

**Little Rock Board of Directors Meeting
August 6, 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; Adcock; Vice-Mayor Wright and Mayor Stodola. Directors absent: Fortson. Director Erma Hendrix delivered the invocation, which was followed by the Pledge of Allegiance.

Mayor Stodola recognized Director Hendrix for a point of personal privilege regarding a vote on a previous Agenda item. Director Hendrix stated that she would like to change her vote from Aye to Nay for Agenda Item No. 15 (Resolution No. 13,742) from the July 16, 2013, Board of Directors Meeting. City Attorney Tom Carpenter stated that in order to change her vote, there would need to be a motion and a second made and a unanimous voice vote of the Board Members.

Director Hendrix made the motion, seconded by Vice-Mayor Wright, to allow her vote for Resolution No. 13,742 be changed from Aye to Nay. By unanimous voice vote of the Board Members present, **the motion passed**. *The record for Resolution No. 13,742 now reflects that by voice vote of the Board Members present, with Director Hendrix voting in opposition, **the resolution was approved**.*

MODIFICATIONS

M-1. RESOLUTION: To award a contract to Melchor Construction, Inc., for the Pulaski Heights Elementary SRTS (2013) AHTD Job #061366 Sidewalk Improvements, in the amount of \$71,119.20; and for other purposes. *Staff recommends approval.*
Synopsis: Authorizes the City Manager to execute an agreement with Melchor Construction, Inc., for the Pulaski Heights Elementary SRTS (2013) AHTD Job #061366 Sidewalks Improvements, Bid No. 12-295.

Director Adcock made the motion, seconded by Director Cazort, 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**.

Mayor Stodola recognized members from Boy Scout Troop No. 27 who were present in the audience working on their Citizenship in the Community Badge.

CONSENT AGENDA (Items 1 – 15 and Item M-1)

1. RESOLUTION NO. 13,743: To authorize the City Manager to execute a Public Agency Services Agreement to provide emergency response and fire suppression

services for National Park Service properties within the Central High School National Historic Site; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to execute a Public Agency Service Agreement with the National Park Service to provide emergency response and fire suppression services for Federal properties within the Central High School National Historic Site, for a term of five (5) years with option to renew the term by mutual agreement.

2. RESOLUTION NO. 13,744: To set August 20, 2013, as the date of public hearing regarding the proposed uses of the 2014 CDBG, HOME and HOPWA Entitlement Funds; and for other purposes. *Staff recommends approval.*

Synopsis: As a regulatory requirement, a public hearing must be conducted regarding proposed uses of 2014 CDBG, HOME and HOPWA Funding, which the City expects to receive from the U.S. Department of Housing and Urban Development.

3. RESOLUTION NO. 13,745: To approve HOPWA Funding to the Arkansas AIDS Foundation in the amount of \$386,500.00, for a twelve (12)-month period; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of Housing Opportunities for Persons With AIDS (HOPWA) Funding to the Arkansas AIDS Foundation in an amount not to exceed \$386,500.00 for a twelve (12)-month period.

4. RESOLUTION NO. 13,746: To certify Local Government Endorsement of Midwest Independent Transmission Operator, Inc., to participate in the Arkansas Tax Back Program (as authorized by Section 15-4-2706(D) of the Consolidated Incentive Act of 2003); and for other purposes. *Staff recommends approval.*

5. RESOLUTION NO. 13,747: To authorize the entry into an agreement to issue bonds for the purpose of assisting in the financing of industrial facilities within the City of Little Rock, Arkansas, to be leased to Dassault Falcon Jet Corp., pursuant to the authority of the laws of the State of Arkansas, including particularly Amendment 65 to the Arkansas Constitution and the Municipalities and Counties Industrial Development Revenue Bond Law; and for other purposes. *Staff recommends approval.*

6. RESOLUTION NO. 13,748: To approve the City Manager to enter into a contract with Bale Chevrolet for the purchase of three (3) Chevrolet Vans, for the amount of \$25,159.00 each, for a total amount of \$75,477.00, for use by the Parks and Recreation Department; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax Funding) Staff recommends approval.*

Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with Bale Chevrolet to purchase three (3) Chevrolet vans at \$25,159.00 each, for a total of \$75,477.00, for the Parks and Recreation Department.

7. RESOLUTION NO. 13,749: To authorize the Mayor to issue a letter of support to the Arkansas Development Finance Authority (ADFA) for the construction of ten (10) single-family homes in the Apple Blossom Subdivision, in the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

Synopsis: The resolution would authorize the Mayor to sign a letter of support for the applicant to apply for HOME Funds from the Arkansas Development Finance Authority.

