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October 25, 2019

VIA E-MAIL

The Honorable Frank D. Scott, Jr., Mayor of Little Rock
and Members of the Little Rock Board of Directors
Little Rock City Hall
500 West Markham Street, Room 203
Little Rock, Arkansas 72201

Re: Little Rock Governance Structure Study Group Report

Dear Mayor Scott and Members of the Board:

Attached is the report of the Governance Structure Study Group as required by Resolution Number 14,902 of the Little Rock Board of Directors. This report represents the culmination of seven months of diligent study and research exploring forms of government and the issues pertaining to governance. The report outlines the Study Group's activities, findings, and recommendations during this period.

On behalf of my colleagues on the Study Group, I would like to thank you for entrusting us with a charge to recommend the *best* form of government. Each member contributed significantly to the report, and we learned fascinating nuances of local governance throughout this process. Most important, we became friends and committed colleagues. It has been a privilege and a pleasure to serve you and the people of our City.

If you have questions before the Study Group's presentation to the Board of Directors on October 29, 2019, please contact me.

Sincerely,

MITCHELL, WILLIAMS, SELIG,
GATES & WOODYARD, P.L.L.C.

By



Frederick K. Campbell
Chair, Governance Structure Study Group
Ward 4

FKC:ka

The Honorable Frank Scott, Jr., Mayor of Little Rock
and Members of the Little Rock Board of Directors
October 25, 2019
Page 2

cc: Mr. Bruce T. Moore (*via e-mail*)
Little Rock City Manager

Thomas M. Carpenter, Esquire (*via e-mail*)
Little Rock City Attorney

Members of the Governance Study Group (*via e-mail*):

Ms. Loretta Hendrix, Ward 1
Ms. Donna Massey, Ward 2
Mr. Preston Eldridge, Ward 3
Mr. Daryl Coker, Ward 5
Ms. Ann Marshall Grigsby, Ward 6
Mr. Don Shellabarger, Ward 7
Ms. Karen Buchanan, At-Large
Mr. Robert Koon, At-Large
Mr. Ronnie Jackson, At-Large
Mr. Gary Smith, At-Large



Governance Structure Study Group Report

October 29, 2019

**Submitted to:
The Honorable Frank D. Scott, Jr. and Little Rock Board of Directors**

TABLE OF CONTENTS

INTRODUCTION	1
RESEARCH	6
ISSUES	7
RECOMMENDATIONS	8
IMPLEMENTATION TIMELINE FOR RECOMMENDATIONS	23
APPENDIX	26

INTRODUCTION

Report Purpose, Scope, and Process

Pursuant to City of Little Rock Resolution Number 14,902, the purpose of this report is to recommend the best form of government for the City. The Governance Structure Study Group was charged with making a recommendation as to local governance structure, and the study group spent approximately six months researching governance structures, hearing from local, state, and national experts, and soliciting input from the public. This report is a culmination of that work and serves as a recommendation to the Little Rock Board of Directors for consideration.

Report Organization

The body of this report is intended to inform the residents of the City of Little Rock about the study group's process, research, identification of issues, recommendations, and implementation timelines.

Background

Arkansas Law on City Government

Arkansas law allows for two major forms of city government: (1) the mayor-council form; and (2) the city manager form.¹ Traditionally, under the mayor-council form, a city has a mayor who is popularly elected citywide and serves as the chief executive officer of the city; a city council comprised of elected council members; an elected city attorney; an elected city clerk; and an elected city treasurer. Under the conventional city manager form, a city is governed by an elected board of directors that appoints a city manager to oversee the operations of the city and also appoints a city attorney.

Over the years, however, the Arkansas General Assembly has expanded state law to allow for a hybrid form of city government—one with both a city manager and an elected mayor who has substantial authority in overseeing the operations of the city. Moreover, under any form of government, Arkansas law allows cities flexibility to choose different options for its government. For example, under the city manager form, a city can choose to elect all city directors at-large, elect all city directors by ward, or through a combination of at-large and ward directors.

Because of the options under any form of government, a city's choice of the "best form of government" is more than just a simple selection between the mayor-council form and the city manager form. Instead, deciding on the "best form of government" requires a city to consider: (1) the various options allowed under state law for either major form of government; (2) the process and length of time for implementing changes under state law and city ordinances; and

¹ Arkansas's statutes also allow for the city administrator form of government, but this form is rarely used and thus was not considered by the group.

(3) most importantly, the issues common to any form of government. These common issues, which define the accessibility and the checks and balances in any form of city government, include:

- minimum voting percentage for elections of directors/council members and mayor;
- number of total directors/council members;
- number of at-large directors/council members, if any;
- mayor's appointment power;
- mayor's authority to hire and remove persons in the positions of city manager and/or city attorney;
- minimum threshold for directors/council members to override mayor's veto;
- impact of redistricting; and
- number of residents per ward.

Little Rock City Government

Little Rock currently operates under the hybrid form of government, maintaining both a city manager and an elected full-time mayor. Little Rock began using the traditional city manager form of government in 1957 with a board of directors that consisted of members who were all elected citywide, or "at-large." As a body, the board selected a mayor from among its membership and also appointed a city manager. In 1993, the board of directors called for an election to change Little Rock's form of government to include: (1) a popularly elected mayor; (2) seven wards, each electing one director; and (3) three at-large city director positions voted on citywide. Little Rock electors voted in favor of this change, implementing a hybrid form of government—with both a city manager and an elected mayor—and forming what some call the "7-3-1 system."

Little Rock's form of government was last altered in 2007 when the city passed a referendum making the mayor a full-time position with certain appointment and veto powers.² This referendum was another step toward strengthening the mayor's position within the city manager form of government. The board of directors had passed Little Rock Ordinance No. 19,761 (the "2007 Ordinance"), which allowed for the referendum vote, clarifying that the mayor is the CEO of the city, and that the city manager is the chief administrative officer of the city and performs his or her duties at the direction of the mayor. The 2007 Ordinance also provided the mayor the "authority to nominate, hire, or remove, the city manager and the city attorney;" however, the 2007 Ordinance stated that this authority is "subject to the approval of the Board of Directors." Further, the 2007 Ordinance stated that the board shall conduct the annual review of the city manager and city attorney, and that the mayor shall nominate to fill vacancies on any board, authority, or commission "subject to confirmation by the Board of Directors, advice by the

² The Arkansas Code was amended through Act 689 of 2007 to allow for certain cities using the city manager form of government to hold an election to increase a mayor's authority and functions.

respective ward representative of the ward where the nominee resides, and such other advice as may be given by the at-large representatives.”

Little Rock City Government History

1957 – Little Rock changed from the mayor-council form to the city manager form.

1992 – Two campaigns petitioned the City for changes to the city government:

- *“Little Rock Fair Representation Campaign”* petitioned to reorganize under the current management form to elect six directors from wards and to elect the mayor citywide. This petition was placed on the ballot in a special election and failed by a vote of 60% against reorganization and 40% for reorganization.
- *“Mayor-Council Form of Government Campaign”* petitioned to change the form of government back to the mayor-council form and to change the number of wards and council members. This petition/issue was removed from the ballot by order of the Arkansas Supreme Court.

1993 – The FUTURE-Little Rock report recommended a directly elected mayor and ten directors, seven of them elected by ward and three elected at-large; a subsequent referendum passed, and the proposal was implemented.

