AGENDA ~ Revised ~ Summary
Fort Smith Board of Directors
REGULAR MEETING
May 21, 2019 ~ 6:00 p.m.
Fort Smith Public Schools Service Center
3205 Jenny Lind Road, Building B

THIS MEETING IS BEING TELECAST LIVE ON GOVERNMENT ACCESS CHANNEL 214 AND ONLINE AT http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings

INVOCATION & PLEDGE OF ALLEGIANCE
Invocation by Director Neal Martin

ROLL CALL
➢ All present, except Director Lavon Morton
➢ Mayor George McGill presiding

PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS OF BUSINESS NOT已經 ON THE AGENDA FOR THIS MEETING
(Section 2-37 of Ordinance No. 24-10)
Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings

APPROVE MINUTES OF THE MAY 7, 2019 REGULAR MEETING
APPROVED as written

ITEMS OF BUSINESS:


2. Items regarding abandonment of street right-of-way in Horseshoe Ridge
   A. Public hearing and ordinance to close and vacate and abandon street rights-of-way located in the replat of Horseshoe Ridge Lots 1-24 and Tracts
2

A & B, an addition to the city of Fort Smith, Arkansas (Stonehouse Road, Surrey Court and Margate Drive)

**APPROVED AS REVISED** 6 in favor, 0 opposed / Ordinance No. 32-19

B. Resolution authorizing the conveyance of Tract B, replat of Horseshoe Ridge, Lots 1-24 and Tracts A & B, an addition to the city of Fort Smith, Sebastian County, Arkansas

**APPROVED** 6 in favor, 0 opposed / Resolution No. R-84-19

3. Ordinance declaring an exceptional situation requiring the waiving of competitive bidding and authorizing execution of a contract with Hope Humane Society for animal impoundment services (formerly Sebastian County Humane Society)

**REMOVED FROM CONSIDERATION** ~ Dawson, Lau, Good, Settle removed item from the agenda at the May 20, 2019 Special Study Session ~

4. Resolution authorizing the Mayor to execute an agreement with RJN Group, Inc. for providing engineering services for design of remedial measures for Sub-basin Z001 ($381,938.00 / Utility Department / Budgeted - 2018 Revenue Bond)

**APPROVED** 6 in favor, 0 opposed / Resolution No. R-85-19

5. Consent Agenda

A. Resolution authorizing the Mayor to execute a memorandum of understanding with the Fort Chaffee Redevelopment Authority regarding redevelopment, reuse and refurbishment of property to be used as pickleball courts and conveyed to the City of Fort Smith (7200 block of Mahogany Avenue)

**APPROVED** 4 in favor, 1 opposed (Martin), 1 abstention (Catsavis) / Resolution No. R-86-19

B. Ordinance to abandon public utility easements located in Eastwood Estates, Lots 1D and Lot 2, an addition to the city of Fort Smith, Sebastian County, Arkansas

**APPROVED** 6 in favor, 0 opposed / Ordinance No. 33-19

C. Resolution to accept the bid and authorize a contract for the 2017 Neighborhood Drainage Improvements, Phase A Project No. 17-06-A ($4,798,969.00 / Engineering Department / Budgeted – Sales Tax Program)

**APPROVED** 6 in favor, 0 opposed / Resolution No. R-87-19

D. Resolution to accept the bid and authorize a contract for the 2018 Intersection Improvements Project No. 18-09-B ($1,861,046.00 / Engineering Department / Budgeted – Sales Tax Program)

**APPROVED** 6 in favor, 0 opposed / Resolution No. R-88-19

E. Resolution accepting the bid for the purchase of a vacuum truck for the Operations Department ($413,825.06 / Operations Department / Budgeted – Sinking Fund)

**APPROVED** 6 in favor, 0 opposed / Resolution No. R-89-19
F. Ordinance authorizing the renewal of a software acquisition and maintenance contract with Microsoft Leasing, GP ($78,684.00 / Information Technology Department / Budgeted – Operating Fund)  
APPROVED 6 in favor, 0 opposed / Ordinance No. 34-19

