

**Little Rock Board of Directors Meeting
August 20, 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. Assistant City Toya Robinson called the roll with the following Directors present: Hendrix; Cazort; Hines; Fortson; Adcock; Vice-Mayor Wright and Mayor Stodola. Directors absent: Richardson; Hurst; Wyrick; and Kumpuris. Director Brad Cazort delivered the invocation, which was followed by the Pledge of Allegiance.

Mayor Stodola recognized Boy Scout Troop 14 from Fellowship Bible Church that was present in the audience working on their Citizenship in the Community and Communications Merit Badge.

Mayor Stodola stated that due to the fact that there was not a quorum of the Board Members present to suspend the rules to place the ordinances on second and third reading, all ordinances would be held on first reading. City Attorney Tom Carpenter stated that the Mayor could hold the public hearings on Items 20 and 21 and that if the hearing was not held on Item 21, the hearing date would have to be re-advertised.

PRESENTATIONS

2012 Audit Presentation

CONSENT AGENDA (Items 1 – 3)

1. RESOLUTION NO. 13,760: To authorize an increase to the authorized contract amount for Ruffin Excavating, Inc., for the 9th Street Extension Project Phase 2; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to approve an amendment to the construction contract agreement with Nick Ruffin Excavating, Inc., for modifications to the 9th Street Phase 2. Project originally authorized under Resolution No. 13,596.

2. RESOLUTION NO. 13,761; G-24-041: To set September 17, 2013, as the date of public hearing to abandon a portion of a fifteen (15)-foot wide easement located along the rear of the property located at 17204 LaMarche Boulevard; and for other purposes. *Staff recommends approval.*

3. RESOLUTION NO. 13,762: A resolution to approve the transfer of a Telecommunications Network Franchise Agreement by and between the City of Little Rock, Arkansas, and Hyperion Communications of Arkansas, LLC, to Level 3 Communications, LLC; and for other purposes. *Staff recommends approval.*

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

GROUPED ITEMS (Items 4 - 18):

4. ORDINANCE; Z-3875-C: To approve modification to a Planned Zoning Development and provide for the establishment of a Planned Commercial District titled Richard's Auto Repair Short-Form PCD, located at 12819 Interstate 30, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The request is to amend the previously-approved PCD, Planned Commercial Development, to add automobile repair and automobile body repair as an allowable use of the site.

5. ORDINANCE; Z-4451-E: To approve a Planned Zoning Development and establish a Planned Residential District titled Hunters Green Lot 18 Hunters Green Addition Revised PD-R, located at 75 Hunters Green Circle, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The applicant is requesting a replat of Lot 18 Hunters Green Addition to the City of Little Rock to allow a modification to the rear and side platted building line.

6. ORDINANCE; Z-4653-I: To approve modification to a Planned Zoning Development and provide for the establishment of a Planned Commercial District titled Powell Brothers Revised Short-Form PCD, located at 1308 South Bowman Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The applicant is proposing to amend the previously-approved PCD, Planned Commercial District, to add additional land area to the development and provide a site plan for improvements to the newly-added land area.

7. ORDINANCE; Z-4923-O: To approve a Planned Zoning Development and establish a Planned Commercial District titled Shackleford Crossing (Wal-Mart) Revised Long-Form PCD, located at 2700 South Shackleford Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The applicant is requesting to amend the approved site plan for Lot C Shackleford Crossing Subdivision (Wal-Mart) to allow for the placement of outdoor display of seasonal items within a specifically defined areas of the parking lot and along the front and the western side of the building.

8. ORDINANCE; Z-4923-P: To approve a Planned Zoning Development and establish a Planned Commercial District titled Shackleford Crossing Lot 3 Revised Long-Form PCD, located in the 2800 Block of South Shackleford Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The request is to revise the previously-approved PCD, Planned Commercial Development, for Lot 3 of the Shackleford Crossing Shopping Center to allow for the placement of building signage on all four (4) facades of the building.

9. ORDINANCE; Z-7895-B: To approve a Planned Zoning Development and establish a Planned Commercial District titled 7th and Woodrow Short-Form PCD and revoking the PCD Zoning for a portion of the property located at 712 – 724 Appian Way, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The request is the revocation of Ordinance No. 19,820, adopted by the Little Rock Board of Directors on September 18, 2007, and the rezoning of Lots 14 – 17 Block 12 of the Ferndale Addition to PCD, Planned Commercial Development.

10. ORDINANCE; Z-8261-A: To repeal Ordinance No. 19,843, titled 501 Rector Street Short-Form PCD, and revoking a Planned Zoning District; **to declare an emergency;** and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The applicant is requesting revocation of a previously-approved PCD, Planned Commercial Development, and restoration of the underlying UU, Urban Use, District Zoning.

11. ORDINANCE; Z-8870: To approve a Planned Zoning Development and establish a Planned Residential District titled Haskins Short-Form PD-R, located at 4001 North Lookout Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The request is a rezoning to PD-R, Planned Development – Residential, to allow for an addition to the existing single-family home inconsistent with the typical development standards of the Hillcrest Design Overlay District.

12. ORDINANCE; Z-8871: To approve a Planned Zoning Development and establish a Planned Commercial District titled K Lofts, LLC, 315 Main Street Short-Form PCD, located at 315 Main Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The request is a rezoning of the property from UU, Urban Use District, to PCD, Planned Commercial Development, to allow for the redevelopment of this existing building with a mixed-use development.

