

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 November 20, 2018, being the third 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: Chokwe Antar Lumumba, Mayor; Kristi Moore, City Clerk; Allice Lattimore, Deputy City Clerk; Angela Harris, Deputy City Clerk and Sharon D. Gipson, City Attorney.

Absent: None.

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

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The invocation was offered by **Pastor Darryl Magee** of St. Thomas M.B. Church.

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The following individuals were introduced during the meeting:

- **Dr. Beverly Hogan**
- **Judge William Singletary**
- **Tiffany Grove**

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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 SAGE SALON & COLOR BAR TO ERECT A 38 SQUARE FOOT BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

President Priester recognized **Steve McMillan** of Rainbow Signs, a representative of the Applicant, who spoke in favor to approve a sign variance request for Sage Salon & Color Bar.

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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 SAGE SALON & COLOR BAR TO ERECT A 38 SQUARE FOOT BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

There was no opposition from the public.

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President Priester requested that Agenda Items No. 15 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 SAGE SALON & COLOR BAR TO ERECT A 38 SQUARE FOOT BUILDING SIGN 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 may be taken by the City Council 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, Sage Salon & Color Bar, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 38 square foot building sign within a CMU-1 zone which only allows a total of 15 square feet for building signage.

IT IS, THEREFORE, ORDERED that Sage Salon & Color Bar is hereby approved a variance from the Sign Ordinance regulations to erect a 38 square foot building sign within a CMU-1 zone which only allows a total of 15 square feet for building signage, it being determined that the parties in interest and the general citizenry first had their opportunity to be heard and the applicant has met the necessary criteria for the requested variance.

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, Stamps, Stokes and Tillman.

Nays- None.

Absent- None.

President Priester requested that Agenda Items No. 52, 53, 54, 55 and 56 be moved forward on the Agenda. Hearing no objections, the following were presented:

President Priester recognized **Council Member Banks** who presented a **CERTIFICATE OF RECOGNITION OF NATIONAL LEADERSHIP TO COUNCILMAN DE'KEITHER STAMPS IN BECOMING PRESIDENT OF THE NATIONAL BLACK CAUCUS OF ELECTED OFFICIALS**. Accepting the Certificate with appropriate remarks was **Councilman De'Keither Stamps**.

President Priester recognized **Council Member Tillman** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING LA'CURTIS POWELL AS STUDENT GOVERNMENT ASSOCIATION PRESIDENT AT JACKSON STATE UNIVERSITY**. Accepting the Resolution with appropriate remarks was **La'Curtis Powell**.

President Priester presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI CELEBRATING THE 50th ANNIVERSARY OF FLONZIE BROWN-WRIGHT UPON HER ELECTION AS THE FIRST AFRICAN AMERICAN WOMAN ELECTED TO PUBLIC OFFICE IN THE STATE OF MISSISSIPPI**. Accepting the Resolution with appropriate remarks was **Flonize Brown-Wright**.

President Priester recognized **Council Member Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING JUDGE WILLIAM H. SINGLETARY, AN OUTSTANDING CITIZEN AND MERITORIOUS JUDICIAL LEADER OF THE HINDS COUNTY CHNCERY COURT, DISTRICT 2**. Accepting the Resolution with appropriate remarks was **Judge William Singletary**.

Council Member Stamps left the meeting.

President Priester recognized **Council Member Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING DR. MARVIN HOGAN FOR MONUMENTAL ETHICS IN BROADENING OPPORTUNITY FOR CHILDREN AND THEIR FAMILIES**. Accepting the Resolution with appropriate remarks was **Dr. William Hogan**.

Council Member Foote left the meeting.

There came on for Introduction Agenda Item No. 4:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ESTABLISHING THE HONORARY RENAMING OF ORA BELL (MA BELL) WRIGHT DRIVE (FROM MARTIN LUTHER KING, JR. DRIVE TO FLORA STREET) TO BARBARA RAMSEY DRIVE. Said item was referred to the Planning Committee.

There came on for Introduction Agenda Item No. 5:

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
REQUIRING 24-HOUR CONVENIENCE STORES TO HAVE ADEQUATE
SECURITY AND A SPECIAL PRIVILEGE LICENSE TO OPERATE.** Said item was
referred to the Planning Committee.

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Council Member Stokes left the meeting.

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There came on for Introduction Agenda Item No. 6:

**AMENDMENT TO JACKSON CODE OF ORDINANCES SECTION 110-28
PROCEDURES FOR THE ERECTION OF PUBLIC GATES TO INCLUDE
LANGUAGE FROM THE INTERNATIONAL FIRE CODE, 2012 EDITION, AS
ADOPTED BY THE CITY OF JACKSON, DESCRIBING THE ACCESSIBILITY
AND DESIGN STANDARDS FOR PUBLIC ACCESS GATES AND THE ABILITY
OF EMERGENCY VEHICLES TO SAFELY PASS THROUGH DURING TIMES
OF POLICE AND FIRE EMERGENCIES.** Said item was referred to the Planning
Committee.

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**ORDINANCE CLOSING AND VACATING A PORTION OF AN UNNAMED
ALLEY IN CHURCH SUBDIVISION BETWEEN CONGRESS STREET AND
PRESIDENT STREET IN FAVOR OF THE ABUTTING LANDOWNERS.**

WHEREAS, Trace Place Properties, LLC, the Jackson Redevelopment Authority, Capital City Investment Properties, LP, Trustees of the Diocese of Mississippi, and Emporium Property, LLC, hereinafter referred to as "Petitioners", petitioned the City of Jackson, Mississippi to close and vacate a portion of an unnamed alley, hereinafter referred to as "Street", located in the City of Jackson, First Judicial District, Hinds County, Mississippi; and

WHEREAS, the Petitioners presented their petition pursuant to Section 110-5 of the Jackson Code of Ordinances; and

WHEREAS, the Petitioners are the owner of all property abutting the Street on both sides, and have, at their own expense, furnished the City of Jackson with a survey plat; and

WHEREAS, the Site Plan Review Committee of the City of Jackson reviewed the petition to close and vacate the Street on March 1, 2018, and approved the petition on October 4, 2018, after all technical objections that were raised by the committee were addressed by the petitioners; and

WHEREAS, the City Council finds that the Street sought to be closed and vacated is no longer needed as a public thoroughfare and will not be needed as a public thoroughfare in the foreseeable future.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, THAT:

SECTION 1. The herein described portion of an unnamed alley constitutes a publicly dedicated right-of-way, with said right-of-way being described as follows:

A certain parcel of land being part of the alley as shown on the plat of Church Subdivision, a subdivision according to the map or plat thereof, on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, as recorded in Plat Book 3 at Page 42, in the City of Jackson, Hinds County, Mississippi, and being more particularly described as follows:

Begin at an existing ½" iron pin marking the Northwest corner of Lot 1 of the aforesaid Church Subdivision and run thence North 80 degrees 53 minutes 41 seconds West along the North line of Lots 2, 3 and 4 of said Church Subdivision for a distance of 79.91 feet to a set ½" iron pin marking the Northwest corner of said Lot 4; leaving said North line of Lot 4, run thence North 09 degrees 09 minutes 45 seconds East along the East line of Lot 5 of said Church Subdivision for a distance of 31.56 feet to a set ½" iron pin marking the Northeast corner thereof; leaving said East line of Lot 5, run thence North 80 degrees 56 minutes 48 seconds West along the North line of said Lot 5 and along the North line of Lot 6 of said Church Subdivision for a distance of 60.61 feet to a set pk nail marking the Northwest corner thereof; leaving said North line of Lot 6, run thence North 09 degrees 29 minutes 12 seconds East for a distance of 21.49 feet to a set pk nail; run thence South 80 degrees 35 minutes 48 seconds East for a distance of 80.35 feet to a set ½" iron pin marking the Northwest corner of Lot 7 of the aforesaid Church Subdivision; run thence South 09 degrees 09 minutes 44 seconds West along the West line of said Lot 7 for a distance of 40.00 feet to an existing ½" iron pin marking the Southwest corner thereof; leaving said West line of Lot 7, run thence South 80 degrees 35 minutes 48 seconds East along the South line of said Lot 7 for a distance of 60.04 feet to a set ½" iron pin; leaving said South line of Lot 7, run thence South 09 degrees 09 minutes 44 seconds West for a distance of 12.39 feet to the POINT OF BEGINNING, containing 3,086 square feet, more or less.

SECTION 2. Pursuant to operation of law, a certified copy of this Ordinance shall serve to convey, quitclaim, and release the City's right, title, and interest in and to said right-of-way, as herein described, to the abutting landowners of record.

SECTION 3. The conveyance of said right-of-way is subject to any dedications, limitations, restrictions, reservations, or easements of record.

SECTION 4. The Petitioners shall assume all responsibility and liability for the herein described right-of-way.

SECTION 5. The herein described right-of-way is hereby closed and vacated.

SECTION 6. The Director of the Department of Public Works is hereby authorized and directed to indicate the closing and vacation of the herein described portion of the Street on the official map of the City of Jackson.

SECTION 7. Any and all ordinances of the City of Jackson, or any parts of ordinances, in conflict herewith shall be, and the same are hereby, repealed.

SECTION 8. The cost of publication of this Ordinance shall be borne by the Petitioners.

SECTION 9. This Ordinance shall be effective thirty (30) days after passage and after publication.

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

Yeas- Banks, Lindsay, Priester and Tillman.

Nays- None.

Absent- Foote, Stamps and Stokes.

