

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, MARCH 22, 2016 10:00 A.M.

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at Tougaloo College Woodworth Chapel at 10:00 a.m. on March 22, 2016, being the fourth 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; Tyrone Hendrix, Vice-President, Ward 6; Ashby Foote, Ward 1; Kenneth Stokes, Ward 3; De'Keither Stamps, Ward 4; Charles Tillman, Ward 5 and Margaret Barrett-Simon, Ward 7. Directors: Tony Yarber, Mayor; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Allice Lattimore, Deputy City Clerk and Monica Joiner, City Attorney.

Absent: None.

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

The invocation was offered by **Pastor Jerry Young** of New Hope Baptist Church and President of the National Baptist Convention.

President Priester recognized **Yasmine Griffith**, who provided greetings and welcome on behalf of **Dr. Beverly Hogan**, President of Tougaloo College, during the meeting.

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 HAMPTON INN TO ERECT A 96 SQ. FT. BLADE/PROJECTING BUILDING SIGN AND A 61 SQ. FT. BUILDING SIGN (TOTALING 157 SQ. FT.) WITHIN AN URBAN TOWN CENTER ZONE WHICH ALLOWS BUILDING SIGNS TO ONLY BE 15 SQ. FT.

President Priester recognized **Eli Bell**, a representation of Desai Hotel Group, who spoke in favor of said Order and requested that the Council approve said variance.

There was no opposition from the public.

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR HAMPTON INN TO ERECT A 96 SQ. FT. BLADE/PROJECTING BUILDING SIGN AND A 61 SQ. FT. BUILDING SIGN (TOTALING 157 SQ. FT.) WITHIN AN URBAN TOWN CENTER ZONE WHICH ALLOWS BUILDING SIGNS TO ONLY BE 15 SQ. FT.

There was no opposition from the Public.

President Priester requested that Agenda Item No. 13 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 HAMPTON INN TO ERECT A 96 SQ. FT. BLADE/PROJECTING BUILDING SIGN AND A 61 SQ. FT. BUILDING SIGN (TOTALING 157 SQ. FT.) WITHIN AN URBAN TOWN CENTER ZONE WHICH ALLOWS BUILDING SIGNS TO ONLY BE 15 SQ. FT.

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

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

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

WHEREAS, said variance application shall also demonstrate that:

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

WHEREAS, Hampton Inn, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 96 sq. ft. blade/projecting building sign and a 61 sq. ft. building sign (totaling 157 sq. ft.) within a Urban Town Center zone which allows building signs to only be 15 sq. ft.

IT IS THEREFORE, ORDERED that Hampton Inn is hereby (approved) a variance from the Sign Ordinance regulations to erect a 96 sq. ft. blade/projecting building sign and a 61 sq. ft. building sign (totaling 157 sq. ft.) within a Urban Town Center zone which allows building signs to only be 15 sq. ft., it being determined that the parties in interest and the general citizenry first had their opportunity to be heard and that 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.

President Priester recognized **Eli Bell**, a representative of Desai Hotel Group, who provided Council with a brief overview of the development plans for the Hampton Inn.

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

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps, Stokes and Tillman.
Nays- None.
Absent- None.

The following individuals were introduced during the meeting:

- **Minister Hollis Watkins**
- **Attorney Chokwe Antar Lumumba**
- **Lanier High School students**

The following individuals provided public comments during the meeting:

- **Willie Bell** expressed concerns regarding the water crisis within the City of Jackson.
- **Alvin Blue** expressed concerns regarding a high speed chase within the City of Jackson that claimed the life of his brother.
- **Gwen Ward Chapman** requested that the City take advantage of the home rule power within Jackson.
- **Marcus Wallace** addressed concerns regarding his business and the lack of City contracted work being distributed to black minority business owners.
- **June Hardwick** expressed concerns regarding the Capital Complex Improvement District Bill.
- **Enoch Sanders** expressed concerns regarding residents leaving the city of Jackson.
- **Ishmael Baldwin**, a Political Science student at Tougaloo College, asked Council members to provide insight on the importance of education and black leadership.
- **Graylon Winford, Jr.**, a Senior Communications major at Mississippi College, expressed concerns regarding the infrastructure problems within the City of Jackson.
- **Jaylin Rodgers**, a student of Lanier High School, inquired about the renovation of the school's track and field and the construction of a baseball facility.
- **Minister Charles Muhammad** expressed gratitude for Agenda Item #32 that would be presented during the meeting.
- **Cheryl Weeden** expressed concerns regarding certain inappropriate advertisement being displayed within the city of Jackson.

President Priester requested that Agenda Items No. 32 and 33 be moved forward on the Agenda. Hearing no objections, the following were presented:

President Priester recognized **Mayor Tony Yarber** who presented a **PROCLAMATION DESIGNATING APRIL 2016 AS ISLAMIC HERITAGE MONTH**. Accepting the Proclamation with appropriate remarks were **Okolo Rashid** and **Emad Al Turk**.

President Priester recognized **Council Member Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKON, MISSISSIPPI HONORING AND COMMENDING MRS. LAKETIA MARSHALL-THOMAS FOR HER OUTSTANDING LEADERSHIP IN EDUCATION**. Accepting the Resolution with appropriate remarks was **Mrs. Laketia Marshall-Thomas**.

Council Member Tillman left the meeting.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND SCOTT CLIFTON/BIG ACE STRUCTURE DEMO AND EXCAVATION SERVICES, PO BOX 471 JACKSON, MS 39215 FOR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2012-2487 - 0 DEER PARK STREET/LOT @ SOUTHEAST CORNER CHICAGO AVENUE - \$780.00.

WHEREAS, on July 30, 2013 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on March 26, 2013 for the following case: Case #2012-2487 located in Ward 5; and

WHEREAS, the Jackson Police Department's Community Improvement Unit has a system in which vendors performing services related to the remedying of conditions on property adjudicated to be a menace to public health, safety, and welfare are rotated; and

WHEREAS, Scott Clifton/Big Ace Structure Demo and Excavation Services, appeared next on the rotation list and has agreed to cutting grass and weeds, and remedy the conditions for Case #2012-2487 located at 1.) 0 Deer Park Street/Lot @ Southeast Corner Chicago Avenue; and

WHEREAS, Scott Clifton/Big Ace Structure Demo and Excavation Services has agreed to perform the services described for the sum of \$780.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Scott Clifton/Big Ace Structure Demo and Excavation Services providing the cutting of grass, weeds, fence line, bushes, saplings, and removing of trash and debris, tree limbs, tires, clean curbside on the stated property.

