

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 September 14, 2021, being the second Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Virgi Lindsay, Council President, Ward 7; Angelique Lee, Vice-President, Ward 2; Ashby Foote, Ward 1; Kenneth Stokes, Ward 3; Brian Grizzell, Ward 4; Vernon Hartley, Ward 5 and Aaron Banks, Ward 6. Directors: Chokwe Antar Lumumba, Mayor; Safiya Omari, Chief of Staff; Shanekia Mosley-Jordan, Clerk of the Council; Constance White, Chief Deputy Clerk of Council and Monica Allen, Interim City Attorney.

Absent: None.

The meeting was called to order by **President Lindsay**.

The invocation was offered by **Reverend Tony Montgomery Sr. of Greater St. James M.B. Church**.

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

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

ORDER GRANTING UBS’S REQUEST FOR A SIGN VARIANCE TO ERECT A 63 SQUARE FOOT BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

President Lindsay recognized **Bestie Luke**, a representative of the applicant, who spoke in favor of the approval of a sign variance for UBS.

President Lindsay requested that Agenda Item No. 20 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER GRANTING UBS’S REQUEST FOR A SIGN VARIANCE TO ERECT A 63 SQUARE FOOT BUILDING SIGN 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, UBS, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 63 square foot building sign within a CMU-1 zone which only allows a total of 15 square feet for building signage.

IT IS, THEREFORE, ORDERED that UBS is hereby (*approved*) a variance from the Sign Ordinance regulations to erect a 63 square foot building sign 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*) 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*) confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district.

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

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

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

ORDER DENY UBS’S REQUEST FOR A SIGN VARIANCE TO ERECT A 63 SQUARE FOOT BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

There was no opposition from the public.

ORDINANCE ADDING CHAPTER 2, ARTICLE III, DIVISION 9, SECTION 2-331 OF THE JACKSON CODE OF ORDINANCES.

WHEREAS, the governing authorities find it in the best interest of the City of Jackson, Mississippi, to formally create by ordinance the position of Chief Financial Officer; and

WHEREAS, the governing authorities find that Sections 2-331 of the Jackson Code of Ordinances should added as follows:

DIVISION 9. - CHIEF FINANCIAL OFFICER

Sec. 2-331. - Position of chief administrative officer created.

There is hereby created the position of chief financial officer who shall be appointed by the mayor and confirmed by the city council. The chief financial officer shall coordinate and direct the operations of financial resources and administrative functions of the City of Jackson, and providing operational programmatic support of the municipal government. The chief financial officer shall be answerable solely to the mayor in the performance of his functions and shall serve at the pleasure of the mayor, shall be subject to dismissal at the pleasure of the mayor and shall be excluded from the coverage of any ordinance or general law providing for civil service coverage.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, THAT Section 2-331 of the Jackson Code of Ordinances is added to read as follows:

There is hereby created the position of chief financial officer who shall be appointed by the mayor and confirmed by the city council. The chief financial officer shall coordinate and direct the operations of financial resources and administrative functions of the City of Jackson, and providing operational programmatic support of the municipal government. The chief financial officer shall be answerable solely to the mayor in the performance of his functions and shall serve at the pleasure of the mayor, shall be subject to dismissal at the pleasure of the mayor and shall be excluded from the coverage of any ordinance or general law providing for civil service coverage.

IT IS FURTHER ORDAINED that this Ordinance shall become effective thirty (30) days after passage and publication thereof.

President Lindsay moved adoption; **Vice President Lee** seconded.

President Lindsay recognized **Safiya Omari, Chief of Staff**, who provided a brief overview of said item.

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

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

ORDINANCE AMENDING THE CITY OF JACKSON CLASSIFICATION AND COMPENSATION PLAN TO ADD THE JOB CLASSIFICATION OF CHIEF FINANCIAL OFFICER.

WHEREAS, the Office of the Mayor requested that the Department of Human Resources conduct a *salary survey* on the classification and its job duties of Chief Financial Officer; and

WHEREAS, the Office of the Mayor has expressed a need for a Chief Financial Officer to provide oversight to the Departments of Administration, Human Resources and Division of Information Systems; and

WHEREAS, inquiries for Chief Financial Officer were submitted to the following Southeastern cities: Mobile, Alabama; Savannah, Georgia; and Little Rock, Arkansas; and

WHEREAS, the response from the Cities surveyed concerning the median salary paid for the position of the Chief Financial Officer was within the range of \$92,638.00-142,663.00; and

WHEREAS, the best interest of the City of Jackson would be served by adding the following position to the current pay plan: Chief Financial Officer at a salary comparable to the compensation paid by other Southeastern cities such as those cited; and

WHEREAS, it is recommended that the job class: Chief Financial Officer be added to the pay plan. The range established for Chief Financial be added as range 50 with annual compensation being between \$103,685.28-125,992.08; and

WHEREAS, the Office of the Mayor has informed the Department of Human Resources that they have the monies in their budget to cover the recommended addition to the pay plan.

IT IS, THEREFORE, ORDERED that the Pay Plan adopted by the City Council on September 22, 1998, found in the Minute Book 4Y, be further amended to add the classification of Chief Financial Officer pay range 50 (\$103,685.28-125,992.08) to be effective immediately.

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

President Lindsay recognized **Toya Martin, Director of Human Resources**, who provided a brief overview of said item.

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

- Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.
- Nays – None.
- Absent – Stokes.

ORDER APPROVING CLAIMS NUMBER 26028 to 26082 APPEARING AT PAGES 430 TO 455 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$4,292,792.50 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 226028 to 26082 appearing at pages 430 to 455, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$4,292,792.50 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	805,933.23
SEIZURE & FORF PROP-STATE	4,999.00
TECHNOLOGY FUND	11,124.19
PARKS & RECR. FUND	59,154.50
BUSINESS IMPROV FUND (LANDSCP)	13,514.23
LANDFILL/SANITATION FUND	603,703.11
STATE TORT CLAIMS FUND	5,000.00
WATER/SEWER REVENUE FUND	200.00
WATER/SEWER OP & MAINT FUND	515,883.87
DISABILITY RELIEF FUND	88,608.28
EMPLOYEES GROUP INSURANCE FUND	86,893.38
EARLY CHILDHOOD (DAYCARE)	139.98
HOUSING COMM DEV ACT (CDBG) FD	212,781.40
DPS – HOMELAND SECURITY	73.95
INFRASTRUCTURE BOND 2020 \$32M	173,990.80
MADISON SEQAGE DISP OP & MAINT	39.46
TRANSPORTATION FUND	104,768.36
FONDREN BUSINESS IMPROV FUND	5,877.78
RESURFACING – REPAIR & REPL. FD	37,031.25

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 14, 2021 10:00 A.M.**

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DRAINAGE – REPAIR & REPL. FD	29,611.00
WATER/SEWER B & I FD 2013 \$89.9M	5,750.00
HAIL DAMAGE MARCH 2013	125,112.00
09 TIF BOND FUND \$407000	2,226.00
P E G ACCESS – PROGRAMMING FUND	2,538.34
CAPITAL CITY REVENUE FUND	126,444.00
MDB SO INFRASTRUCTURE BOND 2020	3,000.00
2018 ED BRYNE MEMORIAL JUSTICE	24,507.85
FLOODING OF 2020	8,436.00
CDBG COVID CARES	100.00
ZOOLOGICAL PARK	10,629.36
LIBRARY FUND	162,250.73
TOTAL	<u>\$4,292,792.50</u>

Vice President Lee moved adoption; Council Member Grizzell seconded.

