

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS

**JUNE 2, 2020
5:00 P.M.**

The Mayor and City Council met in Regular Session on Tuesday, June 2, 2020 at 5:00 p.m. in the Court Chambers of the Municipal Complex. Mayor Robert E. Smith, Sr. presided over the meeting, and all Council Members were present. Also present were the COO, CFO, General Counsel, Police Chief, Assistant Police Chief and the HR Director. All other Department Heads participated via teleconference.

I. CALL TO ORDER AND INVOCATION

Mayor Smith called the meeting to order and called upon Councilman Box to offer the Invocation.

II. APPROVE MINUTES FOR THE MEETING OF MAY 19, 2020

Council Member Gavin made a motion to approve the Minutes for the Meeting of May 19, 2020. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

III. APPROVE DOCKET OF CLAIMS

Council Member Beard made a motion to approve the Docket of Claims for June 2, 2020, in the amount of \$423,552.87. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

IV. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA

CONSENT AGENDA:

Move Item "C" – to Policy Agenda as Item "E".

EXECUTIVE SESSION:

Add Item "A" – Pending Litigation Matter

Council Member Gavin made a motion to approve the Agenda as presented, with the above amendment. Council Member Jones seconded the motion. The Mayor called for discussion, and there being none, all Council Members voted in favor of same, with a unanimous vote.

V. CONSENT AGENDA

A. Accept letter of resignation from Fire and Rescue Firefighter, Brady Holcomb, effective May 23, 2020.

B. Accept letter of resignation from Fire and Rescue Firefighter, William Branch, effective June 1, 2020, and approve compensation for any unused vacation leave.

C. MOVED TO POLICY AGENDA

D. Approve request to swear in Samuel Jackson as an Ex-Officio Deputy Court Clerk.

Council Member Beard made a motion to approve the Consent Agenda as presented, with the above amendment. Council Member Jones seconded the motion. The Mayor called for discussion, and there being none, all Council Members voted in favor of same, with a unanimous vote.

VI. REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA

A. General Comments from the Mayor and Council Members

Council Member Beard discussed holding a COVID-19 meeting with local pastors on Tuesday, June 9, 2020 at 5:30 p.m. in the Municipal Complex.

B. BOARD VACANCIES

David Armstrong, COO, announced vacancies on various boards and remarked that no positions are scheduled to be filled tonight.

CITY UTILITIES

- 1 Vacancy, Brandy Gardner's 5-Year Term Expires 6/16/2020.
- Appointment will be made June 16, 2020.

APPLICANT

- Brandy Gardner

COLUMBUS HOUSING AUTHORITY

1 Vacancy, Vivian Irby's 5-Year Term Expires 7/07/2020.

- Appointment will be made July 7, 2020.

APPLICANT

- Vivian Irby

CIVIL SERVICE COMMISSION

- 1 Vacancy, Maj. General (Retired) Thomas Moore's 4-Year Term Expires 8/16/2020.
- Appointment will be made August 18, 2020.

APPLICANT

- Maj. General Thomas L. Moore, Jr.

VII. CITIZENS INPUT AGENDA

VIII. POLICY AGENDA

A. Discuss/Approve new COVID-19 regulations

General Counsel Jeff Turnage discussed the Governor's Executive Orders #1491, 1492, 1493 and 1494 and remarked that the Council needs to adopt the Resolution, specifically Section 1 of Orders 1491 and 1492 as well as Section 2, and reduce Section 4: Childcare facilities from A – K to A – F. Council Member **Gavin** made a motion to adopt the new Resolution detailing changes in Orders 1491 & 1492. Council Member **Beard** seconded the motion. Said Resolution having been introduced in writing at a Regular meeting of the Mayor and City Council of the City of Columbus, Mississippi, held on June 2, 2020, which was read, considered, debated and ultimately adopted unanimously, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the Mayor recorded the votes as follows:

	YES	OR	NO
Council Member Ethel Taylor-Stewart	<u>YES</u>		_____
Council Member Joseph Mickens, Sr.	<u>YES</u>		_____
Council Member Charlie Box	<u>YES</u>		_____
Council Member Pierre Beard, Sr.	<u>YES</u>		_____
Council Member Stephen Jones	<u>YES</u>		_____
Council Member Bill Gavin	<u>YES</u>		_____

THE RESOLUTION FOLLOWS:

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**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS, MISSISSIPPI,
DECLARING ADDITIONAL MEASURES FOR THE CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES
AND FOR THE PROTECTION OF PUBLIC HEALTH AND WELFARE AND FOR RELATED PURPOSES**

WHEREAS, on January 31, 2020, United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. §33-15-11(b)(17), Governor Tate Reeves declared a State of Emergency existed in the State of Mississippi as a result of the outbreak of COVID-19; and

WHEREAS, on March 11, 2020, the Mississippi State Department of Health confirmed the first presumptive case of COVID-19 in Mississippi, and as of March 30, 2020, there were at least 847 cases in Mississippi of individuals who have tested positive for COVID-19, including at least ten such cases in Lowndes County, and at least sixteen deaths in the State due to COVID-19; and

WHEREAS, on March 16, 2020, the President issued federal guidelines for social distancing urging Americans, among other things, to work from home when possible, avoid gatherings of more than ten people, avoid eating inside dining establishments, avoid discretionary travel, shopping trips, and social visits, and listen to and follow the directions of state and local authorities; and

WHEREAS, on March 21, 2020, the Mayor and City Council adopted an ordinance amending Chapter 1 Code of Ordinances of the City of Columbus, Mississippi – General Provisions, which specified penalties for violation of adopted resolutions of the Mayor and Council; and

WHEREAS, on March 21, 2020, the Mayor and City Council adopted its first Regulatory Resolution declaring a Civil Emergency, and for the Control of Infectious and Contagious Diseases and Related Purposes, implementing measures requiring, among other things, the closure of certain non-essential businesses to the public and limitation of crowds, assemblages and gatherings to no more than ten people; and

WHEREAS, on March 23, 2020, Governor Reeves signed Executive Order 1463 which, among other things, imposed certain restrictions on non-essential gatherings and dining establishments and provided for certain essential businesses and operations to remain open; and

WHEREAS, on March 26, 2020, Governor Reeves signed a Supplement to Executive Order 1463 clarifying that emergency measures enacted by political subdivisions in response to the COVID-19 pandemic may continue to be in effect if they are not less restrictive than the measures outlined in the Executive Order and do not impose restrictions that would prevent any essential

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business identified in the Executive Order from operating at such a level necessary to provide essential services and functions during the State of Emergency; and

WHEREAS, on March 30, 2020, the President extended the federal social distancing guidelines through April 30, 2020; and

WHEREAS, on April 1, 2020, Governor Reeves signed Executive Order 1466 implementing a statewide “shelter in place” order, requiring non-essential businesses to cease operations, suspending residential evictions, closing public and private recreational facilities, and empowering local authorities to enforce the terms of the Order; and

WHEREAS, on April 24, 2020, Governor Reeves signed Executive Order 1477 lifting the statewide “shelter in place” order, allowing for the opening of most non-essential businesses, allowing elective medical procedures and surgeries, and allowing local authorities to enact more restrictive measures to contain and restrict transmission of COVID-19; and

WHEREAS, on May 8, 2020, Governor Reeves issued Executive Order 1480 extending Executive Order 1477 as amended extending the Safer at Home order until 8:00 a.m. on Monday, May 25, 2020; and

WHEREAS, on May 22, 2020, Governor Reeves issued Executive Order 1488, further extending the Safer at Home order until 8:00 a.m. on Monday, June 1, 2020; and

