



Regular Rescheduled Meeting of the Board of Directors

City of Texarkana, Arkansas
216 Walnut Street

Agenda - Monday, July 06, 2020 - 1:00 PM

THIS WILL BE A VIRTUAL MEETING HOSTED BY ZOOM AND WILL BE STREAMED LIVE ON THE CITY'S YOUTUBE PAGE.

<https://www.youtube.com/channel/UC2zU02o8zTodtzQ8IuiWL2Q>

Call to Order

Roll Call

CONSENT

1. Approval of the minutes of the regular rescheduled meeting June 15, 2020. (CCD)
2. Adopt a Resolution authorizing the purchase of five (5) 2020, Ford, Police Interceptor, 3.3L, Hybrid Version Patrol Vehicles. (TAPD) Capt. Bobby Jordan

REGULAR

3. Adopt an Ordinance amending the *City of Texarkana, Arkansas, Code of Ordinances* to rezone a tract of land located at 4617 East Street, from R-1 Rural Residential to R-2 Single Family Residential. (Mullino) (PWD) City Planner Mary Beck
4. Adopt an Ordinance authorizing and directing the City Manager to purchase police mobile and video equipment. (TAPD) Capt. James Atchley

This ordinance requires an emergency clause due to time constraints to place the order. An emergency clause requires a separate and distinct vote of the Board and is valid only if there is a two-thirds vote of approval by the Board.

5. Adopt an Ordinance authorizing and directing the City Manager to purchase GrayKey software for the Texarkana Police Department Investigative Services for accessing password protected iOS products. (TAPD) Lt. Zach White

This ordinance requires an emergency clause due to time constraints to place the order. An emergency clause requires a separate and distinct vote of the Board and is valid only if there is a two-thirds vote of approval by the Board.

6. Please consider the following:

Conduct a Public Hearing to hear comments concerning the fee for fingerprinting services.

Adopt an Ordinance authorizing the Texarkana Arkansas Police Department to collect a fee of \$15.00 for fingerprinting services. (TAPD) Lt. Zach White

CITIZEN COMMUNICATION - TO HAVE PUBLIC COMMENTS READ DURING THE MEETING, PLEASE SUBMIT THEM BY 10:00 AM, MONDAY, July 6, 2020, TO HEATHER SOYARS, CITY CLERK AT heather.soyars@txkusa.org

NEXT MEETING DATE: Monday, July 20, 2020

ADJOURN

2020 City Calendar

Gateway Farmer's Market – Every Tuesday, Thursday and Saturday



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Approval of the minutes of the regular rescheduled meeting June 15, 2020. (CCD)
AGENDA DATE:	July 6, 2020
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : Minutes
DEPARTMENT:	City Clerk Department
PREPARED BY:	Heather Soyars, City Clerk
REQUEST:	Approval of meeting minutes.
EMERGENCY CLAUSE:	N/A
SUMMARY:	Approval of meeting minutes
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/a
RECOMMENDED ACTION:	The City Clerk recommends Board approval.
EXHIBITS:	Meeting minutes.



Regular Rescheduled Meeting of the Board of Directors

City of Texarkana, Arkansas
216 Walnut Street

Minutes - Monday, June 15, 2020 - 1:00 PM

THIS WAS A VIRTUAL MEETING HOSTED BY ZOOM AND WAS STREAMED LIVE ON THE CITY'S YOUTUBE PAGE.

<https://www.youtube.com/channel/UC2zU02o8zTodtzQ8IuiWL2Q>

Mayor Allen Brown called the meeting to order at 1:14 PM.

PRESENT: Mayor Allen Brown, Ward 1 Assistant Mayor Linda Teeters, Ward 2 Director Laney J. Harris, Ward 3 Director Steven Hollibush, Ward 4 Director Ulysses Brewer, Ward 5 Director Barbara S. Miner, and Ward 6 Director Terri Peavy.

ALSO PRESENT: City Attorney George Matteson, City Clerk/Assistant City Manager Heather Soyars and Deputy City Clerk Jenny Narens.

ABSENT: City Manager Dr. Kenny Haskin.

PRESENTATION(S)

1. Budget Variance Report given by Finance Director TyRhonda Henderson. (FIN)

Finance Director TyRhonda Henderson gave a brief presentation of the General Fund Budget Variance Report January 2020 – March 2020. She stated it was too soon to tell the effect on the Budget by the Covid-19 virus. It would be the middle of August for a good and true estimation.

CONSENT

Director Harris requested the minutes be removed from the Consent Agenda and added to the Regular Agenda for discussion.

REGULAR

2. Approval of the minutes of the regular rescheduled meeting June 1, 2020. (CCD)

Director Harris said he wanted to amend the minutes to add the statement he made during Citizen Communication on June 1, 2020.

City Clerk Heather Soyars said only the actions of the Board were put into the minutes.

Director Peavy asked City Clerk Heather Soyars to read Director Harris' statement.

City Clerk Heather Soyars read Director Harris' emailed statement.

Director Peavy asked City Clerk Heather Soyars if she put comments made by citizens during citizen communication in the minutes.

City Clerk Heather Soyars said she put the basic description of the comments but not verbatim.

Director Harris made a motion to amend the minutes to add the statement he made during Citizen Communication on June 1, 2020. Director Brewer seconded the motion.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Hollibush, Director Brewer, Director Miner, Director Peavy.

The Mayor declared the minutes approved as amended.

CITIZEN COMMUNICATION

Director Brewer asked if there were new guidelines for parks.

Mayor Brown said he was not aware of any guidelines from the state dealing with the parks. He said the community parks had been at the discretion of the City Manager Dr. Kenny Haskin. Mayor Brown said there had not been any discussion about opening the playground equipment yet, but the walking trails and fishing were open to the public.

Director Peavy said she appreciated Finance Director TyRhonda Henderson and she thought the numbers for the next quarter would be very telling for our City.

NEXT MEETING DATE: Monday, July 6, 2020, 1:00 PM hosted by ZOOM.

