

**Little Rock Board of Directors Meeting
December 21, 2021
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a regular meeting with Mayor Frank Scott, Jr., presiding. City Clerk Susan Langley called the roll with the following Directors present: Miller; Richardson; Webb (via WebEx Teleconferencing); Peck; Wright; Wyrick; Kumpuris; Phillips (via WebEx Teleconferencing); Adcock; Vice-Mayor Hines; and Mayor Scott. Director Virgil Miller deliver the invocation followed by the Pledge of Allegiance.

ADDITIONS:

M-1 RESOLUTION: To amend Little Rock, Ark., Resolution No. 15,445 (April 20, 2021), to extend the State of Declaration of a Local Disaster Emergency for 120 days to, and including, April 26, 2022; to specifically endorse the continuation of Declaration of Local Disaster Emergency 2021-02 as to the wearing of masks within the corporate limits of the City; and for other purposes.

M-2 RESOLUTION: To approve the Settlement of Federal Litigation; and for other purposes.

M-3 ORDINANCE: To amend Little Rock, Ark., Ordinance No. 21,941 (December 15, 2020), to authorize the City Manager to execute an amendment to the current contract with Roark, Perkins, Perry & Yelvington for Architectural Services as to the 12th Street Station Renovation Project; to reflect the new construction cost of \$1,550,000.00, which will increase the payments to the Architect in an amount not to exceed \$130,000.00; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

Vice-Mayor Hines made them motion, seconded by Director Wright, to add Item M-1 to the Consent Agenda, Item M-2 to the Separate Items and Item M-3 to the Grouped Items. By unanimous voice vote of the Board Members present, **Item M-1 was added to the Consent Agenda, Item M-2 was added to the Separate Items and Item M-3 was added to the Grouped Items.**

CONSENT AGENDA (Items 1 – 16 and item M-1)

1. RESOLUTION NO. 15,581; Z-5502-I: To set January 18, 2022, as the date of public hearing on the appeal of the Planning Commission’s denial of a requested waiver of the Master Street Plan Construction Requirement for approximately 307 linear-feet of Kanis Road associated with the West Kanis Storage PD-C, located at 17302 Kanis Road, Little Rock, Arkansas; and for other purposes.

2. RESOLUTION NO. 15,582; G-25-228: To change the name of South Pine Street, between Plateau Street and Interstate 630, to UAMS Boulevard; and for other purposes. *Staff recommends approval.*

Synopsis: The University of Arkansas for Medical Sciences is requesting that the name of South Pine Street, from Plateau Street to Interstate 630, be changed to UAMS Boulevard.

3. RESOLUTION NO. 15,583: To approve one (1) Operator Permit and forty (40) Taxicab Permits for Greater Little Rock Transportation, LLC, for the period of January 1, 2022, to December 31, 2022; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of a resolution authorizing one (1) Operator Permit and forty (40) Taxicab Permits for Greater Little Rock Transportation Service, LLC.

4. RESOLUTION NO. 15,584: To authorize the City Manager to enter into a contract with Spatco Energy Solutions, in a total amount of \$70,948.00, plus applicable taxes and fees, for the purchase and installation of four (4) new Fuel Pumps, DEF Dispenser and Fuel Master System at the City of Little Rock Landfill Facility; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with Spatco Energy Solutions for the purchase and installation of four (4) new Fuel Pumps, DEF Dispenser, Fuel Master System and installation at the City of Little Rock Landfill Facility.

5. RESOLUTION NO. 15,585: To authorize the City Manager to enter into a contract with Lonestar Tactical Builders, in an amount not to exceed \$68,250.00, plus applicable taxes and fees, for the purchase of a Flashover Simulator for the Little Rock Fire Department; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with Lonestar Tactical Builders for the purchase of a Flashover Simulator for the Little Rock Fire Department.