IT IS, THEREFORE, ORDERED that a sum not to exceed \$780.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Tillman.

Council Member Stokes left the meeting at 12:33 p.m.

ORDER APPROVING CLAIMS NUMBER 4886 TO 5221, APPEARING AT PAGES 762 TO 813 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$3,689,873.59 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 4886 to 5221 appearing at pages 762 to 813, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$3,689,873.59 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

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

FROM:	TO ACCOUNTS PAYABLE FUND
09 TIF BOND FUND \$407,000	31,880.00
1% INFRASTRUCTURE TAX	75.90
AMERICORP CAPITAL CITY REBUILD	540.46
CAPITAL CITY REVENUE FUND	3,464.77
EARLY CHILDHOOD (DAYCARE)	6,131.51
EMPLOYEES GROUP INSURANCE FUND	162,118.78
FIRE PROTECTION	337,745.90
GENERAL FUND	1,561,991.47
H O P W A GRANT – DEPT. OF HUD	165,989.75
HAIL DAMAGE MARCH 2013	1,262.69
HOME PROGRAM FUND	32,000.00
HOUSING COMM DEV ACT (CDBG) FD	152.76
JXN CONVENTION & VISITORS BUR	279,945.56
LANDFILL/SANITATION FUND	36,740.00
MADISON SEWAGE DISP OP & MAINT	51.65
P E G ACCESS- PROGRAMMING FUND	7,573.71
PARKS & RECR FUND	39,883.42
SAMSHA – 1 U79 SMO61630-01	215.46
STATE TORT CLAIMS FUND	5,039.30
TECHNOLOGY FUND	124,796.03
TITLE III AGING PROGRAMS	1,432.40
TRANSPORTATION FUND	63,634.90
VEHICLE POOL FUND	26,448.02
WATER/SEWER OP & MAINT FUND	653,691.81
WATER/SEWE S W A P – 2004	98,571.00
WIRELESS RADIO COMMUNCATN FUND	48,496.14

TOTAL **\$3,689,873.59**

Council Member Barrett-Simon moved adoption; **Council Member Hendrix** seconded.

President Priester recognized, **Michelle Day**, Deputy Director of Administration, who provided the Council with a brief overview of the Claims Docket at the request of **President Priester**.

Thereafter, **President Priester** called for a vote on the Claims Docket:

Yeas- Barrett-Simon, Foote, Hendrix and Priester.
Nays- Stamps.
Absent- Stokes and Tillman.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 4886 TO 5221 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 4886 to 5221 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$170,360.48 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		2,015,624.17
PARKS & RECR FUND		67,607.97
LANDFILL FUND		19,784.91
SENIOR AIDES		2,578.91
WATER/SEWER OPER & MAINT		214,524.51
PAYROLL FUND		1,041.00
PAYROLL	170,360.48	
EARLY CHILDHOOD		32,954.71
HOUSING COMM DEV		6,893.28
TITLE III AGING PROGRAMS		2,960.48
AMERICORP CAPITAL CITY REBUILD		8,674.56
TRANSPORTATION FUND		11,054.53
T-WARNER PA/GA FUND		4,614.41
SAMSHA		2,406.80

TOTAL **\$2,390,720.05**

Council Member Stamps moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester and Stamps.
Nays- None.
Absent- Stokes and Tillman.

Council Member Stokes returned to the meeting at 12:44 p.m.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CAYENTA, WHICH IS A DIVISION OF HARRIS COMPUTER CORPORATION, FOR THE PURCHASE OF A MAINTENANCE AGREEMENT FOR THE CITY OF JACKSON'S CAYENTA "JIMS" FINANCIAL SOFTWARE SYSTEM.

WHEREAS, the City of Jackson purchased Cayenta "JIMS" software from Cayenta in 1994; and

WHEREAS, the City of Jackson uses the "JIMS" software for its financial system; and

WHEREAS, the maintenance agreement for the "JIMS" software expires on March 31, 2016 and will need to be renewed; and

WHEREAS, the cost of renewal is \$16,195.78; and

WHEREAS, Cayenta, a division of Harris Computer Corporation, is the sole provider of Cayenta "JIMS" maintenance support; and

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

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a maintenance agreement with Cayenta, at a cost of \$16,195.78 for the period beginning on April 1, 2016 through March 31, 2017.

Council Member Barrett-Simon moved adoption; **Council Member Stamps** seconded.

Yeas- Foote, Priester, Stamps and Stokes.

Nays- Barrett-Simon and Hendrix.

Absent- Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH MYTHICS, INC. FOR MAINTENANCE AGREEMENTS ON ORACLE DATABASE, DIAGNOSTIC PACK, AND TUNING PACK SOFTWARE.

WHEREAS, the City of Jackson previously purchased Oracle Database, Diagnostic Pack, and Tuning Pack software from Mythics, Inc.; and

WHEREAS, the maintenance agreements on the software expires on March 12, 2016; and

WHEREAS, quotes were solicited from Oracle and two of their resellers responded; and

WHEREAS, the City has a continued need for maintenance support on the Oracle software and execution of maintenance agreements for the Oracle software is recommended.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute agreements with DLT, who provided the lowest quote, to provide maintenance of the Oracle Database, Diagnostic Pack, and Tuning Pack software, said maintenance being provided at a cost of \$32,611.37 for the period beginning March 13, 2016 through March 12, 2017.

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

Yeas- Foote, Priester, Stamps and Stokes.

Nays- Barrett-Simon and Hendrix.

Absent- Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH VERITAS FOR THE MAINTENANCE OF VRTS STORAGE FOUNDATION AND VRTS CLUSTER SERVICES.

WHEREAS, Veritas has proposed a one-year maintenance agreement that covers the VRTS Storage Foundation and VRTS Cluster Services; and

WHEREAS, maintenance needs for this software have been analyzed and it has been determined that the software is necessary; and

WHEREAS, quotes were solicited from two vendors, Veritas and CDW-G. Veritas provided a quote which was lowest and best.