2001 – The Vision Little Rock report recommended a full-time mayor with increased powers.

2007 – A special election made the position of mayor full time and added certain appointment powers, veto power, and subject to board approval, power to hire and remove the city manager and city attorney. These changes were implemented through the 2007 Ordinance that created a hybrid form of government with the option to strengthen the mayor’s role and a city manager who performs “at the direction of the mayor.” Many believe that, prior to 2019, the mayor’s increased powers were not exercised fully.

Formation, Appointment, and Charge of the Governance Structure Study Group

On December 3, 2018, the Little Rock Board of Directors unanimously passed Resolution Number 14,902, which called for a “forum structure to recommend the best form of government for the City.” The resolution called for the recommendation to be presented within one year from the date of creation. The resolution also required an open and public process that included participation by members of the community.

On December 4, 2018, a mayoral runoff election was held, and Frank D. Scott, Jr. was elected mayor of Little Rock; he was sworn into office on January 1, 2019.

On February 19, 2019, Mayor Scott announced the eleven members of the Governance Structure Study Group. They included seven ward representatives, all appointed by city directors from those wards, and four at-large members: two appointed by at-large city directors and two appointed by the mayor.

The following individuals were named to the study group:

- Loretta Hendrix, Ward 1, education strategist;
- Donna Massey, Ward 2, Pulaski County Quorum Court member;
- Preston Eldridge, Ward 3, attorney;
- Rick Campbell, Ward 4, attorney;
- Daryl Coker, Ward 5, sales consultant;
- Ann Marshall Grigsby, Ward 6, federal court desegregation monitor, retired;
- Don Shellabarger, Ward 7, businessperson, retired;
- Karen Buchanan, at-large, educator, retired;
- Robert Coon, at-large, businessperson;
- Ronnie Jackson, at-large, East Little Rock Neighborhood Association president; and
- Gary Smith, at-large, businessperson.

As a body, the members resided across all seven wards and were diverse in terms of race, age, gender, and personal and professional backgrounds.

Resources

The study group sought to learn about the various forms of municipal government in the state and the nation. To that end, the study group heard from local, state, and national experts on the topics of local board structure, voting, and related topics. The following persons presented to the group:

- Mark Hayes, Executive Director of the Arkansas Municipal League;
- Dr. Jay Barth, M. E. and Ima Grave Peace Professor of Politics at Hendrix College;
- Jim McKenzie, former Director of Metroplan, retired;
- James Jones, former Assistant City Manager for the City of Little Rock, retired;
- Natasha Merle, Senior Counsel for the Legal Defense Fund; and
- Kristen Johnson, Fried Fellow at the Legal Defense Fund.

Multiple resources pertaining to forms of government were shared, ranging from resources from the National League of Cities and the International City Managers Association to publications, including the following:

- A New Focus for Change: Goals for Little Rock. FUTURE-Little Rock Steering Committee. July 1993.
- Vision Little Rock: Focusing on the Future. Vision Little Rock Steering Committee. January 2002.
- Think BIG Little Rock. Think BIG Little Rock Task Force. December 2017.
- State of the City Address. Prepared remarks for Mayor Frank D. Scott, Jr. March 28, 2019.
- The Scott Script: A Citizen-Led Transition for Growth and Progress in Little Rock. The Frank Scott, Jr. Transition Team. April 16, 2019.
- Governance in Little Rock, Arkansas: At-Large and District Elections and the Impact on Representation. Kiril Kolev, Jay Barth, Lora Adams, and Brett Hill. 2015.
- Guidebook for Municipal Officials of Mayor/Council Cities. Arkansas Municipal League. Revised May 2017.
- Guidebook for Municipal Officials of City Manager/City Administrator Cities. Arkansas Municipal League. Revised December 2018.

Relevant pieces of local and state legislation were also distributed and discussed, including:

- City of Little Rock Ordinance Number 19,761 of 2007;
- Act 978 of 2019; and
- Act 1092 of 2019.

Process

The inaugural meeting of the Governance Structure Study Group was held on March 27, 2019, and the members elected Rick Campbell to serve as chair. Thereafter, the study group typically met weekly at City Hall. All meetings were open to the public, and members of the media were notified of the meetings.

From the onset, the study group identified values that were important to address throughout the process of arriving at a recommendation on the best form of government. Those values deemed most critically important to incorporate into a recommendation were accessibility, accountability, responsibility, responsiveness, equity, effectiveness, and balance. Moreover, the importance of providing quality recommendations based on governance structure—and not on any single individual who has served, is serving, or will serve in any particular position—was reiterated time and again by members of the study group.

Additionally, the study group hosted five separate community forums across Little Rock to invite the public's comments on city government and aspects residents deemed essential to the best form of government. Meetings were held at the Centre at University Park, Southwest Community Center, Willie Hinton Neighborhood Resource Center, Christ Little Rock, and Immanuel Baptist Church.

RESEARCH

Guest Speakers, Community Meetings, and Additional Research

The study group first sought to educate itself on the forms of municipal government. Members read materials and briefings from the National League of Cities and the International City Managers Association and heard from Mark Hayes, Executive Director of the Arkansas Municipal League. Mr. Hayes outlined the options available under Arkansas law; he also touched upon the recent acts that were passed during the recent legislative session. Dr. Jay Barth shared his research on at-large elections and ward elections, which included data on races in Little Rock that occurred from 1957 through 2012. Jim McKenzie provided historical information and migration trends in Little Rock; he also spoke about the physical city of Little Rock and changes over time, including demographics, redistricting, and types of voting.

Several sources, including *The Tyranny of the Majority* by Lani Guinier and cases brought under the federal *Voting Rights Act*, shed light on different types of voting that might resolve inequities in governance structure. Specifically, cumulative voting and limited voting were presented as options for preventing discriminatory or inequitable results that can arise under winner-take-all citywide elections.³ Legal experts Natasha Merle and Kristen Johnson with the Legal Defense Fund educated the study group on their professional experience litigating cases pertaining to the *Voting Rights Act*. They stressed the importance of using experts to draw future ward or district lines to ensure fairness.

The study group hosted its first public forum in May 2019, in which the people of Little Rock were invited to share what they deemed to be qualities that are necessary in a form of local governance. Specifically, people were asked to fill in the blank: "The best form of government is that which is _____." This forum led to four additional public meetings across the city in June. An issue that garnered much public comment was that of at-large board representation and ward representation on the board of directors. Community members were very passionate about both

³ Under these two voting options, all at-large positions would be on one ballot and all candidates for the at-large positions would run in one election against each other. The top vote-getters equaling the number of at-large positions would be elected to the at-large positions. Under cumulative voting, voters get a number of votes equal to the number of at-large positions, and the voters can combine or split their votes however they see fit (e.g., voting three times for one candidate). Under limited voting, voters can only vote once for a candidate, but they have fewer votes than the number of at-large positions (e.g., voting once for only one candidate, but the top three vote-getting candidates are elected to three at-large positions). Both cumulative and limited voting are allowed under Arkansas Code Annotated § 14-61-120 and have been implemented in multiple cities where governance structures were reformed after *Voting Rights Act* litigation.

types of representation regardless of their position, and the public was split over whether at-large representation was an asset or a liability to the people. Other comments from residents demonstrated significant confusion about the current form of government and the defined roles and responsibilities of city officials, indicating that people value clarity, simplicity, and accountability. Additionally, some voiced the opinion that the city has changed forms of government several times in recent history; as such, rather than changing to an entirely different form of government, some citizens advocated for the city to first fully operate under the current form as it was written in the 2007 Ordinance.

