

**Little Rock Board of Directors
August 16, 2022
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in Regular Meeting with Mayor Frank Scott, Jr., presiding. Deputy City Clerk Allison Segars called the roll with the following Directors present: Miller; Richardson (via WebEx Teleconferencing); Webb; Peck; Wright Wyrick; Kumpuris; Phillips; Adcock; Vice-Mayor Hines; and Mayor Scott. City Attorney Tom Carpenter gave the invocation followed by the Pledge of Allegiance.

ADDITIONS:

M-1 RESOLUTION: To authorize the City Manager to enter into a contract with the Little Rock School District to continue a School Resource Officer Program in the Little Rock School District, for the 2022-2023 School Year beginning July 1, 2022, and ending June 30, 2023; and for other purposes. *Staff recommends approval.*

Synopsis: To authorize the City Manager to enter into a contract with the Little Rock School District to continue a School Resource Officer Program in the Little Rock School District for the 2022-2023 School Year.

M-2 RESOLUTION: To authorize the City Manager to enter into a contract with the Pulaski County Special School District for a School Resource Officer Program in the Pulaski County Special School District, for the 2022-2023 School Year beginning July 1, 2022, and ending June 30, 2023; and for other purposes. *Staff recommends approval.*

Synopsis: To authorize the City Manager to enter into a contract with the Pulaski County Special School District for a School Resource Officer Program in the Pulaski County Special School District at Joe T. Robinson Middle and High Schools, for the 2022-2023 School Year.

M-3 RESOLUTION: To authorize the City Manager to enter into a contract with ACS Playground Adventures, in an amount not to exceed \$121,751.85, plus applicable taxes and fees, for Construction Services for the Western Hills Pavilion Project; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to execute a contract with ACS Playground Adventures for Construction Services of a thirty (30)-foot x forty-four (44)-foot Polygon Pavilion for the Western Hills Park.

M-4 RESOLUTION: To authorize the City Manager to enter into a contract with CXT, Inc., in an amount not to exceed \$115,000.00, plus applicable taxes and fees, for Construction Services for the West Hills Pavilion Project; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to execute a contract with CXT, Inc., for Construction Services of a Prefabricated Restroom Structure for the Western Hills Park.

M-5 RESOLUTION: To authorize the City Manager to purchase the annual renewal subscriptions for Licensed Adobe Project, for a total amount of \$58,588.52, to support City of Little Rock business processes; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to purchase the annual renewal of subscriptions for Licensed Adobe Products currently utilized Citywide to support City of Little Rock business processes.

M-6 RESOLUTION: To authorize the City Manager to enter into a four (4)-month contract extension with five (5) organizations, in a total amount not to exceed \$297,663.00, to provide Prevention, Intervention and Treatment Funds for twelve (12) Positive Prevention Programs for 2022, as endorsed by the Commission on Children, Youth and Families; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to execute four (4)-month contract extensions with five (5) non-profit, and faith-based organizations for twelve (12) programs to provide prevention and intervention Positive Prevention Afterschool/ Out-of-School Time Programs to youth residing within the City of Little Rock.

M-7 RESOLUTION: To approve the Settlement of Federal Litigation; and for other purposes.

Vice-Mayor Hines made the motion, seconded by Director Wright, to add Items M-1, M-2 and M-5 to the Consent Agenda, and to add Items M-3, M-4, M-6 and M-7 to the Separate Items. By unanimous voice votes of the Board Members present, **Items M-1, M-2 & M-5 were added to the Consent Agenda and Items M-3, M-4, M-6 and M-7 were added to the Separate Items.**

DEFERRALS:

2. RESOLUTION: To authorize the City Manager to enter into a contract with Escamilla Excavating, LLC, in an amount not to exceed \$183,542.40, for the Madison Valley Drainage Improvement Project; and for other purposes. *(Funding from the 3/8-Cent Capital Improvement Sales Tax and the Limited Tax General Obligation Capital Improvement Bonds)(Deferred from July 12, 2022) (Deferred from August 2, 2022) Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to execute an agreement with Escamilla Excavating, LLC, for the Madison Valley Drainage Improvement Project, Bid No. 1720. (Located in Ward 5)

Vice-Mayor Hines made the motion, seconded by Director Wright, to defer Item 2 until the September 20, 2022, Agenda. By unanimous voice vote of the Board Members present, **Item 2 was deferred until September 20, 2022.**

CONSENT AGENDA (Item 1, Items 3 – 11 and Items M-1, M-2 & M-5)

1. MOTION: To approve the minutes of the March 15, 2022, April 5, 2022, and April 19, 2022, Little Rock City Board of Directors Meetings; and the March 29, 2022, Little Rock City Board of Directors Special Called Meetings.

