

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on July 7, 2020, being the first Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Aaron Banks, Council President, Ward 6; Charles Tillman, Vice President, Ward 5; Ashby Foote, Ward 1; Melvin Priester, Ward 2; Kenneth Stokes, Ward 3; De'Keither Stamps, Ward 4; and Virgi Lindsay, Ward 7. 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.

President Lindsay requested that Agenda Items No. 23, 24 and 18, respectively, be moved forward on the Agenda. Hearing no objections, the following were presented.

ORDER RE-APPOINTING ED SIVAK TO THE JACKSON PUBLIC SCHOOL BOARD.

WHEREAS, the Jackson Public School Board consists of seven (7) members, for a term of five (5) years; and

WHEREAS, Ed Sivak, resident of Ward 1, after evaluation of his qualifications, has been nominated by the Mayor to fill said vacancy.

IT IS THEREFORE ORDERED that the Mayor's appointment of Ed Sivak to the Jackson Public School Board be confirmed with said term to expire June 30, 2025.

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

Note: Council Member Stokes joined the meeting.

President Lindsay, recognized **Dr. Safiya Omari**, Chief of Staff, who provided a brief presentation on the qualifications of **Mr. Ed Sivak** to Jackson Public School Board for the City of Jackson, Mississippi. **Mr. Ed Sivak** read his personal statement and answered questions posed to him by Council Members.

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

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

Nays – None.

Absent – None.

ORDER CONFIRMING THE MAYOR'S APPOINTMENT OF HEATHER WILCOX 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, Heather Wilcox will represent Ward 5 on the Historic Preservation Board; and

WHEREAS, Heather Wilcox, resident of Ward 5, after evaluation of her qualifications, has been appointed by the Mayor to fill said vacancy.

IT IS THEREFORE ORDERED that the Mayor's appointment of Heather Wilcox to the Historic Preservation Board be confirmed with said term to expire July 7, 2023.

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

President Lindsay, recognized **Jhai Keeton**, Deputy Director of Planning, who provided a brief presentation on the qualifications of **Ms. Heather Wilcox** to the Historic Preservation Board for the City of Jackson, Mississippi. **Ms. Heather Wilcox** read her personal statement and answered questions posed to her by Council Members.

President Lindsay recognized **Council Member Banks**, who recommended said order be amended changing "Ward 6" to "Ward 5".

Council Member Banks moved, seconded by **Council Member Stokes**, to amend the Order to change "Ward 5" to "Ward 6" throughout the body of said item. The motion prevailed by the following vote:

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

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

ORDER CONFIRMING THE MAYOR'S APPOINTMENT OF HEATHER WILCOX 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, Heather Wilcox will represent Ward 6 on the Historic Preservation Board; and

WHEREAS, Heather Wilcox, resident of Ward 6, after evaluation of her qualifications, has been appointed by the Mayor to fill said vacancy; and

IT IS THEREFORE ORDERED that the Mayor's appointment of Heather Wilcox to the Historic Preservation Board be confirmed with said term to expire July 7, 2023.

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

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI PROVIDING FOR THE ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT.

WHEREAS, pursuant to Section 21-8-11 of the Mississippi Code of 1972, as amended, and Section 2-37 of the Jackson Code of Ordinances, the president and vice president of the Council serve at the will and pleasure of the City Council; and

WHEREAS, the City Council has determined that a new election should be held at this time.

IT IS, THEREFORE, ORDERED that the City Council by majority vote hereby elects _____ to serve as President of the City Council and _____ to serve as Vice President of the City Council.

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

President Lindsay opened the floor for nominations for Council President.

Council Member Tillman nominated **Council Member Banks** to serve as Council President.

Council Member Stamps moved to close the nominations for Council President.

Thereafter, **President Lindsay** called for a vote to elect **Council Member Banks** as Council President. The vote was as follows:

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

President Lindsay immediately vacated her seat as Council President, and relinquished the same to **Newly Elected President Banks** to preside over the meeting. **President Banks** then opened the floor for nominations for Council Vice President.

Council Member Stokes nominated **Council Member Tillman** to serve as Vice Council President.

There being no further nominations **President Banks** called for a vote to elect **Council Member Tillman** as Vice President. The vote was as follows:

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

Council Member Stamps moved; seconded by **Council Member Priester** to amend said order to fill in blanks to reflect the vote for Council Member Aaron Banks to serve as President and Council Member Charles Tillman to serve as Vice President of the City Council. The motion prevailed by the following vote:

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

Thereafter, **President Banks** called for a vote to said item, as amended:

**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI PROVIDING FOR
THE ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT.**

WHEREAS, pursuant to Section 21-8-11 of the Mississippi Code of 1972, as amended, and Section 2-37 of the Jackson Code of Ordinances, the president and vice president of the Council serve at the will and pleasure of the City Council; and

WHEREAS, the City Council has determined that a new election should be held at this time.

IT IS, THEREFORE, ORDERED that the City Council by majority vote hereby elects Council Member Aaron Banks to serve as President of the City Council and Council Member Charles Tillman to serve as Vice President of the City Council.

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

Nays – None.

Absent – None.

There came on for consideration Agenda Item No. 2, Public Hearing:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR MEADOWBROOK OFFICE PARK TO ERECT A SECOND MONUMENT SIGN AT 70 SQUARE FEET AND 10 FEET IN HEIGHT WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS ONE 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT.

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

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

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

WHEREAS, said variance application shall also demonstrate that:

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

WHEREAS, Meadowbrook Office Park, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a second monument sign at 70 square feet and 10 feet in height within a CMU-1 zone which only allows one 15 square foot monument sign at 6 feet in height.

IT IS THEREFORE, ORDERED that Meadowbrook Office Park is hereby (approved) a variance from the Sign Ordinance regulations to erect a second monument sign at 70 square feet and 10 feet in height within a CMU-1 zone which only allows one 15 square foot monument sign at 6 feet in height, it being determined that the parties in interest and the general citizenry first had their

opportunity to be heard and that the applicant (has not) met the necessary criteria for the requested variance.

IT IS FURTHER ORDERED that the City Council has considered the variance application and grants the variance requested therein based on a finding that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; the literal interpretation of the provision of the Sign Ordinance (would) deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance; the special conditions and circumstances do not result from actions of the applicant; and granting the variance requested (will not) confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district.

President Banks, recognized **Bryan Nesbit**, a representative of the applicant, who spoke in favor of approval of a sign variance for Meadowbrook Office Park.

There came on for consideration Agenda Item No. 3, Public Hearing:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR MEADOWBROOK OFFICE PARK TO ERECT A SECOND MONUMENT SIGN AT 70 SQUARE FEET AND 10 FEET IN HEIGHT WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS ONE 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT.

There was no opposition from the public.

President Banks requested that Agenda Items No. 36 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR MEADOWBROOK OFFICE PARK TO ERECT A SECOND MONUMENT SIGN AT 70 SQUARE FEET AND 10 FEET IN HEIGHT WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS ONE 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT.

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

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

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

WHEREAS, said variance application shall also demonstrate that:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
2. The literal interpretation of the provisions of the Sign Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance;

3. The special conditions and circumstances do not result from actions of the applicant; and
4. Granting the variance requested will not confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district; and

WHEREAS, Meadowbrook Office Park, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a second monument sign at 70 square feet and 10 feet in height within a CMU-1 zone which only allows one 15 square foot monument sign at 6 feet in height.

IT IS THEREFORE, ORDERED that Meadowbrook Office Park is hereby (approved) a variance from the Sign Ordinance regulations to erect a second monument sign at 70 square feet and 10 feet in height within a CMU-1 zone which only allows one 15 square foot monument sign at 6 feet in height, it being determined that the parties in interest and the general citizenry first had their opportunity to be heard and that the applicant (has not) met the necessary criteria for the requested variance.

IT IS FURTHER ORDERED that the City Council has considered the variance application and grants the variance requested therein based on a finding that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; the literal interpretation of the provision of the Sign Ordinance (would) deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance; the special conditions and circumstances do not result from actions of the applicant; and granting the variance requested (will not) confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district.

Council Member Stokes moved adoption; Council Member Lindsay seconded.

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

Nays – None.

Absent – None.

President Banks recognized the following individuals who provided public comments on agenda related items during the meeting:

- Lee Bernard expressed concerns regarding property neglect within areas surrounding and/or on the real property of Lanier High School, Brookwood Place, Glen Erin Street and Pine Crest Street.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND J.B.S. LAWN CARE CO. TO CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2019-1576 – LOT EAST OF 128 WEST COHEA STREET – \$1,116.50.

WHEREAS, on March 3, 2020, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on January 14, 2020 for Case 2019-1576 located in Ward 7 of the City of Jackson; and

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

WHEREAS, J.B.S Lawn Care Co. appeared next on the rotation list and through its representative, Shanora Amons, agreed to cut grass, weeds, shrubbery, fence line, bushes, and

saplings; remove trash, debris, tires, wooden boards, crates, appliances, building materials, furniture, and fallen tree parts; clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at Lot east of 128 West Cohea Street for the sum of \$1,116.50; and

WHEREAS, J.B.S Lawn Care Co. has a principal office address of 246 Rowland Ave Jackson, Mississippi 39209.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with J.B.S Lawn Care Co. to cut vegetation and remedy conditions on the property located at Lot East of 128 West Cohea Street deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER ORDERED that a sum not to exceed \$1,116.50 shall be paid to J.B.S Lawn Care Co. for the services provided from funds budgeted for the Division.

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

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

Nays – None.

Absent – Priester.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND PARTEE & ASSOCIATES LLC TO CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2020-1100 – 4863 WOODMONT DRIVE– \$1,450.00.

WHEREAS, on March 31, 2020 the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on March 10, 2020 for Case 2020-1100 located in Ward 1 of the City of Jackson; and

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

WHEREAS, Partee & Associates LLC appeared next on the rotation list and through its representative, Christopher Partee agreed to cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, tree parts, and clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 4863 Woodmont Drive for the sum of \$1,450.00; and

WHEREAS, Partee & Associates, LLC has a principal office address of 334 Park Lane Jackson, Mississippi 39212.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with Partee & Associates, LLC to cut vegetation and remedy conditions on the property located at 4863 Woodmont Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER ORDERED that a sum not to exceed \$1,450.00 shall be paid to Partee & Associates, LLC for the services provided from funds budgeted for the Division.

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

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

Nays – None.

Absent – Priester.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND PARTEE & ASSOCIATES LLC TO BOARD UP AND SECURE STRUCTURE(S) AND/OR CUT GRASS AND WEEDS; REMOVE

TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2020-1099 – 218-20 TAYLOR STREET – \$1,400.00.

WHEREAS, on March 31, 2020 the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on March 10, 2020 for Case 2020-1099 located in Ward 7 of the City of Jackson; and

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

WHEREAS, Partee & Associates, LLC appeared next on the rotation list and through its representative, Christopher Partee agreed to board up and secure structure(s) and/or cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, tree parts, and clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 218-20 Taylor Street for the sum of \$1,400.00; and

WHEREAS, Partee & Associates, LLC has a principal office address of 334 Park Lane Jackson, Mississippi 39212.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with Partee & Associates, LLC to cut vegetation and remedy conditions on the property located at 218-20 Taylor Street deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER ORDERED that a sum not to exceed \$1,400.00 shall be paid to Partee & Associates, LLC for the services provided from funds budgeted for the Division.

Council Member Priester moved adoption; Council Member Tillman seconded.

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

Nays – None.

Absent – Priester.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND J.B.S LAWN CARE CO. TO CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2019-1577 – 2ND LOT EAST OF 128 WEST COHEA STREET – \$1,015.00.

WHEREAS, on March 3, 2020, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on January 14, 2020 for Case 2019-1577 located in Ward 7 of the City of Jackson; and

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

WHEREAS, J.B.S Lawn Care CO. appeared next on the rotation list and through its representative, Shanora Amons, agreed to cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, wooden boards, crates, appliances, building materials, furniture, and fallen tree parts; clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 2nd Lot East of 128 West Cohea Street for the sum of \$1,015.00; and

WHEREAS, J.B.S Lawn Care CO. has a principal office address of 246 Rowland Ave, Jackson Mississippi 39209.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with J.B.S LAWN CARE CO. to cut vegetation and remedy conditions on the property located at 2nd Lot East of 128 West Cohea Street deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER ORDERED that a sum not to exceed \$1,015.00 shall be paid to J.B.S Lawn Care CO. for the services provided from funds budgeted for the Division.

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

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

Nays – None.

Absent – Priester.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND R&C SERVICES LLC. TO DEMOLISH STRUCTURE FOUNDATION, STEPS AND DRIVEWAY; CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2014-1354-615 WEST HILLSDALE DRIVE – \$4,950.00.

WHEREAS, on October 21, 2014, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on June 24, 2014 for Case 2014-1354 located in Ward 4 of the City of Jackson; and

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

WHEREAS, R&C SERVICES LLC. appeared next on the rotation list and through its representative, Raymond Granderson, agreed to demolish structure, foundation, steps, driveway and/or cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, crates, appliances, building materials, furniture, and fallen tree parts; clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 615 West Hillsdale Drive for the sum of \$4,950.00; and

WHEREAS, R&C Services, LLC has a principal office address of 987 Gore Road Jackson, Mississippi 39212.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with R&C Services, LLC to demolish structure, foundation, steps, and driveway and/or cut vegetation and remedy conditions on the property located at 615 West Hillsdale Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER ORDERED that a sum not to exceed \$4,950.00 shall be paid to R&C Services, LLC for the services provided from funds budgeted for the Division.