ADJOURN

Motion to adjourn made by Director Brewer, Seconded by Director Miner.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Brewer, Director Miner, Director Peavy.

The motion carried 7-0. The meeting adjourned at 1:33 PM.

APPROVED this the 6th day of July, 2020.

Allen L. Brown, Mayor

Heather Soyars, City Clerk



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Resolution authorizing the purchase of five (5) 2020, Ford, Police Interceptor, 3.3L, Hybrid Version Patrol Vehicles. (TAPD) Capt. Bobby Jordan

AGENDA DATE: July 6, 2020

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Police

PREPARED BY: Capt. Bobby Jordan

REQUEST: Per the Cities Purchasing Policy, this purchase request requires board approval due to the cost. Arkansas Statute 14-58-104 precludes the necessity of obtaining three (3) competitive bids when the fleet vehicle price does not exceed the price awarded by the Office of State Procurement on this vehicle.

EMERGENCY CLAUSE: N/A

SUMMARY: Police vehicles are an absolute necessity to provide police services to the great citizens of Texarkana. The majority of patrol vehicles now in service have in excess of 150,000 miles and have become a major maintenance liability to the city. Many of these vehicles have safety issues that also heighten the liability exposure to the city.

EXPENSE REQUIRED: \$176,100.00

AMOUNT BUDGETED: \$150,000.00

\$26,100.00 to be used from the police department's US Marshal funds.

**APPROPRIATION
REQUIRED:** See Above

**RECOMMENDED
ACTION:** With Board approval, the PD will purchase 5 Ford Explorer Hybrid vehicles for patrol duties. With the current five (5) new Ford Explorers we have moved from fueling the Ford Crown Victoria's up twice a day to fueling the Ford Explorer Hybrid vehicles up, in some cases, once in three (3) days. The new vehicles come with a five (5) year powertrain warranty and an eight (8) year battery warranty which should greatly reduce maintenance costs to the city.

EXHIBITS: See Attached Documents

RESOLUTION NO. _____

WHEREAS, in connection with a five (5) year plan developed by the Police Department to update an aging, and increasingly maintenance intensive vehicle fleet, the Police Department requests authority to acquire five (5) 2020 Ford Police Interceptor Patrol Vehicles from McLarty Ford for a total cost of \$176,100.00, (being \$35,220.00 per vehicle); and

WHEREAS, the acquisition of these vehicles is estimated to result in combined annual savings of up to \$10,000.00, per vehicle; and

WHEREAS, funds are available as follows: \$150,000.00, Capital Outlay in the 2020 Police Department budget; and, \$26,100.00, US Marshal Funding; and

WHEREAS, the City Manager and staff recommend approval.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, that the City Manager is authorized to enter into an agreement or take such other action as is necessary to acquire the patrol vehicles described above for the amount and from the funding sources so indicated.

PASSED AND APPROVED this 6th day of July, 2020.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George M. Matteson, City Attorney



TEXARKANA POLICE DEPARTMENT
CITY OF TEXARKANA, ARKANSAS
P.O. BOX 1885
TEXARKANA, AR 75504-1885
(903) 798-3130
FAX (903) 798-3409
www.txkusa.org/arkpolice



Robert H. Harrison
Chief of Police

“Excellence Innovation Integrity”

Capt. Bobby Jordan
Division Commander

Date: 04/07/20

To: Mike Terrell

From: Capt. Bobby Jordan

In response to your request of the police departments intent to purchase 5 additional 2020 Ford Police Interceptor Utility Explorers, please order according to the following specifications:

5 each2020 Ford Explorer Police Interceptor
Black, 3.3L V6 engine, Hybrid Version
All keyed same as the first 5 ordered
10 Speed Automatic transmission
119” wheelbase, All Wheel Drive
Cloth front seats / plastic or vinyl rear seat

ADD.....Police Engine Idle Feature \$260.00
Spot Light Prep Kit \$140.00

Total Cost: \$176,100.00

June 11, 2020

McLarty Ford
3232 Summerhill Road
Texarkana, Texas 75503
Attn: Mike Terrell

Attn: Bobby Jordan
Texarkana Arkansas Police Department
100 North State Line Ave
Texarkana, Texas 75501

re: Price Quote 2020 Ford Police Interceptor Utility

Dear Sir:

Price Quote
according to the specifications that you have provided

(5 ea).....	2020 Ford Police Interceptor	
	Black, 3.3L V6 Engine, <i>Hybrid version</i>	
	keyed alike, 10 speed automatic transmission	
	119" Wheelbase, All wheel drive	
	Cloth front seats/ vinyl rear seats	
	Police engine idle feature	
	Spot light prep kit	
	Quote Price.	\$35,220.00(unit price)

Total Quote Price for all Five (5) units is.....\$176,100.00

Let me know if this bid is acceptable and we will be glad
to place order

Sincerely,

Mike Terrell

Purchase Request Form

Division: **TAPD**

Section: **Patrol**

Date: **06/09/20**

Quantity	Price	Type of Item	Cost
5	\$35,220.00	2020 Police Interceptor Hybrid Version Police Vehicle	\$176,100.00
			\$0.00
			\$0.00
		Invoice Number	\$0.00
		Sub total	\$176,100.00
		Shipping, handling, taxes?	
		Total Expense	\$176,100.00

Funding Source: **\$150,000.00 Capital outlay 2020 PD Budget**
\$26,100 US Marshal Funding

Vendor:
Address: 3232 Summerhill Rd.
Texarkana, Texas 75503
Purpose: Police Patrol Vehicles

Officer : **Capt. Bobby Jordan**

Approved: _____

Division Commander

(Are Bids/Justifications Attached?)

