

BE IT REMEMBERED that a Special Meeting of the City Council of Jackson, Mississippi, was called by a majority of the City Council Members and notices having been placed by the Clerk of Council at 12:35 p.m. on Saturday, February 20, 2021 in the Clerk of Council’s Office, electronic notifications to all Council Members', on the City's website and on the public bulletin board in City Hall, relative to: (1) Discussion: Winter Emergency (2) Discussion: Access to water. The meeting was convened in the Council Chambers located at 219 S. President Street at 10:00 a.m. on Monday, February 22, 2021 being the fourth Monday 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; Angelique Lee, Ward 2; Kenneth Stokes, Ward 3; De’Keither Stamps, (via teleconference), Ward 4; and Virgi Lindsay, Ward 7. Directors: Mayor Chokwe Antar Lumumba; Shanekia Mosley-Jordan, Clerk of the Council; Constance White, Chief Deputy Clerk of Council and Monica Davis Allen, Interim City Attorney (via teleconference).

Absent: None.

The meeting was called to order by **President Aaron Banks**.

There came for Discussion Agenda Item No. 1:

DISCUSSION: WINTER EMERGENCY: **President Banks** recognized **Dr. Charles Williams, Director of Public Works**, who gave a brief overview of the current water outage due to the winter storm. **Mayor Chokwe Antar Lumumba** explained the declaration of civil emergency issued by the City of Jackson.

There came for Discussion Agenda Item No. 2:

DISCUSSION: ACCESS TO WATER: **President Banks** recognized **Keyshia Sanders, Constituent Services Manager**, who explained the locations of the water tankers provided by the City of Jackson, and discussed other entities who were partnering with the City to fill tankers. **Council Member Foote** expressed concerns regarding the need to call in other agencies for additional help, such as the National Guard, FEMA, MEMA, etc.

President Banks stated that an item was needed to be added to the agenda on an emergency basis regarding “Proclamation of the City of Jackson, Mississippi, declaring a local emergency as a result of the February 2021 winter storm.”

President Banks recognized **Council Member Stokes** who moved, seconded by **Council Member Tillman**, to add an item to the agenda on an emergency basis regarding “Proclamation of the City of Jackson, Mississippi, declaring a local emergency as a result of the February 2021 winter storm”. The motion prevailed by the following vote:

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

There came on as the **Emergency Agenda Item: PROCLAMATION OF THE CITY OF JACKSON, MISSISSIPPI, DECLARING A LOCAL EMERGENCY AS A RESULT OF THE FEBRUARY 2021 WINTER STORM**. Hearing no objections, the Clerk read the following:

PROCLAMATION OF THE CITY OF JACKSON, MISSISSIPPI, DECLARING A LOCAL EMERGENCY AS A RESULT OF THE FEBRUARY 2021 WINTER STORM.

WHEREAS, Section 45-17-1, *et seq.*, of the Mississippi Code of 1972, as amended, authorizes the Mayor of a municipality to proclaim the existence of a civil emergency; and

WHEREAS, on February 12, 2021, the National Weather Service issued a winter weather/storm warning for an area including the City of Jackson, Mississippi; and

WHEREAS, rain, sleet, ice, snow, and prolonged subfreezing temperatures occurred in the City of Jackson beginning February 13, 2021, which resulted in dangerous conditions; and

WHEREAS, on or about February 16, 2021, the City began experiencing problems with its two water treatment plants due to continuous hard freeze conditions, which resulted in the loss of water pressure in the water distribution system; and

WHEREAS, hard freeze conditions limited the transportation of chemicals necessary to treat water at both water treatment plants; and

WHEREAS, the hard freeze also appears to have resulted in breaks in water distribution lines that hamper efforts to provide potable water to City of Jackson water customers; and

WHEREAS, as a result of the conditions and damage caused by the rain, sleet, snow, and prolonged hard freeze, customers of the City of Jackson water system are without potable water and many customers are without any water, which is creating public health and safety issues, including, but not limited to the inability to maintain proper hygiene to prevent the spread of COVID-19, the inability to properly dispose of human waste, and otherwise preventable fire losses due to a lack of water with which to fight fires; and

WHEREAS, freezing rain caused tree limbs and trees to fall into the City rights-of-way that have created traffic hazards and hazards for pedestrians using sidewalks making the removal of the volume of the debris difficult for City forces; and

WHEREAS, considering the length and severity of the loss of water to customers of the City water system, and the effect on state and federal government offices within the City, the Council believes that assistance from the State and Federal governments is needed; and