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ORDER APPROVING CLAIMS NUMBER 1446 TO 1867 APPEARING AT PAGES 219 TO 281 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$2,795,181.68 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 1446 to 1867 appearing at pages 219 to 281, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$2,795,181.68 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 |
|--------------------------------|--------------------------------|
| CAPITAL CITY REVENUE FUND | 7,241.00 |
| DISABILITY RELIEF FUND | 48,231.45 |
| EARLY CHILDHOOD (DAYCARE) | 8,948.40 |
| EMERGENCY SHELTER GRANT (ESG) | 3,631.71 |
| EMPLOYEES GROUP INSURANCE FUND | 12,353.28 |
| FIRE PROTECTION | 118.65 |
| GENERAL FUND | 1,350,428.41 |
| H O P W A GRANT- DEPT. OF HUD | 139,310.73 |
| HOME PROGRAM FUND | 7,459.10 |
| HOUSING COMM DEV ACT (CDBG) FD | 44,764.21 |
| LANDFILL/SANITATION FUND | 11,587.20 |
| MADISON SEWAGE DISP OP & MAINT | 69.73 |
| NCSC SENIOR AIDES | 68.38 |
| P E G ACCESS- PROGRAMMING FUND | 150.81 |
| PARKS & RECR FUND | 27,832.86 |
| REPAIR & REPLACEMENT FUND | 2,206.99 |
| SEIZURE & FORFEITED PROP-STATE | 4,031.12 |
| STATE TORT CLAIMS FUND | 21,594.63 |
| TECHNOLOGY FUND | 82,055.74 |
| TITLE III AGING PROGRAMS | 27,093.00 |
| TRANSPORTATION FUND | 386,175.69 |
| WATER/SEWER CAPITAL IMPR FUND | 81,937.10 |
| WATER/SEWER OP & MAINT FUND | 363,526.43 |
| WATER/SEWER REVENUE FUND | 6,281.06 |
| TOTAL | <u>\$ 2,795,181.68</u> |

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

President Priester stated that he was recusing himself due to a conflict of interest. **Council Member Foote** returned to the meeting.

President Priester left the meeting and **Vice President Lindsay** presided.

Vice President Lindsay recognized **Dr. Robert Blaine**, Interim Director of Administration, who provided an overview of the Claims Docket at the request of **Vice President Lindsay**.

Council Member Stokes returned to the meeting.

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

Yeas- Banks, Foote, Lindsay and Tillman.

Nays- Stokes.

Absent- Priester and Stamps.

Council Member Tillman left the meeting.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 1446 TO 1867 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 1446 to 1867 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$132,467.68 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 | | 1,989,724.20 |
| PARKS & RECR FUND | | 63,007.00 |
| LANDFILL FUND | | 11,552.99 |
| SENIOR AIDES | | 2,500.48 |
| WATER/SEWER OPER & MAINT | | 206,858.27 |
| PAYROLL FUND | | 636.00 |
| PAYROLL | 132,467.68 | |
| EARLY CHILDHOOD | | 29,802.53 |
| HOUSING COMM DEV | | 7,502.55 |
| TITLE III AGING PROGRAMS | | 4,242.53 |
| TRANSPORTATION FUND | | 12,396.13 |
| T-WARNER PA/GA FUND | | 3,149.97 |
| SAMSHA | | 1,088.40 |
| TOTAL | | <u>\$2,332,461.05</u> |

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

Yeas- Banks, Foote, Lindsay and Stokes.

Nays- None.

Absent- Priester, Stamps and Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GLOBAL SOFTWARE FOR COMPUTER SOFTWARE SUPPORT SERVICES.

WHEREAS, the City of Jackson ("City") uses CISCO Public Safety Software to administer its emergency service system; and

WHEREAS, the City's maintenance agreement on the CISCO software has expired and needs to be renewed; and

WHEREAS, Global Software, a division of N. Harris Computer Corporation, is the sole source provider of CISCO Software products and the only company authorized to provide development and support services for this software; and

WHEREAS, as the sole source provider of the maintenance services, Global Software has proposed a maintenance contract that covers all software and support for the City's existing Global Software, which comprises the Emergency Services System for the Jackson Police Department, Jackson Fire Department, Municipal Court and Impound Lot; and

WHEREAS, the term of the proposed maintenance agreement is November 1, 2018 through October 31, 2019. The term will renew automatically for one additional year unless terminated in writing by either party at least thirty (30) days prior to the end of the current term.; and

WHEREAS, the yearly cost of the maintenance agreement is \$58,873.00; and

WHEREAS, the need for maintenance for all Global Software has been analyzed by the Information Systems Division of the Department of Administration, and execution of the proposed maintenance agreement with Global Software is recommended.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an agreement with Global Software, Inc. to provide maintenance of software for the City of Jackson's Emergency Services System, with said maintenance being provided at a cost of \$58,873.00, from November 1, 2018 through October 31, 2019.

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

Yeas- Banks, Foote, Lindsay and Stokes.

Nays- None.

Absent- Priester, Stamps and Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR THE SUPPORT AND MAINTENANCE ON INCODE COURT CASE MANAGEMENT SOFTWARE.

WHEREAS, Tyler Technologies, Inc. has proposed a maintenance contract that covers all software and support for the existing Tyler Technologies software, which comprises the Municipal Court Case Management System; and

WHEREAS, the need for maintenance for all Tyler Technologies Software has been analyzed by the Information Systems Division of the Department of Administration, and execution of the proposed maintenance agreement with Tyler Technologies is recommended; and

WHEREAS, Tyler Technologies is the sole source provider of Incode Case Management Software products and the only company authorized to provide development and support services for this software.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an agreement with Tyler Technologies, Inc. to provide maintenance of software for the City of Jackson's Municipal Court Case Management System, with said maintenance being provided at a cost of \$70,192.08, from November 1, 2018 thru October 31, 2019.

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

Yeas- Banks, Foote, Lindsay and Stokes.

Nays- None.

Absent- Priester, Stamps and Tillman.

There came on for consideration Agenda Item No. 12:

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CITIZENOBSERVER, LLC, FOR THE PURCHASE OF A SUBSCRIPTION FOR THE CITY OF JACKSON'S TIP411 WEB-BASED APPLICATION. Said item was pulled by **Mayor Chokwe Antar Lumumba**.

President Priester and **Council Member Tillman** returned to the meeting.

ORDER AUTHORIZING THE MAYOR TO SUBMIT A REQUEST FOR PROPOSALS FOR A PARKING METER MANAGEMENT SYSTEM (PHASE 1) TO BE INSTALLED IN THE FONDREN AREA.

WHEREAS, the City of Jackson manages all parking meter services in-house, whereby the Jackson Police Department and Municipal Courts are responsible for enforcement, and the Public Works Department is responsible for the day-to-day management of the parking meter coin collection, reserved services and maintenance; and

WHEREAS, the Department of Planning and Development has researched several parking management vendors for new technology and best practices for managing parking meters; and

WHEREAS, the City of Jackson has determined that there is a critical need for a more efficient system for paid public parking, through a mobile application, credit card, license plate service, call-in service, pay by phone, and pay station, which will be accessible and user-friendly; and

WHEREAS, through this automated collections process, the City of Jackson will realize an immediate and exponential increase in receivables for the City through its own resources; and

WHEREAS, enforcement managed in-house using citation, boot, and vehicle towing; and

WHEREAS, the City of Jackson has found that a parking meter management system will be beneficial for permit services for contractors, and convenient for residents and visitors; and

WHEREAS, the selected vendor will provide a parking system that will allow the City of Jackson to balance maintenance efforts and optimize the number of meters available.

IT IS, THEREFORE ORDERED that the Mayor be authorized to submit an RFP for a parking meter management system upon approval of this Order.

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

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

Nays- Stokes.

Absent- Stamps.

There came on for consideration Agenda Item No. 14:

ORDER CONFIRMING THE MAYOR'S NOMINATION OF ROBERT E. MARTIN TO THE JACKSON MUNICIPAL AIRPORT AUTHORITY BOARD. Said item would be held for a Confirmation Hearing at a later date.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND MANAGEMENT SERVICES RESOURCES, 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 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 February 24, 2017, the Office of Housing and Community Development received seven (7) RFQ's; and

WHEREAS, seven (7) 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, one (1) contractor was the lowest and best bidder to perform Lead Safe Jackson Housing Program activities on one (1) eligible unit scheduled to receive services through this program 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 Management Services Resources, 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 Management Services Resources, 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 one (1) unit scheduled to receive services through the Lead Safe Jackson Housing Program. The contractor, bid amount, and unit address is as follows:

Management Services Resources, LLC 4318 El Paso Street \$6,367.00 ;

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, 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 one (1) unit scheduled to receive services through the Lead Safe Jackson Housing Program for an amount not to exceed a total of \$3,500 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 Stokes** seconded.

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

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH SOILTECH CONSULTANTS FOR GEOTECHNICAL INVESTIGATION SERVICES FOR THE NEW FIRE STATION 20 BUILDING, CITY PROJECT NO. 15B7003.401.

