

**SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 28, 2021 10:00 A.M.**

BE IT REMEMBERED that a Special Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on September 28, 2021, being the fourth 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 (via teleconference); Ashby Foote, Ward 1; Kenneth Stokes, Ward 3 (via teleconference); 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: None.

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

The invocation was offered by **Pastor Reginald Buckley of Cade Chapel M.B. Church**.

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

ORDER AUTHORIZING CERTAIN PARCELS TO BE REMOVED FROM COST ADJUDICATIONS MADE ON OCTOBER 13, 2020, DECEMBER 22, 2020, JANUARY 5, 2021, FEBRUARY 2, 2021, FEBRUARY 17, 2021, AND AUGUST 3, 2021 PRIOR TO SAID ADJUDICATIONS BEING FILED WITH THE HINDS COUNTY TAX COLLECTOR AS CLEANUP ASSESSMENTS AGAINST THE PARCELS FOR THE FOLLOWING CASES:

2017-2176	2017-2177	2019-1268	2018-1165
2018-1294	2019-1191	2019-1498	2014-3351
2019-1399	2019-1410	2015-2147	

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code, the City of Jackson remedied conditions on the properties constituting a menace to public health, safety, and welfare when the owners of the properties failed to do so; and

WHEREAS, on October 13, 2020, December 22, 2020, January 5, 2021, February 2, 2021, February 17, 2021, and August 3, 2021, the governing authorities for the City of Jackson passed resolutions that adjudicated costs and penalties for the cleaning of properties located in the City of Jackson; and

WHEREAS, consistent with the provisions of Section 21-19-11, the resolutions adjudicating costs and penalties will be included with 2021 municipal ad valorem taxes where payment will be enforced in the same manner as municipal ad valorem taxes; and

WHEREAS, between the times the properties were declared a menace, cleaned, and costs were adjudicated, ownership changed; and

WHEREAS, the property owners, did not receive proper notice of Lis Pendens.

IT IS, THEREFORE, ORDERED that the clean-up assessment imposed on the parcels below are not to be included with 2021 municipal ad valorem taxes where payment will be enforced in the same manner as municipal ad valorem taxes:

**SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 28, 2021 10:00 A.M.**

Case No.	Assessed Owner	Address/Zip/Ward	Parcel #	Date adj.	Reason for Removal
2014-3351	Brumfield Lee	1913 Camellia Ln 39204 6	631-41	10/27/2020	Ownership changed between hearing notice, adjudication and cleanup. No lis pendens filed noting pending procedure.
2019-1399	Patterson Patty	Corner Lot of Adelle St & Adelle Ct 39202 7	59-10-26	10/27/2020	Ownership changed between hearing notice, adjudication and cleanup. Lis Pendens was filed, but well after hearing notice.
2019-1410	Detailed Development LLC	Lot West of 169 Adelle St 39202 7	59-10-25	10/27/2020	Ownership changed between hearing notice, and adjudication and cleanup. No lis pendens filed noting pending procedure.
2015-2147	GF LLC	201 Kimbrough Dr 39204 7	207-138	12/22/2020	Parcel went to the State of Mississippi in 2016 for delinquent taxes. The State is exempt from clean-up assessment.
2017-2176	Ironwood Properties LLC	226 Grandview Cir 39212 7	606-53	1/5/2021	Ownership changed between hearing notice, adjudication and cleanup. Lis Pendens was filed, but well after hearing notice.
2017-2177	Magnolia Reo	140 Grandview Cir 39212 7	606-58	1/5/2021	Parcel went to the State of Mississippi in 2020 for delinquent taxes. The State is exempt from clean-up assessment.
2019-1268	Dudley & Lucille Jacobs Est	333 Mckee St 39202 7	68-38	1/5/2021	Ownership changed between hearing notice, adjudication and cleanup. Lis Pendens was filed, but well after hearing notice.
2018-1165	S & L Properties LLC	3038 Woodbine St 39212 6	619-41	2/2/2021	Ownership changed between hearing notice, adjudication and cleanup. Lis Pendens was filed, but well after hearing notice.
2019-1191	Rebuilding Jackson, LLC	115 Culpepper Dr 39212 7	608-85	2/17/2021	Ownership changed between hearing notice, adjudication and cleanup. Lis Pendens was filed, but well after hearing notice.
2019-1498	Broken Properties, LLC	2728 Hillside Dr 39204 5	209-99	2/17/2021	Ownership changed between hearing notice, adjudication and cleanup. Lis Pendens was filed, but well after hearing notice.
2018-1294	Daybreak Properties LLC 5558 Marblehead Dr Jackson MS 39211	1720 Camellia Dr 39204 5	635-387	8/3/2021	Ownership changed between hearing notice, adjudication and cleanup. Lis Pendens was filed, but well after hearing notice.

IT IS FURTHER ORDERED that any acts required and necessary to effect the removal of cost adjudications arising out of the imposed clean-up assessment for said cases are authorized to be performed.

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

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

Nays – None.

Absent – Lee.

ORDER AUTHORIZING THE FILING OF NOTICE OF SATISFACTION OF JUDGMENT AND CANCELLATION OF LIEN WITH THE HINDS COUNTY CIRCUIT COURT FOR ADJUDICATED COSTS AND PENALTIES IN THE AMOUNT OF NINE HUNDRED DOLLARS (\$900.00) ASSESSED FOR CLEANING PARCEL NUMBER 425-63 LOCATED AT 3840 NEWMAN AVENUE, JACKSON MISSISSIPPI.

WHEREAS, on March 19, 2013, the governing authorities for the City of Jackson passed a resolution which is recorded at Minute Book 6C Pages 371 - 376 that declared property located at 3840 Newman Ave. to be a menace to public health safety and welfare; and

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code, the City of Jackson remedied conditions on the property constituting a menace to public health, safety, and welfare when the owner of the parcel failed to do so; and

WHEREAS, on February 24, 2015 the governing authorities for the City of Jackson passed a resolution which is recorded at Minute Book 6G Pages 417 - 420 that adjudicated costs and penalties totaling Nine Hundred Dollars (\$900.00) for the cleaning of property located at 3840 Newman Ave. legally described as LOT 63 LESS 2 FT W SIDE TO STREET COTTAGE GROVE SUBN; and

WHEREAS, consistent with the provisions of Section 21-19-11, the resolution adjudicating costs and penalties was subsequently enrolled with the Hinds County Circuit Clerk on August 29, 2015 and recorded as Judgment Number 012-3503; and

WHEREAS, the property located at 3840 Newman Ave. was assessed to J Rags Houses, LLC at the time of enrollment; and

WHEREAS, J Rags Houses, LLC tendered to the Hinds County Chancery Clerk payment in the amount of Two Thousand, Six Hundred, Fifteen Dollars and Fifty-eight cents (\$2,615.58) on August 17, 2018 for the purpose of satisfying delinquent taxes and the judgment enrolled concerning Parcel 425-63; and

WHEREAS, the judgment enrolled against J Rags Houses, LLC for Parcel Number 425-63 should be deemed satisfied and notice of the satisfaction of the judgment filed with the Hinds County Circuit Clerk.

IT IS, THEREFORE, ORDERED that notice be filed with the Hinds County Circuit Clerk indicating that the City's judgment enrolled for Case 2012-3503 has been satisfied and the judgment lien related thereto canceled.

IT IS FURTHER ORDERED that any acts required and necessary to effect the cancellation of the lien arising out of the enrollment of the judgment lien for Case 2012-3503 are authorized to be performed.

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

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

Nays – None.

Absent – Lee.

There came on for Introduction Agenda Item No. 5:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORARY RENAMING VALLEY STREET FROM JOHN R. LYNCH STREET TO UTICA AVENUE TO ROBERT SHULER SMITH DRIVE. Said item was referred to the Property Renaming & Special Recognitions Ad Hoc.

ORDER APPROVING CLAIMS NUMBER 26083 to 26149 APPEARING AT PAGES 456 TO 495 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$4,811,212.27 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 26083 to 26149 appearing at pages 456 to 495, inclusive thereon in the Municipal "Docket of Claims", in the aggregate amount of \$4,811,212.27 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	927,897.15
SEIZURE & FORF PROP-STATE	220.00
SEIZURE & FORF PROP-FED	3,915.31
TECHNOLOGY FUND	49,994.13
PARKS & RECR. FUND	68,688.68
LANDFILL SANITATION FUND	216,442.46
FIRE PROTECTION	13,547.00
NCSC SENIOR AIDES	137.32
STATE TORT CLAIMS FUND	6,389.00
WATER/SEWER REVENUE FUND	24,028.62
WATER/SEWER OP & MAINT FUND	1,183,914.50
WATER/SEWER CAPITAL IMPR FUND	452,514.32
REPAIR & REPLACEMENT FUND	34,982.97
KELLOGG FOUNDATION PROJECT	100.45
NARCOTICS EVIDENCE ESCROW	1,024.40
EARLY CHILDHOOD (DAYCARE)	743.52
HOUSING COMM DEV ACT (CDBG) FD	531.91
INFRASTRUCTURE BOND 2020 \$32M	21,401.41
1% INFRASTRUCTURE TAX	207,456.85
TRANSPORTATION FUND	433,825.10
JXN CONVENTION & VISITORS BUR	407,262.44
RESURFACING – REPAIR & REPL. FD	560,891.98
DRAINAGE – REPAIR & REPL.FD	29,453.00
ECONOMIC DEVELOPMENT FUND	2,000.00
P E G ACCESS – PROGRAMMING FUND	325.06
CAPITAL CITY REVENUE FUND	44,400.00
MODERNIZATION TAX	62,778.66
ESG COVID CARES ACT	25,870.82
CDBG COVID CARES	516.20
ZOOLOGICAL PARK	28,279.01
LIBRARY FUND	1,680.00
TOTAL	\$4,811,212.27

Vice President Lee moved adoption; President Lindsay seconded.