WHEREAS, in consideration of the health, safety, and welfare of the City's residents and the protection of their property within the affected areas, and in the public interest, Mayor Chokwe Antar Lumumba did declare a civil emergency effective February 12, 2021, pursuant to the authority vested in him by Section 45-17-1, *et seq.*, of the Mississippi Code of 1972, as amended, to take all efforts to protect people and property; and

WHEREAS, Section 33-15-1, *et seq.*, of the Mississippi Code of 1972, as amended, authorizes the governing authorities of a municipality to proclaim the existence of a local emergency; and

WHEREAS, in carrying out the provisions of Article 15 of Chapter 33 of the Mississippi Code of 1972, as amended, and the municipality shall have the power to enter into contracts and incur obligations necessary to combat the disaster, protecting the health of persons and property, and providing emergency assistance to the victims of the disaster; and the municipality is authorized to exercise the powers vested under this section in the light of the exigencies of the extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds; and

WHEREAS, winter weather, including but not limited to sleet, ice, and snow, have caused, and may continue to cause, personal injuries, damage to homes, businesses, public property, as well as continue to threaten the safety of the citizens and property of the City of Jackson, Mississippi and requires the continued exercise of extraordinary measures; and

IT IS, THEREFORE, ORDERED that pursuant to Section 33-15-1, *et seq.*, of the Mississippi Code of 1972, as amended, and in the public interest and for the general welfare of the City of Jackson, that the governing authorities of the City of Jackson, Mississippi does hereby approve of the need to declare a local emergency to support the civil emergency declared by the Mayor effective as of February 12, 2021, for the entire City of Jackson, and the state of the said local emergency will be reviewed hereafter every thirty (30) days until such local emergency is no longer in effect and proclaimed terminated by the governing authorities of the City of Jackson, Mississippi.

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

President Banks recognized **Monica Davis Allen, Interim City Attorney**, who gave a brief overview of said item.

President Banks recognized **Council Member Stokes** who moved, seconded by **Council Member Tillman**, to amend said Order to add language that “the Order should be transmitted to the appropriate state and federal government officials, including, but not limited to, the Governor of the State of Mississippi”. The motion prevailed by the following vote:

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

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

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

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

PROCLAMATION OF THE CITY OF JACKSON, MISSISSIPPI, DECLARING A LOCAL EMERGENCY AS A RESULT OF THE FEBRUARY 2021 WINTER STORM

WHEREAS, Section 45-17-1, *et seq.*, of the Mississippi Code of 1972, as amended, authorizes the Mayor of a municipality to proclaim the existence of a civil emergency; and

WHEREAS, on February 12, 2021, the National Weather Service issued a winter weather/storm warning for an area including the City of Jackson, Mississippi; and

WHEREAS, rain, sleet, ice, snow, and prolonged subfreezing temperatures occurred in the City of Jackson beginning February 13, 2021, which resulted in dangerous conditions; and

WHEREAS, on or about February 16, 2021, the City began experiencing problems with its two water treatment plants due to continuous hard freeze conditions, which resulted in the loss of water pressure in the water distribution system; and

WHEREAS, hard freeze conditions limited the transportation of chemicals necessary to treat water at both water treatment plants; and

WHEREAS, the hard freeze also appears to have resulted in breaks in water distribution lines that hamper efforts to provide potable water to City of Jackson water customers; and

WHEREAS, as a result of the conditions and damage caused by the rain, sleet, snow, and prolonged hard freeze, customers of the City of Jackson water system are without potable water and many customers are without any water, which is creating public health and safety issues, including, but not limited to the inability to maintain proper hygiene to prevent the spread of COVID-19, the

inability to properly dispose of human waste, and otherwise preventable fire losses due to a lack of water with which to fight fires; and

WHEREAS, freezing rain caused tree limbs and trees to fall into the City rights-of-way that have created traffic hazards and hazards for pedestrians using sidewalks making the removal of the volume of the debris difficult for City forces; and

WHEREAS, considering the length and severity of the loss of water to customers of the City water system, and the effect on state and federal government offices within the City, the Council believes that assistance from the State and Federal governments is needed; and

WHEREAS, in consideration of the health, safety, and welfare of the City's residents and the protection of their property within the affected areas, and in the public interest, Mayor Chokwe Antar Lumumba did declare a civil emergency effective February 12, 2021, pursuant to the authority vested in him by Section 45-17-1, *et seq.*, of the Mississippi Code of 1972, as amended, to take all efforts to protect people and property; and

WHEREAS, Section 33-15-1, *et seq.*, of the Mississippi Code of 1972, as amended, authorizes the governing authorities of a municipality to proclaim the existence of a local emergency; and

