

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JANUARY 3, 2024 10:00 A.M.

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BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on January 3, 2024, being the first Tuesday of said month, when and where the following things were had and done to wit:

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

Absent: None.

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

The invocation was offered by **Dr. Matt Ayers Former President of Wesley Biblical Seminary**.

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

The following individuals provided public comments during the meeting:

- **Kareem Muhammad** expressed concerns regarding Agenda Item No. 6.
- **Lee Bernard** expressed concerns regarding Agenda Item No. 6.
- **Brother David** and **Brother Andrew** of Reset Jackson expressed concerns regarding Agenda Item No. 6.

President Banks requested that Agenda Item No. 6 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDINANCE OF THE CITY OF JACKSON, MISSISSIPPI RE-ENACTING JACKSON, MISSISSIPPI CODE OF ORDINANCES, ARTICLE II SECTIONS 86-51 THROUGH 86-62.

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

WHEREAS, the re-enactment of the “City of Jackson Curfew Ordinance” is made necessary and has been overwhelmingly desired by the citizens of the City of Jackson because of a rise in the incidents of crimes, including, violence, robberies, and murders allegedly being committed by a growing number of youths in the City of Jackson; and

WHEREAS, the Jackson City Council proactively legislates this re-enactment of the Curfew Ordinance as a preemptive step to prevent the escalation of the acts of crime and violence allegedly being committed by a growing number of youths in the City of Jackson; and

WHEREAS, the “City of Jackson Curfew Ordinance” is hereby re-enacted as follows:

[ARTICLE II. CURFEW]

Sec. 86-51. Short title to article.

This article shall be known and may be cited as the "City of Jackson Curfew Ordinance." (Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-52. Purpose and findings of article.

The City Council of the City of Jackson has determined that juveniles have been congregating in the city causing general disturbances to residents, and contributing to an excessive number of incidents of drug and alcohol related crimes, thefts, homicides and assaults, including a high percentage of crimes committed by and against juveniles; and

The City Council of the City of Jackson finds and determines that special and extenuating circumstances presently exist within this city that call for special regulation of minors within the city in order to protect them from each other and from other persons on the street during the nocturnal hours, to aid in crime prevention, to promote parental supervision and authority over minors, and to decrease juvenile crime rates; and

In accordance with the prevailing community standards, this article serves to regulate the conduct of juveniles on streets during evening hours, and those hours prohibited by the Mississippi Compulsory School Attendance Law; to be effectively and consistently enforced for the protection of the juveniles in Jackson from each other and from other persons on the streets during nocturnal hours; to support parental control, authority, and responsibility for their children; to protect the public from nocturnal mischief by juveniles; to reduce the incidents of juvenile criminal activity; to further family responsibility; and to promote the public good, safety, and welfare.

After further review and continuing evaluation of this article, the City Council finds that there is continued justification for the purposes and findings herein to reinstate the curfew ordinance, as well as to extend the period of restrictions to coincide with the Mississippi Compulsory School Attendance Law.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-53. Definitions.

For purpose of this article, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, and words in the singular number include the plural. The word "shall" is always mandatory and not merely discretionary or suggestive.

City is the City of Jackson, Mississippi, with administrative offices at City Hall, 219 South President Street, Post Office Box 17, Jackson, Mississippi 39205-0017.

Compulsory school age child is a child who has attained or will attain the age of five years on or before September 1 of the calendar year and who has not reached his/her 18th birthday on or before September 1 of the calendar year.

Establishment means any privately-owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Minor or *juvenile* is any unemancipated person who has not reached his/her 18th birthday.

Parent is any person having legal custody of a minor:

- (1) As a natural or adoptive parent;
- (2) As a legal guardian; or
- (3) As a person to whom legal custody has been given by court order.

Police department shall refer to the police department headquarters located at 327 E. Pascagoula Street, Jackson, Mississippi 39201, or any officially designated precinct of the police department. *Remain* means to linger, to tarry, and to stay unnecessarily upon the streets, including the congregating of groups (or of interacting minors) totaling four or more persons in which any minor involved would not be using the streets for ordinary or serious purposes such as mere passage or going home.

Street is a way or place, of whatever nature, open to the use of the public as a matter of right for purposes of vehicular travel or in the case a sidewalk thereof, for pedestrian travel. The term street

includes the legal right-of-way, including, but not limited to, the traffic lanes, the curb, the sidewalks, whether paved or unpaved, and any grass, plots or other grounds found within the legal right-of-way of the street. The term "street" applies irrespective of what is called or formerly named, whether alley, avenue, court, road, dedicated or otherwise.

Time of night referred to herein is based upon the prevailing standard of time, whether central standard time or central daylight savings time, generally observed at that hour by the public in the city, prima facie the time when observed in the city administrative offices and police department. (Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-54. Restrictions.

(a) It shall be unlawful for any minor who has not reached his/her 18th birthday to remain in or upon any public street, highway, park, vacant lot, establishment or other public place within the city during the following periods:

10:00 p.m. Sunday to 6:00 a.m. Monday
10:00 p.m. Monday to 6:00 a.m. Tuesday
10:00 p.m. Tuesday to 6:00 a.m. Wednesday
10:00 p.m. Wednesday to 6:00 a.m. Thursday
10:00 p.m. Thursday to 6:00 a.m. Friday
12:00 a.m. (midnight) to 6:00 a.m. Saturday
12:00 a.m. (midnight) to 6:00 a.m. Sunday

(b) It shall be unlawful for any compulsory school age child to remain in or upon any public street, highway, park, vacant lot, establishment or other place within the city during the following periods:

(1) 7:30 a.m. until 3:30 p.m. on Monday through Friday during the school term in which such compulsory school age child is to be enrolled in a public, private, or legitimate nonpublic school, as required by the Mississippi Compulsory School Attendance Law.

(2) Any minor who shall violate any of the provisions of the Mississippi Compulsory School Attendance Law shall be dealt with according to the youth court laws of the State of Mississippi and in accordance with the directives of the youth court of Hinds County, Mississippi, or such other court as shall have jurisdiction over said minor.

(c) It shall further be unlawful for a parent of a minor to knowingly permit, or by inefficient control to allow, such minor to be or remain upon any street or establishment under circumstances not constituting an exception to, or otherwise beyond the scope of, this article as set forth in subsections (a) and (b) herein. The term "knowingly" includes knowledge that a parent should reasonably be expected to have concerning the whereabouts of a minor in that parent's legal custody. It is intended to hold neglectful or careless parents to a reasonable community standard of parental responsibility through an objective test. It shall be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such minor child.

(d) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours as set forth in subsections (a) and (b) herein, or fails to make a reasonable effort to report any such violation to the proper authorities including but not limited to, advising the child to leave and contact the Jackson Police Department. (Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-55. Exceptions.

The following shall constitute valid exceptions to the operation of the curfew:

(1) At any time, a minor is accompanied by his or her parent;

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- (2) When accompanied by an adult authorized by a parent of a minor to take said parent's place in accompanying the minor for a designated period of time and definite purpose within a specified area;
- (3) Until the hour of 12:30 a.m. if the minor is on errand as directed by his or her parent;
- (4) If the minor is legally employed, for the period from 45 minutes before to 45 minutes after work, while going directly between his or her home and place of employment. This exception shall also apply if the minor is in a public place during curfew hours in the course of his or her employment. To come within this exception, the police officer shall dispatch communications to contact the minor's employer for verification of employment;
- (5) Until the hour of 12:30 a.m. if the minor is on the property of or on the sidewalk directly adjacent to the place where such minor resides or the place immediately adjacent thereto if the owner of the adjacent building does not communicate an objection to the minor and the police officer;
- (6) When returning home by a direct route from (and within 30 minutes of the termination of) a school activity or an activity of a religious or other voluntary association, or special event as defined and regulated in the "City of Jackson Special Events Ordinance;"
- (7) In the case of reasonable necessity, but only after a minor's parent has communicated to police department personnel the facts establishing such reasonable necessity relating to specified streets at a designated time for a defined purpose, including place of origin and destination. A copy of such communication, or the police record thereof duly certified by the chief of police to be correct, and appropriate notation of the time it was received and of the names and addresses of such parent and minor, shall constitute evidence of qualification under this exception;
- (8) When a minor is, with parental consent, in a motor vehicle engaged in bona fide interstate travel through the city particularly on Interstate 55, 20 and 220 and all access roads to these interstate systems, including all interstate travel beginning or ending in the city.
- (9) Each of the foregoing exceptions, and their several limitations, are severable.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-56. Violations.

- (a) From 7:30 a.m. until 3:30 p.m. on Monday through Friday during the school term, a police officer of the city who has probable cause to believe that a minor is in violation of this article shall:
 - (1) Stop and ascertain the name and address of the minor, and the school the minor attends;
 - (2) Report to communications so that communications personnel can make every reasonable effort to contact the appropriate school representative to confirm the minor's enrollment; and
 - (3) The officer shall make every reasonable effort to transport the minor to the appropriate school; or if the minor has been suspended or if the minor's school cannot be ascertained, then the officer, through communications personnel, shall make every reasonable effort to contact the minor's parent. If the minor's parent is unavailable, the officer shall transport the minor to the Henley-Young Juvenile Detention Center, where a Mississippi Department of Education representative will attempt to continue to contact the minor's parents.

(b) Between the hours of:

10:00 p.m. Sunday to 6:00 a.m. Monday;
10:00 p.m. Monday to 6:00 a.m. Tuesday;
10:00 p.m. Tuesday to 6:00 a.m. Wednesday;
10:00 p.m. Wednesday to 6:00 a.m. Thursday;
10:00 p.m. Thursday to 6:00 a.m. Friday;
12:00 a.m. (midnight) to 6:00 a.m. Saturday; and
12:00 a.m. (midnight) to 6:00 a.m. Sunday;

A police officer of the city who has probable cause to believe that a minor is in violation of this article shall:

- (1) Stop and ascertain the name and address of the minor;
 - (2) Report to communications so that communications personnel can make every reasonable effort to contact the minor's parent and transport the minor to his/her parent; or
 - (3) If the minor's parent is unavailable, the police officer shall transport the minor to the Henley-Young Juvenile Detention Center until the minor's parent or proper authorities are contacted.
- (c) Notwithstanding paragraph (a) of this section, a police officer who has probable cause to believe that the minor is in violation of this article and has engaged in misdemeanor or felonious conduct, and if reasonable grounds exist to believe the minor has engaged in said delinquent conduct, the officer shall follow normal police procedure and transport the minor to the police department and place the minor in the Henley-Young Juvenile Detention Center.
- (d) Notwithstanding paragraph (b) of this section, when a minor is detained, the minor's parent shall be immediately contacted. If, after this contact, there is still probable cause to believe that the minor was violating this article, the minor shall be held until the parent comes to retrieve minor. When the parent arrives, he or she shall be given a copy of this article. If no parent arrives within a reasonable time to retrieve the minor, then the minor shall be turned over to the custody of the local juvenile authorities until a parent can take custody of the minor.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-57. Penalties.

- (a) Whenever a minor is transported to the Henley-Young Juvenile Detention Center for violation of this article under subsection (b), the minor's parent shall be issued a written warning. For a second parental offense, a parent shall be fined \$25.00. For each subsequent offense by a parent, the fine shall be increased by an additional \$25.00, e.g. \$50.00 for third, \$75.00 for the fourth offense.
- (b) The owner, operator, or any employee of an establishment violating any provision of this article shall, upon conviction thereof, be fined \$100.00 for a first offense. For each subsequent offense by an owner, operator, or employee of an establishment, the fine shall be increased by an additional \$50.00.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-58. Construction and severability.

Severability is intended throughout and within the provisions of this article. If any section of this article is determined to be voided or invalid, the validity of article's remainder shall not be affected thereby. The city council does not intend to violate the Constitution of the State of Mississippi or the Constitution of the United States of America in the implementation of this article.

(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-59. Continuing evaluation.

The city council will continue its evaluation and updating of this article through methods including, but not limited to, at the end of each school year, after the implementation of this article, the chief of police shall provide the city council with a report concerning the effect of this article on crimes committed by and against minors, and of the number of warnings issued and arrests of minors and parents or legal guardians hereunder, and such other information as the city council may request.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-60. Expiration ("sunset provision").

This article shall expire and shall be null and void on July 1, 2009. This provision is included herein to ensure that the effectiveness and necessity of the article will be reviewed by the city council within a reasonable time after its adoption.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-61. Notice.

The city clerk shall provide notice of this article and of the curfew regulations established herein by having copies of the article posted in, on, or about such public or quasi-public places as may be determined by the mayor, city council, and police department so that the public may be constantly informed of the existence of the article and its amendments and regulations.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-62. Cumulative nature of article.

This article shall be cumulative and in addition to any other laws and regulations in force.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Secs. 86-63—86-85. Reserved.

THEREFORE, IT IS HEREBY ORDAINED that the Jackson City Council hereby re-enacts Jackson, Mississippi, Code of Ordinances, Article II Sections 86-51 through 86-62.

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

President Banks recognized **Council Member Hartley** who moved; seconded by **Council Member Foote** to amend said item in section 86-60 changing "July 1, 2009" to "January 3, 2025". The motion prevailed by the following vote:

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

Nays – None.

Absent – None.

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

ORDINANCE OF THE CITY OF JACKSON, MISSISSIPPI RE-ENACTING JACKSON, MISSISSIPPI CODE OF ORDINANCES, ARTICLE II SECTIONS 86-51 THROUGH 86-62.

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

WHEREAS, the re-enactment of the "City of Jackson Curfew Ordinance" is made necessary and has been overwhelmingly desired by the citizens of the City of Jackson because of a rise in the incidents of crimes, including, violence, robberies, and murders allegedly being committed by a growing number of youth in the City of Jackson; and

WHEREAS, the Jackson City Council proactively legislates this re-enactment of the Curfew Ordinance as a preemptive step to prevent the escalation of the acts of crime and violence allegedly being committed by a growing number of youth in the City of Jackson; and

WHEREAS, the “City of Jackson Curfew Ordinance” is hereby re-enacted as follows:

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Sec. 86-52. Purpose and findings of article.

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In accordance with the prevailing community standards, this article serves to regulate the conduct of juveniles on streets during evening hours, and those hours prohibited by the Mississippi Compulsory School Attendance Law; to be effectively and consistently enforced for the protection of the juveniles in Jackson from each other and from other persons on the streets during nocturnal hours; to support parental control, authority, and responsibility for their children; to protect the public from nocturnal mischief by juveniles; to reduce the incidents of juvenile criminal activity; to further family responsibility; and to promote the public good, safety, and welfare.

After further review and continuing evaluation of this article, the City Council finds that there is continued justification for the purposes and findings herein to reinstate the curfew ordinance, as well as to extend the period of restrictions to coincide with the Mississippi Compulsory School Attendance Law. (Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

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Minor or juvenile is any unemancipated person who has not reached his/her 18th birthday.

Parent is any person having legal custody of a minor.

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Time of night referred to herein is based upon the prevailing standard of time, whether central standard time or central daylight savings time, generally observed at that hour by the public in the city, *prima facie* the time when observed in the city administrative offices and police department. (Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-54. Restrictions.

(a) It shall be unlawful for any minor who has not reached his/her 18th birthday to remain in or upon any public street, highway, park, vacant lot, establishment or other public place within the city during the following periods:

- 10:00 p.m. Sunday to 6:00 a.m. Monday
- 10:00 p.m. Monday to 6:00 a.m. Tuesday
- 10:00 p.m. Tuesday to 6:00 a.m. Wednesday
- 10:00 p.m. Wednesday to 6:00 a.m. Thursday
- 10:00 p.m. Thursday to 6:00 a.m. Friday
- 12:00 a.m. (midnight) to 6:00 a.m. Saturday
- 12:00 a.m. (midnight) to 6:00 a.m. Sunday

(b) It shall be unlawful for any compulsory school age child to remain in or upon any public street, highway, park, vacant lot, establishment or other place within the city during the following periods:

- (1) 7:30 a.m. until 3:30 p.m. on Monday through Friday during the school term in which such compulsory school age child is to be enrolled in a public, private, or legitimate nonpublic school, as required by the Mississippi Compulsory School Attendance Law.
- (2) Any minor who shall violate any of the provisions of the Mississippi Compulsory School Attendance Law shall be dealt with according to the youth court laws of the State of Mississippi and in accordance with the directives of the youth court of Hinds County, Mississippi, or such other court as shall have jurisdiction over said minor.
- (c) It shall further be unlawful for a parent of a minor to knowingly permit, or by inefficient control to allow, such minor to be or remain upon any street or establishment under circumstances not constituting an exception to, or otherwise beyond the scope of, this article as set forth in subsections (a) and (b) herein. The term "knowingly" includes knowledge that a parent should reasonably be expected to have concerning the whereabouts of a minor in that parent's legal custody. It is intended to hold neglectful or careless parents to a reasonable community standard of parental responsibility through an objective test. It shall be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such minor child.

- (d) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours as set forth in subsections (a) and (b) herein, or fails to make a reasonable effort to report any such violation to the proper authorities including but not limited to, advising the child to leave and contact the Jackson Police Department.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-55. Exceptions.

