

AN ORDINANCE DEFINING "ACCOUNTING SERVICES PERFORMED BY A CERTIFIED PUBLIC ACCOUNTANT" TO BE PROFESSIONAL SERVICES 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, Ark. Code Ann. § 14-58-307 requires the City Council to have the financial affairs of the City audited annually by a certified public accountant, who is not otherwise in the service of the City, or by the Arkansas Division of Legislative Audit; and

WHEREAS, the North Little Rock City Council believes the proper procedure for employment of a certified public accountant to audit the financial affairs of the City 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 Accounting Services Performed by a Certified Public Accountant are hereby defined to be a professional service under Ark. Code Ann. § 19-11-801, et seq. Certified Public Accountants may be used to conduct the annual audit of the financial affairs of the City, as well as the financial affairs of any City boards, commissions, or departments, including but not limited to the North Little Rock Electric Department, that require an annual audit.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 the passage of this Ordinance is necessary in order to insure the employment of a Certified Public Accountant to conduct a timely annual audit of the financial affairs of the City and the North Little Rock Electric Department for 2019, 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:

Mayor Joe A. Smith

SPONSOR:

ATTEST:

Joe A. Smith

Mayor Joe A. Smith

by AT

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED	<u>10:45</u>	A.M.	_____	P.M.
By	<u>A. Fields</u>			
DATE	<u>01-07-2020</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>S. Ussey</u>			