1	ORDINANCE NO.
2	
3	AN ORDINANCE TO AMEND LITTLE ROCK, ARKANSAS,
4	ORDINANCE NO. 21,553 (APRIL 4, 2018); TO AUTHORIZE A REVISED
5	REPAYMENT SCHEDULE AND INTEREST RATE FOR THE
6	OUTSTANDING CITY OF LITTLE ROCK, ARKANSAS WATER
7	RECLAMATION SYSTEM REVENUE BOND, SERIES 2018; TO
8	PRESCRIBE OTHER MATTERS THAT RELATE THERETO; AND FOR
9	OTHER PURPOSES.
10	
11	WHEREAS, the City of Little Rock, Arkansas (the "City"), has issued its Water Reclamation System
12	Revenue Bond, Series 2018, dated April 4, 2018 (the "Bond"), in order to finance extensions, betterments
13	and improvements to the City's Water Reclamation System, which is operated by the Little Rock Water
14	Reclamation Authority; and,
15	WHEREAS, the City entered into a Bond Purchase Agreement, dated February 20, 2018 (the "Bond
16	Purchase Agreement"), with the Arkansas Natural Resources Commission ("ANRC") and the Arkansas
17	Development Finance Authority (the "Bondholder") providing for the purchase by the Bondholder of the
18	Bond in the principal amount of Sixty-One Million, Six Hundred Thousand Dollars (\$61,600,000.00); and,
19	WHEREAS, the Bond bears interest at the rate of 2.0% and principal installments are payable on each
20	April 15 <sup>th</sup> and October 15 <sup>th</sup> , commencing October 15, 2021, with the final payment due April 15, 2051; and,
21	WHEREAS, the City pays a servicing fee to the Bondholder on the dates that interest on the Bond is
22	due at the rate of 1% on the outstanding principal of the Bond; and,
23	WHEREAS, ANRC and the Bondholder have agreed to modify the terms of the Bond by deferring the
24	principal of the Bond due in 2021, 2022, and 2023, by two and one-half years after the current maturity
25	date; and,
26	WHEREAS, ANRC and the Bondholder have agreed that the Bond will not bear interest after the
27	current maturity date and that there will not be any additional interest or servicing fee amounts as a result
28	of the restructuring; and,
29	WHEREAS, the Bond was issued under and pursuant to Ordinance No. 21,553 passed February 20,
30	2018.
31	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY
32	OF LITTLE ROCK, ARKANSAS:

Section 1. The fifth WHEREAS clauses of Ordinance of No. 21,553 is hereby amended to read as
 follows:

3 "WHEREAS, the City is making arrangements for the sale of a Sixty-One Million, Six Hundred 4 Thousand Dollars (\$61,600,000.00) principal amount bond to the Arkansas Development Finance 5 Authority, as purchaser (the "Bondholder"), at a price of par pursuant to a Bond Purchase Agreement (the 6 "Agreement") among the City, the Bondholder and the Arkansas Natural Resources Commission (the 7 "Commission"), which Agreement has been presented to and is before this meeting; and,"

8 **Section 2.** The ninth WHEREAS clause of Ordinance No. 21,553 is hereby amended to read as 9 follows:

**"WHEREAS,** the City will also be required to pay to the Arkansas Development Finance Authority,
as servicer with respect to the bond, a servicing fee based upon variable rates applied to the outstanding
principal amount of the bond (the "Servicing Fee"); and,"

13 Section 3. Section 2 of Ordinance No. 21,553 is hereby amended to read as follows:

14 'The sale to the Bondholder of a bond in the maximum principal amount of Sixty-One Million Six

15 Hundred Thousand Dollars (\$61,600,000.00) at a price of par, subject to the terms and provisions hereafter

16 in this ordinance set forth in detail be, and is hereby approved and the bond is hereby sold to the Bondholder.

17 The Mayor is hereby authorized and directed to execute and deliver the Agreement on behalf of the City

18 and to take all action required on the part of the City to fulfill its obligations under the Agreement. The 19 Agreement is hereby approved in substantially the form submitted to this meeting with such changes as 20 may be approved by the Mayor, his execution to constitute complete evidence of such approval.'