G. Ordinance declaring an exceptional situation waiving the requirements of competitive bidding and authorizing the purchase of water meters from Zenner Performance Meter, Inc. ($830,697.75 / Utility Department / Budgeted- Capital Outlay) ♦  
APPROVED 5 in favor, 1 opposed (Catsavis) / Ordinance No. 35-19

H. Resolution authorizing acquisition of water line easements in connection with the Lake Fort Smith Water Transmission Line - Phase 2 ($100,100.00 / Utility Department / Budgeted - 2018 Revenue Bond) ♦  
APPROVED 6 in favor, 0 opposed / Resolution No. R-90-19

I. Resolution authorizing acceptance of an offer made by property owner for the acquisition of an easement in connection with the Lake Fort Smith Water Transmission Line – Phase 2 ($2,400.00 / Utility Department / Budgeted - 2018 Revenue Bond) ♦  
APPROVED 6 in favor, 0 opposed / Resolution No. R-91-19

J. Ordinance declaring an exceptional situation and waiving the requirements of competitive bidding for the purchase of Axon Enterprise, Inc. body worn cameras, vehicle camera systems and licensing services for the Fort Smith Police Department ($244,867.72 / Police Department / Budgeted – Operating Fund)  
APPROVED 6 in favor, 0 opposed / Ordinance No. 36-19

OFFICIALS FORUM ~ presentation of information requiring no official action  
(Section 2-36 of Ordinance No. 24-10)

➢ Mayor
➢ Directors
➢ City Administrator
Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings

EXECUTIVE SESSION (approximately 7:15 p.m.)

Appointments: AUDIT ADVISORY COMMITTEE  
Director Lavon Morton (to fill the unexpired term of Director Mike Lorenz who resigned)  
Term to expire November 30, 2019
COMMUNITY DEVELOPMENT ADVISORY COMMITTEE
Kenneth A. Spears
Term to expire June 30, 2020

FORT SMITH HOUSING AUTHORITY
Barbara Webster Meadors (reappointed)
Term to expire March 3, 2024

HOUSING ASSISTANCE BOARD
Mike Jacimore (reappointed)
Jim Rose (reappointed)
Terms to expire April 30, 2021

PLANNING COMMISSION
Matt Marshall (to fill the unexpired term of Shane Laster who resigned)
Term to expire April 30, 2020

Robert Cooper Jr. (to fill the unexpired term of Dalton Person who resigned)
Term to expire April 30, 2022

SEBASTIAN COUNTY SOLID WASTE MANAGEMENT BOARD
George Catsavis (to fill the unexpired term of Director Mike Lorenz who resigned)
Term to expire June 21, 2022

WATER & SANITARY SEWER UTILITIES ADVISORY COMMITTEE
Taneka Tate
J. Dalton Person
David Cogswell
James M. Echols
Ashok Subramanian
Breezy Beck
Will Guyton
Terms to expire May 31, 2022

ADJOURN
7:29 p.m.
ORDINANCE NO. 32-19

AN ORDINANCE ENTITLED, AN ORDINANCE TO CLOSE AND VACATE AND ABANDON STREET RIGHTS-OF-WAY LOCATED IN THE REPLAT OF HORSESHOE RIDGE, LOTS 1-24 AND TRACTS A & B AN ADDITION TO THE CITY OF FORT SMITH, ARKANSAS

WHEREAS, a petition was duly filed with the Board of Directors of the City of Fort Smith, Arkansas, April 26, 2019, asking the Board of Directors to vacate and abandon the street rights-of-way in the Replat of Horseshoe Ridge, Lots 1-24 and Tracts A & B, an addition to the City of Fort Smith, Arkansas.

