

City of Fayetteville Staff Review Form

2017-0112

Legistar File ID

3/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Dena Stockalper

2/17/2017

Fayetteville District Court /
General Government Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Budget Adjustment approval for the Fayetteville District Court in the amount of \$10,000.00 to recognize and appropriate revenue from the Court Automation Fund for automation and electronic equipment upgrades for video arraignment equipment.

Budget Impact:

1010.040.0400.5210.00	General Fund
Account Number	Fund
39012.901	39012 District Court Automation
Project Number	Project Title
Budgeted Item? No	Current Budget \$ 14,193.00
	Funds Obligated \$ 3,159.01
	Current Balance \$ 11,033.99
Does item have a cost? Yes	Item Cost \$ 10,926.51
Budget Adjustment Attached? Yes	Budget Adjustment \$ 10,000.00
	Remaining Budget \$ 10,107.48

V20140710

Previous Ordinance or Resolution # 30-14

Original Contract Number: _____

Approval Date: _____

Comments:

TO: Mayor Lioneld Jordan

THRU: William A. Storey District Judge

FROM: Dena Stockalper, Chief Clerk
Keith Macedo, Information Technology Director

DATE: February 17, 2017

SUBJECT: Budget Adjustment approval for the Fayetteville District Court in the amount of \$10,000.00 to recognize and appropriate revenue from the Court Automation Fund for automation and electronic equipment upgrades for video arraignment equipment.

RECOMMENDATION:

Budget Adjustment approval for the Fayetteville District Court in the amount of \$10,000.00 to recognize and appropriate revenue from the Court Automation Fund for automation and electronic equipment upgrades for video arraignment equipment.

BACKGROUND:

The current video arraignment equipment is outdated and upgrades are needed to improve both audio and video performance. The upgrade will include the purchase of two (2) cameras, display monitor, microphones, wall mount, power supply, software, hardware, and cabling.

DISCUSSION:

The Automation Fund is supported by Arkansas Statue 16-13-704 which allows the Court to collect monies from installment payments. The Fund is to be used solely for the District Court for technology equipment, automation equipment, and related training.

BUDGET/STAFF IMPACT:

Fund are available within the Court Automation Fund to purchase the referenced video arraignment equipment.

Attachments:

Arkansas Statute 16-13-704
Staff Review Form
Staff Review Memo
Budget Adjustment Form
State Statute 16-13-704

Springfield

636 W. Republic Rd
Unit F100 Corp Village Park
Springfield, MO 65807
Phone: 417-888-2675
Fax: 417-888-0994

Rogers

5308 Village Parkway #1
Rogers, AR 72758
Phone: 479-899-6830
Fax: 479-899-6831

Tulsa

7666 E. 61st St
#310
Tulsa, OK 74133
Phone: 918-935-3530
Fax: 918-935-3532

Oklahoma City

3030 NW Expressway
Suite 1750
Oklahoma City, OK 73112
Phone: 405-943-8900
Fax: 405-943-8902

Little Rock

5315 Highland Drive
Little Rock, AR 72223
Phone: 417-888-2675
Fax: 417-888-0994

Quote No.: RQ003087
Customer ID: ZFAYE-101
Date: 1/30/2017
Sales Rep: BRANDONW
Designer: GABEM

Please visit www.aos5.com for a complete listing of all service areas

QUOTE TO:	SHIP TO:
ACCOUNTS PAYABLE CITY OF FAYETTEVILLE 113 W MOUNTAIN STREET FAYETTEVILLE, AR 72701-6069 Phone: (479) 575-8306 Fax:	Brad Fulmer CITY OF FAYETTEVILLE 113 W MOUNTAIN STREET FAYETTEVILLE, AR 72701-6069

