

ORDINANCE NO. _____

AN ORDINANCE TO CALL A SPECIAL ELECTION IN THE CITY OF LITTLE ROCK, ARKANSAS, ON NOVEMBER 9, 2021, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF AN INCREASE OF CONTINUING THE ANNUAL AD VALOREM PROPERTY TAX LEVIED FOR THE PURPOSE OF PAYING FOR THE MAINTENANCE AND OPERATION OF THE CITY’S PUBLIC LIBRARIES OPERATED BY THE CENTRAL ARKANSAS LIBRARY SYSTEM FROM THE EXISTING RATE OF THREE AND THREE-TENTHS (3.30) MILLS TO THE NEW RATE OF THREE AND EIGHT-TENTHS (3.80) MILLS ON THE DOLLAR OF ASSESSED VALUATION OF TAXABLE PROPERTY IN THE CITY; PRESCRIBING OTHER MATTERS RELATING THERETO; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Little Rock, Arkansas (the “City”) is a City of the first-class duly organized and existing under the laws of the State of Arkansas (the “State”); and,

WHEREAS, the Board of Directors of the City (the “Board”), upon recommendation of the Board of Directors of Central Arkansas Library System (“CAL”), has determined that in order to operate and maintain the City’s Public Libraries it would be in the best interests of the City, CALS and the patrons of the City’s Public Libraries, to increase the existing *Ad Valorem* Tax levied on taxable real and personal property within the City from the existing three and three-tenths (3.30) mills to a new rate of three and eight-tenths (3.80) mills on the dollar of the assessed value of all taxable property in the City (the “Library Tax”); and,

WHEREAS, the Library Tax may be levied under the authority of Amendment No. 30 to the Constitution of the State of Arkansas as amended by Amendment No. 72 to the Constitution of the State of Arkansas (together, the “Amendments”) for the purposes of operating and maintaining the City’s Public Libraries; and,

WHEREAS, the purpose of this ordinance is to submit to the electors of the City the question of increasing the existing *Ad Valorem* Library Tax levied on taxable real and personal property within the City for the operation and maintenance of the City public libraries from three and three-tenths (3.30) mills

1 to a new rate of three and eight-tenths (3.80) mills on the dollar of the assessed value of all taxable
2 property in the City.

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

5 **Section 1.** A special election is hereby called to be held on Tuesday, November 9, 2021, at which
6 special election there shall be submitted to the electors of the City the question of whether to increase the
7 continuing annual *Ad Valorem* Library Tax from the existing rate of three and three-tenths (3.30) mills to
8 the new rate of three and eight-tenths (3.80) mills on the dollar of assessed valuation of all taxable
9 property in the City for the purpose of providing funds for the operation and maintenance of the City’s
10 Public Libraries.

11 **Section 2.** The ballot shall be in substantially the following form:

12 **OFFICIAL BALLOT**
13 **SPECIAL ELECTION**
14 **City of Little Rock, Arkansas**
15 **November 9, 2021**

16 Vote on the measure by placing an “X” in the square opposite the question either “FOR” or
17 “AGAINST”:

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19 FOR an increase from the existing three and three-tenths (3.30) mills tax to the new rate
20 of three and eight-tenths (3.80) mills tax levied on the assessed value of taxable real and
21 personal property in the City of Little Rock to be used for maintenance and operation of
22 the public libraries of the City of Little Rock operated by Central Arkansas Library
23 System.

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25 AGAINST an increase from the existing three and three-tenths (3.30) mills tax to the new
26 rate of three and eight-tenths (3.80) mills tax levied on the assessed value of taxable real
27 and personal property in the City of Little Rock to be used for maintenance and operation
28 of the public libraries of the City of Little Rock operated by Central Arkansas Library
29 System.

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31 If the millage increase is approved, there will be levied a continuing annual *ad valorem* tax on the
32 assessed value of all taxable real and personal property located within the City of Little Rock at the rate of
33 three and eight-tenths (3.80) mills on the dollar of the assessed value of the taxable real and personal
34 property within the City, the collection of which shall be dedicated to fund the operation and maintenance
35 of the City of the Little Rock’s Public Libraries operated by Central Arkansas Library System.

1 **Section 3.** The City Clerk is authorized and directed to give notice of the election by one (1)
2 publication in a newspaper having general circulation within the City. Publication shall be made not less
3 than ten (10) days prior to the date of the election or as otherwise provided by the laws of the State of
4 Arkansas.

5 **Section 4.** The election shall be held and conducted and the vote canvassed and the results declared
6 under the law and in the manner now provided for City elections and only qualified electors of the City
7 shall have the right to vote in the election.

8 **Section 5.** The result of the election shall be certified by the Pulaski County Board of Election
9 Commissioners. The Mayor shall proclaim the results of the election by issuing a proclamation (the
10 “Proclamation”) and the Proclamation shall be published one (1)-time in a newspaper having general
11 circulation in the City, which Proclamation shall advise that the results as proclaimed shall be conclusive
12 unless suit challenging the results is filed in the Circuit Court of Pulaski County within thirty (30) days
13 after publication of the Proclamation.

14 **Section 6.** A copy of this ordinance (a) shall be filed with the Pulaski County Clerk at least sixty
15 (60) days prior to the election date; and (b) shall also be given to the Pulaski County Board of Election
16 Commissioners so that the necessary election officials and supplies may be provided. A certified copy of
17 this ordinance and the Tax Ordinance shall also be provided to the Commissioner of Revenues of the
18 State of Arkansas as soon as practical.

19 **Section 7.** That the Mayor and City Clerk for and on behalf of the City, be, and they are hereby,
20 authorized and directed to do any and all things necessary to place this question before the electors at a
21 special election to be held on Tuesday, November 9, 2021, and, if the question is approved by the
22 electors, to cause the increased Library Tax to be levied and collected in accordance with the laws of the
23 State of Arkansas and to perform all acts of whatever nature necessary to carry out the authority conferred
24 by this ordinance.

25 **Section 8. Severability.** In the event any section, subsection, subdivision, paragraph, subparagraph,
26 item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or
27 unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this
28 ordinance, as if such invalid or unconstitutional provision was not originally a part of this ordinance.

29 **Section 10. Repealer.** All ordinances, resolutions, bylaws, and other matters inconsistent with this
30 ordinance, including but not limited to Little Rock, Ark., Ordinance No. 20,450 (July 11, 2011), are
31 hereby repealed to the extent of such inconsistency.

32 **Section 11. Emergency Clause.** *It is hereby ascertained and declared that there is an immediate*
33 *need for the funding of the operation and maintenance of the libraries described in this ordinance in*
34 *order to promote and protect the health, safety, and welfare of the City and its inhabitants, and that the*
35 *operation and maintenance of the libraries can be accomplished only by the increase in the levied annual*

1 *Library Tax. It is, therefore, declared that an emergency exists and this ordinance being necessary for*
2 *the immediate preservation of public peace, health and safety shall be in force and take effect*
3 *immediately from and after its passage.*

4 **PASSED: August 3, 2021**

5 **ATTEST:**

APPROVED:

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Susan Langley, City Clerk

_____ **Frank Scott, Jr., Mayor**

9 **APPROVED AS TO LEGAL FORM:**

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Thomas M. Carpenter, City Attorney

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