The following shall constitute valid exceptions to the operation of the curfew:

- (1) At any time, a minor is accompanied by his or her parent;
- (2) When accompanied by an adult authorized by a parent of a minor to take said parent's place in accompanying the minor for a designated period of time and definite purpose within a specified area;
- (3) Until the hour of 12:30 a.m. if the minor is on errand as directed by his or her parent;
- (4) If the minor is legally employed, for the period from 45 minutes before to 45 minutes after work, while going directly between his or her home and place of employment. This exception shall also apply if the minor is in a public place during curfew hours in the course of his or her employment. To come within this exception, the police officer shall dispatch communications to contact the minor's employer for verification of employment;
- (5) Until the hour of 12:30 a.m. if the minor is on the property of or on the sidewalk directly adjacent to the place where such minor resides or the place immediately adjacent thereto if the owner of the adjacent building does not communicate an objection to the minor and the police officer;
- (6) When returning home by a direct route from (and within 30 minutes of the termination of) a school activity or an activity of a religious or other voluntary association, or special event as defined and regulated in the "City of Jackson Special Events Ordinance;";
- (7) In the case of reasonable necessity, but only after a minor's parent has communicated to police department personnel the facts establishing such reasonable necessity relating to specified streets at a designated time for a defined purpose, including place of origin and destination. A copy of such communication, or the police record thereof duly certified by the chief of police to be correct, and appropriate notation of the time it was received and of the names and addresses of such parent and minor, shall constitute evidence of qualification under this exception;
- (8) When a minor is, with parental consent, in a motor vehicle engaged in bona fide interstate travel through the city particularly on Interstate 55, 20 and 220 and all access roads to these interstate systems, including all interstate travel beginning or ending in the city.
- (9) Each of the foregoing exceptions, and their several limitations, are severable.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-56. Violations.

- (a) From 7:30 a.m. until 3:30 p.m. on Monday through Friday during the school term, a police officer of the city who has probable cause to believe that a minor is in violation of this article shall:
 - (1) Stop and ascertain the name and address of the minor, and the school the minor attends;
 - (2) Report to communications so that communications personnel can make every reasonable effort to contact the appropriate school representative to confirm the minor's enrollment; and

(3) The officer shall make every reasonable effort to transport the minor to the appropriate school; or if the minor has been suspended or if the minor's school cannot be ascertained, then the officer, through communications personnel, shall make every reasonable effort to contact the minor's parent. If the minor's parent is unavailable, the officer shall transport the minor to the Henley-Young Juvenile Detention Center, where a Mississippi Department of Education representative will attempt to continue to contact the minor's parents.

(b) Between the hours of:

- 10:00 p.m. Sunday to 6:00 a.m. Monday;
- 10:00 p.m. Monday to 6:00 a.m. Tuesday;
- 10:00 p.m. Tuesday to 6:00 a.m. Wednesday;
- 10:00 p.m. Wednesday to 6:00 a.m. Thursday;
- 10:00 p.m. Thursday to 6:00 a.m. Friday;
- 12:00 a.m. (midnight) to 6:00 a.m. Saturday; and
- 12:00 a.m. (midnight) to 6:00 a.m. Sunday;

A police officer of the city who has probable cause to believe that a minor is in violation of this article shall:

- (1) Stop and ascertain the name and address of the minor;
- (2) Report to communications so that communications personnel can make every reasonable effort to contact the minor's parent and transport the minor to his/her parent; or
- (3) If the minor's parent is unavailable, the police officer shall transport the minor to the Henley-Young Juvenile Detention Center until the minor's parent or proper authorities are contacted.
- (c) Notwithstanding paragraph (a) of this section, a police officer who has probable cause to believe that the minor is in violation of this article and has engaged in misdemeanor or felonious conduct, and if reasonable grounds exist to believe the minor has engaged in said delinquent conduct, the officer shall follow normal police procedure and transport the minor to the police department and place the minor in the Henley-Young Juvenile Detention Center.
- (d) Notwithstanding paragraph (b) of this section, when a minor is detained, the minor's parent shall be immediately contacted. If, after this contact, there is still probable cause to believe that the minor was violating this article, the minor shall be held until the parent comes to retrieve minor. When the parent arrives, he or she shall be given a copy of this article. If no parent arrives within a reasonable time to retrieve the minor, then the minor shall be turned over to the custody of the local juvenile authorities until a parent can take custody of the minor.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-57. Penalties.

- (a) Whenever a minor is transported to the Henley-Young Juvenile Detention Center for violation of this article under subsection (b), the minor's parent shall be issued a written warning. For a second parental offense, a parent shall be fined \$25.00. For each subsequent offense by a parent, the fine shall be increased by an additional \$25.00, e.g. \$50.00 for third, \$75.00 for the fourth offense.
- (b) The owner, operator, or any employee of an establishment violating any provision of this article shall, upon conviction thereof, be fined \$100.00 for a first offense. For each subsequent offense by an owner, operator, or employee of an establishment, the fine shall be increased by an additional \$50.00.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-58. Construction and severability.

Severability is intended throughout and within the provisions of this article. If any section of this article is determined to be voided or invalid, the validity of article's remainder shall not be affected thereby. The city council does not intend to violate the Constitution of the State of Mississippi or the Constitution of the United States of America in the implementation of this article.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-59. Continuing evaluation.

The city council will continue its evaluation and updating of this article through methods including, but not limited to, at the end of each school year, after the implementation of this article, the chief of police shall provide the city council with a report concerning the effect of this article on crimes committed by and against minors, and of the number of warnings issued and arrests of minors and parents or legal guardians hereunder, and such other information as the city council may request.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-60. Expiration ("sunset provision").

This article shall expire and shall be null and void on January 3, 2025. This provision is included herein to ensure that the effectiveness and necessity of the article will be reviewed by the city council within a reasonable time after its adoption.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-61. Notice.

The city clerk shall provide notice of this article and of the curfew regulations established herein by having copies of the article posted in, on, or about such public or quasi-public places as may be determined by the mayor, city council, and police department so that the public may be constantly informed of the existence of the article and its amendments and regulations.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Sec. 86-62. Cumulative nature of article.

This article shall be cumulative and in addition to any other laws and regulations in force.
(Ord. No. 2007-25(7), § 1, 8-9-07; Ord. No. 2008-16(6), § 1, 5-20-08)

Secs. 86-63—86-85. Reserved.

THEREFORE, IT IS HEREBY ORDAINED that the Jackson City Council hereby re-enacts Jackson, Mississippi, Code of Ordinances, Article II Sections 86-51 through 86-62.

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

Nays – None.

Absent – None.

President Banks requested that Agenda Item No. 9 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER CONFIRMING THE MAYOR'S APPOINTMENT OF ABRAM MUHAMMAD AS DIRECTOR OF THE DEPARTMENT OF PARKS AND RECREATION, CITY OF JACKSON, MISSISSIPPI.

WHEREAS, on December 19, 2023, the Mayor appointed Abram Muhammad as Director of the Department of Parks and Recreation for the City of Jackson, Mississippi; and

WHEREAS, the appointment came before the City Council for confirmation as required by Section 21-8-23, Mississippi Code of 1972, as amended; and

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WHEREAS, the City Council has considered the appointment, and a majority of the Council present and voting has determined that the appointment should be confirmed.

IT IS, THEREFORE, ORDERED by the City Council of the City of Jackson, Mississippi, that the appointment of Abram Muhammad as Director of the Department of Parks and Recreation for the City of Jackson, Mississippi, is hereby confirmed.

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

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

President Banks recognized **Abram Muhammad**, who gave his personal statement and answered questions posed to him by the Council.

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

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

The following individuals were introduced and recognized during the meeting:

- In Memory of Christopher Little
- Introduced the City of Jackson’s Neighborhood Services Division. **President Banks** recognized **Robbie Smith, Manager of Neighborhood Services Division** who provided a brief overview of the division.

President Banks requested that Agenda Item No. 18 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

RESOLUTION FINDING AND DETERMINING THAT THE RESOLUTION ADOPTED ON NOVEMBER 21, 2023, WAS DULY PUBLISHED AS REQUIRED BY LAW; THAT NO SUFFICIENT PROTEST DESCRIBED IN SAID RESOLUTION HAS BEEN FILED BY THE QUALIFIED ELECTORS; AND AUTHORIZING THE ISSUANCE OF SAID BONDS AND/OR BOND AND/OR LOAN.

WHEREAS, the Mayor and City Council of the Jackson of Jackson, Mississippi (the "**Governing Body**"), acting for and on behalf of the City of Jackson, Mississippi (the "**City**"), hereby finds, determines, adjudicates and declares as follows:

Heretofore, on November 21, 2023, the Governing Body adopted a resolution entitled "**RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI TO ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FORTY MILLION DOLLARS (\$40,000,000) TO RAISE MONEY FOR THE PURPOSE OF THE (A) REPAIR, MAINTENANCE AND/OR RECONSTRUCTION OF ROADS, STREETS AND BRIDGES BASED UPON AN EQUAL SHARE OF THE BOND PROCEEDS TO BE EVENLY DISTRIBUTED TO EACH OF THE SEVEN (7) WARDS THROUGHOUT THE CITY OR AS AGREED UPON BY THE GOVERNING BODY LESS THE COSTS OF ISSUANCE; (B) STORM WATER AND DRAINAGE IMPROVEMENTS BASED UPON AN EQUAL SHARE OF THE BOND PROCEEDS TO BE EVENLY DISTRIBUTED TO EACH OF THE SEVEN (7) WARDS THROUGHOUT THE CITY OR AS AGREED UPON BY THE GOVERNING BODY LESS THE COSTS OF ISSUANCE AS AUTHORIZED BY SECTIONS 27-67-31**

THROUGH 27-67-35, AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME AND SECTIONS 31-25-1 ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME; (C) AUTHORIZING THE USE OF THE BOND PROCEEDS FOR EMERGENCY PURPOSES AS AGREED UPON BY THE GOVERNING BODY FOR USES ALLOWED UNDER THE ACT; AND (D) FUNDING CAPITALIZED INTEREST AND A DEBT SERVICE RESERVE FUND, IF APPLICABLE, AND PAYING THE COSTS OF ISSUANCE FOR THE BONDS AND DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES." (the "Intent Resolution") wherein the Governing Body indicated its intent to (a) issue a revenue bond of the City, in one or more series, to be sold to the Mississippi Development Bank (the "Bank") in a total aggregate principal amount not to exceed Forty Million Dollars (\$40,000,000), and/or (b) enter into a loan with the Bank to borrow money from the Bank in a total principal amount not to exceed Forty Million Dollars (\$40,000,000), as the date and hour for any protest to be made and filed against the issuance of such revenue bonds, revenue bond and/or loan as described in the Intent Resolution.

As required by law and as directed by the Intent Resolution, said Intent Resolution was published once a week for at least three (3) consecutive weeks in *The Mississippi Link* and/or *The Clarion Ledger*, newspapers published in the City, and having a general circulation in the City, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, the first publication having been made not less than twenty-one (21) days before January 2, 2024, and the last publication to be not more than seven (7) days prior to such date, as evidenced by the publisher's affidavit heretofore presented and attached hereto as **EXHIBIT A**.

On or prior to 10:00 o'clock a.m. on January 2, 2024, no written protest against the issuance of such loan as described in the Intent Resolution, had been filed or presented by qualified electors of the City with the City Clerk of the City (the "City Clerk") in her office located in City Hall as attested to in the No Protest Certificate attached hereto as **EXHIBIT B**.

The Governing Body did meet at its usual meeting place in City Hall at 10:00 o'clock a.m. on January 3, 2024, and the Governing Body does hereby find, determine and adjudicate that no protest against the issuance of the loan as described in the Intent Resolution had been duly filed with the City Clerk on or before 10:00 o'clock a.m. on January 2, 2024, as required by the Intent Resolution.

The Governing Body is now authorized and empowered by the provisions of Sections 27-67-31 through 27-67-35 et seq., Mississippi Code of 1972, as amended (the "Infrastructure Modernization Act") and Sections 31-25-1 et seq., Mississippi Code of 1972, as amended (the "Bank Act") and together with the Infrastructure Modernization Act, the "Act") and other applicable laws of the State of Mississippi, to issue such loan as described in the Intent Resolution, all in a total aggregate principal amount of not to exceed \$40,000,000 without any election on the question of the issuance thereof at any time within a period of two (2) years after January 2, 2024.

The amount of the loan so proposed to be issued, when added to the outstanding indebtedness of the City, will not exceed any constitutional or statutory limitation of indebtedness.

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

SECTION 1. That the Mayor and City Council of the City of Jackson, Mississippi (the "Governing Body"), acting for and on behalf of the City of Jackson, Mississippi (the "City"), is authorized by the Infrastructure Modernization Act enter into a loan with the Bank in an amount not to exceed \$40,000,000 (the "Loan") for the issuance of its \$40,000,000 Mississippi Development Bank Taxable Special Obligation Bonds, Series 2024 (City of Jackson, MS Modernization Revenue Bond Project) (the "Series 2024 Bonds") for the purposes set forth in the Infrastructure Modernization Act and Bank Act, including, but not limited to the (a) repair, maintenance and/or reconstruction of roads, streets and bridges based upon an equal share of the Bond proceeds to be evenly distributed to each of the seven (7) wards throughout the City or as agreed upon by the Governing Body less the costs of issuance; (b) storm water and drainage improvements based upon an equal share of the Bond proceeds to be evenly distributed to each of

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the seven (7) wards throughout the City or as agreed upon by the Governing Body the costs of issuance; (c) authorizing the of the Bond proceeds for emergency purposes as agreed upon by the Governing Body for uses as allowed under the Act and as approved by the Governing Body; and (d) funding capitalized interest and a debt service reserve fund, if applicable and paying the costs of issuance of the borrowing (the "**Project**").

SECTION 2. The Series 2024 Bonds may be issued in one or more series and, if issued, the principal and interest on the loan and the issuance of the Bonds through the Bank shall be payable over a period not to exceed sixteen (16) years solely from those revenues (the "**Use Tax Revenue**") derived from those certain monies remitted from the State of Mississippi (the "**State**") to the City in January and July of each calendar year pursuant to the Infrastructure Modernization Act. The Loan and Bonds of the Bank shall not constitute an indebtedness of the City within the meaning of any statutory or charter restriction, limitation, or provision, and the taxing power of the City will not be pledged to the payment of the Loan or the Bonds, but the same, together with the interest thereon, shall be payable solely from the Use Tax Revenue allowed to be pledged for the payment of debt service pursuant to the Act.

SECTION 3. The Series 2024 Bonds or Loan shall be issued and offered for sale in accordance with the further orders and directions of this Governing Body.

[Remainder Intentionally Left Blank]

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

Yeas:

Nays:

Abstained:

Absent:

The President of the Council then declared the resolution passes and adopted this the 3rd day of January, 2024.

APPROVED BY:

/s/

PRESIDENT OF THE CITY COUNCIL

/s/

MAYOR

ATTEST:

/s/

CITY CLERK

(SEAL)

EXHIBIT A

PROOF OF PUBLICATION

EXHIBIT B

STATE OF MISSISSIPPI
CITY OF JACKSON, MISSISSIPPI
HINDS COUNTY, MISSISSIPPI

I, Shanekia Jordan, Clerk of Council of the City of Jackson, Mississippi (the "Clerk"), hereby certify that I was present at City Hall in the City Council Chambers at the hour of 10:00 o'clock a.m., on January 2, 2024 and no qualified electors of the City were present and hereby further certify that I verified with the Office of the City Clerk that NO WRITTEN PROTEST against the issuance of (a) a revenue bond of the City, in one or more series, to be sold to the Mississippi Development Bank (the "Bank") in a total aggregate principal amount not to exceed Forty Million Dollars (\$40,000,000), and/or (b) enter into a loan with the Bank to borrow money from the Bank in a total principal amount not to exceed Forty Million Dollars (\$40,000,000) as described in the Intent Resolution dated November 21, 2023, had been filed or presented by qualified electors of the City.

WITNESS MY SIGNATURE AND THE OFFICIAL SEAL OF THE CITY OF JACKSON, MISSISSIPPI this 2nd day of January 2024.


SHANEKIA JORDAN,
CLERK OF COUNCIL,
CITY OF JACKSON, MISSISSIPPI

ATTESTED:


ANGELA HARRIS, CITY CLERK
CITY OF JACKSON, MISSISSIPPI



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Council Member Lindsay moved adoption; Council Member Hartley seconded.

President Banks recognized Tray Hairston, Butler Snow LLP, who provided a brief overview of said item.

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

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

ORDINANCE AMENDING CHAPTER 2, ARTICLE 2, DIVISION 2 OF THE JACKSON CODE OF ORDINANCES.

WHEREAS, Section 2.63 of the Jackson Code of Ordinances, establishes the deadline for all agenda items to be submitted to the City Clerk; and

WHEREAS, Section 2-63 currently states:

Matters may be placed on the agenda by:

- (1) Members of the council;
- (2) The mayor;
- (3) The city attorney; and
- (4) The directors of departments.

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All matters to be considered at a regular council meeting shall be submitted to the city clerk no later than 3:00 p.m. on the Wednesday preceding the regular meeting. Unanimous vote of the members present shall be required to consider any item not on the regular agenda. The clerk shall arrange a list of matters according to the order of business established in section 2-64 and furnish each council member, the mayor and the city attorney a copy of the agenda prior to the meeting. All items placed on the agenda for discussion may remain on the agenda for a maximum of four consecutive council meetings. After four consecutive council meetings, the discussion item shall be removed from the agenda, and shall not be placed on the agenda again until a period of 90 [days] has passed.

WHEREAS, the City Council has determined that Section 2-63 of the City of Jackson Code of Ordinances should be amended to change the current deadline of 3:00 p.m. on Wednesday to 3:00 p.m. on Tuesday preceding the regular council meeting and all matters shall be approved by 12:00 noon on Wednesday.

THEREFORE, BE IT ORDAINED BY the City Council of City of Jackson, Mississippi;

Section 1. That Section 2-63 of the Code of Ordinances of the City of Jackson is hereby amended to read as follows:

Matters may be placed on the agenda by:

- (1) Members of the council;
- (2) The mayor;
- (3) The city attorney; and
- (4) The directors of departments.

All matters to be considered at a regular council meeting shall be submitted to the Clerk of Council no later than 3:00 p.m. on the Tuesday preceding the regular meeting and shall be approved no later than 12:00 noon on Wednesday. Unanimous vote of the members present shall be required to consider any item not on the regular agenda. The clerk shall arrange a list of matters according to the order of business established in section 2-64 and furnish each council member, the mayor and the city attorney a copy of the agenda prior to the meeting.