 President Lindsay recognized Louis Wright, Chief Administrative Officer, who provided a brief overview of larger claims at the request of President Lindsay.

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

- Yeas – Foote, Grizzell, Lee and Lindsay.
- Nays – Banks and Hartley.
- Absent – Stokes.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 26028 TO 26082 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 26028 to 26082 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$110,430.01 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		2,198,137.56
PARKS & RECR FUND		92,471.20
LANDFILL FUND		15,139.57
SENIOR AIDES		1,542.55
WATER/SEWER OPER & MAINT		214,114.36
PAYROLL	110,430.01	
EARLY CHILDHOOD		25,821.26
HOUSING COMM DEV		11,664.84
TITLE III AGING PROGRAMS		5,565.91
TRANSPORTATION FUND		12,644.01
PEG ACCESS-PROGRAMMING FUND		8,150.08
ZOOLOGICAL PARK		26,992.76
TOTAL		\$2,612,264.10

Vice President Lee moved adoption; **Council Member Grizzell** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

ORDER TO RESCIND AUGUST 3, 2021, AUTHORIZATION TO PAY THE PEOPLES BANK FOR 2010B GENERAL OBLIGATION REFUNDING BOND DEBT SERVICE INTEREST PAYMENT AND TO AUTHORIZE PAYMENT TO US BANK FOR 2010B GENERAL OBLIGATION REFUNDING BOND DEBT SERVICE INTEREST PAYMENT IN THE AMOUNT OF \$81,609.75.

WHEREAS, on August 3, 2021, the Jackson City Council approved claims for payment to The Peoples Bank in the amount of Seventy-Eight Thousand Three Hundred Fifty-Six Dollars and Twenty-Five Cents (\$78,356.25) and Three Thousand Two Hundred Fifty Dollars and No Cents (\$3,250.00), for debt service and paying agent fee on the 2003 General Obligation Bond, respectively, and a claim for payment to The Peoples Bank in the amount of Eighty-One Thousand Six Hundred Nine Dollars and Seventy-Five Cents (\$81,609.75) for debt service interest payment on 2010B General Obligation Refunding Bond, authorizing payments totaling One Hundred Sixty-Three Thousand Two Hundred Sixteen Dollars and No Cents (\$163,216.00) to The Peoples Bank; and

WHEREAS, the Department of Administration has determined that the debt service interest payment on 2010B General Obligation Refunding Bond to The Peoples Bank in the amount \$81,609.75 instead should have been authorized for payment to US Bank in the amount of \$81,609.75 for a debt service interest payment on 2010B General Obligation Refunding Bond; and

WHEREAS, The Peoples Bank tendered a check to the City of Jackson in the amount of \$81,609.75 for the payment remitted to the Bank in error; and

WHEREAS, the Department of Administration has determined it is in the best interest of the citizenry for the Jackson City Council to rescind the August 3, 2021, authorization to pay The Peoples Bank for debt service interest payment on 2010B General Obligation Refunding Bond in the amount of \$81,609.75, and to authorize payment to US Bank for debt service interest payment on 2010B General Obligation Refunding Bond in the amount of \$81,609.75.

IT IS, THEREFORE, ORDERED that the Jackson City Council rescinds its August 3, 2021, authorization to pay The Peoples Bank for debt service interest payment on 2010B General Obligation Refunding Bond in the amount of \$81,609.75, and to authorize payment to the US Bank for debt service interest payment on 2010B General Obligation Refunding Bond in the amount of \$81,609.75.

Council Member Grizzell moved adoption; **Vice President Lee** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A SIXTY (60) MONTH RENTAL AGREEMENT WITH PITNEY BOWES, INC. FOR A SENDPRO P2000 BASIC POSTAGE MACHINE TO BE USED BY THE TREASURY DIVISION OF THE DEPARTMENT OF ADMINISTRATION.

WHEREAS, the Treasury Division of the Department of Administration desires to enter a 60-month rental agreement for a SendPro P2000 Basic Postage Meter Machine to be utilized by the Treasury Division; and

WHEREAS, Pitney Bowes, Inc., 27 Waterview Drive, Shelton, CT 06484, provides through State Contract No. 8200056652 a sixty (60) month rental agreement for a SendPro P2000

Basic Postage Machine at a cost of Five Hundred Fifty-Seven Dollars and Fourteen Cents (\$557.14) per month, including equipment maintenance and software maintenance; and

WHEREAS, the Treasury Division recommends the City of Jackson enter into a sixty (60) month rental agreement for a SendPro P2000 Basic Postage Machine with Pitney Bowes through State Contract No. 8200056652 at a cost of Five Hundred Fifty-Seven Dollars and Fourteen Cents (\$557.14) per month, including equipment maintenance and software maintenance.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to enter into a sixty (60) month rental agreement with Pitney Bowes, Inc. through State Contract No. 8200056652 for a sixty (60) month rental of a SendPro P2000 Basic Postage Machine Bowes at a cost of Five Hundred Fifty-Seven Dollars and Fourteen Cents (\$557.14) per month, including equipment maintenance and software maintenance.

Vice President Lee moved adoption; **Council Member Grizzell** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

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ORDER CONFIRMING THE MAYOR’S APPOINTMENT OF RICKEY JONES TO THE JACKSON MUNICIPAL AIRPORT AUTHORITY BOARD.

WHEREAS, the Jackson Municipal Airport Authority Board consist of (5) members; for a term of five (5) years; and

WHEREAS, Rickey Jones, resident of Ward 5, after evaluation of his qualifications, has been nominated by the Mayor to serve on the Jackson Municipal Airport Authority Board.

IT IS, THEREFORE, ORDERED that the Mayor’s appointment of Rickey Jones to the Jackson Municipal Airport Authority Board be confirmed with a said term to expire on 3/19/2022.

Vice President Lee moved adoption; **Council Member Grizzell** seconded.

After thorough discussion, **President Lindsay** recognized **Vice President Lee** and **Council Member Grizzell**, who withdrew their motion and second. **President Lindsay** stated that said item would be placed on the next Special Council agenda to be held on September 27, 2021.

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ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1 TO THE SERVICE ADDENDUM TO THE MASTER UTILITY SERVICES AGREEMENT WITH SUSTAINABILITY PARTNERS, LLC FOR AMI METER SERVICES.