Price reflects WSCA Contract # AR-233

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1.00	SX10 HD w/ wall mount, int 5x cam, mic and power supply	2,593.50	2,593.50
1.00	1 YR SNTC-8X5XNBD SX10 HD w/ wall moun	288.00	288.00
1.00	Pwr Cord US 1.8m Black YP-12 To YC-12	0.00	0.00
1.00	License key to activate sw encryption module	0.00	0.00
1.00	HDMI-HDMI cab, 2m auto expand	0.00	0.00
1.00	SX10 Wall Mount	0.00	0.00
1.00	Ethernet cable (5m) for auto expand	0.00	0.00
1.00	SX10 Codec	0.00	0.00
1.00	SW Image for SX10	0.00	0.00
1.00	Power supply for SX10	0.00	0.00
1.00	Remote Control TRC 6	0.00	0.00
			\$2,881.50
1.00	SX20 Quick w/ P40 Cam, 1 mic, remote cntrl and CE software	6,435.00	6,435.00
1.00	1 YR SNTC-8X5XNBD SX20 Quick w P40 Cam, 1 mic, remote cnt	801.90	801.90
1.00	Pwr Cord US 1.8m Black YP-12 To YC-12	0.00	0.00
1.00	Cisco TelePresence Table Microphone 20	304.20	304.20
1.00	1 YR SNTC-8X5XNBD Cisco TelePresence Table Microphone 20	43.20	43.20
1.00	Touch 10 Control Device - selectable option	975.00	975.00
1.00	1 YR SNTC-8X5XNBD Touch 10 Control Dev	233.10	233.10
1.00	Wall Mount Kit for SX20	324.35	324.35
2.00	Camera Break Out Cable to RJ45 and HDMI (both female)	25.35	50.70
1.00	SW Image for SX20 and MX200/300 (2nd gen) series endpoints	0.00	0.00
1.00	Cisco TelePresence Table Microphone 20	0.00	0.00
1.00	Ethernet cable (5m) for auto expand	0.00	0.00
1.00	SX20-N Codec - no encryption	0.00	0.00
1.00	Custom 4xcamera cable; HDMI, Control and Power (3m)	0.00	0.00
1.00	Precision 40 Camera with 8x zoom	0.00	0.00
1.00	Power supply 60W for auto expand	0.00	0.00
2.00	HDMI to HDMI cable	0.00	0.00
1.00	Remote Control TRC 6	0.00	0.00
1.00	License Key Software Encrypted	0.00	0.00
			\$9,167.45

AOS, LLC

QUOTATION

Springfield

636 W. Republic Rd
Unit F100 Corp Village Park
Springfield, MO 65807
Phone: 417-888-2675
Fax: 417-888-0994

Rogers

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Tulsa

7666 E. 61st St
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Tulsa, OK 74133
Phone: 918-935-3530
Fax: 918-935-3532

Oklahoma City

3030 NW Expressway
Suite 1750
Oklahoma City, OK 73112
Phone: 405-943-8900
Fax: 405-943-8902

Little Rock

5315 Highland Drive
Little Rock, AR 72223
Phone: 417-888-2675
Fax: 417-888-0994

Quote No.: RQ003087
Customer ID: ZFAYE-101
Date: 1/30/2017
Sales Rep: BRANDONW
Designer: gabem

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Please visit www.aos5.com for a complete listing of all service areas

-1.00	AOS Executive Discount	1,170.00	-1,170.00
			-\$1,170.00
		Merchandise Total	\$10,878.95
		Shipping	\$47.56
		Document Total	\$10,926.51

Above quoted pricing is valid until 2/28/2017 .

Quoted pricing does not include sales tax. Sales tax, if applicable, will be charged on final invoice. All taxable items will be charged appropriate tax rates based on end users jurisdiction.

If customer is tax exempt, a valid tax exemption permit must be on file with AOS at the time of billing.

Total solution financing is available. Ask your account manager how you can avoid upfront cost and pay for your solution over time.*

**Restrictions apply. Subject to credit approval and documentation.*

Customer signature constitutes agreement with all AOS Terms and Conditions, which may be found at <http://www.aos5.com/terms> in addition to any addendums shown on this quote.

Customer Signature _____

Date _____

(ii) Expenditures may be made for indirect expenses related to implementation of new court-related technology, including overtime pay, personnel or travel expenses, and technology-related supplies.

