

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, APRIL 14, 2020 10:00 A.M.**

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on April 14, 2020, being the second Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Virgi Lindsay, Council President, Ward 7; De'Keither Stamps, Vice President, Ward 4; Ashby Foote, Ward 1; Melvin Priestler, Jr., Ward 2 (Teleconference); Charles Tillman, Ward 5 and Aaron Banks, Ward 6. Directors: Chokwe Antar Lumumba, Mayor; Shanekia Mosely, Interim Clerk of the Council; Alice Patterson, Deputy Clerk of Council and Tim Howard, City Attorney.

Absent: Kenneth Stokes, Ward 3.

The meeting was called to order by **President Virgi Lindsay**.

The invocation was offered by **Council Member Aaron Banks**.

The Council recited the Pledge of Allegiance.

President Lindsay recognized **Council Member Stamps** who introduced the following individuals during the meeting:

- **In Memory of Reverend Dr. Winfield Bracey Jr.**
- **In Memory of Pastor Robinson**

There came on for consideration Agenda Item No. 2:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF-WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY. Said item was tabled for a Special Council Meeting to be held at a later date.

There came on for consideration Agenda Item No. 3:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF-WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY. Said item was tabled for a Special Council Meeting to be held at a later date.

There came on for consideration Agenda Item No. 4:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE. Said item was tabled until a Special Council Meeting to be held at a later date.

There came on for consideration Agenda Item No. 5:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE. Said item was tabled until a Special Council Meeting to be held at a later date.

There came on for consideration Agenda Item No. 6:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE. Said item was tabled for a Special Council Meeting to be held at a later date.

There came on for consideration Agenda Item No. 7:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE. Said item was tabled for a Special Council Meeting to be held at a later date.

President Lindsay recognized **Tim Howard**, City Attorney, who stated that an order was passed unanimously by City Council Members, present and voting at the meeting, to temporarily suspend sections of the Jackson City Council's Regular Meeting agenda concerning public comments, proclamations, special presentations, commendations and resolutions honoring individuals, businesses, groups or organizations. This action was taken due to Mayor Chokwe Antar Lumumba Civil Emergency issued on March 16, 2020 regarding COVID-19.

ORDINANCE CREATING SECTION 110-29 OF THE JACKSON CODE OF ORDINANCES REGULATING URBAN CAMPING AND THE IMPROPER USE OF PUBLIC PLACES.

WHEREAS, the Jackson Police Department and the Mississippi Department of Transportation has observed people inhabiting, camping, building fires, and storing belongings beneath certain bridges and overpasses throughout the City of Jackson; and

WHEREAS, in one incident an overpass on Interstate Highway 20 was damaged by a fire set beneath the overpass, creating a dangerous condition in one lane of that overpass, which required the emergency closure of a section of Interstate Highway 20 in order to repair the damage; and

WHEREAS, the Jackson Police Department periodically receives calls for assistance when persons are sleeping on sidewalks or in the entrances to buildings, effectively blocking the use of the sidewalk or building ingress and egress; and

WHEREAS, the City of Jackson currently has no Ordinances that expressly prohibit these types of uses of rights-of-way; and

WHEREAS, the Mississippi Department of Transportation has requested assistance from the City of Jackson in keeping clear the areas under its overpasses within the City of Jackson, otherwise, they may be required to erect fencing with razor wire to restrict the use of these areas; and

WHEREAS, the use of the areas beneath bridges and overpasses for inhabiting, camping, building fires for warmth and cooking possesses a public health and safety issue because of the risk of damage to bridge structures; and

WHEREAS, the blocking of sidewalks presents a safety hazard for persons having to walk around off the sidewalk and possibly into the street; and

WHEREAS, the blocking of building ingress and egress poses a public health and safety issue from slowing egress from a building in the event of an emergency and slowing ingress of first responders in the event of an emergency; and

WHEREAS, the Jackson Police Department believes a narrowly tailored ordinance that gives them the authority to request people to move from beneath bridges and overpasses, and from sidewalks and other rights-of-way; and

WHEREAS, the Jackson City Council seeks to prevent damage to bridges and overpasses, to prevent the installation of razor wire fencing on state-owned right-of-way, to allow the unimpeded use of sidewalks in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

SECTION 1. That Section 110-29 of the Jackson Code of Ordinances is created as follows:

Sec. 110-29. - Urban camping and improper use of public places.

(a) *Definitions.* The following words, terms and phrases, when used in this section 110-29, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

" *Bridge* " means a structure, including the approaches thereto, erected in order to afford passage over any obstruction in any public road, railroad, or other right-of-way; or to afford passage under or over existing public roads, railroads, or other rights-of-way. As used in this section the definition of "Bridge" shall include a controlled access highway overpass as defined herein.

" *Camp* " or " *camping* " means the use of a street, sidewalk, other right-of-way, and/or any area underneath a bridge, within the City of Jackson for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or making a fire, or carrying on cooking activities, or using a tent or other structure for habitation. These activities constitute camping if, in light of all the circumstances, it reasonably appears that in conducting one or more of these activities, the participant is in fact using the area as a living accommodation, regardless of the intent of the participant or the nature of any other activities in which s/he may also be engaging. For purposes of this section 110-29(a), the terms "camp" and "camping" do not include activity that occurs solely within city-owned parks.

"City" means the City of Jackson.

"Controlled *access highway overpass* " means a crossing of two controlled access highways or of a controlled access highway and other public road, pedestrian path, railroad or public right-of-way at different levels where clearance to traffic on the lower level is obtained by elevating the higher level.

" *Interference* (or " *interfere* ") with ingress and egress" means standing, sitting, lying down, using personal property, or performing any other activity on public property and/or in a park, where such activity: a) materially interferes with the ingress into and egress from buildings, driveways, streets, alleys, or any other real property that has a limited number of entrances/exits, regardless of whether the property is owned by the city, a private owner or another public entity; b) reasonably appears, in light of all of the circumstances, to have the purpose of blocking ingress and egress; and c) occurs without the express written permission of the owner of the property at issue. Where written permission has been granted, the individuals interfering with ingress and egress must have possession of the permission at the time of the activity in question.

"Park " or " *parks* " means any city-owned park.

" *Public property* " means any street, sidewalk, and/or other right-of-way, within the City of Jackson.

"*Storing* (or " *store* ") personal property" means leaving one's personal effects unattended on public property, in any area underneath a bridge, and/or in a park, such as but not limited to clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks. This term does not include parking a bicycle or other mode of transportation.

(b) It shall be unlawful for any person to camp.

(c) It shall be unlawful for any person to store personal property.

(d) It shall be unlawful for any person to interfere with ingress and egress.

(e) No person may be arrested for violating this code section until they have received an oral or written warning from the Jackson Police Department to cease the prohibited conduct. If the violator fails to comply with the warning issued, they may be arrested for violation of this section.

(f) Where personal property is stored in violation of subsection (c) above, the Jackson Police Department may deem the property to be abandoned and may confiscate it. No warning is required prior to the confiscation. The department shall retain the property in a manner consistent with the handling of other confiscated property.

(g) The prohibitions set forth in subsections (b) and (c) above shall not apply during a permitted outdoor event (as defined in City Code of Ordinances Chapter 14, Article IV, Special Events) on property where the outdoor event is located, as set forth in a city-issued outdoor event permit, unless the permit explicitly prohibits the activity.

(h) The prohibitions set forth in this section 110-29 shall not apply to city, state, or county officials or employees acting in their official capacity, performing the activities as part of their official city duties.

