

**Little Rock Board of Directors Meeting
June 18, 2013
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a regular meeting with Mayor Mark Stodola presiding. City Clerk Susan Langley called the roll with the following Directors present: Hendrix; Richardson; Hurst; Cazort; Hines; Wyrick; Kumpuris (enrolled at 6:10 PM); Fortson; Adcock; Vice-Mayor Wright and Mayor Stodola. Director Gene Fortson delivered the invocation, which was followed by the Pledge of Allegiance.

ADDITION:

M-1 RESOLUTION: To appoint Kutack Rock as Legal Counsel to assist with the issuance of \$7,700,000.00 in Short-Term Financing Notes; and for other purposes. *Staff recommends approval.*

Director Richardson made the motion, seconded by Director Hines, to add Item M-1 to the Consent Agenda. By unanimous voice vote of the Board Members present, **Item M-1 was added to the Consent Agenda.**

CONSENT AGENDA (Items 1 – 7 and Item M-1)

1. RESOLUTION NO. 13,707: To authorize the City Manager to enter into contract with five (5) organizations to provide re-entry services to Little Rock residents; and for other purposes. *Staff recommends approval.*

Synopsis: Enter into contracts with five (5) community-based and faith-based organizations to provide re-entry services.

2. RESOLUTION NO. 13,708: To declare the official intention of the Board of Directors to reimburse certain expenditures for the acquisition, construction and installation of real and tangible personal property dedicated to public safety and information technology from the proceeds of a proposed tax-exempt short-term financing as require by the United States Treasury regulations; and for other purposes. *Staff recommends approval.*

3. RESOLUTION NO. 13,709: To authorize the lease of property owned by World Services for the Blind, Inc., located at 2823 Tyler Street, to provide a Neighborhood Alert Center for ten (10) years with an option to extend the term for five (5) additional years, in the amount of an initial property improvement fee not to exceed \$49,000.00, to be reimbursed through waiver of a \$500.00 monthly rental fee until such time as the improvement fee is repaid in full; and for other purposes. *Staff recommends approval.*

Synopsis: The resolution would authorize the lease of property owned by World Services for the Blind, Inc., located at 2823 South Tyler Street, to continue providing a Neighborhood Alert Center.

5. RESOLUTION NO. 13,711: To authorize the City Manager to negotiate and enter into a contract with IBM Corporation for design, implementation, training and services for equipment and software upgrades; and for other purposes. *Staff recommends approval.*

Synopsis: Authorize City Manager to negotiate and enter into a contract with IBM Corporation for design, implementation, training and services for equipment and software upgrades.

6. RESOLUTION NO. 13,712: To award a contract to Cranford Construction Company for street resurfacing within the City of Little Rock; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with the low bidder, Cranford Construction Company, for asphalt resurfacing in all seven (7) Wards within the City of Little Rock.

7. RESOLUTION NO. 13,713: To authorize the award of an Engineering Inspection Contract to McClelland Consulting Engineers, Inc., for the 2013 Street Overlay Program; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with McClelland Consulting Engineers, Inc., for inspection services of asphalt resurfacing in all seven (7) Wards within the City of Little Rock.

M-1 RESOLUTION NO. 13,718: To appoint Kutack Rock as Legal Counsel to assist with the issuance of \$7,700,000.00 in Short-Term Financing Notes; and for other purposes. *Staff recommends approval.*

Director Hurst stated that she had questions related to Item 4 and did not realize that the item was included on the Consent Agenda. Director Hurst asked if Item 4 could be voted on separately after discussion.