WHEREAS, after notice as required by law, the Board of Directors has at the time and place mentioned in the notice duly published as required by law, heard all persons as desiring to be heard on the questions, and has ascertained that the said street rights-of-way as described below have heretofore been dedicated to the public use as street rights-of-way and at this time are no longer required for the corporate purposes; it is in the best interest of the citizens of Fort Smith that the street rights-of-way be closed; and that the public interest and welfare will not be adversely affected by the abandonment of the said streets.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby releases, vacates and abandons all of its rights, title and interest, together with the right of the public generally, in and to the street rights-of-way designated as follows:

Stonehouse Road, Surrey Court and Margate Drive rights-of-way as shown on the Replat of Horseshoe Ridge, Lots 1 thru 24 and Tracts A & B, Fort Smith, Sebastian County, Arkansas, being filed for record December 23, 2014, as Plat P2006.
SECTION 2: A copy of this Ordinance duly certified by the City Clerk shall be filed in the Office of the County for the Fort Smith District of Sebastian County, Arkansas, and recorded in the deed records of said county.

SECTION 3: Emergency Clause. It is determined that the proper development of the real property platted as Lots 1-24 and Tracts A & B of Horseshoe Ridge subdivision is necessary to provide for the health, safety and welfare of the City and its inhabitants. Therefore, an emergency is declared to exist, and this Ordinance shall be in full force and effective from and after its passage.

PASSED AND APPROVED THIS 21 DAY OF MAY 2019.

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]  
City Clerk, acting

[Signature]  
Approved as to form
Public Title
Jerry Cofield
RESOLUTION NO. 84-19

A RESOLUTION AUTHORIZING THE CONVEYANCE OF TRACT B, REPLAT OF HORSESHOE RIDGE, LOTS 1-24 AND TRACTS A & B, AN ADDITION TO THE CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

WHEREAS, in accordance with the City of Fort Smith 2011 Storm Drainage Standards, on September 2, 2014, R.A. Young Properties Limited Partnership conveyed to the City of Fort Smith, Tract B, of the Replat of Horseshoe Ridge, Lots 1-24 and Tracts A & B, an addition to the City of Fort Smith, Arkansas, and

WHEREAS, a detention pond is located on Tract B of the Replat of Horseshoe Ridge, Lots 1-24 and Tracts A & B; and

WHEREAS, R.A. Young Properties Limited Partnership has petitioned the City of Fort Smith to abandon the public streets in the Replat of Horseshoe Ridge, Lots 1-24 and Tracts A & B for the purpose of converting the subdivision to a private subdivision; and

WHEREAS, with the abandonment of the public streets, ownership and maintenance of the detention pond should be transferred to the property owner.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:

The Mayor is hereby authorized to execute, his signature being attested by the City Clerk, the attached Quit Claim Deed conveying the City’s interest in the hereinafter described real property to R.A. Young Properties Limited Partnership:

Tract B, of the Replat of Horseshoe Ridge, Lots 1-24 and Tracts A & B, an addition to the City of Fort Smith, Arkansas.

THIS RESOLUTION ADOPTED THIS 21 DAY OF MAY 2019.

APPROVED:
[Signature]
Mayor

ATTEST:
[Signature]
City Clerk, acting

Approved as to form:
[Signature]
"I certify under penalty of false swearing that at least the legally correct amount documentary stamps have been placed on this instrument."

Grantee or Grantee's Agent

Grantee's Address*

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That the CITY OF FORT SMITH, ARKANSAS, A MUNICIPAL CORPORATION, hereinafter referred to as ("GRANTOR"), for and in consideration of the sum of one dollar ($1.00) and other good and valuable consideration in hand paid by the R.A. YOUNG PROERTIES LIMITED PARTNERSHIP, hereinafter referred to as ("GRANTEE"), the receipt is hereby acknowledged, does hereby transfer and quitclaim unto GRANTEE, and unto its successors and assigns forever, the following lands lying in the Fort Smith District of Sebastian County, Arkansas:


To have and to hold the same unto the said Grantee and unto its successors and assigns forever, with all appurtenances thereunto belonging.

Witness our hands and seals on this 21 day of May, 2019.