Comments: See attached Agenda Item and associated documents



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt an Ordinance amending the *City of Texarkana, Arkansas, Code of Ordinances* to rezone a tract of land located at 4617 East Street, from R-1 Rural Residential to R-2 Single Family Residential. (Mullino) (PWD) City Planner Mary Beck

AGENDA DATE: July 6, 2020

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Planning

PREPARED BY: Mary Beck, City Planner

REQUEST: Amend the Texarkana Arkansas Municipal Code to rezone a tract of land from R-1 Rural residential to R-2 Single family residential.

EMERGENCY CLAUSE: No

SUMMARY: Mr. & Mrs. Mullino hired a local surveyor to subdivide their homesite into a second building site. During this process it became evident that the land did not have sufficient square footage for a second building site in that zone but did have enough land for a second lot if the zoning were changed to a different residential zone.

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

**RECOMMENDED
ACTION:** The City Manager, Planning Commission and Staff recommend approval.

EXHIBITS: Ordinance and Memo.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. K-286, AS AMENDED; AND FOR OTHER PURPOSES

WHEREAS, an application to amend the Land Use Plan was filed with the Planning Commission of the City of Texarkana, Arkansas, requesting to rezone a tract of land from R-1 Rural Residential to R-2 Single-Family Residential;

All that certain tract or parcel of land being part of the North One-half (N ½) of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Ten (10), Township Sixteen (16) South, Range Twenty-eight (28) West, Miller County, Arkansas and being more particularly described as follows:

COMMENCING: At the Southwest corner of the N 1/2 of the NE ¼ of the SW ¼ of Section 10, T-16-S, R-28-W, Miller County, Arkansas;

THENCE: S 88° 54' 41" E, with the South boundary line of the N ½ of the NE ¼ of the SW ¼ of said Section 10, 648.38 feet to a found 1 ¼" iron pipe for corner at an existing fence corner, same being the POINT OF BEGINNING for the herein described tract of land;

THENCE: S 88° 54' 41" E, with the South boundary line of the N ½ of the NE ¼ of the SW ¼ of said Section 10, same being an existing fence line, 417.59 feet to a found 1" iron pipe for corner at an existing fence corner on the West right-of-way line of U.S. Highway No. 71;

THENCE: N 47° 40' 00" W, with the West right-of-way line of U.S. Highway NO. 71, same being an existing fence line, 315.74 feet to a found ½" rebar for corner;

THENCE: S 41° 58' 06" W, along an existing fence line, 275.31 feet to the Point of Beginning, containing 0.9978 of an acre of land, more or less.

WHEREAS, the Planning Commission, after public hearing, has approved said application and recommended that the Board of Directors of the City of Texarkana, Arkansas, adopt the ordinance affecting said rezoning request; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas:

Ordinance No. K-286, as amended, is hereby amended to rezone the above described property in the City of Texarkana, Arkansas, from R-1 Rural Residential to R-2 Single Family Residential. This is solely a rezoning and no other action, conveyance, or release of interest.

PASSED AND APPROVED this 6th day of July, 2020.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



CITY OF TEXARKANA, ARKANSAS

DEPARTMENT OF PUBLIC WORKS

216 WALNUT STREET 71854-6024

P.O. BOX 2711 – TEXARKANA, ARKANSAS 75504-2711

PHONE (870) 779-4971 – FAX (870) 773-2395

MEMORANDUM

TO: Dr. Kenny Haskin, City Manager
FROM: Mary L. Beck, City Planner/Historic Preservation Officer
DATE: June 15, 2020
SUBJECT: Board of Director's agenda item for 07-06-2020 meeting. Request by Billy and Jennifer Mullino, 4617 East Street, Texarkana, AR 71854-6589 to rezone a tract of land from R-1 Rural residential to R-2 Single family residential.

LEGAL

DESCRIPTION: The North one-half (N $\frac{1}{2}$), of the Northeast Quarter (NE $\frac{1}{4}$), of the Southwest Quarter (SW $\frac{1}{4}$), of Section Ten (10), Township Sixteen (16) South, Range Twenty-eight (28) West, Texarkana, Miller County, Arkansas, containing .9978 acres (43,464.168) more or less (see complete legal description in attached deed).

REASON FOR REQUEST:

The zoning change would allow for lots with less square footage required per city lot.

EXISTING LAND USES:

Site:	Residence of applicant
North:	Childcare center
South:	Residence
East:	Residence
West:	Residence

EXISTING ZONING:

Site:	R-1 Rural residential
North:	R-1 Rural residential
South:	RM-Manufactured housing district
East:	R-1 Rural residential
West:	R-1 Rural residential



www.txkusa.org/ar

COMPATIBILITY WITH EXISTING DEVELOPMENT:

The site consists of a single-family 2,506 square feet residence occupied by the applicant. Plans for division of the property to provide for construction of another dwelling for a family member requires (re)planning the land into a two-lot subdivision. The required area of the property of the proposed second lot does not meet the minimum square footage. A rezoning to a slightly higher density will provide the necessary change to allow for a second dwelling.

The addition of another dwelling unit once the land is platted is not likely to impact the largely rural area of residential land use.

Current zoning:

The R-1 Rural residential zoning district is defined as follows:

This is a district for single-family homes on large rural lots or acreage, and also provides an area where selected agricultural uses can be accommodated. It is a zone that is generally applied to fringe areas of the city, and such areas may, over time, be converted to higher density residential areas.

Proposed zoning:

R-2 Single-family residential district is defined as:

This is the most restrictive urban residential district. The principal use of land is for detached single-family dwellings and related recreational, religious, and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

No adverse impact is anticipated from this action.

CONFORMANCE WITH APPLICABLE ORDINANCES AND/OR STATE STATUTES:

The *Arkansas Code of 1987 Annotated (14-56-422 1B)* requires the following - "All plans, recommended ordinances, and regulations shall be adopted through the following procedure for adoption of plans and regulations:

- (1) (A) The Planning Commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.



(B) Notice of public hearing shall be published newspaper of general circulation in the city, at least one (1) time fifteen (15) days prior to the hearing.

