

**REGULAR MEETING OF THE CITY COUNCIL
MONDAY, DECEMBER 30, 2013 10:00 A.M.**

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BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi was convened in the Council Chambers in City Hall at 10:00 a.m. on December 30, 2013, being the fifth Monday of said month, when and where the following things were had and done to wit:

Present: Council Members: Charles Tillman, President, Ward 5; Melvin Priester, Jr., Vice President, Ward 2; Quentin Whitwell, Ward 1; LaRita Cooper- Stokes, Ward 3; De'Keither Stamps, Ward 4; Tony Yarber, Ward 6 and Margaret Barrett-Simon, Ward 7. Directors: Chokwe Lumumba, Mayor; Brenda Pree, City Clerk and Gail Lowery, City Attorney.

Absent: None.

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The meeting was called to order by **President Charles Tillman**.

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The invocation was offered by **Pastor Bonnie Gordon** of Full Gospel House of Prayer.

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President Tillman recognized the following individual who provided public comments:

- **Todd Oglesbee** of Humana provided information regarding the Affordable Healthcare Act.

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ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48-MONTH RENTAL AGREEMENT WITH THE XEROX CORPORATION FOR A XEROX COLORCUBE 9302 MULTIFUNCTION PRINTER TO BE USED BY THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the Engineering Division of the Department of Public Works desires to enter into a 48-month Rental Agreement of a copier machine; and

WHEREAS, the Xerox Corporation provides a Xerox ColorQube 9302 Multifunction Printer with auxiliary equipment through State of Mississippi Contract 5-600-21460-13; and

WHEREAS, the Xerox Corporation has an office located in the City of Jackson; and

WHEREAS, it is the recommendation of the Department of Public Works this Contract be approved.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the necessary documents with the Xerox Corporation providing for the 48-month rental of a Xerox ColorQube 9302 Multifunction Printer with auxiliary equipment at a cost of \$324.77 per month, plus a copy charge of \$0.0060 (Black & White), \$0.0290 (Color Impressions), and \$0.0627 (Full Color) per copy to include labor, parts, toner and drum, except paper or staples.

IT IS FURTHER ORDERED that payment for said Rental is made from the General Fund.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48-MONTH RENTAL AGREEMENT WITH DIGITEC FOR AN IMAGE PROGRAF IPF815 MFP M40 LARGE FORMAT PRINTER TO BE USED BY THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the Engineering Division of the Department of Public Works received competitive quotes from two vendors, Digitec and Southern Duplicating, for a 48-month Rental Agreement of a large format printer; and

WHEREAS, Digitec provided the Engineering Division with the lowest quote of \$389.00 per month for an image PROGRAF iPF815 MFP M40 large format printer with auxiliary equipment; and

WHEREAS, Digitec has an office located in the City of Jackson; and

WHEREAS, the Department of Public Works recommends that the governing authorities deem the competitive quote of Digitec for a 48-month rental of an image PROGRAF iPF815 MFP M40 large format printer with auxiliary equipment at a cost of \$389.00 per month to be the lowest and best competitive quote.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the necessary documents with Digitec providing for the 48-month rental of an image PROGRAF iPF815 MFP M40 large format printer with auxiliary equipment at a cost of \$389.00 per month including a Maintenance Agreement for all parts and labor for the 48- month rental term.

IT IS FURTHER ORDERED that payment for said rental is made from the General Fund.

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

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

ORDER ACCEPTING THE BIDS OF MERCHANTS FOOD SERVICE FOR SIX MONTHS SUPPLY OF FOODS – FROZEN AND/OR CHILLED FOOD PRODUCTS – GROUP 1A, (BID NO. 38601-090313).

WHEREAS, on August 08 and 15, 2013, sealed bids were received and two (2) bids for Frozen and/or Chilled food products were received; and

WHEREAS, certain Frozen and/or Chilled food products are needed for children enrolled in the Early Childhood Development Program; and

WHEREAS, the Department of Human and Cultural Services has reviewed said bids and recommends the bids submitted by Merchants Food Service received on August 08 and 15, 2013, be accepted as the lowest and best bids received for those certain items; and

WHEREAS, Merchant Food Service submitted a bid for Item No. 12 which is Whole Wheat Dinner Rolls for \$16.50 for 229 units per case at 1.75 oz per unit or .04 per unit and Sysco Jackson, LLC bid was \$13.50 for 72 units per case at 2 oz. per unit or .09 per unit; and

WHEREAS, the bid of Merchant Food Service for Item No. 12 has been deemed to be the lowest and best bid received because the City will pay .04 per unit for the Merchant Foodservice product instead of .09 per unit for the Sysco Jackson LLC product; and

WHEREAS, the cost of said Frozen and/or Chilled food products is based on an estimated number of children to be served.

IT IS HEREBY ORDERED that the following bids received August 08 and 15, 2013, from Merchants Food Service, 870 Boling Street, Jackson, MS 39209, for a six-month supply of Frozen and/or Chilled food products, (starting November 01, 2013 – April 30, 2014), be accepted as the lowest and best bids received for each of the specified items as listed below, it being determined that said bids met the City specifications.

<u>COMPANY NAME</u>	<u>ITEMS</u>
Merchants Foodservice 870 Boling Street Jackson, MS 39209	1-14

IT IS FURTHER ORDERED that payment for said Frozen and/or Chilled food products be made from various funds.

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

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

ORDER ACCEPTING THE BIDS OF MERCHANTS FOOD SERVICE AND SYSCO JACKSON LLC, FOR SIX MONTHS SUPPLY OF FOODS – FROZEN AND/OR CHILLED PRODUCTS, GROUP 1C (BID NO. 38603-090313).

