

**SPECIAL MEETING OF THE CITY COUNCIL
THURSDAY, JANUARY 18, 2024 10:00 A.M.**

BE IT REMEMBERED that a Special Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on January 18, 2023, being the third Thursday 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; Brian Grizzell, Ward 4 (via teleconference); Vernon Hartley, Ward 5 and Virgi Lindsay, Ward 7. Directors: Louis Wright, Chief Administrative Officer; Fidelis Malembeka (teleconference), Chief Financial Officer; Sabrina Shelby, Chief Deputy Clerk; Victor Allen, Chief Deputy Clerk of Council and Drew Martin, Interim City Attorney.

Absent: Kenneth Stokes, Ward 3.

The meeting was called to order by **Vice President Lee**.

The invocation was offered by **Sabrina Shelby**.

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND LOVE TRUCKING CO., INC. TO DEMOLISH THE STRUCTURE, FOUNDATION, STEPS, AND DRIVEWAY; CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE AMENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #CE-22- 940 LOCATED AT 163 MILSAPS AVE. PARCEL #58-117 – \$5,444.00.

WHEREAS, on September 27, 2022, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on August 30, 2022, for case #CE-22-940 located at 163 Milsaps Ave., parcel #58-117 in Ward 7 of the City of Jackson; and

WHEREAS, the Community Improvement Division of the Planning and Development Department maintains a list of licensed, bonded, and insured contractors that received and responded to the request for bids for the demolition project located at 163 Milsaps Ave.; and

WHEREAS, Love Trucking Co., Inc. submitted the lowest bid of \$5,444.00; and

WHEREAS, a municipal contract for the professional services of a contractor is not subject to advertising and bidding requirements set forth in Section 31-7-13 of the Mississippi Code of 1972; and

WHEREAS, upon receipt of a written Notice to Proceed, Love Trucking Co., Inc. through its representative, Dennis Love, has agreed to demolish the structure, foundation, steps, driveway and/or cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, crates, appliances, building materials, furniture, and fallen tree parts; clean curbside; and remedy conditions constituting a menace to public health, safety, and welfare for the parcel located at 163 Milsaps Ave. in an amount not to exceed \$5,444.00; and

WHEREAS, Love Trucking Co., Inc. has a principal office located at 761 Woodlake Drive Jackson MS, 39206, according to the information appearing on the Mississippi Secretary of State's website.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with Love Trucking Co., Inc. to demolish the structure and remedy conditions on the property located at 163 Milsaps Ave. deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$5,444.00 shall be paid to Love Trucking Co., Inc. upon the completion of the services provided from funds budgeted for the Division.

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

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

Nays – None.

Absent – Banks and Stokes.

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ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND FOUR SEASONS ENTERPRISES, LLC FOR THE DEMOLITION AND CLEANING OF PARCELS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-9-11 AND IN ACCORDANCE WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, on January 3, 2023, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following administrative hearing held on October 25, 2022; and

WHEREAS, the Community Improvement Division of the Planning and Development Department placed an advertisement requesting qualified vendors, performing services related to the remedying of conditions on property adjudicated to be a menace to public health, safety, and welfare, to submit bids on a CDBG funded project; and

WHEREAS, based on stated requirements, Four Seasons Enterprise, LLC submitted the best bid and through its representative, Robert Love, has agreed to demolish structure, foundation, steps, driveway and/or cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, crates, appliances, building materials, furniture, and fallen tree parts; and clean curbside to remedy conditions constituting a menace to public health and welfare for parcels listed in the bid package titled CDBG Demo Project 5: Parcel 212-11 for the sum of \$9,247.50; and

WHEREAS, Four Seasons Enterprise, LLC has a principal office address 5822 Canton Park Dr. Jackson, MS 39211.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract and related documents with Four Seasons Enterprise, LLC to demolish structure, foundation, steps, driveway and/or cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, crates, appliances, building materials, furniture, and fallen tree parts; and clean curbside to remedy conditions for property located at 2126 Belvedere Dr.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$9,247.50 shall be paid to Four Seasons Enterprise, LLC for the services provided from CDBG funds budgeted for the Division.

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

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

APPROVAL OF THE DECEMBER 13, 2023 SPECIAL COUNCIL MEETING MINUTES.

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

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

APPROVAL OF THE DECEMBER 19, 2023 REGULAR COUNCIL MEETING MINUTES.

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

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

APPROVAL OF THE JANUARY 3, 2024 REGULAR COUNCIL MEETING MINUTES.

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

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

APPROVAL OF THE JANUARY 4, 2024 SPECIAL COUNCIL MEETING MINUTES.

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

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

Vice President Lee requested that Agenda Item No. 15 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER APPROVING THE PAYMENT OF THE SUM OF \$300.00 FOR JACKSON POLICE DEPARTMENT'S MEMBERSHIP IN THE REGIONAL ORGANIZED CRIME INFORMATION CENTER.

WHEREAS, Section 21-17-5 of the Mississippi Code authorizes the governing authorities of a municipality to adopt any orders with respect to municipal affairs which is not inconsistent with the Mississippi Constitution of 1890; and

WHEREAS, protecting the health and safety of persons within the municipality is a function of the Jackson Police Department and constitutes a municipal affair; and

WHEREAS, a Regional Information Sharing Systems Center (RISS) was chartered in 1973 and has several member states as follows: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia; and

WHEREAS, access to the RISS Center is available to agencies who are active members of the Regional Organized Crime Information Center; and

WHEREAS, the Regional Organized Crime Information Center offers multiple services to its member agencies including but not limited to criminal intelligence, analysts and analytical products, audio/video forensics, and digital forensics; and

WHEREAS, membership in the ROCIC is available to any local, state, federal, or tribal organization with approved under federal or state law with law enforcement or criminal investigation authority and power of arrest and prosecution; and

WHEREAS, the City of Jackson Police Department is a local organization with law enforcement and criminal investigation authority and is eligible for membership in the ROCIC; and

WHEREAS, membership in the ROCIC for the 2023-2024 year is \$300.00; and

WHEREAS, the best interest of the City of Jackson would be served by authorizing the payment of the membership dues so that the Jackson Police Department will have access to the RISS.

IT IS, THEREFORE, ORDERED that the sum of \$300.00 may be paid for the Jackson Police Department's membership in the ROCIC for the 2023-2024 year.

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

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

Nays – None.

Absent – Banks and Stokes.

ORDER APPROVING CLAIMS NUMBER 29765 to 29818 APPEARING AT PAGES 170 TO 191 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$5,162,817.40 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 29765 to 29818 appearing at pages 170 to 191, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$5,162,817.40 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	561,729.45
SEIZURE & FORF PORP-STATE	49,666.67
TECHNOLOGY FUND	149.23
PARKS & RECR. FUND	43,098.31
LANDFILL/SANITATION FUND	176,878.52
STATE TORT CLAIMS FUND	36,470.00
WATER/SEWER OP & MAINT FUND	11,313.16

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WATER/SEWER CAPITAL IMPR FUND	1,353,718.94
DISABILITY RELIEF FUND	301,455.69
EMPLOYEES GROUP INSURANCE FUND	51,551.24
HOUSING COMM DEV ACT (CDBG) FD	37,500.00
H O P W A GRANT – DEPT OF HUD	73,881.98
1% INFRASTRUCTURE TAX	1,017,098.90
TRANSPORTATION FUND	1,385,236.46
MODERNIZATION TAX	25,893.99
CDBG COVID CARES	1,248.00
ZOOLOGICAL PARK	2,092.50
LIBRARY FUND	9,453.50
BELHAVEN COMMUNITY IMPROVEMENT	24,380.86
TOTAL	<u>\$5,162,817.40</u>

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

Vice President Lee recognized **Louis Wright, Chief Administrative Officer** and **Terry Williamson, Legal Counsel**, who gave an overview of Claims.

Vice President Lee recognized **Louis Wright, Chief Administrative Officer** who recommended an amendment on claims to add a payment to the Regional Organized Crime Information Center in the amount of \$300.00.

Council Member Lindsay moved; seconded by **Council Member Hartley**, to amend said order to reflect the changes as stated by **Louis Wright, Chief Administrative Officer**. The motion prevailed by the following vote:

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

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

ORDER APPROVING CLAIMS NUMBER 29765 to 29818 APPEARING AT PAGES 170 TO 191 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$5,462,817.40 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 29765 to 29818 appearing at pages 170 to 191, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$5,462,817.40 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	561,729.45
SEIZURE & FORF PORP-STATE	49,666.67
TECHNOLOGY FUND	149.23
PARKS & RECR. FUND	43,098.31
LANDFILL/SANITATION FUND	176,878.52

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STATE TORT CLAIMS FUND	36,470.00
WATER/SEWER OP & MAINT FUND	11,313.16
WATER/SEWER CAPITAL IMPR FUND	1,353,718.94
DISABILITY RELIEF FUND	301,455.69
EMPLOYEES GROUP INSURANCE FUND	51,551.24
HOUSING COMM DEV ACT (CDBG) FD	37,500.00
H O P W A GRANT – DEPT OF HUD	73,881.98
1% INFRASTRUCTURE TAX	1,017,098.90
TRANSPORTATION FUND	1,385,236.46
MODERNIZATION TAX	25,893.99
CDBG COVID CARES	1,248.00
ZOOLOGICAL PARK	2,092.50
LIBRARY FUND	9,453.50
BELHAVEN COMMUNITY IMPROVEMENT	24,380.86
TOTAL	<u>\$5,462,817.40</u>

Yeas – Foote, Grizzell, Lee and Lindsay.

Nays – Hartley.

Absent – Banks and Stokes.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 29765 TO 29818 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 29765 to 29818 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$102,977.41 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		2,704,069.54
PARKS & RECR FUND		84,171.89
LANDFILL FUND		22,234.72
SENIOR AIDES		3,440.20
WATER/SEWER OPER & MAINT		61,979.75
PAYROLL	\$102,977.41	
HOUSING COMM DEV		6,985.57
TITLE III AGING PROGRAMS		6,087.68
TRANSPORTATION FUND		15,947.21
PEG ACCESS-PROGRAMMING FUND		5,462.85
2020 SAKI GRAND DOJ		7,405.71
ZOOLOGICAL PARK		31,737.85
NLC-MUNICIPAL REIMAGINING COMM		7,754.98
TOTAL		<u>\$2,957,277.95</u>

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

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

Nays – None.

Absent – Banks and Stokes.

ORDER APPOINTING ELIZABETH BRISTER TO THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF JACKSON.

WHEREAS, the Historic Preservation Commission of the City of Jackson is comprised of not less than nine (9) members who shall each serve a three (3) year term; and

WHEREAS, the Mayor, after evaluation and review of her qualifications, has appointed Elizabeth Brister to fill the board vacancy for the Historic Preservation Commission of the City of Jackson with a term to begin on December 5, 2023.

IT IS THEREFORE, ORDERED that the Mayor’s appointment of Elizabeth Brister to the Historic Preservation Commission of the City of Jackson be confirmed with the term to begin on December 5, 2023 and to expire on December 5, 2026.

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

Vice President Lee recognized **Louis Wright, Chief Administrative Officer**, who provided a brief overview of said item.

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

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

ORDER APPOINTING TAYLA D. THOMAS TO THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF JACKSON.

WHEREAS, the Historic Preservation Commission of the City of Jackson is comprised of not less than nine (9) members who shall each serve a three (3) year term; and

WHEREAS, the Mayor, after evaluation and review of her qualifications, has appointed Tayla D. Thomas to fill the board vacancy for the Historic Preservation Commission of the City of Jackson with a term to begin on December 5, 2023.

IT IS THEREFORE, ORDERED that the Mayor’s appointment of Tayla D. Thomas to the Historic Preservation Commission of the City of Jackson be confirmed with the term to begin on December 5, 2023 and to expire on December 5, 2026.

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

Vice President Lee recognized **Louis Wright, Chief Administrative Officer**, who provided a brief overview of said item.

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

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

Note: President Banks joined the meeting.

ORDER APPOINTING MITCHELL D. MONSOUR TO THE PLANNING BOARD OF THE CITY OF JACKSON.

WHEREAS, the Planning Board is comprised of fifteen (15) members who each serve four-year terms; and

WHEREAS, on May 28, 2019 the City Council confirmed the Mayor's appointment of Eric McKie to fill the board vacancy for Ward 1 on the Planning Board with a term that expired on May 28, 2023.

WHEREAS, the Mayor, after evaluation and review of his qualifications, has appointed Mitchell D. Monsour to fill the board vacancy for Ward 1 with a term to begin on December 19th, 2023.

IT IS THEREFORE, ORDERED that the Mayor's appointment of Mitchell D. Monsour to the Planning Board of the City of Jackson be confirmed with the term to begin on December 19th, 2023 and to expire on December 19th, 2027.

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

President Banks recognized **Louis Wright, Chief Administrative Officer**, who provided a brief overview of said item.

President Banks recognized **Mitchell Monsour**, who gave his personal statement and answered questions posed to him by Council Members.

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

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

Nays – None.

Absent – Stokes.

ORDER REAPPOINTING CHRIS MYERS TO THE PLANNING BOARD OF THE CITY OF JACKSON.