All items placed on the agenda for discussion may remain on the agenda for a maximum of four consecutive council meetings. After four consecutive council meetings, the discussion item shall be removed from the agenda, and shall not be placed on the agenda again until a period of 90 [days] has passed.

Section 2. That this Ordinance shall be in force and effective thirty (30) days after the adoption of this ordinance.

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

After thorough discussion, **President Banks** and **Council Member Hartley** withdrew their motion and second.

There came for consideration Agenda Item No. 10:

**ORDER RATIFYING AND AUTHORIZING THE MAYOR TO PROCURE
SUPPORT AND MAINTENANCE SERVICES FROM METRIX SOLUTIONS,
LLC FOR THE PURE STORAGE SOLUTION. President Banks** stated said item
would be tabled until a later date.

There came for consideration Agenda Item No. 11:

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ORDER AUTHORIZING THE MAYOR TO PROCURE SENTINEL ONE SOFTWARE, AND AUTHORIZING PAYMENT IN THE AMOUNT OF SEVENTY-THREE THOUSAND THREE HUNDRED THIRTY-FOUR DOLLARS AND FIFTY CENTS. President Banks stated said item would be tabled until a later date.

There came for consideration Agenda Item No. 12:

ORDER AUTHORIZING THE MAYOR TO EXECUTE A WEB SERVICES AGREEMENT WITH NEHETEK TECHNOLOGY SOLUTIONS, LLC FOR WEBSITE DEVELOPMENT, MAINTENANCE, AND SUPPORT SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY. President Banks stated said item would be tabled until a later date.

There came for consideration Agenda Item No. 13:

ORDER AUTHORIZING THE MAYOR TO PROCURE THE VMWARE SUPPORT AND MAINTENANCE FROM METRIX SOLUTIONS, LLC, AND AUTHORIZING PAYMENT IN THE AMOUNT OF EIGHT THOUSAND FIVE HUNDRED SIXTEEN DOLLARS AND NINETYCENTS. President Banks stated said item would be tabled until a later date.

There came for consideration Agenda Item No. 14:

ORDER RATIFYING THE ACCEPTANCE OF IT PROFESSIONAL SERVICE AND ERP IMPLEMENTATIONS FROM RESULT BIZ, LLC AND AUTHORIZING PAYMENT FOR SAID SERVICES IN THE AMOUNT OF SEVENTEEN THOUSAND SIX HUNDRED EIGHTY DOLLARS AND NO CENTS. President Banks stated said item would be tabled until a later date.

ORDER RATIFYING AND AUTHORIZING THE PAYMENT OF SIX HUNDRED AND FORTY-THREE DOLLARS AND TWENTY CENTS (\$643.20) TO THE JACKSON CONVENTION CENTER FOR FOOD AND BEVERAGES PROVIDED TO VENDORS SUPPORTING THE CITY OF JACKSON'S 2023 ANNUAL SENIOR HEALTH AND WELLNESS FAIR.

WHEREAS, Section 17-3-1 of the Mississippi Code authorizes the mayor and board of aldermen or board of commissioners of any municipality in the State of Mississippi to expend money not to exceed one mill of their respective valuation and assessment for the purpose of advertising and bringing favorable notice of the opportunities, possibilities, and resources of the municipality; and

WHEREAS, Section 17-3-3 of the Mississippi Code states that advertising includes expositions, public entertainment, or other forms of advertising or publicity which in the judgment of such board or boards will be helpful toward advancing the moral, financial, and other interests of the municipality; and

WHEREAS, on Thursday, October 19, 2023, from 7 a.m. to 5 p.m., the City of Jackson, along with other business and community stakeholders, hosted the Annual Senior Health and Wellness Fair at the Jackson Convention Complex; and

WHEREAS, the Department of Human and Cultural Services, the Senior Services Division, paired with over twenty-five (25) vendors from the surrounding area to host the 2023 Annual Senior Health and Wellness Fair in the city to advance the moral and other interest of the

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city of Jackson and to promote Jackson and to bring into favorable notice the opportunities, possibilities, and resources of the city; and

WHEREAS, the Department of Human and Cultural Services recommends that the governing authority for the city of Jackson find that the payment of Six Hundred and Forty-Three Dollars and Twenty Cents (\$643.20) to the Jackson Convention Center for food and beverage provided to the vendors during the 2023 Annual Senior Health and Wellness Fair advertised and brought favorable notice to the opportunities and resources of the city of Jackson, and; therefore, the mayor is authorized under Section 17-3-1 to expend such funds; and

WHEREAS, the Jackson Convention Center's invoice is as follows,

Meals	Price per item	Total
4 Gallons of Coffee	\$55.00	\$ 220.00
4 Water Stations	\$39.00	\$156.00
5 Dozen Assorted Mini Danishes	\$32.00	\$160.00
Food Subtotal		\$536.00
20% Administrative Fee		\$107.20
Total Charges Due:		\$643.20

IT IS HEREBY ORDERED that the governing authority for the city of Jackson find that the payment of Six Hundred and Forty-Three Dollars and Twenty Cents (\$643.20) to the Jackson Convention Center for food and beverage provided to the vendors during the 2023 Annual Senior Health and Wellness Fair in the city was to advance the moral and other interest of the city of Jackson and to promote Jackson and to bring into favorable notice the opportunities, possibilities, and resources of the city.

IT IS FURTHER ORDERED that the payment is authorized and shall be taken from the General Fund.

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

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

Nays – None.

Abstention- Stokes.

Absent – None.

ORDER AUTHORIZING PAYMENT TO FISHER FIRE EXTINGUISHER SERVICE, INC. TO INSPECT FIRE EXTINGUISHERS FOR SIX SENIOR CENTERS UNDER THE DEPARTMENT OF HUMAN AND CULTURAL SERVICES SENIOR SERVICES DIVISION IN THE AMOUNT OF FIVE HUNDRED AND TEN DOLLARS AND NO CENTS.

WHEREAS, the following buildings are under the auspices of the City of Jackson, Mississippi Department of Human and Cultural Services Senior Services Division: Sykes Senior Center, Johnnie Champion Senior Center, Tougaloo Senior Center, Westside Senior Center, Smith Robertson Senior Center and T.L. Love Senior Center; and

WHEREAS, the Department of Human and Cultural Services Senior Services Division receives state funds through the Mississippi Department of Human Services Division of Aging and Adult Services; and

WHEREAS, the Mississippi Department of Human Services Division of Aging and Adult Services requires all providers to conduct annual fire extinguisher and maintenance checks for its facilities; and

WHEREAS, the Fisher Fire Extinguisher Service, Inc. provided an estimate for the 2023 annual inspection for the facilities mentioned above, as follows:

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ITEM	DESCRIPTION	QTY	COST	TOTAL
Annual Inspection	Champion Center Annual Inspection, Hand Portable Fire Extinguisher Per NPPA 10	1	\$85.00	\$85.00
Annual Inspection	Smith Roberston Center Annual Inspection, Hand Portable Fire Extinguisher Per NPPA 10	1	\$85.00	\$85.00
Annual Inspection	Skyles Center Annual Inspection, Hand Portable Fire Extinguisher Per NPPA 10	1	\$85.00	\$85.00
Annual Inspection	TL Love Center Annual Inspection, Hand Portable Fire Extinguisher Per NPPA 10	1	\$85.00	\$85.00
Annual Inspection	Tougaloo Center Annual Inspection, Hand Portable Fire Extinguisher Per NPPA 10	1	\$85.00	\$85.00
Annual Inspection	Westside Center Annual Inspection, Hand Portable Fire Extinguisher Per NPPA 10	1	\$85.00	\$85.00
Subtotal			\$ 510.00	

WHEREAS, authorizing payment to Fisher Fire Extinguisher Service, Inc is in the best interest of the City of Jackson and its citizenry to ensure the safety and well-being would be served.

IT IS HEREBY ORDERED to authorize payment to Fisher Fire Extinguisher Service, Inc. to inspect fire extinguishers at six Senior Centers under the auspices of the Department of Human and Cultural Services Senior Services Division in an amount not to exceed Five Hundred and Ten Dollars and No Cents (\$510.00).

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

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

Nays – Stokes.

Absent – None.

ORDER RATIFYING AND ACCEPTING A GRANT FROM THE CENTER FOR WORKFORCE INCLUSION, INC. IN THE AMOUNT OF \$434,438.00 TO SUPPORT THE SENIOR AIDES PROGRAM FOR TWELVE MONTHS AN AUTHORIZING THE MAYOR TO EXECUTE THE WORKFORCE INCLUSION SCSEP SPONSOR AGREEMENT AND RELATED DOCUMENTS AND THE CONTRIBUTION OF MATCHING NON-FEDERAL FUNDS IN THE AMOUNT OF \$62,484.00.

WHEREAS, Section 21-17-5 of the Mississippi Code Annotated (1972), as amended, states that the governing authorities of every municipality in the state shall have the care, management, and control of municipal affairs and its property and finances and may adopt orders, resolutions, or ordinances with respect to same which are not inconsistent with the Mississippi

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Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi; and

WHEREAS, the power granted to governing authorities of municipalities by Section 21-17-5 is complete without the existence of or reference to any specific authority granted in any other statute or law of the State of Mississippi; and

WHEREAS, the Employment Training Administration Division of Older Worker Programs, U.S. Department of Labor awarded the Center for Workforce Inclusion, Inc. (the “Center”) a Senior Community Service Employment Program (SCSEP) grant on August 11, 2023. This grant is authorized under Title V of the Older Americans Act of 1965, as amended; and

WHEREAS, the Center’s SCSEP Program offers low-income older people paid community service and training as an entry into productive work. The SCSEP Program is intended to benefit eligible people who enroll and the community in which the program is located; and

WHEREAS, as a subgrantee of the Center, the City of Jackson Senior Services Division was awarded \$434,438.00 in federal funds, and the City must provide matching non-federal dollars in the amount of \$62,484.00 that may be spent on additional Participant Wages and Fringes Benefits; or on Program/Other Costs; or on a maximum of \$37,868.00 for Administrative Costs; or any combination of the above; and

WHEREAS, the Department of Human and Cultural Services recommends that the Jackson City Council accepts the grant award of \$434,438.00 from the Center and authorize the Mayor to execute a Workforce Inclusion SCSEP Sponsor Agreement with the Center, with its principal office located at 8403 Colesville Road, Suite 200, Silver Spring, Maryland 20910-6391, that commenced on July 1, 2023, and shall terminate on June 30, 2024; and

WHEREAS, the City of Jackson will help the Center carry out the SCSEP program by enrolling at least 62 eligible persons during the program period. These eligible, low-income jobseekers must be fifty-five (55) years of age and older into part-time community service positions at rates and hours set forth in the Older Americans Act and consistent with their assessment and individual employment plans; and

WHEREAS, the City of Jackson must give priority enrollment to individuals who are veterans and eligible spouses of veterans, 65 years of age or older; or have a disability; have limited English proficiency or low literacy skills; reside in rural areas; have low employment prospects; have failed to find employment after utilizing services provided under Title I of the Workforce Innovation and Opportunity Act; are formerly incarcerated, are homeless or at risk for homelessness; and

WHEREAS, the Department of Human and Cultural Services will designate a program director that will oversee this grant on behalf of the City of Jackson; and

WHEREAS, the program director will coordinate with the Center to ensure that the City of Jackson complies with the terms of the agreement; and

WHEREAS, the proposed agreement is attached to this Order and made a part of these minutes; and

WHEREAS, the Department of Human and Cultural Services recommends to the governing authorities for the City of Jackson to accept an award of \$434,438.00 of federal funds, authorize the Mayor to execute the Workforce Inclusion SCSEP Sponsor Agreement with the Center, and authorize the release of matching funds in the amount of \$62,484.00 to support the Senior Aides Program.

IT IS HEREBY ORDERED that the Mayor is authorized to execute the Workforce Inclusion SCSEP Sponsor Agreement and related documents with the Center to support the Senior Aides Program from July 1, 2023, to June 30, 2024, and the acceptance of a federal grant award in the amount of \$434,438.00 is hereby ratified.

IT IS FURTHER ORDERED that the Department of Human and Cultural Services is authorized to provide \$62,484.00 of non-federal matching funds from the general fund to comply

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with the Center's PY2023 Workforce Inclusion Grant Agreement for the Senior Community Service Employment Program.

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

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

Nays – None.

Absent – None.

ORDER REQUESTING APPROVAL OF FUTURE PROFESSIONAL SERVICES AND PAYMENTS RELATED TO RECEIVING PROFESSIONAL HEATING, AIR CONDITIONING, AND PLUMBING SERVICES BY UPCHURCH SERVICES LLC FOR MAINTENANCE AND REPAIRS FOR THE CITY OF JACKSON DEPARTMENT OF PARKS AND RECREATION FACILITIES.

WHEREAS, the Jackson Zoo has five (5) Mini Split air conditioning systems in various animal exhibits that need inspections and repairs/servicing work; and

WHEREAS, the Jackson Zoo requested and received a quote for inspections of all the Mini Split systems from Upchurch Services LLC (Upchurch); and

WHEREAS, Upchurch (vendor no. 70240) is an active vendor with the City of Jackson; and

WHEREAS, Upchurch is a Limited Liability Company, currently in Good Standing with the Mississippi Secretary of State, created pursuant to the Laws of the State of Mississippi on July 31, 2002; and

WHEREAS, the quote submitted by Upchurch included labor and materials to inspect each of the five (5) Mini Split systems and to provide a customer report with findings and recommendations; and

WHEREAS, there are no repair costs included in the quote for inspections of the Mini Split systems at the Jackson Zoo; and

WHEREAS, Upchurch's above-described quote for the Mini Split systems for inspection, findings, and recommendations, with no repair costs included, totals One Thousand Two Hundred Fifty Dollars (\$1,250.00); and

WHEREAS, it is in the best interests of the City of Jackson and the Jackson Zoo to have the HVAC services described above performed by Upchurch to provide efficiency and safer habitats for animals, keepers, and patrons.

IT IS HEREBY ORDERED that the above-described quote from Upchurch for HVAC services of the Mini Split systems at the Jackson Zoo is accepted and approved and that payment in the amount of One Thousand Two Hundred Fifty Dollars (\$1,250.00) be made to Upchurch from account no. 390-498.00-6317.

IT IS FURTHER ORDERED that all future HVAC and plumbing services performed by Upchurch for the Parks & Recreation Department is approved and that payments for said HVAC and plumbing services be made to Upchurch from "Other Repairs and Maintenance" Category of the Parks and Recreation Department's Budget.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any document (s) needed to effectuate the above HVAC and plumbing services that are to be performed by Upchurch.

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

President Banks recognized **Abram Muhammad, Director of Parks and Recreation**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – None.

ORDER REQUESTING APPROVAL OF FUTURE PROFESSIONAL SERVICES FROM AND PAYMENT TO ALPHA MEDIA LLC FOR RADIO COMMERCIALS PROMOTING THE FOLLOWING UPCOMING EVENTS: THE DANCE OF THE PRINCESS AND THE FROG, FLIPPING OUT TUMBLING AND THE FIREWORKS EXTRAVAGANZA FOR THE PARKS AND RECREATION DEPARTMENT.

WHEREAS, the City of Jackson Parks and Recreation – Programming Division annually hosts several family-orientated events for the constituents of the City of Jackson; and

WHEREAS, the Programming Division will be hosting the Dance of the Princess and the Frog at Thalia Maria Hall on February 03, 2024, at 7 p.m.; and

WHEREAS, the Programming Division will be hosting a Flipping Out Tumbling Event at Thalia Maria Hall on April 20, 2024, at 10:30 a.m.; and

WHEREAS, the Programming Division will be hosting the Fireworks Extravaganza at Smith Wills Stadium on July 03, 2024, at 5 p.m.; and

WHEREAS, the Programming Division requested a quote from Alpha Media LLC (Alpha Media) for radio advertisements promoting each of the above events; and

WHEREAS, Alpha Media is an active vendor (vendor number 63637) with the City of Jackson; and

WHEREAS, Alpha Media is a Limited Liability Company in Good Standing with the State of Mississippi since April 17, 2013; and

WHEREAS, Alpha Media will provide twenty-six (26) radio commercials on WJMI for the Dance of The Princess and The Frog from January 05, 2024, through February 03, 2024, totaling Five Hundred Dollars (\$500.00); and

WHEREAS, Alpha Media will provide twenty-six (26) radio commercials on WJMI for the Flipping Out Tumbling Event from March 20, 2024, through April 20, 2024, totaling Five Hundred Dollars (\$500.00); and

WHEREAS, Alpha Media will provide twenty-six (26) radio commercials on WJMI for the Firework Extravaganza from June 01, 2024, through July 01, 2024, totaling Five Hundred Dollars (\$500.00); and

WHEREAS, it is in the best interests of the City of Jackson that the above-described radio advertisements to be aired by Alpha Media on WJMI for the purpose of promoting several upcoming family-orientated events that are being hosted by the Parks and Recreation Department be approved and that payment be approved and made to Alpha Media for said radio advertisements.

IT IS HEREBY ORDERED that Alpha Media (vendor number 63637) is approved to broadcast the above-described radio advertisements promoting the Dance of the Princess and the Frog, the Flipping Out Tumbling Event, and the Fireworks Extravaganza on WJMI, and that payment, as described below, be made to Alpha Media (vendor number 63637):

1. Payment in the amount of Five Hundred Dollars (\$500.00) from account number 005-501.25-6419 for providing twenty-six (26) radio commercials promoting

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Dance of the Princess and the Frog that will be held at Thalia Maria Hall on February 03, 2024; and

2. Payment in the amount of Five Hundred Dollars (\$500.00) from account number 005-501.25-6419 for providing twenty-six (26) radio commercials promoting the Flipping Out Tumbling that will be held at Thalia Maria Hall on April 20, 2024; and

3. Payment in the amount of Five Hundred Dollars (\$500.00) from account number 005-501.25-6419 for providing twenty-six (26) radio commercials promoting the Fireworks Extravaganza that will be held at Smith Wills Stadium on July 03, 2024.