6. RESOLUTION NO. 15,586: To authorize the City Manager to enter into an agreement with the Little Rock Convention and Visitors Bureau for continued management and operation of the Little Rock River Market for a twelve (12)-month period beginning January 1, 2022; and for other purposes. *Staff recommends approval.*

7. RESOLUTION NO. 15,601: To authorize the City Manager to extend the contract with the Little Rock Regional Chamber of Commerce, in an amount not to exceed \$250,000.00, to provide Economic Development Consulting Services; and for other purposes. *Staff recommends approval.*

8. RESOLUTION NO. 15,587: To authorize the City Manager to extend the contract with Impact Management and Mitchell, Williams, Selig, Gates & Woodyard, PLLC, in an amount not to exceed \$50,000.00, to provide Governmental Affairs and Consulting Services; and for other purposes. *Staff recommends approval.*

9. RESOLUTION NO. 15,588: To authorize the City Manager to extend the agreement with Depaul, USA, Inc., for a second extension, in an amount not to exceed \$358,405.17, to operate the Jericho Way Homeless Day Resource Center and to amend Little Rock, Ark., Resolution No. 15,121 (December 9, 2019), to allow the base amount of payments for extensions to the previous year's base amount, plus the Cost of Living Adjustment amount; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a second extension of the agreement with Depaul USA, Inc. to operate the Jericho Way Homeless Day Resource Center and to allow payments for any extensions of the contract to consist of the previous year's total, rather than a fixed amount, and a Cost of Living which shall be equal to the percentage change in the "Consumer Price Index for all Urban Consumers" in the preceding twelve (12) months and shall not to exceed 3%.

10. RESOLUTION NO. 15,589: To appropriate up to \$4,278,709.00 from the City's 3/8-Cent Capital Sales and Compensating Use Tax proceeds to the Central Arkansas Technology Park Authority; and for other purposes. *Staff recommends approval.*

Synopsis: The City has received a request from the Executive Director of the Little Rock Technology Park to disburse the City's 3/8-Cent Capital Sales and Compensating Use Tax proceeds allocated to the Technology Park Project in two (2) installments, upon passage of the resolution and by March 31, 2022, when all 2021 tax proceeds have been received and accounted for.

11. RESOLUTION NO. 15,590: To authorize the City Manager to enter into a contract with Doyne Construction, in an amount not to exceed \$1,658,395.00, plus applicable taxes and fees, for renovations to the 12th Street Station to provide for the use of space by Philander Smith College, Southern Bancorp Bank and the University of Arkansas for Medical Sciences; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with Doyne Construction for the 12th Street Station Renovation Project.

12. RESOLUTION NO. 15,591: To authorize the City Manager to enter into a contract with ImageWorks Commercial Interiors, in an amount not to exceed \$171,190.45, for the Philander Smith College 12th Street Station Furniture Package; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with ImageWorks Commercial Interiors for the 12th Street Station Renovation Project – Philander Smith College Furniture Package.

13. RESOLUTION NO. 15,592: To authorize the City Manager and City Clerk to execute a Lease Agreement with the Board of Trustees of Philander Smith College for the lease of space in the City's 12th Street Station, for the provision of Philander Smith College's Criminal Justice Programs, a Social Justice Hub and the Philander Smith College Management Institute; and of other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager and City Clerk to execute a Lease Agreement with Philander Smith College for the lease of space in the City's 12th Street Station for the provision of Philander Smith College's Criminal Justice Program, a Social Justice Hub and the Philander Smith College Management Institute.

14. RESOLUTION NO. 15,593: To authorize the City Manager and City Clerk to execute a Lease Agreement with Southern Bancorp Bank for the lease of space in the City's 12th Street Station, for the provision of Financial Development Services and Retail Bank Branch Services; to consent to a Sublease of a portion of the Leased Premises by Southern Bancorp Bank to Southern Bancorp Capital Partners, a 501 (c)(3) Corporation; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager and City Clerk to execute a Lease Agreement with Southern Bancorp Bank, for the lease of space in the City's 12th Street Station for the provision of Financial Development Services and Retail Bank Branch Services and to consent to a sublease of a portion of the Leased Premises by Southern Bancorp to Southern Bancorp Capital Partners, a 501(c)(3) Corporation.

15. RESOLUTION NO. 15,594: To authorize the City Manager and City Clerk to execute a Lease Agreement with the Board of Trustees of the University of Arkansas, acting for and on behalf of the University of Arkansas for Medical Sciences, for the lease of space in the City's 12th Street Station for the provision of Retail Food Distribution and Retail Food and Beverage Services; and of other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager and City Clerk to execute a Lease Agreement with the Board of Trustees of the University of Arkansas, Acting for and on behalf of the University of Arkansas for Medical Sciences Nutrition Services, for the lease of space in the City's 12th Street Station for the provision of Retail Food Distribution and Retail Food and Beverage Services.

