

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, APRIL 13, 2021 10:00 A.M.**

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 April 13, 2021, being the second 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, Ward 3 (via teleconference); De'Keither Stamps Ward 4 (via teleconference); 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 **Reverend Gorge Graham – Greater Dry Grove M.B. Church.**

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

President Banks requested that Agenda Item No. 10 and 11 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE AIRPORT CORONAVIRUS RELIEF / RESPONSE GRANT PROGRAM, GRANT, NO. 3-28-0037-059-2021, ON BEHALF OF THE CITY OF JACKSON, MISSISSIPPI, AS CO-SPONSOR, WITH THE JACKSON MUNICIPAL AIRPORT AUTHORITY, AS OFFERED BY THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION FOR PURPOSES DIRECTLY RELATED TO THE JACKSON-MEDGAR WILEY EVERS INTERNATIONAL AIRPORT TO PREVENT, PREPARE FOR, AND TO RESPOND TO THE CORONAVIRUS, INCLUDING REIMBURSING THE JACKSON MUNICIPAL AIRPORT AUTHORITY FOR OPERATIONAL AND MAINTENANCE EXPENSES AND DEBT SERVICES PAYMENTS.

WHEREAS, the Jackson Municipal Airport Authority (“JMAA”) has applied to the United States Department of Transportation, Federal Aviation Administration (“FAA”), for an AIRPORT CORONAVIRUS RELIEF/RESPONSE GRANT PROGRAM GRANT for purposes directly related to the Jackson-Medgar Wiley Evers International Airport (the “Airport”), to prevent, prepare for, and respond to the Coronavirus, including reimbursing JMAA for operational and maintenance expenses and debt service payments; and

WHEREAS, in response to JMAA’s application for an AIRPORT CORONAVIRUS RELIEF/RESPONSE GRANT PROGRAM GRANT, the FAA offered JMAA “AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM, Grant No. 3-28-0037-059-2021” (the “GRANT”) in an amount not to exceed Three Million, Six Hundred Thirty Thousand, Two Hundred Sixteen Dollars (\$3,630,216.00); and

WHEREAS, JMAA has resolved to accept the GRANT, and has further authorized JMAA’s Chief Executive Officer, or his designee, and JMAA’s Counsel to execute certain documents and assurances as required by the FAA for release of the GRANT funds; and

WHEREAS, the FAA further requires that the City of Jackson, Mississippi (“City”), as Co-sponsor with JMAA of the Airport, to execute multiple copies of the GRANT offer and agreement as the City has normally and customarily done as Co-sponsor with JMAA of the Airport with respect to other FAA grants to JMAA; and

WHEREAS, the City, as the Co-sponsor with JMAA of the Airport, is required to execute multiple copies of the GRANT; therefore, the Mayor and the City Attorney of the City of Jackson, Mississippi must be authorized by the Jackson City Council to execute the GRANT in order for JMAA to receive the GRANT funds; and

NOW, THEREFORE, IT IS HEREBY ORDERED by the City Council of the City of Jackson, Mississippi that Mayor Chokwe Antar Lumumba, or his designee, and the City Attorney of the City of Jackson are hereby authorized to execute and certify, respectively, on behalf of the City of Jackson, Mississippi as Co-Sponsor with the Jackson Municipal Airport Authority, multiple copies of the GRANT offer and agreement in connection with AIRPORT CORONAVIRUS RELIEF/RESPONSE PROGRAM GRANT NUMBER 3-28-0037-059-2021 to prevent, prepare for, and respond to the Coronavirus, including reimbursing JMAA for operational and maintenance expenses and debt service payments.

IT IS FURTHER ORDERED that no funds of the City of Jackson, Mississippi are to be expended in connection herewith.

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

President Banks recognized **Regina May, Attorney for the Jackson Airport Authority**, 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, Stamps, Stokes and Tillman.

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE AIRPORT CORONAVIRUS RELIEF / RESPONSE GRANT PROGRAM, GRANT, NO. 3-28-0038-024-2021, ON BEHALF OF THE CITY OF JACKSON, MISSISSIPPI, AS CO-SPONSOR, WITH THE JACKSON MUNICIPAL AIRPORT AUTHORITY, AS OFFERED BY THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION FOR PURPOSES DIRECTLY RELATED TO HAWKINS AIRPORT TO PREVENT, PREPARE FOR, AND TO RESPOND TO THE CORONAVIRUS, INCLUDING TO SUPPORT THE FEDERAL CONTRACT TOWER OPERATIONS AND REIMBURSING THE JACKSON MUNICIPAL AIRPORT AUTHORITY FOR OPERATIONAL AND MAINTENANCE EXPENSES AND DEBT SERVICES PAYMENTS.

WHEREAS, the Jackson Municipal Airport Authority (“JMAA”) has applied to the United States Department of Transportation, Federal Aviation Administration (“FAA”), for an AIRPORT CORONAVIRUS RELIEF/RESPONSE GRANT PROGRAM GRANT for purposes directly related to Hawkins Field Airport (the “Airport”), to prevent, prepare for, and respond to the Coronavirus, including to support the Federal Contract Tower Operations and reimbursing JMAA for operational and maintenance expenses and debt service payments; and

WHEREAS, in response to JMAA’s application for an AIRPORT CORONAVIRUS RELIEF/RESPONSE GRANT PROGRAM GRANT, the FAA offered JMAA “AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM, Grant No. 3-28-0038-024-2021” (the “GRANT”) in an amount not to exceed Fifty - Seven Thousand, One Hundred Sixty - Two Dollars (\$57,162.00); and

WHEREAS, JMAA has resolved to accept the GRANT, and has further authorized JMAA’s Chief Executive Officer, or his designee, and JMAA’s Counsel to execute certain documents and assurances as required by the FAA for release of the GRANT funds; and

WHEREAS, the FAA further requires that the City of Jackson, Mississippi (“City”), as Co-sponsor with JMAA of the Airport, to execute multiple copies of the GRANT offer and

agreement as the City has normally and customarily done as Co-sponsor with JMAA of the Airport with respect to other FAA grants to JMAA; and

WHEREAS, the City, as the Co-sponsor with JMAA of the Airport, is required to execute multiple copies of the GRANT; therefore, the Mayor and the City Attorney of the City of Jackson, Mississippi must be authorized by the Jackson City Council to execute the GRANT in order for JMAA to receive the GRANT funds; and

NOW, THEREFORE, IT IS HEREBY ORDERED by the City Council of the City of Jackson, Mississippi that Mayor Chokwe Antar Lumumba, or his designee, and the City Attorney of the City of Jackson are hereby authorized to execute and certify, respectively, on behalf of the City of Jackson, Mississippi as Co-Sponsor with the Jackson Municipal Airport Authority, multiple copies of the GRANT offer and agreement in connection with AIRPORT CORONAVIRUS RELIEF/RESPONSE PROGRAM GRANT NUMBER 3-28-0038-024-2021 to prevent, prepare for, and respond to the Coronavirus, including to support the Federal Contract Tower operations and reimbursing JMAA for operational and maintenance expenses and debt service payments.

IT IS FURTHER ORDERED that no funds of the City of Jackson, Mississippi are to be expended in connection herewith.

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

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

Nays – None.

Absent – None.