WHEREAS, the City of Jackson entered into a Master Utility Service Agreement with Sustainability Partners, LLC, a Delaware limited liability corporation with its principal business address as 3133 W. Fry Road, Suite 101 Chandler, Arizona 85226 on or about November 30, 2020; and

WHEREAS, the City of Jackson and Sustainability Partners entered into a Service Addendum to the Master Utility Service Agreement to provide water meter services and utility billing services to the City under the terms of the Addendum and the Master Utility Service Agreement; and

WHEREAS, the City of Jackson now wishes to include in the services provided manual meter reading as use of the Mueller meter data management system is eliminated, as the upgrade from the current CC&B utility billing system to the new C2M utility billing occurs, and as the installation of new meters and the transition to the new AMI occurs; and

WHEREAS, the City of Jackson also finds it necessary to approve Change Request No. 5 with Mythics for the upgrade of the utility billing system because of delays and changes in implementation that have resulted from Mueller failing to cooperate with Mythics during the utility billing system upgrade; and

WHEREAS, the daily usage rate for meters, AMI collectors, and water meter lids is as amended follows:

Unit "Id #"	Description of USA Service Components (the "Units")	Daily Usage Rate
A	ALD - (Commercial) flowIQ 2250: 55 GPM 1" x 10 1/4" SS	\$0.225
B	(Commercial) flowIQ 3250: 120 GPM 1 1/2" x 13" (fl) SS	\$0.473
C	(Commercial) flowIQ 3250: 160 GPM 2" x 17" (fl) SS	\$0.533
D	(Commercial) flowIQ 3250: 700 GPM 4" x 14" (fl) SS	\$1.711
E	(Commercial) 6" Honeywell evoQ4 Standard Version, potable water	\$3.121
F	(Commercial) 8" Honeywell evoQ4 Standard Version, potable water	\$4.361
G	ALD - flowIQ 2250: 25 GPM 5/8 x 3/4 x 7 1/2" Composite	\$0.192
H	flowIQ 2250: 55 GPM 1" x 10 1/4" SS	\$0.225
I	flowIQ 3250: 120 GPM 1 1/2" x 13" (fl) SS	\$0.473
J	flowIQ 3250: 160 GPM 2" x 17" (fl) SS	\$0.533
K	flowIQ 3250: 700 GPM 4" x 14" (fl) SS	\$1.711
L	6" Honeywell evoQ4 Standard Version, potable water	\$3.121
M	8" Honeywell evoQ4 Standard Version, potable water	\$4.361
N	AMI Collector	\$14.086
O	Water Meter Lids	\$0.016

WHEREAS, pursuant to Section 5.3 of the Master Utility Service Agreement, Sustainability Partners, LLC has elected to procure insurance for the meters and other equipment at a cost of \$4,830.00 each month to the City; and

WHEREAS, the schedule of payments to Mythics is amended to reflect the schedule of payments in Change Request Number 5 to the Agreement between the City and Mythics.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Change Order No. 1 to the Service Addendum to the November 10, 2020 Master Utility Service Agreement with Sustainability Partners, LLC, consistent with the prices set forth above.

Vice President Lee moved adoption; **Council Member Grizzell** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE REQUEST NUMBER 5 TO THE AGREEMENT WITH MYTHICS, INC., WHICH PROVIDES THE SOLUTION THAT ELIMINATES THE USE OF THE MUELLER METER DATA MANAGEMENT SYSTEM.

WHEREAS, in December 2020, the City entered into Change Request 3 with Mythics, Inc., whose principal business address is Town Center of Virginia Beach, 4525 Main Street, Suite 1500, Virginia Beach, Virginia 23462, to provide the services and the software licenses necessary to upgrade CC&B version 2.5 to C2M version 2.7 as a change request to the agreement to migrate CC&B to Oracle Cloud Infrastructure for a cost not to exceed \$8,656,196.65; and

WHEREAS, the implementation plan for the upgrade from CC&B to C2M contemplated assistance from Mueller in migrating clean data for billing from the Mueller meter data management system to C2M; and

WHEREAS, the existing contract with Mueller only requires Mueller to provide two years of the City's data within thirty (30) of termination of the agreement with Mueller and does not require Mueller to cooperate in migrating data from the Mueller meter data management system to C2M; and

WHEREAS, Mueller refused to cooperate with Mythics, Inc. and the City in migrating and confirming the accuracy of the City's data; and

WHEREAS, Mythics, Inc. has presented the City and the City's Project Manager, The Preo Group, LLC with a plan to migrate data which involves reading data from manual reads and the Mueller AMI meters directly into CC&B for a period of time, thereby bypassing Mueller's meter data management system and ensuring the accuracy of the data collected; and

WHEREAS, the implementation of the migration from CC&B to C2M without the use of the Mueller meter data management system requires significant redesign of the plan and the creation of an interim stage in the migration that involves Automatic Meter Reading (AMR) and manual meter reads performed by another subcontractor UMS; and

WHEREAS, the redesign of the migration from CC&B to C2M is \$1,046,109.05; and

WHEREAS, the Water-Sewer Business Administration division and the City's Project Manager, The Preo Group recommends that the City authorize this change request in order to continue forward with the upgrade to the City's Utility Billing System.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Change Request Number 5 to the agreement with Mythics, Inc., which will provide for the redesign of the migration from CC&B to C2M and extend the project timeline through May 2023 in an amount not to exceed \$1,046,109.05.

Council Member Grizzell moved adoption; **Vice President Lee** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.
Nays – None.
Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE FY 2021-2022 CHILD AND CARE FOOD PROGRAM PROCUREMENT PLAN INFORMATION WITH THE MISSISSIPPI DEPARTMENT OF EDUCATION FOR ITS EARLY CHILDHOOD DEVELOPMENT CENTERS.

WHEREAS, the City of Jackson, Mississippi ("City of Jackson") provides early childhood development services to children at two (2) centers; and

WHEREAS, breakfast, lunch, and a snack are provided as meals for the children enrolled at the City of Jackson, Mississippi's Early Childhood Development Centers ("ECDC"); and

WHEREAS, Mississippi Department of Education Office of Child Nutrition reimburses eligible entities for meals provided to children and adults in accordance with its Child and Adult Care Food Program; and

WHEREAS, the City of Jackson is eligible to receive reimbursement for the meals provided to the children enrolled in its ECDC; and

WHEREAS, an agreement with the Mississippi Department of Education and the designation of an alternate person to sign correspondence and claims is required for participation and the reimbursement of funds for the year commencing October 1, 2021 and ending September 30, 2022; and

WHEREAS, it is in the best interest of the City of Jackson to authorize the Mayor to execute the agreement with the Mississippi Department of Education and designate the Director

of the Department of Human and Cultural Services as the alternate person to sign correspondence and claims.

IT IS HEREBY ORDERED that the Mayor shall be authorized to execute the agreement with the Mississippi Department of Education for the City of Jackson, Mississippi's participation in the Child and Adult Care Food Program for the year commencing October 1, 2021 and ending September 30, 2022.