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

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

Nays – None.

Absent – Priester.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND J.B.S LAWN CARE CO. TO CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2019-1578 – 3rd LOT EAST OF 128 WEST COHEA STREET – \$1,116.50.

WHEREAS, on March 3, 2020, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on January 14, 2020 for Case 2019-1578 located in Ward 7 of the City of Jackson; and

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

WHEREAS, J.B.S LAWN CARE CO. appeared next on the rotation list and through its representative, Shanora Amons, agreed to cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, wooden boards, crates, appliances, building materials, furniture, and fallen tree parts; clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 3rd Lot East of 128 West Cohea Street for the sum of \$1,116.50; and

WHEREAS, J.B.S Lawn Care Co. has a principal office address of 246 Rowland Ave Jackson, Mississippi 39209.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with J.B.S Lawn Care Co. to cut vegetation and remedy conditions on the property located at 3rd Lot East of 128 West Cohea Street deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER BY ORDERED that a sum not to exceed \$1,116.50 shall be paid to J.B.S Lawn Care Co. for the services provided from funds budgeted for the Division.

Council Member Priester moved adoption; Council Member Tillman seconded.

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

Nays – None.

Absent – Priester.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND PARTEE & ASSOCIATES LLC TO BOARD UP AND SECURE STRUCTURE(S) AND/OR CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2020-1008 – 244 Gunter Street – \$1,040.00.

WHEREAS, on March 3, 2020 the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on January 28, 2020 for Case 2020-1008 located in Ward 7 of the City of Jackson; and

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

WHEREAS, Partee & Associates, LLC appeared next on the rotation list and through its representative, Christopher Partee agreed to board up and secure structure(s) and/or cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, tree parts, and clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 244 Gunter Street for the sum of \$1,040.00; and

WHEREAS, Partee & Associates, LLC has a principal office address of 334 Park Lane Jackson, Mississippi 39212.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with Partee & Associates, LLC to cut vegetation and remedy conditions on the property located at 244 Gunter Street deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER ORDERED that a sum not to exceed \$1,040.00 shall be paid to Partee & Associates, LLC for the services provided from funds budgeted for the Division.

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

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

Nays – None.

Absent – Priester.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND R&C SERVICES, LLC TO DEMOLISH STRUCTURE FOUNDATION, STEPS AND DRIVEWAY; CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2018-2104 – 2115 OAKHURST DRIVE – \$4,448.00.

WHEREAS, on March 19, 2019, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on January 15, 2019 for Case 2018-2104 located in Ward 4 of the City of Jackson; and

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

WHEREAS, R&C SERVICES LLC. appeared next on the rotation list and through its representative, Raymond Granderson, agreed to demolish structure, foundation, steps, driveway and/or cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, crates, appliances, building materials, furniture, and fallen tree parts; clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 2115 Oakhurst Drive for the sum of \$4,448.00; and

WHEREAS, R&C Services, LLC has a principal office address of 987 Gore Road Jackson, Mississippi 39212.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with R&C Services, LLC to demolish structure, foundation, steps, and driveway and/or cut vegetation and remedy conditions on the property located at 2115 Oakhurst Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER ORDERED that a sum not to exceed \$4,448.00 shall be paid to R&C Services LLC, for the services provided from funds budgeted for the Division.

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

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

Nays – None.

Absent – Priester.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND PARTEE & ASSOCIATES LLC TO BOARD UP AND SECURE STRUCTURE(S) AND/OR CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2020-1015 – 3882 NORTHVIEW DRIVE – \$1,791.00.

WHEREAS, on March 3, 2020 the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on January 28, 2020 for Case 2020-1015 located in Ward 7 of the City of Jackson; and

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

WHEREAS, Partee & Associates, LLC appeared next on the rotation list and through its representative, Christopher Partee agreed to board up and secure structure(s) and/or cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, tree parts, wooden boards, appliances, crates, bikes, furniture, blue Chrysler, and clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 3882 Northview Drive for the sum of \$1,791.00; and

WHEREAS, Partee & Associates, LLC has a principal office address of 334 Park Lane Jackson, Mississippi 39212.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with Partee & Associates, LLC to cut vegetation and remedy conditions on the property located at 3882 Northview Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER ORDERED that a sum not to exceed \$1,791.00 shall be paid to Partee & Associates, LLC for the services provided from funds budgeted for the Division.

Council Member Priester moved adoption; Council Member Tillman seconded.

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

Nays – None.

Absent – Priester.

There came on for consideration Introduction Agenda Item No. 14:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI RENAMING CAPERS STREET TO GEORGE FLOYD DRIVE. Said item was placed in Planning Committee at the request of Council Member Stokes.

ORDINANCE BANNING GERRYMANDERING IN THE CITY OF JACKSON.

WHEREAS, political gerrymandering is a substantial problem harming representational democracy throughout the United States and within the City of Jackson. Gerrymandering has often been used to disadvantage and harm people of color by minimizing (or negating) their political strength; and

WHEREAS, a district, therefore, starts by determining the “ideal” population. In a single-member district plan, the “ideal” population is equal to the total population of the jurisdiction divided by the total number of districts. For example, if a city’s population is one million and there are ten legislative districts, the “ideal” population of each district is 100,000. Any amount less or greater than this number is called a “deviation”; and

WHEREAS, the population of Jackson, MS is upwards of 170,000; the population within Ward 4 is 30,000 plus. This is clearly an instance of a deviation. Using major thoroughfares to re-draw districts lines is fast becoming a new redistricting trend. Many neighborhoods in the City of Jackson are divided by district lines. These neighborhoods could be better served if they were within the same district. This would also help even out the populations within districts, eliminating deviations.

THEREFORE, BE IT ORDAINED that the City of Jackson will ban gerrymandering and redistrict the city using major thoroughfares to avoid neighborhoods being divided by district lines.

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

President Banks 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 Member Stamps withdrew motion; **Council Member Stokes** withdrew second.

Note: **Council Member Tillman** and **Council Member Stokes** left the meeting.

ORDINANCE AMENDING SECTIONS OF CHAPTER 2 OF THE CODE OF ORDINANCES CITY OF JACKSON, MISSISSIPPI, GOVERNING BOARDS, COMMISSIONS AND COMMITTEES.

WHEREAS, Chapter 2 of the Code of Ordinances, City of Jackson, Mississippi, establishes procedures for appointment of members to governing boards, commissions, and committees; and

WHEREAS, Chapter 2 establishes a ward based geographic distribution requirement for appointments to all boards; and

WHEREAS, certain boards requiring specific technical experience have struggled to meet the geographic distribution requirements to maintain quorums and meeting schedules; and

WHEREAS, the Department of Planning has recommended changes to exempt certain boards from the ward based geographic distribution requirements to ensure the boards are able to conduct business as needed; and

THEREFORE, BE IT ORDAINED as follows:

SECTION 1. Section 2-372 Appointment to Boards of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

SECTION 2-372. - APPOINTMENTS TO BOARDS.

Whenever the city council is authorized by any provision of the Code of Ordinances to appoint the members of any board, authority or commission, such power of appointment shall be deemed to vest in the mayor with the confirmation of an affirmative vote of a majority of the council present and voting at any meeting. Every multiple of seven members of each board, authority, or commission shall include one appointee from each ward of the city. Anybody consisting of less than seven members shall include not more than one appointee from any ward. Each member of any board, authority or commission must reside in said ward of the City of Jackson at the time the member is appointed, unless a specific local ordinance or state statute specifies otherwise. Each member of any board, authority or commission must continue to reside in the City of Jackson during the member's term of office on any board, authority or commission. If a member no longer resides in and/or is permanently domiciled outside the corporate limits of the City of Jackson at any given time during the appointed term on a board, authority, or commission, said appointment is terminated and deemed vacant. Such geographic distribution of appointments shall commence as the present terms of office expire and shall be accomplished in the following

manner: For any multiple of seven members on any appointed body which does not have a representation of ward one, a resident of ward one shall be appointed to the first vacant position on such body. If any multiple of seven members does not contain a resident of ward two a resident of ward two shall be appointed commission, said appointment is terminated and deemed vacant. Such geographic distribution of appointments shall commence as the present terms of office expire and shall be accomplished in the following manner: For any multiple of seven members on any appointed body which does not have a representation of ward one, a resident of ward one shall be appointed to the first vacant position on such body. If any multiple of seven members does not contain a resident of ward two, a resident of ward two shall be appointed to the second vacant position, etc., until the proper geographic balance is obtained.

The following boards shall be exempt from ward based geographic distribution requirements due to the specific qualifications required for service on the board:

- 1. Historic Preservation Commission

Boards that are exempt from geographic distribution requirements shall still be subject to the requirement for residency within the city limits.

SECTION 2. Should any sentence, paragraph, subdivision, clause, phrase, or section of this Article be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Article as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Code of Ordinances of the City of Jackson, Mississippi, as a whole.

SECTION 3. The preceding amendments and revisions to Chapter 2 of the Code of Ordinances, City of Jackson, Mississippi, shall be published and effective 30 days after passage, in accordance with Miss. Code Ann. Section 21-13-11 (1972 as amended).

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

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

Nays – None.

Absent – Stokes and Tillman.

ORDINANCE AMENDING SECTIONS OF CHAPTER 70 OF THE CODE OF ORDINANCES CITY OF JACKSON, MISSISSIPPI, HISTORIC PRESERVATION.

WHEREAS, Chapter 70 of the Code of Ordinances, City of Jackson, Mississippi, establishes procedures for appointment of members to the Historic Preservation Commission; and

WHEREAS, Chapter 70 establishes a ward based geographic distribution requirement for appointments to the commission; and

WHEREAS, certain boards requiring specific technical experience have struggled to meet the geographic distribution requirements to maintain quorums and meeting schedules; and

WHEREAS, the Department of Planning has recommended changes to exempt certain boards from the ward based geographic distribution requirements to ensure the boards are able to conduct business as needed; and

THEREFORE, BE IT ORDAINED as follows:

SECTION 1. Section 70-46 Composition and Terms of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

SEC. 70-46. - COMPOSITION AND TERMS.

(a) By virtue of MCA 1972, § 39-13-5, as amended, a historic preservation commission is hereby created to preserve, promote and develop the historical resources of the city and to advise the governing authorities as to the designation of historic districts, landmarks, and landmark sites and to perform such other functions as may be provided for in this article.

(b) The commission shall consist of not less than nine residents of the city. All members of the commission shall serve for three-year terms, and shall be eligible for reappointment. However, the first nine members appointed shall serve the following terms: three members,

one year; three members, two years; and three members, three years. All members of the commission shall serve at the will and pleasure of the governing authorities.

(c) All commission members shall have a demonstrated knowledge or interest, competence, or expertise in historic preservation. All commission members shall be nominated by the mayor and confirmed by the city council with due regards for such fields as architecture, history, urban planning, archaeology and law, and others, to reflect the racial and economic diversity of the city. ~~Further, one member shall be appointed from each of the seven wards within the city, and the remaining two members, shall be at-large members, appointed from different wards.~~

SECTION 2. Should any sentence, paragraph, subdivision, clause, phrase, or section of this Article be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Article as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Code of Ordinances of the City of Jackson, Mississippi, as a whole.

SECTION 3. The preceding amendments and revisions to Chapter 70 of the Code of Ordinances, City of Jackson, Mississippi, shall be published and effective 30 days after passage, in accordance with Miss. Code Ann. Section 21-13-11 (1972 as amended).

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

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

Nays – None.

Absent – Stokes and Tillman.

* * * * *

Note: **Council Member Tillman** and **Council Member Stokes** returned to the meeting.

* * * * *

ORDER APPROVING CLAIMS NUMBER 23191 to 23280 APPEARING AT PAGES 177 TO 211, INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$3,120,302.96 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 23191 to 23280 appearing at pages 177 to 211, inclusive thereon in the Municipal “Docket of Claims”; in the aggregate amount of \$3,120,302.96 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	666,136.52
SEIZURE & FORF PROP-STATE	714.15
TECHNOLOGY FUND	212,107.84
PARKS & RECR. FUND	32,545.14
BUSINESS IMPROV FUND (LANDSCP)	11,383.45
LANDFILL/SANITATION FUND	9,606.55
NCSC SENIOR AIDES	200.83
STATE TORT CLAIMS FUND	16,417.34
WATER/SEWER OP & MAINT FUND	446,550.43
WATER/SEWER CAPITAL IMPR FUND	156,901.39
DISABILITY RELIEF FUND	120,824.89
EMPLOYEES GROUP INSURANCE FUND	62,627.71
KELLOGG FOUNDATION PROJECT	1,056.00

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EARLY CHILDHOOD (DAYCARE)	2,160.13
HOUSING COMM DEV ACT (CDBG) FD	5,669.72
EMERGENCY SHELTER GRANT (ESG)	5,935.36
H O P W A GRANT – DEPT. OF HUD	57,104.16
G O PUB IMP CONS BD 2003(\$20M)	37,800.00
1% INFRASTRUCTURE TAX	265,685.82
TRANSPORTATION FUND	553,122.00
FINDEN BUSINESS IMPROV FUND	6,875.52
RESURFACING – REPAIR & REPL FD	120,578.19
CAPITAL CITY REVENUE FUND	3,789.49
LIBRARY FUND	324,501.33
TOTAL	<u>\$3,120,302.96</u>

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

President Banks recognized **Dr. Robert Blaine**, Chief Administrative Officer, who provided a brief overview of the Claims Docket at the request of **President Banks**.