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

ORDER APPROVING HILLVIEW SUBDIVISION’S APPLICATION TO INSTALL A PUBLIC ACCESS GATES ON BRECON DRIVE EAST OF THE HILLVIEW DRIVE INTERSECTION BETWEEN PARCEL NUMBERS 574-44 AND 574-28.

There was no representation from the Applicant.

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

ORDER DENYING HILLVIEW SUBDIVISION’S APPLICATION TO INSTALL A PUBLIC ACCESS GATES ON BRECON DRIVE EAST OF THE HILLVIEW DRIVE INTERSECTION BETWEEN PARCEL NUMBERS 574-44 AND 574-28.

There was no opposition from the public.

President Banks requested that Agenda Item No. 18 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER APPROVING HILLVIEW SUBDIVISION’S APPLICATION TO INSTALL A PUBLIC ACCESS GATES ON BRECON DRIVE EAST OF THE HILLVIEW DRIVE INTERSECTION BETWEEN PARCEL NUMBERS 574-44 AND 574-28.

WHEREAS, the Hillview Subdivision presented a request to construct a public access gate on Brecon Drive, east of the Hillview Drive intersection, between Parcel Numbers 574-44 and 574-28, as shown on Public Access Gate Application No.16, located in the City of Jackson, First Judicial District, Hinds County, Mississippi; and

WHEREAS, the gate design, as revised and submitted to the Site Plan Review Committee, accommodates the 15” required width on both sides of center box for fire trucks or other large vehicles and adheres to all water/sewer requirements and other City requirements; and

WHEREAS, the Hillview Subdivision will provide the required insurance policy to protect the City against any liability for damages; and

WHEREAS, the Site Plan Review Committee provided clearance to submit the Application to the City Council after all Technical Objections that were raised by the Site Plan Review Committee were addressed by the Petitioners; and

WHEREAS, pursuant to Section 110-28 of the Jackson Code of Ordinances, the item is placed on the Council Agenda and a Public Hearing is held seeking public input for or against the public access gate; and

WHEREAS, after said Public Hearing, the City Council is to make a final decision on the application.

IT IS, THEREFORE, ORDERED that Hillview Subdivision’s application to construct a public access gate on Brecon Drive, east of the Hillview Drive intersection, between Parcel Numbers 574-44 and 574-28, as shown on Public Access Gate Application No.16, located in the City of Jackson, First Judicial District, Hinds County, Mississippi, is approved and the Department of Public Works is authorized to issue a Right-of-Way Permit for said gate(s).

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

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

Nays – Stokes.

Absent – None.

The following individuals provided public comments during the meeting:

- **Brandon Crawford** who expressed concerns regarding Agenda Item No. 30: Cease Fire to stop the killing in the City of Jackson.
- **Reverend Timothy L. Jackson** who expressed concerns regarding Agenda Item No. 35: Crawford Street.
- **Deborah Young** who expressed concerns regarding Agenda Item No. 29: Resolution in support of the Jobs for Mississippi graduates dropout recovery program.

There came on for introduction Agenda Item No.4:

ORDINANCE AMENDING SECTIONS OF CHAPTER 102 SIGNS OF THE CODE OF ORDINANCES SECTION 102-30 OF THE CITY OF JACKSON, MISSISSIPPI, GOVERNING SIGN REGULATIONS. Said item will be placed on the next Council Meeting for adoption.

There came on for introduction Agenda Item No.5:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORARY RENAMING AMITE STREET FROM GALLATIN STREET TO ROBINSON ROAD TO DR. JOHN M. PERKINS DRIVE. President **Banks** stated said item was referred to the Planning Committee.

ORDER APPROVING CLAIMS NUMBER 25031 to 25131 APPEARING AT PAGES 474 TO 516 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$7,152,906.12 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 25031 to 25131 appearing at pages 474 to 516, inclusive thereon in the Municipal "Docket of Claims", in the aggregate amount of \$7,152,906.12 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO ACCOUNTS PAYABLE FUND
GENERAL FUND	1,688,161.62
SEIZURE & FORF PROP-STATE	190,259.02
SEIZURE & FORF PROP-FED	94,228.96
TECHNOLOGY FUND	146,158.65
PARKS & RECR. FUND	78,579.06
BUSINESS IMPROV FUND (LANDSCP)	270,619.30
LANDFILL SANITATION FUND	1,128,215.15
FIRE PROTECTION	155,550.00
STATE TORT CLAIMS FUND	4,764.25
WATER/SEWER REVENUE FUND	6,639.98
WATER/SEWER OP & MAINT FUND	570,852.60
WATER/SEWER CAPITAL IMPR FUND	457,726.00
DISABILITY RELIEF FUND	769,271.49
EMPLOYEES GROUP INSURANCE FUND	209,433.48
KELLOGG FOUNDATION PROJECT	69,723.58
PAYROLL FUND	250.34
EARLY CHILDHOOD (DAYCARE)	1,555.52
HOUSING COMM DEV ACT (CDBG) FD	130.20
UNEMPLOYMENT COMPENSATION REVO	33,443.44
TITLE III AGING PROGRAMS	28,510.00
G O PUB IMP CONS BD 2003 (\$20M)	39,843.79
CAPTIOL STREET 2-WAY PROJECT	99,888.32
1% INFRASTRUCTURE TAX	75,663.00
WATER/SEWER CAP IMP NOTE 7M	139,051.67
TRANSPORTATION FUND	10,275.31
FONDREN BUSINESS IMPROV FUND	45,985.43
RESURFACING – REPAIR & REPL. FD	27,060.83
POLICE PROP EVIDENCE CASH FUND	4,060.00
P E G ACCESS – PROGRAMMING FUND	1,318.95
2015 A/B G. O. REFUNDING	531,306.26
COVID-19 RESPONSE FUND	7,256.10
CAO GRANTS	7,634.08
DFA JACKSON ZOO BOND	28,713.04
ESG COVID CARES ACT	26,406.49
CDBG COVID CARES	41,459.55
LIBRARY FUND	162,910.66
TOTAL	\$7,152,906.12

Council Member Lindsay moved adoption; **Council Member Tillman** 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:

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

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

Nays – Stamps and Stokes.

Absent – None.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 25031 TO 25131 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 25031 to 25131 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$116,374.82 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		2,227,860.41
PARKS & RECR FUND		92,316.84
LANDFILL FUND		18,860.45
SENIOR AIDES		1,750.62
WATER/SEWER OPER & MAINT		214,032.90
PAYROLL	116,374.82	
EARLY CHILDHOOD		34,415.24
HOUSING COMM DEV		11,664.84
TITLE III AGING PROGRAMS		5,654.30
TRANSPORTATION FUND		15,408.39
PEG ACCESS-PROGRAMMING FUND		8,590.35
TOTAL		\$2,630,554.34

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

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

Nays – None.

Absent – None.

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

WHEREAS, the Fiscal Year 2020-2021 Technology Funds budget needs to be revised for category changes necessary for the Maintenance and purchase of Computer Equipment and Services.

IT IS THEREFORE, ORDERED, that the Fiscal Year 2020-2021 Technology budget be revised by the following entries:

<u>Fund Account</u>	<u>Debit</u>	<u>Credit</u>
004-904.00-6419	650,000	
004-904.00-6231		650,000

<u>Fund Account</u>	<u>Debit</u>	<u>Credit</u>
004-904.00-6419	100,000	
004-904.00-6234		100,000

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO SUBMIT AN ELIGIBILITY APPLICATION TO THE MISSISSIPPI OFFICE OF SURPLUS PROPERTY TO ACQUIRE SURPLUS PROPERTY FROM THE MISSISSIPPI OFFICE OF SURPLUS PROPERTY.