WHEREAS, execution of a maintenance agreement for this software is recommended at a cost of \$71,760.00 per year for a period beginning March 8, 2016 and lasting through March 7, 2017.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute agreements with Veritas, providing for maintenance of software comprising the VRTS Storage Foundation and VRTS Cluster Services.

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

Yeas- Foote, Priester, Stamps and Stokes.

Nays- Barrett-Simon.

Abstention- Hendrix.

Absent- Tillman.

ORDER AUTHORIZING THE DONATION OF MATCHING CONTRIBUTIONS TO VARIOUS ORGANIZATIONS FOR SUPPORTING THE DEVELOPMENT, PROMOTION AND COORDINATION OF ARTS WITHIN THE CITY AND AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS WITH THESE ORGANIZATIONS.

WHEREAS, Section 39-15-1 of the Mississippi Code of 1972 as amended authorizes municipal governing authorities to expend monies from the general fund to match any other funds for the purpose of supporting the development, promotion, and coordination of the arts within the municipality; and

WHEREAS, the governing authorities for the City of Jackson budgeted funds for the 2015-2016 fiscal year to support the promotion and development of the arts; and

WHEREAS, the budgeted funds were subject to be allocated on a competitive basis; and

WHEREAS, interested organizations were notified of the availability of the funds and invited to apply; and

WHEREAS, the administration recommends that the budgeted funds be awarded to the following organizations:

Arts Grants	Amount	Score
International Museum of Muslim Culture-Program designed to educate the public about the history of Africans and Muslim religion. In April, a month long celebration of Muslim culture will include 10 public events.	\$10,000	815
General Missionary Baptist State Convention/Youth Division will conduct workshops and rehearsals for youth attending the State Convention that will result in a major performance of youth and a nationally known gospel artist.	\$6,000.00	379

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Farish St. Heritage Festival will sponsor the annual heritage festival in downtown Jackson.	\$6,000.00	350
Central Mississippi Blues Society serves as fiscal agent for the annual Cinco De Mayo Festival in downtown Jackson.	\$6,000	350
Jackson Music Awards - Annual awards program in its 40 th year honoring Mississippi musical talents.	\$6,000.00	322
Jackson Music Awards – Gospel Music Awards	\$6,000.00	292
Savvy Lifestyle Magazine produces an annual awards program highlighting young African Americans	0	170

Council Member Stokes moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priestler, Stamps and Stokes.

Nays- None.

Absent- Tillman.

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ORDER REVISING THE FISCAL YEAR 2016 BUDGET.

WHEREAS, certain needs and allocations in the amount of \$20,000.00 have arisen since the adoption of Fiscal Year 2015-2016 budget; and

WHEREAS, the Fiscal Year 2015-2016 budget needs to be revised to provide funding repairs to the Senior Centers assigned to the City of Jackson Department of Human and Cultural Services; and

WHEREAS, the following fund is being revised:

001-43420-6313 - \$20,000.00

IT IS, THEREFORE ORDERED that the Fiscal Year 2015-2016 budget be revised in the amount of \$20,000.00 as follows:

To/From	Fund/Account Number	Amount
From:	001-43420-6313	(\$20,000.00)
To:	001-43420-6461	(\$20,000.00)

Council Member Stokes moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priestler, Stamps and Stokes.

Nays- None.

Absent- Tillman.

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ORDER AUTHORIZING THE MAYOR TO EXECUTE A TEMPORARY CONTRACT WITH MEDICAL ANALYSIS TO PROVIDE A WELLNESS PROGRAM INCLUDING A HEALTH AND WELLNESS CLINIC IN A TEMPORARY SPACE IN THE METROCENTER.

WHEREAS, the City of Jackson, Mississippi wishes to offer to its employees a clinic to provide certain professional health care and wellness services; and

WHEREAS, on July 28, 2015 the Jackson City Council authorized the Mayor to execute an agreement with Medical Analysis to provide a wellness program, including health and wellness clinic, for the employees of the City of Jackson for the cost of thirty-eight thousand dollars (\$38,000) a month for twenty-four months (24) and a onetime startup fee of fifteen thousand dollars (\$15,000); and

WHEREAS, following the July 28, 2015 approval, the Economic Development Division has experienced some issues relative to build out of our permanent space at the Metrocenter that has prevented Medical Analysis from beginning to operate its services; and

WHEREAS, the cost of the permanent space has increased; and

WHEREAS, until those issues are resolved, the Economic Development Division has identified a temporary space in the City's leased space at the Metrocenter; and

WHEREAS, the cost of the temporary space will be paid out of the employers group insurance fund, which will be deducted from the authorized amount of \$85,000; and

WHEREAS, the City is attempting to use a small portion of this area, identified as Public Educational Government (PEG), as a temporary location so we can begin to offer our medical clinic to all employees and their eligible dependents; and

WHEREAS, authorizing this temporary space will allow the City to immediately begin offering the Health and Wellness services, which include a comprehensive range of health services including but not limited to: Prevention, Treatment, Follow-up and Communication with Employee/Case management; and

WHEREAS, the cost to have the temporary facility converted to a temporary home for our medical clinic is eight hundred dollars (\$800) and will not result in any additional leasing fees to the City.

IT IS THEREFORE ORDERED that the Mayor be authorized to execute a temporary contract with Medical Analysis to provide a wellness program for City of Jackson employees, at a cost of twenty-five thousand five hundred dollars (\$25,500) per month at the site formally identified as the City of Jackson's PEG area, which will be renovated at a cost not to exceed \$800.

IT IS FURTHER ORDERED that the term of the temporary contract will be on a month to month basis until our permanent space is complete.

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

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Tillman.

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ORDER REVISING THE FISCAL YEAR 2015-2016 BUDGET OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT/TRANSIT SERVICES DIVISION.

