

Robert Sosnoskie

From: Jarrod.Loadholt@icemiller.com
Sent: Friday, September 9, 2022 11:21 AM
To: Henderson, Claytrice;Joseph, Elizabeth;Chloe_Cantor@wicker.senate.gov;Daniel Ulmer;May, Anna;fware@mail.house.gov;Shamaskin, Andrew (Wicker);Chokwe A. Lumumba;Fidelis Malembeka;Louis Wright;Jordan R. Hillman;George.Hornedo@icemiller.com;Robert Lee;Meagan.Bolton@icemiller.com;Dennis.McCloud@icemiller.com
Cc: Safiya Omari;John Pence;Quincy Mukoro
Subject: RE: City of Jackson Federal Delegation Meeting Agenda - 9.8.22

Team,

The readout from yesterday's call is below.

- Per the City's conversations to date with EPA leadership and State leadership, the City should qualify as a "disadvantaged community" for purposes of favorable dispensation in terms of funding from the state revolving loan funds. The open question at this time is the amount of money from the State's FY22 and FY23 (?) RLF authority they are willing to commit to the City and the dollar amount – with corresponding projects – that the City would like to see funded from the State RLFs.
 - Action item(s): The City will keep this group apprised of any developments regarding firm commitments from the State on FY22 and FY23 commitments to the City of Jackson.
- CFO Malembeka referenced a systemwide capital improvement plan on the call that is under development and that would be shared with this group upon completion.
 - Action item(s): We are reading this capital improvement plan as including both the projects that have identified funding sources and projects that need funding to provide a full picture to the delegation regarding the City's funding needs.
- There is general consensus among the delegation and the City that an end-of-year/lame duck supplemental appropriation is the best option for the City to comprehensively address long-standing maintenance issues, but in order to proceed, the delegation offices will need the following from the City:
 - a listing of projects with identified funding sources (including funding sources that are still tentative or pending) with estimated costs – ARPA, State RLF, FY23 Community Project Funding Requests, Army Corps funding, etc.; and,
 - a listing of projects that ***do not*** have identified funding sources. The City suggested that they would need 2-3 weeks to develop such a list to share with the delegation, and the list would form the basis for any supplemental appropriations framework.

I would like to suggest a soft deadline for this submission to the delegation to be no later than **September 30th**. Of the matters discussed to date, I would suggest that this is the most important information for a path forward to comprehensively finance the City's water system and should be priority for all parties involved moving forward.

- Action item(s)

