

REGULAR MEETING OF THE CITY COUNCIL

TUESDAY, JUNE 23, 2020 6:00 P.M.

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 6:00 p.m. on June 23, 2020, being the fourth Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Virgi Lindsay, Council President, Ward 7; De’Keither Stamps, Vice President, Ward 4; Ashby Foote, Ward 1; Charles Tillman, Ward 5 and Aaron Banks, Ward 6. Directors: Chokwe Antar Lumumba, Mayor; Shanekia Mosley, Clerk of Council; John W. Carroll, Sr., Chief Deputy Clerk of Council and Timothy Howard, City Attorney.

Absent: Kenneth Stokes, Ward 3.

The meeting was called to order by **President Virgi Lindsay**.

The invocation was offered by **Timothy Howard, City Attorney**.

The Council recited the Pledge of Allegiance.

There came on for Introduction, Agenda Item No. 2:

ORDINANCE BANNING GERRYMANDERING IN THE CITY OF JACKSON. Said item would be placed on the next Regular Council agenda to be held on July 7, 2020 for adoption.

ORDER APPROVING CLAIMS NUMBER 23100 to 23190 APPEARING AT PAGES 140 TO 176, INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$7,699,585.72 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 23100 to 23190 appearing at pages 140 to 176, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$7,699,585.72 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
GENERAL FUND	1,094,559.21
TECHNOLOGY FUND	2,431,758.37
PARKS & RECR. FUND	117,454.19
LANDFILL/SANITATION FUND	160,812.96
FIRE PROTECTION	4,276.17
STATE TORT CLAIMS FUND	4,000.00
WATER/SEWER OP & MAINT FUND	1,562,121.67
WATER/SEWER CAPITAL IMPR FUND	291,600.00
EMPLOYEES GROUP INSURANCE FUND	126,182.12
KELLOGG FOUNDATION PROJECT	47,500.00
NARCOTICS EVIDENCE ESCROW	9,204.80
EARLY CHILDHOOD (DAYCARE)	6,904.53

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JUNE 23, 2020 6:00 P.M.**

HOUSING COMM DEV ACT (CDBG) FD	183,440.53
EMERGENCY SHELTER GRANT (ESG)	4,577.45
HOME PROGRAM FUND	52,635.00
H O P W A GRANT – DEPT. OF HUD	41,091.89
TITLE III AGING PROGRAMS	28,510.00
G O PUB IMP CONS BD 2003 (\$20M)	39,500.00
1% INFRASTRUCTURE TAX	718,124.48
WATER/SEWER CAP IMP NOTE 7M	100,299.09
TRANSPORTATION FUND	22,377.13
JXN CONVENTION & VISITORS BUR	191,366.24
RESURFACING – REPAIR & REPL FD	424,921.32
POLICE PROP EVIDENCE CASH FUND	4,058.42
P E G ACCESS – PROGRAMMING FUND	6,902.01
CAPITAL CITY REVENUE FUND	175.42
MHC BLIGHT ELIMINATION PROGRAM	18,779.22
LIBRARY FUND	9,453.50
TOTAL	<u>\$7,699,585.72</u>

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

President Lindsay recognized **LaaWanda Horton**, Director of Administration, who provided a brief overview of the Claims Docket at the request of **President Lindsay**.

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

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

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 23100 TO 23190 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 23100 to 23190 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$124,059.26 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		1,823,072.51
PARKS & RECR FUND		84,676.17
LANDFILL FUND		18,144.81
SENIOR AIDES		9,753.32
WATER/SEWER OPER & MAINT		196,899.65
PAYROLL	124,059.26	
EARLY CHILDHOOD		30,770.17
HOUSING COMM DEV		8,843.12
TITLE III AGING PROGRAMS		4,134.18
TRANSPORTATION FUND		14,739.46

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JUNE 23, 2020 6:00 P.M.**

211

PEGACCESS-PROGRAMMING FUND	4,702.05
TOTAL	\$2,195,735.44

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

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

Nays – None.

Absent – Priester and Stokes.

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President Lindsay requested that Agenda Items No. 32 and No. 11, respectively, be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER AUTHORIZING ACCEPTANCE OF MONETARY DONATIONS FOR THE CAPITOL STREET IMPROVEMENTS PHASE 2 PROJECT.

WHEREAS, the City of Jackson intends to reconstruct sidewalks and improve the streetscape along Capitol Street between Lamar Street and West Street and make improvements to the streetscape; and

WHEREAS, Downtown Jackson Partners has expressed interest in donating funds to the City of Jackson in the amount of \$80,000.00 towards the project; and

WHEREAS, The Cummings Foundation has expressed interest in donating funds to the City of Jackson in the amount of \$80,000.00 towards the project; and

WHEREAS, the City Council of the City of Jackson finds that the participation of non-profit foundations in raising funds for construction will benefit the general public and allow for completion of the Capitol Street Improvements Phase 2 Project.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to accept a monetary donation from the Downtown Jackson Partners in the amount of \$80,000.00 and a monetary donation from the Cummings Foundation in the amount of \$80,000.00 for construction and engineering of the Capitol Street Improvements Phase 2 Project and that said donation shall be deposit in a separate account solely for use on the project.

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

President Lindsay recognized **Robert Lee**, Public Works Department, who recommended said order be amended changing “Cummings Foundation” to “Community Foundation of Mississippi”.

Council Member Foote moved; seconded by **President Lindsay** to amend said order to reflect the changes as stated by **Robert Lee**, Public Works Department. The motion prevailed by the following vote:

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

Nays – None.

Absent – Priester and Stokes.

Note: Council Member Priester arrived to the meeting.

President Lindsay recognized **Mr. Jim Ingram**, who gave a brief overview of the Capitol Street Improvement Phase 2 project.

After a thorough discussion, **President Lindsay** called for a vote on the item as amended:

ORDER AUTHORIZING ACCEPTANCE OF MONETARY DONATIONS FOR THE CAPITOL STREET IMPROVEMENTS PHASE 2 PROJECT.

WHEREAS, the City of Jackson intends to reconstruct sidewalks and improve the streetscape along Capitol Street between Lamar Street and West Street and make improvements to the streetscape; and

WHEREAS, Downtown Jackson Partners has expressed interest in donating funds to the City of Jackson in the amount of \$80,000.00 towards the project; and

WHEREAS, The Community Foundation of Mississippi has expressed interest in donating funds to the City of Jackson in the amount of \$80,000.00 towards the project; and

WHEREAS, the City Council of the City of Jackson finds that the participation of non-profit foundations in raising funds for construction will benefit the general public and allow for completion of the Capitol Street Improvements Phase 2 Project.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to accept a monetary donation from the Downtown Jackson Partners in the amount of \$80,000.00 and a monetary donation from the Community Foundation of Mississippi in the amount of \$80,000.00 for construction and engineering of the Capitol Street Improvements Phase 2 Project and that said donation shall be deposit in a separate account solely for use on the project.

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH OCTAGON GROUP, LLC TO PROVIDE LOBBYING SERVICES TO THE CITY OF JACKSON FOR THE YEAR COMMENCING JUNE 24, 2020.

WHEREAS, Octagon Group, LLC is a Mississippi Limited Liability Company in good standing, whose principal office address is 100 West Amite Street, Jackson, Mississippi according to the Mississippi Secretary of State's online database; and

WHEREAS, Quincy Mukoro is a member of Octagon Group, LLC; and

WHEREAS, the City of Jackson previously entered into a contract with Octagon Group, LLC to provide lobbying services at federal and state levels of government for a twelve (12) month period, which was to commence upon execution of the agreement by both parties; and

WHEREAS, the twelve (12) month period has expired, and the 2020 legislative sessions have commenced; and

WHEREAS, Octagon Group, LLC has advised the City that it is amenable to providing lobbying services to the City of Jackson on the same terms and conditions contained within the previous contract; and

WHEREAS, the compensation term contained with the previous contract set forth a compensation term of \$135,000.00 inclusive of expenses save for extraordinary expenses which must be approved by the City in writing; and

WHEREAS, the best interest of the City of Jackson would be served by authorizing the Mayor of the City of Jackson to execute a contract with Octagon Group, LLC to provide state and federal lobbying services to the City on the same terms and conditions of the previous contract.

IT IS, THEREFORE, ORDERED that the Mayor shall be authorized to execute an agreement with Octagon Group, LLC to provide state and federal lobbying services to the City of Jackson upon the same terms and conditions as the previous twelve (12) month agreement beginning on June 24, 2020.

IT IS FURTHER ORDERED that a sum not to exceed \$135,000.00 may be paid to Octagon Group LLC for services provided under the agreement, which shall include all fees and expenses associated with the services with the exception of extraordinary expenses that must be authorized and approved prior to by the City in writing.

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

President Lindsay recognized **Quincy Mukoro**, a representative of the Octagon Group, LLC, who provided a brief overview of his lobbying services for the City of Jackson.

After a thorough discussion, **President Lindsay** called for a vote:

Yeas – Banks, Priester, Stamps and Tillman.

Nays – Foote and Lindsay.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF AGREEMENT ETWEEN THE CITY OF JACKSON AND AT&T FOR LANDLINE SERVICES UNDER RFP NO. 4000, STATE CONTRACT NO. 4000-1.

WHEREAS, the State of Mississippi submitted a Request for Proposal for various land line services

- Statewide Data and Voice Network Services
- IntraLATA Long Distance
- InterLATA Long Distance
- Toll Free Services
- WAN Equipment and Integrated Services
- Internet Access; and

WHEREAS, a State Contract has been approved with AT&T to provide such services for municipalities and state agencies: and

WHEREAS, the Division of Telecommunications under the Department of Administration recommends entering into an agreement with AT&T for land line services at a reduced rate under State Contract No. 4000-1 for a period of three (3) years.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a Letter of Agreement with AT&T and for various land line services at a reduced rate as listed under State Contract No. 4000-1.

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

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

Nays – None.

Absent – Stokes.

ORDER RATIFYING THE ACCEPTANCE OF SECURITY SERVICES PROVIDED BY CAPITAL CITY SECURITY INC., AUTHORIZING PAYMENT FOR SAID SERVICES, AND AUTHORIZING AN AGREEMENT WITH CAPITAL CITY SECURITY INC. FOR SECURITY SERVICES AT THE MUNICIPAL COURT FROM JUNE 1, 2020 THROUGH SEPTEMBER 30, 2020.

WHEREAS, the Department desires that vendor invoices and requests for payments from March 1, 2020 through present be honored and ratified in an amount of Six Thousand Two Hundred Ninety-Four Dollars and Twenty-Five Cents (\$6,294.25); and

WHEREAS, the Department proposes to enter into an agreement with Capital City Security, Inc. for a term period of June 1, 2020 through September 30, 2020.

IT IS, THEREFORE, ORDERED that security services performed by Capital City Security, Inc. from March 1, 2020 through the present are hereby ratified, and the payment of Six Thousand Two Hundred Ninety-Four Dollars and Twenty-Five Cents (\$6,294.25) is authorized.

IT IS FURTHER ORDERED that the Mayor is hereby authorized to execute an agreement with Capital City Security, Inc. for security services for a term period of June 1, 2020 through September 30, 2020 in an amount to exceed Six Thousand Two Hundred Ninety-Four Dollars and Twenty-Five Cents (\$6,294.25).

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE RICOH COMPANY, LTD. FOR A 48-MONTH RENTAL OF FOUR PRODUCTION COPIERS TO BE USED BY THE DIVISION OF PUBLICATIONS.

