

ORDINANCE NO._____

AN ORDINANCE TO AMEND LITTLE ROCK, ARK., REV. CODE § 2-50 (b)(2) (1988) and (c) TO CLARIFY THE DEFINITION OF PRESENT AT A MEETING OF THE LITTLE ROCK BOARD OF DIRECTORS, OR THE MEETING OF ANY BOARD, COMMISSION, OR OTHER GROUP APPOINTED, OR FUNDED IN WHOLE OR IN PART BY THE CITY OF LITTLE ROCK; TO DECLARE AN EMERGENCY; AND, FOR OTHER PURPOSES.

WHEREAS, during the COVID-19 pandemic, and in light of significant advances in technology, it was important to provide an effective means to assure attendance at meetings of the Little Rock Board of Directors; and,

WHEREAS, with the development of effective vaccines to deal with COVID-19, such special arrangements are no longer necessary, and the attendance of elected or appointed officials is the best way to assure the transparency of actions by the City of Little Rock, Arkansas (“the City”), and to foster collegiality and discussion by the elected or appointed officials of pending issues;

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

Section 1. Little Rock, Ark., Rev. Code § 2-50 (b)(2) and (c) (1988) is hereby repealed.

Section 2. Little Rock, Rev. Code § 2-50 (1988) is hereby amended to add the following:

(b) (1) If it is impossible for a member of the Board of Directors, including but not limited to the Mayor to be physically in the chambers at the time of a regular, special, or agenda meeting, including any executive session, the person will still be deemed present for all purposes including, but not limited to, the establishment of a quorum, the passage of legislation, or the approval of policy statements if the Board of Directors, by a resolution has made a finding that the member cannot be physically present because of a certified health or medical emergency or condition.

(2) A certified health or medical emergency or condition is one that has been brought to the attention of the Mayor and upon passage of a Resolution of the Board of Directors, authorizes that such a specific member may attend by electronic or telephonic means for a period not to exceed thirty (30) days, provided that a concurrent video image with audio is provided, or if

1 that is not possible, that a member of City staff is present with the member to verify that any
2 comments or actions were taken by the member, a person known to the staff member.

3 (3) The thirty (30) day time period provided in this provision can only be extended up to an
4 additional thirty (30) days by adoption of another duly passed resolution; provided, that no such
5 resolution is authorized if at the time requested the person with the medical condition is subject
6 to an action has to remove that person from office in accordance with Arkansas law.

7 (c) Notwithstanding any other rule or provision, a majority of the board of directors for purposes
8 of determining the presence of a quorum, may include the position of Mayor.

9 (d) Nothing in this ordinance prohibits modifications to the definition of present if required by the
10 declaration of a local disaster emergency as defined by Arkansas statute.

11 **Section 3. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or word
12 of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication
13 shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the
14 portion so declared or adjudged invalid or unconstitutional were not originally a part of the ordinance.

15 **Section 4. Repealer.** All ordinances, resolutions, bylaws, and other matters inconsistent with this ordi-
16 nance, including but not limited to Little Rock, Ark., Ordinance No. 21,847 (March 25, 2020), Little Rock,
17 Ark., Ordinance No. 21,953 (January 19, 2021), and Little Rock, Ark., Rev. Code § 2-50 (1988), are hereby
18 repealed to the extent of such inconsistency.

19 **Section 4. Emergency.** *The ability City to assure openness, transparency, and collegiality in the dis-*
20 *cussion of issues pending before the Little Rock Board of Directors, and before its various boards, commis-*
21 *sions, or other appointed entities, and yet provide for special circumstances such as medical or health*
22 *conditions of persons who are dedicated to public service, is essential to the public health, safety and wel-*
23 *fare; an emergency is, therefore, declared to exist and this ordinance shall be in full force and effect from*
24 *and after the date of its passage.*

25 **PASSED: January 21, 2025**

26 **ATTEST:**

APPROVED:

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Allison Segars, City Clerk

Frank Scott, Jr., Mayor

30 **APPROVED AS TO LEGAL FORM:**

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Thomas M. Carpenter, City Attorney