CITY OF FORT SMITH, ARKANSAS

By: ________________________________

George McGill, Mayor of Fort Smith, Arkansas
ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF SEBASTIAN

On this 21st day of May, 2019, the undersigned, a Notary Public, within and for the aforesaid County and State, duly commissioned, qualified, and acting to me appeared in person George McGill, to me personally well known as the person whose name appears upon the within and foregoing deed of conveyance as the grantor and stated that he had executed the same for the consideration and purposes therein mentioned and set forth, and I do hereby so certify.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal as such Notary Public at the County and State aforesaid on this 21st day of May, 2019.

Heather James
Notary Public

My Commission Expires: 6.5.2019

RETURN ORIGINAL FILED DOCUMENT TO: Sherri Gard, City of Fort Smith
P.O. Box 1908, Fort Smith, AR 72902
RESOLUTION NO. **R-85-19**

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH RJN GROUP, INC., FOR PROVIDING ENGINEERING SERVICES FOR DESIGN OF REMEDIAL MEASURES FOR SUB-BASIN Z001

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: An Agreement with RJN Group, Inc., for providing engineering design and bidding services for SSA 2017 Remedial Measures Sub-Basin Z001, Project Number 19-20-ED1, is hereby approved.

SECTION 2: The Mayor is hereby authorized to execute an Agreement for professional engineering services in the amount of $381,938.00.

This Resolution adopted this **21** day of May 2019.

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk, acting

APPROVED AS TO FORM:

[Signature]
npr
RESOLUTION NO. R-86-19

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE FORT CHAFFEE REDEVELOPMENT AUTHORITY REGARDING REDEVELOPMENT, REUSE AND REFURBISHMENT OF PROPERTY TO BE USED AS PICKLEBALL COURTS AND CONVEYED TO THE CITY OF FORT SMITH

WHEREAS, the City of Fort Smith and the Fort Chaffee Redevelopment Authority agree that it is in the best interest of the citizens of Fort Smith for the City and FCRA to collaborate in the redevelopment, reuse, and refurbishment of two derelict tennis courts currently owned by FCRA in the vicinity of the 7200 block of Mahogany Avenue into a useful public recreational facility; and

WHEREAS, the Western Arkansas Pickleball Association (WAPA) is an active group of pickleball advocates from Fort Smith and the surrounding region that approached the City and the FCRA about converting the old, unused and derelict tennis courts on the former Fort Chaffee property into publicly-owned and accessible pickleball courts owned and operated by the City’s Parks & Recreation Department; and

WHEREAS, the City and the FCRA wish to collaborate for the benefit of developing a public recreational facility for those in the community who have expressed an interest in pickleball.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Fort Smith, Arkansas that:

1. The Mayor is authorized to execute the attached Memorandum of Understanding (attached hereto and incorporated herein by reference) with the FCRA regarding the redevelopment, reuse, and refurbishment of property to be used as pickleball courts and conveyed to the City of Fort Smith for a cost not to exceed $64,000; and
2. All building permit and inspection fees for the project are hereby waived; and
3. It is recognized that the actual conveyance of the property to the City will require the Board’s approval of a property purchase contract at a later date.

This Resolution adopted this 21st day of May, 2019.

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk, acting

APPROVED AS TO FORM:

[Signature]
City Attorney, npr.
ORDINANCE NO. 33-19

AN ORDINANCE TO ABANDON PUBLIC UTILITY EASEMENTS LOCATED IN EASTWOOD ESTATES, LOTS 1D AND LOT 2, AN ADDITION TO THE CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, THAT:

SECTION 1: The City of Fort Smith, Arkansas hereby releases, vacates and abandons all its rights together with the rights of the public generally to the following public utility easements located in the hereinafter described real property:

A part of Lot 2, Eastwood Estates (Lots 1-6) as filed for record on November 17, 2009, and a Part of Lot 1D, Eastwood Estates (Lots 1D & 1E) as filed for record on January, 2014, being more particularly described as follows:

Beginning at the Northeast corner of said Lot 2; thence N 85°26'53" W, 234.00 feet along the North line of said Lot 2 and North line extended; thence S 04°33'19" W, 235.00 feet parallel to the West line of said Lot 2; thence S 86°39'24" E, 20.00 feet parallel to the South line of said Lot 1D and Lot 2; thence N 04°33'19" E, 224.58 feet parallel to the West line of said Lot 2; thence S 85°26'53" E, 214.00 feet parallel to the North line of said Lot 2 to a point on the East line of said Lot 2; thence N 04°33'23" E, 10.00 feet along said East line to the point of beginning.