IT IS HEREBY ORDERED that the Mayor shall be authorized to execute any and all documents required by the Mississippi Department of Education for participation in the Child and Adult Care Food Program.

IT IS FURTHER ORDERED that the Mayor shall be authorized to execute any and all documents required by the Mississippi Department of Education to secure reimbursement and insure the City's participation in the Child and Adult Care Food Program.

IT IS FINALLY ORDERED that the Director of the Department of Human and Cultural Services is hereby designated as the alternate person to execute correspondence and claims for the Child and Adult Food Program for the year commencing October 1, 2021 and ending September 30, 2022.

Council Member Grizzell moved adoption; **Vice President Lee** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

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RESOLUTION FINDING AND DETERMINING THAT THE RESOLUTION ADOPTED ON AUGUST 3, 2021, WAS DULY PUBLISHED AS REQUIRED BY LAW; THAT NO SUFFICIENT PROTEST DESCRIBED IN SAID RESOLUTION HAS BEEN FILED BY THE QUALIFIED ELECTORS; AND AUTHORIZING THE ISSUANCE OF SAID BONDS AND/OR BOND AND/OR LOAN.

WHEREAS, the Governing Body, acting for and on behalf of the City, hereby finds, determines, adjudicates and declares as follows:

1. Heretofore, on August 3, 2021, the Governing Body adopted a resolution entitled "RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, TO EITHER ISSUE GENERAL OBLIGATION BONDS OF THE CITY, AND/OR ISSUE A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK AND/OR ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$5,500,000.00) TO RAISE MONEY FOR THE PURPOSE OF ERECTING MUNICIPAL BUILDINGS AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME AND FOR OTHER AUTHORIZED PURPOSES IN CONNECTION WITH ERECTING SAID MUNICIPAL BUILDINGS INCLUDING CONSTRUCTING, IMPROVING AND PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS AND PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR ALL PURUSANT TO SECTIONS 21-33-301 ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME AND SECTIONS 31-25-1 ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME, INCLUDING FUNDING CAPITALIZED INTEREST, IF APPLICABLE AND PAYING THE COSTS OF BORROWING, DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES." (the "Intent Resolution") wherein the Governing Body indicated its intent to (a) issue general obligation bonds of the City, in one or more series, in a total aggregate principal amount not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000.00), (b) issue a general obligation bond of the City, in one or more series, to be sold to the Mississippi Development Bank (the "Bank") in a total aggregate principal

amount not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000.00), and/or (c) enter into a loan with the Bank to borrow money from the Bank in a total principal amount not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000.00), as the date and hour for any protest to be made and filed against the issuance of such general obligation bonds, general obligation bond and/or loan as described in the Intent Resolution.

2. As required by law and as directed by the Intent Resolution, said Intent Resolution was published once a week for at least three (3) consecutive weeks in *The Clarion Ledger Star*, a newspaper published in the City, and having a general circulation in the City, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, the first publication having been made not less than twenty-one (21) days before September 14, 2021, and the last publication to be not more than seven (7) days prior to such date, said notice was published in said newspapers on August 19, 2021, August 26, 2021, September 2, 2021 and September 9, 2021 as evidenced by the publisher's affidavit heretofore presented and attached hereto as **EXHIBIT A**.

3. On or prior to 10:00 o'clock a.m. on September 14, 2021, no written protest against the issuance of such general obligation bonds, general obligation bond and/or loan as described in the Intent Resolution, had been filed or presented by qualified electors of the City with the City Clerk of the City (the "City Clerk") in her office located in City Hall.

4. The Governing Body did meet at its usual meeting place in City Hall at 10:00 o'clock a.m. on September 14, 2021, and the Governing Body does hereby find, determine and adjudicate that no protest against the issuance of the general obligation bonds, general obligation bond and/or loan as described in the Intent Resolution had been duly filed with the City Clerk on or before 10:00 o'clock a.m. on September 14, 2021 as required by the Intent Resolution.

5. The Governing Body is now authorized and empowered by the provisions of Sections 21-33-301 et seq., Mississippi Code of 1972, as amended (the "City Bond Act") and Sections 31-25-1 et seq., Mississippi Code of 1972, as amended (the "Bank Act" and together with the City Bond Act, the "Act") and other applicable laws of the State of Mississippi, to issue such general obligation bonds, general obligation bond and/or loan as described in the Intent Resolution, all in a total aggregate principal amount of not to exceed \$5,500,000.00 without any election on the question of the issuance thereof at any time within a period of two (2) years after September 14, 2021.

6. The amount of the general obligation bonds, general obligation bond and/or loan so proposed to be issued, when added to the outstanding indebtedness of the City, will not exceed any constitutional or statutory limitation of indebtedness.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY AS FOLLOWS:

SECTION 1. That the Governing Body is now authorized and empowered by the Act to (a) issue general obligation bonds (the "Bonds"), in one or more series, pursuant to the City Bond Act, and/or (b) issue a general obligation bond of the City, in one or more series, to be sold to the Bank (the "City Bond") pursuant to the Act, and/or (c) enter into a loan with the Bank to borrow money from the Bank, all in the maximum aggregate principal amount of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000.00), as described in the Intent Resolution, for the purpose set forth therein, including, but not limited to erecting municipal buildings and purchasing buildings or land therefor, and for repairing, improving, adorning and equipping the same and for other authorized purposes in connection with erecting said municipal buildings including constructing, improving and paving streets, sidewalks, driveways, parkways, walkways and public parking facilities, and purchasing land therefor and for other authorized purposes under the Act, including funding capitalized interest, if applicable and paying the costs of borrowing (all together the "Project").

SECTION 2. The Bonds or the City Bond may be issued in one or more series and, if issued, will be general obligations of the City payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate, or amount upon all the taxable property within the geographical limits of the City; provided, however, that such tax levy for any year shall be abated pro tanto to the extent the City on or prior to September 1 of that year has transferred money to the bond fund of

the Bonds or the City Bond, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds or the City Bond due during the ensuing fiscal year of the City, in accordance with the provisions of the bond resolution adopted by the Governing Body in connection with the issuance of the Bonds or the City Bond. The Loan will be payable from available revenues of the City and will not constitute an indebtedness of the City within the meaning of any constitutional or statutory restrictions, limitations, or provisions, and the taxing power of the City will not be pledged to the payment of the Loan.

SECTION 3. The Bonds and/or the City Bond and/or Loan shall be issued and offered for sale in accordance with the further orders and directions of this Governing Body.