WHEREAS, on August 08 and 15, 2013, sealed bids were received and two (2) bids for Frozen and/or Chilled Group 1C were received; and

WHEREAS, certain Frozen and/or Chilled are needed for children enrolled in the Early Childhood Development Program; and

WHEREAS, the Department of Human and Cultural Services has reviewed said bid and recommends the bids submitted by Merchants Food Service and Sysco Jackson, LLC received on August 08 and 15, 2013, be accepted as the lowest and best bids received for those certain items; and

WHEREAS, Sysco Jackson, LLC submitted a bid for Item No. 2, Salisbury Steak at \$40.15 for 80 count 3 oz. steak or \$.17 per oz and Merchants Food Service bid was \$31.90 for a 72 count 2.5 oz steak or .18 per oz.; and

WHEREAS, the bid of Sysco Jackson, LLC for Item No. 2 has been deemed to be the lowest and best bid received because the City will pay \$.17 per oz. compared to \$.18 per oz. for the Merchants Food Service product; and

WHEREAS, Merchants Food Service submitted a bid for Item No. 4, which is Beef Patties, Charbroiled for \$39.90 per 2.6 oz for 102 count or .15 per oz; and Sysco Jackson, LLC bid was \$38.99 per 2.5 oz for 90 count or .17 per oz.; and

WHEREAS, the bid of Merchants Food Service for Item No. 4 has been deemed to be the lowest and best bid received because the City will pay \$.15 per oz. for the Merchants Food Service product and Sysco Jackson, LLC product average .17 per oz.; and

WHEREAS, Merchants Food Service submitted a bid for Item No. 6, Ground Beef, 10 lb for a 2 count package at \$48.90 or \$2.45 per lb and Sysco Jackson, LLC bid was \$2.15 per lb; and

WHEREAS, the bid of Sysco Jackson, LLC for Item No. 6 has been deemed to be the lowest and best bid received because the City will pay \$2.15 per lb compared to \$2.45 per lb. for the Merchants Food Service product; and

WHEREAS, the cost of said Frozen and/or Chilled - Food Group 1C is based on an estimated number of children to be served.

IT IS HEREBY ORDERED that the following bids received August 08 and 15, 2013, from Merchants Food Service, 870 Boling Street, Jackson, MS 39209 and Sysco Jackson, LLC, 4400 Milwaukee Street, Jackson, MS 39209, for a six-month supply of Frozen and/or Chilled - Group 1C, (starting November 01, 2013 - April 30, 2014), be accepted as the lowest and best bids received for each of the specified items as listed below, it being determined that said bids met the City specifications.

<u>COMPANY NAME</u>	<u>ITEMS</u>
Merchants Foodservice 870 Boling Street Jackson, MS 39209	4- 5, 7-10, 12, 14-20, 23-29, 32-33, 35-37, 40,42-43, 45-54, & 57
Sysco Jackson ,LLC. 4400 Milwaukee Street Jackson, MS 39209	1-3, 6, 11, 13, 21-22, 30-31, 34, 38- 39, 41, 44, 55-56 & 58-59

IT IS FURTHER ORDERED that payment for said Frozen and/or Chilled Group 1C be made from various funds.

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

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

There came on for Introduction Agenda Item No. 6:

ORDINANCE APPROVING THE RE-SUBDIVIDING OF PARTS OF LOT 1, 2, 3, AND 13 OF IDEAL HOME PLOT SUBDIVISION TO CREATE HFHMCA REPARTITION OF IDEAL HOME PLOT, PART 2 AND AUTHORIZING THE MAYOR TO SIGN THE FINAL PLAT. Said item was held until the next Regular Council Meeting on January 14, 2014.

There came on for Introduction Agenda Item No. 7:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI PROHIBITING INTERFERENCE WITH AN OFFICER DURING THE DISCHARGE OF DUTIES; PENALTIES. President Tillman referred said item to the Rules Committee.

ORDER APPROVING CLAIMS NUMBERED 3282 TO 3521, APPEARING AT PAGES 527 TO 564, INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$663,411.39 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 3282 to 3521, appearing at pages 527 to 564, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$663,411.39 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>
2009 ED BYRNE MEMORIAL JUSTICE	38,908.00
2010 ED BYRNE MEMORIAL JUSTICE	37,812.00
AMERICORP CAPITAL CITY REBUILD	3,114.96
EARLY CHILDHOOD (DAYCARE)	20,491.25
FIRE PROTECTION	4,276.17
G O PUB IMP CONS BD 2003 (\$20M)	5,057.50
GENERAL FUND	236,499.32
LANDFILL/SANITATION FUND	9,178.27
P E G ACCESS- PROGRAMMING FUND	7,573.71
PARKS & RECR. FUND	19,035.55
STATE TORT CLAIMS FUND	1,421.20
TECHNOLOGY FUND	31,764.12
TRANSPORTATION FUND	153,629.46
WATER/SEWER CONST FD 2004- \$78M	31,118.48
WATER/SEWER OP & MAINT FUND	63,392.28
WATER/SEWER REVENUE FUND	139.12
TOTAL	663,411.39

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MONDAY, DECEMBER 30, 2013 10:00 A.M.**

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

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**.

Thereafter, **President Tillman** called for a final vote on the claims docket:

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

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 3282 TO 3521 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 3282 to 3521 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$128,024.18 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</u> <u>ACCOUNTS PAYABLE</u> <u>FUND</u>	<u>TO</u> <u>PAYROLL</u> <u>FUND</u>
GENERAL FUND		26,784.02
PARKS & RECR.		22,203.60
LANDFILL FUND		4,041.94
SENIOR AIDES		6,858.36
WATER/SEWER OPER. & MAINT		26,921.07
EARLY CHILDHOOD		2,583.56
TITLE III AGING PROGRAMS		2,746.46
PAYROLL FUND	\$128,024.18	
		92,139.01

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

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

ORDER REVISING THE FY 2013-2014 BUDGET TO INCREASE THE CITY CLERK'S BUDGET IN THE AMOUNT OF \$150,000 FOR ELECTION EXPENSES RELATED TO THE 1% SALES TAX REFERENDUM AND INCREASE THE HUMAN AND CULTURAL SERVICES BUDGET IN THE AMOUNT OF \$1,887,473 TO PROVIDE FUNDS NEEDED FOR AN EXPANDED SCOPE OF SERVICES DETERMINED ESSENTIAL FOR THE THALIA MARA PROJECT.