President Lindsay recognized Louis Wright, Chief Administrative Officer, 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, Hartley and Stokes.

Absent – None.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 26083 TO 26149 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 26083 to 26149 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$114,714.85 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		2,291,092.11
PARKS & RECR FUND		93,383.30
LANDFILL FUND		15,305.46
SENIOR AIDES		1,524.89
WATER/SEWER OPER & MAINT		209,642.87
PAYROLL	114,714.85	
EARLY CHILDHOOD		26,039.71
HOUSING COMM DEV		11,664.84
TITLE III AGING PROGRAMS		5,133.56
TRANSPORTATION FUND		12,644.01
PEG ACCESS-PROGRAMMING FUND		7,364.73
ZOOLOGICAL PARK		28,177.50
TOTAL		\$2,701,992.98

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

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

Nays – None.

Absent – None.

RESOLUTION DESIGNATING APPLICANT AGENT FOR PUBLIC ASSISTANCE ON BEHALF OF THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, on February 14, 2020, a local emergency was declared by the governing authorities of the City of Jackson, Mississippi due to extensive flooding from the Pearl River; and

WHEREAS, on March 13, 2020, a local emergency was declared by the governing authorities of the City of Jackson, Mississippi due to the Covid-19 pandemic; and

WHEREAS, in order for the City of Jackson, Mississippi to receive public assistance from the Mississippi Emergency Management Agency and the Federal Emergency Management Agency, an applicant agent must be designated to act on behalf of the City; and

WHEREAS, the applicant agent cannot be the Certifying Official, which is Mayor Chokwe Antar Lumumba; and

WHEREAS, the Administration recommends Tiffany Murray be designated as the Applicant Agent for Public Assistance.

IT IS, THEREFORE, ORDERED that Tiffany Murray is designated as the Applicant Agent for Public Assistance for the declared local emergencies on February 14, 2020 and March 13, 2020, respectively.

IT IS FURTHER ORDERED that the Mayor is authorized to execute the Federal Funding Accountability and Transparency Act of 2006 Reporting Form, Designation of Applicant Agent for Public Assistance Form, State-Local Disaster Assistance Agreement, and any and all other documents related to the same.

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

Yeas – Grizzell and Lee.

Nays – Banks, Foote, Hartley, and Lindsay.

Abstention – Stokes

Absent – None.

Note: Said item failed due to lack of a majority of vote.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE ROBERT WOOD JOHNSON FOUNDATION GRANT AGREEMENT.

WHEREAS, the Jackson City Council ratified the submission of the “Going Green for a Cool, Healthy Jackson” grant application to the Robert Wood Johnson Foundation on October 27, 2020, and authorized the Mayor to accept the “Going Green for a Cool, Healthy Jackson” grant award from the Robert Wood Johnson Foundation in the amount of \$650,000.00 to reduce mortality and prevent illness associated with urban-heat-island (UHI) effects in Jackson, Mississippi, while providing a range of social, economic, cultural and ecological co-benefits for the City of Jackson’s at-risk residents; and

WHEREAS, the Robert Wood Johnson Foundation has agreed to amend the “Going Green for a Cool, Healthy Jackson” grant award to revise the budget and budget narrative and to permit the City of Jackson to subcontract or subgrant funds to 2C Mississippi Toward Sustainable Educated & Empowered Mississippi (2CM); and

WHEREAS, the amendment will authorize the City of Jackson to subcontract or subgrant funds to 2CM as subcontractor or subgrantee to (a) oversee the project’s vision, design, strategies, partner coordination and project implementation; (b) hire and oversee work of subcontractors to conduct community co-creation process (One Voice); (c) hire and oversee work of subcontractors to conduct architectural design for project interventions (Carbon Office, LLC; Jackson State University, Planning Department; Mississippi State University, School of Architecture); (d) hire and oversee work of a part-time staff manager to assist with all project needs; (e) coordinate work and provide compensation to the project consultants (CAPA Strategies, Kurt Shickman from the Global Cool Cities Alliance; (f) Dr. Alan Penman from the University of Mississippi Medical Center; Professor Berniece Herbert from the Planning Department Jackson State University; Anna Marandi from the National League of Cities; and (g) coordinate and reimburse all travel expenses incurred by 2CM’s staff, partners and consultants, as specified in “Going Green for a Cool, Healthy Jackson” grant award; and

WHEREAS, the Chief Administrative Officer recommends the City of Jackson execute an amendment the “Going Green for a Cool, Healthy Jackson” grant award to revise the budget and budget narrative and to permit the City of Jackson to subcontract or subgrant funds to 2C Mississippi Toward Sustainable Educated & Empowered Mississippi (2CM) for the purposes set forth herein.

IT IS HEREBY ORDERED that the Mayor is authorized to execute an amendment to the “Going Green for a Cool, Healthy Jackson” grant award to revise the budget and budget narrative and to permit the City of Jackson to subcontract or subgrant “Going Green for a Cool, Healthy Jackson” grant funds to 2C Mississippi Toward Sustainable Educated & Empowered Mississippi (2CM) for the purposes set forth herein.

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

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

ORDER RATIFYING ROLLAWAY DUMPSTER SERVICES PROVIDED BY WASTE MANAGEMENT FOR RUSSELL C. DAVIS PLANETARIUM, AND AUTHORIZING PAYMENT FOR THE SAME.

WHEREAS, Waste Management of Mississippi, Inc., Post Office Box 43410, Phoenix, Arizona 85080, provided rollaway dumpster services for the Russell C. Davis Planetarium on August 16, 2019 thru November 1, 2019; and

WHEREAS, the City of Jackson received a final invoice from Waste Management for the provision of said rollaway dumpster services for the Russell C. Davis Planetarium on August 16, 2019 thru November 1, 2019, totaling the amount of One Thousand Six Hundred Seventy-Six Dollars and Thirteen Cents (\$1,676.13).

IT IS, THEREFORE, ORDERED that the rollaway dumpster services provided by Waste Management to the Russell C. Davis Planetarium is hereby ratified, and the City is authorized to remit payment to Waste Management in the amount of \$1,676.13, for rollaway dumpster services provided for cleanout of the Russell C. Davis Planetarium on August 16, 2019 thru November 1, 2019.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND RELATED DOCUMENTS WITH THE TELL AGENCY, TO CREATE, MANAGE AND DEVELOP A SOCIAL MEDIA AND WEBSITE PLATFORM FOR THE SMITH ROBERTSON MUSEUM CULTURAL AND CENTER FOR THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, the City is committed to supporting educational and tourism efforts to promote the historical contributions of the civil rights movement in Jackson, MS; and

WHEREAS, the Smith Robertson Museum and Cultural Center is a major part of the efforts to promote and educate the public about the contributions of the civil rights movement; and

WHEREAS, the Smith Robertson Museum is in need of a social media and website platform to effectively communicate, educate and promote the museum as well as the historical contributions of the civil rights movement; and

WHEREAS, the Department of Human and Cultural Services is recommending that the City enter into an agreement with Wells and Company, LLC d/b/a The Tell Agency, 2443 Lake Circle, Jackson, Mississippi 39211, for the creation and development of a social media and website platform to promote, educate and market the museum and its exhibits and special programs; and

WHEREAS, the Tell Agency is offering to provide these services for a one-time set up fee to register the website and social media platforms not to exceed \$3,000.00 and a monthly service fee to the Tell Agency not to exceed \$700.00 per month for the maintenance, revisions and updating ad postings to all the social media sites to include Facebook, Instagram, Twitter and a museum website, beginning October 1, 2021 through September 30, 2022.

IT IS, THEREFORE, ORDERED, that the Mayor is authorized to execute an agreement with Wells and Company, LLC d/b/a The Tell Agency, 2443 Lake Circle, Jackson, Mississippi 39211, to create, develop and manage a social media and website platform for the Smith Robertson Museum and Cultural Center for a one-time set up fee to register the website and social

media platforms not to exceed \$3,000.00 and a monthly service fee to the Tell Agency not to exceed \$700.00 per month for the maintenance, revisions and updating and postings to all the social media sites to include Facebook, Instagram, Twitter and a museum website, beginning October 1, 2021 through September 30, 2022.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CAPITAL CITY SECURITY INC. TO PROVIDE SECURITY SERVICES FOR THE CITY OF JACKSON EARLY CHILDHOOD DEVELOPMENT CENTERS.

WHEREAS, the Department of Human and Cultural Services has determined that professional security services are required for the City of Jackson Early Childhood Development Centers; and

WHEREAS, Capital City Security, Inc. has agreed to provide professional security services to the City's Early Childhood Development Centers for the rate of Twelve Dollars and Five Cents (\$12.05) per hour per armed uniformed security guard for a twenty-four-month term beginning upon execution and terminating on September 1, 2023; and

WHEREAS, the Department recommends that it is in the best interest of the citizenry for the City of Jackson to enter an agreement with Capital City Security, Inc. to provide professional security services to the City's Early Childhood Development Centers at the rate of Twelve Dollars and Five Cents (\$12.05) per hour per armed uniformed security guard for a twenty-four-month term beginning upon execution and terminating on September 1, 2023.

