

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, APRIL 2, 2019 10:00 A.M.**

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on April 2, 2019, being the first Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Melvin Priester, Jr., President, Ward 2; Virgi Lindsay, Vice President, Ward 7; Ashby Foote, Ward 1; Kenneth Stokes, Ward 3; De'Keither Stamps, Ward 4; Charles Tillman, Ward 5 and Aaron Banks, Ward 6. Directors: Dr. Safiya Omari, Chief of Staff; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Aalice Lattimore, Deputy City Clerk and Timothy Howard, City Attorney.

Absent: None.

The meeting was called to order by **President Melvin Priester, Jr.**

The invocation was offered by **Pastor Antonio Howard**, Associate Minister of New Caney Creek M.B. Church.

The following individual was introduced during the meeting:

- **Robert Barnes**

President Priester requested that Agenda Item No. 17 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER CONFIRMING THE APPOINTMENT OF STEVE DAVIS TO THE BOARD OF FIRE APPEALS AND ADJUSTMENTS.

WHEREAS, Sections 58.5(d) and 58.5(e) of the City of Jackson Code of Ordinances provides that individuals aggrieved by decisions of the fire marshal may appeal same to the Board of Fire Appeals and Adjustments; and

WHEREAS, municipal ordinances do not identify or contain a description of the number of individuals and qualifications for persons serving on the Board of Fire Appeals and Adjustments; and

WHEREAS, a functioning Board of Fire Appeals and Adjustments is necessary for the purpose of reviewing the fire marshal's determinations and providing an appeals process for those aggrieved; and

WHEREAS, Steve Davis is capable and willing to serve on the Board of Fire Appeals and Adjustments; and

WHEREAS, Steve Davis has been nominated to serve on the Board of Fire Appeals and Adjustments; and

WHEREAS, after evaluation of qualifications and eligibility, it has been determined that Steve Davis should be appointed to the Board of Fire Appeals and Adjustments.

IT IS HEREBY ORDERED that Steve Davis appointment to the Board of Fire Appeals and Adjustments be confirmed.

IT IS FURTHER HEREBY ORDERED that Steve Davis shall serve a term of 3 years commencing on March 19, 2019.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps, Stokes and Tillman.
Nays- None.
Absent- None.

Council Member Stamps left the meeting.

President Priester stated that an amendment was needed to add a Public Hearing regarding Agenda Item No. 30 that was inadvertently left off the agenda. **Council Member Tillman** moved, seconded by **Vice President Lindsay** to add a Public Hearing regarding Agenda Item No. 30. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.
Nays- None.
Absent- Stamps.

President Priester recognized **Attorney Regina May**, the May Law Firm, PLLC, who provided a brief overview of the project and requirements of a public hearing regarding Agenda Item No. 30.

Thereafter, **President Priester** commenced with the Public Hearing for Agenda Item No. 30:

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI APPROVING THE ADOPTION AND IMPLEMENTATION OF THE TAX INCREMENT FINANCING PLAN FOR THE LANDMARK HEALTHCARE FACILITIES PROJECT, CITY OF JACKSON, MISSISSIPPI, AS AMENDED AND RESTATED FEBRUARY 2019; AND FOR RELATED PURPOSES.

There was no opposition from the public.

President Priester requested that Agenda Item No. 30 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI APPROVING THE ADOPTION AND IMPLEMENTATION OF THE TAX INCREMENT FINANCING PLAN FOR THE LANDMARK HEALTHCARE FACILITIES PROJECT, CITY OF JACKSON, MISSISSIPPI, AS AMENDED AND RESTATED FEBRUARY 2019; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Jackson, Mississippi (the "Council" of the "City"), acting for and on behalf of the City, hereby finds, determines and adjudicates as follows:

1. Under the power and authority granted by the laws of the State of Mississippi and particularly under Chapter 45 of Title 21 (the "TIF Act"), the Council on March 19, 2019, did adopt a certain resolution entitled:

RESOLUTION DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED; DETERMINING THAT THE LANDMARK HEALTHCARE FACILITIES PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING ACCORDING TO SAID ACT;

AND THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE AMENDED AND RESTATED TAX INCREMENT FINANCING PLAN FOR SAID PROJECT; AND FOR RELATED PURPOSES.

2. As directed by the aforesaid resolution, and as required by law, a Notice of Public Hearing with respect to the *Tax Increment Financing Plan for the Landmark Healthcare Facilities Project, City of Jackson, Mississippi, as Amended and Restated February 2019* (the "Amended TIF Plan"), was published in the *Jackson Advocate*, a newspaper having a general circulation within the City, on March 21, 2019, as evidenced by the publisher's proof of publication of the same heretofore presented to the Council and filed with the City Clerk.
3. The Notice of Public Hearing generally described the Amended TIF Plan and further called for a public hearing to be held at April 2, 2019, at 10:00 A.M. at City Hall, 219 S. President Street, Jackson, Mississippi, to enable the general public to state or present their views on the Amended TIF Plan.
4. At 10 A.M. on April 2, 2019, the public hearing was held, and all in attendance were given an opportunity to state or present their oral and/or written comments on the Amended TIF Plan.
5. The Council has received the Amended TIF Plan, and the City and has conducted hearings on the same. The Amended TIF Plan is a qualified plan under the TIF Act and should be approved and accepted by the City.

NOW, THEREFORE, BE IT RESOLVED, by the Council as follows:

SECTION 1. The Council is now fully authorized and empowered under the provisions of the TIF Act, to accept, approve and implement the Amended TIF Plan (a copy of which is attached hereto as Attachment "1"), and does hereby adopt and approve such Amended TIF Plan, in order to support the payment of TIF Bonds as contemplated in the Amended TIF Plan;

SECTION 2. In accordance with the Act, school taxes cannot be used to service tax increment financing debt obligations.

SECTION 3. The Council does hereby approve and adopt the Amended TIF Plan, in accordance with Sections 21-45-3 and 21-45-11 of the TIF Act.

ATTACHEMENT 1

**TAX INCREMENT FINANCING PLAN FOR THE
LANDMARK HEALTHCARE FACILITIES PROJECT
CITY OF JACKSON, MISSISSIPPI
AS AMENDED AND RESTATED FEBRUARY 2019**

ARTICLE I

A. PREAMBLE

The administration and implementation of this *Tax Increment Financing Plan for the Landmark Healthcare Facilities Project, City of Jackson, Mississippi, as Amended and Restated February 2019* (the "TIF Plan") is an amendment to and a restatement of that *Tax Increment Financing Plan, Landmark Healthcare Facilities Project, City of Jackson, Mississippi, November 2011* (the "November 2011 TIF Plan"); will be an undertaking of the City of Jackson (the "City"), authorized pursuant to Section 21-45-1 *et seq.*, Mississippi Code of 1972, as amended (the "TIF Act"); and will be administered and implemented as a joint undertaking of the City of Jackson, Mississippi, (the "City") and Hinds County, Mississippi, (the "County"). The November 2011 TIF Plan is being amended to extend the duration of the November 2011 TIF Plan for so long as any bonds are outstanding.

The City and County will enter into an interlocal cooperation agreement, which will designate the City as the primary party in interest in carrying the project forward. The issuance of bonds to provide funds to finance the costs of infrastructure improvements identified in the TIF Plan shall be a joint undertaking of the City and County whereby the City may issue Tax Increment Financing Bonds as authorized herein to finance the Project as more fully described herein (the "TIF Bonds"). The TIF Bonds authorized by this TIF Plan shall not exceed \$2,000,000.

The Governing Body of the City does hereby find and determine that the Project is in the best interest of the City and its future development and that it is in the best interest of the City and its citizens that the provision of Section 21-45-9 of the Act requiring dedication of the "redevelopment project" to the City not apply to those Improvements which are constructed on the privately-owned portion of the Project.

Landmark Healthcare Facilities, LLC (the "Developer") proposes to develop a new medical office and outpatient building across from the principal campus of Mississippi Baptist Health Systems, Inc. (the "Project"). The project will be located on North State Street directly across from the hospital and will serve as a multi-disciplinary healthcare destination for the Jackson community. The Project has two primary components. First, the medical office building will be a five-story building consisting of approximately 177,275 square feet of office space. Also, there will be an elevated walkway connecting the medical office building directly to the hospital. The first floor of the medical office building will contain retail and restaurant tenants, and a bank. The building will be of a state-of-the-art design with class "A" amenities. Second, there will be a parking garage adjacent to the medical office building that will contain 803 parking spaces to serve the medical office building and approximately 4,500 square feet of retail space. Last, the project includes 11 multi-family residential units that is located within walking distance to the medical office building. The medical office building, parking garage, and the property identified as the multi-family residential space will comprise the Tax Increment Financing District (the "TIF District"). In total, the estimated project cost is expected to be a private investment of \$57,000,000.

The tax increment financing funds as identified herein will be used to defray the cost of infrastructure improvements to serve the Project and the community as a whole.

The Developer has provided information to the City regarding the proposed site plan, the amount of the private investment, sales tax, and job creation projections. Estimates of ad valorem taxes were made through consultation with the Hinds County Tax Assessor's Office.

B. STATEMENT OF INTENT

The City may issue TIF Bonds, pursuant to the authority outlined hereinabove, in one or more series, in an amount not to exceed Two Million Dollars (\$2,000,000), which will be secured solely by a pledge of the increased real and personal ad valorem taxes generated within the TIF District, which funds will be used to pay the cost of constructing various infrastructure improvements which may include, but are not necessarily limited to, the installation, rehabilitation and/or relocation of utilities such as water, sanitary sewer, construction, renovation, or rehabilitation of drainage improvements, roadways, curbs, gutters, sidewalks, surface parking, parking structures, relocation of electrical lines, lighting, signalization, landscaping of rights-of way, related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, and other related soft costs (the "Infrastructure Improvements"). The City shall pledge one hundred percent (100%) of ad valorem tax revenue increases; however, TIF Bonds will be sized and issued based on 80% of the incremental increases in the general fund millage of real and personal property ad valorem taxes, and the County will use 12.79 mills of its general fund millage.

Public Convenience and Necessity

The public convenience and necessity requires participation by the City and County in the Project. The Project will provide for the public convenience and necessity and serve the best interests of the citizens of the City and County, as follows:

1. Construction of the Project will represent a private investment in excess of \$57,000,000.
2. It is estimated the Project will create several hundred construction jobs over the life of the project with an estimated payroll of \$24,900,000.
3. It is estimated the Project will support 229 permanent full-time and part-time jobs, including 72 physicians and 172 supporting staffers (20% of the jobs are anticipated to be new).
4. It is expected that the Project will result in an annual real and personal property tax *increase* of about \$318,809 for the City.
5. It is expected that the Project will result in an annual real and personal property tax *increase* of about \$205,086 for the County.
6. It is anticipated that the Project will yield an annual real and personal property tax *increase* of about \$411,985 for the School District.
7. The annual sales generated by the retail development are expected to reach \$3,000,000.
8. The Project is expected to result in annual sales tax rebates to the City of about \$332,851.
9. The Project will stop the "out migration" of healthcare facilities and services to the suburbs surrounding the City.