WHEREAS, the City Clerk's office will be engaged in the process of overseeing an election on January 14, 2014 for the 1% Sales Tax Referendum increase; and

WHEREAS, the City Clerk's office does not have an amount in their budget to cover the expenses associated with the overseeing of the 1% Sales Tax Referendum election; and

WHEREAS, a budget revision from the General Fund fund balance will provide funds to increase the City Clerk's budget by \$150,000; and

WHEREAS, the City will engage services to purchase equipment for Thalia Mara Hall; and

WHEREAS, the total equipment cost of Thalia Mara Hall will be \$2,887,473; and

WHEREAS, Human and Cultural Services budgeted \$1,000,000 for the cost of equipment for Thalia Mara Hall in the 2013-2014 budget; and

WHEREAS, the Human and Cultural Services budget will be increased by increasing the loan proceeds line item in the Human and Cultural Services budget by \$1,887,473; and

WHEREAS, the FY 2013-2014 Budget will be revised as follows:

City Clerk's Office

Account Number	From Account	To Account
001-5899	\$150,000	
001-402-20-6419		\$123,000
001-402-20-6431		27,000

Human & Cultural Services Thalia Mara Hall

Account Number	From Account	To Account
001-5821	\$1,887,473	
001-419-10-6461		\$1,887,473

IT IS, THEREFORE, ORDERED that the FY 2013-2014 budget be increased in the City Clerk's Budget in the amount of \$150,000 for election expenses related to the 1% Sales Tax Referendum and increase the Human and Cultural Services Budget in the amount of \$1,887,473 to provide funds needed for an expanded scope of services determined essential for the Thalia Mara Project.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH AT&T MISSISSIPPI FOR THE IMPLEMENTATION, OPERATION AND MAINTENANCE OF AN IP-ENABLED VIDEO SERVICE WITHIN THE CITY OF JACKSON, MISSISSIPPI, TO EXTEND THE AGREEMENT FOR A PERIOD OF ONE YEAR.

WHEREAS, as a telephone corporation, BellSouth Telecommunications, Inc. d/b/a AT&T Mississippi, has a statewide franchise under 1886 Mississippi Laws, Chapter 38, Section 1, to construct, operate and maintain its telecommunications, video and like facilities in the public rights of way ("ROW") throughout the State of Mississippi without having to obtain a local franchise or pay franchise fees; and

WHEREAS, the City of Jackson entered into a five (5) year Agreement with AT&T Mississippi for the implementation, operation and maintenance of an IP-enabled video service within the City of Jackson, for the term of January 1, 2008 to December 31, 2013; and

WHEREAS, it has been determined that it is in the best interest of the citizens of the City of Jackson that this Agreement be extended for a period of one year.

IT IS HEREBY ORDERED that the Mayor is authorized to execute an amendment to the agreement with BellSouth Telecommunications, Inc. d/b/a AT&T Mississippi to extend the City of Jackson's Agreement for the implementation, operation and maintenance of an IP-enabled video service within the City of Jackson for a period of one year until December 31, 2014.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT WITH IBM FOR SUPPORT FOR AN IBM AS400 SERVER.

WHEREAS, IBM requires an agreement to provide support for the City of Jackson, Mississippi, ("City of Jackson") IBM AS400 Permitting Server; and

WHEREAS, the cost benefits have been analyzed and execution of the subject Agreement for support is recommended.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an Agreement with IBM providing for the support of this IBM AS400 Server.

IT IS, FURTHER, ORDERED that the Mayor is authorized to execute any and all documents necessary to effectuate this Order.

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

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

RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF JACKSON, MISSISSIPPI TO REIMBURSE ITSELF FROM THE PROCEEDS OF THE MASTER LEASE PURCHASE AGREEMENT FOR THE INITIAL PURCHASE OF THREE (3) VEHICLES FOR THE JACKSON POLICE DEPARTMENT.

WHEREAS, in connection with the initial purchase of three (3) vehicles for the Jackson Police Department, the City has advanced and will advance internal funds; and

WHEREAS, the City intends to reimburse itself for all of such expenses from the proceeds of the Master Lease Purchase Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY ACTING FOR AND ON BEHALF OF THE MUNICIPALITY, AS FOLLOWS:

Section 1. Declaration of official intent. The City of Jackson, Mississippi, hereby declares its official intent to reimburse itself from the proceeds of the Master Lease Purchase Agreement for the initial purchase of three (3) vehicles for the Jackson Police Department, prior to and subsequent to the date of this Resolution in accordance with Treasury Regulations 1.150-2. This Resolution is intended as a declaration of official intent under Treasury Regulation 1.150-2. The debt to be issued to finance the initial purchase of three (3) vehicles for the Jackson Police Department is expected not to exceed an aggregated principal amount of \$62,283.

Section 2. Incidental action. The Mayor is authorized to take such action as may be necessary to carry out the purpose of this Resolution, and is authorized to execute necessary and related documents required for the issuance of the debt.

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

Yeas- Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- Barrett-Simon and Yarber.

Absent- None.

ORDER DECLARING PARCEL 142-81 SURPLUS PROPERTY AND AUTHORIZING DISPOSAL OF SAME ACCORDING TO APPLICABLE STATE LAW.

WHEREAS, parcel 142-81 is no longer needed for municipal or related purposes and will not be used in the operation of the municipality in the foreseeable future; and

WHEREAS, the Surplus Property Committee has considered this property, and after having made it known that the property was available for use, found that no City department expressed an interest in utilizing the property for any municipal purpose; and

WHEREAS, the Surplus Property Committee recommends that the Council declare the property to be surplus and authorize its disposal according to applicable state law.

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

BEG 92.7 FT S NW COR LOT 13 BURNS SUBD RUN THENCE S 325 FT W 109 FT N 160 FT N 160 FT MORE OR LES NE/LY ALONG PASCAGOULA ST EXT 205 FT MORE OR LESS E 79.60 TO BEG PT NW ¼ NE1/4 PARCEL #142-81

is no longer necessary or needed for municipal purposes, and the property is, hereby, declared to be surplus property.

IT IS FURTHER ORDERED that pursuant to the terms of Section 21-17-1(2)(a) of the Mississippi Code Annotated of 1972, as amended, the City may dispose of the subject property by advertising for and accepting competitive sealed bids

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

Yeas- Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- Barrett-Simon and Yarber.

Absent- None.

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ORDER RATIFYING THE MAYOR'S EXECUTION OF A RENTAL CONTRACT BETWEEN THE CITY OF JACKSON AND JB FILMS LLC FOR THE PRODUCTION OF THE FILM "GET ON UP" AT THALIA MARA HALL.

WHEREAS, in the spring of 1968, the City of Jackson opened the doors of its new Municipal Auditorium; and

WHEREAS, since this opening day, countless ballets, Broadway-style shows, operas, symphony performances, graduations, and other memorable events have taken place at what is now called Thalia Mara Hall; and

WHEREAS, Tate Taylor, the Mississippi native who directed the award winning movie "The Help", chose to produce a biographical feature about James Brown in Mississippi; and

WHEREAS, filming has already begun in Natchez, Mississippi and will soon be coming to Jackson; and

WHEREAS, JB Films LLC, the production company for the James Brown feature "GET ON UP" contacted the Department of Human and Cultural Services and requested permission to film scenes for the feature at Thalia Mara Hall and agreed to pay rent for the use of the facility; and

WHEREAS, prior to being contacted by JB Films LLC, the City of Jackson scheduled renovations for the facility commencing in mid-January 2014; and

WHEREAS, due to the scheduled renovations of Thalia Mara, time was of the essence in granting permission of JB Films LLC, to film at Thalia Mara; and

WHEREAS, the Mayor executed an Agreement which authorized JB Films LLC to film at Thalia Mara during the period December 20-23, 2013 and January 2-12, 2014; and

WHEREAS, the Agreement further provided for the payment of reasonable rent in the amount of \$15,000 for use of the facility; and

WHEREAS, the Mayor's execution of the Agreement was deemed to be in the best interest of the City of Jackson because it brings into favorable light the facilities and opportunities within the City of Jackson.