WHEREAS, the City of Jackson solicited statements of qualifications from engineering firms for geotechnical services; and

WHEREAS, four (4) proposals for geotechnical engineering services were received; and

WHEREAS, a review committee evaluated the responses and Soiltech Consultants, Inc. was selected for the project; and

WHEREAS, Soiltech Consultants, Inc. performed the initial soils investigation for the project; and

WHEREAS, the proposed site of the new fire station was located on municipal property which had been designated for aeronautical use by the Jackson Municipal Airport Authority and is regulated by the Federal Aviation Administration; and

WHEREAS, the governing authorities for the City of Jackson authorized a Memorandum of Understanding with the Jackson Municipal Airport Authority on May 22, 2018, to formally request authorization from the Federal Aviation Administration to convert municipal property from aeronautical use to non-aeronautical; and

WHEREAS, the City received notice on July 25, 2018, that the Federal Aviation Administration rejected the proposed conversion and substitution of municipal property in the JMAA Airport Layout Plan; and

WHEREAS, the Fire Department and Department of Public Works have determined that it would be in the best interest of the City to modify the current design for the construction of the new Fire Station 20 Building and relocate the project to the existing Fire Station 20 site; and

WHEREAS, Soiltech Consultants, Inc. Geotechnical Engineering has provided a proposal for Supplemental Soil Borings at a cost not to exceed \$5,800.00 to amend the Geotechnical Investigation and Foundation Recommendations to relocate the new building to the existing Fire Station #20 building site.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a professional services contract with Soiltech Consultants, Inc. for Geotechnical Investigation services for New Fire Station #20, City Project No. 15B7003.401, in the amount of \$5,800.00.

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

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

Nays- None.

Absent- Stamps.

President Priester requested that Agenda Item No. 49 be moved forward on the Agenda. Hearing no objections, the following were discussed:

DISCUSSION: UPDATE ON PROPERTIES ADJACENT TO THE CONVENTION CENTER: **President Priester** recognized **Vice President Lindsay** who requested that **Dr. Mukesh Kumar**, Director of Planning and Department provide an update on the property located across from the convention center. **Dr. Kumar** stated that November 5th was the deadline for the RFP for the Convention Center properties. **Dr. Kumar** stated that the Evaluation Committee met to review the three (3) proposals that were submitted and interviews have been scheduled for November 28th for all three (3) proposals. After a recommendation is received from the Evaluation Committee, the item will come before the Council in December 2018.

ORDER AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ORIGIN CONSULTING, LLC FOR INFORMATION SYSTEMS SUPPORT OF THE CITY'S CUSTOMER CARE AND BILLING SYSTEM.

WHEREAS, the City of Jackson Information Systems personnel responsible for the operation and system maintenance of the Oracle Customer Care & Billing enterprise software (CC&B) are in need of further support to build their expertise and make them more proficient in the operations of CC&B; and

WHEREAS, the City of Jackson Information Systems personnel have also expressed concern over the state of the current hardware on which CC&B runs and its susceptibility to catastrophic failure; and

WHEREAS, Origin Consulting, LLC (Origin) is highly knowledgeable with the CC&B enterprise software generally and the City's implementation in particular; and

WHEREAS, Origin has proposed to provide necessary training for the City's Information Systems personnel responsible for CC&B; and

WHEREAS, Origin has proposed to provide the necessary training and oversight to resolve issues and provide redundancy for the hardware on which CC&B operations; and

WHEREAS, Origin proposes to perform the necessary work for a cost of \$76,300.00; and

WHEREAS, Origin also requires a Consulting Services Agreement, which provides terms and conditions for the work that will be performed under the agreement for Information Systems Support; and

WHEREAS, the Department of Public Works recommends that the governing authorities authorize a professional services Agreement with Origin Consulting, LLC for Information Systems Support in an amount not to exceed \$76,300.00.

IT IS, THEREFORE, ORDERED that an agreement with Origin Consulting, LLC in an amount not to exceed \$76,300.00 is authorized.

IT IS FURTHER ORDERED that the Mayor is authorized to execute an agreement with Origin Consulting, LLC for Information Systems Support, a Consulting Services Agreement, and all other documents necessary for the purposes of these agreements.

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

Yeas- Foote, Lindsay, Priester and Tillman.

Nays- Banks and Stokes.

Absent- Stamps.

* * * * *

ORDER AUTHORIZING FINAL PAYMENT TO THE CONTRACT OF DELTA CONSTRUCTORS, INC., FOR THE SEWER REPAIR ON HIGHWAY 80.

WHEREAS, the City of Jackson accepted Delta Constructors, Inc.'s quote of \$48,800.00 for Sewer Repair on Highway 80; and

WHEREAS, the contract work involved repairing a collapsed 21-inch sewer main along Highway 80; and

WHEREAS, a final field inspection was held by the Department of Public Works, and the Department recommends acceptance of the project; and

WHEREAS, the Department of Public Works recommends final payment in the amount of \$48,800.00 to Delta Constructors, Inc.; and

WHEREAS, the bonding company, The Ohio Casualty Insurance Company, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract.

IT IS, THEREFORE, ORDERED that the City make final payment in the amount of \$48,800.00 and release all securities held to Delta Constructors, Inc. for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Sewer Repair on Highway 80.

Council Member Stokes moved adoption; **President Priester** seconded.

President Priester recognized **Council Member Stokes** who requested that Agenda Item No. 51 be moved forward on the agenda. Hearing no objections, the following was discussed:

DISCUSSION: SEWER: **Council Member Stokes** stated that the City has experienced a number of sewer breaks and inquired how many breaks are currently in the City and how many new pumps were operating within the City. **Dr. Charles Williams**, Department of Public Works stated that the City currently has five (5) pumps serving as a bypass for collapsed sewers and the number of breaks increasing daily. **Dr. Williams** stated that the City's sewer collection lines have reached the end of their life cycle.

Council Member Stokes requested that Agenda Item No. 50 be moved forward on the agenda. Hearing no objections, the following was discussed:

DISCUSSION: BAILEY AVE: **Council Member Stokes** asked when would the lights be turned on at Bailey Avenue. **Council Member Stokes** expressed concerns for potential accidents at Jennings and Bailey Avenue due to no traffic lights.

After a thorough discussion, **President Priester** called for a vote on said item:

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

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH NEEL-SCHAFER, INC., FOR DESIGN ENGINEERING AND CONSTRUCTION ADMINISTRATION & INSPECTION FOR THE LINDE DRIVE SEWER EMERGENCY, CITY PROJECT NO. 18B0510.701.

WHEREAS, the Department of Public Works desires to have design and construction administration & inspection services to replace a collapsed sewer main on Linde Drive adjacent to Lynch Creek; and

WHEREAS, Neel-Schaffer, Inc., a multi-disciplinary civil engineering firm located in Jackson, Mississippi submitted their firms Statement of Qualifications based on a solicitation for professional engineering services by the Department of Public Works; and

WHEREAS, Neel-Schaffer, Inc., has submitted a proposal based on its Statement of Qualifications to provide the City of Jackson with design and construction administration & inspection services at a cost not to exceed \$304,600.00 for the Linde Drive Sewer Emergency; and

WHEREAS, the Department of Public Works recommends the City of Jackson enter into an Engineering Services Agreement with Neel-Schaffer, Inc., in an amount not to exceed \$304,600.00, for the Linde Drive Sewer Emergency, City Project Number 18B0510.701.

IT IS, THEREFORE, ORDERED that an engineering services agreement with Neel Schaffer, Inc., in an amount not to exceed \$304,600.00, for the Linde Drive Sewer Emergency, City Project Number 18B0510.701 is accepted.

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

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

Nays- None.

Absent- Stamps.

ORDER RATIFYING AN EMERGENCY CONTRACT WITH DELTA CONSTRUCTORS, INC., FOR THE SEWER REPAIR ON HIGHWAY 80.

WHEREAS, the governing authorities for the City of Jackson authorized the acceptance of the bid of Delta Constructors, Inc., for the repair of a collapsed 21-inch sewer main on Highway 80 in the amount of \$48,800.00 on July 3, 2018; and

WHEREAS, during construction of the collapsed sewer main, additional sections of the sewer main collapsed, causing raw sewage to discharge outside the collection system; and

WHEREAS, the City of Jackson determined that the additional sewer main breaks and discharge of raw sewage constituted an emergency pursuant to Section 31-7-13(k) of the Mississippi Code Annotated of 1972, as amended, so that delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the City of Jackson; and

WHEREAS, the Department of Public Works requested that Delta Constructors, Inc., repair the additional sections of the collapsed 21-inch sewer main; and

WHEREAS, the cost of the emergency repair work is \$99,560.00; and

WHEREAS, a final field inspection was held by the Department of Public Works, and the Department recommends acceptance of the project; and

WHEREAS, the Department of Public Works recommends payment in the amount of \$99,560.00 to Delta Constructors, Inc.; and

WHEREAS, the bonding company, The Ohio Casualty Insurance Company, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract.

IT IS, THEREFORE, ORDERED that the City make final payment in the amount of \$99,560.00 and release all securities held to Delta Constructors, Inc. for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Sewer Repair on Highway 80.

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

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

Nays- None.

Absent- Stamps.

ORDER ACCEPTING THE BID OF HEMPHILL CONSTRUCTION COMPANY, INC. FOR THE OB CURTIS WATER TREATMENT PLANT SODA ASH SILOS AND FEED SYSTEM REHABILITATION PROJECT, CITY PROJECT NUMBER 17B0102.

WHEREAS, on October 23, 2018, the City of Jackson received two (2) sealed bids for the OB Curtis Water Treatment Plant Soda Ash Silos and Feed System Rehabilitation Project, City Project No.17B0102; and

WHEREAS, the bid received from Hemphill Construction Company, Inc. in the amount of \$2,583,139.00, 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 Hemphill Construction Company, Inc. as the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Hemphill Construction Company, Inc., in the amount of \$2,583,139.00, 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.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL ENGINEERING AND CONSTRUCTION PHASE SERVICES AGREEMENT WITH CORNERSTONE ENGINEERING, LLC, FOR THE OB CURTIS WATER TREATMENT PLANT SODA ASH SILO AND FEED SYSTEM REHABILITATION PROJECT, CITY PROJECT NUMBER 17B0102.

