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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION TO CONFIRM A TEN PERCENT (10%) FRANCHISE FEE TO BE PAID TO THE CITY OF LITTLE ROCK, ARKANSAS BY THE LITTLE ROCK WATER RECLAMATION COMMISSION BEGINNING JANUARY 1, 2008; AND FOR OTHER PURPOSES.**

**WHEREAS**, pursuant to Little Rock, Ark., Ordinance No. 18,615 (December 18, 2001) (“LRO” No. \_\_\_”) the City of Little Rock, Arkansas (“the City”) established and assessed a five percent (5%) franchise fee for the rental and use of City right-of-way on the Little Rock Water Reclamation Commission (“the Commission”); and,

**WHEREAS**, in 2007 the City realized a need to increase revenues and chose to increase the Commission franchise fee from five percent (5%) to ten percent (10%), and the Commission agreed to such a payment (EXHIBIT A); and,

**WHEREAS**, after public notice and public Board discussion, the City passed LRO No. 19,898 (December 21, 2007) to adopt the 2008 City budget which included the ten percent (10%) franchise fee to the Commission assessed pursuant to the methodology set forth in Ark. Code Ann. § 14-200-101 (b)(i)(B)(ii); and,

**WHEREAS**, the Commission has continued to make such payments to the City by agreement;

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

**Section 1.** The City established a ten percent (10%) franchise fee for the Commission in 2007 which began to be collected, and has continued to be collected by agreement and by LRO No. 19,898, to and after January 1, 2008, and shall be collected after the date of this Resolution.

**Section 2.** Written notice of this agreement and the City’s passage of LRO No. 19,898 to increase the franchise fees to ten percent (10%) was provided to all ratepayers by the collecting agent, Central Arkansas Water (“CAW”) in January 2008. [EXHIBIT B]

**Section 3.** The documentation of the actions referred to within this Resolution were included in the official minutes of the Little Rock Board of Directors for December 21, 2007) [EXHIBIT C]

**Section 4. 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 or adjudication shall not affect the remaining portions of the resolution which shall remain in full force and effect

1 as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the reso-  
2 lution.

3 **Section 5. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are inconsistent with  
4 the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

5 **ADOPTED: April 7, 2026**

6 **ATTEST:**

**APPROVED:**

7

8

9 \_\_\_\_\_  
**Allison Segars, City Clerk**

\_\_\_\_\_ **Frank Scott, Jr., Mayor**

10 **APPROVED AS TO LEGAL FORM:**

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**Thomas M. Carpenter, City Attorney**

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## EXHIBIT A

### ORDINANCE NO. 21,040

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3 **AN ORDINANCE TO AMEND LITTLE ROCK, ARK., REV. CODE § 35-**  
4 **103 (1988) TO ADD A SECTION WHICH NAMES THE COMMITTEE THE**  
5 **LITTLE ROCK WATER RECLAMATION COMMISSION; TO DECLARE**  
6 **AN EMERGENCY; AND, FOR OTHER PURPOSES.**  
7

8 **WHEREAS**, when the City followed State Law and created a Sanitary Sewer Committee, the  
9 organization became known as the Little Rock Sanitary Sewer Committee ("the Committee"); and,

10 **WHEREAS**, the scope of authority for a wastewater system is much more involved than just sewer  
11 collection, and now deals with significant Federal and State Statutes and regulations that address the  
12 reclamation of water from a sewer system; and,

13 **WHEREAS**, on April 22, 2015, the Committee approved Resolution No. 2015-06 which suggests that  
14 the name of the Committee be changed to reflect the water reclamation obligations that are involved with  
15 sewer collection and treatment;

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

18 **Section 1.** Little Rock, Ark., Rev. Code § 35-103 (1988) is hereby amended to add a new subsection  
19 (f) which states:

20 (f) The name of the committee shall be the Little Rock Water Reclamation  
21 Commission.

22 **Section 2. Section 4. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are  
23 inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.


24 **Section 5. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or  
25 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or  
26 adjudication shall not affect the remaining portions of the resolution which shall remain in full force and  
27 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the  
28 ordinance.