WHEREAS, a certain unanticipated need and allocation in the amount of \$104,000 for the purchase of non-capitalized furniture and equipment for the JATRAM Administrative and Maintenance Facility (JAMF) has arisen since the adoption of Fiscal Year 2015-2016 budget; and

WHEREAS, the Fiscal Year 2015-2016 budget needs to be revised to provide funding for this unanticipated need; and

WHEREAS, the following funds would be revised as follows:

From:	187.565.30.6846	(\$64,000.00)
From:	187.565.30.6852	(\$40,000.00)
To:	187.565.30.6240	\$104,000.00

IT IS THEREFORE, ORDERED that the Fiscal Year 2015-2016 budget for the Department of Planning and Development be revised in the amount of \$104,000.00 as follows:

<u>To/From</u>	<u>Fund/Account Number</u>	<u>Amount</u>
From	187.565.30.6846	(\$ 64,000.00)
From	187.565.30.6852	(\$ 40,000.00)
To	187.565.30.6240	\$ 104,000.00

Council Member Stokes moved adoption; Council Member Barrett-Simon seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priestler, Stamps and Stokes.

Nays- None.

Absent- Tillman.

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, TO ISSUE TAX INCREMENT FINANCING BONDS OF SAID MUNICIPALITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000) TO FINANCE THE COST OF INSTALLING AND CONSTRUCTING CERTAIN IMPROVMENTS FOR A PROPOSED HELM PLACE DEVELOPMENT WITHIN SAID CITY IN ACCORDANCE WITH THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, AND DETERMINING THAT THE HELM PLACE PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING ACCORDING TO SAID ACT; AND THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN, AND FOR RELATED PURPOSES.

WHEREAS, the Mississippi "Tax Increment Financing Act", Title 21, Chapter 45, Mississippi Code of 1972, as amended (the "Act"), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects, as defined therein, utilizing tax increment financing ("TIF"), and also to carry out such projects jointly with other local government units, pursuant to the Regional Economic Development Act, Title 57, Chapter 64, Mississippi Code as amended (the "REDA Act") or the Interlocal Cooperation Act, Title 17, Chapter 13, Mississippi Code of 1972, as amended (the "Interlocal Act"); and

WHEREAS, the Mayor and City Council of the City of Jackson, Mississippi, (the "Council" of the "City"), acting for and on behalf of the City is authorized by Sections 21-45-1 et seq., of the above referenced Act to undertake redevelopment projects, including, but not limited to the acquisition of project areas within the City, the removal of existing buildings and other improvements upon such project areas, the installation, construction or reconstruction of streets, utilities and site improvements on such project areas and/or preparatory work incidental thereto in order to encourage private development within the City; and

WHEREAS, the Council, acting for and behalf of the City, also is authorized by the Act to issue tax increment financing bonds to finance such redevelopment projects; and

WHEREAS, University Place, LLC, and its affiliates (collectively, the "Developer"), are proposing to develop a residential project with various frontage and interior parcels of property in the City to be known as the Helm Place Development (the "Project") in the proposed Helm Place Tax Increment Financing District (the "TIF District") with boundaries as more specifically described herein in Exhibit 1 to the proposed Tax Increment Financing Plan of 2016, Helm Place Project, Jackson, Mississippi (the "TIF Plan"). The Project includes, but is not limited to, residential spaces as more specifically described in the site plan attached as Exhibit 2 to the TIF Plan. The improvements necessary to induce and support the Project are generally described in the TIF Plan as the construction, expansion, renovation or repair of utilities, drainage facilities, streets and other roadways.

The Project is located in the City of Jackson, Hinds County, Mississippi, and the proposed Infrastructure Improvements (as defined below) will be developed in six segments generally described as follows:

The construction, expansion, renovation or repair of utilities, drainage facilities, streets and other roadways and green space park, more specifically described as:

1. Segment One: Replace existing water, sewer, storm water, sidewalks and repave Church St., between High St. and N. Lamar St.; replace storm inlet and pipes at High and Church Streets; replace hydrants on Church Street.
2. Segment Two: Add or replace water, sewer, storm water, and sidewalks to serve homes facing Blair St. and Dreyfus St., south of Monument St., and add curbs and repave Blair St., from Monument St. to High St.; Blair Street to remain one way to north.
3. Segment Three: Add water, sewer, storm water, sidewalks, and access drive to serve homes being constructed between Cohea St. and Monument St.
4. Segment Four: Repairing Monument St. base and repaving Monument St. from N. Lamar St. to High St.
5. Segment Five: Replace water and sewer and rebuilding George St., from N. Lamar St. to High St., with curbs added and required storm water management.
6. Segment Six: Replace curbs due to sewer and water improvements and to provide handicap ramps at intersections.

WHEREAS, all infrastructure improvements will be located inside of the following street grid: west of N. Lamar St., south of Fortification St., east of Mill St. and north of High St., containing approximately twenty-five city blocks of varying sizes and shapes, within the City as more particularly described in Exhibits 1 and 2 attached hereto; and

WHEREAS, the Developer will request that the City issue Tax Increment Financing Bonds ("TIF Bonds") in a principal amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000), in one or more series, in order to finance the installation and construction of various infrastructure improvements, which may include but are not limited to installation and/or relocation of utilities such as water, sanitary sewer; construction, renovation or rehabilitation of drainage improvements, roadways, sidewalks, site improvements including without limitation earth work and excavation, surface parking, parking structures, demolition, electrical improvements, landscaping of rights-of-way, related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, the establishment of a bond fund and other related soft costs (all being the "Infrastructure Improvements"); and

WHEREAS, the Developer estimates the total cost of the Project to be in excess of Two Million Dollars (\$2,000,000); and

WHEREAS, in connection with the Infrastructure Improvements, the Developer will incur expenses for which the Developer will advance funds and the City will reimburse the Developer for a portion of such expenses from the proceeds of such TIF Bonds; and

WHEREAS, pursuant to the Act, such TIF Bonds will be sized by using one hundred percent (100%) of the incremental increases in real and personal property ad valorem taxes (the "Tax Increment"); and

WHEREAS, as authorized by the Act, the City will agree to pledge the Tax Increment for payment of debt service on such tax increment financing bonds; and

WHEREAS, these bonds shall never constitute an indebtedness of the City within the meaning of any state constitutional provision or statutory limitation and shall never constitute or give rise to a pecuniary liability of the City, other than from the sources set forth herein, or a charge against its general credit or taxing powers; and

WHEREAS, the Council shall publish a public hearing notice and conduct a public hearing in accordance with 21-45-11 of the Act; and

WHEREAS, the City, may exercise its authority under the TIF Act, individually or jointly, with Hinds County, Mississippi (the "County") or the City may enter into a Regional Economic Development Agreement with the County pursuant to the REDA Act, or an Interlocal Agreement with the County pursuant to the Interlocal Act to support the Project and to allow TIF bond proceeds to be used to pay for the cost of infrastructure improvements.