WHEREAS, the Mississippi Office of Surplus Property was organized in March of 1946, with the authority to acquire surplus goods from the Federal Government; and

WHEREAS, the Mississippi Office of Surplus Property sells these surplus goods to qualifying entities on a periodic basis; and

WHEREAS, the Agency has asked the City Jackson update its eligibility application currently on file; and

WHEREAS, the Division of Purchasing recommends the requested update in order to ensure the City of Jackson is able to purchase surplus property from Mississippi Office of Surplus Property.

IT IS, THEREFORE, ORDERED, that the Mayor is authorized to submit an updated eligibility application to the Mississippi Office of Surplus Property so that the City of Jackson can acquire surplus property from the Mississippi Office of Surplus Property.

IT IS FURTHER ORDERED, that the City of Jackson officials identified within the eligibility application are hereby authorized as representatives of the City of Jackson to acquire surplus property from the Mississippi Office of Surplus Property subject to the terms and conditions specified within said application.

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

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

Nays – None.

Absent – None.

ORDER REVISING THE FISCAL YEAR 2020-2021 BUDGET OF THE WATER-SEWER BUSINESS ADMINISTRATION DIVISION.

WHEREAS, certain unanticipated needs and allocations in the amount of \$175,000.00 have arisen since the adoption of the Fiscal Year 2020-2021 City of Jackson Budget for the Water-Sewer Business Administration Division; and

WHEREAS, the Fiscal Year 2020-2021 City of Jackson Budget needs to be revised to provide funding for these unanticipated needs by moving budgeted funds from one account where there is currently a surplus to the other accounts were it is needed to fund under budgeted needs; and

WHEREAS, the following fund is being revised:

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, APRIL 13, 2021 10:00 A.M.**

031-520.10-6111	\$175,000.00
031-520.10-6489	\$100,000.00
031-520.10-6421	\$25,000.00
031-0520.10-6299	\$50,000.00

IT IS, THEREFORE, ORDERED that the Fiscal Year 2020-2021 Budget of the Water-Sewer Business Administration Division be revised as follows:

To/From	Fund/Account Number	Amount
From:	031-520.10-6111	\$175,000.00
To:	031-520.10-6489	\$100,000.00
	031-520.10-6421	\$ 25,000.00
	031-520.10-6299	\$ 50,000.00

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

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

ORDER AUTHORIZING THE MAYOR TO SIGN AN ENGAGEMENT LETTER AND ACCEPT THE TERMS AND CONDITIONS OF AN ENGAGEMENT OF THE LAW FIRM KELLER AND HECKMAN LLP TO PROVIDE LEGAL SERVICES ASSOCIATED WITH THE CITY’S TELECOMMUNICATIONS DIVISION.

WHEREAS, on July 17, 2018, the governing authorities for the City of Jackson authorized the Mayor to execute an agreement with *Baller Stokes & Lide* to provide services in telecommunications matters which included the negotiating a cable franchise renewal agreement with Comcast, the development of comprehensive communications strategies, policies, and ordinances, and assistance with a variety of wireless issues affecting the use of the City’s public rights of way and facilities; and

WHEREAS, the July 17, 2018 action of the governing authorities is recorded in Minute Book 6N at Page 381; and

WHEREAS, James Baller, Sean Stokes, and Casey Lide have become partners in the firm Keller and Heckman, LLP, whose principal office is located at 1001 G Street, N.W., Ste. 500 in Washington DC; and

WHEREAS, Baller Stokes and Lide did not complete negotiation of a cable franchise renewal agreement with Comcast or the development of comprehensive communications strategies, policies, ordinances, and model agreements prior to becoming partners in the firm of Keller and Heckman, LLP; and

WHEREAS, the acting Chief Administrative Officer and Division of Telecommunications believe that the best interest of the City of Jackson would be served by agreeing to engage the firm Keller and Heckman LLP because Casey Lide, Sean Stokes, and James Baller will be assigned and continue providing the services it commenced; and

WHEREAS, Keller and Heckman has agreed to allow James Baller, Sean Stokes, and Casey Lide to provide services to the City at the same rates billed by the former Baller Stokes and Lide, which were as follows: *James Baller \$450.00 per hour Sean Stokes \$375.00 per hour; Casey Lide, \$350.00 per hour, Associates \$250.00 per hour, and Paralegals \$150.00 per hour; and*

WHEREAS, the rates are subject to adjustment with consent of the parties; and

WHEREAS, in addition to the hourly rates, Keller and Heckman will charge for expenses

incurred such as photocopying, filing fees, computerized legal research, telecommunication services, including dial in conferences, out of pocket expenses for travel, hotel accommodations, airfare, and meals, and value added or service taxes; and

WHEREAS, Keller and Heckman will provide services consisting of the negotiating of a cable franchise renewal agreement with Comcast, the development of comprehensive communications strategies, policies, and ordinances, and a variety of other wireless and telecommunications issues; and

WHEREAS, Keller and Heckman will not guarantee the outcome of the matters for which it is being engaged; and

WHEREAS, Keller and Heckman is not aware of any current or potential conflict of interest that would preclude it from providing the services contemplating and agrees not to accept representation of an individual whose interests are legally adverse to the City without the consent of the City; and

WHEREAS, Keller and Heckman is not being retained for the purpose of advising of disclosures under federal and state securities laws with respect to the engagement unless specifically asked and agreed to in writing;

WHEREAS, Keller and Heckman attorneys are not licensed to practice law in the State of Mississippi and will only be advising and providing services related to federal laws and regulations governing telecommunications; and

WHEREAS, the City of Jackson must rely on its choice of in house or outside local counsel to advise it on matters related to state and local laws governing telecommunications; and

WHEREAS, Keller and Heckman agrees to work and cooperate with local counsel on issues governing telecommunications where federal and local law may intersect; and

WHEREAS, Keller and Heckman will invoice the City monthly for the services provided; and

WHEREAS, if an invoice is not paid within 60 days, 1 ½ percent will be added to the invoice each month until the total invoice is paid; and

WHEREAS, the services of Keller and Heckman may be terminated by the City at any time; and

WHEREAS, the agreement terminates automatically, if the City is not billed for services during a two-year period; and

WHEREAS, Keller and Heckman has not agreed to complete the work at a fixed cost and is unable to provide a meaningful estimate of all fees and charges of the engagement; and

WHEREAS, Keller and Heckman will return material of the City upon request; and

WHEREAS, prior to disposing of material which has not been returned, Keller and Heckman will notify the City and afford it sixty (60) days to object; and

WHEREAS, the agreement may not be amended or modified without the consent of both parties; and

WHEREAS, Keller and Heckman agrees that any changes in the terms and conditions of the engagement and agreement must be approved by the governing authorities, which speak only through its minutes.

IT IS HEREBY ORDERED that the Mayor shall be authorized to execute the Engagement Letter and the Terms and Conditions of Engagement with Keller and Heckman LLP.

Council Member Stokes moved adoption; Council Member Stamps seconded.

President Banks recognized Roderrick Oliver, Personnel Department Benefit Coordinator, who gave a brief overview on said item.