8. RESOLUTION NO. 13,750: To authorize the Mayor to issue a letter of support to the Arkansas Development Finance Authority (ADFA) for the construction of five (5) single-family homes in the Villa Vista Subdivision, in the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

Synopsis: The resolution would authorize the Mayor to sign a letter of support for the applicant to apply for HOME Funds from the Arkansas Development Finance Authority.

9. RESOLUTION NO. 13,751: To authorize the City Manager to enter into a contract with Play and Park Structures for the purchase of a Playground Component System for Granite Heights Park in the amount of \$96,023.05; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with Play and Park Structures to purchase a new playground component system for Granite Heights Park.

10. RESOLUTION NO. 13,752: To award a contract to Cosse Construction, LLC, for the 12th Street Revitalization Streetscape Arkansas Community Economic Development Program Grant; and for other purposes. *(A portion of the Funding is from the 2012 3/8-Cent Capital Improvement Sales Tax Funding)* *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with Cosse Construction, LLC, for 12th Street Revitalization (Streetscape), Bid #2012-261.

11. RESOLUTION NO. 13,753: To authorize the City Manager to enter into contract and agreement for the construction of the Harrison Street (14th Street to 22nd Street) Safe Routes to Schools Sidewalk Grant in cooperation with the University District Development Corporation; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to approve and enter into contracts and agreements with the Arkansas Highway and Transportation Department and the University Development Corporation for the Harrison Street Sidewalk Project (14th Street to 22nd Street) Safe Routes to School Grant Program.

12. RESOLUTION NO. 13,754: To authorize the City Manager to make application to the Arkansas Department of Parks and Tourism for assistance to develop recreational facilities at the Little Rock Zoo, located in War Memorial Park at 1 Zoo Drive in the City of Little Rock, Arkansas; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax Funding)* *Staff recommends approval.*

Synopsis: The resolution authorizes the City Manager to make application for a State Parks Outdoor Recreation 50/50 matching grant for an Arkansas Farm Exhibit for the Little Rock Zoo.

13. RESOLUTION NO. 13,755: To authorize the City Manager to enter into a contract with Alexander Open Systems in the amount of \$82,988.30, to purchase switches and a router to upgrade switches at some of the City's major facilities, utilizing the Arkansas State Purchasing Contract; and for other purposes. *Staff recommends approval.*

Synopsis: To purchase switches and router for the District Courts, Planning & Development, Public Works, and Information Technology Departments and the Little Rock Zoo.

14. RESOLUTION NO. 13,756: To authorize the City Manager to enter into a contract with Daniel Utility in the amount of \$424,161.29 for the equipment installation and site work at the City of Little Rock's CNG Fueling Station located at 6th and Ferry Streets; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with Daniel Utility in the amount of \$424,161.29 for the equipment installation and site work at the CNG Fueling Station at 6th and Ferry Streets.

15. RESOLUTION NO. 13,757: To accept title to property donated to the City of Little Rock, Arkansas, by Special Warranty Deed to be used for Neighborhood Revitalization Programs; and for other purposes. *Staff recommends approval.*

Synopsis: In an effort maximize the Land Bank's revitalization efforts, staff would like to accept the donation of the property located at 3019 West 16th Street. **Property Details:** The parcel is a 6,068

square-foot lot located in the Land Bank Focus Area that includes a structure that has been declared unsafe and vacant by the City's Code Enforcement Staff.

M-1. RESOLUTION NO. 13,758: To award a contract to Melchor Construction, Inc., for the Pulaski Heights Elementary SRTS (2013) AHTD Job #061366 Sidewalk Improvements, in the amount of \$71,119.20; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with Melchor Construction, Inc., for the Pulaski Heights Elementary SRTS (2013) AHTD Job #061366 Sidewalks Improvements, Bid No. 12-295.

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 16 - 24):

16. ORDINANCE NO. 20,754: To amend the Little Rock Planning Boundary (Ordinance No. 18,488 as amended by Ordinance No. 20,638) moving the boundary west and north at the Pratt Road/Interstate 530 Interchange; and for other purposes. *Planning Commission: 8 ayes; 0 nays; and 3 absent. Staff recommends approval.*

Synopsis: To modify the City Planning Jurisdiction to make it consistent with Act 1053 of 2013 (change in the Interstate 530/Pratt Road area).

