

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JUNE 19, 2018 6:00 P.M.**

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 6:00 p.m. on June 19, 2018, being the third Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Charles Tillman, President, Ward 5; Ashby Foote, Ward 1; Kenneth Stokes, Ward 3; De'Keither Stamps, Ward 4; Aaron Banks, Ward 6 and Virgi Lindsay, Ward 7. Directors: Chokwe Antar Lumumba, Mayor; Kristi Moore, City Clerk; Alices Lattimore, Deputy City Clerk; Angela Harris, Deputy City Clerk and Sharon Gipson, City Attorney.

Absent: Melvin Priester, Jr., Vice President, Ward 2.

The meeting was called to order by **President Charles Tillman**.

The invocation was offered by **Pastor James Shoulders of Rising Sun Missionary Baptist Church**.

The following individuals were introduced during the meeting:

- **Mr. Freeman Watkins**
- **Keep Swinging Boxing and Fitness**
- **Mississippi Music Institute**
- **Mr. Tyrone Jackson**

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

- **Selika Funchess** provided the Council with information regarding Human Trafficking.
- **Nikeshia Wells** expressed concerns regarding the need for more women and children shelters within the City of Jackson.
- **Vernon Jones** stated that he would like to start a Medgar Evers Beautification Program within the City of Jackson and requested that the City donate dumpsters to hold the debris.
- **Dr. R. McCoy-Sibley** asked whether or not the City had any programs available for small independent property owners to renovate small properties on Farish Street.
- **Mrs. Ineva May-Pittman** expressed concerns regarding litter on Percy Simpson Street and Livingston Road.
- **Al Harvey** expressed concerns potholes within the City of Jackson.
- **Johnny Rayford**, a representative of Fuel Optimizer Max, LLC, provided information regarding their fuel treatment product.
- **Enoch Sanders** expressed concerns regarding various issues within the City of Jackson.
- **Greta Bully** expressed concerns regarding illegal dumping on Palmyra Street.

President Tillman requested that Agenda Items No. 24 and 25 be moved up on the Agenda. Hearing no objections, the Clerk read the following:

President Tillman recognized **Council Member Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING MR. GODWIN DAFE, AN OUTSTANDING CITIZEN WHOSE AUTHENTIC "HEART FOR PEOPLE" HAS EMPOWERED THE COMMUNITY.** Accepting the Resolution with appropriate remarks was **Mrs. Sarah Dafe.**

President Tillman recognized **Council Member Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING REVEREND MARSHALL MAGEE, AN OUTSTANDING CITIZEN, VIBRANT PASTOR AND PROLIFIC CHRISTIAN LEADER.** Accepting the Resolution with appropriate remarks was **Reverend Marshall Magee.**

Council Member Stokes and **Stamps** left the meeting.

ORDER APPROVING CLAIMS NUMBER 7190 TO 7641 APPEARING AT PAGES 1103 TO 1170 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$3,768,132.21 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 7190 to 7641 appearing at pages 1103 to 1170, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$3,768,132.21 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
09 TAX INCRMENT BD FD \$1.6M	850.00
1% INFRASTRUCTURE TAX	34,182.32
CAPITAL CITY REVENUE FUND	303.49
EARLY CHILDHOOD (DAYCARE)	4,644.57
EMERGENCY SHELTER GRANT (ESG)	15,998.52
EMPLOYEES GROUP INSURANCE FUND	11,222.04
FIRE PROTECTION	12,726.17
GENERAL FUND	870,679.82
H O P W A GRANT – DEPT. OF HUD	141,533.67
HAIL DAMAGE MARCH 2013	4,500.00
HOUSING COMM DEV ACT (CDBG) FD	35,971.37
LANDFILL/SANITATION FUND	772,847.70
MADISON SEWAGE DISP OP & MAINT	70.67
NARCOTICS EVIDENCE ESCROW	3,680.00
NCSC SENIOR AIDES	200.55
P E G ACCESS- PROGRAMMING FUND	309.85
PARKS & RECR FUND	69,076.65
RESURFACING – REPAIR & REPL. FD	73,032.50
SAMSHA – 1 U79 SMO61630-01	3,400.86
STATE TORT CLAIMS FUND	6,571.00

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TECHNOLOGY FUND	46,562.02
TIGER GRANT	157,912.68
TITLE III AGING PROGRAMS	27,093.00
TRANSPORTATION FUND	32,455.13
UNEMPLOYMENT COMPENSATION REVO	682.49
WATER SEWER B&I FD 2013 \$89.9M	5,750.00
WATER/SEWER CAPITAL IMPR FUND	53,491.00
WATER/SEWER CONST FD 1999-\$35M	16,964.55
WATER/SEWER OP & MAINT FUND	1,287,390.44
WATER/SEWER REVENUE FUND	78,029.15
TOTAL	<u>\$ 3,768,132.21</u>

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

President Tillman recognized **Ison Harris**, Director of Parks and Recreation, who stated that an amendment was needed to the Claims Docket to add payments to Unity Lighting in the amount of \$12,000.00 and to Edwin Watts in the amount of \$1,700.00.

Council Member Banks moved, seconded by **Council Member Lindsay** to amend the Claims Docket to add \$13,700.00 for payments stated by **Director Harris**. The motion prevailed by the following vote:

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

Thereafter, **President Tillman** called for a vote on said item as amended:

ORDER APPROVING CLAIMS NUMBER 7190 TO 7641 APPEARING AT PAGES 1103 TO 1170 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$3,768,132.21 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

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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
09 TAX INCRMENT BD FD \$1.6M	850.00
1% INFRASTRUCTURE TAX	34,182.32
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GENERAL FUND	870,679.82
H O P W A GRANT – DEPT. OF HUD	141,533.67
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P E G ACCESS- PROGRAMMING FUND	309.85
PARKS & RECR FUND	82,776.65
RESURFACING – REPAIR & REPL. FD	73,032.50
SAMSHA – 1 U79 SMO61630-01	3,400.86
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WATER/SEWER CAPITAL IMPR FUND	53,491.00
WATER/SEWER CONST FD 1999-\$35M	16,964.55
WATER/SEWER OP & MAINT FUND	1,287,390.44
WATER/SEWER REVENUE FUND	78,029.15
TOTAL	<u>\$ 3,781,832.21</u>

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

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 7190 TO 7641 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 7190 to 7641 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$142,712.01 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		1,811,174.12
PARKS & RECR FUND		59,755.90
LANDFILL FUND		11,845.16
SENIOR AIDES		2,451.36
WATER/SEWER OPER & MAINT		195,381.84
PAYROLL FUND		822.00
PAYROLL	142,712.01	
EARLY CHILDHOOD		28,177.90
HOUSING COMM DEV		5,439.91
TITLE III AGING PROGRAMS		4,165.94
TRANSPORTATION FUND		12,010.50
T-WARNER PA/GA FUND		3,183.69
SAMSHA		2,406.80
TOTAL		<u>\$2,136,815.12</u>

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

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

Council Member Stokes returned to the meeting.