3. RESOLUTION NO. 15,739: To authorize the City Manager to enter into a contract with R. Valadez Construction, Inc., in an amount not to exceed \$166,067.78, for the 13th Street Drainage Improvement Project; and for other purposes. *(Funding from the 3/8-Cent Capital Improvement Sales Tax and the Limited Tax General Obligation Capital Improvement Bonds)(Deferred from July 12, 2022) Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to execute an agreement with R. Valadez Construction, Inc., for the 13th Street Drainage Improvement Project, Bid No. 1753. (Located in Ward 1)

4. RESOLUTION NO. 15,740: To authorize the City Manager to enter into a contract with First Security Bank, to provide Banking Services to the City of Little Rock, Arkansas, for 2023 and 2024; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to execute an agreement with First Security Bank for calendar years 2023 and 2024 with the options to extend the Banking Services Contract through December 31, 2029.

5. RESOLUTION NO. 15,741; G-26-100: To express the willingness of the City of Little Rock, Arkansas, to participate in a Cost Sharing Agreement with the United Methodist Children's Homes for improvements to Charles Bussey Avenue; and for other purposes. *Staff recommends approval.*

Synopsis: Both the United Methodist Children's Home and City of Little Rock desire to improve traffic flow, enhance the streets and neighborhoods along Charles Bussey Avenue and update the associated infrastructure within the project boundaries. (Located in Ward 1)

6. RESOLUTION NO. 15,742: To authorize the Mayor and City Clerk to execute any documents necessary to accept a donation of property located at 4409 West 25th Street, Little Rock, Arkansas; and for other purposes. (*Land Bank Commission: 6 ayes; 0 nays; 3 absent; 1 abstention; and 1 open position*) *Staff recommends approval.*

Synopsis: In an effort to increase the number of properties held by the land bank and maximize the City's revitalization efforts, staff would like to accept the donation of the 6,720 square-foot residential lot located at 4409 West 25th Street. (Located in Ward 1)

7. RESOLUTION NO. 15,743: To transfer the title of property located at 9712 Eva Lane, from the City of Little Rock, Arkansas, to BIIG, LLC, to be used for Neighborhood Revitalization Programs; and for other purposes. (*Land Bank Commission: 6 ayes; 0 nays; 3 absent; 1 abstention; and 1 open position*) *Staff recommends approval.*

Synopsis: In an effort by the Land Bank to maximize the City's revitalization efforts, staff would like to transfer the 42,611 square-foot lot located at 9712 Eva Lane, Little Rock, Arkansas, to BIIG, LLC (Kevin Hemphill). (Located in Ward 2)

8. RESOLUTION NO. 15,744: To consent to the assignment of a certain lease Agreement, as amended, for the benefit of Oakland & Fraternal Historic Cemetery park; to authorize the Mayor and City Clerk to execute a Fourth Amendment to the Lease Agreement and Consent to Assignment of Lease; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to allow the Board of Directors to consent to an assignment of a Lease Agreement dated June 11, 1959, as amended, for the benefit of Oakland & Fraternal Historic Cemetery Park. The resolution also authorizes the Mayor and City Clerk to execute a Fourth Amendment to Lease Agreement and Consent to Assignment of Lease.

9. RESOLUTION NO. 15,745: To set September 6, 2022, as the date for public hearing regarding proposed expenditures from the Edward Byrne Justice Assistance Grant; and for other purposes. *Staff recommends approval.*

Synopsis: The Little Rock Police Department has received notification of eligibility to apply for the funds from the Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant Program.