WHEREAS, on May 27, 2020, Governor Reeves issued Executive Orders 1491 and 1492, in which the Governor set strict social distancing guidelines for Mississippians, for businesses, for public and private buildings, for healthcare professionals, for outdoor recreation and for indoor recreational facilities, under Executive Order 1492, and further laid out strict social distancing guidelines to allow ballparks, movie theaters, and more to safely reopen under the terms of Executive Order 1491; and

WHEREAS, the emergence and risk of the spread of COVID-19 within Mississippi continue to constitute a public emergency that has resulted in substantial injury or harm to life and health within Mississippi, and in the City of Columbus, and COVID-19 has already been detected in numerous individuals in multiple counties throughout the State, and in several individuals within Lowndes County, Mississippi; and

WHEREAS, the State of Mississippi and the City of Columbus continue to be adversely affected by the outbreak of COVID-19, and there exists a continued threat to the public’s safety, private property and the social and economic welfare of this City, County, and State; and

WHEREAS, the Centers for Disease Control (CDC) and the Mississippi Department of Health guidelines for responding to COVID-19 recommend avoiding crowds or gatherings of more than ten people; and

WHEREAS, the governing authorities of the City of Columbus have reviewed and accept the findings and recommendations of the CDC and the Mississippi Department of Health, and have further received the same findings and recommendations from health professionals within the City of Columbus and Lowndes County and accept those findings and recommendations; and

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WHEREAS, the population of the City of Columbus is comprised of college students, active duty military personnel, substantial numbers of physicians, nurses, aides and support staff for physicians, employees and staff of a regional hospital and several long term care facilities, and contains significant populations of both older and at-risk individuals and individuals who travel broadly and frequently, and the City of Columbus is a location frequently visited by individuals from surrounding counties, towns, and cities; and

WHEREAS, Section 45-17-3 of the Mississippi Code allows the City to proclaim a civil emergency if it determines that a natural disaster which has caused death or injury has occurred, which the City has done; and

WHEREAS, the Mayor and City Council continue to find that COVID-19 is a natural disaster which has caused and will continue to cause injury, illness and/or death to persons to such an extent that additional extraordinary measures must be taken to protect the public health, safety, and welfare of citizens and visitors to the City of Columbus; and

WHEREAS, Section 45-17-7 of the Mississippi Code allows the Mayor and City Council of the City of Columbus, after declaration of a civil emergency and in the interest of the public safety and welfare, to issue such orders as are necessary to protect the lives of citizens and visitors to the City of Columbus, Mississippi; and

WHEREAS, Section 21-19-29 of the Mississippi Code allows the Mayor and City Council of the City of Columbus to regulate the entrances to public halls and buildings, and the way of ingress and egress to and from the same; and

WHEREAS, Section 21-19-3 of the Mississippi Code grants the Mayor and City Council of the City the power to make regulations to prevent the introduction and spread of contagious or infectious diseases; and

WHEREAS, the Mayor and City Council re-adopt and re-incorporate the findings made in their prior resolutions of March 21 and thereafter related to the COVID-19 virus and the safety measures contained in such resolutions; and

WHEREAS, the Mayor and City Council recognize that, according to statistics published by the Mississippi State Department of Health and consultation with local medical professionals, the "peak" of new COVID-19 infections occurred on or around April 18, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL of the City of Columbus, that the City adopts the following measures to protect the public health, safety, and welfare of the community from the spread of a contagious or infectious disease and to eliminate or limit injuries or deaths that may occur in the absence of such measures:

Section 1: : Adoption of Executive Orders 1491 and 1492: The Mayor and Council of the City of Columbus hereby adopt all findings and regulations contained in Executive Orders 1491 and 1492 to become effective at 8:00 a.m. on Monday, June 1, 2020 with the following modifications and amendments:

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Section 2: *Continued Safeguards For Business Entities.* Except as otherwise provided herein or in Executive Orders 1491 and 1492, all business and governmental entities operating within the City of Columbus but shall take all reasonable measures to ensure that such businesses comply with the CDC and the Mississippi Department of Health recommendations and guidance, and shall implement appropriate safeguards to prevent the spread of infectious disease, including but not limited to: mandating social distancing, sending home sick employees and actively encouraging sick employees to stay home, separating and sending home employees who appear to have respiratory illness symptoms, emphasizing work-from-home policies where possible, mandating respiratory etiquette and proper hand hygiene with proper hand-washing and personal hygiene protocols and daily screening of employees and volunteers for Covid-19 related symptoms before beginning shift, maintaining clean and sanitary workplaces, cautioning employees regarding travel, and taking all such additional measures to prohibit and/or reduce the spread of infectious disease, and especially COVID-19;

Section 3: *Additional Safeguards Required.* To the extent any business located in Columbus, Mississippi remains open or re-opens to serve customers inside the business' facilities, such business must take appropriate actions to minimize close person-to-person contact and enforce appropriate social distancing, to include the following where applicable:

- a) Prominent signs at every entrance informing customers they must stay 6 feet away from other customers who did not accompany them to the store;
- b) For businesses with existing public-address systems, regular announcements instructing customers to stay six feet away from each other;
- c) Markers on floors and signage measuring six-foot intervals and instructing people where to stand in checkout lanes and other lines;
- d) Employees specifically tasked to enforce social distancing among customers, and employees specifically dedicated to that task in the case of large retail establishments such as grocery stores whose publicly-accessible areas cannot be viewed at once;
- e) For businesses that utilize such technology, signage encouraging cashless purchases, online ordering and pickup, and use of self-service checkout stations.
- f) Employers of all operating businesses shall require employees to wear masks that completely cover the nose and mouth. Note! Masks lessen the chance of exposure. Even with a mask, employers shall insist on 6 foot minimum social distancing.

Section 4: *Child-care facilities.* All child-care facilities are permitted to be open, provided that they:

- a) have all licenses required by the State of Mississippi;
- b) Ensure that children who cough or sneeze are segregated from the rest until they may be removed by their parents or legal guardians;

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- c) Check temperature daily of all support staff to ensure that no staff personnel are actively infected;
- d) Require parents to acknowledge in writing that they will not drop off a sick child and that they will report to the facility any positive tests for Covid-19 in the households to which their child lives;
- e) Follow other regulations and guidance from the Mississippi Department of Health and the CDC about safe-distancing and operations of child day care operations; and
- f) Require employees to wear, at a minimum, cloth face masks and if possible to attain, face shields and gloves when employees are reasonably expected to be within six feet of a child

Section 5: The Mayor may issue such other orders as are necessary for the protection of life and liberty. The Mayor is also empowered and authorized to interpret the terms of this Resolution and any executive order incorporated and referenced herein to the extent necessary to enforce this resolution or any such order.

Section 6: The penalties for violation of this adopted resolution shall be the same as those listed in the ordinance amending Chapter 1, Code of Ordinances of the City of Columbus, Mississippi – General Provisions, which the City of Columbus adopted on or about March 21, 2020.

Section 7: To the extent any current or subsequent Executive Order of the Governor precludes the opening of any non-essential business that would otherwise be allowed to be opened by this Resolution, the restrictions of the current or subsequent Executive Orders of the Governor shall govern. The intent of this Resolution is not to be less restrictive in any way than any current or subsequent Executive Order.

Section 8: This Resolution shall supersede and revoke any prior Resolutions of the Mayor and City Council of the City that passed regulations or restrictions related to COVID-19.