IT IS HEREBY ORDERED that the Mayor is authorized to execute a professional security services agreement with Capital City Security, Inc. to provide professional security services to the City's Early Childhood Development Centers at the rate of Twelve Dollars and Five Cents (\$12.05) per hour per armed uniformed security guard for a twenty-four-month term beginning upon execution and terminating on September 1, 2023.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE CONTRIBUTION OF MATCHING IN-KIND SERVICES TO PEOPLE'S ADVOCACY INSTITUTE FOR THE PURPOSE OF SUPPORTING SOCIAL AND COMMUNITY SERVICE PROGRAMS AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO GOVERN THE AWARD AND RECEIPT OF IN-KIND SERVICES.

WHEREAS, Section 21-19-65 of the Mississippi Code of 1972, as amended authorizes municipal governing authorities to donate, or discount the fee for, the use of the municipal property to an entity for the purpose of allowing events which support social and community service programs, provided that the donation is a match for other available funds; and

WHEREAS, the People's Advocacy Institute (PAI), a non-profit community resource, training and capacity-building incubator for transformation justice in the South, has requested to use City of Jackson Sykes Community Center to host weekly anti-violence and community service meetings in an effort to decrease violence in City of Jackson communities; and

WHEREAS, the Department of Human and Cultural Services Family and Youth Program has determined that it is in the best interest of the citizenry to donate to PAI the use of Sykes Community Center to host weekly anti-violence and community service meetings to decrease violence in City of Jackson communities for a period of one year; and

WHEREAS, the Department of Human and Cultural Services Family and Youth Program has determined that the value of the aforementioned in-kind donation is Nineteen Thousand Five Hundred Dollars (\$19,500.00) and has further determined that PAI has existing matching funds to match said value in the amount of Nineteen Thousand Five Hundred Dollars (\$19,500.00).

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an in-kind services contribution agreement with People's Advocacy Institute to donate to PAI the use of Sykes Community Center to host weekly anti-violence and community service meetings to decrease violence in City of Jackson communities for a period of one year as set forth and described herein.

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

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

Nays – None.

Abstention – Stokes.

Absent – None.

ORDER AMENDING THE CITY OF JACKSON PAY PLAN TO CHANGE THE RANGE OF PLAN REVIEW AND CUSTOMER SERVICE MANAGER FROM RANGE 22 TO RANGE 31.

WHEREAS, the governing authorities for the City of Jackson adopted a compensation plan on or about September 22, 1998 which is found in Minute Book 4Y; and

WHEREAS, the compensation plan adopted by the governing authorities on September 22, 1998 has been amended from time to time and established the compensation range for the Plan Review and Customer Service Manager at Range 22 with annual compensation being between \$34,018.08-40,978.08; and

WHEREAS, the Department of Planning and Development requested that the Department of Human Resources conduct a *salary survey* on the classification of Plan Review and Customer Service Manager; and

WHEREAS, a *salary survey* was conducted for the classification of: Plan Review and Customer Service Manager by submitting inquiries to the following Southeastern cities: Little Rock, Arkansas, Savannah, Georgia and Baton Rouge, Louisiana; and

WHEREAS, the response from the Cities surveyed concerning the median salary paid for the position equivalent of the Plan Review and Customer Service Manager was within the range of \$56,988.00-\$87,762.00; and

WHEREAS, the best interest of the City of Jackson would be served by establishing the compensation for the Plan Review and Customer Service Manager classification at a salary comparable to the compensation paid by other Southeastern cities such as those cited; and

WHEREAS, it is recommended that the range established for the Plan Review and Customer Service Manager be modified to range 31 with an annual salary of \$51,588.24-62,385.12; and

WHEREAS, the Department of Planning and Development has informed the Department of Human Resources that they have the monies in their budget to cover the recommended pay range increases.

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 change the range of Plan Review and Customer Service Manager from a range 22 (\$34,018.08-40,978.08) to a range 31 (\$51,588.24-62,385.12) to be effective immediately.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO ACCEPT A \$5,000.00 GRANT FROM THE HARTFORD INSURANCE COMPANY FOR FIRE SAFETY EDUCATION.

WHEREAS, on September 14, 2021, the City of Jackson Fire Department received correspondence from the Hartford Insurance Company located in Connecticut that it was being awarded \$5,000.00 for the purpose of supporting fire safety education; and

WHEREAS, no match was indicated as being required by The Hartford Insurance Company; and

WHEREAS, The Hartford Insurance Company indicated that the funds must be expended within one calendar year from the date the grant is received; and

WHEREAS, the City of Jackson must provide to The Hartford Insurance Company a formal report within one calendar year on how the funds were expended; and

WHEREAS, the funds may be used based on the individual needs of the Jackson Fire Department and may include the purchase of smoke detectors or batteries for smoke detectors or events such as open houses; and

WHEREAS, The Hartford Insurance Company has requested that the City of Jackson refer to it in any materials published concerning the grant and provide an opportunity to review the material prior to publication; and

WHEREAS, the Jackson Fire Department was provided with a Vendor/Payee Management Form to complete for receipt of the grant funds which are anticipated to be sent electronically; and

WHEREAS, a memo on the letterhead of the City of Jackson must also be submitted with the Vendor/Payee Management Form.

IT IS HEREBY ORDERED that the Mayor shall be authorized to accept a grant in the amount of \$5,000.00 from The Hartford Insurance Company for the purpose of supporting fire safety education.

IT IS HEREBY ORDERED that the Mayor or his designee shall be authorized to complete and submit to The Hartford Insurance Company documents required for receipt of the grant funds.

IT IS HEREBY ORDERED that the Mayor or his designee shall be authorized to perform acts necessary for receipt and fulfillment of the grant requirements which are consistent with this order.

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

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

Nays – None.

Absent – None.

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

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

WHEREAS, the City agrees to provide trained police security at five (5) designated JSU football games during the 2021 Football Season and additional designated events as requested in Jackson, Mississippi. The Jackson Police Department (“JPD”) will provide up to twenty-five (25) officers and one supervisor, for each five (5) football games and additional designated events. All officers and supervisors will act, at all times, as JPD employees and are under the supervision and direction of JPD. All JSU employees will work under the supervision of the Director of JSU Police or Designee; and

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

WHEREAS, the terms of this MOU shall be binding from September 1, 2021, through June 30, 2022, and shall include payment for services necessarily provided prior to the execution of the MOU; and

WHEREAS, JSU will pay the City for all services rendered at a rate up to \$36.00 per hour per officer. The rate paid by JSU to the City shall adjust to correspond with the position and /or ranking of the individual officer or supervisor providing the services. The aggregate amount for all five games shall not exceed the total sum of \$36.00 per hour per officer with the cost to JSU not to exceed Thirty-Seven Thousand Four Hundred Forty Dollars and No Cents (\$37,440.00).

IT IS HEREBY ORDERED that the Mayor of the City of Jackson is authorized to enter into a Memorandum of Understanding between the City of Jackson, Mississippi and JSU wherein JSU pays to the City for police security services at designated athletic football events at the rate not exceed \$36.00 per hour per officer with the cost to JSU not to exceed Thirty-Seven Thousand Four Hundred Forty Dollars and No Cents (\$37,440.00).

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

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING PAYMENT TO THE SOUTHERN CONNECTION POLICE SUPPLIES, LLC, FOR OUTFITTING JPD VEHICLES.

WHEREAS, Section 25-1-87 of the Mississippi Code of 1972 as Amended prescribes the manner in which Municipal owned or leased vehicles are to be marked and equipped; and

WHEREAS, the City of Jackson Police Department marks its vehicles in accordance with said code; and

WHEREAS, The Southern Connection Police Supplies, LLC provided services to the City of Jackson Police Department to complete the task of properly marking 4 City of Jackson Police Department patrol vehicles at a total cost of \$3,546.00; and

WHEREAS, the City of Jackson Police Department has sufficient funds in its General Fund to pay said invoice.

IT IS HEREBY ORDERED that the City of Jackson is authorized to pay The Southern Connection Police Supplies, LLC \$3,546.00 for services rendered.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING PAYMENT TO STAFFERS FOR TEMPORARY STAFFING OF 911 COMMUNICATIONS.

WHEREAS, City of Jackson Police Departments, 911 Communications has experienced staffing shortages due to attrition; and

WHEREAS, staffing shortages were leading to missed calls at 911 Communications; and

WHEREAS, the City of Jackson Police Department found a temporary solution in the hiring of temporary staff to assist in call taking at 911 Communications; and

WHEREAS, Staffers began supplying temporary staff to 911 Communications on June 14, 2021 at a cost of \$11.69 per hour per person; and

WHEREAS, the total cost incurred between June 14 and July 25 was \$10,754.13; and

WHEREAS, the City of Jackson Police Department has budgeted for the cost of these services in its General Fund.

IT IS HEREBY ORDERED that the City of Jackson is authorized to pay Staffers \$10,754.13 for providing temporary staffing at 911 Communications.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING PAYMENT TO ANIMAL MEDICAL CENTER FOR SERVICES RENDERED.