(i) The prohibitions set forth in this section 110-29 shall not apply to city, state, or county contractors or subcontractors where said activities are associated and performed in conjunction with the scope of work set forth in the city contract.

SECTION 2. This ordinance shall be effective thirty (30) days after passage, and upon publication in accordance with Section 21-13-11 of the Mississippi Code, as amended.

Council Member Banks moved adoption; **President Lindsay** seconded.

Yeas- Banks, Foote, Lindsay, Priester and Tillman.

Nays- Stamps.

Absent- Stokes.

ORDINANCE AMENDING SECTION 122-177 (a) OF THE JACKSON CODE OF ORDINANCES—DIVISION 5. FATS, OILS AND GREASE CONTROL PROGRAM.

WHEREAS, the City of Jackson entered into a Consent Decree with the State of Mississippi and the United States of America on March 1, 2013 in the case entitled, United States of America and the State of Mississippi vs. The City of Jackson, Mississippi, No. 3:12-cv-790 TSL-MTP, United States District Court for the Southern District of Mississippi; and

WHEREAS, the Consent Decree requires the City to implement certain Capacity, Management, Operations, and Maintenance program, including a fats, oils, and grease (FOG) control program; and

WHEREAS, the City of Jackson submitted a proposed FOG Control Program to the United States Environmental Protection Administration, Region IV, for review and approval, which included a commitment to revise the City's ordinances to implement the FOG Control Program and enforce compliance with it; and

WHEREAS, the City initially adopted this Ordinance with a grandfather provision that exempted Food Service Establishments (FSE) existing at the time of its enactment unless their discharge of fats, oils, and grease cause a sanitary sewer overflow or problems in the sewer collection system; and

WHEREAS, the United State Environmental Protection Agency has requested that the City make certain amendments to the original ordinance to place a sunset provision on the grandfather clause, but indicated it would not grant pre-approval to such an amendment; and

WHEREAS, the City placed a sunset date on the grandfather clause of June 30, 2023; and

WHEREAS, the United States Environmental Protection Agency reviewed the amendment to the grandfather clause and expressed that it would require a significantly shorter sunset date to be considered to comply with its requirements for the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

SECTION 1. Section 122-177 (a) is amended as follows:

DIVISION 5. – FATS, OILS AND GREASE CONTROL PROGRAM

Sec. 122-177. – FOG Control Plan and Fees

(a) FSEs lawfully in existence as of the date of this ordinance are not shall be required to install a grease control device on or before February 28, 2021. However, unless and until if a FOG discharge to the City's sanitary collection system from the such a lawfully existing FSE has caused causes or significantly contributes to a blockage or system problem, as documented by the Director of the Department of Public Works. If such a blockage or system problem occurs such FSE shall be required to submit a FOG Control Plan and install a grease control device. Such a lawfully existing FSE shall submit their FOG Control Plan and install their grease control device within 30 days of notice from the Director of the Department of Public Works.

SECTION 2. This ordinance shall be effective thirty days after enactment and following publication.

Council Member Tillman moved adoption; **President Lindsay** seconded.

Yeas- Foote, Lindsay, Priester, Stamps and Tillman.

Nays- Banks.

Absent- Stokes.

ORDER APPROVING CLAIMS NUMBER 22734 to 22782 APPEARING AT PAGES 1 TO 21, INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$4,491,802.98 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 22734 to 22782 appearing at pages 1 to 21, inclusive thereon in the Municipal "Docket of Claims", in the aggregate amount of \$4,491,802.98 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO ACCOUNTS PAYABLE FUND
GENERAL FUND	1,257,687.26
TECHNOLOGY FUND	55,084.50
PARKS & RECR. FUND	30,152.69
BUSINESS IMPROV FUND (LANDSCP)	225,676.21
LANDFILL/SANITATION FUND	107.39
STATE TORT CLAIMS FUND	2,880.83
WATER/SEWER OP & MAINT FUND	127,280.42
DISABILITY RELIEF FUND	805,341.34
KELLOGG FOUNDATION PROJECT	2,194.46
EARLY CHILDHOOD (DAYCARE)	73.94
HOUSING COMM DEV ACT (CDBG) FD	81,812.21
EMERGENCY SHELTER GRANT (ESG)	23,015.76
HOME PROGRAM FUND	1,716.40
H O P W A GRANT – DEPT. OF HUD	63,904.07
MADISON SEWAGE DISP OP & MAINT	54.36
TRANSPORTATION FUND	1,213,135.60
FONDREN BUSINESS IMPROV FUND	51,366.27
P E G ACCESS – PROGRAMMING FUND	6,902.01
2015 A/B G.O. REFUNDING	533,963.76
LIBRARY FUND	9,453.50
TOTAL	<u>\$4,491,802.98</u>

Council Member Tillman moved adoption.

President Lindsay recognized **Tim Howard, City Attorney**, who stated that there were several Agenda Items that needed to be moved forward on the Agenda before claims is considered.

Council Member Tillman withdrew his motion.

President Lindsay recognized **Tim Howard, City Attorney**, who stated that Agenda Items No. 16, 17, 18, 19, and 22 and should be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER RATIFYING THE ACCEPTANCE OF FINGERPRINTING SERVICES BY THE MISSISSIPPI STATE DEPARTMENT OF HEALTH’S (MDHS) CRIMINAL HISTORY RECORD CHECK UNIT, AND AUTHORIZING THE PAYMENT FOR THE SAME.

WHEREAS, the City of Jackson’s, Department of Parks and Recreation takes necessary precautions in the selection of employees to work with our youth, teens and adults; and

WHEARAS, potential employees are required to have a fingerprint scan and background check done at the State Licensure office in Jackson. All potential applicants’ fingerprints are transmitted to the Mississippi Department of Public Safety and run through the Mississippi Criminal Information and Federal Bureau of Investigation databases in order to complete state and national background checks; and

WHEREAS, in furtherance of the Department of Parks and Recreation’s need to run criminal background checks on ten (10) potential employees, the Criminal History Record Check Unit processed ten (10) potential employees on March 5, 2020; and

WHEREAS, ten (10) potential employees were fingerprinted for criminal background checks at a cost of Fifty Dollars (\$50.00) each, and did not exceed Five Hundred Dollars (\$500.00); and

WHEREAS, the Department of Parks and Recreation believes honoring the invoice submitted by MDHS in the amount of Five Hundred Dollars (\$500.00) for fingerprinting of potential employees is in the best interest of the City of Jackson.

IT IS, THEREFORE, ORDERED that the acceptance of fingerprinting and criminal history background check services processed by MDHS on March 5, 2020 is hereby ratified.

IT IS, FURTHER ORDERED that payment of invoice for said fingerprinting fee in the amount of Five Hundred Dollars (\$500.00) to the Mississippi State Department of Health (MDHS) Criminal History Record Check Unit, is hereby authorized.

Council Member Tillman moved adoption; **President Lindsay** seconded.

Yeas- Foote, Lindsay, Priester, Stamps and Tillman.

Nays- Banks.

Absent- Stokes.

ORDER AUTHORIZING THE PAYMENT TO VARIOUS VENDORS FOR THE JACKSON ZOOLOGICAL PARK, THROUGH SEPTEMBER 30, 2020. ORDER AUTHORIZING THE PAYMENT TO VARIOUS VENDORS FOR THE JACKSON ZOOLOGICAL PARK, THROUGH SEPTEMBER 30, 2020.