10. RESOLUTION NO. 15,746: To authorize the City Manager to enter into a contract with Smart Automotive Group, in an amount not to exceed \$76,753.60, plus applicable taxes and fees, for the purchase of two (2), Ford One (1)-Ton Trucks for Public Works Department Street Operations Division; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with Smart Automotive Group for the purchase of two (2), Ford One (1)-Ton Trucks for Public Works Department-Street Operations.

11. RESOLUTION NO. 15,747: To authorize the City Manager to enter into a contract with Gametime, in amount not to exceed \$61,528.78, plus applicable taxes and fees, for the purchase and installation of two (2) Triangular Shade Structures for the Elephant Exhibit at the Little Rock Zoo; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with Gametime for the installation of two (2) Triangular Shade Structures for the Elephant Exhibit at the Little Rock Zoo.

M-1 RESOLUTION NO. 15,748: To authorize the City Manager to enter into a contract with the Little Rock School District to continue a School Resource Officer Program in the Little Rock School District, for the 2022-2023 School Year beginning July 1, 2022, and ending June 30, 2023; and for other purposes. *Staff recommends approval.*

Synopsis: To authorize the City Manager to enter into a contract with the Little Rock School District to continue a School Resource Officer Program in the Little Rock School District for the 2022-2023 School Year.

M-2 RESOLUTION NO. 15,749: To authorize the City Manager to enter into a contract with the Pulaski County Special School District for a School Resource Officer Program in the Pulaski County Special School District, for the 2022-2023 School Year beginning July 1, 2022, and ending June 30, 2023; and for other purposes. *Staff recommends approval.*

Synopsis: To authorize the City Manager to enter into a contract with the Pulaski County Special School District for a School Resource Officer Program in the Pulaski County Special School District at Joe T. Robinson Middle and High Schools, for the 2022-2023 School Year.

M-5 RESOLUTION NO. 15,750: To authorize the City Manager to purchase the annual renewal subscriptions for Licensed Adobe Project, for a total amount of \$58,588.52, to support City of Little Rock business processes; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to purchase the annual renewal of subscriptions for Licensed Adobe Products currently utilized Citywide to support City of Little Rock business processes.

Director Adcock made the motion, seconded by Vice-Mayor Hines, to approve the Consent Agenda. By unanimous voice vote of the Board Members present, **the Consent Agenda was approved.**

SEPARATE ITEMS (Items M-3, M-4, M-6 & M-7 and Items 12 - 14)

M-3 RESOLUTION NO. 15,751: To authorize the City Manager to enter into a contract with ACS Playground Adventures, in an amount not to exceed \$121,751.85, plus applicable taxes and fees, for Construction Services for the Western Hills Pavilion Project; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to execute a contract with ACS Playground Adventures for Construction Services of a thirty (30)-foot x forty-four (44)-foot Polygon Pavilion for the Western Hills Park.

Director Adcock made the motion, seconded by Vice-Mayor Hines, to approve the resolution. By unanimous voice vote of the Board Members present, **the resolution was approved.**

M-4 RESOLUTION NO. 15,752: To authorize the City Manager to enter into a contract with CXT, Inc., in an amount not to exceed \$115,000.00, plus applicable taxes and fees,

for Construction Services for the West Hills Pavilion Project; and for other purposes.
Staff recommends approval.

Synopsis: A resolution to authorize the City Manager to execute a contract with CXT, Inc., for Construction Services of a Prefabricated Restroom Structure for the Western Hills Park.

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

M-6 RESOLUTION NO. 15,753: To authorize the City Manager to enter into a four (4)-month contract extension with five (5) organizations, in a total amount not to exceed \$297,663.00, to provide Prevention, Intervention and Treatment Funds for twelve (12) Positive Prevention Programs for 2022, as endorsed by the Commission on Children, Youth and Families; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to execute four (4)-month contract extensions with five (5) non-profit, and faith-based organizations for twelve (12) programs to provide prevention and intervention Positive Prevention Afterschool/Out-of-School Time Programs to youth residing within the City of Little Rock.

Vice-Mayor Hines made the motion, seconded by Director Webb, to approve the resolution.

