

1 **ORDINANCE NO. _____**

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3 **AN ORDINANCE TO APPROVE PARTICIPATION OF THE CITY OF**
4 **LITTLE ROCK, ARKANSAS, IN AN INSURANCE POOL ADMINSTERED**
5 **BY THE ARKANSAS MUNICIPAL LEAGUE FOR CERTAIN**
6 **LITIGATION COSTS, EXPENSES AND COVERAGE; TO DISPENSE**
7 **WITH THE REQUIREMENT OF COMPETITIVE SELECTION; TO**
8 **DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.**

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10 **WHEREAS**, the City of Little Rock, Arkansas, or its employees, are frequently named as defendants
11 in cases brought pursuant to Federal or State Civil Rights Acts, and there is a cost involved with the defense
12 of these matters as well City, or the employee, be found liable; and,

13 **WHEREAS**, instead of the purchase of an annual insurance policy, the City has participated in an
14 insurance pool of various local governments known as the Arkansas Municipal League Legal Defense Fund,
15 which is administered through the Arkansas Municipal League; and,

16 **WHEREAS**, it is time to participate in the pool as provided by the formula adopted by the Arkansas
17 Municipal League for the year 2017; and,

18 **WHEREAS**, current coverage for the City ends on December 31, 2016, and it is important to have this
19 insurance in place on January 1, 2017;

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

22 **Section 1.** The City Manager is authorized to enter into an agreement with the Arkansas Municipal
23 League for participation by the City of Little Rock in the Municipal League Defense Program for the year
24 2017 in an amount not to exceed Four Hundred Twenty Seven Thousand, Seven Hundred Twenty-Eight
25 and 04/100 Dollars (\$427,728.04).

26 **Section 2.** Because this is an insurance pool and not liability insurance, and the agreement with the
27 Arkansas Municipal League enables the City to provide its own legal counsel for the litigation of these
28 matters, the Board of Directors finds that it is impractical and unfeasible to bid for such an agreement.

29 **Section 3.** Funds for this agreement are available in Account No. 100000-63630.

30 **Section 4. Severability.** In the event any section, subsection, subdivision, paragraph, subparagraph,
31 item, sentence, clause, phrase, or word of this resolution is declared or adjudged to be invalid or
32 unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this
33 resolution, as if such invalid or unconstitutional provision were not originally part of this resolution.

1 **Section 5. Repealer.** All ordinances, resolutions, bylaws, and other matters inconsistent with this
2 resolution are hereby repealed to the extent of such inconsistency.

3 **Section 6. Emergency Clause.** *The ability to have such coverage in place at all times is essential to*
4 *the public health, safety, and welfare, and therefore, an emergency is declared to exist and this ordinance*
5 *shall be in full force and effect upon its passage so there is no question that the City is a part of this pool*
6 *on January 1, 2017.*

7 **PASSED: December 6, 2016**

8 **ATTEST:**

APPROVED:

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11 **Susan Langley, City Clerk**

_____ **Mark Stodola, Mayor**

12 **APPROVED AS TO LEGAL FORM:**

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

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