WHEREAS, the Department of Parks and Recreation desires to retain current vendors to ensure they are paid timely and expeditiously for a variety of services necessary to ensure continuous care of animals, staff and maintenance needs are met, at the Jackson Zoological Park, while negotiations between the City and ZoOceanarium continue; and

WHEREAS, said vendors shall provide detailed invoices and requests for payments through September 30, 2020 pending contract negotiations with prospective outside zoo management:

JACKSON ZOOLOGICAL PARK VENDORS	
1. Aloha Lock & Key (Locksmith) – 001-498.00-6419 Payments not to exceed \$500.00	11. Tommy Rodden (Animal Food) - 001-498.00-6214 Payments not to exceed \$2,500.00
2. Bob’s Pool Service (Aquatic Exhibit Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	12. eMaint Enterprises (Maintenance Work Order Software) 001-498.00-6419 Payments not to exceed \$3,800.00
3. Federal Express (Ship Animal Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	13. U.S. Fish & Wildlife (Animal Permits) - 001-498.00-6419 Payments not to exceed \$600.00
4. United Postal Service (UPS) (Ship Animal Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	14. Boehringer Ingelheim Animal Health USA (Animal Medication) - 001-498.00-6213 Payments not to exceed \$1,000.00
5. United States Postal Service (USPS) (Mail Documents) - 001-498.00-6419 Payments not to exceed \$350.00	15. NovaTime (Time Clock) - 001-498.00-6419 Payments not to exceed \$1,200.00
6. Grainger (Maintenance Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	16. Digital X-Ray Service (Animal X-Rays) - 001-498.00-6419 Payments not to exceed \$500.00
7. Pitney Bowes (Postage) - 001-498.00-6419	17. USDA APHIS Animal Care (Animal Permits) - 001-498.00-6419

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8. Security Support Services (Security Cameras) - 001-498.00-6419 Payments not to exceed \$2,000.00	18. Hinds County Tax Collector (License Plates) 001-498.00-6419 Payments not to exceed \$250.00
9. VRL Laboratories (Animal Testing) - 001-498.00-6419 Payments not to exceed \$500.00	19. Species 360 (Animal Database) - 001-498.00-6419 Payments not to exceed \$10,000.00
10. Wildmorph Pythons (Animal Food) - 001-498.00-6214 Payments not to exceed \$2,000.00	

WHEREAS, each vendor shall be paid up to and not to exceed the amounts listed above in the chart.

IT IS, THEREFORE, ORDERED that the City is hereby authorized to make payments to vendors, in reference to all requests for payments necessary to ensure continuous care of animals, staff and maintenance needs are met at the Jackson Zoological Park, through September 30, 2020 at the following costs per vendors:

JACKSON ZOOLOGICAL PARK VENDORS	
1. Aloha Lock & Key (Locksmith) – 001-498.00-6419 Payments not to exceed \$500.00	11. Tommy Rodden (Animal Food) - 001-498.00-6214 Payments not to exceed \$2,500.00
2. Bob’s Pool Service (Aquatic Exhibit Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	12. eMaint Enterprises (Maintenance Work Order Software) 001-498.00-6419 Payments not to exceed \$3,800.00
3. Federal Express (Ship Animal Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	13. U.S. Fish & Wildlife (Animal Permits) - 001-498.00-6419 Payments not to exceed \$600.00
4. United Postal Service (UPS) (Ship Animal Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	14. Boehringer Ingelheim Animal Health USA (Animal Medication) - 001-498.00-6213 Payments not to exceed \$1,000.00
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10. Wildmorph Pythons (Animal Food) - 001-498.00-6214 Payments not to exceed \$2,000.00	

Council Member Tillman moved adoption; President Lindsay seconded.

After a lengthy discussion, Council Member Tillman and President Lindsay removed their motion and second. President Lindsay stated that said item would be held until the end of the agenda.

ORDER RATIFYING THE ACCEPTANCE OF LIGHTING SUPPLIES PROVIDED BY IRBY AT THALIA MARA HALL AND AUTHORIZING PAYMENT FOR THE SAME.

WHEREAS, Irby provided lighting supplies for the backstage needs at Thalia Mara Hall on January 1, 2020; and

WHEREAS, the City of Jackson received two invoices from Irby for said lighting supplies at Thalia Mara Hall totaling the amount of Two Hundred and Eighteen Dollars and Seven Cents (\$218.07).

IT IS THEREFORE ORDERED that the acceptance of lighting supplies provided by Irby for the backstage area of Thalia Mara Hall on January 1, 2020 is hereby ratified.

IT IS FURTHER ORDERED that the City of Jackson is authorized to remit payment of funds in the amount of Two Hundred and Eighteen Dollars and Seven Cents (\$218.07) to Irby for lighting supplies provided for the backstage needs at Thalia Mara Hall on January 1, 2020.

President Lindsay moved adoption; **Council Member Stamps** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER RATIFYING HVAC REPAIR WORK AND CALL-IN SERVICES PERFORMED BY JOHNSON CONTROLS AT THALIA MARA HALL AND AUTHORIZING PAYMENT FOR THE SAME.

WHEREAS, Johnson Controls provided repair work and call-in services for issues with the HVAC system at Thalia Mara Hall that occurred during a show on September 7, 2019 and two days post-show on September 9 and 10, 2019; and

WHEREAS, the attached invoice reflects two separate repair requests that were made for temperature issues at Thalia Mara Hall totaling Four Thousand, Three Hundred, and Thirty-Five Dollars and Seventy Cents (\$4,335.70) for service dates; and

WHEREAS, typically, most of this work is covered under a service agreement between the City of Jackson, Mississippi ("City of Jackson"), and Johnson Controls, however, said agreement expired in April of 2019; and

WHEREAS, the draft invoices were received by the City of Jackson on September 26, 2019 and October 2, 2019, thus preventing Care and Maintenance from processing the invoice properly given the date of the agreement with Johnson Controls expired.

IT IS THEREFORE ORDERED that the HVAC repair work and call-in services performed by Johnson Controls at Thalia Mara Hall on September 7, 2019, September 9, 2019, and September 10, 2019 is hereby ratified.

IT IS FURTHER ORDERED that the City of Jackson is authorized to remit payment of funds in the amount of Four Thousand, Three Hundred and Thirty-Five Dollars, and Seventy Cents (\$4,335.70) to Johnson Controls for repair services completed at Thalia Mara Hall on September 7, 2019, September 9, 2019, and September 10, 2019.

Council Member Stamps moved adoption; **Council Member Tillman** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER RATIFYING PURCHASES AND PROCUREMENT OF SERVICES FROM TWO (2) VENDORS AND AUTHORIZING PAYMENTS TO SAID VENDORS.

WHEREAS, the Transit Services Division of the Department of Planning and Development had need of certain necessary parts, equipment, and services necessary to the operation and maintenance of the City's transit system; and

WHEREAS, due to exigent circumstances, the purchase and procurement of these necessary parts, equipment, and services was done without prior approval by the governing authorities; and

WHEREAS, the parts and equipment set forth in the invoices were delivered and used in the operation and maintenance of the City's transit system; and

WHEREAS, in order to ensure the continued and proper operation and maintenance of the City's transit system, the Transit Services Division is requesting that the purchases and procurement of services from two (2) vendors be ratified and authorized for payment:

	Date	Vendor Name	Purchases/Services	Amount
1.	3/18/2020	Syntech	The transit facility has an onsite fueling system. On 3/17/20, the system stopped working; and we had to acquire Technical Support to get the system back working. Currently, we do not have a Maintenance nor Technical Support contract for this system.	\$84.00
2.	4/1/2020	Fuse.Cloud (Broadband)	The City's contract expired on 9/30/2018; but transit has been utilizing the company to provide telephone service for the day-day operations of the public transportation system. The City is actively seeking to merge this telephone system with the City's or pursuing a RFP to procure a new telephone system.	\$3,356.45
			Grand Total	\$3,440.45

IT IS, THEREFORE, ORDERED that the purchases and procurement of services from two (2) vendors, Syntech in the amount of \$84.00 and Fuse Cloud (Broadband) in the amount of \$3,356.45, be authorized and payment made to said vendors.