Director Adcock asked why the contracts were only for four (4) months. Assistant Community Programs Director Michael Sanders stated that at the beginning of the COVID-19 Pandemic, the programs were moved to six (6)-month contract in anticipation of changes due to COVID precautions. Mr. Sanders stated that by extending the contracts by six (6)-months, there were four (4) months left in the year. Mr. Sanders stated that by extending to four (4) months, staff would be able to start on January 1, 2023, with full twelve (12)-month contracts.

By voice vote of the Board Members present, with Director Richardson voting in opposition, **the resolution was approved.**

M-7 RESOLUTION NO. 15,754: To approve the Settlement of Federal Litigation; and for other purposes.

Director Adcock made the motion, seconded by Vice-Mayor Hines, to approve the resolution.

Director Wright stated that once the development was constructed, it would have an irreparable effect on the surrounding neighborhood.

Rep. Fred Allen: Stated that it was unfortunate that a Developer was allowed to build right in the heart of a neighborhood and that the current construction had disrupted the lives of everyone who lived in the area. Rep. Allen stated that the trucks entering the construction area in the mornings had already caused a headache with the residents by preventing them from backing out of their driveways. Rep. Allen stated that the following individuals were present from the Neighborhood and although they were not going to address the Board, he would like for them to be recognized: Reoshenia Britt; Londelle White; Harold Shirlee; Joe Shirlee; and David Williams.

Director Kumpuris asked for a background presentation of the project. City Attorney Tom Carpenter stated that the Developer had come to the Board to request a change in a POD, Planned Office Development, for Arkansas Hospice, to turn it into a multi-family development. City Attorney Carpenter stated that on the night of the vote, the Developer told the Board that it was going to be a senior living development. Due to opposition, the Developer stated that he would develop half of the property for senior living and if within the next five (5) years, they developed the remainder of the property, it would also be senior living. City Attorney Carpenter stated that the application failed by a vote of five (5) ayes and four (4) nays; however, then Mayor Stodola had the ability to pass the item and he voted to approve the development. City Attorney Carpenter stated that before the five (5) years were completed, the Developer applied for a loan from Arkansas Development Finance Authority (ADFA) for just multi-family. The Developer met with Housing & Neighborhood Programs Staff, who signed off on the multi-family project. Staff obtained the verification that it was zoned multi-family; however, there was no notification in the application as to whether it would be senior living or multi-family. City Attorney Carpenter stated that the City asked the Developer if the project would be for senior living and once he confirmed that it would not, the Building Permit was suspended and a lawsuit was filed. The Developer had thirty (30) days to appeal the suspension and on the last day, he submitted the appeal. The Housing Board of Appeals reinstated the Building Permit and stated that the Zoning Issue was not for them to decide. The Developer claimed that during the time that the Building Permit had been suspended, he had lost millions of dollars, and that if an extension was not granted, tax credits would be lost. City Attorney Carpenter stated that both the City and the Developer had strong arguments. City Attorney Carpenter stated that Judge Wilson granted an injunction to keep the City from enforcing the Building Permit in the future if the Developer didn't build what they were required by law to build, and the Developer responded by saying that it was an egregious action on the City's part.

By roll call vote, the vote was as follows: Ayes: Miller; Richardson; Webb; Peck; Wyrick; Kumpuris; Phillips; Adcock; and Vice-Mayor Hines. Nays: Wright. By a vote of nine (9) ayes and one (1) nay, **the resolution was approved.**

12. ORDINANCE NO. 22,162; Z-9536-A: To approve a Planned Zoning Development and to establish a Planned Residential Development, titled Woodlands Valley Revised PRD, located on the south side of Cooper Orbit Road at Kanis Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Planning Commission: 10 ayes; 0 nays; and 1 open position) Staff recommends approval.*

Synopsis: The applicant is requesting that the 41.5969-acre property, located on the south side of Cooper Orbit Road at Kanis Road, be rezoned from PRD, Planned Residential Development, and R-2, Single-Family District, to Revised PRD, to allow for a 215-lot development to include single-family patio homes and attached residential townhomes. (Located in Ward 6)

The ordinance was read the first time. Director Adcock made the motion, seconded by Director Wright, 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 Wright, 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.

Brian Dale: Stated that he was with Joe White & Associates and represented the applicants.