21 Section 4. The second paragraph of Section 4 of Ordinance No. 21,553 is hereby amended to read as 22 follows:

<sup>23</sup> "The bond shall bear interest at the rates and shall be subject to Servicing Fees calculated at the rates <sup>24</sup> based upon a 360-day year of twelve (12) consecutive thirty (30)-day months compounded semiannually. <sup>25</sup> The bond shall be dated the date of its delivery to the Bondholder. Accrued interest and the Servicing Fee <sup>26</sup> only shall be payable on each April 15<sup>th</sup> and October 15<sup>th</sup>, commencing October 15, 2018, to and including <sup>27</sup> October 15, 2023. There shall be no interest and Servicing Fees due after April 15, 2051. Principal, interest <sup>28</sup> and the Servicing Fees shall be payable on April 15, 2024, and on each April 15<sup>th</sup> and October 15<sup>th</sup> thereafter <sup>29</sup> as follows:

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Schedule appears	below and	d on pages 3 and 4	
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Payment Date	Total Payment	<b>Interest Rate</b>	Interest	Servicing Fee	Servicing Fee	Principal
April 15, 2021						
October 15, 2021	\$924,000.00	2.00%	\$616,000.00	1.00%	\$308,000.00	-
April 15, 2022	914,397.00	1.98%	609,598.00	0.99%	304,799.00	-
October 15, 2022	904,649.00	1.96%	603,099.00	0.98%	301,550.00	-

April 15, 2023	894,755.00	1.94%	596,503.00	0.97%	298,252.00	-
October 15, 2023	884,713.00	1.91%	589,809.00	0.96%	294,904.00	-
April 15, 2024	1,564,235.00	1.89%	583,013.00	0.95%	291,507.00	\$689,715.00
October 15, 2024	1,564,235.00	1.89%	576,116.00	0.95%	288,058.00	700,061.00
April 15, 2025	1,564,235.00	1.89%	569,116.00	0.95%	284,558.00	710,561.00
October 15, 2025	1,564,235.00	1.89%	562,010.00	0.94%	281,005.00	721,220.00
April 15, 2026	1,564,235.00	1.89%	554,798.00	0.94%	277,399.00	732,038.00
October 15, 2026	1,564,235.00	1.89%	547,477.00	0.94%	273,739.00	743,019.00
April 15, 2027	1,564,235.00	1.88%	540,047.00	0.94%	270,024.00	754,164.00
October 15, 2027	1,564,235.00	1.88%	532,506.00	0.94%	266,253.00	765,476.00
April 15, 2028	1,564,235.00	1.88%	524,851.00	0.94%	262,425.00	776,959.00
October 15, 2028	1,564,235.00	1.88%	517,081.00	0.94%	258,541.00	788,613.00
April 15, 2029	1,564,235.00	1.88%	509,195.00	0.94%	254,598.00	800,442.00
October 15, 2029	1,564,235.00	1.88%	501,191.00	0.94%	250,595.00	812,449.00
April 15, 2030	1,564,235.00	1.87%	493,066.00	0.94%	246,533.00	824,636.00
October 15, 2030	1,564,235.00	1.87%	484,820.00	0.94%	242,410.00	837,005.00
April 15, 2031	1,564,235.00	1.87%	476,450.00	0.94%	238,225.00	849,560.00
October 15, 2031	1,564,235.00	1.87%	467,954.00	0.93%	233,977.00	862,304.00
April 15, 2032	1,564,235.00	1.87%	459,331.00	0.93%	229,666.00	875,238.00
October 15, 2032	1,564,235.00	1.86%	450,579.00	0.93%	225,289.00	888,367.00
April 15, 2033	1,564,235.00	1.86%	441,695.00	0.93%	220,848.00	901,692.00
October 15, 2033	1,564,235.00	1.86%	432,678.00	0.93%	216,339.00	915,218.00
April 15, 2034	1,564,235.00	1.86%	423,526.00	0.93%	211,763.00	928,946.00
October 15, 2034	1,564,235.00	1.85%	414,237.00	0.93%	207,118.00	942,880.00
April 15, 2035	1,564,235.00	1.85%	404,808.00	0.92%	202,404.00	957,023.00
October 15, 2035	1,564,235.00	1.85%	395,238.00	0.92%	197,619.00	971,378.00
April 15, 2036	1,564,235.00	1.84%	385,524.00	0.92%	192,762.00	985,949.00
October 15, 2036	1,564,235.00	1.84%	375,664.00	0.92%	187,832.00	1,000,739.00
April 15, 2037	1,564,235.00	1.83%	365,657.00	0.92%	182,828.00	1,015,750.00
October 15, 2037	1,564,235.00	1.83%	355,499.00	0.92%	177,750.00	1,030,986.00
April 15, 2038	1,564,235.00	1.83%	345,190.00	0.91%	172,595.00	1,046,450.00
October 15, 2038	1,564,235.00	1.82%	334,725.00	0.91%	167,363.00	1,062,147.00
April 15, 2039	1,564,235.00	1.82%	324,104.00	0.91%	162,052.00	1,078,079.00
October 15, 2039	1,564,235.00	1.81%	313,323.00	0.90%	156,661.00	1,094,251.00
April 15, 2040	1,564,235.00	1.80%	302,380.00	0.90%	151,190.00	1,110,665.00
October 15, 2040	1,564,235.00	1.80%	291,274.00	0.90%	145,637.00	1,127,324.00
April 15, 2040	1,564,235.00	1.79%	291,274.00	0.89%	140,000.00	1,144,235.00
October 15, 2041	1,564,235.00	1.79%	268,558.00	0.89%		
	1,564,235.00	1.78%	256,944.00	0.89%	134,279.00	1,161,398.00
April 15, 2042 October 15, 2042					128,472.00	1,178,819.0
	1,564,235.00	1.76%	245,156.00	0.88%	122,578.00	1,196,501.00
April 15, 2043	1,564,235.00	1.75%	233,191.00	0.88%	116,595.00	1,214,449.00
October 15, 2043	1,564,235.00	1.74%	221,046.00	0.87%	110,523.00	1,232,666.00
April 15, 2044	1,564,235.00	1.73%	208,720.00	0.86%	104,360.00	1,251,155.0
October 15, 2044	1,564,235.00	1.71%	196,208.00	0.86%	98,104.00	1,269,923.0
April 15, 2045	1,564,235.00	1.70%	183,509.00	0.85%	91,754.00	1,288,972.00
October 15, 2045	1,564,235.00	1.68%	170,619.00	0.84%	85,310.00	1,308,306.00
April 15, 2046	1,564,235.00	1.65%	157,536.00	0.83%	78,768.00	1,327,931.00
October 15, 2046	1,564,235.00	1.63%	144,257.00	0.81%	72,128.00	1,347,850.00