IT IS, THEREFORE, ORDERED that the Mayor's execution of a Rental Contract between the City of Jackson and JB Films LLC for use of Thalia Mara Hall during the filming of "GET ON UP" be ratified.

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

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

ORDER RATIFYING THE SUBMISSION TO THE UNITED STATES CONFERENCE OF MAYORS A DOLLARWISE CAPACITY GRANT AWARD APPLICATION FOR THE FISCAL YEAR 2014 AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE ACCEPTANCE OF FUNDS AWARDED.

WHEREAS, on November 20, 2013, the City of Jackson, Mississippi (“City of Jackson”) submitted an application to the United States Conference of Mayors for funds in the amount of \$15,000.00 pursuant to the National DollarWise Capacity Grant Program for Fiscal Year 2014; and

WHEREAS, the City of Jackson’s Department of Human and Cultural Services (“Family and Youth Division”) will utilize said grant funds to enhance its youth entrepreneurship program’s capabilities, in an effort to improve the Division’s overall ability to respond to financial and educational literacy with regard to youth throughout the City of Jackson; and

WHEREAS, no match will be required if the City of Jackson is awarded funds from the United States Conference of Mayors.

IT IS, THEREFORE, ORDERED that the submission of the Application be ratified.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any and all documents necessary to accept the Fiscal Year 2014 National DollarWise Capacity Grant Funds.

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

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

ORDER AUTHORIZING THE CONTRIBUTION OF MATCHING FUNDS TO VARIOUS ORGANIZATIONS FOR THE PURPOSE OF SUPPORTING THE DEVELOPMENT OF THE ARTS OR SOCIAL AND COMMUNITY SERVICE PROGRAMS AND AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS WITH THE ENTITIES RECEIVING MATCHING FUNDS.

WHEREAS, Section 39-15-1 of the Mississippi Code of 1972 as amended authorizes municipal governing authorities to expend monies from the General Fund to match any other funds for the purpose of supporting the development, promotion, and coordination of the arts in the municipality; and

WHEREAS, Section 21-19-65 of the Mississippi Code of 1972 as amended authorizes municipal governing authorities to expend monies from the General Fund to match other funds for the purpose of supporting social and community service programs; and

WHEREAS, consistent with the provisions of Section 39-15-1 and Section 21-19-65 of the Mississippi Code of 1972, the governing authorities for the City of Jackson allocated monies in its budget for the 2013-14 fiscal year to be expended for the development and promotion of the arts in the municipality and the support of social and community service programs; and

WHEREAS, the monies were to be awarded to entities using a competitive application process; and

WHEREAS, interested organizations were notified of the availability of the funds and invited to apply; and

WHEREAS, the administration evaluated the applications and determined that the following entities are eligible to receive the matching funds pursuant to Section 39-15-1 or Section 21-19-6 and recommends that the budgeted funds be awarded to the following organizations to match other funds for either the development, promotion, or coordination of the arts or the support of a social and community service program.

Grants	
PERICO Institute for Youth Development and Entrepreneurship	\$7,000.00
Community Relief Foundation, Inc.	\$7,000.00
Jackson Music Awards - Jackson Music Awards	\$6,000.00
Jackson Music Awards – Gospel Music Awards	\$6,000.00
International Museum of Muslim Cultural	\$6,000.00
Showtime At Jackson, Inc.	\$6,500.00
Agape Community Development Corp.	\$5,000.00
Rebirth Alliance, Inc.	\$5,000.00

IT IS HEREBY ORDERED that matching monies in the amount set forth above be awarded to the entities as listed.

IT IS FURTHER HEREBY ORDERED that the Mayor shall be authorized to execute agreements with each of the entities listed that will govern the receipt of the matching funds contributed.

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

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

Nays- None.

Absent- None.

ORDER APPROVING AND AUTHORIZING THE EMPLOYMENT OF THE MAY LAW FIRM, PLLC AND YOUNG LAW GROUP, PLLC AS CO-BOND COUNSEL FOR THE LANDMARK HEALTHCARE FACILITIES PROJECT TAX INCREMENT FINANCING (“TIF”) BOND TRANSACTION.

WHEREAS on December 5, 2011, the City of Jackson authorized a Resolution declaring its intent to issue Tax Increment finance bonds for the infrastructure and other capital improvements for the Landmark Healthcare Facilities Project in an amount not to exceed two million (\$2,000,000), and authorized and approved the reimbursement from bond proceeds of certain expenditures advanced for the purpose of financing said improvements in anticipation of the issuance of bonds; and

WHEREAS, the City of Jackson desires to engage the legal services of The May Law Firm, PLLC and Young Law Group, PLLC as co-bond counsel to effectuate TIF bond financing of various improvements required by the Landmark Healthcare Facilities Project; and

WHEREAS, the City of Jackson desires that counsel be retained to assist the City of Jackson and the City Attorney with the issuance of said bonds; and

WHEREAS, the City of Jackson is authorizing the employment of The May Law Firm, PLLC and Young Group, PLLC as co-bond counsel for a total fee of not to exceed \$50,000 plus expenses.

IT IS, THEREFORE, ORDERED that the City Attorney is authorized to retain The May Law Firm, PLLC for a fee of \$25,000 plus expenses and Young Law Group, PLLC for a fee of \$25,000 plus expenses.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY CLERK TO ATTEST A NEW COOPERATIVE AGREEMENT WITH THE CENTRAL MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT TO CONTINUE TO PARTICIPATE IN THE METROPOLITAN TRANSPORTATION PLANNING PROCESS.

