

RESOLUTION NO. 2018 - 44

A RESOLUTION APPROVING CERTAIN CONTRACTS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND PERFORM CERTAIN AGREEMENTS; AND FOR OTHER PURPOSES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEARCY, TO-WIT:

WHEREAS, the City of Searcy has been presented certain agreements associated with the operations of the City of Searcy or that have an impact upon the residents of the City of Searcy, for the purpose of participating in certain litigation related to sales and use tax collections from certain internet booking sites, namely as described in an agreement with:

- A. Williams & Anderson, PLC
- B. Thrash Law Firm, P.A.
- C. The Finnell Firm
- D. Bird Law Group

(the "Agreement") a copy of which has been submitted to the Searcy City Council; and

WHEREAS, the City of Searcy wishes to approve the execution of, ratify the terms of and perform under the conditions contained in, the Agreement.

NOW, THEREFORE, be it resolved by the City Council of the City of Searcy, Arkansas, to-wit:

Section 1. That the Searcy City Council approves and ratifies the terms, conditions and obligations of the Agreement and the City of Searcy specifically authorizes the participation in certain class-action litigation related to the online hotel and motel booking.

Section 2. That the Searcy City Council authorizes and directs the Mayor and City Clerk to execute, and perform under the terms of, the Agreement, subject to budgetary restrictions.

Section 3. To the extent permitted by law, the requirements of competitive bidding with respect to the subject matter hereof is waived.

Section 4. That the Mayor is authorized to take all actions determined to be necessary, in the sole and exclusive determination of the Mayor, in the performance of all obligations, duties and responsibilities associated with the Agreement.

PASSED AND ADOPTED this 13th day of November, 2018.

/s/ David Morris
Mayor of Searcy

ATTEST:

/s/ Jerry Morris
City Clerk