WHEREAS, the Planning Board is comprised of fifteen (15) members who each serve four-year terms; and

WHEREAS, on July 19, 2020, the City Council confirmed the Mayor's re- appointment of Chris Myers to fill the board vacancy for Ward 7 on the Planning Board with a term that expires on July 1, 2024; and

WHEREAS, on May 28, 2019 the City Council confirmed the Mayor's appointment of Eric McKie to fill the board vacancy for Ward 1 on the Planning Board with a term that expired on May 28, 2023; and

WHEREAS, the Mayor, after evaluation and review of his qualifications, has re- appointed Chris Myers who has moved from Ward 7 to Ward 1 to fill the board vacancy for Ward 1 with a term to begin on December 1, 2023.

IT IS THEREFORE, ORDERED that the Mayor's appointment of Chris Myers to the Planning Board of the City of Jackson be confirmed with the term to begin on December 1, 2023 and to expire on December 1, 2027.

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

President Banks recognized **Louis Wright, Chief Administrative Officer**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – Stokes.

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ORDER APPROVING THE PAYMENT OF MONIES TO THE MS ASSOCIATION OF CHIEFS OF POLICE FOR JOSEPH WADE'S APPLICATION AND MEMBERSHIP IN THE AMOUNT OF \$100.00.

WHEREAS, the Mississippi Association of Chiefs of Police is a non-profit organization whose mission is stated as "To be a leader in promoting professionalism among all law enforcement officers of the State of Mississippi by encouraging quality education through proactive training and educational programs; and

WHEREAS, pursuant to Article II Section 2 of the Constitution and Bylaws of the Mississippi Association of Chiefs of Police, active membership in the organization is reserved for (a) chiefs of police (b) city marshalls (c) chief of the Mississippi Highway Safety Patrol, (d) any head of a regular organized police force in Mississippi and (e) retired chiefs of police still active in law enforcement; and

WHEREAS, Joseph Wade is the current Chief of the Jackson Police Department and is eligible for membership in the Mississippi Association of Chiefs of Police according to its Constitution and Bylaws; and

WHEREAS, the cost of active membership is \$100.00; and

WHEREAS, the Mississippi Attorney General has previously opined that a municipality can pay professional association dues for an elected or appointed official if the following criteria are met: (1) the fee is reasonable and necessary to the performance of the duties and (2) the membership accrues to the benefit of the municipality and any benefit to the individual is merely incidental (See AG Opinion 2003-0078 Myers February 21, 2003); and

WHEREAS, Joseph Wade is the chief of a law enforcement agency located in Mississippi's capitol city; and

WHEREAS, membership in an organization whose mission is the provision of a quality education and proactive training of existing officers and prospective officers would be beneficial for the Jackson Police Department; and

WHEREAS, the sum of \$100.00 is reasonable when compares that other professional organizations have membership fees and dues exceeding \$100.00; and

WHEREAS, any individual benefit which may arise as a result of Joseph Wade's membership in the Mississippi Association of Chiefs of Police is merely incidental; and

WHEREAS, the best interest of the City of Jackson would be served if Joseph Wade becomes an active member of the Mississippi Association of Chiefs of Police and develops a rapport with other police chiefs and shares ideas.

IT IS, THEREFORE, ORDERED that monies not exceeding \$100.00 may be remitted to the Mississippi Association of Chiefs of Police for Joseph Wade's membership.

IT IS, THEREFORE, ORDERED that a sum not exceeding \$100.00 may be paid without further order for Joseph Wade's membership annually if he continues to serve as Chief of the Jackson Police Department.

IT IS, THEREFORE, ORDERED that the payment of dues or fees for Joseph Wade's membership in the Mississippi Association of Chiefs of Police shall cease at such time that his service as Chief of the Jackson Police Department terminates.

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

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

ORDER APPROVING THE PAYMENT TO AD&S INC. FOR EXTENDED WARRANTY FOR THE FINGER PRO ID PALM SOFTWARE AND PROGRAMMING SERVICES OBTAINED BY THE JACKSON POLICE DEPARTMENT.

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 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 Jackson Police Department purchased software and an extended warranty from Automated Design Solutions Inc., that provides fingerprinting for the jail; and

WHEREAS, the City of Jackson seeks to comply with Automated Design Solutions Inc. as a helpful way to keep fingerprints on file for recordkeeping and evidence purposes; and

WHEREAS, the City of Jackson agrees to pay the fee of \$2,580.00; and

WHEREAS, the parties desire to enter into this agreement in order to more particularly define their responsibilities and duties.

IT IS HEREBY ORDERED that payment be made to Automated Design Solution, Inc. for the computer software provided in the amount of \$2,580.00.

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

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

ORDER APPROVING PAYMENT OF INVOICES FOR ACCIDENT RECONSTRUCTION TRAINING FURNISHED OFFICERS OF THE JACKSON POLICE DEPARTMENT BY THE DEPARTMENT OF PUBLIC SAFETY MISSISSIPPI LAW ENFORCEMENT OFFICER TRAINING ACADEMY.

WHEREAS, Section 21-17-5 of the Mississippi Code as amended states that the governing authorities of every municipality 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 Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi; and

WHEREAS, the Jackson Police Department sent police officers to be trained in accident reconstruction to the Department of Public Safety Mississippi Law Enforcement Officer Training

Academy (MLEOTA) for instruction in accident reconstruction during the period September 25 through October 5, 2023 and October 23 through November 2, 2023; and

WHEREAS, the officers were sent without first obtaining approval of the governing authorities because the Jackson Police Department confused the public purchasing laws related to competitive bidding for purchases under \$5,000.00 with the law which requires that training, travel, and other expenditures of public funds be authorized and reflected in the minutes of the governing authorities; and

WHEREAS, the staffing of the Jackson Police Department with police officers skilled in accident reconstruction is a proper municipal purpose which is not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or other statute or laws of the state of Mississippi; and

WHEREAS, the Mississippi Law Enforcement Officer Training Academy was unaware of the error or failure of the Jackson Police Department to secure approval of the governing authorities prior to sending the officers to MLEOTA for the training; and

WHEREAS, Section 31-7-57(2) of the Mississippi Code states that a vendor who in good faith delivers commodities and services shall be entitled to recover the fair market value of the commodities or services if the vendor had no control of, participation in, or actual knowledge of the error or failure; and

WHEREAS, MLEOTA submitted Invoice Number 90137770 dated November 1, 2023 in the amount of \$1,000.00 to the Department for payment related to Accident Reconstruction Level II training during the period October 23, 2023 through November 2, 2023 to the Jackson Police Department for payment; and

WHEREAS, MLEOTA submitted Invoice Number 90139276 dated December 12, 2023 to the Department for the purpose of cancelling Invoice Number 90137770 because it was not correct; and

WHEREAS, MLEOTA submitted Invoice Number 90139279 dated December 12, 2023 to the Department in the amount of \$2,000.00 as a correct invoice for the Accident Reconstruction Level II training during the period October 23 through November 2, 2023; and

WHEREAS, MLEOTA submitted Invoice Number 90136499 dated September 28, 2023 to the Department in the amount of \$1,000.00 for Accident Reconstruction Level I training during the period of September 25 through October 5, 2023; and

WHEREAS, Invoice # 90136499 in the amount of \$1,000.00 and Invoice # 90139279 in the amount of \$2,000.00 remains unpaid; and

WHEREAS, the total amount of the outstanding invoices is \$3,000.00 and is reasonable when one considers that Northwestern Center for Public Safety in Evanston, Illinois has similar course offerings and the tuition is \$1,295.00; and

WHEREAS, the best interest of the City of Jackson would be served by payment of the invoices because payment would ensure that the Jackson Police Department can continue to send officers to MLEOTA for course instruction and certification in specialized area.

IT IS, THEREFORE, ORDERED that the sum of \$3,000.00 may be paid to the Department of Public Safety as fair market value for Invoice # 90136499 and Invoice # 90139279.

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

President Banks recognized **Louis Wright, Chief Administrative Officer**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – Stokes.

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ORDER APPROVING PAYMENT OF INVOICES SUBMITTED BY ANIMAL MEDICAL CENTER FOR GOODS AND SERVICES RECEIVED BY THE JACKSON POLICE DEPARTMENT.

WHEREAS, Section 21-17-5 of the Mississippi Code as amended states that the governing authorities of every municipality 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 Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi; and

WHEREAS, the Jackson Police Department obtained goods and services from Animal Medical Center located at 995 South Frontage Road, Jackson, Mississippi; and

WHEREAS, the Jackson Police Department was uncertain of the procedure for procuring goods that did not require competitive bidding; and

WHEREAS, the Jackson Police Department was also unaware that the procurement of services constituted a contract which required approval of the governing authorities; and

WHEREAS, the goods or services obtained from the vendor were lawful and for a proper municipal purpose; and

WHEREAS, the invoices of Animal Medical Center remain unpaid; and

WHEREAS, the vendor was unaware of the error or failure of the Jackson Police Department concerning the procurements and furnished the goods and services in good faith; and

WHEREAS, Section 31-7-57(2) of the Mississippi Code states that a vendor who in good faith delivers commodities and services shall be entitled to recover the fair market value of the commodities or services if the vendor had no control of, participation in, or actual knowledge of the error or failure; and

WHEREAS, the invoices submitted by Animal Medical Center which remain unpaid are as follows:

Invoice Number	Invoice Date	Description of goods and services	Billed Charges
327836	Mar 13, 2023	Boarding of canine Angel, annual with HW antigen test, Proheart injection, Bravecto, Biohazard waste disposal	\$417.00 charged but credit with credit of \$38 applied for \$379.00
328661	Apr 24, 2023	Boarding of canine Loki, annual with HW antigen test, Proheart injection, Bravecto, Biohazard Waste Disposal, large bath	\$597.00
329409	May 30, 2023	Large bath of Angel	\$40.00
330726	July 31, 2023	Administered Bravecto to Anegel and Loki and boarding with clinic food	\$324.00
332457	Oct 30, 2023	Boarding of Angel and Loki with clinic food and one Proheart injection	\$307.00

WHEREAS, the total owed to Animal Medical Center based upon the billed charges above is \$1647.00; and

WHEREAS, the sums invoiced are fair market value for the goods and services received; and

WHEREAS, the best interest of the City of Jackson would be served by payment of the invoices because payment would ensure that future goods and services can be procured.

IT IS, THEREFORE, ORDERED that the sum of \$1,647.00 may be paid to Animal Medical Center for the charges indicated in the invoices submitted above.

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

President Banks recognized **George Jimerson, Captain of Jackson Police Department**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – Stokes.

* * * * *

ORDER APPROVING PAYMENT OF INVOICES FOR GOODS AND SERVICES RECEIVED BY THE JACKSON POLICE DEPARTMENT.

WHEREAS Section 21-17-5 of the Mississippi Code as amended states that the governing authorities of every municipality 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 Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi; and

WHEREAS, the Jackson Police Department obtained goods and services from MS State University College of Veterinary Medicine; and

WHEREAS, the Jackson Police Department was uncertain of the procedure for procuring goods that did not require competitive bidding; and

WHEREAS, the Jackson Police Department was also unaware that the procurement of services constituted a contract which required approval of the governing authorities; and

WHEREAS, the goods or services obtained from the vendor were lawful and for a proper municipal purpose; and

WHEREAS, the invoices of MS State University College of Veterinary Medicine remain unpaid; and

WHEREAS, the vendor was unaware of the error or failure of the Jackson Police Department concerning the procurements and furnished the goods and services in good faith; and

WHEREAS, Section 31-7-57(2) of the Mississippi Code states that a vendor who in good faith delivers commodities and services shall be entitled to recover the fair market value of the commodities or services if the vendor had no control of, participation in, or actual knowledge of the error or failure; and

WHEREAS, the invoices submitted by MS State University College of Veterinary Medicine which remain unpaid are as follows:

Invoice Dates– October 01, 2023; \$2,740.00

WHEREAS, the sums invoiced are fair market value for the goods and services received; and

WHEREAS, the best interest of the City of Jackson would be served by payment of the invoices because payment would ensure that future goods and services can be procured.

IT IS, THEREFORE, ORDERED that the following invoices of MS State University College of Veterinary Medicine are approved to be paid:

Invoice Date	Account #	Description	Invoice Amount
October 01, 2023	#10641	Services for dead carcass removal	\$2,740.00

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

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

Nays – None.

Absent – Stokes.

* * * * *

ORDER APPROVING PAYMENT OF INVOICES FOR GOODS AND SERVICES RECEIVED FROM GLOBAL INDUSTRIAL COMPANY INC.

WHEREAS, Section 21-17-5 of the Mississippi Code as amended states that the governing authorities of every municipality 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 Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi; and

WHEREAS, the Jackson Police Department obtained goods and services from Global Industrial Company Inc., which provided personal protective equipment for Jackson Police Department; and

WHEREAS, the Jackson Police Department was uncertain of the procedure for procuring goods that did not require competitive bidding; and

WHEREAS, the Jackson Police Department was also unaware that the procurement of services constituted an agreement which required approval of the governing authorities; and

WHEREAS, the goods or services obtained from the vendor were lawful and for a proper municipal purpose; and

WHEREAS, the invoices of Global Industrial Company Inc., remain unpaid; and

WHEREAS, the vendor was unaware of the error or failure of the Jackson Police Department concerning the procurements and furnished the goods and services in good faith; and

WHEREAS, Section 31-7-57(2) of the Mississippi Code states that a vendor who in good faith delivers commodities and services shall be entitled to recover the fair market value of the commodities or services if the vendor had no control of, participation in, or actual knowledge of the error or failure; and

WHEREAS, the invoices submitted by Global Industrial Company Inc., which remain unpaid are as follows: Invoice where personal protective equipment was provided: August 3, 2021= \$213.84; and

WHEREAS, the sums invoiced are fair market value for the goods and services received; and

WHEREAS, the best interest of the City of Jackson would be served by payment of the invoices because payment would ensure that future goods and services can be procured.