- The City will work to put together the project list and funding sources as a part of its comprehensive capital improvement plan to be shared with this group that will form the basis for any end-of-year supplemental appropriations request.
 - If the delegation offices have any other FY23 community project funding request updates, please share those in real time with the group as they arise.
- There's an open legal question regarding if the EPA has discretion to forgive the non-grant portions of any RLF funds extended to the City through the State of Mississippi pursuant to the IJA. [@Hornedo, George](#) from our team will look into this question and have a readout for us by next week's call.
 - Action item(s): Ice Miller will look into this and provide a readout no later than next Friday.
- The City is receiving significant technical assistance from the EPA (among others), and as a part of that technical assistance there are some early conversations regarding the long-term viability of O.B. Curtis. Would this consideration be reflected in the capital improvement plan/project list with cost estimates that will be shared with this group on September 30th, CFO Malembeka and Director Hillman?
- Mayor Lumumba referenced a group of water engineers that would be introduced to this group to help provide technical expertise to us all as we navigate how to accurately put together a capital improvement plan, project list, and cost estimates that could shape a supplemental appropriations request. Please share their contact information with our team and we will add them to the weekly calls.
 - Action item(s): The City will share the contact information of the water engineers referenced in the call and add them to this email thread and [@McCloud, Dennis](#) will add them to the standing call invitation.
- Per CFO Malembeka, WIFIA does not appear to be a viable option for the City given the City's limited borrowing capacity to sustain any WIFIA loans.
- Director Hillman did suggest that the City would like to pursue a BRIC flood mitigation grant. [@McCloud, Dennis](#), please work with Director Hillman to find a time that works for her next week to meet with our team at Ice Miller cc'd here to discuss how we can support the City's grant-writing efforts to pursue this BRIC grant.
 - Action item(s): Dennis will schedule a call next week or the following week (depending on Director Hillman's availability) to discuss the BRIC application. [@Henderson, Claytrice](#) and [@fware@mail.house.gov](mailto:fware@mail.house.gov), given that this is a FEMA grant, we want to work closely with Chairman Thompson on this given the committee jurisdiction over the program and the funding. Dennis, please be sure to also add Chairman Thompson's office to this call. [@Bolton, Meagan](#) from our team will take the lead in supporting the City's BRIC application efforts.
- I have a note that we did not discuss the Army Corps' deliberations regarding a Pearl River facility, so I will make sure this is top of the agenda for next week's call.
 - Action item(s): [@Chloe_Cantor@wicker.senate.gov](mailto:Chloe_Cantor@wicker.senate.gov), if there's any background information that needs to be shared with this group on that project and the ACE's deliberations, please share.
- The City Council should be authorizing the Mayor to sign a Project Participant Agreement for \$5 million for Savanna Street repairs on Tuesday with the Mayor being able to sign the agreement on by end of week next week.
 - Action item(s)
 - Can the City let us know when this happens so that we're all aware that this happened?

- Delegation offices – would appropriating the remaining \$20M from that authorization be a part of the supplemental appropriations request? Should projects that this would be funding be included in the capital improvement plan under development?
- Do we have an ETA on the U.S. Water Alliance report from the City?

Looking forward to the conversation next Friday!

From: Loadholt, Jarrod

Sent: Wednesday, September 7, 2022 11:34 PM

To: Henderson, Claytrice <Claytrice.Henderson@mail.house.gov>; Joseph, Elizabeth <Elizabeth.Joseph@mail.house.gov>; Chloe_Cantor@wicker.senate.gov; Daniel Ulmer <Daniel_Ulmer@hydesmith.senate.gov>; May, Anna <Anna.May@mail.house.gov>; fware@mail.house.gov; Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Chokwe A. Lumumba <calumumba@city.jackson.ms.us>; Fidelis Malembeka <fmalembeka@city.jackson.ms.us>; Louis Wright <louisw@city.jackson.ms.us>; Jordan R. Hillman <jhillman@city.jackson.ms.us>; Hornedo, George <George.Hornedo@icemiller.com>; rlee@city.jackson.ms.us
Cc: Safiya Omari <somari@city.jackson.ms.us>; Bolton, Meagan <Meagan.Bolton@icemiller.com>; John Pence <john@pencestrategygroup.com>; Quincy Mukoro <quincy@octagongroup.net>
Subject: City of Jackson Federal Delegation Meeting Agenda - 9.8.22

Team,

The agenda for tomorrow's call is below

- Introductions
 - Anyone who wasn't on last week's call can introduce themselves
- This week's developments
 - Update on the conditions on the ground from the City
 - Readout of this week's EPA and FEMA meetings from the City
 - Readout from yesterday's meeting with the Army Corps re: \$5 million in project funding for Savanna Street
 - The City has all the necessary agreements and supporting documentation, and best-case scenario, the City Council will approve authorizing language authorizing the Mayor to sign a project participation agreement with the Army Corps for \$5 million for Savanna Street funding next Tuesday for execution next Wednesday or Thursday.
 - Estimated 12-month process for document execution to construction commencing
 - Are there options for expediting any of this funding?
- Items for Discussion
 - City of Jackson (Fidelis) – status update on updated project list and sources and uses of funds
 - Delegation (Wicker and Hyde-Smith) – any updates on the FY23 budget and water and sewer-related Community Project Funding requests?
 - Strategy for appropriation the remaining \$20 million to the Army Corps (as a part of a FY23 supplemental?)
 - FY23 supplemental appropriation – high-level discussion of what that could look like and what it would take to get traction in light of where the FY23 budget is in the appropriations process
 - Pearl River facility/flood control – any updates on the Army Corps' deliberations? (Wicker)
 - WIFIA – **Does the City of Jackson intend to submit a letter of interest for WIFIA funding?**
 - EPA's WIFIA program will begin accepting letters of interest for WIFIA and SWIFIA loans from prospective borrowers on Tuesday, September 6th 2022. This year's round of funding will provide up to \$5.5 billion for WIFIA loans and \$1 billion for SWIFIA loans, and the following area will be prioritized:
 - Increasing investment in economically stressed communities.

