

**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 July 19, 2022, being the third Tuesday of said month, when and where the following things were had and done to wit:

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

**Absent:** None.

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

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The invocation was offered by **BISHOP GLAKE HILL OF GREATER MT. BETHEL CHURCH OF CHRIST HOLINESS, USA**.

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

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

**ORDER FINALLY APPROVING THE DEPARTMENT OF REVENUE'S  
UNIFORM ASSESSMENT SCHEDULE FOR AD VALOREM TAXES ON  
MOTOR VEHICLES AFTER NO COMPLAINTS WERE FILED, IN WRITING,  
OBJECTING TO AND PETITIONING TO ANY PORTION OF THE  
ASSESSMENT SCHEDULE.**

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There was no representation from the Applicant or the public.

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**President Foote** requested that Agenda Item No. 13 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

**ORDER FINALLY APPROVING THE DEPARTMENT OF REVENUE'S  
UNIFORM ASSESSMENT SCHEDULE FOR AD VALOREM TAXES ON  
MOTOR VEHICLES AFTER NO COMPLAINTS WERE FILED, IN WRITING,  
OBJECTING TO AND PETITIONING TO ANY PORTION OF THE  
ASSESSMENT SCHEDULE.**

**WHEREAS**, the Council of the City of Jackson, Mississippi, approved by order entered at its regular meeting on July 5, 2022, the Department of Revenue's Uniform Assessment Schedule for the assessment, calculation, and collection of ad valorem taxes on motor vehicles for the City of Jackson and the Jackson Municipal Separate School District; and

**WHEREAS**, the Council ordered the Clerk to publish notice to the public, to the effect that the said assessment schedule for motor vehicles had been approved and subject to the right of taxpayers and the public to examine and object to the same, and fixed a date therein, to wit, the 19th day of July 2022, which said the date was no more than fifteen (15) days after the date of the publication thereof, as the date for the hearing of protests and objections to the said assessment schedule and claims for adjustment thereunder; and

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**WHEREAS**, the Council further ordered that the notice be published in the Mississippi Link, a newspaper of general circulation in the City of Jackson on July 14, 2022; and

**WHEREAS**, on July 19, 2022, the Council in the Council Chambers at City Hall in said city conducted a hearing to take on any complaint filed in writing, objecting to and petitioning for a specified reduction on any portion or portions of the assessment schedule affecting the complainant directly; and

**WHEREAS**, the Council finds that no protests against said schedule were filed with the Clerk of the City of Jackson on or before 6:00 p.m., July 19, 2022, as provided for in said notice; therefore, no claim for adjustment was filed; and

**WHEREAS**, the Council now finds that in all things it is right and proper for said assessment schedule to be now made final.

**IT IS, THEREFORE, ORDERED** that the Council of the City of Jackson did not receive any complaints to the Department of Revenue's motor vehicle ad valorem tax assessment schedule for the year 2022-2023. The valuations therein set forth are finally approved after no complaints to the assessment were filed in writing to be heard on July 19, 2022.

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

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**President Foote** recognized **Sharon Thames**, Interim Director of Administration, who provided a brief overview of said item.

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

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

Nays – Stokes.

Absent – None.

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The following individual provided public comments during the meeting:

- **Putalamus White** who spoke in regards to Agenda Item No. 45.

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**President Foote** requested that Agenda Items No. 14 and 15 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

**ORDER REAPPOINTING PAMELA JUNIOR TO THE JACKSON CONVENTION AND VISITORS BUREAU AS THE ARTS COMMUNITY REPRESENTATIVE.**

**WHEREAS**, during the 2019 Regular Mississippi Legislative Session, local and private legislation, namely House Bill 1706, was signed into law, which allowed for the reconstitution of the Jackson Convention and Visitors Bureau; and

**WHEREAS**, the Bureau consists of nine (9) members, who are appointed, and requires one (1) member be appointed to represent the arts community in the City of Jackson; and

**WHEREAS**, House Bill 1706 requires no member of the Bureau shall be an employee of the City of Jackson or Hinds County and no member of the Bureau shall be an elected official; and

**WHEREAS**, House Bill 1706 requires all succeeding appointments to be made for a term of four (4) years from the date of expiration of the initial appointment; and

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**WHEREAS**, Pamela Junior is a valued member of the arts community, is not an employee of the City of Jackson or Hinds County and is not an elected official, she therefore qualifies and has been recommended for reappointment to the Jackson Convention and Visitors Bureau.

**IT IS, THEREFORE, ORDERED** that the Mayor's reappointment of Pamela Junior to the Jackson Convention and Visitors Bureau be confirmed with said term to expire July 1, 2025.

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

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

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**President Foote** recognized **Pamela Junior**, who gave her personal statement and answered questions posed to her by Council Members.

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

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

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**ORDER REAPPOINTING BLAKE BRENNAN TO THE JACKSON CONVENTION AND VISITORS BUREAU AS RESTAURANT AND HOSPITALITY ASSOCIATION REPRESENTATIVE.**

**WHEREAS**, during the 2019 Regular Mississippi Legislative Session, local and private legislation, namely House Bill 1706, was signed into law, which allowed for the reconstitution of the Jackson Convention and Visitors Bureau; and

**WHEREAS**, the Bureau consists of nine (9) members, who are appointed, the two (2) restaurant members are required to be members of the Capital Center Convention Center Commission; and

**WHEREAS**, House Bill 1706 requires no member of the Bureau shall be an employee of the City of Jackson or Hinds County and no member of the Bureau shall be an elected official; and

**WHEREAS**, House Bill 1706 requires all succeeding appointments to be made for a term of four (4) years from the date of expiration of the initial appointment; and

**WHEREAS**, Blake Brennan is a member of the Capital Center Convention Center Commission, is not an employee of the City of Jackson or Hinds County and is not an elected official, he therefore qualifies and has been recommended for reappointment to the Jackson Convention and Visitors Bureau.

**IT IS, THEREFORE ORDERED** that the Mayor's reappointment of Blake Brennan to the Jackson Convention and Visitors Bureau be confirmed with said term to expire July 1, 2025.

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

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**President Foote** recognized **Chokwe Antar Lumumba, Mayor**, who provided a brief overview of said item.

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

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

Absent – None.

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**APPROVAL OF THE JUNE 20, 2022 REGULAR ZONING COUNCIL MEETING MINUTES.**

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

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

Nays – None.

Absent – None.

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**APPROVAL OF THE JUNE 21, 2022 SPECIAL COUNCIL MEETING MINUTES.**

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

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

Nays – None.

Absent – None.

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There came on for Introduction, Agenda Item No. 6:

**ORDINANCE REPEALING CHAPTER 82 MANUFACTURED HOMES AND TRAILERS OF THE JACKSON CODE OF ORDINANCES IN ITS ENTIRETY.** Said item would be tabled until the next Regular Council meeting to be held on August 2, 2022.

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There came on for Introduction, Agenda Item No. 7:

**ORDINANCE AMENDING SECTION 62-12 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSISSIPPI TO ADOPT FEDERAL FLOOD MAPS FOR RANKIN COUNTY.** Said item would be tabled until the next Regular Council meeting to be held on August 2, 2022.

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There came on for Introduction Agenda Item No. 8:

**AN ORDINANCE ESTABLISHING ESSENTIAL EMPLOYEE COVID-19 PREMIUM PAY FROM THE CHILD CARE STRONG STABILIZATION GRANT AS A PART OF THE AMERICAN RESCUE PLAN ACT OF 2021 (WESTSIDE CENTER & JONES CENTER).**

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**President Foote** recognized **Sondra Moncure**, Deputy City Attorney, who provided a brief overview of said item.

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**President Foote** recognized **Council Member Banks** moved, seconded by **Council Member Stokes**, to suspend the rules to adopt said item. The motion prevailed by the following vote:

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

Nays – None.

Absent – None.

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Thereafter, **President Foote** requested that the Clerk read the order:

**AN ORDINANCE ESTABLISHING ESSENTIAL EMPLOYEE COVID-19 PREMIUM PAY FROM THE CHILD CARE STRONG STABILIZATION GRANT AS A PART OF THE AMERICAN RESCUE PLAN ACT OF 2021 (WESTSIDE CENTER & JONES CENTER).**

**WHEREAS**, on April 26, 2022, the Jackson City Council authorized the Mayor of the City of Jackson to accept two Child Care Strong Stabilization Grants totaling \$1,041,307.05 to increase employee recruitment and retention and make repairs and improvements at the Westside Early Childhood Development Center (“Westside”) and the Jones Early Childhood Development Center (“Jones”); and

**WHEREAS**, the City of Jackson, through the Department of Human and Cultural Services, has received its allocation of Child Care Strong Funding, which may be used to pay a premium to employees who performed essential work in response to the Coronavirus-19 (COVID-19) public health emergency; and

**WHEREAS**, to qualify for the funded premium pay, an eligible employee must perform essential work during the pandemic. The U.S. Department of the Treasury Final Rule to implement the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (hereinafter “Final Rule”) defines “essential work” as “work involving regular in-person interactions or regular handling of items that were also handled by the public or co-workers of the individual performing the work;” and

**WHEREAS**, the Final Rule provides that premium pay may not be awarded to an employee for telework and an employee who works in person, but the nature of their work does not involve regular in-person interaction with others or regular physical handling of items that are handled by others; and

**WHEREAS**, the Final Rule further provides, the City of Jackson may use premium pay to respond to eligible works performing essential work during the COVID-19 public health emergency if:

1. The eligible worker’s total wages and remuneration, including the premium pay is less than or equal to 150 percent of the greater of such eligible worker’s residing State’s or county’s average annual wage for all occupations as defined by the Bureau of Labor Statistics’ Occupations Employment and Wage Statistics;
2. The eligible worker is not exempt from the Fair Labor Standards Act overtime provisions (29 U.S.C. 207); or
3. The City of Jackson has submitted to the Secretary of the U.S. Treasury a written justification that explains how to provide premium pay to the eligible worker performing essential work during the COVID-19 public emergency.

**WHEREAS**, it is the Director of Human and Cultural Service and the Early Childhood Division’s opinion that eight employees at the Westside center and seven employees at the Jones center provided in-person work that required in-person interaction with the public for the City and were needed to maintain continuity of operations of essential critical infrastructure sectors, including family or childcare; and

**WHEREAS**, on average, employees at the Westside center provided childcare services to at least 19 children, and at least 23 children were served at the Jones center from March 2021 through March 2022; and

**WHEREAS**, the Final Rule defines “premium pay” as an amount of up to \$13.00 per hour that is paid to an eligible worker, in addition to wages or remuneration the eligible worker otherwise receives, for all work performed by the eligible worker during the COVID-19 public health emergency. Such amount may not exceed \$25,000.00 in total over the period of performance with respect to any single worker; and

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**WHEREAS**, premium pay may be awarded to non-hourly and part-time eligible workers and will be considered to be in addition to wages or remuneration the eligible worker otherwise receives if, as measured on an hourly rate, the premium pay is:

1. With regard to work that the eligible worker previously performed, pay and remuneration equal to the sum of all wages and remuneration previously received plus up to \$13.00 per hour with no reduction, substitution, offset, or other diminishment of the eligible worker's previous, current or prospective wages or remuneration; or
2. With regard to work that the eligible worker continues to perform, pay of up to \$13.00 per hour that is in addition to the eligible worker's regular rate of wages, substitution, offset, or other diminishment of the worker's current and prospective wages or remuneration.

**WHEREAS**, the Jackson City Council can provide premium pay on an hourly basis, as a lump sum per pay period, as a monthly allotment, as a one-time payment, or according to other similar methods. The funds must be paid for work already performed. The funds may not be used to provide sign-on bonuses or similar upfront payments. If paid retroactively, it may not be used to reduce current or prospective compensation to the employee. And if an employee qualifies for a raise or bonus, according to the City of Jackson's pay classification plan, it may not be used to substitute for that raise or bonus; and

**WHEREAS**, the Director of Human and Cultural Services, through the Early Childhood Division, recommends that each eligible worker that performed essential work on or after March 3, 2021, receive COVID-19 premium pay in the amount of One Thousand Dollars (\$1,000.00) allotment for work previously performed or continued to be performed during the pandemic for the months of May, June, July, August, and September 2022; and

**WHEREAS**, the Child Care funds must be obligated by September 30, 2022, and must be liquidated by September 20, 2023; and

**WHEREAS**, the Final Rule requires that the City of Jackson provide the Secretary of the U.S. Treasury periodic reports proving detailed accounting of the use of funds and such other information as the Secretary may require. Distribution and reporting information shall specifically comply with any rules set forth by the U.S. Department of Treasury in its Final Rule to implement the Coronavirus Local Fiscal Recovery Funds designated as 31 C.F.R. Part 35 in the Federal Register, January 27, 2022.

**IT IS, THEREFORE, ORDERED** by the City Council of the City of Jackson that the Mayor is hereby authorized to submit the following allocation out of the payment received by the City of Jackson under the Coronavirus State and Local Fiscal Recovery Funds program of the American Rescue Plan Act of 2021 to support the stability of the child care sector during and after the COVID-19 public health emergency by providing premium pay to eligible workers during the COVID-19 in an amount not to exceed One Thousand Dollars (\$100,000.00);

1. All eligible full-time child care employees of the City of Jackson employed by the City on or after March 3, 2021, shall receive a payment of One Thousand Dollars as a monthly allotment from May 1, 2022, through September 30, 2022, or until all available funds are expended.

