

RESOLUTION NUMBER 02-18-02-2019

**A RESOLUTION EXPRESSING SUPPORT AND URGING LEGISLATORS TO ADD
PLACEMENT OF MUNICIPAL EMPLOYEES UNDER THE PROTECTION OF MUNICIPAL
LIABILITY CAPS FOR THE 2019 REGULAR SESSION OF THE ALABAMA LEGISLATURE**

WHEREAS, the City of Ashland, along with other cities and towns, have experienced a major shift in municipal litigation with lawsuits naming municipal employees as co-defendants and lawyers including municipal employees as co-defendants when suing on behalf of a plaintiff by naming the employee from actions arising from the scope of his or her employment; and

WHEREAS, in several cases, state courts have ruled these employees are exposed to liability through actions within their scope of his or her employment that doesn't fall within the \$100,000 existing municipal cap; and

WHEREAS, these actions have jeopardized the financial security of the City's municipal employees; and

WHEREAS, the Alabama League of Municipalities has identified the need for municipal employee liability caps as a priority for the 2019 Legislative Session and intends to pre-file legislation to place a cap on municipal employee liability; and

WHEREAS, the Mayor and the City Council feel it is in the best public interest to join with the League of Municipalities and other cities and towns to urge the Clay County Delegation and all Alabama Legislators to support and adopt the League's pre-filed legislation in the 2019 Regular Session of the Alabama Legislature in order to place municipal employees under the protection of municipal liability caps.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ASHLAND, ALABAMA:

1. The Mayor and City Council hereby joins with the Alabama League of Municipalities and all other Alabama cities and towns and urge the Clay County Delegation, along with all other Alabama Legislators, to support and adopt the legislation to be filed by the Alabama League of Municipalities to place municipal employees under the protection of municipal liability caps for the financial security of the City's municipal employee; and
2. A copy of this Resolution Number 02-18-02-2019 shall be filed with the City's representatives and senator of the City's district; and
3. This Resolution Number 02-18-02-2019 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 18th day of February, 2019.

Mayor

Attest