WHEREAS, on May 26, 2020, the Division of Publications solicited quotes from vendors for the rental of four (4) copier machines for a period of forty-eight (48) months; and

WHEREAS, five companies responded to the request for quotes; and

WHEREAS, RICOH Company, Ltd. ("Ricoh") presented the most cost-efficient quote meeting the Division of Publication's requirements: and thus, saving a total of \$20,003.41 through a 90-day deferral program and rebates on both color machines due to COVID-19; and

WHEREAS, based on the above, the Division of Publications recommends entering into an agreement with Ricoh at a cost \$3,413.55 for a period of forty eight (48) months in addition to a copy charge averaging 0.040 b/w and 0.039 color per month to include all parts labor, travel, toner and staples to provide the following four production copiers:

- Ricoh ProC8310S copier,
- Ricoh ProC8300S black and white production copier,
- Ricoh ProC5310S, and
- Ricoh ProC5300S production color copier.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an agreement and any other necessary documents with RICOH Company, Ltd. providing for a 48-month rental of four (4) Ricoh production copiers plus a copy charge averaging \$0.040 black/white per click and \$0.039 color per click per month and to include all parts labor, travel, toner and staples.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48-MONTH RENTAL AGREEMENT WITH ADVANTAGE BUSINESS SYSTEM FOR A DIGITAL IMAGING SYSTEM WITH MAINTENANCE TO BE USED IN THE TRAFFIC MAINTENANCE SECTION OF HE INFRASTRUCTURE MANAGEMENT DIVISION OF THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the Traffic Maintenance Section Infrastructure Management Division of the Public Works Department desires to enter into a 48-month rental agreement of a copier machine; and

WHEREAS, Advantage Business Systems provides a Konica Minolta Bizhub 368 Digital Copier with auxiliary equipment through State of Mississippi Contract #8200050619; and

WHEREAS, the Advantage Business Systems has an office located in the City of Jackson, Mississippi; and

WHEREAS, it is the recommendation of the Department of Public Works that a contract is approved with Advantage Business Systems.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the necessary document with Advantage Business Systems providing for the 48-month rental for a Konica Minolta Bizhub 368e Black/White Copier with auxiliary equipment at the cost of \$137.00 per month to include a copy charge of \$0.0079 (Black and White), and a maintenance fee of \$23.70 for labor, parts, toner and drum, except paper or staples.

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

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

Nays – None.

Absent – Stokes.

ORDER REVISING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2019-2020.

WHEREAS, in the Fiscal Year 2019-2020 a new fund was added to record the Siemens Settlement Funds.

IT IS HEREBY, ORDERED, that the Fiscal Year 2019-2020 Siemens Settlement Fund be added and the Municipal Budget revised as follows:

SIEMENS SETTLEMENT

	Debit	Credit
<u>Siemens settlement Account – Fund 376</u>		
376-5794		\$59,829,531
376-581.00-6736	\$10,458,598	
376-581.00-6750	\$36,756,133	
376-581.00-6751	\$12,614,800	

Recording the proceeds of the Siemens settlement on the City Books.

<u>Water/Sewer Contingency - Fund 33</u>		
33-5912		\$14,716,028
33-520.30-6753	\$7,358,014	
33-522.80-6753	\$7,358,014	

The 1/12 of Operations and the 2/12 of Contingency of Operations per Bond Covenant.

<u>General Fund – Fund 1</u>		
1-5912		\$12,614,800
1-493.00-6736	\$12,614,800	

The payback of the loan from the General Fund.

<u>Water/Sewer Capital Improvements – Fund 32</u>		
32-5912		\$3,500,000
32-522.90-6485	\$3,500,000	

Sewer Emergencies Repairs

Water/Sewer REFD B & I 2011A-Water – Fund 211

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JUNE 23, 2020 6:00 P.M.

216

211-5912	\$3,980,086
211-577.00-6611	\$2,726,667
211-577.00-6612	\$1,253,419

Series 2011A - Water Refunding Bond 1/6 of Interest and 1/12 of Principle payments for FY2019-2020.

Water/Sewer REFD B & I 2011B-Sewer – Fund 211

211-5912	\$ 212,836
211-577.10-6611	\$ 128,333
211-577.10-6612	\$ 84,503

Series 2011B - Sewer Refunding Bond 1/6 of Interest and 1/12 of Principle payments for FY2019-2020.

Water/Sewer Revenue B & I 2013A-Water – Fund 220

220-5912	\$2,666,909
220-577.80-6611	\$1,060,625
220-577.80-6612	\$1,606,284

Series 2013A - Revenue Water Bond 1/6 of Interest and 1/12 of Principle payments for FY2019-2020.

Water/Sewer Revenue B & I 2013B-Sewer – Fund 220

220-5912	\$2,666,909
220-577.85-6611	\$1,060,625
220-577.85-6612	\$1,606,284

Series 2013B - Sewer Revenue Bond 1/6 of Interest and 1/12 of Principle payments for FY2019-2020.

Water/Sewer REFD B & I 2012A-Water – Fund 258

258-5912	\$3,559,396
258-577.91-6611	\$1,273,333
258-577.91-6612	\$2,286,063

Series 2012A - Refunding Water Bond 1/6 of Interest and 1/12 of Principle payments for FY2019-2020.

Water/Sewer REFD B & I 2012B-Sewer – Fund 258

258-5912	\$2,286,835
258-577.92-6611	\$2,260,000
258-577.92-6612	\$ 26,835

Series 2012B - Refunding Sewer Bond 1/6 of Interest and 1/12 of Principle payments for FY2019-2020.

Water/Sewer REFD B & I 2016-Water – Fund 500

500-5912	\$3,167,134
500-577.93-6611	\$2,816,667
500-577.93-6612	\$ 350,467

Series 2016 - Revenue Refunding Water Sewer Bond 1/6 of Interest and 1/12 of Principle payments for FY2019-2020.

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

President Lindsay recognized **LaaWanda Horton**, Director of Administration, who provided a brief overview of said item.

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

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

ORDER CONFIRMING THE MAYOR’S APPOINTMENT OF STEVE DAVIS TO THE HISTORIC PRESERVATION BOARD.

WHEREAS, the Historic Preservation Board consists of seven (7) members, two (2) at large for a term of three (3) years; and

WHEREAS, the Ward 1 seat on the Board has been vacated; and

WHEREAS, Steve Davis, resident of Ward 1, after evaluation of his qualifications, has been appointed by the Mayor to fill said vacancy.

IT IS THEREFORE ORDERED that the Mayor’s appointment of Steve Davis to the Historic Preservation Board be confirmed with said term to expire June 23, 2023.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF JACKSON (JACKSON MEALS MATTER) AND THE DRAW A SMILE FOUNDATION INC. TO CONTINUE THE ANTI-HUNGER CAMPAIGN EFFORTS, AND AUTHORIZING A MATCHING GRANT IN THE AMOUNT OF FIVE THOUSAND DOLLARS.

WHEREAS, Section 21-17-5 of the Mississippi Code Annotated (1972), as amended, states that “the governing authorities of every municipality of this state shall have the care, management, and control of municipal affairs, its property and finances”; and

WHEREAS, the City of Jackson through its Department of Human and Cultural Services and the Draw A Smile Foundation, Inc. desire to continue the anti-hunger campaign efforts after the official conclusion of the Jackson Meals Matters’ CHAMPS Grant; and

WHEREAS, Draw A Smile Foundation, Inc., has the proper 501(c) (3) designation; and

WHEREAS, the City of Jackson through its Department of Human and Cultural Services shall provide a matching grant in the amount of Five Thousand Dollars (\$5,000.00) to Draw A Smile Foundation, Inc. to continue the anti-hunger campaign efforts began by the City under the Jackson Meals Matters’ CHAMPS Grant.

IT IS HEREBY ORDERED that the Mayor is authorized to execute a Memorandum of Understanding between the City of Jackson, Mississippi and the Draw A Smile Foundation, Inc. to assist with the anti-hunger campaign after the official conclusion of the Jackson Meals Matters’ CHAMPS Grant.

IT IS FURTHER ORDERED that a matching grant in the amount of Five Thousand Dollars (\$5,000.00), with funds from the CHAMPS GRANT (Jackson Meals Matter) is hereby authorized.

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

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

ORDER RATIFYING THE CONTRACTS FOR PERFORMANCES AND EVENTS AT THALIA MARA HALL.

WHEREAS, the City of Jackson, Mississippi ("City of Jackson") and Thalia Mara Hall are committed to bringing and attracting a diverse offering of live entertainment; and

WHEREAS, the City Council has authorized the Mayor to sign contracts prior to Council approval in order to protect the process of contracts with promoters and complete them in a timely manner; and

WHEREAS, all the attached contracts have been executed by the Mayor, and contracts are used in a standard format for all events: and

WHEREAS, the deposits have been paid for the event by the promoter, and need City Council ratification; and

WHEREAS, the following contracts are for:

<u>Event</u>	<u>Entity</u>	<u>Event Date</u>
Jeanne Robertson	Al McCree Entertainment	May 21, 2021

IT IS HEREBY ORDERED that the included contracts, and the Mayor's execution of the same are ratified by the City Council for the following: Al McCree Entertainment.

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

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

ORDER AUTHORIZING THE MAYOR TO APPLY TO CENTRAL MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT AREA AGENCY ON AGING FOR GRANTS TO PROVIDE CONGREGATE MEALS, HOME-DELIVERED MEALS, TRANSPORTATION, AND OUTREACH SERVICES TO ELDERLY INDIVIDUALS FOR THE 2020-2021 FISCAL YEAR.

WHEREAS, the City of Jackson has been providing congregate meals, home-delivered meals, transportation, and outreach services to elderly individuals and individuals with disabilities since 1972; and

WHEREAS, the City of Jackson was awarded \$510,256.00 in grant funds by Central Mississippi Planning and Development District Area Agency on Aging and \$3,237.00 in State funds to provide congregate meals, home-delivered meals, transportation, and outreach services during the 2019-2020 fiscal year; and

WHEREAS, the City contributed matching funds in the amount of \$334,035.00 for the 2019-2020 fiscal year; and

WHEREAS, during the current fiscal year, the City of Jackson has served 376 individuals in the Congregate Meals Program, 363 individuals in the Home-Delivered Meals Program, 411 individuals in the Transportation Program, and 2371 individuals its Outreach Services Program; and

WHEREAS, it is in the best interest of the City of Jackson and its citizenry to continue providing the referenced services; and

WHEREAS, it is also in the best interest of the City of Jackson to apply for funding from the Central Mississippi Planning and Development District Area on Aging for the 2020-2021 fiscal year in order to ensure the continued provision of the services.

IT IS HEREBY ORDERED that the Mayor be authorized to submit an application to Central Mississippi Planning and Development District Area Agency on Aging for funding to support the of Congregate Meals, Home-Delivered Meals, Transportation, and Outreach Services Programs for the 2020-2021 fiscal year.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACTUAL AGREEMENT WITH THE JACKSON MEDICAL MALL FOUNDATION FOR THE 2020-2021 FISCAL YEAR FOR THE SENIOR TRANSPORTATION PROGRAM OF THE CITY OF JACKSON.

WHEREAS, the City of Jackson, Mississippi (“City of Jackson”), implemented the Senior Transportation Program in 1972, and has continued the provision of said services since that time; and

WHEREAS, during the current fiscal year the City of Jackson served 425 persons in the Senior Transportation Program; and

WHEREAS, the Central Mississippi Planning and Development District/Area Agency on Aging has informed the City of Jackson that it is eligible to receive anticipated federal funds in the amount of One Hundred Forty-Two Thousand and One Hundred and Fifteen Dollars (\$142,115.00); and

WHEREAS, Mississippi Department of Transportation has informed the City of Jackson that it is eligible to receive federal funds in the amount of Two Hundred Fourteen Thousand and Eight Hundred and Eighty Five Dollars (\$214,885.00); and

WHEREAS, the City must provide a twenty – five percent (25%) local cash match in the amount of Forty Seven Thousand Three Hundred and Seventy Two Dollars (\$47,372.00) for the grant with Central Mississippi Planning and Development District/Area Agency on Aging; and One Hundred Fifty Two Thousand and Six Hundred Twenty Eight Dollars (\$152,628.00) for the operation of the Senior Transportation Program; for a total local cash match in the amount of Two Hundred Thousand Dollars (\$200,000.00).

IT IS HEREBY ORDERED that the Mayor be authorized to execute a Contractual Agreement with the Jackson Medical Mall Foundation for the Senior Transportation Program for the period of October 1, 2020 through September 30, 2021.

IT IS FURTHER ORDERED that the local match of Two Hundred Thousand Dollars (\$200,000.00) be provided from the General Fund.