ORDER DECLARING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH MICHELLE THOMAS, PRESIDENT AND CEO OF THOMAS CONSULTING GROUP, TO SERVE AS FINANCIAL CONSULTANT TO THE OFFICE OF ADMINISTRATION IN THE CITY OF JACKSON.

WHEREAS, the City of Jackson desires to retain the professional services of Michelle Thomas to provide expertise in fiscal management of the City of Jackson’s budget; and

WHEREAS, Michelle Thomas will report to the Chief Administrative Officer, and serve as an internal advisor; and

WHEREAS, Michelle Thomas will assist the Chief Administrative Officer in accessing actual and current fiscal data for City of Jackson; and

WHEREAS, Michelle Thomas will serve at the Mayor’s will in the capacity of Budget Developer and Financial Consultant; and

WHEREAS, Michelle Thomas will be compensated in the amount of \$48,000.00 for these services.

IT IS HEREBY ORDERED that the Mayor be authorized to execute an agreement with Michelle Thomas to serve as Financial Consultant for the City of Jackson in order to provide professional advice, services and assistance related to the City of Jackson’s fiscal management.

IT IS FURTHER ORDERED that the term of this agreement shall not exceed 6 months, nor shall it exceed a total cost of \$48,000.00.

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

President Tillman recognized **Mayor Chokwe Antar Lumumba**, who introduced **Michelle Thomas**, who provided Council with a brief overview of her qualifications to serve as Financial Consultant.

Thereafter, **President Tillman** called for a vote:

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

Council Member Stokes left the meeting.

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 FONDREN HOSPITALITY PROJECT, MAY 2018, CITY OF JACKSON, MISSISSIPPI; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Jackson, Mississippi (the "Governing Body" 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 Governing Body on May 8, 2018, did adopt a certain resolution entitled:

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, 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 TAX INCREMENT FINANCING PLAN FOR THE FONDREN HOSPITALITY PROJECT, MAY 2018, CITY OF JACKSON, MISSISSIPPI, PROPOSES A PROJECT THAT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN FOR THE FONDREN HOSPITALITY PROJECT, MAY 2018, CITY OF JACKSON, MISSISSIPPI; 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 Fondren Hospitality Project, City of Jackson, Mississippi, May 2018 (the "TIF Plan"), was published in the *Mississippi Link*, a newspaper having a general circulation within the City, on May 10, 2018, as evidenced by the publisher's proof of publication of the same heretofore presented to the Governing Body and filed with the City Clerk.
3. The Notice of Public Hearing generally described the TIF Plan and further called for a public hearing to be held at City Hall, Jackson, Mississippi, at 6:00 p.m., on May 22, 2018, to enable the general public to state or present their views on the TIF Plan.
4. At 6:00 p.m. on May 22, 2018, 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 TIF Plan.
5. The Governing Body has received the TIF Plan, and the City and has conducted hearings on the same. The 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 Governing Body is now fully authorized and empowered under the provisions of the TIF Act, to accept, approve and implement the TIF Plan (a copy of which is attached hereto as **Attachment "A"**), and does hereby adopt and approve such TIF Plan, in order to support the payment of TIF Bonds, which funds will be used to pay for or reimburse Fondren Hospitality, LLC a Mississippi limited liability company, (the "Developer"), for the cost of acquiring and constructing Infrastructure Improvements as set forth in the TIF Plan.

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

SECTION 3. Governing Body hereby finds and determines 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 TIF 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.

SECTION 4. The Governing Body does hereby approve and adopt the TIF Plan, in accordance with the Act.

SECTION 5. The City is now authorized to issue the TIF Bonds pursuant to the Act and offer said TIF Bonds for sale in accordance with the further orders and directions of this Governing Body.

“Exhibit A”

**TAX INCREMENT FINANCING PLAN
FOR THE FONDREN HOSPITALITY PROJECT**

MAY 2018

CITY OF JACKSON, MISSISSIPPI

ARTICLE I

A. PREAMBLE

1. The administration and implementation of this Tax Increment Financing Plan for the Fondren Hospitality Project, April 2018, City of Jackson, Mississippi (the “TIF Plan”) will be an undertaking of the City of Jackson, Mississippi (the “City”), authorized pursuant to Sections 21-45-1 *et seq.*, Mississippi Code of 1972, as amended (the “TIF Act”), and in accordance with The City of Jackson, Tax Increment Financing Redevelopment Plan (the “Redevelopment Plan”).
2. Fondren Hospitality, LLC, a Mississippi limited liability company, its successor or assign, (the “Developer”), proposes to construct a 125 room hotel, parking and related amenities in the Fondren neighborhood in the City (the “Project”). The Project will be located on real property more particularly described in Article VII of this TIF Plan and the map attached hereto as “Exhibit A” (the “Map”). The land described in the Map and Article VII of this Plan constitutes the “TIF District.”
3. The issuance of bonds to provide funds to finance the costs of infrastructure improvements identified in the TIF Plan will be an undertaking of the City whereby the City will 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 \$1,000,000.
4. The Mayor and City Council of the City (the “Governing Body”) 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 TIF 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.
5. 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.
6. The Developers have provided information to the City regarding the proposed site plans, the amounts of the private investments, sales taxes, and job creation projections. Estimates of ad valorem taxes were made through consultation with the office of the Hinds County (the “County”) Tax Assessor and valuations of similar projects in the region.

B. STATEMENT OF INTENT

1. The City may issue TIF Bonds, pursuant to the Act and authority outlined hereinabove, in an amount not to exceed One Million Dollars (\$1,000,000), which will be secured solely by a pledge of the increased ad valorem taxes from real and personal property generated within the TIF District, which funds will be used to pay the cost of demolishing and removing structures and acquiring and constructing improvements, which may include, but are not necessarily limited to: installation, rehabilitation and/or relocation of utilities such as water, gas and sanitary sewer; construction, renovation, or rehabilitation of drainage improvements, roadways, curbs, gutters, sidewalks, site improvements, structured and surface parking; relocation of electrical lines; lighting and 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 (collectively "Infrastructure Improvements");
2. After sufficient development of the Project has been substantially completed, either in total or in phases, the City will issue the TIF Bonds and reimburse the Developers in accordance with a development agreement to be entered into between the City and the Developer as authorized by the TIF Act.
3. The construction of the Infrastructure Improvements will be undertaken to provide for the public convenience, health, and welfare.
4. The TIF Bonds will **never** be a general obligation of the City secured by the full faith, credit, and taxing power of the City, nor create any other pecuniary liability on the part of the City other than the pledge of the incremental increase in the ad valorem taxes and sales tax rebates set forth in this TIF Plan.