[Remainder Intentionally Left Blank]

EXHIBIT A

PROOF OF PUBLICATION

AFFIDAVIT OF PUBLICATION
THE CLARION-LEDGER

TO: BUTLER SNOW LEGAL
1020 HIGHLAND COLONY PKWY STE
RIDGELAND, MS 39157
Acct# TCL-C75552

This is not an invoice

of Affidavits: 1

Affiant: BUTLER SNOW

STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is a Legal Advertising Representative of The Clarion-Ledger, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

In said newspaper in the edition(s) dated:

09/19/2021, 09/26/2021, 09/02/2021, 09/09/2021

Size: 1995 words / 1 col x 328 lines

Published: 4 time(s)

Now due on said account is \$856.68

Signed: [Signature]
Authorized Clerk of The Clarion-Ledger

SWORN to and subscribed before me on September 13, 2021

[Signature]
Notary Public, State of Wisconsin, County of Brown

1-7-25
My commission expires

(SEAL)



There came on for consideration the matter of amending financing for various capital improvements for the City of Jackson, Mississippi, and after a discussion of the subject matter, Council Member Gatzert offered and moved the adoption of the following resolution:

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, TO EITHER ISSUE GENERAL OBLIGATION BONDS OF THE CITY, AND/OR ISSUE A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK, AND/OR ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$5,500,000) TO RAISE MONEY FOR THE PURPOSE OF ERECTING MUNICIPAL BUILDINGS AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME AND FOR OTHER AUTHORIZED PURPOSES IN CONNECTION WITH ERECTING SAID MUNICIPAL BUILDINGS INCLUDING CONSTRUCTING, IMPROVING AND PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS AND PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR ALL PURSUANT TO SECTIONS 21-33-301 ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME AND SECTIONS 21-25-1 ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME, INCLUDING FUNDING CAPITALIZED INTEREST, IF APPLICABLE AND PAYING THE COSTS OF BORROWING, DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION, AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Jackson, Mississippi (the "Governing Body"), acting for and on behalf of the City of Jackson, Mississippi (the "City"), is authorized by Sections 21-33-301 et seq., Mississippi Code of 1972, as amended and supplemented from time to time (the "City Bond Act"), to incur general obligation bonds for the purposes set forth therein, including, but not limited to erecting municipal buildings and purchasing buildings or land therefor, and for repairing, improving, adorning and equipping the same and for other authorized purposes in connection with erecting and municipal buildings including constructing, improving and paving streets, sidewalks, driveways, parkways, walkways and public parking facilities, and purchasing land therefor and for other authorized purposes under the City Bond Act and Sections 21-25-1 et seq., Mississippi Code of 1972, as amended and supplemented from time to time (the "Bank Act") and together with the City Bond Act, the "Act" including funding capitalized interest, if applicable, and paying the costs of borrowing (all together the "Project"); and

WHEREAS, the Governing Body, acting for and on behalf of the City, is also authorized under the Act and other applicable laws of the State of Mississippi (the "State"), to (a) incur a general obligation bond of the City to be sold to the Mississippi Development Bank (the "Bank") to finance the costs of the Project, and/or (b) enter into a loan or loans with the Bank to borrow money to finance the costs of the Project; and

WHEREAS, the Project is in accordance with and in furtherance of the provisions of the Act; and

WHEREAS, the Governing Body is authorized pursuant to the City Bond Act and the Bank Act to provide funding for the costs of the Project either through the issuance of (a) general obligation bonds of the City, as one or more series, pursuant to the City Bond Act in a total aggregate principal amount of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) (the "Bonds"), (b) a general obligation bond of the City to be sold to the Bank, as one or more series, in a total aggregate principal amount of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) (the "City Bond"), or (c) by entering into a loan or loans with the Bank to borrow money from the Bank in a total principal amount not to exceed Five Million Five Hundred Thousand

Dollars (\$1,500,000) (the "Loan") and
WHEREAS, as of July 15, 2021, the assessed value of all taxable property within the City, according to the last complete assessment for taxation, was \$1,284,982,350, and the City had outstanding bonded and floating indebtedness as subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303 of the City Board Act, as amended, in the amount of \$185,410,000, and outstanding bonded and floating indebtedness as subject to the twenty percent (20%) debt limit prescribed by Section 21-33-304 of the City Board Act, in the amount of \$185,410,000; and

WHEREAS, the Bonds, the City Board and/or the Loan, when added to the outstanding bonded indebtedness of the City, including any indebtedness of the City or any subsidiary to the adoption of this resolution but prior to the issuance of the Bonds or the City Board or entering into the Loan, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of all taxable property within the City, will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit prescribed by Section 21-33-304 of the City Board Act, in excess of twenty percent (20%) of the assessed value of all taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City; and

WHEREAS, there has been no increase in said bonded and floating general obligation indebtedness of the City since July 15, 2021; and

WHEREAS, it would be in the best interest of the City for the Governing Body to provide funding for the costs of the Project by borrowing money through the issuance of the Bonds or the City Board and/or by entering into the Loan, all in accordance with the City Board Act and/or the Bank Act; and

WHEREAS, the City reasonably expects that it will incur expenditures in connection with the Project for which the City intends to reimburse itself with the proceeds of the Bonds, the City Board or the Loan. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds, the City Board or the Loan is in anticipation of the issuance of the Bonds, the City Board or the Loan in accordance with Department of Treasury Regulations Section 1.150-2 (the "Revenue Management Regulations"). The Project for which such expenditures are made is the same as described herein. The maximum principal amount of debt expected to be issued for the Project is the amount herein set forth; and

WHEREAS, the governing Body is authorized and empowered by the City Board Act and/or the Bank Act to issue the Bonds or the City Board or to enter into the Loan for the purposes herein set forth and there are no other available funds on hand or available from regular sources of income for such purposes.

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

SECTION 1. The Governing Body, acting for and on behalf of the City, hereby declares its intention to (a) issue and sell the Bonds, and/or the City Board to the Bank, in one or more series, in the total principal amount not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000), and/or (b) enter into the Loan with the Bank to borrow money from the Bank, all in total principal amount not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000).

SECTION 2. The Bonds or the City Board will be issued and/or the Loan will be entered into to raise money for the purpose of financing the Project, as authorized by the City Board Act and the Bank Act.

SECTION 3. The Bonds or the City Board may be issued in one or more series and, if issued, will be general obligations of the City payable as to principal and interest out of and secured by all revenues

pledge of the assets of a direct and non-recurring tax to be levied annually without limitation as to time, rate or amount upon all the taxable property within the geographical limits of the City. The Loan will be payable from available revenues of the City and will not constitute an indebtedness of the City within the meaning of any constitutional or statutory restrictions, limitations, or provisions, and the taxing power of the City will not be pledged to the payment of the Loan.

SECTION 4. The Governing Body proposes to direct the issuance of all or any portion of the Bonds or the City Bond or to authorize the Loan in the amount and for the purposes and secured as aforesaid at a meeting of the Governing Body to be held at its usual meeting place located at the City Hall in the City, located at 219 S. President, Jackson, Mississippi 39201, at the hour of 10:00 o'clock a.m. on September 14, 2021, or at some meeting or meetings subsequent thereto, provided, however, that if ten percent (10%) or fifteen percent (15%), whichever is less, of the qualified electors of the City shall file a written protest with the City

Clerk of the City (the "City Clerk") against the issuance of the Bonds or the City Bond or the authorization of the Loan on or before 10:00 o'clock a.m. on September 14, 2021, then the Bonds or the City Bond shall not be issued or the Loan shall not be entered into unless approved at an election on the question thereof called and held as is provided by law; provided, further that if no protest is filed, then the Bonds or the City Bond may be issued and sold in one or more series or the City may enter into the Loan without an election on the question of the issuance thereof at any time within a period of two (2) years after September 14, 2021.