13. ORDINANCE; Z-8872: To approve a Planned Zoning Development and establish a Planned Commercial District titled The MM Cohn Building Main Street Lofts, LLC, 510 Main Street Short-Form PCD, located at 510 Main Street, 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 recusal. Staff recommends approval.*

Synopsis: The request is a rezoning of the property from UU, Urban Use District, to PCD, Planned Commercial Development, to allow for the redevelopment of this existing building with a mixed-use development.

14. ORDINANCE; Z-8873: To approve a Planned Zoning Development and establish a Planned Commercial District titled Capitol Lofts, LLC, The Hall Davidson Building, 201 – 205 Capitol Avenue Short-Form PCD, located at 201 – 205 Capitol Avenue, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The request is a rezoning of the property from UU, Urban Use District, to PCD, Planned Commercial Development, to allow for the redevelopment of this existing building with a mixed-use development.

15. ORDINANCE: To condemn a certain structure in the City of Little Rock, Arkansas, as structural, fire and health hazards; providing for summary abatement procedures; directing the City Manager to take such action as is necessary, to raze and remove said structure; ***to declare an emergency***; and for other purposes. *Staff recommends approval.*

Synopsis: To condemn a commercial structure located at 5410 South University Avenue due to the fact that the owner failed to complete the repairs within the specified time frame per the Board of Directors.

16. ORDINANCE: To dispense with the requirement of competitive bids and to authorize an agreement between the City of Little Rock, Arkansas, and Metro Little Rock Alliance for the purpose of economic development advertisement within the Central Arkansas area; ***to declare an emergency***; and for other purposes. *(Deferred from August 6, 2013)*

Synopsis: The ordinance formally authorizes the City's participation in the Metro Little Rock Alliance; it also waives the requirement of competitive bidding for such services.

17. ORDINANCE: To dispense with the requirement of competitive bids and to authorize an agreement between the City of Little Rock, Arkansas, and the Little Rock Regional Chamber of Commerce to provide economic development assistance; ***to declare an emergency***; and for other purposes. *(Deferred from August 6, 2013)*

Synopsis: The ordinance formally authorizes the City's participation in a contractual agreement with the Little Rock Regional Chamber of Commerce for economic development assistance during 2013; it also waives the requirement of competitive bidding for such services.

18. ORDINANCE: To adopt a City of Little Rock Non-Uniform Employees Defined Benefit Pension Plan and Trust; to adopt an amended Non-Uniform Employees Defined Contribution Plan; and for other purposes.

Synopsis: On March 19, 2013, the Board of Directors approved a resolution authorizing the City Manager to develop a Defined Benefit Retirement Program for full-time non-uniform employees of the City of Little Rock because the current defined contribution retirement program does not adequately provide benefits for long-term employees in that group. The plan document for the defined benefit program is being presented for approval, along with a revised defined contribution plan document.

The ordinances were read a first time.

SEPARATE ITEMS (Item 19)

19. ORDINANCE: To abandon a portion of 9th Street near Corning Avenue; to approve use of the property by the Little Rock Airport Commission; ***to declare an emergency***; and for other purposes.

The ordinance was read a first time.

PUBLIC HEARINGS (Items 20 - 21)

20. ORDINANCE: To approve the sources and uses of projected 2014 CDBG, HOME and HOPWA Funds for inclusion in the City's Annual Plan; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of the sources and uses of projected 2014 CDBG, HOME, and HOPWA funds is required prior to completion of the City's Annual Plan, which must be submitted to HUD by November 15, 2013.

The ordinance was read a first time.

Mayor Stodola opened the public hearing and asked if there were individuals present that wished to speak for or against the item. There being none present, Mayor Stodola closed the public hearing.

21. ORDINANCE: 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; to authorize the sale of the bonds and the approval of a Bond Purchase Agreement and a Payment in Lieu of Taxes Agreement in connection therewith; to authorize the execution and delivery of a trust indenture securing the Bonds; to authorize and prescribe certain matters pertaining to the project, the acquisition, construction, and equipping thereof, and the financing thereof; to authorize the execution and delivery of a lease agreement relating to the project; ***to declare an emergency***; and for other purposes.

The ordinance was read a first time.

Mayor Stodola opened the public hearing and asked if there were individuals present that wished to speak for or against the item. There being none present, Mayor Stodola closed the public hearing.

PRESENTATIONS (Item 22)

22. PRESENTATION: April 2013 Financial Presentation – Sara Lenehan, Finance Department Director

Ms. Lenehan reported that through the end of April, the City had collected 33.38%, or \$56,735,892, of the Annual Budget. Ms. Lenehan reported that for the month of April, the City's sales tax had declined 0.4%, as compared to one (1)-year ago; however, the City's portion of the County sales tax had grown 1.32%, making the total sales tax revenues flat at 0.13%. Ms. Lenehan reported that the sales tax revenues to-date were 1.78% below budget. Ms. Lenehan reported that as of April, 38%, or \$49,365,350, had been expended. Ms. Lenehan reported that the 2013 Budget goal for vacancy savings was \$3,900,000, and year-to-date savings were \$2,166,711.

CITIZEN'S COMMUNICATION

Teresa Belew, 2123 Arkansas Valley Drive: Public Hearings

Director Cazort made the motion, seconded by Director Hines, to recess the meeting until August 27, 2013, for the purpose of making subsequent readings of the ordinances.

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By unanimous voice vote of the Board Members present, **the meeting was recessed until August 27, 2013.**

ATTEST:

APPROVED:

Toya Robinson, Assistant City Clerk

Mark Stodola, Mayor