16. RESOLUTION NO. 15,595: To make appointments to the Central Arkansas Library Systems Board of Trustees; and for other purposes. *Staff recommends approval.*

M-1 RESOLUTION NO. 15,596: To amend Little Rock, Ark., Resolution No. 15,445 (April 20, 2021), to extend the State of Declaration of a Local Disaster Emergency for 120 days to, and including, April 26, 2022; to specifically endorse the continuation of Declaration of Local Disaster Emergency 2021-02 as to the wearing of masks within the corporate limits of the City; and for other purposes.

Director Webb stated that she would have to recuse from voting on item 9 due to the fact that she was on the Board of Directors for DePaul.

Director Richardson made the motion, seconded by Director Miller, to approve the Consent Agenda. By voice vote of the Board Members present, with Director Webb recusing on Item 9, **the Consent Agenda was approved.**

GROUPED ITEMS (Items 17 – 19 and Item M-3)

17. ORDINANCE NO. 22,073; Z-8576-B: To approve a Planned Zoning Development and establish a Planned Office District, titled Avulani Enterprises POD, located at 17500 Kanis Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. (*Planning Commission: 9 ayes; 0 nays; and 2 absent*) *Staff recommends approval.*

Synopsis: The applicant is requesting that the 2.84-acre property located at 17500 Kanis Road be rezoned from O-2, Office and Institutional District, to POD, Planned Office District, to allow a transitional living facility for youth ages twelve (12) to eighteen (18). (Located within the City's Extraterritorial Jurisdiction)

18. ORDINANCE NO. 22,074: To declare it impractical and unfeasible to bid; to authorize the City Manager to issue a sole-source purchase order to River City Hydraulics, in an amount not to exceed an annual budget of \$325,000.00, for an annual contract for Heil Parts and Service for the Fleet Services Department; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of a Sole-Source Ordinance authorizing the City Manager to enter into a contract with River City Hydraulics for Heil Parts and Service.

19. ORDINANCE NO. 22,075: 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: Four (4) residential structures are in a severely dilapidated, deteriorated and/or burned condition causing a negative environmental impact on the residential neighborhoods in which they are located. All Notices have been mailed in accordance with Arkansas State Law.

M-3 ORDINANCE NO. 22,076: To amend Little Rock, Ark., Ordinance No. 21,941 (December 15, 2020), to authorize the City Manager to execute an amendment to the current contract with Roark, Perkins, Perry & Yelvington for Architectural Services as to the 12th Street Station Renovation Project; to reflect the new construction cost of \$1,550,000.00, which will increase the payments to the Architect in an amount not to exceed \$130,000.00; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

The ordinances were read the first time. Director Ricardson made the motion, seconded by Vice-Mayor Hines, 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 Vice-Mayor Hines, 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 19 was approved.**

SEPARATE ITEMS (Items 20 – 27 and Item M-2)

20. RESOLUTION NO. 15,577: To approve the Settlement of Federal Litigation; and for other purposes.

Director Adcock made the motion, seconded by Director Wright, to approve the resolution. By unanimous voice vote of the Board Members present, with Director Richardson voting Present, **the resolution was approved.**

21. ORDINANCE NO. 22,078: To declare it impractical and unfeasible to bid; to authorize the participation of the City of Little Rock, Arkansas, in an insurance pool administered by the Arkansas Municipal League, in an amount not to exceed \$488,284.31; for certain litigation costs, expense and coverage; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

The ordinance was read the first time. Director Adcock made the motion, seconded by Vice-Mayor Hines, 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 Vice-Mayor Hines, 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.

Director Kumpuris stated that he would like to include wording in the ordinance that the City would continue to look for alternative routes as it related to the insurance coverage. City Attorney Tom Carpenter stated that the following language could be added to the proposed ordinance to address that issue:

Section 3. The City expressly reserves the right to terminate this agreement, without penalty, at any time during 2022 if, after a competitive selection process, the City determines a different method to provide such coverage that assures the City has ultimate control over litigation, can use the Office of the City Attorney for the trial of these matter if desired, and that any and all settlements will comply with the provisions of Little Rock, Ark., Code § 2-241 (Ed. 1988), as amended by Little Rock, Ark., Ordinance No. 22,069 (November 16, 2021).