ARTICLE II

A. REDEVELOPMENT PROJECT DESCRIPTION

The project will be located on North State Street directly across from the hospital and will serve as a multi-disciplinary healthcare destination for the Jackson community. The Project has two primary components. First, the medical office building will be a five-story building consisting of approximately 177,275 square feet of office space. Also, there will be an elevated walkway connecting the medical office building directly to the hospital. The first floor of the medical office building will contain retail and restaurant tenants, and a bank. The building will be of a state-of-the-art design with class "A" amenities. Second, there will be a parking garage adjacent to the medical office building that will contain approximately 803 parking spaces (to serve the medical office building) and 4,500 square feet of retail space. Last, the project includes 11 multi-family residential units located within walking distance to the medical office building. In total, the project costs will be in excess of \$57,000,000.

Project Location

- a. Property Description and Map
The Project location is bound by State, Manship, Poplar and North Streets in the City of Jackson. Attached hereto as Exhibit A is a site plan, survey and legal description for the TIF District.
- b. Environmental Characteristics and Zoning
Development of the site will require improvements such as, but not limited to, installation and/or relocation of utilities such as acquiring and constructing improvements, which may include, but not necessarily be limited to, installation, rehabilitation and/or relocation of utilities such as water, sanitary sewer, construction, renovation, or rehabilitation of drainage improvements, roadways, curbs, gutters, sidewalks, surface parking, parking structures, relocation of electrical lines, lighting, signalization, landscaping of rights-of way, related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, and other related soft costs. The Project will consist of

permitted uses as allowed by the applicable zoning ordinances of the City. The property is zoned as CMU-1.

B. DEVELOPER INFORMATION

1. Name of Company:
Landmark Healthcare Facilities, LLC
2. Address of Company
Attn: Nic Checota
839 North Jefferson Street
Milwaukee, WI 53202
3. Tax I.D. Number
391833649
4. Local Contractors or Agents
None

**ARTICLE III
ECONOMIC DEVELOPMENT IMPACT DESCRIPTION**

A. JOB CREATION

Construction Jobs

The Project is expected to create several hundred construction jobs. Construction payroll is estimated to be \$24,900,000. The Project will hire City of Jackson residents to fill at least fifty percent (50%) of the unskilled labor jobs during construction.

Permanent Jobs

The Project is expected to support 229 jobs, including 72 physicians and 172 support staff members; 20% are estimated to be new jobs. The construction of this new facility will enable the City to retain physicians that would have otherwise relocated to the surrounding suburbs of Jackson.

B. FINANCIAL BENEFIT TO THE COMMUNITY

Ad Valorem Tax Increases

The construction and development of the Project will generate significant ad valorem tax revenues for the City, the County, and the School District. The following are estimates of new ad valorem tax revenues anticipated to be generated from the Project. Estimates for real and personal property taxes are based on assumed new true value of \$38,554,875 for real and personal property.

	MILLAGE RATES	CURRENT TAXES	AFTER PROJECT	INCREASE
City	58.03	\$16,792	\$335,601	\$318,809*
County	37.33	\$10,802	\$215,888	\$205,086*
School District	74.99	\$21,700	\$433,685	\$411,985
TOTAL	170.35	\$49,294	\$985,173	\$935,879

Note: Assumes constant values and millage rates.

*One-hundred percent (100%) of the incremental increases in ad valorem real and personal property taxes will be pledged to service the debt on the TIF Bonds. The City will size the bonds based on 80% of the incremental increases in the general fund millage of real and personal property ad valorem taxes and the County will use 12.79 mills of its general fund millage.

Retail Sales

It is estimated that the Project will generate approximately \$3,000,000 in sales annually and \$332,851 in annual sales tax rebates.

Jobs for Jacksonians

The Project will hire City of Jackson residents to fill at least fifty percent (50%) of the unskilled labor jobs during construction. It is estimated that at least forty (40) unskilled labor jobs will be created during construction. The Project will promote its participation in the Jobs for Jacksonians Program with appropriate signage and training activities as needed.

**ARTICLE IV
THE OBJECTIVE OF THE TAX INCREMENT FINANCING PLAN**

The primary objective of this TIF Plan is to develop a Project to serve the public's convenience and necessity through participation in the Project. The TIF Plan will provide financing to construct the Infrastructure Improvements of the Project as described in detail in the preamble to this TIF Plan to serve the general public.

The Infrastructure Improvements will be constructed in accordance with the City's standards, codes, and ordinances.

The Infrastructure Improvements will provide for the health and welfare of the public by providing for safe and adequate infrastructure improvements which may include, but are not limited to, acquiring and constructing improvements, which may include, but not necessarily be limited to, installation, rehabilitation and/or relocation of utilities such as water, sanitary sewer, construction, renovation, or rehabilitation of drainage improvements, roadways, curbs, gutters, sidewalks, surface parking, parking structures, relocation of electrical lines, lighting, signalization, landscaping of rights-of way, related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, and other related soft costs.

**ARTICLE V
A STATEMENT INDICATING THE NEED AND PROPOSED USE OF THE TAX INCREMENT FINANCING PLAN IN RELATIONSHIP TO THE REDEVELOPMENT PLAN**

The proposed use of the TIF Plan is to provide a financing mechanism for the construction of Infrastructure Improvements necessary to serve the public within the Redevelopment Plan.

**ARTICLE VI
A STATEMENT CONTAINING THE COST ESTIMATE OF THE REDEVELOPMENT PROJECT, PROJECTED SOURCES OF REVENUE TO MEET THE COSTS, AND TOTAL AMOUNT OF INDEBTEDNESS TO BE INCURRED**

A. COST ESTIMATE OF REDEVELOPMENT PROJECT

The development of the TIF District will represent a private investment in excess of \$57,000,000. The proceeds of the TIF Bonds will be used to pay the cost of constructing various infrastructure improvements which may include, but not necessarily limited to, installation, rehabilitation and/or relocation of utilities such as water, sanitary sewer, construction, renovation, or rehabilitation of drainage improvements, roadways, curbs, gutters, sidewalks, surface parking, parking structures, relocation of electrical lines, lighting, signalization, landscaping of rights-of way, related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, and other related soft costs (the "Infrastructure Improvements").

The Governing Body does hereby find and determine that the Project is in the best interest of the City and its future development and that it is in the best interest of the City and its citizens that the provision of Section 21-45-9 of the Act requiring dedication of the "redevelopment project" to the City not apply to those Infrastructure Improvements which are constructed on the privately-owned portion of the Project.

The construction of the Infrastructure Improvements will be undertaken to provide for the public convenience, health, and welfare.

Proceeds of the TIF Bonds may also be used to fund capitalized interest and/or a debt service reserve fund as may be permitted under Section 21-45-1, *et seq.*, Mississippi Code of 1972, annotated.

B. PROJECTED SOURCES OF REVENUE TO MEET COSTS

The Developer will secure financing to construct the Project including the work to be funded with TIF Bonds. The City will pledge incremental tax increases of the ad valorem real and personal property generated within the TIF District to secure the TIF Bonds. The County will pledge fifty percent (50%) of the increased ad valorem taxes on real and personal property from its general fund millage. The amount of TIF bonds to be issued shall be determined based upon eighty percent (80%) of the increase in the City's general fund ad valorem taxes on real and personal property located in and constituting a part of the TIF District. The County's participation shall be limited to 12.79 mills of the general fund millage as applied to real and personal property located in and constituting part of the TIF District.

C. TOTAL AMOUNT OF INDEBTEDNESS TO BE INCURRED

The City will issue up to Two Million Dollars (\$2,000,000) in TIF Bonds, in one or more series, which may be secured by the City with the pledge of 100% of the incremental increases in real and personal property ad valorem taxes and 12.79 mills of the County's general fund millage generated within the TIF District; provided, however, that the amount of bonds to be issued shall be determined based upon eighty percent (80%) of the increase in the City's general fund ad valorem taxes on real and personal property located in and constituting a part of the TIF District. The County's participation shall be limited to 12.79 mills of the general fund millage as applied to real and personal property located in and constituting part of the TIF District. The City of Jackson, *Tax Increment Financing Redevelopment Plan*, and this TIF Plan, shall be a joint undertaking by the City and the County including, but not necessarily limited to, the issuance of the TIF Bonds, which may include bonds, notes, or other debt obligations, in one or more series, to provide funds to defray the cost of the Infrastructure Improvements.

It is expected that Bonds or Notes can be obtained at an annual interest rate of 6% for up to ten (10) year tax increment debt obligations. Annual principal and interest payments are estimated to be up to approximately \$268,072 (including the City portion of \$197,779 and the County portion of \$70,294) assuming the 6% rate and tax increment obligations over a period of up to ten (10) years.

The increase in ad valorem real and personal property to be generated for the City are estimated to be \$318,809. The increase in ad valorem real and personal property revenues to be generated for the County are \$205,086. It is requested that as much as is necessary of these increased ad valorem real and personal property tax payments be pledged to the payment of the tax increment debt obligations. The only obligation of the City, with respect to the payment of the debt obligations, will be the pledge of 100% of the increased ad valorem real and personal property taxes generated from within the TIF District. The only obligation of the County, with respect to the payment of the debt obligations, will be the pledge of 12.79 of its general fund millage; provided, however, that the TIF Bonds will be issued based upon eighty percent (80%) of the increase in the City's general fund ad valorem taxes on real and personal property located in and constituting a part of the TIF District. The County's participation shall be limited to 12.79 mills of the general fund millage as applied to real and personal property located in and constituting part of the TIF District.

The principal and interest payments on the TIF Bonds are estimated to be \$268,073 annually. That is estimated to lead to an annual surplus to the City of \$121,030 which will be deposited into the general fund of the City to be used for any lawful purpose. The surplus for the County is estimated to be \$134,792 annually and will be deposited into the general fund of the County to be used for any lawful purpose.

The amount and timing of the issuance of the TIF Bonds shall be determined pursuant to further proceedings of the City.

**ARTICLE VII
REAL PROPERTY TO BE INCLUDED IN TAX INCREMENT FINANCING DISTRICT**

The real property to be included in the TIF District from which the ad valorem real and personal property tax revenues will be generated to finance the TIF Bonds is described in Exhibit A attached to this TIF Plan.

**ARTICLE VIII
DURATION OF THE TAX INCREMENT FINANCING PLAN**

This TIF Plan shall remain in effect and in existence so long as there are TIF Bonds outstanding. TIF Bonds may be issued for up to thirty (30) years as determined by the City.

**ARTICLE IX
ESTIMATED IMPACT OF TAX INCREMENT FINANCING PLAN UPON THE
REVENUES OF ALL
TAXING JURISDICTIONS IN WHICH A REDEVELOPMENT PROJECT IS LOCATED**

Ad Valorem Tax Increases

The construction and development of the Project will generate significant ad valorem tax revenues for the City, the County, and the School District. The following are estimates of new ad valorem tax revenues anticipated to be generated from the Project. Estimates for real and personal property taxes are based on assumed new true value of \$38,554,875 for real and personal property.