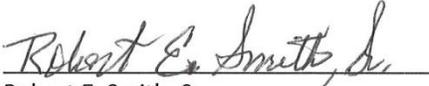
Council Member **GAVIN** moved for adoption of the Resolution, which motion was seconded by Council Member **BEARD** said Resolution having been introduced in writing at a Regular meeting of the Mayor and City Council of the City of Columbus, Mississippi, held on June 2, 2020, which was read, considered, debated and ultimately adopted unanimously, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the Mayor recorded the votes as follows:

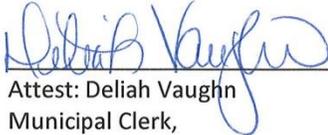
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Yes or No

Council Member Taylor-Stewart:	<u>YES</u>
Council Member Mickens:	YES
Council Member Box	YES
Council Member Beard:	YES
Council Member Jones:	YES
Council Member Gavin:	YES


Robert E. Smith, Sr.
Mayor of the City of Columbus, Mississippi


Attest: Deliah Vaughn
Municipal Clerk,

B. Discuss Resolution Hiring Legal Counsel and Financial Advisor for Issuance of a \$6,500,000.00 General Obligation bond, and Adopt Resolution Declaring the Intent of the City so to do.

The Mayor and Council discussed a Resolution Hiring necessary Legal Counsel and an Independent Registered Municipal Advisor in Connection with the Sale and Issuance by the City of Columbus, Mississippi, of either General Obligation Bonds of Said City or a General Obligation Bond of Said City for Sale to the Mississippi Development Bank or the Execution and Delivery of the Documents Necessary to Secure a Loan with the Mississippi Development Bank, all in an Aggregate Principal Amount Not to Exceed Six Million Five Hundred Thousand Dollars (\$6,500,000); and for Related Purposes. Financial Advisor, Lynn Norris, with Government Consultants, Inc., came forward and discussed the difference between 10, 15, and 20 year terms. Deliah Vaughn, CFO, came forward and discussed the City's current debt. Steve Edds, with Butler Snow LLP, was also available to answer any questions the Council may have. Afterwards, there came on for consideration the matter of providing financing for various capital improvements for the City of Columbus, Mississippi, and after a discussion of the subject matter, Council Member **Gavin** made a motion to adopt the Resolution and engage Legal Firms to act for and on behalf of the City. Council Member **Jones** seconded the motion to adopt the foregoing Resolution, and the question being put to a roll call vote, the result was as follows:

Council Member Ethel Taylor Stewart	voted:	<u>YES</u>
Council Member Joseph Mickens, Sr.	voted:	<u>NO</u>
Council Member Charlie Box	voted:	<u>YES</u>
Council Member Pierre Beard, Sr.	voted:	<u>YES</u>
Council Member Stephen Jones	voted:	<u>YES</u>
Council Member Bill Gavin	voted:	<u>YES</u>

The motion having received the affirmative vote of a majority of the members of the Governing Body present, being a quorum of said Governing Body, the Mayor declared the motion carried and the Resolution adopted this the 2nd day of June, 2020.

The Resolution follows on the next pages.

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There came on for consideration the matter of providing financing for various capital improvements for the City of Columbus, Mississippi, and after a discussion of the subject matter, Council Member Barn offered and moved the adoption of the following resolution:

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS, MISSISSIPPI, TO EITHER ISSUE GENERAL OBLIGATION BONDS OF THE CITY, ISSUE A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK OR ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000) TO RAISE MONEY FOR THE PURPOSE OF ESTABLISHING STORM AND DRAINAGE SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME, PROTECTING STREETS AND SIDEWALKS FROM OVERFLOW, CAVING BANKS AND OTHER LIKE DANGERS, CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR, CONSTRUCTING BRIDGES AND CULVERTS, AND PAYING THE COSTS OF SUCH BORROWING, ALL AS AUTHORIZED BY THE LAWS OF THE STATE OF MISSISSIPPI; DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Columbus, Mississippi (the "Governing Body"), acting for and on behalf of the City of Columbus, Mississippi (the "City"), is authorized by Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "City Bond Act"), to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (a) establishing storm and drainage systems, and repairing, improving and extending the same, (b) protecting streets and sidewalks from overflow, caving banks and other like dangers, (c) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (d) constructing bridges and culverts, and (e) paying the costs of such borrowing (collectively, the "Project"); and

WHEREAS, the Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "Bank Act"), and other applicable laws of the State, to (a) issue a general obligation bond of the City to be sold to the Mississippi Development Bank (the "Bank") to finance the costs of the Project, or (b) enter into a loan with the Bank to borrow money to finance the costs of the Project; and

WHEREAS, the Project is in accordance with and in furtherance of the provisions of the City Bond Act and the Bank Act; and

WHEREAS, the Governing Body is authorized pursuant to the City Bond Act and/or the Bank Act to provide funding for the costs of the Project either through the issuance of (a) general obligation bonds of the City pursuant to the City Bond Act (the "Bonds"), (b) a general obligation bond of the City to be sold to the Bank (the "City Bond"), or (c) by entering into a loan with the Bank to borrow money from the Bank (the "Loan"), all in a total aggregate principal amount not to exceed Six Million Five Hundred Thousand Dollars (\$6,500,000); and

WHEREAS, as of March 1, 2020, the assessed value of all taxable property within the City, according to the last completed assessment for taxation, was One Hundred Ninety-Four Million Seven Hundred Eighty-Eight Thousand Five Hundred Eighty-Eight Dollars (\$194,788,588), and the City had outstanding bonded and floating indebtedness as subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303 of the City Bond Act, as amended, in the amount of Fourteen Million Five Hundred Forty-Five Thousand Dollars (\$14,545,000), and outstanding bonded and floating indebtedness as subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303 of the City Bond Act, in the amount of Fourteen Million Five Hundred Forty-Five Thousand Dollars (\$14,545,000); and

WHEREAS, the City intends to fund the Project in one or more series by issuing either the Bonds or the City Bond and/or by entering into the Loan, all in a total aggregate principal amount of not to exceed Six Million Five Hundred Thousand Dollars (\$6,500,000); and

WHEREAS, the Bonds, the City Bond and/or the Loan, when added to the outstanding bonded indebtedness of the City, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of all taxable property within the City, will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of all taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City; and

WHEREAS, there has been no increase in said bonded and floating general obligation indebtedness of the City since March 1, 2020; and

WHEREAS, it would be in the best interest of the City for the Governing Body to provide funding for the costs of the Project by borrowing money through the issuance of the Bonds or the City Bond or by entering into the Loan; and

WHEREAS, the City reasonably expects that it will incur expenditures in connection with the Project for which the City intends to reimburse itself with the proceeds of the Bonds, the City Bond or the Loan; and

WHEREAS, the Governing Body is authorized and empowered by the City Bond Act and/or the Bank Act to issue the Bonds or the City Bond or to enter into the Loan for the purposes herein set forth and there are no other available funds on hand or available from regular sources of income for such purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body, acting for and on behalf of the City, hereby declares its intention to either (a) issue and sell the Bonds pursuant to the City Bond Act, (b) issue and sell the City Bond to the Bank pursuant to the City Bond Act and the Bank Act, or (c) enter into the Loan with the Bank pursuant to the City Bond Act and the Bank Act, all in a total aggregate principal amount not to exceed Six Million Five Hundred Thousand Dollars (\$6,500,000).

SECTION 2. The Bonds, the City Bond and/or the Loan will be issued for the purpose of financing the Project, as authorized by the City Bond Act and the Bank Act.

SECTION 3. The Bonds or the City Bond may be issued in one or more series and, if issued, will be general obligations of the City payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate or amount upon all the taxable property within the geographical limits of the City. The Loan will be payable from available revenues of the City and will not constitute an indebtedness of the City within the meaning of any constitutional or statutory restrictions, limitations, or provisions, and the taxing power of the City will not be pledged to the payment of the Loan.