(c) A defendant who has been authorized by the court to pay a fine by installments shall be considered to have irrevocably appointed the clerk of the court as his or her agent upon whom all papers affecting his or her liability may be served, and the clerk shall forthwith notify the defendant thereof by ordinary mail at his or her last known address.

(d) "Ability to pay" means that the resources of the defendant, including all available income and resources, are sufficient to pay the fine and provide the defendant and his or her dependents with a reasonable subsistence compatible with health and decency.

History. Acts 1995, No. 1262, § 3; 2001, No. 1809, § 13; 2003, No. 1185, § 94; 2003, No. 1765, § 10; 2005, No. 1934, § 7; 2009, No. 633, § 8.

Publisher's Notes. For text of section effective January 1, 2012, see the following version.

Amendments. The 2005 amendment added present (b)(1)(B), (b)(1)(C), (b)(2)(B), (b)(3)(B)(ii) and (b)(3)(D) and (b)(3)(E) and made related changes; inserted "circuit" twice in (b)(2)(A); substituted "16-13-712" for "6-13-712" in (b)(3)(A); in (b)(3)(B)(i), inserted "collected in district court" "of the city in which the district court is located" and "district" twice; and inserted "of the county in which the district court is located" in (b)(3)(C).

The 2009 amendment, in (b), inserted "on the first day of each month" in

(b)(1)(A), inserted "and shall be authorized ... technology related supplies" in (b)(2)(B)(i), deleted (b)(2)(B)(iii), which read: "All expenditures from the circuit court automation fund shall be authorized, pursuant to the county accounting law, by the quorum court," inserted (b)(3)(D)(ii) and (b)(2)(E)(ii), redesignated the remaining text of (b)(3)(D) and (b)(3)(E), and substituted "and paid, under state laws governing the appropriation and payment of county or municipal expenditures" for "pursuant to state accounting law" in (b)(31)(D)(i) and (b)(3)(E)(i); and made related and minor stylistic changes.

Effective Dates. Acts 2003, No. 1185, § 94: Jan. 1, 2005, by its own terms.

CASE NOTES

Right to Appeal.

City could not rely on the application of this section to claim that defendants' appeal had to be dismissed for the failure of defendants to pay an appeal bond because, even though the court had the right

to order installment payments, nothing in this section authorizes a district court to demand payment of the fine as a prerequisite for taking an appeal to circuit court. *Velek v. State*, 364 Ark. 531, 222 S.W.3d 182 (2006).

16-13-704. Installment payments. [Effective January 1, 2012.]

(a)(1) If the court concludes that the defendant has the ability to pay the fine, but that requiring the defendant to make immediate payment in full would cause a severe and undue hardship for the defendant and the defendant's dependents, the court may authorize payment of the fine by means of installment payments in accordance with this subchapter.

(2)(A) When a court authorizes payment of a fine by means of installment payments, it shall issue, without a separate disclosure

hearing, an order that the fine be paid in full by a date certain and that in default of payment, the defendant must appear in court to explain the failure to pay.

(B) In fixing the date of payment, the court shall issue an order which will complete payment of the fine as promptly as possible without creating a severe and undue hardship for the defendant and the defendant's dependents.

(b)(1)(A) In addition to the fine and any other assessments authorized by this subchapter, an installment fee of five dollars (\$5.00) per month shall be assessed on each person who is authorized to pay a fine on an installment basis.

(B) This fee shall be collected in full each month in which a defendant makes an installment payment.

(C) This fee shall accrue each month that a defendant does not make an installment payment and the fine has not been paid in full.

(2)(A)(i) One-half ($\frac{1}{2}$) of the installment fee collected in circuit court shall be remitted by the tenth day of each month to the Administration of Justice Funds Section of the Office of Administrative Services of the Department of Finance and Administration, on a form provided by that office, for deposit in the Judicial Fine Collection Enhancement Fund established by § 16-13-712.

(ii) The other half of the installment fee shall be remitted by the tenth day of each month to the county treasurer to be deposited in a fund entitled the circuit court automation fund to be used solely for circuit court-related technology.

