1	ORDINANCE NO.
2	
3	AN ORDINANCE TO GRANT A FRANCHISE AGREEMENT TO DUKE
4	ENERGY FOR SMART MEDIA, LLC, FOR THE PLACEMENT OF A
5	CITYPOST™ SMART KIOSK WITH DIGITAL WAYFINDING ON WEST
6	MARKHAM STREET NEAR THE INTERSECTION OF SOUTH MAIN
7	STREET; TO DECLARE AN EMERGENCY; AND FOR OTHER
8	PURPOSES.
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10	WHEREAS, on March 26, 2017, the Mayor of the City of Little Rock, Arkansas ("the City"), and
11	Smart Media, LLC, executed a Memorandum of Understanding ("the Smart City MOU") to permit the
12	placement of CityPost [™] Kiosks within the City of Little Rock that will make digital smart market channel
13	broadcasts and provide a Wi-Fi hot spot at these locations; and,
14	WHEREAS, the first kiosk is soon the be placed near the Statehouse Convention Center on West
15	Markham Street near the intersection with Main Street, as more fully shown on Exhibit A to this ordinance;
16	and,
17	WHEREAS, the Smart City MOU requires that a Franchise Agreement be obtained for each location,
18	and that each such Franchise be added as an exhibit to the Smart City MOU;
19	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY
20	OF LITTLE ROCK, ARKANSAS:
21	Section 1. Duke Energy operating through Smart Media, LLC, located at 54 West 40 th Street, New
22	York, New York, is hereby granted a Franchise pursuant to the Smart City MOU for the location more
23	specifically described in Exhibit A to this ordinance for the placement of a CityPost TM Smart Kiosk.
24	Section 2. This ordinance, by agreement of the parties, shall become Exhibit No. 1 to the Smart City
25	MOU entered into on March 26, 2017.
26	Section 3. This Franchise shall be subject to the terms and conditions of the City's Utility Relocation
27	Policy as currently set forth, or as may be later amended, in Little Rock, Ark., Rev. Code §§ 2-350 to 2-357
28	(1988).
29	Section 4. It is further understood that this franchise is not perpetual and may be revoked by the City
30	in the future as appropriate.
31	Section 5. In the event that any title, section, paragraph, item, sentence, clause, phrase, or word of this
32	ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall

not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally part of the ordinance.

Section 6. All ordinances, resolutions, by-laws, and other matters inconsistent with this ordinance are hereby repealed to the extent of such inconsistency, provided that this ordinance is not intended, nor shall it be construed as to any part, to repeal any part the levying provisions of the Prior Tax Ordinances referred to above, but only to expand and otherwise clarify them.

Section 7. Emergency Clause. It has been found, and it is hereby declared, that the ability of the City to provide CityPostTM Smart Kiosks to enable greater use of technology within the City by citizens and visitors is essential to the public health, safety and welfare; an emergency is, therefore, declared to exist and this ordinance shall be in full force and effect upon its passage after the expiration of ten (10) days that the ordinance and exhibit have been on public display at the direction of the City Clerk..

PASSED: June 19, 2018

ATTEST:	
Susan Langley, City Clerk	Mark Stodola, Mayor
APPROVED AS TO LEGAL FORM:	
Thomas M. Carpenter, City Attorney	
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Exhibit A