	MILLAGE RATES	CURRENT TAXES	AFTER PROJECT	INCREASE
City	58.03	\$16,792	\$335,601	\$318,809*
County	37.33	\$10,802	\$215,888	\$205,086*
School District	74.99	\$21,700	\$433,685	\$411,985
TOTAL	170.35	\$49,294	\$985,173	\$935,879

Note: Assumes constant values and millage rates.

* One-hundred percent (100%) of the incremental increases in ad valorem real and personal property taxes will be pledged to service the debt on the TIF Bonds. TIF Bonds will be issued based upon eighty percent (80%) of the increase in the City's general fund ad valorem taxes on real and personal property located in and constituting a part of the TIF District. The County's participation shall be limited to 12.79 mills of the general fund millage as applied to real and personal property located in and constituting part of the TIF District.

Retail Sales

It is estimated that the Project will generate approximately \$3,000,000 in sales annually with annual sales tax rebates of \$332,851.

**ARTICLE X
A STATEMENT REQUIRING THAT A SEPARATE FUND BE ESTABLISHED TO
RECEIVE AD VALOREM TAXES AND THE PROCEEDS OF ANY OTHER
FINANCIAL ASSISTANCE**

A separate fund entitled the "Tax Increment Fund: 'Landmark Healthcare Facilities Project'" shall be established by the City to receive funds in connection with this TIF Plan.

ARTICLE XI

THE GOVERNING BODY OF THE CITY SHALL BY RESOLUTION FROM TIME TO TIME, DETERMINE (i) THE DIVISION OF AD VALOREM TAX RECEIPTS, IF ANY, THAT MAY BE USED TO PAY FOR THE COST OF ALL OR ANY PART OF A REDEVELOPMENT PROJECT; (ii) THE DURATION OF TIME IN WHICH SUCH TAXES MAY BE USED FOR SUCH PURPOSES; (iii) IF THE GOVERNING BODY SHALL ISSUE BONDS FOR SUCH REDEVELOPMENT PROJECT; AND (iv) SUCH OTHER RESTRICTIONS, RULES AND REGULATIONS AS IN THE SOLE DISCRETION OF THE GOVERNING BODY OF THE CITY SHALL BE NECESSARY IN ORDER TO PROMOTE AND PROTECT THE PUBLIC INTEREST.

Through the adoption of this TIF Plan, the Governing Body of the City acknowledges the above and shall adopt the necessary resolutions when deemed necessary and appropriate.

**ARTICLE XII
PLAN OF FINANCING**

The TIF Plan provides for the City's issuance of TIF Bonds secured by the pledge of incremental increases in ad valorem real and personal property taxes generated by the Project. The City's pledge will be one hundred percent (100%) of ad valorem tax increases in real and personal property ad valorem taxes generated within the TIF District. The County's participation shall be limited to fifty percent (50%) of tax increases produced by its general fund millage; provided, however, the amount of bonds to be issued shall be determined by using eighty percent (80%) of the increase in the City's general fund ad valorem taxes on real and personal property located in and constituting a part of the TIF District. The County's participation shall be limited to 12.79 mills of the general fund millage as applied to real and personal property located in and constituting part of the TIF District.

The City will select the most advantageous method to incur the TIF Bond debt pursuant to further proceedings of the City.

The amount and timing of the issuance of the TIF Bonds shall be determined pursuant to further proceedings of the City.

Council Member Stokes moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- None.

Absent- Stamps.

There came on for consideration Agenda Item No. 2, Public Hearing:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR CULTIVATION FOOD HALL TO ERECT 3 ADDITIONAL BUILDING SIGNS TOTALING 51 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

There was no presentation from the Applicant.

There came on for consideration Agenda Item No. 3, Public Hearing:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR CULTIVATION FOOD HALL TO ERECT 3 ADDITIONAL BUILDING SIGNS TOTALING 51 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

There was no opposition from the public.

President Priester requested that Agenda Item No. 22 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR CULTIVATION FOOD HALL TO ERECT 3 ADDITIONAL BUILDING SIGNS TOTALING 51 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

WHEREAS, the public health, safety or general welfare of the community may require that variances be granted in specific cases as set forth in City of Jackson Sign Ordinance, Sections 102-26, et seq., of the City of Jackson Code of Ordinances; and

WHEREAS, pursuant to Section 102-40, no action by the City Council may be taken concerning a variance from the sign regulations until after a public hearing in relation thereto, at which parties in interest and the general citizenry shall have an opportunity to be heard; and

WHEREAS, no variance from the Sign Ordinance shall be passed by the City Council unless and until an application seeking the variance is filed with the City's Signs and License Division, with such application containing, at a minimum, a legal description, location map, plot plan, the exact nature of the requested variance, the grounds upon which it is requested, and/or such other information as may be required by the Signs and License Division manager; and

WHEREAS, said variance application shall also demonstrate that:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
2. The literal interpretation of the provisions of the Sign Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance;
3. The special conditions and circumstances do not result from actions of the applicant; and
4. Granting the variance requested will not confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district; and

WHEREAS, Cultivation Food Hall, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect 3 additional building signs totaling 51 square feet within a CMU-1 zone which allows a total of 15 square feet for building signage.

IT IS, THEREFORE, ORDERED that Cultivation Food Hall is hereby approved a variance from the Sign Ordinance regulations to erect 3 additional building signs totaling 51 square feet within a CMU-1 zone which allows a total of 15 square feet for building signage.

IT IS FURTHER ORDERED that the City Council has considered the variance application and grants the variance requested therein based on a finding that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; the literal interpretation of the provision of the Sign Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance; the special conditions and circumstances do not result from actions of the applicant; and granting the variance requested will not confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district.

Vice President Lindsay moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester and Tillman.
Nays- Stokes.
Absent- Stamps.

There came on for consideration Agenda Item No. 4, Public Hearing:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR KOINONIA BAPTIST CHURCH TO ERECT A 30 SQUARE FOOT GROUND SIGN WITHIN A R-1A ZONE WHICH ONLY ALLOWS A TOTAL OF 16 SQUARE FEET FOR GROUND SIGNAGE FOR CHURCHES.

President Priester recognized **Robert Barnes**, a representative of the Applicant, who spoke in favor to approve the sign variance request for Koinonia Baptist Church.

There came on for consideration Agenda Item No. 5, Public Hearing:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR KOINONIA BAPTIST CHURCH TO ERECT A 30 SQUARE FOOT GROUND SIGN WITHIN A R-1A ZONE WHICH ONLY ALLOWS A TOTAL OF 16 SQUARE FEET FOR GROUND SIGNAGE FOR CHURCHES.

There was no opposition from the public.

President Priester requested that Agenda Item No. 24 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR KOINONIA BAPTIST CHURCH TO ERECT A 30 SQUARE FOOT GROUND SIGN WITHIN A R-1A ZONE WHICH ONLY ALLOWS A TOTAL OF 16 SQUARE FEET FOR GROUND SIGNAGE FOR CHURCHES.

WHEREAS, the public health, safety or general welfare of the community may require that variances be granted in specific cases as set forth in City of Jackson Sign Ordinance, Sections 102-26, et seq., of the City of Jackson Code of Ordinances; and

WHEREAS, pursuant to Section 102-40, no action by the City Council may be taken concerning a variance from the sign regulations until after a public hearing in relation thereto, at which parties in interest and the general citizenry shall have an opportunity to be heard; and

WHEREAS, no variance from the Sign Ordinance shall be passed by the City Council unless and until an application seeking the variance is filed with the City's Signs and License Division, with such application containing, at a minimum, a legal description, location map, plot plan, the exact nature of the requested variance, the grounds upon which it is requested, and/or such other information as may be required by the Signs and License Division manager; and

WHEREAS, said variance application shall also demonstrate that:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;

2. The literal interpretation of the provisions of the Sign Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance;
3. The special conditions and circumstances do not result from actions of the applicant; and
4. Granting the variance requested will not confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district; and

WHEREAS, Koinonia Baptist Church, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 30 square foot ground sign within a R-1A zone which only allows a total of 16 square feet for ground signage for churches.

IT IS, THEREFORE, ORDERED that Baptist Health Systems is hereby approved a variance from the Sign Ordinance regulations to erect a third monument sign at 35 sq. ft. in size and 7 ft. in height within a CMU-1 zone which only allows one monument sign per premise not to exceed 15 sq. ft. in size and 6 ft. in height.

IT IS FURTHER ORDERED that the City Council has considered the variance application and grants the variance requested therein based on a finding that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; the literal interpretation of the provision of the Sign Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance; the special conditions and circumstances do not result from actions of the applicant; and granting the variance requested will not confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district.

Council Member Stokes moved adoption; Council Member Tillman seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.
Nays- None.
Absent- Stamps.

President Priester requested that Agenda Item No. 52 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

President Priester recognized Council Member Stokes who presented a RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING MRS. MALLINA EVELYN JEUITT, AN OUTSTANDING CITIZEN, FOR PHENOMENAL COMMUNITY LEADERSHIP AND NURTURE (POSTHUMOUSLY). Accepting the Resolution with appropriate remarks was Mr. Robert Jeuitt.

Council Member Stamps returned to the meeting.

President Priester recognized the following individuals who provided public comments during the meeting:

- Albert Coleman provided remarks regarding being a convicted felon.
- Coleman Byrd expressed concerns regarding abortion and moral laws.
- Ciara Elder expressed concerns regarding the procedures for organizing a peaceful protest.
- Pam Bedford requested assistance from the City of Jackson for her family.

- **Kenneth Mabry** expressed concerns regarding the sewer line installment program.
- **Voncille Martin** expressed concerns regarding several issues within her neighborhood.

ORDER AUTHORIZING THE ACCEPTANCE OF MONETARY DONATIONS TO THE CITY OF JACKSON FIRE DEPARTMENT IN THE AMOUNT OF \$300.00.

WHEREAS, on January 20, 2010, the Mississippi Attorney General issued an opinion to Marc Boutwell the City Attorney for the Town of Goodman; and

WHEREAS, in the opinion, the Mississippi Attorney General stated that municipal governing authorities may accept donations of funds for specifically designated purposes; and

WHEREAS, the Mississippi Attorney General stated that funds donated must be placed in the municipal treasury and may only be used for proper municipal purposes; and

WHEREAS, the City of Jackson Fire Department has received \$300.00 in monetary donations from various sources; and

WHEREAS, the \$300.00 was contributed to support Fire Safety Education and the Kids Academy; and

WHEREAS, Section 21-25-3 of the Mississippi Code empowers the governing authorities of municipalities to provide for the prevention of fires; and

WHEREAS, the Fire Safety Education and Kids Academy is a fire prevention tool and is within the City of Jackson's authority to use and constitutes a proper municipal purpose.

IT IS, HEREBY, ORDERED that the monetary donation amount of \$300.00 be accepted.

IT IS FURTHERED ORDERED that the funds accepted shall be deposited into the municipal treasury and shall be expended for the proper municipal purpose identified in this order.

Council Member Stokes moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- Stamps.

Absent- None.

ORDER AUTHORIZING THE ACCEPTANCE OF MONETARY DONATIONS TO THE CITY OF JACKSON FIRE DEPARTMENT \$250.00.

