

**Little Rock Board of Directors Meeting
October 15, 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; Cazort; Hines; Wyrick; Kumpuris; Fortson; Adcock; Kumpuris; Vice-Mayor Wright and Mayor Stodola. Director Dean Kumpuris delivered the invocation, which was followed by the Pledge of Allegiance.

PRESENTATIONS:

2013 City Beautiful Commission Landscape Awards Presentation

ADDITIONS:

M-1 ORDINANCE: To establish the rate of taxation of property for the City of Little Rock, Arkansas, to be collected in the year 2014 for various funds of the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

Synopsis: Adoption of an ordinance levying property taxes to be paid on real and personal property located within the City of Little Rock, Arkansas.

M-2 DISCUSSION: Central Arkansas Water

Director Adcock made the motion, seconded by Director Cazort, to add Item M-1 to the Grouped Items and add Item M-2 to the Agenda as a Discussion Item. By unanimous voice vote of the Board Members present, **Item M-1 was added to the Grouped Items and Item M-2 was added to the Agenda as a Discussion Item.**

CONSENT AGENDA: (Items 1 – 9)

1. RESOLUTION NO. 13,784: To authorize the City Manager to enter into a contract with Landers Toyota for the purchase four (4) hybrid Toyota Camrys at a price of \$24,411.00 each, in the total amount of \$97,644.00, for the Little Rock Police Department, utilizing the Arkansas State Purchasing Contract; 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 Landers Toyota to purchase four (4) hybrid Toyota Camrys at a price of \$24,411.00 each, for a total of \$97,644.00, for the Little Rock Police Department.

2. RESOLUTION NO. 13,785: To authorize the purchase of property offered for sale to the City of Little Rock, Arkansas, to be used for Neighborhood Revitalization Programs; and for other purposes. *Staff recommends approval.*
Synopsis: Staff has identified a parcel of property which is being offered for sale that is located within the Land Bank Focus Area in Ward 1 and is contiguous to two (2) Land Bank-owned properties. **Property Details:** The parcel is a 4,356 square-foot vacant lot with no structure.

3. RESOLUTION NO. 13,786: To authorize the City Manager to enter into a contract with Associates Closing and Title, LLC, for real estate title search and commitment services for properties acquired by the Land Bank; and for other purposes. *Staff recommends approval.*

Synopsis: In an effort to maximize the City's revitalization efforts, staff would like to negotiate a contract with Associates Closing and Title, LLC, to provide detailed, accurate and extensive title searches and commitments, which ensure the title status of prospective properties to be acquired by the Land Bank and provide the real estate title services necessary to proceed with foreclosure and quiet title actions.

4. RESOLUTION NO. 13,787: To authorize the City Manager to enter into a contract with Colorado Standby, LLC, in the amount of \$50,850.00 for the purchase of one (1) towable generator for use by the Emergency Management and Building Services Divisions; and for other purposes. *Staff recommends approval.*

Synopsis: The Little Rock City Manager's Office/Emergency Management Division is committed to improving emergency response throughout the City. In order to accomplish this goal, the proposal is to purchase of one (1) towable generator for use by the Emergency Management and Building Services Divisions in the event of power outages. This equipment is being purchased in accordance with Bid #13151.

5. RESOLUTION NO. 13,788: To authorize the City Manager to execute an extension of the current policy with FM Global to provide property insurance coverage for City buildings for one (1)-year, effective October 1, 2013; and for other purposes. *Staff recommends approval.*

Synopsis: FM Global, the incumbent provider of property insurance coverage for City buildings, has presented a renewal quote. The renewal quote is based on an increase of 5% in estimated replacement cost and addition of properties during the 2012-2013 Policy Term and is effective October 1, 2013.

6. RESOLUTION NO. 13,789: To authorize the City Manager to renew the contract for dental care coverage for City Employees with Delta Dental Plan of Arkansas for a one (1)-year period effective January 1, 2014; and for other purposes. *Staff recommends approval.*

Synopsis: Delta Dental Plan of Arkansas, the incumbent provider of dental care coverage for City Employees has presented a renewal quote. After review of utilization for the City group, Delta has proposed rates that reflect selection between the Basic and Enhanced (Premier) Option.

