

**SPECIAL MEETING OF THE CITY COUNCIL
MONDAY, OCTOBER 26, 2015 4:00 P.M.**

BE IT REMEMBERED that a Special Meeting of the City Council of Jackson, Mississippi, was convened in the Council Chambers in City Hall at 4:00 p.m. on October 26, 2015, being the fourth Monday 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 and De'Keither Stamps, Ward 4. Directors: Marshand Crisler, Deputy Chief Administrative Office; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Allice Lattimore, Deputy City Clerk and Monica Joiner, City Attorney.

Absent: Council Members: Kenneth Stokes, Ward 3; Charles Tillman, Ward 5 and Margaret Barrett-Simon, Ward 7.

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

ORDER APPROVING CLAIMS NUMBER 704 TO 860, APPEARING AT PAGES 117 TO 144 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$5,576,647.48 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 704 to 860, appearing at pages 117 to 144, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$5,576,647.48 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
2012 ED BYRNE MEMORIAL JUSTICE	199.95
2012 WATER/SEWER REFUNDING B & I	2,500.00
2014 ED BYRNE MEMORIAL JUSTICE	18,062.98
AMERICORP CAPITAL CITY REBUILD	68.37
CAPITAL CITY REVENUE FUND	9,141.49
EARLY CHILDHOOD (DAYCARE)	457.63
ECONOMIC DEVELOPMENT FUND	8,765.25
FIRE PROTECTION	4,276.17
G O PUB IMP CONS BD 2003 (\$20M)	63,738.60
GENERAL FUND	890,274.20
HOME PROGRAM FUND	407.60
HOUSING COMM DEV ACT (CDBG) FD	465.38
JXN CONVENTION & VISITORS BUR	304,867.84
LANDFILL/SANITATION FUND	50,106.41
MADISON SEWAGE DISP OP & MAINT	4,174.92
NCSC SENIOR AIDES	108.36
P E G ACCESS- PROGRAMMING FUND	9,359.48
PARKS & RECR FUND	22,289.79
RIDGELAND-WEST SEWAGE DISP O & M	19,850.00
SAMSHA - 1 U79 SM061630-01	796.95
SEIZURE & FORFEITED PROP - STATE	26,475.36
STATE TORT CLAIMS FUND	1,630.00
TECHNOLOGY FUND	5,464.85
TITLE III AGING PROGRAMS	45.00
TRANSPORTATION FUND	250,047.03
UNEMPLOYMENT COMPENSATION REVO	7,861.23
WATER/SEWER CAPITAL IMPR FUND	48,745.05

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104

WATER/SEWER OP & MAINT FUND	3,826,467.59
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TOTAL **\$5,576,647.48**

Council Member Priester 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 final vote on the Claims Docket:

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

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 704 TO 860 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 704 to 860 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$4,575.42 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		35,187.79
PARKS & RECR.		20,185.74
LANDFILL FUND		4,645.72
SENIOR AIDES		8,137.94
WATER/SEWER OPER. & MAINT		29,510.88
PAYROLL	4,575.42	
EARLY CHILDHOOD		2,730.52

TOTAL **\$100,398.59**

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

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

ORDER ACCEPTING AN AMENDMENT TO THE AGREEMENT WITH UNITED WATER SERVICES MISSISSIPPI LLC TO EXTEND THE AGREEMENT FOR A ONE-YEAR TERM.

WHEREAS, the current agreement between the City of Jackson, and United Water Services Mississippi LLC for Management Operation Services for the City's wastewater treatment facilities will expire on November 1, 2015 unless the parties agree to extend the contract; and

WHEREAS, the current agreement allows for an extension of five (5) years; and

WHEREAS, the parties have agreed that it is in their mutual best interests to extend the agreement for a term of one year, which will allow the City to perform an orderly process for procuring a new agreement for the management and operation of the City's wastewater treatment facilities; and

WHEREAS, the Public Works Department recommends that the governing authorities agree to extend the existing contract with United Water Services Mississippi LLC for one year, beginning November 1, 2015 and ending October 31, 2016.

IT IS, THEREFORE, ORDERED that an amendment to the agreement with United Water Services Mississippi LLC to extend the Agreement for a one-year term beginning November 1, 2015 and ending October 31, 2016 is accepted.

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

President Priester recognized **Kenneth Walker**, a representative of United Water Services Mississippi LLC, who provided Council with a brief overview of the services provided to the City and the percentage of minority participation.

President Priester recognized **Terry Williamson**, Consent Decree Manager and Legal Counsel for Public Works, who requested to offer an amendment to the proposed order.