C. PUBLIC CONVENIENCE AND NECESSITY

1. The public convenience and necessity requires participation by the City in the Project. The Project will accomplish the following, which will provide for the public convenience and necessity and serve the best interests of the citizens of the City:
 - a. Construction of the Project will represent a private investment of approximately \$15,000,000.
 - b. The Project will create construction jobs with an estimated payroll of approximately \$4,500,000.
 - c. It is estimated that the Project will create approximately 58 new permanent full-time and part-time jobs.
 - d. It is expected that the Project will result in an annual real and personal property tax *increase* of about \$91,721 for the City.
 - e. It is expected that the Project will result in an annual real and personal property tax *increase* of about \$60,507 for the County.
 - f. It is anticipated that the Project will result in an annual real and personal property tax increase of about \$123,421 for the School District.
 - g. The annual sales generated by the Project are expected to reach \$4,200,000, and it is anticipated that the City will receive annual sales tax rebates of \$54,390.
 - h. It is anticipated that the Project will yield over \$41,000 in special taxes to the City pursuant to its 1% Convention and Visitors Bureau Tax; \$123,000 in special taxes pursuant to the 3% Capital City Convention Center Tax; and \$25,600 pursuant to the Jackson Occupancy Tax of \$0.75 per day for each occupied hotel room. These

special taxes are not eligible for TIF Financing, and the projections are provided for informational purposes only.

- i. The development of the Project will include new businesses and will help diversify and expand the tax base of the City.

**ARTICLE II
PROJECT INFORMATION**

A. REDEVELOPMENT PROJECT DESCRIPTION

The Project is expected to consist of a 125 room hotel, parking and related amenities.

1. Project Location

- a. Property Description and Map: The Project is located in the Fondren neighborhood between North State Street (to the East) and Lorenz Boulevard (to the South), as more particularly described in Article VII and Exhibit A attached hereto.

- B. Environmental Characteristics and Zoning: Development of the Project site will require improvements such as (but not limited to) the demolition and removal of structures, construction of the hotel and amenities, and the development of the Infrastructure Improvements. All proposed uses shall comply with the applicable zoning ordinances of the City.

C. DEVELOPERS' INFORMATION

Fondren Hospitality, LLC
A Mississippi limited liability company
Attn: Chico Patel
115 West Jackson Street, Ste. 2D
Ridgeland, MS 39158

**ARTICLE III
ECONOMIC DEVELOPMENT IMPACT DESCRIPTION**

A. JOB CREATION

1. Construction Jobs: The Project is expected to create construction jobs with an estimated payroll of \$4,500,000.
2. Permanent Jobs: It is estimated that the Project will create 58 new permanent full-time and part-time jobs.

B. FINANCIAL BENEFIT TO THE COMMUNITY

1. 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 expected to be generated when the Project has been completed and are based on an assumed new combined true value of \$10,526,375 for the development and for furniture, fixtures, equipment, and inventory; and an assumed combined assessed value of \$1,578,956.

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ENTITY	MILLAGE RATE	CURRENT TAXES	AFTER PROJECT	INCREMENT
City of Jackson Real Property & Personal Property	63.03	\$7,801	\$99,522	\$91,721
Hinds County Real Property & Personal Property	41.58	\$5,146	\$65,653	\$60,507
School District Real Property Taxes	84.81	\$10,491	\$133,911	\$123,421
TOTAL	189.22	\$23,438	\$299,086	\$275,648

2. Retail Sales: It is estimated that the Project will generate approximately \$4,200,000 in sales annually which will create annual sales tax rebates of \$54,390 to the City.

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

A. PUBLIC CONVENIENCE AND NECESSITY

The primary objective of this TIF Plan is to serve the public convenience and necessity by participating in the Project. The TIF Plan will provide financing to construct the Infrastructure Improvements to serve the general public and the Project.

B. LOCAL CODES AND ORDINANCES

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

C. HEALTH AND WELFARE OF THE PUBLIC PROVIDED FOR

The Infrastructure Improvements will provide for the health and welfare of the public by removing structures and improvements that impair the growth and development of the community and by providing for safe and adequate improvements to the TIF District to encourage private redevelopment to the area consistent with the goals of the Redevelopment Plan.

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 removing structures and improvements that impair the growth and development of the community, the construction and development of the Infrastructure Improvements which are necessary to serve the public who will utilize the induced development, all as contemplated in 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

1. The development of the TIF District will represent a private investment of approximately \$15,000,000. The proceeds of the TIF Bonds will be used to pay the cost of constructing various Infrastructure Improvements, more particularly described in Article I, Section B.
2. 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 TIF 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.
3. The construction of the Infrastructure Improvements will be undertaken to provide for the public convenience, health, and welfare.
4. 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 the TIF Act.

B. PROJECTED SOURCES OF REVENUE TO MEET COSTS

1. The Developers will secure financing to construct the Project including the work to be funded with TIF Bonds.
2. To secure the TIF Bonds the City shall pledge the incremental increase ad valorem tax revenue generated from real and personal property in the TIF District.
3. To secure the TIF Bonds the City shall pledge the incremental increase in sales tax rebates generated from the Project.

C. TOTAL AMOUNT OF INDEBTEDNESS TO BE INCURRED

1. The City will issue up to One Million Dollars (\$1,000,000) in TIF Bonds which shall be secured as follows:
 - (a) The City shall pledge all of the incremental increase in real and personal property ad valorem tax revenues generated from the TIF District together with the incremental increase in sales tax rebates generated from the Project.

2. The TIF Bonds will be sized as follows:
 - (a) One hundred percent (100%) of the incremental increases in ad valorem tax revenues generated from real and personal property in the TIF District based on the City's general fund millage (which is currently 50.94 mills); **PLUS**
 - (b) Fifty percent (50%) of the incremental increase in sales tax rebates generated from the Project.
3. The Redevelopment Plan and this **Tax Increment Financing Plan for the Fondren Hospitality Project, May 2018, City of Jackson, Mississippi** will be an undertaking by the City including, but not necessarily limited to, the issuance of the TIF Bonds, which may include bonds, notes, or other debt obligations, to provide funds to defray the cost of the Infrastructure Improvements.
4. It is expected that \$1,000,000 in TIF Bonds or notes can be obtained at an annual interest rate of 3.0% for up to fifteen (15) years, and annual principal and interest payments are estimated to be up to approximately **\$83,987** resulting in an estimated surplus to the City of \$62,133.
5. **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

A. PARCEL NUMBERS FOR THE TIF 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 are described below and in the Plat. The below True and Assessed Values are for real property and improvements and were obtained from the County Tax Assessor's office, and a copy of the information is attached hereto as Exhibit B.