- (2) Following the public hearing, proposed plans may be adopted, and proposed ordinances and regulations may be recommended as presented, or in modified form, by a majority vote of the entire commission.
- (3) Following its adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans or recommended ordinances and regulations to the legislative body of the city for its adoption.
- (4) The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study or rectification, or, by a majority vote of the entire membership, may, by ordinance or resolution, adopt the plans and recommended ordinances or regulations submitted by the commission. However, nothing in this subchapter shall be construed to limit the city board's authority to recall the ordinances and resolutions by a vote of a majority of the council.
- (5) Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the City Clerk. The City Clerk shall file, with the county recorder of the counties in which territorial jurisdiction is being exercised such plans, ordinances, and regulations as pertain to the territory beyond the corporate limits.

The required notice was published in the Sunday, May 24, 2020 edition of the *Texarkana Gazette*. The City notified six (6) adjacent property owners within three hundred feet (300') as required by the *Texarkana, Arkansas Code of Ordinances*.

OPPOSITION: No opposition to date..

ADDITIONAL ACTION BY CITY BOARD OF DIRECTORS:

The City Board of Directors may review the Planning Commission's recommendation at their regularly scheduled meeting on Monday, July 6, 2020 to approve or deny the ordinance required to rezone the property. *The Arkansas Code of 1987 Annotated* requires every ordinance be read three (3) times before adoption. These three readings may all occur at the same meeting or at the second and third subsequent meetings after the first reading of the ordinance.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission met on June 9, 2020 to consider the request and make a recommendation. On a motion to approve by Mr. Adger Smith, seconded by Ms. Bertha Dunn the Planning Commission certifies a recommendation for approval by a roll call vote of 5-0 with two absent as follows:

Chairman Thomas	Yes
Vice-Chair Dunn	Yes
Commissioner Coker	Absent
Commissioner Dupree	Yes



Commissioner Hickerson	Absent
Commissioner Neal	Yes
Commissioner Smith	Yes

BOARD ACTION REQUESTED:

The Board action requested is as follows:

1. On July 6, 2020 consider an ordinance to rezone property shown by Miller County records to be parcel no. 00575901 from R-1 Rural residential zoning to R-2 Single-family residential zoning. The property is approximately one (1) acre in size.
2. No **emergency clause** is requested.

4515

4529

4543

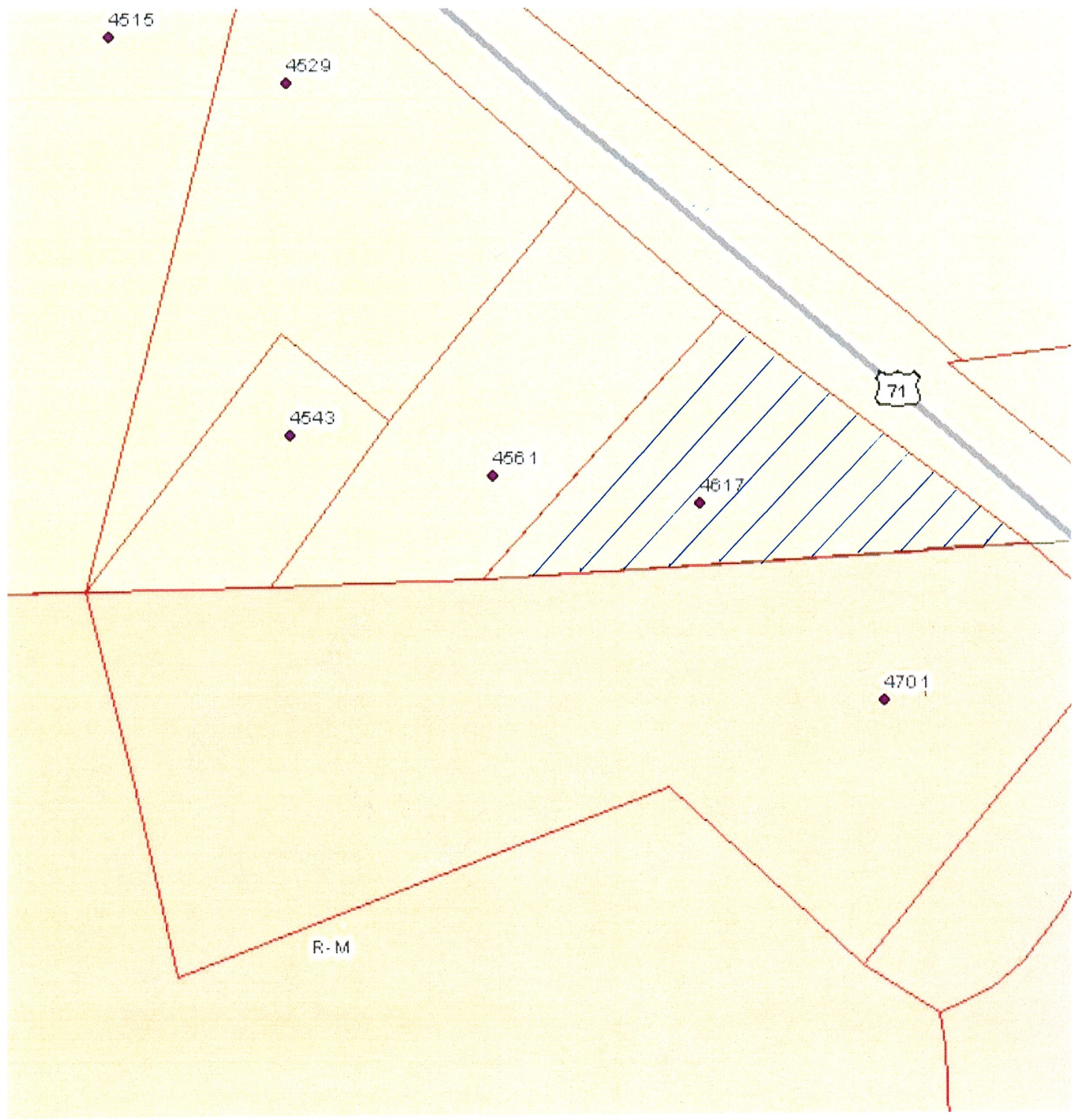
4561

4617

71

4701

R-M





CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt an Ordinance authorizing and directing the City Manager to purchase police mobile and video equipment. (TAPD) Capt. James Atchley <i>This ordinance requires an emergency clause due to time constraints to place the order. An emergency clause requires a separate and distinct vote of the Board and is valid only if there is a two-thirds vote of approval by the Board.</i>
AGENDA DATE:	July 6, 2020
ITEM TYPE:	Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Police
PREPARED BY:	Captain James Atchley

REQUEST:	Per Purchasing Policy, Board approval for purchasing police mobile video and audio equipment.
EMERGENCY CLAUSE:	An emergency clause has been requested due to time constraints.