WHEREAS, the City of Jackson Police Department has three (3) K-9 units which require regular medical care; and

WHEREAS, Animal Medical Center has provided said medical care for these canines at a cost of \$123.00; and

WHEREAS, the Jackson Police Department has sufficient funds to pay for these services in its forfeiture and seizure fund (Fund 2).

IT IS HEREBY ORDERED that the City of Jackson is authorized to pay Animal Medical Clinic \$123.00 for services rendered.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE CITY OF JACKSON POLICE DEPARTMENT TO PAY WAFFLE HOUSE AND COUNTRY FISHERMAN FOR MEALS DURING THE 65TH RECRUIT CLASS.

WHEREAS, the City of Jackson Police Department is conducting 8-week bubble recruit classes to train and certify new police officers; and

WHEREAS, the 65th Recruit class is scheduled to run September 26, 2021 through November 26, 2021; and

WHEREAS, the Police Recruits are housed in the barracks of the Jackson Police Training Academy for the duration of their training, and

WHEREAS, the Waffle House and Country Fisherman have provided meals during previous (bubble) recruit class at a cost of \$7 per person for breakfast through Waffle House, \$9.50 per person per meal Monday through Thursday, and \$10.00 per person per meal Friday through Sunday for lunch and dinner through the Country Fisherman; and

WHEREAS, the Jackson Police Department, Waffle House, and Country Fisherman are satisfied with the arrangements currently in place, and

WHEREAS, the current authorization for this agreement is set to expire on September 30, 2021; and

WHEREAS, the Jackson Police Department must provide meals for Police Recruits; and

WHEREAS, Jackson Police Department budgeted for this expenditure in its FY 22 General Fund budget; and

WHEREAS, extending this agreement will give the Jackson Police Department sufficient time to do a proper term bid.

IT IS HEREBY ORDERED that the Jackson Police Department is authorized to continue to utilize Waffle House and Country Fisherman to provide meals for the recruits of the 65th recruit class at a cost not to exceed \$29,500.00.

IT IS, FURTHER ORDERED that the said funds will be expended from GL account 001-442-26-6419 Other Professional Services.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT BETWEEN THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY, HISTORIC PRESERVATION DIVISION AND THE CITY OF JACKSON TO UPDATE THE DESIGNATION OF A CERTIFIED LOCAL GOVERNMENT COORDINATOR.

WHEREAS, the City of Jackson is a Certified Local Government designated by the Mississippi Department of Archives and History; and

WHEREAS, the agreement between the Mississippi Department of Archives and History, Historic Preservation Division, also known as the State Historic Preservation Office and the City of Jackson (hereinafter called the Certified Local Government), requires the City of Jackson to appoint a Certified Local Government Coordinator; and

WHEREAS, the Certified Local Government Coordinator is responsible for ensuring that the Certified Local Government carries out its duties and responsibilities in accordance with state and local preservation law as well as the State of Mississippi Procedures for the Certified Local Government Program; and

WHEREAS, the Certified Local Government Coordinator ensures that the Certified Local Government promotes public participation in the nomination of properties to the National Register of Historic Places as outlined in the State of Mississippi Procedures for the Certified Local Government Program, Section III, D, and ensures that the State Historic Preservation Office is informed of any activity affecting any property listed on the National Register of Historic Places; and

WHEREAS, the Certified Local Government Coordinator ensures that the Certified Local Government Coordinator is in compliance with the Mississippi Antiquities Law (Section 39-7-1), with Section 106 of the National Historic Preservation Act of 1966 as amended, and ensures that all Certified Local Government Pass-through Grant projects are properly and efficiently administrated by providing such records and reports as required by the Local Government Assistance Coordinator; and

WHEREAS, the Department of Planning and Development is recommending that Chloe Dotson be designated as the Certified Local Government Coordinator for the City of Jackson.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the agreement between the Mississippi Department of Archives and History, Historic Preservation Division and the City of Jackson to update the designation of a Certified Local Government coordinator.

IT IS FURTHER ORDERED that Chloe Dotson be designated as the Certified Local Government Coordinator for the City of Jackson.

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

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

Nays – None.

Absent – None.

ORDER RATIFYING PURCHASES AND PROCUREMENT OF SERVICES FROM FOUR (4) VENDORS AND AUTHORIZING PAYMENT TO SAID VENDORS.

WHEREAS, the Transit Services Division of the Department of Planning and Development had need of certain necessary parts, equipment, and services necessary to the operation and maintenance of the City’s transit system; and

WHEREAS, due to exigent circumstances, the purchase and procurement of these necessary parts, equipment, and services was done without prior approval by the governing authorities; and

WHEREAS, the parts and equipment set forth in the invoices were delivered and used in the operation and maintenance of the City’s transit system; and

WHEREAS, in order to ensure the continued and proper operation and maintenance of the City’s transit system, the Transit Services Division is requesting that the purchases and procurement of services from four (4) vendors be ratified and authorized for payment:

Date	Vendor Name	Purchases/Services	Amount
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**SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 28, 2021 10:00 A.M.**

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1.	6/25/2021	RJ Young	The City's contract expired on 2/27/2021; but transit has been utilizing the company to provide copier service until a signed contract is processed. These are the final invoices under this expired contract	\$51.07
2.	9/1/2021	Ron Turley Associates (RTA)	RTA is the Fleet Management Software that the Transit Division utilizes for the transit fleet maintenance that is in full compliance for the federally funded vehicles.	\$3,168.00
3.	8/31/2021	FedEx	The City utilized this vendor for the delivery of payments to APTA for registration fees and Hyatt Place-Orlando for hotel registration for the Transform Expo Conference.	\$102.98
4.	9/10/2021	Taylor Sudden Service	This vendor was utilized to repair and replace the battery on one of the generators @ 1785 Highway 80W due to malfunctioning, which is needed to maintain the power at the location.	\$600.70
				\$3,922.75

IT IS, THEREFORE, ORDERED that the purchases and procurement of services from four (4) vendors be authorized and payments made to RJ Young at a cost not to exceed \$51.07; Ron Turley Associates (RTA) at a cost not to exceed \$3,168.00; FedEx at a cost not to exceed \$102.98 and Taylor Power Systems at a cost not to exceed \$600.70.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS BETWEEN THE CITY OF JACKSON AND VARIOUS ORGANIZATIONS FOR THE USE OF 2020 EMERGENCY SOLUTIONS GRANT (ESG) FUNDS FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

WHEREAS, on June 22, 2021 the City Council adopted an Order authorizing the Mayor to submit the City of Jackson's 2020-2024 Five-Year Consolidated Plan and 2020 One-Year Action Plan, consisting of the City's CDBG, HOME, ESG and HOPWA components, to the Department of Housing and Urban Development (HUD); and

WHEREAS, the ESG component of the 2020 Annual Action Plan allocated funding for undetermined public service organizations during the 2020-2021 Program Year (October 1, 2021 through September 30, 2022); and

WHEREAS, the City, based upon the recommendation of the City of Jackson's Proposal Review Committee, wishes to award contracts to public services organizations for the use of ESG funds for reimbursement of eligible expenses incurred during the 2020 Program Year.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute contracts with various organizations for the use of 2020ESG funds as follows:

VOICE OF CALVALRY MINISTRIES	\$121,776.00
STEW POT COMMUNITY SERVICES/BILLY BRUMFIELD	\$16,682.00
STEW POT COMMUNITY SERVICES/MATTS HOUSE	\$16,681.00

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS BETWEEN THE CITY OF JACKSON AND VARIOUS ORGANIZATIONS FOR THE USE OF 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO IMPLEMENT VARIOUS PUBLIC SERVICE ACTIVITIES AND TO INCLUDE FAIR HOUSING ACTIVITIES WHICH INVOLVES EDUCATION AND OUTREACH FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

WHEREAS, on June 22, 2021 the City Council adopted an Order authorizing the Mayor to submit the City of Jackson’s 2020-2024 Five-Year Consolidated Plan and 2020 One-Year Action Plan, consisting of the City’s CDBG, HOME, ESG and HOPWA components, to the Department of Housing and Urban Development (HUD); and

WHEREAS, the CDBG component of the 2020 Annual Action Plan allocated funding for undetermined public service organizations during the 2021-2022 Program Year (October 1, 2021 through September 30, 2022); and

WHEREAS, the City, based upon the recommendation of the City of Jackson’s Proposal Review Committee, wishes to award contracts to public services organizations for the use of CDBG funds for reimbursement of eligible expenses incurred during the 2021-2022 Program Year.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute contracts with various organizations for the use of 2020 CDBG funds as follows:

GENESIS AND LIGHT CENTER	\$20,000.00
NEW WAY MS, INC.	\$25,000.00
OPERATION SHOESTRING, INC.	\$25,000.00
HOUSING EDUCATION AND ECONOMIC DEVELOPMENT	\$25,000.00
CATHOLIC CHARITIES/JACKSON VICTIM SERVICES	\$25,000.00
HARBOR HOUSE OF JACKSON, INC.	\$19,635.00
STEW POT COMMUNITY SERVICES/AFTERSCHOOL PROGRAM	\$45,550.00
CATHOLIC CHARITIES/SOLOMON COUNSELING CENTER	\$17,500.00
DELIVER ME SENIOR SUPPORT, INC.	\$38,069.00
JAMBOREE CHILD DEVELOPMENT CENTER	\$25,000.00
BETHLEHEM CENTER, INC.	\$15,000.00

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO THE 2019 HOME CONTRACT BETWEEN THE CITY OF JACKSON, MISSISSIPPI, MISSISSIPPI CAPITOL AREA (CHDO), AND HABITAT FOR HUMANITY, MISSISSIPPI CAPITOL AREA TO COMPLETE THE REHABILITATION PROJECT IN THE BROADMOOR AREA.