Director Kumpuris made the motion, seconded by Director Wright, to amend the ordinance and add the language (Section 3). By voice vote of the Board Members

present, with Director Richardson voting Present and Director Phillips voting in opposition, **the motion was approved.**

By voice vote of the Board Members present, with Director Richardson voting Present, **the ordinance was approved, as amended.** By unanimous voice vote of the Board Members present, **the emergency clause was approved.**

22. ORDINANCE NO. 22,078: To amend Little Rock, Arkansas, Ordinance No. 21,946 (December 29, 2020), to adjust the Fiscal Year 2021 Budget Ordinance to reflect revenue and expenditure adjustments for the General Fund, Street Fund, Fleet Fund and Waste Disposal Fund; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

Synopsis: Fifteen (15) adjustments need to be made to the 2021 Budget to adjust for changes in anticipated revenues and expenditures.

The ordinance was read the first time. Director Adcock made the motion, seconded by Director Richardson, 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 Vice-Mayor Hines, 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.**

23. ORDINANCE: To provide for and to adopt the 2022 Budget for the City of Little Rock, Arkansas, for the period beginning January 1, 2022, and ending December 31, 2022; to appropriate resources and uses for every expenditure item and fund; **to declare an emergency;** and for other purposes. *(1st Reading Held on December 7, 2021) Staff recommends approval.*

The ordinance was read the second time.

Director Ricardson made the motion, seconded by Director Phillips, to suspend the rules and place the ordinance on third reading. By roll call vote, the vote was as follows: Ayes: Richardson; Webb; and Phillips. Nays: Miller; Peck; Wright; Wyrick; Kumpuris; Adcock; and Vice-Mayor Hines. By a vote of three (3) ayes and seven (7) nays, **the motion failed.**

Mayor Scott stated that a Special Called Meeting would be scheduled at 12:00 PM on December 22, 2022, for the third reading of Ordinances 23 – 27.

24. ORDINANCE: To fix and impose the aggregate amount of fees and charges to be paid to the City of Little Rock, Arkansas, by Entergy Corporation and the method of payment thereof; to amend Section 9 of Little Rock, Ark., Ordinance No. 11,683 (December 6, 1965); and for other purposes. *(1st Reading Held on December 7, 2021) Staff recommends approval.*

Synopsis: Approval of an ordinance levying a Franchise Fee to be paid by Entergy Corporation. This Franchise Fee should remain in effect until otherwise amended by the Board of Directors.

The ordinance was read the second time.

25. ORDINANCE: To amend Little Rock, Ark., Ordinance No. 11,366 (March 4, 1963) as amended, to provide for levying a Franchise Fee to be paid by CenterPoint Energy ARKLA; to provide for the payment thereof; and for other purposes. *(1st Reading Held on December 7, 2021) Staff recommends approval.*

Synopsis: Approval of an ordinance levying a Franchise Fee to be paid by CenterPoint Energy ARKLA. This Franchise Fee should remain in effect until otherwise amended by the Board of Directors.

The ordinance was read the second time.

26. ORDINANCE: To levy Franchise Fees to be paid by all carriers providing Local Access Telephone Services; to provide for the payment thereof; and for other purposes. *(1st Reading Held on December 7, 2021) Staff recommends approval.*

Synopsis: Approval of an ordinance levying a Franchise Fee to be paid by all carriers providing local access telephone service. This Franchise Fee should remain in effect until otherwise amended by the Board of Directors.

The ordinance was read the second time.

27. ORDINANCE: To fix and impose the amount of fees and charges to be paid to the City of Little Rock, Arkansas, by all companies that provide interstate or intrastate Long Distance Telecommunication Services, and all business incidental to, or connected with, the conducting of such telephone business in the City of Little Rock, Arkansas; to amend Section 3 of Little Rock, Ark., Ordinance No. 15,706 (July 5, 1989); and for other purposes. *(1st Reading Held on December 7, 2021) Staff recommends approval.*

Synopsis: Approval of an ordinance levying a Franchise Fee for companies providing Long Distance Telephone Service in Little Rock for 2022.