IT IS, THEREFORE, ORDERED that the following invoice of Global Industrial Company Inc., are approved to be paid:

**SPECIAL MEETING OF THE CITY COUNCIL
THURSDAY, JANUARY 18, 2024 10:00 A.M.**

Invoice Date	Invoice Number	Description	Invoice Amount
August 8, 2021	117994756	(1) Stock # 708199B Global Industrial #8482; Water Resistant Disposable Shoe Covers, Size 12-15, Blue 150 Pairs/ Case- Tracking # 1Z55A4X00306502658 Unit Price \$55.95 (1) Stock # 708185XXXL Global Industrial #153; Disposable Polypropylene Coverall, Open Wrists/Ankles WHT, 3XL, 25/Case- Tracking # 1Z55A4X00306503577 Unit Price \$ 67.95 (1) Global Industrial #153; Disposable Polypropylene Coverall, Open Wrists/Ankles, WHT, 2XL, 25/ Case Tracking # 1Z55A4X00306502694 Unit Price \$67.95	\$213.84

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

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

ORDER AUTHORIZING THE PROCUREMENT OF SERVICES AND EXECUTION OF AN AGREEMENT FROM PROTOCOL 911, LLC TO PROVIDE IAED 40 HOUR BASIC INSTRUCTION COURSE TO EIGHT COMMUNICATIONS CLERKS.

WHEREAS, Section 21-17-5 of the Mississippi Code authorizes the governing authorities of a municipality to adopt any orders with respect to municipal affairs which is not inconsistent with the Mississippi Constitution of 1890; and

WHEREAS, protecting the health and safety of persons within the municipality is a function of the Jackson Police Department and constitutes a municipal affair; and

WHEREAS, an essential component of public safety is the staffing of the Communication Center of the Jackson Police Department which receives 911 emergency calls; and

WHEREAS, individuals must be properly trained and certified to dispatch 911 emergency calls; and

WHEREAS, there are currently eight (8) individuals employed in the Communication Center as clerks who need to be trained and certified as 911 dispatchers in accordance with state law and regulations; and

WHEREAS, PROTOCOL 911 is a Mississippi limited liability company whose principal office is located at 530 Eugie Palmer Road, Mendenhall, MS 39114 and principal officer is Angie Walker; and

WHEREAS, Angie Walker is certified to provide the IAED 40-hour basic certification course required for licensure as a 911 dispatcher; and

WHEREAS, the cost of the training of the communication clerks employed by the City of the Jackson is \$395.00 per person; and

WHEREAS, the students will be trained on premises of the City of Jackson, and the fee includes all costs and materials; and

WHEREAS, the best interest of the City of Jackson would be served by contracting with PROTOCOL 911, LLC to provide the IAED 40-hour basic certification course.

IT IS HEREBY ORDERED that a contract with PROTOCOL 911, LLC may be entered into for the provision of IAED 40-hour basic instruction to eight (8) communication clerks.

IT IS HEREBY ORDERED that the sum of \$395.00 per student may be paid after the completion of the course instruction.

IT IS HEREBY ORDERED that the date and time of the instruction may be agreed upon by PROTOCOL 911, LLC and the Jackson Police Department's Communication Center.

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

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

Nays – None.

Absent – Stokes.

ORDER ACCEPTING GRANT FUNDS IN THE AMOUNT OF FIVE THOUSAND THREE HUNDRED AND FOUR DOLLARS AND NO CENT (\$5,304.00) FROM THE FY22 MISSISSIPPI OFFICE OF HOMELAND SECURITY GRANT PROGRAM – COMMUNITY PREPAREDNESS AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NEEDED TO EFFECTUATE THE RECEIPT AND USE OF THE ABOVE GRANT MONEY.

WHEREAS, The City of Jackson Fire Department (JFD) applied for the Mississippi Office of Homeland Security Grant Program – Community Preparedness on October 23, 2023; and

WHEREAS, the Mississippi Office of Homeland Security approved JFD's grant application on November 1, 2023, awarding the JFD Five Thousand Three Hundred and Four Dollars and No Cents (\$5,304.00); and

WHEREAS, the grant program will provide JFD with trained citizens in the event of a large-scale disaster and/or terrorist attack and will better prepare our citizens to take care of themselves and their communities during a large-scale disaster; and

WHEREAS, the grant program will provide an instructor and other tools/items to teach our citizens how to be prepared in the event of a disaster and/or terrorist attack as well as teach them how to create disaster supply kits in the event of emergencies; and

WHEREAS, the tentative goal is to start the Community Preparedness program in November 2023 and finish by second quarter of 2024; and

WHEREAS, the grant funds will be used to make Jackson and Hinds County community members better prepared for all types of disaster through CERT (Community Emergency Response Team) training; and

WHEREAS, the grant funds will be used for food for the training sessions, binders, CERT bags, a CERT trainer, and hotel lodging for the trainer; and

WHEREAS, it is in the best interests of the City of Jackson that the grant award as outlined above be accepted and that the Mayor be authorized to execute any and all documents needed to effectuate the receipt and use of the grant money.

IT IS HEREBY ORDERED that the FY22 Mississippi Office of Homeland Security Grant Program – Community Preparedness grant money, in the amount of Five Thousand Three Hundred and Four Dollars and No Cents (\$5,304.00), is accepted and shall be used by the Jackson Fire Department as outlined above in this Order and as outlined in the award packet.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any and all documents needed to effectuate the receipt and use of this grant money.

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

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

Nays – None.

Absent – Stokes.

* * * * *

ORDER RATIFYING AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AND RELATED DOCUMENTS WITH CENTRAL MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT AREA AGENCY ON AGING ("CMPDD") TO ACCEPT GRANT FUNDS TO SUPPORT THE CONGREGATE MEALS, HOME-DELIVERED MEALS, TRANSPORTATION, AND OUTREACH PROGRAMS OF THE CITY OF JACKSON, AND AUTHORIZING THE CONTRIBUTION OF MATCHING FUNDS.

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 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, since 1972, the City of Jackson has offered congregate meals, home-delivered meals, transportation, and outreach services to elderly individuals and individuals with disabilities; and

WHEREAS, on August 29, 2023, the Jackson City Council authorized the submission of an application to CMPDD for funding to provide congregate meals, home-delivered meals, transportation, and outreach services to elderly individuals and individuals with disabilities for the 2023-2024 fiscal year; and

WHEREAS, the CMPDD, which serves the 60 years and older populations in Hinds County, offers grant funding to provide congregate meals, home-delivered meals, transportation, and outreach services to elderly individuals and individuals with disabilities; and

WHEREAS, the CMPDD awarded the City of Jackson federal funds in the amount of Four Hundred and Sixty-Nine Thousand and Five Hundred and Three Dollars and No Cents (469,503.00), program funds in the amount of Two Hundred Dollars and No Cents (\$200.00), and

state funds in the amount of Five Thousand and Thirty-Two Dollars and No Cents (\$5,032.00) to carry out outreach, transportation, home-delivered meals, and congregate meals programs; and

WHEREAS, the City must provide a local cash match of Three Hundred and Twenty-One Thousand and Fifty-Three Dollars and No Cents (\$321,053.00), which will be provided from the general fund; and

WHEREAS, the City agrees to provide the required cash and or in-kind match for the project. The match must be identifiable and documented in the accounting records; and

WHEREAS, the Central Mississippi Planning and Development District proposes that the City of Jackson enter into a one-year agreement commencing on October 1, 2023, and expiring on September 30, 2024; and

WHEREAS, the City of Jackson must submit a request for funds by the 15th calendar day of each month to receive monthly reimbursement under the agreement; and

WHEREAS, prior to the disbursement of funds to the City, the City shall procure a comprehensive general liability insurance policy which covers premises, operation, products/completed operations, hazard, and independent contractors, bodily injury and property damage plus an appropriate medical expense coverage; and

WHEREAS, the CMPDD will reimburse the City no more than the federal and state amount as listed in the contract; and

WHEREAS, the City shall maintain Workers' Compensation insurance which shall inure to the benefit of all City personnel performing services under this Agreement. Prior to the disbursement of funds to the City, the City shall procure a fidelity bond (employee dishonesty bond) for an amount of not less than 25% of the total amount of the cost of the contract without regard to the amount of the deductible; and

WHEREAS, if this contract is terminated for cause or convenience by the CMPDD or the City, the City will be entitled to an amount of federal funds which is equitable to actual allowable, reasonable expenses, incurred by the City in the performance of this contract, upon proper documentation that the matching share, if any, has been provided by the Contractor or designated donor. Any one-time or pre-paid expenses incurred, which may be reasonably pro-rated or proportionately refunded by the vendor(s), may, at the option of the CMPDD, become the property of the CMPDD; and

WHEREAS, the contract is subject to the availability of state and federal funds to finance the same and to the successful operation of the program funded under the contract; and

WHEREAS, the Department of Human and Cultural Services recommends that the governing authorities for the City of Jackson ratify and authorize the Mayor to execute a contract and related documents with CMPDD to accept grant funds to support the congregate meals, home-delivered meals, transportation, and outreach programs and authorizing the contribution of matching funds.

IT IS HEREBY ORDERED that the Mayor is authorized to execute a contract and related documents with CMPDD to accept grant funds to support the congregate meals, home-delivered meals, transportation, and outreach programs, and authorizing the contribution of matching funds is hereby ratified.

IT IS FURTHER ORDERED that the Department of Human and Cultural Services is authorized to provide \$321,053.00 from the general fund as the matching contribution.

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

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

Nays – None.

Absent – Stokes.

ORDER REVISING THE 2023–2024 FISCAL YEAR BUDGET FOR THE DEPARTMENT OF HUMAN AND CULTURAL SERVICES AND RATIFYING THE ACCEPTANCE OF IT EQUIPMENT AND AUTHORIZING PAYMENT TO SHI INTERNATIONAL CORPORATION IN THE AMOUNT OF EIGHT THOUSAND THREE HUNDRED SIXTY–ONE DOLLARS AND SIXTY–SIX CENTS.

WHEREAS, the Department of Human and Cultural Services requests a revision to its 2023–2024 fiscal budget due to certain unanticipated needs and allocations in the amount of \$8,361.66; and

WHEREAS, during the 2020 fiscal year, the Department of Human and Cultural Services solicited two quotes for three (3) MacBook Pros, three (3) AppleCare service agreements, three (3) Apple Magic Mouses, and three (3) notebook–carrying backpacks; and

WHEREAS, SHI International Corporation, located at 290 Davidson Ave. Somerset, NJ 08873, submitted the lowest quote for Eight Thousand Three Hundred and Sixty–One Dollars and Sixty–Six Cents (\$8,361.66); and

WHEREAS, the Department of Human and Cultural Services represents that the transfer of funds is needed to pay P.O. No. 00020746–004 dated February 13, 2020; and

WHEREAS, the Department of Human and Cultural Services recommends the governing authorities for the city revise its 2023–2024 Fiscal Year budget as follows:

FUNDS TRANSFER FROM:	FUNDS TRANSFER TO:
Other Professional Services	Data Processing Equipment
001 43300 6419 \$8,361.66	001–43300–6242 \$8,361.66

WHEREAS, Section 21–35–25 of the Mississippi Code Annotated, as amended, states that if it affirmatively appears at any time during the current fiscal year that there is in any fund or account any sum remaining unexpended and not needed or expected to be needed for the purpose or purposes for which appropriated in said budget, then the governing authorities may, in their discretion, transfer such sum or any part thereof to any other fund or funds or account or accounts where needed, by order to such effect entered upon their minutes. This shall not, however, authorize the expenditure of any funds for any purpose other than that for which the levy producing such funds was made; and

WHEREAS, this intradepartmental transfer of Eight Thousand Three Hundred Sixty–One Dollars and Sixty–Six Cents (\$8,361.66) is in statutory compliance with Section 21–35–25 of the Mississippi Code Annotated, as amended, as there have been no other budget amendments or revisions to the Fiscal Year 2023–2024 Budget for the Department of Human and Cultural Services and this transfer does not exceed ten percent (10%) of the total budget amount appropriated to the Department of Human and Cultural Services in the Fiscal Year 2023–2024 Budget.

IT IS, THEREFORE, ORDERED that the Department of Human and Cultural Services Fiscal Year 2023–2024 budget be revised as set forth above.

IT IS FURTHER ORDERED that the acceptance of IT equipment from SHI International Corporation to the city of Jackson is hereby ratified, and payment in the amount Eight Thousand Three Hundred and Sixty–One Dollars and Sixty–Six Cents (\$8,361.66) is authorized.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE TWO (2) 48-MONTH RENTAL RENEWAL AGREEMENTS WITH ADVANTAGE BUSINESS SYSTEMS (ABS) FOR TWO (2) KONICA MINOLTA BIZHUB C650i DIGITAL COLOR SYSTEMS TO BE USED BY THE PARKS AND RECREATION ADMINISTRATIVE OFFICE AND PARK MAINTENANCE DIVISION.

