

**RULES COMMITTEE MINUTES**  
**Thursday, February 4, 2021 2:00 P.M.**

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Present: Committee Members: Chairperson, Virgi Lindsay; Dekeither Stamps, Vice Chair, Ashby Foote; Charles H. Tillman and Aaron Banks, Council President. Directors: Angelique Lee, Ward 2, Shanekia Mosley-Jordan, Clerk of Council; Constance White, Chief Deputy Clerk of Council and Terry Williamson, City Attorney’s Office.

Absent: None.

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

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**ORDINANCE ESTABLISHING PROCEDURES FOR ADOPTION AND OPERATION OF SPECIAL LOCAL IMPROVEMENT DISTRICTS.**

**WHEREAS**, the Mississippi legislature has authorized the creation of special local improvement districts, as provided in Sections 21-33-551 to -561 of the Mississippi Code, by non-profit homeowners’ associations in municipalities with a population of one hundred fifty thousand (150,000) or more; and

**WHEREAS**, homeowners’ associations within the City of Jackson have contacted the City of Jackson about forming special local improvement districts; and

**WHEREAS**, the statutes enacted by the Mississippi legislature do not address some issues regarding the adoption and operation of special local improvement districts; and

**WHEREAS**, the City of Jackson seeks to ensure that the adoption and operation of special local improvement districts within the City of Jackson are accomplished and enforced in a uniform, orderly and fair manner; and

**WHEREAS**, the City of Jackson has the authority under Mississippi’s Home Rule Statute, Section 21-17-5 of the Mississippi Code, to adopt procedures to implement and supplement statutes passed by the Mississippi legislature, including special improvement districts as provided by Sections 21-33-551 to -561 of the Mississippi Code, provided such procedures are not contrary to the statutes, and are subject to any amendments and court interpretations of the statutes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:**

**SECTION 1.**

(a) The City Municipal Clerk of the City of Jackson shall make the determination of whether a petition has been signed by the requisite number of owners of taxable properties as provided in Section 21-33-553(1) of the Mississippi Code. Electronic signatures obtained through reliable third-party electronic signature services, such as DocuSign and Adobe Sign, are acceptable. Copies

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of signatures that are scanned in and emailed by the signatories are acceptable if the email from the signatory transmitting the scanned signature is produced with the signature at the time the petition is submitted to the Municipal Clerk and the body of the email indicates the intent of the signatory to sign the submitted petition.

(b) In determining whether a petition is signed by the owners of sixty percent of the taxable real property in the area of a proposed special local improvement district as required in Section 21-33-553(1) of the Mississippi Code, the City Clerk shall rely on the number of tax parcels that are taxable and not exempt from ad valorem taxation as determined by the Tax Assessor of Hinds County. Sixty percent of the taxable real property in a proposed special local improvement district shall be deemed to be sixty percent of the tax parcels that are taxable and not exempt from ad valorem taxation within the proposed district. If the land in a tax parcel is owned by more than one person, such as land owned by tenants in common or joint tenants, only one owner's signature shall be required on the petition.

(c) The duration of the district shall be determined by the time reasonably anticipated to be needed to accomplish the objectives of the strategic plan. The strategic plan and the duration of the plan must meet the requirements and goals of the statutes authorizing the creation of special local improvement districts, as reasonably determined by the City, but in no event shall the strategic plan have a duration of more than fifteen years from the date of a final vote by the City Council approving the creation of the district. In determining the reasonableness of the term of a proposed strategic plan, the City may consider, among other things, the duration of other statutory improvement districts in Mississippi, and the time that it has taken to achieve other improvements of the same nature as the improvements in the strategic plan. No contractual obligations of the homeowners' association created out of the authority found at Sections 21-33-551 to -561 may be entered into that will extend beyond the duration of the district.

(d) After the municipality has adopted a resolution creating the special local improvement district, no additional elections or petitions shall be required with the exception of the petition and election required in Section 21-33-553(5) of the Mississippi Code concerning modification of the boundaries of the district and Section 21-33-557(2) of the Mississippi Code concerning the election of officers and board members.

(e) The homeowners' association that manages the district has the authority to exercise those powers set forth in Sections 21-33-551 to -561 of the Mississippi Code in regards to the district.

(f) The creation of a district does not relieve the homeowners' association of the duty to comply with all policies, plans, and ordinances of the City, including the necessity of entering into a memorandum of understanding before improvements are made within the City's right-of-ways or on any City property.

(g) Any debt incurred by the homeowners' association shall not be an obligation of the City.

**IT IS FURTHER ORDAINED THAT** the afore-mentioned ordinance shall become effective thirty (30) days after passage, and upon publication in accordance with Section 21-13-11 of the Mississippi Code of 1972, as amended.

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

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**Chairperson Lindsay** recognized **Attorney Terry Williamson**, Deputy City Attorney, who provided a brief overview of said ordinance.

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**Note: Council Member Foote** joined the meeting.

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**Chairperson Lindsay** recognized **Angela Harris**, Municipal Clerk, who provided clarity on the cost of the election which the citizens should be responsible for.

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

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

Nays – None.

Absent – None.

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There being no further business, the meeting was adjourned at 2:55 p.m.