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

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

ORDER RATIFYING SERVICES PROVIDED BY JERMEY HENRY, FOR SECURITY SERVICES PROVIDED AT VARIOUS CITY OF JACKSON DEPARTMENT OF PARKS AND RECREATION GYMNASIUMS, JANUARY 24, 2020 THROUGH MARCH 7, 2020 AND AUTHORIZING PAYMENT FOR SAID SERVICES.

WHEREAS, the City of Jackson, Department of Parks and Recreation offers a variety of fun-filled family sports entertainment for patrons of all ages; and

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JUNE 23, 2020 6:00 P.M.**

WHEREAS, the Department takes great pride in offering sworn officers for security purposes, to ensure the safety of all guests and participants; and

WHEREAS, the Department of Parks and Recreation desires to ensure Invoice Number 00011 is honored and paid, where security services were provided at various City of Jackson, Department of Parks and Recreation gymnasiums, January 24, 2020 through March 7, 2020; and

ITEM	DESCRIPTION	QTY.	RATE	ACCOUNT NUMBER	AMOUNT DUE
Security Services at: Champion, Kurts, Medgar Evers, Sykes & Westside Gymnasiums	Deputies provided security services at five (5) gymnasiums, working 3 – 4 hours per day (January 24, 2020 through March 7, 2020)	82 Hours	\$25.00 Per Hour	005-501.26-6419	\$2,050.00

WHEREAS, vendor has provided an invoice and requests for payment from January 24, 2020 through March 7, 2020.

IT IS, THEREFORE, ORDERED that the security services provided by Jerney Henry are hereby ratified, and payment for said services in the amount of \$2,050.00 is authorized.

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

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

Nays – Stamps.

Absent – Stokes.

ORDER AUTHORIZING THE PAYMENT TO VARIOUS VENDORS FOR THE JACKSON ZOOLOGICAL PARK, THROUGH SEPTEMBER 30, 2020.

WHEREAS, the Department of Parks and Recreation desires to retain current vendors to ensure they are paid timely and expeditiously for a variety of services necessary to ensure continuous internet, wi-fi, telephone and security monitoring services at the Jackson Zoological Park, while negotiations between the City and ZoOceanarium continue; and

WHEREAS, said vendors shall provide detailed invoices and requests for payments through September 30, 2020 pending contract negotiations with prospective outside zoo management:

JACKSON ZOOLOGICAL PARK VENDORS				
	Vendor	Invoice No.	Billing Date	Invoice Amt.
1.	Comcast Business Zoo Acct. No.: 001-498.00-6419 Payments not to exceed \$3,500.00	100573970	05-01-20	*\$2,376.66 <i>Payment Due 06-01-20</i>
		None	04-27-20	\$342.29 <i>Payment Due 05-18-20</i>
		None	04-17-20	\$43.82 <i>Payment Due:</i>
		98894942	04-01-20	*\$1,775.93 - Past due amount included in \$2,376.66 statement.
		97232073	03-01-20	*\$1,185.26 – Past due amount included in

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JUNE 23, 2020 6:00 P.M.**

				\$1,775.95 statement.
				Total.....\$2,762.77
2.	Pennington & Trim Alarm Services, Inc. Zoo Acct. No.: 001-498.00-6419 Payments not to exceed \$1,200.00	704827	04-01-20	\$234.00

WHEREAS, each vendor shall be paid up to and not to exceed the amounts listed above in the table.

IT IS, THEREFORE, ORDERED that the City is hereby authorized to make payments to vendors, in reference to all requests for payments necessary to ensure continuous internet, wi-fi, telephone and security monitoring services, through September 30, 2020 at the following costs per vendors:

JACKSON ZOOLOGICAL PARK VENDORS				
	Vendor	Invoice No.	Billing Date	Invoice Amt.
1.	Comcast Business Zoo Acct. No.: 001-498.00-6419 Payments not to exceed \$3,500.00	100573970	05-01-20	*\$2,376.66 <i>Payment Due 06-01-20</i>
		None	04-27-20	\$342.29 <i>Payment Due 05-18-20</i>
		None	04-17-20	\$43.82 <i>Payment Due:</i>
		98894942	04-01-20	*\$1,775.93 - Past due amount included in \$2,376.66 statement.
		97232073	03-01-20	*\$1,185.26 – Past due amount included in \$1,775.95 statement.
				Total.....\$2,762.77
2.	Pennington & Trim Alarm Services, Inc. Zoo Acct. No.: 001-498.00-6419 Payments not to exceed \$1,200.00	704827	04-01-20	\$234.00

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE SALE OF LOST, STOLEN, ABANDONED, AND MISPLACED MOTOR VEHICLES AND EQUIPMENT AT A PUBLIC AUCTION ON AUGUST 22, 2020.

WHEREAS, the City of Jackson routinely receives and recovers lost, stolen, abandoned or misplaced motor vehicles which must be disposed of pursuant to the procedure set forth in Section 21-39-21, Mississippi Code of 1972, as Amended; and

WHEREAS it is required under said statute to sell lost, stolen, abandoned, or misplaced motor vehicles and equipment at a public auction; and

WHEREAS, when governing authorities approve the auction a list of the motor vehicles and equipment available for sale at a public auction will be placed on file with the City Clerk, and posted in accordance with Section 21-39-21, Mississippi Code of 1972, as Amended.

IT IS HEREBY ORDERED that motor vehicles and equipment be sold at a public auction to be held at 4225-C Michael Avalon Street on August 22, 2020, pursuant to compliance with Section 21-39-21, Mississippi Code of 1972, as Amended.

IT IS FURTHER ORDERED that the Jackson Police Department designee be authorized to sign such documents as necessary to declare those vehicles and equipment which are sold at said auction to be abandoned.

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

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

Nays – None.

Absent – Stokes.

ORDER ACCEPTING THE BID OF PICCADILLY RESTAURANT A/K/A PICCADILLY HOLDINGS, LLC FOR LICENSED CATERING FOOD SERVICES FOR THE CITY OF JACKSON POLICE TRAINING ACADEMY, (BID NO. 96115-050520).

WHEREAS, sealed bids for a one-year term with an option of a three-year extension in one-year intervals for Licensed Catering Food Services were opened April 16, 2020, wherein only two (2) bids were received; and

WHEREAS, the City of Jackson Police Training Academy (“Academy”) will use this service to provide meals for the recruits during training sessions; and

WHEREAS, the staff at the Academy has reviewed all bids submitted, and bids were submitted from (1) Piccadilly Restaurant a/k/a/ Piccadilly Holdings, LLC (“Piccadilly”) and (2) the Rods’s House, Inc. d/b/a/ Cheat Mealz; and

WHEREAS, inasmuch as Piccadilly’s bid was the lowest bid received, and provided the same, or better, quality of services, it is recommended that the governing authorities for the City of Jackson, Mississippi (“City”) deem the bid submitted by Piccadilly to be the lowest and best bid received; and

WHEREAS, Piccadilly will provide food catering services during the 13 – week recruit training for fifty (50) recruits and the Academy Staff at a cost of no more than \$71,409.00; and

WHEREAS, Piccadilly will operate under a term of one year with a three (3) year option extension in one-year intervals; and

WHEREAS, Piccadilly will deliver all meals at no additional cost to the Academy, cater the meals on-site to the recruit class and staff; and adhere to all of the requirements outlined in RFP 96115-050520; and

WHEREAS, the City shall reserve the right to cancel the contract if the provider fails to perform as agree, or other problems arise which cannot be resolved with a fifteen (15) day notice.

IT IS, THEREFORE, ORDERED that Piccadilly’s bid for a one-year term with an option of a three-year extension in one-year intervals for Licensed Catering Food Services, having been determined to be the lowest and best bid, be accepted by the City.

IT IS FURTHER ORDERED that the Mayor is hereby authorized to execute a contract with Piccadilly Holdings, LLC, containing the terms provided herein and such other terms as the law requires.

FINALLY, IT IS ORDERED that payment for food services be paid from the General Fund, Acct #001-442-26-6419.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A SINGLE COOPERATIVE AGREEMENT WITH CENTRAL MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT AND MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO CONTINUE TO PARTICIPATE IN THE METROPOLITAN TRANSPORTATION PLANNING PROCESS.

WHEREAS, the Central Mississippi Planning and Development District “CMPDD” has been designated by the Governor of the State of Mississippi as the “Metropolitan Planning Organization-MPO” pursuant to certain provisions of the United States Code; and

WHEREAS, the City of Jackson and the MPO entered into a Cooperative Agreement on May 16, 2014; and

WHEREAS, the Federal Transit Administration “FTA” and Federal Highway Administration “FHWA” is requesting one single planning agreement between the MPO, City of Jackson, and Mississippi Department of Transportation to address the metropolitan transportation planning process; and

WHEREAS, the City of Jackson desires to maintain a continuing, cooperative and comprehensive (3-C) metropolitan transportation planning and programming process as defined and required by the United State Department of Transportation “USDOT” regulations 23 CFR 134, 49 USC 5303, and 23 CFR 450; and

WHEREAS, on December 4, 2015, Congress enacted a new transportation law, Fixing America’s Surface Transportation Act (FAST Act) which modifies the previous transportation law, Moving Ahead for Progress in the 21st Century Act (MAP-21); and

WHEREAS, as such, federal law mandated the City of Jackson, MPO, and MDOT to enter into a single cooperative agreement specifying procedures for carrying out transportation planning and programming, with said agreement to set forth mutual responsibilities of each entity; and

WHEREAS, the City of Jackson, Mississippi, is the only operator of publicly owned urban transit service in the Jackson Metropolitan area; and

WHEREAS, a new cooperative agreement is necessary to reflect the requirements of the FAST Act.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the cooperative agreement with Central Mississippi Planning and Development District, the designated MPO for the Jackson Metropolitan Area and Mississippi Department of Transportation to specify cooperative procedures for carrying out transportation planning and programming in the metropolitan area and mutual responsibilities of each entity.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48-MONTH RENTAL AGREEMENT AND RELATED DOCUMENTS WITH ADVANTAGE BUSINESS SYSTEMS FOR A KONICA MINOLTA BIZHUB C659 COPIER TO BE USED BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT, OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT.

WHEREAS, the Department of Planning and Development, Office of Housing and Community Development Division, desires to enter into a 48-month rental agreement of a copier machine; and

WHEREAS, Advantage Business Systems provides a Konica Minolta Bizhub C659 Copier through the State of Mississippi Contract #82-00044604 which meets the needs of the Division; and

WHEREAS, Advantage Business Systems will provide the machine to the City of Jackson at a cost of \$342.00 per month, plus all black/white billed @ .008 and all color copies billed at .05 per copy to include service and maintenance and staples; and

WHEREAS, the Office of Housing and Community Development Division recommends that the Mayor be authorized to execute the agreement and related documents with Advantage Business Systems.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the agreement and related documents with Advantage Business Systems, providing for the 48-month rental of a Konica Minolta Bizhub C659 Copier, to meet the needs of the Office of Housing and Community Development as related to the functions of said division, at a cost of \$342.00 per month, plus all black/white billed @ .008 and all color billed @ .05 per copy to include service and maintenance and staples.

IT IS FURTHER ORDERED that payment for said rental be made from the U.S. Department of Housing and Urban Development grant funds.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE CANCELLATION OF LIENS WITH HINDS COUNTY CHANCERY CLERK REGARDING ADJUDICATED COSTS AND PENALTIES IN THE AMOUNT OF \$19,205.00 ASSESSED FOR THE CLEANING OF PARCEL #131-113 LOCATED AT 0 ROSENEATH AVENUE (FORMERLY 504 ROSENEATH AVENUE), JACKSON, MS.