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

SECTION ONE. Pursuant to the Act, the Council, acting for and on behalf of the City, does hereby declare its intention to sell and issue TIF Bonds of the City, in one or more series, in a total aggregate principal amount of not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000), (the "Bonds") for the Project.

SECTION TWO. The Council has been presented with a TIF plan entitled "Tax Increment Financing Plan of 2016, Helm Place Development Project, City of Jackson, Mississippi" (the "TIF Plan"), the purpose of which is to provide a financing mechanism to construct various infrastructure improvements, which may include but are not limited to, installation and/or relocation of utilities such as water, sanitary sewer; construction, renovation or rehabilitation of drainage improvements, roadways, sidewalks, site improvements including without limitation earth work and excavation, surface parking, parking structures, demolition, electrical improvements, landscaping of rights-of-way, related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, the establishment of a bond fund and other related soft costs. The TIF Plan has attached as exhibits the map and legal description of the land to be included in the proposed TIF District.

SECTION THREE. The TIF District to be established shall be described in the TIF Plan which shall be adopted and approved as a part of the Redevelopment Plan after holding a public hearing on the matter. The Council hereby gives notice of its intention to create and establish the TIF District and to approve the TIF Plan as a part of the Redevelopment Plan as well as hold a public hearing as prescribed by law.

SECTION FOUR. The Council hereby declares its intention, upon establishment of the TIF District and the amendment of the Redevelopment Plan to include the TIF Plan, to issue Tax Increment Financing Bonds not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000), in one or more series. One hundred percent (100%) of the increase in ad valorem taxes on real and personal property as well as fifty percent (50%) of sales tax rebates generated from the construction of the Project within the TIF District will be used to service the debt on the TIF Bonds. The funds derived from the sale of the Bonds will be used for the Infrastructure Improvements as described herein. These bonds shall never constitute an indebtedness of the City within the meaning of any state constitutional provision or statutory limitation and shall never constitute or give rise to a pecuniary liability of the City, other than from the sources set forth herein, or a charge against its general credit or taxing powers.

SECTION FIVE. The Developer intends to acquire and construct the Infrastructure Improvements at its expense and to facilitate the development of the Project, based on the anticipation that TIF moneys will be available in the future. Upon establishment of the TIF District, and the approval of the inclusion of the TIF Plan as a part of the Redevelopment Plan, the City wishes to reimburse the Developer for this expense in whole or part, up to the amount of moneys available from the proceeds of TIF Bonds in the principal amount not to exceed One Million, Two Hundred Thousand Dollars (\$1,200,00), at the time or times TIF Bonds are issued in the future. The TIF Bonds will be sized by using one hundred percent (100%) of the ad valorem tax increases from real and personal property and fifty percent (50%) of sales tax rebates generated from the construction of the Project within the TIF District and as specified in the TIF Plan. The funds derived from the sale of the Bonds will be used to acquire and construct or reimburse the Developer for the costs of the Infrastructure Improvements.

SECTION SIX. The Project appears to be a project of major economic significance within the City and to qualify as a project eligible for TIF under the Redevelopment Plan; and the participation on the part of the City is necessary and would be in the public interest and would benefit the economic and financial well-being and the public health, safety and welfare of the City.

SECTION SEVEN. The Council hereby declares its intention to hold a public hearing with respect to the TIF Plan and the issuance of the TIF bonds at the regular meeting room of the Council at the City Hall of the City of Jackson, Mississippi at __:00 _ m, on the ____ day of _____, 2016.

SECTION EIGHT. The City Clerk is hereby directed to publish a notice of the public hearing in the Clarion Ledger, a newspaper in which the City is authorized to publish legal notices, two (2) times over two (2) consecutive weeks, the first publication of which shall not be more than twenty (20) days and not less than ten (10) days prior to the date set forth in Section 3 above, pursuant to and in compliance with the requirements of Section 21-45-11 of the Act. A copy of the TIF Plan will be available for examination in the office of the City Clerk at City Hall, Jackson, Mississippi.

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

President Priester recognized **David Kelly**, a representative of Charter Consulting, who provided Council with a brief overview of progress the proposed housing development.

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.
Nays- None.
Abstention-Barrett-Simon.
Absent- Tillman.

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, TO ISSUE TAX INCREMENT FINANCING BONDS OF SAID MUNICIPALITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SEVEN HUNDRED THOUSAND DOLLARS (\$700,000) TO FINANCE THE COST OF INSTALLING AND CONSTRUCTING CERTAIN IMPROVEMENTS FOR A PROPOSED EAST VILLAGE ESTATES DEVELOPMENT WITHIN SAID CITY IN ACCORDANCE WITH THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, AND DETERMINING THAT THE EAST VILLAGE ESTATES PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING ACCORDING TO SAID ACT; AND THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN, AND FOR RELATED PURPOSES.

WHEREAS, the Mississippi "Tax Increment Financing Act", Title 21, Chapter 45, Mississippi Code of 1972, as amended (the "Act"), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects, as defined therein, utilizing tax increment financing ("TIF"), and also to carry out such projects jointly with other local government units, pursuant to the Regional Economic Development Act, Title 57, Chapter 64, Mississippi Code as amended (the "REDA Act") or the Interlocal Cooperation Act, Title 17, Chapter 13, Mississippi Code of 1972, as amended (the "Interlocal Act"); and

WHEREAS, the Mayor and City Council of the City of Jackson, Mississippi, (the "Council" of the "City"), acting for and on behalf of the City is authorized by Sections 21-45-1 et seq., of the above referenced Act to undertake redevelopment projects, including, but not limited to the acquisition of project areas within the City, the removal of existing buildings and other improvements upon such project areas, the installation, construction or reconstruction of streets, utilities and site improvements on such project areas and/or preparatory work incidental thereto in order to encourage private development within the City; and

WHEREAS, the Council, acting for and behalf of the City, also is authorized by the Act to issue tax increment financing bonds to finance such redevelopment projects; and

WHEREAS, University Parkway, LLC, and affiliates (the "Developer"), are proposing to develop a mixed use residential project with various frontage and interior parcels of property in the City to be known as the East Village Estates Development (the "Project") in the proposed East Village Estates Tax Increment Financing District (the "TIF District") with boundaries as more specifically described herein in Exhibit 1 to the proposed Tax Increment Financing Plan of 2016, East Village Estates, Jackson, Mississippi (the "TIF Plan"). The Project includes, but is not limited to, residential spaces as more specifically described in the site plan attached as Exhibit 2 to the TIF Plan. The improvements necessary to induce and support the Project are generally described in the TIF Plan as the construction, expansion, renovation or repair of utilities, drainage facilities, streets and other roadways.