- Making rapid progress on lead service line replacement.
- Addressing PFAS and emerging contaminants.
- Supporting one water innovation and resilience.
- BRIC – **Does the City of Jackson intend to submit an application for a BRIC grant for flood mitigation?**
 - The fiscal year 2022 (FY 2022) application period for the Hazard Mitigation Assistance (HMA) Notices of Funding Opportunities (NOFOs) for the Flood Mitigation Assistance (FMA) grant program and the new Building Resilient Infrastructure and Communities (BRIC) grant programs will open on Sept. 30, 2022, and close at 3 p.m. Eastern Time on Jan. 27, 2023.
- Delegation offices – a few of you have reached out with City-specific inquiries, so any information from your bosses and what you need from the City would be discussed here.
- U.S. Water Alliance Report updates from the City
- Action items

If anyone from this email isn't on the meeting invite for Thursday morning at 9am ET/8am CT – please let me know.

Talk soon!

From: Loadholt, Jarrod
Sent: Monday, September 5, 2022 4:48 PM
To: Henderson, Claytrice <Claytrice.Henderson@mail.house.gov>; Joseph, Elizabeth <Elizabeth.Joseph@mail.house.gov>; Chloe_Cantor@wicker.senate.gov; Daniel Ulmer <Daniel_Ulmer@hydesmith.senate.gov>; May, Anna <Anna.May@mail.house.gov>; fware@mail.house.gov; Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Chokwe A. Lumumba <calumumba@city.jackson.ms.us>; Fidelis Malembeka <fmalembeka@city.jackson.ms.us>; Louis Wright <louisw@city.jackson.ms.us>; Jordan R. Hillman <jhillman@city.jackson.ms.us>; Hornedo, George <George.Hornedo@icemiller.com>; rlee@city.jackson.ms.us
Cc: Safiya Omari <somari@city.jackson.ms.us>; Bolton, Meagan <Meagan.Bolton@icemiller.com>; John Pence <john@pencestrategygroup.com>; Quincy Mukoro <quincy@octagongroup.net>
Subject: RE: [EXT] City of Jackson Water - readout from 9.2.22 meeting

Afternoon, everyone.

The latest update from the City is attached.

From: Loadholt, Jarrod
Sent: Friday, September 2, 2022 1:49 PM
To: 'Henderson, Claytrice' <Claytrice.Henderson@mail.house.gov>; 'Joseph, Elizabeth' <Elizabeth.Joseph@mail.house.gov>; 'Chloe_Cantor@wicker.senate.gov' <Chloe_Cantor@wicker.senate.gov>; 'Daniel Ulmer' <Daniel_Ulmer@hydesmith.senate.gov>; 'May, Anna' <Anna.May@mail.house.gov>; 'fware@mail.house.gov' <fware@mail.house.gov>; 'Shamaskin, Andrew (Wicker)' <Andrew_Shamaskin@wicker.senate.gov>; 'Chokwe A. Lumumba' <calumumba@city.jackson.ms.us>; 'Fidelis Malembeka' <fmalembeka@city.jackson.ms.us>; 'Louis Wright' <louisw@city.jackson.ms.us>; Jordan R. Hillman <jhillman@city.jackson.ms.us>; Hornedo, George <George.Hornedo@icemiller.com>
Cc: 'Safiya Omari' <somari@city.jackson.ms.us>; Bolton, Meagan <Meagan.Bolton@icemiller.com>; 'John Pence' <john@pencestrategygroup.com>; 'Quincy Mukoro' <quincy@octagongroup.net>
Subject: RE: [EXT] City of Jackson Water - readout from 9.2.22 meeting
Importance: High

Afternoon, everyone.