The ordinance was read the second time.

M-2 RESOLUTION NO. 15,597: To approve the Settlement of Federal Litigation; and for other purposes. *Staff recommends approval.*

Director Kumpuris made the motion, seconded by Director Richardson, to approve the resolution. By voice vote of the Board Members present, with Vice-Mayor Hines voting in opposition, **the resolution was approved.**

PUBLIC HEARINGS (Items 28 – 29)

28. RESOLUTION NO. 15,599: To approve the inclusions of the CDBG, HOME and HOPWA sources and uses in the 2022 Funds from the United States Government in the City's Annual Plan; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to approve the sources and uses of 2022 CDBG, HOME and HOPWA Fund, which is required prior to the completion of the City's Annual Plan.

Mayor Scott opened the Public Hearing.

Director Adcock made the motion, seconded by Director Wright, to approve the resolution.

Mayor Scott asked if there were any individuals present that wanted to speak for or against the item. There being none, Mayor Scott closed the Public Hearing.

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

29. RESOLUTION NO. 15,600: To approve the inclusions of the proposed uses of the HOME-ARP “American Rescue Plan Act of 2021” Funding and the amended sources and uses of funds provided in the 2021-2025 Consolidated Plan and 2021 CDBG, HOME and HOPWA Funds from the United States Government; and for other purposes. *Staff recommends approval.* **Synopsis: A resolution to approve the inclusion of American Rescue Plan Act of 2021 Funding to the 2021-2025 Consolidated Plan and 2021 Action Plan and to amend the sources and uses for 2021 HOME Funds prior to submitting to the U.S. Department of Housing and Urban Development.**

Mayor Scott opened the Public Hearing.

Director Adcock made the motion, seconded by Director Wright, to approve the resolution.

Mayor Scott asked if there were any individuals present that wanted to speak for or against the item. There being none, Mayor Scott closed the Public Hearing.

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

CITIZEN COMMUNICATION

There were no individuals present that wanted to speak during Citizen Communication.

Director Kumpuris stated that he would try and attend the Special Called Meeting the following day; however, in the event that he was not able to attend due to scheduling, he distributed copies of a proposed amendment to the Budget Ordinance. Director Kumpuris stated that he would like to propose a Section 11 and Section 12 to read as follows:

Section 11. Review and Modification of Budget Items. *This ordinance to approve the Budget for 2022 is not an indication that all of the programs, Departments and expenses, included in the background documents for a line item meet with the approval of the Board of Directors; therefore, the Board reserves the right to review the policy implications of any program, Department or expenses, and to make appropriate modifications as deemed appropriate beginning on January 1, 2022, and extending through December 31, 2022.*

Section 12. Department of Finance to Provide Documentation Promptly. *The Department of Finance is charged with providing to any member of the Board of Directors promptly, which is a time period not to exceed seven (7) calendar days, any and all information requested by any member of the Board of Directors as to a particular program, Department or expense; further, any such request shall be shared with all elected members of the Board of Directors and the City Manager.*

Director Kumpuris made the motion, seconded by Director Adcock, to approve the amendment. City Attorney Carpenter stated that because the motion to take the ordinance to third reading had failed, no vote could be taken on any subsequent amendments until the Special Called Meeting.

Director Miller stated that he would not be able to attend the Special Called Meeting on the following day. Director Phillips asked if the meeting could be adjourned that evening and a Special Called Meeting be held immediately following the adjournment. City Attorney Carpenter stated that there was a requirement to provide the press with a two (2)-hour notification. Mayor Scott asked if the Board was supportive of adjourning the meeting and holding a Special Called Meeting later that evening. There was a unanimous agreement from the Board to reschedule the Special Called Meeting for later that meeting. The Mayor announced that the Board would meet in a Special Called Meeting at 9:47 PM.

Vice-Mayor Hines made the motion, seconded by Director Wright, to adjourn the meeting. By unanimous voice vote of the Board Members present, **the meeting was adjourned.**

ATTEST:

APPROVED:

Susan Langley, City Clerk

Frank Scott, Jr., Mayor