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

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**President Foote** recognized **Adrienne Dorsey-Kidd**, Director of Human and Cultural Services, who provided a brief overview of said item.

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**President Foote** recognized **Sondra Moncure**, **Deputy City Attorney**, who stated that an amendment was needed in the IT IS THEREFORE ORDERED section, changing the amount in parenthesis from “(\$100,000.00)” to “(\$1,000.00)”.

**President Foote** recognized **Council Member Banks** who moved; seconded by **Council Member Hartley**, to amend said order to reflect the changes as stated by **Sondra Moncure, Deputy City Attorney**. The motion prevailed by the following vote:

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

Nays – None.

Absent – None.

Thereafter, **President Foote** called for a vote on said Order as amended:

**AN ORDINANCE ESTABLISHING ESSENTIAL EMPLOYEE COVID-19 PREMIUM PAY FROM THE CHILD CARE STRONG STABILIZATION GRANT AS A PART OF THE AMERICAN RESCUE PLAN ACT OF 2021 (WESTSIDE CENTER & JONES CENTER).**

**WHEREAS**, on April 26, 2022, the Jackson City Council authorized the Mayor of the City of Jackson to accept two Child Care Strong Stabilization Grants totaling \$1,041,307.05 to increase employee recruitment and retention and make repairs and improvements at the Westside Early Childhood Development Center (“Westside”) and the Jones Early Childhood Development Center (“Jones”); and

**WHEREAS**, the City of Jackson, through the Department of Human and Cultural Services, has received its allocation of Child Care Strong Funding, which may be used to pay a premium to employees who performed essential work in response to the Coronavirus-19 (COVID-19) public health emergency; and

**WHEREAS**, to qualify for the funded premium pay, an eligible employee must perform essential work during the pandemic. The U.S. Department of the Treasury Final Rule to implement the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (hereinafter “Final Rule”) defines “essential work” as “work involving regular in-person interactions or regular handling of items that were also handled by the public or co-workers of the individual performing the work;” and

**WHEREAS**, the Final Rule provides that premium pay may not be awarded to an employee for telework and an employee who works in person, but the nature of their work does not involve regular in-person interaction with others or regular physical handling of items that are handled by others; and

**WHEREAS**, the Final Rule further provides, the City of Jackson may use premium pay to respond to eligible works performing essential work during the COVID-19 public health emergency if:

1. The eligible worker’s total wages and remuneration, including the premium pay is less than or equal to 150 percent of the greater of such eligible worker’s residing State’s or county’s average annual wage for all occupations as defined by the Bureau of Labor Statistics’ Occupations Employment and Wage Statistics;
2. The eligible worker is not exempt from the Fair Labor Standards Act overtime provisions (29 U.S.C. 207); or
3. The City of Jackson has submitted to the Secretary of the U.S. Treasury a written justification that explains how to provide premium pay to the eligible worker performing essential work during the COVID-19 public emergency.

**WHEREAS**, it is the Director of Human and Cultural Service and the Early Childhood Division’s opinion that eight employees at the Westside center and seven employees at the Jones center provided in-person work that required in-person interaction with the public for the City and were needed to maintain continuity of operations of essential critical infrastructure sectors, including family or childcare; and

**WHEREAS**, on average, employees at the Westside center provided childcare services to at least 19 children, and at least 23 children were served at the Jones center from March 2021 through March 2022; and

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**WHEREAS**, the Final Rule defines “premium pay” as an amount of up to \$13.00 per hour that is paid to an eligible worker, in addition to wages or remuneration the eligible worker otherwise receives, for all work performed by the eligible worker during the COVID-19 public health emergency. Such amount may not exceed \$25,000.00 in total over the period of performance with respect to any single worker; and

**WHEREAS**, premium pay may be awarded to non-hourly and part-time eligible workers and will be considered to be in addition to wages or remuneration the eligible worker otherwise receives if, as measured on an hourly rate, the premium pay is:

1. With regard to work that the eligible worker previously performed, pay and remuneration equal to the sum of all wages and remuneration previously received plus up to \$13.00 per hour with no reduction, substitution, offset, or other diminishment of the eligible worker’s previous, current or prospective wages or remuneration; or
2. With regard to work that the eligible worker continues to perform, pay of up to \$13.00 per hour that is in addition to the eligible worker’s regular rate of wages, substitution, offset, or other diminishment of the worker’s current and prospective wages or remuneration.

**WHEREAS**, the Jackson City Council can provide premium pay on an hourly basis, as a lump sum per pay period, as a monthly allotment, as a one-time payment, or according to other similar methods. The funds must be paid for work already performed. The funds may not be used to provide sign-on bonuses or similar upfront payments. If paid retroactively, it may not be used to reduce current or prospective compensation to the employee. And if an employee qualifies for a raise or bonus, according to the City of Jackson’s pay classification plan, it may not be used to substitute for that raise or bonus; and

**WHEREAS**, the Director of Human and Cultural Services, through the Early Childhood Division, recommends that each eligible worker that performed essential work on or after March 3, 2021, receive COVID-19 premium pay in the amount of One Thousand Dollars (\$1,000.00) allotment for work previously performed or continued to be performed during the pandemic for the months of May, June, July, August, and September 2022; and

**WHEREAS**, the Child Care funds must be obligated by September 30, 2022, and must be liquidated by September 20, 2023; and

**WHEREAS**, the Final Rule requires that the City of Jackson provide the Secretary of the U.S. Treasury periodic reports proving detailed accounting of the use of funds and such other information as the Secretary may require. Distribution and reporting information shall specifically comply with any rules set forth by the U.S. Department of Treasury in its Final Rule to implement the Coronavirus Local Fiscal Recovery Funds designated as 31 C.F.R. Part 35 in the Federal Register, January 27, 2022.

**IT IS, THEREFORE, ORDERED** by the City Council of the City of Jackson that the Mayor is hereby authorized to submit the following allocation out of the payment received by the City of Jackson under the Coronavirus State and Local Fiscal Recovery Funds program of the American Rescue Plan Act of 2021 to support the stability of the child care sector during and after the COVID-19 public health emergency by providing premium pay to eligible workers during the COVID-19 in an amount not to exceed One Thousand Dollars (\$1,000.00);

1. All eligible full-time child care employees of the City of Jackson employed by the City on or after March 3, 2021, shall receive a payment of One Thousand Dollars as a monthly allotment from May 1, 2022, through September 30, 2022, or until all available funds are expended.

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

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There came on for Introduction, Agenda Item No. 9:

**ORDINANCE AMENDING SECTION 122-40 OF THE JACKSON CODE OF ORDINANCES TO PROVIDE FOR AN APPEAL TO THE CITY COUNCIL FROM THE DETERMINATION OF THE HEARING OFFICER.**

**President Foote** recognized **Council Member Stokes** moved, seconded by **Council Member Lindsay**, to suspend the rules to adopt said item. The motion prevailed by the following vote:

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

Nays – None.

Absent – None.

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Thereafter, **President Foote** requested that the Clerk read the order:

“Please see pages 300-1 through 300-6”

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ORDERING THE JACKSON POLICE DEPARTMENT TO IMPOUND AND THE CITY OF JACKSON TO ACQUIRE TITLE TO ANY VEHICLES INVOLVED IN DRIVE-BY SHOOTINGS IN THE CITY OF JACKSON.** **President Foote** stated said item would be placed in the Public Safety/ Park and Environment Ad Hoc Committee.

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**ORDER APPROVING CLAIMS NUMBER 27520 to 27597 APPEARING AT PAGES 239 TO 273 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$6,335,851.11 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.**

**IT IS HEREBY ORDERED** that claims numbered 27520 to 27597 appearing at pages 239 to 273, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of

**ORDINANCE AMENDING SECTION 122-40 OF THE JACKSON CODE OF ORDINANCES TO PROVIDE FOR AN APPEAL TO THE CITY COUNCIL FROM THE DETERMINATION OF THE HEARING OFFICER.**

**WHEREAS**, Section 122-40 of the Jackson Code of Ordinances was previously amended to expand a customers' right to dispute the amount of a bill regardless of whether the customer had received a cutoff notice; and

**WHEREAS**, the amended Ordinance also created the position of a neutral hearing officer who is required to be an attorney to hear the customer's disputes and render a determination; and

**WHEREAS**, the amended Ordinance only provided for a process by which the City Council would ratify or amended the determination of the hearing officer without the benefit of the hearing of an appeal before the City Council; and

**WHEREAS**, the City Council wishes to have the opportunity to conduct a hearing where a customer is dissatisfied with the decision of the hearing officer; and

**WHEREAS**, the governing authorities find that Section 122-40 of the Jackson Code of Ordinances should be amended as follows (deleted language denoted in strikethroughs, and added language denoted in underlined bold):

Sec. 122-40. - Administrative hearing of Water/Sewer Billing.

(a) This Ordinance supersedes any conflicting language contained in any and all prior Ordinances or Executive Orders pertaining to the dispute and appeal of a water bill by an Account Holder.

(b) The purpose of this Ordinance is to establish and prescribe procedures for the dispute and appeal of a water bill by an Account Holder.

(c) Definitions.

(1) Account Holder: "Account Holder" shall be synonymous with the term "Customer." It includes any person, individual, or entity listed on the account. It also includes any person or entity legally authorized to act on the behalf of the Customer listed on the account.

(2) Dispute: Any disagreement between the Account Holder and the City concerning the accuracy or validity of a bill covering water and/or sewer services provided by the City.

(3) Water Appeal: Any request for a hearing whether written or oral presented to the WSBA Manager in reference to any disagreement between the Account Holder and the City concerning the accuracy or validity of a bill covering water or sewer services provided by the City.

(4) Hearing Officer: Member of the Mississippi Bar contracted by the City of Jackson, Mississippi specifically to hear Water Appeals.

(5) WSBA Manager: The Water / Sewer Business Administration Manager or designee.

(d) The Hearing Officer is hereby empowered to hold administrative hearings on water/sewer billing disputes.

(e) Request for hearing.

(1) A Customer who disputes the accuracy or validity of a bill covering water or sewer services must submit a request for administrative hearing to the WSBA Manager. The request shall contain the following: 1) the name,

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address, and telephone number of the Account Holder/Customer; 2) the account number; 3) identification of the bill or bills in dispute; 4) the amount in dispute; 5) the reason for the Customer's dispute; and 6) confirmation that the Customer has attempted to resolve the dispute with the Water Sewer Billing Administration ("WSBA"). If the customer fails to provide any of the enumerated information, the request will not be processed. In the event that the only requirement not satisfied in the request is confirmation that the Customer has attempted to resolve the dispute with WSBA and the Customer has received a Final Notice (i.e., cut-off notice), then the WSBA Manager shall discontinue the cut off process and require the Customer to attempt to resolve the dispute immediately.

- (2) This request for hearing must be received by the WSBA Manager no later than the due date on a Final Notice (i.e., cut-off notice) sent to the Customer. Immediately following the receipt of the request for hearing, the WSBA Manager shall discontinue the cut off process until the complaint is resolved in accordance with provisions herein. At the time of the request for hearing, the WSBA Manager shall schedule a hearing with a Hearing Officer. The WSBA Manager shall set said hearing to be heard no later than thirty (30) days after receipt of the Customer's request for hearing, if practicable.
- (3) The WSBA Manager shall mail or deliver notice of the date and time of this hearing to the Customer prior to the hearing. Though not required, a Customer may be represented by counsel during this hearing. The Customer may also present witnesses or other evidence in support of his/her position. The conduct of the hearing will be in accordance with rules and procedures established by the Hearing Officer and shall be conducted informally. The WSBA Manager shall attend such hearing and present a response to the Customer's request for hearing. Any of the billing, collection, or meter reading personnel may be called by the Hearing Officer to respond to the request. All expenses incurred in the hearing, including witness fees, mileage, reproduction of documents, or other costs, shall be borne by the party who incurred them. The Hearing Officer will receive and consider all evidence submitted during the hearing.
- (4) At the conclusion of the hearing, the Hearing Officer shall advise of his/her findings and recommendation regarding the Customer's request for hearing. As soon as practicable thereafter, but no later than fourteen (14) days following the date of the hearing, the Hearing Officer shall issue to the Customer a written notice of findings and recommendation, which shall be sent by First Class Certified Mail, Return Receipt Requested and by email at the email address provided by the customer to the Hearing Officer. A copy of the same shall be submitted to the WSBA Manager. The findings and recommendation of the Hearing Officer shall be made upon substantial and reliable evidence, and shall consist of findings of fact and the disposition of the dispute. If the Hearing Officer finds the Customer's dispute to be valid, the Hearing Officer shall be empowered to recommend an appropriate adjustment to the Customer's bill. The Hearing Officer shall also have the authority to recommend a credit be applied to the Customer's account or a refund be made to the Customer.
- (5) If the Customer is dissatisfied with the findings and recommendation of the Hearing Officer, the Customer shall have fourteen (14) calendar days following receipt by mail of the findings and recommendation to file an appeal to the City Council. For purposes of calculating the fourteen (14) calendar days within which to file an appeal, the Customer will be presumed to have received the findings and recommendation by mail three days following their posting.
- (6) The appeal shall be filed with the Clerk of the Council with a copy provided to the WSBA Manager. Failure of the Customer to provide the copy of the appeal to the WSBA Manager shall not result in the dismissal of the appeal.