WHEREAS, on July 17, 2007 the Jackson City Council passed a resolution for Case #2007-3212, which is recorded at Minute Book 5Q Pages 239-243, that declared Parcel #131-113 to be a menace to public health and safety; and

WHEREAS, on November 20, 2007 and September 9, 2008 the Jackson City Council passed resolutions for Case # 2007-3419, which are recorded at Minute Book 5R Pages 152-158 and Minute Book 5S Pages 434-444, that declared Parcel #131-113 to be a menace to public health and safety; and

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code, the City of Jackson addressed the conditions on the property constituting a menace to public health and safety when the owner of the parcel failed to do so; and

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code, the Jackson City Council assessed actual costs and penalties for the cleaning of Parcel #131-113 by passing resolutions on November 20, 2007 and April 21, 2009, which are recorded in Minute Book 5R Pages 159-160 for Case #2017-3212 and Minute Book 5U Pages 218-220 for Case #2017-3419; and

WHEREAS, consistent with Section 21-19-1 of the Mississippi Code, the resolutions approved by the Jackson City Council authorized filing of Lis Pendens with the Hinds County Chancery Clerk; and

WHEREAS, Parcel #131-113 was struck to the State of Mississippi in 2009 for delinquent 2006 taxes; and

WHEREAS, the State of Mississippi Public Lands division issued Forfeited Tax Land Patent #78287 for parcel #131-113 to the City of Jackson on February 10, 2010; and

WHEREAS, the Mississippi Secretary of State provided notice to the Clerk of the Chancery Court of the transfer of parcel #131-113 to the City of Jackson on February 23, 2010; and

WHEREAS, said notice, recorded with the Chancery Clerk of Hinds County, Mississippi at Book 7099, Page 8849, Instrument #1237798, acknowledges that Patent No. 78287 covers tax years through 2010; and

WHEREAS, said patent was recorded with the Chancery Clerk of Hinds County, Mississippi at Book 7104, Page 2020, Instrument #1240138 on March 26, 2010; and

WHEREAS, any liens filed by the Community Improvement Division of the City of Jackson prior to parcel #131-113 being struck to the State of Mississippi are void; and

WHEREAS, the State of Mississippi and the City of Jackson are tax exempt; and

WHEREAS, current owner is requesting filing of lien cancellations in order to move forward with plans to use the land to build a neighborhood innovation center promoting education, technology, and business development serving West Jackson kids after school and under/unemployed young people; and

WHEREAS, said center will be operated by the non-profit, Center for Social Entrepreneurship.

IT IS, THEREFORE, ORDERED that notice may be filed with the Hinds County Chancery Clerk confirming that all liens placed on parcel #131-113 by the City of Jackson's Community Improvement Division are thereto cancelled.

IT IS FURTHER ORDERED that any acts required and necessary to effect the cancellation of liens arising out of the cleaning of parcel #131-113 for Cases #2007-3212 and #2007-3419 are authorized to be performed.

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

President Lindsay, recognized **Shanekia Mosley**, Clerk of Council who stated there is an amendment to be made to Agenda Item Number 22 changing: "*Order Authorizing The Cancellation Of Liens With Hinds County Chancery Clerk Regarding Adjudicated Costs And Penalties In The Amount Of \$19,205.00 Assessed For The Cleaning Of Parcel #131-113 Located At 0 Roseneath Avenue (Formerly 504 Roseneath Avenue), Jackson MS*" to "*Order Authorizing The Filing Of Notices With Hinds County Chancery Court And Other Entities As Appropriate Canceling Lien On Parcel No. 131-113 Located 0 Roseneath Avenue (Formerly 504 Roseneath Avenue), Jackson Mississippi*".

President Lindsay moved; seconded by **Council Member Priester** to amend said order to reflect the changes as stated by **Shanekia Mosley**, Clerk of Council. The motion prevailed by the following vote:

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

Nays - None.

Absent - Stokes.

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

ORDER AUTHORIZING THE FILING OF NOTICES WITH HINDS COUNTY CHANCERY COURT AND OTHER ENTITIES AS APPROPRIATE CANCELING LIEN ON PARCEL NO. 131-113 LOCATED 0 ROSENEATH AVENUE (FORMERLY 504 ROSENEATH AVENUE), JACKSON, MISSISSIPPI.

WHEREAS, on July 17, 2007 the Jackson City Council passed a resolution for Case #2007-3212, which is recorded at Minute Book 5Q Pages 239-243, that declared Parcel #131-113 to be a menace to public health and safety; and

WHEREAS, on November 20, 2007 and September 9, 2008 the Jackson City Council passed resolutions for Case # 2007-3419, which are recorded at Minute Book 5R Pages 152-158 and Minute Book 5S Pages 434-444, that declared Parcel #131-113 to be a menace to public health and safety; and

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code, the City of Jackson addressed the conditions on the property constituting a menace to public health and safety when the owner of the parcel failed to do so; and

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code, the Jackson City Council assessed actual costs and penalties for the cleaning of Parcel #131-113 by passing resolutions on November 20, 2007 and April 21, 2009, which are recorded in Minute Book 5R Pages 159-160 for Case #2017-3212 and Minute Book 5U Pages 218-220 for Case #2017-3419; and

WHEREAS, consistent with Section 21-19-1 of the Mississippi Code, the resolutions approved by the Jackson City Council authorized filing of Lis Pendens with the Hinds County Chancery Clerk; and

WHEREAS, Parcel #131-113 was struck to the State of Mississippi in 2009 for delinquent 2006 taxes; and

WHEREAS, the State of Mississippi Public Lands division issued Forfeited Tax Land Patent #78287 for parcel #131-113 to the City of Jackson on February 10, 2010; and

WHEREAS, the Mississippi Secretary of State provided notice to the Clerk of the Chancery Court of the transfer of parcel #131-113 to the City of Jackson on February 23, 2010; and

WHEREAS, said notice, recorded with the Chancery Clerk of Hinds County, Mississippi at Book 7099, Page 8849, Instrument #1237798, acknowledges that Patent No. 78287 covers tax years through 2010; and

WHEREAS, said patent was recorded with the Chancery Clerk of Hinds County, Mississippi at Book 7104, Page 2020, Instrument #1240138 on March 26, 2010; and

WHEREAS, any liens filed by the Community Improvement Division of the City of Jackson prior to parcel #131-113 being struck to the State of Mississippi are void; and

WHEREAS, the State of Mississippi and the City of Jackson are tax exempt; and

WHEREAS, current owner is requesting filing of lien cancellations in order to move forward with plans to use the land to build a neighborhood innovation center promoting education, technology, and business development serving West Jackson kids after school and under/unemployed young people; and

WHEREAS, said center will be operated by the non-profit, Center for Social Entrepreneurship.

IT IS, THEREFORE, ORDERED that notice may be filed with the Hinds County Chancery Clerk confirming that all liens placed on parcel #131-113 by the City of Jackson's Community Improvement Division are thereto cancelled.

IT IS FURTHER ORDERED that any acts required and necessary to effect the cancellation of liens arising out of the cleaning of parcel #131-113 for Cases #2007-3212 and #2007-3419 are authorized to be performed.

Yeas – Banks, Foote, Lindsay, Priestler, Stamps and Tillman.

Nays – None.

Absent – Stokes.

RESOLUTION OF THE INTENTION OF THE CITY OF JACKSON TO GRANT MUNICIPAL AD VALOREM TAX EXEMPTION TO TQL HOLDINGS, L.L.C., IN THE AMOUNT OF THE REALIZED INCREASE IN THE ASSESSED VALUE OF THE MIXED-USE DEVELOPMENT KNOWN AS "THE QUARTER" RESULTING FROM THE REHABILITATION, RENOVATION AND/OR REPLACEMENT OF CERTAIN NON-RESIDENTIAL STRUCTURES FOR RESIDENTIAL USE, SUBJECT TO SATISFACTION OF ALL REQUIREMENTS SPECIFIED IN SECTION 27-31-50 OF THE MISSISSIPPI CODE OF 1972, AS AMENDED, AND THE JACKSON CODE OF ORDINANCES, SECTION 114-4.

WHEREAS, the City Council of the City of Jackson, Mississippi (the "Governing Body" of the "City"), acting for and on behalf of the City, hereby finds, determines, adjudicates and declares as follows; and

WHEREAS, TQL Holdings, L.L.C. and/or related companies have secured investments and financing from various investors and lenders and have entered into certain transactions in order to fund the rehabilitation, renovation, and/or replacement of certain non-residential structures located within that certain mixed-use development known as "The Quarter" and located at 1855 Lakeland Drive, in Jackson, Mississippi, situated on ±8.8 acres and comprising Hinds County tax parcels 590-2-1, 590-22, 590-22-1, 590-22-4, 590-22-10, 590-22-11, 590-22-12, 590-22-15, 590-105-1, and 590-105-3 (collectively, the "Property"), with such project involving the demolition of eleven (11) buildings and appurtenant structures (the "Buildings") and the replacement of the Buildings with a new apartment building that has previously been approved for construction by the City (such project, the "Project"); and

WHEREAS, the Property was originally built in approximately 1970 and has historically been used primarily for commercial purposes; and

WHEREAS, each of the Buildings is/was in excess of 5,000 square feet; and

WHEREAS, the Project will provide for residential usage, has a total investment of \$10 million, with an anticipated completion date in 2021; and

WHEREAS, TQL Holdings, L.L.C. is seeking pre-approval, subject to satisfaction of all requirements of state law and as specified in City of Jackson Ordinance, Section 114-4, for the exemption from municipal ad valorem taxes (excluding ad valorem taxes for school purposes) in the amount of said taxes attributable to and from the realized increase in the assessed value of the Property resulting from the Project, as determined by the tax assessor, for a period of not more than ten (10) years; and

WHEREAS, Section 114-4 of the Jackson Code of Ordinances provided, in part, as follows:

(a) Exemption from municipal ad valorem taxes, excluding ad valorem taxes for school purposes, shall be allowed, as hereinafter provided, for any non-residential structure comprising no less than 5,000 square feet, which is in excess of 25 years of age and was used for commercial or institutional purposes but has undergone substantial rehabilitation, renovation or replacement for residential usage.

(b) The exemption may be in an amount equal to the increase in the assessed value of the property resulting from the rehabilitation, renovation or replacement of the structure as determined by the tax assessor and shall commence upon January 1 of the year following completion of the rehabilitation, renovation or replacement. Said exemption shall last for a period of time not to exceed ten years, it being in the discretion of the city council to grant an exemption for a shorter period of time.

WHEREAS, Section 144-4 of the Jackson Code of Ordinances was enacted pursuant to authority provided in Mississippi Code of 1972, Section 27-31-50, as amended; and

WHEREAS, in order to promote and incentivize the economic and cultural advancement of the City, it is appropriate to grant TQL Holdings, L.L.C. pre-approval of said municipal ad valorem tax exemption subject to satisfaction of all requirements specified in state law and the City of Jackson Ordinance 114-4, for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1: The Governing Body hereby pre-approves and commits to authorize the approval of a municipal ad valorem tax exemption (excluding ad valorem taxes for school purposes) for TQL Holdings, L.L.C. and/or its affiliate(s) owning the Property, in the amount equal to the taxes related to the realized increase in the assessed value of the Property resulting from the Project, as determined by the tax assessor, for a period of not more than ten (10) years.

SECTION 2: This intention is subject to, and final approval is conditioned upon, satisfaction of all requirements specified in City of Jackson Ordinance 114-4, which was enacted pursuant to authority provided in Mississippi Code of 1972, Section 27-31-50, as amended.

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

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

Nays – None.

Absent – Stokes.

ORDER AMENDING PREVIOUS ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE UNIVERSITY OF MISSISSIPPI ON BEHALF OF THE MISSISSIPPI SMALL BUSINESS DEVELOPMENT CENTER STATE OFFICE FOR A SUB AWARD GRANT IN THE AMOUNT OF \$114,895.00 FOR THE ESTABLISH OF THE CITY'S SMALL BUSINESS DEVELOPMENT CENTER.