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

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

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 23191 TO 23280 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 23191 to 23280 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$123,633.89 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		1,906,465.29
PARKS & RECR FUND		84,572.53
LANDFILL FUND		16,934.65
SENIOR AIDES		9,365.91
WATER/SEWER OPER & MAINT		196,695.84
PAYROLL	123,633.89	
EARLY CHILDHOOD		30,791.20
HOUSING COMM DEV		8,843.12
TITLE III AGING PROGRAMS		4,268.82
TRANSPORTATION FUND		14,739.77
PEG ACCESS-PROGRAMMING FUND		4,657.77
TOTAL		\$2,277,334.14

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

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

President Banks recognized **Council Member Lindsay** who stated that an item needed to be added to the agenda on an emergency basis regarding “Order reinstating the temporary suspension of sections of the Jackson City Council’s regular meeting agenda concerning public comments and the proclamation, special presentations, commendations, and resolutions honoring individuals businesses, groups or organizations.”

President Banks recognized **Council Members Tillman** moved, seconded by **Council Member Priester** to add an item to the agenda on an emergency basis to reinstate the temporary suspension of sections of the Jackson City Council’s regular meeting agenda concerning public comments and the proclamation, special presentations, commendations, and resolutions honoring individuals businesses, groups or organizations. The motion prevailed by the following vote:

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

There came on as the Emergency Agenda Item: ORDER REINSTATING THE TEMPORARY SUSPENSION OF SECTIONS OF THE JACKSON CITY COUNCIL’S REGULAR MEETING AGENDA CONCERNING PUBLIC COMMENTS AND THE PROCLAMATION, SPECIAL PRESENTATIONS, COMMENDATIONS, AND RESOLUTIONS HONORING INDIVIDUALS BUSINESSES, AND GROUPS OR ORGANIZATIONS. Hearing no objections, the Clerk read the following:

ORDER REINSTATING THE TEMPORARY SUSPENSION OF SECTIONS OF THE JACKSON CITY COUNCIL’S REGULAR MEETING AGENDA CONCERNING PUBLIC COMMENTS AND THE PROCLAMATION, SPECIAL PRESENTATIONS, COMMENDATIONS, AND RESOLUTIONS HONORING INDIVIDUALS BUSINESSES, GROUPS OR ORGANIZATIONS

WHEREAS, the Jackson City Council adopted an ordinance that governs the order of its business, which is codified at Section 2-64 of the City of Jackson Code of Ordinances; and

WHEREAS, the Jackson City Council also adopted an ordinance that governs public comments, which is codified at Section 2-71 of the City of Jackson code of Ordinance; and

WHEREAS, both the Mississippi Department of Health, and the United States White House have urged that certain emergency measures be implemented in the wake of the COVID-19 spread; and

WHEREAS, the emergency measures recommended include, but are not limited to, social distancing; and

WHEREAS, the Jackson City Council recognizes that part of ordinances codified at Section 2-64 and Section 2-71 of the City of Jackson Code of Ordinances are not compatible with the implementation of the recommendation measures; and

WHEREAS, in *Gannett River States Pub. Corp., Inc. v. City of Jackson*, the Mississippi Supreme Court opined that a municipality is not required to allow public comment (*See 866 So. 2d 462, 469*) (Miss. 2004); and

WHEREAS, the Jackson City Council desired to strike a balance between carrying on the public’s business while minimizing risk and exposure to COVID-19 for all; and

WHEREAS, on March 16, 2020, the Jackson City Council adopted an *Order Temporarily Suspending Section of the Jackson City Council's Regular Meeting Agenda Concerning Public Comments and the Proclamations, Special Presentations, Commendations, and Resolutions Honoring Individuals, Businesses, Groups, or Organizations*; and

WHEREAS, due to the reopening of City Hall, the Jackson City Council adopted on June 23, 2020, an *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 Reinstating Public Comments*; and

WHEREAS, since the Jackson City Council adopted the latter Order, Covid-19 cases within not only the State of Mississippi, but also within Hinds County, have exponentially increased; and

WHEREAS, the Jackson City Council finds it is necessary to reinstitute precautionary measures to protect the public's life, safety, health, and welfare.

NOW, THEREFORE, IT IS HEREBY ORDERED that the March 16, 2020 Order of the Jackson City Council is hereby reinstated in its entirety.

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

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

Nays – Stokes.

Absent – None.

ORDER APPROVING THE MOTOR VEHICLE AD VALOREM TAX ASSESSMENT SCHEDULE FOR THE CITY OF JACKSON AND THE JACKSON MUNICIPAL SEPARATE SCHOOL DISTRICT FOR THE YEAR 2020-2021, AS CONSIDERED, EXAMINED, CORRECTED AND EQUALIZED, SUBJECT TO THE RIGHT OF TAXPAYERS TO BE HEARD ON ALL OBJECTIONS MADE BY THEM IN WRITING AT A MEETING OF THE COUNCIL COMMENCING JULY 21, 2020 AND SUBJECT TO CHANGES AND CORRECTIONS BY THE COUNCIL AS AUTHORIZED BY LAW.

WHEREAS, the Council of the City of Jackson, Mississippi, having heretofore received the motor vehicle ad valorem tax assessment schedule prepared and adopted by the Department of Revenue, and the Council having examined and considered the said motor vehicle ad valorem tax assessment schedule and from said examination and other evidence before it finds that the valuations set forth therein have been equalized in general throughout the City and School District, and fully comply with statutes governing the preparation of the same, and that the said schedule should now be approved, subject to the right of property owners to protest and object.

IT IS, THEREFORE, ORDERED that the Motor Vehicle Ad Valorem Tax Assessment Schedule be and the same is hereby approved, subject to the rights of citizens and property owners to object and protest thereto, and that the Municipal Clerk be and she is hereby authorized and directed to give notice thereof by publication in the Mississippi Link, a newspaper of general circulation in the City of Jackson, Mississippi, one time on July 16, 2020, the publication of which shall be made no more than fifteen (15) days prior to the regular meeting of the Council to be held on July 21, 2020, notifying the public and taxpayers of the City of Jackson and of the Jackson Municipal Separate School District that the said motor vehicle ad valorem tax assessment schedule for the year 2020-2021, and the valuation therein set forth has been considered and approved by the Council, and is now ready for inspection and examination by the public, and that any objection to the valuation set forth and contained in said assessment schedule must be filed in writing with the Municipal Clerk at City Hall located at 219 S. President Street in Jackson, Mississippi, on or before 6:00 p.m. on July 21, 2020 at which time the Council will convene in regular session and commence hearing and considering objections, if any, to the said schedule and the valuation contained therein, and will continue hearing from day to day thereafter until all taxpayers and parties in interest who have filed written objections to any of the said valuations contained in said schedule have been heard and such objections have been disposed of in the manner approved by law.

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

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

ORDER ESTABLISHING THE ASSESSMENT FOR THE DOWNTOWN JACKSON BUSINESS IMPROVEMENT DISTRICT.

WHEREAS, an election was held on January 17, 2017, allowing district property owners to reauthorize the district boundaries, the district plan and the district management agency for a period of 10 years; and

WHEREAS, the results of said election exceeded the sixty-percent affirmative threshold; and

WHEREAS, pursuant to Mississippi Code Annotated, as amended, §21-43-123, the City is authorized to levy an assessment and distribute funds to the Management Agency now established as Downtown Jackson Partners; and

WHEREAS, this procedure has been followed since 1996;

IT IS HEREBY ORDERED, by the City Council of Jackson, Mississippi, there is levied on all taxable real property in the Downtown Jackson Business Improvement District within the corporate limits of the City of Jackson a levy of \$0.11 on each square foot of buildings and unimproved real estate for the following properties:

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

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

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING A MATCHING GRANT TO JACKSON STATE UNIVERSITY ATHLETIC FOUNDATION FOR THE DEVELOPMENT AND PROMOTION OF THE ARTS.

WHEREAS, Section 39-15-1 of the Mississippi Code Annotated (1972), as amended, authorizes payments of matching funds from municipal general funds for the purpose of supporting the development, promotion and coordination of arts within the municipality; and

WHEREAS, classic football events have historically been hosted in various municipalities; thus, bringing in considerable revenue streams for the same ranging from Fifteen Million Dollars (\$15,000,000.00) to Thirty Million Dollars (\$30,000,000.00); and

WHEREAS, the 2020 Labor Day Classic is scheduled to be held in the City of Jackson, Mississippi at Veteran's Memorial Stadium on September 5, 2020; and

WHEREAS, the 2020 W.C. Gordon Classic is scheduled to be held in the City of Jackson, Mississippi at Veteran's Memorial Stadium on September 12, 2020; and

WHEREAS, said City Council of the City of Jackson recognizes the historic and cultural significance of the Labor Day Classic and the W.C. Gordon Classic; and

WHEREAS, the Labor Day Classic and the W.C. Gordon Classic events will serve to promote the rich and varied fine artistry, athleticism, and culinary talents within the City of Jackson, all underscored by an economic boost to the City; and

WHEREAS, it is in the best interest of the City of Jackson to support the profound significance of the Labor Day Classic and the W.C. Gordon Classic.

IT IS, THEREFORE, ORDERED that a grant of One Hundred Thousand Dollars (\$100,000.00) be made to the Jackson State University Athletic Foundation for the purpose of developing and presenting ongoing cultural programming for the Labor Day Classic and the W.C. Gordon Classic.

IT IS FURTHER ORDERED that the Mayor is authorized to execute a contract agreement with the Jackson State University Athletic Foundation to memorialize said grant award.

IT IS FINALLY ORDERED that said expenditures be made on a reimbursement and matching fund basis.

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

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

Nays – Foote and Priester.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF JACKSON, MISSISSIPPI - RUSSELL C. DAVIS PLANETARIUM AND TANGENT SOLUTIONS, LLC FOR THE "PLANETARIUM 2020 VIRTUAL STEAM CAMP.

WHEREAS, the City of Jackson, Mississippi - Russell C. Davis Planetarium and Tangent Solutions, LLC desire to collaborate to administer a four (4) week "Planetarium 2020 Virtual Summer STEAM Camp"; and

WHEREAS, to memorialize this collaboration, the parties will enter into a Memorandum of Understanding ("MOU") to facilitate the launch of the "Planetarium 2020 Virtual Summer STEAM Camp", as well as to enumerate the responsibilities of each party; and

WHEREAS, Tangent Solutions, LLC proposes to provide the following during the "Planetarium 2020 Virtual Summer STEAM Camp": camp administration and programming; NASA AstroCamp and camp supplies; Mini Spheros (introduction to robotics); and PowerUp Airplane (flight and drone exploration); and

WHEREAS, the MOU is for a term of three (3) years, with said services being rendered at a cost not to exceed Six Thousand, Five Hundred, and Fifty Dollars (\$6,550.00).

IT IS HEREBY ORDERED that the Mayor is authorized to execute a Memorandum of Understanding between the City of Jackson, Mississippi - Russell C. Davis Planetarium and Tangent Solutions, LLC to administer a four (4) week "Planetarium 2020 Virtual Summer STEAM Camp" for a term of three (3) years at a cost not to exceed Six Thousand, Five Hundred, and Fifty Dollars ((\$6,650.00).

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

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

Nays - None.

Absent - None.

ORDER ACCEPTING THE DONATION OF 100 TABLETS TO THE CITY OF JACKSON, MS FROM WASTE MANAGEMENT OF MISSISSIPPI, AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON AND WASTE MANAGEMENT OF MISSISSIPPI FOR THE DONATION OF SAID TABLETS TO THE CITY OF JACKSON'S DEPARTMENT OF HUMAN AND CULTURAL SERVICES.

WHEREAS, Section 21-17-5 of the Mississippi Code states that the care, management, and control of municipal affairs, its property, and finances are vested with the municipal governing authorities; and

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WHEREAS, the City of Jackson will accept donation of, and retain ownership of, 100 tablets as a donation from Waste Management of Mississippi to the City of Jackson's Department of Human and Cultural Services for use by children between the ages of 2-6 years old.

IT IS HEREBY ORDERED that the Mayor is authorized to execute an agreement between the City of Jackson, Mississippi and Waste Management of Mississippi for the acceptance and ownership of 100 tablets donated to the City of Jackson's Department of Human and Cultural Services for use by children between the ages of 2-6 years old.