SUMMARY:	Please see attached proposal which includes explanation and justification of equipment to be purchased.
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EXPENSE REQUIRED:	\$83,540.00
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AMOUNT BUDGETED:	Funds to be sourced from TAPD budget and City of Texarkana General Fund
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APPROPRIATION REQUIRED:	TAPD 2020 Budget line item 54058 (Capital) \$41,770 City of Texarkana General Fund \$41,770
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RECOMMENDED ACTION:	Board approval and a purchasing order number in hand for immediate purchase of 10 Watch Guard mobile audio and video equipment.
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EXHIBITS:	Ordinance, Proposed letter to the Chief of Police Bob Harrison, Detailed quote sheets form Watch Guard, and email correspondence reference to General Fund funding.
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ORDINANCE NO. _____

AN ORDINANCE WAIVING COMPETITIVE BIDDING; AUTHORIZING THE CITY MANAGER TO APPROVE A CONTRACT FOR THE PURCHASE OF POLICE MOBILE VIDEO AND AUDIO EQUIPMENT; FOR DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, by Ordinance 8-2019, the Board of Directors set forth the reasons and necessity for transition and update of aging video and camera system utilized by the police department; and

WHEREAS, the “Watch Guard” systems acquired pursuant to the authority in such prior Ordinance have proven to be of a superior functionality and of extreme value in carrying out providing public safety services; and

WHEREAS, the City desires to continue with the transition to the Watch Guard system and purchase ten (10) additional complete in-car and body-worn camera systems, inclusive of warranty, software, and technical services; and

WHEREAS, the Watch Guard systems, acquired from the manufacturer, being a sole-supplier, are compatible with the previously acquired updated equipment; and

WHEREAS, pursuant to Ark. Code. Ann. §14-47-138 the Board of Directors may waive the requirements of competitive bidding in exceptional situations where competitive bidding is not feasible; and

WHEREAS, Section 2-72 of the *City of Texarkana, Arkansas, Code of Ordinances* recognizes that, “in certain instances, it may not be feasible or necessary to obtain bids. Examples include but are not limited to . . . purchases from only sources [;]” and

WHEREAS, for the reasons set out above it is not feasible or practicable to engage in competitive bidding and, moreover, Watch Guard constitutes the sole source of the unique technical products required; and

WHEREAS, the total cost of such purchase is \$83,540.00; and

WHEREAS, the funds are available, in equal parts, from the TAPD 2020 Budget Line Item 54058 (Capital) and the General Fund; and

WHEREAS, in consideration of the reasons set out and set forth above the City Manager, the Police Department and the staff request that any competitive bidding practices be waived as permitted and the Board approve the purchase of the equipment described above; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas that:

Section 1: The competitive bidding practices contemplated by applicable law and ordinance are waived and the City Manager is authorized to enter into a contract for the purchase of the equipment and for the price described and set forth above, with funds coming from the sources so indicated in amounts approved such as to constitute, in the aggregate, the total cost of such equipment.

Section 2: The 2020 Budget is hereby amended to provide for the necessary appropriations and expenditures for the purchase of such equipment.

Section 3: This action being necessary for the preservation of the public peace, health and safety (including the need to commence acquisition and installation of current video and audio equipment and, further, to take advantage of certain savings offered by Watch Guard and which are reflected in the price above), and a separate and distinct vote having been taken on this emergency clause, an emergency is therefore declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 6th day of July, 2020.

Allen L. Brown

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



TEXARKANA POLICE DEPARTMENT
CITY OF TEXARKANA, ARKANSAS
P.O. BOX 1885
TEXARKANA, AR 75504-1885
(903) 798-3130
FAX (903) 798-3409
www.txkusa.org/arkpolice



Robert H. Harrison
Chief of Police

“Excellence Innovation Integrity”

Capt. James Atchley
Division Commander

Uniform Patrol Division

Date: June 16, 2020

To: Chief Robert Harrison

From: Capt. James Atchley

Ref: Purchase of Watch Guard in car video and body worn cameras (Phase 2)

On February 26, 2019, Captain Jordan submitted a justification letter outlining the importance of our transition from the L3 camera systems we have used since 2008. The approval was granted at that time to move forward with phase 1 of the implementation. Phase 1 included the purchase of 10 in car/body camera combinations and cameras for three interview rooms.

When originally looking at the Watchguard system, we listed several advantages of using Watch Guard as our video source:

- (1) a function called Record After the Fact, whereas video from the in-car cameras and the body worn camera can be accessed up to 11 hours (of vehicle engine run time) after an event even if the officer never activates the system.
- (2) the body worn camera and the in-car camera are integrated but record separately so that the body worn camera is never out of range of the vehicle. Once the officer returns to the unit, the body worn camera syncs with the in-car camera and is recorded to the in-car camera digital video recorder (DVR).
- (3) Up to 8 different body worn cameras can be synced to one in-car DVR and synchronized simultaneous playback can be viewed.
- (4) Data collected by the in-car and body worn cameras can be stored on a cloud hosted server or on an in-house server, or both.
- (5) Watch Guard storage is not proprietary and belongs to the police department as it is collected. Using cloud hosted storage, as Axon does, requires the reoccurring payment to a cloud host for storage and once that contract is terminated the evidence or data stored from your in-car camera or body worn cameras may not be accessible.
- (6) The body worn cameras are easily chargeable while the officer is in the patrol unit.
- (7) The in-car camera system consists of 3 cameras, one of which when activated captures video essentially from driver's door post to passenger door post, a full 180 degree panoramic view. A second camera acts as a direct view zoom in camera and a third camera captures video facing the back seat and rear of the vehicle. The "Vista" camera is the fourth camera in the bundle and is otherwise known as the body worn camera. These cameras are designed and built to withstand industrial type applications.