President Priester recessed the meeting for five (5) minutes to allow the Council time to review the proposed amendment submitted by the Public Works Department.

President Priester re-convened the meeting and requested that the Clerk read the proposed amendment:

ORDER ACCEPTING AN AMENDMENT TO THE AGREEMENT WITH UNITED WATER SERVICES MISSISSIPPI LLC TO EXTEND THE AGREEMENT FOR A ONE-YEAR TERM.

WHEREAS, the current agreement between the City of Jackson, and United Water Services Mississippi LLC for Management Operation Services for the City's wastewater treatment facilities will expire on November 1, 2015 unless the parties agree to extend the contract; and

WHEREAS, the current agreement allows for an extension of five (5) years; and

WHEREAS, the parties have agreed that it is in their mutual best interest to extend the agreement for a term of one year, which will allow the city to perform an orderly process for procuring a new agreement for the management and operation of the City's wastewater treatment facilities; and

WHEREAS, the parties have agreed that the guaranteed fixed fee for the one-year extension will be an amount of \$424,773.29, which will be invoiced in twelve installments with the monthly invoice; and

WHEREAS, the parties have agreed to other Amendments in invoicing of payments, including a security deposit of the average of one month's invoice, \$1,250,000.00, a reduction in the amount of expenditures requiring City approval, and tighter restrictions on the use of credit card (p-card) purchases; and

WHEREAS, the Public Works Department recommends that the governing authorities agree to extend the existing contract with United Water Services Mississippi LLC for one year, beginning November 1, 2015 and ending October 31, 2016.

IT IS, THEREFORE, ORDERED that an amendment to the agreement with United Water Services Mississippi LLC to extend the Agreement for a one-year term beginning November 1, 2015 and ending October 31, 2016 is accepted.

IT IS FURTHER ORDERED that a guaranteed fixed fee for the one-year extension in the amount of \$424,773.29, which will be invoiced in twelve installments with the monthly invoice, is accepted.

IT IS FURTHER ORDERED that other Amendments in invoicing of payments, including a security deposit of the average of one month's invoice, \$1,250,000.00, a reduction in the amount of expenditures requiring City approval, and tighter restrictions on the use of credit card (p-card) purchases are accepted.

Council Member Priester moved to amend said order to reflect the changes submitted by the Public Works Department. Said motion died for lack of a second.

Council Member Hendrix left the meeting at 5:30 p.m.

President Priester recessed the meeting until Tuesday, October 27, 2015 at 9:00 a.m. due to the loss of a quorum.

BE IT REMEMBERED that a October 26, 2015 Recessed Special Meeting of the City Council of Jackson, Mississippi, was re-convened in the Council Chambers in City Hall at 9:00 a.m. on October 27, 2015, 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 and De'Keither Stamps, Ward 4. Directors: Marshand Crisler, Deputy Chief Administrative Office; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Allice Lattimore, Deputy City Clerk and Monica Joiner, City Attorney.

Absent: Council Members: Kenneth Stokes, Ward 3; Charles Tillman, Ward 5 and Margaret Barrett-Simon, Ward 7.

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

President Priester recognized **Council Member Stamps** who requested that Legal draft an amendment to the fifth paragraph of the amendment order to change the word reduction to increase and to require City approval on expenditures of \$3,000 or more.

President Priester recognized **Terry Williamson**, Consent Decree Manager and Legal Counsel for Public Works, offered a proposed amendment as follows:

WHEREAS, the parties have agreed to other Amendments in invoicing of payments, including a security deposit of the average of one month's invoice, \$1,250,000.000, reducing to \$3,000 the threshold for expenditures requiring prior City approval, and tighter restrictions on the use of credit card (p-card) purchases.

Council Member Stamps moved, seconded by **Council Member Hendrix** to accept proposed amendment as stated by the Legal Department.

President Priester requested that the Clerk read the order as amended:

ORDER ACCEPTING AN AMENDMENT TO THE AGREEMENT WITH UNITED WATER SERVICES MISSISSIPPI LLC TO EXTEND THE AGREEMENT FOR A ONE-YEAR TERM.