7. RESOLUTION NO. 13,790: To award contracts for engineering services for Capital Improvement Projects funded from the proceeds of the 3/8-Cent Capital Sales and Compensating Use Tax, and the 2013 Limited Tax General Obligation Capital Improvement Bonds; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax Funding and the 2013 Limited Tax General Obligation Capital Improvement Bonds)* *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute agreements with consulting engineering firms selected through a Statement of Qualifications process, Bid No. 12304, as the most qualified firms to provide these engineering design and survey services for the projects to be funded during the three (3)-year, 2013, 2014, and 2015 Public Works Capital Improvement Program.

8. RESOLUTION NO. 13,791: To authorize the City Manager to enter into a contract with one (1) organization to provide Neighborhood-Based After-School/Out-of-School Time Expanded Youth Program Services for Little Rock youth ages six (6) – eleven (11) in targeted neighborhoods; and for other purposes. *(Funding from the 2012 5/8-Cent Operational Improvements Sales Tax Funding)* *Staff recommends approval.*

Synopsis: Enter into contracts with one (1) organization to provide Neighborhood-Based After-School/Out-of-School Time Expanded Youth Program Services for Little Rock youth ages six (6) – eleven (11) in target neighborhoods.

9. RESOLUTION NO. 13,792: To authorize the City Manager to execute an extension of the current contract with QualChoice to provide health care insurance for City Employees for the year 2014; and for other purposes. *Staff recommends approval.*

Synopsis: QualChoice (QCA), the incumbent provider of health care coverage for City Employees has presented a renewal quote. After review of utilization by the covered group, projected health care inflation and requirements under Federal Health Care Reform, the City's contracted benefits consultants concur that the quote is reasonable.

Director Richardson stated that due to the fact that New Futures for Youth would be offering technical assistance to the programs outlined in Item 8, he would need to recuse from voting on the item.

Director Adcock made the motion, seconded by Director Cazort, to approve the Consent Agenda. By voice vote of the Board Members present, with Director Richardson recusing on Item 8, **the Consent Agenda was approved.**

GROUPED ITEMS: (Items 10 – 11 and Item M-1)

10. ORDINANCE NO. 20,804: To amend Section 15-37(C) and (D) of Chapter 15 of the Little Rock Code of Ordinances entitled "Landscaping and Tree Protection"; and for other purposes. *City Beautiful Commission: 7 ayes; 0 nays; 1 absent; and 3 open positions. Staff recommends approval.*

Synopsis: City Staff and the City Beautiful Commission are proposing an amendment to the City's Landscape Ordinance. The changes address the number of estimates required for the responsible party to obtain in order to contribute to the T.R.E.E Fund from one (1) estimate to three (3) estimates, removes the \$200.00 limitation on the per tree in-lieu cash payment amount and provides that any required in-lieu cash contribution is limited to a maximum of ten (10) trees per site, unless otherwise recommended by the City Beautiful Commission and approved by the Board of Directors.

11. ORDINANCE NO. 20,805: To transfer administration of retirement coverage for eligible members of the Little Rock Police Pension and Relief Fund to the Arkansas Local Police and Fire Retirement System (LOPFI) and to authorize the City Manager to enter into an irrevocable agreement with the Arkansas Local Police and Fire Retirement System (LOPFI); and for other purposes. *Staff recommends approval.*

Synopsis: The Board of Trustees of the Little Rock Police Pension and Relief Fund has elected to have its pension fund administered by LOPFI as stated by resolution dated September 19, 2013. In order for consolidation to occur, the Board of Directors must authorize the City Manager to enter into an irrevocable agreement with LOPFI to administer the Little Rock Police Pension and Relief Fund and pay off the unfunded liability within a closed twenty-five (25)-year amortization period. The consolidation is to include a \$75.00 per month benefit increase to all retiree and survivor accounts beginning January 1, 2014. In addition, the Board of Directors commits to review and reconsider a Cost of Living (COLA) Adjustment on a reoccurring three (3)-year basis following consolidation until the conclusion of the closed twenty-five (25)-year amortization period.

M-1 ORDINANCE NO. 20,808: To establish the rate of taxation of property for the City of Little Rock, Arkansas, to be collected in the year 2014 for various funds of the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

Synopsis: Adoption of an ordinance levying property taxes to be paid on real and personal property located within the City of Little Rock, Arkansas.

The ordinances were a first time. Director Adcock made the motion, seconded by Director Richardson, 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 Cazort, 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.**

City Manager Bruce Moore stated that there should have been an emergency clause attached to Item 11 that would make the ordinance effective on October 18, 2013.