The Watchguard systems have proven to be extremely valuable in a time that revolves around the video technology we as an agency use. The quality of video is significantly better than the L3 systems that we have not yet replaced.

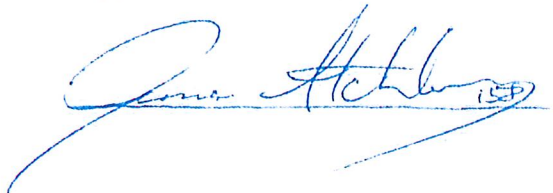
The current L3 systems have poor video quality and continually have issues that the manufacture can no longer address and correct. The cameras reboot themselves randomly and will not shut off correctly once the officers clear their calls. Attempts to reboot the server to correct the issues have also been unsuccessful. These issues have become widespread with the L3 system and causes multiple units to be down at any given time. I will again note that last year we were notified that L3 Mobile Vision had been sold to a company named Safe Fleet, who specialize in transportation video, but are not even recognized in the law enforcement arena as a legitimate source for body worn cameras or police in car video.

Included with this letter is a quote from Watch Guard for ten (10) complete in car and body worn camera systems which include warranties for each and technical fees. That cost is \$83,540. Five (5) of these cameras were included in the 2020 budget to outfit the five Explorers to be purchased in the 2020 budget.

I requested approval on March 30, 2020 for the purchase of an additional five (5) complete in car and body worn camera systems due to the failing L3 system. On April 21, 2020 Mr. Haskin approved the purchase of five (5) additional systems to be paid out of the General Fund and indicated that it should go through normal Board approval.

The total for this purchase will be \$83,540 for 10 camera systems. Five will be purchased from the Police departments 2020 budget Line item 54058 (Capital). Five additional camera systems will be purchased from the general fund.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Atchley". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Captain James Atchley

TAPD-Atchley, James

From: TAPD-Harrison, Bob
Sent: Tuesday, April 21, 2020 9:22 AM
To: TAPD-Atchley, James; CRC-Avery, Doug; TAPD-Jordan, Bobby; TAPD-White, Zachary; TAPD-Cornett, Dara
Subject: FW: Watch Guard

From: ARK-Henderson, Tyrhonda <tyrhonda.henderson@txkusa.org>
Sent: Tuesday, April 21, 2020 9:09 AM
To: TAPD-Harrison, Bob <Harrison@txkusa.org>
Cc: ARK-Haskin, Kenny <kenny.haskin@txkusa.org>
Subject: Watch Guard

Good Morning Chief Harrison,

I received your request to purchase the Watch Guard in car video and body cameras. Kenny has approved for this purchase to come out of the City's general fund. The actual purchase will have to go through the normal approval process since it is \$42,770. The revenue received from the Arkansas 911 Board has always been used to offset Texarkana, Arkansas's cost in CRC.

Please let me know if you have any questions or require any additional information.

Thanks,

Tyrhonda Henderson

Finance Director

City of Texarkana, Arkansas

Finance Department

Phone 870-779-4954

Fax 870-772-8182

Email tyrhonda.henderson@txkusa.org



4RE/VISTA Price Quote

CUSTOMER: Texarkana Police Department

ISSUED: 6/17/2020 8:08 AM

EXPIRATION: 9/1/2020 10:00 AM

**TOTAL PROJECT ESTIMATED AT:
\$83,540.00**

ATTENTION: Shores

SALES CONTACT: Tim Culberson

PHONE: 870-772-4551

DIRECT: (469) 640-5204

E-MAIL:

E-MAIL:
tim.culberson@motorolasolutions.com

4RE and VISTA Proposal

VISTA HD Cameras and Options

Part Number	Detail	Qty	Direct	Discount	Total Price
VIS-EXT-WIF-BUN	VISTA HD WiFi and 4RE System Bundle. Includes 4RE Standard DVR Camera System with integrated 200GB automotive grade hard drive, ZSL camera, 16GB USB removable thumb drive, rear facing cabin camera, GPS, hardware, cabling and your choice of mounting bracket. It will also include the VISTA HD Wi-Fi Extended Capacity Wearable Camera with 9 hours continuous HD recording, one camera mount, 32 GB of storage, Wi-Fi docking base, Power over Ethernet Smart Switch	10.00	\$5,550.00	\$0.00	\$55,500.00
VIS-CHG-MAG-001	Charging Cable, VISTA QuickConnect 12V Magnetic Mobile Charging Kit	10.00	\$99.00	\$0.00	\$990.00

VISTA HD Warranties

Part Number	Detail	Qty	Direct	Discount	Total Price
WAR-VIS-WIF-NOF	3 Year VISTA WiFi, No-Fault Hardware and Software Maintenance Bundle	10.00	\$650.00	\$0.00	\$6,500.00

Evidence Library 4 Web Software and Licensing

Part Number	Detail	Qty	Direct	Discount	Total Price
KEY-EL4-DEV-004	Evidence Library 4 Web VISTA Combo-Discount Device License Key	10.00	\$75.00	\$0.00	\$750.00
KEY-EL4-DEV-001	Evidence Library 4 Web 4RE In-Car Device License Key	10.00	\$150.00	\$0.00	\$1,500.00