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

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

RESOLUTION APPOINTING MISSISSIPPI MUNICIPAL LEAGUE 2020 VOTING DELEGATES FOR THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, the Mississippi Municipal League amended the bylaws of the association to provide for a ballot election, to be conducted by the officers of the Mississippi Municipal Clerks and Collectors Association, to be held each year at the summer convention, to elect a Second Vice President from the Southern District; and

WHEREAS, the amended bylaws require the governing authority board (Alderman, City Council, City Commission) to designate in its minutes the voting delegate and one alternate to cast the vote for each member municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI.

In accordance with the bylaws of the Mississippi Municipal League, the voting delegate(s) for the 2020 Mississippi Municipal League election to be held at the annual convention on September 2nd with run-off (if necessary) on September 3rd, 2020 are as follows:

Voting Delegate: Chokwe Antar Lumumba, Mayor
First Alternate: _____, Council President

That public interest and necessity requiring same, this Resolution shall become effective upon passage.

The above and foregoing Resolution, after having been first introduced to writing, was moved by _____, seconded by _____, and was adopted by the following vote, to wit:

YEAS:
NAYS:

The President thereby declared the motion carried and the Resolution adopted, this the (day, month and year)

SIGNED:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the (day, month and year).

ATTEST:

APPROVED:

CITY CLERK

MAYOR

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

Yeas—Banks, Foote, Lindsay, Priester, Stamps, Stokes and Tillman.

Nays – None.

Absent – None.

President Banks recognized **Angela Harris**, Municipal Clerk who provided a brief overview of the Mississippi Municipal League 2020 Voting Delegates.

President Banks recognized **Monica Allen**, Special Assistant to the City Attorney, who recommended the Council reconsider the item to amend the Resolution to insert the names of the delegates.

President Banks recognized **Council Member Priester** who moved, seconded by **President Banks** to reconsider the previous item. The motion prevailed by the following vote:

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

Nays – None.

Absent – Stamps.

Note: Council Member Stamps left during discussion.

* * * * *

Thereafter, **President Banks** requested that the Clerk read the order:

RESOLUTION APPOINTING MISSISSIPPI MUNICIPAL LEAGUE 2020 VOTING DELEGATES FOR THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, the Mississippi Municipal League amended the bylaws of the association to provide for a ballot election, to be conducted by the officers of the Mississippi Municipal Clerks and Collectors Association, to be held each year at the summer convention, to elect a Second Vice President from the Southern District; and

WHEREAS, the amended bylaws require the governing authority board (Alderman, City Council, City Commission) to designate in its minutes the voting delegate and one alternate to cast the vote for each member municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI.

In accordance with the bylaws of the Mississippi Municipal League, the voting delegate(s) for the 2020 Mississippi Municipal League election to be held at the annual convention on September 2nd with run-off (if necessary) on September 3rd, 2020 are as follows:

Voting Delegate: Chokwe Antar Lumumba, Mayor
First Alternate: _____, Council President

That public interest and necessity requiring same, this Resolution shall become effective upon passage.

The above and foregoing Resolution, after having been first introduced to writing, was moved by _____, seconded by _____, and was adopted by the following vote, to wit:

YEAS:

NAYS:

The President thereby declared the motion carried and the Resolution adopted, this the (day, month and year)

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JULY 7, 2020 10:00 A.M.

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SIGNED:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the (day, month and year).

ATTEST:

APPROVED:

CITY CLERK

MAYOR

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

Council Member Priester moved, seconded by **Council Member Lindsay** to amend said order to nominate as follows: **Mayor Chokwe Antar Lumumba** as the voting delegate, **President Banks** as the First Alternate. The motion prevailed by the following vote:

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

Nays – None.

Absent – Stamps.

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

RESOLUTION APPOINTING MISSISSIPPI MUNICIPAL LEAGUE 2020 VOTING DELEGATES FOR THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, the Mississippi Municipal League amended the bylaws of the association to provide for a ballot election, to be conducted by the officers of the Mississippi Municipal Clerks and Collectors Association, to be held each year at the summer convention, to elect a Second Vice President from the Southern District; and

WHEREAS, the amended bylaws require the governing authority board (Alderman, City Council, City Commission) to designate in its minutes the voting delegate and one alternate to cast the vote for each member municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI.

In accordance with the bylaws of the Mississippi Municipal League, the voting delegate(s) for the 2020 Mississippi Municipal League election to be held at the annual convention on September 2nd with run-off (if necessary) on September 3rd, 2020 are as follows:

Voting Delegate: **Chokwe Antar Lumumba, Mayor**

First Alternate: **Aaron Banks, Council President**

That public interest and necessity requiring same, this Resolution shall become effective upon passage.

The above and foregoing Resolution, after having been first introduced to writing, was moved by _____, seconded by _____, and was adopted by the following vote, to wit:

YEAS:

NAYS:

The President thereby declared the motion carried and the Resolution adopted, this the (day, month and year)

SIGNED:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the (day, month and year).

ATTEST:

APPROVED:

CITY CLERK

MAYOR

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

ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE CITY OF JACKSON MISSISSIPPI AND HINDS COUNTY, MISSISSIPPI FOR THE SUBMISSION AND ACCEPTANCE OF THE FY 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF \$244,071.00.

WHEREAS, the City of Jackson has been awarded a grant for the Fiscal Year 2019 Edward Byrne Memorial (JAG); and

WHEREAS, the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) and Implementation Grant Program requires no matching funds; and

WHEREAS, the grant will assist the Jackson Police Department in the Purchase of five (5) Patrol SUV and equipment, (1) 250 pickup Truck and (1) Trailer in the amount of \$232,071.00 and Hinds County will receive \$11,633.00; and

IT IS, HEREBY, ORDERED that the Mayor's is authorized to accept this award for the FY 2019 Edward Byrne Memorial (JAG) Program for the amount of \$232,071.00 and that the Mayor is further authorized to accept said award and enter into an Interlocal Cooperative Agreement between the City of Jackson, Mississippi and Hinds County, Mississippi.

IT IS FURTHERED ORDERED that the Mayor or his designee be authorized to execute any and all documents necessary for the acceptance and administration of said grant award.

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

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

ORDER RATIFYING THE MAYOR'S SUBMISSION AND ACCEPTANCE OF THE FY 2020 U.S. DEPARTMENT OF JUSTICE BJA CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM GRANT APPLICATION ADMINSTRATED BY THE OFFICE OF JUSTICE PROGRAMS IN THE AMOUNT OF \$748,906.00.

WHEREAS, the City of Jackson has been granted the opportunity to apply and receive for the fiscal year 2020 U.S. Department of Justice/BJA Grant and Implementation which is administered by the office of Justices Programs; and

WHEREAS, the 2020 Office of Justices Programs Implementation and Grant program requires no matching funds; and

WHEREAS, the grant will assist the City of Jackson Police Department with overtime, computer hardware/software and related items. The grant will also, provide the team with necessary equipment to assist with the current health crises.

IT IS, HEREBY, ORDERED that the Mayor's is authorized to submit an application for the 2020 U.S. Department of Justice Implementation and Grant Program.

IT IS FURTHERED ORDERED that the Mayor or his designee be authorized to execute any and all documents necessary for the acceptance and administration of said grant if it is awarded.

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

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

Nays – None.

Absent – Stamps.

**ORDER RATIFYING THE MAYOR'S SUBMISSION AND ACCEPTANCE OF THE
FY 2019 OFFICE OF HOMELAND SECURITY-BOMB TEAM AND
IMPLEMENTATION COMPETITIVE GRANT PROGRAM APPLICATION
ADMINISTRATED BY THE STATE OF MISSISSIPPI DEPARTMENT OF PUBLIC
SAFETY IN THE AMOUNT OF \$36,878.00.**

WHEREAS, the City of Jackson has been granted the opportunity to apply and receive for the fiscal year 2019 Office of Homeland Security- Bomb Team Grant and Implementation Grant administered by the State of Mississippi Department of Public Safety; and

WHEREAS, the 2019 Office of Homeland Security- Bomb Team Grant and Implementation Grant Program requires no matching funds; and

WHEREAS, the grant will assist the City of Jackson Police Department- Bomb Team in the purchase of Bomb suites to provide the team with protection during an explosive related issue. The grant will also, provide the team with necessary equipment to dispose and transport suspected explosive materials.

IT IS, HEREBY, ORDERED that the Mayor's is authorized to submit an application for the 2019 Homeland Security- Bomb (EOD) Grant and Implementation Grant.

IT IS FURTHERED ORDERED that the Mayor or his designee be authorized to execute any and all documents necessary for the acceptance and administration of said grant if it is awarded.

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

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

Nays – None.

Absent – Stamps.

**ORDER RATIFYING THE MAYOR'S SUBMISSION AND ACCEPTANCE OF THE
FY 2019 OFFICE OF HOMELAND SECURITY-SWAT TEAM AND
IMPLEMENTATION COMPETITIVE GRANT PROGRAM APPLICATION
ADMINISTRATED BY THE STATE OF MISSISSIPPI DEPARTMENT OF PUBLIC
SAFETY IN THE AMOUNT OF \$40,000.00.**

WHEREAS, the City of Jackson has been granted the opportunity to apply and receive for the fiscal year 2019 Office of Homeland Security- SWAT Team Grant and Implementation Grant administered by the State of Mississippi Department of Public Safety; and

WHEREAS, the 2019 Office of Homeland Security- SWAT Team Grant and Implementation Grant Program requires no matching funds; and

WHEREAS, the grant will assist the City of Jackson Police Department- SWAT Team in the purchase of equipment to provide the team with protection during an Active Shooter/Hostage, Violent Crimes and Civil Unrest related issue. The grant will also, provide the team with necessary equipment to transport suspects.

IT IS, HEREBY, ORDERED that the Mayor's is authorized to submit an application for the 2019 Homeland Security- SWAT Team Grant and Implementation Grant.

IT IS FURTHERED ORDERED that the Mayor or his designee be authorized to execute any and all documents necessary for the acceptance and administration of said grant if it is awarded.

Council Member Stokes moved adoption; Council Member Tillman seconded.

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

ORDER AUTHORIZING THE TRANSFER OF FUNDS AND AMENDING THE BUDGET ACCORDINGLY FOR THE PURPOSE OF PURCHASING UNIFORMS AND SPECIAL EQUIPMENT FOR THE JACKSON POLICE DEPARTMENT SWAT TEAM.

WHEREAS, the City of Jackson Police Department wishes to purchase a Uniforms and Special Equipment for the Jackson Police Department SWAT Team.

WHEREAS, the City of Jackson Police Department is in need of funds in the amount of \$23,845.00 to cover the purchase of the items, and

WHEREAS, the City of Jackson Police Department has identified needed funds in the following accounts: 123-442-58-6855 Special Police Equipment; 123-442-43-6240 Non-Capitalized Equipment; and 123-442-61-6217 Uniforms & Work Clothing to cover the cost of this purchase; and

IT IS THEREFORE ORDERED that (1) funds in the amount of \$15,000.00 be transferred from Acct.#123-442-53-6855 Special Police Equipment to Acct.#123-442-61-6217 Uniforms & Work Clothing; (2) funds in the amount of \$2,515.00 be transferred from Acct.#123-442-61-6217 Uniforms & Work Clothing to Acct.#123-442-58-6855 Special Police Equipment; (3) funds in the amount of \$6,33.00 be transferred from Acct.#123-442-53-6240 Non-Capitalized Equipment to Acct.#123-442-58-6855 Special Police Equipment; and the City's budget be amended to reflect the afore-mentioned changes.

Council Member Stokes moved adoption; Council Member Tillman seconded.

President Banks, recognized James Anderson, Senior Deputy City Attorney, who stated an amendment was needed in paragraphs three and four changing "Account #123-442-53-6240 Non-Capitalized Equipment" to "Account #123-442-61-6299 Other Operation Supplies".

Council Member Stokes moved, Council Member Lindsay seconded to amend said order to reflect the changes needed as stated by James Anderson, Senior Deputy City Attorney. The motion prevailed by the following vote:

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

Thereafter, **President Banks** called for a vote on said Order, as amended:

ORDER AUTHORIZING THE TRANSFER OF FUNDS AND AMENDING THE BUDGET ACCORDINGLY FOR THE PURPOSE OF PURCHASING UNIFORMS AND SPECIAL EQUIPMENT FOR THE JACKSON POLICE DEPARTMENT SWAT TEAM.

WHEREAS, the City of Jackson Police Department wishes to purchase a Uniforms and Special Equipment for the Jackson Police Department SWAT Team.

WHEREAS, the City of Jackson Police Department is in need of funds in the amount of \$23,845.00 to cover the purchase of the items, and

WHEREAS, the City of Jackson Police Department has identified needed funds in the following accounts: 123-442-58-6855 Special Police Equipment; 123-442-61-6299 Other Operating Supplies; and 123-442-61-6217 Uniforms & Work Clothing to cover the cost of this purchase; and

IT IS THEREFORE ORDERED that (1) funds in the amount of \$15,000.00 be transferred from Acct.#123-442-53-6855 Special Police Equipment to Acct.#123-442-61-6217 Uniforms & Work Clothing; (2) funds in the amount of \$2,515.00 be transferred from Acct.#123-442-61-6217 Uniforms & Work Clothing to Acct.#123-442-58-6855 Special Police Equipment; (3) funds in the amount of \$6,33.00 be transferred from Acct.#123-442-61-6299 Other Operating Supplies to Acct.#123-442-58-6855 Special Police Equipment; and the City's budget be amended to reflect the afore-mentioned changes.