EXHIBIT B

Real Property and Improvements in the TIF District						
Parcel	True Value	Assessed	City	County	School	
51-011	\$ 31,530.00	\$ 4,730.00	\$ 298.13	\$ 196.68	\$ 401.15	
51-013	\$ 113,190.00	\$ 16,979.00	\$ 1,070.19	\$ 705.99	\$ 1,439.99	
51-014	\$ 219,890.00	\$ 32,984.00	\$ 2,078.98	\$ 1,371.47	\$ 2,791.37	
51-117	\$ 105,470.00	\$ 15,821.00	\$ 997.20	\$ 657.84	\$ 1,341.78	
51-118	\$ 71,320.00	\$ 10,698.00	\$ 674.29	\$ 444.83	\$ 907.30	
51-119	\$ 111,390.00	\$ 16,709.00	\$ 1,053.17	\$ 694.76	\$ 1,417.09	
51-120	\$ 73,020.00	\$ 10,953.00	\$ 690.37	\$ 455.43	\$ 928.92	
51-121	\$ 44,960.00	\$ 6,744.00	\$ 425.07	\$ 280.41	\$ 571.96	
51-123	\$ 54,320.00	\$ 8,148.00	\$ 513.57	\$ 338.79	\$ 691.03	
TOTALS:	\$ 825,090.00	\$ 123,766.00	\$ 7,800.97	\$ 5,146.20	\$ 10,490.59	

ARTICLE VIII

DURATION OF THE TAX INCREMENT FINANCING PLAN'S EXISTENCE

The duration of this TIF Plan shall be thirty (30) years from the date of approval thereof.

ARTICLE IX

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

A. 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 expected to be generated when the Project has been completed and are based on an assumed new combined true value of \$10,526,375 for the development and for furniture, fixtures, equipment, and inventory; and an assumed combined assessed value of \$1,578,956.

ENTITY	MILLAGE RATE	CURRENT TAXES	AFTER PROJECT ¹	INCREMENT ²
<i>City of Jackson Real Property & Personal Property</i>	63.03	\$7,801	\$99,522	\$91,721
<i>Hinds County Real Property & Personal Property</i>	41.58	\$5,146	\$65,653	\$60,507
<i>School District Real Property Taxes³</i>	84.81	\$10,491	\$133,911	\$123,421
TOTAL	189.22	\$23,438	\$299,086	\$275,648

B. RETAIL SALES: It is estimated that the Project will generate approximately \$4,200,000 in sales annually which will create annual sales tax rebates of \$54,390 to the City.

C. SPECIAL TAXES: It is anticipated that the Project will yield over \$41,000 in special taxes to the City pursuant to its 1% Convention and Visitors Bureau Tax; \$123,000 in special taxes pursuant to the 3% Capital City Convention Center Tax; and \$25,600 pursuant to the Jackson Occupancy Tax of \$0.75 per day for each occupied hotel room. These special taxes are not eligible for TIF Financing, and the projections are provided for informational purposes only.

¹ These projections assume constant values and millage rates

² The incremental increase in the City's real and personal property ad valorem tax revenues from the Project will be pledged to secure the debt on the TIF Bonds together with the incremental increase in sales tax rebates. The TIF Bonds will be sized as set forth in Article VI(c)(2).

³ This is provided for informational purposes only as School taxes are not eligible for use in TIF financing.

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 Financing Fund: Fondren Hospitality Project" shall be established by the City to receive ad valorem taxes, sales tax rebates and the proceeds of any other financial assistance 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 the 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**

A. SECURITY FOR THE TIF BONDS

The TIF Plan provides for the City to issue the TIF Bonds which will be secured by the pledge of incremental increases in ad valorem real and personal property taxes generated by the Project and the increase in sales tax rebates generated by the Project. To secure the TIF Bonds the City will pledge the incremental increase in ad valorem tax revenues on real and personal property and the incremental increase in sales tax rebates generated by the Project. The TIF Bonds will be sized as set forth in Article VI(C)(2).

B. FURTHER PROCEEDINGS OF THE CITY

Such decision on the most advantageous method for the City to incur the debt will be made pursuant to further proceedings of the City.

C. AMOUNT AND TIMING OF ISSUANCE

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

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

Yeas- Banks, Foote, Lindsay and Tillman.

Nays- None.

Absent- Priestler, Stamps and Stokes.

President Tillman requested that the Council consider two (2) Agenda Items that had not been submitted to the City Clerk by the agenda deadline of 3:00 P.M., Wednesday, June 13, 2018 as mandated by Sec. 2-63 of the Jackson Code of Ordinances. **Robert Miller**, Director of Public Works, provided Council with a brief overview of the items to be considered adding to the agenda on an emergency.

Council Member Foote moved, seconded by **President Tillman** to add two (2) items to the agenda on an emergency basis. The motion failed by the following vote:

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

Council Member Stamps returned to the meeting.

President Tillman moved, seconded by **Council Member Foote** to re-consider adding two (2) items to the agenda as stated by Public Works on an emergency basis.

Council Member Stamps recommended that a Special Council meeting be held to consider the proposed items. Thereafter, **President Tillman** and **Council Member Foote** withdrew their motion and second.

Council Member Stamps left the meeting.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, ADOPTING, APPROVING AND AUTHORIZING THE EXECUTION OF THE DEVELOPMENT AND REIMBURSEMENT AGREEMENT IN CONJUNCTION WITH THE TAX INCREMENT FINANCING PLAN FOR THE FONDREN HOSPITALITY PROJECT, CITY OF JACKSON, MISSISSIPPI, MAY 2018, AUTHORIZING THE CITY TO MAKE REIMBURSEMENTS FROM BONDS ISSUED FOR THE TAX INCREMENT FINANCING INFRASTRUCTURE IMPROVEMENTS.