Director Adcock made the motion, seconded by Director Hurst, to approve Items 1 – 3, Items 5 – 7 and Item M-1 of the Consent Agenda. By voice vote of the Board Members present, with Director Hendrix voting in opposition, **Items 1 – 3, Items 5 – 7 and Item M-1 of the Consent Agenda were approved.**

SEPARATE ITEM (Item 4)

4. RESOLUTION NO. 13,710: To authorize the City Manager to execute an amendment to the Construction Management Services Agreement with East-Harding Adecco, A Joint Venture, for the 12th Street Station Project and to approve the final guaranteed maximum prices, plus a 5% contingency, for the project; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to allow the City Manager to amend the current Construction Management Services Agreement with East-Harding Adecco, LLC, for the 12th Street Station project in order to reflect and approve the final guaranteed maximum price (GMP) for the 12th Street Station Project in the amount of \$11,900,612.00, plus a 5% contingency in the amount of \$595,030.00, for a total amount of up to \$12,495,642.00 for this project. In addition, the resolution will amend the current Construction Management Services Agreement for the 12th Street Station Project to reflect the final GMP for the project in the amount of \$11,900,612.00. Included in this final GMP are the final reimbursable expenses for the 12th Street Station Project in the amount of \$602,622.00. Also included in the final GMP is the revised Construction Manager Fee at 4% of the Cost of Construction, or \$453,194.00. Finally, there is a need to amend the contract to reflect the name change of the Construction Manager from East-Harding Adecco, LLC, to East Harding Adecco, A Joint Venture.

Director Hurst asked what had driven the cost up on the building. City Manager Bruce Moore stated that the estimated had been obtained in 2010, and the overall cost had increased since that time. Director Hurst stated that she felt that \$300.00 a square-foot was expensive and asked if there was something about a Police Substation that would raise the cost, or if there were parts of the project that should have pared down to keep it closer to \$10 million, which was the amount that had been used during the campaign for the sales tax increase. City Manager Moore stated that the project had been pared down and that the estimate actually came in much higher. Director Hurst asked if the 8,000 square-feet of space included in the building for non-LRPD use had been assigned, or would it just be utilized by LRPD until a later time when a tenant was secured. City Manager Moore stated plans were to build a new Police Headquarters Building at which time many of the individuals that were housed in the current building would have to be moved into the 12th Street Station, which meant that most of the space would be utilized by LRPD for a time. Director Adcock asked if the \$13 million included the architectural fees. City Manager Moore stated that the amount did include the architectural fees. City Manager Moore stated that the full amount was not coming out of the sales tax revenues and that approximately \$2.1 million of short-term financing notes had been issued over the past six (6) years. Little Rock Police Chief Stuart Thomas stated that several of the expenditures of the original short-term financing note were related to the plan to utilize a building that was previously located on the current site. Chief Thomas stated that once the building was acquired and the architectural and engineering studies were completed, it was determined that the building needed to be removed and a new structure built. Chief Thomas stated that a portion of the \$2.1 million was utilized for land acquisition, remediation of the site and demolition of the previous structure. Chief Thomas stated that the actual square-footage of the building that was bid-out was 11,500; however, once the proposals were received, it was over budget.

Director Richardson made the motion, seconded by Director Cazort, to call the question on the vote. By voice vote of the Board Members present, with Director Adcock voting in opposition, **the question to vote was called.**

By roll call vote, the vote was as follows: Ayes: Hendrix; Richardson; Cazort; Hines; Wyrick; Kumpuris; Fortson; and Vice Mayor Kumpuris. Nays: Hurst and Adcock. By a vote of eight (8) ayes and two (2) nays, **the resolution was approved.**

PLANNING & DEVELOPMENT ITEMS (Item 8)

8. ORDINANCE NO. 20,734; Z-4606-A: To reclassify property located in the City of Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 8 ayes; 0 nays; 2 absent and 1 open position. Staff recommends approval.*

Synopsis: The owner of the 0.37-acre property located at 12300 Stagecoach Road is requesting that the zoning be reclassified from R-2, Single-Family District, to C-3, General Commercial District.

The ordinance was read the first time. Director Adcock made the motion, seconded by Director Hurst, 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 Adcock made the motion, seconded by

Director Hurst, 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. By unanimous voice vote of the Board Members present, **the ordinance was approved.**

SEPARATE ITEMS (Item 9 – 13)

9. ORDINANCE NO. 20,738: To amend portions of the Little Rock Transportation Code; and for other purposes. *Staff recommends approval.*

Synopsis: This ordinance permits some individuals to obtain Taxi Driver Permits that are currently denied the right to do so. In addition, the ordinance imposes a late fee for individuals who do not obtain a permit in a timely manner.

