

1 **ORDINANCE NO. _____**

2
3 **AN ORDINANCE TO CREATE AN INDEPENDENT CITIZENS**
4 **COMMISSION TO RECOMMEND SALARIES FOR THE MAYOR,**
5 **MEMBERS OF THE BOARD OF DIRECTORS, CITY MANAGER AND**
6 **CITY ATTORNEY; AND FOR OTHER PURPOSES.**

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8 **WHEREAS**, in a Management Form of Municipal Government it is possible to pay the members of
9 the Board of Directors, including the Mayor, a salary; and,

10 **WHEREAS**, the Board of Directors sets the salary for the City Manager, and the salary for the City
11 Attorney; and,

12 **WHEREAS**, it is appropriate that salaries for all of these Elected Officials should be determined by an
13 Independent Citizen Commission that takes into account relevant factors as to such employment, and make
14 an independent recommendation to the Board of Directors for an ordinance to enact these
15 recommendations;

16 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY**
17 **OF LITTLE ROCK, ARKANSAS:**

18 **Section 1.** The Board of Directors establishes a Little Rock Citizens Commission on Salaries for
19 Municipal Officials ("the Commission").

20 **Section 2.** This Commission shall be composed of thirteen (13) members selected as follows:

- 21 (a) One (1) member by each ward Director or At-Large Director not including the Mayor;
- 22 (b) Three (3) members by the Mayor, one of whom the Mayor shall designate as Chair.

23 **Section 3.** The term of office for a Commissioner shall be as follows:

- 24 (a) After initial terms are identified as set forth below, a Commissioner shall serve a term of
25 four (4) years, and is eligible to serve a second consecutive term of four (4) years;
- 26 (b) If any Commissioner should fail to complete a term, the successor shall be appointed in the
27 same manner as set forth in Section 2 of the ordinance, and shall serve until the completion
28 of the term of the member whose position was vacated;
- 29 (c) The initial Commission shall determine the initial terms as follows:
 - 30 (1) Lots will be drawn, at a proceeding chair by the City Clerk held within ten (10)
31 calendar days of the appointments of the Commissioners, which shall contain the
32 number of years of the initial term;
 - 33 (2) (A) Three (3) lots shall contain the numeral 1 to indicate a one (1)-year term;
 - 34 (B) Three (3) lots shall contain the numeral 2 to indicate a two (2)-year term;

1 (C) Three (3) lots shall contain the number 3 to indicate a three (3)-year term;

2 (D) Four (4) lots shall contain the number 4 to indicate a four (4)-year term;

3 (d) Any Commissioner who draws an initial term of three (3) or four (4) years shall be eligible to
4 serve only one (1) additional consecutive term of four (4) years;

5 (e) Any Commissioner who draws an initial term of three (3) or four (4) years shall be eligible to
6 be selected to serve as Vice-Chair, or Secretary of the Commission.

7 (f) Notwithstanding any other provision, no person shall be permitted to serve ten (10) consecutive
8 years as a Commissioner.

9 **Section 4.** The Commission shall begin work upon the effective date of this ordinance, and shall
10 provide the initial recommendations no more than ninety (90) days after the effective date of this ordinance.

11 **Section 5.** A person is eligible to serve on the Commission if the person is a qualified as an elector
12 whose principal place of residence is within the corporate limits of the City of Little Rock; and,

13 (1) Does not hold elective office; or,

14 (2) Is not an employee of the City of Little Rock, Central Arkansas Water, the Bill & Hillary
15 Clinton National Airport, Central Arkansas Library System, Central Arkansas Transportation
16 Authority, Little Rock Wastewater, the Metropolitan Emergency Medical Services or
17 Metroplan; or,

18 (3) Is not a member of the Board of Central Arkansas Water, the Little Rock Airport Commission,
19 the Central Arkansas Library System, the Central Arkansas Transportation Authority the Little
20 Rock Water Reclamation Commission, the Little Rock Advertising & Promotion Commission,
21 or the Little Rock Ambulance Authority; or,

22 (4) Is required by State Law to register as a Lobbyist of the municipality; or,

23 (5) Is not the spouse, child, step-child, parent, step-parent, brother, sister, step-brother, step-sister,
24 brother-in-law or sister-in-law, of a person disqualified from service pursuant to Subsections

25 (1) – (4) of this section.

26 **Section 6.** Nothing in this ordinance grants the Commission the authority to make any
27 recommendation beyond annual salary compensation, including, but not limited to, retirement plan,
28 insurance coverage, per diem, travel expense, mileage rate, or when applicable, car allowance, or other
29 expense reimbursement or allowance.

30 **Section 7.** The Mayor, a member of the Board of Directors, the City Manager or the City Attorney,
31 may, upon request by the Commission, provide information, in writing, as to what are believed to be
32 comparable salaries, or, a comparison of duties and responsibilities.

33 **Section 8.** If the Commission recommends an adjustment to the annual salary compensation for the
34 Mayor, the members of the Board of Directors, the City Manager, or the City Attorney, before the matter
35 can be considered for enactment by the Board of Directors, the Commission shall:

- 1 (a) Publish notice of the recommended salary adjustment on the City website, and in a
2 newspaper of statewide circulation two (2) times at least two (2) weeks prior to the
3 appropriate legislation being placed for consideration at an agenda meeting of the Board
4 of Directors;
- 5 (b) Make available to the public, in the Office of the City Clerk and on the City website, any
6 data reviewed by the Commission in determining the recommended salary compensation
7 adjustment;
- 8 (c) Provide an opportunity for written public input as to the recommendation which shall be
9 presented to the Board of Directors.

10 No recommendation for a salary compensation increase shall be made unless the Commission has also
11 considered the overall economic condition of the city at the time.

12 **Section 9.** If a recommendation for an annual salary compensation adjustment is made by the
13 Commission, an appropriate ordinance shall be prepared for enactment by the Board of Directors which
14 should be enacted:

- 15 (a) Unless a majority of the Board of Directors fails to enact an ordinance to do so; or,
16 (b) A two-thirds (2/3) majority of the Board of Directors recommends that a lesser amount be
17 approved.

18 **Section 10.** The effective date of any increase in the annual salary compensation shall be the first pay
19 period after the effective date of the ordinance to authorize the increase.

20 **Section 11.** The salary for the Mayor and each member of the Board of Directors shall be codified in
21 the City Code of Ordinances.

22 **Section 12.** If the provisions of this ordinance are followed, then any action taken by the Board of
23 Directors is intended as administrative in nature only.

24 **Section 13.** Nothing in this ordinance shall limit the authority of the Mayor, or members of the Board
25 of Directors, as to a decision to hire, suspend, or terminate the City Manager or the City Attorney.

26 **Section 14. Severability.** In the event any title, subtitle, section, subsection, subdivision, paragraph,
27 subparagraph, item, sentence, clause, phrase, or work of this ordinance is declared or adjudged to be invalid
28 or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance
29 which shall remain in full force and effect as if the portion so declared or adjudged invalid or
30 unconstitutional was not originally a part of this ordinance.

31 **Section 15. Repealer.** All ordinances, resolutions, or parts of the same that are inconsistent with the
32 provisions of this ordinance are hereby repealed to the extent of such inconsistency.

33 **PASSED: March 1, 2016**

1 **ATTEST:**

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Susan Langley, City Clerk

5 **APPROVED AS TO LEGAL FORM:**

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Thomas M. Carpenter, City Attorney

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APPROVED:

Mark Stodola, Mayor