

**SPECIAL MEETING OF THE CITY COUNCIL  
MONDAY, MARCH 3, 2014 4:00 P.M.**

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**BE IT REMEMBERED** that a Special Meeting of the City Council of Jackson, Mississippi, was convened in the Council Chambers in City Hall at 4:00 p.m. on March 3, 2014, being the first Monday of said month, when and where the following things were had and done to wit:

Present: Council Members: Melvin Priester Jr., President; De'Keither Stamps, Vice-President; Quentin Whitwell, Ward 1; Tony Yarber, Ward 6 and Margaret Barrett-Simon, Ward 7. Directors: Charles Tillman, Acting Mayor; Brenda Pree, City Clerk; and Gail Lowery, City Attorney.

Absent: LaRita Cooper-Stokes, Ward 3.

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The meeting was called to order by **President Melvin Priester**.

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The Special Council Meeting scheduled for March 3, 2014 was cancelled. **President Priester** reconvened the previous Council Meeting that was recessed on February 27, 2014.

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**Council Member Stamps** moved that Agenda Items 1 through 6 be considered as a continuation from the February 27, 2014 meeting. **Council Member Whitwell** seconded. The motion prevailed by the following vote:

Yeas- Barrett-Simon, Priester, Stamps, Tillman, Whitwell and Yarber.  
Nays- None.  
Absent- Cooper-Stokes.

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**President Priester** recognized **Council Member Stamps** who requested that the Council consider an Agenda Item that had not been submitted to the City Clerk by the agenda deadline of 3:00 P.M. on Wednesday, February 26, 2014.

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**Council Member Stamps** moved, and **Council Member Yarber** seconded, to consider the item on an emergency basis. The motion prevailed by the following vote:

Yeas- Barrett-Simon, Priester, Stamps, Tillman, Whitwell and Yarber.  
Nays- None.  
Absent- Cooper-Stokes.

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**President Priester** requested that the Clerk read the Order:

**RESOLUTION DESIGNATING THE WEEK OF MONDAY, MARCH 3,  
2014 TO MONDAY, MARCH 10, 2014 AS A TIME OF MOURNING,  
PRAYER AND REFLECTION FOR THE CITY OF JACKSON.**

**WHEREAS**, on July 1, 2013, the Honorable Chokwe Lumumba began services as mayor of the City of Jackson, Mississippi; and

**WHEREAS**, Mayor Lumumba loved and served the City of Jackson with genuine passion and dedicated his life to improving the lives of the disadvantaged and disfranchised; and

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**WHEREAS**, on February 25, 2014, Mayor Lumumba died, leaving a great loss in the hearts and minds of Jacksonians; and

**WHEREAS**, throughout history, City of Jackson residents have been strengthened, assured and lifted up through prayer in times of crisis; and

**WHEREAS**, it seems right and fitting that the people of our great City should join together in prayer and reflection to humbly seek guidance during this difficult time.

**NOW THEREFORE BE IT RESOLVED** that the Jackson City Council does hereby find that a period of mourning, prayer and reflection would justly serve City of Jackson residents and hereby designate the week of March 3, 2014 to March 10, 2014 as a time of prayer and reflection.

**Council Member Stamps** moved adoption; **Council Member Yarber** seconded.

Yeas- Barrett-Simon, Priester, Stamps, Tillman, Whitwell and Yarber.

Nays- None.

Absent- Cooper-Stokes.

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**ORDER APPROVING CLAIMS NUMBERED 6065 TO 6281, APPEARING AT PAGES 961 TO 996, INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$8,602,146.65 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.**

**IT IS HEREBY ORDERED** that claims numbered 6065 to 6281, appearing at pages 961 to 996, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$8,602,146.65 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:

<u>FROM:</u>	<u>TO</u> <u>ACCOUNTS PAYABLE FUND</u>
2008 GO STREET CONSTRUCTION FD	106,951.74
2012 ED BYRNE MEMORIAL JUSTICE	15,661.41
2012 G.O. NOTE-CAPITAL PROJECT	1,000.00
CAPITOL STREET 2-WAY PROJECT	106,366.05
EARLY CHILDHOOD (DAYCARE)	3,776.22
GENERAL FUND	867,240.52
HOME PROGRAM FUND	43,000.00
HOUSING COMM DEV ACT (CDBG) FD	1,282.48
LANDFILL/SANITATION FUND	76,895.19
P E G ACCESS- PROGRAMMING FUND	11,269.36
PARKS & RECR. FUND	104,319.45
RESURFACING- REPAIR & REPL. FD	121,644.75
STATE TORT CLAIMS FUND	404.46
TECHNOLOGY FUND	67,396.58
TRANSPORTATION FUND	78,641.95
WATER/SEWER CAPITAL IMP FD 12M	542,553.78
WATER/SEWER CAPITAL IMPR FUND	217,210.28
WATER/SEWER CON FD 2013-\$89.9M	5,756,500.00