WHEREAS, the Central Mississippi Planning and Development District (CMPDD) has been designated by the Governor of the State of Mississippi as the "Metropolitan Planning Organization"(MPO) pursuant to certain provisions of the United States Code; and

WHEREAS, the City of Jackson and the MPO entered into a Cooperative Agreement in 2008 as authorized and approved by the City Council on February 26, 2008 and found at Minute Book 5-R at Page 455 of the minutes of said meeting; and

WHEREAS, the City of Jackson and the MPO wish to maintain a continuing, cooperative and comprehensive (3-C) metropolitan transportation planning and programming process as defined and required by: the United States Department of Transportation (USDOT) regulations 23 CFR Parts 450 and 500 and 49 CFR Part 23 USC §§ 134 and 135: and 49 USC §§ 5303 and 5304; and

WHEREAS, Congress enacted a new transportation law, Moving Ahead for Progress in the 21st Century Act (MAP-21) which modifies and or/extends the previous transportation law, Safe Accountable Flexible Efficient Transportation Equity Act: a Legacy for Users (SAFETEA LU); and

WHEREAS, as such, federal law mandates the MPO to enter into a Cooperative Agreement with all operators of publicly owned transit services specifying procedures for carrying out transportation planning and programming, and said agreement to set forth mutual responsibilities of each entity; and

WHEREAS, the City of Jackson, Mississippi, is the only operator of a publicly owned urban transit service in the Jackson Metropolitan area; and

WHEREAS, a new Cooperative Agreement is necessary to reflect the requirements of the newly enacted transportation law, MAP-21, and replaces the previously authorized cooperative agreement approved in 2008.

IT IS THEREFORE ORDERED by the City Council of the City of Jackson, Mississippi, that the Mayor be authorized to execute and the City Clerk attest on behalf of the City of Jackson, Mississippi, a new Cooperative Agreement with the Central Mississippi Planning and Development District, the designated MPO for the Jackson Metropolitan Area, to specify cooperative procedures for carrying out transportation planning and programming in the metropolitan area and the mutual responsibilities of each entity.

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

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

ORDER TRANSFERRING TK-624, 2003 CREW TRUCK, VIN# 1FDXW46P43ED58651, A SURPLUS CITY VEHICLE, TO THE TOWN OF COLDWATER, MISSISSIPPI.

WHEREAS, the City has determined that TK-624, a 2003 Crew Truck, VIN# 1FDXW46P43ED58651, is a surplus City vehicle, which has been replaced in the City Fleet; and

WHEREAS, the Town of Coldwater, Mississippi contacted the City of Jackson and expressed a need for this surplus 2003 Crew Truck; and

WHEREAS, the City of Jackson desires to assist its fellow Mississippi city in filling the need for such vehicle; and

WHEREAS, pursuant to Section 31-7-13(m)(vi) of the Mississippi Code Annotated of 1972, as amended, the City of Jackson determines that it is in the best interest of the taxpayers of this State that TK-624, 2003 Crew Truck, VIN# 1FDXW46P43ED58651 be transferred to the Town of Coldwater, Mississippi because the vehicle is surplus property of the City of Jackson that is needed by the Town of Coldwater.

IT IS, THEREFORE, ORDERED that the following surplus City of Jackson vehicle be transferred to the Town of Coldwater, Mississippi: TK-624, 2003 Crew Truck, VIN# 1FDXW46P43ED58651.

IT IS FURTHER ORDERED that the Mayor and the City of Jackson Fleet Manager are authorized to sign all documents necessary to transfer title to TK-624, 2003 Crew Truck, VIN# 1FDXW46P43ED58651 to the Town of Coldwater, Mississippi.

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

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

There came on for consideration Agenda Item No. 21:

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NUMBER 1 TO THE CONTRACT OF C PERRY BUILDERS, INC. FOR THE JATRAN ADMINISTRATION AND MAINTENANCE HEADQUARTERS, CITY PROJECT NO. 5AA7001. Said item was moved to the end of the Agenda for Executive Session.

Council Member Whitwell left the meeting at 11:18 a.m.

ORDER AUTHORIZING THE MAYOR ON BEHALF OF THE CITY OF JACKSON TO EXECUTE A CONTRACT WITH HOUSING EDUCATION AND ECONOMIC DEVELOPMENT (H.E.E.D.), FOR THE COMPLETION OF AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI) STUDY FOR THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, on April 5, 2011, the City Council authorized a contract, recorded in Minute Book 5-Z, page 11, with Housing Education and Economic Development (H.E.E.D.) in the amount of \$32,600 for the preparation of the Analysis of Impediments to Fair Housing Choice (AI) Study; and

WHEREAS, on February 7, 2012, the City Council authorized a contract extension recorded in Minute Book 6A, page 368, for the purpose of completion of the preparation of the AI; and

WHEREAS, said contract extension expired on March 12, 2012, with funds remaining unexpended and project uncompleted; and

WHEREAS, the Department of Housing and Urban Development has requested of the City of Jackson to grant H.E.E.D. a sixty-day contract extension while assuring the City that HUD would provide assistance to H.E.E.D. in the completion of the AI to the extent that legal requirements allow; and

WHEREAS, H.E.E.D. and the City of Jackson wish to enter into a contract not to exceed sixty days for the completion of the AI under the same terms and provisions of said agreement that expired on March 12, 2012.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract not to exceed sixty (60) days with Housing Education and Economic Development (H.E.E.D.) for the purpose of completing the Analysis of Impediments to Fair Housing Choice (AI) Study for a final payment amount from unexpended funds allocated under the previous contract not to exceed \$7,000 payable from the City's HOME Funds.

Council Member Cooper-Stokes moved adoption; **Council Member Yarber** seconded.

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Yarber.

Nays- None.

Absent- Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE CONTRACT WITH JACKSON STATE UNIVERSITY, FOR THE PURPOSE OF GAINING APPROVAL OF BATTLEFIELD PARK COMMUNITY CENTER AS A JACKSON STATE UNIVERSITY OFF CAMPUS WORK-STUDY SITE TO SECURE WORK-STUDY STUDENTS FOR THE URBAN YOUTH CORPS PROGRAM FOR THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, the City of Jackson will be beginning the Pilot Program for the Urban Youth Corps February 3, 2014, an afterschool tutorial and enrichment program for 8th grade students; and

WHEREAS, Jackson State University has agreed to partner with the City of Jackson's Urban Youth Corps program and provide federal work-study students to assist with programmatic activities; and

WHEREAS, Jackson State University has agreed to pay 100% of the work-study students' wages and assume injury liability as the employer.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Jackson State University for the purpose of gaining approval of Battlefield Park Community Center as a Jackson State University off campus work-study securing federal work-study students for the Urban Youth Corps Program for the City of Jackson, MS.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Yarber.