WHEREAS, the City of Jackson Parks and Recreation Department desires to renew the rental agreement with Advantage Business Systems; and

WHEREAS, the current rental agreement is for two (2) Konica Minolta Bizhub C659 Digital Color Systems; and

WHEREAS, the State Contract provides for the rental of (2) Konica Minolta Bizhub C650i with auxiliary equipment from Advantage Business Systems (ABS), at the cost listed below:

Location(s)	Cost Per Month	Black & White Copy Charge Per Sheet	Color Copy Charge Per Sheet	Account(s)
P/R Administrative Office 633 N. State Street 5th Floor Jackson, MS 39202	\$305.00	\$.008	\$.005	005-501.10-6514
Park Maintenance Division 3880 Bullard Street Jackson, MS 39209	\$305.00	\$.008	\$.005	005-504.10-6514

WHEREAS, the Cost per Month for the rental of a Konica Minolta Bizhub C650i with auxiliary equipment for the Parks and Recreation Administrative Office is Three Hundred Five Dollars and No Cents (\$305.00); and

WHEREAS, the Black & White Copy Charge per Sheet for the rental of a Konica Minolta Bizhub C650i with auxiliary equipment for the Parks and Recreation Administrative Office is \$.008; and

WHEREAS, the Color Copy Charge per Sheet for the rental of a Konica Minolta Bizhub C650i with auxiliary equipment for the Parks and Recreation Administrative Office is \$.005; and

WHEREAS, the Cost per Month for the rental of a Konica Minolta Bizhub C650i with auxiliary equipment for the Parks and Recreation Park Maintenance Division is Three Hundred Five Dollars and No Cents (\$305.00); and

WHEREAS, the Black & White Copy Charge per Sheet for the rental of a Konica Minolta Bizhub C650i with auxiliary equipment for the Parks and Recreation Park Maintenance Division is \$.008; and

WHEREAS, the Color Copy Charge per Sheet for the rental of a Konica Minolta Bizhub C650i with auxiliary equipment for the Parks and Recreation Park Maintenance Division is \$.005; and

WHEREAS, the above cost includes toner cartridges, all consumables (except paper), parts, drums, labor, and service calls for the Administrative Office and the Park Maintenance Division; and

WHEREAS, Advantage Business Systems, vendor number 60427, is an active vendor with the City of Jackson; and

WHEREAS, Advantage Business Systems is a for-profit corporation, currently in Good Standing with the Mississippi Secretary of the State, created pursuant to the Laws of the State of Mississippi on October 10, 2005; and

WHEREAS, it is in the best interests of the City of Jackson Parks and Recreation Department Administrative Office and Park Maintenance Division to have the digital color system to provide efficiency and productive modern technology within the working environment.

IT IS HEREBY ORDERED that the Mayor be authorized to execute necessary documents with Advantage Business Systems (ABS), including a Commercial Sales Agreement, as well as any and all documents related thereto, for the 48-month rental for two (2) Konica Minolta Bizhub C650i Digital Color System with auxiliary equipment, at the cost of Three Hundred Five Dollars and No Cents (\$305.00), totaling Six Hundred Ten Dollars and No Cents (\$610.00) for both digital color systems.

IT IS FURTHER ORDERED that all future payments for said above-described rental agreement be made to Advantage Business Systems (ABS), vendor no. 60427, for the Parks and Recreation Administrative Office digital color system from account 005.501.10-6514.

IT IS FURTHER ORDERED that all future payments for said above-described rental agreement be made to Advantage Business Systems (ABS) for the Parks and Recreation Park Maintenance Division digital color system from account 005.504.10-6514.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any document(s) needed to effectuate the above-described digital color system rental agreements that are to be provided by Advantage Business Systems.

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

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

Nays – None.

Absent – Stokes.

* * * * *

ORDER AMENDING THE FISCAL YEAR 2023-2024 BUDGET FOR THE DEPARTMENT OF PARKS AND RECREATION TO TRANSFER ONE HUNDRED SIX THOUSAND SIX HUNDRED NINETY-FIVE DOLLARS AND TWENTY-FIVE CENTS (\$106,695.25) OF DFA-SB2971 – PETE BROWN GOLF COURSE FUNDS FROM THE “OTHER PROFESSIONAL SERVICES” AND “PARKS + RECREATION EQUIPMENT” CATEGORIES TO THE “BUILDING + STRUCTURES” CATEGORY, “LAWN + GARDEN EQUIPMENT” CATEGORY, AND “NON-CAPITALIZED EQUIPMENT” CATEGORY TO PURCHASE EQUIPMENT AND IMPROVE THE IRRIGATION SYSTEM AT THE PETE BROWN GOLF FACILITY.

WHEREAS, Section 21-17-5(1) of the Mississippi Code Annotated, as amended, states that the governing authorities of every municipality of the state shall have the care, management, and control of its municipal affairs, property, and finances; and

WHEREAS, it is the sincere desire of the Department of Parks and Recreation to provide consistent and outstanding service to our youth and citizens of the City of Jackson, as well as our visiting guests; and

WHEREAS, Section 21-35-25 of the Mississippi Code Annotated, as amended, states that if it affirmatively appears at any time during the current fiscal year that there is in any fund or account any sum remaining unexpended and not needed or expected to be needed for the purpose or purposes for which appropriated in said budget, then the governing authorities may, in their discretion, transfer such sum or any part thereof to any other fund or funds or account or accounts where needed, by order to such effect entered upon their minutes. This shall not, however, authorize the expenditure of any funds for any purpose other than that for which the levy producing such funds was made; and

WHEREAS, the Department of Parks and Recreation – Golf Division represents that the One Hundred Six Thousand Five Hundred Twenty Dollars and Twenty–Five Cents (\$106,520.25) currently located in the DFA – SB2971 – Pete Brown Golf Fund, that it presently seeks to transfer from the “Other Professional Services” Category, is not needed or expected to be needed for the purpose(s) for which it was originally appropriated in the Fiscal Year 2023–2024 Budget, said funds to be transferred are comprised of unspent funds for professional services; and

WHEREAS, the Department of Parks and Recreation – Golf Division represents that the One Hundred Seventy–Five Dollars and No Cents (\$175.00) currently located in the DFA – SB2971 – Pete Brown Golf Fund, that it presently seeks to transfer from the “Parks + Recreation Equipment” Category, is not needed or expected to be needed for the purpose(s) for which it was originally appropriated in the Fiscal Year 2023–2024 Budget, said funds to be transferred are comprised of unspent funds for park equipment; and

WHEREAS, the Department of Parks and Recreation needs this requested Budget amendment so that the Parks and Recreations Department – Golf Division may get the necessary equipment and make improvements to the irrigation system at the Pete Brown Golf Course; and

WHEREAS, the funds are requested to be transferred in accordance with the table listed directly below; and

FUNDS TRANSFER FROM:		FUNDS TRANSFER TO:	
Other Professional Services Category Account no.: 404– 501.33–6419	\$106,520.25	Building + Structures Category Account no.: 404–501.33– 6812	\$60,247.02
		Lawn + Garden Equipment Category Account no.: 404– 501.33–6876	\$43,396.00
		Non–Capitalized Equipment Category Account no.: 404– 501.33–6240	\$2,877.23
Parks + Recreation Equipment Category Account no.: 404–501.33– 6831	\$175.00	Non–Capitalized Equipment Category Account no.: 404– 501.33–6240	\$175.00
		Total Funds Transfer Request	\$106,695.25

WHEREAS, this intradepartmental transfer of One Hundred Six Thousand Six Hundred Ninety–Five Dollars and Twenty–Five Cents (\$106,695.25) is in statutory compliance with Section 21–35–25 of the Mississippi Code Annotated, as amended, because the transfer requested in this Order, added to any previous Fiscal Year 2023–2024 Department of Parks and Recreation Budget intradepartmental transfers, does not exceed ten percent (10%) of the total budget amount appropriated to the Fiscal Year 2023–2024 Department of Parks and Recreation Budget; and

WHEREAS, it is in the best interests of the City of Jackson that this Parks and Recreation Budget amendment be approved and that funds be transferred as described in the table above so that much needed equipment can be purchased for and irrigation work be performed at the Pete Brown Golf Facility.

IT IS, THEREFORE, ORDERED that the Fiscal Year 2023–2024 Budget for the Department of Parks and Recreation be amended to authorize a Budget transfer as described in the table below:

FUNDS TRANSFER FROM:		FUNDS TRANSFER TO:	
Other Professional Services Category Account no.: 404- 501.33-6419	\$106,520.25	Building + Structures Category Account no.: 404-501.33- 6812	\$60,247.02
		Lawn + Garden Equipment Category Account no.: 404- 501.33-6876	\$43,396.00
		Non-Capitalized Equipment Category Account no.: 404- 501.33-6240	\$2,877.23
Parks + Recreation Equipment Category Account no.: 404-501.33- 6831	\$175.00	Non-Capitalized Equipment Category Account no.: 404- 501.33-6240	\$175.00
		Total Funds Transfer Request	\$106,695.25

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

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

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

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

* * * * *

ORDER REQUESTING RATIFICATION OF PAST SERVICES PERFORMED BY AND APPROVING PAYMENT TO ROBERT EARL SMITH D/B/A SMITH TREE SERVICE IN THE AMOUNT OF ELEVEN THOUSAND TWO HUNDRED DOLLARS (\$11,200.00) FOR TREE REMOVAL SERVICES PREVIOUSLY PERFORMED AT CITY HALL, GROVE PARK MUNICIPAL GOLF COURSE, PETE BROWN GOLF FACILITY, AND THE JACKSON ZOO DURING THE MONTHS OF JUNE, AUGUST, AND SEPTEMBER 2023, WHICH FALLS UNDER FISCAL YEAR 2022-2023.

WHEREAS, Section 21-17-5 of the Mississippi Code authorizes municipalities to adopt orders concerning municipal affairs, finances, and property which is not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi; and

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

WHEREAS, Robert Earl Smith is an active vendor #72157 with the City of Jackson; and

WHEREAS, Robert Earl Smith is D/B/A Smith Tree Service; and

WHEREAS, Robert Earl Smith operates as a Sole Proprietor and there is no legal distinction between the owner and the business entity; and

WHEREAS, Robert Earl Smith, has a Certificate of Liability on file and has done work for the City of Jackson Parks and Recreation Department in the past; and

WHEREAS, Smith Tree Service provided Invoice no. 2023-11 to Interim Director Steve Hutton for some tree removal work that was completed in FY2023 during the months of June, August, and September of 2023; and

WHEREAS, Smith Tree Service's invoice states that two (2) Magnolia Tree(s) were removed from City Hall in June 2023 and the tree debris removed and hauled away, with the cost invoiced for Two Thousand Five Hundred Dollars and No Cents (\$2,500.00); and

WHEREAS, Smith Tree Service's invoice states that two (2) Large Oak Tree(s) were removed from Grove Park Municipal Golf Course in August 2023 and the tree debris removed and hauled away, with the cost invoiced for Two Thousand Five Hundred Dollars and No Cents (\$2,500.00); and

WHEREAS, Smith Tree Service's invoice states that four (4) Oak, Cedar, and Gum Tree(s) were removed from Pete Brown Golf Facility in September 2023 and the tree debris removed and hauled away, with the cost invoiced for Two Thousand Nine Hundred Dollars and No Cents (\$2,900.00); and

WHEREAS, Smith Tree Service's invoice states that two (2) Oak Tree(s) were removed from the Jackson Zoo in September 2023 and the tree debris removed and hauled away, with the cost invoiced for Two Thousand Five Hundred Dollars and No Cents (\$2,500.00); and

WHEREAS, Smith Tree Service's invoice states that one (1) tree was removed from the crosswalk at the Jackson Convention Complex in June 2023 and the tree debris removed and hauled away, with the cost invoiced for Eight Hundred Dollars and No Cents (\$800.00); and

WHEREAS, Smith Tree Service's invoice no. 2023-11 was submitted to Interim Director Steve Hutton of the City of Jackson Parks and Recreation Department in the total amount of Eleven Thousand Two Hundred Dollars and No Cents (\$11,200.00); and

WHEREAS, it is in the best interests of the City of Jackson that the above-described tree removal services performed by Smith Tree Service be ratified and that payment in the total amount of Eleven Thousand Two Hundred Dollars and No Cents (\$11,200.00) be approved and made to Robert Earl Smith d/b/a Smith Tree Service.

IT IS ORDERED that the past tree removal services as described above in this Order performed by Robert Earl Smith d/b/a Smith Tree Service is ratified and payment in the total amount of Eleven Thousand Two Hundred Dollars and No Cents (\$11,200.00) is approved and shall be made to Robert Earl Smith d/b/a Smith Tree Service in the manner described below:

1. payment in the amount Three Thousand Three Hundred Dollars and No Cents (\$3,300.00) for the removal of two (2) Magnolia Tree(s) from the City Hall and one (1) tree from the Jackson Convention Complex in June 2023 from account no. 005-501.10-6419; and
2. payment in the amount Two Thousand Five Hundred Dollars and No Cents (\$2,500.00) for the removal of two (2) Large Oak Tree(s) from Grove Park Municipal Golf Course in August 2023 from account no. 005-504.30-6419; and
3. payment in the amount Two Thousand Nine Hundred Dollars and No Cents (\$2,900.00) for the removal of four (4) Oak, Cedar, and Gum Tree(s) from Pete Brown Golf Facility in September 2023 from account no. 404-501.33-6419; and
4. payment in the amount Two Thousand Five Hundred Dollars and No Cents (\$2,500.00) for the removal of two (2) Oak Tree(s) from the Jackson Zoo in September 2023 from account no. 390-498.00-6419.