WHEREAS, the City of Jackson receives an annual allocation from the U.S. Department of Housing and Urban Development (HUD) of HOME Investment Partnership Grant (HOME) Funds to provide decent, safe and affordable housing to low-to-moderate income residents; and

WHEREAS, the Office of Housing and Community Development has a mission, in part, to assist in ensuring that all neighborhoods are free of blight, are quality livable places, and can have access to resources and services; and

WHEREAS, the Mississippi Capital Area CHDO is a subsidiary of Habitat for Humanity Mississippi Capitol Area organized under the State of Mississippi as a registered incorporated agency; and

WHEREAS, the Mississippi Capital Area CHDO is an approved Community Housing Development Organization meeting all the regulatory requirements outlined by the definition found at 24 CFR 92.2; and

WHEREAS, the Mississippi Capital Area CHDO has been designated by the City of Jackson's Housing and Community Development as a non-profit Community Housing Development Organization (CHDO) for the purpose of providing decent, safe and affordable housing to households that meet the HUD specified income requirements to purchase properties located in the City of Jackson, Mississippi; and

WHEREAS, the Mississippi Capital Area CHDO agreed to purchase and fully rehabilitate a total of five (5) properties in the Broadmoor Subdivision to be sold to low-to-moderate income home buyers; and

WHEREAS, on May 28, 2019, as recorded in Minute Book 6P at Pages 222 – 223, the governing authorities authorized the Mayor to execute a contract and related documents with the Mississippi Capital Area CHDO and Habitat for Humanity Mississippi Capital Area necessary to implement the Broadmoor Subdivision Project, in an amount not to exceed \$595,976.80; and

WHEREAS, the Coronavirus Pandemic (COVID-19) caused shut downs across a wide variety of industries, including housing construction, which caused delays in projects and increases in construction costs; and

WHEREAS, it is necessary to amend certain requirements in the Broadmoor Initiative contract to extend the period of performance two (2) months and increase the amount awarded by \$73,585.22; and

WHEREAS, there will be no additional cost to the City of Jackson, Mississippi.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Amendment No. 1 to the 2019 HOME contract between the City of Jackson, Habitat for Humanity, Mississippi Capitol Area and Mississippi Capitol Area CHDO for the completion of the Home Investment Partnership Program (HOME) Funded Broadmoor Initiative Project, extending the contract two months at an additional cost not to exceed \$73,585.22.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT BETWEEN THE CITY OF JACKSON AND MAX FOOTE CONSTRUCTION COMPANY, LLC, FOR THE SAVANNA WASTEWATER TREATMENT PLANT PHASE 1A IMPROVEMENTS, CITY PROJECT NUMBER 19B4001.701, SRF PROJECT NO. C280838-04.

WHEREAS, the City of Jackson entered into a construction contract with Max Foote Construction Company, LLC, October 15, 2019 for the Savanna Street Wastewater Treatment Plant Phase 1A Improvements, City Project No.19B4001.701, SRF Project No. C280838-04; and

WHEREAS, the City Council authorized the Mayor to execute Change Order No. 1 on November 24, 2020, increasing the calendar days from four hundred and sixty days (460) to seven

hundred days (700), and increasing the contract amount from \$23,777,000.00 to \$24,262,839.00; and

WHEREAS, Max Foote Construction Company, LLC, has requested an additional one hundred and eighty days (180) increasing the total calendar day completion to eight hundred and twenty (820); and

WHEREAS, Max Foote Construction Company, LLC, has request additional additional \$267,654.00 increasing the contract amount from \$24,262.839.00 to \$24,530,493.00 due to the following additions:

1. Installation of three VFD local control stations as the Influent Pump Station
2. New Electrical Circuit
3. Remove/Replace Electrical Panel in the Influent Pump Station
4. Installation of Photocells on Clarifiers #1, #2, and #3
5. Remove/Replace existing influent pump station screen guide rails
6. Additional cost for Entergy Substation work
7. Construct a Bulkhead and pump dry the return flume at the storm lagoon
8. Inspection of Blower No. 4
9. Install a duplex grinder pump
10. Installation of electrical control wiring for three VFD local control stations
11. Remove/Install new LED lighting in VFD room
12. Install couplings for blowers #1 and #2
13. Install 20' coupling for Clarifier #5
14. Installation of metals rods, concrete, and coating of metal rods in anoxic basin effluent flume
15. Repair blower #3

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Change Order No. 2 to the Construction Contract with Max Foote Construction Company, LLC, for the Savanna Street Wastewater Treatment Plant Phase 1A Improvements, City Project Number 19B4001.701, SRF Project No. C280838-04 increasing the time by 180 calendars days and increasing the contract amount by \$267,654.00.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT AND OTHER DOCUMENTS WITH THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR SENATE BILL 2948, 2021 REGULAR LEGISLATIVE SESSION AUTHORIZED EXPENDITURES FROM THE CAPITAL EXPENSE FUND.

WHEREAS, Section 29 of Senate Bill 2948, 2021 Regular Legislative Session authorized expenditures from the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, as amended, for certain projects at JH Fewell Water Treatment Plant; and

WHEREAS, pursuant to Section 29 of the Senate Bill 2948, 2021 Regular Legislative Session, Laws of 2021, the Legislature has appropriated funds to the City of Jackson to pay the costs of projects identified at JH Fewell Water Treatment Plant; and

WHEREAS, the City of Jackson shall maintain the Project Funds in a separate bank account; and

WHEREAS, the Act authorizes the DFA, within its discretion, to disburse monies in the Capital Expense Fund to pay the costs of projects at JH Fewell Water Treatment Plant; and

WHEREAS, the DFA has requested the City of Jackson to maintain on file the documentation listed in “Exhibit A” attached hereto and incorporated herein by reference, to the extent required by the State’s bidding laws; and

WHEREAS, the City of Jackson agrees to make every effort to expend the funds within thirty-six (36) months from the date of receipt from the State; and

WHEREAS, the City of Jackson agrees that if any proceeds from the Project Funds are remaining at the completion of the Project, said funds shall be returned to the DFA to be returned to the Capital Expense Fund; and

WHEREAS, the City of Jackson agrees to provide quarterly notarized reports to the DFA that summarized the expenditure of the Project Funds and also provide an update on the status of the Project. The quarterly reports must be provided on a form prescribed by the DFA and must include all invoices and bank statements associated with the reported expenditures. The quarterly reports shall be provided within thirty (30) days of each calendar quarter-end. The City of Jackson shall also provide to the DFA a final report no more than thirty (30) days after final expenditure of funds, summarizing the expenditures and use of the Project Funds upon completion of the Project. All invoices that have not previously been submitted, shall be submitted upon completion of the Project; and

WHEREAS, the DFA finds, consistent with the Act, that it is in the best interest of the DFA and the City of Jackson that the funds on deposit in the Capital Expense Fund for the City of Jackson should be disbursed to the City of Jackson and that the City of Jackson shall directly administer the expenditure of such funds for the Project.

IT IS HEREBY ORDERED that the Mayor is authorized to execute a Memorandum of Agreement and other documents with the Department of Finance and Administration for costs associated with project cost at JH Fewell Water Treatment Plant and to submit those documents to the appropriate agency.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT BETWEEN THE CITY OF JACKSON AND HEMPHILL CONSTRUCTION COMPANY, INC., FOR THE O.B. CURTIS WATER TREATMENT PLANT GRAVITY THICKENER #1 AND #2 REHABILITATION PROJECT, SRF# DWI-L250008-02.

WHEREAS, the City of Jackson entered into a construction contract with Hemphill Construction Company, Inc, on July 7, 2020 for the O.B. Curtis Water Treatment Plant Gravity Thickener #1 and #2 Rehabilitation Project in an amount not to exceed \$2,273,367.00; and

WHEREAS, the City of Jackson issued a notice to proceed for Hemphill Construction Company, Inc, to start work on August 24, 2020; and

WHEREAS, Hemphill Construction Company, Inc, was given three hundred and thirty (330) calendar days to complete the work from the issuance of the notice to proceed; and

WHEREAS, Hemphill Construction Company, Inc, has encountered delays and additional cost due to weather and lack of parts inventory from manufacturer supply companies; and

WHEREAS, Hemphill Construction Company, Inc, has requested an additional forty-five (45) calendar days to complete the project increasing the calendar days from three hundred and thirty (330) to three hundred and seventy-five (375) total calendar days for completion; and

WHEREAS, due to a reduction in bid quantity items the construction contract is decreased from \$2,273,367.00 to \$2,256,048.92.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Change Order No. 1 to the Construction Contract with Hemphill Construction Company, Inc, for the O.B. Curtis Water Treatment Gravity Thickener #1 and #2 Rehabilitation Project, SRF# DWI-L250008-02 increasing the time for construction by 45 days and decreasing the contract amount by \$17,318.08.