Nays- None.

Absent- Whitwell.

ORDER ACCEPTING THE BID OF CORNERSTONE ENTERPRISES, LLC TO PROVIDE GENERAL CONSTRUCTION SERVICES FOR THE FIRE MAINTENANCE GARAGE ROOF REPLACEMENT PROJECT - NO. 2B70 01-701.

WHEREAS, competitive bids for the roof replacement of the Fire Maintenance Garage were received on September 3, 2013; and

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

WHEREAS, Cornerstone Enterprises, LCC submitted the lowest bid in the amount of \$135,000.00; and

WHEREAS, the Public Works Department recommends that the governing authorities deem the bid of Cornerstone Enterprises, LLC contract be authorized with Cornerstone Enterprises, LCC for the base bid amount of \$135,000.00.

IT IS, THEREFORE, ORDERED that the bid of Cornerstone Enterprises, LLC for the Fire Maintenance Garage Roof Replacement Project, No 2B7001-701, in the amount of \$135,000.00 is accepted as the lowest and best bid.

IT IS FURTHER ORDERED that the Mayor is authorized to execute a contract with Cornerstone Enterprises, LLC for the Fire Maintenance Garage Roof Replacement Project, No 2B7001-701, in the amount of \$135,000.00, in accord with the plans and specifications for this project on file with the Office of the City Clerk.

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

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

ORDER ACCEPTING THE COMPETITIVE WRITTEN QUOTE OF GRIMCO, INC. FOR THE 54" CJV SOLVENT PRINTER/CUTTER AND AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE CONTRACT.

WHEREAS, pursuant to Section 31-7-13 (b) of the Mississippi Code of 1972, as amended, which provides for procurement of purchases in amounts of more than \$5,000.00 but not more than \$50,000.00 without publishing or posting advertisements for bids, the City of Jackson solicited two competitive quotes on September 18, 2013; and

WHEREAS, Grimco, Inc. and U.S. Cutter submitted competitive written quotes; and

WHEREAS, Grimco, Inc. of Birmingham, AL submitted the lowest and best competitive quote in the amount of \$16,416.00; and

WHEREAS, the Department of Public Works recommends that the governing authorities deem the quote of Grimco, Inc., in the amount of \$16,416.00, to be the lowest and best competitive quote.

IT IS, THEREFORE, ORDERED that the City of Jackson accepts the competitive quote of Grimco, Inc., in the amount of \$16,416.00, as the lowest and best competitive quote for the 54" CJV Solvent Printer/Cutter.

IT IS FURTHER ORDERED that the Mayor is authorized to execute and the City Clerk is authorized to attest a contract with Grimco Inc. for the purchase of a 54" CJV Solvent Printer/Cutter.

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

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

ORDER AUTHORIZING THE SOLE SOURCE PURCHASE OF HUMAN MACHINE INTERFACE AND HISTORIAN SOFTWARE MAINTENANCE FROM INFOLINK USA, INC. FOR THE WATER TREATMENT PLANTS FOR A PERIOD OF ONE YEAR.

WHEREAS, both water treatment plants require computer controls to operate; and

WHEREAS, the plants use Proficy iFIX Human Machine Interface (HMI) and Historian software to monitor, control and record plant operations; and

WHEREAS, the current software support service agreement with InfoLink USA, Inc. expires on December 31, 2013; and

WHEREAS, InfoLink USA, Inc. is the sole source for the iFIX HMI and Historian software in Mississippi and has submitted a quote in the amount of \$29,579.04 to provide one year of software support.

IT IS, THEREFORE, ORDERED that the purchase of one year of iFIX HMI and Historian software support from InfoLink USA, Inc. in the amount of \$29,579.04 is authorized.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Yarber.

Nays- None.

Absent- Whitwell.

* * * * *

ORDER ACCEPTING THE BID OF U.S. CONSOLIDATED, INC. TO PURCHASE A SUPPLY OF MISCELLANEOUS WATER METERS AND WATER METER BOX LIDS—BRASS AND IRON SCRAP METAL—FROM THE CITY OF JACKSON FOR A PERIOD OF SIX MONTHS.

WHEREAS, the City is replacing all of its existing water meters with new water meters over the next two years; and

WHEREAS, the old existing water meters and meter box lids are no longer of any use to the City and are surplus personal property of the City; and

WHEREAS, these surplus meters and meter box lids can be sold as scrap metal on a price per pound basis to generate revenue for the City; and

WHEREAS, rather than incur the cost of securing and storing these surplus meters and lids until all have been replaced, the City can procure a purchaser who will take delivery of the lids periodically as they are replaced; and

WHEREAS, on Tuesday, November 19, 2013, the City received two bids for the purchase of a supply of miscellaneous water meters and water meter lids—brass and iron scrap metal—from the City of Jackson for a period of six months; and

WHEREAS, U.S. Consolidated, Inc. submitted the highest bid of \$0.95 per pound for the meters, which consist primarily of brass, and \$.06 per pound for the meter lids, which consist of iron; and

WHEREAS, the Department of Public Works recommends that the governing authorities deem the bid of U.S. Consolidated, Inc. to purchase the water meters at price of \$0.95 per pound and the water meter box lids at price of \$0.06 per pound both for a period of six months from the date of acceptance of the bid to be the highest and best bid.

IT IS, THEREFORE, ORDERED that the bid of U.S. Consolidated, Inc. to purchase a supply of miscellaneous water meters and water meter lids—brass and iron scrap metal—from the City of Jackson for a period of six month at a price of \$0.95 per pound for the water meters and a price of \$0.06 per pound for the meter lids is accepted as the highest and best bid.

IT IS FURTHER ORDERED that the proceeds of the sale of these surplus water meters and water meter lids be deposited into the Water Enterprise Fund.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Yarber.

Nays- None.

Absent- Whitwell.

INITIAL RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSON GRANTING GREAT SOUTHERN INDUSTRIES, INC EXEMPTION FROM AD VALOREM TAXES ON ADDITIONS TO OR EXPANSIONS OF ITS PLANT FACILITY COMPLETED AS OF DECEMBER 31, 2012, FOR A PERIOD OF FIVE (5) YEARS, AS AUTHORIZED BY SECTION 27-31-101, ET SEQ., OF THE MISSISSIPPI CODE OF 1972, AS AMENDED.