The Project is located in the City of Jackson, Hinds County, Mississippi, and the proposed Infrastructure Improvements (as defined below) will be developed in six segments generally described as follows:

Segment One: Peter Street (Williamson St. to Prosperity St.):

Construction of new street, storm water, water and sewer systems; rerouting of storm water and addition of curb inlet at the corner of Prosperity St. and Peter St.; construction of sidewalks on Peter St.; addition of a manhole to relocate sewer access to main.

Segment Two: Peter Street (Bailey Ave. to Williamson St.):

Rebuild Peter St., storm water, water and sewer systems from Bailey Ave. to Williamson St.

Segment Three: Prosperity Street:

Replace City installed sewer at reversed grades, paving overlay from Peter St. to John St.; asphalt milling; paving overlay from St. John St. to Woodrow Wilson Blvd.; replace Sewer on Prosperity St. from St. James St. south to connect to new City line.

Segment Four: Williams Street:

Paving overlay of Williamson St. from Peter St. to John St.

Segment Five: West of Prosperity Street:

Extension of Paul, Perry, James, Denson, Luke, John, Moon & Easy Streets and water and sewer systems eastward as needed.

Segment Six: Wheeler Lane:

New street construction; construction of new water, sewer and storm water facilities.

WHEREAS, all infrastructure improvements will be located inside of the following street grid: west and south of existing railroad, east of Bailey Avenue and north of Woodrow Wilson Blvd., containing approximately sixteen city blocks of varying sizes and shapes, within the City as more particularly described in Exhibits 1 and 2 to the TIF Plan attached hereto; and

WHEREAS, the Developer will request that the City issue Tax Increment Financing Bonds ("TIF Bonds") in a principal amount not to exceed Seven Hundred Thousand Dollars (\$700,000), in one or more series as it sees fit in the future, for the payment or reimbursement of the costs of the Infrastructure Improvements, which may include but are not limited to, installation and/or relocation of utilities such as water, sanitary sewer; construction, renovation or rehabilitation of drainage improvements, roadways, sidewalks, site improvements including without limitation earth work and excavation, surface parking, parking structures, demolition, electrical improvements, landscaping of rights-of-way, related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, the establishment of a bond fund and other related soft costs (all being the "Infrastructure Improvements"); and

WHEREAS, the Developer estimates the total cost of the Project to be in excess of One Million Two Hundred Thousand Dollars (\$1,200,000); and

WHEREAS, in connection with the Infrastructure Improvements, the Developer intends to acquire and construct all or a portion of the Infrastructure Improvements at its expense to facilitate the development of the Project and the City will reimburse the Developer for a portion of such expenses from the proceeds of such TIF Bonds; and

WHEREAS, pursuant to the Act, such TIF Bonds will be sized by using one hundred percent (100%) of the incremental increases in real and personal property ad valorem taxes (the "Tax Increment"); and

WHEREAS, these bonds shall never constitute an indebtedness of the City within the meaning of any state constitutional provision or statutory limitation and shall never constitute or give rise to a pecuniary liability of the City, other than from the sources set forth herein, or a charge against its general credit or taxing powers; and

WHEREAS, the Council shall publish a public hearing notice and conduct a public hearing in accordance with 21-45-11 of the Act; and

WHEREAS, as authorized by the Act, the City will agree to pledge the Tax Increment for payment of debt service on such tax increment financing bonds; and

WHEREAS, the City, may exercise its authority under the TIF Act, individually or jointly, with Hinds County, Mississippi (the "County") or the City may enter into a Regional Economic Development Agreement with the County pursuant to the REDA Act, or an Interlocal Agreement with the County pursuant to the Interlocal Act to support the Project and to allow TIF bond proceeds to be used to pay for the cost of infrastructure improvements.

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

SECTION ONE. Pursuant to the Act, the Council, acting for and on behalf of the City, does hereby declare its intention to sell and issue TIF Bonds of the City, in one or more series, in a total aggregate principal amount of not to exceed Seven Hundred Thousand Dollars (\$700,000)(the "Bonds") for the Project.

SECTION TWO. The Council has been presented with a Tax Increment Financing Plan entitled Tax Increment Financing Plan, East Villages Estates Project, City of Jackson, Mississippi, (the "TIF Plan"), the purpose of which is to provide a financing mechanism to construct various infrastructure improvements, which may include but are not limited to, demolition of buildings, installation, rehabilitation and/or relocation of utilities such as water, sanitary sewer, construction, renovation, or rehabilitation of drainage improvements, roadways, curb and gutters, sidewalks, onsite parking, parking structures, relocation of electrical lines, landscaping of rights-of-way, related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, and other related soft costs. The TIF Plan has attached as exhibits the map and legal description of the land to be included in the proposed TIF District.

SECTION THREE. The TIF District to be established shall be described in the TIF Plan which shall be adopted and approved as a part of the Redevelopment Plan after holding a public hearing on the matter. The Council hereby gives notice of its intention to create and establish the TIF District and to approve the TIF Plan as a part of the Redevelopment Plan as well as hold a public hearing as prescribed by law.

SECTION FOUR. The Council hereby declares its intention, upon establishment of the TIF District and the amendment of the Redevelopment Plan to include the TIF Plan, to issue Tax Increment Financing Bonds not to exceed Seven Hundred Thousand Dollars (\$700,000), in one or more series as it sees fit in the future, for the payment or reimbursement of the costs of the Infrastructure Improvements. Pursuant to Section 1.150-2 of the Treasury Regulations (the "Reimbursement Regulations") the Council hereby declares its official intent to reimburse expenditures made for the Infrastructure Improvements prior to the issuance of such TIF bonds to the extent permitted by the Reimbursement Regulations. These bonds will be secured solely by a pledge of a portion of the increase in ad valorem taxes on real and personal property generated within the TIF District.