President Banks recognized Council Member Stokes moved, and Council Member Stamps seconded, to amend said order in the 17th whereas, changing "60 days to 90 days" and changing "1 ½ percent to ½ percent". The motion prevailed by the following votes:

Yeas – Banks, Foote, Stamps and Stokes.

Nays – Lee, Lindsay, and Tillman.

Absent – None.

Thereafter, President Banks called for the vote on the Order, as amended:

ORDER AUTHORIZING THE MAYOR TO SIGN AN ENGAGEMENT LETTER AND ACCEPT THE TERMS AND CONDITIONS OF AN ENGAGEMENT OF THE LAW FIRM KELLER AND HECKMAN LLP TO PROVIDE LEGAL SERVICES ASSOCIATED WITH THE CITY'S TELECOMMUNICATIONS DIVISION.

WHEREAS, on July 17, 2018, the governing authorities for the City of Jackson authorized the Mayor to execute an agreement with *Baller Stokes & Lide* to provide services in telecommunications matters which included the negotiating a cable franchise renewal agreement with Comcast, the development of comprehensive communications strategies, policies, and ordinances, and assistance with a variety of wireless issues affecting the use of the City's public rights of way and facilities; and

WHEREAS, the July 17, 2018 action of the governing authorities is recorded in Minute Book 6N at Page 381; and

WHEREAS, James Baller, Sean Stokes, and Casey Lide have become partners in the firm Keller and Heckman, LLP, whose principal office is located at 1001 G Street, N.W., Ste 500 in Washington DC; and

WHEREAS, Baller Stokes and Lide did not complete negotiation of a cable franchise renewal agreement with Comcast or the development of comprehensive communications strategies, policies, ordinances, and model agreements prior to becoming partners in the firm of Keller and Heckman, LLP; and

WHEREAS, the acting Chief Administrative Officer and Division of Telecommunications believe that the best interest of the City of Jackson would be served by agreeing to engage the firm Keller and Heckman LLP because Casey Lide, Sean Stokes, and James Baller will be assigned and continue providing the services it commenced; and

WHEREAS, Keller and Heckman has agreed to allow James Baller, Sean Stokes, and Casey Lide to provide services to the City at the same rates billed by the former Baller Stokes and Lide, which were as follows: *James Baller \$450.00 per hour Sean Stokes \$375.00 per hour; Casey Lide, \$350.00 per hour, Associates \$250.00 per hour, and Paralegals \$150.00 per hour; and*

WHEREAS, the rates are subject to adjustment with consent of the parties; and

WHEREAS, in addition to the hourly rates, Keller and Heckman will charge for expenses incurred such as photocopying, filing fees, computerized legal research, telecommunication services, including dial in conferences, out of pocket expenses for travel, hotel accommodations, airfare, and meals, and value added or service taxes; and

WHEREAS, Keller and Heckman will provide services consisting of the negotiating of a cable franchise renewal agreement with Comcast, the development of comprehensive communications strategies, policies, and ordinances, and a variety of other wireless and telecommunications issues; and

WHEREAS, Keller and Heckman will not guarantee the outcome of the matters for which it is being engaged; and

WHEREAS, Keller and Heckman is not aware of any current or potential conflict of interest that would preclude it from providing the services contemplating and agrees not to accept representation of an individual whose interests are legally adverse to the City without the consent of the City; and

WHEREAS, Keller and Heckman is not being retained for the purpose of advising of disclosures under federal and state securities laws with respect to the engagement unless specifically asked and agreed to in writing;

WHEREAS, Keller and Heckman attorneys are not licensed to practice law in the State of Mississippi and will only be advising and providing services related to federal laws and regulations governing telecommunications; and

WHEREAS, the City of Jackson must rely on its choice of in house or outside local counsel to advise it on matters related to state and local laws governing telecommunications; and

WHEREAS, Keller and Heckman agrees to work and cooperate with local counsel on issues governing telecommunications where federal and local law may intersect; and

WHEREAS, Keller and Heckman will invoice the City monthly for the services provided; and

WHEREAS, if an invoice is not paid within 90 days, ½ percent will be added to the invoice each month until the total invoice is paid; and

WHEREAS, the services of Keller and Heckman may be terminated by the City at any time; and

WHEREAS, the agreement terminates automatically, if the City is not billed for services during a two-year period; and

WHEREAS, Keller and Heckman has not agreed to complete the work at a fixed cost and is unable to provide a meaningful estimate of all fees and charges of the engagement; and

WHEREAS, Keller and Heckman will return material of the City upon request; and

WHEREAS, prior to disposing of material which has not been returned, Keller and Heckman will notify the City and afford it sixty (60) days to object; and

WHEREAS, the agreement may not be amended or modified without the consent of both parties; and

WHEREAS, Keller and Heckman agrees that any changes in the terms and conditions of the engagement and agreement must be approved by the governing authorities, which speak only through its minutes;

IT IS HEREBY ORDERED that the Mayor shall be authorized to execute the Engagement Letter and the Terms and Conditions of Engagement with Keller and Heckman LLP.

Yeas – Banks, Foote, Stamps and Stokes.

Nays – Lindsay and Tillman.

Abstention – Lee.

Absent – None.

ORDER AUTHORIZING PAYMENT FOR SERVICES RENDERED BY BALLER STOKES & LIDE BEYOND TERM OF AGREEMENT AUTHORIZED BY THE GOVERNING AUTHORITIES AND AUTHORIZING THE TENDER OF THE PAYMENT TO KELLER AND HECKMAN PURSUANT TO AN ASSIGNMENT EXECUTED BY THE FORMER PRINCIPALS OF BALLER STOKES & LIDE.

WHEREAS, on July 17, 2018, the governing authorities for the City of Jackson authorized the Mayor to execute an agreement with Baller Stokes & Lide to provide consulting services in communications matters, which included the development of comprehensive communications strategies, policies, ordinances, and model agreements and the negotiation of a cable franchise renewal agreement with Comcast; and

WHEREAS, the July 17, 2018 action of the governing authorities is recorded in Minute Book 6N at page 381 and indicated that the term of the agreement would be for two (2) years and provided that expenses and cost should not exceed \$150,000.00 per year; and

WHEREAS, the agreement was executed by the Mayor and the President of Baller Stokes & Lide on November 1, 2018; and

WHEREAS, the agreement inadvertently did not include the two (2) year term period approved by the Council; and

WHEREAS, the President of Baller Stokes & Lide forwarded an electronic mail communication to former Chief Administrative Officer Robert Blaine on November 8, 2020 stating that effective November 1, 2020, Casey Lide, Sean Stokes, and he had become partners in the firm Keller and Heckman, LLP and was amenable to continuing to provide the legal services and representation previously provided by Baller Stokes & Lide but would need the City to execute an engagement agreement with Keller and Heckman; and

WHEREAS, the President of Baller Stokes & Lide attached to the email a proposed Engagement Letter for Keller and Heckman to provide legal services; and

WHEREAS, the former Chief Administrative Officer sent a response to the former President of Baller Stokes & Lide stating that he would send the document to the City Attorney for review, but he did not believe council authority was required; and

WHEREAS, the proposed agreement was emailed to the former City Attorney on or around January 28, 2021; and

WHEREAS, because the scope of the work and the rates of compensation would remain unchanged, the former Chief Administrative Officer assumed that authority of the Council was not required for the Mayor to execute the engagement with Keller and Heckman; and