Council Member Tillman moved adoption; **President Lindsay** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

President Lindsay recognized **Dr. Robert Blaine, Chief Administrative Officer**, who gave information on Agenda Item No. 17. **President Lindsay** stated said item should be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER AUTHORIZING THE PAYMENT TO VARIOUS VENDORS FOR THE JACKSON ZOOLOGICAL PARK, THROUGH SEPTEMBER 30, 2020. ORDER AUTHORIZING THE PAYMENT TO VARIOUS VENDORS FOR THE JACKSON ZOOLOGICAL PARK, THROUGH SEPTEMBER 30, 2020.

WHEREAS, the Department of Parks and Recreation desires to retain current vendors to ensure they are paid timely and expeditiously for a variety of services necessary to ensure continuous care of animals, staff and maintenance needs are met, at the Jackson Zoological Park, while negotiations between the City and ZoOceanarium continue; and

WHEREAS, said vendors shall provide detailed invoices and requests for payments through September 30, 2020 pending contract negotiations with prospective outside zoo management:

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4. United Postal Service (UPS) (Ship Animal Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	14. Boehringer Ingelheim Animal Health USA (Animal Medication) - 001-498.00-6213 Payments not to exceed \$1,000.00
5. United States Postal Service (USPS) (Mail Documents) - 001-498.00-6419 Payments not to exceed \$350.00	15. NovaTime (Time Clock) - 001-498.00-6419 Payments not to exceed \$1,200.00
6. Grainger (Maintenance Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	16. Digital X-Ray Service (Animal X-Rays) - 001-498.00-6419 Payments not to exceed \$500.00
7. Pitney Bowes (Postage) - 001-498.00-6419 Payments not to exceed \$500.00	17. USDA APHIS Animal Care (Animal Permits) - 001-498.00-6419 Payments not to exceed \$500.00
8. Security Support Services (Security Cameras) - 001-498.00-6419 Payments not to exceed \$2,000.00	18. Hinds County Tax Collector (License Plates) 001-498.00-6419 Payments not to exceed \$250.00
9. VRL Laboratories (Animal Testing) - 001-498.00-6419 Payments not to exceed \$500.00	19. Species 360 (Animal Database) - 001-498.00-6419 Payments not to exceed \$10,000.00
10. Wildmorph Pythons (Animal Food) - 001-498.00-6214 Payments not to exceed \$2,000.00	

WHEREAS, each vendor shall be paid up to and not to exceed the amounts listed above in the chart.

IT IS, THEREFORE, ORDERED that the City is hereby authorized to make payments to vendors, in reference to all requests for payments necessary to ensure continuous care of animals, staff and maintenance needs are met at the Jackson Zoological Park, through September 30, 2020 at the following costs per vendors:

JACKSON ZOOLOGICAL PARK VENDORS	
1. Aloha Lock & Key (Locksmith) – 001-498.00-6419 Payments not to exceed \$500.00	11. Tommy Rodden (Animal Food) - 001-498.00-6214 Payments not to exceed \$2,500.00
2. Bob’s Pool Service (Aquatic Exhibit Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	12. eMaint Enterprises (Maintenance Work Order Software) 001-498.00-6419 Payments not to exceed \$3,800.00
3. Federal Express (Ship Animal Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	13. U.S. Fish & Wildlife (Animal Permits) - 001-498.00-6419 Payments not to exceed \$600.00
4. United Postal Service (UPS) (Ship Animal Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00	14. Boehringer Ingelheim Animal Health USA (Animal Medication) - 001-498.00-6213 Payments not to exceed \$1,000.00
5. United States Postal Service (USPS) (Mail Documents) - 001-498.00-6419 Payments not to exceed \$350.00	15. NovaTime (Time Clock) - 001-498.00-6419 Payments not to exceed \$1,200.00
6. Grainger	16. Digital X-Ray Service (Animal X-Rays) - 001-498.00-6419

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	(Maintenance Supplies) - 001-498.00-6419 Payments not to exceed \$1,500.00		Payments not to exceed \$500.00
7.	Pitney Bowes (Postage) - 001-498.00-6419 Payments not to exceed \$500.00	17.	USDA APHIS Animal Care (Animal Permits) - 001-498.00-6419 Payments not to exceed \$500.00
8.	Security Support Services (Security Cameras) - 001-498.00-6419 Payments not to exceed \$2,000.00	18.	Hinds County Tax Collector (License Plates) 001-498.00-6419 Payments not to exceed \$250.00
9.	VRL Laboratories (Animal Testing) - 001-498.00-6419 Payments not to exceed \$500.00	19.	Species 360 (Animal Database) - 001-498.00-6419 Payments not to exceed \$10,000.00
10.	Wildmorph Pythons (Animal Food) - 001-498.00-6214 Payments not to exceed \$2,000.00		

Council Member Banks moved adoption; **Council Member Tillman** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

President Lindsay recognized **Tim Howard, City Attorney**, who stated that an item was needed to be added to the agenda on an emergency basis regarding “6000 Logix Smart Coronavirus Disease 2019 90 Minute Test Kits.”

President Lindsay recognized **Council Member Banks** who moved, seconded by **Council Member Tillman** to add an item to the agenda on an emergency basis regarding 6000 Logix Smart Coronavirus Disease 2019 90 Minute Test Kits. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

There came on as the **Emergency Agenda Item: ORDER RATIFYING THE ACCEPTANCE OF 6000 LOGIX SMART CORONAVIRUS DISEASE 2019 90 MINUTE TEST KITS AND AUTHORIZING PAYMENT FOR SAME.** Hearing no objections, the Clerk read the following:

ORDER RATIFYING THE ACCEPTANCE OF 6000 LOGIX SMART CORONAVIRUS DISEASE 2019 90 MINUTE TEST KITS AND AUTHORIZING PAYMENT FOR SAME.

WHEREAS, the Mayor of the City of Jackson declared a civil emergency in the City of Jackson pursuant to Section 45-17-3 of the Mississippi Code based on the COVID – 19 pandemics; and

WHEREAS, Section 45-17-11(e) of the Mississippi Code authorizes the Chief Executive Officer of the municipality to issue such orders as are necessary for the protection of life and property – after proclamation of a civil emergency; and

WHEREAS, pursuant to Section 33-15-17(b) of the Mississippi Code of 1972, as amended, the City of Jackson possess the power to enter into contracts and incur obligations and providing emergency assistance to victims of such disaster, and

WHEREAS, furthermore, pursuant to Section 33-15-17(b), the City of Jackson is authorized to exercise the powers vested under this section in the light of the exigencies of the prescribed by law pertaining to the performance of public work, entering into contracts, and the incurring of obligations; and

WHEREAS, pursuant to Section 33-15-17(c)(1), the City of Jackson possesses the power and authority to appropriate and expend funds, make contracts, obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victims of any enemy attack of emergency management plans and programs in accordance with the policies and plans set by the federal and state emergency management agencies; and

WHEREAS, the Office of the Chief Administrative Office has negotiated a transaction whereby the City have received 6000 Logix Smart Coronavirus Disease 2019 90 Minute Test Kits from the P3 Group, Inc. in the total amount of \$165,000.00 billed to the City of Jackson under Invoice INV7337; and

WHEREAS, said Test Kits are to be lawfully used for testing of the City’s first responders, City and County Detainees housed in closed quarters at various Hinds County detention centers, and residents of the City of Jackson; and

WHEREAS, procurement of the Test Kits was for the purpose of urgently advancing the public health, safety, and welfare of the residents of the City of Jackson and was not unreasonable.