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

ORDER AUTHORIZING THE MAYOR'S SUBMISSION AND ACCEPTANCE OF THE FY 2019 NATIONAL SEXUAL ASSAULT KIT INITIATIVE (SAKI) GRANT AND IMPLEMENTATION PROGRAM APPLICATION ADMINSTRATED BY THE US DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE IN THE AMOUNT OF \$2,500,000.00.

WHEREAS, the City of Jackson has been granted the opportunity to apply for the FY 2020 National Sexual Assault Kit Initiative (SAKI) Grant application administrated by the United States Department Justice/BJA; and

WHEREAS, the 2020 National Sexual Assault Kit Initiative (SAKI) Grant and Implementation Program requires no matching funds; and

WHEREAS, the grant will assist the Jackson Police Department in inventory, tracking, and testing previously unsubmitted SAKs; collect and test lawfully owed DNA from offenders/arrestees; produce necessary protocols and policies to improve collaboration amount laboratories, police, prosecutors and victim service providers. This grant will also, provide resources to address the sexual assault investigations and prosecutions that result from evidence and CODIS hits produced by tested SAKs and optimize victim notification protocols and services.

IT IS, HEREBY, ORDERED that the Mayor's is authorized to submit an application for the 2020 National Sexual Assault Kit Initiative (SAKI) Grant and Implementation Program.

IT IS FURTHERED ORDERED that the Mayor or his designee be authorized to execute any and all documents necessary for the acceptance and administration of said grant if it is awarded.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48-MONTH RENTAL AGREEMENT WITH ADVANTAGE BUSINESS SYSTEM FOR A KONICA MINOLTA BIZHUB C3001 COLOR COPIER TO BE USED BY FISCAL AFFAIRS.

WHEREAS, the City of Jackson, Mississippi, desires to enter into a 48-month rental agreement for a Konica Minolta Bizhub C300i color Copier/Printer/Fax/Scanner to be used by the Fiscal Affairs Unit within the Jackson Police Department; and

WHEREAS, Advantage Business Systems has agreed to provide through State Contract #8200044604, a Konica Minolta Bizhub C300i color Copier/Printer/Fax/Scanner.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute the rental agreement and any other necessary documents with Advantage Business Systems, 5442 Executive Place, Jackson, MS 39206, to provide a 48-month rental of a Konica Minolta Bizhub C300i color Copier/Printer/Fax/Scanner at a cost of \$200.00 per month, which includes labor, parts, toner and drums, with the exception of paper and staples.

IT IS FURTHER ORDERED that payment for said copy rental be made from the General Fund.

Council Member Stokes moved adoption; Council Member Tillman seconded.

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

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE FILING OF NOTICE OF SATISFACTION OF JUDGMENT AND CANCELLATION OF LIEN WITH THE HINDS COUNTY CIRCUIT COURT FOR ADJUDICATED COSTS AND PENALTIES IN THE AMOUNT OF \$1,532.00 ASSESSED FOR CLEANING PARCEL NUMBER 305-49-39 LOCATED AT 3801 OFFICER THOMAS CATCHINGS, JACKSON MISSISSIPPI.

WHEREAS, on November 15, 2011, the governing authorities for the City of Jackson passed a resolution which is recorded at Minute Book 6A Pages134-136 that declared property located at 3801 Officer Thomas Catchings to be a menace to public health safety and welfare; and

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

WHEREAS, on October 30, 2012 the governing authorities for the City of Jackson passed a resolution which is recorded at Minute Book 6C Pages 77-79 that adjudicated costs and penalties totaling \$1,532.00 for the cleaning of property located at 3801 Officer Thomas Catchings legally described as BEG NW COR LOT 1 BLK E DEARBORN SUBN W 62 FT S 198 FT E 62 FT N 198 FT TO POB IN SEC 31T6N R1E AKA PT LOTS 36 37 & 38 SEC 31 T6N R1E; and

WHEREAS, consistent with the provisions of section 21-19-11, the resolution adjudicating costs and penalties were subsequently enrolled with the Hinds County Circuit Clerk on January 19, 2013 and recorded as Judgment Number 2011-177; and

WHEREAS, the property located at 3801 Officer Thomas Catchings was assessed to Hogan Rickey at the time of enrollment; and

WHEREAS, Hogan Rickey tendered to the Hinds County Chancery Clerk payment in the amount of One Thousand Five Hundred and Thirty Two Dollars (\$1,532.00) on August 23, 2016 for the purpose of satisfying the judgment enrolled concerning Parcel 305-49-39; and

WHEREAS, the judgment enrolled against Hogan Rickey for Parcel Number 305-49-39 should be deemed satisfied and notice of the satisfaction of the judgment filed with the Hinds County Circuit Clerk.

IT IS THEREFORE ORDERED that notice be filed with the Hinds County Circuit Clerk indicating that the City's judgment enrolled for Case 2011-1772 has been satisfied and the judgment lien related thereto canceled.

IT IS FURTHER ORDERED that any acts required and necessary to effect the cancellation of the lien arising out of the enrollment of the judgment lien for Case 2011-1772 are authorized to be performed.

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

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

ORDER AUTHORIZING MAYOR TO EXECUTE A 60-MONTH RENTAL AGREEMENT WITH RICOH USA, INC. FOR A RICOH IM C3000 COLOR COPIER SYSTEM TO BE USED BY THE BUILDING MAINTENANCE AND CUSTODIAL SERVICES DIVISION OF THE PUBLIC WORKS DEPARTMENT.

WHEREAS, the Building Maintenance Division of the Department of Public Works desires to enter into a 60-month rental agreement of a copier machine; and

WHEREAS, R J Young provides a Ricoh IM C3000 Digital Color System with auxiliary equipment through State of Mississippi Contract 8200050617.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute the necessary documents with R J Young, providing for the 60-month rental of a Ricoh IM C3000 Digital Color System with certain auxiliary equipment required to meet those special needs of the Building Maintenance Division as related to the functions of said division, at a cost of \$129.30 per month, plus a copy charge of \$0.0109 (Black & White) and \$0.0317 (Color) per copy to include labor, parts, toner and drum, except paper or staples.

IT IS FURTHER ORDERED that payment for said rental be made from the general fund.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48-MONTH RENTAL AGREEMENT WITH ADVANTAGE BUSINESS SYSTEMS FOR DIGITAL IMAGING SYSTEM WITH MAINTENANCE TO BE USED BY O.B. CURTIS WATER TREATMENT PLANT, A DIVISION OF THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the current service agreement expired with Advantage Business Systems expired April 30, 2020; and

WHEREAS, the Department of Public Works, O.B. Curtis Water Treatment Plant desires to enter into a 48-month rental agreement for a copy machine; and

WHEREAS, Advantage Business Systems, 5442 Executive Place, Jackson, MS 39206, provides through state contract 82000446404 the following:

1. MINOLTA BIZHUB 227 – at a monthly rental of \$115.75 includes maintenance and all supplies except paper and staples and includes 2,500 b/w copies and overages at 0.0079 cents per copy all over 2,500.

WHEREAS, it is the recommendation of the Public Works Department that this contract be approved.

IT IS, THEREFORE, ORDERED that an agreement is authorized with Advantage Business Systems providing for the 48-month rental and maintenance of said equipment at a monthly cost of \$115.75, which includes installation and training, 2,500 b/w copies, overages at \$0.0079 per copy, and all supplies except paper and staples.

IT IS FURTHER ORDERED that payment for said rental is made from the enterprise fund.

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

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

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48-MONTH RENTAL AGREEMENT WITH ADVANTAGE BUSINESS SYSTEMS FOR DIGITAL IMAGING SYSTEM WITH MAINTENANCE TO BE USED BY J. H. FEWELL WATER TREATMENT PLANT, A DIVISION OF THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the current service agreement expired with Advantage Business Systems expired April 30, 2020; and

WHEREAS, the Department of Public Works, J.H. Fewell Water Treatment Plant desires to enter into a 48-month rental agreement for a copy machine; and

WHEREAS, Advantage Business Systems, 5442 Executive Place, Jackson, MS 39206, provides through state contract 82000446404 the following:

- 1. MINOLTA BIZHUB 227 – at a monthly rental of \$115.75 includes maintenance and all supplies except paper and staples and includes 2,500 b/w copies and overages at 0.0079 cents per copy all over 2,500.

WHEREAS, it is the recommendation of the Public Works Department that this contract be approved.

IT IS, THEREFORE, ORDERED that an agreement is authorized with Advantage Business Systems providing for the 48-month rental and maintenance of said equipment at a monthly cost of \$115.75, which includes installation and training, 2,500 b/w copies, overages at \$0.0079 per copy, and all supplies except paper and staples.

IT IS FURTHER ORDERED that payment for said rental is made from the enterprise fund.

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

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

Nays – None.

Absent – Stamps.

ORDER RATIFYING PROCUREMENT OF SERVICES FROM VARIOUS VENDORS AND AUTHORIZING PAYMENTS TO SAID VENDORS.

WHEREAS, the Water-Sewer Utility Division of the Department of Public Works had need of certain services necessary to the operation and maintenance of the City’s two water treatment plants; and

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

WHEREAS, the services set forth in certain invoices attached hereto were provided to the City’s two water treatment plants; and

WHEREAS, in order to ensure the continued and proper operation and maintenance of the City's two water treatment plants, it is necessary to pay these outstanding invoices to continue receiving any needed services from these vendors; and

IT IS, THEREFORE, ORDERED that payment to the following vendors in the amounts set forth be made, consistent with the attached invoices:

Waypoint Analytical—Lab Sample Testing at O.B. Curtis	\$360.00
Staffmark—Temporary general laborer at O.B. Curtis	\$17,804.72
Total	\$18,164.72

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

President Banks recognized **Charles Williams**, Public Works Department, who provided a brief overview of payment being made to vendors.

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

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

ORDER AUTHORIZING FINAL PAYMENT TO FOUR SEASONS ENTERPRISES, LLC, FOR THE CHAMPION SENIOR CENTER PARKING LOT PROJECT, CITY PROJECT NUMBER 20B4005.501.

WHEREAS, on March 27, 2020 the City of Jackson accepted Four Seasons Enterprises, LLC bid of \$58,449.71 for the Champion Senior Center Parking Lot Project, City Project No.20B4055.501; and

WHEREAS, the contract work involved the removal and replacement of the existing asphalt and curb types at Champion Senior Center within the City of Jackson corporate limits; and

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

WHEREAS, the Department of Public Works recommends final payment in the amount of \$58,449.71 to Four Seasons Enterprises, LLC; and

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

IT IS, THEREFORRE ORDERED that the City make final payment in the amount of \$58,449.71 and release all securities held to Four Seasons Enterprises, LLC for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Champion Senior Center Parking Lot Project, City Project No. 20B4005.51.

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

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

ORDER ACCEPTING THE BID OF SIMMONS EROSION CONTROL, INC, FOR THE MEDGAR EVERS BOULEVARD IMPROVEMENTS, CITY PROJECT NUMBER 18B4017.302.

REGULAR MEETING OF THE CITY COUNCIL

TUESDAY, JULY 7, 2020 10:00 A.M.

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WHEREAS, on May 19, 2020 the City of Jackson received four sealed bids for the Medgar Evers Boulevard Improvements, City Project No.18B4017.302; and

WHEREAS, the bid received from Simmons Erosion Control, Inc., in the amount of \$3,951,743.61, was the lowest and best bid received and met specifications; and

WHEREAS, the Department of Public Works recommends that the City accept the bid of Simmons Erosion Control, Inc., as the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Simmons Erosion Control, Inc., in the amount of \$3,951,743.61, is accepted in accordance with the City’s Advertisement for Bidders; said bid and the specifications are placed on file with the Public Works Department, Engineering Division, Room 424 at 200 S. President Street and the City Clerk, Jackson, Mississippi.

Council Member Tillman moved adoption; Council Member Lindsay seconded.

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

Note: Council Member Stamps returned to the Council Meeting during discussion.

ORDER ACCEPTING THE BID OF HEMPHILL CONSTRUCTION COMPANY, INC. FOR THE OB CURTIS WATER TREATMENT PLANT GRAVITY THICKENER #1 AND #2 REHABILITATION PROJECT, CITY PROJECT NUMBER 19B0102.903, DWI-L250008-02.

WHEREAS, on June 9, 2020, the City of Jackson received three sealed bids for the OB Curtis Water Treatment Gravity Thickener #1 and #2 Rehabilitation Project, City Project No.19B0102.903, DWI-L250008-02; and

WHEREAS, the bid received from Hemphill Construction Company, Inc. in the amount of \$2,273,367.00, was the lowest and best bid received and met specifications; and

WHEREAS, the Department of Public Works recommends that the City accept the bid of Hemphill Construction Company, Inc. as the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Hemphill Construction Company, Inc., in the amount of \$2,273,367.00, is accepted in accordance with the City’s Advertisement for Bidders; said bid and the specifications are placed on file with the Public Works Department, Engineering Division, Room 424 at 200 S. President Street and the City Clerk, Jackson, Mississippi.