17. ORDINANCE NO. 20,755; LU13-01: To amend the Land Use Plan in the area south of Interstate 30 from Interstate 530 to Alexander Road; and for other purposes. *Planning Commission: 7 ayes; 0 nays; 3 absent; and 1 vacancy. Staff recommends approval.*

Synopsis: A package of eighteen (18) changes to the Land Use Plan in an area south of Interstate 30 from Interstate 530 to Alexander Road, to make the Land Use Plan more representational of the likely near term future development pattern for the area.

18. ORDINANCE NO. 20,756; Z-8862: 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; and 3 absent. Staff recommends approval.*

Synopsis: The owner of the 0.69-acre property located at 4811 Baseline Road is requesting that the zoning be reclassified from R-2, Single-Family District, to O-3, General Office District.

19. ORDINANCE NO. 20,757; Z-8863: 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; and 3 absent. Staff recommends approval.*

Synopsis: The owner of the 1.03 acres property located on the east side of Vimy Ridge Road, approximately 3,400 feet south of Alexander Road is requesting that the zoning be reclassified from R-2, Single-Family District, to I-2, Light Industrial District.

20. ORDINANCE NO. 20,758; Z-8864: 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; and 3 absent. Staff recommends approval.*

Synopsis: The owners of the 16.628-acre property located at 10607/10701 Stagecoach Road are requesting that the zoning be reclassified from R-2, Single-Family District, to C-3, General Commercial District, and OS, Open Space District.

21. ORDINANCE NO. 20,759; Z-8865: 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; and 3 absent. Staff recommends approval.*

Synopsis: The owner of the 0.49-acre property located at 6711 Cantrell Road is requesting that the zoning be reclassified from R-2, Single-Family District, to C-3, General Commercial District.

22. ORDINANCE NO. 20,760: To reduce the levy of tax on the assessment of benefits to be received by owners of each of the several blocks, lots and parcels of land within the Twin Lakes Recreation Improvement District No. 1 of Little Rock, Arkansas; **to declare an emergency;** and for other purposes.

23. ORDINANCE NO. 20,761: To establish and lay off City of Little Rock Municipal Property Owners' Multipurpose Improvement District No. 2013-314 (Bishop Place Project); and for other purposes.

24. ORDINANCE NO. 20,762: An ordinance to authorize a contract with Thompson-Reuters to provide computer-aided research measures and office management measures for the Office of the City Attorney; to dispense with the requirement of competitive bids; **to declare an emergency;** and for other purpose. *Staff recommends approval.*

The ordinances were read a first time. Director Adcock made the motion, seconded by Director Hurst, to suspend the rules and place the ordinances on second reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinances were read a second time. Director Adcock made the motion, seconded by Director Richardson, to suspend the rules and place the ordinances on third reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinances were read a third time. By unanimous voice vote of the Board Members present, **the ordinances were approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 24 was approved.**

SEPARATE ITEMS (Item 25)

25. ORDINANCE: To establish impact fees for the wastewater system of the City of Little Rock; Arkansas; to adopt a Wastewater Capital Plan and level of service standards; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

Director Hines stated that based on public comment that he had received regarding the impact fee on the wastewater system he planned to make a motion to refer the item back to the Sanitary Sewer Committee for the possibility of reconvening the Rate Advisory Committee to review for a period of nine (9) months.

Director Hines made the motion, seconded by Vice-Mayor Wright, to defer the item back to the Sanitary Sewer Committee for a decomposition by the Rate Advisory Committee for a period up to nine (9) months.

Director Hurst stated that the document before the Board that evening was substantially different than what emerged from the Rate Study Advisory Committee. Little Rock Wastewater Executive Director Reggie Corbitt stated that the Rate Study Committee recommendation was that the impact fee be sent to the Board of Directors for approval. Director Hurst asked why Director Hines was recommending a nine (9)-month deferral. Director Hines stated that he had recommended up to nine (9) months to give the committee time to review the plan. Director Adcock asked if the City Attorney had written the ordinance. City Attorney Tom Carpenter stated that he did not write the ordinance and that the language was taken from the Statute. Director Adcock stated that on Page 5 of the ordinance, it stated that the impact fee would be paid for at the time of closing by the buyer of the home; however, elsewhere in the ordinance, it stated that the fee would be paid for by the contractor when the permit for the sewer was obtained. City Attorney Carpenter stated that his interpretation was that the fee could be assessed at the time the developer closed on the property where the development was to occur.