WHEREAS, by Order entered on August 6, 2019, Minute Book 6P, Page 487, the governing authorities for the City of Jackson approved an Order, which authorized the Mayor to execute a contract with the University of Mississippi on behalf of the Mississippi Small Business Development Center State Office for a Sub Award Grant in the amount of \$114,895.00 to fund the establishment of the City's Small Business Development Center; and

WHEREAS, the Department of Planning and Development, Business Entrepreneurial Assistance Team, partnered with the Mississippi Small Business Development Center to assist small business owners in increasing their capacity through the provision of information, management and technical assistance; and

WHEREAS, through said partnership, there has been an increase in the number of small business start-ups, which has provided job opportunities and enhanced the City's tax base; and

WHEREAS, recently, the Department of Administration, Finance Division, advised the staff that it is necessary to revise its Fiscal Year 2020 Budget to reflect the sub award grant in the amount of \$141,341.00, which consists of federal funds sponsored by the University of Mississippi in the amount of \$16,050.00, match funds by the City in the amount of \$112,442.00, and a waiver of \$12,849.00 in indirect costs; and

WHEREAS, the City's match funds will come from the budgeted salaries of existing staff persons in the Business Development Division and will not necessitate an increase in the Department's budget; and

WHEREAS, the Department of Planning and Development believes executing the amended contract with the University of Mississippi on behalf of the Mississippi Small Business Development Center State Office for a sub award grant in the amount of \$141,341.00 is in the best interest of the City of Jackson.

IT IS, THEREFORE, ORDERED that the prior Order approved on August 6, 2019, appearing in Minute Book 6P at Page 487 is amended to change the sub award amount to \$141,341.00 for Fiscal Year 2020.

IT IS FURTHER, ORDERED that the Mayor is authorized to execute an amended contract with the University of Mississippi on behalf of the Mississippi Small Business Development Center State Office to reflect a revision in the Department's Fiscal Year 2020 budget from \$114,985.00 to \$141,341.00, which consists of federal funds sponsored by the University of Mississippi in the amount of \$6,050.00, match funds by the City in the amount of \$112,442.00, and a waiver of \$12,849.00 in indirect costs.

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

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

Nays – None.

Absent – Stokes.

ORDER RATIFYING RENTAL OF ACETYLENE, ARGON, AND OXYGEN CYLINDERS FROM AIRGAS USA, LLC FROM MARCH THROUGH MAY 2020 AND AUTHORIZING PAYMENTS.

WHEREAS, the Infrastructure Management Division of the Department of Public Works had need of certain equipment necessary to the operations of the City’s Bridges and Drainage Section; and

WHEREAS, due to exigent circumstances, the rental of this necessary equipment was done without prior approval by the City Purchasing Manager or the City Council of the City of Jackson; and

WHEREAS, the equipment set forth in certain invoices attached hereto was delivered and used in the operations of the City’s Bridges and Drainage Section; and

WHEREAS, in order to ensure the continued and proper operation of the City’s Bridges and Drainage Section, it is necessary to pay these outstanding invoices to continue receiving any needed equipment from this vendor; and

WHEREAS, the Department of Public Works recommends paying three invoices for acetylene, argon, and oxygen cylinders from Airgas USA, LLC for the months of March through May 2020 totaling \$993.45.

IT IS, THEREFORE, ORDERED that the rental of equipment from Airgas USA, LLC is hereby ratified and payment in the amount set forth, consistent with the invoices, is authorized as follows:

Rental for Cylinder Ind Large Acetylene	\$993.45
Rental Cylinder Ind Large Argon	
Rental Cylinder Ind Large Oxygen	
Total	\$993.45

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

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

Nays – None.

Absent – Stokes.

Note: Council Member Priester left the meeting.

ORDER RATIFYING PURCHASES OF STREET REPAIR MATERIALS FROM DICKERSON & BOWEN, INC. FROM FEBRUARY THROUGH MAY 2020 AND AUTHORIZING PAYMENTS.

WHEREAS, the Infrastructure Management Division of the Department of Public Works had need of certain street repair materials necessary to the operations of the City’s Paved Streets Section; and

WHEREAS, due to exigent circumstances, the purchase of these necessary street repair materials was done without prior approval by the City Purchasing Manager or the City Council of the City of Jackson; and

WHEREAS, the street repair materials set forth in certain invoices attached hereto was delivered and used in the operations of the City’s Paved Streets Section; and

WHEREAS, in order to ensure the continued and proper operation of the City's Paved Streets Section, it is necessary to pay these outstanding invoices to continue receiving any needed materials from this vendor; and

WHEREAS, the Department of Public Works recommends paying invoices for cold mix and surface SC1-type 2 street repair materials from Dickerson & Bowen, Inc. for the months of February through May 2020 totaling \$47,883.96.

IT IS, THEREFORE, ORDERED that purchase of street repair materials from Dickerson & Bowen, Inc. is hereby ratified and payment in the amount set forth, consistent with the invoices, is authorized as follows:

Cold Mix	\$24,833.60
Surface SC1-Type 2	\$23,050.36
Total	\$47,883.96

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

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

Nays – None.

Absent – Priester and Stokes.

ORDER RATIFYING PURCHASE OF PEST CONTROL SERVICES FROM BRYANT PEST CONTROL IN MARCH 2020 AND AUTHORIZING PAYMENTS.

WHEREAS, the Infrastructure Management Division of the Department of Public Works had need of pest control services at the offices of the City's Traffic Maintenance Section; and

WHEREAS, due to exigent circumstances, the purchase of these necessary pest control services was done without prior approval by the City Purchasing Manager or the City Council of the City of Jackson; and

WHEREAS, the pest control services set forth in the invoice attached hereto were necessary to maintain the habitability of the building housing the City's Traffic Maintenance Section; and

WHEREAS, in order to ensure the continued and proper operation of the City's Maintenance Section, it is necessary to pay this outstanding invoice to continue receiving any needed services from this vendor; and

WHEREAS, the Department of Public Works recommends paying an invoice for pest control services provided by Bryant Pest Control during the month of March 2020 totaling \$95.00.

IT IS, THEREFORE, ORDERED that the purchase of pest control services from Bryant Pest Control is hereby ratified and payment in the amount set forth be made, consistent with the invoices is authorized as follows:

Pest Control Services	\$95.00
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Council Member Tillman moved adoption; **President Lindsay** seconded.

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

Nays – None.

Absent – Priester and Stokes.

Note: Council Member Priester returns to the meeting.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH COMPLETE ENVIRONMENTAL AND REMEDIATION CO., LLC FOR THE COLLECTION OF HOUSEHOLD HAZARDOUS WASTE AND HANDLING SERVICES AT THE ENVIRONMENTAL SERVICE CENTER IN AN AMOUNT NOT TO EXCEED \$75,000.00 ANNUALLY.

WHEREAS, the City of Jackson, through the Solid Waste Division, has received grant funds from the Mississippi Department of Environmental Quality to operate a permanent site for the collection of unwanted household hazardous waste from residents; and

WHEREAS, the City’s Environmental Service Center (ESC) requires a professional waste company to remove and dispose of the collected household hazardous waste; and

WHEREAS, the City published a request for proposals for the handling of household hazardous waste at the ESC, and the proposal of Complete Environmental and Remediation Co., LLC was the best proposal received; and

WHEREAS, the annual cost of the agreement is contingent upon the types and volumes of household hazardous waste delivered to the contractor; and

WHEREAS, in the recent past, approximately \$75,000.00 was spent annually for the City’s household hazardous waste handling services.

IT IS, THEREFORE ORDERED that the Mayor is authorized to execute an agreement for one (1) year with an option of two (2) one (1) year extensions at the option of the City with Complete Environmental and Remediation Co., LLC for household hazardous waste handling at the City’s ESC in an amount not to exceed \$75,000.00 annually. The Mayor is further authorized to execute any and all related necessary documents to implement the agreement and any extensions.

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

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

Nays – None.

Absent – Stokes.

ORDER AMENDING THE FISCAL YEAR 2019-2020 BUDGET OF THE CITY OF JACKSON WATER-SEWER BUSINESS ADMINISTRATION DIVISION.

WHEREAS, certain anticipated needs and allocations in the amount of \$115,000.00 have arisen since the adoption of the Fiscal Year 2019-2020 City of Jackson Budget for the Water-Sewer Business Administration Division; and

WHEREAS, the Fiscal Year 2019-2020 City of Jackson Budget needs to be revised to provide funding for anticipated postage needs; and

WHEREAS, the following accounts are being revised:

From	031.521506113	\$115,000.00
To	031.520106421	\$115,000.00; and

WHEREAS, the account being reduced to provide this funding is the Meter Service and Repair account.

IT IS, THEREFORE, ORDERED that the Fiscal Year 2019-2020 Budget be revised in the amount of \$115,000.00 as follows:

<u>To/From</u>	<u>Fund/Account Number</u>	<u>Amount</u>
From:	031.521506113	(\$115,000.00)
To:	031.520106421	\$115,000.00

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

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

ORDER RATIFYING PURCHASES OF STREET REPAIR MATERIALS FROM ADCAMP, INC. FROM MARCH THROUGH APRIL 2020 AND AUTHORIZING PAYMENTS.

WHEREAS, the Infrastructure Management Division of the Department of Public Works had need of certain street repair materials necessary to the operations of the City’s Paved Streets Section; and

WHEREAS, due to exigent circumstances, the purchase of these necessary street repair materials was done without prior approval by the City Purchasing Manager or the City Council of the City of Jackson; and

WHEREAS, the street repair materials set forth in certain invoices attached hereto was delivered and used in the operations of the City’s Paved Streets Section; and

WHEREAS, in order to ensure the continued and proper operation of the City’s Paved Streets Section, it is necessary to pay these outstanding invoices to continue receiving any needed materials from this vendor; and

WHEREAS, the Department of Public Works recommends paying invoices for hot mix and black base street repair materials from Adcamp, Inc. for the months of March through April 2020 totaling \$5,331.10.

IT IS, THEREFORE, ORDERED that purchase of street repair materials from Adcamp, Inc. is hereby ratified and payment in the amount set forth, consistent with the invoices, is authorized as follows:

Hot Mix	\$3,961.60
Black Base	\$1,369.50
Total	\$5,331.10

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

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

ORDER RATIFYING THE ACCEPTANCE OF BILL PRINTING SERVICES FROM DOXIM, INC. FOR THE DEPARTMENT OF PUBLIC WORKS, WATER-SEWER BUSINESS ADMINISTRATION DIVISION AND AUTHORIZING THE PAYMENT THEREOF, AND AUTHORIZING A CONTRACT WITH DOXIM, INC. FOR BILL PRINTING SERVICES FROM MAY 1, 2020 THROUGH SEPTEMBER 30, 2023 WITH THE OPTION TO RENEW THE CONTRACT ANNUALLY THEREAFTER.