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

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

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

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

Nays – None.

Absent – Stokes.

ORDER REQUESTING APPROVAL OF FUTURE PROFESSIONAL HEATING, PLUMBING, AND AIR CONDITIONING MAINTENANCE AND REPAIR SERVICES AND APPROVING PAYMENTS TO UNITED PLUMBING & HEATING COMPANY FOR THE CITY OF JACKSON DEPARTMENT OF PARKS AND RECREATION – JACKSON ZOO.

WHEREAS, the Jackson Zoo has a water leak that needs repairs/servicing; and

WHEREAS, the Jackson Zoo requested and received a quote for water leak findings and recommendations, with no repair costs from United Plumbing Heating and Air Conditioning (Unlimited Plumbing); and

WHEREAS, United Plumbing (vendor no. 69412) is an active vendor with the City of Jackson; and

WHEREAS, United Plumbing is a for-profit Corporation, currently in Good Standing with the Mississippi Secretary of State, created pursuant to the Laws of the State of Mississippi on October 19, 1973; and

WHEREAS, the quote submitted by United Plumbing includes a servicing fee to locate the water leak for Four Thousand Five Hundred Dollars and No Cents (\$4,500.00); and

WHEREAS, there are no repair costs included in the quote to locate the water leak at the Jackson Zoo; and

WHEREAS, United Plumbing's above quote for the water leak findings and recommendations, with no repair costs included, totals Four Thousand Five Hundred Dollars and No Cents (\$4,500.00); and

WHEREAS, it is in the best interests of the City of Jackson and the Jackson Zoo to have the water leak findings and recommendations, described above, performed by United Plumbing to provide efficiency and safety for animals, employees, and patrons, it is also in the best interests of the City of Jackson and the Jackson Zoo to approve future heating, air conditioning, and plumbing servicing, maintenance, and repair work, as needed.

IT IS HEREBY ORDERED that the above-described quote from United Plumbing for the water leak findings and recommendations, with no repair costs, to be performed at the Jackson Zoo, is approved and that payment in the amount of Four Thousand Five Hundred Dollars and No Cents (\$4,500.00) be made to United Plumbing from account no. 390-498.00-6419.

IT IS FURTHER ORDERED that all future plumbing and air conditioning services performed by United Plumbing for the Parks & Recreation Department is approved and that payments for said plumbing and air conditioning work be made to United Plumbing from "Other Professional Services" 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 plumbing and air conditioning services that are to be performed by United Plumbing.

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

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

ORDER AMENDING THE ORDER AUTHORIZING THE MAYOR TO EXECUTE A LEASE AND MANAGEMENT AGREEMENT WITH KUSCHE SPORTS GROUP D/B/A OVERTIME SPORTS OF THE SMITH WILLS STADIUM.

WHEREAS, on April 30, 2019, the Jackson City Council authorized the Mayor to execute an agreement with KSG, Kusche Sports Group D/B/A Overtime Sports to lease and manage baseball fields located at Smith Wills Stadium; and

WHEREAS, the City of Jackson had previously issued a Request for Professional Management Services (RFP) of Smith Wills Stadium and KSG was the only submission; and

WHEREAS, the City entered into a Stadium Lease and Management Agreement with a term of ten (10) years, with an option for two (2) additional terms of ten (10) years and a base rent of \$125,000.00 per year or 20% of all gross marketing revenue generated at Smith Wills Stadium, not to exceed \$250,000.00, commencing October 1, 2020; and

WHEREAS, the City of Jackson entered into an agreement with KSG on May 20, 2019, however on March 11, 2020, the worldwide global COVID-19 pandemic began, causing sporting events across the globe to be canceled to comply with federal, state and local requirements and Centers for Disease Control advisories to “shelter-in-place”; and

WHEREAS, the City of Jackson acknowledges that this caused an undue hardship on KSG, resulting in the inability to submit the required annual payments, however, in lieu of submitting annual payments, KSG continued to invest in the property by renovating bathrooms, installing new equipment, maintaining baseball fields and allowing local high school and college teams to utilize the field as needed without payment; and

WHEREAS, the Department of Parks and Recreation believes it is in the best interest of the City of Jackson to accept these “in-kind” donations as partial rental payments and modify the lease accordingly; and

WHEREAS, based on the “in-kind” donations, the City of Jackson has reduced the arrearage to \$100,000.00 to be paid in quarterly installments annually, with the first payment due upon execution and each payment thereafter being due on October 1st, through October 1, 2026; and

WHEREAS, as a result of this amendment to the lease, ongoing payments shall be reduced to reflect a payment due upon execution in the amount of \$12,500.00, which shall cover debt services fees for the baseball turf field and a second payment in the amount of \$12,500.00 shall be due October 1, 2024, representing the final debt service payment for the baseball turf field, thereafter, annually, on September 1st of each year, commencing September 1, 2024, the City of Jackson shall submit an invoice to KSG for the annual utility costs for operating Smith Wills Stadium and all adjoining fields utilized by KSG for either the exact amount paid by the City of Jackson for a twelve (12) month period for utilities, or an estimate based on at least six (6) months of prior utility bills; and

WHEREAS, the “Capital Improvements” section of the lease shall be modified to reflect that annually, the City shall, in conjunction with KSG, prepare an ongoing Capital Maintenance Plan, and KSG shall be permitted to conduct reasonable discretionary improvements; and

WHEREAS, the Department of Parks and Recreation recommends that the City of Jackson enter into the referenced Amended Stadium Lease and Management Agreement with KSG.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to executed an Amended Stadium Lease and Management Agreement, and any and all documents related thereto, with KSG for professional management services of Smith Wills Stadium, located at 1200 Cool Papa Bell Drive, Jackson, MS in accordance with this Amended Order authorizing execution.

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

President Banks recognized **Jhai Keeton, Mayor's Office**, who provided a brief overview of said item.

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

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

Nays – Foote.

Absent – Stokes.

* * * * *

ORDER RATIFYING PURCHASE ORDER NUMBER 24000183 TO VEHICLE TECHNICAL CONSULTANTS INC. IN THE AMOUNT OF \$7,410.00 AND AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE ORDER ADJUSTMENT AND RELATED DOCUMENTS WITH VEHICLE CONSULTANTS INC. TO PROVIDE TRANSIT FLEET TURNOVER POST INSPECTION.

WHEREAS, the City of Jackson (“City”) has determined that it is in the City’s best interest to seek a professional company for the transit fleet turnover inspection of the City’s public transit system; and

WHEREAS, on November 7, 2023, the governing authorities authorized the Mayor to execute a purchase order with Vehicle Technical Consultants Inc. to provide a transit fleet turnover inspection; and

WHEREAS, the Transit Division is recommending that the governing authorities authorize the Mayor to execute a purchase order adjustment with Vehicle Technical Consultants to provide a transit fleet turnover post inspection to verify any repairs made to the original defects reported; and

WHEREAS, the quote of Vehicle Technical Consultants Inc. in the amount of Seven Thousand Four Hundred Ten Dollars and No Cents (\$7,410.00) was the lowest and most responsive and responsible; and

WHEREAS, the Transit Division is recommending that the governing authorities authorize the Mayor to execute a purchase order adjustment and related documents with Vehicle Technical Consultants Inc. to supply all labor and materials necessary to provide transit fleet turnover post inspection of the City’s public transportation system at a cost not to exceed Seven Thousand Four Hundred Ten Dollars and No Cents (\$7,410.00); and

WHEREAS, the Federal Transit Administration will pay eighty percent (80%) of the cost or Five Thousand Nine Hundred Twenty–Eight Dollars and No Cents (\$5,928.00), and the remaining twenty percent (20%) of the cost or One Thousand Four Hundred Eight–Two Dollars and No Cents (\$1,482.00) will be paid from the Transit Division’s FY2024 budget.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a purchase order adjustment and related documents with Vehicle Technical Consultants Inc. to supply all labor and materials necessary to provide fleet turnover post inspection of the City’s public transportation system at a cost not to exceed Five Thousand Nine Hundred Twenty–Eight Dollars and No Cents (\$5,928.00), and the remaining twenty percent (20%) of the cost or One Thousand Four Hundred Eight–Two Dollars and No Cents (\$1,482.00) will be paid from the Transit Division’s FY2024 budget.

Vice President Lee moved adoption; Council Member Hartley seconded.

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING REVISING THE DEPARTMENT OF PLANNING AND DEVELOPMENT’S FISCAL YEAR 2024 BUDGET TO REVISE FUNDS ACROSS CATEGORIES FROM CDBG PROGRAM YEARS (PY) 2020/2021/2022 AND CDBG–CV PROGRAM YEAR 2020 GRANT FUNDS.

WHEREAS, the City of Jackson signed funding approvals and grant agreements B–20–MC–28–0003 on August 20, 2021, B–21–MC–28–0003 on January 20, 2022, B–22–MC–28–0003 on February 9, 2023; and B–20–MW–28–0003 on August 20, 2020, for the CDBG and CDBG–CV programs; and

WHEREAS, there are account line items in the Office of Housing and Community Development CDBG and CDBG–CV budgets requiring Council approval for funds to be revised across categories for the Fire Department and Economic Development projects; and

WHEREAS, the following funds would be revised and reallocated as follows:

<u>To/From</u>	<u>Fund/Account Number</u>	<u>Amount</u>
From: CDBG 085–92110–6419(Oth. Prof. Svc.)	\$357,634	To: 085–92110–6857(Safety Equip.) \$357,634
From: CDBG 085–92110–6240 (Capital Outlay)	\$507	To: 085–92110–6857 (Safety Equip.) \$507
From: CDBG 085–85510–6736 (Contingency)	\$413,370	To: 085–92110–6857 (Safety Equip.) \$261,734
From: CDBG 085–85510–6736	\$413,370.00 (Contingency)	To: 085–92110–6233 (Safety Supls.) \$111,375
		Total: \$731,250
From: CDBG–CV 382–71532–6742 (CTOA.)	\$6,000	To: 382–71532–6419 (Oth. Prof Svc.) \$6000
From: CDBG–CV 382–71532–6742 (CTOA.)	\$24,207	To: 382–71532–6419 (Oth. Prof Svc.) \$24,207
		Total: \$30,207
Grand Total:	\$761,457	

WHEREAS, this transfer of \$761,457 is in statutory compliance with Section 21–35–25 of the Mississippi code Annotated, as amended, as this amendment does not exceed ten percent (10%) of the total budget amount appropriated to the Department of Planning and Development's 2024 Fiscal Year Budget or to the CDBG and CDBG–CV Program Year 2020–2022 Budget(s).

IT IS, THEREFORE, ORDERED that the Department of Planning and Development's Fiscal Year 2024 Budget be revised for the CDBG and CDBG–CV grants Program Year 2020 through Program Year 2022 authorizing the Fire Department and Economic Development projects in the amount of \$761,457 as follows:

<u>From/To</u>	<u>Fund/Account Number</u>	<u>Amount</u>
From: CDBG 085–92110–6419 (Oth. Prof. Svc.)	\$357,634	To: 085–92110–6857 (Safety Equip.) \$357,634
From: CDBG 085–92110–6240 (Capital Outlay)	\$507	To: 085–92110–6857 (Safety Equip.) \$507
From: CDBG 085–85510–6736 (Contingency)	\$413,370	To: 085–92110–6857 (Safety Equip.) \$261,734
From: CDBG 085–85510–6736	\$413,370.00 (Contingency)	To: 085–92110–6233 (Safety Supls.) \$111,375
		Total: \$731,250
From: CDBG–CV 382–71532–6742 (CTOA.)	\$6,000	To: 382–71532–6419 (Oth. Prof Svc.) \$6,000
From: CDBG–CV 382–71532–6742 (CTOA.)	\$24,207	To: 382–71532–6419 (Oth. Prof Svc.) \$24,207
		Total: \$30,207
Grand Total:	\$761,457	

Vice President Lee moved adoption; Council Member Hartley 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 on said item:

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

ORDER AUTHORIZING REVISING THE DEPARTMENT OF PLANNING AND DEVELOPMENT’S FISCALYEAR 2024 BUDGET TO REVISE FUNDS ACROSS CATEGORIES FROM PROGRAM YEARS (PY) 2019 AND 2020 HOME INVESTMENT PARTNERSHIP (HOME) GRANT FUNDS.

