

COUNCIL MINUTES
EMERGENCY MEETING

September 9, 2011

An emergency meeting of the City Council of the City of Jacksonville was held Friday, September 9, 2011 beginning at 3:00 PM in Council Chambers of the Jacksonville City Hall. Present were: Mayor Sammy Phillips, presiding; Mayor Pro-Tem Michael Lazzara and Council Members: Jerry A. Bittner, Fannie K. Coleman, Randy Thomas, and Bob Warden. Councilman Jerome Willingham was unable to attend. Also present were: Richard Woodruff, City Manager; Ron Massey, Assistant City Manager; Gayle Maides, Interim Finance Director; Glenn Hargett, Communications and Community Affairs Director; Grant Sparks, Public Services Director; and Carolyn Lampe, Deputy City Clerk. City Attorney John Carter was out of town at a City Attorney's Conference. *An audio recording of the Council Meeting is presently available for review in the City Clerk's Office.

CALL TO ORDER

Mayor Sammy Phillips called the meeting to order at 3:00 PM.

WELCOME

Mayor Phillips recognized W.C. Jarman, Onslow County Board of Commissioners Chairman, who was in attendance.

ADOPTION OF AGENDA

A motion was made by Mayor Pro-Tem Lazzara, seconded by Council Member Coleman, and unanimously approved to adopt the agenda as presented.

AWARD OF A CONTRACT FOR HURRICANE IRENE DEBRIS REMOVAL

Richard Woodruff, City Manager, informed the public that the advertising and notification requirements were met for an emergency meeting. This morning between 8:35 AM and 8:53 AM, each Council member was polled and agreed to hold and attend the emergency meeting.

Mr. Woodruff stated that competitive bids were obtained in June 2009 and awarded to MSM Services, LLC for the Construction, Demolition and Vegetative Debris Removal and Disposal contract in the event a natural disaster occurred. This contract established a unit cost with a Notice to Proceed to be executed in the event their services were needed. Unfortunately,

MSM Services was unable to obtain the necessary licensing and bonds to fulfill their obligation under their contract. A determination was made that staff had to look at other alternatives. This week Ron Massey, Assistant City Manager, and other staff members worked with FEMA and State representatives to determine what options were available to the City. Through those discussions, both FEMA and the State were comfortable with proceeding on a contract with a new vendor.

The City was utilizing the contract that the Onslow County staff awarded through a competitive bid process. Onslow County solicited competitive bids for the Disaster Debris Clearance and Removal Services (Proposal No. 001-11) in April 2011. Their contract was awarded to CrowderGulf who offered to extend the same terms and conditions to the City of Jacksonville. The City's contract was smaller in scope of work and was for the specific purpose of vegetation loading and hauling. The exact same fee schedules in the County contract would apply to the City. The County Commissioners agreed that the County contract would cover the weighing, burning and final disposal of the debris after it passed through the landfill gates.

Mr. Woodruff asked Council to authorize the service contract with CrowderGulf. The contract would be adopted exactly as the County had negotiated and would be in effect for five years; however, the City could terminate the contract with a 30 day notice. Council was given time to review the contract.

Mr. Woodruff added that the necessary fiscal action was taken by Council to amend the budget for debris removal earlier in the week during the regular Council Meeting. Because the Federal government designated Onslow County as a Category "A" authorization, they would cover 75% of the final eligible cost. In addition, State Representative Sheppard forwarded to Mr. Woodruff an email that stated the State agreed to pick up the other 25%. That did not mean the City would not have any cost, but all documented costs for Irene recovery would be covered 75% through the Federal and 25% through the State.

Councilman Bittner asked if the proposed contract was based on an hourly rate or volume. Mr. Woodruff stated it was based upon volume at a rate of \$7.00 per cubic yard which covered all labor, equipment, insurance, expenses, etc.

Mr. Woodruff clarified that if Council agreed to the contract, it did not mean that City crews would not be out. CrowderGulf understood that and it was not a problem. It was important to get the City of Jacksonville clean as soon as possible. The City had been doing

short hauls to two areas in the City. CrowderGulf agreed to haul debris from the front of residences to the landfill and to also take the debris from the short hauls sites out to the landfill. Their crews were already on the way and could start Monday morning.

Mayor Phillips asked if there were any conflicts with local government financing laws under statutes. Mr. Woodruff stated that a service contract did not require competitive bidding. From staff's standpoint, this was a service contract and the City could contract directly with them. However, FEMA required any type of contract where reimbursement was expected to come through a competitive process. That was why a competitive process was held two or three years ago and the County held their competitive process this past year.

A motion was made by Councilman Bittner, seconded by Mayor Pro-Tem Lazzara and unanimously approved to award a contract to CrowderGulf Joint Venture, LLP under the same terms and conditions of the Onslow County Contract RFP 001-11 Emergency Disaster Debris Removal Services and modifications approved therein.

ADJOURNMENT

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Thomas, and unanimously adopted to adjourn the meeting at 3:12 PM.

Adopted by the Jacksonville City Council in regular session this 20th day of September, 2011.

Sammy Phillips, Mayor

ATTEST:

Carmen K. Miracle, City Clerk