WHEREAS, the former principals of Baller Stokes & Lide were asked and continued to provide services associated with the drafting of agreements beyond the two (2) year term which ended on November 1, 2020; and

WHEREAS, Keller and Heckman LLP tendered to the City of Jackson Invoice Number 10115052 dated December 21, 2020 for services performed by the former principals of Baller Stokes and Lide during the period of November 2 through November 30, 2020 in the amount of \$9,337.50; and

WHEREAS, Keller and Heckman LLP tendered to the City of Jackson Invoice Number 10116088 dated January 22, 2021 for services performed by the former principals of Baller Stokes and Lide during the period December 3 through December 10, 2020 in the amount of \$2,825.00; and

WHEREAS, Keller and Heckman LLP tendered to the City of Jackson Invoice Number 101171123 dated February 23, 2021 for services performed by the former principals of Baller Stokes and Lide during the period January 8 through January 25, 2021 in the amount of \$4,787.50; and

WHEREAS, Keller and Heckman LLP tendered to the City of Jackson Invoice Number 10117513 dated March 4, 2021 for services performed by the former principals of Baller Stokes and Lide during the period February 1 through February 22, 2021 in the amount of \$3,637.50; and

WHEREAS, the firm Baller Stokes and Lide had been paid a total of \$53,350.00 in fees prior to receipt of the invoice dated December 21, 2020; and

WHEREAS, James Caller, Casey Lide, and Sean Stokes are the former principals of Baller Stokes and Lide and have assigned the rights of the firm and their individual rights to payment for the invoices aforementioned to Keller and Heckman, LLP; and

WHEREAS, Section 21-39-13(4) of the Mississippi Code, the owner of any claim against a municipality either before or after allowance may transfer same by assignment, and the holder of such assignment shall be entitled to receive the check at the proper time by presenting such assignment to the clerk at any time before delivery of the warrant or check to the original owner; and

WHEREAS, the former principals of Baller Stokes and Lides provided the services beyond the two year term of November 1, 2020 in good faith because the contract did not contain the two year term limitation; and

WHEREAS, Section 31-7-57(2) of the Mississippi Code states that a vendor who in good faith performs services under a contract to or for a governing authority shall be entitled to recover the fair market value of the services, notwithstanding some error of the governing authority to follow the law, if the contract was for an object authorized by law, and the vendor had no control, participation, or actual knowledge of the error or failure; and

WHEREAS, the services provided by the former principals of Baller Stokes and Lide beyond the term of the contract authorized by the governing authorities can be attributed to the inadvertent failure of the agreement to include the two (2) year term limitation and the mistaken assumption of the former Chief Administrative Officer that council authority was not required because the scope of the work and costs were the same and only the name of the entity changed; and

WHEREAS, the acting Chief Administrative Officer and the Division of Telecommunications have reviewed the invoices submitted by Keller and Heckman and have determined that the charges for services provided by the former principals of Baller Stokes and Lide are consistent with the rates and terms of the original agreement and the fair market value charged for the attorneys' experience and level of skill in the specialized area of telecommunications; and

WHEREAS, the invoices submitted by Keller and Heckman pursuant to the assignment executed by the former principals of Baller Stokes and Lide totals \$20,587.50 and will not result in the exceeding of the \$150,000 per year threshold;

WHEREAS, the best interest of the City of Jackson would be served by authorizing payment of the invoices and the tendering of the funds to Keller and Heckman pursuant to the assignment because the services are still needed.

IT IS THEREFORE ORDERED that payment may be tendered for the following invoices submitted by Keller and Heckman: (1) Invoice # 101150552 in the amount of \$9,337.50; (2) Invoice 10116088 in the amount of \$2,825.00; (3) Invoice 10117123 in the amount of \$4,787.50; and (4) Invoice 10117513 in the amount of \$3,637.50.

IT IS HEREBY ORDERED that the total amount tendered to Keller and Heckman pursuant to the assignment shall not exceed \$20,587.50.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE CITY OF JACKSON TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH HOMELAND SECURITY INVESTIGATIONS "HSI" TO UTILIZE A JACKSON POLICE DEPARTMENT DETECTIVE TO WORK WITH "HSI" AS A TASK FORCE OFFICER.

WHEREAS, it is in the best interest of the City of Jackson and its citizens that the Jackson Police Department (JPD) and Homeland Security Investigations (HSI) collaborate to provide a higher solvability rate of felony crimes by HSI sharing their resources; and

WHEREAS, the governing authorities for the City of Jackson find there is a critical need to establish a relationship with outside agencies whose resources could aid in the Jackson Police Department's Major Investigative process of solving felony crimes; and

WHEREAS, entering into the proposed memorandum of understanding (MOU) with HSI would give JPD access to some of the latest technology along with access to intelligence analysts which will aid in the investigative process of felony crime; and

WHEREAS, in exchange for providing the aforementioned resources, JPD would assign one of its detectives as a HSI's task force officer; and

WHEREAS, under the proposed MOU each party would be responsible for the cost and expense of its own personnel and the MOU would be terminable upon thirty (30) days written notice; and

WHEREAS, the afore-mentioned assigned JPD detective assigned to the HSI task force, pursuant to the proposed MOU, shall neither be authorized, nor obligated, to enforce administrative violations of immigration law. The City of Jackson shall not be authorized or obligated to enforce administrative violations of immigration law by virtue of entering into the proposed MOU.

THEREFORE, IT IS HEREBY ORDERED, the Mayor is authorized to execute the memorandum of understanding described herein. Further, that the Mayor, Chief of Police and/or their designees, are authorized to execute any and all other documents necessary to fulfill the purpose of this order provided it does not obligate any additional monetary expense(s) to the City of Jackson.

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

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

Nays – None.

Absent – None.

NOTE: Council Member Foote left the meeting.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A FACILITY USE AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI AND SOUL CITY CHURCH FOR MANAGEMENT AND USE OF CITY-OWNED POOL PROPERTY, LOCATED AT 1324 NORTH MILL STREET, JACKSON, MISSISSIPPI.

WHEREAS, Soul City Church would like to partner with the City of Jackson, Mississippi ("City") to manage and utilize the Mill Street Swimming Pool, located at 1324 North Mill Street, providing positive and supportive community service to our community; and

WHEREAS, Soul City Church will provide the City with proof of liability insurance in the amount of One Million Dollars (\$1,000,000.00), and will add the City as an additional insured prior to executing any Agreement; and

WHEREAS, Soul City Church’s purpose and focus, is to provide swim instruction and learning programs during the spring and summer months for all youth, adults and families in a safe and professional environment; and

WHEREAS, Soul City Church shall operate its youth and adult programs and projects in accordance with the rules and regulations established by the City of Jackson.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a Facilities Use Agreement with Soul City Church, governing its use and management of the Mill Street Swimming Pool for the period commencing on April 15, 2021 and ending on December 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, Stamps, Stokes and Tillman.

Nays – None.

Absent – Foote.

NOTE: Council Member Foote returned to the meeting.

ORDER AUTHORIZING THE MAYOR TO REVISE THE 2020/2021 FISCAL YEAR BUDGET FOR THE CITY OF JACKSON, DEPARTMENT OF PARKS AND RECREATION, TO TRANSFER FUNDS FROM THE PERSONAL SERVICES CATEGORY TO OTHER SERVICES AND CHARGES CATEGORY, FOR A TOTAL AMOUNT OF \$5,000.00.