IT IS, THEREFORE, ORDERED that the acceptance of 6000 Logix Smart Coronavirus Disease 2019 90 Minute Test Kits is hereby ratified.

IT IS, FURTHER ORDERED that payment of Invoice INV7337 from the P3 Group, Inc. in the amount of \$165,000.00 is hereby authorized.

Council Member Banks moved adoption; **President Lindsay** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER APPROVING CLAIMS NUMBER 22734 to 22782 APPEARING AT PAGES 1 TO 21, INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$4,491,802.98 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 22734 to 22782 appearing at pages 1 to 21, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$4,491,802.98 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO ACCOUNTS PAYABLE FUND
GENERAL FUND	1,257,687.26
TECHNOLOGY FUND	55,084.50
PARKS & RECR. FUND	30,152.69
BUSINESS IMPROV FUND (LANDSCP)	225,676.21
LANDFILL/SANITATION FUND	107.39
STATE TORT CLAIMS FUND	2,880.83
WATER/SEWER OP & MAINT FUND	127,280.42
DISABILITY RELIEF FUND	805,341.34
KELLOGG FOUNDATION PROJECT	2,194.46
EARLY CHILDHOOD (DAYCARE)	73.94
HOUSING COMM DEV ACT (CDBG) FD	81,812.21
EMERGENCY SHELTER GRANT (ESG)	23,015.76
HOME PROGRAM FUND	1,716.40

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H O P W A GRANT – DEPT. OF HUD	63,904.07
MADISON SEWAGE DISP OP & MAINT	54.36
TRANSPORTATION FUND	1,213,135.60
FONDREN BUSINESS IMPROV FUND	51,366.27
P E G ACCESS – PROGRAMMING FUND	6,902.01
2015 A/B G.O. REFUNDING	533,963.76
LIBRARY FUND	9,453.50
TOTAL	<u>\$4,491,802.98</u>

Council Member Tillman moved adoption; **President Lindsay** seconded.

President Lindsay recognized **Dr. Robert Blaine, Chief Administrative Officer**, who provided a brief overview of the Claims Docket at the request of **President Lindsay**.

Thereafter, **President Lindsay** called for a vote on said item:

- Yeas- Foote, Lindsay and Tillman.
- Nays- Banks, Priester and Stamps.
- Absent- Stokes.

Note: Said item failed for a lack of majority vote.

President Lindsay recognized **Council Member Tillman** who moved, seconded by **President Lindsay** to reconsider the previous item. The motion prevailed by the following vote:

- Yeas- Foote, Lindsay, Priester and Tillman.
- Nays- Banks and Stamps.
- Absent- Stokes.

Council Member Banks left the meeting.

Thereafter, **President Lindsay** requested that the Clerk read the order:

ORDER APPROVING CLAIMS NUMBER 22734 to 22782 APPEARING AT PAGES 1 TO 21, INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$4,491,802.98 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 22734 to 22782 appearing at pages 1 to 21, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$4,491,802.98 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO ACCOUNTS PAYABLE FUND
GENERAL FUND	1,257,687.26
TECHNOLOGY FUND	55,084.50
PARKS & RECR. FUND	30,152.69
BUSINESS IMPROV FUND (LANDSCP)	225,676.21
LANDFILL/SANITATION FUND	107.39

**REGULAR MEETING OF THE CITY COUNCIL
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STATE TORT CLAIMS FUND	2,880.83
WATER/SEWER OP & MAINT FUND	127,280.42
DISABILITY RELIEF FUND	805,341.34
KELLOGG FOUNDATION PROJECT	2,194.46
EARLY CHILDHOOD (DAYCARE)	73.94
HOUSING COMM DEV ACT (CDBG) FD	81,812.21
EMERGENCY SHELTER GRANT (ESG)	23,015.76
HOME PROGRAM FUND	1,716.40
H O P W A GRANT – DEPT. OF HUD	63,904.07
MADISON SEWAGE DISP OP & MAINT	54.36
TRANSPORTATION FUND	1,213,135.60
FONDREN BUSINESS IMPROV FUND	51,366.27
P E G ACCESS – PROGRAMMING FUND	6,902.01
2015 A/B G.O. REFUNDING	533,963.76
LIBRARY FUND	9,453.50
TOTAL	<u>\$4,491,802.98</u>

Council Member Tillman moved adoption; **President Lindsay** seconded.

Yeas- Foote, Lindsay, and Tillman.
Nays- Priester and Stamps
Absent- Banks and Stokes.

Council Member Banks returns to the meeting.

ORDER APPROVING GROSS PAYROLL APPEARING AT PAGES 1 TO 22 INCLUSIVE THEREON, ON MUNICIPAL ‘DOCKET OF CLAIMS’, IN THE AMOUNT OF \$127,985.28 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 1 to 22 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$127,985.28 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

IT IS FINALLY ORDERED that the following expenditures from the accounts payable fund be made in order to pay amounts transferred thereto from the payroll fund for payment of the payroll deduction claims authorized herein for payment:

FROM:	TO ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		1,796,515.60
PARKS & RECR FUND		83,145.17
LANDFILL FUND		17,365.89
SENIOR AIDES		10,149.07
WATER/SEWER OPER & MAINT		188,536.12
PAYROLL	127,985.28	
EARLY CHILDHOOD		30,828.66
HOUSING COMM DEV		8,843.12
TITLE III AGING PROGRAMS		4,266.48
TRANSPORTATION FUND		14,738.00
T-WARNER PA/GA FUND		4,593.32
TOTAL		<u>\$2,158,981.43</u>

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps, Stokes and Tillman.
Nays- None.
Absent- Stokes.

RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF JACKSON, MISSISSIPPI TO REIMBURSE ITSELF FROM THE PROCEEDS OF THE MASTER LEASE PURCHASE AGREEMENT FOR PURCHASE OF VEHICLES AND RELATED EQUIPMENT, TRACTOR, MOWER, DUMP TRUCKS, BUCKET TRUCK, KNUCKLE BOOM CAB AND CHASSIS, EXCAVATOR, TRAILERS, GRADER, BOX BLADE, SWEEPER WITH CUTTING EDGE; ASPHALT STORAGE TANK AND WHEEL KIT, FIRE TRUCKS, TECHNOLOGY EQUIPMENT; HARDWARE, SOFTWARE AND NETWORKING DEVICES.

WHEREAS, in connection with the purchase of vehicles and related equipment, tractor, mower, dump trucks, bucket truck, knuckle boom cab and chassis, excavator, trailers, grader, box blade, sweeper with cutting edge; asphalt storage tank and wheel kit, fire trucks, technology equipment; hardware, software and networking devices the City has advanced and will advance internal funds; and

WHEREAS, the City intends to reimburse itself for all of such expenses from the proceeds of the Master Lease Purchase Agreement,

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY ACTING FOR AND ON BEHALF OF THE MUNICIPALITY, AS FOLLOWS:

Section 1. Declaration of official intent. The City of Jackson, Mississippi, hereby declares its official intent to reimburse itself from the proceeds of the Master Lease Purchase Agreement for purchase of vehicles and related equipment, tractor, mower, dump trucks, bucket truck, knuckle boom cab and chassis, excavator, trailers, grader, box blade; sweeper with cutting edge, asphalt storage tank and wheel kit; fire trucks, technology equipment; hardware, software and networking devices prior to and subsequent to the date of this Resolution in accordance with Treasury Regulations 1.150-2. This Resolution is intended as a declaration of official intent under Treasury Regulation 1.150-2. The debt to be issued to finance the purchase of vehicles and related equipment, tractor, mower, dump trucks, bucket truck, knuckle boom cab and chassis, excavator, trailers, grader, box blade, sweeper with cutting edge, asphalt storage tank and wheel kit, fire trucks, technology equipment; hardware, software, and networking devices is expected not to exceed an aggregated principal amount of \$9,578,037.40.