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

Ellis Houston, 7510 Jamison Road: Stated that he was the President of Little Rock Yellow Cab and asked that the Board approve the ordinance. Mr. Houston stated that the ordinance would not change the process in which they screened their drivers; however, it would broaden the pool of applicants as it would give some individuals with a felony on their record, a second chance at employment.

Director Cazort stated that the ordinance would relax certain potential felonies as a prohibitors for driving a cab in the City of Little Rock. Director Cazort stated that he supported giving individuals a second chance; however, the job of the Board was to strike a balance between assisting individuals to re-enter society and protecting the public safety of all the citizens. Director Cazort stated that there were some offenses that were included in the ordinance, that once committed should be a permanent prohibitor from possessing a license to drive taxi cab. Director Cazort stated that even though the ordinance relaxed the felony penalties for those individuals to drive a cab, it still left in place Homicides, Kidnapping 1st and 2nd Degree Battery, Aggravated Assault, Sex Offenses and Robbery. Director Cazort stated that the ordinance recognized that there were certain offenses that should not be on the record of someone that intended to drive a taxi cab. Director Cazort stated that in his mind, Burglary was a violent crime and should be included in the offenses that were absolutely barred. In addition, Director Cazort stated that there needed to be the following change made to in the language in Section 1 (c)5 in respect to Robbery:

5. *Robbery as described in A.C.A. §5-12-102; § 5-12-103.*

In addition, Director Cazort stated that he would like to see the following language added to address Residential Burglary.

6. *Residential Burglary as described in §5-39-201(a) (1); § 5-39-204.*

Director Cazort made the motion, seconded by Director Richardson, to amend the ordinance to include the language regarding Robbery and Residential Burglary.

Director Adcock stated that she agreed with including language regarding Aggravated Burglary; however, she was not supportive of adding language regarding regular Burglary due to the fact that an individual might have broken into a home early in life and many years down the road were unable to obtain employment. Director Adcock asked if Director Cazort would be willing to eliminate the language in relation to regular Burglary. Director Cazort stated that he still felt the Residential Burglary was a violent crime and he felt that it needed to be included. City Attorney Tom Carpenter stated that were a series of provisions that dealt with youthful offenders where if it was a first offense, the conviction could be written off and their record was sealed due to the fact that they successfully completed a probation period.

By voice vote of the Board Members present, with Directors Adcock and Vice-Mayor Wright voting in opposition, **the ordinance was amended.**

Director Richardson made the motion to defer the item until the July 2, 2013, Board Meeting so give the Board time to look over the amended language. City Attorney Carpenter stated that if there was no motion to place the ordinance on third reading it would be held on second reading and placed on the July 2, 2013, Agenda.

Director Adcock made the motion, seconded by Director Cazort, to suspend the rules and place the ordinance as amended on third reading. By voice vote of the Board Members present, with Director Richardson voting in opposition, **the rules were suspended and the ordinance as amended was read a third time.**

By roll call vote, the vote was as follows: Ayes: Hendrix; Richardson; Hurst; Cazort; Hines; Wyrick; Kumpuris; and Fortson. Nays: Adcock and Vice-Mayor Wright. By a vote of eight (8) ayes and two (2) nays, **the ordinance as amended was approved.**

10. ORDINANCE NO. 20,736: To amend Little Rock, Ark., Rev. Code § 2-243 (1988) to include Training Services as a professional service; and for other purposes. *Staff recommends approval.*

Synopsis: This ordinance adds the category of Training Service to the list of professional services the City is authorized to use.

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Cazort, 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 Adcock made the motion, seconded by Director Cazort, 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. By unanimous voice vote of the Board Members present, **the ordinance was approved.**

11. ORDINANCE NO. 20,735: To authorize the issuance of Limited Tax General Obligation Capital Improvement Bonds; to pledge tax revenues sufficient to pay the principal and interest on the bonds; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

Director Fortson stated that due to the fact that he had professional association with one of the companies involved, he would recuse himself from the discussion and voting on the item.