WHEREAS, the current agreement between the City of Jackson, and United Water Services Mississippi LLC for Management Operation Services for the City's wastewater treatment facilities will expire on November 1, 2015 unless the parties agree to extend the contract; and

WHEREAS, the current agreement allows for an extension of five (5) years; and

WHEREAS, the parties have agreed that it is in their mutual best interest to extend the agreement for a term of one year, which will allow the city to perform an orderly process for procuring a new agreement for the management and operation of the City's wastewater treatment facilities; and

WHEREAS, the parties have agreed that the guaranteed fixed fee for the one-year extension will be an amount of \$424,773.29, which will be invoiced in twelve installments with the monthly invoice; and

WHEREAS, the parties have agreed to other Amendments in invoicing of payments, including a security deposit of the average of one month's invoice, \$1,250,000.000, reducing to \$3,000 the threshold for expenditures requiring prior City approval, and tighter restrictions on the use of credit card (p-card) purchases; and

WHEREAS, the Public Works Department recommends that the governing authorities agree to extend the existing contract with United Water Services Mississippi LLC for one year, beginning November 1, 2015 and ending October 31, 2016.

IT IS, THEREFORE, ORDERED that an amendment to the agreement with United Water Services Mississippi LLC to extend the Agreement for a one-year term beginning November 1, 2015 and ending October 31, 2016 is accepted.

IT IS FURTHER ORDERED that a guaranteed fixed fee for the one-year extension in the amount of \$424,773.29, which will be invoiced in twelve installments with the monthly invoice, is accepted.

IT IS FURTHER ORDERED that other Amendments in invoicing of payments, including a security deposit of the average of one month's invoice, \$1,250,000.00, reducing to \$3,000 the threshold for expenditures requiring prior City approval, and tighter restrictions on the use of credit card (p-card) purchases.

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

Yeas- Hendrix, Priester and Stamps.

Nays- Foote.

Absent- Barrett-Simon, Stokes and Tillman.

Thereafter, **President Priester** called for a final vote on the main motion as amended:

ORDER ACCEPTING AN AMENDMENT TO THE AGREEMENT WITH UNITED WATER SERVICES MISSISSIPPI LLC TO EXTEND THE AGREEMENT FOR A ONE-YEAR TERM.

WHEREAS, the current agreement between the City of Jackson, and United Water Services Mississippi LLC for Management Operation Services for the City's wastewater treatment facilities will expire on November 1, 2015 unless the parties agree to extend the contract; and

WHEREAS, the current agreement allows for an extension of five (5) years; and

WHEREAS, the parties have agreed that it is in their mutual best interest to extend the agreement for a term of one year, which will allow the city to perform an orderly process for procuring a new agreement for the management and operation of the City's wastewater treatment facilities; and

WHEREAS, the parties have agreed that the guaranteed fixed fee for the one-year extension will be an amount of \$424,773.29, which will be invoiced in twelve installments with the monthly invoice; and

WHEREAS, the parties have agreed to other Amendments in invoicing of payments, including a security deposit of the average of one month's invoice, \$1,250,000.000, reducing to \$3,000 the threshold for expenditures requiring prior City approval, and tighter restrictions on the use of credit card (p-card) purchases; and

WHEREAS, the Public Works Department recommends that the governing authorities agree to extend the existing contract with United Water Services Mississippi LLC for one year, beginning November 1, 2015 and ending October 31, 2016.

IT IS, THEREFORE, ORDERED that an amendment to the agreement with United Water Services Mississippi LLC to extend the Agreement for a one-year term beginning November 1, 2015 and ending October 31, 2016 is accepted.

IT IS FURTHER ORDERED that a guaranteed fixed fee for the one-year extension in the amount of \$424,773.29, which will be invoiced in twelve installments with the monthly invoice, is accepted.

IT IS FURTHER ORDERED that other Amendments in invoicing of payments, including a security deposit of the average of one month's invoice, \$1,250,000.00, reducing to \$3,000 the threshold for expenditures requiring prior City approval, and tighter restrictions on the use of credit card (p-card) purchases.

Yeas- Hendrix and Priester.

Nays- Foote and Stamps.

Absent- Barrett-Simon, Stokes and Tillman.

Note: Said order failed for lack of a majority vote.

President Priester requested that the Council consider an Agenda item that had not been submitted to the City Clerk by the agenda deadline of 3:00 P.M., Wednesday, October 21, 2015, as mandated by Sec. 2-63 of the Jackson Code of Ordinances.

Council Member Hendrix moved, seconded by **Council Member** to allow said item to be added the Agenda on an emergency basis. The motion prevailed by the following vote:

Yeas- Foote, Hendrix, Priester and Stamps.

Nays- None.

Absent- Barrett-Simon, Stokes and Tillman.

President Priester requested that the Clerk read the Order:

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE HINDS COUNTY BOARD OF SUPERVISORS FOR THE CITY TO PROVIDE WASTEWATER TREATMENT TO CERTAIN AREAS OF HINDS COUNTY.