WHEREAS, the City of Jackson implemented a new billing system in July 2014; and

WHEREAS, Utilitec, Inc. was selected to provide the bill printing services for the Water-Sewer Business Administration Division; and

WHEREAS, Utilitec, Inc. has provided bill printing services for the new billing system throughout this period of time under a number of contract; and

WHEREAS, Utilitec, Inc. has changed its company name to Doxim, Inc.; and

WHEREAS, the Water-Sewer Business Administration needs to renew its contract with Doxim, Inc. in order to process bills and mail them to customers; and

WHEREAS, the Department of Public Works recommends Doxim, Inc. to continue providing bill printing services for Water/Sewer Business Administration; and

WHEREAS, the Department desires to see that all invoices for bill printing from March through April 2020 are honor and paid; and

WHEREAS, the total cost of the bill printing services during this period was \$58,565.61 and copies of the detailed invoices through April 30, 2020 are attached to this order as an exhibit; and

WHEREAS, Water-Sewer Business Administration of the Department of Public Works recommends that the City ratify and pay the detailed invoices for the services provided from March through April 2020; and

WHEREAS, the Water-Sewer Business Administration Division desires to enter into a new contract with Doxim, Inc. to provide bill printing and mailing services, in addition to other miscellaneous related services; and

WHEREAS, the initial term of said contract will be from May 1, 2020 through September 30, 2023 with an option to renew the contract from year to year thereafter in accordance with terms and conditions of the contract; and

WHEREAS, the pricing for the services is as follows:

Service Type	Description	Price
Bill Print and Mail		
Statement Printing & Processing	Duplex print, #10 mailing envelope, #9 return envelope	\$0.095/each
Letter Printing & Processing	Duplex print, #10 mailing envelope, #9 return envelope	\$0.095/each
Insert Fee	Cost to include offline inserts into bill envelope	\$0.01/each
Additional Page Fee	per page cost to print and insert additional pages if bill contains more than 1 duplex page	\$0.05/each
Paperless Processing Fee	Processing of data and composition of bills for paperless accounts	\$0.085/each
NCOA/Move Update Compliance	Corrections of address that are in the NCOA database to comply with Move Update USPS Standards	\$0.20/corrected address
USPS Address Services	CASS/DPV standardization, IMB barcodes, Postal qualification, Full-Service USPS discount	\$0.005/each
Special Handling Fee	Cost for oversize envelopes	\$0.25/envelope
Co-Mingling of non-qualifying purchases	Reduce postage cost by co-mingling non-qualified pieces of mail	\$0.01/each
Professional Fees	IT fees for changes to written code.	\$150/hour
PDF Management		
PDF Creation and Storage	Creation, indexing and 13 months storage for all bills, letters and notices	\$0.02/each
API web call for PDF display	Monthly fee to maintain API calls when integration is required	\$250/API
Implementation Services		
Bill Design Fee	**A Bill Redesign is quoted separately. Please refer to the "Bill Design Trends" document.	Available upon request

	Note: Items contained in the Software Section below are <i>optional</i> , software-as-a- service products that will help City of Jackson, MS to demonstrate these technologies at the appropriate time.	
Software		
UConnect™ Client Portal	UConnect is our utility facing portal that allows for real time job tracking and management of the entire document process. Full training is included. The UConnect Maintenance Fee is required for access to our portal technologies.	\$1,500/year
UTrack™ Fee	Online job-tracking module that provides real-time updates of the entire production process.	Included with UConnect
UReview™(Dynamic) Fee	Online bill review and audit tool that assists City of Jackson, MS to review pulled bills from bill intercept, in addition to over 50 proven audit thresholds	\$500/month
UView™ Fee	Online interface to view PDF images and to print, fax or email bills. Not required if utilizing API calls into CIS	\$250/month
UMail™ Fee	Online tool that reduces the percentage of undeliverable mail	\$300/month
UChange™ Fee	Online on-bill message campaign and letter management tool to allow you to deliver specific messages and letters to various audiences.	\$395/month
Email Management Fee	Quickbill™ is an interactive bill-notification email technology that will allow customers to view their bill, access other websites such as Twitter, Facebook or LinkedIn, integrate with your Outage Management center, etc., and will allow customers to go paperless within the email.	\$1,500/month
	Notes:	
	Historical PDF's may be retained after 13 months for a fee of \$.005/each	
	Above pricing includes standard Doxim envelopes - custom envelopes can be procured for an upcharge	

WHEREAS, Doxim, Inc. will have the right at any time after each twelve (12) month period during the term of the contract to increase the fees in the fees schedule authorized herein by no more than 3%; and

WHEREAS, the cost of contract during the current fiscal year will not exceed \$137,000.00, without further Council authorization.

IT IS, THEREFORE, ORDERED that the acceptance of bill printing services from Doxim, Inc. for the months of March and April 2020 in the amount of \$58,565.61, is hereby ratified and payment in that same amount is authorized.

IT IS FURTHER ORDERED that an agreement with Doxim, Inc. to provide bill printing and other related miscellaneous services for the period of May 1, 2020 through September 30, 2023 at the prices set forth in this Order, including any annual increases, is authorized.

IT IS FURTHER ORDERED that the cost of the services provided under this agreement shall not exceed \$137,000.00 during the current fiscal year, without further Council authorization.

IT IS FURTHER ORDERED that the said agreement may be renewed from year to year upon the authorization of the City Council.

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

Yeas – Foote, Lindsay, Priester, Stamps and Tillman.

Nays – Banks.

Absent – Stokes.

ORDER ACCEPTING THE BASE BID AND ADD OPTIONS 1, 2, AND 3 OF HEMPHILL CONSTRUCTION COMPANY, INC. FOR CONSTRUCTION OF THE CAPITOL STREET IMPROVEMENTS PHASE 2 PROJECT, FEDERAL AID PROJECT NUMBER TCSP-8312-00(002)LPA/106058-802000, CITY PROJECT NUMBER 10B4004-703, 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 Capitol Street Phase 2 Improvements Project; and

WHEREAS, two bids were submitted to the Municipal Clerk on May 5, 2020; and

WHEREAS, the bid of Hemphill Construction Company, Inc., in the amount of \$554,487.00 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 \$554,487.00 for the Capitol Street Phase 2 Improvements 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 base bid and add options 1, 2, and 3 of Hemphill Construction Company, Inc. for the construction of the Capitol Street Phase 2 Improvements Project, Federal Aid Project Number TCSP-8312-00(002) LPA/106058-802000, and City Project Number 10B4004-703, in the amount of \$554,487.00 is accepted as the lowest and best bid.

IT IS FURTHER ORDERED that the Mayor is authorized to execute and the Municipal Clerk is authorized to attest a contract with Hemphill Construction Company, Inc. for the construction of the Capitol Street Phase 2 Improvements 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 Capitol Street Phase 2 Improvements Project and to submit the same to MDOT as needed.

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

Yeas – Foote, Lindsay, Priester, Stamps and Tillman.

Nays – Banks.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION ENGINEERING AND INSPECTION SERVICES CONTRACT WITH NEEL-SCHAFFER, INC. FOR THE CAPITOL STREET IMPROVEMENTS PHASE 2 PROJECT, FEDERAL AID PROJECT NUMBER TCSP-8312-00(002)LPA/106058-802000, CITY PROJECT NUMBER 10B4004.

WHEREAS, the City of Jackson has federal transportation funds to make improvements to Capitol Street downtown; and

WHEREAS, the City of Jackson selected Neel-Schaffer, Inc. to provide construction engineering and inspection services for the project; and

WHEREAS, Neel-Schaffer has provided an estimated fee of \$65,872.27 for construction engineering and inspection services work; and

WHEREAS, the execution of the construction engineering and inspection services 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 Neel-Schaffer, Inc., for the Capitol Street Phase 2 Improvements Project, Federal Aid Project Number TCSP-8312-00(002) LPA/106058-802000, City Project Number 10B4004, in an amount not to exceed \$65,872.27.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING PAYMENT IN FULL OF ALL CLAIMS OF RAYMOND INVESTMENTS LLC FOR DAMAGE CAUSED BY CITY VEHICLE TO LIGHT POLE BELONGING TO RAYMOND INVESTMENTS LLC.

WHEREAS, Raymond Investments, LLC owns and operates a large grocery supermarket situated on Raymond Road at McDowell Road Extension; and

WHEREAS, on July 23, 2019 a large bobtail truck owned by the City of Jackson, and operated by an employee of the City’s Department of Public Works backed said truck into a large light pole in the parking lot of said supermarket destroying it and the attached fixtures and wiring; and

WHEREAS, the Office of the City Attorney, based largely on information gathered by the City’s Risk Management Department, has determined that the City is liable for said damage; and

WHEREAS, Raymond Investments, LLC has repaired and/or replaced said light pole and fixtures and wiring for a cost of \$9,696.00 and that said cost is reasonable and fair.

NOW THEREFORE, IT IS HEREBY ORDERED that the City shall reimburse said Raymond Investments, LLC, 2101 Raymond Road, Jackson, Mississippi the sum of \$9,696.00 for damage to its light pole, fixtures, and wiring.

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

Yeas – Banks, Foote, Lindsay, Priester, Stamps.

Nays – Tillman.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT(S) AND/OR ADDENDUM(S) TO THE RETAINER AGREEMENT WITH DAVIS & WILLIAMS, PLLC, AND RAWLINGS & MACINNIS, P.A. TO REPRESENT THE CITY OF JACKSON, MISSISSIPPI, IN POSSIBLE PERAND POLYFLUOROALKYL SUBSTANCES AND AQUEOUS FILM FORMING FOAM LITIGATION CLAIMS (RELATING TO THE ORDER LOCATED IN BOOK 6Q AT PAGE 103).

WHEREAS, during the City Council meeting on October 15, 2020, the City of Jackson, Mississippi (“City”) identified and agreed to retain the law firms of Davis & Williams, PLLC and Rawlings & MacInnis, P.A. to investigate and pursue claims regarding potential chemicals in the environment; and

WHEREAS, it has come to the attention of the parties that particular issues unstated in the Order (located in the minutes at Book 6Q, page 103) passed on October 15, 2020, need to be addressed by the governing authorities, spread upon the minutes, and reflected in the retainer agreement either by way of amendment or addendum; and

WHEREAS, the governing authorities find that the following measures and/or provisions are in the best interest of the City, and are to be included, either verbatim or in provisions of similar import, by way of amendment or addendum to the retainer agreement:

1. The Firms and the City agree that the Firms may join efforts with other attorneys to pursue the claims of the City at no increase of the attorney fees owed by the City; and
2. The City and the Firms shall agree that should the City fail to fully cooperate with attorneys, and should such failure to cooperate cause attorneys to voluntarily withdraw from representation of the City, attorneys are entitled to recoup all money advanced by attorneys on City's behalf, and attorneys will be entitled to a quantum meruit fee for all of attorneys' work which contributed to the recovery of money for the client, based on hourly rates delineated in the legal services contract - not exceeding \$400.00 for work performed by member attorneys of the firms; not exceeding \$300.00 for work performed by non-member attorneys of the firms; and not exceeding \$150.00 for work performed by paralegals of the firms; and
3. The City and the Firms agree that in the event the City discharges the attorneys, the attorneys are entitled to recoup all money advanced by the attorneys on the City's behalf, and the attorneys will be entitled to a quantum meruit fee for all the attorneys' work with contributed to the recovery of money for the City, based on hourly rates delineated in the legal services contract - not exceeding \$400.00 for work performed by member attorneys of the firms; not exceeding \$300.00 for work performed by non-member attorneys of the firms; and not exceeding \$150.00 for work performed by paralegals of the firms; and
4. The City and the Firms agree that any attorney fees, cost and/or expenses awarded by the court or jury will be counted against the contingency fee.
5. The Firms agree to advance costs of the litigation; and further agree that attorney fees and expenses shall be paid only if the Firms obtain a favorable result in the case.
6. The Firms and all associated attorneys are required to keep a record of expenses and time spent working on the case, based on hourly rates delineated above.

WHEREAS, the Parties have agreed that the combined Firms herein shall continue to provide representation and services for a 33 1/3% fee of the gross recovery plus reimbursement for reasonable expenses associated with the prosecution of the case; and

WHEREAS, the City finds it is in the City's best interest to execute an Amended Retainer Agreement, or Addendum thereto, reflecting consistent with the provisions noted herein.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Amended Retainer Agreement, or an Addendum to the Retainer Agreement, with Davis & Williams, PLLC and Rawlings & MacInnis, P.A., to continue to represent the City in litigation involving the chemicals for a 33 1/3% fee from any gross recovery, plus reimbursement for reasonable expenses associated with the prosecution of the case.

IT IS FURTHER ORDERED that the Mayor, City Attorney, and/or their legally empowered designees are authorized to execute such other documents as necessary to effectuate this order.

IT IS FURTHER ORDERED that provisions in the prior and above-mentioned Order located at Book 6Q, Page 103 which are inconsistent with this order are superseded by this order.

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

President Lindsay recognized **Timothy Howard**, City Attorney, who recommended that said item be discussed in Executive Session.

President Lindsay requested that Agenda Item No. 36 be moved to Executive Session.

Council Member Banks and **President Lindsay** withdrew their motion and second. **President Lindsay** stated that said item would be tabled to be discussed later in the meeting.

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING THE ADJUSTMENT OF CITY OF JACKSON WATER BILLS TO PRE-SIEMENS CHARGES. Said item was tabled until a later date, due to the absence of **Council Member Stokes**.

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING THE PAYMENT OF EIGHT HUNDRED DOLLARS FOR HAZARD PAY FOR CITY EMPLOYEES DECLARED ESSENTIAL DURING THE PANDEMIC AND WHO WORKED DURING THE COVID-19 PANDEMIC. Said item was tabled until a later date, due to the absence of **Council Member Stokes**.