SECTION 4. The Governing Body proposes to direct the issuance of all or any portion of the Bonds or the City Bond or to authorize the Loan in the amount and for the purposes and secured as aforesaid at a meeting of the Governing Body to be held at its usual meeting place located at the City Municipal Complex in the City, located at 1501 Main Street, Columbus, Mississippi, at the hour of 5:00 o'clock p.m. on June 16, 2020, or at some meeting or meetings subsequent thereto; provided, however, that if ten percent (10%) or Fifteen Hundred (1500), whichever is less, of the qualified electors of the City shall file a written protest with the City Clerk against the issuance of the Bonds or the City Bond or the authorization of the Loan on or before the aforesaid date and hour, then the Bonds or the City Bond shall not be issued or the Loan shall not be entered into unless approved at an election on the question thereof called and held as is provided by law; provided, further that if no protest is filed, then the Bonds or the City Bond may be issued and sold in one or more series or the City may enter into the Loan without an election on the question of the issuance thereof at any time within a period of two (2) years after June 16, 2020.

SECTION 5. In full compliance with the City Bond Act, the City Clerk is hereby directed to publish a copy of this resolution once a week for at least three (3) consecutive weeks in *The Columbus Packet*, a newspaper published in and having a general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, with the first publication being not less than twenty-one (21) days prior to the date set forth in Section 4 of this resolution, and the last publication being made not more than seven (7) days prior to such date.

SECTION 6. The City Clerk is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and the required notice and have the same before the Governing Body on the date and hour specified in Section 4 hereof.

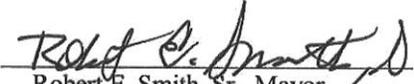
SECTION 7. The City hereby declares its official intent to reimburse itself from the proceeds of the Bonds, the City Bond or the Loan for expenses incurred with respect to the Project subsequent to the date of this resolution. This resolution is intended as a declaration of official intent under Treasury Regulation 1.150-2. The Bonds, the City Bond and the Loan will not exceed a total aggregate principal amount of Six Million Five Hundred Thousand Dollars (\$6,500,000).

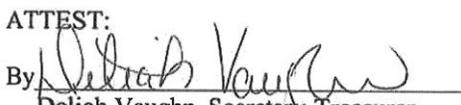
SECTION 8. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

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

Council Member Ethel Taylor Stewart voted:	Yes
Council Member Joseph W. Mickens, Sr. voted:	No
Council Member Charlie Box voted:	Yes
Council Member Pierre Beard voted:	Yes
Council Member Stephen Jones voted:	Yes
Council Member Bill Gavin voted:	Yes

The motion having received the affirmative vote of a majority of the members of the Governing Body present, being a quorum of said Governing Body, the Mayor declared the motion carried and the resolution adopted this 19th day of May, 2020.


Robert E. Smith, Sr., Mayor

ATTEST:
By 
Deliah Vaughn, Secretary-Treasurer,
Chief Financial Officer and City Clerk

**CITY COUNCIL MINUTES
JUNE 2, 2020**

Next, the Council discussed the Resolution and their Intent to use \$6,500,000 for the purpose of establishing Storm and Drainage Systems, and Repairing, Improving and Extending the same, Protecting Streets and Sidewalks from Overflow, Caving Banks and other like Dangers, Constructing, Improving or paving Streets, Sidewalks, Driveways, Parkways, Walkways or Public Parking Facilities, and Purchasing Land Therefor, Constructing Bridges and Culverts, and paying the Costs of such borrowing, all as authorized by the Laws of the State of Mississippi; directing the Publication of a Notice of such Intention; and for related purposes. Notice must be published three (3) times in the newspaper. If there are no objections, the Council must adopt the Resolution at their regular meeting of July 7, 2020. Council Member **Gavin** made a motion to proceed with advertisement of intent to use \$6,500,000 for the purpose cited above. Council Member **Beard** seconded the motion to adopt the foregoing Resolution, and the question being put to a roll call vote, the result was as follows:

Council Member Ethel Taylor Stewart	voted:	<u>YES</u>
Council Member Joseph Mickens, Sr.	voted:	<u>NO</u>
Council Member Charlie Box	voted:	<u>YES</u>
Council Member Pierre Beard, Sr.	voted:	<u>YES</u>
Council Member Stephen Jones	voted:	<u>YES</u>
Council Member Bill Gavin	voted:	<u>YES</u>

The motion having received the affirmative vote of a majority of the members of the Governing Body present, being a quorum of said Governing Body, the Mayor declared the motion carried and the Resolution adopted this the 2nd day of June, 2020.

THE RESOLUTION AND SUPPORTING DOCUMENTS ARE ATTACHED.

(THIS SPACE LEFT BLANK INTENTIONALLY)

There came on for consideration the matter of providing financing for various capital improvements for the City of Columbus, Mississippi, and after a discussion of the subject matter, Council Member Baron offered and moved the adoption of the following resolution:

RESOLUTION HIRING NECESSARY LEGAL COUNSEL AND AN INDEPENDENT REGISTERED MUNICIPAL ADVISOR IN CONNECTION WITH THE SALE AND ISSUANCE BY THE CITY OF COLUMBUS, MISSISSIPPI, OF EITHER GENERAL OBLIGATION BONDS OF SAID CITY OR A GENERAL OBLIGATION BOND OF SAID CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK OR THE EXECUTION AND DELIVERY OF THE DOCUMENTS NECESSARY TO SECURE A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000); AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Columbus, Mississippi (the "Governing Body"), acting for and on behalf of the City of Columbus, Mississippi (the "City"), is authorized by Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "City Bond Act"), to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (a) establishing storm and drainage systems, and repairing, improving and extending the same, (b) protecting streets and sidewalks from overflow, caving banks and other like dangers, (c) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; and (d) constructing bridges and culverts (collectively, the "Project"); and

WHEREAS, the Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "Bank Act"), and other applicable laws of the State of Mississippi (the "State"), to (a) issue a general obligation bond of the City to be sold to the Mississippi Development Bank (the "Bank") to finance the costs of the Project, or (b) enter into a loan with the Bank to borrow money to finance the costs of the Project; and

WHEREAS, the Project is in accordance with and in furtherance of the provisions of the City Bond Act and the Bank Act; and

WHEREAS, on May 19, 2020, the Governing Body adopted a resolution declaring its intention to either (a) issue and sell general obligation bonds of the City pursuant to the City Bond Act (the "Bonds"), (b) issue and sell a general obligation bond of the City to the Bank (the "City Bond"), or (c) enter into a loan with the Bank to borrow money from the Bank (the "Loan") to finance the costs of the Project, all in a total aggregate principal amount not to exceed Six Million Five Hundred Thousand Dollars (\$6,500,000); and

WHEREAS, the City Bond or the Loan will be funded with the proceeds of limited obligation bonds to be issued by the Bank (the "Bank Bonds"); and

WHEREAS, in connection with the execution and delivery of the documentation necessary to secure the Loan and/or the sale and issuance of the Bonds, the City Bond and/or the Bank Bonds, the Governing Body now desires to hire the necessary legal counsel and an independent registered municipal advisor.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body, acting for and on behalf of the City, does hereby find and determine that it is necessary and advisable for the City to hire the necessary legal counsel and an independent registered municipal advisor in connection with (a) the issuance and sale of the Bonds pursuant to the City Bond Act, (b) the issuance and sale of the City Bond to the Bank pursuant to the City Bond Act and the Bank Act, and/or (c) entering into the Loan with the Bank pursuant to the City Bond Act and the Bank Act to borrow money from the Bank.