IT IS FURTHER ORDERED that the Mayor be authorized to execute any document(s) needed to effectuate the above-described radio advertisements to be provided by Alpha Media promoting the events described in the Order above.

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

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

Nays – None.

Absent – None.

ORDER REQUESTING APPROVAL OF FUTURE PROFESSIONAL LIGHTING AND SOUND CONTROL SERVICES FROM AND PAYMENT TO THE INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES (IATSE) LOCAL 589 FOR STAGE LIGHTING AND SOUND CONTROL SERVICES FOR THE DANCE OF THE PRINCESS AND THE FROG FOR THE PARKS AND RECREATION DEPARTMENT ON FEBRUARY 03, 2024.

WHEREAS, the City of Jackson Parks and Recreation – Programming Division annually hosts several events for the constituents of the City of Jackson; and

WHEREAS, the Programming Division will be hosting the family-orientated Dance of the Princess and the Frog (Event) at Thalia Mara Hall on February 03, 2024, at 7 p.m.; and

WHEREAS, the Programming Division will need professional stage lighting and sound control services for the Event; and

WHEREAS, the Programming Division requested a quote for stage lighting and sound control professional services from IATSE Local 589 who is affiliated with Thalia Mara Hall; and

WHEREAS, IATSE Local 589 is an active vendor (vendor number 67504) with the City of Jackson; and

WHEREAS, IATSE Local 589 (vendor number 67504) is being requested to conduct stage lighting and sound control professional services for the Event; and

WHEREAS, IATSE Local 589 (vendor number 65704) submitted a quote to provide professional services at the Event to the Parks and Recreation Department for the following: set up of Event: two (2) flyman, two (2) stage hands, one (1) audio technician, one (1) lighting technician, and one (1) steward; show: one (1) sound technician, one (1) lighting technician, and one (1) stagehand for a total cost of One Thousand Two Hundred Fifty-Six Dollars (\$1,256.00) with an industry standard twenty-one percent (21%) fee for payroll related expenses of Two Hundred Sixty-Eight Dollars and Seventy-Six Cents (\$268.76) for a grand total of One Thousand Five Hundred Twenty-Four Dollars and Seventy-Six Cents (\$1,524.76); and

WHEREAS, it is in the best interests of the City of Jackson that the above-described professional lighting and sound control services to be provided by IATSE Local 589 (vendor number 65704) for the Event be approved and that payment in the amount of One Thousand Five Hundred Twenty-Four Dollars and Seventy-Six Cents (\$1,524.76) be approved and made to IATSE Local 589 (vendor number 65704).

IT IS HERBY ORDERED that the above-described professional lighting and sound services to be provided by IATSE Local 589 (vendor number 65704) at the Event is approved.

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IT IS FURTHER ORDERED that a payment in the amount of One Thousand Five Hundred Twenty-Four Dollars and Seventy-Six Cents (\$1,524.76) be made from account number 005.501.25-6419 to IATSE Local 589 (vendor number 65704) for providing the above-described professional services.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any document(s) needed to effectuate the above-described professional services that are to be performed by IATSE Local 589 (vendor number 65704) at the Event.

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

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

Nays – None.

Absent – None.

ORDER REQUESTING APPROVAL OF PROFESSIONAL SECURITY SERVICES FROM AND APPROVING PAYMENT TO KENNETH WEST FOR SIX (6) HOURS OF SECURITY SERVICES FOR THE DANCE OF THE PRINCESS AND THE FROG FOR THE PARKS AND RECREATION DEPARTMENT ON FEBRUARY 03, 2024, AND APPROVING FUTURE PROFESSIONAL SECURITY SERVICES TO BE PROVIDED BY KENNETH WEST FOR THE PARKS AND RECREATION DEPARTMENT.

WHEREAS, the City of Jackson Parks and Recreation – Programming Division annually host several events for the constituents of the City of Jackson; and

WHEREAS, the Programming Division will be hosting the Dance of the Princess and the Frog (Event) at Thalia Mara Hall on February 03, 2024, at 7 p.m.; and

WHEREAS, to provide a safe environment for the attendees of the Event, the Programming Division will need to provide professional security services; and

WHEREAS, the Programming Division requested a quote for professional security services from Kenneth West, who is a professional police officer; and

WHEREAS, Kenneth West is an active vendor (vendor number 71842) with the City of Jackson; and

WHEREAS, Kenneth West operates as a Sole Proprietor and there is no legal distinction between the owner and the business entity; and

WHEREAS, Kenneth West is being requested to provide his professional security services for the Event on February 03, 2024, from 6:00 p.m. to 11:00 p.m.; and

WHEREAS, Kenneth West provided a quote to the Parks and Recreation Department for five (5) hours of security services, at the rate of Eighteen Dollars (\$18.00) per hour, totaling Ninety Dollars (\$90.00); and

WHEREAS, it is in the best interests of the City of Jackson that Kenneth West provide professional security services at the Event described in this Order and that his professional security services, when needed, be approved for any future events being held by the Parks and Recreation Department.

IT IS HEREBY ORDERED that the above-described professional security services to be provided by Kenneth West (vendor number 71842) for the Event is approved and that future professional security services to be provided by Kenneth West (vendor number 71842), when needed by the Parks and Recreation Department, is further approved.

IT IS FURTHER ORDERED that a payment in the amount of Ninety Dollars (\$90.00) be made to the Kenneth West (vendor number 71842) from account no. 005-501.25-6419 for providing five (5) hours of professional security services, at the rate of Eighteen Dollars (\$18.00) per hour, for the Dance of the Princess and the Frog at Thalia Maria Hall on February 03, 2024, at from 6:00 p.m. to 11:00 p.m.

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IT IS FURTHER ORDERED that the Mayor is authorized to execute any document(s) needed to effectuate the above-described professional security services that are to be performed by Kenneth West (vendor number 71842).

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

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

Nays – None.

Absent – None.

President Banks requested that Agenda Item No. 2, 3, 4 and 5 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

**ORDINANCE AMENDING CHAPTER 2, ARTICLE 2, DIVISION 2 OF THE
JACKSON CODE OF ORDINANCES.**

WHEREAS, Section 2.63 of the Jackson Code of Ordinances, establishes the deadline for all agenda items to be submitted to the City Clerk; and

WHEREAS, Section 2-63 currently states:

Matters may be placed on the agenda by:

- (1) Members of the council;
- (2) The mayor;
- (3) The city attorney; and
- (4) The directors of departments.

All matters to be considered at a regular council meeting shall be submitted to the city clerk no later than 3:00 p.m. on the Wednesday preceding the regular meeting. Unanimous vote of the members present shall be required to consider any item not on the regular agenda. The clerk shall arrange a list of matters according to the order of business established in section 2-64 and furnish each council member, the mayor and the city attorney a copy of the agenda prior to the meeting.

All items placed on the agenda for discussion may remain on the agenda for a maximum of four consecutive council meetings. After four consecutive council meetings, the discussion item shall be removed from the agenda, and shall not be placed on the agenda again until a period of 90 [days] has passed.

WHEREAS, the City Council has determined that Section 2-63 of the City of Jackson Code of Ordinances should be amended to change the current deadline of 3:00 p.m. on Wednesday to 3:00 p.m. on Tuesday preceding the regular council meeting and all matters shall be approved by 12:00 noon on Wednesday; and

THEREFORE, BE IT ORDAINED BY the City Council of City of Jackson, Mississippi;

Section 1. That Section 2-63 of the Code of Ordinances of the City of Jackson is hereby amended to read as follows:

Matters may be placed on the agenda by:

- (1) (1) Members of the council;
- (2) The mayor;
- (3) The city attorney; and
- (4) The directors of departments

All matters to be considered at a regular council meeting shall be submitted to the Clerk of Council no later than 3:00 p.m. on the Tuesday preceding the regular meeting and shall be approved no later than 12:00 noon on Wednesday. Unanimous vote of the members present shall be required to consider any item not on the regular agenda. The clerk shall arrange a list of matters

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according to the order of business established in section 2-64 and furnish each council member, the mayor and the city attorney a copy of the agenda prior to the meeting.

All items placed on the agenda for discussion may remain on the agenda for a maximum of four consecutive council meetings. After four consecutive council meetings, the discussion item shall be removed from the agenda, and shall not be placed on the agenda again until a period of 90 [days] has passed.

Section 2. That this Ordinance shall be in force and effective thirty (30) days after the adoption of this ordinance and publication.

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

President Banks recognized **Shanekia Jordan, Clerk of Council**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – None.

**ORDINANCE AMENDING SECTION 2-71(c) OF THE CITY OF JACKSON
CODE OF ORDINANCES.**

WHEREAS, Section 2-71(c) of the City of Jackson Code of Ordinances establishes guidelines and requirements regarding speaking limitations, public comments, and council chamber conduct during meetings of the Jackson City Council; and

WHEREAS, the current guidelines and requirements regarding speaking limitations, public comments, and council chamber conduct during meetings, as set forth in Section 2-71 of the City of Jackson Code of Ordinances, is as follows:

- (a) No member of the council shall be permitted to speak more than once on any subject, until all members desiring to speak have spoken. A member may not speak more than five minutes without obtaining the consent of the council, by majority vote.
- (b) Any person desiring to address the council with reference to any item on the agenda for that meeting must register with the clerk of council no later than 12 noon on the business day immediately preceding the regular or special called meeting, and shall provide, in writing, his name, his address, and the number of the agenda item with reference to which he desires to speak. The number of instances allowed for public comment on an item on the agenda (whether by individuals, organizations, or other entities) during a regular or special called meeting of the Jackson City Council is limited to five (5), whether in-person or virtually. When recognized by the president, such person may speak only once with reference to any agenda item and for a portion of the time not to exceed three minutes, unless such period of time is extended by a majority vote of the council. Such public comments will be received prior to the consideration of ordinances, orders, or resolutions.
- (c) Any person desiring to address the council with reference to any matter which is not on the agenda must register with the clerk of council no later than 12 noon on the business day immediately preceding a special called meeting referred to as a “Citizen Agenda Meeting”, to be held on the Thursday after the last Council meeting of the Month, and shall provide, in writing, his name, his address, and the subject matter with reference to which he wishes to address the council. The number of instances allowed for public comment on an item not on the agenda (whether by individuals, organizations, or other entities) during this special called

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meeting, is limited to five (5), whether in-person or virtually. When recognized by the president, such person may speak only once with reference to such matter and for a period of time not to exceed three minutes, unless such period of time is extended by a majority of the council. Such public comments will be received by the city council immediately prior to its adjournment and at the conclusion of all other city business.

(d) Notwithstanding any other provisions, no person shall address the council with reference to any personnel matter during any open meeting of the city council.

(e) No derogatory remarks concerning councilmembers or anyone present in the council chamber shall be permitted. The president shall suspend irrelevant speaking. A majority of the members of the council have the right to suspend irrelevant speaking at any council meeting.

(f) Any person making personal, impertinent, or slanderous remarks, derogatory remarks concerning councilmembers or anyone present in the council chambers, or who uses abusive, vulgar, or profane language, or who shall become boisterous while addressing the council shall be forthwith, by the presiding officer or the clerk of council, barred from further audience before the council and/or barred from council chambers, unless permission to continue or stay be granted by a majority vote of the council.

(g) The usage of cellular phones and paging devices shall be prohibited within the council chambers during council meetings. All such devices within the council chambers shall be placed on silence or vibrator mode during council meetings. The city clerk shall place signs within city hall notifying the public of said rule. Any person violating said rule shall first receive a verbal warning from the presiding officer; upon any additional violations, the presiding officer may bar the person from the remainder of the council meeting for which he is in violation, and the person shall be required to place all cellular phones and paging devices with city hall security prior to entering any city council meeting.

NOW BE IT ORDAINED BY THE JACKSON CITY COUNCIL that Section 2-71 of the City of Jackson Code of Ordinances shall be amended to establish the speaking limitations, public comments, and council chamber conduct for meetings of the Jackson City Council as follows:

(a) No member of the council shall be permitted to speak more than once on any subject, until all members desiring to speak have spoken. A member may not speak more than five minutes without obtaining the consent of the council, by majority vote.

(b) Any person desiring to address the council with reference to any item on the agenda for that meeting must register with the clerk of council no later than 12 noon on the business day immediately preceding the regular or special called meeting, and shall provide, in writing, his name, his address, and the number of the agenda item with reference to which he desires to speak. The number of instances allowed for public comment on an item on the agenda (whether by individuals, organizations, or other entities) during a regular or special called meeting of the Jackson City Council is limited to five (5), whether in-person or virtually. When recognized by the president, such person may speak only once with reference to any agenda item and for a portion of the time not to exceed three minutes, unless such period of time is extended by a majority vote of the council. Such public comments will be received prior to the consideration of ordinances, orders, or resolutions.

(c) Any person desiring to address the council with reference to any matter which is not on the agenda must register with the clerk of council no later than 12 noon on

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the business day immediately preceding a regular or special called meeting; and shall provide, in writing, his name, his address, and the subject matter with reference to which he wishes to address the council. The number of instances allowed for public comment on an item not on the agenda (whether by individuals, organizations, or other entities) during a regular or special called meeting of the Jackson City Council is limited to five (5), whether in-person or virtually. When recognized by the president, such person may speak only once with reference to such matter and for a period of time not to exceed three minutes, unless such period of time is extended by a majority of the council. Such public comments will be received will be received prior to the consideration of ordinances, orders, or resolutions.

- (d) Notwithstanding any other provisions, no person shall address the council with reference to any personnel matter during any open meeting of the city council.
- (e) No derogatory remarks concerning councilmembers or anyone present in the council chamber shall be permitted. The president shall suspend irrelevant speaking. A majority of the members of the council have the right to suspend irrelevant speaking at any council meeting.
- (f) Any person making personal, impertinent, or slanderous remarks, derogatory remarks concerning councilmembers or anyone present in the council chambers, or who uses abusive, vulgar, or profane language, or who shall become boisterous while addressing the council shall be forthwith, by the presiding officer or the clerk of council, barred from further audience before the council and/or barred from council chambers, unless permission to continue or stay be granted by a majority vote of the council.
- (g) The usage of cellular phones and paging devices shall be prohibited within the council chambers during council meetings. All such devices within the council chambers shall be placed on silence or vibrator mode during council meetings. The clerk of Council shall place signs within city hall notifying the public of said rule. Any person violating said rule shall first receive a verbal warning from the presiding officer; upon any additional violations, the presiding officer may bar the person from the remainder of the council meeting for which he is in violation, and the person shall be required to place all cellular phones and paging devices with city hall security prior to entering any city council meeting.

BE IT FURTHER ORDAINED BY THE JACKSON CITY COUNCIL that this Ordinance Amending Section 2-71 of the City of Jackson Code of Ordinances shall become effective in accordance with the provisions of Section 21-13-11 of the Mississippi Code Annotated (1972), as amended.

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

President Banks recognized **Shanekia Jordan, Clerk of Council**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – None.

ORDINANCE AMENDING SECTION 2-62 OF THE JACKSON CODE OF ORDINANCES.

WHEREAS, Section 2-62 of the City of Jackson Code of Ordinances establishes locations and schedules of the Jackson City Council meetings; and

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WHEREAS, the current guidelines and requirements establishing locations and schedules of the Jackson City Council meetings, as set forth in Section 2-62 of the City of Jackson Code of Ordinances, is as follows:

- (a) Place of meetings. Unless notice to the contrary is given, all meetings of the city council shall be held in the council chamber. Certified, sworn law enforcement officers shall be present at the public entry doors of the council chamber before, during, and after regular and special called meetings of the council to ensure the safety of all in attendance. Attendance of individuals at regular and special called meetings of the council shall be limited to 20 persons, with the exception of council members, as well as members of the administration, members of the office of the clerk of council, and/or city staff.
- (b) Regular meetings. Regular meetings of the council shall be held on every other Tuesday. The regular meeting times shall be held at 10:00 a.m. At 4:00 p.m. on each Monday preceding a regular Tuesday council meeting, the council will also hold a planning session to discuss the business to be considered at the following regular Tuesday council meeting. The planning session shall be limited to one and one-half hours.
- (c) Zoning meetings. Zoning cases to be considered by the city council shall be heard 42 days after the planning board makes its recommendation to the city council.
- (d) Special meetings. Special meetings of the council may be called at any time by the mayor or a majority of the members of the council. A notification of such meeting shall be reduced to writing and posted in a public place in City Hall. When possible, special meetings are to be held on those Mondays that do not precede a regularly scheduled council meeting on Tuesday. Such notice shall include the time, place and general subject matter of such meetings. Members of the council shall be notified in the most expedient manner available, whether in writing or not; provided, however, that where possible the clerk shall give council members 24 hours' notice of such meetings. The 24-hour notice may be waived by the council when the council deems that an adequate notice has been given and when a quorum is present at the special meeting.
- (e) Committee meetings. Committee meetings may be called at any time by the chair of the committee, upon 48 hours' notice of the same to all council committee members. A notification of such meeting shall be reduced to writing and posted in a public place in city hall.
- (f) Citizens' Agenda Meetings will be held on the last Thursday of each month at 6:00 p.m. in the council chamber. At this time, the city council will entertain public comments unrelated to items found on the regular council agenda, proclamations, special presentations, commendations, and resolutions honoring individuals, businesses, groups, or organizations. The city council may call a Citizens' Agenda Meeting on dates and at times and locations set by a majority of the members of the council. During this Citizens' Agenda Meeting, members of the public may be permitted to give comment or input within the prescribed time limit of three (3) minutes per speaker. Prospective speakers at this special called meeting must register with the clerk of council no later than 12 noon on the business day immediately preceding the special called meeting, and shall provide, in writing, his name, his address, and the number of the agenda item with reference to which he desires to speak. At any Citizens' Agenda Meeting, the city council may take such action as is appropriate under the circumstances on any matter found on the agenda for that meeting. The agenda for the Citizens' Agenda Meeting shall give notice that official action may be taken on matters found on the agenda.

