

Bond Case Briefs

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MUNICIPAL GOVERNANCE - MISSISSIPPI

Lumumba v. City Council of Jackson

Supreme Court of Mississippi - March 9, 2023 - So.3d - 2023 WL 2420981

City council brought action against mayor, seeking declaratory and injunctive relief arising from mayor's attempt to veto a negative vote of council, and mayor counterclaimed for declaration that he had authority to veto such a vote.

The Chancery Court entered summary judgment in favor of council. Mayor appealed.

The Supreme Court held that:

- Exhibits of public records sought to be introduced by city council were "on file" and thus admissible at summary judgment stage;
- Statute providing a mayor in a mayor-council municipality with authority to veto an ordinance that has been adopted by city council does not provide mayor with authority to veto a negative vote or non-action of a city council; and
- City code also did not provide mayor with such authority.