WHEREAS, the Department of Public Works desires to have Professional Engineering and Construction Phase services for the construction of the OB Curtis Water Treatment Plant Soda Ash Silo and Feed System Rehabilitation Project; 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 and Construction Phase Services at a cost not to exceed \$189,284.00; 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 \$189,284.00.

IT IS, THEREFORE, ORDERED that a Professional Engineering and Construction Phase services agreement with Cornerstone Engineering, LLC, in an amount not to exceed \$189,284.00, for the OB Curtis Water Treatment Plant Soda Ash Silo and Feed System Rehabilitation Project is accepted.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AND CONSTRUCTION AGREEMENT WITH THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Mississippi Department of Transportation has requested a temporary easement to perform bridge repair maintenance on US 80 over the Pearl River; and

WHEREAS, the Mississippi Department of Transportation will need access across the City of Jackson's Right of Way to perform the bridge maintenance; and

WHEREAS, the Department of Public Works recommends executing an easement and construction agreement with the Mississippi Department of Transportation.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an easement and construction agreement with the Mississippi Department of Transportation for the purpose of bridge maintenance on US 80 over the Pearl River.

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

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

Nays- None.

Absent- Stamps.

**ORDER RATIFYING A CONTRACT WITH UTILITY CONSTRUCTORS, INC.,
FOR THE EMERGENCY SEWER REPAIR ON MILL STREET SEWER
EMERGENCY REPAIR, CITY PROJECT NO. 18B0503.701.**

WHEREAS, the Department of Public Works discovered a collapsed sewer main on Mill Street causing raw sewer to discharge into local drainage inlets; and

WHEREAS, the Mayor declared an emergency, under Section 31-7-13(k) of the Mississippi Code of 1972, as amended, to repair the collapsed sewer main to maintain compliance with the Clean Water Act; and

WHEREAS, the City of Jackson solicited quotes from three contractors: Hemphill Construction Company, Inc., Delta Constructors, Inc., and Utility Constructors, Inc., to repair the sewer main; and

WHEREAS, the City of Jackson accepted the lowest and best quote from Utility Constructors, Inc., in amount of \$67,387.00; and

WHEREAS, the Department of Public Works held a final field inspection and recommends acceptance of the project; and

WHEREAS, the original quote amount was for \$67,387.00, and the decreased amount is \$52,387.00; and

WHEREAS, the Department of Public Works recommends final payment in the amount of \$52,387.00 to Utility Constructors, Inc.; and

WHEREAS, the bonding company, Sure Tec Insurance Company, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract.

IT IS, THEREFORE, ORDERED that the contract with Utility Constructors, Inc., for emergency repair work in the amount of \$52,387.00 is ratified.

IT IS FURTHER ORDERED that the City make final payment in the amount of \$52,387.00 to Utility Constructors, Inc., and release all securities held to Utility Constructors, Inc., for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Emergency Sewer Repair on Mill Street Sewer Emergency Repair, City Project No. 18B0503.701.

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

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

Nays- None.

Absent- Stamps.

**ORDER RATIFYING A CONTRACT WITH UTILITY CONSTRUCTORS, INC.,
FOR THE EMERGENCY SEWER REPAIR ON RIDGEWOOD ROAD, CITY
PROJECT NO. 18B0504.101.**

WHEREAS, the Department of Public Works discovered a collapsed 10" sewer main on Ridgewood Road causing raw sewer to discharge into local drainage inlets; and

WHEREAS, the Mayor declared an emergency, under Section 31-7-13(k) of the Mississippi Code of 1972, as amended, to repair the collapsed sewer main to maintain compliance with the Clean Water Act; and

WHEREAS, the City of Jackson solicited quotes from three contractors: Hemphill Construction Company, Inc., Delta Constructors, Inc., and Utility Constructors, Inc., to repair the sewer main; and

WHEREAS, the City of Jackson accepted the lowest and best quote from Utility Constructors, Inc., in amount of \$123,515.00; and

WHEREAS, the Department of Public Works held a final field inspection and recommends acceptance of the project; and

WHEREAS, the Department of Public Works recommends final payment in the amount of \$123,515.00 to Utility Constructors, Inc.; and

WHEREAS, the bonding company Sure Tec Insurance Company, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract.

IT IS, THEREFORE, ORDERED that the contract with Utility Constructors, Inc., for emergency repair work in the amount of \$123,515.00 is ratified.

IT IS FURTHER ORDERED that the City make final payment in the amount of \$123,515.00 to Utility Constructors, Inc., and release all securities held to Utility Constructors, Inc., for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Emergency Sewer Repair on Ridgewood Road, City Project No. 18B0504.101.

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

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

Nays- None.

Absent- Stamps.

ORDER RATIFYING AN AGREEMENT WITH UTILITY CONSTRUCTORS, INC. AND AUTHORIZING PAYMENT FOR ADDITIONAL EMERGENCY SEWER REPAIR WORK ON RIDGEWOOD ROAD, CITY PROJECT NO. 19B0501.101.

WHEREAS, the Department of Public Works discovered a collapsed 10" sewer main on Ridgewood Road causing raw sewage to discharge into local drainage inlets; and

WHEREAS, the Mayor declared an emergency, under Section 31-7-13(k) of the Mississippi Code of 1972, as amended, to repair the collapsed sewer main to maintain compliance with the Clean Water Act; and

WHEREAS, the City of Jackson entered into an emergency contract with Utility Constructors, Inc., to repair the collapsed 10" sewer main on Ridgewood Road on September 11, 2018; and

WHEREAS, during construction of the collapsed 10" sewer main, additional sections of the 10" sewer main collapsed, causing raw sewage to discharge outside the collection system; and

WHEREAS, the City of Jackson determined that the additional sewer main breaks and discharge of raw sewer constituted an emergency pursuant to Section 31-7-13(k) of the Mississippi Code Annotated of 1972, as amended, so that delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the City of Jackson; and

WHEREAS, the Department of Public Works requested Utility Constructors, Inc., to repair the additional sections of the 10" collapsed sewer main; and

WHEREAS, the cost of the additional sewer main repair work is \$363,352.00; and

WHEREAS, the Department of Public Works held a final field inspection and recommends acceptance of the project; and

WHEREAS, the Department of Public Works recommends final payment in the amount of \$363,352.00 to Utility Constructors, Inc.; and

WHEREAS, the bonding company, Sure Tec Insurance Company, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract.

IT IS, THEREFORE, ORDERED that the contract with Utility Constructors, Inc., for emergency repair work in the amount of \$363,352.00 is ratified.

IT IS FURTHER ORDERED that the City make final payment in the amount of \$363,352.00 to Utility Constructors, Inc., and release all securities held to Utility Constructors, Inc., for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Emergency Sewer Repair on Ridgewood Road, City Project No. 19B0501.101.

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

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

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING CHANGE ORDER NO.1/FINAL TO THE CONTRACT OF UTILITY CONSTRUCTORS, INC. FOR THE COUNTRY CLUB BRIDGE REPLACEMENT, CITY PROJECT NUMBER, CITY PROJECT NO. 18B4502.401.

WHEREAS, on March 7, 2018 the City of Jackson accepted Utility Constructors, Inc.'s bid of \$398,299.00 for the Country Club Bridge Replacement, City Project No. 18B4502.401; and

WHEREAS, the contract work involved removing and replacing the existing bridge structure on Country Club Drive within the City of Jackson's corporate limits; and

WHEREAS, Change Order No. 1/Final represents a 1.1% decrease to the current contract amount due to the adjustment of quantities and the removal or addition of items; and

WHEREAS, a final field inspection was held by the Department of Public Works, and the Department recommends acceptance of the project; and

WHEREAS, the current contract amount is \$398,299.00 and the decreased contract amount will be \$32,290.70; and

WHEREAS, the Department of Public Works recommends final payment in the amount of \$158,215.75 to Utility Constructors, Inc.; and

WHEREAS, the bonding company, SureTec Insurance Company, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract.

IT IS, THEREFORE, ORDERED that Change Order No. 1/Final to the contract of Utility Constructors, Inc., decreasing the contract amount by \$32,290.70 to a final contract amount of \$366,008.30 is authorized.

IT IS FURTHER ORDERED that the City make final payment in the amount of \$158,215.75 and release all securities held to Utility Constructors, Inc. for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Country Club Bridge Replacement, City Project No. 18B4502.401.

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

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

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT OF HEMPHILL CONSTRUCTION COMPANY, INC. TO INCREASE THE NUMBER OF CONSTRUCTION DAYS AND TO PROVIDE ADDITIONAL FUNDING FOR QUANTITY OVERRUNS FOR THE FONDREN STREETSCAPE PROJECT, FEDERAL-AID PROJECT NUMBER STP-0250-00(038)/106056-701000, CITY PROJECT NUMBER 10B4005-701.

WHEREAS, on August 29, 2017, the City Council authorized the execution of a contract, in the amount of \$2,595,893.90, with Hemphill Construction Company, Inc., for construction for the Fondren Streetscape Project, Federal-Aid Project Number STP-0250-00(038)/106056-701000, City Project Number 10B4005-701 (Ward 7); and

WHEREAS, the sidewalk and landscape improvements project has reached substantial completion; and

WHEREAS, MDOT is requesting this execution of Supplemental Agreement No. 1 for supplementary work required by additional sidewalk replacement and related ADA compliance; asphalt tie-ins and patching needed for ADA compliance, vehicular and pedestrian travel, and drainage; and unexpected field adjustments during construction; and

WHEREAS, the Department of Public Works desires to extend the construction period by sixty-five (65) days due to needed infrastructure repairs; and

WHEREAS, Neel-Schaffer, Inc., and Hemphill Construction Company, Inc. estimate that the construction services required to complete the project will not exceed \$140,000.00.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Supplemental Agreement No.1 to the contract with Hemphill Construction Company, Inc. for the Fondren Streetscape Project, Federal-Aid Project Number STP-0250-00(038)/106056-701000, City Project Number 10B4005-701 (Ward 7) to extend the construction period by sixty-five (65) days and for construction services not to exceed \$140,000.00.