WHEREAS, on January 20, 2010, the Mississippi Attorney General issued an opinion to Marc Boutwell the City Attorney for the Town of Goodman; and

WHEREAS, in the opinion, the Mississippi Attorney General stated that municipal governing authorities may accept donations of funds for specifically designated purposes; and

WHEREAS, the Mississippi Attorney General stated that funds donated must be placed in the municipal treasury and may only be used for proper municipal purposes; and

WHEREAS, the City of Jackson Fire Department has received \$250.00 in monetary donations from various sources; and

WHEREAS, the \$250.00 was contributed to support Fire Safety Education and the Kids Academy; and

WHEREAS, Section 21-25-3 of the Mississippi Code empowers the governing authorities of municipalities to provide for the prevention of fires; and

WHEREAS, the Fire Safety Education and Kids Academy is a fire prevention tool and is within the City of Jackson's authority to use and constitutes a proper municipal purpose.

IT IS, HEREBY, ORDERED that the monetary donation amount of \$250.00 be accepted.

IT IS FURTHERED ORDERED that the funds accepted shall be deposited into the municipal treasury and shall be expended for the proper municipal purpose identified in this order.

Council Member Stokes moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- Stamps.

Absent- None.

ORDER ACCEPTING PAYMENT OF \$516.50 FROM SAFEWAY INSURANCE COMPANY ON BEHALF OF ITS INSURED {CHERYL OLLIE} AS A PROPERTY DAMAGE SETTLEMENT.

IT IS HEREBY ORDERED by the City Council for the City of Jackson, Mississippi, that the City Attorney or designee, be authorized to execute all necessary documents and accept payment in the amount of \$516.50 as a property damage settlement for damage sustained to a City of Jackson vehicle (PC-1517) on October 13, 2018.

Council Member Stokes moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- Stamps.

Absent- None.

ORDER ACCEPTING PAYMENT OF \$1,910.82 FROM PROGRESSIVE INSURANCE COMPANY ON BEHALF OF ITS INSURED {REBECCA SEAVER} AS A PROPERTY DAMAGE SETTLEMENT.

IT IS HEREBY ORDERED by the City Council for the City of Jackson, Mississippi, that the City Attorney or designee, be authorized to execute all necessary documents and accept payment in the amount of \$1,910.82 as a property damage settlement for damage sustained to a City of Jackson vehicle {PT-792} on October 4, 2018.

Council Member Stokes moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- Stamps.

Absent- None.

There came on for Introduction Agenda Item No. 11:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI RENAMING JAYCEE PARK TO COACH W.C. GORDEN PARK. Said item was referred to the Planning Committee.

There came on for Introduction Agenda Item No. 12:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ESTABLISHING A SAFE INFRASTRUCTURE SCHOOL ZONE, PROVIDING EMERGENCY STATUS FOR THE CITY OF JACKSON TO ADDRESS INFRASTRUCTURE ISSUES OF STANDING WATER, DRAINAGE, AND STREETS OF RISK WITHIN ONE MILE RADIUS OF JACKSON PUBLIC SCHOOLS. Said item would be placed on the agenda as an Adoption of Ordinance for the April 16, 2019 Regular City Council meeting.

President Priester recognized **Willie Owens**, Fire Chief, who provided a report on the partnership between the American Red Cross and the City of Jackson's Fire Department installing smoke alarms. Chief Owens stated the "Sound the Alarm Save a Life" campaign will kick off on April 27, 2019 from 8:00 a.m. until 3:00 p.m. **Ms. Debra Davis**, Disaster Program Manager, presented the Sound the Alarm Save a Life award to the City of Jackson's Fire Department.

President Priester requested that Agenda Item No. 47 be moved forward on the Agenda. Hearing no objections, the following was discussed:

DISCUSSION: 2020 CENSUS: **President Priester** recognized **Kyra Roby**, Partnership Specialist with the U.S. Census Bureau. **Ms. Roby** stated that Census Day was April 1, 2020, and preparations for the day are already underway. Census data determines how many representatives Mississippi gets in Congress, lays the groundwork for redistricting across the state, and is used by states and communities to plan for a variety of resident needs through the allocation of \$675 billion of federal funds. The goal of the 2020 Census is to count everyone once, only once and in the right place.

President Priester requested that Agenda Item No. 35 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER AMENDING PREVIOUS ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICE CONTRACT WITH THE FAMOUS ARTISTS AGENCY, JASON WILLIAMS, AUTHORIZED AGENT FOR REGINA BELLE TO SECURE HER PERFORMANCE AT THE CITY OF JACKSON 2019 JACKSON SOULFUL MUSIC SUMMER JAM FEST, AT THALIA MARA HALL.

WHEREAS, on March 19, 2019, the governing authorities for the City of Jackson approved an Order, which authorized the Mayor to execute a professional service contract between the City of Jackson and the Famous Artists Agency, Jason Williams, authorized agent for Regina Belle, at a cost of Eleven Thousand Dollars (\$11,000.00) to secure her performance at the 2019 Jackson Soulful Music Summer Jam Fest on July 20, 2019, at Thalia Mara Hall; and

WHEREAS, the order approved by the Jackson City Council on March 19, 2019 contained an error regarding the performance amount; and

WHEREAS, the agreed upon artist contract, is in the amount of Eleven Thousand Five Hundred Dollars (\$11,500.00); the amount entered in the Order was for Five Hundred Dollars (\$500.00) less, for an amount of Eleven Thousand Dollars (\$11,000.00); and

WHEREAS, Regina Belle will perform at the 2019 Jackson Soulful Music Summer Jam Fest event at Thalia Mara Hall on July 20, 2019 at a corrected cost of Eleven Thousand Five Hundred Dollars (\$11,500.00); and

WHEREAS, the Department of Parks and Recreation is hereby submitting this order to correct previous order submitted on March 19, 2019.

REGULAR MEETING OF THE CITY COUNCIL

TUESDAY, APRIL 2, 2019 10:00 A.M.

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IT IS HEREBY ORDERED that the prior Order of the Jackson City Council approved on March 19, 2019 be amended as follows:

- (1) The Mayor shall be authorized to execute a Professional Service Contract with the Famous Artists Agency, Jason Williams Authorized Agent for Regina Belle in the amount of Eleven Thousand Five Hundred Dollars (\$11,500.00).

IT IS FINALLY ORDERED that a copy of said Professional Service Contract be filed for record in the Office of the City Clerk.

Council Member Banks moved adoption; **Council Member Stamps** seconded.

Yeas- Banks, Lindsay, Priester, Stamps and Tillman.

Nays- Foote.

Absent- Stokes.

ORDER APPROVING CLAIMS NUMBER 5106 TO 5460 APPEARING AT PAGES 781 TO 835 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$8,632,155.23 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 5106 to 5460 appearing at pages 781 to 835, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$8,632,155.23 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO ACCOUNTS PAYABLE FUND
1% INFRASTRUCTURE TAX	1,544,952.13
2015 A/B G.O. REFUNDING	353,963.76
EARLY CHILDHOOD (DAYCARE)	73.51
EMPLOYEES GROUP INSURANCE FUND	27,582.68
FIRE PROTECTION	3,595.80
GENERAL FUND	1,444,230.88
H O P W A GRANT – DEPT. OF HUD	96,734.30
HOME PROGRAM FUND	16,446.54
HOUSING COMM DEV ACT (CDBG) FD	7,806.09
JXN CONVENTION & VISITORS BUR	281,747.03
LANDFILL/SANITATION FUND	231,878.89
LIBRARY FUND	9,453.50
MADISON SEWAGE DISP OP & MAINT	37.92
P E G ACCESS- PROGRAMMING FUND	8,261.50
PARKS & RECR FUND	88,830.91
REPAIR & REPLACEMENT FUND	14,600.00
RESURFACING- REPAIR & REPL. FD	81,279.63
SEIZURE & FORFEITED PROP-STATE	23,600.00
STATE TORT CLAIMS FUND	10,284.00
TECHNOLOGY FUND	1,507,715.74
TIGER GRANT	160,011.80
TRANSPORTATION FUND	1,957,047.40
WATER/SEWER CAPITAL IMPR FUND	203,540.00
WATER/SEWER OP & MAINT FUND	558,366.88
WATER/SEWER REVENUE FUND	114.34

TOTAL **\$8,632,155.23**

Council Member Tillman moved adoption; **Vice President Lindsay** seconded.

President Priester recognized **LaaWanda Horton**, Interim Director of Administration, who provided an overview of the Claims Docket at the request of **President Priester**.

Thereafter, **President Priester** called for a vote on said item:

Yeas- Foote, Lindsay, Priester and Tillman.
Nays- Banks and Stamps.
Absent- Stokes.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 5106 TO 5460 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 5106 to 5460 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$162,918.44 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

IT IS FINALLY ORDERED that the following expenditures from the accounts payable fund be made in order to pay amounts transferred thereto from the payroll fund for payment of the payroll deduction claims authorized herein for payment:

FROM:	TO ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		1,856,593.60
PARKS & RECR FUND		73,956.33
LANDFILL FUND		13,193.09
SENIOR AIDES		2,504.85
WATER/SEWER OPER & MAINT		208,302.45
PAYROLL FUND		825.00
PAYROLL	162,918.44	
EARLY CHILDHOOD		30,548.76
HOUSING COMM DEV		8,843.12
TITLE III AGING PROGRAMS		4,246.93
TRANSPORTATION FUND		12,213.86
T-WARNER PA/GA FUND		4,787.71
TOTAL		<u>\$2,216,015.70</u>

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester Stamps and Tillman.
Nays- None.
Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CIVICPLUS FOR THE PURCHASE OF ANNUAL MAINTENANCE FOR THE GOVERNMENT CONTENT MANAGEMENT SYSTEM.

WHEREAS, the City of Jackson purchased the Government Content Management System ("GCMS") software and associated product and service package from CivicPlus; and

WHEREAS, the GCMS software provides support for the City of Jackson's website hosting; and

WHEREAS, the GCMS software also allows municipal website administrators to manage critical aspects of their online presence; and

WHEREAS, the maintenance agreement for the GCMS software expired on December 31, 2018 and is currently due for renewal; and

WHEREAS, CivicPlus is the sole provider of GCMS software and the associated product and service package; and

WHEREAS, maintenance and hosting needs for this site have been analyzed and purchase of maintenance for this site is recommended.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an agreement with CivicPlus for the purchase of a maintenance agreement for the Government Content Management System software at a cost of \$17,068.14, for the period beginning at execution through December 31, 2019.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GRANICUS, FORMALLY INOBBAR LLC DBA NOVUSOLUTIONS ("NOVUSOLUTIONS"), FOR THE RENEWAL OF NOVUSAGENDA VIDEO SUBSCRIPTION.

WHEREAS, the City of Jackson, Mississippi ("City of Jackson") purchased NovusAgenda in 2012; and

WHEREAS, the NovusAgenda software provides an easy way to create, track and publish agenda items for the City council; and

WHEREAS, the maintenance for Novusolutions Video Subscription expired on December 31, 2018; and

WHEREAS, the cost of renewal is \$9,360.00; and

WHEREAS, Granicus is the sole provider of NovusAgenda; and

WHEREAS, the subscription needs for this system have been analyzed and the purchase of this subscription is recommended.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an agreement with Granicus for the renewal of NovusAgenda Video Subscription, at a cost of \$9,360.00 for the period beginning at execution through December 31, 2019.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENTS TO THE EXISTING AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR THE IMPLEMENTATION OF THE GENERAL BILLING AND PARKS AND RECREATIONS MODULES.