SECTION FIVE. The Developer intends to acquire and construct the Infrastructure Improvements at its expense and to facilitate the development of the Project, based on the anticipation that TIF moneys will be available in the future. Upon establishment of the TIF District, and the approval of the inclusion of the TIF Plan as a part of the Redevelopment Plan, the City wishes to reimburse the Developer for this expense in whole or part, up to the amount of moneys available from the proceeds of TIF Bonds in the principal amount not to exceed Seven Hundred Thousand Dollars (\$700,000), at the time or times TIF Bonds are issued in the future. The TIF Bonds will be sized by using one hundred percent (100%) of the ad valorem tax increases from real and personal property and fifty percent (50%) of sales tax rebates generated from the construction of the Project within the TIF District and as specified in the TIF Plan. The funds derived from the sale of the Bonds will be used to acquire and construct or reimburse the Developer for the costs of the Infrastructure Improvements.

SECTION SIX. The Project appears to be a project of major economic significance within the City and to qualify as a project eligible for TIF under the Redevelopment Plan; and the participation on the part of the City is necessary and would be in the public interest and would benefit the economic and financial well-being and the public health, safety and welfare of the City.

SECTION SEVEN. The Council hereby declares its intention to hold a public hearing with respect to the TIF Plan and the issuance of the TIF bonds at the regular meeting room of the Council at the City Hall of the City of Jackson, Mississippi at __:00 __.m., on the ____ day of _____, 2016.

SECTION EIGHT. The City Clerk is hereby directed to publish a notice of the public hearing in the Clarion Ledger, a newspaper in which the City is authorized to publish legal notices, two (2) times over two (2) consecutive weeks, the first publication of which shall not be more than twenty (20) days and not less than ten (10) days prior to the date set forth in Section 3 above, pursuant to and in compliance with the requirements of Section 21-45-11 of the Act. A copy of the TIF Plan will be available for examination in the office of the City Clerk at City Hall, Jackson, Mississippi.

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

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Abstention-Barrett-Simon.

Absent- Tillman.

ORDER AUTHORIZING CHANGE ORDER NO.1/FINAL TO THE CONTRACT OF DICKERSON & BOWEN, INC. FOR THE LAWSON STREET RESURFACING PROJECT, CITY PROJECT NO. 16B4000.301.

WHEREAS, on November 3, 2015, the City accepted Dickerson & Bowen, Inc.'s bid of \$124,419.000 for the Lawson Street Resurfacing Project, City Project No. 16B4000.301; and

WHEREAS, the contract work involved resurfacing Lawson Street within the City of Jackson corporate limits; and

WHEREAS, Change Order No. 1/Final represents a 9.6% 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 \$124,419.00 and the decreased contract amount will be \$112,509.54; and

WHEREAS, the Department of Public Works recommends final payment in the amount of \$86,360.79 to Dickerson & Bowen, Inc.; and

WHEREAS, the bonding company Hartford Accident and Indemnify 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 Dickerson and Bowen, Inc., decreasing the contract amount by \$11,909.46 to a final contract amount of \$112,509.54, is authorized.

IT IS FURTHER ORDERED that the City make final payment in the amount of \$86,360.79 and release all securities held to Dickerson & Bowen, Inc. for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Lawson Street Resurfacing Project, City Project No. 16B400.301.

Council Member Stokes moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps and Stokes.
Nays- None.
Absent- Tillman.

ORDER AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE HINDS COUNTY BOARD OF SUPERVISORS FOR THE RESURFACING OF CAPITOL STREET FROM LEXINGTON AVENUE TO INTERSTATE 220.

WHEREAS, the Hinds County Board of Supervisors intends to resurface Capitol Street from Lexington Avenue to Interstate 220 within the corporate limits of the City of Jackson; and

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 Capitol Street from Lexington Avenue to I-220 within the City of Jackson.

IT IS, THEREFORE, ORDERED that an Interlocal Agreement with the Hinds County Board of Supervisors for the resurfacing of Capitol Street from Lexington Avenue to Interstate 220 is authorized.

Council Member Stokes moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps and Stokes.
Nays- None.
Absent- Tillman.

ORDER AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE HINDS COUNTY BOARD OF SUPERVISORS FOR THE RESURFACING OF LIVINGSTON LANE.

WHEREAS, the Hinds County Board of Supervisors intends to resurface Livingston Lane within the corporate limits of the City of Jackson; and

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 Livingston Lane within the City of Jackson.

IT IS, THEREFORE, ORDERED that an Interlocal Agreement with the Hinds County Board of Supervisors for the resurfacing of Livingston Lane is authorized.

Council Member Stokes moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps and Stokes.
Nays- None.
Absent- Tillman.

ORDER AUTHORIZING FULL AND FINAL SETTLEMENT OF ALL CLAIMS IN THE MATTER OF "SUPRELLA BROWN VS. CITY OF JACKSON, MISSISSIPPI", CIRCUIT COURT; CAUSE NO. 251-15-212CIV.

WHEREAS, on April 15, 2015, the Plaintiffs filed a Complaint in the matter styled "SUPRELLA BROWN VS. THE CITY OF JACKSON, MISSISSIPPI", Hinds Circuit Court Cause No. 251-15-212 CIV; 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 her attorney William Ballard 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 \$250,000.00.

NOW, THEREFORE, IT IS HEREBY ORDERED by the City Council of the City of Jackson, Mississippi, that City of Jackson, Mississippi pay a total sum not to exceed \$250,000.00 to SUPRELLA BROWN and her attorney William Ballard in return for a complete release of the City from any and all liability.

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

Yeas- Barrett-Simon, Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Tillman.

There came on for consideration Agenda Item No. 23:

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI SUPPORTING AUTHORIZING THE MAYOR TO DESIGNATE STREETS AND HIGHWAYS IN THE CITY OF JACKSON TO SERVE AS TOLL ROADS FOR THE COLLECTION OF FUNDS TO BENEFIT CITY STREETS. Said item would be held until the next Regular Council on April 5, 2016 at 6:00 p.m.