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

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

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION ENGINEERING AND INSPECTION SERVICES CONTRACT WITH STANTEC CONSULTING SERVICES, INC. FOR THE MILL STREET IMPROVEMENT PROJECT, FEDERAL AID PROJECT NO. STP-7261-00(001) LPA/107313-711000.

WHEREAS, the City of Jackson received federal funds to make improvements to Mill Street; and

WHEREAS, the City of Jackson selected Stantec Consulting Services, Inc. from a short list of firms on MDOT's list of master contracts for roadway design based on the scope of work, and the City has selected Stantec to provide construction engineering and inspection services for the same project; and

WHEREAS, Stantec has provided an estimated fee of \$149,951.08 for construction engineering and inspection services work; and

WHEREAS, the execution of the preliminary engineering agreement is subject to the concurrence of the Mississippi Department of Transportation.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a construction engineering and inspection services contract with Stantec Consulting Services, Inc., for the Mill Street Project, Federal Aid Project No. STP-7261-00(001) LPA/107313-711000, in an amount not to exceed \$149,951.08.

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

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

Nays- None.

Absent- Stamps.

ORDER ACCEPTING THE BID OF HEMPHILL CONSTRUCTION COMPANY, INC. FOR CONSTRUCTION OF THE MILL STREET IMPROVEMENT PROJECT, FEDERAL AID PROJECT NUMBER STP-7261-00(001) LPA/107313, CITY PROJECT NUMBER 31500-905 AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH SAID COMPANY SUBJECT TO THE CONCURRENCE OF THE MISSISSIPPI TRANSPORTATION COMMISSION.

WHEREAS, the City of Jackson solicited sealed, competitive bids for the construction of the Mill Street Improvement Project; and

WHEREAS, three bids were submitted to the City Clerk on October 16, 2018; and

WHEREAS, the bid of Hemphill Construction Company, Inc., in the amount of \$1,936,827.25 was the lowest bid received; and

WHEREAS, the Public Works Department recommends that the governing authorities deem the bid of Hemphill Construction Company, Inc., in the amount of \$1,936,827.25, for the Mill Street Improvement Project to be the lowest and best bid; and

WHEREAS, the awarding of the bid shall be subject to the concurrence of the Mississippi Transportation Commission; and

WHEREAS, during the life of the project, it will be necessary for the Mayor to execute various no-cost documents as part of the administration and construction of the project.

IT IS, THEREFORE, ORDERED that the bid of Hemphill Construction Company, Inc., for the construction of the Mill Street Improvement Project, Federal Aid Project Number STP-7261-00(001) LPA/107313, in the amount of \$1,936,827.25, is accepted as the lowest and best bid.

IT IS FURTHER ORDERED that the Mayor is authorized to execute and the City Clerk is authorized to attest a contract with Hemphill Construction Company, Inc. for the construction of the Mill Street Improvement Project.

IT IS FURTHER ORDERED that the Mayor be authorized to execute any and all no-cost item documents necessary for the administration and construction of the Mill Street Improvement Project and to submit the same to MDOT as needed.

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

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

Nays- Banks.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM EXTENDING THE REVIEW APPRAISAL CONTRACT BETWEEN THE CITY OF JACKSON AND NEEL-SCHAFER, INC. FOR THE GRANT STREET INTERSECTION PROJECT, FEDERAL AID PROJECT NO. DHP-7305-00(007) LPA/105014-802000, CITY PROJECT NO. 91500.

WHEREAS, the City of Jackson and Neel-Schaffer, Inc. entered into a right-of-way review appraisal contract for the Grant Street Intersection Project on June 8, 2016; and

WHEREAS, unforeseen issues with prior court rulings as well as a clouded chain of title of the two parcels necessary caused the work on this project to be delayed while court issues were and will be resolved; and

WHEREAS, the Department of Public Works recommends granting Neel-Schaffer, Inc. additional time until December 31, 2019 at 11:59 p.m.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an addendum extending review appraisal contract between the City of Jackson and Neel-Schaffer, Inc. for the Grant Street Intersection Project, Federal Aid Project Number DHP-7305-00(007) LPA/105014-802000, City Project Number 91500.

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

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

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM EXTENDING THE RIGHT-OF-WAY APPRAISAL AND ACQUISITION CONTRACT BETWEEN THE CITY OF JACKSON AND NEEL-SCHAFER, INC. FOR THE GRANT STREET INTERSECTION PROJECT, FEDERAL AID PROJECT NO. DHP-7305-00(007) LPA/105014-802000, CITY PROJECT NO. 91500.

WHEREAS, the City of Jackson and Neel-Schaffer, Inc. entered into a right-of-way appraisal and acquisition contract for the Grant Street Intersection Project on June 8, 2016; and

WHEREAS, unforeseen issues with prior court rulings as well as a clouded chain of title of the two parcels necessary caused the work on this project to be delayed while court issues were and will be resolved; and

WHEREAS, the Department of Public Works recommends granting Neel-Schaffer, Inc. additional time until December 31, 2019 at 11:59 p.m.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an addendum extending right-of-way appraisal and acquisition contract between the City of Jackson and Neel-Schaffer, Inc. for the Grant Street Intersection Project, Federal Aid Project Number DHP-7305-00(007) LPA/105014-802000, City Project Number 91500.

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

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

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH CANIZARO CAWTHON DAVIS FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE NEW FIRE STATION 20 BUILDING, CITY PROJECT NO. 15B7003.401.

WHEREAS, the governing authorities for the City of Jackson authorized a professional services agreement with Canizaro Cawthon Davis on July 12, 2016, for architectural services related to the construction of a new Fire Station 20 Building, City Project No. 15B7003.401, in an amount not to exceed \$177,182.00 and an additional \$6,000.00 for reimbursable items, which was executed on December 19, 2016; and

WHEREAS, the proposed site of the new fire station was located on municipal property which had been designated for aeronautical use by the Jackson Municipal Airport Authority and is regulated by the Federal Aviation Administration; and

WHEREAS, the governing authorities for the City of Jackson authorized a Memorandum of Understanding with the Jackson Municipal Airport Authority on May 22, 2018, to formally request authorization from the Federal Aviation Administration to convert municipal property from aeronautical use to non-aeronautical; and

WHEREAS, the City received notice on July 25, 2018, that the Federal Aviation Administration rejected the proposed conversion and substitution of municipal property in the JMAA Airport Layout Plan; and

WHEREAS, the Fire Department and Department of Public Works have determined that it would be in the best interest of the City to modify the current design for the construction of the new Fire Station 20 Building and relocate the project to the existing Fire Station 20 site; and

WHEREAS, Canizaro Cawthon Davis has agreed to provide additional architectural and engineering services for the construction project at a cost not to exceed \$46,000.00; and

WHEREAS, the Fire Department and Department of Public Works have determined that it is in the best interest of the City to modify the completion date of the agreement from December 19, 2019 to January 1, 2022.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an amendment to the professional services agreement with Canizaro Cawthon Davis for additional architectural and engineering services for New Fire Station 20, City Project No. 15B7003.401, at an additional cost not to exceed \$46,000.00, to be completed on or before January 1, 2022.

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

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

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE INTERLOCAL AGREEMENTS WITH THE HINDS COUNTY BOARD OF SUPERVISORS FOR VARIOUS STREET RESURFACING PROJECTS.

WHEREAS, the Hinds County Board of Supervisors intends to resurface the following streets within the corporate limits of the City of Jackson, Mississippi:

- I. **Public Infrastructure Project 2018-27**
 1. Autumn Hill at an amount not to exceed \$82,000.00
 2. Northpointe Drive at an amount not to exceed \$200,000.00
 3. Robert Drive at an amount not to exceed \$75,000.00
 4. Roxbury Road at an amount not to exceed \$120,000.00
 5. Village Green Drive at an amount not to exceed \$87,000.00
 6. Waterford Drive at an amount not to exceed \$65,000.00
 7. Winthrop Circle at an amount not to exceed \$62,000.00

-
8. Robinson Road Extension from Chadwick Dr. North to Langley Ave at an amount not to exceed \$75,383.00

II. Public Infrastructure Project 2018-28

9. Hattiesburg Street, between J.R. Lynch Street and Utica Avenue, at an amount not to exceed \$30,000.00
10. Tunica Street, at an amount not to exceed \$60,000.00
11. Utica Street, at an amount not to exceed \$60,0000.00

III. Public Infrastructure Project 2018-32

12. Gladewood Drive at an amount not to exceed \$75,000.00
13. Berrywood Drive at an amount not to exceed \$85,000.00
14. Countrywood Drive at an amount not to exceed \$120,000.00
15. Monroe Street at an amount not to exceed \$85,000.00
16. Carlisle Street at an amount not to exceed \$85,000.00
17. Dorgan Street - from Breckenridge to Castle Hill Drive at an amount not to exceed \$6,089.00
18. Charmwood Drive - from Dardenelle to Scanlon Drive at an amount not to exceed \$16,682.00
19. Elms Court Circle at an amount not to exceed \$43,184.00
20. Lurline Drive - from Raymond Road to TV Road at an amount not to exceed \$45,766.00
21. Camillia Lane - from Raymond Road to Valencia Road at an amount not to exceed \$34,911.00
22. Marshall Place - from Michael Clay Drive to Chandler at an amount not to exceed \$41,431.00
23. Michael Clay Drive at an amount not to exceed \$46,197.00
24. Wiggins Street at an amount not to exceed \$13,100.00
25. Newton Street at an amount not to exceed \$13,100.00
26. Biloxi Street at an amount not to exceed \$8,750.00
27. AME Logan Street at an amount not to exceed \$13,100.00