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WATER/SEWER CONST FD 2004-\$78M	6,750.00
WATER/SEWER REVENUE FUND	833.40
WIRELESS RADIO COMMUNCATN FUND	115,587.25
	<b>\$8,602,146.65</b>

**Council Member Barrett-Simon** moved adoption; **Council Member Yarber** seconded.

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**President Tillman** recognized **Lee Unger**, the City's Director of Administration, who provided the Council with a brief overview of the Claims Docket at the request of **Council Member Whitwell**.

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Thereafter, **President Priester** called for a final vote:

Yeas- Barrett-Simon, Priester, Stamps, Tillman, Whitwell and Yarber.  
Nays- None.  
Absent- Cooper-Stokes.

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**ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 6065 TO 6281 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.**

**IT IS HEREBY ORDERED** that payroll deduction claims numbered 6065 to 6281 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$4,204.27 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:

<u>FROM</u>	<u>TO ACCOUNTS PAYABLE FUND</u>	<u>TO PAYROLL FUND</u>
GENERAL FUND		37,328.45
PARKS & RECR.		21,643.05
LANDFILL FUND		4,321.25
SENIOR AIDES		7,048.61
WATER/SEWER OPER. & MAINT		29,702.68
PAYROLL	4,204.27	
EARLY CHILDHOOD		2,583.56
TITLE III AGING PROGAMS		2,331.96

**TOTAL** **\$104,959.56**

**Council Member Barrett-Simon** moved adoption; **Council Member Priester** seconded.

Yeas- Barrett-Simon, Priester, Stamps, Tillman, Whitwell and Yarber.  
Nays- None.  
Absent- Cooper-Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH DIVERSIFIED CONSTRUCTION SERVICES, INC. TO PROVIDE GENERAL CONSTRUCTION SERVICES FOR THALIA MARA HALL RENOVATIONS.**

WHEREAS, competitive bids for renovations to Thalia Mara Hall were received on February 4, 2014; and

WHEREAS, a total of five bids were properly received, tabulated and reviewed; and

WHEREAS, Harris Constructors, Inc. submitted to bid lowest in price, but on February 5, 2014, advised that there was error in their proposal and requested to have their bid withdrawn; and

WHEREAS, Harris Constructors, Inc. has submitted satisfactory information that the mistake made in its bid was the failure to include the Owner's Allowance in the mount of their base bid; and

WHEREAS, Harris Constructors, Inc. should be allowed to withdraw its bid without forfeiture of its bid bond based on the evidence of mistake submitted; and

WHEREAS, Diversified Construction Services, Inc., submitted the next lowest bid with a Base Bid of \$629,000.00 and additive Alternate Numbers 1, 2 and 3 which total \$220,000.00; and

WHEREAS, the Public Works Department recommends that the governing authorities deem the bid of Diversified Construction Services, Inc., in the Base Bid amount of \$629,000.00, plus additive Alternates 1, 2 and 3 in the amount of \$220,000.00, for a total amount not to exceed \$849,000.00, to be the lowest and best bid.

**IT IS, THEREFORE, ORDERED** that the bid of Diversified Construction Services, Inc. to provide General Construction Services for Thalia Mara Hall Renovation, City of Jackson Project No. 14B7000.701, in the Base Bid amount of \$629,000.00, plus additive Alternates 1, 2 and 3 in the amount of \$220,000.00, for a total amount not to exceed \$849,000.00, is accepted as the lowest and best bid.

**IT IS FURTHER ORDERED** that the Mayor is authorized to execute a contract between the City of Jackson and Diversified Construction Services, Inc., for construction services provided for Thalia Mara Hall Renovations, City of Jackson Project N. 14B7000.701, in an amount not to exceed \$849,000.00.

**Council Member Yarber** moved adoption; **Council Member Whitwell** seconded.

Yeas- Barrett-Simon, Priester, Stamps, Tillman, Whitwell and Yarber.

Nays- None.

Absent- Cooper-Stokes.

