

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 12:28 p.m. Wednesday, March 23, 2022 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 authorizing the Jackson City Council to retain legal counsel. The meeting was convened in the Council Chambers located at 219 S. President Street at 1:00 p.m. on March 24, 2022 being the fourth 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 (via teleconference); Brian C. Grizzell, Ward 4; Vernon Hartley, Ward 5 and Aaron Banks, Ward 6. Directors: Louis Wright, Chief Administrative Officer; Shanekia Mosley Jordan, Clerk of the Council; Constance White, Chief Deputy Clerk of the Council; and Catoria Martin, City Attorney.

Absent: None.

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

President Lindsay stated that this item needed to be discussed in Executive Session regarding "Pending Litigation."

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

Yeas – Banks, Foote, Lee, Grizzell, Hartley, 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 to discuss Agenda Item No. 1 regarding "Pending Litigation".

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

Yeas – Banks, Foote, Lee, Grizzell, Hartley, 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 OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI TO RETAIN LEGAL COUNSEL.

WHEREAS, the City of Jackson, Mississippi was named as a defendant in the lawsuit styled “Chokwe A. Lumumba, in his official capacity as Mayor of the City of Jackson vs The City Council of Jackson, Mississippi”; and

WHEREAS, the City Council of Jackson, Mississippi has determined that a conflict does exist between the City Attorney’s Office and the City of Jackson; and

WHEREAS, the City Council of Jackson, Mississippi has determined that it is in the best interest of the City of Jackson to defend this lawsuit by retaining the independent legal counsel of _____; and

WHEREAS, the attorneys with _____ will represent the governing authorities in all matters referencing the official dockets, agenda minutes, and all other written documents recorded as the result of a called regular, special, or emergency Jackson City Council Meeting; and

WHEREAS, the governing authorities have determined that such representation by outside counsel shall be limited to the City of Jackson, and shall not include the representation of Mayor Chokwe A. Lumumba individually or in his official capacity; and

WHEREAS, the attorneys with _____ are highly experienced with the subject matter involved in this case and have agreed to perform services for the City at an hourly rate between \$ _____ and \$ _____ per hour, based on the skill and experience of the assigned counsel for the charge tasked.

IT IS, THEREFORE, ORDERED that the firm of _____ is retained as the independent legal counsel of the City of Jackson at an hourly rate between \$ _____ and \$ _____ per hour based upon the skill and experience of the assigned counsel for the charged task for the purpose of defending the City of Jackson in the lawsuit styled “Chokwe A. Lumumba, in his official capacity as Mayor of the City of Jackson vs The City Council of Jackson, Mississippi”.

BE IT FURTHER ORDERED that the attorney’s fees and other expenses of litigation, including but not limited to expert witness fees, court reporter fees, copying, faxes, and long-distance telephone calls shall not exceed \$ _____ without further approval of the City Council of Jackson, Mississippi.

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

President Lindsay recognized **Council Member Banks** moved, and **Council Member Stokes** seconded, to amend said order to include Martin and Martin, PA at \$250.00/hr.”. The motion prevailed by the following votes:

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

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

President Lindsay recognized **Council Member Grizzell** moved, and **Vice President Lee** seconded, to amend said order to include **Begley Law Firm** at \$250.00/hr.” The motion prevailed by the following votes:

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

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

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI TO RETAIN LEGAL COUNSEL.

WHEREAS, the City of Jackson, Mississippi was named as a defendant in the lawsuit styled ““Chokwe A. Lumumba, in his official capacity as Mayor of the City of Jackson vs The City Council of Jackson, Mississippi”; and

WHEREAS, the City Council of Jackson, Mississippi has determined that a conflict does exist between the City Attorney’s Office and the City of Jackson; and

WHEREAS, the City Council of Jackson, Mississippi has determined that it is in the best interest of the City of Jackson to defend this lawsuit by retaining the independent legal counsel of **Begley Law Firm**; and

WHEREAS, the attorneys with **Begley Law Firm** will represent the governing authorities in all matters referencing the official dockets, agenda minutes, and all other written documents recorded as the result of a called regular, special, or emergency Jackson City Council Meeting; and

WHEREAS, the governing authorities have determined that such representation by outside counsel shall be limited to the City of Jackson, and shall not include the representation of Mayor Chokwe A. Lumumba individually or in his official capacity; and

WHEREAS, the attorneys with **Begley Law Firm** are highly experienced with the subject matter involved in this case and have agreed to perform services for the City at an hourly rate between **\$250.00** and **\$250.00** per hour, based on the skill and experience of the assigned counsel for the charge tasked.

IT IS, THEREFORE, ORDERED that the firm of **Begley Law Firm** is retained as the independent legal counsel of the City of Jackson at an hourly rate between **\$250.00** and **\$250.00 per hour** based upon the skill and experience of the assigned counsel for the charged task for the purpose of defending the City of Jackson in the lawsuit styled “Chokwe A. Lumumba, in his official capacity as Mayor of the City of Jackson vs The City Council of Jackson, Mississippi”.

BE IT FURTHER ORDERED that the attorney’s fees and other expenses of litigation, including but not limited to expert witness fees, court reporter fees, copying, faxes, and long-distance telephone calls shall not exceed **\$250.00 per hour** further approval of the City Council of Jackson, Mississippi.

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

There were no reports/announcements provided during the meeting.

SPECIAL MEETING OF THE CITY COUNCIL
THURSDAY, MARCH 24, 2022 1:00 P.M.

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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 March 29, 2022. At 2:54 p.m., the Council stood adjourned.

PREPARED BY:

Shanekia Masley-Jordan
CLERK OF COUNCIL

APPROVED:

Virj Lindsay, 3/29/22
COUNCIL PRESIDENT DATE

ATTEST:

Angela Harris
CITY CLERK