WHEREAS, it is the desire of the City of Jackson, Department of Parks and Recreation to constantly offer the best possible customer service to all of our golf patrons; and

WHEREAS, on February 17, 2021, Item Number 22, City Council approved the Department of Parks and Recreation’s request to open Pro Shops at the Pete Brown and Grove Park Golf Course Facilities; and

WHEREAS, the following request to transfer funds, will be used to purchase, sell and provide quality golf equipment and merchandise to patrons.

FUNDS TRANSFER FROM:		FUNDS TRANSFER TO:	
	\$5,000.00	Other Services and Charges Category	\$5,000.00
Personal Services Category			

WHEREAS, the City of Jackson, Department of Parks and Recreation, will purchase quality items at cost and will deposit proceeds back into the City Department revenue account; and

WHEREAS, items for sale will include, but are not limited to the items listed below:

• Face Masks	• Golf Tees
• Golf Shirts	• Yardage Books & Book Covers
• Bucket Hats	• Score Card Holders
• Gloves	• Golf Towels
• Sun Visors	• Green Repair Tool
• Caps	• Head and Putter Covers
• Rain Gear	• Golf Clubs
• Ball Markers	• Golf Shoes; and

IT IS, THEREFORE, ORDERED that the Mayor be authorized to revise the Department of Parks and Recreation's 2020-2021 budget, to allow transfer of funds from the Personal Services Category to Other Services and Charges Category, in the amount of \$5,000.00.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE APPLICATION AND RELATED DOCUMENTS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION, FOR FY2021 CONGRESSIONAL APPROPRIATIONS AND APPORTIONMENTS FOR SECTION 5307 URBANIZED AREA FORMULA GRANT FOR AMERICAN RESCUE PLAN ACT IN THE AMOUNT OF \$1,460,623.00.

WHEREAS, the American Rescue Plan Act of 2021, also called the COVID-19 Stimulus Package or American Rescue Plan, is a \$1.9 trillion economic stimulus bill passed on March 11, 2021, to speed up the United States recovery from the economic and health effects of the COVID-19 pandemic and the ongoing recession; and

WHEREAS, the American Rescue Plan Act provides \$30.46 billion in funding to support the transit industry response to COVID-19; and

WHEREAS, to receive said funds, the Urbanized Area must submit an application; and

WHEREAS, the City of Jackson will apply to the U.S. Department of Transportation, Federal Transit Administration, for financial assistance in the amount of \$1,460,623.00 for Section 5307 Urbanized Area Formula Grant for Planning, Capital, and Operating Assistance; and

WHEREAS, these funds must be used to support capital, operating, and planning expenses in response to the Covid-19 pandemic to operate and maintain the public transportation system; and

WHEREAS, there is no match required; and

WHEREAS, the Department of Planning and Development, through its Transit Division, is recommending that the City apply for and accept said award to use in operating and maintaining the public transportation system in response to the COVID-19 pandemic.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the application and related documents with the U.S. Department of Transportation's Federal Transit Administration seeking a grant award of \$1,460,623.00 from the Section 5307 Formula Grant under the FY2021 America Response Plan Act to aid in the operation and maintenance of the public transportation system and execute the agreement and related documents.

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

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

ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR A GRANT IN THE AMOUNT OF \$480,000 FOR THE CITY'S TRANSIT SYSTEM FOR THE FISCAL YEAR 2022 MULTIMODAL TRANSPORTATION IMPROVEMENT FUND AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND RELATED DOCUMENTS.

WHEREAS, the Mississippi Department of Transportation (MDOT) annually allocates funding for transit programs through its Multimodal Transportation Improvement Fund; and

WHEREAS, to receive these funds, the City of Jackson must submit an application; and

WHEREAS, the City of Jackson will apply to MDOT, for financial assistance in the amount of \$480,000.00 for operating assistance which represents allocations from the FY2022 apportionment; and

WHEREAS, funds can be used to support operating expenses for the City's transit system, JTRAN; and

WHEREAS, funds can be used as matching funds to existing Federal Transit Administration (FTA) funds received by the City; and

WHEREAS, the Department of Planning and Development, through its Transit Services Division, is recommending that a grant application be submitted and that the Mayor be authorized to execute the grant agreement and related documents to be used by the City's Transit System for the Fiscal Year 2022 Multimodal Transportation Improvement Fund.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an application to be submitted to the Mississippi Department of Transportation for a grant in the amount of \$480,000.00 for the City's transit system.

IT IS FURTHER ORDERED that the Mayor is authorized to execute the agreement and related documents with the Mississippi Department of Transportation for the acceptance and implementation of the grant award of \$480,000.00 from MDOT to aid in the financing of the City's transit system.

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

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

Nays – None.

Absent – None.

ORDER AMENDING PRIOR ORDER OF JUNE 23, 2020 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE UNIVERSITY OF MISSISSIPPI ON BEHALF OF THE MISSISSIPPI SMALL BUSINESS DEVELOPMENT CENTER STATE OFFICE FOR A SUB AWARD GRANT IN THE AMOUNT OF \$134,066.44 FOR THE ESTABLISHMENT OF THE CITY'S SMALL BUSINESS DEVELOPMENT CENTER.

WHEREAS, by Order entered on June 23, 2020, Minute Book 6R, Page 228, the governing authorities for the City of Jackson approved an amended Order, which authorized the Mayor to execute a contract with the University of Mississippi on behalf of the Mississippi Small Business Development Center State Office for a Sub Award Grant in the amount of \$141,341.00 to fund the establishment of the City's Small Business Development Center; and

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

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

WHEREAS, on January 11, 2021, the Department of Planning and Development submitted a request for final reimbursement of \$8,775.44, which is \$7,274.56 less than the total amount of \$16,050.00 budgeted; and

WHEREAS, this will revise the Fiscal Year Budget to reflect the sub award grant in the amount of \$134,066.44, which consists of federal funds sponsored by the University of Mississippi in the amount of \$8,775.44, match funds by the City in the amount of 112,442.00, and a waiver of \$12,849.00 in direct costs; and

WHEREAS, the Department of Planning and Development believes executing the amended contract with the University of Mississippi on behalf of the Mississippi Small Business Development Center State Office for a sub award grant in the amount of \$134,066.44 is in the best interest of the City of Jackson.

IT IS, THEREFORE, ORDERED that the prior Order approved on June 23, 2020, appearing in Minute Book 6R at Page 228 is amended to change the sub award amount from \$141,341.00 to \$134,066.44 for Fiscal Year 2020.

IT IS FURTHER ORDERED that the Mayor is authorized to execute an amended contract with the University of Mississippi on behalf of the Mississippi Small Business Development Center State Office to reflect a revision in the Department's Fiscal Year 2020 budget from \$141,341.00 to \$134,066.44, which consists of federal funds sponsored by the University of Mississippi in the amount of \$8,775.44, with a match funds by the City in the amount of \$112,442.00, and a waiver of \$12,849.00 in indirect costs.

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

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

Nays – None.

Absent – None.

* * * * *

ORDER AMENDING ORDER ACCEPTING THE TERM BID OF PRECISION PACKAGING, INC., FOR TWENTY-FOUR MONTH SUPPLY OF PORTLAND CEMENT, (BID NO.75021-020420).