IT IS, FURTHER, ORDERED that the City release all securities to Hemphill Construction Company, Inc, for all work completed and materials furnished under this contract and the City Clerk publish Notice of Completion of the O.B. Curtis Water Treatment Gravity Thickener #1 and #2 Rehabilitation Project, SRF# DWI-L250008-02.

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

President Lindsay recognized **Charles Williams, Department of Public Works**, who provided a brief overview on said item.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT BETWEEN THE CITY OF JACKSON AND HEMPHILL CONSTRUCTION COMPANY, INC., FOR THE O.B. CURTIS WATER TREATMENT PLANT MEMBRANE FILTER ENCLOSURE BUILDING PROJECT, DWI-L250008-02.

WHEREAS, the City of Jackson entered into a construction contract with Hemphill Construction Company, Inc, on January 19, 2021 for the O.B. Curtis Water Treatment Plan Membrane Filter Enclosure Project in an amount not to exceed \$3,142,935.00; and

WHEREAS, the City of Jackson issued a notice to proceed for Hemphill Construction Company, Inc., to start work on March 8, 2021; and

WHEREAS, Hemphill Construction Company, Inc, has requested an additional \$114,497.33 increasing the contract amount from \$3,142,395.00 to \$3,256,892.33 due to the following additions:

1. Additional piling and reinforcement steel to assist with reaching pile bearing depth for the building foundation.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Change Order No. 1 to the Construction Contract with Hemphill Construction Company, Inc., for the O.B. Curtis Water Treatment Membrane Filter Enclosure Project, SRF# DWI-L250008-02 increasing the contract amount by \$114,497.33.

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

President Lindsay recognized **Charles Williams, Department of Public Works**, who provided a brief overview on said item.

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

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

Nays – None.

Absent – None.

ORDER RATIFYING PROCUREMENT OF SERVICES FROM SOUTHERN FABRICATORS, LLC, AND AUTHORIZING PAYMENT TO SAID VENDOR.

WHEREAS, the Water-Sewer Utility Division of the Department of Public Works had need of certain services necessary to operate and maintain the City’s two water treatment plants; and

WHEREAS, due to exigent circumstances, the procurement of these necessary services was done without prior approval by the City Purchasing Manager or the City Council of the City of Jackson; and

WHEREAS, the services set forth in certain invoices attached hereto were provided to the City’s O.B. Curtis Water Treatment Plants; and

WHEREAS, to ensure the continued and proper operation and maintenance of O.B. Curtis Water Treatment Plant, it is necessary to pay these outstanding invoices to continue receiving any needed services from this vendor.

IT IS, THEREFORE, ORDERED that payment to Southern Fabricators, LLC, in the amounts set forth be made, consistent with the attached invoices:

Southern Fabricators, LLC	\$443,857.17
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President Lindsay moved adoption; **Council Member Banks** seconded.

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

Nays – None.

Absent – None.

ORDER REVIEWING AND CONTINUING STATE OF EMERGENCY.

WHEREAS, on February 18, 2020, the Jackson City Council, pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended, passed an Order Declaring the Need to Continue the State of Emergency that was issued on February 13, 2020 by Chokwe A. Lumumba, Mayor of the City of Jackson, Mississippi; and

WHEREAS, the Jackson City Council, in the February 18, 2020 Order, found that flood waters and wide spread drainage system issues had affected several Jackson creeks, including, but not limited to: Belhaven Creek; Bogue Chitto Creek; Canney Creek; Eubanks Creek; Hanging Moss Creek; Lynch Creek; Purple Creek; Three Mile Creek; Town Creek; Travon Creek; and White Oak Creek; and

WHEREAS, the Jackson City Council, in the February 18, 2020 Order, found that the flood waters and wide spread drainage system issues caused extensive damages to homes, business, public property, and threatened the safety of the citizens and property of the City of Jackson, Mississippi, requiring the exercise of extraordinary measures; and

WHEREAS, the Jackson City Council, in the February 18, 2020 Order, found that all efforts should be taken to protect people and property in consideration of the health, safety, and welfare of the City’s residents and the protection of their property within the affected areas; and

WHEREAS, the Jackson City Council, on March 17, 2020; April 14, 2020; May 12, 2020, June 9, 2020, July 7, 2020, August 4, 2020, September 1, 2020, September 29, 2020, October 27, 2020, November 24, 2020, December 22, 2020, January 19, 2021, February 17, 2021, March 30,

2021, April 27, 2021, May 25, 2021, June 22, 2021, July 20, 2021 and August 31, 2021 pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, reviewed the need for and continued the local emergency; and

WHEREAS, pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended, the Jackson City Council has again reviewed the need for continuing the local emergency and determined that the emergency should be continued.

IT IS THEREFORE HEREBY ORDERED that said Order Declaring the Need to Continue the Declared State of Emergency as delineated by the Jackson City Council, remains in full force and effect and shall be reviewed again in thirty (30) days in accordance with Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended.

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

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

Nays – None.

Absent – None.

* * * * *

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, repairs; 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.

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

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

President Lindsay recognized **Mayor Chokwe Antar Lumumba**, who recommended that the Council reconsider Agenda Item No. 6, Claims.

President Lindsay recognized **Vice President Lee** who moved, seconded by **President Lindsay** to reconsider Agenda Item No. 6. The motion prevailed by the following vote:

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

ORDER APPROVING CLAIMS NUMBER 26083 to 26149 APPEARING AT PAGES 456 TO 495 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$4,811,212.27 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 26083 to 26149 appearing at pages 456 to 495, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$4,811,212.27 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	927,897.15
SEIZURE & FORF PROP-STATE	220.00
SEIZURE & FORF PROP-FED	3,915.31
TECHNOLOGY FUND	49,994.13
PARKS & RECR. FUND	68,688.68
LANDFILL SANITATION FUND	216,442.46
FIRE PROTECTION	13,547.00
NCSC SENIOR AIDES	137.32
STATE TORT CLAIMS FUND	6,389.00
WATER/SEWER REVENUE FUND	24,028.62
WATER/SEWER OP & MAINT FUND	1,183,914.50
WATER/SEWER CAPITAL IMPR FUND	452,514.32
REPAIR & REPLACEMENT FUND	34,982.97
KELLOGG FOUNDATION PROJECT	100.45
NARCOTICS EVIDENCE ESCROW	1,024.40
EARLY CHILDHOOD (DAYCARE)	743.52
HOUSING COMM DEV ACT (CDBG) FD	531.91
INFRASTRUCTURE BOND 2020 \$32M	21,401.41
1% INFRASTRUCTURE TAX	207,456.85

**SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 28, 2021 10:00 A.M.**

690

TRANSPORTATION FUND	433,825.10
JXN CONVENTION & VISITORS BUR	407,262.44
RESURFACING – REPAIR & REPL. FD	560,891.98
DRAINAGE – REPAIR & REPL.FD	29,453.00
ECONOMIC DEVELOPMENT FUND	2,000.00
P E G ACCESS – PROGRAMMING FUND	325.06
CAPITAL CITY REVENUE FUND	44,400.00
MODERNIZATION TAX	62,778.66
ESG COVID CARES ACT	25,870.82
CDBG COVID CARES	516.20
ZOOLOGICAL PARK	28,279.01
LIBRARY FUND	1,680.00
TOTAL	\$4,811,212.27

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

President Lindsay recognized **LaaWanda Horton, Director of Administration**, who recommended to amend the claims docket to add a payment to Retro Metro in the amount of \$42,872.23.

President Lindsay moved, seconded by **Vice President Lee**, to amend said order to reflect changes as stated by **LaaWanda Horton, Director of Administration**. The motion prevailed by the following vote:

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

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

ORDER APPROVING CLAIMS NUMBER 26083 to 26149 APPEARING AT PAGES 456 TO 495 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$4,858,084.50 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 26083 to 26149 appearing at pages 456 to 495, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$4,858,084.50 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	944,748.49
SEIZURE & FORF PROP-STATE	220.00
SEIZURE & FORF PROP-FED	3,915.31
TECHNOLOGY FUND	49,994.13
PARKS & RECR. FUND	71,722.75
LANDFILL SANITATION FUND	216,442.46
FIRE PROTECTION	13,547.00
NCSC SENIOR AIDES	137.32
STATE TORT CLAIMS FUND	10,389.00
WATER/SEWER REVENUE FUND	24,028.62
WATER/SEWER OP & MAINT FUND	1,199,610.04

**SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 28, 2021 10:00 A.M.**

WATER/SEWER CAPITAL IMPR FUND	452,514.32
REPAIR & REPLACEMENT FUND	34,982.97
KELLOGG FOUNDATION PROJECT	100.45
NARCOTICS EVIDENCE ESCROW	1,024.40
EARLY CHILDHOOD (DAYCARE)	743.52
HOUSING COMM DEV ACT (CDBG) FD	531.91
INFRASTRUCTURE BOND 2020 \$32M	21,401.41
1% INFRASTRUCTURE TAX	207,456.85
TRANSPORTATION FUND	433,825.10
JXN CONVENTION & VISITORS BUR	407,262.44
RESURFACING – REPAIR & REPL. FD	560,891.98
DRAINAGE – REPAIR & REPL.FD	29,453.00
ECONOMIC DEVELOPMENT FUND	2,000.00
P E G ACCESS – PROGRAMMING FUND	7616.34
CAPITAL CITY REVENUE FUND	44,400.00
MODERNIZATION TAX	62,778.66
ESG COVID CARES ACT	25,870.82
CDBG COVID CARES	516.20
ZOOLOGICAL PARK	28,279.01
LIBRARY FUND	1,680.00
TOTAL	\$4,858,084.50

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

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

DISCUSSION: REVIEW AND CONTINUATION OF COVID-19 LOCAL EMERGENCY: President Lindsay expressed concerns regarding to the continuation of the City of Jackson’s Covid-19 Local Emergency.