Wanted to get this readout of today's call out to the group before everyone headed out for the holiday weekend.

- City (Mayor Lumumba, Dr. Omari, Administrator Wright, Director Hillman and/or CFO Malembeka) will share any relevant updates from today's FEMA visit as soon as practicable;
- The City agreed to share to this thread all relevant updates from MEMA for the delegation offices to respond to constituent requests. I shared an updated a while ago with this group.
- CFO Malembeka will share a dashboard of ARPA funds obligated to date for water and sewer projects and any other FY21 and/or FY22 dollars that are obligated and the projects those funds will be obligated for.
- The Wicker and Guest offices will keep us apprised of any developments regarding the Community Project Funding requests they got submitted for the FY23 budget.
- On our next call, we should discuss the City's pursuit of a BRIC grant from the IIJA (will need the delegation's support) – [the NOFO should be going live on September 30th](#).
- The City, Ice Miller, and Octagon (Quincy) has followed up with the ACE to understand next steps to secure \$5M (we will be getting a status update on the Project Partnership Agreement hopefully next week – thank you, Chloe). When that meeting is confirmed, we'll update this group and provide a readout of that meeting and any next steps in finalizing a PPA.
- Should any reports from the U.S. Water Alliance be issued between now and our next call, the City will share a copy of that report with this thread.
- Please share your preferred cell phone number to be added to a group communications platform to facilitate real-time information sharing (will likely do GroupMe).
- On our next call, we should also discuss the ACE's potential future decision regarding the [Pearl River project](#) that Senator Wicker has led on.
- We should also discuss the FY22 and soon-to-be developed FY23 Intended Use Plans for the State RLF dollars from the IIJA to ensure that this source of funds is fully maximized to address backlogged projects.
- Are there any other people who should be added to this call? If so, please let me know.

We didn't discuss this, but for the next call, I wanted to surface the idea of this group developing the framework for a supplemental appropriations package – not unlike what we often see around natural disasters (like [this](#) for the City's reference). The City referenced an EPA list + projects the City needed done – is there a current list of both the EPA-identified and the City-identified projects with a dollar figure so that we can understand how much we would actually need and the types of projects we're talking about? This could help shape a supplemental package, as it's my understanding the Biden Administration wants to find a way to be helpful and we should discuss as a group next call.

Also, Dennis will be circulating a weekly call invitation to this group shortly. If anyone from any of our teams needs to be added to the call, please let us know. Next week's call will be on Thursday (I'm traveling next Friday morning) morning at 9am, but starting the following Friday (9/16), we'll keep the call on the calendar unless instructed otherwise from Mayor Lumumba.

If I missed anything, please feel free to add.

Thanks, all!

From: Loadholt, Jarrod

Sent: Friday, September 2, 2022 11:43 AM

To: Henderson, Claytrice <Claytrice.Henderson@mail.house.gov>; Joseph, Elizabeth <Elizabeth.Joseph@mail.house.gov>; Chloe.Cantor@wicker.senate.gov; Daniel Ulmer <Daniel_Ulmer@hidesmith.senate.gov>; May, Anna <Anna.May@mail.house.gov>; fware@mail.house.gov; Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Chokwe A. Lumumba <calumumba@city.jackson.ms.us>; Fidelis Malembeka <fmalembeka@city.jackson.ms.us>; Louis Wright <louisw@city.jackson.ms.us>
Cc: Safiya Omari <somari@city.jackson.ms.us>; Bolton, Meagan <Meagan.Bolton@icemiller.com>; John Pence <john@pencestrategygroup.com>; Quincy Mukoro <quincy@octagongroup.net>

Subject: RE: [EXT] City of Jackson Water

Team,

This morning's update is attached.