- (7) Upon receipt of the appeal by Clerk of the Council and confirmation that the WSBA Manager has been provided with a copy of the appeal, the Clerk of the Council shall place the appeal on the agenda of a meeting of the City Council and provide the Customer and WSBA with fourteen (14) calendar days' notice of the date the appeal will appear on the City Council agenda.
- (8) If the City Council orders that an amount is due from the Customer, the amount shall be immediately due and payable following the adjournment of the meeting at which such order is approved. The City may discontinue or disconnect water service without further notice if the amount ordered to be paid is not paid within ten (10) days following the adjournment of the meeting at which the City Council ordered the money to be paid. Once discontinued under this Section 122-40 of the Jackson Code of Ordinances, service shall not be restored until all applicable charges and fees have been paid.
- (9) If the City Council determines that a Customer is due a bill credit, the Clerk of the Council shall provide WSBA with a copy of the Order of the City Council. Upon receipt of the copy of the Order of the City Council, WSBA shall apply the bill credit to the Customer's next bill.

(f) Customers subject to cutoff or upon adoption of ordinance.

All Customers who have disputed the accuracy or validity of a bill for water or sewer services that was past due or delinquent prior to the effective date of this amended Ordinance and all Customers who requested a water appeal hearing prior to the effective date of this amended Ordinance may appeal the determination of the Hearing Officer pursuant to this amended Ordinance.

If a Customer has had a hearing before the Hearing Officer and received their determination from the Hearing Officer, but has not had their dispute determined by the City Council under the procedure that existed prior to this Amended Ordinance, each such Customer shall have sixty (60) calendar days from the effective date of this Amended Ordinance within which to appeal the determination under this Amended Ordinance.

(g) Preclusion of appeal for a particular disputed amount.

If a Customer has his/her appeal of a particular disputed amount heard through the procedures provided herein, the Customer may not utilize any other appeals process afforded by the City, regarding the same disputed amount.

(h) Administration Rules.

The WSBA Manager is authorized, but not required, to promulgate written rules and/or policies for the administration of this ordinance.

- (i) The City Council may promulgate any procedural rules necessary for the determination of appeals to them under this Ordinance, including, but not limited to, the referral of the appeal to a committee of the City Council for purposes of a fact-finding hearing.
- (j) For purposes of this ordinance, if the deadline day for any required action falls on a Saturday, Sunday, or holiday observed by the City of Jackson, the deadline day shall be extended to the next regular business day of the City of Jackson.
- (k) Nothing in this ordinance may be construed or interpreted as creating a cause of action against the City of Jackson, Mississippi.
- (l) This Ordinance shall be effective 30 days following its adoption and publication.

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**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI,** that Sections 122-40 is amended to read as follows:

- (a) This Ordinance supersedes any conflicting language contained in any and all prior Ordinances or Executive Orders pertaining to the dispute and appeal of a water bill by an Account Holder.
- (b) The purpose of this Ordinance is to establish and prescribe procedures for the dispute and appeal of a water bill by an Account Holder
- (c) Definitions.
  - (1) Account Holder: "Account Holder" shall be synonymous with the term "Customer." It includes any person, individual, or entity listed on the account. It also includes any person or entity legally authorized to act on the behalf of the Customer listed on the account.
  - (2) Dispute: Any disagreement between the Account Holder and the City concerning the accuracy or validity of a bill covering water and/or sewer services provided by the City.
  - (3) Water Appeal: Any request for a hearing whether written or oral presented to the WSBA Manager in reference to any disagreement between the Account Holder and the City concerning the accuracy or validity of a bill covering water or sewer services provided by the City.
  - (4) Hearing Officer: Member of the Mississippi Bar contracted by the City of Jackson, Mississippi specifically to hear Water Appeals.
  - (5) WSBA Manager: The Water / Sewer Business Administration Manager or designee.
- (d) The Hearing Officer is hereby empowered to hold administrative hearings on water/sewer billing disputes.
- (e) Request for hearing.
  - (1) A Customer who disputes the accuracy or validity of a bill covering water or sewer services must submit a request for administrative hearing to the WSBA Manager. The request shall contain the following: 1) the name, address, and telephone number of the Account Holder/Customer; 2) the account number; 3) identification of the bill or bills in dispute; 4) the amount in dispute; 5) the reason for the Customer's dispute; and 6) confirmation that the Customer has attempted to resolve the dispute with the Water Sewer Billing Administration ("WSBA"). If the customer fails to provide any of the enumerated information, the request will not be processed. In the event that the only requirement not satisfied in the request is confirmation that the Customer has attempted to resolve the dispute with WSBA and the Customer has received a Final Notice (i.e., cut-off notice), then the WSBA Manager shall discontinue the cut off process and require the Customer to attempt to resolve the dispute immediately.
  - (2) This request for hearing must be received by the WSBA Manager no later than the due date on a Final Notice (i.e., cut-off notice) sent to the Customer. Immediately following the receipt of the request for hearing, the WSBA Manager shall discontinue the cut off process until the complaint is resolved in accordance with provisions herein. At the time of the request for hearing, the WSBA Manager shall schedule a hearing with a Hearing Officer. The WSBA Manager shall set said hearing to be heard no later than thirty (30) days after receipt of the Customer's request for hearing, if practicable.
  - (3) The WSBA Manager shall mail or deliver notice of the date and time of this hearing to the Customer prior to the hearing. Though not required, a Customer may be represented by counsel during this hearing. The Customer may also

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present witnesses or other evidence in support of his/her position. The conduct of the hearing will be in accordance with rules and procedures established by the Hearing Officer and shall be conducted informally. The WSBA Manager shall attend such hearing and present a response to the Customer's request for hearing. Any of the billing, collection, or meter reading personnel may be called by the Hearing Officer to respond to the request. All expenses incurred in the hearing, including witness fees, mileage, reproduction of documents, or other costs, shall be borne by the party who incurred them. The Hearing Officer will receive and consider all evidence submitted during the hearing.

- (4) At the conclusion of the hearing, the Hearing Officer shall advise of his/her findings and recommendation regarding the Customer's request for hearing. As soon as practicable thereafter, but no later than fourteen (14) days following the date of the hearing, the Hearing Officer shall issue to the Customer a written notice of findings and recommendation, which shall be sent by First Class Certified Mail, Return Receipt Requested and by email at the email address provided by the customer to the Hearing Officer. A copy of the same shall be submitted to the WSBA Manager. The findings and recommendation of the Hearing Officer shall be made upon substantial and reliable evidence, and shall consist of findings of fact and the disposition of the dispute. If the Hearing Officer finds the Customer's dispute to be valid, the Hearing Officer shall be empowered to recommend an appropriate adjustment to the Customer's bill. The Hearing Officer shall also have the authority to recommend a credit be applied to the Customer's account or a refund be made to the Customer.
  - (5) If the Customer is dissatisfied with the findings and recommendation of the Hearing Officer, the Customer shall have fourteen (14) calendar days following receipt by mail of the findings and recommendation to file an appeal to the City Council. For purposes of calculating the fourteen (14) calendar days within which to file an appeal, the Customer will be presumed to have received the findings and recommendation by mail three days following their posting.
  - (6) The appeal shall be filed with the Clerk of the Council with a copy provided to the WSBA Manager. Failure of the Customer to provide the copy of the appeal to the WSBA Manager shall not result in the dismissal of the appeal.
  - (7) Clerk of the Council shall place the appeal on the agenda of a meeting of the City Council and provide the Customer and WSBA with fourteen (14) calendar days' notice of the date the appeal will appear on the City Council agenda.
  - (8) If the City Council orders that an amount is due from the Customer, the amount shall be immediately due and payable following the adjournment of the meeting at which such order is approved. The City may discontinue or disconnect water service without further notice if the amount ordered to be paid is not paid within ten (10) days following the adjournment of the meeting at which the City Council ordered the money to be paid. Once discontinued under this Section 122-40 of the Jackson Code of Ordinances, service shall not be restored until all applicable charges and fees have been paid.
  - (9) If the City Council determines that a Customer is due a bill credit, the Clerk of the Council shall provide WSBA with a copy of the Order of the City Council. Upon receipt of the copy of the Order of the City Council, WSBA shall apply the bill credit to the Customer's next bill.
- (f) Customers subject to cutoff upon adoption of ordinance.
- (1) All Customers who have disputed the accuracy or validity of a bill for water or sewer services that was past due or delinquent prior to the effective date of this amended Ordinance and all Customers who requested a water appeal hearing prior to the effective date of this amended Ordinance may appeal the determination of the Hearing Officer pursuant to this amended Ordinance.
  - (2) If a Customer has had a hearing before the Hearing Officer and received their determination from the Hearing Officer, but has not had their dispute determined

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by the City Council under the procedure that existed prior to this Amended Ordinance, each such Customer shall have sixty (60) calendar days from the effective date of this Amended Ordinance within which to appeal the determination under this Amended Ordinance.

- (g) Preclusion of appeal for a particular disputed amount.

If a Customer has his/her appeal of a particular disputed amount heard through the procedures provided herein, the Customer may not utilize any other appeals process afforded by the City, regarding the same disputed amount.

- (h) Administration Rules.

The WSBA Manager is authorized, but not required, to promulgate written rules and/or policies for the administration of this ordinance.

- (i) The City Council may promulgate any procedure rules necessary for the determination of appeals to them under this Ordinance, including, but not limited to, the referral of the appeal to a committee of the City Council for purposes of a fact-finding hearing.

- (j) For purposes of this ordinance, if the deadline day for any required action falls on a Saturday, Sunday, or holiday observed by the City of Jackson, the deadline day shall be extended to the next regular business day of the City of Jackson.

- (k) Nothing in this ordinance may be construed or interpreted as creating a cause of action against the City of Jackson, Mississippi.

- (l) This Ordinance shall be effective 30 days following its adoption and publication.

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

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

Nays – None.

Absent – None.

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**SPECIAL MEETING OF THE CITY COUNCIL  
TUESDAY, JULY 19, 2022 10:00 A.M.**

\$6,335,851.11 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:

<b>FROM:</b>	<b>TO ACCOUNTS PAYABLE FUND</b>
GENERAL FUND	1,342,429.88
TECHNOLOGY FUND	26,295.40
PARKS & RECR. FUND	57,948.30
LANDFILL/SANITATION FUND	4,302.76
WATER/SEWER REVENUE FUND	4,512.23
WATER/SEWER OP& MAINT FUND	1,538,850.55
REPAIR & REPLACEMENT FUND	174,171.43
EMPLOYEES GROUP INSURANCE FUND	142,201.15
KELLOGG FOUNDATION PROJECT	60,000.00
HOUSING COMM DEV ACT (CDBG) FD	50,083.30
EMERGENCY SHELTER GRANT (ESG)	3,378.30
UNEMPLOYMENT COMPENSATION REVO	11,088.73
HOME PROGRAM FUND	41,098.00
H O P W A GRANT- DEPT. OF HUD	91,295.56
TITLE III AGING PROGRAMS	33,260.30
INFRASTRUCTURE BOND 2020 \$32M	1,166,847.66
1% INFRASTRUCTURE TAX	14,936.03
MADISON SEWAGE DISP OP & MAINT	1,335.79
WATER/SEWER CAP IMP NOTE 7M	34,440.79
TRANSPORTATION FUND	633,516.72
RESURFACING – REPAIR & REPL FD	72,519.22
P E G ACCESS- PROGRAMMING FUND	10,219.84
HUMAN AND CULTURE GRANTS	5,100.00
MODERNIZATION TAX	397,011.62
SIEMENS SETTLEMENT ACCOUNT	350,025.42
ESG COVID CARES ACT	20,126.87
CDBG COVID CARES	22,507.53
PARKS & RECS GRANTS	420.00
ZOOLOGICAL PARK	12,977.73
LIBRARY FUND	12,950.00
<b>TOTAL</b>	<b><u>\$6,335,851.11</u></b>

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

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**President Foote** recognized **Fidelis Malembeka, Chief Financial Officer**, who provided a brief overview of the Claims Docket.