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

DISCUSSION: PERSONNEL: Council Member Stokes requested said item be tabled until the next Regular Council Meeting to be held on October 12, 2021 at 10:00 a.m.

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

DISCUSSION: CARNATION ST: Council Member Stokes requested said item be tabled until the next Regular Council Meeting to be held on October 12, 2021 at 10:00 a.m.

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

DISCUSSION: MISSISSIPPI HEALTHCARE CORRIDOR: Council Member Stokes requested said item be tabled until the next Regular Council Meeting to be held on October 12, 2021 at 10:00 a.m.

The following reports/announcements were provided during the meeting:

- **Mayor Chokwe Antar Lumumba** announced the following:
 - Reminder about the upcoming National Night Out Celebration October 5, 2021. Starting at 11:00 a.m. – 1:00 p.m. downtown Jackson in the garden of City Hall.
- **Council Member Hartley** announced the following:
 - The Pecan Tree Park neighborhood association hosts National Night Out, October 5, 2021, at the Lynch Street AME Church. Covid vaccinations provided.
- **Council Member Foote** announced the upcoming 4-day Sanderson’s Farms Golf Tournament beginning September 30, 2021.
- **Council Member Stokes** reminded the public of the importance of Covid-19 vaccinations.
- **Councilman Banks and Stokes** expressed well wishes to out-going Interim City Attorney Monica Allen.

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

President Lindsay stated that there were items that needed to be discussed in Executive Session regarding “Litigation Matters”.

President Lindsay recognized **Council Member Foote** who moved, seconded by **Council Member Banks** to go into Closed Session to discuss Agenda Item No. 37 and 38. The motion prevailed by the following vote:

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

President Lindsay announced to the public that the Council voted to go into Closed Session to discuss going into Executive Session to discuss Agenda Items No. 37 and 38 regarding “Litigation Matters”.

Note: **Vice President Lee** left the meeting during the discussion.

During Closed Session, **Council Member Foote** moved, seconded by **Council Member Hartley** to go into Executive Session to discuss litigation matters. The motion prevailed by the following vote:

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

An announcement was made to the public that the Council voted to go into Executive Session to discuss litigation matters.

SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 28, 2021 10:00 A.M.

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

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

Note: **Vice President Lee** returned to the meeting during the discussion.

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

There being no further business to come before the City Council, it was unanimously voted to adjourn until the Special Council Meeting at 10:00 a.m. on September 29, 2021. At 11:47 a.m., the Council stood adjourned.

PREPARED BY:

Shanekia Mosley-Banks
CLERK OF COUNCIL

APPROVED:

[Signature] 4/5/22
MAYOR DATE

ATTEST:

Angela Hanes
CITY CLERK

**SPECIAL MEETING OF THE CITY COUNCIL
WEDNESDAY, SEPTEMBER 29, 2021 10:00 A.M.**

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 9:25 a.m. on Tuesday, September 28, 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 revising municipal budget for fiscal year 2020-2021. (2) Order authorizing the mayor to retain legal counsel. The meeting was convened in the Council Chambers located at 219 S. President Street at 10:00 a.m. on Wednesday, September 29, 2021, being the fifth 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; Ashby Foote, Ward 1; Brian C. Grizzell, Ward 4; Vernon Hartley, Ward 5 and Aaron Banks, Ward 6. Directors: Dr. Safiya Omari, Chief of Staff; Constance White, Chief Deputy Clerk of the Council; Shanekia Jordan, Clerk of Council.

Absent: Angelique Lee, Council Vice President, Ward 2 and Kenneth I. Stokes, Ward 3.

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

ORDER REVISING MUNICIPAL BUDGET FOR FISCAL YEAR 2020-2021.

WHEREAS, the Adopted Budget for FY2021 is out of balance due to two budget transfers that were posted for multi-year funds in the Department of Public Works; and

WHEREAS, at the prompt, yes, was selected and it changed the Revised and the Adopted Budget; and

WHEREAS, the revised budget was the only budget that should have been adjusted; and

WHEREAS, the Administration spoke with Tyler Technologies and the entry cannot be reversed out of the Adopted budget; and

WHEREAS, the Revenue budget is the correct amount of \$534,954,468.00. The Expense budget is \$534,216,885.52 and the difference is the adjustment that should have posted to the revised budget only in the amount of \$737,582.00.

IT IS, HEREBY ORDERED that the Municipal Budget for Fiscal Year 2020-2021 be the same and is hereby revised.

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

President Lindsay recognized **LaaWanda Horton, Director of Administration**, who provided a brief overview of said item.

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

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

ORDER AUTHORIZING THE MAYOR TO RETAIN LEGAL COUNSEL.

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

President Lindsay stated there was an amendment needed to substitute said order.

President Lindsay moved, seconded by **Council Member Hartley**, to amend said order to substitute the entire document. The motion prevailed by the following vote:

Yeas – Banks, Foote, Grizzell, Hartley and Lindsay

Nays – None.

Absent – Lee and Stokes.

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

ORDER AUTHORIZING THE MAYOR TO RETAIN CONFLICTS COUNSEL FOR REPRESENTATION IN THE MATTER OF *THE CITY COUNCIL OF JACKSON, MISSISSIPPI* vs. *CHOKWE A. LUMUMBA, MAYOR OF JACKSON, MISSISSIPPI*; and *WASTE MANAGEMENT OF MISSISSIPPI, INC.*, CIVIL ACTION NO. G2021-1229 G/2, IN THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI; AND FOR REPRESENTATION IN RELATED MATTERS.

WHEREAS, on September 22, 2021, in a Special Meeting, the City Council passed its order authorizing it to retain legal counsel due to its perceived conflict with advice provided to the Mayor by the Office of the City Attorney with respect to a Proclamation of Emergency signed by the Mayor on September 17, 2021; and

WHEREAS, the Mayor's Proclamation of Emergency concerned the expiration of the current Solid Waste Collection and Hauling Agreement that provides residential garbage and rubbish collection for citizens of Jackson, Mississippi and the intent to procure an emergency contract to provide for the continued collection of garbage after that expiration date; and

WHEREAS, after disapproving the Mayor's September 17, 2021 Proclamation of Emergency at its September 22, 2021 meeting, the City Council proclaimed its own emergency for at its September 27, 2021 Special Meeting; and

WHEREAS, also at its September 27, 2021 meeting, the City Council approved its order authorizing an emergency contract with Waste Management of Mississippi, authorizing the Council President to sign the contract on behalf of the City, authorizing City Council conflicts counsel to file a declaratory judgment action seeking a judgment that the City Council order accepting the emergency contract proposal of Waste Management of Mississippi, Inc. is lawful and that the Council President possesses the authority to execute contracts on behalf of the City during a proclaimed emergency; and

WHEREAS, on September 27, 2021, the City Council of Jackson, Mississippi sued the Mayor and Waste Management of Mississippi, Inc. in the matter entitled, *City Council of Jackson, Mississippi vs. Chokwe A. Lumumba, Mayor of Jackson, Mississippi; and Waste Management of Mississippi, Inc.*, Civil Action No. G2021-1229 G/2, Chancery Court of the First Judicial District of Hinds County, Mississippi; and

WHEREAS, the City Council's lawsuit seeks a declaratory judgment that during a proclaimed state of emergency, the City Council may bring forward of its own volition a contractor to perform services for the City and that the Council President may bind the City to a contract with that contractor by their signature on that contract; in other words, that during a state of emergency, the legislative branch of a Mayor-Council municipal government may act to bind the City to a contract without any participation by the executive branch; and

WHEREAS, the Office of the City Attorney represents the City of Jackson, which includes the representation of both the Mayor and the City Council; and

WHEREAS, in the event of a conflict between the Mayor and City Council, including the filing of litigation by one branch of city government against the other, the Mississippi Rules of Professional Conduct require the City Attorney to withdraw from the representation of either branch of government in the matter over which the conflict exists, as stated in Ethics Opinion No. 255 of the Mississippi Bar, April 12, 2007; and

WHEREAS, Section 25-1-47 of the Mississippi Code provides, in part, as follows:

(1) Any municipality of the State of Mississippi is hereby authorized and empowered within the discretion of the governing authorities, to investigate and provide counsel for the defense of any claim, demand, or action, whether civil or criminal, made or brought against any... municipal officer... as a result of his actions while acting in the capacity of such officer...; and such municipal is hereby authorized to pay for all costs and expenses incident to such investigation and defense.