RESOLUTION OF THE CITY COUNCIL OF JACKSON MISSISSIPPI SEEKING TIMELY COMPLIANCE WITH OPEN RECORDS REQUESTS BY CITY DEPARTMENTS.

WHEREAS, it is the responsibility of the City Clerk to respond in a timely manner to open records requests; and

WHEREAS, the City Clerk must rely on the cooperation of departments and staff who are not under the direct control or supervision of the City Clerk's Office in order to gather responsive documents and complete open records requests; and

WHEREAS, the City of Jackson has invested in obtaining new technology to streamline the open records process; and

WHEREAS, it undermines confidence in the governing authorities of the City of Jackson when open records requests are not handled promptly and completely; and

WHEREAS, recent events such as a six week delay in receiving records necessary to comply with an open records request from the Department of Public Works indicates that the City needs to review the protocols, processes, and personnel responsible for handling requests for documents; and

WHEREAS, the City Council and City Clerk wish to work collaboratively with the Mayor of the City of Jackson to ensure that the governing authorities of the City of Jackson timely comply with our obligations to make available public records.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Jackson, Mississippi that the City Council states its full support to meeting the City's obligation to timely and completely respond to open records requests.

IT IS FURTHER HEREBY RESOLVED that the City Council strenuously objects to any baseless delays in or failures to cooperate with open records requests.

IT IS FURTHER HEREBY RESOLVED that in order to prevent future failures to comply with open records requests, the City Council directs the City Clerk to work diligently with the Mayor to provide whatever resources are within the power of her office to provide, including training, to make sure that open records requests are timely fulfilled and the City Council requests that the Mayor and his Administration analyze their protocols, processes, and personnel for responding to Open Records Requests, particularly in large departments such as the Public Works Department.

Council Member Hendrix moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester and Stamps.
Nays- None.
Abstention-Stokes.
Absent- Tillman.

President Priester recognized **Council Member Stamps** who moved, seconded by **Council Member Stokes** to add an item to the agenda regarding declaring a civil emergency that had not been submitted to the City Clerk by the agenda deadline of 3:00 P.M., Wednesday, March 16, 2016 as mandated by Sec. 2-63 of the Jackson Code of Ordinances.

President Priester requested that said item be held until after the discussion of Agenda Item No. 29. Thereafter, **Council Members Stamps** and **Stokes** withdrew their motion and second.

President Priester requested that Agenda Item No. 29 be moved forward on the Agenda. Hearing no objections, the following was discussed:

DISCUSSION: BRIEFING ON THE CITY'S WATER SITUATION: **President Priester** recognized **Kishia Powell, Director of Public Works**, who provided a detailed update regarding the results of the water samples and a compliance plan which includes: designing a corrosion control study, hiring of an engineer and optimizing treatments at both water plant facilities.

President Priester recognized **Council Member Stamps** who requested to add an item to the agenda regarding declaring a civil emergency that had not been submitted to the City Clerk by the agenda deadline of 3:00 P.M., Wednesday, March 16, 2016 as mandated by Sec. 2-63 of the Jackson Code of Ordinances.

Council Member Stokes moved and **Council Member Stamps** seconded to add a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI IN SUPPORT OF DECLARING A CIVIL EMERGENCY AS IT RELATES TO EFFORTS TO REDUCE LEAD AND COPPER LEVELS IN ALL RESIDENTIAL WATER**. The motion failed by the following vote:

Yeas- Foote, Stamps and Stokes.
Nays- Barrett-Simon, Hendrix and Priester.
Absent- Tillman.

President Priester requested that Agenda Item No. 28 be moved forward on the Agenda. Hearing no objections, the following was discussed:

DISCUSSION: UPDATE ON THE CAPITAL LOFT PROJECT: **President Priester** recognized **Council Member Barrett-Simon** who expressed concerns regarding the importance of completing the Capital Loft Project in an effort to eliminate the blight properties within downtown Jackson.

DISCUSSION: COMCAST: **President Priester** recognized **Council Member Stokes** who expressed concerns regarding the need for more employees to help eliminate the lengthy lines citizens encounter while paying their cable bills.

DISCUSSION: MOTORCYCLE SAFETY: **President Priester** recognized **Council Member Stokes** who introduced **Yolanda Singleton**, Friends of Fallen Riders, who explained the importance of motorcycle safety within the City of Jackson.

DISCUSSION: WASHING HORSES IN NEIGHBORHOODS: **President Priester** recognized **Council Member Stamps** who expressed concerns regarding citizens washing horses in neighborhoods. **Jay Coleman**, **Community Improvement**, provided information according to the Jackson Code of Ordinances that regulate the washing of horses within neighborhoods.

There came on for consideration Agenda Item No. 30:

PRESENTATION: WARD THREE PRESENTATION TO DR. IVORY PHILLIPS. Said item would be held until the next Regular Council meeting to be held on April 5, 2016 at 6:00 p.m.

There came on for consideration Agenda Item No. 31:

PROCLAMATION RECOGNIZING NATIONAL ASSOCIATION OF SOCIAL WORKERS MONTH. Said item was pulled by **Mayor Yarber**.

The following reports/announcements were provided during the meeting:

- **Jackie Woods** announced the following:
 - City of Jackson Annual Easter Egg Hunt would be held on Saturday, March 26, 2016 at 12:00 p.m. at VA Legion Softball Field located at 4500 Thomas Catchings, Sr. Dr.
 - City of Jackson National Community Development Week would be observed March 28, 2016 until April 2, 2016.
- **Council Member Stokes** announced an Easter celebration will be held at Freedom Corner at 12:00 p.m. on March 26, 2016.

The meeting was closed in memory of the following individuals:

- **Lonnie Blue, Jr.**
- **Bishop William Houck**
- **Percy Chaffee**
- **Arlean Knotts**
- **Margaret Lewis**

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council Meeting to be held at 6:00 p.m. on Tuesday, April 5, 2016; at 3:19 p.m., the Council stood adjourned.

ATTEST:

Kristi Moore
CITY CLERK

APPROVED:

[Signature]
MAYOR 4.11.16
DATE