WHEREAS, the City of Jackson City Council approved the purchase of the Tyler Technologies, Inc. ERP software on September 25, 2018; and

WHEREAS, the ERP software contains the General Billing and Parks and Recreations modules; and

WHEREAS, moving up the implementation of the Parks and Recreations Modules from July 2020 to September 2019 would give the City an advantage by providing functionality for spring and summer recreational activities in 2020; and

WHEREAS, the cost of changing the date for the implementation of the Parks and Recreations modules is zero (\$0.00) dollars and the cost for the addition of the General Billing module is also zero (\$0.00) dollars; and

WHEREAS, the above mentioned changes have been analyzed and modification of the agreement is recommended.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute amendments with Tyler Technologies, Inc. for the implementation of the General Billing and Parks and Recreations modules. The Mayor is further authorized to execute any and all documents necessary for the implementation of the ERP system.

President Priester moved adoption; **Vice President Lindsay** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

Council Member Stokes returned to the meeting.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH STYLING YOUR LIFE SOLUTIONS, LLC TO PROVIDE ASSESSMENT OF CITY OF JACKSON'S WORKPLACE ENVIRONMENT, AND CONDUCT TRAINING TO ENHANCE LEADERSHIP AND MANAGEMENT SKILLS OF MIDDLE AND UPPER LEVEL MANAGERS.

WHEREAS, Styling Your Life Solutions, LLC, has been deemed qualified by the City of Jackson to assess all departments to determine what current practices are working or not working well; and

WHEREAS, Styling Your Life Solutions, LLC, will provide findings from the assessment to mid-level and upper-level managers, as well as to Personnel, in the form of a written report; and

WHEREAS, Styling Your Life Solutions, LLC, will develop and implement a plan of action designed to enhance said mid-level and upper-level managers' leadership and management skills to affect positive changes within their respective department; and

WHEREAS, Styling Your Life Solutions, LLC will complete the assessment of all departments, provide feedback, and conduct necessary training in a period of five months; and

WHEREAS, Styling Your Life Solutions, LLC will produce the following deliverables:

1. An assessment of each department, and written report to Department heads and to Personnel on how to build a stronger environment for workplace satisfaction;

2. A plan of action for mid- to upper management employees that will increase the workplace satisfaction in their departments;
3. Training sessions to enhance leadership and management skills of mid- and upper-level managers;
4. A well-designed and well-implemented retreat for managers and directors to strengthen and empower leaders and improve the overall workplace environment; and

WHEREAS, the total cost for services rendered by Styling Your Life Solutions, LLC is \$30,000 paid in the amount of \$6,000 per month for five months.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an agreement with Styling Your Life Solutions, LLC (Ms. Sherri Davis Garner, President) to serve as Consultant to assess the workplace environments of all COJ departments, and training that will improve employee satisfaction and overall workplace productivity.

President Priester moved adoption; **Vice President Lindsay** seconded.

President Priester recognized **Sherri Davis Garner**, President of Styling Your Life Solutions, LLC, who provided Council with a brief overview of the services provided by her company.

Thereafter, **President Priester** called for a vote on said item:

Yeas- Foote, Lindsay, Priester, Stamps, Stokes and Tillman.
Nays- Banks.
Absent- None.

ORDER AUTHORIZING THE USE OF JACKSON FIRE DEPARTMENT PERSONNEL AND RESOURCES FOR THE PURPOSE OF ADVERTISING AND BRINGING FAVORABLE NOTICE OF THE OPPORTUNITIES AND RESOURCES OF THE MUNICIPALITY AND AS A MATCHING IN-KIND CONTRIBUTION TO THE MUSCULAR DYSTROPHY ASSOCIATION.

WHEREAS, Section 17-3-1 and 17-3-3 of the Mississippi Code authorizes a municipality to expend monies for the purpose of advertising and bringing into favorable notice opportunities, possibilities, and resources of the municipality; and

WHEREAS, the Mississippi Attorney General in Opinion Number 2013-00325 opined that a municipality may contribute funds and in-kind services to organizations for the purpose of advertising and bringing into favorable notice the opportunities and resources of the municipality; and

WHEREAS, Section 21-19-65 of the Mississippi Code authorizes municipalities to contribute matching funds to support social and community service programs; and

WHEREAS, the Muscular Dystrophy Association provides assistance to adults and children with neuromuscular disease and constitutes a social and community service program contemplated by Section 21-19-65 of the Mississippi Code; and

WHEREAS, the Development Director for the West Tennessee and Mississippi Muscular Dystrophy Association has asked the City to allow members of the Jackson Fire Department to participate in its Fill the Boot campaign at intersections within the City of Jackson; and

WHEREAS, the campaigns have been scheduled for May 24- May 26, 2019 and August 30 – September 1, 2019; and

WHEREAS, employees of the Jackson Fire Department participating in the campaign will be limited to four (4) hours daily; and

WHEREAS, the Muscular Dystrophy Association has or will provide the City of Jackson with a Certificate of Insurance; and

WHEREAS, favorable notice will be received based on the Jackson Fire Department's participation; and

WHEREAS, the time and effort of personnel who solicit donations may be donated in-kind in accordance with Section 21-19-65 of the Mississippi Code as a result of being matched with the monetary contributions collected.

IT IS, THEREFORE, ORDERED pursuant to Section 21-19-65 of the Mississippi Code and Sections 17-3-1 and 17-3-3 that members of the City of Jackson Fire Department be authorized to participate in the Fill the Boot Campaign of the Muscular Dystrophy Association on the following dates: May 24-May 26, 2019 and also August 30 – September 1, 2019.

IT IS HEREBY ORDERED that all monies collected by personnel participating in the Fill the Boot Campaign shall be immediately and directly tendered to the Muscular Dystrophy Association upon receipt.

Council Member Stokes moved adoption; **Council Member Tillman** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps, Stokes and Tillman.

Nays- None.

Absent- None.

ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI AND HINDS COUNTY, MISSISSIPPI FOR THE SUBMISSION AND ACCEPTANCE OF THE FY 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (“JAG”) IN THE AMOUNT OF \$252,439.00.

WHEREAS, the City of Jackson, Mississippi (“City”) has been awarded a grant for the fiscal year 2017 Edward Byrne Memorial Justice Assistance Grant (“JAG”); and

WHEREAS, the Grants and Implementation Program for the FY 2017 Edward Byrne Memorial Justice Assistance Grant does not require matching funds; and

WHEREAS, the City will receive an amount of \$222,439.00 to assist the Jackson Police Department in the purchase of 6 patrol cars, and Hinds County will receive \$30,000.00.

IT IS HEREBY ORDERED that the Mayor be authorized to submit and accept the award of the fiscal year 2017 Edward Byrne Memorial Justice Assistance Grant in the amount of \$252,439.00.

IT IS FURTHER ORDERED that the Mayor be authorized to enter into an Interlocal Cooperative Agreement between the City and Hinds County, Mississippi with terms consistent with this order and the grant's requirements.

IT IS FURTHER ORDERED that the Mayor or his designee be authorized to execute any and all other documents necessary for the acceptance and administration of the fiscal year 2017 Edward Byrne Memorial Justice Assistance Grant.

Council Member Stokes moved adoption; **Council Member Tillman** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps, Stokes and Tillman.

Nays- None.

Absent- None.

ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION AND AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS AND RELATED DOCUMENTS WITH THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION (MDOT) IN THE AMOUNT OF \$480,000.00 FOR THE CITY'S TRANSIT SYSTEM FOR THE FISCAL YEAR 2020 MULTI-MODAL TRANSIT PROGRAM.

WHEREAS, the Mississippi Department of Transportation (MDOT) annually allocates funding for transit programs through its Multimodal Transit Fund; and

WHEREAS, to receive these funds the City of Jackson must make an application; and

WHEREAS, the City of Jackson will apply to MDOT, for financial assistance in the amount of \$480,000.00 for operating assistance which represents allocations from the FY2020 apportionment; and

WHEREAS, these funds can be used to support operating expenses for the City's transit system called JATRAN; and

WHEREAS, these funds can be used as matching funds to existing Federal Transit Administration (FTA) funds received by the City; and

WHEREAS, the Department of Planning and Development, Transit Services Division is recommending the authorization of a grant application submitted for these funds to use for the City's transit system.

IT IS, THEREFORE, ORDERED that the City Council of the City of Jackson hereby the submission and execution of a grant application to the Mississippi Department of Transportation (MDOT) for a grant in the amount of \$480,000.00 for the City's transit system.

IT IS FURTHERMORE ORDERED that the Mayor is authorized to execute the application, grant agreements and related documents with the Mississippi Department of Transportation (MDOT) for the application, acceptance and implementation of the grant award of \$480,000.00 from MDOT to aid in the financing of the City's transit system.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Abstention- Stokes.

Absent- None.

Council Member Stokes left the meeting.

ORDER AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE APPLICATION AND RELATED DOCUMENTS AND EXECUTE THE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION FOR THE DISCRETIONARY FY2019 COMPETITIVE FUNDING OPPORTUNITY FOR BUS AND BUS FACILITIES DISCRETIONARY PROGRAM SECTION 5339(C) IN THE AMOUNT OF \$6,390,880.00.

WHEREAS, the U.S. Department of Transportation, Federal Transit Administration announced on April 23, 2018 the availability for these funds and opened the application process for Section 5339(c) FY 2018 Competitive Funding Opportunity: Bus and Bus Facilities Formula Discretionary Program with the Opportunity Number of FTA-2019-001-TPM-LOWNO; and

WHEREAS, this is a competitive grant where an application must be submitted by May 14, 2019 to receive these funds; and

WHEREAS, these funds will be used to purchase ten (10) 35 ft. Low Floor Hybrid (Electric/Diesel) new fixed route buses; and

WHEREAS, there is a 15% match required of the City in the amount of \$958,632.00 upon acceptance of these funds; and

WHEREAS, the Transit staff is recommending that the City apply for and accept said award for use in the City's transit system and City of Jackson's Transportation Planning and Transit Services Division.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the applications and related documents and execute the agreement with the U.S. Department of Transportation's Federal Transit Administration seeking a grant award of \$5,432,248.00 from Section 5339(c) FY 2019 Competitive Funding Opportunity: Bus and Bus Facilities Formula Discretionary Program with the Opportunity Number of FTA-2019-001-TPM-LOWNO to aid in the financing of the City's transit system and the City of Jackson's Transportation Planning and Transit Services Division.

Council Member Tillman moved adoption; **Vice President Lindsay** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

ORDER AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE APPLICATION AND RELATED DOCUMENTS AND EXECUTE THE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION FOR THE CONGRESSIONAL APPORTIONMENTS FOR SECTION 5307 URBANIZED AREA FORMULA GRANT FOR CAPITAL, OPERATING AND PLANNING ASSISTANCE IN THE AMOUNT OF \$2,766,233.00 AND SECTION 5339 BUS AND BUS FACILITIES FORMULA GRANT IN THE AMOUNT OF \$302,992.00.