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 Thereafter, **Vice President Lee**, called for a vote of said item:

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



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**ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 27520 TO 27597 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.**

**IT IS HEREBY ORDERED** that payroll deduction claims numbered 27520 to 27597 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$109,881.31 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:

<b>FROM:</b>	<b>TO ACCOUNTS PAYABLE FUND</b>	<b>TO PAYROLL FUND</b>
GENERAL FUND		2,055,725.69
PARKS & RECR FUND		88,868.47
LANDFILL FUND		14,805.19
SENIOR AIDES		3,360.24
WATER/SEWER OPER & MAINT		228,973.20
PAYROLL	109,881.31	
EARLY CHILDHOOD		20,264.09
HOUSING COMM DEV		9,682.45
TITLE III AGING PROGRAMS		5,765.28
TRANSPORTATION FUND		14,992.96
PEG ACCESS-PROGRAMMING FUND		5,818.23
2020 SAKI GRAND DOJ		5,667.40
ZOOLOGICAL PARK		26,711.41
AMERICAN RESCUE PLAN ACT 2021		59,368.07
<b>TOTAL</b>		<b>\$2,540,002.68</b>

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

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

Nays – None.

Absent – None.

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**ORDER AUTHORIZING THE MAYOR TO TERMINATE THE MASTER SERVICES AGREEMENT BETWEEN GOVQA AND THE CITY OF JACKSON, MISSISSIPPI.**

**WHEREAS**, on August 31, 2021, the Jackson City Council authorized the Mayor of Jackson to enter into a Master Services Agreement between WebQA and the City of Jackson for the renewal of GovQA FOIA applications software for managing public records requests for a term beginning November 1, 2021, and ending October 31, 2022, at a cost not to exceed Twenty-Three Thousand Three Hundred Fifty-Five Dollars and No Cents (\$23,355.00); and

**WHEREAS**, the procurement for the acquisition of software and services is exempt from the competitive bidding requirements provided in the public purchasing statutes; however, NextRequest proposed the best possible software and services at the lowest available price; and

**WHEREAS**, on May 10, 2022, the Jackson City Council authorized the Mayor to enter into a master services agreement and service level agreement with NextRequest to implement a platform for managing records requests for the City of Jackson; and

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**WHEREAS**, it is the recommendation of the Department of Municipal Clerk to terminate the contract with WebQA; and

**WHEREAS**, GovQA Master Service Agreement states that either party may terminate the agreement without cause if the terminating party gives the other party sixty (60) days written notice prior to termination.

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to cancel the Master Services Agreement with WebQA and provide a sixty (60) day written notice as stated within the GovQA Master Service Agreement.

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

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**President Foote** recognized **Angela Harris, Municipal Clerk**, who provided a brief overview of said item.

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**President Foote** recognized **Sondra Moncure, Deputy City Attorney**, who recommended that an amendment was needed in the Header changing "GOVQA" to "WEBQA".

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**President Foote** recognized **Council Member Stokes** moved; seconded by **Council Member Grizzell**, to amend said order to reflect the changes as stated by **Sondra Moncure, Deputy City Attorney**. The motion prevailed by the following vote:

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

Nays – None.

Absent – None.

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Thereafter, **President Foote** called for a vote on said Order as amended:

**ORDER AUTHORIZING THE MAYOR TO TERMINATE THE MASTER SERVICES AGREEMENT BETWEEN WEBQA AND THE CITY OF JACKSON, MISSISSIPPI.**

**WHEREAS**, on August 31, 2021, the Jackson City Council authorized the Mayor of Jackson to enter into a Master Services Agreement between WebQA and the City of Jackson for the renewal of GovQA FOIA applications software for managing public records requests for a term beginning November 1, 2021, and ending October 31, 2022, at a cost not to exceed Twenty-Three Thousand Three Hundred Fifty-Five Dollars and No Cents (\$23,355.00); and

**WHEREAS**, the procurement for the acquisition of software and services is exempt from the competitive bidding requirements provided in the public purchasing statutes; however, NextRequest proposed the best possible software and services at the lowest available price; and

**WHEREAS**, on May 10, 2022, the Jackson City Council authorized the Mayor to enter into a master services agreement and service level agreement with NextRequest to implement a platform for managing records requests for the City of Jackson; and

**WHEREAS**, it is the recommendation of the Department of Municipal Clerk to terminate the contract with WebQA; and

**WHEREAS**, GovQA Master Service Agreement states that either party may terminate the agreement without cause if the terminating party gives the other party sixty (60) days written notice prior to termination.

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to cancel the Master Services Agreement with WebQA and provide a sixty (60) day written notice as stated within the GovQA Master Service Agreement.

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

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**ORDER REVISING THE FY 2022 MUNICIPAL BUDGET FOR THE CITY OF JACKSON POLICE DEPARTMENT.**

**WHEREAS**, the City of Jackson Police Department needs funding in the proper categories to cover budget line overages and to pay recurring and other anticipated expenses for the remainder of the fiscal year pursuant to terms of Section 21-35-25 of the Mississippi Code of 1972, as amended, and

**WHEREAS**, the City of Jackson Police Department has funds currently available in the budget due to vacancies within the department.

**IT IS HEREBY ORDERED** that funds in the amount of \$698,378 be transferred from Personal Services category to Supplies & Maintenance category and Other Services & Charges category within the various divisions of the City of Jackson Police Department to cover potential and anticipated expenses for the remainder of the FY 2022 fiscal year as follows:

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

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**President Foote** recognized **James Davis, Chief of Police**, who provided a brief overview of said item.

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Thereafter, **President Foote** called for a vote on said order:

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

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**ORDER RATIFYING THE ACCEPTANCE OF SERVICES RENDERED FROM LIVE OAK PSYCHOLOGICAL ASSOCIATES INC. AND AUTHORIZATION OF PAYMENT IN THE AMOUNT OF \$2,350.00.**

**WHEREAS**, City of Jackson Police Department periodically requires officers to receive psychological evaluations and care in the course of their duties; and

**WHEREAS**, Live Oak Psychological Associates Inc. has provided such evaluations and care; and

**WHEREAS**, the current charges for care rendered by Live Oak Psychological Associates Inc. are Two Thousand, Three Hundred Fifty Dollars (\$2,350.00); and

**WHEREAS**, it has been generally held through Mississippi Case Law and Attorney General Opinions that governing authorities are not “required”, but “recommended” to follow competitive bid requirements in the procurement of personal or professional service contracts and pursuant to Miss. Code. Ann. § 31-7-57(2), no governing authority shall let contracts or purchase commodities or equipment except in the manner provided by law; nor shall any governing authority ratify any such contract or purchase...or pay for the same out of public funds unless such contract or purchase was made in the manner provided by law; provided however, that any vendor who, in good faith, delivers commodities or printing or performs any services under a contract to or for the governing authority, shall be entitled to recover the fair market value of such commodities, printing or services, notwithstanding some error or failure by the governing authority to follow the law, if the contract was for an object authorized by law and the vendor had no control of, participation in, or actual knowledge of the error or failure by the governing authority; and

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**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 services received from Live Oak Psychological Associates are ratified and authorized to be paid from account 442.40.6419.

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

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**President Foote** recognized **Tyrone Buckley, Administrative Support JPD**, who provided a brief overview of said item.

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**President Foote** recognized **Catoria Martin, City Attorney**, who stated that an amendment was needed in the Header changing “PSYCHOLOCIAL” to “PSYCHOLOGICAL”.

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**Council Member Banks** moved; seconded by **Council Member Hartley**, to amend said order to reflect the changes as stated by **Catoria Martin, City Attorney**. The motion prevailed by the following vote:

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

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Thereafter, **President Foote** called for a vote on said order as amended:

**ORDER RATIFYING THE ACCEPTANCE OF SERVICES RENDERED FROM  
LIVE OAK PSYCHOLOGICAL ASSOCIATES INC. AND AUTHORIZATION OF  
PAYMENT IN THE AMOUNT OF \$2,350.00.**

**WHEREAS**, City of Jackson Police Department periodically requires officers to receive psychological evaluations and care in the course of their duties; and

**WHEREAS**, Live Oak Psychological Associates Inc. has provided such evaluations and care; and

**WHEREAS**, the current charges for care rendered by Live Oak Psychological Associates Inc. are Two Thousand, Three Hundred Fifty Dollars (\$2,350.00); and

**WHEREAS**, it has been generally held through Mississippi Case Law and Attorney General Opinions that governing authorities are not “required”, but “recommended” to follow competitive bid requirements in the procurement of personal or professional service contracts and pursuant to Miss. Code. Ann. § 31-7-57(2), no governing authority shall let contracts or purchase commodities or equipment except in the manner provided by law; nor shall any governing authority ratify any such contract or purchase...or pay for the same out of public funds unless such contract or purchase was made in the manner provided by law; provided however, that any vendor who, in good faith, delivers commodities or printing or performs any services under a contract to or for the governing authority, shall be entitled to recover the fair market value of such commodities, printing or services, notwithstanding some error or failure by the governing authority to follow the law, if the contract was for an object authorized by law and the vendor had no control of, participation in, or actual knowledge of the error or failure by the governing authority; 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 services received from Live Oak Psychological Associates are ratified and authorized to be paid from account 442.40.6419.

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

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**ORDER RATIFYING THE ACCEPTANCE OF SERVICES RENDERED FROM MORRIS & MCDANIEL, INC AND AUTHORIZATION OF PAYMENT IN THE AMOUNT OF \$3,680.00.**

**WHEREAS**, City of Jackson Police Department requires pre-employment testing and psychological evaluations for potential police recruits, and

**WHEREAS**, Morris & McDaniel has in good faith provided said services for the City of Jackson Police Department, and

**WHEREAS**, the current charges for services rendered by Morris & McDaniel are Three Thousand, Six Hundred Eighty Dollars (\$3,680.00), and

**WHEREAS**, it has been generally held through Mississippi Case Law and Attorney General Opinions that governing authorities are not “required”, but “recommended” to follow competitive bid requirements in the procurement of personal or professional service contracts and pursuant to Miss. Code. Ann. § 31-7-57(2), no governing authority shall let contracts or purchase commodities or equipment except in the manner provided by law; nor shall any governing authority ratify any such contract or purchase...or pay for the same out of public funds unless such contract or purchase was made in the manner provided by law; provided however, that any vendor who, in good faith, delivers commodities or printing or performs any services under a contract to or for the governing authority, shall be entitled to recover the fair market value of such commodities, printing or services, notwithstanding some error or failure by the governing authority to follow the law, if the contract was for an object authorized by law and the vendor had no control of, participation in, or actual knowledge of the error or failure by the governing authority; 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 services received from Morris & McDaniel, Inc., in the amount of \$3,680.00 are ratified and authorized to be paid from account .442.40.6419.

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

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

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**ORDER ACCEPTING THE ADJUDICATED FUNDS FROM FORFEITED AND SEIZED PROPERTY IN THE AMOUNT OF THIRTY-THREE THOUSAND, EIGHT HUNDRED THREE DOLLARS AND TWENTY CENTS (\$33,803.20).**

**WHEREAS**, forfeiture and seizure funds have been adjudicated by Hinds County Court and are able to be moved to Fund 002 (Seizure and Forfeit Property-State) out of holding account Fund 078 (Narcotics Evidence Escrow).

**IT IS HEREBY ORDERED** that the City of Jackson is authorized to accept the adjudicated funds in the amount of thirty-three thousand, eight hundred three dollars and twenty cents (\$33,803.20).

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

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

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**ORDER AUTHORIZING THE MAYOR TO RATIFY AND EXECUTE A 9-MONTH RENTAL AGREEMENT WITH RJ YOUNG FORMERLY DIGITEC CORPORATION FOR A CANON IMAGE RUNNER ADVANCE C3525I COLOR COPIER/PRINTER TO BE USED BY THE CITY OF JACKSON FIRE DEPARTMENT ARSON AND INTERNAL AFFAIRS DIVISION.**

**WHEREAS**, the Administration Division of the Jackson Fire Department desires to ratify and execute a rental agreement extension for a multifunction color copier machine; and

**WHEREAS**, RJ Young has continued to provide a Canon Image Runner Advance Imaging System Copier/Printer through the State of Mississippi Contract #8200031426 at the same cost under the existing contract of two hundred forty-nine dollars (\$249.00) per month and \$0.0062 per b/w page and \$0.04678 per color page, which includes, all the labor, parts, toner, developer drums, staples and travel; and

**WHEREAS**, pursuant to Miss. Code. Ann. § 31-7-13, governing authorities are generally required to accept the lowest and best bid when purchasing commodities, printing and certain types of insurance, entering into contracts for garbage collection or disposal, and contracting for public construction and pursuant to Miss. Code. Ann. § 31-7-57(2), no governing authority shall let contracts or purchase commodities or equipment except in the manner provided by law...; nor shall any governing authority ratify any such contract or purchase...or pay for the same out of public funds unless such contract or purchase was made in the manner provided by law; provided however, that any vendor who, in good faith, delivers commodities or printing or performs any services under a contract to or for the governing authority, shall be entitled to recover the fair market value of such commodities, printing or services, notwithstanding some error or failure by the governing authority to follow the law, if the contract was for an object authorized by law and the vendor had no control of, participation in, or actual knowledge of the error or failure by the governing authority; and

**WHEREAS**, it is the recommendation of the Jackson Fire Department that this rental agreement dated October 18, 2021 to July 5, 2022, be ratified and extended to October 17, 2022.

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to ratify and execute the necessary documents with RJ Young for a 12-month rental extension agreement for the Canon Image Runner Advance Imaging System Copier/Printer at the same cost under the existing contract of two hundred forty-nine dollars (\$249.00) per month with maintenance billed at a cost of \$0.0062 per b/w page and \$0.0467 per color page.