WHEREAS, the 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. Pursuant to Section 21-45-1, et seq., Mississippi Code of 1972, as amended (the “TIF Act”), the City has previously approved its Tax Increment Financing Redevelopment Plan (the “Redevelopment Plan”), and has approved the Tax Increment Financing Plan for the Fondren Hospitality Project, City of Jackson, Mississippi, May 2018 (the “TIF Plan”).
2. Under the Act the Council is authorized and empowered to issue tax increment financing bonds (the “TIF Bonds”) for the purpose of helping to pay the costs of certain infrastructure improvements as described in the TIF Plan (the “Infrastructure Improvements”) to support and be a part of the Project to be carried out by Fondren Hospitality, LLC (the “Developer”), all as described in the TIF Plan.
3. It is necessary and in the best interest of the City that a Development and Reimbursement Agreement (the “Agreement”) setting out the conditions and terms under which the TIF Bonds will be issued and providing for the payment thereof be approved and executed by the City and the Developer substantially in the form attached hereto. The City is authorized to enter into such Agreement pursuant to the Act.

4. The City reasonably expects that the Developer will incur expenditures for the Infrastructure Improvements prior to the issuance of the TIF Bonds, and that the City should declare its official intent to reimburse such expenditures with the proceeds of the TIF Bonds upon the issuance thereof.

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

SECTION 1. The Council hereby approves and adopts the Agreement in substantially the form attached hereto.

SECTION 2. The Council hereby authorizes and directs the Mayor and City Clerk of the City to execute and deliver the Agreement for and on behalf of the City with such changes, insertions and omissions as may be approved by such officers or their designees, said execution and delivery being conclusive evidence of such approval.

SECTION 3. Pursuant to Section 1.150-2 of the Treasury Regulations (the "Reimbursement Regulations"), the Council hereby declares its official intent to reimburse expenditures made for the Project prior to the issuance of the TIF Bonds with proceeds of the TIF Bonds to the extent permitted by the Reimbursement Regulations.

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

Yeas- Banks, Foote, Lindsay and Tillman.

Nays- None.

Absent- Priester, Stamps and Stokes.

Council Member Stamps returned to the meeting.

ORDER REVISING THE FISCAL YEAR 2017-2018 BUDGET OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT.

WHEREAS, a certain unanticipated need and allocation in the amount of \$4,500.00 for the purchase of Tolemi Software has arisen since the adoption of Fiscal Year 2017-2018 budget; and

WHEREAS, the Fiscal Year 2017-2018 budget needs to be revised to provide funding for this unanticipated need; and

WHEREAS, the following funds would be revised as follows:

From	001.426.10.6419	(\$4,500.00)
To	001.403.20.6847	\$4,500.00

IT IS THEREFORE, ORDERED that the Fiscal Year 2017-2018 budget for the Department of Planning and Development be revised in the amount of \$450.00 as follows:

<u>To/From</u>	<u>Fund/Account Number</u>	<u>Amount</u>
From	001.426.10.6419	(\$4,500.00)
To	001.403.20.6847	\$4,500.00

Council Member Lindsay moved adoption; **Council Member Foote** seconded.

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

Nays- None.

Absent- Priester and Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND MANAGEMENT SERVICES RESOURCES, LLC AND MULTI-CON, LLC, FOR THE USE OF 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO IMPLEMENT LIMITED HOUSING REPAIR ACTIVITIES.

WHEREAS, on July 18, 2017, found at Minute Book 6-L Page 982, the Mayor was authorized to submit the 2017 Annual Action Plan of the City of Jackson's 2015 – 2019 Five Year Consolidated Plan to the U. S. Department of Housing and Urban Development; and

WHEREAS, on November 21, 2017, HUD notified the City of its approval of the 2017 One Year Action Plan and issued Grant Agreements; and

WHEREAS, the Housing Rehabilitation component of the Consolidated Plan described projects the City of Jackson would undertake with 2017 Program Year 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 Neighborhood Enhancement Division (NED) to invest Community Development Block Grant (CDBG) funds for the rehabilitation of owner-occupied homes; and

WHEREAS, on February 24, 2017, the Office of Housing and Community Development received seven (7) RFQ's; and

WHEREAS, seven (7) contractors met all the qualification to be included in OHCD's list of approved contractors eligible to bid on rehabilitation contracts; and

WHEREAS, costs estimates were established using an electronic tabulation tool to determine per unit expenditures, two (2) contractors were the lowest and/or best bidder for the rehabilitation of four (4) units on the list of homes scheduled to receive limited housing repair activities and will be required to enter into a HUD approved contract agreement with the City of Jackson to perform Limited Housing Rehabilitation activities for low to moderate income households; and

WHEREAS, the City wants to award a contract to Management Services Resources, LLC and Multi-Con, LLC to perform limited housing repair 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 Management Services Resources and Multi-Con, LLC for the use of 2017 Program Year CDBG funds for the rehabilitation of four (4) units on the list of homes scheduled to receive limited housing repair activities. The contractor, bid amount, and unit address is as follows:

Management Services	2117 W Ridgeway St.	\$34,800.00
Management Services	113 Barbara Ave	\$45,000.00
Multi-Con	2510 Rutledge Ave	\$43,192.72
Multi-Con	222 Culbertson Ave	\$36,423.00

IT, IS FURTHER, ORDERED that the Office of Housing and Community Development (OHCD) is authorized to review and approve change orders with Management Services Resources for the use of 2017 Program Year CDBG funds for the rehabilitation of four (4) units on the list of homes scheduled to receive limited housing repair activities for an amount not to exceed a total of \$8,000 with the proper supporting documentation evidencing need. Any amounts that would exceed this authorized total must receive council approval.

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

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

Nays- None.

Absent- Priester and Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A USE LICENSE AGREEMENT WITH THE JACKSON CONVENTION COMPLEX/SMG TO PROVIDE USE OF FACILITY FOR THE CITY OF JACKSON'S "DOWNTOWN DESIGN DIALOGUE" PUBLIC ENGAGEMENT ON JUNE 30, 2018.

WHEREAS, the City of Jackson, Mississippi, Department of Planning and Development desires the use of the Jackson Convention Complex to hold its "Downtown Design Dialogue" Public Engagement for the conceptual design of the vacant properties across the Jackson Convention Center; and

WHEREAS, the City of Jackson, Mississippi recognizes that public engagement with the community is a needed planning tool to increase the success of the project and the development of the City; and

WHEREAS, the Jackson Convention Complex will waive the rental of the facility for the event on June 30, 2018; and

WHEREAS, no any additional fee will be charged from the City of Jackson for the services.

IT IS, HEREBY, ORDERED that the Mayor is authorized to execute an agreement with the Jackson Convention Complex/SMG, for the use of their facility.

IT IS FURTHERMORE ORDERED that the Mayor is authorized to sign any related documents required by the Jackson Convention Complex/SMG for these services.

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

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

Nays- None.