WHEREAS, the Mississippi Attorney General has opined that in such a situation where a conflict exists between the mayor and city council in a Mayor-Council form of municipal government, that pursuant to Section 25-1-47, the mayor should seek authorization from the city council to retain their own conflicts counsel in the matter and have the municipality pay for the expenses of such representation. Lawrence, Miss. A.G. Op. No. 2006-00257, 2006 WL 2789833 (July 26, 2006); and

WHEREAS, the Mayor is retaining the Law Office of Felecia Perkins and A.R. Smith Law, PLLC to represent him in his official capacity in the lawsuit filed by the City Council and in matters related to the ongoing conflict between the Mayor and the City Council concerning their respective authority as it relates to the provision of emergency garbage and rubbish collection until such time as a new, legally procured contract for solid waste services is approved by the City Council and signed by the Mayor.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to retain the Law Office of Felicia Perkins and A.R. Smith Law, PLLC as conflicts counsel to represent him in the matter of *City Council of Jackson, Mississippi vs. Chokwe A. Lumumba, Mayor of Jackson, Mississippi; and Waste Management of Mississippi, Inc.*, Civil Action No. G2021-1229 G/2, Chancery Court of the First Judicial District of Hinds County, Mississippi; in matters related to the ongoing conflict between the Mayor and the City Council concerning their respective authority as it relates to the provision of emergency garbage and rubbish collection until such time as a new, legally procured contract for solid waste services is approved by the City Council and signed by the Mayor; and any such related matters where the City Council employs conflicts counsel.

IT IS FURTHER ORDERED that the City shall pay all reasonable costs and expenses related to said representation of the Mayor in the above-mentioned lawsuit and related matters.

Yeas – Banks, Foote, Grizzell, Hartley and Lindsay

Nays – None.

Absent – Lee and Stokes.

There were no reports/announcements provided during the meeting.

SPECIAL MEETING OF THE CITY COUNCIL
WEDNESDAY, SEPTEMBER 29, 2021 10:00 A.M.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the Special Council Meeting at 10:00 a.m. on September 30, 2021. At 10:15 p.m., the Council stood adjourned.

PREPARED BY:

Shamekia Mosby-Bjork
CLERK OF COUNCIL

APPROVED:

Charles L. ..., 4/5/22
MAYOR DATE

ATTEST:

Angelea Harris
CITY CLERK

BE IT REMEMBERED that an Emergency 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 10:30 p.m. on Thursday, September 30, 2021 in the Clerk'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 to approve resolution of pending litigation. (2) Order rescinding proclamation of local emergency for Jackson, Mississippi by Jackson City Council. The meeting was convened in the Council Chambers located at 219 S. President Street at 11:30 a.m. on Thursday, September 30, 2021 being the fifth Thursday 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, Council Vice President, Ward 2; Ashby Foote, Ward 1; Kenneth I. Stokes, Ward 3 (Teleconference); Brian C. Grizzell, Ward 4 (Teleconference); Vernon Hartley, Ward 5 and Aaron Banks, Ward 6. Directors: Chokwe Antar Lumumba, Mayor; Dr. Safiya Omari, Chief of Staff; Constance White, and Chief Deputy Clerk of the Council.

Absent: None.

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

ORDER TO APPROVE RESOLUTION OF PENDING LITIGATION.

WHEREAS, the Jackson City Council filed an Emergency Complaint for Declaratory Judgment in Hinds County Chancery Court to determine its rights to proceed under a Proclamation of Local Emergency that was approved on September 27, 2021. That litigation is captioned *City Council of Jackson, Mississippi v. Chokwe A. Lumumba, Mayor of Jackson, Mississippi, et al.*, Civil Action No. G2021-1229 G/2; and

WHEREAS, the Jackson City Council and Mayor have decided to resolve that litigation, subject to certain agreements and understandings, which are set forth:

1. The City Council acknowledges the respective duties and obligations of the Mayor and City Council with regard to the evaluation and negotiation of responses to a Request for Proposal for provision of solid waste collection and hauling services to the City of Jackson; and
2. The City Council agrees to dismiss the pending litigation with prejudice, without a ruling on the merits, to resolve the pending litigation only; and
3. The City Council agrees to rescind its September 27, 2021 Proclamation, subject to the Mayor issuing a Proclamation of Local Emergency regarding solid waste collection and hauling services after September 30, 2021; and
4. The City Council acknowledges the Mayor and Waste Management of Mississippi, Inc. had no conversations regarding solid waste collection and hauling services on an emergency basis at the time the Mayor declared a local state of emergency on September 17, 2021; and
5. The Mayor and Waste Management of Mississippi, Inc. have agreed in principal to an emergency agreement to provide solid waste collection and hauling services to the City of Jackson for a six-month period, beginning October 1, 2021; and

WHEREAS, resolution of the pending litigation is in the best interest of the citizens of the City of Jackson, Mississippi.

NOW, THEREFORE the City Council of Jackson, Mississippi, authorizes the resolution of the pending litigation, subject to the agreements and understandings between the Mayor and City Council set forth herein.

IT IS FURTHER ORDERED that this Order is effective immediately.

WITNESS MY HAND, on this 30th day of September, 2021 at 11:30 a.m.

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

President Lindsay stated that there were items that needed to be discussed in Executive Session regarding "Pending Litigation".

Council Member Banks moved, seconded by **Council Member Hartley** to go into Closed Session to discuss Agenda Items No. 1. The motion prevailed by the following vote:

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

President Lindsay announced to the public that the Council voted to go into Closed Session to discuss going into Executive Session regarding "Pending Litigation", to discuss Agenda Items No. 1.

During Closed Session, **Council Member Hartley** moved, seconded by **Council Member Banks** to go into Executive Session to discuss pending litigation. The motion prevailed by the following vote:

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

An announcement was made to the public that the Council voted to go into Executive Session to discuss "Pending Litigation."

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

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

President Lindsay announced to the public that the Council voted to come out of Executive Session and action was taken.

During Executive Session, the Council took action on Agenda Item No. 1:

ORDER TO APPROVE RESOLUTION OF PENDING LITIGATION.

WHEREAS, the Jackson City Council filed an Emergency Complaint for Declaratory Judgment in Hinds County Chancery Court to determine its rights to proceed under a Proclamation of Local Emergency that was approved on September 27, 2021. That litigation is captioned *City Council of Jackson, Mississippi v. Chokwe A. Lumumba, Mayor of Jackson, Mississippi, et al.*, Civil Action No. G2021-1229 G/2; and

WHEREAS, the Jackson City Council and Mayor have decided to resolve that litigation, subject to certain agreements and understandings, which are set forth:

1. The City Council acknowledges the respective duties and obligations of the Mayor and City Council with regard to the evaluation and negotiation of responses to a Request for Proposal for provision of solid waste collection and hauling services to the City of Jackson; and
2. The City Council agrees to dismiss the pending litigation with prejudice, without a ruling on the merits, to resolve the pending litigation only; and
3. The City Council agrees to rescind its September 27, 2021 Proclamation, subject to the Mayor issuing a Proclamation of Local Emergency regarding solid waste collection and hauling services after September 30, 2021; and
4. The City Council acknowledges the Mayor and Waste Management of Mississippi, Inc. had no conversations regarding solid waste collection and hauling services on an emergency basis at the time the Mayor declared a local state of emergency on September 17, 2021; and
5. The Mayor and Waste Management of Mississippi, Inc. have agreed in principal to an emergency agreement to provide solid waste collection and hauling services to the City of Jackson for a six-month period, beginning October 1, 2021; and

WHEREAS, resolution of the pending litigation is in the best interest of the citizens of the City of Jackson, Mississippi.

NOW, THEREFORE the City Council of Jackson, Mississippi, authorizes the resolution of the pending litigation, subject to the agreements and understandings between the Mayor and City Council set forth herein.

IT IS FURTHER ORDERED that this Order is effective immediately.

WITNESS MY HAND, on this 30th day of September, 2021, at 11:30 a.m.

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

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

Nays – None.

Abstention – Stokes.

Absent – None.

ORDER RESCINDING THE PROCLAMATION OF LOCAL EMERGENCY FOR JACKSON, MISSISSIPPI BY JACKSON CITY COUNCIL.

WHEREAS, On September 27, 2021 the City Council of Jackson, Mississippi declared a local emergency based on the September 30, 2021 expiration date of the City of Jackson's contract with Waste Management of Mississippi, Inc. for solid waste collection and hauling services; and

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 governing authorities issued 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

EMERGENCY SPECIAL MEETING OF THE CITY COUNCIL
THURSDAY, SEPTEMBER 30, 2021 11:30 A.M.

701

WHEREAS, the Jackson City Council understands the Mayor will issue a Proclamation of local emergency regarding solid waste collection and hauling services after September 30, 2021, and the City Council understands the Mayor and Waste Management of Mississippi, Inc. have agreed in principal to an emergency agreement to provide solid waste collection and hauling services to the City of Jackson for a six-month period, beginning October 1, 2021.

IT IS, THEREFORE, ORDERED that the City Council rescinds its proclamation of local emergency for Jackson, Mississippi.

Council Member Banks moved adoption; Council Member Lee seconded.

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

Nays – None.

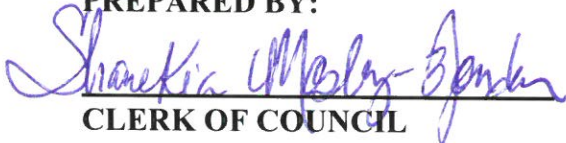
Abstention – Stokes.

Absent – None.


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 Regular Council Meeting at 10:00 a.m. on October 12, 2021. At 12:12 p.m., the Council stood adjourned.

PREPARED BY:


CLERK OF COUNCIL

APPROVED:

 4/5/22
MAYOR DATE

ATTEST:


CITY CLERK