WHEREAS, the City of Jackson signed funding approvals and grant agreements Grant Number M-19-MC-28-0200 on December 4, 2019 and Grant Number M-20-MC-28-0200 on August 20, 2021, for the HOME Investment Partnership Program; and

WHEREAS, on October 12, 2021, the City Council authorized the award of \$1,165,438.00 for seven (7) HOME funded units to the Gulf Coast Housing Partnership, Inc. and

WHEREAS, there are account line items in the Office of Housing and Community Development HOME budget requiring Council approval for funds to be revised across categories; and

WHEREAS, the following funds would be revised and reallocated as follows:

To/From	Fund/Account Number	Amount
From:	HOME Program Grant M-19-MC-28-0200 120-90117- 6824	\$1,165,438.00
To:	HOME Program Grant M-20-MC-28-0200 120-90117- 6742 (Contribution to Other Agencies)	\$1,165,438.00

WHEREAS, this transfer of \$1,165,438.00 is in statutory compliance with Section 21-35-25 of the Mississippi code Annotated, as amended, as this amendment does not exceed ten percent (10%) of the total budget amount appropriated to the Department of Planning and Development's 2024 Fiscal Year Budget or to the HOME Program Year 2019-2022 Budget; and

IT IS, THEREFORE, ORDERED that the Department of Planning and Development's Fiscal Year 2024 Budget be revised for the HOME Investment Partnership grant Program Year 2019 and Program Year 20201 authorizing the Pearl Senior Living Community in the amount of \$1,165.438.00 as follows:

To/From	Fund/Account Number	Amount
From:	HOME Program Grant M-19-MC-28-0200 120-90117- 6824	\$1,165,438.00
To:	HOME Program Grant M-20-MC-28-0200 120-90117- 6742 (Contribution to Other Agencies)	\$1,165,438.00

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

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

ORDER AUTHORIZING THE MAYOR TO AMEND THE EXECUTED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF JACKSON AND THE NATIONAL LEAGUE OF CITIES INSTITUTE SOUTHERN CITIES ECONOMIC INCLUSION INITIATIVE.

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

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

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

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

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

WHEREAS, on July 19, 2022, the Jackson City Council authorized the execution of a Memorandum of Understanding with NLCI-SCEI accepting Thirty Thousand Dollars (\$30,000.00) for project planning, implementation, and inventory for the program beginning March 3, 2022 through October 31, 2022; and

WHEREAS, the National League of Cities, in partnership with the W. K. Kellogg Foundation and Annie E. Casey Foundation, continually awards the SCEI cohort with additional funding; and

WHEREAS, on January 17, 2023, the Jackson City Council authorized the execution of an amendment to the Memorandum of Understanding with NLCI-SCEI applying and accepting an additional Five Thousand Dollars and No Cents (\$5,000.00) for conducting a baseline assessment of local economic inclusion needs and assets, totaling a grant award amount of Thirty-Five Thousand Dollars and No Cents (\$35,000.00) for the program beginning March 3, 2022 through October 31, 2022; and

WHEREAS, on December 5, 2023, NLCI-SCEI notified the Deputy Director of OED that the grant period would be extended to March 1, 2024 and that the grant award has increased Ten Thousand Dollars and No Cents (\$10,000.00), totaling a grant award amount of Forty-Five Thousand Dollars and No Cents (\$45,000.00) for planning, implementation, and assessment.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Mayor is authorized to execute an amended Memorandum of Understanding (MOU) with NLCI-SCEI to accept grant awards not to exceed Forty-five Thousand Dollars and No Cents (\$45,000.00) for participation in the NLCISCEI program for the term ending March 1, 2024.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR ESG, HOME, HOPWA, AND CDBG FUNDS FOR THE FISCAL YEAR 2023.

WHEREAS, in October of 2023 the Department of Planning and Development submitted a draft Action Plan for the use of awarded funds from the U.S. Department of Housing and Urban Development for the Fiscal Year 2023; and

WHEREAS, in December of 2023 the City of Jackson’s Department of Planning and Development received approval of the 2023 Action Plan; and

WHEREAS, the grant agreements are between the U.S. Department of Housing and Urban Development and the City of Jackson for the 2023 Fiscal Year; and

WHEREAS, the grant agreements will be for the following amounts; Community Development Block Grant Program (CDBG) \$1,745,968.00, Emergency Solutions Grant (ESG) \$153,954.00, Home Investment Partnership Program (HOME) \$958,017.00, Housing Opportunity for Persons with Aids (HOPWA) \$1,602,538.00; and

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute grant agreements are between the U.S. Department of Housing and Urban Development and the City of Jackson for the 2023 Fiscal Year.

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

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

Nays – None.

Abstention – Hartley.

Absent – Stokes.

* * * * *

ORDER AMENDING THE DEPARTMENT OF PLANNING AND DEVELOPMENT’S FISCAL YEAR 2023–2024 BUDGET.

WHEREAS, the Department of Planning and Development’s Fiscal Year 2023–2024 budget needs to be amended for category changes necessary for salary adjustments and staff capacity building for the Department of Planning and Development; and

WHEREAS, there are monies available in the “Contract Construction,” “Computer Software,” and “Contract Labor” categories which have not been expended which may be used for the funding of salary adjustments and staff capacity building if the Department of Planning and Development’s Fiscal Year 2023–2024 Budget is amended; and

WHEREAS, the Department of Planning and Development is seeking City Council approval for an intradepartmental transfer of \$158,408.61 from the “Contract Construction,” “Computer Software,” and “Contract Labor” categories to the “Salaries – 6111” category, both categories being contained within the Department of Planning and Development’s Fiscal Year 2023–2024 Budget; and

WHEREAS, Section 21–35–25 of the Mississippi Code Annotated, as amended, states that if it affirmatively appears at any time during the current fiscal year that there is in any fund or account any sum remaining unexpended and not needed or expected to be needed for the purpose or purposes for which appropriated in said budget, then the governing authorities may, in their discretion, transfer such sum or any part thereof to any other fund or funds or account or accounts where needed, by order to such effect entered upon their minutes. This shall not, however, authorize the expenditure of any funds for any purpose other than that for which the levy producing such funds was made; and

WHEREAS, the Department of Planning and Development represents that \$158,408.61 currently located in the “Contract Construction,” “Computer Software,” and “Contract Labor” categories is not needed or expected to be needed for the purpose(s) for which it was originally appropriated in the Department of Planning and Development’s Fiscal Year 2023–2024 Budget; and

WHEREAS, this intradepartmental transfer of \$158,408.61 is in statutory compliance with Section 21–35–25 of the Mississippi Code Annotated, as amended, as there have been no

**SPECIAL MEETING OF THE CITY COUNCIL
THURSDAY, JANUARY 18, 2024 10:00 A.M.**

other budget amendments/revisions to the Department of Planning and Development’s Fiscal Year 2023–2024 Budget and this amendment/revision does not exceed ten percent (10%) of the total budget amount appropriated to the Department of Planning and Development’s Fiscal Year 2023–2024 Budget; and

WHEREAS, the Department of Planning and Development desires the Department of Planning and Development’s Fiscal Year 2023–2024 Budget be amended by the following entries:

ACCOUNT	ACCOUNT DESCRIPTION	FROM	TO
001.420.10.6485	Contract Construction	\$138,478.86	
001.404.10.6231	Computer Software	\$10,000.00	
001.444.20.6489	Contract Labor	\$10,000.00	
001.403.00.6111	Salaries		\$1,064.88
001.403.10.6111	Salaries		\$6,008.88
001.403.20.6111	Salaries		\$2,936.80
001.404.40.6111	Salaries		\$1,423.70
001.444.40.6111	Salaries		\$4,058.12
001.444.50.6111	Salaries		\$1,569.82
001.444.70.6111	Salaries		\$67,153.34
001.404.10.6111	Salaries		\$69,950.40
001.403.10.6111	Salaries		\$4,312.92
		\$ 158,478.86	\$ 158,478.86

IT IS, THEREFORE, ORDERED that the Department of Planning and Development’s Fiscal Year 2023–2024 Budget be amended by the following entries:

ACCOUNT	ACCOUNT DESCRIPTION	FROM	TO
001.420.10.6485	Contract Construction	\$138,478.86	
001.404.10.6231	Computer Software	\$10,000.00	
001.444.20.6489	Contract Labor	\$10,000.00	
001.403.00.6111	Salaries		\$1,064.88
001.403.10.6111	Salaries		\$6,008.88
001.403.20.6111	Salaries		\$2,936.80
001.404.40.6111	Salaries		\$1,423.70
001.444.40.6111	Salaries		\$4,058.12
001.444.50.6111	Salaries		\$1,569.82
001.444.70.6111	Salaries		\$67,153.34
001.404.10.6111	Salaries		\$69,950.40
001.403.10.6111	Salaries		\$4,312.92
		\$ 158,478.86	\$ 158,478.86

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF JACKSON AND KIVA MIRCROFUNDS TO OPERATE A KIVA HUB.

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

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

WHEREAS, the Office of Economic Development is seeking to operate a Kiva Hub Program to provide crowd-based funding to low-capitalized businesses; and

WHEREAS, the City of Jackson received a \$15,000 to start year 1 and will use CDBG funds to fund year 2; and

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

WHEREAS, the City of Jackson finds it reasonable to partner with KIVA Microfund to share and exchange resources, thus enhancing the effectiveness of the OED and how we provide resources to our business community.

NOW THEREFORE IT IS HEREBY ORDERED that the Mayor is authorized to execute an agreement with the Kiva Microfund to operate a Kiva Hub in Jackson, MS, at a cost not to exceed Thirty-One Thousand Dollars and No Cents (\$31,000.00) over two years.

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

President Banks recognized **Chloe Dotson, Director of Planning and Development**, who recommended an amendment to said item in the 4th WHEREAS to change “CDBG” to “NLC”.

Vice President Lee moved; seconded by **Council Member Hartley**, to amend said order to reflect the changes as stated by **Chloe Dotson, Director of Planning and Development**. The motion prevailed by the following vote:

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

Nays – None.

Absent – Stokes.

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

ORDER AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF JACKSON AND KIVA MIRCROFUNDS TO OPERATE A KIVA HUB.

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

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

WHEREAS, the Office of Economic Development is seeking to operate a Kiva Hub Program to provide crowd-based funding to low-capitalized businesses; and

WHEREAS, the City of Jackson received a \$15,000 to start year 1 and will use NLC-SCEI grant funds to fund year 2; and

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

WHEREAS, the City of Jackson finds it reasonable to partner with KIVA Microfund to share and exchange resources, thus enhancing the effectiveness of the OED and how we provide resources to our business community.

NOW THEREFORE IT IS HEREBY ORDERED that the Mayor is authorized to execute an agreement with the Kiva Microfund to operate a Kiva Hub in Jackson, MS, at a cost not to exceed Thirty-One Thousand Dollars and No Cents (\$31,000.00) over two years.

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

Nays – None.

Absent – Stokes.

* * * * *

ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MISSISSIPPI URBAN RESEARCH CENTER (MURC) TO SERVE AS CONSULTANT FOR THE CITY OF JACKSON TO CONDUCT EVALUATION ASSESSMENTS FOR THE W.K. KELLOGG FOUNDATION-FUNDED PROJECT, ECONOMIC PATHWAYS TO HUMAN DIGNITY: BUILDING OCCUPATIONAL OPPORTUNITIES & ECONOMIC GROWTH (EPHD).

WHEREAS, the W.K. Kellogg Foundation awarded Economic Pathways to Human Dignity: Building Occupational Opportunities & Economic Growth funds to the City of Jackson to support its goals to increase employment, economic development, city and regional competitiveness, job creation, and employer engagement allowing the citizenry access to tools that will help them traverse pathways to self-sufficiency; and

WHEREAS, on April 30, 2019, the City Council authorized the Mayor to accept a \$1,895,000.00 grant from W. K. Kellogg Foundation to be allocated over three years for the development of the proposal entitled Employment Pathways to Human Dignity (EPHD); and

WHEREAS, on August 16, 2022, the City Council approved an Order ratifying the submission of a request for an eighteen-month grant extension to the W.K. Kellogg Foundation that extended the grant period to September 30, 2023 for the development of the proposal entitled Employment Pathways to Human Dignity (EPHD); and

WHEREAS, on August 15, 2023, the Jackson City Council approved an Order authorizing the Mayor to enter into an agreement with the Mississippi Urban Research Center to provide evaluation services on the EPHD grant from execution through September 30, 2023; and

WHEREAS, on September 30, 2023, the City of Jackson submitted a request for a 12-month extension for the implementation of the EPHD grant to increase employment opportunities for low-income families through a stratified framework of the workforce and economic development, job creation, and employer engagement to achieve family economic security and regional prosperity; and

WHEREAS, on October 27, 2023, the W.K. Kellogg Foundation notified the Deputy Director of Economic Development that the grant period would be extended to September 30, 2024; however, the amendment does not increase the Foundation's commitment; and

WHEREAS, in light of the grant extension, the Chief Administrative Officer recommends that the City Council authorize the Mayor to enter into an independent contractor relationship with Jackson State University’s Mississippi Urban Research Center (MURC) to serve as a Consultant upon execution to September 30, 2024; and

WHEREAS, the scope of work includes (1) conducting background research and logic model and evaluation plan refinement; (2) data collection and analysis with surveys and focus groups; (3) synthesizing and triangulating the data and findings from surveys, focus groups, observations, and monitoring tools; (4) conducting a virtual sensemaking session; and (5) developing an evaluation report; and

WHEREAS, either party may terminate the agreement at any time upon delivery of written notice to the other party no less than 14 days prior to the intended termination date, provided, however, that in such event, the terminating party agrees to act in good faith to assist the other party with the orderly wind-down of such party’s work on any active and on-going assignment; and

WHEREAS, the parties agree that the legal relationship between Mississippi Urban Research Center and the City of Jackson is strictly an independent contractor relationship. Nothing contained in the agreement shall be deemed or construed to create a joint venture, agency, partnership, or employer-contractor relationship between the Parties. Neither party shall have the power to bind the other Party in any manner. Additionally, the City of Jackson shall have no obligation to MURC with respect to the provision of any benefits (insurance, retirement, or the like), nor shall the City of Jackson have any responsibility for the payment of any taxes, fees, dues, or memberships, workers’ compensation premiums, or the like, which are the sole responsibility of Mississippi Urban Research Center; and

WHEREAS, the City of Jackson will compensate MURC for its services as a consultant in an amount not to exceed \$7,000.00 per month, totaling an amount not to exceed \$70,000.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to enter into an agreement with Mississippi Urban Research Center to provide evaluation services on the W.K. Kellogg Foundation-funded project Employment Pathways to Human Dignity (EPHD) from upon execution through September 30, 2024.