SECTION 2. Butler Snow LLP, Ridgeland, Mississippi, is hereby selected to serve as bond counsel to the City ("Bond Counsel") in connection with the sale and issuance of the Bonds, the City Bond, the Bank Bonds and/or the Loan. The Mayor of the City, acting for and on behalf of the City, is hereby authorized and directed to execute and deliver the engagement letter of Bond Counsel attached hereto as Exhibit A.

SECTION 3. Mitchell McNutt & Sams, Columbus, Mississippi, is hereby selected to serve as counsel to the City in connection with the sale and issuance of the Bonds, the City Bond, the Bank Bonds, and/or the Loan.

SECTION 4. Government Consultants, Inc. is hereby designated as Municipal Advisor to the City (the "Municipal Advisor") in connection with the sale and issuance of the Bonds, the City Bond, the Bank Bonds, and/or the Loan. The Mayor of the City, acting for an on behalf of the City, is hereby authorized and directed to execute and deliver the Independent Registered Municipal Advisor disclosure letter of the Municipal Advisor attached hereto as Exhibit B.

SECTION 5. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

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

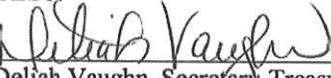
Council Member Ethel Taylor Stewart voted:
Council Member Joseph W. Mickens, Sr. voted:
Council Member Charlie Box voted:
Council Member Pierre Beard voted:
Council Member Stephen Jones voted
Council Member Bill Gavin voted:

Yes
No
Yes
Yes
Yes
Yes

CITY COUNCIL MINUTES
JUNE 2, 2020

The motion having received the affirmative vote of a majority of the members of the Governing Body present, being a quorum of said Governing Body, the Mayor declared the motion carried and the resolution adopted this 19th day of May, 2020.


Robert E. Smith, Sr., Mayor

ATTEST:
By 
Deliah Vaughn, Secretary-Treasurer,
Chief Financial Officer and City Clerk

52852673.v1

**CITY COUNCIL MINUTES
JUNE 2, 2020**

**EXHIBIT A
ENGAGEMENT LETTER**



May 19, 2020

The Honorable Robert E. Smith, Sr.
523 Main Street
Columbus, Mississippi 39701

Re: Not to exceed \$6,500,000 City of Columbus, Mississippi (the "City"), (a) general obligation bonds (the "Bonds"), (b) general obligation bond to be sold to the Mississippi Development Bank (the "Bank") (the "City Bond"), and/or (c) a loan (the "Loan") with the Bank (together the "Financing")

Dear Robert:

The purpose of this engagement letter is to set forth certain matters concerning the services we will perform as bond counsel to the City of Columbus, Mississippi (the "City" or "Borrower") in connection with the above-referenced Financing. We understand that the Board of Mayor and Aldermen of the City are authorized by Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "City Bond Act"), and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "Bank Act" and together with the City Bond Act, the "Act"), to issue the Bonds and/or the City Bond or enter into the Loan with the Bank for the purposes set forth therein, including, but not limited to (a) establishing storm and drainage systems, and repairing, improving and extending the same, (b) protecting streets and sidewalks from overflow, caving banks and other like dangers, (c) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (d) constructing bridges and culverts, and (e) paying the costs of borrowing (the "Project"). To fund the Loan, the Bank would issue its limited obligation bonds (the "Bank Bonds"). We further understand that you, as the Borrower, will be responsible for paying our fees as bond counsel from the proceeds of the Financing.

SCOPE OF ENGAGEMENT

In connection with this engagement, we expect to perform the following duties:

1. Subject to the completion of proceedings to our satisfaction, render our legal opinion (the "Bond Opinion") regarding the validity and binding effect of the Bonds, the City Bond and/or the Bank Bonds, the source of payment and security for the Bonds, the City Bond and/or the Bank Bonds, and the excludability of interest on the Bonds, the City Bond and/or the Bank Bonds from gross income for federal and State of Mississippi (the "State") income tax purposes;
2. Prepare and review documents necessary or appropriate for the authorization, issuance and delivery of the Bonds, the City Bond, the Bank Bonds and/or the Loan and coordinate the authorization and execution of such documents;
3. Assist the City and the Bank, if applicable, in seeking from any other governmental authorities such approvals, permissions, and exemptions as we determine are necessary or appropriate in connection

Past Office Box: 6010
Ridgeland, MS 39158-6010

T 601.948.5711
F 601.985.4500
www.butlersnow.com

Suite 1400
1020 Highland Colony Park
Ridgeland, Mississippi 39157

BUTLER SNOW LLP

**CITY COUNCIL MINUTES
JUNE 2, 2020**

May 19, 2020
Page 2

with the authorization, issuance and delivery of the Bonds, the City Bond and/or the Bank Bonds, and the funding of the Loan;

4. Review legal issues relating to the structure of the Financing;
5. Assist in compiling and pursuing the validation proceedings under State law;
6. Assist the City, if required, in preparing the preliminary official statement and the official statement (together, the "**Official Statement**") and subject to satisfactory completion of our review, provide to the City written advice that in the course of our participation, no information has come to our attention that leads us to believe that the Official Statement, as of its date (except for financial statements, other statistical data, feasibility reports and statements of trends and forecasts and book-entry language contained in the Official Statement and its appendices, as to which we will express no opinion), contains any untrue statement of material fact or omits to state any material fact necessary to make the statements in the Official Statement, in light of the circumstances under which they were made, not misleading;
7. Assist the City and the Bank, if applicable, in presenting information to bond rating agencies, and providers of credit enhancement relating to legal issues affecting the issuance of the Bonds, the City Bond and/or the Bank Bonds; and
8. Draft a continuing disclosure undertaking of the City.

Our Bond Opinion will be addressed to the City and/or the Bank and will be delivered by us on the date of delivery of the Bonds, the City Bond and/or the Bank Bonds. The Bond Opinion will be based on facts and laws existing as of its date. In rendering our Bond Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the City and the Bank, if applicable, with applicable laws relating to the Bonds, the City Bond and/or the Bank Bonds. During the course of this engagement, we will rely on you to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds, the City Bond and/or the Bank Bonds and their security. We understand that you will direct members of your staff and other employees of the City to cooperate with us in this regard. In rendering our Bond Opinion, we will expressly rely upon other counsel as to due authorization, execution and delivery of the documents executed by the City and/or the Bank.

Our duties in this engagement are limited to those expressly set forth above. Among other things, our duties under this engagement, without a separate engagement as may hereafter be agreed between the parties, do not include:

(a) Except as described in paragraph 6 above, assisting in the preparation or review of the Official Statement or any other disclosure document, if applicable, with respect to the Bonds, the City Bond and/or the Bank Bonds, or performing an independent investigation to determine the accuracy, completeness, or sufficiency of any such document or rendering advice that the Official Statement or other disclosure document, if applicable, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading;

(b) Preparing request for tax rulings from the Internal Revenue Service ("**IRS**") or no action letters from the Securities and Exchange Commission ("**SEC**");

(c) Preparing Blue Sky or investment surveys with respect to the Bonds, the City Bond and/or the Bank Bonds;

May 19, 2020
Page 3

- (d) Drafting State constitutional or legislative amendments;
- (e) Pursuing test cases or other litigation, such as contested validation proceedings;
- (f) Making an investigation or expressing any view as to the creditworthiness of the City or the Bonds, the City Bond and/or the Bank Bonds;
- (g) Except as described in paragraph 8 above and if applicable, assisting in the preparation of, or opining on, a continuing disclosure undertaking pertaining to the Bonds, the City Bond and/or the Bank Bonds or, after closing, providing advice concerning any actions necessary to assure compliance with any continuing disclosure undertaking;
- (h) Representing the City in IRS examinations or inquiries, or SEC investigations;
- (i) After closing, providing continuing advice to the City or any other party concerning any actions necessary to assure that interest paid on the Bonds, the City Bond and/or the Bank Bonds will continue to be excludable from gross income for federal income tax purposes (e.g., our engagement does not include rebate calculations);
- (j) Giving and/or providing any financial advice or recommendations concerning the issuance of the Bonds, the City Bond and/or the Bank Bonds as mandated by SEC rules; or
- (k) Addressing any other matters not specifically set forth above that is not required to render our Bond Opinion.