Council Member Lindsay moved adoption; Council Member Tillman seconded.

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

ORDER AUTHORIZING FINAL PAYMENT TO UTILITY CONSTRUCTORS, INC., FOR THE CAVALIER DRIVE BRIDGE REPLACEMENT PROJECT, CITY PROJECT NUMBER 18B4505.701.

WHEREAS, on August 6, 2019 the City of Jackson accepted Utility Constructors, Inc.’s bid of \$214,902.00 for the Cavalier Drive Bridge Replacement Project, City Project Number 18B4505.701; and

WHEREAS, the contract work involved the removal and replacement of the timber bridge structure on Cavalier Drive within the City of Jackson corporate limits; and

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

WHEREAS the Department of Public Works recommends final payment in the amount of \$4,050.00 to Utility Constructors, Inc.; and

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

IT IS, THEREFORE ORDERED that the City make final payment in the amount of \$4,050.00 and release all securities held to Utility Constructors, Inc. for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Cavalier Drive Bridge Replacement Project, City Project No.18B4505.701.

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

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

Nays – Stokes.

Absent – None.

ORDER ACCEPTING THE TERM BIDS OF DICKERSON & BOWEN, INC. AND ERGON ASPHALT & EMULSIONS, INC. FOR TWELVE-MONTH SUPPLY OF ASPHALT PAVING MATERIALS AND ACCEPTING THE TERM BID OF APAC-MISSISSIPPI, INC. AS AN ALTERNATE TERM BID (BID NO. 74567-061620).

WHEREAS, sealed term bids for Asphalt Paving Materials were opened June 16, 2020, and three (3) bids were received for a twelve month supply various materials; and

WHEREAS, the Department of Public Works, Paved Streets Section will use the various types of asphaltic paving materials to repair and improve the streets within the City of Jackson; and

WHEREAS, the staff of the Department of Public Works, Paved Streets Section has reviewed all bids submitted and recommends the governing authorities deem the term bids submitted Dickerson & Bowen, Inc., 2642 Gallatin Street, Jackson, MS 39204 and Ergon Asphalt & Emulsions, Inc., 2829 Lakeland Drive, Suite 2000, Jackson, MS 39232; received June 16, 2020, as the lowest and best bids for the respective items; and

WHEREAS, Apac Mississippi, Inc. also submitted a term bid for certain items and the City desires to accept the bids for those items as an alternative, in the event that the lowest and best bid of Dickerson & Bowen, Inc. is unavailable.

Dickerson & Bowen, Inc., P. O. Box 1008, Brookhaven, MS 39602, 2642 S. Gallatin Street, Jackson, MS 39204, Don L. Glenn, (601) 969-2002, donglenn@bellsouth.net

ITEM	DESCRIPTION	PICK-UP PRICE	DELIVERY PRICE
1.	Asphaltic Black Base Course	\$49.00 Ton	\$60.00 Ton
2.	Asphaltic Binder Course	\$55.00 Ton	\$66.00 Ton
3.	Asphaltic Wearing Course, TYPE "C", Mix A	\$55.00 Ton	\$66.00 Ton
4.	Asphaltic Cold Mix Material (Gravel & Sand)	\$95.00 Ton	\$110.00 Ton
6.	Plant Mix Bituminous Base Course (BB-1)	\$49.00 Ton	\$60.00 Ton
7.	Hot Bituminous Pavement, Binder Course (BC-1)	\$55.00 Ton	\$66.00 Ton
8.	Hot Bituminous Pavement, Surface Course (SC-1)	\$56.00 Ton	\$66.00 Ton

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*Ergon Asphalt & Emulsions, Inc., P. O. Box 23028, Jackson, MS 39225, 2829 Lakeland Drive, Jackson, MS 39232, Amy L. Walker, (601) 933-3000, amy.walker@ergon.com

ITEM	DESCRIPTION	PICK-UP PRICE	DELIVERY PRICE
5.	Asphalt Emulsion (SS#1 Tack)	\$4.00 Gallon	\$4.17 Gallon
9.	Cationic Emulsified Asphalt, Grade CRS-2	\$3.50 Gallon	\$3.67 Gallon

*APAC-Mississippi, Inc. P. O Box 24508, Jackson, MS 39225-4508, 101 Riverview Drive, Richland, MS 39218, Terry May, (601) 376-4000, john.may@apac.com

ITEM	DESCRIPTION	PICK-UP PRICE	DELIVERY PRICE
1.	Asphaltic Black Base Course	\$55.00 Ton	\$62.00 Ton
2.	Asphaltic Binder Course	\$62.00 Ton	\$69.00 Ton
3.	Asphaltic Wearing Course, TYPE "C", Mix A	\$62.00 Ton	\$69.00 Ton
4.	Asphaltic Cold Mix Material Ton (Gravel & Sand)	\$135.00 Ton	\$141.00
6.	Plant Mix Bituminous Base Course (BB-1)	\$61.50Ton	\$68.00 Ton
7.	Hot Bituminous Pavement, Binder Course (BC-1)	\$61.50 Ton	\$68.00 Ton
8.	Hot Bituminous Pavement, Surface Course (SC-1)	\$67.75 Ton	\$74.50 Ton

Council Member Stokes moved adoption; Council Member Tillman seconded.

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

Nays – None.

Absent – None.

ORDER RATIFYING PURCHASES OF STREET REPAIR MATERIALS FROM ADCAMP, INC. FOR 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 hot mix street repair materials from Adcamp, Inc. for the months of May 2020 totaling \$6,577.92, which are attached hereto as an exhibit.

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 attached invoices, is authorized as follows:

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Hot Mix	\$6,577.92
Total	\$6,577.92

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY, SERVITUDE AND EASEMENT TO ENTERGY MISSISSIPPI, LLC ON THE SITE OF THE SAVANNA STREET WASTEWATER TREATMENT PLANT GROUNDS FOR THE PURPOSE OF EXTENDING SERVICE TO BYPASS FACILITIES TO THE PLANT.

WHEREAS, the City of Jackson agreed to the entry of a Wastewater Consent Decree on March 1, 2013 to resolve environmental claims alleged by the U.S.E.P.A and the Mississippi Department of Environmental Quality; and

WHEREAS, the Consent Decree requires that the City determine the repairs and improvements necessary to bring the Savanna Street Wastewater Treatment Plant into compliance with its National Pollutant Discharge Elimination System (NPDES) permit; and

WHEREAS, a Notice to Proceed was granted to Max Foote Construction on October 15, 2019 for the Short Term Composite Correction Program Improvements as required per the Wastewater Consent Decree; and

WHEREAS, Electrical bypass pumping is required during the replacement of the Influent Pump Station pumps; and

WHEREAS, Entergy Mississippi, LLC has requested right-of-way, servitude and a 30 ft. easement to supply power to electrical bypass pumps.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a Right-of-Way agreement with Entergy Mississippi, LLC for the purpose of supplying service to bypass pumping as-needed for the Short Term Composite Correction Program Improvements a.k.a. Savanna Street WWTP Phase I Improvements.

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

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

Nays – None.

Absent – None.

ORDER RATIFYING PURCHASES OF STREET REPAIR MATERIALS FROM DICKERSON & BOWEN, INC. FROM MAY AND JUNE 2020 AND AUTHORIZING PAYMENT.

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 parts and equipment set forth in certain invoices attached hereto were delivered and used in the operation and maintenance of the City's Paved Street Section; and

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WHEREAS, in order to ensure the continued and proper operation of the City's Paved Street 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 May and June 2020 totaling \$14,155.62, which are attached hereto as an exhibit.

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 attached invoices, is authorized as follows:

Dickerson and Bowen, Inc---Cold Mix	\$7,269.90
Surface SC1-Type 2	\$6,885.72
 Total	 \$14,155.62

Council Member Stokes moved adoption; Council Member Tillman seconded.

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A TWELVE (12) WEEK SECURITY SERVICES AGREEMENT WITH SEI SECURITY AGENCY TO PROVIDE 24/7 ARMED SECURITY FOR O.B. CURTIS AND J.H. FEWELL WATER TREATMENT PLANTS.

WHEREAS, O.B. Curtis Water Treatment Plant and J.H. Fewell Water Treatment Plant are in need of armed security services for the safety of the operations of the water plants; and

WHEREAS, SEI Security Agency is capable of providing armed security services for the water treatment plants twenty-four (24) hours a day, seven (7) days a week; and

WHEREAS, SEI Security Agency will provide security to both City water treatment plants at a rate of \$13.50 per hour on all days of the twelve (12) weeks; and

WHEREAS, Water-Sewer Utility Division of the Department of Public Works recommends entering into a one-year security service agreement not to exceed the amount of \$54,432.00 , which will ensure that the O.B. Curtis and J.H. Fewell Water Treatment Plants have necessary armed security.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a twelve (12) week Security Services Agreement with SEI Security Agency, to provide security at the O.B. Curtis and J.H. Fewell Water Treatment Plant grounds twenty-four (24) hours a day, seven (7) days a week at a rate of \$13.50 per hour on all days of the twelve (12) weeks.

IT IS FURTHER ORDERED that the amount payable under the contract shall not exceed \$54,432.00.

Council Member Lindsay moved adoption; Council Member Tillman seconded.

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

Nays – Stokes.

Absent – Stamps.

Note: Council Member Stamps left the Council Meeting.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GISINC TO EXPAND THEIR CURRENT CITYWORKS AMS ENVIRONMENT FOR O.B. CURTIS AND J.H. FEWELL WATER TREATMENT PLANTS AND WATER STORAGE TANKS.

WHEREAS, the City of Jackson, MS has an established CityWorks AMS environment for the purpose of establishing a Computer Management and Maintenance System for the Water Treatment Plants; and

WHEREAS, as the City continues to leverage their investment in GIS and CityWorks by GISinc's assistance in expanding the current Cityworks AMS environment for the O.B. Curtis Water Treatment Plant and the J.H. Fewell Water Treatment Plant along with the water storage tanks in the water system; and

WHEREAS, GISinc will support the creation of spatial GIS features representative of assets shown on the plant schematics and will be georeferenced and used as base maps within Cityworks and overlaid with those newly created assets; and

WHEREAS, GISinc will provide a series of training events to familiarize staff with the use of the application and its native functionality and will provide follow up, ad-hoc support for those post-implementation items that may arise; and

WHEREAS, Water-Sewer Utility Division of the Department of Public Works recommends entering an agreement not to exceed the amount of \$49,250.00, which will ensure that all proposed work will be completed as proposed; and

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an agreement with GISinc, to provide assistance in the expansion of the current Cityworks AMS environment for the O.B. Curtis Water Treatment Plant and the J.H. Fewell Water Treatment Plant along with the water storage tanks in the water system; and

IT IS FURTHER ORDERED that the amount payable under the agreement shall not exceed \$49,250.00.

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

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

Note: Council Member Stamps returned to the Council Meeting.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PURGE SERVICES AGREEMENT WITH STERICYCLE, INC. ("SHRED-IT") FOR THE OFFICE OF THE CITY ATTORNEY.

WHEREAS, Section 39-5-9, Mississippi Code of 1972, as amended provides a procedure whereby certain public records which have served their purpose are no longer required may be destroyed, and the destruction of said records will not interfere with the services and functions of the City; and

WHEREAS, on February 23, 2016, the City Council of Jackson, Mississippi, passed a resolution adopting a City-wide retention schedule within the City of Jackson; and

WHEREAS, based on that adopted schedule, the Office of the City Attorney, City of Jackson, Mississippi ("City of Jackson"), has requested to utilize the services of Stericycle, Inc. ("Shred-it") to shred confidential and pertinent documents within the department; and

WHEREAS, the amount of said services will not exceed One Thousand One Hundred and One Dollars and 20/100 (\$1,101.20) and will be effective for sixty (60) days upon execution.

IT IS, THEREFORE, ORDERED that the Mayor is hereby authorized to execute a purge services agreement with Stericycle, Inc. ("Shred-it") for the Office of the City Attorney in an amount not to exceed One Thousand One Hundred and One Dollars and 20/100 (\$1,101.20) and will be effective for sixty (60) days upon execution.

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

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

ORDER AUTHORIZING MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI AND ORKIN PEST CONTROL FOR COMMERCIAL PEST CONTROL SERVICES.

WHEREAS, Orkin Pest Control will provide standard pest control services to the Office of the City Attorney located at 455 E. Capitol Street; and

WHEREAS, with the migration of gnats, spiders and mosquitoes during the hot upcoming months, the Office of the City Attorney is requiring the upkeep of the necessary treatment in getting maximum protection with minimum exposure; and

WHEREAS, said services will be provided every other month for a cost of \$145 initial/start-up service and \$95.00 per service thereafter for a period of 12 months; or an annual amount of \$715.00; and

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an agreement between the City of Jackson, Mississippi and Orkin to provide standard pest control services to the Office of the City Attorney located at 455 E. Capitol Street every other month at a cost of \$145 initial/start-up service and \$95.00 per service thereafter for a period of 12 months; or an annual amount of \$715.00.