The easements being released, vacated and abandoned are no longer required for municipal corporate purposes.
SECTION 2: A copy of the Ordinance duly certified by the City Clerk shall be filed with the Office of the Recorder of the County and recorded in the deed records of the County.

PASSED AND APPROVED THIS ___21____ DAY OF MAY 2019.

APPROVED:

[Signature]

Mayor

ATTEST:

[Signature]

Heather James
City Clerk, acting

Approved as to form:

[Signature]

Jerry Grofield

Publish 1 Time

NPR
RESOLUTION NO.  R-87-19

A RESOLUTION TO ACCEPT THE BID AND
AUTHORIZE A CONTRACT FOR THE
2017 NEIGHBORHOOD DRAINAGE IMPROVEMENTS, PHASE A
PROJECT NO. 17-06-A

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, THAT:

SECTION 1: The bid of Forsgren, Inc., received May 14, 2019, for the 2017
Neighborhood Drainage Improvements, Project No. 17-06-A, in the amount of $4,798,969.00 be
accepted.

SECTION 2: The Mayor is authorized to execute a contract with Forsgren, Inc., subject to
the terms set forth in Section 1 above.

SECTION 3: Payment for construction authorized by Section 1 is hereby authorized from
the Sales Tax Fund (1105).

This resolution adopted this 21 day of May, 2019.

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk, acting

Approved as to Form

[Signature]
Jerry Carnfield
No Publication Required
RESOLUTION NO. R-88-19

A RESOLUTION TO ACCEPT THE BID AND AUTHORIZE A CONTRACT FOR THE 2018 INTERSECTION IMPROVEMENTS PROJECT NO. 18-09-B

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The bid of Goodwin & Goodwin, received May 14, 2019, for the 2018 Intersection Improvements, Project No. 18-09-B, in the amount of $1,861,046.00 be accepted.

SECTION 2: The Mayor is authorized to execute a contract with Goodwin & Goodwin, subject to the terms set forth in Section 1 above.

SECTION 3: Payment for construction authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this 21 day of May, 2019.

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk, acting

Approved as to Form

[Signature]
Julie Cashfield

No Publication Required
RESOLUTION NO. **R-89-19**

RESOLUTION ACCEPTING BID FOR THE PURCHASE OF A VACUUM TRUCK FOR THE OPERATIONS DEPARTMENT

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY FORT SMITH, ARKANSAS, THAT:

The bid, as indicated by enclosure for the purchase of a vacuum truck from Environmental Products Group for $413,825.06, is accepted.

This Resolution adopted this 21 day of May, 2019.

APPROVED:

[Signature]
MAYOR

ATTEST:

[Signature]
CITY CLERK, acting

Approved as to form:

☐ No Publication Required
☐ Publish ___ Times
ORDINANCE NO. 34-19

AN ORDINANCE AUTHORIZING THE RENEWAL OF A SOFTWARE ACQUISITION AND MAINTENANCE CONTRACT WITH MICROSOFT LEASING, GP

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute the renewal of a Software Acquisition and Maintenance Agreement between the City of Fort Smith and Microsoft Leasing, GP (through its reseller, Software House, Inc.), substantially in the form attached hereto, providing to the City of Fort Smith an enterprise enrollment arrangement of identified software with software services and maintenance at a cost of $78,684.00 per year for three (3) years, plus an annual true-up for any additional City installations of the identified software, subject to annual appropriation of the funds necessary to pay for such software and maintenance services in the subsequent years' annual budgets.

SECTION 2: The City Administrator, through his authorized representatives, is authorized to take any and all necessary actions to administer the contract approved by Section 1 of this Ordinance.