IV. Public Infrastructure Project 2018-34 (North Jackson Miscellaneous)

28. Sedgwick Drive, at an amount not to exceed \$150,000.00
29. Deckard Drive, (Robinson Road to Ellis Avenue) at an amount not to exceed \$60,613.00
30. Chadwick Drive, at an amount not to exceed \$194,665.00
31. Chesterfield Street, at an amount not to exceed \$17,000.00
32. Comfort Street, at an amount not to exceed \$18,437.50
33. Copperfield Street, at an amount not to exceed \$22,637.50
34. Crestleigh Manor, at an amount not to exceed \$67,487.50
35. Darius Drive, at an amount not to exceed \$28,500.00
36. Deckard Street, at an amount not to exceed \$60,612.50
37. Dixon Road, at an amount not to exceed \$122,355.00
38. Enoch Avenue, at an amount not to exceed \$27,450.00
39. Forest Avenue, at an amount not to exceed \$125,000.00
40. Hollywood Avenue, at an amount not to exceed \$54,987.50
41. Kirkley Drive, at an amount not to exceed \$220,000.00
42. Lake Glenn Drive, at an amount not to exceed \$50,000.00
43. Livingston Road, at an amount not to exceed \$225,000.00
44. McDowell Road, at an amount not to exceed \$134,800.00
45. Meadow Lane, (Northside Drive to Dead End), at an amount not to exceed \$200,000.00
46. Meadow Lane, (Northside Drive to Forest Avenue), at an amount not to exceed \$150,000.00
47. Nimitz Street, at an amount not to exceed \$84,362.50
48. Royal Oak Drive, at an amount not to exceed \$49,437.50
49. Sanford Street, at an amount not to exceed \$55,112.50
50. South Drive, at an amount not to exceed \$252,880.00
51. Weeks Street, at an amount not to exceed \$42,087.50
52. West Ridge Drive, at an amount not to exceed \$44,725.00
53. Westhaven Blvd., at an amount not to exceed \$55,662.50
54. Azalea Drive, at an amount not to exceed \$40,000.00
55. Beasley Road (Highland Drive to State Street), at an amount not to exceed \$129,000.00
56. Beasley Road (Watkins Drive to Hanging Moss), at an amount not to exceed \$159,000.00

57. Cedars of Lebanon, at an amount not to exceed \$120,000.00
58. Keele Street, at an amount not to exceed \$92,000.00
59. Lawrence Road, at an amount not to exceed \$60,000.00
60. Manhattan Road, at an amount not to exceed \$140,000.00
61. Foxboro Drive, at an amount not to exceed \$34,000.00
62. Riverwood Drive, at an amount not to exceed \$34,000.00
63. Sandlewood Drive, at an amount not to exceed \$52,000.00
64. Kaywood Drive, at an amount not to exceed \$41,700.00
65. Longview Drive, at an amount not to exceed \$56,200.00
66. Parkway Drive, at an amount not to exceed \$63,000.00
67. Forest Avenue, at an amount not to exceed \$62,000.00
68. North Commerce Plaza, at an amount not to exceed \$56,000.00
69. Presto Lane, at an amount not to exceed \$25,000.00

V. Public Infrastructure Project 2019-01

70. Cumberland Lane, at an amount not to exceed \$75,000.00
71. Park Lane Drive, at an amount not to exceed \$85,000.00
72. Squire Lane, at an amount not to exceed \$65,000.00
73. George Washington Drive, at an amount not to exceed \$92,000.00
74. John Adams Road, at an amount not to exceed \$26,000.00
75. Queen Eleanor Lane, at an amount not to exceed \$92,000.00
76. West Hills Drive, at an amount not to exceed \$26,000.00
77. Colebrook Avenue, at an amount not to exceed \$10,419.00
78. Engleside Drive, at an amount not to exceed \$18,107.00
79. Fairhill Drive, at an amount not to exceed \$43,010.00
80. Fleetwood Drive, at an amount not to exceed \$55,480.00
81. Lynda Drive, at an amount not to exceed \$42,050.00
82. Ridgeland Drive, at an amount not to exceed \$130,858.00
83. Rowland Avenue, at an amount not to exceed \$36,200.00
84. Smallwood Street (North), at an amount not to exceed \$71,548.00
85. Smallwood Street(South), at an amount not to exceed \$94,350.00
86. Teresa Drive, at an amount not to exceed \$69,600.00
87. Verbena Street, at an amount not to exceed \$24,221.00

WHEREAS, in accordance with the Interlocal Cooperation Act of 1974, Section 17-13-1, et seq. of the Mississippi Code of 1972, as amended, it is necessary to enter into an Interlocal Agreement with the Hinds County Board of Supervisors to authorize the Hinds County Board of Supervisors to complete the proposed work of resurfacing various streets within the corporate limits of the City of Jackson.

IT IS, THEREFORE, ORDERED that Interlocal Agreements with the Hinds County Board of Supervisors for the resurfacing of various streets within the corporate limits of the City of Jackson are authorized.

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

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

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING PAYMENT OF FULL AND FINAL SETTLEMENT OF ALL CLAIMS IN THE MATTER OF "PARADISE LANES VS. CITY OF JACKSON, MISSISSIPPI" County Court Civil Action No.: 17-4424.

WHEREAS, on July 26, 2017, the Plaintiff filed a Complaint in the matter styled "Paradise Lanes vs. City of Jackson, Mississippi", County Court Cause No. 17-4424; and

WHEREAS, the Plaintiff and the City having reached a proposed settlement; and

WHEREAS, the Office of the City Attorney is recommending that the City fully and finally resolve this matter with the Plaintiff and their attorney Joshua J. Wiener, Butler Snow LLP in return for a complete release of the City and Entry of an Agreed Order of Dismissal; and

WHEREAS, such settlement agreement shall not constitute an admission of liability on the part of the City of Jackson, Mississippi; and

WHEREAS, based on the economic value to the City and without admitting any liability, it is in the best interest of the City of Jackson, Mississippi that the City of Jackson resolve this matter in an amount not to exceed \$45,000.00.

NOW, THEREFORE, IT IS HEREBY ORDERD by the City Council of the City of Jackson, Mississippi, that the City of Jackson, Mississippi pay a total sum not to exceed \$45,000.00 to Paradise Lanes and their attorney Joshua J. Wiener in return for a complete release of the City from any and all liability.

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

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

Nays- None.

Abstention- Stokes.

Absent- Stamps.

Council Member Stokes left the meeting.

RESOLUTION OF CITY OF JACKSON, MISSISSIPPI, URGING THE MISSISSIPPI LEGISLATURE TO ALLOW MUNICIPALITIES TO SUBMIT DEBTS OWED TO MUNICIPALITIES AND TO THE STATE OF MISSISSIPPI AS A RESULT OF DELINQUENT MUNICIPAL COURT FINES AND FEES TO THE MISSISSIPPI DEPARTMENT OF REVENUE FOR COLLECTION THROUGH A SETOFF AGAINST STATE INCOME TAX REFUNDS OWED TO THE DEBTOR.

WHEREAS, the City of Jackson, Mississippi ("City") is owed a substantial amount of money in unpaid and outstanding municipal court fines and fees by persons of this State that cannot be written off by the City and if collected could assist to enhance City services for its citizens; and

WHEREAS, if the Mississippi Legislature allows municipalities to submit debts owed to them to the Mississippi Department of Revenue to set off against income tax refunds owed to the debtor, then the State shall be entitled to approximately five percent (5%) of any recouped outstanding fines and fees owed to the municipality; and

WHEREAS, by allowing said debt setoff the State would receive a substantial amount of funds, which amount is five percent (5%) of the City's unpaid and outstanding municipal court fines and fees.

NOW, THEREFORE, BE IT RESOLVED by the City of Jackson that it strongly urges the Mississippi Legislature to support and pass legislation to allow municipalities to submit debts owed to them and the State to the Mississippi Department of Revenue for collection through a setoff against income tax refunds owed to the debtor.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each committee of the Mississippi Legislature to which such proposed legislation has been assigned, as well as a copy to each member of the Hinds County delegation.

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

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

Nays- None.

Absent- Stamps and Stokes.

There came on for consideration Agenda Item No. 39:

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, URGING THE MISSISSIPPI LEGISLATURE TO ALLOW MUNICIPALITIES TO SUBMIT DEBTS OWED TO MUNICIPALITIES AS A RESULT OF DELINQUENT WATER AND SEWER BILLS TO THE MISSISSIPPI DEPARTMENT OF REVENUE FOR COLLECTION THROUGH A SETOFF AGAINST STATE INCOME TAX REFUNDS OWED TO THE DEBTOR. Said item was referred to the Legislative Committee.

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVE THAT WOULD GIVE GOVERNING AUTHORITIES OF A MUNICIPALITY AND/OR PUBLIC WATER AND SEWER UTILITY OWNED BY A GOVERNMENTAL ENTITY THE AUTHORITY TO ADJUST, RELEASE, OR EXTINGUISH INDEBTEDNESS FROM A CUSTOMER'S WATER AND SEWER BILL UNDER CERTAIN CIRCUMSTANCES.