WHEREAS, the U.S. Department of Transportation, Federal Transit Administration annually allocates funding for states under Section 5307 Urbanized Area Formula Grant for Capital and Planning Assistance as well as Section 5339 for Bus and Bus Facilities Formula Grant and;

WHEREAS, to receive these funds the Urbanized Area must make an application; and

WHEREAS, the City of Jackson will apply to the U.S. Department of Transportation, Federal Transit Administration, for financial assistance in the amount of \$2,766,233.00 for Section 5307 Urbanized Area Formula Grant for Capital, Operating and Planning Assistance which represents FY 2019 congressional apportionments and \$302,992.00 for Section 5339 Bus and Bus Facilities Assistance which represents the allocations from FY 2019 congressional apportionments; and

WHEREAS, these funds can be used to support capital, operating and planning as well as bus and bus facilities expenses for the City's Transit System and City of Jackson's Transportation Planning and Transit Services Division; and

WHEREAS, there is a 20% match required of the City in the amount of \$198,909.00 and a 50% match in the amount of \$2,074,675.00 for a total of \$2,273,584.00 upon acceptance of these funds; and

WHEREAS, the table listed below shows a representation of the allocation of funds; and

FFY2019 Apportionments			
	Federal	Local	Total
Section 5307			
50%	\$2,074,675.00	\$2,074,675.00	\$4,149,350.00
20%	\$691,558.00	\$138,311.00	\$829,869.00
Sub-total	\$2,766,233.00	\$2,212,986.00	\$4,979,219.00

Section 5339 (20%)	\$302,992.00	\$60,598.00	\$363,590.00
Overall Totals	\$3,069,225.00	\$2,273,584.00	\$5,342,809.00

WHEREAS, the staff is recommending that the City apply for and accept said award for use in the City's transit system and City of Jackson's Transportation Planning and Transit Services Division.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the applications and related documents and execute the agreement with the U.S. Department of Transportation's Federal Transit Administration seeking a grant award of \$2,766,233.00 from the Section 5307 formula grant and \$302,992.00 from the Section 5339 formula grant for a total grant award of \$3,069,225.00 to aid in the financing of the City's transit system and the City of Jackson's Transportation Planning and Transit Services Division.

Council Member Tillman moved adoption; **Vice President Lindsay** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND MURPHY'S DEVELOPMENT, LLC, DISCOUNT HEATING, COOLING, AND CONSTRUCTION, AND MULTI-CON, LLC FOR THE USE OF LEAD-BASED PAINT HAZARD CONTROL (LBPHC) GRANT, HEALTHY HOMES SUPPLEMENTAL, AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO IMPLEMENT LEAD SAFE JACKSON HOUSING PROGRAM ACTIVITIES.

WHEREAS, on April 05, 2016, found at Minute Book 6-J Page 20, the Mayor was authorized to execute all documents necessary to apply and administer the U.S. Department of Housing and Urban Development's (HUD) Lead-Based Paint Hazard Control Grant to the Office of Lead Hazard Control and Healthy Homes; and

WHEREAS, on July 20, 2016, HUD announced the City of Jackson as one of its recipients to be awarded grant funds through the Lead-Based Paint Hazard Control Grant and Healthy Homes Supplemental Funds for a 36-month funding period and issued Grant Agreements on October 17, 2016 to begin program activities for the City's Lead Safe Jackson Housing Program; and

WHEREAS, on February 7, 2017, found at Minute Book 6-K Page 517, the original order was amended to authorize the Mayor to execute any and all documents necessary to administer \$1,384,180.42 for the usage of funds awarded through HUD's Lead-Based Paint Hazard Control Grant and Healthy Homes Supplemental Funds and \$487,377.00 of matching CDBG funds; and

WHEREAS, on February 8-11, 2017, the Department of Planning and Development through the Office of Housing and Community Development advertised to accept Request for Qualifications (RFQs) for the Lead Safe Jackson Housing Program to invest Lead-Based Paint Hazard Control (LBPHC) Grant funds, Healthy Homes Supplemental funds, and Community Development Block Grant (CDBG) funds for the remediation of lead and healthy homes hazards to renter and owner occupied units throughout the City; and

WHEREAS, on November 30, 2018, the Office of Housing and Community Development received six (6) RFQ's; and

WHEREAS, six (6) contractors met all the qualifications to be included in OHCD's list of approved contractors eligible to bid on Lead Safe Jackson Housing Program contracts; and

WHEREAS, three (3) contractor's bid did not exceed or undercut the projected costs of the project; therefore, Murphy's Development, LLC, Discount Heating, Cooling, and Construction, and Multi-Con, LLC submitted the most reasonable offer and will be required to enter into a HUD approved contract agreement with the City of Jackson to perform Lead Safe Jackson Housing Program activities for low to moderate income households with children present under the age of six and/or households occupied by pregnant women; and

WHEREAS, the City wants to award a contract to Murphy's Development, LLC, Discount Heating, Cooling, and Construction, and Multi-Con, LLC to perform Lead Safe Jackson Housing Program activities subject to completion and acceptance of the appropriate environmental evaluations.

IT, IS THEREFORE, ORDERED that the Mayor is authorized to execute a contract and any and all documents necessary with Murphy's Development, LLC, Discount Heating, Cooling, and Construction, and Multi-Con, LLC for the use of Lead-Based Paint Hazard Control (LBPHC) Grant, Healthy Homes Supplemental, and Community Development Block Grant Funds to implement Lead Safe Jackson Housing Program activities of three (3) units scheduled to receive services through the Lead Safe Jackson Housing Program. The contractor, bid amount, and unit address is as follows:

Murphy's Development, LLC	136 Plummer Circle	\$5,240.00
Discount Heating, Cooling, and Construction	1905 Paden Street	\$19,272.00
Multi-Con, LLC	1234 Adkins Blvd	\$20,843.46

IT, IS FURTHER, ORDERED that the Office of Housing and Community Development (OHCD) is authorized to review and approve change orders with Murphy's Development, LLC, Discount Heating, Cooling, and Construction, and Multi-Con, LLC for the use of Lead-Based Paint Hazard Control (LBPHC) Grant, Healthy Homes Supplemental, and Community Development Block Grant Funds to implement Lead Safe Jackson Housing Program activities of three (3) units scheduled to receive services through the Lead Safe Jackson Housing Program for an amount not to exceed a total of \$10,500 with the proper supporting documentation evidencing need. Any amounts that would exceed this authorized total must receive council approval.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

AMENDED ORDER AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS BETWEEN THE CITY OF JACKSON AND VARIOUS ORGANIZATIONS FOR THE USE OF 2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO IMPLEMENT VARIOUS PUBLIC SERVICE ACTIVITIES AND TO INCLUDE FAIR HOUSING ACTIVITIES WHICH INVOLVES EDUCATION AND OUTREACH.

WHEREAS, on February 19, 2019, the City Council adopted an Order, recorded in Minute Book 6-O, page 358 authorizing the Mayor to execute contracts between the City of Jackson and various organizations for the use of 2018 Community Development Block Grant (CDBG) funds to implement various Public Service activities and to include Fair Housing activities which involves education and outreach; and

WHEREAS, through scriveners error the contract amount with Harbor House of Jackson, Inc. was entered incorrectly as \$19,635.00, the correct amount of the allocation amount should be \$19,653.00.

IT IS, THEREFORE, ORDERED that the City Council hereby amends the prior Order approved on February 19, 2019 to include the correct amount of \$19,653.00 2018 Community Development Block Grant (CDBG) funds to implement various Public Service activities.

Council Member Tillman moved adoption; **Vice President Lindsay** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A FACILITIES USE AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI AND THE BOYS BASEBALL ASSOCIATION FOR USE OF CITY-OWNED ATHLETIC FIELDS LOCATED IN GROVE PARK.

WHEREAS, the Boys Baseball Association has previously partnered with City of Jackson, Mississippi (“City”) as the management group for the athletic fields at Grove Park located at 4126 Parkway Avenue in Jackson, Mississippi (“Fields”); and

WHEREAS, the Boys Baseball Association has provided the City proof of liability insurance in the amount of one million dollars (\$1,000,000), and added the City as an additional insured, but only with respect to the liability arising out of the operations of the Boys Baseball Association; and

WHEREAS, the Boys Baseball Association abided by all prior mutual agreements with the City; and

WHEREAS, the Boys Baseball Association shall operate its Youth Sports Program and use the Fields in accordance with the rules and regulations established by its Youth Association Charter and the City.

IT IS HEREBY ORDERED that the Mayor is authorized to execute a Facilities Use Agreement with the Boys Baseball Association governing its use of the athletic fields at Grove Park for the period commencing on the last date of execution and ending on February 1, 2020, unless terminated earlier.

IT IS FURTHER ORDERED that a copy of said agreement be filed for record with the City Clerk.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A FACILITIES USE AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI AND THE CAPITOL CITY RADIO CONTROL CLUB, AN UNINCORPORATED ASSOCIATION, FOR THE SUPERVISION AND OPERATION OF THE SMALL AIRFIELD USED BY MODEL AIRCRAFT AND REMOTE CONTROLLED MODEL AIRCRAFT AT BUDDY BUTTS PARK LOCATED AT 6180 NORTH MCRAVEN ROAD.

WHEREAS, the City of Jackson, Mississippi (“City”) constructed a small airfield at Buddy Butts Park located at 6180 McRaven Road in Jackson, Mississippi (“Field”) to be used by model aircraft and remote controlled model aircraft; and

WHEREAS, the successful operation of a radio controlled model flying field, and the protection of flyers and the general public from improper use of the Federal Communications Commission (“FCC”) assigned radio frequencies requires that such operate under the supervision of a competent authority, such as the Capitol City Radio Control Club, an unincorporated association (“Club”), that is familiar with the requirements for proper utilization of these radio frequencies; and

WHEREAS, the Club is a chartered club of the Academy of Model Aeronautics and is well-qualified to maintain, operate and use the Field; and

WHEREAS, the Club will provide a 2019/20 proof of liability insurance certificate in the amount of one million dollars (\$1,000,000) on or before March 31, 2019, wherein the City will be listed as an additional insured; and

WHEREAS, the Club has abided by all prior mutual agreements with the City; and

WHEREAS, the Club shall use the Field in accordance with the rules and regulations promulgated the Academy of Model Aeronautics, the Federal Communications Commission, the Club and the City.

IT IS HEREBY ORDERED that the Mayor is authorized to execute a Facilities Use Agreement with Capitol City Radio Control Club, an unincorporated association, for the supervision and operation of a small airfield used by model aircraft and remote controlled model aircraft at Buddy Butts Park located at 6180 North McRaven Road in Jackson, Mississippi for the period commencing on the last date of execution of the agreement and ending on March 31, 2020, unless terminated earlier.

