

BE IT REMEMBERED that a Special Meeting of the City Council of Jackson, Mississippi, was called by a majority of the City Council Members and notices having been placed by the Clerk of Council at 12:55 p.m. on Tuesday, September 21, 2021, in the Clerk of Council's Office, electronic notifications to all Council Members, on the City's website and on the public bulletin board in City Hall, relative to: (1) Order of the City Council of Jackson, Mississippi rescinding the Mayor's September 17, 2021 executive order invoking a local emergency for the City of Jackson, Mississippi. (2) Order authorizing the Jackson City Council to retain Bradley Arant Boult Cummings LLP as conflicts council. The meeting was convened in the Council Chambers located at 219 S. President Street at 1:00 p.m. on Wednesday, September 22, 2021, being the fourth Wednesday 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; Brian Grizzell, Ward 4 (via teleconference); 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: Kenneth I. Stokes, Ward 3.

* * * * *

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

* * * * *

President Lindsay requested that Agenda Item No. 2 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER AUTHORIZING THE JACKSON CITY COUNCIL TO RETAIN BRADLEY ARANT BOULT CUMMINGS LLP AS CONFLICTS COUNCIL.

WHEREAS, the Mayor of the City of Jackson, Mississippi issued a proclamation on September 17, 2021 invoking a local emergency based on Section 33-15-17 (d) of the Mississippi Code of 1972, as amended, authorizing the Mayor of a municipality to proclaim the existence of a local emergency as defined in Section 33-15-5 of the Mississippi Code of 1972, as amended: and

WHEREAS, based on Section 33-15-5 (g) in its entirety and the governing authorities understanding of said code section, the City Council of Jackson, Mississippi finds an issue with the validity of the Mayor's proclamation of a state of emergency and believes it is in the best interest of the City of Jackson to disapprove the continuance of said proclamation; and

WHEREAS, due to the opposing views of the executive and legislative bodies that govern the City of Jackson as it pertains to the aforementioned matter, the Office of the City Attorney has a conflict with respect to providing guidance in said matter as it represents the city as a whole; thus, recommending that the Jackson City Council immediately secure conflicts counsel to assist with resolution; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Jackson to operate in complete transparency; thereby, retaining the independent legal counsel of Bradley Arant Boult Cummings LLP (Bradley Arant); and

WHEREAS, the Jackson City Council reasonably believes that other litigation arising out of the Mayor's Executive Order may arise; and

WHEREAS, the governing authorities of the City of Jackson have determined that Roy Campbell and Clarence Webster, attorneys with Bradley Arant, are highly experienced with the subject matter involved in this conflict, and possess the necessary expertise to provide legal services for the charge tasked beginning at the passage of this Order by the City Council and execution of the Engagement Letter reflecting the same, and terminating on December 31, 2021, unless this agreement is extended through formal action of the city council.

IT IS, THEREFORE, ORDERED that the firm of Bradley Arant LLP is retained as the independent legal conflicts counsel of the City of Jackson based upon the skill and experience of the assigned counsel for the task of providing required services to assist in conflict resolution.

BE IT FURTHER ORDERED that Bradley Arant's attorney's fees and other expenses, including but not limited to expert witness fees, copying, faxes, filing fees, courier charges, travel expenses of attorneys, telephone calls, and other disbursements customarily charged to clients shall be subject to approval by the City Council of Jackson, Mississippi.

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

Yeas – Banks, Foote, Hartley and Lindsay.

Nays – Grizzell and Lee.

Absent – Stokes.

**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI RESCINDING
THE MAYOR'S SEPTEMBER 17, 2021 EXECUTIVE ORDER INVOKING A
LOCAL EMERGENCY FOR THE CITY OF JACKSON, MISSISSIPPI.**

WHEREAS, the City Council of Jackson Mississippi firmly believes in its responsibility to protect the financial position of the city, maintain compliance with state laws governing municipalities in the State of Mississippi, and fully acknowledges the urgency of performing its legislative duty as it pertains to ensuring that services are provided to the citizens of Jackson, Mississippi; and

WHEREAS, the Mayor of the City of Jackson, Mississippi issued a proclamation on September 17, 2021, invoking a local emergency based on Section 33-15-17 (d) of the Mississippi Code of 1972, as amended, authorizing the Mayor of a municipality to proclaim the existence of a local emergency as defined in Section 33-15-5 of the Mississippi Code of 1972, as amended: and

WHEREAS, Section 33-15-5 (g) defines a local emergency as "the duly proclaimed existence of conditions of disaster or extreme peril to the safety of person and property within the territorial limits of a...municipality caused by such conditions as...water pollution...or other natural or man-made conditions...; and

WHEREAS, based on Section 33-15-5 (g) in its entirety and the governing authorities understanding of said code section, the City Council of Jackson, Mississippi finds an issue with the validity of the Mayor's proclamation of a state of emergency and believes it is in the best interest of the City of Jackson to disapprove the continuance of said proclamation.

IT IS, THEREFORE, ORDERED that the City Council rescinds the Mayor's September 17, 2021 executive order invoking a local emergency.

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

President Lindsay recognized **Mayor Chokwe Antar Lumumba**, who provided a brief overview of said executed order being rescinded.

President Lindsay recognized **Council Member Banks**, who read Section 33-15-5 (g) of the Mississippi Code of 1972 in its entirety.

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

Yeas – Banks, Foote, Hartley and Lindsay.

Nays – Grizzell and Lee.

Absent – Stokes.

There were no reports/announcements provided during the meeting.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the Special Council Meeting at 9:00 a.m. on September 27, 2021. At 1:14 p.m., the Council stood adjourned.

PREPARED BY:

Shanexia M. Brown - Boston
CLERK OF COUNCIL

APPROVED:

Ch. [Signature], 11/24/2021
MAYOR DATE

ATTEST:

Angela Harris
CITY CLERK