WHEREAS, the City of Jackson Maintenance Supply Division of the Department of Public Works utilizes Portland cement throughout the City of Jackson various streets; and

WHEREAS, the City of Jackson received sealed term bids for a twenty-four-month supply of Portland cement on February 4, 2020; and

WHEREAS, the only bid received was Precision Packaging, Inc. in the amount of \$10.45 per 94lb. sack, delivered, a pallet charge of \$15.00, and \$10.05 per 94lb. sack, if picked up; and

WHEREAS, the Maintenance Supply Division recommended and the Jackson Council awarded the term bid to Precision Packaging, Inc. during its Special Meeting held on Tuesday, July 21, 2020, by Order found in Minute Book 6R, Page 312; and

WHEREAS, the Order contained a typographical error inadvertently stating the amount offered and accepted by Precision Packaging, Inc. for pallet charges as \$10.45; and

WHEREAS, the correct amount for pallet charges listed in the term bid submitted recommend and accepted is \$15.00.

IT IS THEREFORE, ORDERED that the Order accepting the term bid of Precision Packaging, Inc. for twenty-four-month supply of Portland Cement (Bid No. 75021-020420) found in Minute Book 6R, Page 312, is hereby amended to correct the typographical error to reflect the amounts as offered by Precision Packaging, Inc. in amount of \$10.45 per 94lb. sack, delivered, a pallet charge of \$15.00, and \$10.05 per 94 lb. sack, if picked up, and accepted for Bid No. 75021-020420.

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

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

Nays – None.

Absent – None.

ORDER AMENDING THE FISCAL YEAR 2020-2021 BUDGET OF THE DEPARTMENT OF PUBLIC WORKS, SOLID WASTE DIVISION.

WHEREAS, certain unanticipated needs and allocations in the amount of \$300,000.00 have arisen since the adoption of the Fiscal Year 2020-2021 City of Jackson Budget for the Department of Public Works, Solid Waste Division; and

WHEREAS, the Fiscal Year 2020-2021 City of Jackson Budget needs to be amended to provide funding for these unanticipated needs by moving budgeted funds from General Fund, Fund Balance to the Solid Waste Fund were it is needed to fund additional, unfunded contractual services; and

WHEREAS, the following funds are being amended:

001-5899	\$300,000.00
009-506.10-6419	\$300,000.00

IT IS, THEREFORE, ORDERED that the Fiscal Year 2020-2021 Budget of the Department of Public Works, Solid Waste Division be amended as follows:

To/From	Fund/Account Number	Amount
From:	001-5899	\$300,000.00
To:	009-506.10-6419	\$300,000.00

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

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

Nays – None.

Absent – None.

ORDER REVISING THE FISCAL YEAR 2020-2021 BUDGET OF THE DEPARTMENT OF PUBLIC WORKS, WATER/SEWER UTILITIES DIVISION.

WHEREAS, certain unanticipated needs and allocations in the amount of \$20,000.00 for the hiring of temporary employees in Water Maintenance has arisen since the adoption of Fiscal Year 2020 – 2021 budget for the Department of Public Works, Water/Sewer Utilities Division; and

WHEREAS, the Fiscal Year 2020 – 2021 City of Jackson Budget needs to be revised to provide funding for these unanticipated needs by moving budgeted funds from one account where there is currently a surplus to another account were it is needed to fund under budgeted needs; and

WHEREAS, the following funds are being revised:

031-521.40-6111	\$20,000.00
031-521.40-6489	\$20,000.00

IT IS, THEREFORE, ORDERED that the Fiscal Year 2020 – 2021 budget of the Department of Public Works be revised in the amount of \$20,000.00 as follows:

From/To	Fund/Account Number	Amount
From:	031-521.40-6111	\$20,000.00
To:	031-521.40-6489	\$20,000.00

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

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

Nays – None.

Absent – None.

ORDER RATIFYING RENTAL EQUIPMENT FROM MID-SOUTH MACHINERY, INC. FOR OCTOBER 2020 AND THROUGH DECEMBER 2020 AND AUTHORIZING PAYMENTS.

WHEREAS, the Bridges and Drainage subdivision of the Infrastructure Management Division of the Department of Public Works had need of equipment to be used for clearing the flow line of creeks throughout the City to assist in the prevention of flooding; and

WHEREAS, due to exigent circumstances, the rental of this two excavators used for clearing the flow line of creeks was done without prior approval by the City Purchasing Manager or the City Council of the City of Jackson; and

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

WHEREAS, the work performed using the equipment was necessary for the maintenance of the flow line of creeks within the City, which assists in the prevention of flooding and erosion; and

WHEREAS, the Department of Public Works recommends paying invoices for rental equipment from Mid-South Machinery, Inc. for the months of October 2020 thru December 2020 totaling \$18,500.00.

IT IS, THEREFORE, ORDERED that the rental equipment from Mid-South Machinery, Inc. is hereby ratified and payment in the amount set forth, consistent with the attached invoices, is authorized as follows:

Rental Equipment

Model R55-9A Excavator	\$ 4,700.00
Model 210X4 Excavator	\$13,800.00
Total	\$18,500.00

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING A SINGLE SOURCE PROCUREMENT FROM SUEZ WATER TECHNOLOGIES & SOLUTIONS TO REPAIR/REHABILITATE MEMBRANE TRAIN NO. 1 AT THE O.B. CURTIS WATER TREATMENT FACILITY.

WHEREAS, O.B. Curtis Water Treatment Facility needs to repair/rehabilitate membrane train No. 1 to provide safe drinking water; and

WHEREAS, Suez Water Technologies & Solutions provides services to water treatment facilities who have membrane trains systems to provide safe reliable drinking water for water treatment facilities; and

WHEREAS, Suez Water Technologies & Solutions is the sole support service provider in the United States for water membrane trains service, repair, and rehabilitation, and

WHEREAS, Suez Water Technologies & Solutions has provided the City of Jackson a cost proposal for repair/rehabilitation services to membrane train no. 1 in the amount of \$1,223,999.00.

IT IS, THEREFORE, ORDERED that a single source procurement agreement is authorized from Suez Water Technologies in the amount of \$1,223,990.00 for the repair/rehabilitation of membrane train no. 1 at OB Curtis Water Treatment Facility.

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

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

ORDER AUTHORIZING A SINGLE SOURCE PROCUREMENT FROM BURNETT LIME COMPANY, INC. LEASING A CAL-FLO SYSTEM FOR THE O.B. CURTIS WATER TREATMENT PLANT.

WHEREAS, the O.B. Curtis Water Treatment Plant has been using the Cal-Flo System for liquid lime treatment for emergency pH adjustment since 2018; and

WHEREAS, Burnett Lime Company, Inc., a South Carolina Company with its principal business address at 7095 Highway 11, Campobello, South Carolina 29322, is the single source for the Cal-Flo System and for the liquid lime used by that system; and

WHEREAS, the system is necessary for the City to maintain compliance with the Lead and Copper Rule of the Safe Drinking Water Act; and

WHEREAS, the current contract has been on a month-to-month basis under the terms of the current agreement; and

WHEREAS, Burnett Lime Company, Inc. desires to enter into a new contract effect March 1, 2021 that will have a term through February 28, 2023 and will an additional period of one year until February 29, 2024 upon the mutual agreement of the parties; and

WHEREAS, Burnett Lime Company, Inc. has agreed to continue to lease the liquid lime feed system and to provide lime slurry for use in the feed system under the same financial terms as the original Agreement, which is \$3,000 each month for the lease and \$0.0730 per liquid pound for the slurry; and

WHEREAS, the Department of Public Works requests that the governing authorities authorize new Lease Agreement to replace the current agreement that continue in effect because Burnett Lime Company, Inc. is the single source for the Cal-Flo system operating at the O. B. Curtis Water Treatment Plant and the liquid lime slurry it uses.