IT IS FURTHER ORDERED that a copy of said agreement be filed for record with the City Clerk.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICE CONTRACT WITH CON FUNK SHUN TO SECURE THEIR PERFORMANCE AT THE CITY OF JACKSON 2019 JACKSON SOULFUL MUSIC SERIES KICK-OFF RECEPTION, AT THALIA MARA HALL, ON MAY 2, 2019.

WHEREAS, the City of Jackson’s Parks and Recreation Department is hosting the 2019 Jackson Soulful Music Series Kick-off reception, on May 2, 2019, at Thalia Mara Hall; and

WHEREAS, this concert will provide fun-filled entertainment for our guests; and

WHEREAS, in furtherance to the event, the Department of Parks and Recreation will need to enter into an agreement with Con Funk Shun; and

WHEREAS, Con Funk Shun will perform at the 2019 Jackson Soulful Music Series Kick-off reception on May 2, 2019; and

WHEREAS, the cost for the performance is Fifteen Thousand Dollars (\$15,000.00); and

WHEREAS, the Department believes executing this agreement is in the best interest of the City of Jackson.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an agreement, and all other necessary documents, for a contract with Con Funk Shun to perform at the 2019 Jackson Soulful Music Series Kick-off reception on May 2, 2019, at a cost not to exceed Fifteen Thousand Dollars (\$15,000.00).

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Lindsay, Priester, Stamps and Tillman.
Nays- Foote.
Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PYRO SHOWS, INC., FOR A PYROTECHNIC DISPLAY AT SMITH WILLS STADIUM, LOCATED AT 1200 LAKELAND DRIVE, ON JUNE 29, 2019 AT A COST OF FOUR THOUSAND NINE HUNDRED FIFTY DOLLARS (\$4,950.00).

WHEREAS, the City of Jackson would like to provide a fireworks display to celebrate the 4th of July; and

WHEREAS, the fireworks display will take place on Saturday, June 29, 2019 at the Smith Wills Stadium, located at 1200 Lakeland Drive; and

WHEREAS, Pyro Shows, Inc. has agreed to provide a safe fireworks display on the above-referenced date for a cost not to exceed Four Thousand Nine Hundred Fifty Dollars (\$4,950.00); and

WHEREAS, in furtherance of the show, Pyro Shows, Inc. will provide the City with proof of General Liability Insurance and Automobile Liability for \$10,000,000.00 (Ten Million Dollars), combined single limit, covering its activities and services in connection with the show described in this contract, listing the City as an additional insured under the terms of this coverage.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Agreement with Pyro Shows, Inc. and all documents necessary to effect the terms of the Agreement, for a fireworks display on June 29, 2019, or whenever practicable soon thereafter depending on weather and/or force majeure conditions, at the Smith Wills Stadium, located at 1200 Lakeland Drive in Jackson, Mississippi, with the total cost not to exceed Four Thousand Nine Hundred Fifty Dollars (\$4,950.00).

IT IS FURTHER ORDERED that a copy of said Agreement shall be filed with the City Clerk.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Lindsay, Priester, Stamps and Tillman.

Nays- Foote.

Absent- Stokes.

ORDER ACCEPTING THE LAST WILL AND TESTAMENT DONATION FROM ROBERT B. CHILDERS, FIFTY THOUSAND DOLLARS (\$50,000.00) TO THE JACKSON ZOO.

WHEREAS, Robert B. Childers donated funds to the City to assist with expansion or direct animal care and compensation of staff at the Jackson Zoo; and

WHEREAS, Robert B. Childers has bequeathed Fifty Thousand Dollars (\$50,000.00) to the Jackson Zoo: Thirty Thousand Dollars (\$30,000.00) of which is designated to be used for either the expansion of land acquisition, habitat creation or direct animal care; and the remaining Twenty Thousand Dollars (\$20,000.00) is designated to be used for compensation of staff, as seen fit by the chief managing director at the Zoo.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to accept the donation from Robert B. Childers, in the amount of Fifty Thousand Dollars (\$50,000.00), for the Jackson Zoo.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE CONTRACT AMENDMENT #1 TO THE CONSTRUCTION ENGINEERING AND INSPECTION SERVICES CONTRACT WITH SOUTHERN CONSULTANTS, INC. FOR THE TERRY ROAD RESURFACING PROJECT, FEDERAL AID PROJECT NUMBER STP-7286-00(003)/106995, CITY PROJECT NUMBER 14B4002.

WHEREAS, on May 31, 2017, the City of Jackson authorized a construction engineering and inspection services agreement with Southern Consultants, Inc. for an amount not to exceed \$124,000.00 for the Terry Road Resurfacing Project; and

WHEREAS, the contractor overran the contract time by 81 days, resulting in the assessment of \$67,230.00 in liquidated damages, which in turn required additional inspection work by Southern Consultants, Inc., and

WHEREAS, the time overrun required Southern Consultants, Inc. to provide additional inspection services of the project in the amount of \$66,123.66, which is less than the liquidated damages assessed.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Contract Amendment #1 to the contract of Southern Consultants, Inc., for the Terry Road Resurfacing Project, Federal Aid Project STP-7286-00(003)/106995, City Project No. 14B4002, increasing the contract amount by \$66,123.66 for total contract amount of \$190,123.66.

Council Member Tillman moved adoption; **Vice President Lindsay** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #1/FINAL TO THE CONTRACT OF W.E. BLAIN & SONS, INC., AUTHORIZING FINAL PAYMENT, AND AUTHORIZING PUBLICATION OF NOTICE OF COMPLETION OF THE TERRY ROAD RESURFACING PROJECT, FEDERAL AID PROJECT NUMBER STP-7286-00(003)/106995, CITY PROJECT NUMBER 14B4002.

WHEREAS, the City of Jackson received bids on June 13, 2017, for the construction of the Terry Road Resurfacing Project with W.E. Blain & Sons, Inc. being the lowest and best bidder; and

WHEREAS, a final inspection was held by Mississippi Department of Transportation and City of Jackson personnel on November 26, 2018, with a release from all maintenance issued on February 25, 2019 effective December 14, 2018; and the Surety, Travelers Casualty and Surety Company of America has authorized release and payment of all monies due under this contract; and

WHEREAS, the final payment of \$176,188.36 results in a final project cost of \$1,273,551.55, a decrease of \$255,803.10 due to underrun of various quantities, as well as liquidated damages; and

WHEREAS, the Department of Public Works recommends approval of the final payment and the acceptance of said project.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Change Order #1/Final to the contract of W.E. Blain & Sons, Inc., which results in a contract amount decrease of \$255,803.10, and to issue final payment in the amount of \$176,188.36 to said contractor.

IT IS FURTHER ORDERED that publication of the Notice of Completion and the execution of any and all documents necessary to close out the project is authorized for the Terry Road Resurfacing Project, Federal Aid Project STP-7286-00(003)/106995, City Project No. 14B4002.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any documents necessary as part of the closeout of this project.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER REVISING THE FISCAL YEAR 2018-2019 BUDGET OF THE DEPARTMENT OF PUBLIC WORKS, BRIDGES AND DRAINAGE SECTION.

WHEREAS, certain unanticipated needs and allocations in the amount of \$29,612.00 have arisen within the adoption of the Fiscal Year 2018-2019 budget; and

WHEREAS, the Fiscal Year 2018-2019 budget must be revised to provide funding for pipe replacements jobs that may have to be contracted out; and

WHEREAS, funds from personnel vacancies may be used at this time to pay for this construction because these funds were not used during the first quarter of the fiscal year; and

WHEREAS, the following funds are revised:

To/From	Fund/Account Number	Amount
From	001-451.25.6111	(\$29,612.00)
To	001-45125.6485	\$29,612.00

IT IS, THEREFORE, ORDERED that the Fiscal Year 2018-2019 budget be revised in the amount of \$29,612.00 as follows:

To/From	Fund/Account Number	Amount
From	001-451.25.6111	(\$29,612.00)
To	001-451.25.6485	\$29,612.00

Council Member Tillman moved adoption; **Vice President Lindsay** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER RATIFYING AN EMERGENCY CONTRACT WITH BURNETT LIME COMPANY, INC, FOR THE CAL-FLO LIME FEED SYSTEM AT O.B. CURTIS WATER TREATMENT PLANT.

WHEREAS, the Department of Public Works Soda Ash System at OB Curtis Water Treatment Plants was providing inconsistent pH balance readings within the water distribution system, and required immediate action to remedy the situation to stay within compliance with Mississippi Department of Health standards for safe drinking water; and

WHEREAS, the Department of Public Works contacted Burnett Lime Company Inc., to provide a temporary lime feed system (CAL-FLO); and

WHEREAS, the Mayor declared an emergency, under Section 31-7-13(k) of the Mississippi Code of 1972, as amended, to enter into a lease agreement with Burnett Lime Company, Inc., for the CAL-FLO lime feed system to help maintain a safe pH balance within the water distribution system; and

WHEREAS, the City of Jackson received a quote from Burnett Lime Company, Inc., for the CAL-FLO Lime and feed system for \$3,000.00 a month; and

WHEREAS, the City of Jackson will also agree to purchase the CAL-FLO slurry at a cost of \$0.0715 per liquid pound for the duration of the agreement; and

WHEREAS, The City of Jackson and Burnett Lime Company agreed to a lease for the CAL-FLO Lime Feed System from July 16, 2018 to January 31, 2019.

IT IS, THEREFORE, ORDERED that the contract with Burnett Lime, Inc., for the CAL-FLO lime feed system is ratified.

IT IS FURTHER ORDERED that the City make any and all payments for services rendered under the lease agreement to Burnett Lime Company, Inc., for the CAL-FLO Lime Feed System, lime liquid slurry, and installation and removal cost of the lime feed system in concurrence with the ratification of this lease agreement.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER ACCEPTING THE BID OF FORDICE CONSTRUCTION COMPANY FOR THE CABANISS CIRCLE STREET AND DRAINAGE IMPROVEMENT PROJECT, CITY PROJECT NUMBER 17B5003.401.

WHEREAS, on February 19, 2019, the City of Jackson received four sealed bids for the Cabaniss Circle Street and Drainage Improvement Project, City Project No.17B5003.401; and

WHEREAS, the bid received from Fordice Construction Company in the amount of \$716,071.00, was the lowest and best bid received and met specifications; and

WHEREAS, the Department of Public Works recommends that the City accept the bid of Fordice Construction Company, as the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Fordice Construction Company, in the amount of \$716,071.00, is accepted in accordance with the City's Advertisement for Bidders; said bid and the specifications are placed on file with the Public Works Department, Engineering Division, Room 424 at 200 S. President Street and the City Clerk, Jackson, Mississippi.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL ENGINEERING AND CONSTRUCTION PHASE SERVICES AGREEMENT WITH CORNERSTONE ENGINEERING, LLC, FOR THE O.B. CURTIS & J.H. FEWELL WATER TREATMENT PLANT REHABILITATION PROJECTS, CITY PROJECT NUMBER 19B0100.901.