Absent- Priestler and Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON AND CENTRAL MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT FOR PERFORMANCE MANAGEMENT.

WHEREAS, on May 27, 2016 the final rule for statewide and metropolitan transportation planning was published, based on 2012's Moving Ahead for Progress in the 21st Century (MAP-21) Act and 2015 Fixing America's Surface Transportation (FAST) Act; and

WHEREAS, the United States Department of Transportation (DOT) promulgated transportation planning regulations in 23 CFR 450.314 based on this final rule; and

WHEREAS, Metropolitan Planning Organizations (MPOs), states, and providers of public transportation are required by 23 CFR 450.314 to cooperatively determine their mutual responsibilities in carrying out the performance-based planning and programming requirements established by federal law; and

WHEREAS, the 23 CFR 450.314 (h) requires that MPOs, states, and providers of public transportation shall jointly agree upon and develop specific written procedures for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO, and the collection of data for the State's asset management plan for the National Highway System (NHS); and

WHEREAS, the phase in deadline for this requirement is May 27, 2018 (see CFR 450.340).

IT IS, THEREFORE, ORDERED that the City Council hereby authorizes the Mayor to execute the agreement and any and all necessary documents with Central Mississippi Planning and Development District for Performance Management.

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

Yeas- Banks, Foote, Lindsay, Stamps and Tillman.
Nays- None.
Absent- Priester and 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 \$2,746,076.00 AND SECTION 5339 BUS AND BUS FACILITIES FORMULA GRANT IN THE AMOUNT OF \$333,580.00.

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 \$2,746,076.00 for Section 5307 Urbanized Area Formula Grant for Capital, Operating and Planning Assistance which represents the remaining FY 2017 congressional apportionments and \$333,580.00 for Section 5339 Bus and Bus Facilities Assistance which represents the allocations from FY 2018 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 \$474,862.00 and a 50% match in the amount of \$1,180,209.00 for a total of \$1,655,071.00 upon acceptance of these funds; and

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 \$2,746,076.00 from the Section 5307 formula grant and \$333,580.00 from the Section 5339 formula grant for a total grant award of \$3,079,656.00 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 Banks moved adoption; **Council Member Lindsay** seconded.

President Tillman recognized **Sharon Gipson**, City Attorney, who stated that an amendment was needed to remove the word "Designee" from the heading of said order.

Council Member Banks moved, seconded by **Council Member Lindsay** to amend to remove the word "Designee" from the Order. The motion prevailed by the following vote:

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

Thereafter, **President Tillman** called for a vote on said item as amended:

ORDER AUTHORIZING THE MAYOR 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 \$2,746,076.00 AND SECTION 5339 BUS AND BUS FACILITIES FORMULA GRANT IN THE AMOUNT OF \$333,580.00.

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 \$2,746,076.00 for Section 5307 Urbanized Area Formula Grant for Capital, Operating and Planning Assistance which represents the remaining FY 2017 congressional apportionments and \$333,580.00 for Section 5339 Bus and Bus Facilities Assistance which represents the allocations from FY 2018 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 \$474,862.00 and a 50% match in the amount of \$1,180,209.00 for a total of \$1,655,071.00 upon acceptance of these funds; and

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 \$2,746,076.00 from the Section 5307 formula grant and \$333,580.00 from the Section 5339 formula grant for a total grant award of \$3,079,656.00 to aid in the financing of the City's transit system and the City of Jackson's Transportation Planning and Transit Services Division.

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

Nays- None.

Absent- Priestester and Stokes.

ORDER AUTHORIZING CHANGE ORDER NUMBER 2 TO THE CONTRACT OF PSI-GA, LLC FOR BIOSOLIDS SCREENING, LOADING, TRANSPORTATION, AND DISPOSAL, CITY PROJECT NO. 15BO50091, ACCEPTING THE PROJECT AS SUBSTANTIALLY COMPLETE, AND RELEASING RETAINAGE.

WHEREAS, the City of Jackson entered into a contract with PSI-GA, LLC for Biosolids Screening, Loading, Transportation, and Disposal, City Project No. 15BO50091; and

WHEREAS, all work under the terms of the contract has been completed by PSI-GA, LLC; and

WHEREAS, under Change Order Number 1, the parties agreed to adjust the estimated quantities of biosolids to be disposed under the contract to 100,000 wet tons; and

WHEREAS, the final quantity of biosolids disposed by PSI-GA, LLC was 102,151.4 wet tons; and

WHEREAS, under Change Order Number 1, the parties agreed to an equitable adjustment in the price per wet ton to \$72.00; and

WHEREAS, the increase in the quantities of biosolids disposed by 2,151.4 wet tons at \$72.00 per wet ton results in an increase in the contract amount of \$154,901.97; and

WHEREAS, during the project, lightning struck the pump system used to keep rain water pumped down in Cell 4, which was on the storm cells being used for the storage of the geotextile tubes; and

WHEREAS, PSI-GA, LLC incurred pump rental charges from November 2017 through the May 8, 2018 to pump down water in Cell in the amount of \$18,567.06; and

WHEREAS, the contract amount included a budget allocation of \$75,000.00 for work that was unnecessary in the completion of the project; and

WHEREAS, the contract amount included a budget allocation of \$100,000.00 for Roadway Repair Budget, of which only \$97,482.68 was used; and

WHEREAS, the result of these changes in contract quantities, budget allocations, and additional work is a net increase in the total contract amount of \$95,950.54; and

WHEREAS, the total contract amount with Change Order Number 2 will be \$8,248,950.54; and

WHEREAS, the Department of Public Works recommends that the governing authorities approve Change Order Number 2 in the amount of an increase of \$95,950.54, which results in a final contract amount of \$8,248,950.54; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept the project as substantially complete and release the remaining retainage under the contract.

IT IS, THEREFORE, ORDERED that Change Order Number 2 to the contract of PSI-GA, LLC for Biosolids Screening, Loading, Transportation, and Disposal, City Project No. 15BO50091, increasing the contract amount by \$95,950.54 to a final contract amount of \$8,248,950.54, is approved.

IT IS FURTHER ORDERED that the Project No. 15BO50091 is accepted as substantially complete and that retainage in the amount of \$206,223.76, which is the remaining retainage, is hereby approved for release.

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

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

Nays- None.

Absent- Priester and Stokes.

ORDER ACCEPTING THE BID OF UTILITY CONSTRUCTORS, INC. FOR THE WOODDELL DRIVE WATERLINE REPLACEMENT PROJECT, CITY PROJECT NUMBER 15B0103.601.