WHEREAS, the City Council of Jackson, Mississippi ("City of Jackson"), has met to consider support for certain proposed legislation during the 2019 Mississippi Legislative Session; and

WHEREAS, the City Council resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, there are instances of error on the part of the publicly owned water and sewer utilities, such as equipment failure or process failure, which may cause an increase in the customer's indebtedness; and

WHEREAS, there are instances of error on the part of the customer due to unforeseen damage, extreme weather-related events or mandatory evacuations, which may cause an increase in the customer's indebtedness; and

WHEREAS, there are instances where the customer is disproportionately impoverished or in need, and qualifies for an adjustment, release, or extinguishment pursuant to an established social welfare program of the City; and

WHEREAS, the inability to make adjustments under the aforementioned circumstances has created an undue burden on the customers and the utilities that serve them.

THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi supports proposed legislative initiatives to be considered during the 2019 Session of the Mississippi Legislature that will give governing authorities of a municipality and/or water and sewer utilities owned by a governmental entity the authority to adjust, release, or extinguish indebtedness from a customer's water and sewer bill under certain circumstances, in particular those described above.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each committee of the Mississippi Legislature to which such proposed legislation has been assigned, as well as a copy to each member of the Hinds County delegation.

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

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

Nays- None.

Absent- Stamps and Stokes.

**RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF
PROPOSED LEGISLATIVE INITIATIVE THAT APPROPRIATES FUNDING
FOR A WATER AFFORDABILITY ACT THAT WOULD PROVIDE GRANTS TO
ELIGIBLE MUNICIPAL UTILITIES TO HELP LOW-INCOME RESIDENTS
PAY THEIR WATER AND SEWER BILLS.**

WHEREAS, the City Council of Jackson, Mississippi ("City of Jackson"), has met to consider support for certain proposed legislation during the 116th Congress of the United States; and

WHEREAS, the City Council resolved to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, the City of Jackson and the citizens of Jackson have several critical needs relating to the current water and wastewater system, in particular, the affordability of water and sewer services to its low-income residents; and

WHEREAS, numerous water and sewer bills go unpaid in the City of Jackson as a direct result of poverty, resulting in a substantial and continuing financial strain on the City; and

WHEREAS, the City of Jackson and its residents would benefit greatly from the establishment of a federal Low Income Sewer and Water Assistance Program (LISWAP) that would provide grants to eligible municipal utilities to help low-income residents pay their water and sewer bills.

THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi, supports proposed legislative initiatives, such as an Affordable Water Act, to be considered during the 116th Congress of the United States that would provide grants to municipal utilities, such as those operated by the City of Jackson, to help low-income residents pay their water and sewer bills.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each member of the Mississippi Congressional delegation.

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

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

Nays- None.

Absent- Stamps and Stokes.

**RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF
PROPOSED LEGISLATIVE INITIATIVE THAT WOULD GIVE GOVERNING
AUTHORITIES OF A MUNICIPALITY THE AUTHORITY TO ESTABLISH
LAND BANKS.**

WHEREAS, the City Council of Jackson, Mississippi ("City of Jackson"), has met to consider support for certain proposed legislation during the 2019 Mississippi Legislative Session; and

WHEREAS, the City Council resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, Jackson has roughly one hundred six (106) square miles of land with pockets of land, varying in sizes, dedicated to industrial, commercial, and residential use; and

WHEREAS, many of these pockets contain brownfields, superfunds, vacated or abandoned industrial facilities, and approximately four thousand (4,000) dilapidated, blighted properties; and

WHEREAS, these troublesome areas have become targets for illegal dumping and breeding grounds for criminal activities; and

WHEREAS, the inability to adequately address these problems has caused some residents and businesses to leave the City of Jackson resulting in a loss to the City's tax base; and

WHEREAS, "Land Banks" are public authorities created to efficiently acquire, hold, manage, and develop tax-foreclosed property; and by using the legal tools a land bank provides, a community can ensure that tax-foreclosed property is sold or developed with the long-term interest of the community and surrounding property owners in mind and, Land Banks can often provide marketable title to properties previously impossible to develop due to complicated liens and confused ownership histories; and

WHEREAS, the governing authorities of the City of Jackson seek to improve the City's ability to foster more vibrant communities and remedy blight by establishing a Land Bank to acquire, manage, maintain and facilitate the redevelopment of underutilized, vacant blighted, tax delinquent properties.

NOW THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi supports proposed legislative initiatives to be considered during the 2019 Session of the Mississippi Legislature that will give governing authorities of a municipality the authority to establish Land Banks for the purpose of acquiring, managing, maintaining and facilitating the redevelopment of underutilized, vacant blighted, tax delinquent properties.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each committee of the Mississippi Legislature to which such proposed legislation has been assigned, as well as a copy to each member of the Hinds County delegation.

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

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

Nays- None.

Absent- Stamps and Stokes.

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVE THAT WOULD GIVE GOVERNING AUTHORITIES OF A MUNICIPALITY THE AUTHORITY TO ESTABLISH ONE OR MORE SPECIAL LOCAL IMPROVEMENT DISTRICTS AND TO LEVY AND COLLECT AN ANNUAL SPECIAL TAX TO BE USED BY THE ENCOMPASSED NEIGHBORHOOD ASSOCIATIONS FOR THE PURPOSE OF COMMUNITY ENHANCEMENTS AND ENRICHMENTS.

WHEREAS, the City Council of Jackson, Mississippi ("City of Jackson"), has met to consider support for certain proposed legislation during the 2019 Mississippi Legislative Session; and

WHEREAS, the City Council resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, Jackson has roughly one hundred six (106) square miles of land with pockets of land, varying in sizes, dedicated to industrial, commercial, and residential use; and

WHEREAS, many of these pockets contain brownfields, superfunds, vacated or abandoned industrial facilities, and approximately four thousand (4,000) dilapidated, blighted properties; and

WHEREAS, these troublesome areas have become targets for illegal dumping and breeding grounds for criminal activities; and

WHEREAS, the inability to adequately address these problems has led to some residents and businesses leaving these areas and even Jackson resulting in a loss to our tax base; and

WHEREAS, the governing authorities of the City of Jackson seek to improve the City's ability to foster more vibrant communities by cultivating new development opportunities, embracing other area attractions, and rehabilitating blighted areas; and

WHEREAS, the governing authorities have worked diligently with limited funds to foster better relationships with communities and their parks, maintain areas around parks, and continue to promote the use of all parks in the City of Jackson; and

WHEREAS, the governing authorities have worked to improve the quality of life through the promotion of measures designed to enhance the urban environment and strengthen community resources.

NOW THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi supports proposed legislative initiatives to be considered during the 2019 Session of the Mississippi Legislature that will give governing authorities of a municipality the authority to establish one or more special local improvement districts and to levy and collect an annual special tax to be used by the encompassed neighborhood associations for the purpose of community enhancements and enrichments.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each committee of the Mississippi Legislature to which such proposed legislation has been assigned, as well as a copy to each member of the Hinds County delegation.

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

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

Nays- None.

Absent- Stamps and Stokes.

* * * * *

**ORDER OF THE CITY COUNCIL OF JACKSON TO MAKE A CONTRIBUTION
TO THE MISSISSIPPI BLACK CAUCUS OF LOCAL ELECTED OFFICIALS
(MBC-LEO) 2018 SPONSORSHIP BOOKLET.**

WHEREAS, the City Council of the City of Jackson recognizes the significance of the Mississippi Black Caucus of Local Elected Officials (MBC-LEO) and its contributions across the entire State of Mississippi; and

WHEREAS, MBC-LEO is a non-profit corporation providing scholarships, education, training and support for local elected officials of Mississippi with the objective of providing efficiency in government as well as effective leadership; and

WHEREAS, the City of Jackson, Mississippi would like to support the MBC-LEO missions to maintain a network of experienced officials who provide support and counsel to officials in sister cities; and

WHEREAS, a contribution of \$500.00 for an ad will be provided to the MBC-LEO for its 2018 Sponsorship Booklet.

IT IS, THEREFORE, ORDERED by the City Council of Jackson, Mississippi to pay five-hundred dollars (\$500.00) from Account Number 001-416006219, as the City's contribution to the MBC-LEO's 2018 Sponsorship Booklet.

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

President Priester recognized **Council Member Foote** who moved, seconded by **Council Member Banks** to amend said order to add the following language paragraph as follows:

WHEREAS, the donation to MBC-LEO is considered a legal donation in compliance with MCA 17-3-3 as an advertisement helpful toward advancing the interests of the City of Jackson. The motion prevailed by the following vote:

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

Nays- None.

Absent- Stamps and Stokes.

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

ORDER OF THE CITY COUNCIL OF JACKSON TO MAKE A CONTRIBUTION TO THE MISSISSIPPI BLACK CAUCUS OF LOCAL ELECTED OFFICIALS (MBC-LEO) 2018 SPONSORSHIP BOOKLET.

WHEREAS, the City Council of the City of Jackson recognizes the significance of the Mississippi Black Caucus of Local Elected Officials (MBC-LEO) and its contributions across the entire State of Mississippi; and

WHEREAS, MBC-LEO is a non-profit corporation providing scholarships, education, training and support for local elected officials of Mississippi with the objective of providing efficiency in government as well as effective leadership; and

WHEREAS, the City of Jackson, Mississippi would like to support the MBC-LEO missions to maintain a network of experienced officials who provide support and counsel to officials in sister cities; and

WHEREAS, the donation to MBC-LEO is considered a legal donation in compliance with MCA 17-3-3 as an advertisement helpful toward advancing the interests of the City of Jackson.; and

WHEREAS, a contribution of \$500.00 for an ad will be provided to the MBC-LEO for its 2018 Sponsorship Booklet.