**IT IS THEREFORE ORDERED** the agreement shall be ratified from October 18, 2021 to July 5, 2022 with an amount not exceed two thousand two hundred fifty-seven dollars and twenty-one cents (\$2,257.21) and extended from July 6, 2022 to October 17, 2022 with an amount not to exceed one thousand three hundred eighty-three dollars and forty-four cents (\$1,383.44), for a total of three thousand six hundred forty dollars and sixty-five cents (\$3,640.65).

**IT IS FURTHER ORDERED** that payment for said extension rental agreement is made from the General Fund (001-441-10-6514).

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

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**President Foote** recognized **Willie Owens, Fire Chief**, who provided a brief overview of said item.

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Thereafter, **President Foote** called for a vote on said order:

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

Nays – None.

Absent – None.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE AN MEMORANDUM OF UNDERSTANDING WITH THE MISSISSIPPI STATE FIRE ACADEMY (MSFA) TO PROVIDE SERVICES ASSOCIATED WITH NFPA 1072 F COURSE TO THE JACKSON FIRE DEPARTMENT.**

**WHEREAS**, the City of Jackson Fire Department will begin a recruit training class in July 2022; and

**WHEREAS**, the City of Jackson Fire Department provides some training to recruits and other training is conducted by the Mississippi State Fire Academy; and

**WHEREAS**, the Mississippi State Fire Minimum Standards Board was authorized to promulgate regulations establishing minimum educational and training standards, and the process for certifying fire personnel in the State of Mississippi; and

**WHEREAS**, regulations of the Mississippi State Minimum Standards Board require the completion of the NFPA 1072 F by all candidates prior to entering into an approved Firefighter I and II training program; and

**WHEREAS**, the regulations further require that the NFPA 1072 F be administered at the Mississippi State Fire Academy or through a field delivery program; and

**WHEREAS**, the anticipated date for commencement of the field delivery program is July 19, 2022; and

**WHEREAS**, the Mississippi State Fire Academy has provided the Jackson Fire Department with a Memorandum of Understanding related to the candidates it is recommending for participation in the field delivery program with provisions as follows:

(1) The location of the field delivery program will be the Jackson Fire Department Training Facility; and

(2) The Mississippi State Fire Academy will furnish to the course coordinator for the City of Jackson Fire Department the Fire Fighter NFPA 1072 F course and a complete package to manage delivery of the course; and

(3) Books will not be included in the materials furnished the City of Jackson Fire Department, and the City of Jackson is responsible for purchasing any required books from the textbook publisher; and

(4) All documents and curriculum furnished to the City of Jackson Fire Department shall constitute property of the Mississippi State Fire Academy and may not be duplicated or used outside of the subject delivery; and

(5) The Mississippi State Fire Academy will approve and administer all written and skill examinations; and

(6) Certificates will be issued upon the successful completion of the course; and

(7) The minimum number of candidates has been removed due to COVID and the maximum number of candidates for the field delivery course is fifteen (15); and

(8) The Jackson Fire Department will have a total of fourteen (14) students participating. There is no charge (GRANT FUNDED);

**WHEREAS**, the best interest of the public health, safety, and welfare would be served by authorizing the Mayor to execute the MOU with the Mississippi State Fire Academy

**IT IS HEREBY ORDERED** that the Mayor shall be authorized to execute the MOU with the Mississippi State Fire Academy for the delivery course anticipated to commence on July 19, 2022.

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Council Member Stokes moved adoption; Council Member Hartley seconded.

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President Foote recognized Willie Owens, Fire Chief, who provided a brief overview of said item.

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Thereafter, President Foote called for a vote on said order:

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

Nays – None.

Absent – None.

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**ORDER AUTHORIZING THE MAYOR TO RATIFY AND EXECUTE A 12-MONTH RENTAL EXTENSION AGREEMENT WITH RJ YOUNG FORMERLY DIGITEC CORPORATION FOR A CANON IMAGE RUNNER ADVANCE C550I COLOR COPIER/PRINTER TO BE USED BY THE CITY OF JACKSON FIRE DEPARTMENT ADMINISTRATION.**

WHEREAS, the Administration Division of the Jackson Fire Department desires to ratify and execute a rental agreement extension for a multifunction color copier machine; and

WHEREAS, RJ Young has continued to provide a Canon Image Runner Advance Imaging System Copier/Printer through the State of Mississippi Contract #8200031426 at the same cost under the existing contract of two hundred forty-nine dollars (\$249.00) per month and \$0.0062 per b/w page and \$0.04678 per color page, which includes, all the labor, parts, toner, developer drums, staples and travel; and

WHEREAS, pursuant to Miss. Code. Ann. § 31-7-13, governing authorities are generally required to accept the lowest and best bid when purchasing commodities, printing and certain types of insurance, entering into contracts for garbage collection or disposal, and contracting for public construction and pursuant to Miss. Code. Ann. § 31-7-57(2), no governing authority shall let contracts or purchase commodities or equipment except in the manner provided by law...; nor shall any governing authority ratify any such contract or purchase...or pay for the same out of public funds unless such contract or purchase was made in the manner provided by law; provided however, that any vendor who, in good faith, delivers commodities or printing or performs any services under a contract to or for the governing authority, shall be entitled to recover the fair market value of such commodities, printing or services, notwithstanding some error or failure by the governing authority to follow the law, if the contract was for an object authorized by law and the vendor had no control of, participation in, or actual knowledge of the error or failure by the governing authority; and

WHEREAS, it is the recommendation of the Jackson Fire Department that this rental agreement dated October 18, 2021 to July 5, 2022, be ratified and extended to October 17, 2022.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to ratify and execute the necessary documents with RJ Young for a 12-month rental extension agreement for the Canon Image Runner Advance Imaging System Copier/Printer at the same cost under the existing contract of two hundred forty-nine dollars (\$249.00) per month with maintenance billed at a cost of \$0.0062 per b/w page and \$0.0467 per color page.

IT IS, THEREFORE, ORDERED the agreement shall be ratified from October 18, 2021 to July 5, 2022 with an amount not exceed two thousand two hundred fifty-seven dollars and twenty-one cents (\$2,257.21) and extended from July 6, 2022 to October 17, 2022 with an amount not to exceed one thousand three hundred eighty-three dollars and forty-four cents (\$1,383.44), for a total of three thousand six hundred forty dollars and sixty-five cents (\$3,640.65).

IT IS FURTHER ORDERED that payment for said extension rental agreement is made from the General Fund (001-441-10-6514).



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

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

Nays – None.

Absent – None.

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**ORDER RATIFYING PURCHASES AND PROCUREMENT OF SERVICES FROM TWO (2) VENDORS AND AUTHORIZING PAYMENTS TO FEDEX AND SYN-TECH SYSTEMS.**

**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**, the Transit Services Division onsite fueling system became inoperable and required technical support to get the system back online and working; 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 Syn-Tech Systems be ratified and authorized for payment in an amount not to exceed eighty-four dollars (\$84.00); and

**WHEREAS**, in order to ensure delivery of payments to APTA for HYATT Regency hotel fees and registration fees for Bus Conference in Columbus, OH, the Transit Services Division is requesting that the purchases and procurement of services from FedEx be ratified and authorized for payment in an amount not to exceed two hundred sixteen dollars forty cent (\$216.40); and

**WHEREAS**, it has been generally held through Mississippi Case Law and Attorney General Opinions that governing authorities are not “required”, but “recommended” to follow competitive bid requirements in the procurement of personal or professional service contracts and pursuant to Miss. Code. Ann. § 31-7-57(2), no governing authority shall let contracts or purchase commodities or equipment except in the manner provided by law; nor shall any governing authority ratify any such contract or purchase...or pay for the same out of public funds unless such contract or purchase was made in the manner provided by law; provided however, that any vendor who, in good faith, delivers commodities or printing or performs any services under a contract to or for the governing authority, shall be entitled to recover the fair market value of such commodities, printing or services, notwithstanding some error or failure by the governing authority to follow the law, if the contract was for an object authorized by law and the vendor had no control of, participation in, or actual knowledge of the error or failure by the governing authority.

**IT IS, THEREFORE, ORDERED** that the purchases and procurement of services from two (2) vendors be ratified and payment authorized for to Syn-Tech Systems at a cost not to exceed eighty-four dollars (\$84.00) and FedEx at a cost not to exceed two hundred sixteen dollars forty cent (\$216.40).

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

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

Nays – None.

Absent – None.

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**ORDER AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF JACKSON AND THE NATIONAL LEAGUE OF CITIES INSTITUTE SOUTHERN CITIES ECONOMIC INCLUSION INITIATIVE.**

**WHEREAS**, the City of Jackson’s Office of Economic Development (OED) requires information, management, and technical assistance to help design and implement local economic inclusion strategies that close racial and economic equity gaps for residents and businesses of color; and

**WHEREAS**, the City of Jackson seeks to increase its levels of Minority Business Enterprise (MBE) participation in the procurement of goods and services; and

**WHEREAS**, the OED has a variety of resources available to assist minority business owners in increasing their capacity through the provision of management, information, and technical assistance; and

**WHEREAS**, the National League of Cities Institute (NLCI) Southern Cities Economic Inclusion Initiative (SCEI) is available to assist the City of Jackson in deepening local capacity, building leadership skills to support strategy development and implementation based on economic inclusion, and assessing strategies and policies to create greater economic opportunity and resilience for communities of color; and

**WHEREAS**, the City of the Jackson will receive ten thousand dollars (\$10,000.00) for project planning from NLCI-SCEI upon execution of the Memorandum of Understanding; and

**WHEREAS**, the City is eligible for an additional amount up to twenty thousand dollars (\$20,000.00) for implementation and inventory; and

**WHEREAS**, the City will be required to share data with NLCI-SCEI to support its initiative goals, which includes completing an Economic Inclusion Agreement, planning a proposed budget, attending monthly cohort calls, securing the local grant match, submitting an Interim Grant Report, submitting a Final Report, attending the NLCI-SCEI all-city Summit, and convening a group of partners interested in growing Jackson’s economy, creating job growth, and creating economic revitalization throughout Jackson’s neighborhoods; and

**WHEREAS**, OED is currently participating in the NLCI-SCEI program that began March 3, 2022 through October 31, 2022; and

**WHEREAS**, the City of Jackson finds it reasonable to partner with NLCI-SCEI to share and exchange resources thus enhancing the effectiveness of the OED.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the City of Jackson is authorized to enter into a Memorandum of Understanding (MOU) with NLCI-SCEI.

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

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

Nays – None.

Absent – None.

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**ORDER AUTHORIZING THE MAYOR TO SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE CITY OF JACKSON’S 2022 ONE-YEAR ACTION PLAN OF THE 2020-2024 CONSOLIDATED PLAN.**

**WHEREAS**, the City of Jackson receives, on an annual basis, federal funds from the U.S. Department of Housing and Urban Development for several federal programs to benefit principally low- and moderate-income individuals and families. The purpose of the funding is to provide a suitable living environment, decent housing, and expanded economic opportunities; and

**WHEREAS**, as a condition of receiving these funds, the City of Jackson must receive input from City departments and citizens regarding needs in their neighborhoods and projects to include in the One-Year Action Plan; and

**WHEREAS**, input was received from City departments and public hearings were conducted at the Grove Park Community Center and Tabernacle Ministries on May 10 and May 11, 2022, respectively. The Final Public Hearing was held on June 15, 2022, at the Warren Hood Building, Andrew Jackson Conference Room to present the DRAFT 2022 One-Year Action Plan of the 2020-2024 Consolidated Plan and obtain citizens comments; and

**WHEREAS**, an Application /Proposal Workshop was conducted on May 20, 2022, to explain how non-profit organizations could apply for funds to benefit the homeless, provide public services, and increase homeownership through the provision of affordable housing; and

**WHEREAS**, the DRAFT of the One-Year Action Plan of projects has been prepared, and is available on the City's website (<https://www.jacksonms.gov/documents/2022-action-plan-public-comment-form/>) with written comments accepted from citizens until July 15, 2022.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to submit to the U.S. Department of Housing and Urban Development the 2022 One-Year Action Plan of the 2020 - 2024 Consolidated Plan by August 15, 2022, which includes: \$1,479,031.00 in Community Development Block Grant (CDBG) funds; \$944,901.00 in HOME Investment Partnership (HOME) funds; \$152,316.00 in Emergency Solutions Grant (ESG) funds, and \$1,478,169.00 in Housing Opportunities for Persons with Aids (HOPWA) funds for a total of \$4,054,417.00; and to execute all required certifications, forms, and contractual documents related to this program year.

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

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

Nays – None.

Absent – None.