RESOLUTION REQUESTING THE STATE OF MISSISSIPPI PASS LEGISLATION OFFERING PAY INCENTIVES TO FIRST RESPONDERS.

WHEREAS, first responders of any municipality in the State of Mississippi are required to annually complete a specified number of hours of continuing education courses which are approved by the Mississippi Board on Law Enforcement Officers Standards and Training, The Mississippi State Department of Health, and the Mississippi Fire Academy. 18 states require continuing education (CE) and ongoing testing for first responders; and

WHEREAS, individual first responders are ultimately responsible for their job performance. A true dedicated first responder will never be deliberately indifferent to his or her own continuing training and self-education. Offering incentive pays to first responders who test well in their respective physical fitness, training, and continuing education test, as a form of remuneration for their continued commitment to their profession, will strengthen the overall effectiveness of first responders across the State of Mississippi; and

WHEREAS, municipalities do not necessarily need supporting state legislation for ordinances that do not directly conflict with state statues, supporting state legislation can solidify a municipality's stance as well as apply the effects of a local ordinance to municipalities state wide.

NOW, THEREFORE BE IT RESOLVED that the City of Jackson is requesting State of Mississippi pass legislation allowing any municipality to offer pay incentives to first responders who test well in their respective physical fitness, training, and continuing education test to recognize first responders for their continued commitment to their profession will strengthen overall effectiveness of first responders across the State of Mississippi.

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

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

Nays – None.

Absent – Stokes.

ORDER PROHIBITING THE USE OF CHOKEHOLDS BY POLICE OFFICERS IN THE CITY OF JACKSON.

WHEREAS, recent events involving the use of chokeholds by police officers have brought more light to the dangerous nature of this tactic. This tactic, although often referred to as a restraint technique, has unfortunately resulted in the high-profile deaths of several individuals; and

WHEREAS, the term “chokehold” means one of two types of restraints which are used to control a person’s movement or to render a person unconscious. The first type is a “neck restraint” in which an arm or other firm object is used to apply pressure against the windpipe to block the passage of air. The second type is a “carotid restraint” in which an arm or other firm object is used to apply pressure against the carotid artery, the jugular vein, or the sides of the neck to block the flow of blood; and

WHEREAS, persons of color are disproportionately impacted by harmful interactions with police, the benefits of this legislation would disproportionately benefit persons of color by protecting them from being subject to this technique; and

WHEREAS, the cost of resolving police-misconduct cases has surged, even before the current wave of scrutiny faced by law-enforcement over police tactics. In recent years, cities have paid out millions of dollars in settlements and court judgments for police misconduct with more on the way in light of recent deaths due to chokeholds. The City of Jackson could incur costs in the form of damages from injury or deaths resulting from the use of these techniques.

IT IS, THEREFORE, ORDERED, the use of chokeholds by police officers is hereby prohibited in the City of Jackson.

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

President Lindsay recognized **James Anderson**, Senior Deputy City Attorney, who recommended that the Office of the City Attorney be allowed more time to research said Order.

Council Members Stamps and **Priester** withdrew their motion and second. **President Lindsay** stated that said item would be tabled to allow the Office of the City Attorney additional time to research said Order.

ORDER AUTHORIZING THE CITY OF JACKSON TO OFFER PAY INCENTIVES TO FIRST RESPONDERS.

WHEREAS, first responders of any municipality in the State of Mississippi are required to annually complete a specified number of hours of continuing education courses which are approved by the Mississippi Board on Law Enforcement Officers Standards and Training, the Mississippi State Department of Health, and the Mississippi Fire Academy. 18 states require continuing education (CE) and ongoing testing for first responders; and

WHEREAS, the qualities of integrity, honesty, justice, decency, benevolence, compassion, and all the other virtues we look for in wholesome leadership throughout the world are the same qualities that we desire to see represented throughout all of our first responders. No police or fire agency today can function efficiently or effectively unless it includes high standards of continuing education and training in its plans and operations; and

WHEREAS, regular training will help first responders by reducing organizational strain, increasing mental awareness, and focusing the officer in appropriate outlets for thought and progression while learning new avenues for time management, officer safety, and situational awareness; making the City of Jackson Police and Fire Departments stronger and reducing the liability risk for the City; and

WHEREAS, individual first responders are ultimately responsible for their job performance, a true dedicated first responder will never be deliberately indifferent to his or her own continuing training and self-education. Offering incentive pays to first responders who test well in their respective physical fitness, training, and continuing education test, as a form of remuneration for their continued commitment to their profession, will strengthen the overall effectiveness of first responders in the City of Jackson.

IT IS THEREFORE ORDERED that the City of Jackson may offer pay incentives to first responders who test well in their respective physical fitness, training, and continuing education test. **Council Member Stamps** moved adoption; **Council Member Banks** seconded.

President Lindsay recognized **Timothy Howard**, City Attorney, who explained that the said item should be tabled until a later date.

After a thorough discussion, **Council Members Stamps** and **Banks** withdrew their motion and second. **President Lindsay** stated that said item would be tabled to be discussed at a later date.

ORDER RESCINDING IN PART THE TEMPORARY SUSPENSION OF PUBLIC COMMENTS, PROCLAMATIONS, SPECIAL PRESENTATIONS, COMMENDATIONS, AND RESOLUTIONS HONORING INDIVIDUALS, BUSINESSES, GROUPS OR ORGANIZATIONS AND SETTING TEMPORARY GUIDELINES REINSTITUTING PUBLIC COMMENTS.

WHEREAS, the governing authorities for the City of Jackson passed an order on March 16, 2020, which is recorded in Minute Book 6Q on page 584; and

WHEREAS, such order temporarily suspended certain sections of the Council's order of business as codified at Sections 2-71 and 2-64 of the City of Jackson Code of Ordinances, namely, public comments, proclamations, special presentations, commendations, and resolutions honoring individuals, businesses, groups or organizations; and

WHEREAS, such order was passed in the wake of the Coronavirus pandemic and the closure of City Hall, and the closure of much of the economy and restrictions of movement put in place via Executive Orders by the Mayor of the City of Jackson and Governor of the State of Mississippi; and

WHEREAS, such order was passed to strike a balance between carrying on the public's business and minimizing risk and exposure to COVID-19 for all; and

WHEREAS, the Mayor of the City and the Governor of the State have gradually begun the process of reopening the economy and lifting restrictions on movement; and

WHEREAS, City Hall is no longer closed to the public; and

WHEREAS, the threat of the Coronavirus is not fully eliminated and safety measures are still needed to combat the spread of such.

NOW THEREFORE, IT IS HEREBY ORDERED that the temporary suspension of public comments is rescinded.

IT IS FURTHER ORDERED that public comments shall be limited to a total of five (5) such instances per council meeting, with each instance covered by one speaker only — on a first-come, first-serve basis as determined by the Clerk of the Council per Section 2-71 of the City of Jackson Code of Ordinances.

IT IS FURTHER ORDERED that proclamations, special presentations, commendations, and resolutions honoring individuals, businesses, groups, or organizations are still suspended.

IT IS FURTHER ORDERED that all other provisions of Section 2-64 and 2-71 of the City of Jackson Code of Ordinances that are not inconsistent with this Order shall continually be observed.

IT IS FURTHER ORDERED that consistent with the Mayor's Amended Stay Safe Jackson Executive Order, to the maximum extent possible, individuals in council chambers shall maintain social distancing of a minimum of six feet distance between each other and wear a face covering when such is not possible.

IT IS FURTHER ORDERED that the Clerk of the Council shall designate with non-destructive signage, tape, or by other means six-foot spacing on the pews in council chambers for the public's adherence.

IT IS FINALLY ORDERED that this order shall be effective immediately and remain in full force and effect until modified, amended, rescinded, or superseded.

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

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

Nays – None.

Absent – Stokes.

ORDER EXTENDING PREVIOUS WAIVER OF THE PROHIBITION AGAINST SIGNS IN THE NOVEMBER 7, 2011 AIRSPACE AGREEMENT BETWEEN THE CITY OF JACKSON AND MISSISSIPPI BAPTIST HEALTH SYSTEMS, INC. FOR AN ADDITIONAL SIXTY (60) DAYS.

WHEREAS, on November 7, 2011, the City of Jackson and Mississippi Baptist Health Systems, Inc. entered into an Agreement to Use Airspace that allowed Mississippi Baptist Health Systems, Inc. to construct a pedestrian bridge over the City's right-of-way for North State Street; and

WHEREAS, paragraph 24 of that agreement prohibits the installation of any sign on the outside of the pedestrian bridge other than one showing the clearance and any other sign required by law; and

WHEREAS, the City of Jackson has been under an Emergency Declaration since March 16, 2020 in response to the COVID-19 pandemic; and

WHEREAS, healthcare workers have borne the brunt of the onslaught of this pandemic, risking their own lives to care for the sick infected with this disease; and

WHEREAS the City Council enacted an order waiving the prohibition against the installation of any sign on the outside of the bridge to allow Mississippi Baptist Health Systems, Inc. to honor its healthcare workers with a sign prominently displayed on the pedestrian bridge; and

WHEREAS, the City Council order authorized Mississippi Baptist Health Systems, Inc. to display a sign that honors its healthcare workers, which conforms generally to the following description:

In large lettering "Proud of our Heroes" in the center of the sign, in smaller lettering on the lower left portion of the sign display "#baptistproud" and in smaller lettering on the lower right portion of the sign display the corporate logo for Mississippi Baptist Health Systems, Inc.; and

WHEREAS, Mississippi Baptist Health Systems, Inc. installed such a sign honoring its healthcare workers generally conforming to the said requirements; and

WHEREAS, the original sixty (60)-day waiver will be expiring; and

WHEREAS, the extreme, unique circumstances that justified the granting of this waiver continue to exist as the number of COVID-19 cases in Hinds County have continued such that an extension of the original waiver by an additional sixty (60) days is appropriate for the limited purpose of honoring healthcare workers.

IT IS, THEREFORE, ORDERED that the waiver of paragraph 24 for the Agreement for Airspace Use between the City and Mississippi Baptist Health Systems, Inc. for the limited purpose of honoring the service of healthcare workers during the COVID-19 pandemic is extended for a period of sixty (60) days from the date of the enactment of this order.

IT IS FURTHER ORDERED that the Mayor is authorized to memorialize this extension of the waiver in written correspondence to Mississippi Baptist Health Systems, Inc.

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

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

Nays – None.

Absent – Stokes.

* * * * *

ORDER DESIGNATING CHARLES WILLIAMS, JR., P.E., Ph.D. AS THE LEGALLY RESPONSIBLE PARTY FOR THE CITY OF JACKSON WATER SYSTEM AND AUTHORIZING DR. WILLIAMS TO EXECUTE A BILATERAL COMPLIANCE AGREEMENT WITH THE MISSISSIPPI STATE DEPARTMENT OF HEALTH FOR IMPROVEMENTS AT THE O.B. CURTIS WATER TREATMENT PLANT, THE J.H. FEWELL WATER TREATMENT PLANT, AND THE GROUNDWATER (WELL SYSTEM).

WHEREAS, the Mississippi State Department of Health is the primacy agency for regulation of the City of Jackson municipal water system, which includes the City's two water treatment plants, its ground water (well) system, and its water distribution system; and

WHEREAS, the Mississippi State Department Health (MSDH) requires that the City designate a legally responsible official for the City of Jackson Water System who receives all notices from the MSDH about routine regulatory inspections and required water testing, is responsible for signing all certifications that regulatory notices have been provided to customers of the water system, also receives other notices, and signs all documents relating to the water system on behalf of the City; and

WHEREAS, the Mississippi State Department Health (MSDH) prefers that such person be a licensed water plant operator with a detailed understanding of the regulatory requirements and the water system; and

WHEREAS, Charles Williams, Jr., P.E., Ph.D. is a licensed Class A Water Treatment Plant Operator and is knowledgeable about the City of Jackson water system; and

WHEREAS, because of his knowledge and credentials, Dr. Williams should be designated as the legally responsible official for the City of Jackson water system; and

WHEREAS, in March 2020, following its annual inspection of the City's water system and an inspection by the U.S. E.P.A., the MSDH issued a Notice of Significant Deficiencies, which identified a number of repairs and improvements that were needed at both City water treatment plants and in the ground water (well) system to comply with Mississippi law and the federal Safe Drinking Water Act; and

WHEREAS, a Notice of Significant Deficiencies requires that the identified deficiencies be remedied within forty (45) days of the notice; and

WHEREAS, because of the nature of the deficiencies involved in the notice, the MSDH has tendered to the City a Bilateral Compliance Agreement, which identifies the deficiencies and allows the City more than forty-five (45) days to address the deficiencies; and

WHEREAS, the nature of the deficiencies is such that the Department of Public Works recommends that the City accept the proposed Bilateral Compliance Agreement tendered by the MSDH.