Section 2. Incidental action. The Mayor is authorized to take such action as may be necessary to carry out the purpose of this Resolution, and is authorized to execute necessary and related documents required for the issuance of the debt.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

ORDER ACCEPTING THE WRITTEN COMPETITIVE BID OF SUNCOAST INFRASTRUCTURE, INC., FOR THE STORM SEWER REPAIR AT CONGRESS & CAPITOL STREET AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAID REPAIRS.

WHEREAS, the Department of Public Works discovered a collapsed storm sewer at Congress & Capitol Street; and

WHEREAS, the City of Jackson Department of Public Works solicited competitive written bids from contractors to repair the collapsed storm sewer; and

WHEREAS, Suncoast Infrastructure, Inc., submitted the lowest bid in the amount of \$48,539.20; and

WHEREAS, the Department of Public Works, Engineering Division recommends that the governing authorities accept the bid of Suncoast Infrastructure, Inc., in the amount of \$48,539.20 as the lowest and best bid to repair the collapsed storm sewer.

IT IS, THEREFORE, ORDERED that the written competitive bid of Suncoast Infrastructure, Inc. in the amount of \$48,539.20 is accepted as the best bid in accordance with the City's solicitation of written competitive bids; said bid and the specifications are placed on file with the Public Works Department, Engineering Division, Room 424 at 200 S. President Street and the City Clerk for the City of Jackson, Mississippi.

IT IS FURTHER ORDERED that the Mayor is authorized to execute a contract with Suncoast Infrastructure, Inc., to repair a collapsed storm sewer at Congress & Capitol Street consistent with the bid being accepted.

Council Member Tillman moved adoption; **President Lindsay** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND OTHER RELATED DOCUMENTS WITH ILLINOIS CENTRAL RAILROAD COMPANY FOR RIGHT-OF-WAY PERMITS, AT A COST NOT TO EXCEED \$12,200.00, FOR THE 48" WATER TRANSMISSION MAIN (SILAS BROWN STREET TO I-20), CITY PROJECT NUMBER 17B0103.901.

WHEREAS, the Jackson City Council authorized the construction of a 48" water transmission main from Silas Brown Street to Interstate 20 on April 18, 2017, to improve water capacity to South Jackson; and

WHEREAS, it will be necessary for the City of Jackson to cross the Illinois Central Railroad Company's right-of-way to perform the work; and

WHEREAS, Illinois Central Railroad Company requires that the City of Jackson file execute an agreement for the purpose of accessing its right-of-way; and

WHEREAS, the Department of Public Works recommends the City of Jackson file execute an agreement for a right-of-way permit and pay the permit fee at a cost not to exceed \$12,200.00 for the purpose of constructing the 48" Water Transmission Main (Silas Brown Street to I-20), City Project Number 17B0103.901.

IT IS, THEREFORE, ORDERED that payment in the amount of \$12,200.00 is authorized to Illinois Central Railroad Company for the right-of-way permit.

IT IS FURTHER ORDERED that the Mayor is authorized to execute an agreement and related documents with Illinois Central Railroad Company for the purpose of constructing the 48" Water Transmission Main (Silas Brown Street to, City Project Number 17B0103.901.

Council Member Tillman moved adoption; **President Lindsay** seconded.

Yeas- Banks, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Foote and Stokes.

Council Member Foote left the meeting during discussion.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH VECTOR DISEASE CONTROL INTERNATIONAL, LLC FOR MOSQUITO ABATEMENT SERVICES.

WHEREAS, the City of Jackson provides mosquito abatement services for the health, safety, and welfare of the citizens of the City of Jackson and its visitors; and

WHEREAS, the Infrastructure Division, of the Department of Public Works advertised for proposals to provide the needed mosquito abatement services; and

WHEREAS, the Division received three responses to the Request for Proposals; and

WHEREAS, an Evaluation Committee consisting of employees of the City of Jackson Department of Public Works evaluated the proposals and recommends that Vector Disease Control International, LLC be awarded to contract for mosquito abatement services; and

WHEREAS, the Department of Public Works recommends that mosquito abatement services begin May 1, 2020 through November 30, 2020; and

WHEREAS, based on the recommendation of the Evaluation Committee, the Department of Public Works recommends that Vector Disease Control International, LLC be awarded a contract to provide mosquito abatement services for the entire City of Jackson at a total annual base cost not to exceed \$258,700.00 for the term of three years with an option of one year; and

WHEREAS, the Department of Public Works recommends the City accept term pricing for additional, as-needed, services at the following rates:

Additional Monthly Spraying for Emergency Situations:	\$35,500.00
Additional Hourly Spraying:	\$227.50/hour
Additional Larviciding:	\$0.02/sq. ft.

IT IS, THEREFORE, ORDERED that the proposal of Vector Disease Control International, LLC is accepted as the best proposal to provide mosquito abatement services for the entire City of Jackson.

IT IS FURTHER ORDERED that the Mayor is authorized to execute a contract on behalf of the City consistent with the Request for Proposals, the proposal of Vector Disease Control International, LLC for a term of three (3) years for a total annual base cost of \$258,700.00.

IT IS FURTHER ORDERED that the City accepts the term pricing for additional, as-needed, services at the following rate:

Additional Monthly Spraying for Emergency Situations:	\$35,500.00
Additional Hourly Spraying:	\$227.50/hour
Additional Larviciding:	\$0.02/sq. ft.

IT IS FURTHER ORDERED that the contract with Vector Disease Control International, LLC contain an option for one additional year at the same total annual base cost of \$258,700.00 and the term pricing for additional as-needed, services, which shall be exercisable at the discretion of the Mayor, provided that the contractor has satisfactorily performed all the work for the original three (3) year term of the contract.

President Lindsay moved adoption; **Council Member Tillman** seconded.

Yeas- Banks, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Foote and Stokes.

President Lindsay recognized **Tim Howard, City Attorney**, who stated that Agenda Item No. 10 should be amended.

President Lindsay recognized **Council Member Tillman**, who moved to rescind the previous vote for Agenda Item No. 10, seconded by **President Lindsay**. The motion prevailed by the following vote:

Yeas- Banks, Lindsay, Stamps and Tillman.
Nays- Foote and Priester.
Absent- Stokes.

President Lindsay moved and seconded by **Council Member Tillman** to reconsider Agenda Item No. 10. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Stamps and Tillman.
Nays- Priester.
Absent- Stokes.

