

**Little Rock Board of Directors Reconvened Meeting  
November 25, 2014  
5:20 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a reconvened meeting with Mayor Mark Stodola presiding. City Clerk Susan Langley called the roll with the following Directors present: Hendrix; Richardson; Hurst; Cazort; Hines; Kumpuris; Fortson; Adcock; Vice-Mayor Wright; and Mayor Stodola. Directors Absent: Wyrick.

**SEPARATE ITEMS (Items 1 – 2)**

**1. RESOLUTION NO. 14,014:** To approve a Consent Administrative Order (CAO) issued by the Arkansas Department of Environmental Quality regarding the crematory incinerator at the Little Rock Animal Village, to authorize the City Manager and City Clerk to execute the CAO on behalf of the City, to authorize the City Manager to expend funds for compliance activities required by the CAO; and for other purposes. *Staff recommends approval.*

**Synopsis:** Arkansas Department of Environmental Quality (ADEQ) personnel conducted an inspection of the Little Rock Animal Village Crematorium and noted possible non-compliance issues related to weight of load, temperature of burns and time recordings. Based upon those findings, a civil penalty was assessed by ADEQ and new protocols were required to be put into practice regarding the crematorium. ADEQ has presented the City with a Consent Administrative Order (CAO), which is attached to the Resolution as Exhibit A.

City Manager Bruce Moore stated that staff had known for some time that a new incinerator was needed. City Manager Moore reported that the Arkansas Department of Environmental Quality (ADEQ) had conducted an inspection at the Animal Village and a \$4,000.00 fine was assessed. City Manager Moore stated that Board approval was needed to enter into the Consent Administrative Order with acknowledgement that a new incinerator would be purchased.

Director Hurst asked why the issue was causing ADEQ concern. Animal Services Manager Tracy Roark stated that yearly inspections were normally conducted; however, ADEQ had not conducted an inspection in approximately five (5) years. Mr. Roark stated the process was to monitor the output of the incinerator to ensure that it was in compliance with State regulations. Mr. Roark reported that from November 2008 – September 2013, the incinerator had been used 292 times and the following infractions were noted: 1) On twelve (12) different occasions it was over the limit in weight; 2) On eighteen (18) different occasions the minimum temperature was not met, which was a mechanical failure; and 3) The equipment that monitored and read the temperature gauge had been causing problems and it has now been replaced.

Director Cazort made the motion, seconded by Director Adcock, to approve the resolution. By unanimous voice vote of the Board Members present, **the resolution was approved.**

Director Adcock asked for reconsideration of her nay vote the previous week on the emergency clause for Item 21 (Ordinance No. 20,956), from the November 18, 2015

Meeting, which read, *“To recognize Transportation Network Companies and to incorporate the regulation of such companies into the City’s Transportation Code; to provide for the issuance of appropriate permits for such a company and for such a driver.”*

Director Adcock stated that there had been an issue that was problematic; however, she had met with legal counsel and her questions had been answered. Director Adcock stated that she would like to support the amendment; however, she would first like to reconsider her vote regarding the emergency clause.

Director Adcock made the motion, seconded by Director Cazort, to reconsider the vote on the emergency clause. By voice vote of the Board Members present, **the motion was approved.**

Director Hendrix stated that she would like to change her nay vote on the emergency clause, as well. Director Hendrix stated that she had contacted the Clinton National Airport Director Ron Mathieu, who was present in the audience, and asked for the opinion of the Airport Commission regarding the issue. Director Hendrix asked that Mr. Mathieu be allowed to address the Board.

By roll call vote, the vote to approve the emergency clause for Ordinance No. 20,956 was as follows: Ayes: Hendrix; Richardson; Hurst; Cazort; Hines; Kumpuris; Fortson; and Adcock. Present: Vice-Mayor Wright. Absent: Wyrick. When asked if she wanted to change her vote of Present, Vice-Mayor Wright stated that she did not want to change her vote. By a vote of eight (8) ayes, one (1) nay and one (1) present, **the emergency clause for Ordinance No. 20,956 was approved.**

Director Cazort made the motion, seconded by Director Hines, to amend Item 2 to include the following Section:

*Section I. Little Rock, Ark., Rev. Code § 34-20 (a) (1988), as amended, on insurance requirements is hereby amended to read as follows:*

*(a) Insurance requirement. No person, firm or corporation authorized by a permit to this chapter may operate a vehicle for the transportation of passengers within the City, without first securing, and maintaining in force at all times, a commercial auto liability policy insurance policy issued by a company licensed and regulated by the Arkansas Insurance Department or with a surplus lines insurer on the Arkansas Insurance Department maintained list of eligible surplus lines insurers covering each vehicle to be used for the transportation service and in the following amounts:*

*(1) For taxicab franchises, livery vehicles, premium taxicabs, and all executive sedans and antique vehicles: Two Hundred Fifty Thousand Dollars (\$250,000.00) for the injury or death of any one (1) person and subject to that limit for each person; Five Hundred Thousand Dollars (\$500,000.00) total liability for any one (1) accident; and Two Hundred Fifty Thousand Dollars (\$250,000.00) for each accident regarding damage to property, with a maximum of Fifty Thousand Dollars (\$50,000.00) deductible coverage per incident. Said*

*insurance in effect shall be for demand-response service vehicles, not scheduled or routed service vehicles, and any vehicle used by a Transportation Network Company Driver. It is further provided that for the time period when TNC drivers have logged on to the TNC digital network or software application indicating they are available to receive ride requests until such time as the TNC driver accepts such a request, the TNC driver must be covered by insurance at least in the amount set forth in Arkansas Code 27-22-104. These requirements for coverage shall be satisfied by either (A) insurance maintained by a TNC driver; (B) insurance maintained by a TNC in the event the insurance maintained by the TNC driver does not provide coverage, or the TNC driver does not otherwise maintain insurance covering this time period; or (3) any combination of (A) and (B).*

City Attorney Tom Carpenter stated that the title to the proposed amendment would also be changed to reflect the following language: *“to clarify the insurance requirements for a transportation network company when the application for an automobile to be available is on but no rider has been accepted”*

**2. ORDINANCE NO. 20,958:** To amend Little Rock, Ark., Ordinance No 20,956 (November 18, 2014) to clarify that surplus lines insurers are considered to meet the insurance requirements for a Transportation Network Company; to clarify the insurance requirements for a transportation network company when the application for an automobile to be available is on but no rider has been accepted; **to declare an emergency;** and for other purposes.

The ordinance was read a first time. Director Cazort made the motion, seconded by Director Hines, to suspend the rules and place the ordinance on second reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a second time. Director Cazort made the motion, seconded by Director Hines, to suspend the rules and place the ordinance on third reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a third time.

Mr. Ellis Hanson: stated that he was fine with the amendment as written.

By unanimous voice vote of the Board Members present, **the ordinance was approved.**  
By unanimous voice vote of the Board Members present, **the emergency clause was approved.**

Ron Mathieu, Bill & Hillary Clinton National Airport: Stated that the Airport Commission recognized the evolving advances in the transportation industry and they would certainly work with Uber; however, they had been reluctant to do so until the ordinance was passed and they were authorized to conduct business within the City.

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Director Hines made the motion, seconded by Director Cazort, to adjourn the reconvened meeting. By unanimous voice vote of the Board Members present, **the meeting was adjourned.**

**ATTEST:**

**APPROVED:**

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**Susan Langley, City Clerk**

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**Mark Stodola, Mayor**