ORDINANCE NO. ________

AN ORDINANCE TO AMEND IN PART ORDINANCE NO. 11,366
(MARCH 4, 1963) TO PROVIDE FOR LEVYING A FRANCHISE FEE TO
BE PAID BY CENTERPOINT ENERGY ARKLA; PROVIDING FOR THE
PAYMENT THEREOF; AND FOR OTHER PURPOSES.

WHEREAS, CenterPoint Energy Arkla ("the Gas Company") is authorized by franchise ordinance to operate a gas distribution system and appurtenances thereto, used in or incident to the rendition of gas service to the City of Little Rock, Arkansas ("the City") and the inhabitants residing therein; and

WHEREAS, the Gas Company is now and will be occupying the streets, alleys and rights-of-way of the City for the purpose of operating, maintaining, and extending its gas services to the City and supplying the City and consumers therein gas service; and

WHEREAS, the City is legally authorized to impose, and the Gas Company is obligated to pay a just and reasonable franchise fee in connection with the operations in the City.

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

Section 1. Section 1 of Ordinance No. 11,366, as amended, is amended to read as follows:
CenterPoint Energy Arkla (the Gas Company) shall on a monthly basis pay a franchise fee in an amount equal to 5.2% of the Gas Company's gross revenues as paid to it during the calendar year 2015 and each year thereafter by all of its customers, including but not limited to industrial, residential and commercial customers located within the corporate limits of the City of Little Rock or the sum of Two Million, One Hundred Thousand Dollars ($2,100,000) per year, whichever is greater. The auditor of the Gas Company shall certify said gross revenues.

Section 2. Payments to the City by CenterPoint Energy Arkla of the amounts as provided for in Section 1 hereof shall be made monthly on or before the 15th day of each month.


Section 4. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase or word of this 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 were not originally a part of the ordinance.
Section 5. **Repealer.** All laws, ordinances, resolutions, and parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 6. **Effective Date.** This ordinance shall be available for public review for at least ten (10) days, but in no event shall the collection of this franchise fee occur before January 1, 2016.

PASSED: December 15, 2015

ATTEST: 

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Susan Langley, City Clerk

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Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

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Thomas M. Carpenter, City Attorney