WHEREAS, on May 8, 2018, the City of Jackson received three sealed bids for the Wooddell Drive Waterline Replacement Project, City Project No.15B0103.601; and

WHEREAS, the bid received from Utility Constructors, Inc., in the amount of \$1,320,445.00 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 Utility Constructors, Inc. as the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Utility Constructors, Inc., in the amount of \$1,320,445.00, 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 Stamps moved adoption; **Council Member Banks** seconded.

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

Nays- None.

Absent- Priester and Stokes.

ORDER ACCEPTING AN ENGINEERING SERVICES AGREEMENT WITH MYRIAD ENGINEERING SOLUTIONS, LLC, FOR THE MEADOWBROOK ROAD, CHEROKEE DRIVE, AND CHIPPEWA CIRCLE BRIDGE REHABILITATION PROJECTS, CITY PROJECT NUMBER 18B4504.101.

WHEREAS, the Department of Public Works desires to have design engineering services to replace three bridge structures located on Meadowbrook Road, Cherokee Drive, and Chippewa Circle, Jackson, Mississippi, Hinds County, Mississippi; and

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

WHEREAS, Myriad Engineering Solutions, LLC, has submitted a proposal based on its Statement of Qualifications to provide the City of Jackson with design engineering services at a cost not to exceed \$107,241.00 for the Meadowbrook Road, Cherokee Drive, and Chippewa Circle Bridge Rehabilitation Projects; and

WHEREAS, the Department of Public Works recommends the City of Jackson enter into an Engineering Services Agreement with Myriad Engineering Solutions, LLC, in the amount not to exceed \$107,241.00, for the Meadowbrook Road, Cherokee Drive, and Chippewa Circle Bridge Rehabilitation Projects, City Project Number 18B4504.101.

IT IS, THEREFORE, ORDERED that an engineering services agreement with Myriad Engineering Solutions, LLC, in an amount not to exceed \$107,241.00, for the Meadowbrook Road, Cherokee Drive, and Chippewa Circle Bridge Rehabilitation Projects, City Project Number 18B4504.101 is accepted.

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

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

Nays- None.

Absent- Priester and Stokes.

ORDER ACCEPTING AN ENGINEERING SERVICES AGREEMENT WITH CORNERSTONE ENGINEERING, LLC, FOR THE OB CURTIS WTP SODA ASH SILO AND FEED SYSTEM REHABILITATION PROJECT.

WHEREAS, the Department of Public Works desires to have Professional Engineering services to assess the existing Soda Ash Silo System at OB Curtis Water Treatment Plant, and provide recommendations to rehabilitate or replace the existing Soda Ash and Silo Feed System; and

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 not to exceed \$73,300.00; and

WHEREAS, the Department of Public Works recommends the City of Jackson enter into a Professional Engineering Services Agreement with Cornerstone, LLC, in the amount not to exceed \$73,300.00.

IT IS, THEREFORE, ORDERED that an engineering services agreement with Cornerstone Engineering, LLC, in an amount not to exceed \$73,300.00, for the OB Curtis WTP Soda Ash Silo and Feed System Rehabilitation Project is accepted.

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

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

Nays- None.

Absent- Priester and Stokes.

ORDER AUTHORIZING SETTLEMENT OF ALL CLAIMS IN THE MATTER STYLED CHRIS LEWIS, ET AL. V. CITY OF JACKSON, MISSISSIPPI, ET AL., U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, CAUSE NO. 3:15cv876 CWR-FKB.

WHEREAS, on December 4, 2015, a lawsuit was filed naming the City of Jackson, Mississippi, as a Defendant, alleging violations of the Fair Labor Standards Act and seeking recovery of overtime wages by certain Public Works Employees, styled "Chris Lewis, et al vs. City of Jackson, Mississippi," in the United States District Court for the Southern District of Mississippi, Cause No. 3:15cv876CWR-FKB, with the Court allowing said lawsuit subsequently to go forward as a conditional class action to include four additional Public Works employees; and

WHEREAS, on June 11, 2018, the parties, through counsel, negotiated and reached a proposed agreement to settle the aforementioned lawsuit styled *CHRIS LEWIS, ET AL. V. CITY OF JACKSON, MISSISSIPPI, ET AL.*, U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, CAUSE NO. 3:15cv876 CWR-FKB; and

WHEREAS, under the FLSA, the City of Jackson, Mississippi is allegedly liable to the seven Plaintiff public works employees for unpaid wages, interest, liquidated damages and attorneys' fees; and

WHEREAS, entry of a Settlement Agreement which, in part, compromises attorney fees and expenses is in the best interest of the City of Jackson, Mississippi, but shall not constitute an admission of liability on the part of the City of Jackson, Mississippi; and

WHEREAS, continued litigation will only increase the amount of wages and damages ultimately claimed by the Plaintiff employees.

IT IS HEREBY ORDERED by the City Council of the City of Jackson, Mississippi, that the City, through the Office of the City Attorney is authorized to make payment to the *Lewis* Plaintiffs in the amount of \$43,347.33, for wages and damages, in the total amount not to exceed \$43,347.33.

IT IS FURTHER ORDERED that payment of said wages and claims is reasonable and necessary to effect resolution of all claims in the lawsuit styled *CHRIS LEWIS, ET AL. V. CITY OF JACKSON, MISSISSIPPI, ET AL.*, U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, CAUSE NO. 3:15cv279 CWR-FKB.

IT IS FURTHER ORDERED that payment of said wages and claims be in a form and style as requested by Plaintiffs' Counsel and in return for executed releases/settlement agreements by each Plaintiff, and that the Office of the City Attorney is authorized to take any and all action, including execution of documents, necessary to effect resolution of all claims for an amount not to exceed \$43,347.33.

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

Yeas- Banks, Foote, Lindsay and Tillman.

Nays- Stamps.

Absent- Priester and Stokes.

ORDER AUTHORIZING SETTLEMENT OF ALL CLAIMS IN THE MATTER STYLED *CHRIS LEWIS, ET AL. V. CITY OF JACKSON, MISSISSIPPI, ET AL.*, U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, CAUSE NO. 3:15cv876 CWR-FKB.

