

AGENDA REQUEST FORM

FOR: Council Meeting of December 18, 2018

FROM: Council Member Adella Gray

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:


A RESOLUTION TO AUTHORIZE PARTICIPATION BY THE CITY OF FAYETTEVILLE IN THE ARKANSAS MUNICIPAL LEAGUE'S MUNICIPAL DEFENSE PROGRAM

APPROVED FOR AGENDA:



Council Member Adella Gray

12/11/18
Date



Asst. City Attorney Blake Pennington
Approved as to form

12/10/18
Date

RESOLUTION NO. _____

WHEREAS, the Arkansas Municipal League has established the Municipal Legal Defense Program (hereinafter referred to as the "MLDP"), which offers a self-funded risk management trust designed to benefit its participating local government members by providing extraordinary legal defense and extraordinary expenses in legal actions against municipal officials and employees, as well as civil rights actions against the municipal government; and

WHEREAS, such program provides all necessary legal research and all actions necessary for proper preparation for and representation of participating municipalities at trial on such matters; and

WHEREAS, such program includes the payment of sums for extraordinary judgments for actual damages imposed against municipal governments and the municipal officials and employees; and

WHEREAS, for more than twenty years, the City of Fayetteville has had private insurance coverage for civil rights lawsuits against the Police Department and elected officials and has already paid its 2019 premiums to continue such coverage in the total amount of \$149,188.00; and

WHEREAS, the City Council of the City of Fayetteville finds that it is in the best interest of the City and its citizens to participate in the opioid litigation brought by the MLDP in concert with other risk management pools in Arkansas and that the city's membership in the MLDP, in addition to its private insurance coverage, is the most effective and economical way to further this goal; and

WHEREAS, the membership premium for the City of Fayetteville to participate in the MLDP for the year 2019 is \$91,975.00, as evidenced by the 2019 Annual Premium Statement received from the Arkansas Municipal League.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to enroll the City of Fayetteville in the Municipal League Defense Program administered through the Arkansas Municipal League and authorizes a payment in the amount of \$91,975.00 to be applied to the 2019 annual Municipal League Defense Program premium.

Section 2: That The City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

PASSED and APPROVED this 18th day of December, 2018.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

City of Fayetteville, Arkansas - Budget Adjustment Form (Legistar)

Budget Year 2019 (BY)	Division /Org2 CITY COUNCIL (016) Requestor: Adella Gray/Don Marr	Adjustment Number
---------------------------------	---	--------------------------

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

\$91,975 is requested in the Miscellaneous program to cover the membership premium for the City of Fayetteville to participate in the Arkansas Municipal League's "Municipal Legal Defense Program" for the year 2019.

RESOLUTION/ORDINANCE	COUNCIL DATE: 12/18/2018
	LEGISTAR FILE ID#: 2018-
	<i>Kevin Springer</i> 12/7/2018 11:08 AM
	Budget Director Date
	TYPE: D - (City Council)
	JOURNAL #: _____
GLDATE: 1/2/2019	
CHKD/POSTED: /	

v.20181127

Account Number	TOTAL		Increase / (Decrease)		Project.Sub#		AT	Account Name
	Expense	Revenue	Expense	Revenue	Project	Sub.Detl		
1010.090.6600-5314.01	91,975	-	91,975	-			EX	Professional Services - Legal
1010.001.0001-4999.99	-	91,975	-	91,975			RE	Use Fund Balance - Current
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				
	-	-	-	-				