1	RESOLUTION NO
2	
3	A RESOLUTION TO AUTHORIZE THE CITY MANAGER AND CITY
4	CLERK TO EXECUTE A SETTLEMENT AND RELEASE OF CLAIMS
5	AGREEEMNT BETWEEN THE CITY OF LITTLE ROCK, ARKANSAS,
6	AND THE STRUGGLE IS REAL, LLC; AND FOR OTHER PURPOSES.
7	
8	WHEREAS, on June 24, 2021, the City of Little Rock Planning Commission held a public hearing
9	regarding the preliminary plat for Carter Lane Estates. At the conclusion of the hearing, the Planning
10	Commission voted to approve the preliminary plat for Carter Lane Estates "subject to compliance with the
11	conditions and comments outlined in Paragraphs D and E, and the Staff analysis, of the Agenda Staff
12	Report."; and,
13	WHEREAS, in September 2022, the Developer submitted proposed Construction Plans for Carter
14	Lane Estates; and,
15	WHEREAS, on January 27, 2023, Roy Andrews of Holloway Engineering, on behalf of Developer,
16	submitted Revised Storm Drainage Calculations for Carter Lane Estates; and,
17	WHEREAS, on February 2, 2023, the Planning & Development Department approved the
18	Construction Plans "as corrected" and approved Revised Storm Drainage Calculations; and,
19	WHEREAS, both the Construction Plans and the Revised Storm Drainage Calculations bear a stamp
20	from the Planning & Development Department which states: "Submittal was reviewed for design conformity
21	to American Association of State Highway and Transportation Officials (AASHTO), a Policy on Geometric
22	Design on Highways and Streets (2018), City of Little Rock's Stormwater Management and Drainage
23	Manual (2016), Standard Details for Street and Drainage Facilities Improvements (2015), Master Street
24	Plan (2018), City Revised Code Chapters 13, 29, 30, and 31, the Manual on Uniform Traffic Control Devises
25	(MUTCD) (2009), American with Disability Act (ADA) Standards for Accessible Design (2010), Arkansas
26	Fire Prevention Code (2012) and Public Right-of-Way Accessibility Guidelines (PROWAG) (2011); and,
27	WHEREAS, on August 7, 2023, the City issued a Stop Work Order, which alleged that Carter Lane
28	Estates was in violation of the following: 1) City of Little Rock, Ark. § 29-45: Discharge of non-stormwater
29	to the City's Municipal Separate Storm Sewer System; 2) City of Little Rock, Ark. §30-40: General
30	Specifications; and 3) City of Little Rock, Ark. §30-34(d): General Authority; and,
31	WHEREAS, the Developer alleges that the Stop Work Order is a violation of the Developer's Due
32	Process of Law under the Fourth Amendment, Section 1, of the United States Constitution and that
33	Developer is entitled to relief against the City of Little Rock, Arkansas, Mayor Frank Scott, Jr., the Planning
34	& Development Department and Jamie Collins, former Planning & Development Department Director
35	under 42 U.S.C. § 1983; and,

WHEREAS, the Developer alleges that the Stop Work Order is a violation of the Developer's Du
Process of Law under the Article 2, Section 21, of the Arkansas Constitution and that Developer is entitle
to relief against the City of Little Rock, Arkansas, Mayor Frank Scott, Jr., the Planning & Development
Department, and Jamie Collins, former Planning & Development Department Director under the Arkansas Civ
Rights Act of 1993, Ark. Code Ann. § 16-123-101, et seq; and,
WHEREAS, after careful consideration of various arguments and issues, it has been determined that
it is in the best interest of all the parties to fully and finally compromise and settle the controversies betwee
them in connection with the Claims; and,
WHEREAS, upon execution of the Settlement and Release of Claims Agreement (Settlement
Agreement), the City of Little Rock will pay the Developer the amount of Three Hundred Thousand Dollar
(\$300,000.00), subject to the conditions stated in the Settlement Agreement.
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY
OF LITTLE ROCK, ARKANSAS:
Section 1. The City Manager and City Clerk are authorized to execute any settlement and release of
claims agreements, in a form acceptable to the City Attorney,
Section 2. The City of Little Rock shall agree to pay the amount of Three Hundred Thousand Dollar
(\$300,000.00), pursuant to the terms of the Settlement Agreement which include, among other things, that
he developer, The Struggle is Real, LLC, will provide four culverts to deal with drainage issues within the
area of Carter Lane.
Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or
word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration of
adjudication shall not affect the remaining portions of the resolution, which shall remain in full force an
effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
resolution.
Section 4. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with
the provisions of this resolution, are hereby repealed to the extent of such inconsistency.
ADOPTED: August 6, 2024
ATTEST: APPROVED:
Susan Langley, City Clerk Frank Scott, Jr., Mayor
APPROVED AS TO LEGAL FORM:
Thomas M. Carpenter, City Attorney
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