WHEREAS, the Department of Public Works desires to have Professional Engineering and Construction Phase services for the OB Curtis Water Treatment Plant & J.H. Fewell Water Treatment Plan Rehabilitation Projects; and

WHEREAS, the Department of Public Works has identified several maintenance projects that need to be addressed at the OB Curtis WTP & J.H. Fewell WTP to ensure the City of Jackson stays within compliance with the Mississippi Department of Health requirements for safe drinking water; and

WHEREAS, the projects identified are listed below:

- Raw Water Screens/Sluice Gates/Membrane Train Replacement
- Gravity Thickener and Centrifuge Rehab & Replacement
- J.H. Fewell Pedestrian Bridge Replacement to access the raw water intake

WHEREAS, Cornerstone Engineering, LLC, a multi-disciplinary civil engineering firm located in Jackson, Mississippi metro area submitted their firms Statement of Qualifications based on a solicitation for professional engineering services by the Department of Public Works; and

WHEREAS, Cornerstone Engineering, LLC, has submitted a proposal based on its Statement of Qualifications to provide the City of Jackson Professional Engineering Services at a cost of \$547,401.00 and Construction Phase Services at a cost of \$369,009.00 with a total not to exceed \$916,410.00; and

WHEREAS, the Department of Public Works recommends the City of Jackson enter into a Professional Engineering and Construction Phase Services Agreement with Cornerstone, LLC, in the amount not to exceed \$916,410.00.

IT IS, THEREFORE, ORDERED that a Professional Engineering and Construction Phase services agreement with Cornerstone Engineering, LLC, in an amount not to exceed \$916,410.00, for the O.B. Curtis Water Treatment Plant Soda & J.H. Fewell Water Treatment Plant Rehabilitation Projects is accepted.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

There came on for consideration Agenda Item No. 44:

ORDER AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO FILE A LAWSUIT AND CONDUCT ALL NECESSARY LEGAL PROCEEDINGS TO OBTAIN APPROPRIATE RELIEF FROM ZURICH AMERICAN INSURANCE COMPANY AND JOHN DOES 1-10. **President Priester** stated that said item would be held for Executive Session.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE CORRECTED SPECIAL WARRANTY DEED RECORDED IN BOOK 6990, PAGE 38, WITH THE ADDRESS OF 2020 NORTHWEST PROGRESS PARKWAY, JACKSON, MS, IN THE CHANCERY CLERK'S OFFICE OF HINDS COUNTY TO AMEND FOR THE SECOND TIME TO CORRECT THE LEGAL DESCRIPTION OF PROPERTY DEEDED TO AND BELONGING TO VRC PROPERTIES, LLC, A MISSISSIPPI LIMITED LIABILITY COMPANY.

WHEREAS, the City of Jackson, MS originally executed a Special Warranty Deed to VRC Properties, LLC, a Mississippi Limited Liability Company to operate as Vital Records Center located at 2020 Northwest Progress Parkway, Jackson, MS in April 2008 and is recorded at Book 6869, page 948; and

WHEREAS, the City of Jackson, MS also executed a Corrected Special Warranty Deed to VRC Properties, LLC, a Mississippi Limited Liability Company in January or February 2009 and is recorded at Book 6990, page 38 that corrected the following excerpt from the first line in the second paragraph of the legal description as follows: "Commence at a found concrete monument at the Southwest-Southeast Corner of said Section 6"; and

WHEREAS, VRC Properties, LLC pursuant to a title search and legal counsel needs to amend or correct this deed again (because the previous two deeds were still recorded incorrectly) in preparation for the sale of the property; and

WHEREAS, the correct legal description should read as follows:

A parcel of land containing 10.20 acres, more or less, and located in the East ½ of Section 6, Township 6 North, Range 1 East, First Judicial District of Hinds County, Mississippi and being more particularly described as follows:

Commence at a found concrete monument at the Southeast corner of said Section 6; thence run North 01 degrees 16 minutes 44 seconds East and along the eastern boundary of said Section 6 for a distance of 2,324.96 feet; thence run North 89 degrees 57 minutes 37 seconds West 796.39 feet to a found ½" iron pin on the northern right-of-way boundary of Northwest Progress Parkway, said point also being the POINT OF BEGINNING; thence run North 46 degrees 07 minutes 09 seconds East 578.78 feet to a set ½" iron pin; thence run South 88 degrees 56 minutes 08 seconds East 388.23 feet to a found ½" iron pin on the eastern boundary of said Section 6; thence run South 01 degrees 16 minutes 44 seconds West and along said eastern boundary for a distance of 620.57 feet to a set ½" iron pin; thence run South 80 degrees 17 minutes 25 seconds West 689.81 feet to a set ½" iron pin on the northern right-of-way boundary of Northwest Progress Parkway; thence run along said northern right-of-way boundary for the following two (2) calls; thence run North 09 degrees 42 minutes 35 seconds West 111.71 feet to a set ½" iron pin; thence run in a northwesterly direction along a curve having a delta of 24 degrees 02 minutes 01 seconds left, a radius of 601.50 feet, an arc length of 252.31 feet, and a chord having a bearing of North 21 degrees 43 minutes 35 seconds West and a length of 250.46 feet back to the POINT OF BEGINNING.

WHEREAS, the staff is recommending that the City Council authorize the Mayor to execute the second Corrected Warranty Deed (a copy is attached) so VRC Properties, LLC may effectuate the sale of the property.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the second Corrected Warranty Deed to correct the legal description so VRC Properties, LLC may effectuate sale of the property located at 2020 Northwest Progress Parkway.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

* * * * *

President Priester stated that the agenda needed to be amended in order to add an item on an emergency basis. **Council Member Tillman** moved, seconded by **President Priester** to add an item to the agenda on emergency basis. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

Thereafter, **President Priester** requested that the Clerk read the order:

ORDER RATIFYING A CONTRACT WITH ORIGIN CONSULTING, LLC FOR LIMITED EMERGENCY ASSISTANCE WITH CC&B DELINQUENCY LETTER GENERATION SOFTWARE WORK AROUND.

WHEREAS, the Water-Sewer Utility uses Oracle Customer Care & Billing to generate delinquency notices to customers who are in arrears in their utility bill payments; and

WHEREAS, due to the number of years that transpired in which the Water/Sewer Business Administration did not issue delinquency notices and disconnect services for utility bill non-payment, there are a large number of accounts in arrears who are continuing not to pay their monthly utility bill; and

WHEREAS, in order to save the financial position of the Water-Sewer Utility, the Water/Sewer Business Administration office needs to issue at least 200 delinquency letters each day in order to persuade customers to pay their utility bills; and

WHEREAS, the City did not begin using CC&B to automate the issuance of delinquency notices until February 2019; and

WHEREAS, since beginning to use CC&B, a problem has developed with the software, which is limiting the number of delinquency letters that may be issued; and

WHEREAS, the issuance of the delinquency letters is essential to generating the money that will be needed to continue to fund the work necessary to adapt the business processes of WSBA to work in a more automated, seamless fashion that will result in more accurate and timely bills to customers; and

WHEREAS, Origin Consulting, LLC has been working with WSBA to accomplish the necessary work and has proposed a work around in CC&B that would allow the issuance of the delinquency notices at the required volume of at least 200 each day; and

WHEREAS, an Agreement with Origin Consulting, LLC approved at a Special Council meeting on March 21, 2019 is not effective until on or after the date on which the excess funds above the amount for required operations and maintenance funding and debt service, which can be no earlier than April 1; and

WHEREAS, due to the necessity of immediately beginning work on the CC&B work around for delinquency notices, the Mayor invoked the emergency procurement process, pursuant to Section 31-7-13 (k) on Monday, March 25, 2019, a copy of which is attached to this Order and made a part of these minutes; and

WHEREAS, pursuant to the emergency procurement process, an Agreement has been executed with Origin in the amount of \$4,930.00 to accomplish the necessary work around in CC&B, a copy of which is attached to this Order and made a part of these minutes.

IT IS, THEREFORE, ORDERED that the Agreement with Origin Consulting, LLC to provide a work around in CC&B that will allow the City to send out at least 200 delinquency notices each day, which is in the amount of \$4,930.00 is ratified.

Council Member Tillman moved adoption; **Vice President Lindsay** seconded.

Yeas- Foote, Lindsay, Priester and Tillman.

Nays- Banks and Stamps.

Absent- Stokes.

DISCUSSION: WASTE MANAGEMENT CONTRACT: **President Priester** stated that said item would have to be discussed in Executive Session. However, **President Priester** recognized **Buford Clark**, a representative of Waste Management, who stated that Waste Management is willing to offer options in order to resolve some existing issues.

DISCUSSION: SUPPLEMENTAL ENVIRONMENT PROJECT (SEP)/FATS, OILS AND GREASE PROGRMA (FOG): **President Priester** stated that said item had been addressed during public comments.

DISCUSSION: US HWY 49: **President Priester** stated that said item had been discussed during the discussion of Agenda Item No. 26.

DISCUSSION: AUTHORITY OF THE CITY CLERK'S OFFICE: **President Priester** stated that said item would be discussed in Executive Session.

DISCUSSION: LITIGATION MATTER: President Priester stated that said item would be discussed during Executive Session.

President Priester opened the floor for any reports/announcements to be provided during the meeting:

- **Council Member Tillman** announced that Jackson State University would host the "Sweetness" Fight Against Obesity 5K Run/Walk on Saturday, April 6, 2019 from 8:00 a.m. until 1:00 p.m. at 34 Walter Payton Drive.

Council Member Tillman left the meeting.

- **Dr. Safiya Omari** announced that the City's summer youth programs for ages 6 to 12 years would operate from June 3rd to July 19th, 2019.

President Priester stated that a motion was needed to consider going into Executive Session to discuss Agenda Items No. 44, 46, 50 and 51.

Vice President Lindsay moved, seconded by **Council Member Banks** to consider going into Executive Session to discuss litigation and a personnel matter. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Priester and Stamps.
Nays- None.
Absent- Stokes and Tillman.

Council Member Stamps moved, seconded by **President Priester** to go into Executive Session to discuss litigation and a personnel matter. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Priester and Stamps.
Nays- None.
Absent- Stokes and Tillman.

President Priester announced to the public that the Council voted to go into Executive Session to discuss litigation and a personnel matter.

Council Member Stamps moved, seconded by **Council Member Banks** to come out of Executive Session. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

Note: Council Member Tillman returned to the meeting during Executive Session.

President Priester announced that the Council voted to come out of Executive Session and action was taken on Agenda Item No. 44:

ORDER AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO FILE A LAWSUIT AND CONDUCT ALL NECESSARY LEGAL PROCEEDINGS TO OBTAIN APPROPRIATE RELIEF FROM ZURICH AMERICAN INSURANCE COMPANY AND JOHN DOES 1-10.

IT IS HEREBY ORDERED that the Office of the City Attorney be authorized to file a lawsuit and conduct all necessary legal proceedings to obtain appropriate relief from Zurich American Insurance Company and John Does 1-10.

Council Member Banks moved adoption; President Priester seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

The meeting was closed in memory of the following individuals:

- Eddie Tillman
- Marie Yarber
- Ben Bradley
- Claudia Reynolds
- Ervin Johnson

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council meeting at 6:00 p.m. on April 16, 2019; at 2:58 p.m. the Council stood adjourned.

ATTEST:

APPROVED:

T. D. Moore
CITY CLERK

Ch. Foote 4/30/19
MAYOR DATE