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

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS BETWEEN THE CITY OF JACKSON AND MULTI-CON, LLC, BEN WIGGINS REMODELING, FOR THE USE OF LEAD-BASED PAINT HAZARD CONTROL (LBPHC) GRANT FUNDS, HEALTHY HOMES SUPPLEMENTAL FUNDS (HHSF), AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO IMPLEMENT LEAD SAFE JACKSON HOUSING PROGRAM ACTIVITIES.**

**WHEREAS**, on August 6, 2019, found in Minute Book 6-P Pages 489-490, the Mayor was authorized to execute all documents necessary to apply and administer the U.S. Department of Housing and Urban Development's (HUD) Lead-Based Paint Hazard Control Grant (LBPHC) to the Office of Lead Hazard Control and Healthy Homes Supplemental Funds (HHSF) requesting approximately one million six hundred fifty thousand dollars (\$1,650,000.00); and

**WHEREAS**, on September 30, 2019, HUD announced the City of Jackson as one of its recipients to be awarded grant funds in the amount of one million eight hundred thousand dollars (\$1,800,000.00) through the Lead-Based Paint Hazard Control Grant (LBPHC) and Healthy Homes Supplemental Funds (HHSF) for a 42-month funding period and issued Grant Agreements on November 8, 2019 to begin program activities for the City's Lead Safe Jackson Housing Program; and

**WHEREAS**, the city was awarded one million eight hundred thousand dollars (\$1,800,000.00) through HUD's Lead-Based Paint Hazard Control Grant (LBPHC), one hundred fifty thousand dollars (\$150,000.00) through Healthy Homes Supplemental Funds (HHSF) and

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two hundred twenty-one thousand six hundred dollars and fifty-one cents (\$221,600.51) through a matching Community Development Block Grant (CDBG); and

**WHEREAS**, on December 15 - December 31, 2021, the Department of Planning and Development through the Office of Housing and Community Development (OHCD) advertised Request for Qualifications (RFQs) for the Lead Safe Jackson Housing Program contract funded through the Lead-Based Paint Hazard Control (LBPHC) Grant, Healthy Homes Supplemental Funds (HHSF), and Community Development Block Grant (CDBG) for the remediation of lead and healthy homes hazards to renter and owner occupied units throughout the City; and

**WHEREAS**, on December 31, 2021, the Office of Housing and Community Development (OHCD) received six (6) Statements of Qualifications; and

**WHEREAS**, six (6) Contractors met all the qualifications to be included in Office of Housing and Community Development (OHCD) list of approved contractors eligible to bid on Lead Safe Jackson Housing Program contracts; and

**WHEREAS**, two (2) Contractors were selected to perform Lead Safe Jackson Housing Program activities on four (4) eligible units scheduled to receive services through this program and will be required to enter into a HUD approved contract agreement with the City of Jackson to perform Lead Safe Jackson Housing Program activities for low to moderate income households with children present under the age of six and/or households occupied by pregnant women; and

**WHEREAS**, the City intends to award contracts to Multi-Con, LLC and All In One Maintenance, to perform Lead Safe Jackson Housing Program activities subject to completion and acceptance of the appropriate environmental evaluations.

**IT, IS THEREFORE, ORDERED** that the Mayor is authorized to execute contracts and any and all documents necessary with Multi-Con, LLC and All In One Maintenance, to receive funds from the Lead-Based Paint Hazard Control (LBPHC) Grant, Healthy Homes Supplemental Funds (HHSF), and the Community Development Block Grant (CDBG) for the remediation of lead and healthy homes hazards to renter and owner occupied units throughout the City to implement Lead Safe Jackson Housing Program activities on four (4) units scheduled to receive services through the Lead Safe Jackson Housing Program. The awarded Contractors, original bid amounts, and approved units are listed below:

Multi-Con, LLC	358 Forest Ave.	\$26,765.00
Multi-Con, LLC	701 Combs St.	\$6,309.00
Ben Wiggin Remodeling	902 Alta Vista Blvd.	\$50,000.00
Ben Wiggin Remodeling	1824 East St.	\$51,000.00

**IT IS FURTHER ORDERED** the Department of Planning and Development through the Office of Housing and Community Development is authorized to review and approve any necessary change orders with Multi-Con, LLC and Ben Wiggin Remodeling for the four (4) units scheduled to receive services in an amount not to exceed five thousand dollars (\$5,000.00) per bid amount.

**IT IS FURTHER ORDERED** that the total amount shall not exceed one hundred fifty-four thousand seventy-four dollars (\$154,074.00) for the entire project, this amount includes one hundred thirty-four thousand seventy-four dollars (\$134,074.00) for the initial repair cost of all four units and twenty thousand (\$20,000.00) for any authorized change orders which cannot exceed five thousand dollars (5,000.00) per bid with the proper supporting documentation evidencing a need.

**IT IS FURTHER ORDERED** all change orders reviewed and approved by the Office of Housing and Community Development whose cumulative amount per bid exceeds the authorized bid total by more than five thousand dollars (\$5,000.00) per bid must be approved by City Council.

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

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President Foote recognized Jordan Hillman, Director of Planning and Development, who provided a brief overview of said item.

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Thereafter, President Foote called for a vote on said order:

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

Nays – None.

Absent – Hartley.

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**ORDER DECLARING PARCEL 151-5 SURPLUS PROPERTY AND AUTHORIZING DISPOSAL OF SAME TO THE CENTER FOR SOCIAL ENTREPRENEURSHIP FOR THE CONSTRUCTION OF AFFORDABLE HOUSING.**

**WHEREAS**, on April 7, 2022, the Center for Social Entrepreneurship submitted an application to the Department of Planning and Development Surplus Property Division requesting that Parcel 151-5 be declared surplus and conveyed to the Center for Social Entrepreneurship to continue the revitalization of the iVillage by providing substandard housing to the community members in West Jackson; and

**WHEREAS**, the City of Jackson has ownership of Parcel No. 151-5 fully described below and having the physical location of Robinson Street:

*Lot 5 BLK 1 SUNNY WILD PLACE LESS TO CITY FOR ST Parcel  
#151-5\*\*1127 AB Robinson St\*\*  
Parcel/PPIN: 1515  
Hinds County, Mississippi.*

**WHEREAS**, On April 21, 2022, the Department of Planning and Development, Surplus Property Committee, voted to declare the above-referenced parcel surplus property and to dispose of the property pursuant to Section 21-17-1(3)(b)(i) of the Mississippi Code, as amended; and

**WHEREAS**, no City department expressed a municipal need for the property; and

**WHEREAS**, the Surplus Property Committee recommends that the governing authorities declare the property surplus and authorize its disposal to the Center for Social Entrepreneurship, a bona fide not-for-profit corporation, pursuant to Section 21-17-1(3)(b)(i) of the Mississippi Code, as amended.

**IT IS HEREBY ORDERED** that the Parcel No. 151-5, fully described below and having the physical location of Robinson Street:

*Lot 5 BLK 1 SUNNY WILD PLACE LESS TO CITY FOR ST Parcel  
#151-5\*\*1127 AB Robinson St\*\*  
Parcel/PPIN: 1515  
Hinds County, Mississippi.*

is no longer necessary or needed for municipal or related purposes and is not used in the operation of the municipality, that the disposition of such property in another manner is not necessary or desirable for the financial welfare of the municipality, and using the property for the construction of housing for persons who otherwise can afford to live only in substandard housing will promote and foster overall development and improvement of the community and the civic, social, educational, cultural, moral, economic or industrial welfare, and the property is, hereby, declared to be surplus property.

**IT IS FURTHER ORDERED** that the Mayor is authorized to execute a quitclaim deed, with a right of reverter, providing that the Center for Social Entrepreneurship may hold title Parcel No. 151-5 only so long as it is continued to be used for the civic, social, educational, cultural, moral, economic or industrial welfare of the community, and that title shall revert to the City of Jackson in the event of the cessation of such use for a period of two (2) years, to the Center for

Social Entrepreneurship for the construction of housing for persons who otherwise can afford to live only in substandard housing.

**IT IS FURTHER ORDERED** that this conveyance is subject to any and all easements, rights-of-ways, and restrictions of record concerning the subject property.

**IT IS FURTHER ORDERED** that the City retains any and all mineral rights, as well as the right of ingress and egress to remove same.

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

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

Nays – None.

Absent – Hartley.

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**ORDER DECLARING PARCEL NO. 4850-987-1 SURPLUS PROPERTY AND AUTHORIZING DISPOSAL OF SAME TO SHARON RUSSELL-ROBINSON FOR HOMESTEAD YARD EXTENSION.**

**WHEREAS**, on August 13, 2021, Sharon Russell-Robinson submitted an application to the City of Jackson’s Surplus Property Division requesting that Parcel 4850-987-1 be declared surplus and conveyed to her for homestead yard extension; and

**WHEREAS**, on March 17, 2022, the City of Jackson’s Surplus Property Committee voted to declare the above-referenced parcel surplus property and to dispose of it using The Neighbor’s First Lot Program pursuant to Section 29-1-51 and 21-17-1(11)(a) of the Mississippi Code annotated; and

**WHEREAS**, no City department expressed a municipal need for the property; and

**WHEREAS**, the Surplus Property Committee recommends that the City Council declare the property surplus and authorize its disposal to Sharon Russell-Robinson, pursuant to Section 29-1-51 and 21-17-1(11)(a) of the Mississippi Code annotated; and

**WHEREAS**, the City of Jackson has ownership of Parcel No. 4850-987-1 fully described below and having the physical location of Forest Hill Road:

*BEG SW COR LOT 19 BROOKWOOD CLUB EST SELY 62 FT NELY 123 FT NWLY 62 FT SWLY 123 FT TO POB IN NE ¼ SE ¼ SEC 2 T4 R1W CITY OF JACKSON*

**IT IS, THEREFORE, ORDERED** that Parcel No. 4850-987-1 fully described below and having the physical location of Forest Hill Road:

*BEG SW COR LOT 19 BROOKWOOD CLUB EST SELY 62 FT NELY 123 FT NWLY 62 FT SWLY 123 FT TO POB IN NE ¼ SE ¼ SEC 2 T4 R1W CITY OF JACKSON*

pursuant to Section 21-17-1(11)(a) of the Mississippi Code annotated, the subject property is blighted and is located in a blighted area and is no longer necessary or needed for municipal or related purposes and is not to be used in the operation of the municipality, that the disposition of such property in another manner is not necessary or desirable for the financial welfare of the municipality, and using the property for yard extension will promote and foster the development and improvement of the community and the civic, social, educational, cultural, moral, economic or industrial welfare, and the property is, hereby, declared to be surplus property.

**IT IS FURTHER ORDERED** that the Mayor is authorized to execute a quitclaim deed, with a right of reverter, deeding the property to Sharon Russell-Robinson for homestead yard extension.

**IT IS FURTHER ORDERED** that this conveyance is subject to any and all easements and rights-of-way, restrictions of record concerning subject property.

**IT IS FURTHER ORDERED** that the City retains any and all mineral rights, as well as the right of ingress and egress to remove same.

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

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

Nays – None.

Absent – Hartley.

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**ORDER DECLARING PARCEL 151-4 SURPLUS PROPERTY AND AUTHORIZING DISPOSAL OF SAME TO THE CENTER FOR SOCIAL ENTREPRENEURSHIP FOR RESIDENTIAL DEVELOPMENT.**

**WHEREAS**, on April 7, 2022, the Center for Social Entrepreneurship submitted an application for Surplus/Land Bank Property acquisition to the City of Jackson’s Surplus Property Division; and

**WHEREAS**, the Center for Social Entrepreneurship is a Non-Profit Corporation; and

**WHEREAS**, the Center for Social Entrepreneurship plans to use parcel 151-4 for revitalization of the neighborhood through providing quality/affordable housing to community members; and

**WHEREAS**, on April 21st, 2022, the City of Jackson’s Surplus Property Committee voted to declare the above-referenced parcel surplus property and to dispose of it via the donation method pursuant to Section 21-17-1(3)(b)(i) of the Mississippi Code, as amended; and

**WHEREAS**, no City department expressed a municipal need for the property; and

**WHEREAS**, the Surplus Property Committee recommends that the City Council declare the property surplus and authorize its disposal to the Center for Social Entrepreneurship, pursuant to Section 21-17-1(3)(b)(i) of the Mississippi Code, as amended; and

**WHEREAS**, the City of Jackson has ownership of Parcel No. 151-4 fully described below and having the physical address of 1143 Robinson Street:

*Lot 4 Block 1 Sunny Wild Place, a subdivision according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Hinds County, Mississippi in Plat Book 2 at page 95, reference to which is hereby made in aid of this description; Parcel No. 151-4.*

**IT IS HEREBY ORDERED** that the property in question, bearing the following legal description:

*Lot 4 Block 1 Sunny Wild Place, a subdivision according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Hinds County, Mississippi in Plat Book 2 at page 95, reference to which is hereby made in aid of this description; Parcel No. 151-4.*

is no longer necessary or needed for municipal or related purposes and is not to be used on the operation of the municipality, that the sale of such property in another manner is not necessary or desirable for the financial welfare of the municipality, and using the property for cleaning up and, thus improvement of aesthetics of the neighborhood will promote and foster the development and improvement of the community and the civic, social, education, cultural, moral, economic or industrial welfare, and the property is, hereby, declared to be surplus property

**IT IS FURTHER ORDERED**, that pursuant to the terms of Section 21-17-1(3)(b)(i) of the Mississippi Code, as amended, the City agrees to donate the property to Center for Social Entrepreneurship as the recipient, and that the Mayor be authorized to execute a quitclaim deed, with right to reverter, deeding the property to Center for Social Entrepreneurship.