ATTORNEY-CLIENT RELATIONSHIP

Upon execution of this engagement letter, the City will be our client and an attorney-client relationship will exist between us. We understand that counsel to the City will assist with the issuance of the Bonds, the City Bond and/or the Bank Bonds, particularly as to the authorization, execution and delivery of bond and/or loan documents. We assume that all other parties, including the Bank, if applicable, will retain such counsel, as they deem necessary and appropriate to represent their interest in this transaction. In performing our services as bond counsel, we will represent the interest of the Borrower and the Bank, if applicable. We will not be representing any other party and will not be acting as an intermediary among the parties. Our services as Bond Counsel are limited to those contracted for in this letter, and the City's execution of this engagement letter will constitute an acknowledgment of those limitations. Our representation of the City will not affect, however, our responsibility to render an objective Bond Opinion.

Our representation of the City and the attorney-client relationship created by this engagement letter will be concluded upon issuance of the Bonds, the City Bond and/or the Bank Bonds. Nevertheless, subsequent to the closing of the Bonds, the City Bond and/or the Bank Bonds, we will mail, if required, to the IRS the appropriate IRS Form 8038-G and prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Bonds, the City Bond and/or the Bank Bonds.

PROSPECTIVE CONSENT

As you are aware, Butler Snow represents many political subdivisions, companies and individuals. It is possible that during the time that we are representing the City, one or more of our present or future clients will have transactions with the City. It is also possible that we may be asked to represent, in an unrelated matter, one or more of the entities involved in the issuance of the Bonds, the City Bond and/or the Bank Bonds. We do not believe that such representation, if it occurs, will adversely affect our ability to represent you as provided in this engagement letter, either because such matters will be sufficiently different from the issuance of the Bonds, the City Bond and/or the Bank Bonds so as to

May 19, 2020
Page 4

make such representations not adverse to our representation of you, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the issuance of the Bonds, the City Bond and/or the Bank Bonds. Execution of this engagement letter will signify the City's consent to our representation of others consistent with the circumstances described in this paragraph except in the case of litigation involving the City.

FEES

Our fees for the duties we will undertake pursuant to this engagement letter and the responsibilities we will assume in connection therewith, will be negotiated with the City based upon our understanding of the terms, structure, size and schedule of the financing represented by the Financing and the time we anticipate devoting to the Financing.

If the Financing is not consummated, we understand and agree that we will not be paid for our time expended on your behalf but will be paid for client charges made or incurred on your behalf.

Regardless of the above, we reserve the right that our fee may vary: (a) if the principal amount of the Financing actually issued differs significantly from the amount stated above; (b) if material changes in the structure or schedule of the financing occur; or (c) if unusual or unforeseen circumstances arise, which require a significant increase in our time or responsibility. If, at any time, we believe that circumstances require an adjustment of our original fee estimate, we will advise you and prepare and provide to you an amendment to this engagement letter.

RECORDS

At your request, papers and property furnished by you will be returned promptly upon receipt of payment for outstanding fees and client charges. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other material retain by us after the termination of this engagement.

If the foregoing terms are acceptable to you, please so indicate by returning the enclosed copy of this engagement letter dated and signed by an authorized officer, retaining the original for your files.

Thank you again for this opportunity to be of service. We look forward to working with you.

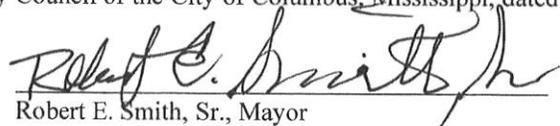
Sincerely,

BUTLER SNOW LLP



Stephen C. Edds

Authorized by resolution of the City Council of the City of Columbus, Mississippi, dated May 19, 2020.


Robert E. Smith, Sr., Mayor

**CITY COUNCIL MINUTES
JUNE 2, 2020**

**EXHIBIT B
IRMA LETTER**

GOVERNMENT CONSULTANTS, INC.

Consulting & Municipal Advisory Firm

Telephone: (601) 982-0005

116 Village Boulevard Facsimile: (601) 982-2448

Madison, Mississippi 39110 Email: gcms@gc-ms.net

June 2, 2020

Mayor and City Council

City of Columbus, Mississippi

523 Main Street

Columbus, Mississippi 39701

Re: City of Columbus, Mississippi

Not to Exceed \$6,500,000 City of Columbus, Mississippi General Obligation Bonds, in one or more series; OR

Not to Exceed \$6,500,000 Mississippi Development Bank Special Obligation Bonds (Columbus, Mississippi General Obligation Bond / Revenue Project), in one or more series (collectively, the "Bonds")

Disclosure and Engagement Letter (the "Letter")

Dear Mayor and City Council,

We are writing you to provide certain disclosures to you as representative of the City of Columbus, Mississippi (the "Issuer" or "Obligor") as required by the Securities and Exchange Commission ("SEC") and Municipal Securities Rulemaking Board ("MSRB" or the "Board"). Government Consultants, Inc. ("GCI" or the "Municipal Advisor") is an Independent Registered Municipal Advisor and welcomes the opportunity to provide municipal advisory services to the Issuer or Obligor for the issuance of the above referenced Bonds.

Disclosures Concerning our Role as Municipal Advisor

- (i) The Municipal Advisor has a fiduciary duty to the Issuer or Obligor. This is different than an underwriter, if any, who only has an obligation to deal fairly with you, as Issuer or Obligor. The underwriter, if any, has financial and other interests that differ from the Issuer or Obligor, unlike the Municipal Advisor who has no financial or other interests that differ from the Issuer or Obligor.
- (ii) We shall provide advice concerning the structure, timing, terms, sizing and other similar matters related to any potential bond or debt issuance by the Issuer or Obligor.
- (iii) We shall make a reasonable inquiry to the relevant facts that help determine what course of action to take that best suits the Issuer or Obligor. A reasonable analysis will be conducted to determine that all advice and/or recommendation(s), are not based on materially inaccurate or incomplete information.
- (iv) We shall evaluate possible material risks, benefits and alternatives with the Issuer or Obligor.
- (v) Our duties are limited to this transaction and the above-mentioned disclosures.
- (vi) In the event the Bonds are issued by the Mississippi Development Bank, we are likewise engaged as Municipal Advisor to the Mississippi Development Bank under the documents related to the Bonds. The MSRB provides a brochure covering information for municipal advisory client protections and appropriate regulatory authority contact information on the MSRB homepage at <http://www.msrb.org>.

Disclosure Concerning Conflicts of Interest and Other Information

MSRB Rule G-42 requires that GCI provide in writing any disclosures relating to actual or potential material conflicts of interest, including certain categories of potential conflicts of interest identified in MSRB Rule G-42, if applicable. After reasonable due diligence by GCI, there are no known material conflicts of interest that may affect GCI's ability to serve as a municipal advisor to the Issuer or Obligor. If new material conflict(s) of interest occurs after the delivery and execution of this Letter, GCI will disclose all new material conflict(s) of interest to the Issuer or Obligor.