29 **Section 6. Emergency Clause.** *It is essential to provide an appropriate name for the entity primarily*  
30 *responsible for the collection, treatment, and discharge of sewage and effluent from structures within the*  
31 *City, particularly when such responsibility also entails compliance with federal and state statutes and*  
32 *regulations that encompass various aspects of water reclamation, and to assure that such a designation is*  
33 *in place as quickly as possible; this requirement is essentially to the public health, safety and welfare; an*

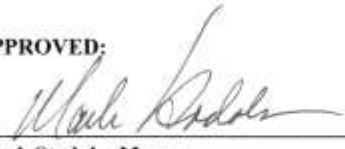
1 *emergency is, therefore, declared to exist and this ordinance shall be in full force and effect from and after*  
2 *the date of its passage.*

3 **PASSED: May 19, 2015**

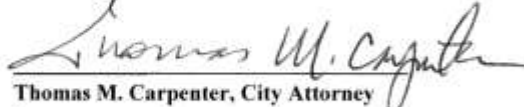
4 **ATTEST:**

5   
6 \_\_\_\_\_  
7 **Susan Langley, City Clerk**

**APPROVED:**

  
\_\_\_\_\_ **Mark Stodola, Mayor**

8 **APPROVED AS TO LEGAL FORM:**

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11 **Thomas M. Carpenter, City Attorney**

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EXHIBIT B



City of Little Rock

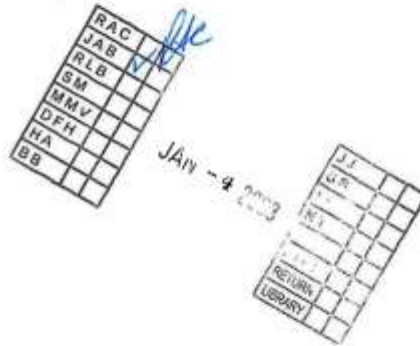
Bruce T. Moore  
City Manager

City Hall, Room 203  
500 W. Markham  
Little Rock, Arkansas 72201-1427  
(501) 371-4510  
Fax: (501) 371-4498  
www.littlerock.org  
citymanager@littlerock.org

December 24, 2007

Mr. Graham Rich  
Central Arkansas Water  
P.O. Box 1789  
Little Rock, AR 72203

Mr. Reggie Corbitt  
Little Rock Wastewater Utility  
11 Clearwater Drive  
Little Rock, AR 72204



Dear Sirs,

On December 21, 2007, the Little Rock City Board of Directors adopted the City's 2008 budget. As a part of the budget, the City Board of Directors raised the franchise fee for water and sewer to 10%, effective January 1, 2008. As a result of this action, we request that you make the necessary adjustments to begin collecting this fee for the City.

Thank you for your assistance with this matter. If you have any specific questions, or need additional information, please feel free to call.

Sincerely,

Bruce T. Moore  
City Manager

**CENTRAL ARKANSAS WATER  
RATE CHANGE CHECK LIST**

**A. WATER RATE CHANGES**

DESCRIPTION	EFFECTIVE DATE	MINIMUM CHARGE		VOLUME CHARGE			
				INSIDE CITY		OUTSIDE CITY	
		OLD	NEW	OLD	NEW	OLD	NEW
METER SIZE							
5/8"							
3/4"							
1"							
1 1/2"							
2"							
3"							
4"							
6"							
8"							
10"							
12"							

CITY: Little Rock  
CUSTOMER CLASS

RESIDENTIAL				
COMMERCIAL				
INDUSTRIAL				
SPRINKLER				
MASTER METER PEAK				
MASTER METER OFF PEAK				
RAW WATER				
PRIVATE FIRE SERVICES				

SEE DETAILS IN RESOLUTION

FRANCHISE FEES February - Cycle 2

6.9%	10.0%		
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**B. SEWER RATE CHANGES**

DESCRIPTION	EFFECTIVE DATE	MINIMUM CHARGE		VOLUME CHARGE			
				INSIDE CITY		OUTSIDE CITY	
		OLD	NEW	OLD	NEW	OLD	NEW
SEWER PROVIDER: <u>Little Rock Wastewater</u>							
METER SIZE							
5/8"							
3/4"							
1"							
1 1/2"							
2"							
3"							
4"							
6"							
8"							
10"							
12"							