SECTION 5. In full compliance with the City Bond Act, the City Clerk is hereby directed to publish a copy of this resolution once a week for at least three (3) consecutive weeks in The Mississippi Link and The Clanton Ledger, both newspapers published in and having a general circulation in the City and qualified under the provisions of Section 33-3-23, Mississippi Code of 1972, as amended, with the first publication being not less than twenty-one (21) days prior to the date set forth in Section 4 of this resolution, and the last publication being made not more than seven (7) days prior to said date.

SECTION 6. The City Clerk of the Governing Body shall be and is hereby directed to cause one from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and the required notice and have the same before the Governing Body on the date and first specified in Section 4 hereof.

SECTION 7. The City hereby declares its official intent to reimburse itself from the proceeds of the Bonds, the City Bond or the Loan for expenses incurred with respect to the Project subsequent to the date of this resolution. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds, the City Bond and/or the Loan in anticipation of the issuance of the Bonds, the City Bond and/or the Loan is made pursuant to the Reimbursement Regulations. The Project for which such expenditures are made is the same as described herein. The Bonds, the City Bond or the Loan will not exceed the aggregate principal amount of Five Million Five Hundred Thousand Dollars (\$5,500,000).

SECTION 8. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

Council Member Lee seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Yea:
Banks, Grizzell, Hamley, Lee,
Lindsay, and Stovet
Nay: None
Absent: None

The President of the Council then declared the resolution passed and adopted this the 3rd day of August 2021.

APPROVED BY:

/s/ Virgi Lindsay
PRESIDENT OF THE CITY COUNCIL

/s/ Chokwe Antar Lumumba, Mayor

ATTEST:

/s/ Angela Harris
CITY CLERK

(SEAL)

August 19, 26, & Sept. 2, 9, 2021

Council Member Grizzell moved adoption; **Vice President Lee** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

ORDER RATIFYING THE CONTRACTS FOR PERFORMANCES AND EVENTS AT THALIA MARA HALL.

WHEREAS, the City of Jackson, Mississippi (“City of Jackson”) and Thalia Mara Hall are committed to bringing and attracting a diverse offering of live entertainment; and

WHEREAS, the City Council has authorized the Mayor to sign contracts prior to Council approval in order to protect the process of contracts with promoters and complete them in a timely manner; and

WHEREAS, the all attached contracts have been executed by the Mayor, and contracts are used in a standard format for all events; and

WHEREAS, the deposits have been paid for the event by the promoter, and need City Council ratification; and

WHEREAS, the following contracts are for:

<u>Event</u>	<u>Entity</u>	<u>Event Date</u>
Disney Jr.	Ardenland	December 12, 2019
MS Bar Admission	Mississippi Bar Association	September 26, 2019
A Christmas Carol	Ballet Magnificat	December 2019
Match Day Ceremony	UMMC	March 19, 2021

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 14, 2021 10:00 A.M.**

Ron White	Ardenland	January 16, 2020
Charles Evers Memorial 2020 – 2021 Season	The Evers Family Mississippi Symphony	August 8, 2020 2020 – 2021
The Nutcracker	Ballet Mississippi	December 2020
Black Man’s Truth	Troublefield Entertainment	April 23, 2022
Planning Ceremony	UMMC	May 26, 2021
John Crist	Outback Presents	November 19, 2021
Calvin Richardson	By God’s Grace	February 19, 2022
David and Tamela Mann	By God’s Grace	October 2, 2021
LOL Surprise	Ardenland	October 12, 2021
Russian Swan Lake	Voice Art Group	March 10, 2022

IT IS HEREBY ORDERED that the included contracts, and the Mayor’s execution of the same are ratified by the City Council for the following: Ardenland, Ballet Magnificat, UMMC, The Evers Family, Mississippi Symphony, Ballet Mississippi, Troublefield Entertainment, Outback Presents, By God’s Grace, Voice Art Group.

Council Member Grizzell moved adoption; **Vice President Lee** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.
Nays – None.
Absent – Stokes.

* * * * *

There came for consideration Agenda Item No. 16:

ORDER AMENDING ORDER AUTHORIZING THE PAYMENT TO VARIOUS VENDORS FOR THE JACKSON ZOO FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022. **President Lindsay** stated said item was pulled by **Ison Harris, Director of Parks and Recreation.**

* * * * *

There came for consideration Agenda Item No. 17:

ORDER RATIFYING THE ACCEPTANCE OF PORTABLE RESTROOM FACILITIES WITH HAND SANITIZERS DELIVERED TO GROVE PARK ATHLETIC BALLFIELDS BY MCGRAW “GOTTA GO” AND AUTHORIZING THE PAYMENT FOR THE SAME. **President Lindsay** stated said item was pulled by **Ison Harris, Director of Parks and Recreation.**

* * * * *

ORDER AUTHORIZING PAYMENT TO M&R PROTECTIVE SYSTEMS, INC. FOR SERVICES RENDERED.

WHEREAS, the City of Jackson Police Department has fire alarm systems in various locations throughout the City; and

WHEREAS, M&R Protective Systems, Inc. provides monitoring and maintenance services on said systems; and

WHEREAS, M&R Protective Systems, Inc. provided monitoring services at Internal Affairs at a cost of \$288.00 from December 2019 through December 2020; and

WHEREAS, M&R Protective Systems, Inc. also provided maintenance service on the system located at our Westland Plaza location at a cost of \$103.00; and

WHEREAS, Jackson Police Department has sufficient funds budgeted in its general fund to pay for these services.

IT IS HEREBY ORDERED that the City of Jackson is authorized to pay M&R Protective Systems, Inc. \$391.00 for services rendered.

Vice President Lee moved adoption; **Council Member Grizzell** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.
Nays – None.
Absent – Stokes.

ORDER AUTHORIZING THE CITY OF JACKSON TO TRANSFER CERTAIN PERSONAL PROPERTY TO THE CITY OF EDWARDS, STATE LINE, METCALF AND PICKENS, MISSISSIPPI.