WHEREAS, Great Southern Industries, Inc. filed in triplicate with the City its original application on May 20, 2013, for an exemption from ad valorem taxation on expanded facilities or properties acquired for its facility located at 1320 Boling Street in Jackson, MS, which said facilities or properties were completed and in place as of December 31, 2012; and

WHEREAS, Great Southern Industries, Inc. submitted the said Applications pursuant to the provisions of Section 27-31-101, et seq. of the Mississippi Code of 1972, as amended, seeking an exemption from ad valorem taxation for a period of five (5) years beginning January 1, 2013; and

WHEREAS, Great Southern Industries, Inc. has verified the authenticity and correctness of its Application in regard to the true value of the requested exemption and date of completion; and

WHEREAS, this Council finds that Great Southern Industries, Inc. is eligible for exemption from and should be granted exemption from ad valorem taxation on \$648,992 of additions or expansions of its plant facility in 2012, as described in the said Applications, and subject to approval and certification by the State Tax Commission; and

WHEREAS, Great Southern Industries, Inc. be granted an exemption from ad valorem taxation, as provided by law, upon all of the tangible property as described in Exhibits "A"; and

WHEREAS, at the millage rate as provided in exhibit "B" attached hereto and made a part hereof, used in, or necessary to, the operation of Applicant's factory in the City of Jackson, Hinds County, Mississippi, for a five-year exemption period beginning on the 1st day of January, 2013, and ending on the 31st day of December 2017.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Jackson of Mississippi, as follows:

1) That The Application of Great Southern Industries, Inc. for exemption from ad valorem taxation on expansions of its plant facility completed and in place as of December 31, 2012, and having a true value of \$648,992 as described in its Application is approved, subject to the restrictions set forth in paragraph two hereof and subject to approval and certification by the State Tax Commission.

2) That Great Southern Industries, Inc. is hereby granted an exemption from ad valorem taxes in the amount of 22.90 millage, except school district ad valorem taxation, for a period of five (5) years, beginning December 31, 2012, and ending December 30, 2017, subject to approval and certification by the State Tax Commission.

3) That the City Clerk is hereby directed to forward a copy of this Resolution on the minutes of this Council; and that the City Clerk shall forward the original and three copies of said Application and a certified copy of the transcript of this Resolution approving said Application to the State Tax Commission, for its approval and certification, and the City Clerk also shall forward one certified copy to the Tax Assessor of Hinds County, Mississippi, and upon final approval, obtain the certificate of said Tax Assessor stating that the property itemized in Great Southern Industries, Inc's Application has been placed on the appropriate tax roll as "Non-Taxable," except for state and school district ad valorem taxes, for the duration of this exemption period only.

Council Member Barrett-Simon moved adoption; **Council Member Yarber** seconded. The motion prevailed by the following vote:

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Yarber.

Nays- None.

Absent- Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM EXTENDING THE PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF JACKSON AND NEEL-SCHAFFER, INC. FOR THE FONDREN SIDEWALK AND LANDSCAPE IMPROVEMENTS, PROJECT NO. STP-0250-00(038) LPA/106056/701000.

WHEREAS, the City of Jackson and Neel-Schaffer, Inc. entered into a Professional Services Contract for the Fondren Sidewalk and Landscape Improvements, Project No.STP-0250-00(038)LPA/106056-701000; and

WHEREAS, the City and Neel-Schaffer, Inc. amended the scope of the original agreement to include additional work within the original project area; and

WHEREAS, due to the additional work and the processing of the amendment, Neel-Schaffer, Inc. requires additional time in which to complete the work under the contract; and

WHEREAS, the Department of Public Works recommends granting Neel-Schaffer, Inc. additional time until December 31, 2014 at 11:59 P.M.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an addendum extending the Professional Services Contract between the City of Jackson and Neel-Schaffer, Inc. for the Fondren Sidewalk and Landscape Improvements, Project No. STP-0250-00(038) LPA/106056-701000 until December 31, 2014 at 11:59 P.M.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Yarber.

Nays- None.

Absent- Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE JONES GROUP OF MISSISSIPPI, LLC, FOR PROJECT MANAGEMENT/CONSTRUCTION MANAGEMENT SERVICES RELATING TO CITY OF JACKSON 2013 HAILSTORM DAMAGES.

WHEREAS, the City of Jackson suffered damage to a great number of facilities in a hailstorm which occurred on March 18, 2013; and

WHEREAS, the City of Jackson requires the services of a Project Manager/Construction Manager (PM/CM) to provide oversight of permanent restoration and construction of the municipal buildings and/or structures that suffered exterior damage and interior water damage due to said hailstorm; and

WHEREAS, the PM/CM compensation will derive from a stipulated fee negotiated with the City's Insurer, and does not directly encumber any City of Jackson funds; and

WHEREAS, The Jones Group of Mississippi, LLC has agreed to provide the needed PM/CM services, and to be compensated as stated above.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a Contract between City of Jackson and The Jones Group of Mississippi, LLC for Project Management/Construction Management Services relating to City of Jackson 2013 Hailstorm Damages with compensation for the services provided under the contract to be paid directly by the City's property insurer, Zurich America Insurance Company.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Yarber.

Nays- None.

Absent- Whitwell.

* * * * *

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH M3A ARCHITECTURE, PLLC, A MISSISSIPPI PROFESSIONAL LIMITED LIABILITY COMPANY, TO COORDINATE AND DEVELOP A BASIC PROJECT PROGRAM AND BUDGET FOR ADDITIONS AND RENOVATIONS OF EXISTING STRUCTURE YET TO BE SELECTED BY JFD AND CONVERTED INTO A NEW TRAINING CENTER FOR JFD.

WHEREAS, the Jackson Fire Department ("JFD") is in need of a new training facility, and has a desire and believes it in the best interest of the City to obtain and renovate an existing structure and convert it into a new training center; and

WHEREAS, it is necessary to obtain the professional services from an architect to coordinate and develop a basic program and budget for additions and renovations of an existing structure, yet to be selected, for the purpose of converting such structure into a new training facility for JFD; and

WHEREAS, M3A Architecture, PLLC ("M3A"), is a duly licensed architectural firm qualified, capable and willing to perform the architectural services required for a fee of no less than \$50,000.00; and

WHEREAS, M3A Architecture, PLLC, proposes a lump sum fee amount of no more than \$50,000.00 for professional services for preliminary project planning and programming; and

WHEREAS, both the City and M3A recognize the information upon which the services and anticipated fees are based may materially change; however, any material changes in services or compensation must be approved in advance by the City's governing authority in accordance with State law.

IT IS THEREFORE ORDERED that the Mayor is authorized to execute a contract with M3A for the professional services described herein; and that the Mayor is further authorized to execute such other documents necessary to facilitate the completion of such services.