Thereafter, **President Lindsay** requested that the Clerk read the order:

ORDER APPROVING CLAIMS NUMBER 22734 to 22782 APPEARING AT PAGES 1 TO 21, INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$4,491,802.98 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 22734 to 22782 appearing at pages 1 to 21, inclusive thereon in the Municipal "Docket of Claims", in the aggregate amount of \$4,491,802.98 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO ACCOUNTS PAYABLE FUND
GENERAL FUND	1,257,687.26
TECHNOLOGY FUND	55,084.50
PARKS & RECR. FUND	30,152.69
BUSINESS IMPROV FUND (LANDSCP)	225,676.21
LANDFILL/SANITATION FUND	107.39
STATE TORT CLAIMS FUND	2,880.83
WATER/SEWER OP & MAINT FUND	127,280.42
DISABILITY RELIEF FUND	805,341.34
KELLOGG FOUNDATION PROJECT	2,194.46
EARLY CHILDHOOD (DAYCARE)	73.94
HOUSING COMM DEV ACT (CDBG) FD	81,812.21
EMERGENCY SHELTER GRANT (ESG)	23,015.76
HOME PROGRAM FUND	1,716.40
H O P W A GRANT – DEPT. OF HUD	63,904.07
MADISON SEWAGE DISP OP & MAINT	54.36
TRANSPORTATION FUND	1,213,135.60
FONDREN BUSINESS IMPROV FUND	51,366.27
P E G ACCESS – PROGRAMMING FUND	6,902.01
2015 A/B G.O. REFUNDING	533,963.76
LIBRARY FUND	9,453.50
TOTAL	<u>\$4,491,802.98</u>

President Lindsay moved adoption; **Council Member Tillman** seconded.

President Lindsay recognized **Tim Howard, City Attorney**, who stated that an amendment was needed to add \$165,000.00 for the 6000 Logix Smart Coronavirus Disease 2019 90 Minute Test Kits.

President Lindsay moved; seconded by **Council Member Tillman** to amend said order to reflect the changes needed as stated by **City Attorney Tim Howard**. The motion prevailed by the following vote:

Yeas- Lindsay and Tillman.
Nays- Foote, Priester and Stamps.
Absent- Banks and Stokes.

Note: Said item failed for a lack of majority vote.

Therefore, **President Lindsay** called for a vote on the original item. The motion prevailed by the following vote:

Yeas- Foote, Lindsay, Priester and Tillman.
Nays- Stamps.
Absent- Banks and Stokes.

Note: **Council Member Banks** left the meeting during the discussion.

Council Member Banks returned to the meeting.

ORDER AUTHORIZING THE CONTRIBUTION OF MATCHING FUNDS TO STEWPOT COMMUNITY SERVICES FOR THE PURPOSE OF SUPPORTING SOCIAL AND COMMUNITY SERVICE PROGRAMS AND AUTHORIZING THE MAYOR EXECUTE AN AGREEMENT WITH STEWPOT COMMUNITY SERVICES.

WHEREAS, Section 21-19-65 of the Mississippi Code of 1972, as amended authorizes municipal governing authorities to expend monies from the general fund to match other funds for the purpose of supporting social and community service programs; and

WHEREAS, consistent with the provisions of Section 21-19-65 of the Mississippi Code of 1072, as amended the governing authorities, for the City of Jackson, Mississippi (“City”) allocated monies in its budget for the 2019-20 fiscal year to be expended in the municipality for the development and the support of social and community service programs; and

WHEREAS, Stewpot Communities Services is a public nonprofit organization that has qualified for exemption pursuant to 26 USCS Section 501 (c) (3) and is eligible to receive matching funds from the City of Jackson; and

WHEREAS, the best interest of the City of Jackson and its residents would be served by contributing matching funds to Stewpot Community Services to assist in its provision of providing shelter & other provisions for the homeless.

IT IS THEREFORE ORDERED that matching monies in the amount of Thirty-Five Thousand Dollars (\$35,000.00) be awarded to Stewpot Community Services to provide social and community services programs.

IT IS FURTHER HEREBY ORDERED that the Mayor is authorized to execute an agreement with Stewpot Community Services to govern the award and receipt of the matching funds contributed.

President Lindsay moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE APPLICATION AND RELATED DOCUMENTS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION FOR THE FY 2020 CONGRESSIONAL APPROPRIATIONS AND APPORTIONMENTS FOR SECTION 5307 URBANIZED AREA FORMULA GRANT FOR CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT (CARES ACT) IN THE AMOUNT OF \$8,183,321.00.

WHEREAS, on March 27, 2020, the CARES Act was signed into law providing \$2 trillion in support for a variety of industries affected by COVID-19; and

WHEREAS, CARES Act provides an unprecedented \$25 billion in funding to support the transit industry response to COVID-19; and

WHEREAS, to receive said funds, the Urbanized Area must submit an application; and

WHEREAS, the Department of Planning and Development, through its Transit Division, is requesting authorization to submit an application to the U.S. Department of Transportation, Federal Transit Administration, for financial assistance in the amount of \$8,183,321.00 for Section 5307 Urbanized Area Formula Grant for Planning, Capital, and Operating Assistance; and

WHEREAS, the funds must be used to support capital, operating and planning expenses in response to the COVID-19 pandemic to operate and maintain the public transportation system; and

WHEREAS, there is no match requirement; and

WHEREAS, the Transit Division, is recommending that the City apply for and accept said grant award to use in operating and maintaining the public transportation system in response to the COVID-19 pandemic.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the application and related documents, and execute the agreement with the U.S. Department of Transportation's Federal Transit Administration seeking a grant award of \$8,183,321.00 from the Section 5307 formula grant under the FY2020 CARES ACT to aid in the operation and maintenance of the public transportation system.

Council Member Tillman moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

There came on for consideration Agenda Item No. 23:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE. Said item was tabled for a Special Council Meeting to be held at a later date.

There came on for consideration Agenda Item No. 24:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE. Said item was tabled for a Special Council Meeting to be held at a later date.

There came on for consideration Agenda Item No. 25:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF-WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY. Said item was tabled until a Special Council Meeting to be held at a later date.

There came on for consideration Agenda Item No. 26:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF-WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY. Said item was tabled until a Special Council Meeting to be held at a later date.

There came on for consideration Agenda Item No. 27:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE. Said item was tabled until a Special Council Meeting to be held at a later date.

There came on for consideration Agenda Item No. 28:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE. Said item was tabled until a Special Council Meeting to be held at a later date.

ORDER RATIFYING THE MAYOR'S EXECUTION OF A CONTRACT WITH THE LEAD GROUP LLC TO PROVIDE TEMPORARY ACCOMMODATIONS TO UNHOUSED JACKSONIANS AND PERSONS REQUIRING ISOLATION OR QUARANTINE BECAUSE OF COVID 19 PURSUANT TO SECTION 21-19-3 OF THE MISSISSIPPI CODE.