Members of the group also conducted independent research as to how other similarly-sized cities structured their governance. However, no patterns emerged as to form of government, number of board members, or whether representation was at-large and/or ward-specific.

ISSUES

Issues Pertaining to Governance

To recommend the best form of government, the study group opted to identify specific components common to governance structures and to delve into the various approaches to each specific component. The key governance components included:

- voting percentages required for electing city directors and mayor;
- mayoral authority to hire and remove persons for the positions of city manager and city attorney;
- structure of the board of directors; and
- size of the board of directors.

External Factors Considered

In addition to the issues above, study group members deemed several other external factors worthy of consideration as the study group deliberated the pros and cons of various aspects of governance in Little Rock. Those external factors included:

- State law authorizes certain forms of government, and if any changes to state law are needed to implement the study group's recommendations, those changes are not guaranteed and must be introduced and voted on by members of the Arkansas General Assembly. The state legislature convenes to consider substantive legislation biennially, and the next Regular Session of the Arkansas General Assembly will commence in 2021.
- The U.S. Census Bureau will conduct a decennial census count of each resident on April 1, 2020. The results of this constitutionally mandated count will likely be available in the spring of 2021, and the data will be used to determine how to apportion the wards in the city so each ward contains approximately the same number of residents.

- The public is generally confused about the types and structures of municipal government.
- No single community perception or opinion prevailed about at-large directors. For each member of the community who supported at-large representation, another advocated against that type of representation.

RECOMMENDATIONS

Summary of Recommendations

After deliberating on the specific issues facing any governance structure, the study group determined that the best form of government for Little Rock is to maintain the current hybrid form of government with certain changes recommended below. The study group recommends making these changes within the current hybrid form of government—instead of transforming to a mayor-council form—because changing to the mayor-council form would add to the City’s costs by creating multiple new elected positions and would likely require an overhaul of state statutes. Many of the qualities of the mayor-council form can be achieved by making changes within the existing form of government.

The study group intends for these changes to facilitate full implementation of the 2007 Ordinance, wherein the mayor is named as the CEO; to instill more accountability and authority within the office of the mayor for the operations of the city; to encourage more equitable representation on the board; and to form a government more responsive to the will of voters and the needs of the city. Unless otherwise noted, the study group unanimously makes the following recommendations:

1. **Minimum Electoral Requirement:** To be elected, candidates for city directors shall receive at least 40% of the vote in their respective election.
2. **Board Structure:** Regional districts should be established to replace at-large positions.
3. **Board Size:** A majority of the study group recommends Little Rock reduce the size of the board of directors from seven ward positions and three at-large positions to six ward positions and two regional district positions. Should the board of directors choose not to change the size of the board, all members of the study group unanimously agree that three regional district positions should replace the three at-large positions.

4. **Mayor's Authority to Hire and Remove City Manager and City Attorney:**

- a. The mayor shall have the authority to nominate, hire, or remove the city manager without precondition.^{4,5} After the mayor makes such nomination, hire, or removal, the board of directors may override the mayor's action by a two-thirds (2/3) vote of the number of members of the board of directors. The mayor shall conduct the annual review of the city manager.
- b. The mayor shall have the authority to nominate or hire the city attorney, subject to confirmation and approval by a majority vote of the board of directors. The mayor shall have the authority to remove the city attorney without precondition. After the mayor acts to remove the city attorney, the board of directors may override the mayor's action by a two-thirds (2/3) vote of the number of members of the board of directors. The mayor and vice-mayor shall jointly conduct the annual review of the city attorney.⁶

5. **Citizen Education:** The City of Little Rock should create and implement a Citizen Education Program to equip and empower citizens to have equitable opportunities to participate in the political process.

6. **Board Orientation:** Ensure that all newly-elected city officials receive a detailed pre-service orientation to their specific role and responsibilities along with a thorough organizational overview.

7. **Board Retreat:** The mayor and board of directors hold an annual retreat, which should include social, informational, and planning discussions that are memorialized in writing and subsequently considered for policy decisions and related actions, budgeting and timetables.

⁴ The city manager serves as the chief administrative officer per Little Rock Ordinance No. 19,761 (the "2007 Ordinance").

⁵ A *precondition* is a condition or prerequisite that must be fulfilled before other things can happen or be done. In this instance, the study group is recommending the mayor have the authority to make hiring and removal decisions without first having to seek the approval of the board of directors.

⁶ The vice-mayor is a member of the board of directors who is selected by members of the board to serve as vice-mayor.

Reasoning behind Recommendations

1. Minimum Electoral Requirement - The winning candidate for the office of mayor of Little Rock must currently receive a minimum 40% of the vote on Election Day. If the 40% voting threshold isn't met, the top two candidates face each other in a runoff election. Conversely, candidates currently running for the Little Rock board of directors only have to receive a plurality of the votes on Election Day, meaning that the candidate with the most votes wins with no minimum threshold required.

As part of the study group's review, the following questions were considered:

- Should candidates for board of directors be subject to the 40% minimum voting requirement?
- Should candidates for mayor have to receive only a plurality of the votes cast, which is the current standard for the board of directors?
- What compelling reasons indicate these voting thresholds should be the same or different for board or mayoral candidates?
- Should the threshold for electing either a mayor or board members be increased to require a majority (50%+1) of the votes cast?

Negative Impact of Increasing the Threshold

One consequence of adjusting the voting threshold, either to a 40% minimum or to a majority, is the potential to increase the frequency of runoff elections in races that have more than two candidates. Historically, races for mayor or board positions in Little Rock have often included more than two candidates on the ballot. Should the frequency of runoff elections increase, costs associated with these additional elections would also rise. From a social standpoint, runoff elections typically have lower voter participation than general elections, in which case the ultimate selection is made by a smaller universe of voters—a result that may or may not reflect the predominant public sentiment of the broader electorate.

Positive Impact of Increasing the Threshold

The study group identified several positives associated with aspects of changing the voting threshold to either a 40% minimum or to a majority. First, the lack of a required minimum threshold increases the potential that candidates for mayor or the board could be elected with only a limited portion of city or ward support. For example, in a three-way race a candidate for a position on the board of directors could win with as little as 34% of the vote, meaning that 66% of voters wanted a different candidate, a dynamic that dilutes voter preference and reduces voter confidence in the system. Secondly, implementing the same vote threshold for both the offices of mayor and board of directors promotes consistency and clarity, thus helping voters understand how races are conducted and decided.

Conclusions

Based on these considerations, the study group sees no compelling reason to require different voting thresholds for electing a mayor or board members; the same standard should apply to both. Thus, the question then becomes which standard—a 40% minimum or a majority—provides the greater benefit to voters, promotes the better governance, and is easier for all to understand.

According to historical election results in Little Rock board of directors' races dating back to 2002, only one race (in 2018) was won by a candidate receiving less than 40% of the vote. Seven races for board of directors were won by candidates receiving 40%-49.9% of the vote, and 17 races were won by candidates who had more than 50% of the vote on Election Day.⁷

Imposing a majority requirement (50% +1) on elections for mayor and directors would likely unnecessarily increase the frequency of costly runoff elections and could lead to more races decided by fewer voters, as noted earlier. However, a 40% minimum requirement for both mayor and directors provides the reasonable improvements explained above.

