings tentatively set forth in subjection (a),
the discussion of this item shall be considered a Special Meeting of the Board of Directors for purposes
of the approval of a resolution to repeal this resolution, provided, that such special meeting shall be for
no other reason unless separate and appropriate notice is provided pursuant to Arkansas State Law.
(c) The dates set forth above may be changed as needed, provided the rest of the provisions set
forth in this Section 3 on periodic review of this resolution are otherwise followed.
Section 4. Severability. In the event any title, paragraph, item, sentence, clause, phrase, or word of this
resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall
not affect the remaining portions of the resolution which shall remain in full force and effect as if the portion
so declared or adjudged invalid or unconstitutional were not originally a part of the resolution.
Section 5. Repealer. All laws, ordinances, resolutions, or parts of the same, which are inconsistent with
the provisions of this resolution are hereby repealed to the extent of such inconsistency.
ADOPTED: August 31, 2021
ATTEST APPROVED:
Susan Langley, City Clerk Frank Scott, Jr., Mayor

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## APPROVED AS TO LEGAL FORM: 1 2 3 Thomas M. Carpenter, City Attorney 4 5 // 6 // 7 // 8 // 9 // 10 // 11 // 12 // // 13 14 // 15 // 16 // // 17 18 // 19 // 20 // 21 // 22 // 23 // // 24 // 25 26 // 27 // 28 // // 29 30 // 31 // 32 // // 33 // 34 35 // 36 // 37 // 38 //