WHEREAS, on December 4, 2015, a lawsuit was filed naming the City of Jackson, Mississippi, as a Defendant, alleging violations of the Fair Labor Standards Act and seeking recovery of overtime wages by certain Public Works Employees, styled “Chris Lewis, et al vs. City of Jackson, Mississippi,” in the United States District Court for the Southern District of Mississippi, Cause No. 3:15cv876CWR-FKB, with the Court allowing said lawsuit subsequently to go forward as a conditional class action to include four additional Public Works employees; and

WHEREAS, on June 11, 2018, the parties, through counsel, negotiated and reached a proposed agreement to settle the aforementioned lawsuit styled *CHRIS LEWIS, ET AL. V. CITY OF JACKSON, MISSISSIPPI, ET AL.*, U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, CAUSE NO. 3:15cv876 CWR-FKB; and

WHEREAS, under the FLSA, the City of Jackson, Mississippi is allegedly liable to the seven Plaintiff public works employees for unpaid wages, interest, liquidated damages and attorneys’ fees; and

WHEREAS, entry of a Settlement Agreement which, in part, compromises attorney fees and expenses is in the best interest of the City of Jackson, Mississippi, but shall not constitute an admission of liability on the part of the City of Jackson, Mississippi; and

WHEREAS, continued litigation will only increase the amount of wages and damages ultimately claimed by the Plaintiff officers.

IT IS HEREBY ORDERED by the City Council of the City of Jackson, Mississippi, that the City, through the Office of the City Attorney is authorized to make payment of statutory attorneys’ fees and expenses pursuant to the FLSA, to the *Lewis* Plaintiffs’ counsel consisting of Matthew Wade Gilmer with the Gilmer Law Firm, PA, in the total amount not to exceed \$16,652.67.

IT IS FURTHER ORDERED that payment of said statutory attorneys’ fees and expenses pursuant to the FLSA, is reasonable and necessary to effect resolution of all claims in the lawsuit styled *CHRIS LEWIS, ET AL. V. CITY OF JACKSON, MISSISSIPPI, ET AL.*, U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, CAUSE NO. 3:15cv876 DPJ-FKB.

IT IS FURTHER ORDERED that payment of said attorneys’ fees and expenses be in a form and style as requested by Plaintiffs’ Counsel and in return for executed releases/settlement agreements by each Plaintiff, and that the Office of the City Attorney is authorized to take any and action, including execution of documents, necessary to effect resolution of all claims for an amount not to exceed \$16,652.67.

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

Yeas- Banks, Foote, Lindsay and Tillman.

Nays- Stamps.

Absent- Priester and Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A TECHNICAL SUPPORT AGREEMENT WITH PHAROS CONSULTING SERVICES TO PROVIDE THE CITY OF JACKSON WITH ELECTION CONSULTING SERVICES FOR ASSISTANCE, TRAINING AND SUPPORT IN THE STATEWIDE ELECTION MANAGEMENT SYSTEM (SEMS) FOR THE AUGUST 7, 2018 SPECIAL ELECTION FOR THE JACKSON PUBLIC SCHOOL BOND REFERENDUM.

WHEREAS, the City of Jackson, Mississippi, is preparing for an August 7, 2018 Special Election; and

WHEREAS, it has been determined by the City Clerk and the Municipal Election Commissioners that support services for the utilization of the Statewide Election Management System (SEMS) is necessary to properly conduct said election; and

WHEREAS, Pharos Consulting Services proposes to provide consulting and training services to the City of Jackson, including: election consulting, training services; utilization of SEMS in support of the August 7, 2018 Special Election for Jackson Public School's Bond Referendum, training for printing of poll books and posting voter history, and other election practice support as needed; and

WHEREAS, Pharos Consulting Services will provide said services in an amount not to exceed Two Thousand Dollars (\$2,000.00).

IT IS THEREFORE ORDERED that the Mayor is hereby authorized to execute an agreement with Pharos Consulting Services to provide consulting and training services to the City of Jackson at a cost not to exceed Two Thousand Dollars (\$2,000.00).

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

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

Nays- None.

Absent- Priester and Stokes.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND RECOGNIZING THE ANNUAL JUNETEENTH FREEDOM AND UNITY CULTURAL CELEBRATION.

WHEREAS, June 19th is a day recognized in the United States of America and across the world as Juneteenth; and

WHEREAS, Juneteenth has evolved into an African American cultural celebration that originated in the State of Texas because of the confusion and turmoil following the end of the Civil War; those in Texas affected by the Emancipation Proclamation of 1863 did not learn of the 1865 surrender of Robert E. Lee to Ulysses Grant in Virginia; and

WHEREAS, Major General Gordon Granger of the Union Army landed in Galveston, Texas with 1,800 soldiers to take command of the military District of Texas; his first action after landing on June 19, 1865 was to go from his headquarters in the Osterman Building at the corner of Strand and 22nd to read General Order #3 to the people of Galveston: "The people of Texas are informed ... all slaves are free. This involves an absolute equality of personal rights of property between former master and slaves..." and

WHEREAS, the stunning news began that day as a holiday of celebration, first established in Texas; in 1980, the Texas State Legislature declared Juneteenth, June 19th, a state holiday; thus began the tradition of prayer services, games, rodeos, dances, special food preparations and historical presentations related to this celebration- - much like the Fourth of July; and

WHEREAS, the City of Jackson, Mississippi celebrates with the world, in honoring the African American cultural celebration of unity and freedom, known throughout the land as Juneteenth, traditionally celebrated June 19th of each year.

IT IS HEREBY RESOLVED that the City Council of the City of Jackson, Mississippi, highly honors and recognizes the annual Juneteenth Freedom and Unity Cultural Celebration.

Council Member Stamps moved adoption; President Tillman seconded.

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

Nays- None.

Absent- Priester and Stokes.

DISCUSSION: UPDATE ON RFP FOR JACKSON ZOO: President Tillman recognized Robert Blaine, Chief Administrative Officer, who stated that the Parks and Recreation Department is in the process of developing an RFP for the Zoo. The proposed RFP process should be completed by July 1, 2018. Dr. Blaine stated that as a contingency plan, the City would enter into a term extension on the current contract if needed in order to engage in a new management group.

There came on for consideration Agenda Item No. 21:

DISCUSSION: PALMYRA STREET: Said item would be held due to the absence of Council Member Stokes.

There came on for consideration Agenda Item No. 22:

DISCUSSION: HUMAN TRAFFICKING: Said item would be held due to the absence of Council Member Stokes.

There came on for consideration Agenda Item No. 23:

DISCUSSION: COMMUNITY IMPROVEMENT: President Tillman recognized Council Member Lindsay, who stated that her concerns had been addressed during the June 18, 2018 Work Session.

The meeting was closed in memory of the following individuals:

- Reverend Charles Knight
- Mr. Anthony Randall

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Council meeting at 1:00 p.m. on June 20, 2018; at 8:47 p.m., the Council stood adjourned.

ATTEST:

APPROVED:

Huit Meade
CITY CLERK

Chakme G. Yumuda, ¹⁵⁰⁰ 8/2/2018
MAYOR DATE