IT IS, THEREFORE, ORDERED by the City Council of Jackson, Mississippi to pay five-hundred dollars (\$500.00) from Account Number 001-416006219, as the City's contribution to the MBC-LEO's 2018 Sponsorship Booklet.

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

Nays- None.

Absent- Stamps and Stokes.

* * * * *

Council Member Stokes returned to the meeting and **Vice President Lindsay** left the meeting.

* * * * *

RESOLUTION ADOPTING THE 2019 REGULAR COUNCIL MEETING SCHEDULE OF THE JACKSON CITY COUNCIL.

WHEREAS, Section 21-8-11(2) of the Mississippi Code Annotated (1972), as amended, specifies that, under the mayor-council form of government, that "regular public meetings of the council shall be held on the first Tuesday after the first day of July after the election of the members of the council that is not on a weekend and at least monthly thereafter on the first Tuesday after the first Monday in each month, or at such other times as the council by order may set; and

WHEREAS, Jackson Code of Ordinances, Section 2-62(b), states that "regular meetings of the council shall be held on every other Tuesday at 10:00 a.m. except that on the second meeting of the month, the meeting shall be held at 6:00 p.m.; and

WHEREAS, Section 2-62(b) further states that at 4:00 p.m. on each Monday preceding a regular Tuesday council meeting the council will also hold a planning session to discuss the business to be considered at the following regular Tuesday council meeting; and

WHEREAS, the Office of the City Clerk has determined the 2019 Regular Council Meeting Schedule of the Jackson City Council, pursuant to the above referenced statute and ordinances, as follows:

2019
Regular City Council Meeting Schedule

| City Council Regular Meeting Dates | Time |
|------------------------------------|------------|
| January 8, 2019 | 10:00 a.m. |
| January 22, 2019 | 6:00 p.m. |
| February 5, 2019 | 10:00 a.m. |
| February 19, 2019 | 6:00 p.m. |
| March 5, 2019 | 10:00 a.m. |
| March 19, 2019 | 6:00 p.m. |
| April 2, 2019 | 10:00 a.m. |
| April 16, 2019 | 6:00 p.m. |
| April 30, 2019 | 10:00 a.m. |
| May 14, 2019 | 10:00 a.m. |
| May 28, 2019 | 6:00 p.m. |
| June 11, 2019 | 10:00 a.m. |
| June 25, 2019 | 6:00 p.m. |
| July 9, 2019 | 10:00 a.m. |
| July 23, 2019 | 6:00 p.m. |
| August 6, 2019 | 10:00 a.m. |
| August 20, 2019 | 6:00 p.m. |
| September 3, 2019 | 10:00 a.m. |
| September 17, 2019 | 6:00 p.m. |
| October 1, 2019 | 10:00 a.m. |
| October 15, 2019 | 6:00 p.m. |
| October 29, 2019 | 10:00 a.m. |
| November 12, 2019 | 10:00 a.m. |
| November 26, 2019 | 6:00 p.m. |
| December 10, 2019 | 10:00 a.m. |
| December 24, 2019 * | 6:00 p.m. |

Note: *December 24, 2019 Regular meeting can be re-scheduled due to the holiday.

President Priester moved adoption; Council Member Banks seconded.

President Priester moved, seconded by Council Member Tillman to amend to change the December 24, 2019, 6:00 p.m. meeting to December 23, 2019 at 10:00 a.m. The motion prevailed by the following vote:

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

Nays- None.

Absent- Lindsay and Stamps.

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

**RESOLUTION ADOPTING THE 2019 REGULAR COUNCIL MEETING
SCHEDULE OF THE JACKSON CITY COUNCIL.**

WHEREAS, Section 21-8-11(2) of the Mississippi Code Annotated (1972), as amended, specifies that, under the mayor-council form of government, that “regular public meetings of the council shall be held on the first Tuesday after the first day of July after the election of the members of the council that is not on a weekend and at least monthly thereafter on the first Tuesday after the first Monday in each month, or at such other times as the council by order may set; and

WHEREAS, Jackson Code of Ordinances, Section 2-62(b), states that “regular meetings of the council shall be held on every other Tuesday at 10:00 a.m. except that on the second meeting of the month, the meeting shall be held at 6:00 p.m.; and

WHEREAS, Section 2-62(b) further states that at 4:00 p.m. on each Monday preceding a regular Tuesday council meeting the council will also hold a planning session to discuss the business to be considered at the following regular Tuesday council meeting; and

WHEREAS, the Office of the City Clerk has determined the 2019 Regular Council Meeting Schedule of the Jackson City Council, pursuant to the above referenced statute and ordinances, as follows:

**2019
Regular City Council Meeting Schedule**

| City Council Regular Meeting Dates | Time |
|------------------------------------|------------|
| January 8, 2019 | 10:00 a.m. |
| January 22, 2019 | 6:00 p.m. |
| February 5, 2019 | 10:00 a.m. |
| February 19, 2019 | 6:00 p.m. |
| March 5, 2019 | 10:00 a.m. |
| March 19, 2019 | 6:00 p.m. |
| April 2, 2019 | 10:00 a.m. |
| April 16, 2019 | 6:00 p.m. |
| April 30, 2019 | 10:00 a.m. |
| May 14, 2019 | 10:00 a.m. |
| May 28, 2019 | 6:00 p.m. |
| June 11, 2019 | 10:00 a.m. |
| June 25, 2019 | 6:00 p.m. |
| July 9, 2019 | 10:00 a.m. |
| July 23, 2019 | 6:00 p.m. |
| August 6, 2019 | 10:00 a.m. |
| August 20, 2019 | 6:00 p.m. |
| September 3, 2019 | 10:00 a.m. |
| September 17, 2019 | 6:00 p.m. |
| October 1, 2019 | 10:00 a.m. |
| October 15, 2019 | 6:00 p.m. |
| October 29, 2019 | 10:00 a.m. |
| November 12, 2019 | 10:00 a.m. |
| November 26, 2019 | 6:00 p.m. |
| December 10, 2019 | 10:00 a.m. |
| December 23, 2019 | 10:00 a.m. |

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

Nays- None.

Absent- Lindsay and Stamps.

* * * * *

**RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
EXPRESSING A VOTE OF NO CONFIDENCE IN THE SENATOR FROM
MISSISSIPPI: UNTIED STATES SENATOR CINDY HYDE-SMITH.**

WHEREAS, the City Council of the City of Jackson hereby expresses our concern that the United States Senator must represent the State of Mississippi and all of its citizens; and that the steep history of the State of Mississippi in racial discrimination from poll taxes and other Jim Crow laws must be acknowledged, and realizing the continued oppression of segments of the citizens of the State of Mississippi with celebrations and a flag depicting a racist and violent history of the state's participation in the enslavement of its citizens and resulting denial of equal rights to its citizen because of the color of their skin by the State of Mississippi under the color of law; and, in the recent revelation of the racially insensitive comment made by a United States Senator who was appointed by the Governor and who is seeking to be elected to the position speaking publicly and nonchalantly referencing "public hanging" and "sitting on the front row" has no place in a national leadership position supposedly representing the very people that she is referring to who have been

lynched, murdered, and denied their rights as human beings and citizens of the State of Mississippi; and

WHEREAS, the City of Jackson, as the capital city of the State of Mississippi must take a leadership role in condemning the nature of the leadership of such a person; and, the public comment evidencing the lack of character of the current Senator Hyde-Smith; and, all citizens of the State of Mississippi have a right to be represented by a person who has the best interest of the people at heart; and

WHEREAS, it is a well-established principle that silence gives consent; and, by the exercise of the vote on this Resolution, the City Council of the City of Jackson hereby speaks and does not sit silently by as the clock is turned back on the people of the City of Jackson in striving to survive and thrive in the State of Mississippi.

THEREFORE, BE IT RESOLVED that the City Council of Jackson, Mississippi hereby expresses a vote of "no confidence" in the Senator from Mississippi: United States Senator Cindy Hyde-Smith.

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

Yeas- Banks, Priester, Stokes and Tillman.

Nays- Foote.

Absent- Lindsay and Stamps.

There came on for consideration Agenda Item No. 47:

ORDER CONFIRMING THE MAYOR'S NOMINATION OF ATTORNEY FRED BANKS TO BE REAPPOINTED TO THE CAPITOL CITY CONVENTION CENTER COMMITTEE. Said item would be held for a Confirmation Hearing at a later date.

There came on for consideration Agenda Item No. 48:

ORDER CONFIRMING THE MAYOR'S NOMINATION OF MRS. MAVIS JAMES TO BE REAPPOINTED TO THE CAPITOL CITY CONVENTION CENTER COMMITTEE. Said item would be held for a Confirmation Hearing at a later date.

The following reports/announcements were provided during the meeting:

- **Mayor Chokwe Antar Lumumba** announced that the City's Tree Lighting Ceremony would be held on November 30, 2018 at 6:00 p.m.
- **Mayor Chokwe Antar Lumumba** announced that the City's Christmas parade would be held on December 1, 2018 at 5:00 p.m.
- **Council President Priester** announced that a Ward 2 Community meeting would be held on December 11, 2018 at 6:00 p.m. at New Hope Baptist Church.

The meeting was closed in memory of the following individuals:

- Mrs. Alene Hunt
- Mr. Sidney Allen
- Dr. Joe Haynes
- Mr. Frank Miggins

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Council meeting at 10:00 a.m. on November 27, 2018; at 8:33 p.m., the Council stood adjourned.

ATTEST:

APPROVED:

Kristi Moore
CITY CLERK

Charles G. Lammick, 1/3/19
MAYOR DATE