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**ORDER AUTHORIZING A SPECIAL ELECTION FOR THE MAYOR OF THE CITY OF JACKSON NECESSITATED BY THE UNTIMELY DEATH OF THE HONORABLE MAYOR CHOKWE LUMUMBA, AND SETTING APRIL \_\_, 2014 AS THE DATE FOR SAID SPECIAL ELECTION.**

WHEREAS, the Honorable Chokwe Lumumba, Mayor of the City of Jackson, Mississippi ("City of Jackson"), passed away on February 25, 2014; and

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**WHEREAS**, pursuant to Section 21-8-19 of the Mississippi Code of 1972, as amended, the City Council of the City of Jackson appointed Charles H. Tillman, Council Member for Ward 5, as Acting Mayor of the City of Jackson; and

**WHEREAS**, pursuant to Section 21-8-19, the City Council is required to call a special election within thirty (30) days of Mayor Chokwe Lumumba's death to elect his successor; and

**WHEREAS**, the City Council has determined that April \_\_, 2014, shall be the date for a special election to elect a person to complete the unexpired term of the late Mayor Chokwe Lumumba; and

**WHEREAS**, pursuant to Section 23-15-857(2) of the Mississippi Code of 1972, as amended, if a run-off election is necessary, it shall be held two weeks thereafter on April \_\_, 2014.

**IT IS, THEREFORE, ORDERED** that the City Clerk is authorized and shall give notice of the special election to fill the unexpired term of the late Mayor Chokwe Lumumba in the manner prescribed by law and shall immediately undertake all duties required by law to conduct such election.

**IT IS FURTHER ORDERED** that Acting Mayor Charles H. Tillman, or his designee, is hereby authorized to execute any and all documents necessary and related to conducting the special election.

**Council Member Barrett-Simon** moved adoption; **Council Member Whitwell** seconded.

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**President Priester** recognized **City Attorney Gail Lowery** who recommended that the Council set a date for the Special Election and amend the Order to reflect said date.

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**President Priester** recognized **Council Member Yarber** who moved to set the date of April 8, 2014 for the Special Election to fill the unexpired term of the late **Mayor Chokwe Lumumba**. **Council Member Barrett-Simon** seconded the motion. The motion prevailed by the following vote:

Yeas- Barrett-Simon, Priester, Stamps, Tillman, Whitwell and Yarber.  
Nays- None.  
Absent- Cooper-Stokes.

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**President Priester** requested that the Clerk read the final order as amended:

**ORDER AUTHORIZING A SPECIAL ELECTION FOR THE MAYOR OF THE CITY OF JACKSON NECESSITATED BY THE UNTIMELY DEATH OF THE HONORABLE MAYOR CHOKWE LUMUMBA, AND SETTING APRIL 8, 2014 AS THE DATE FOR SAID SPECIAL ELECTION.**

**WHEREAS**, the Honorable Chokwe Lumumba, Mayor of the City of Jackson, Mississippi ("City of Jackson"), passed away on February 25, 2014; and

**WHEREAS**, pursuant to Section 21-8-19 of the Mississippi Code of 1972, as amended, the City Council of the City of Jackson appointed Charles H. Tillman, Council Member for Ward 5, as Acting Mayor of the City of Jackson; and

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**WHEREAS**, pursuant to Section 21-8-19, the City Council is required to call a special election within thirty (30) days of Mayor Chokwe Lumumba's death to elect his successor; and

**WHEREAS**, the City Council has determined that April 8, 2014 shall be the date for a special election to elect a person to complete the unexpired term of the late Mayor Chokwe Lumumba; and

**WHEREAS**, pursuant to Section 23-15-857(2) of the Mississippi Code of 1972, as amended, if a run-off election is necessary, it shall be held two weeks thereafter on April 22, 2014.

**IT IS, THEREFORE, ORDERED** that the City Clerk is authorized and shall give notice of the special election to fill the unexpired term of the late Mayor Chokwe Lumumba in the manner prescribed by law and shall immediately undertake all duties required by law to conduct such election.

**IT IS FURTHER ORDERED** that Acting Mayor Charles H. Tillman, or his designee, is hereby authorized to execute any and all documents necessary and related to conducting the special election.

**Council Member Yarber** moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Priester, Stamps, Tillman, Whitwell and Yarber.  
Nays- None.  
Absent- Cooper-Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE THE ONE (1) YEAR OPTION PERIOD UNDER THE CONTRACT WITH NICK CLARK AUCTIONS TO PROVIDE AUCTIONEERING SERVICES FOR THE CITY OF JACKSON.**

**WHEREAS**, the City upon advertising and receiving proposals to provide auctioneering services for a three (3) year period, entered into a contract with Nick Clark Auctions on or about April 25, 2010; and

**WHEREAS**, according to the terms of the Contract, Nick Clark Auctions, as an independent contractor, shall provide governmental auction services as outlined in "Exhibit A" of the Auctioneer Service Agreement entitled "Auctioneer Services Provider"; and

