RESOLUTION NO. ___________

A RESOLUTION TO AUTHORIZE AN APPROPRIATION TO THE MUSEUM OF DISCOVERY IN THE AMOUNT OF ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS ($175,000.00); TO AUTHORIZE THE CITY ATTORNEY TO SEEK REIMBURSEMENT, PAYMENT OR APPROPRIATE LEGAL ACTION FROM ANY POTENTIALLY RESPONSIBLE PARTY FOR THE COST OF MOLD REMEDIATION AT THE MUSEUM PROPERTY; TO AUTHORIZE THE CITY ATTORNEY TO SEEK REIMBURSEMENT, PAYMENT OR APPROPRIATE LEGAL ACTION AS NECESSARY FOR DAMAGES CAUSED BY THE FEBRUARY 2021 SNOW STORM; AND FOR OTHER PURPOSES.

WHEREAS, it was discovered that action needed to be taken to remediate a mold problem at any area impacted by the Museum of Discovery, and the cost of such remediation was approximately One Hundred Seventy-Five Thousand Dollars ($175,000.00) to accomplish even though the problem was not caused by the Museum; and,

WHEREAS, it was necessary for the Museum of Discovery to advance these costs in order to maintain operations; and,

WHEREAS, in February 2021, a significant snow storm hit the City of Little Rock, Arkansas, causing a virtual shut down of the City, and during this snow storm there was significant water damage done to the Museum of Discovery which may require litigation to assure that the party pays for the damages to the area occupied by the Museum as well as to its exhibits.

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

Section 1. The City Manager is authorized to direct the payment of a sum not to exceed One Hundred Seventy-Five Thousand Dollars ($175,000.00) for the cost to complete mold remediation at the Museum of Discovery.

Section 2. Funds for this payment shall come from an appropriate account in the City General Fund, provided that if recovery of these funds from another party is accomplished as a result of the terms of this resolution, these funds shall be repaid to the same account unless otherwise provided by resolution of the City Board of Directors.
Section 3. In February 2021, the Museum of Discovery suffered extensive water damage as a result of the significant snow storm that hit the City of Little Rock, and severely disrupted services for a several day period of time; to the extent that recovery of the funds from another party can be accomplished, the City Attorney is directed to pursue such an action on behalf of the Museum, as well as, any appropriate action to recover the funds required for mold remediation as set forth in Section 2 of this resolution.

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: June 15, 2021

ATTEST:

______________________________________   ______________________________________
Susan Langley, City Clerk         Frank Scott, Jr., Mayor

APPROVED AS TO LEGAL FORM:

______________________________________   ______________________________________
Thomas M. Carpenter, City Attorney    

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