IT IS, THEREFORE, ORDERED that a new Lease Agreement with Burnett Lime Company, Inc. to provide the Cal-Flo Lime Feed System and lime slurry for use in that system is authorized for a term commencing March 1, 2021 through February 28, 2023 at a monthly lease cost of \$3,000.00 and cost of \$0.0730 per pound for lime slurry with an option to renew the Lease Agreement for an additional year through February 29, 2024 upon the mutual agreement of the parties.

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

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

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI IN SUPPORT OF JOBS FOR MISSISSIPPI GRADUATES DROPOUT RECOVERY PROGRAM.

WHEREAS, the City Council of Jackson, Mississippi, in greatest tradition, highly commends organizations whose mission is to empower others; and

WHEREAS, for over thirty (30) years, Job for Mississippi Graduates Dropout Recovery Program has served youth and adults, ages 16-24; born from the Jobs for American Graduates

model, this program established sites across Mississippi to boost high school graduation rates for youth assessed as "at-risk;" and

WHEREAS, JMG provides unique opportunities, including twelve (12) months of post-graduation follow-up services; more than fifty thousand students have been serviced by JMG while maintaining an overall ninety percent (90%) rate of graduation, an over ninety percent (90%) retention rate and an eighty percent (80%) total positive outcome rate among students served.

WHEREAS, we applaud Jobs for Mississippi Graduates for comprehensive services that include, but are not limited to: GED, tutoring, adult mentoring, financial literacy education, follow-up services and job search.

THEREFORE, BE IT RESOLVED, that the City Council of Jackson, Mississippi supports and encourages its citizens to spread vital information about Jobs for Mississippi Graduates.

SO RESOLVED, this the 13th day of April, 2021.

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

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

Nays – None.

Absent – None.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI CALLING FOR A "CEASE FIRE" TO STOP THE KILLING IN THE CITY OF JACKSON.

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

WHEREAS, the murders, homicides, violent and often deadly family disputes, gang related violence and killings, children dying, and the ever-escalating numbers of persons who are losing their lives on the streets of the City of Jackson on a nearly daily basis must stop; and

WHEREAS, the City of Jackson is filled with loving families, excellent students, first class colleges and universities, upstanding citizens, a strong interfaith community, caring neighbors, bustling business, a dynamic myriad of medical providers and institutions, and governmental bodies reflecting the designation of the City of Jackson as Mississippi's capital city; and

WHEREAS, it is in the best interest of the citizens of the City of Jackson that the Jackson City Council declares to the forces that would seek to steal, kill, and destroy the quality of life of the citizens of the City of Jackson that there is a call for a "cease fire" to stop the killing and mayhem on the streets of the City of Jackson.

THEREFORE, IT IS HEREBY RESOLVED, the City Council of Jackson, Mississippi hereby calls for a "cease fire" to stop the killing in the City of Jackson.

SO RESOLVED, this the 13th day of April, 2021.

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

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

Nays – None.

Absent – None.

ORDER REVISING THE BUDGET FOR FISCAL YEAR 2020-2021 FOR THE JACKSON CITY COUNCIL.

WHEREAS, certain unanticipated needs have arisen since the adoption of the Fiscal Year 2020-2021 budget; and

WHEREAS, the Fiscal Year 2020-2021 budget needs to be revised to provide funding for these needs; and

WHEREAS, the following line items are being revised and increased by the following amounts to provide funds for travel expenses.

402006473 - \$9,800.00
416006473 - \$24,350.00

IT IS, THEREFORE, ORDERED that the Fiscal Year 2020-2021 budget be revised in the amount of \$34,150.00, as follows to provide funds for travel expenses.

From Account #	To Account #	Amount
0015899	402006473	\$9,800.00
0015899	416006473	\$24,350.00

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

President Banks recognized **Council Member Stokes** moved, and **Council Member Lindsay** seconded, to amend said Order. After a thorough discussion, **Council Member Stokes** and **Council Member Lindsay** withdrew their motion and second. The motion prevailed by the following votes:

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

There came on for Discussion, Agenda Item No. 33:

DISCUSSION: REGULATIONS OF NIGHTCLUBS: **President Banks** recognized **Council Member Foote**, who expressed concerns of the zoning regulations of nightclubs and how close neighborhoods are to the businesses.

There came on for Discussion, Agenda Item No. 34:

DISCUSSION: WATER AND/OR WATER FUNDS (MONEY): **President Banks** recognized **Council Member Stokes**, who expressed concerns with understanding the amount of funds that will be received by the City of Jackson from the federal government.

There came on for Discussion, Agenda Item No. 35:

DISCUSSION: CRAWFORD STREET: **President Banks** recognized **Council Member Stokes**, who expressed concerns with zoning regulations and illegal activities occurring on Crawford Street.

There came on for Discussion, Agenda Item No. 36:

DISCUSSION: LEGISLATIVE RE-CAP: **President Banks** recognized **Council Member Stamps**, who gave an update regarding the bond bills passed by the State Legislators. The MS Home Corporation offers rental assistance within the City of Jackson. Tenants and landlords are encourage to contact the following number for assistance 601-533-8401.

The following reports/announcements were provided during the meeting:

Mayor Chokwe Antar Lumumba announced the following:

- Citizens are encouraged to visit the City of Jackson’s website at www.jacksonms.gov to sign up for Code Red in order to receive critical notices.
- COPS meeting will be held as follows (via Zoom):
 - Precinct 1 – 1st Thursday
 - Precinct 2 – 2nd Thursday
 - Precinct 3 – 3rd Thursday
 - Precinct 4 – 4th Thursday
- Encouraged all citizens to contact Constituents Service for any questions or concerns regarding the COPS meetings at 601-960-1084.

NOTE: Council Member Stokes left the meeting.

Council Member Lindsay moved, seconded by **Council Member Lee**, to go into Closed Session for legal purposes to discuss Agenda Items No. 32. The motion prevailed by the following vote:

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

President Banks announced to the public that the Council voted to go into Closed Session to discuss going into Executive Session regarding “Legal Purposes to discuss EPA Administrative Order”, to discuss Agenda Items No. 32.

During Closed Session, **Council Member Lindsay** moved, seconded by **Council Member Tillman**, to go into Executive Session for legal purposes to discuss EPA Administrative Order. The motion prevailed by the following vote:

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

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

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

President Banks announced to the public that the Council voted to come out of Executive Session, and no action was taken.

After Executive Session, **President Banks** recognized **Charles Williams, Director of Public Works**, who gave a brief overview of how the City of Jackson has been working to correct the issues cited in the EPA Order.

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, APRIL 13, 2021 10:00 A.M.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the Zoning Council Meeting at 2:30 p.m. on April 19, 2021. At 1:42 p.m., the Council stood adjourned.

PREPARED BY:

Shanika Mosley Jordan
CLERK OF COUNCIL

APPROVED:

Ch. A. L., 7/2/2021
MAYOR DATE

ATTEST:

Anaolu Harris
CITY CLERK