NOW BE IT ORDAINED BY THE JACKSON CITY COUNCIL that Section 2-62 of the City of Jackson Code of Ordinances shall be amended to establish the locations and schedules for meetings of the Jackson City Council as follows:

- (a) Place of meetings. Unless notice to the contrary is given, all meetings of the city council shall be held in the council chamber. Certified, sworn law enforcement officers shall be present at the public entry doors of the council chamber before, during, and after regular and special called meetings of the council to ensure the safety of all in attendance. Attendance of individuals at regular and special called meetings of the

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council shall be limited to 20 persons, with the exception of council members, as well as members of the administration, members of the office of the clerk of council, and/or city staff.

(b) Regular meetings. Regular meetings of the council shall be held on every other Tuesday. The regular meeting times shall be held at 10:00 a.m. At 4:00 p.m. on each Monday preceding a regular Tuesday council meeting, the council will also hold a planning session to discuss the business to be considered at the following regular Tuesday council meeting. The planning session shall be limited to one and one-half hours.

(c) Zoning meetings. Zoning cases to be considered by the city council shall be heard 42 days after the planning board makes its recommendation to the city council.

(d) Special meetings. Special meetings of the council may be called at any time by the mayor or a majority of the members of the council. A notification of such meeting shall be reduced to writing and posted in a public place in City Hall. When possible, special meetings are to be held on those Mondays that do not precede a regularly scheduled council meeting on Tuesday. Such notice shall include the time, place and general subject matter of such meetings. Members of the council shall be notified in the most expedient manner available, whether in writing or not; provided, however, that where possible the clerk shall give council members 24 hours' notice of such meetings. The 24-hour notice may be waived by the council when the council deems that an adequate notice has been given and when a quorum is present at the special meeting.

(e) Committee meetings. Committee meetings may be called at any time by the chair of the committee, upon 48 hours' notice of the same to all council committee members. A notification of such meeting shall be reduced to writing and posted in a public place in city hall.

(f) Citizens' Agenda Meetings will be held quarterly on the last Thursday of the month at 6:00 p.m. in the council chamber. At this time, the city council will entertain proclamations, special presentations, commendations, and resolutions honoring individuals, businesses, groups, or organizations. The city council may call a Citizens' Agenda Meeting on dates and at times and locations set by a majority of the members of the council. At any Citizens' Agenda Meeting, the city council may take such action as is appropriate under the circumstances on any matter found on the agenda for that meeting. The agenda for the Citizens' Agenda Meeting shall give notice that official action may be taken on matters found on the agenda.

BE IT FURTHER ORDAINED BY THE JACKSON CITY COUNCIL that this Ordinance Amending Section 2-62 of the City of Jackson Code of Ordinances shall become effective in accordance with the provisions of Section 21-13-11 of the Mississippi Code Annotated (1972), as amended.

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

President Banks recognized **Shanekia Jordan, Clerk of Council**, who provided a brief overview of said item.

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

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

Nays – Stokes.

Absent – None.

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ORDINANCE AMENDING SECTION 2-64 OF THE CITY OF JACKSON CODE OF ORDINANCES FOR THE PURPOSE OF RECONCILING THE ORDER OF BUSINESS OF THE COUNCIL WITH SECTION 2-71(b) AND SECTION 2-71(c) OF THE CITY OF JACKSON CODE OF ORDINANCES.

WHEREAS, Section 2-64 of the City of Jackson Code of Ordinances establishes the order of business for formulating the agenda for meetings of the Jackson City Council; and

WHEREAS, the current order of business set forth in Section 2-64 of the City of Jackson Code of Ordinances is:

- (1) Call to Order
- (2) Invocation
- (3) Pledge of Allegiance
- (4) Public hearings
- (5) Introductions
- (6) Public comments related to items appearing on the meeting agenda
- (7) Consent agenda
- (8) Introduction of ordinances and resolutions
- (9) Adoption of ordinances and resolutions
- (10) Regular agenda
- (11) Reports from city council members, mayor or department directors
- (12) Announcements
- (13) Adjournment

and;

WHEREAS, Section 2-71(b) of the City of Jackson Code of Ordinances states that comments on items related to items on the agenda will be received prior to consideration of ordinances, orders, or resolutions; and

WHEREAS, Section 2-71(c) of the City of Jackson Code of Ordinances provides that comments unrelated to items on the agenda will be received prior to the consideration of ordinances, orders, or resolutions; and

WHEREAS, the order of business set forth in Section 2-64 of the Jackson Code of Ordinances distinguishes between public comments on items related to the agenda and items unrelated to the agenda; and

WHEREAS, it is the desire of the Jackson City Council to add the following to the current order of business for regular Council meetings, and call special meetings to allow: (a) public comments on items unrelated to items appearing on the meeting agenda.

NOW BE IT ORDAINED BY THE JACKSON CITY COUNCIL that Section 2-64 of the City of Jackson Code of Ordinances shall be amended to establish the order of business for formulating the agenda for meetings of the Jackson City Council as follows:

- (1) Call to Order
- (2) Invocation
- (3) Pledge of Allegiance
- (4) Public hearings
- (5) Introductions
- (6) Public Comments
- (7) Consent agenda
- (8) Introduction of ordinances and resolutions
- (9) Adoption of ordinances and resolutions
- (10) Regular agenda
- (11) Reports from city council members, mayor or department directors
- (12) Announcements
- (13) Adjournment

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BE IT FURTHER ORDAINED BY THE JACKSON CITY COUNCIL that this Ordinance amending Section 2-64 of the City of Jackson Code of Ordinances shall become effective in accordance with the provisions of Section 21-13-11 of the Mississippi Code Annotated (1972), as amended.

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

President Banks recognized **Shanekia Jordan**, Clerk of Council, who provided a brief overview of said item.

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

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

Nays – None.

Absent – None.

ORDER APPROVING CLAIMS NUMBER 29710 to 29764 APPEARING AT PAGES 145 TO 169 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$12,642,297.46 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 29710 to 29764 appearing at pages 145 to 169, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$12,642,297.46 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO
	ACCOUNTS PAYABLE
	FUND
GENERAL FUND	1,525,939.45
SEIZURE & FORF PORP-STATE	49,666.67
TECHNOLOGY FUND	77,468.50
PARKS & RECR. FUND	94,244.82
LANDFILL/SANITATION FUND	989,717.89
STATE TORT CLAIMS FUND	25,621.00
EMPLOYEES GROUP INSURANCE FUND	86,218.26
HOUSING COMM DEV ACT (CDBG) FD	164.92
H O P W A GRANT – DEPT OF HUD	104,484.89
INFRASTRUCTURE BOND 2020 \$32M	76,032.00
1% INFRASTRUCTURE TAX	57,922.04
MADISON SEWAGE DISP OP & MAINT	27.57
TRANSPORTATION FUND	159,107.00
FONDREN BUSINESS IMPROV FUND	7,745.73
JXN CONVENTION & VISITORS BUR	288,635.53
RESURFACING – REPAIR & REPL, FD	3,451.00
CAPITAL CITY REVENUE FUND	720.97
MODERNIZATION TAX	64,255.91
CDBG COVID CARES	2,047.50
2020 SAKI GRANT DOJ	2,505.20
ZOOLOGICAL PARK	19,640.63
AMERICAN RESCUE PLAN ACT 2021	8,828,041.00

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LIBRARY FUND	162,250.66
NLC – MUNICIPAL REIMAGINING COMM	3,437.38
BELHAVEN COMMUNITY IMPROVEMENT	12,950.94
TOTAL	<u>\$12,642,297.46</u>

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

President Banks moved; seconded by **Council Member Stokes** to remove a payment to Resultz Biz LLC in the amount of \$17,680.00 from claims. The motion prevailed by the following vote:

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

President Banks recognized **Fidelis Malembeka, Chief Financial Officer, who** recommended an amendment on claims to add a payment to Fountain Construction in the amount of \$233,741.34.

Council Member Lindsay moved; seconded by **Council Member Grizzell**, to amend said order to reflect the changes as stated by **Fidelis Malembeka, Chief Financial Officer**. The motion prevailed by the following vote:

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

President Banks recognized **Fidelis Malembeka, Chief Financial Officer** and **Mike Williams Deputy Director of Human and Cultural Services** who provided a brief overview of claims.

Thereafter, **President Banks**, called for a vote of said item as amended:

ORDER APPROVING CLAIMS NUMBER 29710 to 29764 APPEARING AT PAGES 145 TO 169 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$12,858,358.80 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 29710 to 29764 appearing at pages 145 to 169, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$12,858,358.80 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO
GENERAL FUND	ACCOUNTS PAYABLE
SEIZURE & FORF FORP-STATE	FUND
TECHNOLOGY FUND	1,525,939.45
PARKS & RECR. FUND	49,666.67
LANDFILL/SANITATION FUND	77,468.50
STATE TORT CLAIMS FUND	94,244.82
EMPLOYEES GROUP INSURANCE FUND	989,717.89
HOUSING COMM DEV ACT (CDBG) FD	25,621.00
	86,218.26
	164.92

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H O P A GRANT – DEPT OF HUD	104,484.89
INFRASTRUCTURE BOND 2020 \$32M	76,032.00
1% INFRASTRUCTURE TAX	57,922.04
MADISON SEWAGE DISP OP & MAINT	27.57
TRANSPORTATION FUND	159,107.00
FONDREN BUSINESS IMPROV FUND	7,745.73
JXN CONVENTION & VISITORS BUR	288,635.53
RESURFACING – REPAIR & REPL. FD	3,451.00
CAPITAL CITY REVENUE FUND	720.97
MODERNIZATION TAX	64,255.91
CDBG COVID CARES	2,047.50
2020 SAKI GRANT DOJ	2,505.20
ZOOLOGICAL PARK	19,640.63
AMERICAN RESCUE PLAN ACT 2021	8,828,041.00
LIBRARY FUND	162,250.66
NLC – MUNICIPAL REIMAGINING COMM	3,437.38
BELHAVEN COMMUNITY IMPROVEMENT	12,950.94
TOTAL	<u>\$12,858,358.80</u>

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

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 29710 TO 29764 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 29710 to 29764 inclusive therein, in the Municipal ‘Docket of Claims’, in the aggregate amount of \$96,425.58 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

IT IS FINALLY ORDERED that the following expenditures from the accounts payable fund be made in order to pay amounts transferred thereto from the payroll fund for payment of the payroll deduction claims authorized herein for payment:

FROM:	TO ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		2,860,919.72
PARKS & RECR FUND		84,062.09
LANDFILL FUND		23,757.78
SENIOR AIDES		3,743.92
WATER/SEWER OPER & MAINT		62,449.91
PAYROLL	\$96,425.58	
HOUSING COMM DEV		6,956.02
TITLE III AGING PROGRAMS		6,041.85
TRANSPORTATION FUND		15,975.85
PEG ACCESS-PROGRAMMING FUND		5,456.67
2020 SAKI GRAND DOJ		7,405.71
ZOOLOGICAL PARK		31,002.86
NLC-MUNICIPAL REIMAGINING COMM		7,754.98
TOTAL		<u>\$2,860,919.72</u>

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF JACKSON AND THE SOUTHEAST SUSTAINABILITY DIRECTORS NETWORK FOR REVITALIZING COMMUNITIES THROUGH REINVESTMENT AND RENEWAL OF EXISTING ASSETS.

WHEREAS, the City of Jackson’s Office of Economic Development (OED) requires technical assistance in the areas of (1) grant strategy, (2) community and stakeholder engagement, (3) technical exploration, and (4) federal proposal development to develop a federal proposal for the U.S. EPA Multipurpose, Assessment, RLF, and Cleanup (MARC) Grants; and

WHEREAS, U.S. EPA MARC Grants will be utilized to (1) revitalize communities by transforming underutilized sites into viable and utilized community assets with a focus on developing community gardens, parks, and other green spaces; and (2) provide workforce and business development centered on green-based environmental improvements while also generating local economic impact; and

WHEREAS, the Southeast Sustainability Directors Network (SSDN) will provide technical assistance, through TCG Consulting, to help identify and prioritize brownfield sites, Phase I and II environmental site assessments, develop an AWP and remediation plans, redevelop sites into green spaces, incorporate workforce training, calculate cost, and identify federal resources to assist with targeting hazards city-wide, and community engagement; and

WHEREAS, the City of Jackson finds it reasonable to partner with SSDN to provide technical assistance to help OED to develop and submit a federal proposal for the U.S. EPA MARC Grants.

NOW, THEREFORE, IT IS HEREBY ORDERED that the City of Jackson is authorized to enter into a Memorandum of Understanding (MOU) with the Southeast Sustainability Directors Network (SSDN).

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

President Banks recognized **Chloe Dotson, Director of Planning and Development**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT EXPENDING \$232,454.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG-CV) CORONAVIRUS CARES ACT FUNDING TO PREPARE, PREVENT, AND RESPOND TO THE COVID-19 PANDEMIC TO VARIOUS MICROENTERPRISES IN THE CITY OF JACKSON.

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

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WHEREAS, the Community Development Block Grant (CDBG), Public Law 116-94, was enacted on December 20, 2019, providing assistance for low and moderate-income persons and special needs populations across the country; and

WHEREAS, the U. S. Department of Housing and Urban Development allocated CDBG funding for housing, community, and economic development activities; and

WHEREAS, on February 18, 2020, the Office of Housing and Community Development was notified of CDBG funding in the amount of One Million Eight Hundred Seventy-One Thousand Nine Hundred Eighty-Two Dollars (\$1,871,982.00); and

WHEREAS, the Coronavirus Aid Relief and Economic Security Act (“CARES Act”) (Public Law 116-136) was enacted on March 27, 2020, in response to the Coronavirus (COVID-19) Pandemic; and

WHEREAS, the U. S. Department of Housing and Urban Development allocated supplemental funding to the City of Jackson to be used to prevent, prepare for, and respond to COVID-19; and

WHEREAS, on April 2, 2020, the Office of Housing and Community Development was notified of supplemental funding in the amount of One Million One Hundred One Thousand Two Hundred Twenty-Five Dollars (\$1,101,225.00) and on September 11, 2020, was awarded supplemental funding in the amount of One Million Four Hundred Sixty-Seven Thousand Two Hundred Eighty-Three Dollars (\$1,467,283.00); and

WHEREAS, the Department of Planning and Development, through its Office of Housing and Community Development Division (OHCD) and Office of Economic Development (OED), recommends that the Mayor be authorized to use CDBG-CV CARES ACT funds to provide grants to microenterprises in the City of Jackson, expending CARES ACT funds in an amount not to exceed Two Hundred Thirty-Two Thousand and Four-Hundred Fifty-Four Dollars (\$232,454.00), in the City of Jackson, beginning December 19, 2023 through September 30, 2024.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to expend CDBG-CV CARES Act funds in amounts not to exceed Two Hundred Thirty-Two Thousand and Four-Hundred Fifty-Four Dollars (\$232,454.00) to provide grants for microenterprises in the City of Jackson, beginning December 19, 2023 through September 30, 2024.

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

President Banks recognized **Chloe Dotson, Director of Planning and Development**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE OPTIONAL TWO-YEAR RENEWAL WITH MISSISSIPPI YARD BARBER FOR LANDSCAPING AND GROUND MAINTENANCE OF THE CITY OF JACKSON'S PUBLIC TRANSPORTATION FACILITIES.

WHEREAS, on November 10, 2020, the governing authorities authorized the Mayor to execute the agreement with Mississippi Yard Barber to provide landscaping and ground maintenance of the City of Jackson’s Public Transportation Facilities; and

WHEREAS, the action of November 10, 2020, related to the extension is recorded in Minute Book 6S, Page 176; and

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WHEREAS, Mississippi Yard Barber has provided a written proposal of the extension of terms of said agreement pursuant to Item #6 of the Master Purchase Agreement for an extension beginning January 1, 2024 through December 31, 2025; and

WHEREAS, the Scope of Work is defined in Exhibit A of the Master Purchase Agreement; and

WHEREAS, the Department of Planning and Development, Transit Division, is recommending that the governing authorities authorize the Mayor to execute Extension to the Agreement with Mississippi Yard Barber to provide landscaping and ground maintenance of the City of Jackson's Public Transportation Facilities beginning January 1, 2024 through December 31, 2025 at a cost not to exceed Two Hundred Fifty-Five Thousand Dollars (\$255,000.00); and

WHEREAS, the Federal Transit Administration will provide Two Hundred Four Thousand Dollars (\$204,000.00) or eighty percent (80%) to fund the procurement described, with a local match from FY2024 and FY2025 of Fifty-One Thousand Dollars (\$51,000.00) or twenty percent (20%).

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the optional two-year renewal with Mississippi Yard Barber to provide landscaping and ground maintenance of the City of Jackson's Public Transportation Facilities beginning January 1, 2024 through December 31, 2025 at a cost not to exceed Two Hundred Fifty-Five Thousand Dollars (\$255,000.00) with Two Hundred Four Thousand Dollars (\$204,000.00) or eighty percent (80%) funded by FTA and a local match from FY2024 and FY2025 of Fifty-One Thousand Dollars (\$51,000.00) or twenty percent (20%).

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO SUBMIT A PROPOSAL TO APPLY FOR THE ROBERT WOOD JOHNSON FOUNDATION'S PIONEERING IDEAS: EXPLORING THE FUTURE TO BUILD A CULTURE OF HEALTH, SPECIFICALLY ECONOMIC DEVELOPMENT.