From: Henderson, Claytrice <Claytrice.Henderson@mail.house.gov>
Sent: Tuesday, August 30, 2022 4:44 PM
To: Loadholt, Jarrod <Jarrod.Loadholt@icemiller.com>; Joseph, Elizabeth <Elizabeth.Joseph@mail.house.gov>; Chloe.Cantor@wicker.senate.gov; Daniel Ulmer <Daniel_Ulmer@hydesmith.senate.gov>; May, Anna <Anna.May@mail.house.gov>
Cc: Safiya Omari <somari@city.jackson.ms.us>; Bolton, Meagan <Meagan.Bolton@icemiller.com>; John Pence <john@pencestrategygroup.com>; Quincy Mukoro <quincy@octagongroup.net>
Subject: RE: [EXT] City of Jackson Water

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Good Afternoon Jarrod,

I hope all is well. I am available to meet on Thursday or Friday.

Claytrice

From: Jarrod.Loadholt@icemiller.com <Jarrod.Loadholt@icemiller.com>
Sent: Tuesday, August 30, 2022 2:44 PM
To: Joseph, Elizabeth <Elizabeth.Joseph@mail.house.gov>; Chloe.Cantor@wicker.senate.gov; Daniel Ulmer <Daniel_Ulmer@hydesmith.senate.gov>; Henderson, Claytrice <Claytrice.Henderson@mail.house.gov>; May, Anna <Anna.May@mail.house.gov>
Cc: Safiya Omari <somari@city.jackson.ms.us>; Meagan.Bolton@icemiller.com; John Pence <john@pencestrategygroup.com>; Quincy Mukoro <quincy@octagongroup.net>
Subject: RE: [EXT] City of Jackson Water
Importance: High

Afternoon, everyone.

First, thank you to Elizabeth for connecting us. As this group is aware, the City's water challenges are as significant as they've ever been, and I'd like this group to be in regular communication with the City of Jackson on the current issues around the Pearl River flooding emergency and long-term financing strategies to address the underlying deferred maintenance and operational challenges facing the City's water and sewer infrastructure.

To the extent there are immediate federal asks in connection with the immediate Pearl River flooding matters, this group should definitely be in communication.

Any chance this group could connect this week, and if so, could the delegation representatives share their availability this week? And hopefully, we maybe set a standing cadence to discuss progress and exchange notes on how we can be helpful in supporting the City specifically on these water issues?

Looking forward to working with this group and making progress for the City of Jackson.

Best,

The Ice Miller Team

From: Joseph, Elizabeth <Elizabeth.Joseph@mail.house.gov>

Sent: Tuesday, August 30, 2022 1:56 PM

To: Chloe.Cantor@wicker.senate.gov; Daniel Ulmer <Daniel_Ulmer@hydesmith.senate.gov>; Henderson, Claytrice <Claytrice.Henderson@mail.house.gov>; May, Anna <Anna.May@mail.house.gov>

Cc: Loadholt, Jarrod <Jarrod.Loadholt@icemiller.com>; Safiya Omari <somari@city.jackson.ms.us>

Subject: [EXT] City of Jackson Water

EXTERNAL EMAIL WARNING! Use caution with links or attachments. DO NOT provide your credentials!

Good afternoon, all,

Jarrold Loadholt would like to set up a regular call with our offices to keep us updated on the City of Jackson water situation. Jarrold – I appreciate your organizing the call and will let your team take it from here!

Many thanks,

Elizabeth



Elizabeth Joseph

Policy Director

Rep. Michael Guest (MS-03)

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Washington, D.C. 20515



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Thank you.

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