Director Adcock made the motion, seconded by Director Cazort, to add an emergency clause to Item 11. By unanimous voice vote of the Board Members present, **an emergency clause was added to Item 11.** Director Adcock made the motion, seconded by Director Hines, to approve the emergency clause for Item 11. By unanimous voice vote of the Board Members present, **the emergency clause for Item 11 was approved.**

SEPARATE ITEMS (Items 12 – 13)

12. ORDINANCE: To condemn a certain structure in the City of Little Rock, Arkansas, as structural, fire and health hazard; to provide for summary abatement procedures; to direct 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: The commercial structure located at 2019 Rock Street has become run-down, dilapidated, unsightly, dangerous and detrimental to the public welfare of the citizens of the City of Little Rock, Arkansas.

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 Richardson, 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.

Stuart Yancey, P.O. Box 1468, Little Rock: Mr. Yancey stated that he had been involved in an automobile accident and hadn't been able to rehabilitate the structure and would like additional time to do so.

Director Adcock asked how much additional time would be needed to complete the rehabilitation. Mr. Yancey stated that if he was able to obtain a building permit, he would have the outside of the structure finished by the end of the year and then would finish the interior. Director Hendrix asked how many years that Mr. Yancey had owned the building. Mr. Yancey stated that he had owned the building for several years; however, he would have to refer to his files for an actual purchase date. Director Richardson asked how many other buildings Mr. Yancey currently owned that were in the same type

of condition. Mr. Yancey stated that currently he didn't own any other buildings; the rest had been rehabilitated.

City Attorney Tom Carpenter stated that his suggestion was that the Board postpone the matter until the first meeting in January 2014, which was essentially ninety (90) days, and to direct staff to issue a limited building permit. City Attorney Carpenter stated that at the end of the ninety (90) days, staff would provide a status report regarding progress made rehabilitating the structure. City Attorney Carpenter stated that at that time, if the work had not been completed, the item would already be on the agenda subject to condemnation. Mr. Yancey stated that he understood the Board's thoughts; however, he would like to request a normal building permit.

Director Adcock made the motion, seconded by Vice-Mayor Wright, to postpone the item until the second meeting in January 2014, and to issue a limited building permit.

Director Hendrix asked for an update from staff regarding the structure. Planning & Development Department Director Tony Bozynski reported that the structure had been identified for condemnation in Spring 2012 and staff had moved forward with the appropriate notification. Mr. Bozynski stated that in July 2012, Mr. Yancey obtained a building permit, which was valid for one (1)-year, to repair the roof and to sheetrock; however, staff had determined that the property was still in poor condition and began the process to bring the property before the Board for condemnation.

Director Hines made the motion, seconded by Vice-Mayor Wright to call the question on the vote. By voice vote of the Board Members present, with Directors Hendrix and Richardson voting in opposition, **the question to vote was called.**

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

13. ORDINANCE NO. 20,806: To condemn certain structures in the City of Little Rock, Arkansas, as structural, fire and health hazards; to provide for summary abatement procedures; to direct City Staff to take such action as is necessary to raze and remove said structures; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

Synopsis: Nine (9) residential structures in a severely dilapidated, deteriorated and/or burned condition causing a negative environmental impact on the residential neighborhoods in which it is located.

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

PUBLIC HEARING (Item 14):

14. ORDINANCE NO. 20,807: To authorize issuance of Taxable Industrial Development Revenue Bonds under the authority of Act No. 9 of 1960, as amended, and the Municipalities and Counties Industrial Development Revenue Bond Law, as amended, to secure and develop industry within the City; to authorize execution and delivery of a bond purchase agreement providing for the sale of the Bonds; to authorize execution and delivery of a mortgage, security agreement and fixture filing securing the Bonds; to authorize execution and delivery of a lease agreement between the City, as lessor, and Cameron International Corporation, as lessee; to authorize execution and delivery of an agreement for payments in lieu of taxes; to authorize execution and delivery of other documents relating to the issuance of the Bonds and to prescribe other matters in relation thereto; **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 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.

Mayor Stodola opened the public hearing and asked if there were individuals present that wished to speak for or against the item.

Bill Spivey: Stated that he was present representing Cameron International and that the Notice of Public Hearing had been published in accordance with State Law, the City had given notice, as required by State Law, to the Little Rock School District. In addition, the appropriate notices had been given to the Arkansas Economic Development Commission & Department and the State Securities Commissioner and submitted, in accordance to Arkansas Code 14-164-704, the draft pilot agreement, which has been preliminarily approved by the Department of Finance & Administration and the Pulaski County Tax Assessor; subject to Board's action. Mr. Spivey stated that the Bond Issue will hopefully close after the expiration of the referendum on the ordinance later in the year.