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Cazort, to suspend the rules and place the ordinance on second reading. By voice vote of the Board Members present, with Director Fortson recusing, the rules were suspended and the ordinance was read a second time. Director Adcock made the motion, seconded by Director Hurst, to suspend the rules and place the ordinance on third reading. By voice vote of the Board Members present, with Director Fortson recusing, the rules were suspended and the ordinance was read a third time. By voice vote of the Board Members present, with Director Fortson recusing, **the ordinance was approved.** By voice vote of the Board Members present, with Director Fortson recusing, **the emergency clause was approved.**

12. ORDINANCE NO. 20,737: To authorize the issuance of Industrial Development Revenue Bonds under the Municipalities and Counties Industrial Development Revenue Bond Law for the purpose of securing and developing industry (the particular industrial project is described in the ordinance); to authorize the sale of the bonds and the approve of a Bond Purchase Agreement and an amended payment in lieu of taxes agreement in connection therewith; to authorize the execution and delivery of a second supplemental trust indenture securing the Bonds; to authorize and prescribe certain matters pertaining to the industrial project, the acquisition, construction and equipping thereof, and the financing thereof; to authorize the execution and delivery of a second amendment to the lease agreement relating to the project; **to declare an emergency**; and for other purposes.

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Cazort, 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 Adcock made the motion, seconded by Director Hurst, 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. 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.**

13. RESOLUTION NO. 13,714: To authorize the appropriation of \$500,000.00 from the Economic Development Fund for the benefit and operation of Welspun Tubular with the City of Little Rock; and for other purposes. *Staff recommends approval.*

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

EXECUTIVE SESSION (Items 14 – 16)

14. RESOLUTION NO. 13,715: To confirm the recommendation of the Board of Commissioners of Central Arkansas Water that John Braune be appointed to the Central Arkansas Water Board of Commissioners; and for other purposes.

Synopsis: Appointment of John Braune to the Central Arkansas Water Board of Commissioners, said term to expire on June 30, 2020.

Director Cazort made the motion, seconded by Director Adcock, to confirm the appointment. By unanimous voice vote of the Board Members present, **the appointment was confirmed.**

Director Cazort made the motion, seconded by Director Hines, for the Board to go into Executive Session for the purposes of making appointments to City Boards and Commissions. By unanimous voice vote of the Board Members present, **the Board went into Executive Session.**

15. RESOLUTION NO. 13,716: Appointments to various City Boards and Commissions.
Synopsis: Animal Services Advisory Board (1 Position); Board of Adjustment (1 Position); Community Housing Advisory Board (3 Positions); Construction Board of Adjustments and Appeals (1 Position); MacArthur Military History Museum Commission (4 Positions); Midtown Redevelopment District No. 1 Advisory Board (2 Positions); Oakland & Fraternal Historic Cemetery Park Board (5 Positions); Little Rock Planning Commission (1 Position); and Little Rock Port Authority (1 Position).

Animal Services Advisory Board: Eric Pinter, appointed to serve his first three (3)-year Ward 7 Representative term, said term to expire on November 28, 2016. Director Hurst made the motion, seconded by Director Cazort, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Board of Adjustment: Brad Wingfield, reappointed to serve his second three (3)-year Civil Engineer term, said term to expire on February 19, 2016. Director Hurst made the motion, seconded by Director Cazort, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Community Housing Advisory Board: Barrett Allen, reappointed to serve his second three (3)-year Community Development Corporation Representative term, said term to expire on June 2, 2016. Valerie Brown, appointed to serve her first three (3)-year term for Landlord of Property within the City of Little Rock, said term to expire on June 2, 2016. Director Hurst made the motion, seconded by Director Cazort, to approve the appointments. By unanimous voice vote of the Board Members present, **the appointments were approved.**

Construction Board of Adjustment and Appeals: James Engstrom, reappointed to serve his second four (4)-year Structural Engineer term, said term to expire on January 5, 2017. Director Hurst made the motion, seconded by Director Fortson, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