IT IS FURTHER ORDERED that upon the submission of invoices monthly to the City of Jackson, Mississippi Urban Research Center shall be paid an amount not to exceed \$7,000.00 per month from grant funds for conducting EPHD evaluation services.

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

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

Nays – None.

Absent – Stokes.

* * * * *

ORDER AUTHORIZING THE MAYOR TO ENTER INTO THE AGREEMENT WITH JEFCOAT FENCE AND ACCESS CONTROL TO PROVIDE ROUTINE GATE MAINTENANCE AT THE JTRAN ADMINISTRATIVE/MAINTENANCE FACILITY, 1785 HIGHWAY 80 WEST, JACKSON, MISSISSIPPI.

WHEREAS, the Department of Planning and Development, through its Transit Division, is in need of gate maintenance services at its administrative and maintenance facility located at 1785 Highway 80 W, Jackson, MS 39204; and

WHEREAS, Jefcoat Fence and Access Control agreed to provide the services for one (1) year commencing January 1, 2024 through December 31, 2024, at an annual cost not to exceed One Thousand Eight Hundred Sixty Dollars and No Cents (\$1,860.00) and service call rate (normal hours) not to exceed One Hundred Sixteen Dollars and Twenty-Five Cents (\$116.25) and service call rate (after hours) not to exceed One Hundred Seventy-Five Dollars and No Cents (\$175.00); and

WHEREAS, Jefcoat Fence and Access Control has experience with gate maintenance and has been responsive and responsible in providing gate maintenance at the location; and

WHEREAS, the Transit Division is recommending that the governing authorities authorize the Mayor to execute the agreement and related documents with Jefcoat Fence and Access Control to provide the services; and

WHEREAS, the annual cost for the maintenance is covered by Federal Transit Administration funds and the City's local match from Transit Services FY2024 budget.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the agreement and related documents with Jefcoat Fence and Access Control to provide gate maintenance at the JTRAN Administrative and Maintenance Facility (JAMF) commencing January 1, 2024 through December 31, 2024, at an annual cost not to exceed One Thousand Eight Hundred Sixty Dollars and No Cents (\$1,860.000) and service call rate (normal hours) not to exceed One Hundred Sixteen Dollars and Twenty-Five Cents (\$116.25) and service call rate (after hours) not to exceed One Hundred Seventy-Five Dollars and No Cents (\$175.00).

IT IS FURTHER ORDERED that the annual services shall be paid for using Federal Transit Administration (FTA) grant funds at eighty percent (80%) and local match from General Fund at twenty percent (20%) of the Transit Services' FY2024 budget.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE CITY OF JACKSON TO UTILIZE THE PROFESSIONAL SERVICES OF THE ARMSTRONG COMPANY FOR THE PURPOSE OF RELOCATING AND STORING PERSONAL PROPERTY BELONGING TO LENA TYLER.

WHEREAS, the Department of Planning and Development through the Office of Housing and Community Development is preparing to begin repair activities to Lena Tyler's home located at 109 Calhoun Street in Jackson, MS 39211; and

WHEREAS, such repairs are to satisfy the City's Voluntary Compliance Agreement related to the Bon Air Subdivision; and

WHEREAS, the Department of Planning and Development requested quotes from The Armstrong Company to provide professional moving and storage services during the renovation of Lena Tyler's home pursuant to the Bon Air Subdivision Voluntary Compliance Agreement; and

WHEREAS, the Armstrong Company submitted a quote to provide trucks, equipment, materials, personnel, and other professional moving services and storage services necessary to perform the relocation of Lena Tyler's personal property from 109 Calhoun Street in Jackson, MS 39211 to 1223 Highway 51 North in Madison, MS, and back to 109 Calhoun Street after the completion of the renovation; and

WHEREAS, the Armstrong Company's anticipated timeline to perform this relocation is two (2) continuous working days; and

WHEREAS, the Department of Planning and Development recommends that the governing authorities accept the quote in the amount of \$5,004.18 submitted by The Armstrong Company to move, store, and return Lena Tyler's personal property.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to enter into a professional service agreement with The Armstrong Company to provide trucks, equipment, materials, personnel, and other professional services necessary to move the personal property of Lena Tyler from 109 Calhoun Street in Jackson, MS, to store the property at 1223 Hwy 51 North

in Madison, MS, and to return the property back to 109 Calhoun Street after the completion of the renovation pursuant to the Bon Air Subdivision Voluntary Compliance Agreement.

IT IS FURTHER ORDERED that an amount not to exceed \$5,004.18 shall be paid to The Armstrong Company for the completion of the moving and storage services.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE NOTICE OF SATISFACTION OF REVERTER CLAUSE IN QUIT CLAIM DEED FOR PARCEL NO. 65-63 TO MIDTOWN PARTNERS, INC.

WHEREAS, Midtown Partners, Inc. submitted an application to the City of Jackson’s Surplus Property Division requesting that Parcel 65-63, 0 Noel Street, be declared surplus and conveyed to Midtown Partners, Inc., to develop a multi-unit affordable housing facility; and

WHEREAS, on September 13, 2021, the City of Jackson’s Surplus Property Committee voted to declare the above-referenced parcels surplus property and to dispose of it pursuant to Section 21-17-1(2)(a) of the Mississippi Code, as amended; and

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

WHEREAS, on October 26, 2021, the Jackson City Council declared the above-referenced parcel surplus and authorized its disposal to Midtown Partners, Inc., pursuant to Section 21-17-1(2)(a) of the Mississippi Code, as amended; and

WHEREAS, on February 14, 2022, the Mayor executed a quitclaim deed, with a right of reverter, deeding the property to Midtown Partners, Inc. to develop a multi-unit affordable housing facility within two (2) years, and it was recorded on February 24, 2022, in Book 7274 at Page 8318; and

WHEREAS, Midtown Partners has developed Parcel 65-63 into a multi-unit affordable housing facility; and

WHEREAS, Midtown Partners has satisfied the Possibility of Reverter’s requirement that the Property be developed within two years for a multi-unit affordable housing facility.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the Notice of Satisfaction of Reverter Clause in Quitclaim Deed, deeding the property to Midtown Partners, Inc.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO APPROVE THE REIMBURSEMENT OF \$2,750.00 TO VISIT JACKSON FOR FENCE REPAIRS AND DEBRIS REMOVAL FROM CITY OWNED LOTS ADJACENT TO THE JACKSON CONVENTION COMPLEX.

WHEREAS, on August 15, 2023, the Council approved an order authorizing the Mayor to enter into a Memorandum of Understanding between Visit Jackson and the City of Jackson to fund a beautification project by installing way finding signage from the King Edward Hotel down to Farish St. and from Farish St. to the Jackson Convention Complex; and

WHEREAS, the City agreed to be responsible for removing the broken chain link fencing in the city owned lots across the street from the Jackson Convention Complex; and

WHEREAS, Visit Jackson agreed to:

- Install signage on chain link fences on Farish Street (between Pascagoula Street and Pearl Street)
- Paint parking meters on Farish Street (between Capital Street and Pascagoula Street)
- Install cafe lights on Farish (between Pascagoula Street and Pearl Street)
- Paint sidewalks and curbs on Farish Street (between Capital Street and Pascagoula Street)
- Install way-finding signage in planter beds on Capital Street, from Hilton Garden Inn/King Edward to the Farish Street intersection.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to reimburse Visit Jackson in the amount of \$2,750.00.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE JACKSON RESOURCE CENTER (JRC) TO PROVIDE WORKFORCE DEVELOPMENT EVENT PLANNING SERVICES FOR THE W.K. KELLOGG FOUNDATION-FUNDED PROJECT, ECONOMIC PATHWAYS TO HUMAN DIGNITY: BUILDING OCCUPATIONAL OPPORTUNITIES & ECONOMIC GROWTH (EPHD).

WHEREAS, the W.K. Kellogg Foundation awarded Economic Pathways to Human Dignity: Building Occupational Opportunities & Economic Growth funds to the City of Jackson to support its goals to increase employment, economic development, city and regional competitiveness, job creation, and employer engagement allowing the citizenry access to tools that will help them traverse pathways to self-sufficiency; and

WHEREAS, on April 30, 2019, the City Council authorized the Mayor to accept a \$1,895,000.00 grant from W. K. Kellogg Foundation to be allocated over three (3) years for the development of the proposal entitled Employment Pathways to Human Dignity (EPHD); and

WHEREAS, on August 16, 2022, the City Council approved an Order ratifying the submission of a request for an eighteen-month grant extension to the W.K. Kellogg Foundation that extended the grant period to September 30, 2023 for the development of the proposal entitled Employment Pathways to Human Dignity (EPHD); and

WHEREAS, on January 17, 2023, the Jackson City Council approved an Order authorizing the Mayor to enter into an agreement with the Jackson Resource Center to provide recruiting, monitoring, and transportation services for the workforce development program on the EPHD grant from execution through September 30, 2023; and

WHEREAS, on September 30, 2023, the City of Jackson submitted a request for a 12-month extension for the implementation of the EPHD grant to increase employment opportunities for low-income families through a stratified framework of the workforce and economic development, job creation, and employer engagement to achieve family economic security and regional prosperity; and

WHEREAS, on October 27, 2023, the W.K. Kellogg Foundation notified the Deputy Director of Economic Development that the grant period would be extended to September 30, 2024; however, the amendment does not increase the Foundation's commitment; and

WHEREAS, in light of the grant extension, the Chief Administrative Officer recommends that the City Council authorize the Mayor to enter into an independent contractor relationship with the Jackson Resource Center to provide workforce development event planning services upon execution to September 30, 2024; and

WHEREAS, either party may terminate the agreement at any time upon delivery of written notice to the other party no less than 14 days prior to the intended termination date, provided, however, that in such event, the terminating party agrees to act in good faith to assist the other party with the orderly wind-down of such party's work on any active and on-going assignment; and

WHEREAS, the parties agree that the legal relationship between Jackson Resource Center and the City of Jackson is strictly an independent contractor relationship. Nothing contained in the agreement shall be deemed or construed to create a joint venture, agency, partnership, or employer-contractor relationship between the Parties. Neither party shall have the power to bind the other Party in any manner. Additionally, the City of Jackson shall have no obligation to JRC with respect to the provision of any benefits (insurance, retirement, or the like), nor shall the City of Jackson have any responsibility for the payment of any taxes, fees, dues, or memberships, workers' compensation premiums, or the like, which are the sole responsibility of Jackson Resource Center; and

WHEREAS, the City of Jackson will compensate JRC for its services as a consultant in a total amount not to exceed \$1,500.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to enter into an agreement with Jackson Resource Center to provide workforce development event planning services on the W.K. Kellogg Foundation-funded project Employment Pathways to Human Dignity (EPHD) from upon execution through September 30, 2024.

IT IS FURTHER ORDERED that upon the submission of an invoice to the City of Jackson, Jackson Resource Center shall be paid a total amount not to exceed \$1,500.00 from grant funds for conducting EPHD workforce development event planning services.

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

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

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

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

ORDER AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT WITH SCHWINDAMAN LAW FIRM, PLLC TO OBTAIN A H-1B, TEMPORARY WORK VISA FROM THE DEPARTMENT OF LABOR FOR SANDRA MISIGO.

WHEREAS, the Department of Planning and Development requested a quote from Schwindaman Law Firm PLLC, to provide legal services for the acquisition of a H-1B, temporary work visa for its employee, Sandra Misigo, that will be valid for three (3) years with an option to renew for an additional three (3) years; and

WHEREAS, Schwindaman Law Firm PLLC submitted a quote in the amount of \$1,000.00 for the initial application to participate in the lottery (the federal government issues a maximum of 85,000 temporary work visas each year) for a temporary work visa and a quote in the amount of \$2,900.00 for the final application once selected; and

WHEREAS, Schwindaman Law Firm PLLC believes it will be necessary for the City of Jackson to participate in the lottery more than once in order to be successfully selected; and

WHEREAS, the H-1B will result in a temporary work visa which will allow Ms. Misigo continued employment as a City of Jackson employee in the Department of Planning and Development for a period of three (3) years; and

WHEREAS, the Department of Planning and Development recommends that the governing authorities accept the quote submitted by Schwindaman Law Firm PLLC, to acquire an H-1B temporary work visa.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to enter into a professional service agreement with Schwindaman Law Firm PLLC to provide legal services in the acquisition of an H-1B temporary work visa for the benefit of Sandra Misigo.