Recommendation

Apply the 40% minimum vote requirement to the city elections for both the mayor and board of directors.

2. Board Structure - The structure of the Little Rock Board of Directors is unquestionably the most difficult question the study group sought to address. The topic required the most time to research, investigate, evaluate, consider, and discuss. It was also the one members of the public spoke about the most at the forums held across the city.

As part of the review, the study group considered the following questions:

1. How many wards should the city have?
2. Should Little Rock maintain at-large director positions?
3. Should Little Rock consider residency requirements for the at-large positions to promote geographic diversity?
4. Should Little Rock replace at-large positions with regional district positions?
5. Should at-large positions be eliminated and new wards created?

⁷ See Appendix A.

Comparative City Research

The study group examined local governance structures among 23 cities that could be considered comparative to Little Rock, or cities that Little Rock might strive to emulate due to their achievements in areas such as economic growth, quality of life, and population growth.⁸

Hoping to use other cities as a benchmark to compare governance aspects, the study group looked specifically at their government structure (mayor-council or city manager), number of members on their council or board of directors, and the type of council or board representation (in terms of at-large or ward).

Across these 23 cities, 10 were organized under a city manager form of government and 13 were organized under a mayor-council form. Among the city manager cities, board membership ranged from as few as 4 to as many as 12. The majority of the city manager cities had some form of at-large representation.

In summary, no clear pattern or trend emerged from this research for Little Rock to model. As a result, the experience reinforced the idea that the best form of government for Little Rock is one built by examining the community's values to guide toward a structure to help the city fulfill a collective vision and shared goals.

Comparing At-Large Positions and Ward Positions

Citizen input regarding Little Rock's current structure of seven ward seats and three at-large seats dominated public forums conducted to discuss Little Rock's form of government. Residents from diverse areas of the city addressed the issue of wards compared to at-large representation, with compelling arguments made on both sides of the issue.

At the forums for citizen input, proponents of at-large seats often cited specific personal experiences with at-large directors on the board, emphasizing the importance of those members' involvement in meeting their needs. Several members of the city board expressed their support for at-large directors at the forums as well, citing examples of how helpful at-large representatives are to them personally as well as to ward residents and the city overall.

Among the study group's discussions and the public forums, some members valued at-large roles based on their own observations or concerns about adequate citywide representation. Support for at-large membership has been based on a number of perceived positives including, but not limited to, the following reasons:

- At-large representatives provide "backup" coverage for residents when their ward director is unresponsive or unavailable.
- At-large representatives take a broader view when it comes to city needs and priorities, representing the whole city on issues such as economic development, budget, direction, and vision.

⁸ See Appendix B.

- At-large representatives can collaborate with ward representatives to add weight to critical issues.
- At-large representatives increase accountability and ensure that residents have access to a board member who is available and can be responsive.
- At-large representatives provide additional on-the-ground awareness, guidance, and services beyond individual ward boundaries.

At the public forums, and in the study group’s deliberations, some members expressed a desire to limit or eliminate at-large representation based on a number of perceived negatives including, but not limited to, the following reasons:

- Citywide elections for at-large representatives submerge minority voters, which can limit diversity in at-large positions.
- At-large representatives aren’t accountable to all areas of the city, only the areas with which they choose to build relationships.
- At-large representatives may lack awareness of important local ward needs, such as infrastructure.
- At-large races are expensive to run and therefore not cost-accessible to all.
- At-large representatives aren’t required to have geographic diversity, so inevitably two representatives (one ward and one at-large) will live in a single ward, which is unfair to wards with one representative.
- The history behind the establishment of at-large seats is viewed by some as an effort to dilute racial minority representation on the board.

Based on philosophical positions, personal experiences, and research, members of the study group shared many of the views voiced by residents both in favor of, and in opposition to, at-large positions. Nevertheless, the members of the study group strove to discipline themselves to separate the office from the person presently serving in each role. The charge, as delivered by the resolution from the board in December 2018, is to recommend the “best form of government” for Little Rock – not the best form of government for Little Rock if certain public servants are part of it.

In addition to gathering input at public forums, the study group also invited individuals with experience and expertise to present information. Among them was Dr. Jay Barth who discussed a governance study he and three of his Hendrix College colleagues published in 2015 entitled “Governance in Little Rock: Arkansas At-Large and District Elections and the Impact on Representation.” The study examined ward and at-large elections in Little Rock dating back a half-century and made several findings, some of which note the benefits of ward elections and are quoted below:

- “Ward elections have had a positive effect in promoting the election of traditional outsiders (persons of color and women) in the city of Little Rock.”
- “The ward system has been shown to promote smaller dollar campaigns and decidedly more competitive contests.”
- “The shift to a ward election system in this (and other) cities would advance a system of representation that is more fully reflective of those who have traditionally been on the outside looking in and create more vibrant, competitive elections.”

While the study examined how governmental structure affects electoral accessibility, cost, and competitiveness, the authors also noted that their study “does not take that key next step of examining the nature and outcome of decision-making within ward and at-large systems.” The study further recognized that “a key determinant of whether or not the ward election will yield better representation has to do with the geographic concentration and population share of the minority group in question.”

Results of the 2020 census used for state and local redistricting are expected to be released by March 31, 2021. The data are anticipated to confirm that Little Rock has become majority minority, meaning that more than half of the city’s population is comprised of racial or ethnic minorities. The expected changes in numbers and resulting redistricting portend a shift in voting strength and patterns.

New population figures and demographic distributions are a matter of great importance and will require careful study. Potential modifications to the city’s form of governance must be evaluated in the light of the most comprehensive, up-to-date information available. New data must inform all manner of holistic decision making and planning in relation to timing, substance, feasibility, and the public’s ability to cope with a cascade of potentially destabilizing changes.

Act 978 of 2019

When the Governance Structure Study Group was established by city resolution in December 2018, cities operating under the city manager form of government that Little Rock currently uses had four options for selecting members of the board of directors:

1. elect all board members as at-large;
2. elect any combination of at-large and ward directors as long as the total, including the mayor, is an odd number;
3. elect all board members except one from wards, with one elected citywide to be the mayor; or
4. elect all board members from wards.

In addition to making other changes, Act 978 of 2019 created a fifth option for electing directors: any combination of directors from wards and from “larger designated districts that overlap

wards” as long as the total number, including the mayor, is an odd number. These larger designated districts are referred to herein as “regional districts.”

The regional district model permitted under Act 978 provides cities like Little Rock with additional flexibility to customize their governmental structure to meet their goals and address community concerns.

Conclusions

Consensus emerged within the study group to preserve the best aspects of Little Rock’s at-large structure while addressing shortcomings voiced by residents and study group members.

While the study group considered the option of keeping the existing citywide board positions by adding a residency requirement in order to promote geographic diversity, that solution, by itself, did not sufficiently address many of the negatives associated with at-large representation expressed by the public, study group members, and others who provided input as noted above.