Director Hurst asked if the intention was for the original Rate Advisory Committee to review plan, or would there be a new Committee. Director Hines stated that he thought that determination should be left up to the Sanitary Sewer Committee. Director Hines stated that when he looked over the list of members for the Rate Advisory Committee, there was no representation for any of the neighborhoods west of Interstate 430. Director Hurst stated that she had been on the Board for eleven (11) years and the subject of impact fees had been discussed many times. Director Hurst asked if Director Hines would be willing to amend his motion to state that the Committee would have no more than six (6) months to review the plan.

Director Hines made the motion, seconded by Vice-Mayor Wright, to amend his previous motion to give the Sanitary Sewer Committee six (6) months to review the plan.

Director Hines stated that he did not think that it was necessary to have a new rate study on the impact, he thought that the data was valid; however, he did think that it was important to reconvene the stakeholders that would be affected.

Director Kumpuris made the motion, seconded by Director Hines, to call the question on the vote. By unanimous voice vote of the Board Members present, **the question to vote was called.**

By unanimous voice vote of the Board Members present, with Director Richardson voting Present, **the motion passed.** (*Ordinance was not read*)

PUBLIC HEARING (Item 26)

26. ORDINANCE NO. 20,763; G-23-437: To abandon a north/south alley right-of-way and easements located between Battery and Wolfe Streets, south of 12th Street, Block 5 Centennial Addition, in 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 adjacent property owners are requesting the abandonment of approximately 330 linear-feet of a twenty (20)-foot wide alley right-of-way along with a portion of the easements located

within the alley for an alley located south of 12th Street between Battery and Wolfe Streets; Block 5 Centennial Addition.

The ordinance was read a 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.

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.

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

PRESENTATIONS (Item 27)

27. PRESENTATION: 2013 1st Quarter Financial Presentation – Sara Lenehan, Finance Department Director

Ms. Lenehan reported that in January, the City had collected 7.9%, or \$13,423,821, of the Annual Budget, in February 16.19%, or \$27,505,834, had been collected and in March 25.72%, or \$43,698,427, had been collected. Ms. Lenehan reported that as a result of the inclement weather at the end of December 2013/first of January 2014, the City experienced a 7.24% sales tax revenue growth during the month of January, as compared to January 2012. However, sales tax was flat during the month of April at 0.59% and then during the month of May, it fell 5.68%. Ms. Lenehan reported that the sales tax revenues for the 1st Quarter were 0.46% below the same period for 2012. Ms. Lenehan reported that the City was 1.93% below the budget for sales tax in the 1st Quarter. Ms. Lenehan reported that in January, the City had expended 7.87%, or \$12,426,582, of the Annual Budget, in February 15.07%, or \$23,804,053, had been expended and in March 23.18%, or \$436,597,326, had been expended. Ms. Lenehan reported that the 2013 Budget goal for vacancy savings was \$3,900,000, and year to date savings was \$1,608,015.

EXECUTIVE SESSION (Item 28)

28. RESOLUTION NO. 13,759: To make reappointments to the various City of Little Rock Boards and Commissions; and for other purposes.

Synopsis: Housing Board of Adjustment and Appeals (1 position); River Market District Design Review Committee (1 position); and Little Rock Sanitary Sewer Committee (2 positions).

Housing Board of Adjustments and Appeals: Reappointment of Kenneth McKay to serve his second four (4)-year term, said term to expire on August 1, 2017. Director Adcock made the motion, seconded by Director Richardson, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

River Market District Design Review Committee: Reappointment of Jim Rice to serve his second three (3)-year Little Rock Convention and Visitors Bureau term, said term to expire on August 6, 2016. Director Hendrix made the motion, seconded by Director Cazort, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Little Rock Sanitary Sewer Committee: Reappointment of Pete Hornibrook Rice to serve his second five (5)-year At-Large term, said term to expire on August 1, 2018. Reappointment of Richard Mays, Jr., to serve his second five (5)-year At-Large term, said term to expire on August 1, 2018. Director Adcock made the motion, seconded by Director Richardson, to approve the appointments. By unanimous voice vote of the Board Members present, **the appointments were approved.**

CITIZEN'S COMMUNICATION

Dr. Valerie Tatum, 5615 Geyer Springs Road: Covenant Keepers CP Charter School

Larry D. Lowe, 6703 Pecan Lane: Fire Department

Luke Skrable: State Law Broken

Henry Droughter, 1608 South Taylor Street: Minority Goals

Richard Morehead, 210 South Gaines Street: Firefighter Issues

Director Cazort made the motion, seconded by Director Richardson, 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