WHEREAS, the overarching purpose of the Robert Wood Johnson Foundation's Pioneering Ideas: Exploring the Future to Build a Culture of Health is to assist states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and influence health equity in the future within four areas of focus: (1) Future of Evidence; (2) Future of Social Interaction; (3) Future of Food; and (4) Future of Work; and

WHEREAS, the Robert Wood Johnson Foundation has invited the City of Jackson, through its Office of Economic Development (OED) in the Department of Planning and Development, to submit a proposal titled "ReImagineJXN: Igniting Our Preferred Futures"; and

WHEREAS, OED's proposal builds upon the City of Jackson's commitment to the Dignity Economy by addressing three futures: (1) Future of Work, the Workplace, and Learning; (2) Infusion of Equity and Dignity to provide recommendations to help assist Jackson to be future-ready; (3) Future of Urban Economic Development; and

WHEREAS, OED's proposed funding amount will not exceed Eight Hundred Thousand Dollars (\$800,000.00).

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute any and all documents and agreements necessary to submit a proposal to apply for the Robert Wood Johnson Foundation's Pioneering Ideas: Exploring the Future to Build a Culture of Health, specifically economic development.

Council Member Grizzell moved adoption; President Banks seconded.

President Banks recognized Chloe Dotson, Director of Planning and Development, who provided a brief overview of said item.

Thereafter, President Banks called for a vote of said item:

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

ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MV CONTRACT TRANSPORTATION INC FOR THE PROVISION OF OPERATIONS AND MAINTENANCE OF JACKSON'S PUBLIC TRANSPORTATION SYSTEM (JTRAN) COMMENCING JANUARY 1, 2024.

WHEREAS, on November 7, 2023, the City Council approved an order authorizing the Mayor to enter into a contract with MV Transportation, Inc.; and

WHEREAS, this order seeks to correct the legal name of the contractor from MV Transportation, Inc. to MV Contract Transportation Inc. in order to execute a maintenance and operation contract; and

WHEREAS, the City of Jackson (City) has determined that it is in the City's best interest to seek a professional management company to operate and maintain the City's public transit system (JTRAN) and is authorized to enter into a contract for the operation and maintenance of said public transportation system; and

WHEREAS, the City issued a Request for Proposal on August 25, 2023 for a transit operator company to provide operations and maintenance of JTRAN and received responses from two transit companies; and

WHEREAS, based on the best value procurement policy, reviewed by the review committee, City staff and administration, MV Contract Transportation Inc. has been determined to provide the best value in the operations and maintenance of JTRAN for the next four years commencing on January 1, 2024 through December 31, 2027 with three one-year options to be exercised at the future sole discretion of City Council as described in "Exhibit A" attached hereto and incorporated herein by reference; and

WHEREAS, the City shall pay MV Contract Transportation Inc. an estimated amount in FY 2023-2024 of Eight Million Five Hundred Ninety-Nine Thousand Seven Hundred Thirty-Two Dollars (\$8,599,732.00), in FY 2024-2025, Nine Million Five Hundred Sixty-Seven Thousand Six Hundred Forty-Seven Dollars (\$9,567,647.00), in FY 2025-2026 Nine Million Nine Hundred Fifty-Three Thousand Four Hundred Thirty-Eight Dollars (\$9,953,438.00) and in FY 2026-2027 Ten Million Five Hundred Fifty-Two Thousand Eighty-Five Dollars (\$10,552,085.00) based on the operation of forty-eight thousand seven hundred seventy-six (48,776) annual revenue vehicle service hours for JTRAN fixed route and fifty thousand two hundred nineteen (50,219) annual trips for demand response service the first year of the contract, excluding no-shows and cancellations, to the base cost per trip rate and increase the number of trips and hours by 3% for each year thereafter plus a start-up costs for actual expenses incurred with supporting documentation not to exceed Two Hundred Sixty-Nine Thousand Five Hundred and Seventy-Two Dollars and Nine Cents (\$269,572.09); and

WHEREAS, to ensure that the public transportation services are not interrupted, the transition plan will incorporate the formal transfer of all relevant documents required to establish and maintain MV Contract Transportation Inc. as the transit operations and maintenance contractor for the City and that MV Contract Transportation Inc. is authorized to work with Transdev Services

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Incorporation, Inc. to facilitate the transition of operations to MV Contract Transportation Inc. control by December 31, 2023.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to enter into an Agreement with MV Contract Transportation Inc. for the provision of Operations and Maintenance of the public transportation system (JTRAN) for a four (4) year period commencing January 1, 2024 through December 31, 2027, with three, one-year options to be exercised upon approval of the City Council.

IT IS FURTHER ORDERED that should an agreement with MV Contract Transportation Inc. not be executed, that the Mayor is authorized to negotiate and execute an Agreement with Transdev Services Incorporation, Inc., as the second most responsive bidder and shall negotiate a BAFO with Transdev Services Incorporation based on the costs listed on Exhibit A.

IT IS, FURTHER ORDERED that the City shall pay MV Contract Transportation Inc. an estimated amount in FY 2023-2024 of Eight Million Five Hundred Ninety-Nine Thousand Seven Hundred and Thirty-Two Dollars (\$8,599,732.00), in FY 2024-2025, Nine Million Five Hundred Sixty-Seven Thousand Six Hundred and Forty-Seven Dollars (\$9,567,647.00), in FY 2025-2026 Nine Million Nine Hundred Fifty-Three Thousand Four Hundred and Thirty-Eight Dollars (\$9,953,438.00) and in FY 2026-2027 Ten Million Five Hundred Fifty-Two Thousand and Eighty-Five Dollars (\$10,552,085.00) based on the operation of forty-eight thousand seven hundred and seventy-six (48,776) annual revenue vehicle service hours for JTRAN fixed route and fifty thousand two hundred and nineteen (50,219) annual trips for demand response service the first year of the contract, excluding no-shows and cancellations, to the base cost per trip rate and increase the number of trips and hours by 3% for each year thereafter plus a start-up costs for actual expenses incurred with supporting documentation not to exceed Two Hundred Sixty-Nine Thousand Five Hundred And Seventy-Two Dollars And Nine Cents (\$269,572.09).

Exhibit A

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO PAY PROFESSIONAL ASSOCIATION DUES, CONFERENCE FEES, AND TRAVEL RELATED EXPENSES ASSOCIATED WITH REPRESENTING THE CITY OF JACKSON AND ITS EMPLOYEES AS IS REASONABLE AND NECESSARY TO THE PERFORMANCE OF THE DUTIES OF THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the Attorney General opined a municipality may pay professional association dues for individuals if the public entity determines that the professional association dues or licensing fees are reasonable and necessary to the performance of the employee's duties, the membership must accrue to the benefit of the municipality, and any benefit to the individual must be merely incidental; and

WHEREAS, the City of Jackson employs licensed engineers and architects who are required to obtain professional development hours or continuing educational credits to retain their licenses; and

WHEREAS, the City of Jackson employs team members whom are required to obtain professional development hours or continuing educational credits for various certifications; and

WHEREAS, the engineers, architects, and other team members for the City of Jackson are usually members of at least one of the following organizations:

1. American Society of Civil Engineers (ASCE)
2. Institute of Transportation Engineers (ITE)
3. American Institutes of Architects (AIA)
4. Solid Waste Association of North America (SWANA)
5. American Public Works Association (APWA)

WHEREAS, various seminars, conferences, workshops, and other educational programs are held from time to time that require team members to travel for required hours and credits; and

WHEREAS, there is no authority to pay travel-related expenses prior to the approval by the governing authorities; therefore, the Department of Public Works requests the authority to pay in an amount not to exceed \$1,000.00, but shall not exceed the amount available in the budget, for travel expenses in connection with the attendance of any seminars, conferences, workshops, and other educational programs related to the team members' responsibilities and related to the above-referenced professional organizations.

IT IS, THEREFORE, ORDERED that the governing authorities for the City of Jackson determines the above-referenced professional association dues are reasonable and necessary to the performance of the duties of Public Works team members and authorizes the Department of Public Works to pay organizational dues for Public Works team members with such amount not to exceed the amount available in the Department budget.

IT IS FURTHER, ORDERED that the governing authorities find it necessary and proper to authorize the Department of Public Works to pay professional association conference and seminar expenses and travel related expenses in the amount not to exceed \$1,000.00 per person, but shall not exceed the amount available in the budget, for travel expenses in connection with the attendance of any seminars, conferences, workshops, and other educational programs related to the Public Works team member's responsibilities and associated with the above-referenced professional organizations.

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

MINUTE BOOK 6Y

President Banks recognized **Robert Lee, City Engineer**, who provided a brief overview of said item.

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

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

Absent – **Grizzell**.

Note: Council Member Grizzell left the meeting during discussion.

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #1/FINAL TO THE CONTRACT OF FORDICE CONSTRUCTION COMPANY, INC., AUTHORIZING RELEASE OF RETAINAGE, PUBLICATION OF NOTICE OF COMPLETION, AND COMMENCEMENT OF ONE YEAR WARRANTY FOR THE COLONIAL CIRCLE BRIDGE PROJECT, STATE PROJECT NUMBER ERBR-25(03).

WHEREAS, the City of Jackson executed a contract with Fordice Construction Company, Inc. for the Colonial Circle Bridge Project; and

WHEREAS, Change Order No. 1/Final decreases the contract amount by \$100,910.42 due to contingency line items for utility work that were not used during the project; and

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

WHEREAS, the bonding company, Fidelity and Deposit Company of Maryland, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept Change Order No. 1/Final and authorize final payment in the amount of \$29,364.08 to Fordice Construction Company, Inc.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Change Order No. 1/Final to the Contract with Fordice Construction Company, Inc., for the Colonial Circle Bridge Project, decreasing the contract amount by \$100,910.42 for a final contract amount of \$587,281.54, and authorize final payment in the amount of \$29,364.08 to Fordice Construction Company, Inc.

IT IS FURTHER ORDERED that the one-year warranty commence effective the date of the final inspection and that the Municipal Clerk is authorized to publish the Notice of Completion of the Colonial Circle Bridge Project.

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

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

ORDER RATIFYING PROCUREMENT OF SERVICES AND REPAIRS FROM CERTAIN VENDORS AND AUTHORIZING PAYMENTS TO SAID VENDORS BY THE BUILDING MAINTENANCE DIVISION OF THE DEPARTMENT OF PUBLIC WORKS.

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WHEREAS, the Building Maintenance Division of the Department of Public Works had need of certain services and repairs to equipment necessary to the operation and maintenance of the City's buildings; and

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

WHEREAS, the services and repairs to equipment set forth in certain invoices attached hereto were provided for the City's buildings; and

WHEREAS, in order to ensure the continued and proper operation and maintenance of the City's buildings, it is necessary to pay these outstanding invoices to continue receiving any needed parts or equipment, or any needed services for these vendors.

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

Amteck Sprinkler, LLC.	\$735.00
TK Elevator	\$9,225.22
Anderson Environmental Services	\$3,250.00
Advanced Microsystems Inc.	\$366.30
Global Sector Security, LLC	\$307.50
Total	\$16,684.02

INVOICE



INVOICE #: 860403621
INVOICE DATE: 10/25/23
CUSTOMER NUMBER: C11008
SERVICE ORDER: 50403061
CUSTOMER PO:
INVOICE TOTAL: \$ 735.00
DUE DATE: 11/24/23
TERMS: NET 30 DAYS

For work performed at:
Union Station
300 West Capitol Street,
Jackson, MS 39203

OTHER COSTS Quoted Price to Perform Perform annual fire sprinkler inspection, Reports Attached 735.00
Other Costs Total: 735.00

COMMENTS Inspection PerformedMade annual sprinkler inspection all systems left in full service.

SUBTOTAL: 735.00
TAX: 0.00
INVOICE TOTAL: 735.00

REMIT TO: Amteck, LLC PO Box 53194 Lexington, KY 40515
8592899546

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Anderson Environmental Service, Inc.
783 Harris St.
Jackson, MS 39202

INVOICE

Date: 03/10/2023
INVOICE # 670

Remit To: PO Box 16891
Jackson, MS 39236

To
City of Jackson
Facility Management
658 S Jefferson St.
Jackson, MS 39201

Job	Payment Terms	PO #
: Russell C Davis Planetarium - 201 E Pascagoula Street Jackson MS 39201	Due on receipt	

Item#	Description	Unit Price	Line Total
1.	Clean and disinfect human excrement and feces remove trash in the interior property on the second and third floor		\$3,250.00
Subtotal			\$3,250.00
Sales Tax			0
Total			\$33,250.00

Make all checks payable to Anderson Environmental Services.
Thank you for your business!

Anderson Environmental Services, 783 Harris St., Jackson, MS 39202 Phone: (601) 354-4400

021.406.10.6419
P# 77240109

SECURITY SOLUTIONS PLUS, LLC

P.O. BOX 720055
BYRAM, MS 39272-0055
(601) 346-6000

Statement

DATE
10/31/2023

BILL TO
Advanced Microsystems, Inc.
C/O Jitu Patel
655 Lake Harbour Dr.
Suite 200
Ridgeland, MS 39157

TERMS	DUE DATE	ACCOUNT #	AMOUNT DUE
Net 15	11/15/2023	Temp	\$366.30
DATE	DESCRIPTION	AMOUNT	BALANCE
09/30/2023	Balance forward		326.50
10/31/2023	INV #102316, Cloud Based Access Control Monitoring (4 Doors)	39.80	366.30
CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	OVER 90 DAYS PAST DUE
39.80	39.80	167.30	79.60
		39.80	366.30

PLEASE CUT ALONG DOTTED LINE AND SEND IN WITH YOUR PAYMENT TO:

SECURITY SOLUTIONS PLUS
P.O. BOX 720055
BYRAM, MS 39272-0055

SECURITY SOLUTIONS PLUS WOULD LIKE TO THANK YOU FOR YOUR BUSINESS

Amount Enclosed:

Account Number:

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77248111

Global Sector Security LLC
3953 Underwood Drive
Flowood, MS 39232

Invoice	
Date	Invoice #
11/16/2023	66643

Bill To:
Thalia Marc Hall
255 East Pascagoula Street
Jackson, MS 39201

Quantity	Description	P.O. No.		Terms	
		Rate	Amount	Due upon receipt	Amount
1.5	Labor	135.00	202.50T		
1	Off site programming	105.00	105.00T		
	Time zones were turned off. Replaced screw and added spacer. Reconnected camera systems for IT1 and AC. Sales Tax	0.00%	0.00		
Invoice Total			\$307.50		

*Beginning January 1, 2021, a 3% fee will be added to each credit card payment.
**Global Sector Services is a small business entity as defined by USA guidelines.

Phone #	Fax #
601-982-4585	601-982-4591

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

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

Nays – None.

Abstention – Stokes.

Absent – Grizzell.

ORDER RATIFYING REPAIRS TO NETWORK CABLING AT THE MUNICIPAL GARAGE BY PILEUM CORPORATION AND AUTHORIZING PAYMENTS TO SAID VENDOR FROM THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the Municipal Garage Division of the Department of Public Works had need of repairs to network cabling at the Municipal Garage; and

WHEREAS, due to exigent circumstances, namely the inability to access the City network, which is required to use Munis, Novus, City email, as well as other applications, the procurement of these necessary repairs was done without prior approval by the City Purchasing Manager or the City Council of the City of Jackson; and

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WHEREAS, repairs set forth in certain invoices attached hereto were provided to the Department of Public Works, Municipal Garage Division, and the outside repairs have been completed.

IT IS THEREFORE ORDERED that payment to the following vendor in the amount set forth be made, consistent with the attached invoice:

Pileum Corporation	\$7,494.36
--------------------	------------

Total \$7,494.36

Pileum Corporation
PO Box 3498, Dept. 05-081
Tupelo, MS 38803-3488
(601) 352-2120



Questions about your bill?
PileumAR@pileum.com

Bill To: City of Jackson Attn: Eric Fox 353 S. Congress Street Jackson, MS 39201

Date 01/23/2023	Invoice P87808
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Terms	Due Date	PO Number	Reference
Due Upon Receipt	01/23/2023	MET31091 - 23000731	Order #11170

Products & Other Charges	Quantity	Price	Amount
Billable Products & Other Charges			
7133800: 23/4PR SOL NS CAT6 CMR BLUE	9000.00	\$0.23	\$2,070.00
NK688MBL-PAN: JACK CAT6 NET-KEY BLACK	30.00	\$7.77	\$233.10
NK688MBU-PAN: JACK CAT6 NET-KEY BLUE	30.00	\$7.77	\$233.10
NKPP48FMY-PAN: 48P FLUSH MOUNT PATCH PANEL	1.00	\$67.30	\$67.30
NK6PC10BUY: MODCORD CAT6 BLUE 10'	30.00	\$4.53	\$135.90
NKF25: 2 PORT NET KEY FACEPLATE	2.00	\$3.37	\$6.74
NKF45: 4 PORT NET KEY FACEPLATE	8.00	\$4.20	\$33.60
ATI-103: Panduit Labels for 4 Pair Cable	30.00	\$0.13	\$3.90
CBL-REMOVAL: CABLE REMOVAL	1.00	\$275.00	\$275.00
LD10: Panduit Raceway	6.00	\$25.88	\$155.28
JBX3510E1-A-PAN: Panduit Low Profile Surface Box	5.00	\$6.80	\$34.00
WM3019-20-02: 3' Wall Mount Enclosure W/Fan	1.00	\$1,069.54	\$1,069.54
NK6PC3BUY: MODCORD CAT6 BLUE 3'	30.00	\$3.23	\$96.90
Get-Install: Installation	1.00	\$3,080.00	\$3,080.00
Make checks payable to Pileum Corporation			
Invoice Subtotal:			\$7,494.36
Sales Tax:			\$0.00
Invoice Total:			\$7,494.36
Payments:			\$0.00
Credits:			\$0.00
Balance Due:			\$7,494.36

Council Member Hartley moved adoption; Council Member Foote seconded.