4RE In-Car System and Options

Part Number	Detail	Qty	Direct	Discount	Total Price
CAM-4RE-PAN-NHD	Additional Front Camera, 4RE, HD Panoramic	10.00	\$200.00	\$0.00	\$2,000.00

Wireless Video Transfer and Networking Options

Part Number	Detail	Qty	Direct	Discount	Total Price
4RE-WRL-KIT-101	4RE In-Car 802.11n Wireless Kit, 5GHz (2.4	10.00	\$200.00	\$0.00	\$2,000.00

415 E. Exchange Parkway • Allen, TX • 75002
Toll Free (800) 605-6734 • Main (972) 423-9777 • Fax (972) 423-9778
www.WatchGuardVideo.com



4RE/VISTA Price Quote

GHz is available by request)

4RE Hardware Warranties

Part Number	Detail	Qty	Direct	Discount	Total Price
WAR-4RE-CAR-5TH	5 Year 4RE Hardware and Software Maintenance Bundle	10.00	\$1,375.00	\$0.00	\$13,750.00

Software Maintenance and CLOUD-Share

Part Number	Detail	Qty	Direct	Discount	Total Price
SFW-EVL-CLD-BAS	Evidence Library 4 Web CLOUD - SHARE - Basic for VISTA	30.00	\$0.00	\$0.00	\$0.00
SFW-EVL-CLD-BAS	Evidence Library 4 Web CLOUD - SHARE - Basic for 4RE	50.00	\$0.00	\$0.00	\$0.00

WatchGuard Video Technical Services

Part Number	Detail	Qty	Direct	Discount	Total Price
Freight	Shipping/Handling and Processing Charges	1.00	\$550.00	\$0.00	\$550.00
					\$83,540.00

Total Estimated Tax, may vary from State to State \$0.00

Configuration Discounts	\$0.00
Additional Quote Discount	\$0.00
Total Amount	\$83,540.00

NOTE: This is only an estimate for 4RE & VISTA related hardware, software and WG Technical Services. Actual costs related to a turn-key operation requires more detailed discussion and analysis, which will define actual back-office costs and any costs associated with configuration, support and installation. Please contact your sales representative for more details.

To accept this quotation, sign, date and return with Purchase Order: _____ DATE: _____



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt an Ordinance authorizing and directing the City Manager to purchase GrayKey software for the Texarkana Police Department Investigative Services for accessing password protected iOS products. (TAPD) Lt. Zach White

This ordinance requires an emergency clause due to time constraints to place the order. An emergency clause requires a separate and distinct vote of the Board and is valid only if there is a two-thirds vote of approval by the Board.

AGENDA DATE: July 6, 2020

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Police

PREPARED BY: Lt. Zach White

REQUEST: Per the Cities Purchasing Policy, this purchase request requires board approval due to the cost. This proprietary product is unavailable through any other source. A limited source justification letter is attached.

EMERGENCY CLAUSE: An emergency clause has been requested due to time constraints.

SUMMARY: **Apple Inc. has password protected their iOS products making it impossible for law enforcement to access information stored in those products for criminal investigative purposes. This Grayshift GrayKey software allows law enforcement to identify the digital pass code stored in the iOS product and enter that product pursuant to a search warrant signed by the appropriate magistrate.**

EXPENSE REQUIRED: \$45,075.00

AMOUNT BUDGETED: \$45,000.00 (In reimbursement School Safety Grant monies)

APPROPRIATION REQUIRED: TAPD has been awarded a Department of Justice, Bureau of Justice Assistance grant titled "STOP School Violence", one of thirteen (13) awarded in 2019. This grant requires zero matching dollars from the city and includes \$45,000.00 in GrayKey software and hardware expenses. These monies were awarded for this purchase and cannot be used for any other purchase. At present time, no other vendor has software capable of bypassing iOS devices.

RECOMMENDED ACTION: The City Manager and Staff recommend approval.

EXHIBITS:

See Attached Documents

ORDINANCE NO. _____

AN ORDINANCE WAIVING COMPETITIVE BIDDING; AUTHORIZING THE CITY MANAGER AND THE TEXARKANA ARKANSAS POLICE DEPARTMENT TO PURCHASE SOFTWARE FOR ACCESS OF CERTAIN IOS SYSTEMS; AND FOR OTHER PURPOSES

WHEREAS, iOS products provided by Apple, Inc., contain certain password protections which impede access by law enforcement for criminal investigation purposes; and

WHEREAS, Grayshift GrayKey software allows law enforcement to identify digital passcodes stored in an iOS product and enter that product pursuant to a search warrant signed by an appropriate magistrate; and

WHEREAS, to assist in criminal investigations and public safety functions, the City desires to acquire Grayshift GrayKey software; and

WHEREAS, GrayShift GrayKey software is the only available software that can perform the above-identified password identification processes; and

WHEREAS, pursuant to Ark. Code Ann. §14-47-138, the Board of Directors may waive the requirements of competitive bidding in exceptional situations where competitive bidding is not feasible; and

WHEREAS, Section 2-72 of the *City of Texarkana, Arkansas, Code of Ordinances* recognizes that, “in certain instances, it may not be feasible or necessary to obtain bids. Examples include but are not limited to . . . purchases from only sources [;] and

WHEREAS, the police department has been awarded a Department of Justice, Bureau of Justice Assistance Grant titled “STOP School Violence,” being one of thirteen awarded in 2019, in the amount of \$45,000.00 for the sole use and purchase of such product; and

WHEREAS, the total cost of the product is \$45,000.00 (exclusive of a \$75.00 charge for shipping and handling); and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas:

Any competitive bidding practices that may be otherwise required by law and ordinance are waived and the City Manager and the Texarkana Arkansas Police Department are authorized to enter into any agreement reasonably necessary to carry out the purchase of the GrayShift GrayKey software, on the terms and conditions set out above.

PASSED AND APPROVED this 6th day of July, 2020.