WHEREAS, Section 17-25-25 of the Mississippi Code of 1972, as amended, authorizes municipal governing authorities to dispose of municipal personal property that may be of use or benefit to other municipalities in accordance with Section 31-7-13(m)(vi); and

WHEREAS, Section 31-7-13(m)(vi) of the Mississippi Code of 1972, as amended, authorizes the City of Jackson to engage in intergovernmental transfers of vehicles to other municipalities without competition at prices determined to be below market value if the governing authorities for the City of Jackson determine that the transfer at below market value is in the best interest of the citizenry; and

WHEREAS, the Office of Mayor has determined that certain City of Jackson owned vehicles may be of use or benefit to the City of Edwards, Mississippi, the City of State Line, Mississippi, the City of Metcalf, Mississippi and the City of Pickens, Mississippi and should be transferred to said municipalities at below market value for no cost; and

WHEREAS, the Office of Mayor recommends that the following City of Jackson owned vehicles be transferred at no cost to the City of Edwards, the City of State Line, the City of Metcalf and the City of Pickens:

PC1514 44240 PATROL 001-442.40-6868 CAR 2009
FORD CROWN/VIC 2FAHP71V09X134206 3/12/2009 \$20,925.00
0115 - POLICE PATROL

PC1555 44240 PATROL 001-44240-6868 PASSENGER CAR 2010
FORD CROWN VIC 2FABP7BV7AX112535 1/28/2010 \$20,995.00
0056 - POLICE HEADQUARTERS

PC1564 44240 PATROL 001-44240-6868 PASSENGER CAR 2010
FORD CROWN VIC 2FABP7BV6AX112526 1/28/2010 \$20,995.00
0056 - POLICE HEADQUARTERS

PC1460 44240 PATROL 001-442.40-6868 PASSENGER CAR 2008
FORD CROWN VIC 2FAFP71V38X156755 4/16/2008 \$32,202.00
0115 - POLICE PATROL

PC1493 44240 PATROL 001-44240-6855 CAR 2009
FORD CRN/VIC 2FAHP71V79X134185 3/12/2009 \$20,925.00
0115 - POLICE PATROL

PC1397 44240 PATROL 001-442.40-6868 PASSENGER CAR 2007
FORD CROWN VIC 2FAFP71W47X149031 4/10/2007 \$19,370.00
0115 - POLICE PATROL

PC1540 44240 PATROL 001-44240-6855 PASSENGER CAR 2010
FORD CROWN VIC 2FABP7BV0AX109802 1/28/2010 \$20,995.00
0115 - POLICE PATROL.

IT IS HEREBY ORDERED that the Mayor is authorized to execute any and all documents and agreements necessary to transfer at no cost the herein identified City of Jackson owned vehicles to the City of Edwards, the City of State Line, the City of Metcalf and the City of Pickens.

Vice President Lee moved adoption; **Council Member Banks** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

* * * * *

President Lindsay requested that Agenda Item No. 22 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROPERTY ACCESS AGREEMENT BETWEEN THE CITY OF JACKSON AND GREAT CITY MS FOUNDATION FOR JAMIE FOWLER BOYLE PARK TO PERFORM INSPECTIONS, SURVEYING, SOIL AND ENVIRONMENTAL TESTING, SITE TOURS, AND SURFACE MAINTENANCE WITH AN OBJECTIVE TO DEVELOP A PEDESTRIAN BRIDGE AND TRAIL.

WHEREAS, the City of Jackson ("Grantor") is the owner of real property located in Hinds County and designated as Parcel ID 444-2 in the land roll and recorded in Deed Book 385 Page 166, otherwise designated by the City as Jamie Fowler Boyle Park; and

WHEREAS, the Great City MS Foundation ("Grantee") is seeking Grantor's consent to enter the Property for the purpose of inspecting and planning future trail improvements and pedestrian bridge; and

WHEREAS, the governing authorities of the City of Jackson find it in the best interest of the City to enter into such agreement.

IT IS THEREFORE ORDERED that the Mayor is authorized to execute a Property Access Agreement with Great City MS Foundation whereby the City will grant Great City MS Foundation a non-exclusive, right and privilege to enter the Property ("the Right") from time to time for the purpose of performing inspections, surveying, soil and environmental testing, site tours with project advocates and potential investors, and surface maintenance such as mowing and trimming ("the Work").

IT IS FURTHER ORDERED that the Right shall be exercised by Grantee and/or Grantee's agents, employees and representatives, contractors, and its subcontractors only.

IT IS FURTHER ORDERED that the Right granted shall not exceed 24 months from the effective date of the Agreement and that prior to entering the Property, Grantee shall provide Grantor with advance notice, but not less than 24-hour notice, as prescribed in the Agreement, and that the Right may be unilaterally terminated by the Grantor upon a two-week notice to the Grantee.

IT IS FURTHER ORDERED that Grantee shall indemnify, hold harmless, and defend Grantor from liability for any and all costs, expenses, fees, and/or any other expenditures necessitated by the Work and all Damages connected with the Work.

IT IS FURTHER ORDERED that Grantee shall remove any remaining trash, waste, or equipment on any portion of the Property affected thereby, shall return the Property to the condition that existed immediately prior to the effective date of the Property Access Agreement, and shall provide Grantor with a final report relating to any tests or surveys performed pursuant to the Property Access Agreement.

Council Member Grizzell moved adoption; **Vice President Lee** seconded.

President Lindsay recognized Jordan Hillman, Director of Planning and Development, who recommended an amendment to change the first "IT IS FURTHER ORDERED that the Right shall be exercised by Grantee and/or Grantee's agents, employees and representatives, contractors, and its subcontractors only." to "IT IS FURTHER ORDERED that the Right shall be extended to the Mississippi Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management of the purpose of allowing WBA Architecture and/or its professional contractor, the privilege to enter the Property to perform inspections, surveying, and soil and environmental testing."

President Lindsay moved; seconded by Council Member Banks to amend said order to reflect the changes as stated by Jordan Hillman, Director of Planning and Development. The motion prevailed by the following votes:

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROPERTY ACCESS AGREEMENT BETWEEN THE CITY OF JACKSON AND GREAT CITY MS FOUNDATION FOR JAMIE FOWLER BOYLE PARK TO PERFORM INSPECTIONS, SURVEYING, SOIL AND ENVIRONMENTAL TESTING, SITE TOURS, AND SURFACE MAINTENANCE WITH AN OBJECTIVE TO DEVELOP A PEDESTRIAN BRIDGE AND TRAIL.

WHEREAS, the City of Jackson ("Grantor") is the owner of real property located in Hinds County and designated as Parcel ID 444-2 in the land roll and recorded in Deed Book 385 Page 166, otherwise designated by the City as Jamie Fowler Boyle Park; and

WHEREAS, the Great City MS Foundation ("Grantee") is seeking Grantor's consent to enter the Property for the purpose of inspecting and planning future trail improvements and pedestrian bridge; and

WHEREAS, the governing authorities of the City of Jackson find it in the best interest of the City to enter into such agreement.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a Property Access Agreement with Great City MS Foundation whereby the City will grant Great City MS Foundation a non-exclusive, right and privilege to enter the Property ("the Right") from time to time for the purpose of performing inspections, surveying, soil and environmental testing, site tours with project advocates and potential investors, and surface maintenance such as mowing and trimming ("the Work").

IT IS FURTHER ORDERED that the Right shall be extended to the Mississippi Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management of the purpose of allowing WBA Architecture and/or its professional contractor, the privilege to enter the Property to perform inspections, surveying, and soil and environmental testing.