Mayor Stodola closed the public hearing.

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**.

EXECUTIVE SESSION (Item 15)

15. ORDINANCE NO. 20,810: Appointments to various City Boards and Commissions.
Synopsis: Animal Services Advisory Board (2 Positions); City Beautiful Commission (1 Position); Commission on Children Youth and Families (1 Position); Community Housing Advisory Board (5 Positions); Construction Board of Adjustments and Appeals (3 Positions); Historic District Commission (2 Positions); Little Rock Sanitary Sewer Commission (1 Position); MacArthur Military

History Museum Commission (3 Positions); Racial and Culture Diversity Commission (3 Positions); River Market District Design Review Committee (1 Position); and Sister Cities Commission (2 Positions).

Mayor Stodola stated that he had not had the chance to fully look over the applications for appointment and asked that the Board defer action until the November 5, 2014, meeting. Director Fortson made the motion, seconded by Director Cazort, to defer Item 15 until the November 5, 2014, Board of Directors Meeting. By unanimous voice vote of the Board Members present, **the item was deferred.**

ITEM M-2

M-2 DISCUSSION: Central Arkansas Water.

Director Hines stated that he had asked that the item be placed on the Agenda for discussion. Director Hines stated that he had distributed copies of the agreement that had been reached by Central Arkansas Water (CAW) and the City of Hot Springs Water Utility. Director Hines stated that he had concerns regarding the amount that was being charged for giving up the first right of refusal for the twenty (20) million gallons a day of water from Lake DeGray, which amounted to 1/6th of the future water resource for the City of Little Rock. Director Hines stated that he, along with Director Fortson, had been out of town the previous week when CAW Board voted on the agreement and that Director Kumpuris had attended the meeting and asked the CAW Commissioners to defer the vote until the City Board had the opportunity to provide input on the agreement.

Director Hines asked if CAW had followed the appropriate procedures in selling the asset to the Hot Springs Water Utility. City Attorney Carpenter stated that issue with CAW was that it was more than just under the Interlocal Cooperation Act, it was under a special sub-chapter that dealt with the consolidated water work systems. According to City Attorney Carpenter, the language in that sub-section was much broader in that the Board created the public body that was actually a body politic incorporate within itself and there was a specific Statute that dealt with the area sales and services for the extension of the distribution system or the selling of surplus water and CAW basically had total and complete control. City Attorney Carpenter stated that the City had ceded to CAW, in its agreement with North Little Rock, pursuant to that specific Statute, all authority over those issues and CAW did not have to follow City purchasing policies. Director Hines stated that he did not think that the CAW Board represented the best interest of the rate payers in Little Rock or North Little Rock.

Director Kumpuris stated that he had read a copy of the contract and at the request of Director Hines, who could not be in attendance, attended the CAW Board Meeting. Director Kumpuris stated that his request to the CAW Board was that in the spirit of cooperation, they give the Little Rock City Board and North Little Rock City Council two (2) weeks to provide their input into the negotiations. Director Kumpuris reported that a motion and a second was made to give the municipalities two (2) weeks to provide their input; however, there were only six (6) CAW Board Members present, and three (3) of the Board Members, one of which was Maria Miller, the head of the Commission and a Little Rock appointee, voted in opposition. Director Kumpuris stated that he understood the CAW Board had autonomy; however, they had to come back before the City Board

for approval of the rates and he thought it would have been appropriate for them to gather input from the municipalities. Director Hurst asked if there was action that the City Board could take regarding the agreement. City Attorney Carpenter stated that nothing could be done at that point. Director Hurst asked if the Board could approve a resolution that would express their displeasure with the action. City Attorney Carpenter stated that he would have to research that issue and would let the Board know their options. Mayor Stodola stated that the Board needed to know whether or not a contract had been executed under the current law. Mayor Stodola stated that he would like to know if both parties had entered into a legally-binding contract and if not, he would like for the Board to give immediate notice to CAW Board requesting that they withhold the execution of an agreement until a report could be given elaborating on the various issues.

CITIZEN'S COMMUNICATION

No cards were turned in from individuals wanted to speak during Citizen's Communication.

Director Cazort made the motion, seconded by Director Hines, 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