SECTION 3: The City of Fort Smith participates in the State of Arkansas Cooperative Purchasing Program and the Program has been utilized to determine the availability of the desired software and the costs associated with the contract approved by this Ordinance. Based on the information in the Cooperative Purchasing Program, it is determined that the contract provides the lowest cost and best purchase option for the City of Fort Smith. To the extent that subsequently it should be determined that some defect existed under the State of Arkansas and the City of Fort Smith purchasing procedures, it is hereby found and determined by the Board that the required purchasing procedures are waived as not
being feasible under this situation where the City desires to purchase the identified software with services and maintenance of same from a single source.

THIS ORDINANCE ADOPTED this 21 day of May, 2019.

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk, acting

Approved as to form:

[Signature] NPR
ORDINANCE NO. 35-19

AN ORDINANCE DECLARING AN EXCEPTIONAL SITUATION WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF WATER METERS FROM ZENNER PERFORMANCE METERS INC

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

WHEREAS, it is necessary to purchase water meters that are of a uniform type and compatible with meter reading equipment currently used by the city; and,

WHEREAS, Zener Performance Meters, Inc., is the sole source supplier of the needed uniform and compatible water meters, the City is precluded from meeting the requirements of competitive bidding:

NOW THEREFORE, an exceptional situation requiring the waiving of competitive bidding requirements is hereby declared. The purchase from Zener Performance Meters Inc. of 11,500 water meters compatible to the City’s meter reading equipment at a purchase price of $830,697.75 is hereby approved.

PASSED AND APPROVED this 21 day of May 2019

APPROVED:

Mayor

ATTEST:

City Clerk, acting

APPROVED AS TO FORM:
RESOLUTION NO. R-90-19

RESOLUTION AUTHORIZING ACQUISITION OF WATER LINE EASEMENTS IN CONNECTION WITH THE LAKE FORT SMITH WATER TRANSMISSION LINE – PHASE 2

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: The following appraised values for the acquisition of water line easements for the construction of the Lake Fort Smith Water Transmission Line – Phase 2, Project Number 16-16, are hereby approved, and acquisition of the easements for the amounts listed are hereby authorized:

<table>
<thead>
<tr>
<th>Tract No.</th>
<th>Owner</th>
<th>Appraised Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tract 43</td>
<td>Price Farms, LLC</td>
<td>$36,000.00</td>
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<tr>
<td>Tracts 44 &amp; 45</td>
<td>James Royal Minish Revocable Trust</td>
<td>$14,800.00</td>
</tr>
<tr>
<td>Tract 47</td>
<td>Thomas C. &amp; Carolyn Wilkinson</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>Tract 48</td>
<td>Dr. Von Phomakay</td>
<td>$300.00</td>
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<tr>
<td>Tract 49</td>
<td>Lee M. Wilkinson</td>
<td>$200.00</td>
</tr>
<tr>
<td>Tract 50</td>
<td>Buddy Belt &amp; Sandra Davis</td>
<td>$1,900.00</td>
</tr>
<tr>
<td>Tract 51</td>
<td>David Keith Lutz</td>
<td>$3,700.00</td>
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<tr>
<td>Tract 53,02</td>
<td>Misty R. Jackson Living Trust</td>
<td>$5,600.00</td>
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<tr>
<td>Tract 54</td>
<td>GST Exempt Marital Trust</td>
<td>$9,200.00</td>
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<tr>
<td>Tract 55</td>
<td>Lindell B. &amp; Roberta Ann Ellison</td>
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<tr>
<td>Tract 57</td>
<td>TSW Properties LLC</td>
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<tr>
<td>Tract 58</td>
<td>OPS Enterprises, LLC</td>
<td>$24,900.00</td>
</tr>
</tbody>
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SECTION 2: The City Administrator, or his designated agent, and the City Attorney are hereby authorized to acquire the easements for the above listed amounts.

SECTION 3: In the event the easements described herein cannot be acquired by negotiation, the City Administrator and the City Attorney are hereby authorized to commence eminent domain proceedings to obtain the necessary easements herein described and make deposits of just compensation of the appraised values of the easements listed herein. All such actions previously taken for this project are hereby confirmed.