VOLUME CHARGES				
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FLAT RATES				
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FRANCHISE FEES February - Cycle 2

6.9%	10.0%		
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**C. REFUSE CHANGES**

DESCRIPTION	EFFECTIVE DATE	CHARGE	
		OLD	NEW
LITTLE ROCK SANITATION			
SHERWOOD SANITATION			
WRIGHTSVILLE SEWER			
OTHER: _____			

ATTACH A SCHEDULE FOR MULTIPLE CHANGES FROM ONE PROVIDER

**D. SALES TAX CHANGES**

DESCRIPTION	EFFECTIVE DATE	CHARGE	
		OLD	NEW
STATE OF ARKANSAS			
PULASKI COUNTY			
SALINE COUNTY			
OTHER COUNTY: _____			
CITY OF LITTLE ROCK			
CITY OF NORTH LITTLE ROCK			
CITY OF SHERWOOD			
OTHER CITY: _____			

**E. OTHER CHARGE CHANGES**

DESCRIPTION	EFFECTIVE DATE	CHARGE	
		OLD	NEW
DESCRIBE THE CHARGE:			

**F. ARE ANY PRO-RATIONS REQUIRED?**

YES	NO
	X

IF YES - DESCRIBE THE METHODOLOGY AND PROVIDE A SPREADSHEET.

**G. CUSTOMER CHANGES**

APPLICATION REQUIRED:

WATER	
SEWER	
REFUSE	

CUSTOMER LISTING TO BE PROVIDED BY: \_\_\_\_\_


EFFECTIVE DATE OF CHANGE: \_\_\_\_\_

**H. RATE RESOLUTIONS OR ORDINANCES**

PLEASE ATTACH A COPY OF THE SIGNED RATE RESOLUTION OR ORDINANCE.

See Supporting Documents Attached

AUTHORIZATION TO IMPLEMENT

 \_\_\_\_\_ 1/7/08  
FINANCE DATE

IMPLEMENTATION ACCOMPLISHED

\_\_\_\_\_  
INFORMATION SERVICES DATE





Gary Pittman/CAW  
01/04/2008 02:11 PM

To Customer Service, Marie Crawford/CAW@CAW, Jeff  
Mascagni, Deena Coston, Pat Akin/CAW@CAW, Allen  
Vincent, Jeanette Shaw/CAW@CAW, Thad

cc  
bcc

Subject franchise fees update

Call Center,

As was communicated before, the franchise fee percentage charged to LR City residents was set to increase from 6.9% to 10% effective January 1, 2008, on water and sewer charges. The City had verbally instructed us to have the new rates on bills going out in January. After we requested their instructions in writing, the City (just today) reversed their position and instructed us not to charge the increase on any December usage which will delay the increase until the first cycle of February.

Unfortunately, we have already printed the cycle one bills for January and there is no practical way to reverse the procedure. Attached is a copy of the insert that we are having printed this afternoon to go out with the cycle one bills later today. The insert explains that we have charged the new rate this month but will revert to the old rate in February for one month only (on cycle one only) to make up the difference.

You will likely get some calls about this and if a customer's water usage goes up or down on the February billing, it will not wash exactly; however, it is the fairest overall way we can address the issue.



0851\_001.pdf

Thanks,  
Gary

**CITY OF LITTLE ROCK RESIDENTS:** The City of Little Rock's franchise fee on water and sewer charges increased from 6.9% to 10%, effective January 1, 2008 (Ordinance No. 19,898). Your billing statement for this month reflects the franchise fee increase on usage that actually occurred in December. To reverse the increase reflected on this billing statement, your billing for February will revert back to the old rate of 6.9% for that month only. Your billing statement for March 2008 forward will reflect the increase. If you have questions, please, call our Customer Service Center at (501) 372.5161.