In addition to providing disclosures concerning material conflict(s) of interest, MSRB Rule G-42 further requires GCI to have a fiduciary duty that includes a duty of loyalty and duty of care to the Issuer or Obligor and to disclose our role and duties as a Municipal Advisor. Our primary obligation is to always act in the best interest of the Issuer or Obligor.

**CITY COUNCIL MINUTES
JUNE 2, 2020**

Disclosure Concerning the Compensation

Our compensation for serving as municipal advisor will be contingent on the closing of the transaction(s) for the issuance of bonds and is based, in part, on the size of the bonds. We will negotiate with the Issuer or Obligor as to compensation and will be paid upon closing of the transaction(s). The Municipal Advisor will abide by its fiduciary duty to the Issuer or Obligor and provide unbiased and independent advice as required by MSRB.

Disclosure of Information Regarding Legal Events and Disciplinary History

MSRB Rule G-42 requires that all municipal advisors, including GCI, provide in writing to their clients certain legal or disciplinary events that are material to the Issuer's or Obligor's evaluation of GCI or the integrity of GCI management or personal. GCI believes there are no known legal or disciplinary events reported on any Form MA or Form MA-I that are material to your evaluation of GCI and there are no recent changes made on any Form MA or Form MA-I that are material to your evaluation. Any such information, whether material or not must be reported on Form MA and/or MA-I filed with the SEC, which forms are available and which can be viewed on the SEC's EDGAR system website at <http://www.sec.gov/edgar/searchedgar/companysearch.html>.

Disclosure Relating to Issuing Bonds

As with any issuance of debt, your obligation to pay principal and interest when due, will be a contractual obligation that will require you to make these payments no matter what budget restraints you encounter. The failure to pay principal and interest when due, could cause you to be in default. A default may negatively impact your credit ratings and may effectively limit your ability to publicly offer bonds or other securities at market rate levels. Please be aware of the following basic aspects of the Bonds.

Fixed rate bonds are interest bearing debt securities issued by an issuer or obligor. The interest rates for these bonds are specified at closing and will not change while the bonds are outstanding. Maturity dates for fixed rate bonds are fixed at the time of the issuance and may include serial maturities (specified principal amounts are payable on the same date each year until final maturity) or a term maturity (specified principal amounts are payable on each term maturity date) or a combination of serial and term maturities. Interest on fixed rate bonds is typically paid semiannually at a stated fixed rate or rates for each maturity.

General obligation bonds are debt securities to which your full faith and credit is pledged to pay principal and interest. Also, the Issuer or Obligor pledges to use your ad valorem taxing power, if needed, payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate or amount upon all the taxable property within the geographical limits of the City of Columbus, Mississippi.

Revenue bonds are a debt instrument secured by a pledge of incomes and revenues (fees, rates or rentals). The Obligor pledges to use the available revenues of the City of Columbus, Mississippi for repayment of the Bonds.

Additionally, the Bonds will be offered as federally tax-exempt obligations. This requires that you comply with various Internal Revenue Service ("IRS") requirements and restrictions relating to how you use and invest the proceeds of the bond issue, how you use any facilities constructed with the proceeds of the bond issue and other restrictions throughout the term of the Bonds.

It is recommended that you consult with bond counsel on such tax matters related to the issuance of the Bonds.

Disclosure Concerning the Term of Engagement

The Term of Engagement is effective on the execution date of the document that employed GCI as the Issuer's or Obligor's appointed municipal advisor and ends upon the closing and delivery of the Bonds. The Engagement may be terminated with or without cause by the Issuer or Obligor or the Municipal Advisor. A written notice must be delivered to the other party, specifying the effective date of the termination.

Acknowledgement

We must seek your acknowledgement that you have received this Letter. Accordingly, please acknowledge receipt of this Letter on behalf of the Issuer or Obligor in the space provided below. If you are not authorized to execute this Letter on behalf of the Issuer or Obligor, please notify GCI

**CITY COUNCIL MINUTES
JUNE 2, 2020**

immediately so the correct individual may be contacted. Please let us know if you have any questions or concerns.

**Sincerely,
Government Consultants, Inc.**

BY: *Lynn Norris / thw* _____

Lynn Norris

RECEIPT ACKNOWLEDGEMENT

BY: _____ dated as of date of approval June 2, 2020

Signature Date

Robert E. Smith, Sr., Mayor, City of Columbus, Mississippi

Authorized Representative's Name

(THIS SPACE LEFT BLANK INTENTIONALLY)

C. Consider/Approve granting temporary construction easement and license to construct drainage infrastructure in City ROW.

General Counsel Turnage introduced the request for a Temporary Construction Easement and Grant of Revocable License to perform the drainage improvements over, across, or under land as recorded in Plat book 2 at Page 95 on file in the Chancery Clerk's Office, Lowndes County, Mississippi and located in Section 28, Township 17 S, Range 18 W, Lowndes County, Mississippi, at no cost to the City. Council Member Gavin made a motion to grant the request. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

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LOWNDES COUNTY, MS
Bk: DEED 2020 Page:3892-3895
Filed/Recorded 06/18/2020 @ 2:07:58 PM
CINDY E. GOODE
CHANCERY CLERK



PREPARED BY: Neel-Schaffer, Inc.
P.O. Box 2100
Columbus, MS. 39704
Phone: (662) 328-4460

INDEXING INSTRUCTIONS: Section 28, Township 17 South, Range 18 West

ADDRESS OF GRANTOR
420 4th Avenue South
Columbus, Mississippi 39701
Phone: (662) 328-7192

ADDRESS OF GRANTEE
435 Woodland Heights Dr.
Columbus, Mississippi 39705
Phone: (662) 327-0201

STATE OF MISSISSIPPI
COUTNY OF LOWNDES

TEMPORARY CONSTRUCTION EASEMENT
and
GRANT OF REVOCABLE LICENSE

THIS INDENTURE, made and entered into on this 2nd day of June 2020, by and between CITY OF COLUMBUS, MISSISSIPPI, a municipal corporation and body politic "Grantor", and GEORGE HEATH, "Grantee".

WITNESSETH:

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by the Grantee, the receipt whereof is hereby acknowledged, and other good and valuable consideration hereinafter recited, does hereby give, grant and convey unto Grantee, his successors and assigns, a temporary construction easement for proper construction of general drainage improvements which grant includes the right to construct and install drainage over, along, across or under lands of the Grantor all situated in Lowndes County, Mississippi described as follows:

A temporary drainage easement, as shown in Exhibit "A", to perform the drainage improvements over, across, or under land as recorded in Plat book 2 at Page 95 on file in the Chancery Clerk's Office, Lowndes County, Mississippi and located in Section28, Township 17 S, Range 18 W, Lowndes County, Mississippi.

Not a Notary

CITY COUNCIL MINUTES
JUNE 2, 2020

TOGETHER WITH a revocable license for Grantee to have ingress and egress to maintain said improvements as necessary or convenient for the full enjoyment and proper functioning thereof, which improvements are beneficial to the Grantor and Grantee.

The temporary construction easement conveyed hereby shall be effective upon the date of execution hereof, but shall terminate upon the completion of construction. The revocable license shall remain in effect until revoked by Grantor. Grantee covenants that he will perform such work in a proper and workmanlike manner and maintain such improvements such that no unreasonable damage to the City's property occurs.

IN WITNESS THEREOF, the party of the first part hereunto subscribed their name(s) on the date first above written.

THIS INSTRUMENT constitutes the entire agreement between Grantor and Grantee, there being no oral agreements or representations of any kind.

Witness this, the 2nd day of May, 2020.