(B)(i) Expenditures from the circuit court automation fund shall be approved by the administrative circuit judge of each judicial circuit.

(ii) Funds in each county in a judicial circuit may be pooled for expenditure pursuant to a circuit-wide technology plan approved by the administrative circuit judge.

(iii) All expenditures from the circuit court automation fund shall be authorized, pursuant to the county accounting law, by the quorum court.

(3)(A) One-half ($\frac{1}{2}$) of the installment fee collected in district court shall be remitted by the tenth day of each month to the Administration of Justice Funds Section, on a form provided by that section, for deposit in the Judicial Fine Collection Enhancement Fund established by § 16-13-712.

(B) The other half of the installment fee collected in district court shall be remitted by the tenth day of each month to the city treasurer of the city in which the district court is located to be deposited in a fund entitled the district court automation fund to be used solely for district court-related technology.

(C) In any district court which is funded solely by the county, the other half of this fee shall be remitted by the tenth day of each month to the county treasurer of the county in which the district court is located to be deposited in the district court automation fund to be used solely for district court-related technology.

(D) Expenditures from the district court automation fund shall be approved by a district judge and shall be authorized, pursuant to state accounting law, by the governing body or, if applicable, governing bodies which contribute to the expenses of a district court.

(c) Any defendant who has been authorized by the court to pay a fine by installments shall be considered to have irrevocably appointed the clerk of the court as his or her agent upon whom all papers affecting his or her liability may be served, and the clerk shall forthwith notify the defendant thereof by ordinary mail at his or her last known address.

(d) "Ability to pay" means that the resources of the defendant, including all available income and resources, are sufficient to pay the fine and provide the defendant and his or her dependents with a reasonable subsistence compatible with health and decency.

History. Acts 1995, No. 1262, § 3; 2001, No. 1809, § 13; 2003, No. 1185, § 94; 2003, No. 1765, § 10; 2005, No. 1934, § 7; 2007, No. 663, § 32.

Publisher's Notes. For text of section effective until January 1, 2012, see the preceding version.

Amendments. The 2007 amendment deleted "or city court" following "district court" in (b)(3)(A); deleted former (b)(3)(B)(ii) and (b)(3)(E); and made related changes.

Effective Dates. Acts 2007, No. 663, § 56, as amended by Acts 2009, No. 345, § 7, provided:

"(a) Sections 2 through 15 of this act are effective January 1, 2008.

"(b) Sections 16 through 50 and 52 through 55 of this act are effective January 1, 2012.

"(c) Section 51 of Act 663 of 2007 is effective January 1, 2012, except:

"(1) That portion of Section 51 of Act 663 of 2007 that is referred to in Act 663 of 2007 as 16-17-933, establishing the Cleburne County District Court and departments of that court, codified as § 16-17-936 is effective July 1, 2009; and

"(2) That portion of Section 51 of Act 663 of 2007 that is referred to in Act 663 of 2007 as 16-17-950, establishing the St. Francis County District Court and departments of that court, codified as § 16-17-954 is effective July 1, 2009."

CASE NOTES

Right to Appeal.

City could not rely on the application of this section to claim that defendants' appeal had to be dismissed for the failure of defendants to pay an appeal bond because, even though the court had the right

to order installment payments, nothing in this section authorizes a district court to demand payment of the fine as a prerequisite for taking an appeal to circuit court. *Velek v. State*, 364 Ark. 531, 222 S.W.3d 182 (2006).

16-13-705. Personal checks.

(a) The court shall accept personal checks drawn in the favor of a designated official, as provided in § 16-13-709, in payment of any fine or associated charge assessed by the court if the person issuing the check furnishes satisfactory proof of residence in this state and if the personal check is drawn on a banking institution located in this state.

(b)(1) If any personal check offered in payment pursuant to this section is returned without payment, for any reason, a reasonable charge for the returned check, not to exceed the actual costs incurred by the court or designated agency, may be imposed to recover processing and collection costs.