President Banks recognized Robert Lee, City Engineer, who provided a brief overview of said item.

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

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

Nays – None.

Abstention – Stokes.

Absent – Gritzell.

ORDER AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH CANIZARO CAWTHON DAVIS, A PROFESSIONAL ASSOCIATION FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE NEW FIRE STATION 20 BUILDING, CITY PROJECT NO. 15B7003.401.

WHEREAS, the governing authorities for the City of Jackson authorized a professional services agreement with Canizaro Cawthon Davis, a professional association (hereinafter “CCD”) on July 12, 2016, for architectural services related to the construction of a new Fire Station 20 Building, City Project No. 15B7003.401, which was executed on December 19, 2016 in the amount of \$183,182.00; and

WHEREAS, the professional services agreement was amended, as Amendment No. 1, on January 14, 2020 with an expiration date of January 1, 2022 with an additional agreement amount of \$39,946.00; and

WHEREAS, the City accepted the bid of Castle Black Construction in the amount of \$3,080,000.00 and entered into a contract in that amount with the construction substantial completion date of October 24, 2022; and

WHEREAS, Amendment No. 2 to the Contract with CCD revised the construction fee consistent with the bid, setting the basic fee at \$224,840.00 and increasing the allowable reimbursable expenses by \$2,000.00 to a total allowable amount of \$8,000.00; and

WHEREAS, Castle Black Construction failed to substantially complete construction of the project pursuant to the terms of the contract and filed for Chapter 11 Bankruptcy; and

WHEREAS, Amendment No. 3, approved on February 28, 2023, provided additional architectural and engineering services necessary for the construction project, due to the failure of Castle Black to substantially complete the project within the contract time, at an additional cost of \$9,800.00 and an amended contract term through June 30, 2023; and

WHEREAS, due to Castle Black Construction’s failure to complete the project as of June 30, 2023, pursuant to Amendment No. 4, approved on July 18, 2023, CCD agreed to provide additional architectural and engineering services necessary for the construction project for a contract addition of \$5,000.00 with the agreement expiring September 30, 2023; and

WHEREAS, pursuant to Amendment No. 5 approved on October 10, 2023, CCD agreed to provide additional architectural and engineering services necessary for the construction project for a contract addition of \$5,000.00 with the agreement expiring December 30, 2023; and

WHEREAS, the building contractor has continued to exceed his contracted Substantial Completion date of October 24, 2022, which has resulted in the need for continued additional construction administration services from CCD, but since the firing of the construction superintendent the building contractor is again making significant progress toward substantial completion, which is now anticipated to occur in January 2024 and will allow the Fire Department to occupy the new fire station; and

WHEREAS, in order to provide the additional construction administration services necessary to complete the project, CCD has proposed Amendment No. 6, which will provide additional architectural and engineering services and allowances totaling \$10,000.00 to complete the project; and

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WHEREAS, Amendment No.6 to the Agreement with CCD for Architectural Engineering Services is necessary to complete the construction of the new Fire Station 20 building and will increase the contract total to an amount not to exceed \$267,865.00; and

WHEREAS, the Fire Department and Department of Public Works recommends that the City accept the proposed Amendment No. 6 and also modify the completion date of the Agreement with CCD to June 30, 2024 to coincide with the projected final completion of construction.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Amendment No.6 to the professional services agreement with Canizaro Cawthon Davis, a professional association for additional architectural and engineering services for the new Fire Station 20, City Project No. 15B7003.401, increasing the total contract amount by \$10,000.00, resulting in a not to exceed amount of \$267,865.00, to be completed on or before June 30, 2024.

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

President Banks recognized **Robert Lee, City Engineer**, who provided a brief overview of said item.

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

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

President Banks requested that Agenda Item No. 35 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER TO OVERRIDE THE DECEMBER 20, 2023 MAYOR’S VETO ON THE “ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI RESTRICTING THE USE OF TAKE HOME CITY VEHICLES EXCEPT THOSE DEEMED ESSENTIAL ACCORDING TO THIS ORDINANCE IN ADDITION, RESTRICTING THE USE OF TAKE HOME CITY VEHICLES OUTSIDE OF THE CITY LIMITS OF JACKSON WITH NO EXCEPTIONS AND THE TRANSFER OF ANY VEHICLE FROM ANY DEPARTMENT TO ANOTHER, WITHOUT CITY COUNCIL APPROVAL” ON THE NOVEMBER 7, 2023 CITY COUNCIL MEETING MINUTES.

WHEREAS, the City Council passed Agenda Item No. 10 during its November 7, 2023 Regular City Council meeting, the adoption of the Jackson Code of Ordinances restricting the use of take-home city vehicles except those deemed essential according to this ordinance in addition, restricting the use of take-home city vehicles outside of the City limits of Jackson with no exceptions and the transfer of any vehicle from any department to another, without City Council approval; and

WHEREAS, the City Council of Jackson, Mississippi deemed it necessary to comply with Mississippi Code Annotated, § 21-8-9 which states, the legislative power of the municipality shall be exercised by the municipal council; and

WHEREAS, said Ordinance was passed by the City Council with seven (7) in favor, zero (0) opposing; and

WHEREAS, said Order was vetoed by Mayor Chokwe A. Lumumba on December 20, 2023; and

WHEREAS, Aaron Banks, President of the Jackson City Council, pursuant to 21-8-18(2) of the Mississippi Code Annotated of 1972, in response to the Honorable Chokwe A. Lumumba’s veto, places this Order of reconsideration of vetoed Order before the City Council.

IT IS HEREBY ORDERED that the Ordinance of the City Council of Jackson, Mississippi restricting the use of take-home city vehicles except those deemed essential according to this ordinance in addition, restricting the use of take-home city vehicles outside of the city limits of Jackson with no exceptions and the transfer of any vehicle from any department to another, without city council approval be reinstated by a two-thirds majority vote of the members present and voting resolving to override the Mayor's veto.

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

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

Nays – None.

Absent – Grizzell.

President Banks requested that Agenda Items No. 36 and 37 be moved forward on the Agenda. Hearing no objections, the following was discussed:

DISCUSSION: BRUMFIELD HOUSE (OLD FIRE STATION): **President Banks** recognized **Council Member Stokes** who requested information regarding ownership of the Brunfield House building. **Mayor Chokwe Antar Lumumba** requested the legal department provide **Council Member Stokes** with that information.

DISCUSSION: UPDATE ON COVID FUNDS: **President Banks** recognized **Council Member Stokes** who requested the City Clerk to research information concerning missing Covid Funds and how the City can recover those missing funds.

ORDER AUTHORIZING PAYMENT OF FULL AND FINAL SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF JACKSON, MISSISSIPPI IN THE MATTER OF “JAMES E. GRISHAM, JR. V. CITY OF JACKSON MISSISSIPPI”; AND JOHN DOES 1-10; IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI, FIRST JUDICIAL DISTRICT; CIVIL ACTION NO.: 22-583.

WHEREAS, on September 7, 2022, James E. Grisham Jr. filed a Complaint in the Circuit Court of Hinds County, Mississippi, First Judicial District against the City of Jackson, Mississippi alleging the City negligently maintained its sewer system; and

WHEREAS, the parties, through counsel, participated in settlement negotiations and reached a proposed agreement to settle the aforementioned lawsuit; and

WHEREAS, the Office of the City Attorney is recommending the City of Jackson fully and finally resolve the aforementioned lawsuit in return for a complete release of the City of Jackson, Mississippi from the lawsuit; and

WHEREAS, such settlement shall not constitute an admission of liability on the part of the City of Jackson, Mississippi; and

WHEREAS, based on the economic value to the City of Jackson and without admitting any liability, it is in the best interest of the citizenry that the City of Jackson resolve this matter through settlement.

NOW THEREFORE IT IS HEREBY ORDERED by the City Council of the City of Jackson, Mississippi, that the City should and is hereby authorized to settle all claims in the lawsuit styled James E. Grisham Jr. v. City of Jackson, Mississippi, et al., Civil Action No.: 22-583 execute all documents necessary to settle and dismiss said claim; and pay the settlement amount, to the Plaintiff and his Counsel, as full and final settlement of this matter.

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

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President Banks recognized **Keyona Henry**, Deputy City Attorney, who provided a brief overview of said item.

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

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

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

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HIRING LEGAL COUNSEL TO REPRESENT THE CITY OF JACKSON ON ALL LEGAL MATTERS. **President Banks** stated said item would be taken up in Executive Session.

There came on for Discussion, Agenda Item No. 38:

DISCUSSION: STATUS OF CITY'S LAWSUITS: President Banks stated said item would be taken up in Executive Session.

There came on for Discussion, Agenda Item No. 39:

DISUCSSION: SCOPE OF REPRESENTATION: President Banks stated said item would be taken up in Executive Session.

MONTHLY REPORT OF PRIVILEGE TAXES AS REQUIRED ACCORDING TO SECTION 27-17-501 OF THE MISSISSIPPI CODE ANNOTATED OF 1972.

President Banks stated that all City Council members had received the monthly financial report for review.

President Banks recognized **Council Member Hartley** who moved, seconded by **Council Member Lindsay** to go into Closed Session regarding Agenda Items No. 34, 38, 39 - Personnel Matters. The motion prevailed by the following vote:

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

Note: Council Member Grizzell returned to the meeting.

President Banks announced to the public that the Council voted to go into Closed Session to discuss going into Executive Session regarding Agenda Items No. 34, 38, 39 - Personnel Matters.

During Closed Session, **Council Member Stokes** moved, seconded by **Council Member Hartley** to go into Council Only Executive Session regarding Agenda Items No. 34, 38, 39 - Personnel Matters. The motion prevailed by the following vote:

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

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Nays – None.
Abstentions – Grizzell and Lee.
Absent – None.

President Banks announced that the Council would go into Council Only Executive Session regarding Agenda Items No. 34, 38, 39 - Personnel Matters.

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

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

Nays – None.

Absent – None.

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

Note: Council Member Stokes left the meeting.

There came on for consideration, Agenda Item No. 10:

**ORDER RATIFYING AND AUTHORIZING THE MAYOR TO PROCURE
SUPPORT AND MAINTENANCE SERVICES FROM METRIX SOLUTIONS,
LLC FOR THE PURE STORAGE SOLUTION.**

WHEREAS, on March 21, 2017, the Jackson City Council authorized the Mayor to execute an agreement with Venture Technologies for the Pure Storage Solution; and

WHEREAS, the Pure Storage solution provides storage for over 200 virtual servers that include all Tyler Technology Systems as Munis and Incode and legacy systems, including Cayenta Financial System, CISCO Public Safety System, and Exchange Servers; and

WHEREAS, in the event of an outage or emergency, the Pure Storage Solution, currently implemented at the Information Technology’s production site and the recovery site, serves as a method to protect computer systems from failure; and

WHEREAS, the Department of Information Technology provided two quotes for the renewal of the Pure Storage solution for one year; and

WHEREAS, the Department of Information Technology recommends that the governing authorities for the city of Jackson accept Metrix Solutions, LLC’s quote as the lowest and best for said solution; and

WHEREAS, Metrix Solutions, LLC proposed a one-year agreement, from July 27, 2023, until July 26, 2024, for the Pure Storage Solution with reinstatement fees for a cost of One Hundred Sixty-Four Thousand and Sixty-Nine Dollars and Sixty-Eight Cents (\$164,069.68); and

WHEREAS, Pure Storage is a leading provider of enterprise-grade, all-flash block, file, and object storage. Pure delivers a Modern Data Experience allowing you to rely on innovative, cloud-ready solutions and the best experience in technology to transform data into powerful outcomes; and

WHEREAS, the Department of Information Technology represents that Metrix Solutions, LLC is providing support and maintenance service for the previously purchased Pure Storage Solution, including hardware and software coverage.

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IT IS, THEREFORE, ORDERED and hereby ratified that the Mayor be authorized to purchase the Pure Storage support and maintenance service to maintain the city's servers at a cost not to exceed One Hundred Sixty-Four Thousand and Sixty-Nine Dollars and Sixty-Eight Cents (\$164,069.68) for the period that began on July 27, 2023 until July 26, 2024 from Metrix Solutions, LLC.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any and all documents related to the Pure Storage solution.

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

President Banks recognized **Muriel Reid, Director of Information Technology**, who provided a brief overview of said item.

President Banks recognized **Fidelis Malembeka, Chief Financial Officer** and **Willie Harper, Systems Manager**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – Stokes.

Note: Council Member Hartley left the meeting.

There came on for consideration, Agenda Item No. 11:

ORDER AUTHORIZING THE MAYOR TO PROCURE SENTINEL ONE SOFTWARE, AND AUTHORIZING PAYMENT IN THE AMOUNT OF SEVENTY-THREE THOUSAND THREE HUNDRED THIRTY-FOUR DOLLARS AND FIFTY CENTS.

WHEREAS, the Department of Information Technology recommends to the governing authorities for the city of Jackson authorize the Mayor to procure software licenses for Sentinel One, a cybersecurity platform, from Metrix Solutions, LLC for a cost of Seventy-Three Thousand Three Hundred and Thirty-Four Dollars and Fifty Cents (\$73,334.50) starting December 19, 2023, through December 18, 2024; and

WHEREAS, the Department of Information Technology recommends that the city of Jackson utilize this software to defend against cyber threats, encompassing malware, ransomware, and other sophisticated attacks; and

WHEREAS, the Department of Information Technology obtained two quotes for a one-year license for Sentinel One and Metrix Solutions, LLC, with its principal office at 190 East Capitol Street, Suite 175, Jackson, MS 39201, submitted the lowest and best quote in the amount of Seventy-Three Thousand Three Hundred and Thirty-Four Dollars and Fifty Cents (\$73,334.50); and

WHEREAS, Metrix Solutions, LLC is in good standing with the Secretary of State; and

WHEREAS, it is in the best interest of the city of Jackson to procure software licenses for Sentinel One, a cybersecurity platform, from Metrix Solutions, LLC, for a cost of Seventy-Three Thousand Three Hundred and Thirty-Four Dollars and Fifty Cents (\$73,334.50) starting December 19, 2023, through December 18, 2024.

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IT IS, THEREFORE, ORDERED that the Department of Information Technology shall procure software licenses for Sentinel One, a cybersecurity platform, at a cost not to exceed Seventy-Three Thousand Three Hundred and Thirty-Four Dollars and Fifty Cents (\$73,334.50) starting December 19, 2023, through December 18, 2024.

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

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

Nays – None.

Absent – Hartley and Stokes.

There came on for consideration, Agenda Item No. 12:

ORDER AUTHORIZING THE MAYOR TO EXECUTE A WEB SERVICES AGREEMENT WITH NEHETEK TECHNOLOGY SOLUTIONS, LLC FOR WEBSITE DEVELOPMENT, MAINTENANCE, AND SUPPORT SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY.

WHEREAS, the Department of Information Technology recommends to the governing authorities for the city of Jackson to authorize the Mayor to execute a Web Services Agreement with Neketek Technology Solutions, LLC, to provide "full-stack web development services" from December 1, 2024, through December 31, 2027; and

WHEREAS, the Department of Information Technology received two quotes to provide Tier 3 Service Block, which includes but is not limited to remote and onsite continuing services, custom web application development, database development and management, reporting, SEO, site redesign, CMS integration, and maintenance/support. Service also includes current product design changes, patches, and updates. In addition, modern technologies will be used to develop, test, and deploy applications. This strategy will ensure that applications can support a high traffic volume and various devices and mitigate potential attacks from malicious entities; and

WHEREAS, the Department of Information Technology received two quotes for the above-referenced services, and Neketek Technology Solutions, LLC provided the lowest and best quote at 300 hours of service at \$150.00/per hour for a total cost of \$45,000.00 annually; and

WHEREAS, Neketek Technology Solutions, LLC will provide support services from January 1, 2024, through December 31, 2027, for a total cost not to exceed \$135,000.00; and

WHEREAS, the term of this Agreement (the "Term") will begin on the date of this Agreement and will remain in full force and effect until December 31, 2027, subject to earlier termination as provided in this Agreement. The term may be extended with the written consent of the Parties. In the event that either Party wishes to terminate this Agreement before December 31, 2027, that Party will be required to provide 30 days written notice to the other Party; and

WHEREAS, a copy of the proposed Web Services Agreement is attached and made a part of the minutes.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a Web Services Agreement with Neketek Technology Solutions, LLC, to provide "full-stack web development services" from December 1, 2024, through December 31, 2027, for 300 hours of service at \$150.00/per hour for a total cost of \$45,000 annually.

IT IS FURTHER ORDERED that the Mayor be authorized to execute any and all documents necessary to effectuate this order.

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WEB SERVICES AGREEMENT

THIS WEB SERVICES AGREEMENT (the "Agreement") is dated this 1st day of January, 2024.

CLIENT

THE CITY OF JACKSON
Department of Information Technology
353 South Congress Street
Jackson, MS 39201

CONTRACTOR

NEHETEK TECHNOLOGY SOLUTIONS
PO Box 835,
Raymond, MS 39154

(the "Client")

(the "Contractor")

A. BACKGROUND

- A. The Client is of the opinion that the Contractor has the necessary qualifications, experience and abilities to provide computer services to the Client.
- B. The Contractor is agreeable to providing such computer services to the Client on the terms and conditions set out in this Agreement.