MacArthur Military History Museum Commission: Jonathan McRoy, appointed to serve his first three (3)-year term, said term to expire on February 21, 2016. Stuart Nichols, appointed to serve his first three (3)-year term, said term to expire on February 21, 2016. Derotha Webb, reappointed to serve her second three (3)-year term, said term to expire on February 21, 2016. Director Cazort made the motion, seconded by Director Hurst, to

approve the appointments. By unanimous voice vote of the Board Members present, **the appointments were approved.**

Midtown Redevelopment District No. 1 Advisory Board: Glenn Borkowski, appointed to serve his first three (3)-year At-Large term, said term to expire on March 31, 2016. Elizabeth Donovan, reappointed to serve her second three (3)-year term for Owners or Duly Authorized Representatives of Owners of Commercial Property within the Boundaries, said term to expire on March 31, 2016. Director Hurst made the motion, seconded by Director Cazort, to approve the appointments. By unanimous voice vote of the Board Members present, **the appointments were approved.**

Oakland & Fraternal Historic Cemetery Park Board: John Bush, reappointed to serve his second three (3)-year term, said term to expire on June 1, 2016. Carla Coleman, reappointed to serve her third three (3)-year term, said term to expire on June 1, 2016. George Plastiras, reappointed to serve his second three (3)-year term, said term to expire on June 1, 2016. Scott Shepard, appointed to serve his first three (3)-year term, said term to expire on June 1, 2016. Jeanne Spencer, reappointed to serve her third three (3)-year term, said term to expire on June 1, 2016. Director Cazort made the motion, seconded by Director Hurst, to approve the appointments. By unanimous voice vote of the Board Members present, **the appointments were approved.**

Little Rock Planning Commission: Keith Cox, appointed to serve his first three (3)-year term, said term to expire on November 1, 2015. Director Cazort made the motion, seconded by Director Hurst, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Little Rock Port Authority: Jon Wickliffe, reappointed to serve his third five (5)-year term, said term to expire on July 6, 2018. Director Cazort made the motion, seconded by Director Hurst, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

16. RESOLUTION NO. 13,717: To make appointments to the Arkansas Arts Center Board of Trustees; and for other purposes. *Staff recommends approval.*

Synopsis: Reappointment of Sharon Bailey to serve her second four (4)-year term, said term to expire on June 30, 2017. Reappointment of Charlotte Bradbury to serve her second four (4)-year term, said term to expire on June 30, 2017. Reappointment of Dr. Ricardo Sotomora to serve his second four (4)-year term, said term to expire on June 30, 2017. Reappointment of Mary Ellen Vangilder to serve her second four (4)-year term, said term to expire on June 30, 2017. Appointment of Del Boyette to serve his first four (4)-year term, said term to expire on June 30, 2017. Appointment of Albert Braunfisch to fill the unexpired term of John P. Fletcher, said term to expire on June 30, 2014. Appointment of Charlotte Brown to serve her first four (4)-year term, said term to expire on June 30, 2017. Appointment of Robert Burnett to serve his first four (4)-year term, said term to expire on June 30, 2017. Appointment of Scott Davis to serve his first four (4)-year term, said term to expire on June 30, 2017. Appointment of Errin Dean to fill the unexpired term of Wilson Jones, said term to expire on June 30, 2016. Appointment of Craig Lair, to serve his first four (4)-year term, said term to expire on June 30, 2017. Appointment of L. Walter Quinn to fill the unexpired term of Jay Cranford, said term to expire on June 30, 2015. Appointment of Dale Ronnel to serve her first four (4)-year term, said term to expire on June 30, 2017.

Director Hurst made the motion, seconded by Director Cazort, to approve the appointments. By unanimous voice vote of the Board Members present, **the appointments were approved.**

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June 18, 2013
6:00 PM

Director Cazort made the motion, seconded by Vice-Mayor Wright, to adjourn the meeting. By unanimous voice vote of the Board Members present, **the meeting was adjourned.**

ATTEST:

APPROVED:

Susan Langley, City Clerk

Mark Stodola, Mayor