The study group also considered the option of continuing the existing at-large positions in conjunction with a new alternative election structure for those positions, such as cumulative voting, limited voting, or ranked-choice voting. These alternative voting methods offer some benefits over the traditional structure by giving voters the ability to allocate votes to multiple candidates, give preference to their second choice, and consolidate votes among likeminded individuals. In theory, these alternatives could address some of the concerns identified during the study; however, in practice their impact is less clear. Moreover, if implemented these alternatives would differ drastically from the traditional voting method used to elect other city officials, thus potentially creating additional voter confusion and uncertainty about how at-large members are elected.

Regional districts have a greater potential to maintain many of the positive benefits currently associated with at-large positions: maintaining backup coverage for residents, encouraging a broader view and vision for the city, and providing layers of representation that can increase responsiveness.

Additionally, regional districts can also minimize or rectify many of the negatives some people have associated with at-large representation: bringing directors closer to the people they serve, promoting geographic diversity, improving accessibility for all areas of the city, creating greater opportunity for all to serve, and lowering costs associated with elections.

Recommendation

Little Rock should establish regional-district positions to replace at-large positions on the city board of directors. The group recommends that candidates for these regional-district positions be elected only by the voters who live in the regional district.

State law prevents the immediate, full implementation of this recommendation. For example, the City cannot remove citywide elections for the regional positions unless voters approve such change at an election. Therefore, this recommendation must be implemented in phases as

described below. The board should immediately pass an ordinance establishing regional districts for the current at-large positions on the board of directors, so these newly formed regional districts can be in effect for the November 2020 general election.

Act 978 requires candidates for these regional-district positions to be residents of the district they wish to represent. Act 978 also states that elections for these regional districts are to be conducted on a citywide, or “at-large,” basis unless electors “choose otherwise.” Therefore, without an election or further change to state law, the City Board’s creation of regional districts now imposes a regional residency requirement on these citywide-elected Board positions.

The study group recommends that the board of directors refer an ordinance to voters, either by way of a special election or at the November 2020 general election, to permit only those qualified electors residing in a regional district to vote on a candidate from that district in subsequent elections.

For the November 2020 city board elections, the newly formed regional districts must be drawn based on the 2010 federal census, as the 2020 federal census data will not yet be finalized. All ward and regional district lines will be redrawn in 2021 according to the new census figures. The process of drawing or redrawing any ward or regional district boundary lines will require civic experts skilled in creating maps based on specific criteria. The study group recommends that the essential criteria for redrawing ward and regional district lines must assure that racial or language minorities have equitable opportunities to fully participate in the political process; can elect representatives of their choice; and that the geographic integrity of local neighborhoods and communities of interest are maintained.⁹

To ensure that ward and regional districts are drawn to include the essential criteria, the city must engage the requisite expertise. Such expertise is available from Metroplan, the non-profit, federally designated Metropolitan Planning Organization (MPO) for our area.

3. Board Size - In addition to board structure, the study group examined board size as a consideration in recommending the best form of government for Little Rock. As noted above, the study group looked first to cities that could be identified as comparative cities to Little Rock, or cities that Little Rock may strive to emulate due to their achievements in areas such as economic growth, quality of life, and population growth.

Among 13 Mayor-Council cities, the smallest council had 6 members and the largest had 15. Six of the 13 Mayor-Council cities included at-large representation on the council, while 7 had all-ward representation.

⁹ “Community of interest is a term for groups of people who share common social, cultural, racial, economic, geographic or other concerns. These groups are likely to have similar legislative interests as well, and that means they can benefit from common representation in the government.” *Brennan Center for Justice, “7 Things to Know about Redistricting,”* July 3, 2017.

Comparative city research showed that board membership among city manager cities ranged from as few as 4 to as many as 12, potentially indicating a common range for Little Rock to consider. Of the 15 cities with populations under 300,000, only 2 had more than 9 council or board members – Charleston, South Carolina, with 12, and Jefferson City, Missouri, with 10.¹⁰

The study group discussed potential changes to the size of the Little Rock board to determine whether an increase or decrease in the number of directors could have some measurable impact on the city's form of government. Moreover, because the study group recommends replacing at-large positions with regional district positions, some adjustment to the size of the board, and thus, the size of the wards and regional districts, may be desirable to ensure clear, easily understandable boundary lines for wards and regional districts.

Expanding the size of Little Rock's board of directors by increasing the number of ward representatives would result in more wards with smaller geographic areas. Smaller wards could allow for representation closer and more accessible to voters and perhaps more attentive service to constituents. Yet, smaller wards could also promote an approach to governance that's more narrowly focused on what is important to "my ward" rather than the city as a whole, diminishing the citywide focus of the board as a whole. Furthermore, larger governing bodies are likely more difficult to manage. Finding consensus on policy issues could become more problematic with a larger number of board members, particularly when members of a larger board would represent smaller, less diverse areas.

On the other hand, reducing the number of board positions would result in each director having to cover a larger geographic area, possibly creating challenges to constituent services and impacting responsiveness and timeliness. However, if done responsibly, fewer board members serving marginally larger areas could be beneficial: those members would likely represent more diverse cross-sections of the city leading them to consider a wider set of community views on policy issues, instead of a perspective that is hyper-neighborhood focused.

Finally, the study group considered the option of retaining the current board size. Adding new levels of authority for the mayor could warrant keeping the current board size to maintain the existing balance of voting power. However, keeping the current board size could have some drawbacks, especially considering the study group's unanimous support of replacing at-large positions with regional-district positions. For example, with seven wards and three regional districts, the boundaries of the three regional districts could divide wards and could be confusing; adjusting the size of the board could remedy such issues.

Conclusions

The issues of board structure and size can be interrelated and impact each other; therefore, the study group emphasizes that, no matter what the board of directors decides regarding the size of the board, the study group unanimously recommends the creation of regional district positions to replace at-large positions.

¹⁰ According to the 2010 census, the population of Little Rock was 193,524.

A majority of the study group concluded that adjusting the size of Little Rock's board of directors could increase cohesiveness and decrease factionalism in city government. Fewer directors representing marginally larger and potentially more diverse constituencies could create a governing environment where collaboration and cooperation thrive. Further, reducing the number of ward positions to six and the number of regional districts to two would allow two regional districts to be created without dividing any of the six wards. A minority of the study group members support maintaining the current board size.

Six members of the study group, or 55%, voted as their first choice to recommend changing the size of the board of directors from the current ten positions to eight positions (not including the position of mayor), with six ward positions and two regional district positions. Four members of the study group, or 36%, voted to keep the current size of the board of directors. One member of the study group, or 9%, abstained from the vote. After discussing this vote of the study group, all members unanimously agreed that, even if the board of directors does not change the size of the board, regional districts should be established to replace the at-large positions.

Recommendation

A majority of the study group recommends for the Little Rock Board of Directors to reduce the size of the board of directors from seven ward positions and three at-large positions to six ward positions and two regional district positions. Should the board of directors choose not to change the size of the board, all members of the study group unanimously agree that three regional district positions should replace the three at-large positions.

4. Mayor's Authority to Hire and Remove City Manager and City Attorney - Since Little Rock implemented the city manager form of government in 1957, the city's government has evolved to a hybrid form of government, gradually moving to a system with both a strong, elected mayor and an appointed city manager. The city's electorate has incrementally increased the mayor's authority, promoting the position to be the chief executive officer of the city. Nonetheless, questions remain about whether the increased authority given to the mayor has been implemented fully or whether additional changes are needed to facilitate the mayor acting as CEO and maintaining more accountability for the operations of the city.