IT IS, THEREFORE, ORDERED that the Charles Williams, Jr., P.E., Ph.D. be designated as the legally responsible official for the City of Jackson water system and is hereby ordered to execute all routine compliance paperwork and documentation with the Mississippi State Department of Health that does not obligate the City to expend funds for capital improvements to the water

system, including the City’s two water treatment plants, the ground water (well) system, and the distribution system.

IT IS FURTHER ORDERED that Dr. Williams be authorized to execute a Bilateral Compliance Agreement with the Mississippi State Department of Health that provides an extended schedule for addressing the deficiencies in the City of Jackson water system identified in the March 2020 Notice of Significant Deficiencies.

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

President Lindsay recognized **Dr. Charles Williams**, Public Works Department, who provided a brief overview of O.B. Curtis Water Treatment Plant.

After a thorough discussion, **President Lindsay** called for a vote:

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

There came for a Discussion Agenda Item No. 45:

DISCUSSION: UPDATE – FIRE STATION 20: Said item was tabled until a later date, due to the absence of **Council Member Stokes**.

There came for a Discussion Agenda Item No. 46:

DISCUSSION: CLEAN – UP JACKSON: Said item was tabled until a later date, due to the absence of **Council Member Stokes**.

There came for a Discussion Agenda Item No. 47:

DISCUSSION: REVIEWING RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI PROCLAIMING A LOCAL EMERGENCY AND DECLARING THE CITY OF JACKSON, MISSISSIPPI A DISASTER AREA FROM MARCH 16, 2020 AND GOING FORWARD: **President Lindsay** recognized **Timothy Howard**, City Attorney, who provided a brief overview due to the order passed by Council declaring a local emergency due to Covid-19.

The following reports/announcements were provided during the meeting:

- **Council Member Banks** announced a Law Enforcement and Youth Conference to be held at Glory Empowerment Center, 115 Maddox Road Jackson, Mississippi, on June 25, 2020 at 6:00 p.m.
- **Chokwe Antar Lumumba, Mayor** announced the following:
 - Parks and Recreation Department will be hosting a Firework Extravaganza at Smith Will Park on June 27, 2020 at 6:00 p.m.
 - Encouraged all citizens that experience symptoms of the COVID-19 virus to call 601-586-3067 or 1-866-375-2819, and fill out the symptom collector form online.
 - The Mayor’s Youth Counsel Applications are now available, contact Constituent Services at 601-960-1084.

President Lindsay stated that there were items needed to be discussed in Executive Session regarding "Litigation Matters".

President Lindsay moved, seconded by **Council Member Priester** to go into Closed Session to discuss Agenda Items No. 48, 49 and 36. The motion prevailed by the following vote:

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

President Lindsay announced to the public that the Council voted to go into Closed Session to discuss going into Executive Session regarding "Litigation Matters", to discuss Agenda Items No. 48, 49 and 36.

During Closed Session, **Council Member Stamps** moved, seconded by **Council Member Banks** to go into Executive Session to discuss litigation matters. The motion prevailed by the following vote:

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

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

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

President Lindsay announced to the public that the Council voted to come out of Executive Session and action was taken.

During Executive Session, the Council took action on Agenda Item No. 36:

ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT(S) AND/OR ADDENDUM(S) TO THE RETAINER AGREEMENT WITH DAVIS & WILLIAMS, PLLC, AND RAWLINGS & MACINNIS, P.A. TO REPRESENT THE CITY OF JACKSON, MISSISSIPPI, IN POSSIBLE PERAND POLYFLUOROALKYL SUBSTANCES AND AQUEOUS FILM FORMING FOAM LITIGATION CLAIMS (RELATING TO THE ORDER LOCATED IN BOOK 6Q AT PAGE 103).

WHEREAS, during the City Council meeting on October 15, 2020, the City of Jackson, Mississippi ("City") identified and agreed to retain the law firms of Davis & Williams, PLLC and Rawlings & MacInnis, P.A. to investigate and pursue claims regarding potential chemicals in the environment; and

WHEREAS, it has come to the attention of the parties that particular issues unstated in the Order (located in the minutes at Book 6Q, page 103) passed on October 15, 2020, need to be addressed by the governing authorities, spread upon the minutes, and reflected in the retainer agreement either by way of amendment or addendum; and

WHEREAS, the governing authorities find that the following measures and/or provisions are in the best interest of the City, and are to be included, either verbatim or in provisions of similar import, by way of amendment or addendum to the retainer agreement:

1. The Firms and the City agree that the Firms may join efforts with other attorneys to pursue the claims of the City at no increase of the attorney fees owed by the City; and
2. The City and the Firms shall agree that should the City fail to fully cooperate with attorneys, and should such failure to cooperate cause attorneys to voluntarily withdraw from representation of the City, attorneys are entitled to recoup all money advanced by attorneys on City's behalf, and attorneys will be entitled to a quantum meruit fee for all of attorneys' work which contributed to the recovery of money for the client, based on hourly rates delineated in the legal services contract - not exceeding \$400.00 for work performed by member attorneys of the firms; not exceeding \$300.00 for work performed by non-member attorneys of the firms; and not exceeding \$150.00 for work performed by paralegals of the firms; and
3. The City and the Firms agree that in the event the City discharges the attorneys, the attorneys are entitled to recoup all money advanced by the attorneys on the City's behalf, and the attorneys will be entitled to a quantum meruit fee for all the attorneys' work with contributed to the recovery of money for the City, based on hourly rates delineated in the legal services contract - not exceeding \$400.00 for work performed by member attorneys of the firms; not exceeding \$300.00 for work performed by non-member attorneys of the firms; and not exceeding \$150.00 for work performed by paralegals of the firms; and
4. The City and the Firms agree that any attorney fees, cost and/or expenses awarded by the court or jury will be counted against the contingency fee.
5. The Firms agree to advance costs of the litigation, and further agree that attorney fees and expenses shall be paid only if the Firms obtain a favorable result in the case.
6. The Firms and all associated attorneys are required to keep a record of expenses and time spent working on the case, based on hourly rates delineated above.

WHEREAS, the Parties have agreed that the combined Firms herein shall continue to provide representation and services for a 33 1/3% fee of the gross recovery plus reimbursement for reasonable expenses associated with the prosecution of the case; and

WHEREAS, the City finds it is in the City's best interest to execute an Amended Retainer Agreement, or Addendum thereto, reflecting consistent with the provisions noted herein.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Amended Retainer Agreement, or an Addendum to the Retainer Agreement, with Davis & Williams, PLLC and Rawlings & MacInnis, P.A., to continue to represent the City in litigation involving the chemicals for a 33 1/3% fee from any gross recovery, plus reimbursement for reasonable expenses associated with the prosecution of the case.

FURTHER, the Mayor, City Attorney, and/or their legally empowered designees are authorized to execute such other documents as necessary to effectuate this order.

FURTHER, provisions in the prior and above-mentioned Order located at Book 6Q, Page 103 which are inconsistent with this order are superseded by this order.

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

President Lindsay, recognized **Timothy Howard**, City Attorney who stated an amendment needed to change "October 15, 2020" to "October 15, 2019".

Council Member Banks moved; **Council Member Priester** seconded to amend the Order to reflect the changes stated by **Timothy Howard**, City Attorney.

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT(S) AND/OR ADDENDUM(S) TO THE RETAINER AGREEMENT WITH DAVIS & WILLIAMS, PLLC, AND RAWLINGS & MACINNIS, P.A. TO REPRESENT THE CITY OF JACKSON, MISSISSIPPI, IN POSSIBLE PERAND POLYFLUOROALKYL SUBSTANCES AND AQUEOUS FILM FORMING FOAM LITIGATION CLAIMS (RELATING TO THE ORDER LOCATED IN BOOK 6Q AT PAGE 103).

WHEREAS, during the City Council meeting on October 15, 2019, the City of Jackson, Mississippi ("City") identified and agreed to retain the law firms of Davis & Williams, PLLC and Rawlings & MacInnis, P.A. to investigate and pursue claims regarding potential chemicals in the environment; and

WHEREAS, it has come to the attention of the parties that particular issues unstated in the Order (located in the minutes at Book 6Q, page 103) passed on October 15, 2019, need to be addressed by the governing authorities, spread upon the minutes, and reflected in the retainer agreement either by way of amendment or addendum; and

WHEREAS, the governing authorities find that the following measures and/or provisions are in the best interest of the City, and are to be included, either verbatim or in provisions of similar import, by way of amendment or addendum to the retainer agreement:

1. The Firms and the City agree that the Firms may join efforts with other attorneys to pursue the claims of the City at no increase of the attorney fees owed by the City; and
2. The City and the Firms shall agree that should the City fail to fully cooperate with attorneys, and should such failure to cooperate cause attorneys to voluntarily withdraw from representation of the City, attorneys are entitled to recoup all money advanced by attorneys on City's behalf, and attorneys will be entitled to a quantum meruit fee for all of attorneys' work which contributed to the recovery of money for the client, based on hourly rates delineated in the legal services contract - not exceeding \$400.00 for work performed by member attorneys of the firms; not exceeding \$300.00 for work performed by non-member attorneys of the firms; and not exceeding \$150.00 for work performed by paralegals of the firms; and
3. The City and the Firms agree that in the event the City discharges the attorneys, the attorneys are entitled to recoup all money advanced by the attorneys on the City's behalf, and the attorneys will be entitled to a quantum meruit fee for all the attorneys' work with contributed to the recovery of money for the City, based on hourly rates delineated in the legal services contract - not exceeding \$400.00 for work performed by member attorneys of the firms; not exceeding \$300.00 for work performed by non-member attorneys of the firms; and not exceeding \$150.00 for work performed by paralegals of the firms; and
4. The City and the Firms agree that any attorney fees, cost and/or expenses awarded by the court or jury will be counted against the contingency fee.
5. The Firms agree to advance costs of the litigation, and further agree that attorney fees and expenses shall be paid only if the Firms obtain a favorable result in the case.
6. The Firms and all associated attorneys are required to keep a record of expenses and time spent working on the case, based on hourly rates delineated above.

WHEREAS, the Parties have agreed that the combined Firms herein shall continue to provide representation and services for a 33 1/3% fee of the gross recovery plus reimbursement for reasonable expenses associated with the prosecution of the case; and

WHEREAS, the City finds it is in the City's best interest to execute an Amended Retainer Agreement, or Addendum thereto, reflecting consistent with the provisions noted herein.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Amended Retainer Agreement, or an Addendum to the Retainer Agreement, with Davis & Williams, PLLC and Rawlings & MacInnis, P.A., to continue to represent the City in litigation involving the chemicals for a 33 1/3% fee from any gross recovery, plus reimbursement for reasonable expenses associated with the prosecution of the case.

FURTHER, the Mayor, City Attorney, and/or their legally empowered designees are authorized to execute such other documents as necessary to effectuate this order.

FURTHER, provisions in the prior and above-mentioned Order located at Book 6Q, Page 103 which are inconsistent with this order are superseded by this order.

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

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council Meeting at 10:00 a.m. on July 7, 2020. At 8:42 p.m., the Council stood adjourned.

PREPARED BY:

Shanika Maskey
CLERK OF COUNCIL

APPROVED:

Charles L. Holt, 8/5/2020
MAYOR DATE

ATTEST:

Angela Harris
CITY CLERK
