| 1        | ORDINANCE NO                                                                                                   |  |  |
|----------|----------------------------------------------------------------------------------------------------------------|--|--|
| 2        |                                                                                                                |  |  |
| 3        | AN ORDINANCE TO DECLARE IT IMPRACTICAL AND UNFEASIBLE                                                          |  |  |
| 4        | TO BID; TO AUTHORIZE PARTICIPATION OF THE CITY OF LITTLE                                                       |  |  |
| 5        | ROCK, ARKANSAS, IN AN INSURANCE POOL ADMINSTERED BY THE                                                        |  |  |
| 6        | ARKANSAS MUNICIPAL LEAGUE FOR CERTAIN LITIGATION                                                               |  |  |
| 7        | COSTS, EXPENSES AND COVERAGE, IN AN AMOUNT NOT TO                                                              |  |  |
| 8        | EXCEED FIVE HUNDRED SEVENTY-TWO THOUSAND, EIGHT                                                                |  |  |
| 9        | HUNDRED SEVENTY-ONE AND 04/100 DOLLARS (\$572,871.04); TO                                                      |  |  |
|          |                                                                                                                |  |  |
| 10       | DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.                                                                  |  |  |
| 11<br>12 | WHEREAS, the City of Little Rock, Arkansas, or its employees, are frequently named as defendants               |  |  |
| 13       | in cases brought pursuant to Federal or State Civil Rights Acts, and there is a cost involved with the defense |  |  |
| 14       |                                                                                                                |  |  |
| 15       | WHEREAS, instead of the purchase of an annual insurance policy, the City has participated in an                |  |  |
| 16       | insurance pool of various local governments known as Municipal League Defense Program, which is                |  |  |
| 17       |                                                                                                                |  |  |
| 18       |                                                                                                                |  |  |
| 19       |                                                                                                                |  |  |
| 20       | WHEREAS, current coverage for the City ends on December 31, 2018, and it is important to have this             |  |  |
| 21       | insurance in place on January 1, 2019.                                                                         |  |  |
| 22       | NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY                                           |  |  |
| 23       | OF LITTLE ROCK, ARKANSAS:                                                                                      |  |  |
| 24       | Section 1. The City Manager is authorized to enter into an agreement with the Arkansas Municipal               |  |  |
| 25       | League for participation by the City of Little Rock in the Municipal League Defense Program for the year       |  |  |
| 26       | 2019 in an amount not to exceed Five Hundred Seventy-Two Thousand, Eight Hundred Seventy-One and               |  |  |
| 27       | 04/100 Dollars (\$572,871.04).                                                                                 |  |  |
| 28       | Section 2. Because this is an insurance pool and not liability insurance, and the agreement with the           |  |  |
| 29       | Arkansas Municipal League enables the City to provide its own legal counsel for the litigation of these        |  |  |
| 30       | matters, the Board of Directors finds that it is impractical and unfeasible to bid for such an agreement.      |  |  |
| 31       | <b>Section 3.</b> Funds for this agreement are available in Account No. 100000-63630.                          |  |  |
| 32       | Section 4. Severability. In the event any section, subsection, subdivision, paragraph, subparagraph,           |  |  |

item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or

33

| 1        | unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this ordinance,                        |                     |  |
|----------|----------------------------------------------------------------------------------------------------------------------------------------|---------------------|--|
| 2        | as if such invalid or unconstitutional provision were not originally part of this ordinance.                                           |                     |  |
| 3        | Section 5. Repealer. All ordinances, resolutions, bylaws, and other matters inconsistent with this                                     |                     |  |
| 4        | resolution are hereby repealed to the extent of such inconsistency.                                                                    |                     |  |
| 5        | Section 6. Emergency Clause. The ability to have such coverage in place at all times is essential to                                   |                     |  |
| 6        | the public health, safety, and welfare, and therefore, an emergency is declared to exist and this ordinance                            |                     |  |
| 7        | shall be in full force and effect upon its passage so there is no questions that the City is a part of this poo<br>on January 1, 2019. |                     |  |
| 8        |                                                                                                                                        |                     |  |
| 9        | PASSED: November 5, 2018.                                                                                                              |                     |  |
| 10       | ATTEST:                                                                                                                                | APPROVED:           |  |
| 11       |                                                                                                                                        |                     |  |
| 12       |                                                                                                                                        | M. L.C. LL. M.      |  |
| 13       | Susan Langley, City Clerk                                                                                                              | Mark Stodola, Mayor |  |
| 14       | APPROVED AS TO LEGAL FORM:                                                                                                             |                     |  |
| 15       |                                                                                                                                        |                     |  |
| 16       |                                                                                                                                        |                     |  |
| 17<br>18 | Thomas M. Carpenter, City Attorney                                                                                                     | <del></del>         |  |
| 19       | //                                                                                                                                     |                     |  |
| 20       | //                                                                                                                                     |                     |  |
| 21       | //                                                                                                                                     |                     |  |
| 22       | //                                                                                                                                     |                     |  |
| 23       | //                                                                                                                                     |                     |  |
| 24       | //                                                                                                                                     |                     |  |
| 25       | //                                                                                                                                     |                     |  |
| 26       | //                                                                                                                                     |                     |  |
| 27       | //                                                                                                                                     |                     |  |
| 28       | //                                                                                                                                     |                     |  |
| 29       | //                                                                                                                                     |                     |  |
| 30       | //                                                                                                                                     |                     |  |
| 31       | //                                                                                                                                     |                     |  |
| 32       | //                                                                                                                                     |                     |  |
| 33       | //                                                                                                                                     |                     |  |