The mayor's current authority is defined in the 2007 Ordinance, which states that the mayor is the CEO of the city and the city manager is the chief administrative officer of the city. The 2007 Ordinance provides that the mayor shall have the "authority to nominate, hire, or remove, the city manager and the city attorney;" however, this authority is "subject to the approval of the board of directors." The language in the 2007 Ordinance is not clear, but it appears to allow the mayor to remove the individuals serving in the positions of city manager or city attorney if the board of directors approves such decision with a simple majority vote (six out of ten).

The 2007 Ordinance also states that the city manager shall perform his or her powers and duties "at the direction of the mayor." The ordinance does not address the city attorney's powers and duties, nor the direction thereof. Further, the 2007 Ordinance states that the board shall conduct the annual review of the city manager and city attorney.

The study group's review of mayoral authority to hire and remove individuals serving as city manager and city attorney included the following:

- input from public forums, including comments about a desire for the city to operate more like a business with a leader who can be held accountable—by the people—for city operations;
- guidance by the Arkansas Municipal League about varying forms of municipal government used in Arkansas cities and how these forms of government result in different functions, responsibilities, and dynamics among city officials;
- discussion with former Assistant City Manager James Jones about the importance of professional experience in city management; and
- considerations about why previous city officials may not have fully implemented the 2007 Ordinance.

Some public commenters voiced an opinion that—because of the 2007 Ordinance—no change is needed regarding the mayor's authority to hire and remove individuals from the positions of city manager and city attorney. This argument states that the 2007 Ordinance provides the mayor sufficient authority now. Similarly, others argued that the board must maintain the current input on the mayor's personnel decisions regarding who serves as city manager and city attorney because the board is an important check and balance, and because the board can help ensure that people who fill these positions are qualified.

Other commenters argued that changes are needed to the 2007 Ordinance so the city can operate with more accountability and the people—meaning the voters at an election—can more easily hold someone responsible for the operations of the city. This argument contends that under the current system, city electors cannot hold any single person accountable for the actions (or inactions) of the city manager, the city attorney, or the staff working for those two officials. Underlying this argument is that the mayor cannot effectively execute his or her directives as CEO—as articulated in the 2007 Ordinance—if other city officials are more accountable to six directors than to the mayor.

Conclusions

Although the 2007 Ordinance was a step in the right direction to bestow more responsibility on an elected mayor, changes are needed to facilitate the intent of the 2007 Ordinance that the mayor be the CEO of the city. The study group finds that the current system frustrates the ability of the mayor to be more accountable as the CEO and does not encourage city officials to work together.

For example, the 2007 Ordinance states that the city manager shall perform certain duties “at the direction” of the mayor, yet the ordinance gives the board authority to conduct an annual review of the city manager. By requiring board approval through a simple majority prior to the mayor's action, this structure may allow the city manager to be more accountable to the directors than to the mayor. This structure does not provide a unitary, efficient form of governance, nor

does it allow the people of Little Rock to have a voice in holding one elected person accountable for the operations of the city.

The study group concludes that the mayor may serve more effectively as the CEO with strengthened authority to hire and remove individuals in the positions of city manager and city attorney. Clarifying the mayor's authority, in this respect, will also allow the people of Little Rock to better hold one person—the mayor—accountable for the operations of the city. This approach will better facilitate the intent of the 2007 Ordinance.

The study group recommends slightly different procedures for the city manager position than for the city attorney position: under the 2007 Ordinance, the city manager serves at the direction of the mayor, whereas the city attorney does not have this directive and serves both the mayor and the board. For the city manager position, to ensure proper checks and balances on this hiring and removal process, the study group suggests shifting how the board has input on the mayor's decision by allowing the mayor to act first and then providing board members a deadline by which they may reject the mayor's action. Further, the study group recommends increasing the number of city directors' votes needed to reject, or override, the mayor's action from a simple majority to two-thirds (seven out of ten directors) a threshold consistent with the board's current ability to override a mayoral veto. Lastly, the study group recommends the mayor conduct the annual review of the city manager.

For the city attorney position, the study group recommends giving the mayor the authority to remove the city attorney without precondition, but giving the board the ability to override the mayor's removal of the city attorney with a vote of two-thirds (seven out of ten directors). To hire a person for the city attorney position, the study group recommends the mayor may nominate, or hire, a person to fill the position of city attorney; however, to become final, the nomination or hire shall be confirmed by a majority vote of the board of directors (six out of ten). The study group recommends that the mayor and vice-mayor jointly conduct the annual review of the city attorney. The study group concludes these changes will promote a more accountable, effective, and conciliatory form of government and executive management for the city.

Recommendation

The study group recommends that the mayor shall have the authority to nominate, hire, or remove the city manager without precondition. The mayor must give notice to the board of directors of any such action within five business days. After the mayor makes such nomination, hire, or removal, the board of directors may override the mayor's action by a two-thirds (2/3) vote of the board. Such action must occur no later than 21 days from the date of notification, or at the next regularly scheduled board meeting, whichever is later. The mayor shall conduct the annual review of the city manager.

The study group recommends that the mayor shall have the authority to nominate or hire the city attorney, subject to confirmation and approval by a majority vote of the board of directors. The mayor shall have the authority to remove the city attorney without precondition. The mayor must give notice to the board of directors of any such action within five business days. After the mayor acts to remove the city attorney, the board of directors may override the mayor's action

by a two-thirds (2/3) vote of the number of the board. Such action must occur no later than 21 days from the date of notification, or at the next regularly scheduled board meeting, whichever is later. The mayor and vice-mayor shall jointly conduct the annual review of the city attorney.

5. Citizen Education - Vision Little Rock's comprehensive 2002 report *Focusing on Our Future* offers a long list of goals and strategies. Among them is a goal specifically targeted to "Improve the effectiveness of the board of directors" followed by a number of strategies, including this one: "The City should provide information to citizens about the form of government, how it works, and what roles the parties play."

That strategy is still needed today: At all five of the public comment meetings held by the study group, citizens made comments such as:

- The public doesn't understand the role of the at-large positions, which can create the view that government isn't responsive.
- Directors need to educate citizens about the directors' responsibilities as well as those of citizens.
- The public may need more information about the various forms of city government; role definitions and job descriptions; specific responsibilities of city positions and that of the board; and the overall chain of command.

Comments like these directed the committee to recommend that the City of Little Rock create and implement a citizen education program. Citizen education is defined as the provision of information and learning experiences to equip and empower citizens to have equitable opportunities to participate in the political process. Several citizens recommended that this program should start in the schools, but also provide avenues for adult learners.

The goal of civic education is to promote civic engagement and support democratic and participatory governance.¹¹ With this goal in mind, the City of Little Rock should consider the following:

1. A program that can be widely disseminated through a variety of methods.
2. A program that is cost effective.
3. A curriculum that meets the needs of various levels of literacy within Little Rock.
4. A curriculum that accommodates various learning styles.
5. A program that meets the needs of bilingual and special needs citizens.

¹¹ Jennifer Rieteren-McCracken is an independent international expert and researcher on environment and development.

The study group's hope is that a more educated citizenry will lead to increased citizen participation and improved city government.