Council Member Stamps moved adoption; **Council Member Cooper-Stokes** seconded.

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

There came on for consideration Agenda Item No. 32:

DISCUSSION: SERVICE LINE PROGRAM: President Tillman recognized **Council Member Yarber** who recommended the City offer insurance programs to assist residents with the repair of water/sewer home service lines.

There came on for consideration Agenda Item No. 33:

DISCUSSION: CITY EFFICENCIES: President Tillman recognized **Council Member Yarber** inquired about the comprehensive use of an audit to determine how efficiently City resources were being used.

There came on for consideration Agenda Item No. 34:

President Tillman recognized **Mayor Chokwe Lumumba** who **PRESENTED A PROCLAMATION HONORING AND COMMENDING RICK HILL, CITY OF JACKSON DEPUTY DIRECTOR OF ADMINISTRATION, FOR RETIRING AFTER SERVING 41 YEARS OF SERVICE.** Accepting the proclamation with appropriate remarks was Rick Hill.

There came on for consideration Agenda Item No. 21 for Executive Session:

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NUMBER 1 TO THE CONTRACT OF C PERRY BUILDERS, INC. FOR THE JATRAN ADMINISTRATION AND MAINTENANCE HEADQUARTERS, CITY PROJECT NO. 5AA7001.

President Tillman announced that the Council would go into Executive Session to discuss Agenda Item No. 21. **Council Member Stamps** moved and **Council Member Priester** seconded to consider going into Executive Session. The motion prevailed by the following vote:

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

Council Member Priester moved and **Council Member Stamps** seconded to go into Executive Session. The motion prevailed by the following vote:

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

President Tillman announced to the Public that the Council voted to go into Executive Session to discuss potential litigation in reference to Agenda Item No. 21.

Council Member Cooper-Stokes left the meeting after voting to go into Executive Session.

Council Member Yarber moved, and **Council Member Barrett-Simon** seconded, that the Council come out of Executive Session. The motion prevailed by the following vote:

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

President Tillman announced that the Council voted to come out of Executive Session and that no action had been taken.

President Tillman requested that the Clerk read Agenda Item No. 21:

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NUMBER 1 TO THE CONTRACT OF C PERRY BUILDERS, INC. FOR THE JATRAN ADMINISTRATION AND MAINTENANCE HEADQUARTERS, CITY PROJECT NO. 5AA7001.

WHEREAS, on April 5, 2011 the City of Jackson accepted the bid of C. Perry Builders, Inc. in the amount of \$6,800,000.00 for the JATRAN Administrative and Maintenance Facility, City Project No. 5AA7001, and authorized the Mayor to execute a construction contract for the Project; and

WHEREAS, C. Perry Builders, Inc. had been performing work on the Project under the contract until February 2013; and

WHEREAS, during construction of the facility, the City discovered that the HVAC system being installed did not meet the requirements of the Federal Transit Administration Buy America law; and

WHEREAS, the City sought a waiver from the FTA for the HVAC system, but the FTA denied the City's waiver request on March 26, 2013; and

WHEREAS, as a consequence of the FTA denying the City's waiver request, the HVAC system had to be redesigned to specify a system that complies with the FTA Buy America law; and

WHEREAS, due to unforeseen poor soil conditions encountered, when exposed to rain at the site, additional soil replacement for utilities and amendments under paved area is now necessary; and

WHEREAS, additional items of work, amended or not included in the contract documents, are needed for project completion; and

WHEREAS, C Perry Builders, Inc. has presented to the City additional costs incurred as a result of the delays in construction for which it seeks compensation; and

WHEREAS, C Perry Builders, Inc. is willing and able to perform this work for a price not to exceed \$3,082,201.09, resulting in a revised contract amount not to exceed \$9,882,201.09; and

WHEREAS, this additional work and materials are necessary to complete the scope of the contract as originally bid, do not constitute a new undertaking outside the original scope of the contract, are commercially reasonable, and are not made to circumvent the public purchasing statutes; and

WHEREAS, currently funding is insufficient to pay the entire cost of this Change Order Number 1 budgeted for Fiscal Year 2014; and

WHEREAS, a budget revision during the first quarter should be made from the Applied Fund Balance in the amount of \$420,000.00 to provide the funding necessary to proceed with the work on this project.

IT IS, THEREFORE, ORDERED that Change Order Number 1 to the Agreement with C Perry Builders, Inc. for the JATRAN Administrative and Maintenance Facility in an amount not to exceed \$3,082,201.09 is accepted, resulting in a revised contract amount not to exceed \$9,882,201.09.

IT IS FURTHER ORDERED that the Mayor is authorized to execute and the City Clerk is authorized to attest Change Order Number 1 to the Agreement with C Perry Builders, Inc. for the JATRAN Administrative and Maintenance Facility in an amount not to exceed \$3,082,201.09, resulting in a revised contract amount not to exceed \$9,882,201.09.

IT IS FURTHER ORDERED that a budget revision in the amount of \$420,000.00 shall be made during the first quarter budget revision from the Applied Fund Balance to provide the additional funding necessary proceed with the work on this project.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Priester, Tillman and Yarber.
Nays- Barrett-Simon and Stamps.
Absent- Cooper-Stokes and Whitwell.

The following reports/announcements were provided during the meeting:

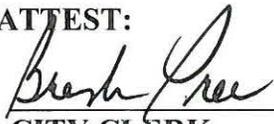
- Kwanza events would be held nightly at Medgar Evers Community Center until January 1, 2014.
- Affordable Healthcare Act information would be provided by representatives from the Jackson Medical Mall on Wednesday nights and Sunday mornings and afternoons at Revelant Empowerment Church located at 3900 W. Northside Dr.
- **President Tillman** congratulated the Provine Rams boys and Forest Hill girls basketball teams for winning the Holiday Tournament.
- **Council Member Barrett-Simon** suggested that the Mayor inform City employees that did not participate in a healthcare plan to sign up for the Affordable Healthcare Act.

REGULAR MEETING OF THE CITY COUNCIL
MONDAY, DECEMBER 30, 2013 10:00 A.M.

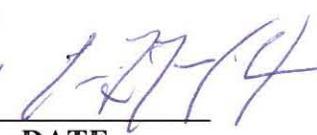
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There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Meeting to be held at 4:00 p.m. on Monday, January 6, 2014; at 1:23 p.m., the Council stood adjourned.

ATTEST:


CITY CLERK

APPROVED:

 
MAYOR DATE
