



AGENDA REQUEST

TO: Mayor and City Council

FROM: Stephen N. Reed, Assistant City Attorney

DATE: September 12, 2024

SUBJECT: IN THE MATTER OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE MISSISSIPPI TRANSPORTATION COMMISSION AND THE CITY OF TUPELO REGARDING THE REIMBURSEMENT OF COSTS ASSOCIATED WITH THE COLLECTION OF LITTER ALONG RIGHT-OF-WAYS OWNED BY THE MTC BY THE CITY'S ALTERNATIVE SENTENCING PROGRAM **SR**

Request:

The Tupelo Municipal Court is authorized by Miss. Code Ann. § 21-23-7 (2) to implement an alternative sentencing program rather than imposing a fine and/or incarceration when the objects of justice would be more likely met. As an alternative to traditional sentencing, the municipal judge has the power to sentence convicted offenders to work on a public service project, and such work shall be commensurate with the fine and/or incarceration that would have ordinarily been imposed.

The Tupelo Municipal Court, pursuant to this authority, has implemented a cleanup program that allows convicted offenders to earn credit towards any fines they owe to the municipality. Credit is earned by picking up litter and refuse on public property in the City. The costs associated with the implementation of the cleanup program are covered by the City, and these costs are typically related to full-time personnel that oversee the program and the provision of tools and transportation.

The Agreement before the Council for approval authorizes the Mississippi Transportation Commission ("MTC"), a public entity that oversees that management of the State's highway system, to reimburse the City for its costs related to the implementation of its cleanup program on property owned by the MTC.