Recommendation

The City of Little Rock should create and implement a Citizen Education Program to equip and empower citizens to have equitable opportunities to participate in the political process.

6. Board Orientation - The study group is convinced that effective performance within any governance structure requires that all newly-elected members of the board of directors, including the mayor, experience a thorough orientation as they step into their roles.

Adjusting to an unfamiliar job, new faces, different surroundings, and varied rules and norms can be confusing and stressful, especially within the scope and complexity of city government. Helping newcomers get "up to speed" and prepared to perform at their best benefits everyone in the organization *and* the public they serve.¹²

The study group came to this conclusion as it listened and learned from citizens in public forums. One board member in the audience spoke about the frustration of "feeling lost" when initially joining the board without an orientation to the new position. Eventually, the director arranged to spend time shadowing in some departments, thus gaining first-hand understanding of organizational functions and the board's role within the system.

Recommendation

Ensure that all newly-elected local officials receive a thorough pre-service orientation to their specific role and responsibilities along with a thorough organizational overview.

7. Board Retreat - In the public forums and the study group's discussions over the past several months, an important theme emerged: the voters want city leaders who work together and view themselves as a team representing the citizens of Little Rock. Thus, the study group believes that each year, the mayor and board of directors should set aside two to three days to get acquainted with one another in a setting other than City Hall. A retreat should be held in Little Rock and can serve as a welcome to new members to the city board and/or mayor.

Recommendation

The mayor and board of directors hold an annual retreat, which should include social, informational and planning discussions that are memorialized in writing and subsequently considered for policy decisions and related actions, budgeting and timetables.

¹² See appendix C.

IMPLEMENTATION TIMELINE FOR RECOMMENDATIONS

The following section lists seven of the study group's recommendations, previously described above, and also explains (a) the pace at which the recommendation can be implemented (such as immediately or after certain considerations or actions); and (b) the action by which the recommendation can be legally enacted.

RECOMMENDATION 1 - Minimum Electoral Requirement

To be elected, candidates for city directors shall receive at least 40% of the vote in their respective election.

This recommendation may be implemented immediately. The board of directors can by ordinance and a vote of two-thirds (2/3) of the directors require a candidate for the board of directors to receive at least 40% of the vote to be elected. Ark. Code Ann. § 14-61-112, 116.

RECOMMENDATION 2 - Board Structure

The Little Rock Board of Directors should immediately pass an ordinance establishing regional-district positions to replace at-large positions on the city board of directors. The newly formed regional-districts will serve as boundaries for residency requirements for at-large board members, and the residency requirements for candidates for at-large positions will be in effect at the November 2020 general election. Voters citywide will vote on all at-large board seats in the November 2020 general election, but the candidates will have residency requirements so that one board member is elected from each of the newly formed regional districts. Thereafter, in accordance with state law, the board should refer to voters at a special election or the November 2020 election the choice to replace citywide elections for regional district positions with regional district elections.

Creation of Regional-District Positions: The board of directors can create regional districts for certain director positions by ordinance and a two-thirds (2/3) vote of the board. Ark. Code Ann. §14-61-116. However, as noted above, citywide elections for these positions cannot be replaced with regional district elections unless voters choose to do so in an election, or a change is made to state law. But, in accordance with Act 978, "candidates for district positions shall be residents of the district they wish to represent." Therefore, in effect, the only change the board of directors can make now is to impose residency requirements on existing at-large positions by creating a regional district for each at-large position. The study group recommends that the board of directors impose this residency requirement by drawing the regional districts to be effective for the November 2020 elections.

In addition, Act 978 amended Ark. Code Ann. §14-61-109 to allow the board of directors to establish district lines. Therefore, the board can create the regional districts for the November 2020 elections. However, any lines drawn by the board for the November 2020 elections must be drawn based on the most recent decennial census, meaning that the lines would be drawn on 2010 census data.

Replacing At-Large Directors with Regional District Directors by means of the Voters of the Regional District Only: This recommendation requires the board of directors to refer to voters at an election the choice to replace at-large directors (elected by voters citywide) with regional-district directors (elected by residents of each regional district). The study group recommends the board of directors refer to voters this choice either at a special election or at the November 2020 election.

Act 978 amended Arkansas Code Annotated § 14-61-109 to provide that any regional district directors must be voted on citywide “unless electors choose otherwise.” Therefore, the board of directors may implement regional districts, but the board cannot implement the election of those regional directors only by the residents of the districts. Unless state law is changed by the Arkansas General Assembly, only the electors of the city can remove citywide elections for the regional directors.

Stated another way, while the board can create regional districts, it cannot directly eliminate citywide elections for those positions. For regional districts to be implemented with only those residents of the region voting for those respective positions, the people would have to vote to do so or state law could be changed.

Again, the implementation recommendation of the study group is for the board to establish regional districts now for the at-large positions (per Act 978) and refer to voters the option for those districts to be selected only by residents of the district either by way of a special election or at the November 2020 General Election. By issuing this option to voters in 2020, the board would be able to draw regional district lines in 2021 based on the 2020 census data.

RECOMMENDATION 3 - Board Size

A majority of the study group voted for the Little Rock Board of Directors to reduce the size of the board of directors from seven ward positions and three at-large positions to six ward positions and two regional district positions.

Change in the Number of Directors: The board of directors can decrease or increase the number of directors by ordinance, presumably by a majority vote of the board. Ark. Code § 14-61-105

RECOMMENDATION 4 - Mayor’s Authority to Hire and Remove City Manager and City Attorney

The mayor shall have the authority to nominate, hire, or remove the city manager without precondition. The mayor must give notice to the board of directors of any such action within five business days. After the mayor makes such nomination, hire, or removal, the board of directors may override the mayor’s action by a two-thirds (2/3) vote of the board. Such action must occur no later than 21 days from the date of notification, or at the next regularly scheduled board meeting, whichever is later. The mayor shall conduct the annual review of the city manager.

The study group recommends that the mayor shall have the authority to nominate or hire the city attorney, subject to confirmation and approval by a majority vote of the board of directors.

The mayor shall have the authority to remove the city attorney without precondition. The mayor must give notice to the board of directors of any such action within five business days. After the mayor acts to remove the city attorney, the board of directors may override the mayor's action by a two-thirds (2/3) vote of the board. Such action must occur no later than 21 days from the date of notification, or at the next regularly scheduled board meeting, whichever is later. The mayor and vice-mayor shall jointly conduct the annual review of the city attorney.

The board of directors may implement this recommendation by a two-thirds (2/3) vote of the board. Act 978; Ark. Code Ann. § 14-47-140. (One provision of Act 978 states that these changes may be implemented by ordinance, and another provision states 2/3 vote of the board.

Act 978 removed language in Section 14-47-140 that provided the board of directors the ability to refer these changes to the people in an election. The Act now expressly allows for the change to be made by ordinance on a two-thirds (2/3) vote of the board, or by a citizens' petition. Act 978; Ark. Code Ann. § 14-47-140. However, see Ark. Code 14-61-114, which provides that the options in Section 14-47-140 may also be referred by vote.

RECOMMENDATION 5 - Citizen Education

The City of Little Rock should create and implement a Citizen Education Program to equip and empower citizens to have equitable opportunities to participate in the political process. This recommendation may be implemented immediately.