Council Member Grizzell moved adoption; Council Member Stokes seconded.

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

Nays – None.

Absent – Hartley.

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Note: Council Member Hartley returned to the meeting.

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**ORDER DECLARING PARCEL 99-57 AND PARCEL 99-58 SURPLUS PROPERTY AND AUTHORIZING DISPOSAL OF SAME TO AARON HONEYSUCKER TO CLEAN UP AND, THUS IMPROVE AESTHETICS OF THE NEIGHBORHOOD.**

WHEREAS, on November 29, 2021, Aaron Honeysucker submitted an application for Surplus/Land Bank Property acquisition to the City of Jackson’s Surplus Property Division; and

WHEREAS, Aaron Honeysucker plans to clean up parcels 99-57 and 99-58 and thus improve the aesthetics of the neighborhood; and

WHEREAS, On March 17, 2022, the City of Jackson’s Surplus Property Committee voted to declare the above-referenced parcel surplus property and to dispose of it through the bid method pursuant to terms of Section 21-17-1(2)(a) of the Mississippi Code of 1972, as amended; and

WHEREAS, after no City department expressed a municipal need for the property, the Surplus Property Committee issued a request for bids that was published for three weeks in the Mississippi Link; and

WHEREAS, the highest bid was submitted by Aaron Honeysucker in the amount of \$800.00 for joint parcels 99-57 and 99-58; and

WHEREAS, based on the above, the Surplus Property Committee recommends that the City Council declare the property surplus and authorize its disposal to Aaron Honeysucker pursuant Section 21-17-1(2)(a) of the Mississippi Code of 1972, as amended.

WHEREAS, the City of Jackson has ownership of Parcel No. 99-57 fully described below and having the physical address of Peace Street:

LOT 15 BLK B AVONDALE  
SUBN PARCEL# 99-57 \*\*2212 AB  
PEACE ST\*\*

WHEREAS, the City of Jackson has ownership of Parcel No. 99-58 fully described below and having the physical address of Peace Street:

LOT 17 BLK B AVONDALE  
SUBN PARCEL# 99-58 \*\*2209 10  
PEACE ST\*\*

IT IS HEREBY ORDERED that the property in question, bearing the following legal description:

LOT 15 BLK B AVONDALE  
SUBN PARCEL# 99-57 \*\*2212 AB  
PEACE ST\*\*

IT IS HEREBY ORDERED that the property in question, bearing the following legal description:

LOT 17 BLK B AVONDALE  
SUBN PARCEL# 99-58 \*\*2209 10



*PEACE ST\*\**

is no longer necessary or needed for municipal or related purposes and is not to be used on the operation of the municipality, that the sale of such property in another manner is not necessary or desirable for the financial welfare of the municipality, and using the property for cleaning up and, thus improvement of aesthetics of the neighborhood will promote and foster the development and improvement of the community and the civic, social, education, cultural, moral, economic or industrial welfare, and the property is, hereby, declared to be surplus property.

**IT IS FURTHER ORDERED**, that pursuant to Section 21-17-1(2) (a) of the Mississippi Code Annotated (1972), as amended, the City accepts the \$800.00 offer of Aaron Honeysucker as the buyer, of parcel 99-57 sold jointly with parcel 99-58, and that the Mayor is authorized to execute a quitclaim deed, with a right to revert, deeding the property to Aaron Honeysucker.

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

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

Nays – None.

Absent – None.

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**ORDER DECLARING PARCEL 123-104 SURPLUS PROPERTY AND AUTHORIZING DISPOSAL OF SAME TO KYLIA LEE TO PLACE A MODULAR HOME ON FOR PRIMARY RESIDENCE. (HILLMAN, LUMUMBA)**

**WHEREAS**, on March 1, 2022, Kylia Lee submitted an application for Surplus/Land Bank Property acquisition to the City of Jackson’s Surplus Property Division; and

**WHEREAS**, Kylia Lee plans to use parcel 123-104 for placement of a modular home on for her primary residence; and

**WHEREAS**, On March 17, 2022, the City of Jackson’s Surplus Property Committee voted to declare the above-referenced parcel surplus property and to dispose of it via the Bid Method pursuant to terms of Section 21-17-1(2)(a) of the Mississippi Code of 1972, as amended; and

**WHEREAS**, after no City department expressed a municipal need for the property, the Surplus Property Committee issued a request for bids that was published for 3 weeks in the Mississippi Link; and

**WHEREAS**, the highest bid was submitted by Kylia Lee in the amount of \$2,000.00; and

**WHEREAS**, based on the above, the Surplus Property Committee recommends that the City Council declare the property surplus and authorize its disposal to Kylia Lee pursuant Section 21-17-1(2)(a) of the Mississippi Code of 1972, as amended; and

**WHEREAS**, the City of Jackson has ownership of Parcel No. 123-104 fully described below and having the physical address of 2609 Latimer Ave:

*10 BLK B WESTWOOD PT 3,  
P# 123-104  
Subdivision: Westwood*

**IT IS HEREBY ORDERED** that the property in question, bearing the following legal description:

*Lot 10 BLK B WESTWOOD PT 3,  
P# 123-104  
Subdivision: Westwood*

is no longer necessary or needed for municipal or related purposes and is not to be used in the operation of the municipality, that the sale of such property in another manner is not necessary or desirable for the financial welfare of the municipality, and using the property for the placement of a modular home for a primary residence will promote and foster the development and

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improvement of the community and the civic, social, educational, cultural, moral, economic or industrial welfare, and the property is, hereby, declared to be surplus property.

**IT IS FURTHER ORDERED**, that pursuant to Section 21-17-1(2)(a) of the Mississippi Code Annotated (1972), as amended, the City accepts the two thousand dollar (\$2,000.00) offer of Kyliia Lee as the buyer, and that the Mayor is authorized to execute authorized a quitclaim deed with a right of reverter deeding the property to Kyliia Lee.

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

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

Nays – None.

Absent – None.

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**ORDER AUTHORIZING THE MAYOR TO ENTER INTO A THIRTY-SIX (36) MONTH AGREEMENT WITH GENFARE, LLC FOR THE PROCUREMENT OF A SOFTWARE SUPPORT AGREEMENT IN ACCORDANCE WITH FEDERAL TRANSIT ADMINISTRATION (FTA) CIRCULAR 4220.1F.**

**WHEREAS**, on August 25, 2015, Minute Book 6H, Pages 610-611, the governing authorities authorized the Mayor to execute the agreement with Genfare, LLC to provide fareboxes and associated equipment for the public transportation system; and

**WHEREAS**, the City of Jackson, Mississippi, desires to enter into a 36-month agreement for software support; and

**WHEREAS**, the City of Jackson is subject to regulations promulgated by the Federal Transit Administration because it receives federal monies and assistance in its provision of public transportation services; and

**WHEREAS**, FTA C Circular 4220.1 F provides Contracting guidance for recipients of the Federal Transit Administration when using the Federal assistance to finance its procurements; and

**WHEREAS**, sole sources are identified as a procurement source in Chapter V Section 7(a) (1) (c) of FTA C Circular 4220.1 F; and

**WHEREAS**, Chapter VI Section 3(i) (3) (b) of the referenced circular requires a recipient to complete a written sole source justification in conjunction with each sole source procurement; and

**WHEREAS**, the staff within the Transit Services division completed a written sole source justification with the procurement action and has documented its file with the report; and

**WHEREAS**, the Transit Service division believes and recommends that the best interest of the City of Jackson would be served by renewing the contract for transportation planning software from Remix Software, Inc; and

**WHEREAS**, the total cost of the procurement is thirty-four thousand six hundred fifty-seven dollars (\$34,657.00) with an annual breakdown of FY 1 eleven thousand two hundred thirteen dollars (\$11,213.00), FY 2 eleven thousand five hundred forty-nine dollars (\$11,549.00), FY 3 eleven thousand eight hundred ninety-five dollars (\$11,895.00); and

**WHEREAS**, the funds received from the Federal Transit Administration in the amount of twenty-seven thousand seven hundred twenty-five dollars (\$27,725.00) will be used to fund the procurement described; and

**WHEREAS**, the sum of six thousand nine hundred and thirty-two dollars (\$6,932.00) is not covered by federal funding and must be matched from local sources; and

**WHEREAS**, the local match of six thousand nine hundred and thirty-two dollars (\$6,932.00) is included in the Transit Services division budgets for FY2022, FY2023 and FY2024.

**IT IS HEREBY ORDERED** that the sole source procurement of Software Support Agreement may be purchased from Genfare, LLC in accordance with the referenced FTAC C Circular 4220.1F.

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to enter into an Agreement with Genfare, LLC for the provision of a software support agreement for its fare collection system of the public transportation system (JTRAN) for a three (3) year period commencing upon approval of the City Council.

**IT IS FUTHERED ORDERED** that for the procurement of the software support agreement, the total sum shall not to exceed thirty-four thousand six hundred fifty-seven dollars (\$34,657.00) with an annual breakdown of FY2022 eleven thousand two hundred thirteen dollars (\$11,213.00), FY2023 eleven thousand five hundred forty-nine dollars (\$11,549.00), FY2024 eleven thousand eight hundred ninety-five dollars (\$11,895.00) with twenty-seven thousand seven hundred twenty-five dollars (\$27,725.00) from Federal Transit Administration and six thousand nine hundred and thirty-two dollars (\$6,932.00) from the Transit Services division budget for FY2022, FY2023, and FY2024.

**IT IS FINALLY ORDERED** that the Mayor shall be authorized to execute purchase orders, contracts, and other documents not contrary to the provisions of this order which may be required and necessary for facilitating the procurement and the receipt and delivery of the goods or services stated.

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

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

Nays – None.

Absent – None.

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**ORDER AUTHORIZING FINAL EXTENSION TO THE AGREEMENT WITH TRANSDEV SERVICES INC. TO PROVIDE THE OPERATIONS AND MAINTENANCE OF JACKSON'S PUBLIC TRANSPORTATION SYSTEM BEGINNING JANUARY 1, 2023 THROUGH DECEMBER 31, 2023, AND AUTHORIZING THE MAYOR TO EXECUTE THE EXTENSION AGREEMENT AND RELATED DOCUMENTS.**

**WHEREAS**, by Order entered on November 14, 2018, Minute Book 6-O, the governing authorities determined that it was in the City's best interest to enter into an agreement with a professional management company to operate and maintain the City's public transit system (JTRAN); and

**WHEREAS**, by Order entered on August 3, 2021, Minute Book 6-T, pages 26-27 the governing authorities determined that it was in the City's best interest to enter into extension agreement#1 to continue to operate and maintain the City's public transit system (JTRAN); and

**WHEREAS**, Transdev Services, Inc. has provided a written request to extend the terms of said agreement pursuant to Article I, Section 104 of the Agreement for an additional year beginning January 1, 2023 through December 31, 2023, at a cost not to exceed four million eight hundred fifty thousand nine hundred and seventy-one dollars (\$4,850,971.00) for the fixed route and three million eighty-one thousand one hundred forty-one dollars (\$3,081,141.00) for the paratransit; and

**WHEREAS**, the Department of Planning and Development, through its Transit Division, has reviewed the request and is recommending that the City grant the second and final one (1) year extension with said term beginning January 1, 2023 and expiring on December 31, 2023, at a cost not to exceed four million eight hundred fifty thousand nine hundred and seventy-one dollars (\$4,850,971.00) for the fixed route and three million eighty-one thousand one hundred forty-one dollars (\$3,081,141.00) for the paratransit.

**IT IS, THEREFORE, ORDERED** that the general public fixed route and demand response services agreement with Transdev Services, Inc. to operate the City's public transit system (JTRAN) be extended for the second and final one (1) year extension beginning January 1,

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2023 and expiring on December 31, 2023, at a cost not to exceed four million eight hundred fifty thousand nine hundred and seventy-one dollars (\$4,850,971.00) for the fixed route and three million eighty-one thousand one hundred forty-one dollars (\$3,081,141.00) for the paratransit.

**IT IS FURTHER ORDERED** that the Mayor is authorized to execute the second and final one (1) year extension agreement extension and related documents with Transdev Services Inc.

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

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**President Foote** recognized **Jordan Hillman, Director of Planning and Development**, who provided a brief overview of said item.

