

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE DEFINING “DISASTER DEBRIS MANAGEMENT AND REMOVAL SERVICES” TO BE A PROFESSIONAL SERVICE UNDER ARKANSAS LAW; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, Ark. Code Ann. § 19-11-801, et seq., provides the method cities use to procure professional services, such as legal, financial advisory, architectural, engineering, construction management, land surveying and such other professional services as are defined by two-thirds (2/3) vote of city council; and

WHEREAS, the law for the procurement of professional services requires that selection is based upon analysis of professional qualifications rather than bidding; and

WHEREAS, the City has in the past suffered from the full force and effects of major storms and the resulting destruction brought upon the City by such storms or manmade disasters; and

WHEREAS, the immediate availability of prime storm debris contractors with the experience, equipment, manpower, permits and licenses to perform all storm related debris services is a primary concern for the public health and safety of the City’s residents and the City’s economic recovery in the immediate aftermath of a storm event; and

WHEREAS, in the event of a disaster event, it is imperative that the storm debris contractor be experienced and qualified to ensure that all work is FEMA-compliant and that all work is properly documented for reimbursement from FEMA; and

WHEREAS, the City believes that it is in the best interest of the City and its residents, that City employ an individual and/or firm to provide all the services set out above, to all be encompassed within the definition of “disaster debris management and removal services” as defined herein; and

WHEREAS, the City believes that the most advantageous method to employ an individual and/or firm to provide portfolio management services is through the RFQ process provided by State law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Disaster Debris Management and Removal Services is hereby defined to be a professional service under Ark. Code Ann. § 19-11-801, et seq. This professional service shall include:

- Emergency road clearance of primary transportation routes immediately following a disaster as directed by the City

- Debris removal from rights-of-way and easements
- Debris clearance and removal from public property
- Reduction of vegetative and construction and demolition debris
- Temporary debris staging and reduction sites
- Hazardous waste removal and disposal
- Debris disposal
- Creation of recovery process documentation plan to ensure that all work is FEMA-compliant; utilization of FEMA approved documentation; assistance in preparation of any supplemental required FEMA documentation; act as representative of City in FEMA inquiries as requested by City.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that disaster debris management and removal services is an important interest to the City, that the passage of this Ordinance is important to ensure that the City has immediate availability of an experienced disaster debris management and removal contractor that is qualified and experienced in both debris removal and FEMA compliance and reporting; and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:


APPROVED:

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\_\_\_\_\_  
Mayor Terry C. Hartwick

SPONSOR:

ATTEST:

  
\_\_\_\_\_  
Mayor Terry C. Hartwick

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Diane Whitbey, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED	10:50	A.M.	___	P.M.
By	A. Fields			
DATE	5.21.24			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	S. Usery			