ORDINANCE NO. __________

AN ORDINANCE TO AMEND SECTION 1 OF LITTLE ROCK, ARK.,
ORDINANCE NO. 17,310 (NOVEMBER 7, 1996), TO EXPAND THE
NUMBER OF COMMISSIONERS ON THE BOARD OF
COMMISSIONERS FOR PECAN LAKE RECREATIONAL
IMPROVEMENT DISTRICT NO. 4; TO NAME TWO (2) NEW
COMMISSIONERS; TO DECLARE AN EMERGENCY; AND, FOR
OTHER PURPOSES.

WHEREAS, the Pecan Lake Recreational Improvement District No. 4 ('the Improvement District”) was created by Little Rock, Ark., Ordinance No. 17,310 (November 7, 1996); and,

WHEREAS, the initial assessments of benefits for properties within the Improvement District were approved by the Little Rock Board of Directors in Ordinance No. 17,401 (February 18, 1997); and,

WHEREAS, the Board of Commissioners of the Improvement District believes that an increase in the size of the Board of Commissioners from three (3) to five (5) would be beneficial; and,

WHEREAS, at the time the Improvement District was created, State Law as set out in Ark. Code Ann. § 14-18-301 only permitted the naming of three (3) Commissioners, but with the approval of 10% or more of the assessed properties within the District, the designation of persons to fill the newly created positions, and a petition to the governing body to allow such an amendment, then pursuant to 2017 ARK. ACTS 924 this number could be increased to five (5) or up to seven (7) Commissioners; and,

WHEREAS, Alan C. King, President of Improvement Districts, Inc., and a recognized appraiser of the property values within a District has, by affidavit attached as Exhibit A to this ordinance, established that 19.11% of the property owners within the Improvement District has requested such a change in the size of its Board of Commissioners.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. The City has received a verified petition signed by 19.11% of the property owners in the Pecan Lake Recreational Improvement District No. 4 that seeks to increase the Board from three (3) to five (5) members.

Section 2. To the extent necessary, Section 1 of Ordinance No. 17,310, is hereby amended to note from the effective date of this ordinance forward that there will be five (5) members of the Board of Commissioners of Pecan Lake Improvement District No. 4.
Section 3. The two names put forward to the City for appointment, and which are acceptable to the City as qualified property owners within the Improvement District, are Melinda Martin Jones and Sherry Enoch.

Section 4. The normal term on an Improvement District Board of Commissioners is five (5) years, but the terms are to be staggered; therefore, Melinda Martin Jones is appointed to an initial four (4)-year term, and Sherry Enoch is appointed to an initial five (5)-year term, with successors appointed to a full term to serve five (5) years; provided, that if the Board of Commissioners of the Improvement District wishes to modify this initial appoint, it may do so, and such modification shall be effective upon notice received by the City Clerk.

Section 5. Severability. In the event any section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this ordinance, as if such invalid or unconstitutional provision was not originally a part of this ordinance.

Section 6. Repealer. All ordinances, resolutions, bylaws, and other matters inconsistent with this ordinance, including but not limited to Little Rock, Ark., Ordinance No. 20,450 (July 11, 2011), are hereby repealed to the extent of such inconsistency.

Section 7. Emergency Clause. It is hereby ascertained and declared that in order to more fully meet the needs of the Pecan Lake Recreational Improvement District No. 4, it is necessary to expand the size of the Board of Commissioners by two (2) additional members as quickly as possible, and that such action is necessary to preserve the public health, safety, and welfare of the District; an emergency is, therefore, declared to exist, and this ordinance shall be in full force and effect from and after the date of its passage.

PASSED: September 7, 2021

ATTEST: 

Frank Scott, Jr., Mayor

APPROVED AS TO LEGAL FORM:

Thomas M. Carpenter, City Attorney

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