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Thereafter, **President Foote** called for a vote on said order:

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

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**ORDER RATIFYING A CONTRACT WITH SANSOM EQUIPMENT COMPANY FOR THE RENTAL OF A COMBINATION TANDEM TRUCK (VACUUM AND JET) AND A VACTOR RAMJET JET TRUCK.**

**WHEREAS**, the Sewer Maintenance Division of the Department of Public Works requires an additional combination tandem truck (vacuum and jet) and a Vactor Ramjet jet truck to address sanitary sewer overflows in the sanitary sewer collection system and to clean the same collection system to prevent future sanitary sewer overflows; and

**WHEREAS**, due to the age of the combination tandem trucks owned by the City, they now frequently break down and require repairs that often times must be performed by a third-party vendor, which reduces significantly the City’s ability to comply with the requirements of its NPDES permits for its sewer treatment plants and the City’s Clean Water Act Consent Decree; and

**WHEREAS**, The Sewer Maintenance Division intends to procure combination vacuum jet trucks through a lease consistent with Mississippi Purchasing Law, Miss. Code. § 31-7-13 (1972, as amended); however, the creation of the specifications, advertisement, and bringing the lowest and best bid to the City Council for approval will take three to four months; and

**WHEREAS**, during the interim, the City continues to receive calls from residents and the Mississippi Department of Environmental Quality about sanitary sewer overflows that can only be addressed using a combination vacuum jet truck or a jetter, which is a truck that only jets and without the availability of this equipment to address these sanitary sewer overflows, the City is at risk of incurring stipulated penalties and other fines for failing to address these sanitary sewer overflows; and

**WHEREAS**, because of the risk to human health and potential environmental dangers, the Mayor invoked the emergency procurement process, pursuant to Section 31-7-13 (k), a copy of which is attached to this Order and made a part of these minutes; and

**WHEREAS**, pursuant to the emergency procurement process, two contracts were executed with Sansom Equipment Company, a copy of each which is attached to this Order and made a part of these minutes; and

**WHEREAS**, one contract is for the rental of a 2015 Vactor Ramjet Jet Truck in an amount not to exceed \$49,500.00 for a term beginning April 1, 2022 and ending September 30, 2022; and

**WHEREAS**, one contract is for the rental of a Vactor Combo Tandem PD on Kenworth Chassis in an amount not to exceed \$44,000.00 for a term beginning April 1, 2022 and ending July 22, 2022.

Council Member Stokes moved adoption; Council Member Grizzell seconded.

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President Foote recognized Marlin King, Director of Public Works, who provided a brief overview of said item.

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Thereafter, President Foote called for a vote on said order:

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

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT #2/FINAL TO THE CONTRACT OF HEMPHILL CONSTRUCTION COMPANY, INC. AUTHORIZING FINAL PAYMENT, AND AUTHORIZING PUBLICATION OF NOTICE OF COMPLETION OF THE MUSEUM TO MARKET TRAIL PROJECT, FEDERAL AID PROJECT NUMBER STP-0250-00(039) LPA/106367.**

WHEREAS, the City of Jackson entered into a contract for the construction of the Museum to Market Trail Project with Hemphill Construction Company, Inc.; and

WHEREAS, a final inspection was held by Mississippi Department of Transportation and City of Jackson personnel with a release from all maintenance issued effective December 1, 2021, and the Surety, Federal Insurance Company, has authorized release and payment of all monies due under this contract; and

WHEREAS, the final payment of \$72,186.30 results in a final project cost of \$1,795,244.37; and

WHEREAS, the Department of Public Works recommends approval of the final payment and the acceptance of said project.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Supplemental Agreement #2/Final to the contract of Hemphill Construction Company, Inc. and to issue final payment in the amount of \$72,186.30 to said contractor.

IT IS FURTHER ORDERED that publication of the Notice of Completion and the execution of any and all documents necessary to close out the project is authorized for the Museum to Market Trail Project, Federal Aid Project STP-0250-00(039) LPA/106367.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any documents necessary as part of the closeout of this project.

Council Member Lindsay moved adoption; Vice President Lee seconded.

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

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There came on for consideration Agenda Item No. 37:

**ORDER AUTHORIZING THE RENEWING OF WORKERS COMPENSATION COVERAGE WITH BITCO INSURANCE COMPANIES OBTAINED THROUGH THE EVANS AGENCY FOR THE PERIOD AUGUST 1, 2022 THROUGH AUGUST 1, 2023. President Foote stated said item was pulled by the Administration.**

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There came on for consideration Agenda Item No. 38:

**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ORDERING THE EXPANSION OF THE RANKS OF THE JACKSON POLICE DEPARTMENT BY A MINIMUM OF ONE HUNDRED SWORN OFFICERS WITHIN A TIME PERIOD OF ONE YEAR. President Foote stated said item would be tabled until the next Special Council meeting to be held on August 16, 2022.**

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There came on for consideration Agenda Item No. 39:

**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI DENYING ANY REQUEST BY THE MAYOR FOR AUTHORIZATION TO PAY FOR AND/OR PROVIDE CITY OF JACKSON RESOURCES FOR AN APPEAL OF THE COURT'S RULING IN FAVOR OF THE JACKSON CITY COUNCIL IN THE GARBAGE CONTRACT LAWSUIT. President Foote stated said item would be held until later in the meeting.**

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There came on for consideration Agenda Item No. 40:

**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI TO RETAIN LEGAL COUNSEL. President Foote stated said item would be held until later in the meeting.**

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There came on for consideration Agenda Item No. 41:

**RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI REQUESTING THE CITY ATTORNEY'S RECUSAL FROM ALL PROCEEDINGS REGARDING THE RICHARD'S DISPOSAL LAWSUIT. Said item was pulled by President Foote.**

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**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, August 31, 2021, September 28, 2021, October 26, 2021, November 23, 2021, December 21, 2021, January 25, 2022, February

15, 2022, March 29, 2022, April 26, 2022, May 24, 2022 and June 21, 2022 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 Grizzell** moved adoption; **Council Member Stokes** seconded.

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

Nays – None.

Absent – None.

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There came on for Discussion, Agenda Item No. 43:

**DISCUSSION: MBA/JEFFERY LEWIS AND ELISHA LEWIS: President Foote** stated said item would be tabled at the request of **Council Member Stokes**.

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There came on for Discussion, Agenda Item No. 44:

**DISCUSSION: KEYSHIA SANDERS (UPDATE): President Foote** recognized **Council Member Stokes**, who requested an update on Keyshia Sanders and requested to reach out to Federal entities to find out how to recover funds lost. **President Foote** then recognized **Catoria Martin, City Attorney**, who provided a brief overview of this item.

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There came on for Discussion, Agenda Item No. 45:

**DISCUSSION: HOMELESS POPULATION & GATEWAYS: President Foote** stated said item would be tabled at the request of **Council Member Hartley**.

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There came on for Discussion, Agenda Item No. 46:

**DISCUSSION: WASTE TIRES/TIRE SHOP: President Foote** recognized **Council Member Hartley** who expressed concerns about tires being dumped in the City of Jackson. **President Foote** recognized **Jordan Hillman, Director of Planning and Development**, who gave a brief overview of the enforcement of tire disposal. **President Foote** then recognized **Lakesha Weathers, Director of Solid Waste**, who provide a brief overview of how tires are disposed and noted storage and equipment issues.

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There came on for Discussion, Agenda Item No. 47:

**DISCUSSION: REVIEW AND CONTINUATION OF COVID-19 LOCAL EMERGENCY: President Foote** and the City Council members discussed to continue the emergency.

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There came on for Discussion, Agenda Item No. 48:

**DISCUSSION: MONTHLY FINANCIAL REPORTS AS REQUIRED ACCORDING TO SECTION 21-35-13 OF THE MISSISSIPPI CODE ANNOTATED OF 1972:** President Foote expressed that all City Council members received the monthly financial report for review.

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The following reports/announcements were provided during the meeting:

- **Vice President Lee** announced the following:
  - Close the meeting in honor of Barbara Allen Baker.
  - Please support JPS Beautification Day July 29, 2022 at all JPS Schools from 7:00 a.m. to 12:00 p.m.
  - Mississippi Urban League will host a Back-to-School vaccination rally July 21, 2021 at New Horizon Church from 10:00 a.m. to 2:00 p.m.
- **Council Member Stokes** announced the following:
  - Close the meeting in honor of Mrs. Bernice Pennington, Dr. T.B. Ellis, Craig Gordon, Raymond Doss, and Mrs. Barbara Baker.
- **Mayor Chokwe Antar Lumumba** announced the following:
  - WSBA-You can now link you Digital Self-Serve account using your zip code instead of your Social Security Number. Create Your Account: Login at [dss-coj.opower.com/days/login](https://dss-coj.opower.com/days/login).
  - You can now complete your Special Events Permit Application online at [www.jackson.ms.gov](http://www.jackson.ms.gov).
  - Contact information for Richards Disposal- 769-333-4222 or [CSRJM@richardsdisposal.com](mailto:CSRJM@richardsdisposal.com)
  - Please sign up for CodeRed Emergency alerts @ [www.jacksonms.gov](http://www.jacksonms.gov)
  - Please Dial 3-1-1 for non-emergency City services.
  - COJ Early Childhood Development Centers are currently accepting applications for children ages 8 weeks to 5 years of age.
  - Cooling Centers for Seniors Ages 60 And Older (Mon-Fri 8am-4pm)  
Champion Community Center (1355 Hattiesburg St.)  
Tougaloo Community Center (318 Vine St.)  
Smith Robertson Community Center (505 John Hart St.)
  - Precinct 3 Cops Meeting (6pm) Thursday, July 21, 2022 3925 West Northside Dr. Jackson, MS 39206
  - Movie in the Park (Cost \$5) Saturday, July 23, 2022 Pre-Show starts at 6:30pm, Movie begins at 7:00pm 2607 Raymond Rd., Forest Hill School (Back Parking Lot)
  - All Souls Matter Presents Level Up Youth Festival Smith-Wills Stadium (11am-6pm) Friday, July 29, 2022 1200 Lakeland Dr. Jackson, MS 39216
  - COJ Back to School Extravaganza Smith-Wills Stadium (10am-2pm) Saturday, July 30, 2022 1200 Lakeland Dr. Jackson, MS 39216
  - Basketball Camp (Girls Only 6th-8th grade) Saturday, August 13, 2022 1450 Wiggins Rd., (Westside Gymnasium) Registration begins at 9:00am For more information please call Alex Thompson at 769-798-7441/email at [thompson394@gmail.com](mailto:thompson394@gmail.com)

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President Foote recognized Council Member Grizzell who moved, seconded by Council Member Hartley to go into Closed Session to discuss litigation. The motion prevailed by the following vote:



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

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**President Foote** announced to the public that the Council voted to go into Closed Session to discuss litigation.

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

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

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**President Foote** announced that the Council voted to go into Executive Session to discuss litigation.

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**Council Member Stokes** moved, seconded by **Vice President 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.

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

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**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI DENYING ANY REQUEST BY THE MAYOR FOR AUTHORIZATION TO PAY FOR AND/OR PROVIDE CITY OF JACKSON RESOURCES FOR AN APPEAL OF THE COURT'S RULING IN FAVOR OF THE JACKSON CITY COUNCIL IN THE GARBAGE CONTRACT LAWSUIT.**

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

**WHEREAS**, the Court decided in its judgment that the Mayor did not have authority to veto the City Council's denial of the garbage contract; and

**WHEREAS**, it is in the best interest of the citizens of the City of Jackson that the citizens are not continuously being asked to pay for the Mayor to carry on with this garbage contract issue that has already been heard and decided by the Court in favor of the Jackson City Council.

**THEREFORE, IT IS HEREBY ORDERED** the City Council of Jackson, Mississippi hereby orders the denial of any request for authorization by the Mayor for authorization to pay for and/or provide City of Jackson resources for an appeal of the Court's ruling in favor of the Jackson City Council in the garbage contract lawsuit.

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

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

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**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 "Richard's Disposal vs City of Jackson"; and

**WHEREAS**, the City Council of Jackson, Mississippi has determined that a conflict does exist between the City Council and the Mayor's office rendering the City Attorney unable to represent both the Council and the Mayor; 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 Martin and Martin, PA and Mills, Scanlon, Dye and Pittman as Co-Counsel representing only the City Council; and

**WHEREAS**, the attorneys with Martin and Martin, PA and Mills, Scanlon, Dye and Pittman as Co-Counsel will represent the governing authorities in all matters referencing the lawsuit styled "Richard's Disposal vs City of Jackson" in the United States District Court for the Southern District of Mississippi Northern Division Cause No. 3:22-CV-396-KHJ-MTP; and

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

**WHEREAS**, the attorneys with Martin and Martin, PA and Mills, Scanlon, Dye and Pittman as Co-Counsel are highly experienced with the subject matter involved in this case and have agreed to perform services for the City Council of Jackson, MS at an hourly rate not to exceed \$325.00 per hour, based on the skill and experience of the assigned counsel for the charge tasked.

**IT IS, THEREFORE, ORDERED** that the firm of Martin and Martin, PA and Mills, Scanlon, Dye and Pittman as Co-Counsel are retained as the independent legal counsel of the City Council of Jackson at an hourly rate not to exceed \$325.00 per hour based upon the skill and experience of the assigned counsel for the charged task for the purpose of defending Jackson City Council in the lawsuit styled "Richard's Disposal vs City of Jackson".

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

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

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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 August 2, 2022. At 12:19 p.m., the Council stood adjourned.

**PREPARED BY:**

Shanekia Mosley-Jordan  
CLERK OF COUNCIL

**APPROVED:**

Chokwe Lumumba, 8/16/22  
COUNCIL PRESIDENT DATE

Chokwe Lumumba  
MAYOR

**ATTEST:**

Shanekia Mosley-Jordan  
CITY CLERK

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