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

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

ORDER AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF MUNICIPAL EMPLOYEE IN MWCC #1605348-P-2606 PENDING BEFORE THE MISSISSIPPI WORKERS COMPENSATION COMMISSION. (HOWARD, LUMUMBA)

WHEREAS, on May 18, 2016, the City of Jackson was a qualified self-insurer of benefits payable under the Mississippi Workers Compensation Act; and

WHEREAS, on May 18, 2016, an individual hired as a recruit for the 252 Recruit Class reported sustained a knee injury when she attempted to assist a fellow recruit who had stepped into a hole; and

WHEREAS, the City did not accept the claim as compensable and has not provided any benefits associated with the reported injury for legitimate and arguable reasons, including but not limited to inconsistencies in reports received concerning the injury's occurrence; and

WHEREAS, Joseph R. Franks was retained by the employee to pursue recovery of benefits and medicals before the Mississippi Workers Compensation Commission;

WHEREAS, the individual sought medical treatment and was restricted in physical activity until May 28, 2016; and

WHEREAS, the individual withdrew from the training academy on May 24, 2016 citing inability to meet physical training requirements; and

WHEREAS, the individual states that a compensable injury was sustained entitling her to temporary total disability benefits and medical services; and

WHEREAS, Joseph Franks tendered a demand to settle the claim for \$40,000.00; and

WHEREAS, the Office of the City Attorney advised Mr. Franks that it would not recommend that the claim be settled for \$40,000.00 because the individual withdrew from the academy prior to being released to return and because of disputed facts regarding the injury's occurrence; and

WHEREAS, there is a genuine dispute concerning the occurrence of a compensable injury and there is a probability of the Commission concluding that the Claimant's injury arose out of and in the course of employment and was compensable; and

WHEREAS, the Office of the City Attorney advised Mr. Franks that it was amenable to recommending that the governing authorities pay \$9,750.00 as a reasonable compromise of the disputed claim; and

WHEREAS, the Claimant has agreed to accept the sum of \$9,750.00 in total compromise and settlement of the claim; and

WHEREAS, compromise and settlement of the claim is subject to the approval of the Mississippi Workers Compensation Commission; and

WHEREAS, the best interest of the City of Jackson would be served by compromising and settling the claim pending before the Commission concerning the subject employee by payment of the sum of \$9,750.00 because the Commission could make a factual determination that the individual's injury arose during the recruit training.

IT IS HEREBY ORDERED that the Office of the City Attorney is authorized to compromise and settle the employee's claim for permanent partial disability benefits and medicals pending in MWCC # 1605348-P-2606 subject to approval of the Mississippi Workers Compensation Commission.

IT IS FURTHER HEREBY ORDERED that the Office of the City Attorney and the Department of Finance and Administration shall be authorized to pay sums required by Orders of the Commission related to the settlement and to do those acts required to comply with the Mississippi Workers Compensation Act, the Mississippi Workers Compensation Commission, and the tenor of this order.

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

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

Nays – None.

Absent – None.

AMENDED ORDER DESIGNATING TRUSTMARK NATIONAL BANK AS THE DEPOSITORY FOR THE DEBT SERVICE ACCOUNT AND DEBT SERVICE RESERVE ACCOUNT ESTABLISHED PURUSANT TO SECTION 6.03 OF THE CITY'S GENERAL BOND RESOLUTION AND AUTHORIZING THE ADMINISTRATION TO EXECUTE A DEPOSITORY AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI AND TRUSTMARK NATIONAL BANK TO COMPLY WITH SECTION 11.01 OF THE CITY'S GENERAL BOND RESOLUTION.

WHEREAS, on July 9, 2019, the Jackson City Council passed an Order Designating Trustmark National Bank as the Depository for the Debt Service Account and Debt Service Reserve Account Established Pursuant to Section 6.03 of the City's General Bond Resolution and Authorizing the Administration and Authorizing the Administration to Execute a Depository Agreement between the City of Jackson, Mississippi and Trustmark National Bank to Comply with Section 11.01 of the City's General Bond Resolution, located in the minutes at Book 6P, page 356; and

WHEREAS, the City's outside legal counsel has been in negotiations with Trustmark concerning the Depository Agreement; and

WHEREAS, it has come to the attention of the City that particular issues- either unstated in the Order or in need of amendment – need to be addressed by the governing authorities and spread upon the minutes; and

WHEREAS, on March 11, 1993, the City Council of the City (the "Governing Body") adopted a resolution (the "General Bond Resolution") authorizing the issuance from time to time of Water and Sewer System Revenue Bonds of the City (the "Bonds") in one or more series; and

WHEREAS, the General Bond Resolution was amended and supplemented by Amendments and Supplements to the General Bond Resolution adopted on March 16, 2004, July 18, 2011 and August 7, 2012; and

WHEREAS, the General Bond Resolution, as amended and supplemented, established a Bond Fund and a Debt Service Account and a Debt Service Reserve Account within said Bond Fund; and

WHEREAS, the General Bond Resolution, as amended and supplemented, established the Debt Service Account for the payment of the principal of, premium, if any, and interest on the Bonds; and

WHEREAS, the General Bond Resolution, as amended and supplemented, established a Debt Service Reserve Account for the purpose of providing a reserve fund for the payment of the principal of, premium, if any, and interest on the Bonds; and

WHEREAS, pursuant to Section 6.03 of the General Bond Resolution, as amended and supplemented, a portion of the moneys in the Revenue Fund established thereunder, after the required deposits have been made in the Operation and Maintenance Fund for the operation and maintenance of the combined water and sewer system of the City (the "System"), in amounts calculated pursuant to the debt service schedules, must be delivered by the City to the Depository for deposit by the Depository to the Bond Fund and distributed as follows: first to the credit of the Debt Service Account and second to the credit of the Debt Service Reserve Account; and

WHEREAS, the Depository is a qualified depository of the City and pursuant to the laws of the State and the General Bond Resolution, as amended and supplemented, the City hereby desires to designate the Depository as the depository for the Debt Service Account and the Debt Service Reserve Account; and

WHEREAS, the Depository has agreed to act as the depository in accordance with the terms of the General Bond Resolution, as amended and supplemented, until a new depository is designated pursuant to this Agreement; and

WHEREAS, pursuant to the Depository Agreement there are created and established with the Depository special and irrevocable trust funds to be held in the custody of the Depository separate and apart from other funds of the City or of the Depository designated as (a) the Water and Sewer System Debt Service Account (the "Debt Service Account") to which there shall be credited the moneys required to be deposited in the Debt Service Account by Section 6.03(b)(1) of the General Bond Resolution, as amended and supplemented, and any applicable provision of a Series Resolution, and (b) the Debt Service Reserve Account, including a subaccount of the Debt Service Reserve Account established for each series of Bonds (the "Debt Series Reserve Account") to which there shall be credited the moneys required to be deposited in the Debt Service Reserve Account by Section 6.03 (b)(2)(A) of the General Bond Resolution, as amended and supplemented, and any applicable provision of a Series Resolution. Except as set forth in this Section 2.1, no additional accounts are required to be established.

The deposit of moneys in the Debt Service Account and the Debt Service Reserve Account shall constitute an irrevocable deposit of said moneys for the benefit of the Holders of the Bonds. Upon the issuance of a new Series of Bonds under the General Bond Resolution, as amended and supplemented, the City shall provide to the Depository a debt service schedule for each such Series of Bonds. For its responsibilities under this Agreement, the Depository shall be entitled to rely upon such debt service schedules. To the extent that the Depository has sufficient funds in such accounts, the Depository, in accordance with the General Bond Resolution, as amended and supplemented, on each date on which such principal, premium, if any, or interest shall become due (each a "Payment Date") and without further direction from the City, to timely transfer to the Series Paying Agent or agents for any Series of Bonds, moneys from the Debt Service Account and, to the extent necessary, the Debt Service Reserve Account, for the payment of the principal of, premium, if any, and interest on such Bonds as the same shall mature and become due. Such transfers for the payment of the principal of, premium, if any, and interest on the Bonds, shall be made sufficiently in advance of any Payment Date to reach said Series Paying Agent or agents at least five (5) business days prior to such Payment Date. Such transfers shall be made, in accordance with the General Bond Resolution, as amended and supplemented, first from the Debt Service Account, and then, if necessary, from the Debt Service Reserve Account. In the event that the moneys in the Debt Service Account and Debt Service Reserve Account are insufficient to make the payment then coming due, the Depository shall provide written notice to the City of the deficiency and thereafter shall make the payments coming due on a pro rata basis based solely upon the debt service schedules and will pay interest due first on a pro rata basis and, then, if all interest due has been paid and to the extent funds are available, principal due on a pro rata basis. The Depository shall make payments from the Debt Service Account first and then from the Debt Service Reserve Account. The Depository shall not be liable for any payments made in good faith relying solely upon the attached debt service schedules and this Agreement.

WHEREAS, pursuant to the Depository Agreement, the Debt Service Account and the Debt Service Reserve Account are special and "irrevocable" accounts held by the Depository solely for the benefit of the Holders of the Bonds. Once monies are delivered to the Depository, the City shall no longer have control over said monies and any monies on deposit with the Depository. To the extent any moneys on deposit with the Depository are in excess of the amount required to pay debt service, the Depository shall retain such moneys in the Debt Service Account and provide the City with a credit for future debt service payments on the Bonds.

In lieu of deposits to the Debt Service Reserve Account, the City may provide a surety bond, municipal bond insurance policy or letter of credit to the Debt Service Reserve Account on the terms and conditions set forth in Section 6.03(b)(2)(B) of the General Bond Resolution, as amended and supplemented. The Depository shall comply with the terms of any such surety bond, municipal bond insurance policy or letter of credit provided by the City.

WHEREAS, pursuant to the Depository Agreement, after all payments of the principal of, premium, if any, and interest on all of the outstanding Bonds have been made or provision for such payment has been made by the Depository or as set forth in the General Bond Resolution, as amended and supplemented, and all fees and expenses have been paid under this Agreement and the General Bond Resolution as amended and supplemented, all remaining moneys and investments on deposit in the Debt Service Account and the Debt Service Reserve Account, together with any income and interest thereon, shall be transferred to the City and any surety bond, municipal bond insurance policy or letter of credit referred to in Section 2.2 hereof shall, except as otherwise provided therein, be transferred, delivered or cancelled as directed by the City.

WHEREAS, pursuant to the Depository Agreement, the trust created shall be irrevocable. The Holders of the Bonds shall have an express lien on all moneys deposited in the Debt Service Account and Debt Service Reserve Account and on the principal of and interest on all investments held in said accounts and on any surety bond, municipal bond insurance policy or letter of credit described above and all amounts paid thereunder, until used and applied in accordance with the General Bond Resolution, as amended and supplemented, any Series Resolution and this Agreement.

WHEREAS, pursuant to the Depository Agreement, the Depository agrees to timely provide by email to any municipal bond insurance company then insuring the Bonds (who provides the Depository with contact information in writing) the Depository's standard monthly accounting statement, in its capacity as escrow agent under this Agreement, of all deposits made into the Debt Service Account and the Debt Service Reserve Account during the prior month pursuant to Section 6.03(b)(1) and 6.03(b)(2)(A) of the General Bond Resolution, as amended and supplemented. The

Depository shall have no responsibility for determining the adequacy of the City's deposits to the Debt Service Account and the Debt Service Reserve Account.

WHEREAS, pursuant to the Depository Agreement, the Depository shall invest the moneys on deposit under this Agreement not immediately required for disbursement at the direction of the City as provided in Section 6.04 of the General Bond Resolution, as amended and supplemented. The Depository shall not be liable for any investment made at the direction of the Governing Body pursuant to this Agreement or for any moneys disbursed at the direction of the Governing Body.

WHEREAS, pursuant to the Depository Agreement, in the event the Depository fails to account for any of the moneys or investments received by it, said moneys or investments shall be and remain the property of and held in trust for the Holders of the Bonds as herein provided, the assets of the Depository shall be impressed with a trust for the amount thereof until the required application shall be made.

WHEREAS, pursuant to the Depository Agreement, the Agreement is made for the benefit of the City and the Holders from time to time of the Bonds and if a municipal bond insurance company insures any of the Bonds, said insurance company, and this Agreement shall not be repealed, revoked, altered or amended without the written consent of the Holders of at least two-thirds of the principal amount of the Bonds then outstanding and if a municipal bond insurance company insures any of the Bonds, said insurance company and the Depository; provided that the City and the Depository may, without the consent of, or notice to, the Bondholders but with the consent of any municipal bond insurance company then insuring the Bonds, enter into such agreements supplemental to this Agreement as shall not adversely affect the rights of such Holders and as shall not be inconsistent with the terms and provisions of this Agreement, for any one or more of the following purposes:

- (a) To cure any ambiguity or formal defect or omission in this Agreement;
- (b) To grant to, or confer upon, the Depository for the benefit of the Holders of the Bonds any additional rights, remedies, powers or authority that may lawfully be granted to, or conferred upon, such Holders of the Depository; and
- (c) To subject to this Agreement additional funds, securities or properties.

The Depository shall be entitled to rely exclusively upon an unqualified opinion of Nationally Recognized Bond Counsel with respect to compliance with this Section, including the extent, if any, to which any change, modification, addition or elimination affects the rights of the Holder of the Bonds or that any instrument executed hereunder complies with the conditions and provisions of this Section.