This Resolution adopted this __21__ day of May, 2019.

Attest:

Heather James
City Clerk, acting

APPROVED:

[Signature]
Mayor

APPROVED AS TO FORM:

[Signature]
npr
RESOLUTION NO. R-91-19

RESOLUTION AUTHORIZING ACCEPTANCE OF AN OFFER MADE BY PROPERTY OWNER FOR THE ACQUISITION OF AN EASEMENT IN CONNECTION WITH THE LAKE FORT SMITH WATER TRANSMISSION LINE – PHASE 2

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

The City Administrator, through his designated agent, is hereby authorized to accept an offer made by the following property owner:

Tract 61.04   Kemal E. Kutait and George Z. Catsavis d/b/a K&C Properties   $2,400.00

and to make payment for same in connection with the acquisition of a Water Utility Easement in connection with the Lake Fort Smith Water Transmission Line – Phase 2, Project No. 16-16, said property being located in Crawford County, Arkansas.

This Resolution adopted this 21st day of May, 2019.

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk, acting

APPROVED AS TO FORM:

[Signature]
npr
ORDINANCE NO. 36-19

AN ORDINANCE DECLARING AN EXCEPTIONAL SITUATION AND WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING FOR THE PURCHASE OF AXON ENTERPRISE, INC., BODY WORN CAMERAS, VEHICLE CAMERA SYSTEMS AND LICENSING SERVICES FOR THE FORT SMITH POLICE DEPARTMENT

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

WHEREAS, the City of Fort Smith Police Department finds it necessary to purchase ten (10) body worn cameras and twenty (20) vehicle camera systems; and,

WHEREAS, the City of Fort Smith Police Department finds it necessary to secure additional licensing services for efficient access of the evidence storage platform; and,

WHEREAS, Axon Enterprise, Inc. ("Axon"), provides a fully-integrated platform for all video evidence storage, redaction and criminal prosecution case preparation including or combining body worn cameras, vehicle cameras, and Taser camera video; and,

WHEREAS, Axon is the current sole source provider of body worn cameras and vehicle camera systems for the use of the Fort Smith Police Department; and,

WHEREAS, the City of Fort Smith Police Department has received a quote (Q-201033-43577.894DT) from Axon relative to the purchase of ten (10) body worn cameras and twenty (20) vehicle camera systems, and associated software; and,

WHEREAS, the City of Fort Smith Police Department has received a quote (Q-204719-43578.729DT) from Axon relative to the purchase of additional licensing services.

NOW, THEREFORE,

SECTION 1: There is hereby declared an exceptional situation consisting of the need to acquire from a sole source supplier ten (10) body worn cameras, twenty (20) vehicle camera systems, and additional licensing services for the Fort Smith Police Department. Based on the declared exceptional situation, competitive bidding requirements for the purchase of ten (10) body worn cameras, twenty (20) vehicle camera systems, and additional licensing services are not feasible and are hereby waived.

SECTION 2: The quotes of Axon (Q-201033-43577.894DT and Q-204719-43578.729DT) are hereby accepted, thereby approving the purchase of ten (10) body worn cameras, twenty (20) vehicle camera systems, and additional licensing services from Axon, with payment being authorized as follows: one payment of $63,091.25 paid in 2019 and four annual payments of $45,444.12, to be paid in 2020, 2021, 2022, and 2023. The purchase of the equipment and services described in the above quotes shall be pursuant to the terms and
conditions of the Axon Master Services and Purchasing Agreement, release date of November 9, 2018.

SECTION 3: The City Administrator is hereby authorized to take any and all necessary actions to complete the purchase of the ten (10) body worn cameras, twenty (20) vehicle camera systems, and additional licensing services as authorized by Section 2 above.

PASSED AND APPROVED THIS 21 DAY OF MAY, 2019.

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk, acting

Approved as to form:

[Signature]
Jerry Confield
No publication required