IT IS FURTHER ORDERED that the Right granted shall not exceed 24 months from the effective date of the Agreement and that prior to entering the Property, Grantee shall provide Grantor with advance notice, but not less than 24-hour notice, as prescribed in the Agreement, and that the Right may be unilaterally terminated by the Grantor upon a two-week notice to the Grantee.

IT IS FURTHER ORDERED that Grantee shall indemnify, hold harmless, and defend Grantor from liability for any and all costs, expenses, fees, and/or any other expenditures necessitated by the Work and all Damages connected with the Work.

IT IS FURTHER ORDERED that Grantee shall remove any remaining trash, waste, or equipment on any portion of the Property affected thereby, shall return the Property to the condition that existed immediately prior to the effective date of the Property Access Agreement, and shall provide Grantor with a final report relating to any tests or surveys performed pursuant to the Property Access Agreement.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.
Nays – None.
Absent – Stokes.

ORDER ACCEPTING THE BID OF FRANKLIN PAVING, INC. FOR THE COLONIAL CIRCLE (OLD CANTON ROAD TO TRIANGLE) REPAIR PROJECT.

WHEREAS, the City of Jackson solicited seal competitive bids from two contractors, Franklin Paving, Inc. and GCW Pavement Services, LLC, Inc to supply equipment and labor necessary to repair the street on Colonial Circle (Old Canton Road to Triangle); and

WHEREAS, the bid received from Franklin Paving, Inc. in an amount not to exceed \$21,610.00 was the lowest bid and met the specifications; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept the bid of Franklin Paving, Inc. as the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Franklin Paving, Inc., in an amount not to exceed \$21,610.00, is accepted as the lowest and best bid for the Colonial Circle (Old Canton Road to Triangle) Repair Project consistent with the bid solicitation.

Vice President Lee moved adoption; **Council Member Grizzell** seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.
Nays – None.
Absent – Stokes.

ORDER AUTHORIZING FINAL PAYMENT TO DELTA CONSTRUCTORS, INC., OPTION NUMBER TWO (2) FOR THE LOST LAKE CIRCLE DRAINAGE REPAIR PROJECT.

WHEREAS, on August 3, 2021 the City of Jackson accepted Delta Constructors, Inc., bid of \$37,500.00 for the Lost Lake Circle Drainage Repair Project; and

WHEREAS, the contract work involved removal and replacement of the existing drainage inlets, RCAP, and asphalt on the Lost Lake Circle within the City of Jackson corporate limits; and

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

WHEREAS, the Department of Public Works recommends final payment in the amount of \$37,500.00 to Delta Constructors, Inc.; and

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

IT IS, THEREFORE, ORDERED that the City make final payment in the amount of \$37,500.00 and release all securities held to Delta Constructors, Inc for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Lost Lake Circle Drainage Repair Project.

Vice President Lee moved adoption; Council Member Grizzell seconded.

Yeas – Banks, Foote, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Stokes.

RESOLUTION OF THE GOVERNING AUTHORITIES OF THE CITY OF JACKSON, MISSISSIPPI SUPPORTING THE CITY OF JACKSON PUBLIC WORKS DEPARTMENT STRATEGIC CAPITAL INFRASTRUCTURE IMPROVEMENT PLAN.

WHEREAS, The City of Jackson’s Strategic Plan – “Investing in The Inherent Dignity of Every Citizen of Jackson”, contains elements for synchronous alignment regarding addressing the critical infrastructure needs of the city and building a pathway to Human Dignity through five Goals and Initiatives; and

WHEREAS, The Strategic Capital Infrastructure Improvement Plan is a comprehensive plan for projects developed by the Department of Public Works (DPW) in consultation with the 1% Municipal Sales Tax Commission which will implement projects approved within the master plan; and

WHEREAS, The City of Jackson is confronting seemingly insurmountable challenges in meeting its basic infrastructure needs due to decades of deferred maintenance, combined with loss of jobs and a shrinking tax base have resulted in crumbling streets and deteriorating water, wastewater, and stormwater systems; and

WHEREAS, Public Works officials are compelled to spend enormous amounts of limited capital dollars addressing major maintenance issues that provide temporary patches, when these resources should be spent on capital improvements that bring long-term value; and

WHEREAS, Since March 2013, the City has been under a Consent Decree agreement with USEPA and the MDEQ, requiring the City to undertake an estimated \$700 million in wastewater system improvements over a period of 17.5 years, to bring the City into compliance with the Clean Water Act and prevent contaminated discharges into the Pearl River; and

WHEREAS, In 2018 the Mississippi Legislature enacted legislation creating the Capitol Complex Improvement Fund and to make deposits to the fund to be used by the Department of Finance and Administration to make improvements within the Capitol Complex District; and

WHEREAS, The scope of the Strategic Capital Infrastructure Improvement Plan includes street, curb and gutter reconstruction/resurfacing/repairs, bridge construction/reconstruction/repair, surface water drainage system reconstruction/repair, street lighting installation/replacement, traffic signal installation/replacement, water and sewer line installation/replacement/rehabilitation, public park and public rights-of-way reconstruction/repair, sidewalk reconstruction/repair/landscaping, relocation of power and communication lines underground, and other infrastructure, public safety and similar improvements as deemed necessary by the DPW.

NOW, THEREFORE, BE IT RESOLVED that the governing authorities of the City of Jackson, Mississippi formally support the Department of Public Works Strategic Capital Infrastructure Improvement Plan.

Vice President Lee moved adoption; Council Member Grizzell seconded.

After a thorough discussion, **President Lindsay** recognized **Vice President Lee** and **Council Member Grizzell** who withdrew their motion and second. **President Lindsay** stated that said item would be placed on the next Special Council agenda to be held on September 28, 2021.

There came on for Discussion, Agenda Item No. 26:

DISCUSSION: HILDA DRIVE (DUMPING SITE): President Lindsay recognized Vice President Lee who expressed concerns regarding illegal dumping on Hilda Drive and asked Mayor Chokwe Antar Lumumba for help in that area.

There came on for Discussion, Agenda Item No. 27:

DISCUSSION: 3337 & 3341 Bailey Avenue: President Lindsay stated said item would be tabled until the next Special Council Meeting to be held on September 28, 2021 at the request of Council Member Stokes.

There came on for Discussion, Agenda Item No. 28:

DISCUSSION: PERSONNEL: President Lindsay stated said item would be tabled until the next Special Council Meeting to be held on September 28, 2021 at the request of Council Member Stokes.

The following reports/announcements were provided during the meeting:

- Mayor Chokwe Antar Lumumba announced the upcoming National Night Out held on October 5, 2021 and more information will be provided at a later date.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the Regular Zoning Council Meeting at 2:30 p.m. on September 20, 2021. At 10:54 a.m., the Council stood adjourned.

PREPARED BY:

Shanekia Medley-Jordan
CLERK OF COUNCIL

APPROVED:

Chokwe Antar Lumumba, 11/24/2021
MAYOR DATE

ATTEST:

Angela Harris
CITY CLERK