WHEREAS, pursuant to the Depository Agreement, (a) The Depository at the time acting hereunder may at any time resign and be discharged from the trusts hereby created by giving not less than sixty (60) days' written notice to the City and any municipal bond insurance company then insuring the Bonds, but no such resignation shall take effect unless a successor Depository shall have been appointed by the Holders of the Bonds or by the City as hereinafter provided and shall have accepted such appointment, in which event such resignation shall take effect immediately upon the appointment and acceptance of a successor Depository.

(b) The Depository may be removed at any time by the City, without cause, pursuant to (1) the instrument or concurrent instruments in writing, delivered to the Depository and to the City and signed by the Holders of a majority in principal amount of the Bonds then outstanding or (2) a resolution of the Governing Body; provided, however, such removal shall have been approved by any municipal bond insurance company then insuring the Bonds.

(c) In the event the Depository hereunder shall resign or be removed, or be dissolved, or shall be in the course of dissolution or liquidation, or otherwise become incapable of acting hereunder, or in case the Depository shall be taken under the control of any public officer or officers, or of a receiver appointed by a court, the City shall promptly appoint a successor Depository with the written approval of any municipal bond insurance company then insuring the Bonds. No successor Depository shall be appointed unless such successor Depository shall be a banking corporation or association organized under the banking laws of the United States of America or any state and have at the time of appointment capital and surplus of not less than \$50,000,000.

(d) In the event that no appointment of a successor Depository or a temporary successor Depository shall have been made by such Holders or the City pursuant to the foregoing provisions of this Section within sixty (60) days after written notice of resignation of the Depository has been given to the City, the Holder of any of the Bonds, any retiring Depository or any municipal bond insurance company then insuring the Bonds, may apply to any court of competent jurisdiction for the appointment of a successor Depository and such court may thereupon, after such notice, if any, as it shall deem proper, appoint a successor Depository.

(e) Every successor Depository appointed hereunder shall execute, acknowledge and delivery to its predecessor and to the City, an instrument in writing accepting such appointment hereunder and thereupon such successor Depository without any further act, deed or conveyance, shall become fully vested with all the rights, immunities, powers, trusts, duties and obligations of its predecessor; but such predecessor shall, nevertheless, on the written request of such successor Depository or the City, execute and deliver an instrument transferring to such successor Depository all the estates, properties, rights, powers and trusts of such predecessor hereunder; and every predecessor Depository shall deliver all securities, moneys, investments, surety bonds, insurance policies and letters of credit held by it to its successor; provided, however, that before any such delivery is required to be made, all reasonable fees, advances and expenses of the retiring or removed Depository shall be paid in full.

(f) Should any transfer, assignment or instrument in writing from the City be required by any successor Depository for more fully and certainly vesting in such successor Depository the estates, rights, powers and duties hereby vested or intended to be vested in the predecessor Depository, any such transfer, assignment and instruments in writing shall, on request, be executed, acknowledged and delivered by the City.

(g) Any corporation into which the Depository, or any successor to it in the trusts created by this Agreement may be merged or converted or with which it or any successor to it may be consolidated, or any corporation resulting from any merger, conversion, consolidation or tax-free reorganization to which the Depository or any successor to it shall be a party shall, if reasonably satisfactory to the City, be the successor Depository under this Agreement without the execution or filing of any paper or any other act on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

(h) The City will provide any successor Depository with certified copies of all resolutions, orders and other proceedings adopted by the governing body of the City relating to the Bonds; and

WHEREAS, pursuant to the Depository Agreement, all duties and obligations imposed upon the Depository or successor Depository shall terminate upon the accomplishment of all duties, obligations and responsibilities imposed by law or required to be performed by the Depository Agreement; and

WHEREAS, pursuant to the Depository Agreement, fees and expenses of the Depository for services performed under this Agreement shall be an expense of the System and paid from any available funds of the City. There will be an annual administration fee of \$5,000 for the escrow account established. And upon execution of the Depository agreement, the City will pay Depository's attorney's fees and expenses in the amount of \$12,000 in connection with the negotiation of the Depository Agreement. Out of pocket expenses will be capped at \$1,000 annually. Out of pocket expenses include, but are not limited to, reasonable professional services (e.g. legal and accounting), telephone and facsimile transmission costs, postage (including express mail and overnight delivery charges) and copying charges. Depository reserves the right to amend the Fee schedule at any time. The notice of such amendment will be given by the Depository to the City, via the City Clerk and the Director of Finance. Any change in the fee schedule must be first authorized by the Governing Authorities of the City of Jackson. If the parties are unable to agree on the amendment of the Fee Schedule, the Agreement shall terminate upon notice by one party to the other party; and

WHEREAS, the Depository Agreement shall be governed by and interpreted in accordance with the laws of the State of Mississippi.

IT IS, THEREFORE, ORDERED that Trustmark National Bank be designated as the depository for the City of Jackson, Mississippi for the Debt Service Account and Debt Service

Reserve Account in furtherance of Section 6.03 of the City's General Bond Resolution, as amended and supplemented.

IT IS FURTHER ORDERED that the Administration be authorized to execute a depository agreement by and between the City of Jackson, Mississippi and Trustmark National Bank consistent with the above-stated provisions, and take all steps necessary to comply with Section 11.01 of the City's General Bond Resolution.

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

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

Nays – None.

Absent – None.

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.

WHEREAS, the public health, safety, and welfare of the citizens of the City of Jackson shall be considered by this Order; and

WHEREAS, the COVID-19 threat is a public health concern; and

WHEREAS, an emergency situation required a stay-at-home Order by the City of Jackson; however, many City employees were declared essential and were required to work; and

WHEREAS, it is in the best interest of the citizens of the City of Jackson that the employees who continued to work and provide essential services to the City of Jackson should be allowed to receive hazard pay during this time of pandemic.

THEREFORE, IT IS HEREBY ORDERED, the City Council of Jackson, Mississippi hereby authorizes the payment of Eight Hundred Dollars for hazard pay for City employees declared essential and who worked during the COVID-19 pandemic.

SO ORDERED, this the _____ day of July, 2020.

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

President Banks recognized **Timothy Howard**, City Attorney, gave a brief overview of what is needed to make said item legally sufficient and what was provided to Council.

Council Member Stamps moved; seconded by **Council Member Stokes** to amend throughout the document where it states "hazard pay" to "additional pay". The motion prevailed by the following vote:

Yeas – Banks, Stamps and Stokes.

Nays – Foote, Priester and Tillman.

Absent – Lindsay.

Note: Said item failed due to lack of majority of vote.

After a through discussion, **Council Members Stamps** and **Council Member Stokes** withdrew their motion and second.

There came on for consideration Agenda Item No. 58:

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 at the request of **Council Member Stokes.**

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING THE PURCHASE OF ONE HUNDRED THOUSAND MASKS FOR DISTRIBUTION TO THE CITIZENS OF JACKSON.

WHEREAS, the public health, safety, and welfare of the citizens of the City of Jackson shall be considered by this Order; and

WHEREAS, the COVID-19 Virus is affecting the City of Jackson and will be for the foreseeable future; and

WHEREAS, the citizens of the City of Jackson need masks to wear in public and by providing masks the City will be helping make the compliance of this mandate possible; and

WHEREAS, it is in the best interest of the citizens of the City of Jackson that the City provide masks for the citizens.

THEREFORE, IT IS HEREBY ORDERED, the City Council of Jackson, Mississippi hereby authorizes the purchase of One Hundred Thousand (100,000) masks for distribution to the citizens of Jackson.

SO ORDERED, this the ____ day of July, 2020.

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

President Banks recognized **Keyshia Sanders**, Constituent Services Manager, who gave a brief overview of mask distribution for the City of Jackson.

After a through discussion, **President Banks** called for a vote on said item:

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

Nays – Foote.

Absent – None.

Note: Council Member Stamps left the Council Meeting.

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING THE ADMINISTRATION TO LAWFULLY REMOVE AND RELOCATE THE ANDREW JACKSON STATUE FROM THE GROUND OF THE JACKSON CITY HALL.

WHEREAS, the public health, safety, and welfare of the citizens of the City of Jackson shall be considered by this Order; and

WHEREAS, the worldwide movement to correct history and make amends for the public display of monuments of the past which are offensive to many people, and which have no context that is relevant to the uplifting of Black people, and do not represent the reality of today's sensibilities and attitudes toward racism and the eradication of symbols of oppression and the degradation of races of people; and

WHEREAS, it is in the best interest of the citizens of the City of Jackson that the statue of Andrew Jackson be removed from the grounds of City Hall.

THEREFORE, IT IS HEREBY ORDERED, the City Council of Jackson, Mississippi authorizes the Administration to lawfully remove and relocate the statue of Andrew Jackson from the grounds of Jackson City Hall.

IT IS FURTHER ORDERED that payment for such removal and relocation is to be made from the general fund.

IT IS FINALLY ORDERED the Mayor or his designee be authorized to execute any and all documents necessary for said removal and relocation.

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

President Banks recognized **Timothy Howard, City Attorney**, recommended an amendment to said Order to authorize the Mayor to execute any and all documents to legally remove and replace the Andrew W. Jackson Statue.

Council Member Stokes moved; seconded by **Council Member Priester** to amend said order to reflect changes made by **Tim Howard, City Attorney**. The motion prevailed by the following vote:

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

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

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING THE ADMINISTRATION TO LAWFULLY REMOVE AND RELOCATE THE ANDREW JACKSON STATUE FROM THE GROUND OF THE JACKSON CITY HALL.

WHEREAS, the public health, safety, and welfare of the citizens of the City of Jackson shall be considered by this Order; and

WHEREAS, the worldwide movement to correct history and make amends for the public display of monuments of the past which are offensive to many people, and which have no context that is relevant to the uplifting of Black people, and do not represent the reality of today's sensibilities and attitudes toward racism and the eradication of symbols of oppression and the degradation of races of people; and

WHEREAS, it is in the best interest of the citizens of the City of Jackson that the statue of Andrew Jackson be legally removed from the grounds of City Hall.

THEREFORE, IT IS HEREBY ORDERED, the City Council of Jackson, Mississippi authorizes the Administration to lawfully remove and relocate the statue of Andrew Jackson from the grounds of Jackson City Hall.

IT IS FURTHER ORDERED that payment for such removal and relocation is to be made from the general fund.

IT IS FINALLY ORDERED the Mayor or his designee be authorized to execute any and all documents necessary for said lawful removal and relocation.

Council Member Priester states for the record, he supports said item because he believes that there is a more appropriate location for the statue.

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

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

ORDER REVIEWING AND CONTINUING STATE OF EMERGENCY.

WHEREAS, on February 18, 2020, the Jackson City Council, pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended, passed an Order Declaring the Need to Continue the State of Emergency that was issued on February 13, 2020 by Chokwe A. Lumumba, Mayor of the City of Jackson, Mississippi; and

WHEREAS, the Jackson City Council, in the February 18, 2020 Order, found that flood waters and wide spread drainage system issues had affected several Jackson creeks, including, but not limited to: Belhaven Creek; Bogue Chitto Creek; Canney Creek; Eubanks Cree; Hanging Moss Creek; Lynch Creek; Purple Creek; Three Mile Creek; Town Creek; Travon Creek; and White Oak Creek; and

WHEREAS, the Jackson City Council, in the February 18, 2020 Order, found that the flood waters and wide spread drainage system issues caused extensive damages to homes, business, public property, and threatened the safety of the citizens and property of the City of Jackson, Mississippi, requiring the exercise of extraordinary measures; and

WHEREAS, the Jackson City Council, in the February 18, 2020 Order, found that all efforts should be taken to protect people and property in consideration of the health, safety, and welfare of the City’s residents and the protection of their property within the affected areas; and

WHEREAS, the Jackson City Council, on March 17, 2020; April 14, 2020; May 12, 2020, and June 9, 2020, pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, reviewed the need for and continued the local emergency; and

WHEREAS, pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended, the Jackson City Council has again reviewed the need for continuing the local emergency and determined that the emergency should be continued.

IT IS THEREFORE HEREBY ORDERED that said Order Declaring the Need to Continue the Declared State of Emergency as delineated by the Jackson City Council, remains in full force and effect and shall be reviewed again in thirty (30) days in accordance with Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended.

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

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

Note: Council Member Stokes left the Council Meeting.

There came on for Discussion Agenda Item No. 62:

DISCUSSION: UPDATE-FIRE STATION 20: **President Banks** stated said item would be held until the next Regular Council Meeting at the request of **Council Member Stokes**.

There came on for Discussion Agenda Item No. 63:

DISCUSSION: PUBLIC WORKS DIRECTOR: President Banks stated said item would be held until the next Regular Council meeting at the request of Council Member Stokes.

There came on for Discussion Agenda Item No. 64:

DISCUSSION: CONVENTION CENTER: Council Member Lindsay stated that a discussion was held during the July 6, 2020, Council Work Session.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Council meeting at 10:00 a.m. on July 21, 2020. At 3:51 p.m., the Council stood adjourned.

PREPARED BY:

Shanekia Mosley
CLERK OF COUNCIL

APPROVED:

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

ATTEST:

Angela Harris
CITY CLERK