Allen Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



GRAYSHIFT

Company Address 931 Monroe Drive NE
Suite A102-340
Atlanta, GA 30308
US

Quote Number 00000534
Created Date 6/16/2020
Expiration Date 7/10/2020

Prepared By Jonathan Oszust
Phone (833) 472-9539
Email jonathan@grayshift.com

DUNS Number 081045174
CAGE Code 7R0W9

Contact Name Brian Tribble
Account Name Texarkana Arkansas Police Department
Phone 903-798-3168
Email brian.tribble@txkusa.org

Product	List Price	Sales Price	Quantity	Total Price
First Year License Discount	USD -500.00	USD -500.00	1.00	USD -500.00
GrayKey License - Online Fixed	USD 18,000.00	USD 18,000.00	1.00	USD 18,000.00
GrayKey License Renewal - Online Fixed	USD 18,000.00	USD 27,000.00	1.00	USD 27,000.00
GrayKey Unit	USD 500.00	USD 500.00	1.00	USD 500.00
Shipping & Handling	USD 75.00	USD 75.00	1.00	USD 75.00
	Subtotal	USD 45,075.00		
	Grand Total	USD 45,075.00		

Quote Terms

- Delivery of GrayKey requires the end-user's prior acceptance of Grayshift's End User License Terms Agreement ("EULA"). Your acceptance of this quotation will indicate your acceptance of the terms of Grayshift's EULA, without exception or reservation. The EULA is available at <https://grayshift.com/terms>
- License Term = 12 months (includes unlimited extractions and software updates during the license term)
- The final invoice may include tax if applicable
- Upon receipt of your GrayKey unit, please follow the setup steps to activate it as soon as possible. It is ready for use immediately following activation. Your term license will auto-activate 28 days after fulfillment if not activated prior.

Payment Terms

- **Purchase Orders:** Net 30 - Payments received after 30 days will be assessed a 2% late fee, per month. Non-payment after 30 days will result in a suspended license. License will be reactivated after full payment is received.
- **Credit Cards:** Major credit cards accepted including Visa, Mastercard, and American Express.
- **Additional Information:** Fees under this Agreement are exclusive of all taxes, including national, state or provincial and local income, use, sales, value-added, property and similar taxes, if any. Customer agrees to pay such taxes (excluding US taxes based on Grayshift's net income). In the case of any withholding requirements, Customer will pay any required withholding itself and will not reduce the amount paid to Grayshift on account thereof. As an example, if the price to be paid is 100 but there is, for example, 10% withholding, Grayshift will still directly be paid 100. The payor may need to "gross up" the overall payment so the amount due Grayshift after any withholding is 100.

Purpose Area #4

H. Procurement Contracts

Description	Purpose	Consultant?	Total Cost
<p><i>Provide a description of the products or services to be procured by contract and an estimate of the costs. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source procurements in excess of the Simplified Acquisition Threshold (currently \$150,000).</i></p>	<p><i>Describe the purpose of the contract</i></p>	<p><i>Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.</i></p>	
CivicPlus	Website Development	No	\$13,900
GreyKey Software	Mobile Device Forensics	No	\$45,000
Social Sentinel Software	Social Media Monitoring	No	\$33,250
Consultant Travel (if necessary)			Total(s)
Purpose of Travel	Location	Type of Expense	Computation

\$92,150



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Please consider the following:
Conduct a Public Hearing to hear comments concerning the fee for fingerprinting services.
Adopt an Ordinance authorizing the Texarkana Arkansas Police Department to collect a fee of \$15.00 for fingerprinting services. (TAPD) Lt. Zach White

AGENDA DATE: July 6, 2020

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Police

PREPARED BY: Lt. Zach White

REQUEST: Per the City's Policy, the board must approve a collection of any fee.

EMERGENCY CLAUSE: N/A

SUMMARY: The Texarkana Police Department is often requested to perform fingerprinting services for subjects who are attempting to obtain their concealed handgun license, a medical marijuana card or applying for a job that requires fingerprints to be on file. The Arkansas Dept. of Health has been referring all medical marijuana card applicants to their local police departments for this service. As such, we have seen an increase in the number of requests for fingerprinting services. TAPD is requesting that a fee of \$15.00 be implemented for fingerprinting services. This fee mirrors what other local Arkansas agencies have previously implemented. The Texarkana Police Department is requesting that the revenue from this fee be set aside to be utilized for purchasing crim scene supplies (gloves, fingerprinting ink, fingerprinting powder, and brushes, etc.) as the fingerprinting will be completed by the Crime Scene section.

EXPENSE REQUIRED: \$0.00

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

**RECOMMENDED
ACTION:** The City Manager and Staff recommend approval.

EXHIBITS:

ORDINANCE NO. _____

AN ORDINANCE TO SET A FEE FOR NON-CRIMINAL FINGERPRINTING SERVICES OFFERED BY THE TEXARKANA ARKANSAS POLICE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the Texarkana, Arkansas Police Department, from time-to-time, receives requests to provide fingerprinting services for persons requiring the same for a non-criminal purpose; and

WHEREAS, Pursuant to Ark. Code. Ann. §14-1-102, “a” local law enforcement agency may charge a reasonable fee for non-criminal fingerprinting service to offset the cost of expenses associated with offering a non-criminal fingerprint service [,]” and, it is necessary to set the amount of such fee authorized by such statute; and

WHEREAS, the Texarkana, Arkansas Police Department, upon review and consideration, determines that a fee of \$15.00, per fingerprint set is reasonable for providing such service to offset the cost and expense of the same; and

WHEREAS, the City Manager and staff recommend adoption of such fee; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas, that: the *City of Texarkana, Arkansas, Code of Ordinances* (“*Code*”) is as follows:

Section 1: The following is added as Section 2-100 of the *Code*:

Section 2-100. Fingerprint Services. The police department is authorized to charge a fee of \$15.00, per fingerprint set for non-criminal fingerprinting printing services to offset the cost and expense associated with offering such service.

PASSED AND APPROVED this 6th day of July, 2020.

Allen L. Brown

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney