
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 March 2, 2021, 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; Angelique Lee, Ward 2; Kenneth Stokes, (via teleconference), Ward 3; De'Keither Stamps (via teleconference), Ward 4; Virgi Lindsay, Ward 7. Directors: Chokwe Antar Lumumba, Mayor, Dr. Safiya Omari, Chief of Staff; Shanekia Mosley-Jordan, Clerk of the Council and Monica Allen, Interim City Attorney.

Absent: None.

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

The invocation was offered by **Pastor Eric Knapp of Greater Clark Street M.B. Church**.

The Council recited the **Pledge of Allegiance**.

The following individuals provided public comments during the meeting:

- **Melissa Scallon** expressed gratitude regarding the support from the City in providing updates about water, and for providing drinking water to the citizens of Jackson during the winter ice storm.

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 CITY CENTER DRUGS TO ERECT THREE BUILDING SIGNS TOTALING 184 SQUARE FEET INCREASING THE TOTAL BUILDING SIGNAGE TO 191 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

There was no representation from the Applicant or the public.

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 CITY CENTER DRUGS TO ERECT THREE BUILDING SIGNS TOTALING 184 SQUARE FEET INCREASING THE TOTAL BUILDING SIGNAGE TO 191 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

There was no opposition from the public.

There came on for consideration Agenda Item No. 4, Public Hearing:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR BKD CPAS AND ADVISORS TO ERECT AN ADDITIONAL 13 SQUARE FOOT BUILDING SIGN BRINGING THE TOTAL BUILDING SIGNAGE TO 26 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

There was no representation from the Applicant or the public.

There came on for consideration Agenda Item No.5, Public Hearing:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR BKD CPAS AND ADVISORS TO ERECT AN ADDITIONAL 13 SQUARE FOOT BUILDING SIGN BRINGING THE TOTAL BUILDING SIGNAGE TO 26 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

There was no opposition from the public.

President Banks requested that Agenda Item No. 27 and 29 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 CITY CENTER DRUGS TO ERECT THREE BUILDING SIGNS TOTALING 184 SQUARE FEET INCREASING THE TOTAL BUILDING SIGNAGE TO 191 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

WHEREAS, the public health, safety or general welfare of the community may require that variances be granted in specific cases as set forth in Sign Ordinance, Sections 102-26, et seq., of the 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 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, City Center Drugs, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect three building signs totaling 184 square feet increasing the total building signage to 191 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

IT IS THEREFORE, ORDERED that City Center Drugs is hereby (*approved*) a variance from the Sign Ordinance regulations to erect three building signs totaling 184 square feet increasing the total building signage to 191 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage, 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 Tillman moved adoption; **Council Member Lindsay** seconded.

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

Nays – None.

Absent – None.

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR BKD CPAS AND ADVISORS TO ERECT AN ADDITIONAL 13 SQUARE FOOT BUILDING SIGN BRINGING THE TOTAL BUILDING SIGNAGE TO 26 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

WHEREAS, the public health, safety or general welfare of the community may require that variances be granted in specific cases as set forth in Sign Ordinance, Sections 102-26, et seq., of the 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 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, BKD CPAs and Advisors, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect an additional 13 square foot building sign bringing the total building signage to 26 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

IT IS THEREFORE, ORDERED that BKD CPAs and Advisors is hereby (*approved*) a variance from the Sign Ordinance regulations to erect an additional 13 square foot building sign bringing the total building signage to 26 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage, 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 Tillman moved adoption; **Council Member Lindsay** seconded.

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

Nays – None.

Absent – None.

President Banks stated that an item was needed to be added to the agenda on an emergency basis regarding “Resolution in support of legislation that extends the authority of the City of Jackson, Mississippi to pay Keep Jackson Beautiful, Inc. for certain litter prevention programs and activities through calendar year 2024; and for related purposes.”

President Banks recognized **Council Member Lindsay** who moved, seconded by **Council Member Tillman**, to add an item to the agenda on an emergency basis regarding a “Resolution in support of legislation that extends the authority of the City of Jackson, Mississippi to pay Keep Jackson Beautiful, Inc. for certain litter prevention programs and activities through calendar year 2024; and for related purposes”. 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: RESOLUTION IN SUPPORT OF LEGISLATION THAT EXTENDS THE AUTHORITY OF THE CITY OF JACKSON, MISSISSIPPI TO PAY KEEP JACKSON BEAUTIFUL, INC. FOR CERTAIN LITTER PREVENTION PROGRAMS AND ACTIVITIES THROUGH CALENDAR YEAR 2024; AND FOR RELATED PURPOSES.** Hearing no objections, the Clerk read the following:

WHEREAS, the City Council of the City of Jackson, Mississippi ("City"), determined that it is in the best interest of the citizenry of the City to support certain proposed legislation during the 2021 Mississippi Legislative Session; and

WHEREAS, the goal of the City of Jackson Solid Waste Division is to provide a full range of integrated solid waste management services in the City, ranging from source reduction to recycling and disposal; and

WHEREAS, the mission of the City of Jackson Solid Waste Division is to provide responsible management of all solid waste generated within its service area for the protection of health, safety and welfare of the public and environment in a cost effective manner and in compliance with its solid waste management ordinances; and

WHEREAS, the City of Jackson Solid Waste Division supports efforts that lend to the eradication of litter, unsightly yards, abandoned vehicles and the promotion of recycling education; and

WHEREAS, in 1984, Keep Jackson Beautiful, Inc., the local sponsor for the Keep Beautiful System, partnered with the City of Jackson to develop and promote litter prevention programs and activities; and

WHEREAS, Chapter 966, Local and Private Laws of 1999, as last amended by Chapter 904, Local and Private Laws of 2016 allows the city to contribute up to \$40,000 annually to Keep Jackson Beautiful, Inc.; and

WHEREAS, the staff of the City of Jackson Solid Waste Division recommends that the City of Jackson continue to financially support Keep Jackson Beautiful, Inc. in its development and promotion of litter prevention programs for the City of Jackson.

THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi supports proposed legislative initiatives to be considered during the 2021 Session of the Mississippi Legislature that extends the City's authority to pay Keep Jackson Beautiful, Inc. for certain litter prevention programs and activities through calendar year 2024, and for related purposes.

IT IS FURTHER RESOLVED that the City Clerk shall provide a certified copy of this Resolution to each committee of the Mississippi Legislature to which such proposed legislation has been assigned, as well as a copy to each member of the Hinds County delegation.

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

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

Nays – None.

Absent – None.

President Banks stated that an item was needed to be added to the agenda on an emergency basis regarding “Resolution of the City of Jackson, Mississippi, in support of the proposed legislative initiative for a one cent increase in sales tax in an effort to address water infrastructure system improvements.”

President Banks recognized **Council Member Lindsay** who moved, seconded by **Council Member Tillman**, to add an item to the agenda on an emergency basis regarding a resolution of the City of Jackson, Mississippi, in support of the proposed legislative initiative for a one cent increase in sales tax in effort to address water infrastructure system improvements. The motion prevailed by the following vote:

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

Nays – None.

Absent – Stamps.

Note: Council Member Stamps left the meeting during the discussion.

There came on as the **Emergency Agenda Item: RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF THE PROPOSED LEGISLATIVE INITIATIVE FOR A ONE CENT INCREASE IN SALES TAX IN EFFORT TO ADDRESS WATER INFRASTRUCTURE SYSTEM IMPROVEMENTS.** Hearing no objections, the Clerk read the following:

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF THE PROPOSED LEGISLATIVE INITIATIVE FOR A ONE CENT INCREASE IN SALES TAX IN EFFORT TO ADDRESS WATER INFRASTRUCTURE SYSTEM IMPROVEMENTS.

WHEREAS, the City Council of the City of Jackson, Mississippi (“City of Jackson”), has met to consider support for certain proposed legislation during the 2021 Mississippi Legislative Session; and

WHEREAS, the City has been in a constant state crisis as a result of infrastructure decay leading to the need for a recommendation that the Administration and City Council seek resolve to support the much needed improvements deemed worthy of the citizens in the City of Jackson; and

WHEREAS, the one percent would provide a greater ability to address the water infrastructure and maintenance needs the system requires; and

WHEREAS, it has been extremely important to upgrade the failing system and it has become the most pressing issue in recent days as the City recently endured flooding and a hard freezing winter storm but one that has plagued the system for decades within the City of Jackson; and

WHEREAS, the one percent will provide an expanded opportunity for leveraging proceeds to comprehensively address the improvements; and

WHEREAS, the governing authorities of the City of Jackson acknowledge the need for continued revenue generation as a means to alleviate the severity of such crisis as a burden on its citizens as well as improving our ability to address the concerns of the U. S. Environmental Quality Association (EPA); and

WHEREAS, the governing authorities also acknowledge the need for partnerships such as this one by way of our legislative means and aggregate means; and

THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi, accepts the recommendation of the Legislative Committee and supports proposed legislative initiatives to be considered during the 2021 Session of the Mississippi Legislature encouraging a one cent increase in sales tax.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each Committee of the Mississippi Legislature to which such proposed legislation has been assigned, as well as a copy to each member of the Hinds County delegation.

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

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

Nays – None.

Absent – Stamps.

President Banks requested that Agenda Item No. 43 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING THE CITY LEGAL DEPARTMENT TO INSTITUTE LEGAL ACTION AGAINST THE OWNERS AND OPERATORS OF JASCO BAILEY AVENUE, 1038 WOODROW WILSON AVENUE, JACKSON, MISSISSIPPI 39213 (INTERSECTING WITH MARTIN LUTHER KING JR. DRIVE), AS A PUBLIC NUISANCE.

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

WHEREAS, the Jackson City Council understands and acknowledges the importance of protecting its citizens from exposure to nuisances; and

WHEREAS, the establishment known as Jasco Bailey Avenue, located at 1038 Woodrow Wilson Avenue, Jackson, Mississippi 39213 (intersecting with Martin Luther King Jr. Drive) has been operating in a manner where the Jackson Police Department have responded to numerous calls for service for various criminal activity; and

WHEREAS, it is in the best interests of the citizens that the City Legal Department be given authority to proceed with the institution of legal action against the owners and operators of Jasco Bailey Avenue, located at 1038 Woodrow Wilson Avenue, Jackson, Mississippi 39213 (intersecting with Martin Luther King Jr. Drive), as a public nuisance.

IT IS, THEREFORE, ORDERED that the City Legal Department is hereby authorized to proceed with the institution of legal action against the owners and operators of Jasco Bailey Avenue, located at 1038 Woodrow Wilson Avenue, Jackson, Mississippi 39213 (intersecting with Martin Luther King Jr. Drive), as a public nuisance.

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

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

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

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

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 AND BASED ON ADMINISTRATIVE HEARINGS HELD FEBRUARY 9, 2021 FOR THE FOLLOWING CASES:

2020-1569	2020-1572	2020-1573	2021-1000	2021-1001	2021-1002
2021-1013	2021-1014	2021-1015	2021-1016		

WHEREAS, Section 21-19-11 of the Mississippi Code as amended provides that a governing authority shall conduct a hearing to determine whether property or parcels of land located within a municipality is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, Section 21-19-11 of the Mississippi Code as amended sets forth the procedure for mailing and posting notice of the hearing; and

WHEREAS, hearings were held on February 9, 2021; and

WHEREAS, the hearing officer determined that notice was provided in accordance with Section 21-19-11 prior to the hearings; and

WHEREAS, after hearing testimony and reviewing evidence, the hearing officer made findings and recommendations for adjudication concerning certain parcels as follows:

- 1) **Case #2020-1569: Parcel #124-19** located at **126 VALLEY STREET**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$750.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 2) **Case #2020-1572 Parcel #119-503** located at **309 SEWANEE DRIVE**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$750.00. Ward 4

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 3) **Case #2020-1573: Parcel #105-196** located at **1075 MADERIA AVENUE**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 4) **Case #2021-1000: Parcel #630-301** located at **2758 PINEDALE STREET**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 1

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 5) **Case #2021-1001: Parcel #630-315** located at **2719 PINEDALE STREET**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 1

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 6) **Case #2021-1002: Parcel #626-118-1** located at **BUILDING EAST OF 137 SYKES ROAD (CASA GRANDE BUILDING G)**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 1

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Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 7) **Case #2021-1013: Parcel #409-856-38** located at **2606 UTAH STREET**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 8) **Case #2021-1014: Parcel #409-855-40** located at **2643 UTAH STREET**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare. Ward 4

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 9) **Case #2021-1015: Parcel #409-840** located at **2212 UTAH STREET**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare. Ward 4

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 10) **Case #2021-1016: Parcel #425-11** located at **1003 WEST NORTHSIDE DRIVE**: After hearing testimony from owner(s) **JOHNNY LOFTON**, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, interested parties shall be afforded twenty-eight (28) days to cure expiring March 9, 2021. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 2

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash, debris, wooden boards, crates, appliances, old furniture, building materials, old bricks, tree limbs, tree parts, tires; and clean curbside.

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

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

Nays – None.

Absent – None.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices, located in the Municipal Clerk Department of the City of Jackson, Mississippi.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND ACA DEMOLITION & PROJECT GROUP, 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 #2018-1421 – 1634 WOODY DRIVE – \$5,000.00.

WHEREAS, on September 1, 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 October 30, 2018 for Case 2018-1421 located in Ward 6 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, ACA Demolition & Project Group, LLC appeared next on the rotation list and through its representative, Elton Smith, 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 1634 Woody Drive for the sum of \$5000.00; and

WHEREAS, ACA Demolition & Project Group, LLC has a principal office address of 120 Hillcroft Place Jackson, Mississippi 39211.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with ACA Demolition & Project Group, LLC to demolish structure, foundation, steps, and driveway and/or cut vegetation and remedy conditions on the property located at 1634 Woody Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$5000.00 shall be paid to ACA Demolition & Project Group, LLC for the services provided from funds budgeted for the Division.

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

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

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND SITE MANAGEMENT ASSISTANCE, LLC, TO DEMOLISH STRUCTURE AND REMEDY CONDITIONS THAT CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR PARCEL #648-170 LOCATED AT 910 ROYAL OAKS DRIVE - \$4,200.00 - CASE #2021-1019.

WHEREAS, the City of Jackson owns the property located at 910 Royal Oaks Dr.; and

WHEREAS, said property must be maintained and conditions that constitute a menace to public health, safety and welfare remedied; 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, Site Management Assistance, LLC appeared next on the rotation list and has agreed to demolish and remove remains of structure and otherwise remedy conditions for Case #2021-1019 located at 910 Royal Oaks Dr. for \$4,200.00; and

WHEREAS, Site Management Assistance, LLC has a principal office address of P.O. Box 1484, Meridian, MS 39302; and

WHEREAS, it is in the best interest of the City, and the citizens of Jackson that the Property be maintained.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with Site Management Assistance, LLC to demolish and remove remains of structure leaving slab in place; remove trash, debris, steps, tires, and any other items to ensure property is clear and free of any and all health hazards; and cut grass and weeds, for Case No. 2021-1019 located at 910 Royal Oaks Dr., Parcel 648-170, for an amount not to exceed \$4,200.00.

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

Yeas – Banks, Foote, Lee, Lindsay, 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 TWO HUNDRED DOLLARS (\$200.00) ASSESSED FOR CLEANING PARCEL NUMBER 65-40 LOCATED AT 136 NOEL ST, JACKSON MISSISSIPPI.

WHEREAS, on February 10, 2009, the governing authorities for the City of Jackson passed a resolution which is recorded at Minute Book 6T Page 429 that declared property located at 136 Noel St 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 4, 2011 the governing authorities for the City of Jackson passed a resolution which is recorded at Minute Book 6A Page 23 that adjudicated costs and penalties totaling \$200.00 for the cleaning of property located at 136 Noel St legally described as LOTS 34 & 35 BLK B SCHOOL SUBN; and

WHEREAS, consistent with the provisions of Section 21-19-11, the resolution adjudicating costs and penalties was subsequently enrolled with the Hinds County Circuit Clerk on December 24, 2011 and recorded as Judgment Number 2009-109; and

WHEREAS, the property located at 136 Noel St was assessed to Erving, Robert A. at the time of enrollment; and

WHEREAS, Erving, Robert A. tendered to the Hinds County Chancery Clerk payment in the amount of Two Hundred Dollars (\$200.00) on September 23, 2013 for the purpose of satisfying the judgment enrolled concerning Parcel 65-40; and

WHEREAS, the judgment enrolled against Erving, Robert A. for Parcel Number 65-40 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 2009-1098 has been satisfied and the judgment lien related thereto canceled.

IT IS FURTHER ORDERED that any acts required and necessary to effect the cancelation of the lien arising out of the enrollment of the judgment lien for Case 2009-1098 are authorized to be performed.

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

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

Nays – None.

Absent – Stamps.

ORDER APPROVING CLAIMS NUMBER 24748 to 24830 APPEARING AT PAGES 361 TO 389 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$3,819,247.34 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 24748 to 24830 appearing at pages 361 to 389, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$4,597,925.34 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	16,474,793.78
SEIZURE & FORF PROP-STATE	96,180.26
TECHNOLOGY FUND	762,970.90
PARKS & RECR. FUND	139,926.75
BUSINESS IMPROV FUND (LANDSCP)	150,927.30
LANDFILL SANITATION FUND	157,141.44
FIRE PROTECTION	205.51
NCSC SENIOR AIDES	68.38
STATE TORT CLAIMS FUND	6,866.56
WATER/SEWER REVENUE FUND	52,744.51
LANDFILL/SANITATION FUND	157,141.44
FIRE PROTECTION	205.51
WATER/SEWER OP & MAINT FUND	444,038.75
WATER/SEWER CAPITAL IMPR FUND	5,942,757.74
DISABILITY RELIEF FUND	750,242.64
EMPLOYEES GROUP INSURANCE FUND	193,557.57
KELLOGG FOUNDATION PROJECT	102.57
NARCOTICS EVIDENCE ESCROW	141.60
EARLY CHILDHOOD (DAYCARE)	4,534.33
HOUSING COMM DEV ACT (CDBG) FD	1,348.01
G O PUB IMP CONS BD 2003 (\$20M)	170,783.15
INFRASTRUCTURE BOND 2020 \$32M	54,829.62
1% INFRASTRUCTURE TAX	594,369.75
MADISON SEWAGE DISP OP & MAINT	39.55
WATER/SEWER CAP IMP NOTE 7M	95,181.67
TRANSPORTATION FUND	198,134.65
FONDREN BUSINESS IMPROV FUND	28,910.00
2010 GO REFUNDING/RESTRUCTURIN	2,490,750.00
P E G ACCESS PROGRAMMING FUND	7,461.03
WIRELESS RADIO COMMUNICATIONS FUND	229,147.56
HUMAN AND CULTURE GRANTS	8,429.84
MHC BLIGHT ELIMINATION PROGRAM	37,737.16
DFA JACKSON ZOO BOND	21,863.46

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, MARCH 2, 2021 10:00 A.M.**

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LIBRARY FUND	9,453.50
TOTAL	<u>\$4,597,925.34</u>

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

President Banks recognized **Marlin King, Interim 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 on said item:

Yeas – Foote, Lee, Lindsay, and Tillman.

Nays – Banks and Stokes.

Absent – Stamps.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 24748 TO 24830 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 24748 to 24830 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$119,035.32 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

IT IS FINALLY ORDERED that the following expenditures from the accounts payable fund be made in order to pay amounts transferred thereto from the payroll fund for payment of the payroll deduction claims authorized herein for payment:

FROM:	TO ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		2,272,533.82
PARKS & RECR FUND		90,166.53
LANDFILL FUND		16,279.00
SENIOR AIDES		1,739.15
WATER/SEWER OPER & MAINT		222,113.31
PAYROLL	119,035.32	
EARLY CHILDHOOD		35,424.25
HOUSING COMM DEV		11,664.84
TITLE III AGING PROGRAMS		5,664.09
TRANSPORTATION FUND		15,408.39
PEG ACCESS-PROGRAMMING FUND		8,629.09
TOTAL		\$2,679,622.47

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

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

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROJECT CHANGE REQUEST WITH TYLER TECHNOLOGIES, INC. FOR THE CONVERSION OF UNUSED FUNDS TO BE ALLOCATED TOWARDS SOFTWARE AND HARDWARE.

WHEREAS, the City of Jackson and Tyler Technologies, Inc. entered into an agreement in 2018 for an Enterprise Resource Planning System “ERP”; and

WHEREAS, the agreement provides for converting unused funds for additional purposes such as software, hardware, training and implementation services; and

WHEREAS, the estimate amount of funds allocated for the transfer of police data was not fully utilized because all data relating to police records, investigations, jail and emergency call logs was successfully imported; and

WHEREAS, as a result of the successful importation of data a total \$19,500.00 remained; and

WHEREAS, the Division of Information Systems is proposing the unused funds be allocated towards the New World Public Safety System software and hardware offered by Tyler Technologies, Inc. to better assist the Jackson Police and Fire Department; and

WHEREAS, there is no cost associated with the project change request; and

WHEREAS, the need for this change have been analyzed by the Division of Information Systems and execution of this project change request is strongly encouraged.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a Project Change Request with Tyler Technologies, Inc. at no cost along with any other documents needed to implement this change.

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

President Banks recognized **Marlin King, Interim Chief Administrative Officer**, who gave a brief overview of said item.

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

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

Nays – None.

Absent – Stamps.

ORDER REVISING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2020-2021.

WHEREAS, in the Fiscal Year 2020-2021 needs to be revised for necessary changes noted below.

IT IS HEREBY, ORDERED, that the Fiscal Year 2020-2021 Municipal Budget revised as follows:

<u>Water/Sewer Contingency - Fund 33</u>	
33-5899	\$14,716,028
33-520.30-6736	\$5,858,014
33-520.30-6753	\$1,500,000
33-522.80-6753	\$7,358,014

The 1/12 of Operations and the 2/12 of Contingency of Operations per Bond Covenant. (It did not post to the FY 2020-2021 Adopted Budget Projections)

031-5912	\$1,500,000
031-521.40-6419	\$ 500,000

031-521.40-6485

\$1,000,000

Approved Council Order for emergency expenditures for Water Main break.

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

President Banks recognized **Marlin King, Interim Chief Administrative Officer**, who gave a brief overview of said item.

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

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

Nays – None.

Absent – Stamps.

RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF JACKSON, MISSISSIPPI TO REIMBURSE ITSELF FROM THE PROCEEDS OF THE MASTER LEASE PURCHASE AGREEMENT FOR THE INITIAL PURCHASE OF FOURTEEN (14) VEHICLES FOR THE JACKSON POLICE DEPARTMENT.

WHEREAS, in connection with the initial purchase of fourteen (14) vehicles for the Jackson Police Department, the City has advanced and will advance internal funds; and

WHEREAS, the City intends to reimburse itself for all of such expenses from the proceeds of the Master Lease Purchase Agreement,

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

Section 1. Declaration of official intent. The City of Jackson, Mississippi, hereby declares its official intent to reimburse itself from the proceeds of the Master Lease Purchase Agreement for the initial purchase of fourteen (14) vehicles for the Jackson Police Department, prior to and subsequent to the date of this Resolution in accordance with Treasury Regulations 1.150-2. This Resolution is intended as a declaration of official intent under Treasury Regulation 1.150-2. The debt to be issued to finance the initial purchase of fourteen (14) vehicles for the Jackson Police Department is expected not to exceed an aggregated principal amount of \$375,850.00

Section 2. Incidental action. The Mayor is authorized to take such action as may be necessary to carry out the purpose of this Resolution, and is authorized to execute necessary and related documents required for the issuance of the debt.

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

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

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CONVERGEONE, INC., FOR THE RENEWAL OF RENTAL SPACE FOR THE CITY OF JACKSON IT DISASTER RECOVERY SITE.

WHEREAS, the City of Jackson, Mississippi (“City”) maintains an Information Technology (“IT”) disaster recovery site to back-up all applications and hardware; and

WHEREAS, in 2019 the City's IT disaster recovery site was relocated to the Mississippi E-Center to meet the need for additional space and security to facility managed by Venture Technologies, Inc.; and

WHEREAS, Venture Technologies, Inc. was subsequently acquired by ConvergeOne, Inc. ("ConvergeOne") and ConvergeOne now manages the suite where the City's recovery site is located; and

WHEREAS, the total cost associated with ConvergeOne managing the City's IT disaster recovery site is \$33,096.00 per year.

WHEREAS, the Division of Information Systems recommends that the Mayor be authorized to execute an agreement with ConvergeOne for the City's IT.

IT IS, THEREFORE ORDERED that the Mayor be authorized to execute any and all documents to effectuate an agreement with ConvergeOne, Inc. for the City of Jackson's IT disaster recovery Site at the Mississippi E-Center at a cost not to exceed \$33,096.00 for a period of one year.

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

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

Nays – None.

Abstention – Stokes.

Absent – Stamps.

There came on for consideration, Agenda Item No. 17:

ORDER AUTHORIZING THE MAYOR TO RETAIN WINSTON THOMPSON, ESQUIRE, HAWKINS LAW, P.C. & LIGHTFOOT, FRANKLIN & WHITE, LLC AND TO AUTHORIZE THE EXECUTION OF A CONTINGENCY AGREEMENT. **President Banks** stated that said item would be tabled until the next Special Council Meeting held on March 16, 2021 at 10:00 a.m.

Note: Council Member Foote left the meeting.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE BUSINESS ASSOCIATE AGREEMENT WITH THE MISSISSIPPI STATE DEPARTMENT OF HEALTH FOR THE CITY OF JACKSON'S CITYWIDE COVID-19 VACCINATION DAY ON FRIDAY, MARCH 5, 2021, SATURDAY, MARCH 6, 2021 AND FRIDAY, MARCH 26, 2021 AND MARCH 27, 2021.

WHEREAS, the City of Jackson, Mississippi, Office of the Mayor to execute the Business Associate Agreement Mississippi State Department of Health for the Citywide COVID-19 Vaccination Day; and

WHEREAS, the City of Jackson, Mississippi recognizes the purpose of advancing the public health, safety, and welfare of the City of Jackson during the COVID-19 Pandemic; and

WHEREAS, this Business Associate Agreement is entered into by and between the Mississippi State Department of Health ("MSDH") the Covered Entity and the City of Jackson, MS, hereinafter referred to parties, and modifies any other prior existing agreement or contract for this purpose, on March 5-6, 2021 and March 26-27, 2021; and

WHEREAS, no any additional fee will be charged from the City of Jackson for the services; and

IT IS, HEREBY, ORDERED that the Mayor is authorized to execute an agreement with the Mississippi State Department of Health, for the use of their facility.

IT IS FURTHERMORE ORDERED that the Mayor is authorized to sign any related documents required by the Mississippi State Department of Health for these services.

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

President Banks recognized **Keyshia Sanders, Constituent Service Manager**, who gave a brief overview of said item.

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

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

Nays – None.

Absent – Stamps.

Note: Council Member Foote returned to the meeting during the discussion.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A USE LICENSE AGREEMENT WITH THE JACKSON CONVENTION COMPLEX/ TO PROVIDE USE OF FACILITY FOR THE CITY OF JACKSON'S CITYWIDE COVID-19 VACCINATION DAY ON FRIDAY, MARCH 5, 2021, SATURDAY, MARCH 6, 2021 AND FRIDAY, MARCH 26, 2021 AND MARCH 27, 2021.

WHEREAS, the City of Jackson, Mississippi, Office of the Mayor desires the use of the Jackson Convention Complex to hold its Citywide COVID-19 Vaccination Day; and

WHEREAS, the City of Jackson, Mississippi recognizes the purpose of advancing the public health, safety, and welfare of the City of Jackson during the COVID-19 Pandemic; and

WHEREAS, the Jackson Convention Complex will waive the rental of the facility for the event on March 5-6, 2021 and March 26-27, 2021; and

WHEREAS, no any additional fee will be charged from the City of Jackson for the services; and

IT IS, HEREBY, ORDERED that the Mayor is authorized to execute an agreement with the Jackson Convention Complex/OVG Facilities, for the use of their facility.

IT IS FURTHERMORE ORDERED that the Mayor is authorized to sign any related documents required by the Jackson Convention Complex/OVG Facilities for these services.

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

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

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN JACKSON STATE UNIVERSITY AND THE CITY OF JACKSON, MISSISSIPPI FOR THE JACKSON POLICE DEPARTMENT TO PROVIDE SECURITY AT JACKSON STATE UNIVERSITY ATHLETIC FOOTBALL EVENTS.

WHEREAS, the City of Jackson ("City") has a long-standing agreement with Jackson State University ("JSU") to provide trained police security at athletic football events; and

WHEREAS, the parties desire to enter into a "Memorandum of Understanding between Jackson State University and the City of Jackson, Mississippi and its Police Department," hereinafter referred to as "MOU"; and

WHEREAS, the City agrees to provide trained police security at five (5) designated JSU football games during the 2021 Spring Football Season and additional designated events as requested in Jackson, Mississippi. The Jackson Police Department ("JPD") will provide up to twenty-four (24) officers and one supervisor, for each of the five (5) football games and additional designated events. All officers and supervisors will act, at all times, as City employees and are under the supervision and direction of JPD. All JSU employees will work under the supervision of the Director of JSU Police or his Designee; and

WHEREAS, JPD will be responsible for providing security as follows: (1) JPD will provide security for ground parking lots and lots where tailgating may take place; (2) JPD will be responsible for securely escorting bands, referees, coaches and the football team as they enter and exit the stadium parking lot(s); and (3) JPD will manage traffic entering and exiting the stadium; and

WHEREAS, the terms of this MOU shall be binding from February 1, 2021 through May 31, 2021, and shall include payment for services necessarily provided prior to the execution of the MOU; and

WHEREAS, JSU will pay the City for all services rendered a rate up to \$36 per hour per officer. The rate paid by JSU to the City shall adjust to correspond with the position and/or ranking of the individual officer or supervisor providing the services. The aggregate amount for all five games shall not exceed the total sum of Twenty-Eight Thousand Eight Hundred Eighty Dollars and No Cents (\$28,880.00) for the term of the agreement; and

IT IS HEREBY ORDERED that the Mayor of the City of Jackson is authorized to enter into a Memorandum of Understanding between the City of Jackson, Mississippi and JSU wherein JSU pays to the City for police security services at designated athletic football events at the rate not to exceed \$36 per hour per officer with the total cost to JSU not to exceed Twenty-Eight Thousand Eight Hundred Eighty Dollars and No Cents (\$28,880.00).

IT IS FURTHER ORDERED that the Mayor, or his designee, be authorized to execute any and all documents necessary to facilitate the terms of the herein-described Memorandum of Understanding. The City is further authorized to accept payments for services necessarily provided prior to the execution of the MOU, but were provided pursuant to the MOU.

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

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

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE FACILITY USE AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI AND THE NORTH JACKSON YOUTH BASEBALL FOR USE OF CITY-OWNED ATHLETIC FIELDS LOCATED IN LAKELAND PARK.

WHEREAS, the North Jackson Youth Baseball has partnered with City of Jackson, Mississippi ("City") for the past fifteen (15) years as the management group for the athletic fields at Lakeland Park located at 1399 Lakeland Drive in Jackson, Mississippi; and

WHEREAS, the North Jackson Youth Baseball will provide the City proof of liability insurance in the amount of one million dollars (\$1,000,000.00) and will add the City as an additional insured, but only for liability caused, in whole or in part, by the acts or omissions of North Jackson Youth Baseball; and

WHEREAS, the North Jackson Youth Baseball abided by all prior mutual agreements with the City; and

WHEREAS, the North Jackson Youth Baseball shall use the fields in accordance with the rules and regulations established by its Youth Association Charter and the City.

IT IS HEREBY ORDERED that the Mayor is authorized to execute a Facility Use Agreement with North Jackson Youth Baseball for the supervision and operation of the athletic fields at Lakeland Park for the period commencing on the last date of execution of the agreement and ending on July 31, 2022, unless terminated earlier.

IT IS FURTHER ORDERED that a copy of said agreement be filed for record with the City Clerk.

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

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

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A FACILITY USE AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI AND PARK GOLF INCORPORATED (“PARK GOLF”), FIRST TEE–CENTRAL MISSISSIPPI (“FIRST TEE”), FOR USE OF BATTLEFIELD PARK AND ITS FACILITY, LOCATED AT 953 WEST PORTER STREET, JACKSON, MISSISSIPPI.

WHEREAS, Park Golf Incorporated (“Park Golf”), First Tee – Central Mississippi (“First Tee”), has partnered with the City of Jackson, Mississippi (“City”) to introduce the game of golf in the Metro Jackson area; and

WHEREAS, Park Golf Incorporated (“Park Golf”), First Tee – Central Mississippi (“First Tee”), will cultivate life-enhancing skills, build character and promote diversity in the game of golf, abiding by all mutual agreements with the City; and

WHEREAS, in furtherance of this goal, Park Golf Incorporated (“Park Golf”), First Tee – Central Mississippi (“First Tee”), would like to execute a Facility Use Agreement with the City of Jackson, whereby it is allowed to use Battlefield Park, located at 953 West Porter Street; and

WHEREAS, Park Golf Incorporated (“Park Golf”), First Tee – Central Mississippi (“First Tee”), will provide the City proof of liability insurance in the amount of One Million Dollars (\$1,000,000), and will add the City as an additional insured, prior to beginning program; and

WHEREAS, Park Golf Incorporated (“Park Golf”), First Tee – Central Mississippi (“First Tee”), shall operate its golf program in accordance with the rules and regulations established by the City of Jackson Pete Brown Golf Facility and Grove Park Junior Golf Program.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a Facility Use Agreement with Park Golf Incorporated (“Park Golf”), First Tee – Central Mississippi (“First Tee”), for use of Battlefield Park, beginning March 2021 and ending on March 31, 2022, unless terminated earlier.

IT IS FURTHER ORDERED that a copy of said agreement be filed for record in the Office of City Clerk.

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

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

Nays – None.

Absent – Stamps.

ORDER RATIFYING PAYMENT TO CENTAMAN FOR SUPPORT AND LICENSE FEE RENEWAL FOR THE JACKSON ZOO.

WHEREAS, CENTAMAN gives customers the power to purchase tickets and renew passes anytime, anywhere; and

WHEREAS, CENTAMAN offers ticketing services via the Jackson Zoo's call center, online store, and point of sale transactions, providing consistent interface services for all ticketing and reservation needs real-time, to include automatic waitlist options; and

WHEREAS, CENTAMAN is a full-service webstore, providing 24/7 service, which includes workflows and solutions for:

- General Admission
- Timed Tickets
- Consignment
- Special Events
- Add-On Attractions
- Season/Annual Passes
- Memberships
- Programs and Classes

WHEREAS, the Jackson Zoo and the Department of Parks and Recreation desires to ratify the renewal licensing and support for the Jackson Zoo, by honoring CENTAMAN Invoice Number SF01353, in the amount of Six Thousand, Three Hundred Three Dollars and Thirty-Three Cents (\$6,303.33).

IT IS, THEREFORE, ORDERED that the City is hereby authorized to make payment to CENTAMAN to ratify and renew the support and license fee dues, in the amount of Six Thousand, Three Hundred Three Dollars and Thirty-Three Cents (\$6,303.33).

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

President Banks recognized **Ison Harris, Director of Parks and Recreation**, who provided a brief overview of said item.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF JACKSON, DEPARTMENT OF PARKS AND RECREATION AND JACKSON PUBLIC SCHOOLS (JPS) TO WORK IN UNISON TO USE VARIOUS ATHLETIC FIELDS, WALKING TRAILS AND FACILITIES.

WHEREAS, the City of Jackson, Department of Parks and Recreation, has worked jointly with the Jackson Public Schools' Facilities and Operations Department and Athletics Department (JPS) for many years, utilizing various athletic fields, walking trails and facilities; and

WHEREAS, recently, a Keith Haring Fitness Court® was donated to be installed at the Woodrow Wilson Walking Trail, a trail owned by JPS and maintained by the City of Jackson, Department of Parks & Recreation; and

WHEREAS, the City of Jackson, Department of Parks and Recreation, also maintains other properties owned by JPS, such as Lake Hico, a Sixteenth Section Land Lease Agreement with JPS for a term of twenty (20) years, beginning June 1, 2008, and expiring June 1, 2028; and

WHEREAS, additionally, because there is not a Northwest Jackson neighborhood park, suitable for soccer programs, JPS allows the City of Jackson, Department of Parks and Recreation, to use the Callaway High School field for soccer programs; and

WHEREAS, the City of Jackson, Department of Parks and Recreation, and JPS will continue to work together to help encourage, support and offer athletic training and programs to participants of all ages.

IT IS THEREFORE ORDERED, that it is in the best interest of the City of Jackson, Department of Parks and Recreation and the Jackson Public Schools’ Facilities Operations and Athletics Departments to continue to work together for the betterment of the communities and sports programs throughout the City, and are hereby authorized to execute a Memorandum of Understanding for the use of various athletic fields, walking trails, and facilities for a term expiring March 31, 2026.

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

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

Nays – None.

Absent – Stamps.

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

ORDER AUTHORIZING THE CONTRIBUTION OF MATCHING FUNDS TO STEWPOT COMMUNITY SERVICES FOR THE PURPOSE OF SUPPORTING SOCIAL AND COMMUNITY SERVICE PROGRAMS AND AUTHORIZING THE MAYOR EXECUTE AN AGREEMENT WITH STEWPOT COMMUNITY SERVICES.

WHEREAS, Section 21-19-65 of the Mississippi Code of 1972, as amended authorizes municipal governing authorities to expend monies from the general fund to match other funds for the purpose of supporting social and community service programs; and

WHEREAS, consistent with the provisions of Section 21-19-65 of the Mississippi Code of 1972, as amended, the governing authorities for the City of Jackson, Mississippi (“City”) allocated monies in its budget for the 2020-21 fiscal year to be expended in the municipality for the development and the support of social and community service programs; and

WHEREAS, Stewpot Communities Services is a public nonprofit organization that has qualified for exemption pursuant to 26 USCS Section 501 (c) (3) and is eligible to receive matching funds from the City of Jackson; and

WHEREAS, the best interest of the City of Jackson and its residents would be served by contributing matching funds to Stewpot Community Services to assist in its provision of providing shelter & other provisions for the homeless; and

WHEREAS, the Jackson City Council did authorize the sum of \$35,000.00 to be contributed to match other funds and resources to Stewpot Community Services to assist in its provision of emergency services.

IT IS THEREFORE ORDERED that matching monies in the amount of Thirty-Five Thousand Dollars (\$35,000.00) be awarded to Stewpot Community Services to provide social and community services programs pursuant to Section 21-19-65 of the Mississippi Code Annotated (1972), as amended.

IT IS FURTHER HEREBY ORDERED that the Mayor is authorized to execute an agreement with Stewpot Community Services to govern the award and receipt of the matching funds contributed.

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

Yeas – Banks, Foote, Lindsay, and Tillman.

Nays – None.

Absent – Lee, Stamps and Stokes.

Note: Council Member Lee returned to the meeting during the discussion.

ORDER AUTHORIZING THE DONATION OF FUNDS TO THE HINDS COUNTY HUMAN RESOURCE AGENCY PURSUANT TO MISSISSIPPI CODE ANNOTATED SECTION 21-17-1(8) TO ASSIST IN ITS PROVISION OF EMERGENCY SERVICES.

WHEREAS, the Hinds County Human Resource Agency was established by the Hinds County Board of Supervisors by a resolution duly passed and adopted on September 22, 1975 pursuant to Section 17-15-1 of the Mississippi Code; and

WHEREAS, the Hinds County Human Resource Agency provided to the City of Jackson a letter dated October 15, 1979 from the Internal Revenue Service indicating that it was modifying its determination that the agency was a private foundation and indicating that its exempt status under 26 USCS Section 501 (c) (3) code was in effect and could be relied upon by contributors and grantors until notice to the contrary was published; and

WHEREAS, the governing authorities for the City of Jackson are not aware of the Internal Revenue Service publishing notice to the contrary indicating that the Hinds County Human Resource Agency is not exempt under 26 USCS Section 501(c) (3); and

WHEREAS, Section 21-17-1(8) of the Mississippi Code as amended authorizes the governing authorities of a municipality to expend municipal funds to match other state, federal, or private funding for programs administered by the State of Mississippi, the United States government or *any nonprofit* organization that is exempt under 26 USCS Section 501 (c) (3) from paying federal income tax; and

WHEREAS, the Hinds County Human Resource Agency is a public nonprofit organization that has qualified for exemption pursuant to 26 USCS Section 501 (c) (3) and is eligible to receive matching funds from the City of Jackson; and

WHEREAS, the Hinds County Human Resource Agency has a Community Service Block Grant Program (CSBG) which provides an array of community and social services to those eligible and qualifying, including but not limited to, emergency services which includes assistance with the payment of utilities; and

WHEREAS, the governing authorities for the City of Jackson recognize that certain economic conditions present in the national and local economy, including but not limited to proposed water and sewer rate increases, may result in the agency receiving additional requests for its emergency services; and

WHEREAS, the best interest of the City of Jackson and its residents would be served by contributing *matching* funds to the Hinds County Human Resource Agency to assist in its provision of emergency services.

IT IS HEREBY ORDERED that the sum of \$175,000.00 shall be contributed to match other funds and resources of the Hinds County Human Resource Agency to assist in its provision of emergency services.

IT IS HEREBY ORDERED that the Mayor shall be authorized to execute an agreement which governs the Hinds County Human Resource Agency's receipt and use of the funds.

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

President Banks recognized **Council Member Tillman** moved and **President Banks** seconded, to amend said order changing "\$175,000.00" to "\$350,000.00" on said item.

President Banks recognized **Monica Allen, Interim City Attorney**, who provided a brief overview of the recommended amendment on said item.

After a thorough discussion, **Council Members Tillman** and **President Banks** withdrew their motion and second.

Thereafter, **President Banks** called for the vote on the Order:

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE APPLICATION AND RELATED DOCUMENTS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION FOR THE PURCHASE OF TRANSIT BUSES FROM THE DISCRETIONARY FY2021 COMPETITIVE FUNDING OPPORTUNITY FOR BUS AND BUS FACILITIES DISCRETIONARY PROGRAM SECTION 5339(C) IN THE AMOUNT OF \$7,000,000.00.

WHEREAS, the U.S. Department of Transportation, Federal Transit Administration announced on February 11, 2021 the availability for funds and opened the application process for Section 5339(c) FY 2020 Competitive Funding Opportunity: Bus and Bus Facilities Formula Discretionary Program with the Opportunity Number of FTA-2021-001-LOWNO and;

WHEREAS, this is a competitive grant where an application must be submitted by April 12, 2021 to receive the funds; and

WHEREAS, the funds will be used to purchase seven (7) 35 ft. and three (3) 40 ft. Low Floor Hybrid (Electric/Diesel) new fixed route buses; and

WHEREAS, there is a 20% match required of the City in the amount of \$1,400,000.00 upon acceptance of these funds; and

WHEREAS, the Transit staff is recommending that the City apply for and accept said award for use in the City's transit system.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the applications and related documents with the U.S. Department of Transportation's Federal Transit Administration seeking a grant award of \$7,000,000.00 from Section 5339(c) FY 2021 Competitive Funding Opportunity: Bus and Bus Facilities Formula Discretionary Program with the Opportunity Number of FTA-2021-001-LOWNO to aid in the financing of the City's transit system.

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

President Banks recognized **Jordan Hillman, Department of Planning and Development**, who provided a brief overview of said item.

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

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

ORDER ACCEPTING THE BID OF DICKERSON & BOWEN, INC., FOR THE 2020 FLOOD DISASTER STREET RESURFACING PROJECT.

WHEREAS, on January 12, 2021, the City of Jackson received four sealed bids for the 2020 Flood Disaster Street Resurfacing Project; and

WHEREAS, the bid received from Dickerson & Bowen, Inc. in the amount of \$527,260.92, 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 Dickerson & Bowen, Inc., as the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Dickerson & Bowen, Inc., in the amount of \$527,260.92 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, Lee, Lindsay, and Tillman.
Nays – None.
Absent – Stamps and Stokes.

ORDER ACCEPTING THE BID OF PAVECON, LTD. FOR CONSTRUCTION OF THE FAST ACT SIDEWALK PROJECT, FEDERAL AID PROJECT NUMBER STP-0250-00(054)LPA/108164 AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH SAID COMPANY SUBJECT TO THE CONCURRENCE OF THE MISSISSIPPI TRANSPORTATION COMMISSION.

WHEREAS, the City of Jackson solicited sealed, competitive bids for the construction of the Fast Act Sidewalk Project; and

WHEREAS, three bids were submitted to the City Clerk on December 1, 2020; and

WHEREAS, the bid of Pavecon, Ltd., in the amount of \$1,333,924.00 was the lowest bid received; and

WHEREAS, the Public Works Department recommends that the governing authorities deem the bid of Pavecon, Ltd., in the amount of \$1,333,924.00, for the Fast Act Sidewalk Project to be the lowest and best bid; and

WHEREAS, the awarding of the bid shall be subject to the concurrence of the Mississippi Transportation Commission; and

WHEREAS, during the life of the project, it will be necessary for the Mayor to execute various no-cost documents as part of the administration and construction of the project.

IT IS, THEREFORE, ORDERED that the bid of Pavecon, Ltd. for the construction of the Fast Act Sidewalk Project, Federal Aid Project Number STP-0250-00(054) LPA/108164 in the amount of \$1,333,924.00, is accepted as the lowest and best bid.

IT IS FURTHER ORDERED that the Mayor is authorized to execute and the City Clerk is authorized to attest a contract with Pavecon, Ltd. for the construction of the Fast Act Sidewalk Project.

IT IS FURTHER ORDERED that the Mayor be authorized to execute any and all no-cost item documents necessary for the administration and construction of the Fast Act Sidewalk Project and to submit the same to MDOT as needed.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION ENGINEERING AND INSPECTION SERVICES CONTRACT WITH MYRIAD ENGINEERING SOLUTIONS, LLC FOR THE FAST ACT SIDEWALK PROJECT, FEDERAL AID PROJECT NO. STP-0250-00(054) LPA/108164.

WHEREAS, the City of Jackson made application for and received \$967,818.00 in FAST Act federal transportation alternative funds through the Jackson MPO to make sidewalk improvements on selected streets to meet Americans with Disabilities Act standards and connect sections of disconnected; and

WHEREAS, the FAST Act grant requires a minimum match of 25%; and

WHEREAS, the City of Jackson selected Myriad Engineering Solutions, LLC to perform necessary construction engineering and inspection services for the project; and

WHEREAS, Myriad Engineering Solutions, LLC has provided a cost estimate of \$119,668.98 to provide construction engineering and inspection services for the project.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a construction engineering and inspection services contract with Myriad Engineering Solutions, LLC for the FAST Act Sidewalk Project, Federal Aid Project No. STP-0250-00(054) LPA/108164, for an amount not to exceed \$119,668.98.

Council Member Tillman moved adoption; Council Member Lindsay seconded.

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

Nays – None.

Absent – Stamps and Stokes.

ORDER RATIFYING PROCUREMENT OF SECURITY SERVICES FOR O.B. CURTIS WATER TREATMENT PLANT FROM SECURITY ENGINEERS, INC. FOR THE PERIOD OF DECEMBER 1, 2020 THROUGH JANUARY 4, 2021.

WHEREAS, the Water-Sewer Utility Division of the Department of Public Works is required to provided armed security for its drinking water treatment plants; and

WHEREAS, due to exigent circumstances, the procurement of these services for the period of December 1, 2020 through January 4, 2021 was done without prior authorization of the City Council; and

WHEREAS, the security services set forth in certain invoices attached hereto where provided to the O.B. Curtis Water Treatment; and

WHEREAS, the Water-Sewer Utility Division of the Department of Public Works has procured a contract for security services going forward from January 4, 2021.

IT IS, THEREFORE, ORDERED that the procurement of security services for the period December 1, 2020 through January 4, 2021 are ratified and payment to Security Engineers, Inc. in the amount of \$11,422.50 be made, consistent with the attached invoices.

Council Member Tillman moved adoption; Council Member Lindsay seconded.

President Banks recognized Charles Williams, Director of Public Works, who provided a brief overview of said item.

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

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

ORDER RATIFYING PROCUREMENT OF SECURITY SERVICES FOR J.H. FEWELL WATER TREATMENT PLANT FROM SECURITY ENGINEERS, INC. FOR THE PERIOD OF DECEMBER 1, 2020 THROUGH JANUARY 4, 2021.

WHEREAS, the Water-Sewer Utility Division of the Department of Public Works is required to provided armed security for its drinking water treatment plants; and

WHEREAS, due to exigent circumstances, the procurement of these services for the period of December 1, 2020 through January 4, 2021 was done without prior authorization of the City Council; and

WHEREAS, the security services set forth in certain invoices attached hereto where provided to the J.H. Fewell Water Treatment; and

WHEREAS, the Water-Sewer Utility Division of the Department of Public Works has procured a contract for security services going forward from January 4, 2021.

IT IS, THEREFORE, ORDERED that the procurement of security services for the period December 1, 2020 through January 4, 2021 are ratified and payment to Security Engineers, Inc. in the amount of \$11,410.50 be made, consistent with the attached invoices.

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

President Banks recognized **Charles Williams, Director of Public Works**, who provided a brief overview of said item.

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

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

ORDER AUTHORIZING THE MAYOR TO APPLY FOR THE INNOVATIVE WATER INFRASTRUCTURE WORKFORCE DEVELOPMENT GRANT OFFERED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), OFFICE OF WATER, AND OFFICE OF WASTEWATER MANAGEMENT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE ACCEPTANCE AND ADMINISTRATION OF SAID GRANT.

WHEREAS, the U.S. Environmental Protection Agency (EPA) is soliciting grant applications to provide funding for projects designed to assist in the development and use of innovative activities relating to water workforce development and career opportunities in the drinking water and wastewater utility sector, and (2) expand public awareness about drinking water and wastewater utilities and to connect individuals to careers in the drinking water and wastewater utility sector; and

WHEREAS, the EPA has identified five project areas that are intended to promote cleaner, safer, and healthier environments – Project Area 1: Targeted internship, apprenticeship, pre-apprenticeship, and postsecondary bridge programs for skilled water utility trades; Project Area 2: Education programs designed for elementary, secondary, and higher education students; Project Area 3: Regional industry and workforce development collaborations to address water utility employment needs and coordinate candidate development, particularly in areas of high unemployment or for water utilities with a high proportion of retirement eligible employees;

Project Area 4: Integrated learning laboratories in secondary educational institutions; Project Area 5: Leadership development, occupational training, mentoring, or cross-training programs that ensure incumbent drinking water and wastewater utility workers are prepared for higher level supervisory or management-level positions; and

WHEREAS, the City's Public Works Department is desirous of funding opportunities that support retention of water utility workforce employees through skills development opportunities like leadership development, occupational training, mentoring, or cross-training programs to prepare the City's drinking water and wastewater utility workers for higher level supervisory or management-level positions; and

WHEREAS, the City's Public Works Department recommends that it is in the best interest of the citizenry for the City's Public Works Department to apply for the Innovative Water Infrastructure Workforce Development Grant offered by the U.S. Environmental Protection Agency, Office of Water, and Office of Wastewater Management in the amount of Five Hundred Thousand Dollars and No Cents (\$500,000.00), and authorize the Mayor to execute all documents necessary for the acceptance and administration of said grant.

IT IS, THEREFORE, ORDERED that the City's Public Works Department is hereby authorized to apply for the Innovative Water Infrastructure Workforce Development Grant offered by the U.S. Environmental Protection Agency, Office of Water, and Office of Wastewater Management in the amount of Five Hundred Thousand Dollars and No Cents (\$500,000.00), and the Mayor is hereby authorized to execute all documents necessary for the acceptance and administration of said grant.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any documents necessary for the acceptance and administration of said grant.

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

President Banks recognized **Charles Williams, Director of Public Works**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – Stamps and Stokes.

ORDER AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO RETAIN EXPERT WITNESS IN THE LAWSUIT STYLED, "DANIEL KNOWLES V. CITY OF JACKSON" IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI, FIRST JUDICIAL DISTRICT; CAUSE NO. 251-10-666 CIV.

WHEREAS, the City of Jackson is a Defendant in a negligence lawsuit styled "Daniel Knowles v. City of Jackson," in the Circuit Court of Hinds County, Mississippi, First Judicial District; Cause No. 251-10-666 CIV; and

WHEREAS, it is necessary to defend the interest of the City of Jackson from certain allegations, which are the subject of this lawsuit and, thus, requires the employment, consultation and/or testimony of an expert in the area of reckless disregard under the Mississippi Tort Claims Act; and

WHEREAS, it is necessary that the Office of City Attorney be authorized to expend other costs which are reasonable and necessary in the defense of the above styled lawsuit.

IT IS HEREBY ORDERED that the Office of the City Attorney be authorized to retain the services of experts necessary for its defense; and expend such cost as are reasonable and necessary but not to exceed Five Thousand Dollars (\$5,000.00) without further Council approval

in the lawsuit styled "Daniel Knowles vs. City of Jackson," in the Circuit Court of Hinds County, Mississippi First Judicial District; Cause No. 251-10-666 CIV.

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

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

Nays – None.

Absent – Stamps and Stokes.

ORDER AUTHORIZING PAYMENT OF FULL AND FINAL SETTLEMENT OF ALL CLAIMS IN THE MATTER OF “RYAN SONNER, ET AL. V. CITY OF JACKSON, MISSISSIPPI” IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI; Civil Action No.: 20-219.

WHEREAS, on or about April 13, 2020, a Complaint was filed naming the City of Jackson, Mississippi, alleging that Officer Ragsdale acted in reckless disregard for the safety of Pamela Sonner when he struck Ms. Sonner’s vehicle causing her death, in the suit styled, “Ryan Sonner, et al. v. City of Jackson, Mississippi”, In the Circuit Court of the First Judicial District of Hinds County, Mississippi; Civil Action No. 20-219; and

WHEREAS, on Nov. 24, 2020, the parties, through counsel, participated in a mediation where the parties negotiated and after which reached a proposed agreement to settle the aforementioned lawsuit styled RYAN SONNER, ET AL. V. CITY OF JACKSON, MISSISSIPPI, IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI; CIVIL ACTION NO. 20-219; and

WHEREAS, the Office of the City Attorney is recommending that the City fully and finally resolve this matter with the Plaintiffs and their attorney William E. Ballard, in return for a complete release of the City of Jackson and Entry of an Agreed Order of Dismissal; and

WHEREAS, such settlement shall not constitute an admission of liability on the part of the City of Jackson, Mississippi; and

WHEREAS, based on the economic value to the City and without admitting any liability, it is in the best interest of the City of Jackson, Mississippi that the City of Jackson resolve this matter and settle all claims in an amount not to exceed \$93,000 in attorney’s fees and other compensatory damages.

NOW, THEREFORE, IT IS HEREBY ORDERED, by the City Council of the City of Jackson, Mississippi, that the City of Jackson, Mississippi pay a total sum not to exceed \$93,000.00 to Plaintiffs and their attorney in return for a complete release of the City of Jackson from any and all liability.

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

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

Nays – None.

Absent – Stamps and Stokes.

ORDER AUTHORIZING THE ENGAGEMENT OF CASUALTY ACTUARIAL CONSULTANTS, INC., TO PROVIDE PROFESSIONAL ACTUARY SERVICES FOR THE CITY OF JACKSON’S SELF-INSURED STATE TORT CLAIMS FUND AND SELF-INSURED WORKERS COMPENSATION FUND.

WHEREAS, Section 11-46-17(3) of the Mississippi Code of 1972 as amended requires all political subdivisions to obtain a policy or policies of insurance, establish self-insurance reserves or provide a combination of insurance and reserves as necessary to cover all risks of claims and suits for which political subdivisions may be liable under the chapter from and after October 1, 1993; and

WHEREAS, the governing authorities for the City of Jackson established self-insurance reserve in order to comply with Section 11-46-17(3); and

WHEREAS, Section 71-3-5 of the Mississippi Code of 1972 as amended subjected counties and municipalities to provisions of the Mississippi Workers Compensation Law after October 1, 1990; and

WHEREAS, Section 71-3-5 of the Mississippi Code of 1972 authorized municipalities of the State of Mississippi having a population of forty thousand (40,000) or more desiring to do so to elect to become a self-insurer; and

WHEREAS, the City of Jackson elected and remains a self-insurer for workers compensation for claims arising before August 1, 2018; and

WHEREAS, the Governmental Accounting Standard Board (GASB) Statement 10 establishes accounting and financial reporting standards for risk financing and insurance related activities of state and local governmental entities; and

WHEREAS, the GASB Statement 10 allows an entity except a pool which uses an internal fund to use an actuarial method for calculating liabilities; and

WHEREAS, Casualty Actuarial Consultants, Inc. has previously provided actuary services necessary for the GASB Statement 10 for the City's self-insured State Tort Claim Fund and self-funded workers compensation fund; and

WHEREAS, the Risk Management Division recommends that Casualty Actuarial Consultants, Inc., be engaged to provide actuary services for the City's self-insured State Tort Claim Fund and self-funded workers compensation fund so that there is continuity in the reporting;

WHEREAS, Casualty Actuarial Consultants, Inc. has agreed to provide actuary reports for the following: (1) workers compensation reserve analysis estimating the required reserves for the City of Jackson as of September 30, 2020; (2) a workers compensation loss projection for the October 1, 2020-21 period; (3) A general liability reserve analysis estimated the required reserves under the State Tort Claims Act for the City of Jackson as of September 30, 2020; and (4) A general liability loss projection for the October 1, 2020-21 period; and

WHEREAS, the cost for the above described services will be \$11,000 payable upon delivery of the reports; and

WHEREAS, Casualty Actuarial Consultants, Inc. is also amenable to providing the same reports using data as of September 30, 2021, September 30, 2022 and September 30, 2023 for the same cost of \$11,000 per year if the City desires; and

WHEREAS, continuity of the actuarial consulting services, serves the best interest of the City of Jackson and its self-insured programs;

IT IS, THEREFORE, ORDERED that Casualty Actuarial Consultants, Inc. be engaged to provide (1) workers compensation reserve analysis estimating the required reserves for the City of Jackson as of September 30, 2020; (2) a workers compensation loss projection for the October 1, 2020-21 period; (3) A general liability reserve analysis estimated the required reserves under the State Tort Claims Act for the City of Jackson as of September 30, 2020; and (4) A general liability loss projection for the October 1, 2020-21 period; and

IT IS THEREFORE ORDERED that Casualty Actuarial Consultants be paid a sum not to exceed \$11,000 upon delivery of the reports set forth in the preceding paragraph order.

IT IS FURTHER ORDERED that Casualty Actuarial Consultants, Inc. may be engaged to provide the same service using data as of September 30, 2021, September 30, 2022, and September 30, 2023 if agreeable and desired by the Executive Branch provided that the sum paid for the service does not exceed \$11,000, and the sum is paid upon delivery of the reports.

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

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

Nays – None.

Absent – Stamps and Stokes.

ORDER AUTHORIZING THE ENGAGEMENT OF WIMBERLY CLAIMS SERVICE TO PROVIDE CLAIMS AUDITING SERVICES FOR THE CITY OF JACKSON'S SELF-INSURED STATE TORT CLAIMS FUND.

WHEREAS, Section 11-46-17(3) of the Mississippi Code of 1972 as amended requires all political subdivisions to obtain a policy or policies of insurance, establish self-insurance reserves or provide a combination of insurance and reserves as necessary to cover all risks of claims and suits for which political subdivisions may be liable under the chapter from and after October 1, 1993; and

WHEREAS, the governing authorities for the City of Jackson established self-insurance reserve in order to comply with Section 11-46-17(3); and

WHEREAS, the Self-Insured State Tort Claims Fund must be audited; and

WHEREAS, Wimberly Claims Service has provided the auditing services for the Self-Insured State Tort Claims Fund in previous years; and

WHEREAS, the Risk Manager recommends that the company be engaged to audit the State Tort Claims Fund in order to ensure continuity of the audit and its findings and the timely receipt of the audit report; and

WHEREAS, Wimberly Claims Service has indicated that it will audit open and closed liability claim files and provide a report to the Risk Management Division explaining its findings and recommendations using data as of September 30, 2020, September 30, 2021 and September 30, 2022 if desired at a cost of \$6,000 per year; and

WHEREAS, the cost stated includes travel expenses, lodging, and the auditing services; and

WHEREAS, continuity of the auditing services, serves the best interest of the City of Jackson and its general liability self-insured program.

IT IS, THEREFORE, ORDERED that Wimberly Claims Services may be engaged to perform the audit of open and closed liability claim files using data as of September 30, 2020, September 30, 2021, and September 30, 2022 at a cost not to exceed \$6,000 per year if desired.

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

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

Nays – None.

Absent – Stamps and Stokes.

ORDER AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF A FORMER POLICE OFFICER OF THE JACKSON POLICE DEPARTMENT FOR FUTURE MEDICAL EXPENSE IN UNCONTROVERTED MWCC #0807188.

WHEREAS, on July 8, 2008, the City of Jackson was a qualified self-insurer of benefits payable under the Mississippi Workers Compensation Act; and

WHEREAS, in addition to the self-insured fund, the City of Jackson also had a policy of Excess Risk coverage with Safety National Insurance Company; and

WHEREAS, on July 8, 2008, an officer with the Jackson Police Department was shot in the head, stomach, and shoulder during the pursuit of armed robbery suspects; and

WHEREAS, the officer received inpatient treatment and rehabilitation at local hospitals and was eventually discharged in October 2008; and

WHEREAS, subsequent to discharge, the officer attempted to return to work in sedentary capacity with the Jackson Police Department but the work trial was not successful; and

WHEREAS, medical professionals opined that the officer was not capable of gainful employment, and the officer retired; and

WHEREAS, the claim was deemed to be compensable under the Mississippi Workers Compensation Act the maximum indemnity benefits were paid; and

WHEREAS, Section 71-3-15 of the Mississippi Code requires an employer to furnish medical, surgical, and other attendance or treatment, nurse and hospital service, medicine, crutches, artificial members, and other apparatus for such period as the process of recovery may require; and

WHEREAS, the City of Jackson has paid for medical services and treatment but has a continuing obligation to provide medicals; and

WHEREAS, a motion was filed with the Mississippi Workers Compensation Commission seeking payment retroactively for services provided by a family member for attendant care services; and

WHEREAS, a response was filed to the motion noting that the City of Jackson had not received a request for attendant care services and based on medical reports, the City did not have an understanding that assistance with daily living activities was required; and

WHEREAS, the Administrative Law Judge ordered an evaluation of the former officer with a local neurologist, who opined that the officer presently does require assistance for two (2) hours per day; and

WHEREAS, the Administrative Law Judge entered an order on September 22, 2020, requiring the City to reimburse the family member for two (2) hours per day at the rate of \$8.00 per hour based on the Mississippi Workers Compensation Fee Schedule from December 2019 until the present and encouraged the parties to mediate the retroactive attendant care issue; and

WHEREAS, in addition to ordering the City to reimburse the family member for two (2) hours per day, an evaluation with a neuropsychologist was ordered; and

WHEREAS, the parties entered into mediation on the retroactive attendant care; and

WHEREAS, the former officer's attorney also inquired if the City would be amenable to mediating future medical liability and attendant care; and

WHEREAS, the Safety National Insurance was interested in mediating the future medical liability and attendant care because the City reached the threshold for its out of pocket expense resulting in Safety National reimbursing the City for its expenditures; and

WHEREAS, Safety National Insurance and the Third Party Administrator, Sedgwick secured a Medicare Set Aside Allocation to aid in the mediation because the former officer is Medicare eligible; and

WHEREAS, the Medicare Set Aside Allocation indicated that future costs reimbursable to Medicare including prescriptions would total \$178,615.95; and

WHEREAS, Safety National reported that an annuity professionally administered by Arcadia would cost approximately \$141,637.82 to fund the covered Medicare reimbursable costs; and

WHEREAS, the cost to fund the annuity is subject to change based on interest rates and market changes; and

WHEREAS, the City of Jackson would be obligated to pay for the non-Medicare covered attendant care for the duration of the former officer's life, which was expected to be 23 years; and

WHEREAS, the reimbursement or costs for attendant care has the potential for increasing from \$8.00 per hour based on the advanced age of the family member currently providing it, which may necessitate the use of an agency or other professionals; and

WHEREAS, Safety National provided the Office of the City Attorney with authority to negotiate the attendant care from the past and the future; and

WHEREAS, the Office of the City Attorney was successful in mediating the attendant care from the past and the future for the sum of \$200,000.00; and

WHEREAS, the payment of the sum of \$200,000.00 is within the range of the authority provided by Safety National to the Office of the City Attorney; and

WHEREAS, the payment of the sum of \$200,000.00 is in addition to the purchase of an annuity for the Medicare Set Aside; and

WHEREAS, compromise and settlement of the City's liability for future medical serves the best interest of the City of Jackson because the City's exposure for payment of medicals after any coverage limit afforded by the Excess Risk Policy is exhausted will be extinguished and insulated from changes in the rate for attendant care into the future; and

WHEREAS, the sums paid for the annuity to purchase the Medicare Set Aside and the attendant care claim is subject to the Excess Risk Policy coverage is anticipated to be reimbursed by Safety National; and

WHEREAS, according to the report of the neuropsychologist, the former officer requires assistance with financial and legal affairs but is cognizant enough to have input in decision making; and

WHEREAS, the former officer had the assistance of counsel and also a family member during the mediation and agreed to accept the sum of \$200,000.00 and the Medicare Set Aside annuity which will be professionally administered by Arcadia.

IT IS HEREBY ORDERED that subject to the approval of the Mississippi Workers Compensation Commission, the Office of the City Attorney is authorized to compromise and settle the employee's claim for medicals by procurement of an annuity from Arcadia and also the payment of \$200,000.00 for the non-Medicare covered attendant care.

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

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

Nays – None.

Absent – Stamps and Stokes.

There came on for consideration Agenda Item No. 44:

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI, AND HINDS COUNTY, MISSISSIPPI, TO PROVIDE FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) TO HINDS COUNTY, MISSISSIPPI, TO ENGAGE DEPUTIES OF THE SHERIFF OF HINDS COUNTY TO ASSIST WITH PUBLIC SAFETY ACTIVITIES WITHIN THE CITY OF JACKSON, MISSISSIPPI. President Banks stated said item will be tabled until the next Special Council Meeting held on March 16, 2021 at 10:00 a.m. due to the absence of Council Member Stokes.

* * * * *

ORDER AUTHORIZING PAYMENT OF INVOICES FOR CERTAIN SERVICES AND COMMODITIES PURCHASED FOR THE PURPOSE OF ADVANCING THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITY OF JACKSON DURING THE COVID-19 PANDEMIC.

WHEREAS, on March 14, 2020, the Governor of the State of Mississippi, pursuant to Section 35-15-11(b)(17) of the Mississippi Code of 1972, as amended, declared that a state of emergency exists within the State of Mississippi because of the spread of the COVID-19 virus; and

WHEREAS, the Mayor of the City of Jackson declared a civil emergency in the City of Jackson pursuant to Section 45-17-3 of the Mississippi Code based on the COVID-19 pandemic beginning March 16, 2020; and

WHEREAS, the Jackson City Council declared a state of local emergency throughout the City of Jackson, and the areas encompassed by the boundaries of the City of Jackson pursuant to Section 33-15-17(d) of the Mississippi Code based on the COVID-19 pandemic beginning March 16, 2020; and

WHEREAS, City of Jackson personnel procured various emergency services and commodities pursuant to Section 31-7-13(k) of the Mississippi Code of 1972, in full cooperation with the March 16, 2020 Proclamation of Civil Emergency; and

WHEREAS, said services and commodities were purchased for the purpose of urgently advancing the public health, safety and welfare of the City of Jackson during the COVID-19 pandemic from vendors and in amounts as follows:

WOLSELEY 5259 GREENWAY DRIVE EXT. JACKSON, MS 39204-3212	COVID-19 Disinfecting Supplies and Equipment	\$65,369.38
STAFFERS POST OFFICE BOX 16466 JACKSON, MS 39236-6466	COVID-19 Temporary Staff	\$1,057.98
MCGRAW "GOTTA GO" P O BOX 267 FLORA, MS 39071	Porta Potty Rental	\$1,800.00
CINTAS POST OFFICE BOX 630921 CINCINNATI, OH 45263-0921	Weekly Spray and Hand Sanitizing Services	\$15,327.01
L&N ENTERPRISES 123 BICKHAM LANE FLORENCE, MS 39073	Weekly Spray Service	\$87,410.10

IT IS, THEREFORE, ORDERED, payment of the invoices identified herein for the purpose of urgently advancing the public health, safety and welfare of the City of Jackson during the COVID-19 pandemic is hereby authorized.

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, MARCH 2, 2021 10:00 A.M.

Council Member Lindsay moved adoption; Council Member Tillman seconded.

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

There came on for Discussion, Agenda Item No. 46:

DISCUSSION: FEDERAL COVID-19 REQUEST REPORT: President Banks stated said item would be tabled until the next Regular Council Meeting to be held on March 30, 2021 at 10:00 a.m. at the request of Council Member Lindsay.

There came on for Discussion, Agenda Item No. 47:

DISCUSSION: 1013 CARVER STREET: President Banks stated said item will be tabled until the next Special Council Meeting held on March 16, 2021 at 10:00 a.m. due to the absence of Council Member Stokes.

There came on for Discussion, Agenda Item No. 48:

DISCUSSION: PROSPERITY STREET: President Banks stated said item will be held until a later date due to the absence of Council Member Stokes.

The following reports/announcements were provided during the meeting:

- **Keyshia Sanders, Constituent Service Manager** announced the following:
 - City of Jackson’s Vaccination Day would be held on February 20, 2021. She encouraged all citizens to sign up to receive the COVID-19 vaccine by calling 601-446-3776 to secure an appointment time.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the Special Council Meeting at 2:45 p.m. on March 5, 2021. At 12:35 p.m., the Council stood adjourned.

PREPARED BY:

Shankia Maskey - Bjorken
CLERK OF COUNCIL

APPROVED:

Charles L. ..., 4/28/2021
MAYOR DATE

ATTEST:

Angela Harris
CITY CLERK