IN CONSIDERATION OF the matters described above and of the mutual benefits and obligations set forth in this Agreement, the receipt and sufficiency of which consideration is hereby acknowledged, the Client and the Contractor (individually the "Party" and collectively the "Parties" to this Agreement) agree as follows:

1. **SERVICES PROVIDED:** the Client hereby agrees to engage the Contractor to provide the Client with the following computer services (the "Services"):
 - o Full-stack Web Development Services include but are not limited to remote and onsite consulting services, custom web application development, database development and management, reporting, SEO, site redesign, CMS integration, maintenance/support, and hosting; and
 - o Current product design changes, patches, updates, and migration. In addition, we will use modern technologies to develop, test, and deploy applications. This strategy will ensure that applications can support a high traffic volume and various devices and mitigate potential attacks from malicious entities.
 - o The Services will also include any other web development tasks which the Parties may agree on. The Contractor hereby agrees to provide such Services to the Client.

The City of Jackson MS Web Services Agreement | Dec 2023

2. **TERM OF AGREEMENT:** The term of this Agreement (the "Term") will begin on the date of this Agreement and will remain in full force and effect until December 31, 2027, subject to earlier termination as provided in this Agreement. The Term may be extended with the written consent of the Parties. In the event that either Party wishes to terminate this Agreement prior to December 31, 2027, that Party will be required to provide 30 days' written notice to the other Party.

3. **PERFORMANCE:** The Parties agree to do everything necessary to ensure that the terms of this Agreement take effect.

4. **CURRENCY:** Except as otherwise provided in this Agreement, all monetary amounts referred to in this Agreement are in USD (US Dollars).

5. **COMPENSATION:** The Contractor will charge the Client for the Services at the rate of \$45,000.00 per year (the "Compensation"). The Client will be invoiced every month. Invoices submitted by the Contractor to the Client are due within 45 days of receipt.

6. **REIMBURSEMENT OF EXPENSES:** The Contractor will be reimbursed from time to time for reasonable and necessary expenses incurred by the Contractor in connection with providing the Services. All expenses must be pre-approved by the Client.

7. **CONFIDENTIALITY:** Confidential information (the "Confidential Information") refers to any data or information relating to the business of the Client which would reasonably be considered to be proprietary to the Client including, but not limited to, accounting records, business processes, and client records and that is not generally known in the industry of the Client and where the release of that Confidential Information could reasonably be expected to cause harm to the Client. Subject to the Mississippi Public Records Act of 1983, the Contractor agrees that they will not disclose, divulge, reveal, report, or use, for any purpose, any Confidential Information the Contractor has obtained, except as authorized by the Client or as required by law. Subject to the Mississippi Public Records Act of 1983, the confidentiality obligations will apply during the Term and will survive indefinitely upon termination of this Agreement. Subject to the Mississippi Public Records Act of 1983, all written and oral information and material disclosed or provided by the Client to the Contractor under this Agreement is Confidential Information, regardless of whether it was provided before or after the date of this Agreement or how it was provided to the Contractor.

8. **OWNERSHIP OF INTELLECTUAL PROPERTY:** All intellectual property and related material, including any trade secrets, moral rights, goodwill, relevant registrations or registration applications, and rights in any patent, copyright, trademark, trade dress, industrial design, and trade name (the "Intellectual Property") that is developed or produced under this Agreement, is a "work made for hire" and will be the sole property of the Client. The Client's use of the Intellectual Property will not be restricted in any manner. The Contractor may not use the Intellectual Property for any purpose other than that contracted for in this Agreement except with the Client's written consent. The Contractor will be responsible for any damages resulting from the unauthorized use of the Intellectual Property.

9. **RETURN OF PROPERTY:** Upon the expiration or termination of this Agreement, the Contractor will return to the Client any property, documentation, records, or Confidential

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Information that is the Client's property.

10. **CAPACITY/INDEPENDENT CONTRACTOR:** In providing the Services under this Agreement, it is expressly agreed that the Contractor is acting as an independent contractor, not an employee. The Contractor and the Client acknowledge that this Agreement does not create a partnership or joint venture between them and is exclusively a service contract. The Client is not required to pay or contribute to any social security, local, state, or federal tax, unemployment compensation, workers' compensation, insurance premium, profit-sharing, pension, or any other employee benefit for the Contractor during the Term. The Contractor is responsible for paying and complying with reporting requirements for all local, state, and federal taxes related to payments made to the Contractor under this Agreement.
 11. **RIGHT OF SUBSTITUTION:** Except as otherwise provided in this Agreement, the Contractor may, at the Contractor's absolute discretion, engage a third-party sub-contractor to perform some or all of the obligations of the Contractor under this Agreement and the Client will not hire or engage any third parties to assist with the provision of the Services. In the event that the Contractor hires a sub-contractor:
 - o The Contractor will pay the sub-contractor for its services and the Compensation will remain payable by the Client to the Contractor.
 - o For the purposes of the indemnification clause of this Agreement, the sub-contractor is an agent of the Contractor.
 12. **AUTONOMY:** Except as otherwise provided in this Agreement, the Contractor will have full control over working time, methods, and decision-making in relation to the provision of the Services in accordance with the Agreement. The Contractor will work autonomously and not at the direction of the Client. However, the Contractor will be responsive to the reasonable needs and concerns of the Client.
 13. **EQUIPMENT:** Except as otherwise provided in this Agreement, the Contractor will provide, at the Contractor's own expense, any digital content, supplies, and any other items or parts necessary to deliver the Services in accordance with the Agreement.
 14. **NO EXCLUSIVITY:** The Parties acknowledge that this Agreement is non-exclusive and that either Party will be free, during and after the Term, to engage or contract with third parties for the provision of services similar to the Services.
 15. **NOTICE:** All notices, requests, demands, or other communications required or permitted by the terms of this Agreement will be given in writing and delivered to the Parties at the following addresses:
 1. THE CITY OF JACKSON MISSISSIPPI
DEPARTMENT OF INFORMATION TECHNOLOGY
353 South Congress Street Jackson, MS 39201
 2. NEHETEK TECHNOLOGY SOLUTIONS
PO Box 835, Raymond, MS 39154

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- or to such other address as either Party may from time to time notify the other, and will be deemed to be properly delivered (a) immediately upon being served personally, (b) two days after being deposited with the postal service if served by registered mail, or (c) the following day after being deposited with an overnight courier.
16. **INDEMNIFICATION:** Except to the extent paid in settlement from any applicable insurance policies, and to the extent permitted by applicable law, each Party agrees to indemnify and hold harmless the other Party, and its respective directors, shareholders, affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from or arise out of any act or omission of the indemnifying party, its respective directors, shareholders, affiliates, officers, agents, employees, and permitted successors and assigns that occurs in connection with this Agreement. This indemnification will survive the termination of this Agreement.
 17. **MODIFICATION OF AGREEMENT:** Any amendment or modification of this Agreement or additional obligation assumed by either Party in connection with this Agreement will only be binding if evidenced in writing signed by each Party or an authorized representative of each Party.
 18. **TIME OF THE ESSENCE:** The time is of the essence in this Agreement. No extension or variation of this Agreement will operate as a waiver of this provision.
 19. **ASSIGNMENT:** The Contractor will not voluntarily, or by operation of law, assign or otherwise transfer its obligations under this Agreement without the prior written consent of the Client.
 20. **ENTIRE AGREEMENT:** It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressly provided in this Agreement.
 21. **ENTIREMENT:** This Agreement will ensure to the benefit of and be binding on the Parties and their respective heirs, executors, administrators and permitted successors and assigns.
 22. **TITLES/HEADINGS:** Headings are inserted for the convenience of the Parties only and are not to be considered when interpreting this Agreement
 23. **GENDER:** Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.
 24. **GOVERNING LAW:** The Agreement shall be governed by and construed in accordance with the laws of the State of Mississippi, excluding its conflicts of laws provisions, and any litigation with respect thereto shall be brought in the courts of the State of Mississippi. The Contractor shall comply with applicable federal, state and local City of Jackson ordinances, laws, and regulations.
 25. **SEVERABILITY:** In the event that any of the provisions of this Agreement are held to be invalid or unenforceable in whole or in part, all other provisions will nevertheless continue to be valid and enforceable with the invalid or unenforceable parts severed from the remainder of this Agreement.

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26. **WAIVER:** The waiver by either Party of a breach, default, delay or omission of any of the provisions of this Agreement by the other Party will not be construed as a waiver of any subsequent breach of the same or other provisions.

27. **APPROVAL:** It is understood that this Agreement requires approval by the governing authorities for the City of Jackson. If this Agreement is not approved by the governing authorities, it is void, and no payment shall be made hereunder.

28. **AVAILABILITY OF FUNDS:** It is expressly understood and agreed that the obligation of the city of Jackson to proceed under this Agreement is conditioned upon the appropriation of funds by the City Council and the receipt of funds. If the funds anticipated for the continuing fulfillment of the Agreement are, at any time, not forthcoming or insufficient, either through the failure of the City of Jackson to provide funds or of the City Council to appropriate funds or the discontinuance or material alteration of the program under which funds were provided or if funds are not otherwise available to the City of Jackson, the City shall have the right upon ten (10) working days written notice to the Contractor to terminate this Agreement without damage, penalty, cost or expenses to the City of any kind whatsoever, other than payment for legal services rendered prior to receiving written notice. The effective date of termination shall be as specified in the notice of termination.

29. **TERMINATION:** Any party may terminate this Agreement at any time, with or without cause, by giving written notice to the other parties of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. In the event of such termination, the Contractor shall be entitled to receive just and equitable compensation for any specific services completed in a satisfactory manner prior to the date of termination.

30. **ENTIRE AGREEMENT:** This Contract constitutes the entire agreement of the parties with respect to the subject matter contained herein and supersedes or replaces any and all prior negotiations, understandings and agreements, written or oral, between the parties relating thereto.

IN WITNESS WHEREOF the Parties have duly affixed their signatures under hand and seal on this _____ day of _____,

THE CITY OF JACKSON MISSISSIPPI
Department of Information Technology

NEHETEK TECHNOLOGY SOLUTIONS

Per: _____
Officer's

Per: _____
Officer's

Name: _____

Name: _____

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Council Member Grizzell moved adoption; Council Member Lindsay seconded.

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

Absent – Hartley and Stokes.

* * * * *

There came on for consideration, Agenda Item No. 13:

ORDER AUTHORIZING THE MAYOR TO PROCURE THE VM WARE SUPPORT AND MAINTENANCE FROM METRIX SOLUTIONS, LLC, AND AUTHORIZING PAYMENT IN THE AMOUNT OF EIGHT THOUSAND FIVE HUNDRED SIXTEEN DOLLARS AND NINETY CENTS.

WHEREAS, on September 12, 2022, the Department of Information Technology purchased VMware software and support for the vSphere 8 Hypervisor, which is a solution to interact with the underlying host resources and storage arrays; and

WHEREAS, the Department of Information Technology currently utilizes this solution to manage over 200 virtual servers and the host resources in which the virtual servers reside; and

WHEREAS, the Department of Information Technology obtained two quotes for the VMware production coverage, VMware support and subscription, and VMware production coverage vSphere 8 Enterprise and Metrix Solutions submitted the lowest and best quote in the amount of \$8,516.90; and

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WHEREAS, Metrix Solutions, LLC's principal office is located at 190 East Capitol Street, Suite 175, Jackson, MS 39201, and the business is in good standing with the Secretary of State; and

WHEREAS, the Department of Information Technology recommends that the governing authorities authorize a payment in an amount not to exceed \$8,516.90 to Metrix Solutions, LLC to support the VMware solution.

IT IS, THEREFORE, ORDERED that the Department of Information Technology is authorized to make payment in an amount not to exceed \$8,516.90 to Metrix Solutions, LLC to support the VMware solution.

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

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

Nays – None.

Absent – Hartley and Stokes.

Note: Council Member Hartley returned to the meeting.

There came on for consideration, Agenda Item No. 14:

ORDER RATIFYING THE ACCEPTANCE OF IT PROFESSIONAL SERVICE AND ERP IMPLEMENTATIONS FROM RESULT BIZ, LLC AND AUTHORIZING PAYMENT FOR SAID SERVICES IN THE AMOUNT OF SEVENTEEN THOUSAND SIX HUNDRED EIGHTY DOLLARS AND NO CENTS.

WHEREAS, on August 18, 2020, the governing authorities for the city of Jackson authorized the mayor to execute a professional service agreement with Result Biz, LLC for the implementation, post-implementation, and training for the Enterprise Resource Planning (“ERP”) and Kronos System; and

WHEREAS, the City’s professional service agreement with Result Biz, LLC expired on August 1, 2023; however, from August 5, 2023, to September 30, 2023, Result Biz, LLC provided 272 hours of services to the benefit of the city of Jackson; and

WHEREAS, the Department of Information Technology requests the governing authorities for the City of Jackson to accept and ratify the services provided by Results Biz, LLC and authorize Seventeen Thousand Six Hundred Eighty Dollars and No Cents (\$17,680.00); and

WHEREAS, the Department of Information Technology recommends payment of Resultz Biz, LLC’s invoices for these services conducted citywide through the Department of Information Technology for the ERP support and training.

IT IS, THEREFORE, ORDERED that the acceptance of services performed by Resultz Biz, LLC to the city of Jackson is hereby ratified, and Seventeen Thousand Six Hundred Eighty Dollars and No Cents (\$17,680.00) for the provision of IT professional services and ERP Implementation is authorized.

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

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

Nays – None.

Absent – Stokes.

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Note: Council Member Hartley left the meeting.

President Banks recognized **Council Member Lindsay** who moved, seconded by **Council Member Grizzell** to reconsider Claims as originally presented. The motion prevailed by the following vote:

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

Nays – None.

Absent – Hartley and Stokes.

ORDER APPROVING CLAIMS NUMBER 29710 to 29764 APPEARING AT PAGES 145 TO 169 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$12,642,297.46 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 29710 to 29764 appearing at pages 145 to 169, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$12,642,297.46 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO
	ACCOUNTS PAYABLE
	FUND
GENERAL FUND	1,525,939.45
SEIZURE & FORF PORP-STATE	49,666.67
TECHNOLOGY FUND	77,468.50
PARKS & RECR. FUND	94,244.82
LANDFILL/SANITATION FUND	989,717.89
STATE TORT CLAIMS FUND	25,621.00
EMPLOYEES GROUP INSURANCE FUND	86,218.26
HOUSING COMM DEV ACT (CDBG) FD	164.92
H O P W A GRANT – DEPT OF HUD	104,484.89
INFRASTRUCTURE BOND 2020 \$32M	76,032.00
1% INFRASTRUCTURE TAX	57,922.04
MADISON SEWAGE DISP OP & MAINT	27.57
TRANSPORTATION FUND	159,107.00
FONDREN BUSINESS IMPROV FUND	7,745.73
JXN CONVENTION & VISITORS BUR	288,635.53
RESURFACING – REPAIR & REPL. FD	3,451.00
CAPITAL CITY REVENUE FUND	720.97
MODERNIZATION TAX	64,255.91
CDBG COVID CARES	2,047.50
2020 SAKI GRANT DOJ	2,505.20
ZOOLOGICAL PARK	19,640.63
AMERICAN RESCUE PLAN ACT 2021	8,828,041.00
LIBRARY FUND	162,250.66
NLC – MUNICIPAL REIMAGING COMM	3,437.38
BELHAVEN COMMUNITY IMPROVEMENT	12,950.94
TOTAL	<u>\$12,642,297.46</u>

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

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President Banks recognized **Fidelis Malembeka, Chief Financial Officer**, who recommended an amendment on claims to add a payment to Fountain Construction in the amount of \$233,741.34.

Council Member Grizzell moved; seconded by **Council Member Lindsay**, to amend said order to reflect the changes as stated by **Fidelis Malembeka, Chief Financial Officer**. The motion prevailed by the following vote:

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

Thereafter, **President Banks**, called for a vote of said item as amended:

ORDER APPROVING CLAIMS NUMBER 29710 to 29764 APPEARING AT PAGES 145 TO 169 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$12,876,038.80 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 29710 to 29764 appearing at pages 145 to 169, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$12,876,038.80 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO	ACCOUNTS PAYABLE
FUND	FUND	FUND
GENERAL FUND		1,525,939.45
SEIZURE & FORF PORP-STATE		49,666.67
TECHNOLOGY FUND		77,468.50
PARKS & RECR. FUND		94,244.82
LANDFILL/SANITATION FUND		989,717.89
STATE TORT CLAIMS FUND		25,621.00
EMPLOYEES GROUP INSURANCE FUND		86,218.26
HOUSING COMM DEV ACT (CDBG) FD		164.92
H O P W A GRANT – DEPT OF HUD		104,484.89
INFRASTRUCTURE BOND 2020 \$32M		76,032.00
1% INFRASTRUCTURE TAX		57,922.04
MADISON SEWAGE DISP OP & MAINT		27.57
TRANSPORTATION FUND		159,107.00
FONDREN BUSINESS IMPROV FUND		7,745.73
JXN CONVENTION & VISITORS BUR		288,635.53
RESURFACING – REPAIR & REPL. FD		3,451.00
CAPITAL CITY REVENUE FUND		720.97
MODERNIZATION TAX		64,255.91
CDBG COVID CARES		2,047.50
2020 SAKI GRANT DOJ		2,505.20
ZOOLOGICAL PARK		19,640.63
AMERICAN RESCUE PLAN ACT 2021		8,828,041.00
LIBRARY FUND		162,250.66
NLC – MUNICIPAL REIMAGINING COMM		3,437.38
BELHAVEN COMMUNITY IMPROVEMENT		12,950.94
TOTAL		<u>\$12,876,038.80</u>

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

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There being no further business to come before the City Council, it was unanimously voted to adjourn until the Emergency Special Council Meeting at 2:25 p.m. on January 4, 2024. At 2:51 p.m., the Council stood adjourned.

PREPARED BY:

Shanika Mosley-Jordan

CLERK OF COUNCIL

APPROVED:

Ch. B. L.

COUNCIL PRESIDENT

1/18/2024

DATE

Ch. B. L.

MAYOR

ATTEST:

Angela Harris
CITY CLERK