WHEREAS, the Hinds County Board of Supervisors is currently implementing a Corridor Region Infrastructure Services Program, which anticipates providing wastewater facilities to areas within a 1-mile radius of the proposed the Corridor, not including areas within the Cities of Byram, Jackson, and Clinton, and which planning area is boddered by Interstate 20 to the north and Interstate 55 to the south; and

WHEREAS, the County's proposed project will serve the projected development of the planning area over the next 20 years by providing centralized wastewater collection, conveyance, and treatment for the corridor area, which is currently not served by adequate wastewater facilities; and

WHEREAS, the purpose of the interlocal agreement is to establish an agreement whereby the City will provide wastewater treatment to the Service Area and other areas within the County for which the County and the City reach agreement; 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 in order for the City to commit to providing the described services; and

WHEREAS, the Department of Public Works recommends that the governing authorities enter into this proposed Interlocal Agreement.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Interlocal Agreement with the Hinds County Board of Supervisors for the City to commit to providing wastewater treatment at the City's existing wastewater treat facilities to certain areas outside the City, but within Hinds County.

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

President Priester recognized **Carl Felix**, Hinds County Public Works Director, who provided Council with a brief overview of proposed interlocal agreement.

President Priester recused himself from voting but remained in the room to maintain a quorum.

Thereafter, **Vice President Hendrix** called for a vote on said order:

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

The following reports/announcements were provided during the meeting:

- **President Priester** recognized **Eric Jefferson**, Director of Planning and Development, provided Council with a brief report regarding some issues with the transition of Jatran going from one service provider to another, some proposed service changes and maintenance concerns. **Mr. Jefferson** stated that Jatran currently offer twelve (12) routes within the City with hours of operations Monday through Friday 5:15 a.m. until 7:45 p.m. and 6:15 a.m. until 6:45 p.m. on Saturdays. **Mr. Jefferson** stated that bus routes with low ridership, would be offered an alternative of providing a public dial-a-ride service. This would allow constituents to have adequate access to transportation and would save the City the expense of operating large buses with low ridership. **Mr. Jefferson** stated that an internal audit was performed on the fleet and it was determined that only eight (8) buses pass FTA standards for roadworthiness. NEXT provided the City with a detailed corrective action plan- first phase repairs in 60 days, second phase repairs to be completed within 180 days. **Mr. Jefferson** stated that there are three contracting models:
 1. Transit Management Contract- agency contracts with a private sector company to provide a manager to oversee operations and staff.
 2. Operating Contract- agency contracts with company to operated and manage its operations, while agency handles administrative tasks.
 3. Public-Private Operating Partnership- agency delegates the management and operations to a private sector partner.

President Priester recognized **James Anderson**, Special Assistant to the City Attorney, who stated for the record that statements being made regarding Jatran were not solicited by the Council or the Administration. **Mr. Anderson** also, stated that statements made by the involved parties might be used against them pending litigation.

Thereafter, **President Priester** recognized the following individuals who provided limited comments regarding the report that was presented on Jatran:

- **Gladys Bunzy**, President of Fixed Routes Committee for Jatran, encouraged the City to keep the passengers of Jatran in mind when making their decisions.
- **Scott M. Crawford**, Chair of Para transit Advisory Committee, asked that the City look at what caused the deplorable conditions of the Jatran buses and work on correcting the issue.

- **Alphonso Burns, Jr.**, a representative of Local 1208, asked that Council keep the following questions in mind while going forward:

1. Can service be provided with Jatran's current fleet?
2. What would be the effect of the current contracts?

Council Member Stamps moved, seconded by **Council Member Priester** to consider going into Executive Session to discuss matters regarding potential litigation. The motion prevailed by the following vote:

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

Council Member Stamps moved and **Council Member Priester** seconded to go into Executive Session to discuss matters regarding potential litigation. The motion prevailed by the following vote:

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

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

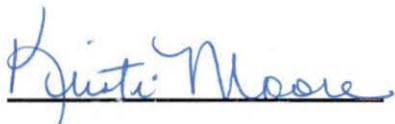
Yeas- Foote, Hendrix, Priester and Stamps.
Nays- None.
Absent- Barrett-Simon, Stokes and Tillman.

President Priester announced that the Council voted to come out of Executive Session and no action was taken.

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 10:00 a.m. on Tuesday, November 3, 2015 and at 10:57 a.m., the Council stood adjourned.

ATTEST:

APPROVED:


CITY CLERK


MAYOR

11.17.15
DATE