June

Robert E. Smith, Sr., Mayor


George Heath

CITY COUNCIL MINUTES
JUNE 2, 2020

STATE OF MISSISSIPPI
COUNTY OF LOWNDES

Personally appeared before me, the undersigned authority in and for the said county and stated, on this the 2nd day of June, 2020, within my jurisdiction, the within named ROBERT E. SMITH, SR., who acknowledged that he executed the above and foregoing instrument as his own act and deed in his capacity as Mayor, having first been authorized to do so by the Governing Authority of the City at a lawfully called meeting at which a quorum was present.



(SEAL)

Gelissa Lachell Taylor
(NOTARY PUBLIC)

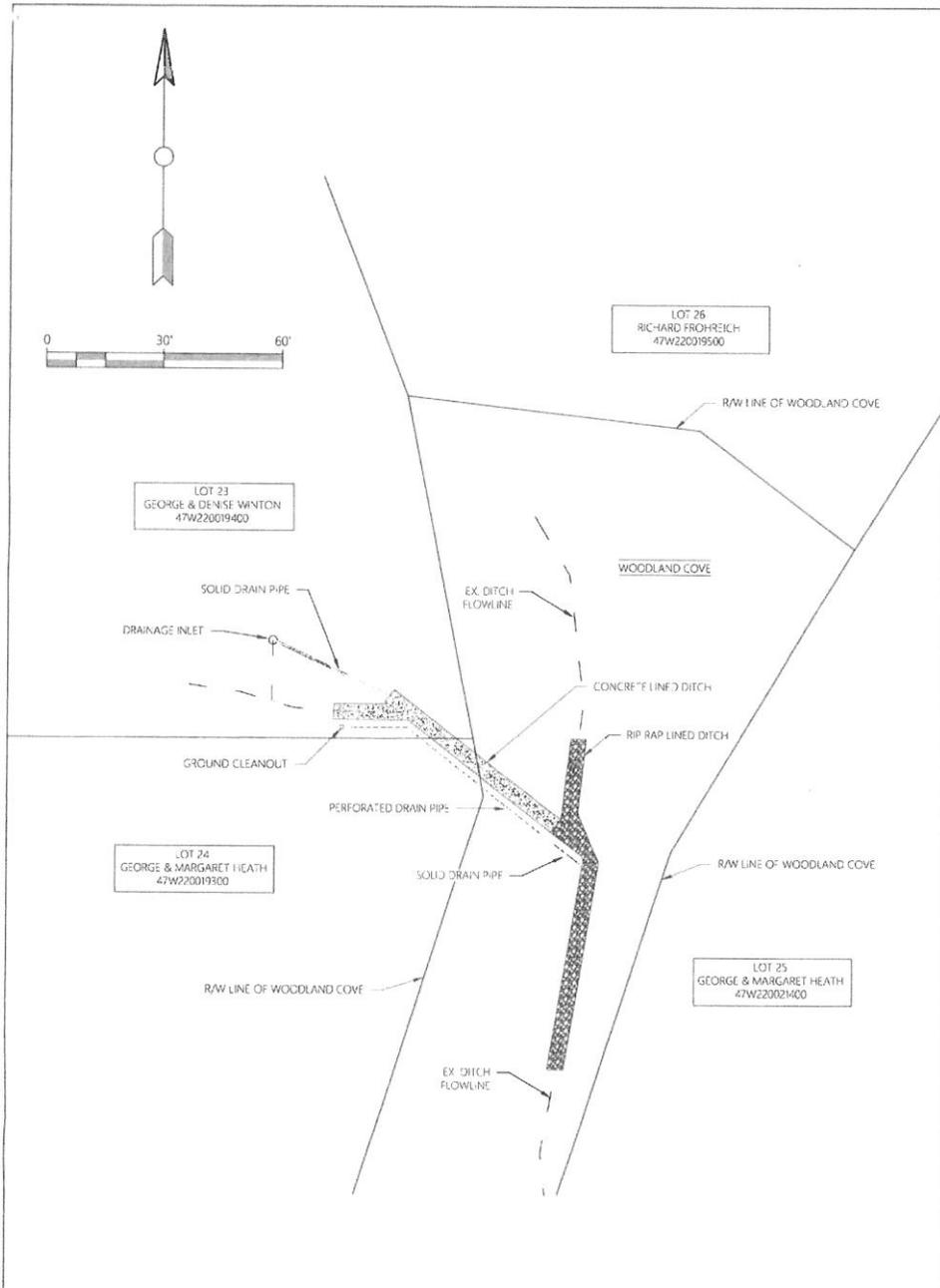
STATE OF MISSISSIPPI
COUNTY OF LOWNDES

Personally appeared before me, the undersigned authority in and for the said county and stated, on this the 15th day of June, 2020, within my jurisdiction, the within named GEORGE HEATH, who acknowledged that he executed the above and foregoing instrument as his own act and deed, having first been authorized to do so by the Governing Authority of the City at a lawfully called meeting at which a quorum was present.



(SEAL)

Gelissa Lachell Taylor
(NOTARY PUBLIC)



**TEMPORARY CONSTRUCTION EASEMENT FOR
 DRAINAGE IMPROVEMENTS
 WOODLAND HEIGHTS SUBDIVISION
 RE-SURVEY
 PLAT BOOK 2 @ PAGE 95
 COLUMBUS, MISSISSIPPI**

Date: 5/26/2020	Scale: 1" = 30'	Dwg. No.: 15680.000
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NEEL-SCHAFFER
Solutions you can build upon
P.O. Box 2100 / 39704
 2310 Martin Luther King Jr. Drive
 Columbus, MS 39705
 PH: (662)328-4547 / FAX: (662)328-6552

D. Discuss/Approve lowest quote for Lehmberg Bride piling rehabilitation.

Kevin Stafford, Engineer with Neel-Schaffer, Inc. came forward and remarked that on May 5, 2020, the Office of State Aid and Road Construction informed the City of deficiencies along Bent 2 of the Lehmberg Bridge. Advertisement has been conducted for Lehmberg Bridge Piling Rehabilitation and he recommends awarding the bid to Phillips Contracting to complete the Scope of Work at a cost of \$46,000.00. Internet Sales Tax money can be used to offset this cost. Council Member Box made a motion to approve the request to make necessary repairs to Lehmberg Road Bridge @ Bent 2. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

E. Discuss/Approve request to send four (4) Officers to the Southern Regional Public Safety Institute Law Enforcement Training Academy in Camp Shelby, MS

Chief Shelton requested approval to send four (4) Officers: **Mecca Shabazz, Joshua Birchfield, Bentley Holcombe and Lexus Ware** to the Southern Regional Public Safety Institute Law Enforcement Training Academy in Camp Shelby, MS at a cost of \$3,600.00 each and up to \$350.00 each for clothing allowance to be reimbursed upon completion of the Academy. All travel was previously suspended, but new Police Officers have been hired and cannot perform Law Enforcement duties until they complete the Academy. The next Academy will not begin until August 2020, therefore, the Chief is requesting approval. Council Member Jones made a motion to approve the request to send these four (4) newly hired officers to the Police Academy in Camp Shelby, MS. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

ADJOURNMENT:

The Mayor then asked if there was any other business to come before the Mayor and City Council. There being none, Council Member Beard moved that the meeting be adjourned. Upon second by Council Member Stewart and unanimous vote, the Mayor announced that the meeting was ADJOURNED.

Approved by: Robert E. Smith, Sr.
Robert E. Smith, Sr., Mayor

Deliah T. Vaughn
Deliah T. Vaughn
CFO- Secretary-Treasurer

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