WHEREAS, in carrying out the provisions of Article 15 of Chapter 33 of the Mississippi Code of 1972, as amended, and the municipality shall have the power to enter into contracts and incur obligations necessary to combat the disaster, protecting the health of persons and property, and providing emergency assistance to the victims of the disaster; and the municipality is authorized to exercise the powers vested under this section in the light of the exigencies of the extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds; and

WHEREAS, winter weather, including but not limited to sleet, ice, and snow, have caused, and may continue to cause, personal injuries, damage to homes, businesses, public property, as well as continue to threaten the safety of the citizens and property of the City of Jackson, Mississippi and requires the continued exercise of extraordinary measures; and

IT IS, THEREFORE, ORDERED that pursuant to Section 33-15-1, *et seq.*, of the Mississippi Code of 1972, as amended, and in the public interest and for the general welfare of the City of Jackson, that the governing authorities of the City of Jackson, Mississippi does hereby approve of the need to declare a local emergency to support the civil emergency declared by the Mayor effective as of February 12, 2021, for the entire City of Jackson, and the state of the said local emergency will be reviewed hereafter every thirty (30) days until such local emergency is no longer in effect and proclaimed terminated by the governing authorities of the City of Jackson, Mississippi.

IT IS FURTHER ORDERED that this Order should be transmitted to the appropriate state and federal government officials, including, but not limited to, the Governor of the State of Mississippi.

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

President Banks recognized **Council Member Stokes** who moved, seconded by **Council Member Tillman**, to amend said order to add language to include "the President of the United States". The motion prevailed by the following vote:

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

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

PROCLAMATION OF THE CITY OF JACKSON, MISSISSIPPI, DECLARING A LOCAL EMERGENCY AS A RESULT OF THE FEBRUARY 2021 WINTER STORM.

WHEREAS, Section 45-17-1, *et seq.*, of the Mississippi Code of 1972, as amended, authorizes the Mayor of a municipality to proclaim the existence of a civil emergency; and

WHEREAS, on February 12, 2021, the National Weather Service issued a winter weather/storm warning for an area including the City of Jackson, Mississippi; and

WHEREAS, rain, sleet, ice, snow, and prolonged subfreezing temperatures occurred in the City of Jackson beginning February 13, 2021, which resulted in dangerous conditions; and

WHEREAS, on or about February 16, 2021, the City began experiencing problems with its two water treatment plants due to continuous hard freeze conditions, which resulted in the loss of water pressure in the water distribution system; and

WHEREAS, hard freeze conditions limited the transportation of chemicals necessary to treat water at both water treatment plants; and

WHEREAS, the hard freeze also appears to have resulted in breaks in water distribution lines that hamper efforts to provide potable water to City of Jackson water customers; and

WHEREAS, as a result of the conditions and damage caused by the rain, sleet, snow, and prolonged hard freeze, customers of the City of Jackson water system are without potable water and many customers are without any water, which is creating public health and safety issues, including, but not limited to the inability to maintain proper hygiene to prevent the spread of COVID-19, the inability to properly dispose of human waste, and otherwise preventable fire losses due to a lack of water with which to fight fires; and

WHEREAS, freezing rain caused tree limbs and trees to fall into the City rights-of-way that have created traffic hazards and hazards for pedestrians using sidewalks making the removal of the volume of the debris difficult for City forces; and

WHEREAS, considering the length and severity of the loss of water to customers of the City water system, and the effect on state and federal government offices within the City, the Council believes that assistance from the State and Federal governments is needed; and

WHEREAS, in consideration of the health, safety, and welfare of the City's residents and the protection of their property within the affected areas, and in the public interest, Mayor Chokwe Antar Lumumba did declare a civil emergency effective February 12, 2021, pursuant to the authority vested in him by Section 45-17-1, *et seq.*, of the Mississippi Code of 1972, as amended, to take all efforts to protect people and property; and

WHEREAS, Section 33-15-1, *et seq.*, of the Mississippi Code of 1972, as amended, authorizes the governing authorities of a municipality to proclaim the existence of a local emergency; and

WHEREAS, in carrying out the provisions of Article 15 of Chapter 33 of the Mississippi Code of 1972, as amended, and the municipality shall have the power to enter into contracts and incur obligations necessary to combat the disaster, protecting the health of persons and property, and providing emergency assistance to the victims of the disaster; and the municipality is authorized to exercise the powers vested under this section in the light of the exigencies of the extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds; and

WHEREAS, winter weather, including but not limited to sleet, ice, and snow, have caused, and may continue to cause, personal injuries, damage to homes, businesses, public property, as well