**WHEREAS**, the City of Jackson shall be responsible for receipt, collection and handling of all monies tendered from each auction conducted under the Auctioneer Service Agreement; and

**WHEREAS**, Nick Clark Auctions shall receive and the City shall pay, as full compensation for all services a sum not to exceed 9.65% of gross revenues from any auction sale; and

**WHEREAS**, the Contract, according to its terms expired on or about April 30, 2013, and the Auctioneer Service Agreement allowed the City to exercise an option to extend the Agreement for an additional period of up to One (1) year with all prices remaining constant; and

**WHEREAS**, the extension period expires on April 30, 2014; and

**WHEREAS**, the City of Jackson has manifested its intent to exercise its option to extend the Agreement for the one (1) year period with all prices remaining constant.

**IT IS THEREFORE, ORDERED**, that the Mayor be authorized to enter into an Agreement with Nick Clark Auctions to execute the one (1) year extension period with all prices remaining constant which will allow the City to continue to operate under the Agreement until the extension period expires.

**Council Member Barrett-Simon** moved adoption; **Council Member Stamps** seconded.

Yeas- Barrett-Simon, Priester, Stamps, Tillman, Whitwell and Yarber.

Nays- None.

Absent- Cooper-Stokes.

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**ORDER AUTHORIZING THE MAYOR'S SUBMISSION AND ACCEPTANCE OF THE FY 2013 LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM APPLICATION FUNDED AND ADMINSTRATED BY THE STATE OF MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY, OFFICE OF HOMELAND SECURITY, IN THE AMOUNT OF \$20,000.00.**

**WHEREAS**, the City of Jackson has been allocated funds totaling \$20,000.00 for the City of Jackson Police Department Bomb Squad under the FY 2013 Law Enforcement Terrorism Prevention Program administered by the Mississippi Department of Public Safety, Office of Homeland Security; and

**WHEREAS**, the City of Jackson and the Mississippi Department of Public Safety, Office of Homeland Security, desire to enter into a Cooperative Agreement for the purpose of utilizing 100% federal funding provided through the Office for Domestic Preparedness, U.S. Department of Homeland Security, to enhance capabilities within the State of Mississippi to respond to acts of domestic and international terrorism including the use of weapons of mass destruction; and

**WHEREAS**, funds will be used to facilitate training and certification necessary to improve the capability of the Jackson Police Department Bomb Squad to prevent and/or respond to terrorist and terrorist type threats and incidences within the city limits of Jackson and a ninety mile radius surrounding the Capitol City; and

**WHEREAS**, the 2013 Law Enforcement Terrorism Prevention Grant Program requires no matching funds.

**IT IS HEREBY ORDERED** that the Mayor's submission of the FY 2013 Law Enforcement Terrorism Prevention Program to the MS Department of Public Safety, Office of Homeland Security, in the amount of \$20,000.00 be ratified.

**IT IS FURTHER ORDERED** that the Mayor or his designee be authorized to execute any and all documents necessary for the acceptance and administration of said grant.

**Council Member Yarber** moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Priester, Stamps, Tillman, Whitwell and Yarber.

Nays- None.

Absent- Cooper-Stokes.

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The following announcements/reports were provided during the meeting:

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- **Dr. Safiya Omari**, the Mayor's Chief of Staff, announced that the body of the late **Mayor Chokwe Lumumba** would lie in state for Public viewing on March 7, 2014 from 11:00 a.m. to 3:30 p.m. and from 5:00 p.m. to 7:00 p.m. at City Hall.
- **Dr. Safiya Omari** announced that there would be a Hour of Remembrance in honor of the late **Mayor Chokwe Lumumba** from 4:00 p.m. to 5:00 p.m. in the Josh Halbert Gardens at City Hall.
- **Dr. Safiya Omari** announced the celebration of life service for the late **Mayor Chokwe Lumumba** would be held on Saturday, March 8, 2014 at 11:00 a.m. at the Jackson Convention Center.
- **Council Member Stamps** announced that a press conference would be held on Tuesday, March 4, 2014 at 10:00 a.m. at City Hall regarding a time of prayer and reflection for the City of Jackson.

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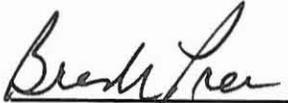
The meeting was closed in memory of the following individual:

- The late **Mayor Chokwe Lumumba**

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There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Meeting to be held at 10:00 a.m. on Tuesday, March 11, 2014; at 4:36 p.m., the Council stood adjourned.

**ATTEST:**

  
\_\_\_\_\_  
CITY CLERK

**APPROVED:**

  
\_\_\_\_\_  
MAYOR                      DATE      3/25/14

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