Director Wright stated that she was concerned about the traffic in the area and asked that an updated Traffic Study be completed and a traffic signal be installed at Cooper Orbit Road & Kanis Road. Planning & Development Director Jamie Collins stated that the plan for the development was to extend Cooper Orbit Road and to tie into the existing Panther Branch Road. Mr. Collins stated that once the infrastructure was completed, a new Traffic Study would be conducted to determine if a traffic signal was warranted. Director Wyrick stated that she traversed that area regularly and believed that a signal was already warranted and asked that a Traffic Study be completed within the next sixty (60) days.

By voice vote of the Board Members present, with Director Adcock voting in opposition and Director Richardson voting Present, **the ordinance was approved.**

Vice-Mayor Hines asked if the Board could take a five (5)-minute recess. Mayor Scott stated that Board would take a five (5)-minute recess before proceeding.

13. ORDINANCE NO. 22,163; Z-9691: To approve a Planned Zoning Development and to establish a Planned Development – Commercial, titled National Properties Holdings, LLC, Self-Storage PD-C, located at 14508 Kanis Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Deferred from August 2, 2022) (Planning Commission: 10 ayes; 0 nays; and 1 open position) Staff recommends approval.*

Synopsis: The applicant is requesting that the 2.82-acre property, located at 14508 Kanis Road, be rezoned from R-2, Single-Family District, to PD-C, Planned Development – Commercial, to allow for a Mini-Storage Development. (Located within the City's Extraterritorial Jurisdiction)

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 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.**

13. ORDINANCE NO. 22,164; Z-9696: To reclassify property located in the City of Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Planning Commission: 10 ayes; 0 nays; and 1 open position) Staff recommends approval.*

Synopsis: The owner of the 66.02-acre property, located at 12297 Interstate 30, is requesting that the property be reclassified from R-2, Single-Family District, and C-3, General Commercial District, to C-4, Open Display Commercial District, and FP, Floodplain District. (Located in Ward 7)

The ordinance was read the first time. Director Adcock made the motion, seconded by Director Wright, 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 Director Wright, 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.**

PUBLIC HEARINGS (Items 15 - 16)

15. ORDINANCE NO. 22,165; G-23-484: To abandon the portion of West 19th Street right-of-way between Lot 12, Block 8 and Lot 7, Block 5 Blankenship Addition, immediately north of 1901 Leander Street, in the City of Little Rock, Arkansas; and for other purposes. *(Deferred from August 2, 2022)(Planning Commission: 9 ayes; 1 nay; and 1 open position) Staff recommends approval.*

Synopsis: The adjacent property owner requests to abandon a portion of West 19th Street right-of-way, located between Lot 12, Block 8 and Lot 7, Block 5, Blankenship Addition.

Mayor Scott opened the public hearing.

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.

Mayor Scott asked if there were individuals present that wished to speak for or against the item. There being none present, Mayor Scott closed the public hearing.

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

16. ORDINANCE; Z-9672: To approve a Planned Zoning Development and to establish a Planned Development – Commercial, titled CozySpot Rentals Short-Term Rental PD-C, located at 319 North Summit Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Deferred from August 2, 2022)(Planning Commission: 4 ayes; 4 nays; 2 recusals and 1 open position) Staff recommends approval.*

Mayor Scott opened the public hearing.

The ordinance was read the first time. Vice-Mayor Hines made the motion, seconded by Director Adcock, 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. Vice-Mayor Hines made the motion, seconded by Director Wright, 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 Scott asked if there were individuals present that wished to speak for or against the item. There being none present, Mayor Scott closed the public hearing.

Director Webb stated that she had received a letter from the Capitol View/Stiff Station Neighborhood Association that stated they were in opposition to the proposal.

By roll call vote, the vote was as follows: Ayes: Wright; Kumpuris; Phillips; and Vice-Mayor Hines. Nays: Miller; Richardson; Webb; Peck; Wyrick; and Adcock. By a vote of four (4) ayes and six (6) nays, **the ordinance failed.**

CITIZEN COMMUNICATION

Betty Ellis: Park Avenue.

Luke Skrable: AFOIA Abuse Inside City Hall.

Jimmie Cavin: Accountable.

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

ATTEST:

APPROVED:

Allison Segars, Deputy City Clerk

Frank Scott, Jr., Mayor