

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.** All 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9 ordinance are hereby repealed to the extent of such inconsistency.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*
13 *acceptance of any conditions, is essential to the public health, safety and welfare; an emergency is;*
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:

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20 **Susan Langley, City Clerk**

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

21 **APPROVED AS TO LEGAL FORM:**

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

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