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**CITY OF LITTLE ROCK RESIDENTS:** The City of Little Rock's franchise fee on water and sewer charges increased from 6.9% to 10%, effective January 1, 2008 (Ordinance No. 19,898). Your billing statement for this month reflects the franchise fee increase on usage that actually occurred in December. To reverse the increase reflected on this billing statement, your billing for February will revert back to the old rate of 6.9% for that month only. Your billing statement for March 2008 forward will reflect the increase. If you have questions, please, call our Customer Service Center at (501) 372.5161.

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## EXHIBIT C

Little Rock Board of Directors Meeting – Minutes –December 21, 2007

### MINUTES

#### BOARD OF DIRECTORS MEETING

City Hall – 500 W. Markham

December 21 2007 - 3:00 PM

The Board of Directors of the City of Little Rock, Arkansas, met in a reconvened session with Mayor Stodola presiding. Nancy Wood, City Clerk, called the roll with the following Directors present: Hendrix, Adcock, Wyrick, Richardson, Cazort, Keck, Wright, Kumpuris, Fortson, Vice Mayor Hurst, and Mayor Stodola.

Director Cazort, seconded by Director Keck, mad a motion to place the ordinances (Items 1-6) on second reading. By unanimous voice vote of the Board Members present, being two-thirds in number the rules were suspended and the ordinances were read the second time.

**1. ORDINANCE 19,892 - Z-6483-A** - Establishing a Planned Zoning District titled **Episcopal Collegiate School Revised Long-Form POD** located at **1701 Cantrell Road**, Little Rock, Arkansas. *Planning Commission: 10 ayes, 0 nays, 1 absent. Staff recommends approval. 1<sup>ST</sup> Reading Held December 18, 2007.* **Synopsis: The applicant is requesting a rezoning from various zoning districts to POD to expand the previously approved area and allow the construction of a new elementary school adjacent to the existing school campus.**

**2. ORDINANCE 19,893** - Authorizing the City to join the Arkansas Local Government Health Management Trust, administered by the Arkansas Municipal League; and for other purposes. *1<sup>ST</sup> Reading Held December 18, 2007.*

**3. ORDINANCE 19,894** - To dispense with the requirement of competitive bidding and authorize the Mayor and City Clerk to enter into an investment management agreement with **Stephens Capital Management** for the management of the City's assets in the Arkansas Local Government Health Management Trust; and for other purposes. *1<sup>ST</sup> Reading Held December 18, 2007.*

**4. ORDINANCE 19,895** - To regulate the discharge of industrial wastewater to the public sewer system, providing penalties for violations thereof, and to comply with requirements of the United States Environmental Protection Agency and streamline and clarify the general pretreatment requirements for existing and new sources of pollution at 40 CFR 403; to repeal Ordinance No. 17,966; and for other purposes, all pertaining to the sewer lines and system within the jurisdiction of the City of Little Rock, Arkansas; and **declaring an emergency** *1<sup>ST</sup> Reading Held December 18, 2007.*

**5. ORDINANCE 19,896** - To dispense with the requirement of competitive bidding and authorize the City Manager to execute **Lawson Contract Change Order No. 7** for additional technology and application consulting services; and for other purposes. *1<sup>ST</sup> Reading Held December 18, 2007.*

**6. PUBLIC HEARING & ORDINANCE 19,897 - G-23-393** – To abandon a public right-of-way located in **Block 360 and 361, Original City of Little Rock Addition**. *Planning Commission: 10 ayes, 0 nays, 1 absent. Staff recommends approval. 1<sup>ST</sup> Reading Held December 18, 2007. Synopsis: The applicant is requesting a portion of the alley located in Block 360 and Block 361 of the Original City of Little Rock Addition to be abandoned as public right-of-way including all easements.*

Director Cazort, seconded by Director Keck, made a motion to suspend the rules and place the ordinances (Items 1-6) on third and final reading. By unanimous voice vote of the Board members present, being two-thirds in number the rules were suspended and the ordinances were read the third time. By unanimous voice vote of the Board members present, **the ordinances (Items 1-6) were passed. The emergency clause on Item 4 was passed.**

**OTHER BUSINESS (Items 7 – 8)**

**Mayor Stodola requested the first reading of the ordinance (Item 7).**

**7. ORDINANCE 19,898** - Providing for and adopting the **2008 Budget** for the City of Little Rock for the period beginning January 1, 2008, and ending December 31, 2008; appropriating resources and uses for every expenditure item and fund, **declaring an emergency**; and for other purposes. *Staff recommends approval.*

The ordinance was read the first time. Director Keck, made a motion, seconded by Director Cazort, made a motion to suspend the rules and place the ordinance on second reading. By unanimous voice vote of the Board Members present, being two-thirds in number the rules were suspended and the ordinance was read the second time.