April 15, 2047	1,564,235.00	1.60%	130,778.00	0.80%	65,389.00	1,368,068.00
October 15, 2047	1,564,235.00	1.56%	117,098.00	0.78%	58,549.00	1,388,588.00
April 15, 2048	1,564,235.00	1.52%	103,212.00	0.76%	51,606.00	1,409,417.00
October 15, 2048	1,564,235.00	1.46%	89,118.00	0.73%	44,559.00	1,430,558.00
April 15, 2049	1,564,235.00	1.39%	74,812.00	0.69%	37,406.00	1,452,017.00
October 15, 2049	1,564,235.00	1.29%	60,292.00	0.65%	30,146.00	1,473,797.00
April 15, 2050	1,564,235.00	1.16%	45,554.00	0.58%	22,777.00	1,495,904.00
October 15, 2050	1,564,235.00	0.96%	30,595.00	0.48%	15,297.00	1,518,343.00
April 15, 2051	1,564,255.00	0.64%	15,411.00	0.32%	7,706.00	1,541,138.00
October 15, 2051	640,235.00	0.00%	-	0.00%	-	640,235.00
April 15, 2052	649,838.00	0.00%	-	0.00%	-	649,838.00
October 15, 2052	659,586.00	0.00%	-	0.00%	-	659,586.00
April 15, 2053	669,480.00	0.00%	-	0.00%	-	669,480.00
October 15, 2053	679,522.00	0.00%	-	0.00%	-	679,522.00

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2 Section 5. The Mayor, for and on behalf of the City, is hereby authorized and directed to enter into a 3 supplement to the Bond Purchase Agreement having terms consistent with the provisions of this ordinance. 4 Section 6. The Mayor and City Clerk, for and on behalf of the City, are authorized to execute and 5 deliver a new Bond Certificate providing (a) that this ordinance has been adopted, (b) for the new debt 6 service payment schedule, (c) for variable interest rates and Financing Fees and (d) such other terms as 7 consistent with this ordinance. The new bond certificate shall be a bond issued under the provisions of 8 Ordinance No. 21,553 and shall be entitled to the benefits, security and terms of Ordinance No. 21,553 9 except as to the interest rate, Financing Fee and repayment terms set forth herein.

10 Section 7. *Severability.* In the event any title, section, paragraph, item, sentence, clause, phrase, or word 11 of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication 12 shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the 13 portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

Section 8. *Repealer*. All ordinances, resolutions, bylaws, and other matters inconsistent with this
 ordinance, particularly including but not limited to Little Rock, Arkansas, Ordinance No. 21,553 (April 4,
 2018), are hereby repealed to the extent of such inconsistency.

## 17 **PASSED: October 20, 2020**

- 18 **ATTEST:**
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**APPROVED:** 

Frank Scott, Jr., Mayor

2223 APPROVED AS TO LEGAL FORM:

Susan Langley, City Clerk

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- 25 \_\_\_\_\_
- 26 Thomas M. Carpenter, City Attorney

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