RECOMMENDATION 6 - Board Orientation

Ensure that all newly-elected city officials receive a detailed pre-service orientation to their specific role and responsibilities along with a thorough organizational overview. This recommendation may be implemented immediately.

RECOMMENDATION 7 - Board Retreat

The mayor and board of directors hold an annual retreat, which should include social, informational, and planning discussions that are memorialized in writing and subsequently considered for policy decisions and related actions, budgeting and timetables. This recommendation may be implemented immediately.

APPENDIX

Appendix A: Election History for Positions on the Little Rock Board of Directors

Year	Contested Races on Ballot	Elections Won with 50%+	Elections Won 40%-49.9%	Elections Won <40%
2018	4	2	1	1
2016	3	2	1	0
2014	4	4	0	0
2012	3	2	1	0
2010	3	2	1	0
2008	1	1	0	0
2006	3	1	2	0
2004	1	1	0	0
2002	3	2	1	0
<i>Total</i>	25	17	7	1

Appendix B: Comparative City Research

	<u>Population</u>	<u>State Capital</u>	<u>Structure</u>	<u>Wards</u>	<u>At-Large</u>
Jefferson City, MO	42,895	x	Mayor-Council	5 (2 each)	
Greenville, SC	68,219		Council-Manager + Mayor	4	2
Provo, UT	115,264		Mayor-Council	5	2
Columbia, SC	134,309	x	Council-Manager + Mayor	4	2
Charleston, SC	134,875		Mayor-Council	12	
Jackson, MS	165,072	x	Mayor-Council	7	
Knoxville, TN	178,874		Mayor-Council	6	3
Tallahassee, FL	191,049	x	Council-Manager + Mayor		4
Montgomery, AL	205,764	x	Mayor-Council	9	
Birmingham, AL	210,710		Mayor-Council	9	
Boise, ID	223,154	x	Mayor-Council		6
Richmond, VA	223,170	x	Mayor-Council	9	
Durham, NC	251,893		Council-Manager + Mayor	6	
Orlando, FL	280,257		Mayor-Council	6	
Cincinnati, OH	296,943		Mayor-Council		9
Lexington, KY	321,959		Mayor-Council	12	3
Savannah, GA	387,543		Council-Manager + Mayor	6	2
Raleigh, NC	479,332	x	Council-Manager + Mayor	5	2
Atlanta, GA	486,290	x	Mayor-Council	12	3
Kansas City, MO	488,943		Council-Manager + Mayor	6	6
Oklahoma City, OK	643,648	x	Council-Manager + Mayor	8	
Charlotte, NC	859,035		Council-Manager + Mayor	7	4
Austin, TX	950,715	x	Council-Manager + Mayor	10	

Appendix C: Orientation Information

A Guide to Orientation Basics

Orientation and training are processes are linked and complementary, but they have different aims and aren't synonymous. **Orientation** is a procedure for helping people get acquainted with new roles, people, places, and situations. **Training** is a focused, sequential instructional process designed to develop the learner's skills or proficiency in specific topics or areas of knowledge.

Orientation presumes that someone who has been elected or hired into a position is already qualified to fill the job and doesn't need specific training. Not all newcomers need training, but *all require orientation*.

The following suggestions are standard for most organizations, but terms and examples have been tailored for those elected by the City of Little Rock.

What should an orientation include?

Orientation is best done in person and introduced with a simple, broad overview of the organization, followed with explaining how the new member's roles and responsibilities fit into the big picture. Focus the initial information on the basics as a foundation for broader learning. As the newcomer's understanding and confidence grow, the orientation process can continue into covering the more complex aspects of the position and the overall organization.

Keep in mind that people have various *learning modalities*, meaning ways of leaning that are more comfortable and effective for them. So, design orientation with a variety of materials, such as documents, written lists, and charts; short videos or audio recordings; spoken presentations followed with interactive conversation; and practice sessions, such as introducing a motion at a board meeting, for example.

Generally, an orientation for new members of the organization include the following basics, all tailored to a specific individual or group:

- Introductions to the others who are in similar positions and those who work alongside in different capacities and support roles. Getting acquainted allows all personnel to begin associating faces with names, job titles, and roles while promoting a spirit of collegiality.
- A written orientation manual for *all* elected officials. A handbook must cover the broad scope of essential information, such as pertinent laws and regulations along with the organizational chart clearly showing the chain-of-command, communication lines, and related job descriptions. Further, each orientation manual should be tailored to its specific audience, that is, information aimed at those working in a specific role or job category. Orientation materials will be most useful when available online in a digitally searchable form, preferably within the

class of collaborative software (also known as *groupware*) for sharing and searching among job-alike cohorts.

- Security policies and procedures, key communication structures and processes, and other such standard information.
- Calendars, including both the annual and fiscal year, highlighting important dates, such as regularly scheduled meetings, events, and deadlines.
- Guided tours of city hall and other locales that are home base for city workers. Meeting supervisors and employees, learning about their jobs, and potentially arranging to shadow some staff will help etch their responsibilities and challenges into memory.
- A guided tour of the city, traveling into all wards to gain a sense of the neighborhoods, housing, schools, parks, landmarks, and special features throughout town. If possible, arrange to talk with some residents in various areas, learning about the special aspects of their community, how well city services are working for them, and what may need attention.
- Overviews of city-sponsored or related programs. Encourage the newcomer to take notes about program titles (including nick-names or acronyms), their purpose, location, the names of the people who lead them, how services are funded, who participates, and the program's accomplishments and challenges. If possible, spend some time with those who work most closely with the programs to chat about particulars and ask questions.
- Reviewing documents, such as the policy manual, board minutes, the budget, various reports, the long-term strategic plan and how it's implemented, monitored, and measured, plus any other pertinent documents, data, and records.
- An individual and informal "getting-to-know-you" conversation with the mayor, board members, city manager, city attorney, and other department heads.

Who conducts the orientation?

The most effective orientation leaders are often those who are seasoned in a position similar to that of the beginner. But the primary qualifications for any orientation guides are friendliness, patience, and willingness to spend sufficient time in sharing their knowledge, experiences, and tips. For a new board member, for example, veteran directors could plan and conduct the basic orientation. Others, such as a department supervisor, can participate in the process by explaining how certain departments or programs function, leading a tour, or introducing colleagues.

How long should an orientation last?

Orientation isn't over until the new associate has grasped the basics, feels comfortable in asking for further information, and knows where to find help when needed. Learning the ropes takes time, but such time is well invested in assuring teammates get off to a solid start.

The initial orientation session might last an hour or two, depending on the overall design of the process. Start with a general overview and then cover the need-to-know elements, such as working hours, parking, restrooms, lunch and break options, general rules and norms, and so on. Avoid an overwhelming amount of new information and provide plenty of time to answer questions, including whom to contact for further help.

For complex positions, such as that of board members, a series of follow-up sessions will clarify the start-up information and answer further questions that develop as time goes on. Several sessions could follow within a defined or flexible timeframe, each one focused on certain topics, tours, or conversations with program or department leaders, for example.

Some boards have developed a “board buddy” approach to help a new member more quickly assimilate into the group and establish a productive working relationship with their cohorts. The buddy approach to mentorship links a seasoned board veteran with the novice for an established or elastic period of time. After the initial orientation period, other directors can volunteer to be contacted for guidance when new questions or circumstances arise. The buddy system can work equally well in other job-alike areas within the organization.