IT IS FURTHER ORDERED that the amount to be paid under the contract shall not exceed Five Thousand Dollars and No Cents (\$5,000.00) and shall be for a period of at least five (5) years.

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

President Banks recognized **Chloe Dotson, Director of Planning and Development**, 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.
- Abstention – Hartley.
- Absent – Stokes.

ORDER RATIFYING PROCUREMENT OF PEST CONTROL SERVICES FROM BRYANT PEST CONTROL FOR THE TRAFFIC MAINTENANCE DIVISION OFFICE AND AUTHORIZING PAYMENT TO SAID VENDOR.

WHEREAS, the Traffic Maintenance Division of the Department of Public Works had need for pest control services at the Traffic Maintenance office at Hawkins Field; and

WHEREAS, pest control service previously had been procured as a purchase order; and

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

WHEREAS, the pest control services set forth in the invoice attached hereto have been provided; and

WHEREAS, in order to ensure the continued and proper operation and maintenance of the Traffic Maintenance Division office, it is necessary to pay this outstanding invoice.

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

Bryant Pest Control \$125.00

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

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

ORDER RATIFYING THE PROCUREMENT OF SURVEYING AND RELATED SERVICES FROM BAIRD ENGINEERING, INC. RELATED TO THE SEWER

**MAIN COLLAPSE AT LAUREL STREET AND ST. ANN STREET, AND
EMERGENCY REPAIR CONTRACT.**

WHEREAS, a sanitary sewer main line that runs through multiple backyards and under garages on Laurel Street and Saint Ann Street was found to have failed causing at least one and possibly two rear yard garages to suffer structural damage that will require demolition of the structure; and

WHEREAS, the damage to the two rear yard garages caused by the collapsed sewer line requires the City to provide the owners of those structures with just compensation for the damage to their property and also requires the acquiring of an easement for the sewer main; and

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

WHEREAS, pursuant to the emergency procurement process, Public Works asked Baird Engineering, Inc. to provide a boundary survey for the each of the affected parcels of property and to provide the necessary sanitary sewer easement descriptions and plats; and

WHEREAS, Mr. Cloud agreed to provide the services for \$5,000.00; and

WHEREAS, the boundary survey, easement descriptions, and plats have been completed; and

WHEREAS, Baird Engineering has submitted its invoice in the amount of \$5,000.00, a copy of which is attached to this Order and made a part of these minutes.

IT IS, THEREFORE, ORDERED that the procurement of a boundary survey, easement descriptions, plats by Baird Engineering, Inc. related to the sewer main collapse at Laurel Street and St. Ann Street, and emergency repair contract for an amount of \$5,000 total is hereby ratified.

IT IS FURTHER ORDERED that payment to Baird Engineering, Inc. in the amount of \$5,000.00 consistent with the attached invoice is authorized.

**DECLARATION INVOKING THE EMERGENCY
PROCUREMENT PROCEDURE**

I. REQUEST


The following sewer collection system repairs are too complex or require equipment that the Sewer Maintenance Division does not have:

Flag Chapel/Queen Mary Point Repair;
Congress/Pascagoula Point Repair;
State St Gas Station Pipe Burst;
Hwy 80/University - 2 Point Repairs: Line and Manhole;
Catalina Point Repair;
Laurel/St Ann - Sewer Reroute to avoid building collapses;
Pine Lane/Jamaica;
Dogwood Point Repair, Line; and
Old Canton / St Andrews Point Repair

Repairing these sewer collection system failures constitutes an emergency because the sanitary sewer overflows and sewer collection system line failures to be addressed by the repairs will eliminate serious hazards to human health and the environment. In the case of the repair at the State Street Gas Station, a potential catastrophic event could result in an explosion or the discharge of petroleum products in the environment.

Accordingly, I request that you declare that this situation constitutes an "emergency" as that term is defined in Section 31-7-1 of the Mississippi Code Annotated of 1972, as amended, and authorize contracts to repair these sewer collection system failures, pursuant to Section 31-7-13 (k) of the Mississippi Code Annotated of 1972, as amended.

As background information to assist in your determination that an emergency exists, I have attached a memorandum. I have also obtained the review and approval of the Office of the City Attorney, the Chief Financial Officer, and the Chief Administrative Officer as evidenced by the signatures below.


Robert Lee, P.E.
City Engineer

2/13/23
DATE

ORDER AUTHORIZING PAYMENT OF \$37,954.89 TO PAMELA AND JIMMY KELLY AS FULL AND COMPLETE SETTLEMENT OF PROPERTY DAMAGE CLAIM AND NO ADMISSION OF LIABILITY.

WHEREAS, on April 2, 2023, sewage flowed into the house located at 2961 Smith Robinson Road, Jackson, Mississippi, owned by Pamela and Jimmy Kelly and caused damage; and

WHEREAS, pursuant to the terms of the Consent Decree entered in the United States District Court for the Southern district of Mississippi Cause # 3:12-CV-790 TSL-MTP, the City paid the Kelly family the sum of \$16,024.94 for hazard mitigation and cleaning; and

WHEREAS, Mr. and Mrs. Kelly submitted a demand for payment of the cost of temporary lodging, interior restoration, and personal property damage; and

WHEREAS, upon the initial review, the Office of the City Attorney denied the claim due to the absence of evidence showing the cause of the April 2, 2023 incident, however after reevaluating the circumstances surrounding the incident and reviewing video footage from upstream and the current state of the law regarding the availability of immunity pursuant to the Mississippi Tort Claims Act, the Office of the City Attorney recommended that the claim be compromised; and

WHEREAS, it is recommended that the claim of Pamela and Jimmy Kelly be compromised for the sum of \$39,954.89 without any admission of liability; and

WHEREAS, Pamela and Jimmy Kelly have agreed to the compromise of the claim and will release the City of Jackson.

IT IS HEREBY ORDERED that the claim of Pamela and Jimmy Kelly for property damage may be compromised for the sum of \$37,954.89 with the understanding that the City of Jackson is not admitting liability and subject to Pamela and Jimmy Kelly releasing the City of Jackson for any known or unknown damage arising out of the April 2, 2023 incident.

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

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

Nays – None.

Abstention – Hartley.

Absent – Stokes.

ORDER AUTHORIZING PAYMENT OF \$73,223.00 TO JERMAL CLARK AS FULL AND COMPLETE SETTLEMENT OF PROPERTY DAMAGE CLAIM AND NO ADMISSION OF LIABILITY.

WHEREAS, on May 30, 2023, sewage flowed into the house located at 2939 Oakmont Drive, Jackson, Mississippi, owned by the Jermal Clark and caused damage; and

WHEREAS, pursuant to the terms of the Consent Decree entered in the United States District Court for the Southern district of Mississippi Cause # 3:12-CV-790 TSL-MTP, the City paid Mr. Clark the sum of 11,947.44 for hazard mitigation and cleaning; and

WHEREAS, Mr. Clark submitted a demand for payment of the cost of temporary lodging, interior restoration, and personal property damage; and

WHEREAS, after reviewing the circumstances surrounding the incident and the current state of the law regarding the availability of immunity pursuant to the Mississippi Tort Claims Act, the Office of the City Attorney recommended that the claim be compromised; and

WHEREAS, it is recommended that the claim of Jermal Clark be compromised for the sum of \$73,223.00 without any admission of liability; and

WHEREAS, Jermal Clark has agreed to the compromise of the claim and will release the City of Jackson.

IT IS HEREBY ORDERED that the claim of Jermal Clark for property damage may be compromised for the sum of \$73,223.00 with the understanding that the City of Jackson is not admitting liability and subject to Jermal Clark releasing the City of Jackson for any known or unknown damage arising out of the May 30, 2023 incident.

Vice President Lee moved adoption; Council Member Lindsay seconded.

President Banks recognized Drew Martin, Interim City Attorney, who provided a brief overview of said item.

After a thorough discussion, President Banks recognized Vice President Lee and Council Member Lindsay who withdrew their motion and second. President Banks stated said item would be taken up in Executive Session.

DISCUSSION: MANAGEMENT AND BUDGET OF RIGHT-OF-WAY PROGRAM: President Banks recognized Council Member Hartley who requested information regarding the right of way budget and the current man power available to address right of ways around the City. President Banks recognized Louis Wright, Chief Administrative Officer, who stated the Administration had been meeting to have a plan in place to be ready to address right of ways when the season changes.

Note: Vice President Lee left the meeting.

DISCUSSION: RAYMOND ROAD: President Banks recognized Council Member Grizzell who expressed concerns regarding the poor quality of some paving work done on Raymond Road. President Banks recognized Robert Lee, City Engineer, who stated he get with the paving department to see what they did and try to access what needed to be done to fix the problem.

DISCUSSION: ZURICH SETTLEMENT: President Banks recognized Council Member Lindsay who expressed concerns regarding how the funds from the Zurich settlement would be spent. President Banks recognized Drew Martin, Interim City Attorney who stated the amount of the settlement is roughly \$10.2 million. Louis Wright, Chief Administrative Officer, who stated the Administration had discussed how those funds would be used but when those discussions take place, the Council would be made aware.

DISCUSSION: GARBAGE RFP STATUS: President Banks recognized Council Member Foote who expressed concerns regarding the garbage RFP process. Council Member Foote also stated there were approximately 80 days left before the emergency garbage contract will expire and strongly encouraged the Administration to move forward with making selections for the contract to help avoid another garbage crisis. President Banks recognized Terry Williamson, Legal Counsel, who stated the Administration was responsible for picking a vendor. President Banks also recognized Lakeshia Weathers, Solid Waste Manager, who stated she did not know if a vendor had been selected.

There came on for Discussion, Agenda Item No. 53:

DISCUSSION: CITY LITIGATION REVIEW: President Banks stated said item would be taken up in Executive Session.

The following reports/announcements were provided during the meeting:

- **Council Member Grizzell** announced Ward 4’s “Big Meeting” to be held February 6, 2024 at St. John M.B. Church, 4895 Medgar Evers Boulevard Jackson, MS 39213 at 6:00 p.m. to 7:30 p.m.

President Banks recognized **Council Member Lindsay** who moved, seconded by **Council Member Hartley** to go into Closed Session regarding Agenda Items No. 48 and 53. The motion prevailed by the following vote:

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

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. 48 and 53 – “Pending litigation”.

During Closed Session, **Council Member Lindsay** moved, seconded by **Council Member Hartley** to go into Executive Session regarding Agenda Items No. 48 and 53 – “Pending litigation”. The motion prevailed by the following vote:

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

President Banks announced that the Council would go into Executive Session regarding Agenda Items No. 48 and 53 – “Pending litigation”.

Note: Council Member Grizzell left the meeting during discussion.

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

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

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

During Executive Session, the Council took action on Agenda Item No. 48:

ORDER AUTHORIZING PAYMENT OF \$73,223.00 TO JERMAL CLARK AS FULL AND COMPLETE SETTLEMENT OF PROPERTY DAMAGE CLAIM AND NO ADMISSION OF LIABILITY.

WHEREAS, on May 30, 2023, sewage flowed into the house located at 2939 Oakmont Drive, Jackson, Mississippi, owned by the Jermal Clark and caused damage; and

WHEREAS, pursuant to the terms of the Consent Decree entered in the United States District Court for the Southern district of Mississippi Cause # 3:12-CV-790 TSL-MTP, the City paid Mr. Clark the sum of 11,947.44 for hazard mitigation and cleaning; and

WHEREAS, Mr. Clark submitted a demand for payment of the cost of temporary lodging, interior restoration, and personal property damage; and

WHEREAS, after reviewing the circumstances surrounding the incident and the current state of the law regarding the availability of immunity pursuant to the Mississippi Tort Claims Act, the Office of the City Attorney recommended that the claim be compromised; and

WHEREAS, it is recommended that the claim of Jermal Clark be compromised for the sum of \$73,223.00 without any admission of liability; and

WHEREAS, Jermal Clark has agreed to the compromise of the claim and will release the City of Jackson.

IT IS HEREBY ORDERED that the claim of Jermal Clark for property damage may be compromised for the sum of \$73,223.00 with the understanding that the City of Jackson is not admitting liability and subject to Jermal Clark releasing the City of Jackson for any known or unknown damage arising out of the May 30, 2023 incident.

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

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

President Banks moved and **Council Member Lindsay** seconded to reconsider the previous item. The motion prevailed by the following vote:

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

After a thorough discussion, **President Banks** recognized **Council Member Lindsay** and **Council Member Foote** who withdrew their motion and second. **President Banks** stated said item would be tabled until the next Special Council Meeting to be held on January 30, 2024.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the Regular Zoning Council Meeting at 2:30 p.m. on January 22, 2024. At 1:15 p.m., the Council stood adjourned.

PREPARED BY:

Shanetia Mosley-Bondar
CLERK OF COUNCIL

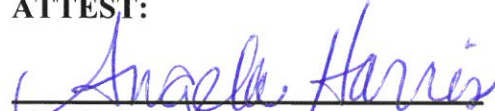
APPROVED:

[Signature], 1/30/2024
COUNCIL PRESIDENT DATE



MAYOR

ATTEST:



CITY CLERK
