



September 1, 2025

City of Ocean Springs
1018 Porter Avenue
Ocean Springs, MS 39564

Dear Mayor Cox & Aldermen,

SaveOS, is a 501(c)(4) non-profit organization dedicated to ensuring that residents of our City are informed on important matters within City government. Our focus is on influencing policy that improves the quality of lives of residents and positively impacts government efficiency and transparency.

SaveOS has reviewed the package provided to the Board of Alderman (BOA) for the Tuesday, September 2 meeting. SaveOS strongly recommends that the proposal in the BOA package to change the "interim" status of the contract for attorney David Harris to an annual - automatically renewed contract not be approved. SaveOS urges the BOA to move forward immediately with an open-source search to identify and select a full-time City Attorney. Litigating lawsuits should not be part of the City Attorney's role. Continuing to contract for legal services through private law firms who also litigate disputes with the City **comes with inherent risk of real and apparent conflicts of interest**. This has and continues to be a significant issue within our city.

The present "temporary" contract for interim legal services was approved by the past administration's BOA following the resignation of Mr. Robert Wilkinson's firm. Mr. Wilkinson's firm resigned after a vote by the past BOA to move forward with sourcing applications for a new City Attorney. The BOA took this action before the election due to concerns raised by the public over apparent conflicts of interest among the contracted City Attorney, the Chief of Police, and Securix, a private company engaged by the City to provide a camera based scheme for ticketing drivers without insurance. Allegations were made that the City Attorney and the Chief of Police were financially benefitting from the Securix contract. The City's contract with Securix had already been cancelled. Camera based ticketing schemes operated by private companies face ongoing lawsuits within MS and other States.

The past BOA expressed a preference for precluding the new City Attorney from handling insured and uninsured lawsuits to avoid potential conflicts of interest (COI) including personal gain from litigating legal disputes. Mr. David Harris, the current interim contract City Attorney was appointed by the past Board of Alderman before they left office. The single-source arrangement with Mr. Harris was intended to be interim until the City was able to request applications for either a full-

time City Attorney (employee) or a new contract attorney. The planned open source search and selection of a candidate was not completed. No other candidates were vetted by the BOA.

The new contract terms proposed by Mayor Cox's Administration are lucrative. The payment terms include a \$12,000.00 per month retainer plus a \$200.00 per hour billing rate for litigating both uninsured and insured lawsuits. A full time in-house attorney can be sourced for the amount provided in the proposed contract for the part-time retainer.

Mr. David Harris who is being proposed as the new part-time contract City Attorney is the son of Chancery Court Judge Neil Harris. Judge Harris is overseeing lawsuits among and between past or present owners of various Securix affiliates including Mr. Wilkinson. Judge Harris only recently unsealed some of the Securix court records after lawsuits were filed by The Sun Herald and Mississippi Press.

Clinton, Madison, and Olive Branch are cities within MS with reputations for being well managed and attractive places to live. All appear to employ full-time counsel for the City Attorney role. The benefits of in-house counsel are numerous. Readily available information on the subject states that full-time in-house City Attorneys:

- can dedicate needed time to discuss the many diverse matters that must be managed by the Board and Mayor
- more easily avoid conflicts of interests than part-time private practice attorneys
- provide enhanced objectivity thereby improving the likelihood of avoiding or resolving costly, lengthy legal disputes
- improve cost efficiency by overseeing contracting of all services including external legal services if needed
- develop deeper institutional knowledge of the City's vision and strategies, and
- are more part of the community and can build a trusted reputation through years of service and community involvement

SaveOS recommends that only the interim status of Mr. Harris's contract be extended until the Board conducts an open source search for a qualified, full-time City attorney who directs and oversees, not bills for litigation services.

SaveOS is a nonprofit social welfare organization organized under Section 501(c)(4) of the Internal Revenue Code. Contributions or gifts to SaveOS are not deductible as charitable contributions for federal income tax purposes. SaveOS may engage in advocacy and lobbying consistent with its mission to promote accountable local government.

Sincerely,



Mike Illanne

Director

On behalf of SaveOS