Speaker Delores Lecompte was opposed to the increased franchise fees on water and sewer, which will be passed on to the citizens of Little Rock. She added that she felt that the Advertising and Promotions Commission should share more of the City's expenses.

Speakers Jim Nichols and Nita Moser, representing AFSME, stated that the 2.5% raise was insufficient. Because of rising gas prices, insurance costs, the 2.5% is not equal to the cost of living. They stated that they represent the City Employees who make \$9 an hour, and for those people, it's like a decrease in pay. They both stated they would be willing to work with staff and the Board to look for other revenue sources to come up with additional revenue to support raises.

A lengthy discussion took place which included discussion on employee raises, which the directors concurred they did not believe was enough. They discussed the increases in water and sewer fees, and did not like the thought of passing those on to the citizens. Discussion also included possible reductions in outside agency support such as the Arts Center or the Arkansas Symphony; one time fund transfers from fleet services and the solid waste funds; raising parking fines; the savings that would occur by the Little Rock Convention and Visitors Bureau taking over public relations costs for the downtown River Market District; funding eighty beds at the Pulaski County Jail; additional funds for additional beds at the Faulkner County Jail; and the vacancy savings rate of leaving one hundred jobs unfilled.

Also discussed was the possibility of looking at a tax on people who do not live in the city but are employed within the city limits, the amount spent on contracts and supplies listed in the budget, and a plan to give employees more equality raises. A proposal was made to start in January 2008 looking for sources of revenue for the City for the 2009 Budget process.

Director Keck, seconded by Director Wright, made a motion to suspend the rules and place the ordinance on third reading. By unanimous vote of the Board Members present the motion was passed. Director Wyrick voted no. The rules were suspended and the ordinance was read the third time.

A roll call vote was taken and recorded as follows: Directors Richardson, Wyrick, Adcock, and Hendrix voted no. Directors Cazort, Keck, Wright, Kumpuris, Fortson, and Vice Mayor Hurst voted yes. A voice vote was called on the emergency clause; all were in favor except Director Wyrick, who voted no. The ordinance and emergency clause passed.

**Mayor Stodola requested the first reading of Item 8.**

**8. ORDINANCE 19,899** - To amend Little Rock, Arkansas, Ordinance 18,644, as to certain fines for parking violations; to declare an emergency; and for other purposes. *Staff recommends approval.*

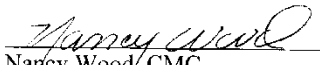
The ordinance was read the first time. Director Cazort, seconded by Director Richardson, made a motion to suspend the rules and place the ordinance on second reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read the second time. Director Cazort, seconded by Director Richardson, made a motion to suspend the rules and place the ordinance on third reading. By unanimous voice vote of the Board Members present, being two-thirds in number, the rules were suspended and the ordinance was read the third time. A voice vote was held and recorded as follows: Directors Hendrix and Adcock voted no. Directors Richardson, Cazort, Keck, Wright, Kumpuris, Fortson, and Vice Mayor Hurst voted yes. The ordinance and emergency clause passed.


Director Adcock asked Mr. Carpenter and staff to prepare legislation on a declarative judgment or at least an outline by the January 15<sup>th</sup> meeting, in regard to the prisoner situation at the Pulaski County Detention situation.

Director Cazort, seconded by Director Richardson, made a motion to adjourn. By unanimous voice vote of the Board Members present, the meeting adjourned at 4:10 PM.

ATTEST:

APPROVED:

  
Nancy Wood, CMC  
City Clerk

  
Mark Stodola  
Mayor