WHEREAS, the Mayor of the City of Jackson declared a civil emergency in the City of Jackson pursuant to Section 45-17-3 of the Mississippi Code based on the COVID-19 pandemic; and

WHEREAS, subsequent to declaring the civil emergency in the City of Jackson, the Mayor of the City of Jackson issued a Stay-at-Home Order, which became effective on Friday, April 3, 2020; and

WHEREAS, the Governor of the State of Mississippi also issued a Stay-at-Home Order which became effective on Friday, April 3, 2020 at 5:00 p.m.; and

WHEREAS, unhoused Jacksonians, have unique challenges in complying with the local and State orders mandating that residents stay at home because they are without homes; and

WHEREAS, the purpose for the Stay-at-Home Order(s) is to minimize the spread of the coronavirus, which is highly infectious; and

WHEREAS, the Centers for Disease Control has indicated that persons who are unhoused or residing in places unfit for human habitation may be at risk for COVID-19 when there is community spread; and

WHEREAS, the Mississippi State Department of Health reported that as of April 6, 2020, there were 169 positive cases of COVID-19 in Hinds County, Mississippi; and

WHEREAS, the City of Jackson is located within Hinds County, Mississippi, and has a significant number of unhoused persons; and

WHEREAS, the City of Jackson has a reasonable belief that persons who test positive for COVID-19 or who have been exposed to an individual testing positive may require housing or accommodation when medically ordered to isolate or quarantine; and

WHEREAS, Section 45-17-11 (e) of the Mississippi Code authorizes the Chief Executive Officer of the municipality to issue such orders as are necessary for the protection of life and property; and

WHEREAS, Section 21-19-3 of the Mississippi Code states that the governing authorities of municipalities are authorized to make regulations to prevent the introduction and spread of contagious and infectious diseases and make quarantine laws for that purpose and enforce same within five miles of the corporate limits and to establish pest houses outside the corporate limits, and to provide for the support and government of same; and

WHEREAS, the Centers for Disease Control have reported that COVID 19 is spread easily and sustainably in the community (“community spread”); and

WHEREAS, providing temporary accommodations for unhoused Jacksonians *or* those requiring isolation or quarantine was deemed by the Mayor to be necessary for the protection of life; and

WHEREAS, in accordance with Section 45-17-11 (e), the Mayor requested the Office of the City Attorney to draft a contract to provide *temporary accommodations* for unhoused Jacksonians and persons requiring isolation or quarantine because of COVID-19; and

WHEREAS, Section 21-19-3 of the Mississippi Code authorizes municipalities to establish pest houses outside the corporate limits and provide for the support of same; and

WHEREAS, the community spread character of COVID 19 made it not feasible to establish a pest house outside the corporate limits of Jackson; and

WHEREAS, the statute’s provision concerning the establishment of a pest house outside corporate limits was intended to facilitate the isolation and/or quarantine of individuals; and

WHEREAS, in furtherance of the purpose, a contract was entered into with the Lead Group LLC for the provision of temporary accommodations for unhoused Jacksonians at risk for infection or those requiring isolation or quarantine; and

WHEREAS, the Lead Group LLC, is a Mississippi Limited Liability Company in good standing; and

WHEREAS, the Lead Group LLC independently owns and operates an Oyo hotel located at 209 South Gallatin Street, Jackson, Mississippi; and

WHEREAS, the Lead Group LLC agreed to provide the City of Jackson with thirty (30) rooms for a period of 14 days/nights when needed; and

WHEREAS, the Lead Group LLC agreed to extend the stay of persons and also make additional rooms available if needed, up to 50; and

WHEREAS, the Lead Group LLC agreed to furnish and provide supplies and staff for the cleaning and disinfecting of rooms frequently; and

WHEREAS, the Lead Group LLC agreed to maintain a record of individuals receiving temporary accommodations; and

WHEREAS, the Lead Group LLC agreed that a deposit would not be required for the temporary accommodations; and

WHEREAS, the Lead Group LLC'S per night rate room rate was established at \$45.00 per night; and

WHEREAS, the Lead Group LLC agreed not to lease a room or permit occupancy without the prior consent and approval of the City of Jackson; and

WHEREAS, the City of Jackson agreed to maintain a record of persons approved for occupying rooms at the facility; and

WHEREAS, the Lead Group LLC also agreed to maintain records of persons occupying rooms at its facility; and

WHEREAS, the City of Jackson agreed to pay the Lead Group LLC, the sum of \$45.00 per night for those persons approved for occupancy based on its records within 45 days of receipt of an invoice containing pertinent information related to the identity of the person occupying the room and length of stay; and

WHEREAS, the Parties agreed that the term of the agreement shall be for the period commencing April 10, 2020 through the duration of the declared civil emergency related to COVID-19 but not beyond June 30, 2020, without express authorization of the Parties; and

WHEREAS, the Lead Group LLC and/or the Oyo hotel agreed not to seek money or other things of value from the City of Jackson other than the cost of the per night room stay for any claim, including but not limited to claims for property damage or personal injury arising out of occupancy; and

WHEREAS, the Lead Group LLC and/or the Oyo hotel agreed to save the City harmless and indemnify the City of Jackson if it were required to pay compensation or damage to third persons for acts of omission or commission of its agents, employees, or servants arising out of the agreement; and

WHEREAS, the contract was executed for the purpose of service public health, safety, and welfare and was not unreasonable.

NOW THEREFORE, the Jackson City Council ratifies the agreement with the Lead Group, LLC which has been executed by the Mayor. In addition to ratifying the agreement, the Jackson City Council ratifies payments previously made to the Lead Group LLC pursuant to the terms of the agreement and authorizes payments to be made in the future pursuant to the terms of the agreement.

President Lindsay moved adoption; **Council Member Banks** seconded.

President Lindsay recognized **Dr. Robert Blaine, Chief Administrative Officer**, who provided Council with a brief overview of the agreement with the Lead Group, LLC.

President Lindsay recognized **Tim Howard, City Attorney**, who stated that an amendment was needed throughout the body of said order to remove said location.

Council Member Stamps moved; seconded by **Council Member Banks** to amend said order to reflect the changes needed as stated by **City Attorney Tim Howard**. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Stamps and Tillman.
Nays- Priester.
Absent- Stokes.

Thereafter, **President Lindsay** called for a vote on said Order, as amended:

ORDER RATIFYING THE MAYOR'S EXECUTION OF A CONTRACT WITH THE LEAD GROUP LLC TO PROVIDE TEMPORARY ACCOMMODATIONS TO UNHOUSED JACKSONIANS AND PERSONS REQUIRING ISOLATION OR QUARANTINE BECAUSE OF COVID 19 PURSUANT TO SECTION 21-19-3 OF THE MISSISSIPPI CODE.

WHEREAS, the Mayor of the City of Jackson declared a civil emergency in the City of Jackson pursuant to Section 45-17-3 of the Mississippi Code based on the COVID-19 pandemic; and

WHEREAS, subsequent to declaring the civil emergency in the City of Jackson, the Mayor of the City of Jackson issued a Stay-at-Home Order, which became effective on Friday, April 3, 2020; and

WHEREAS, the Governor of the State of Mississippi also issued a Stay-at-Home Order which became effective on Friday, April 3, 2020 at 5:00 p.m.; and

WHEREAS, unhoused Jacksonians, have unique challenges in complying with the local and State orders mandating that residents stay at home because they are without homes; and

WHEREAS, the purpose for the Stay-at-Home Order(s) is to minimize the spread of the coronavirus, which is highly infectious; and

WHEREAS, the Centers for Disease Control has indicated that persons who are unhoused or residing in places unfit for human habitation may be at risk for COVID-19 when there is community spread; and

WHEREAS, the Mississippi State Department of Health reported that as of April 6, 2020, there were 169 positive cases of COVID-19 in Hinds County, Mississippi; and

WHEREAS, the City of Jackson is located within Hinds County, Mississippi, and has a significant number of unhoused persons; and

WHEREAS, the City of Jackson has a reasonable belief that persons who test positive for COVID-19 or who have been exposed to an individual testing positive may require housing or accommodation when medically ordered to isolate or quarantine; and

WHEREAS, Section 45-17-11 (e) of the Mississippi Code authorizes the Chief Executive Officer of the municipality to issue such orders as are necessary for the protection of life and property; and

WHEREAS, Section 21-19-3 of the Mississippi Code states that the governing authorities of municipalities are authorized to make regulations to prevent the introduction and spread of contagious and infectious diseases and make quarantine laws for that purpose and enforce same within five miles of the corporate limits and to establish pest houses outside the corporate limits, and to provide for the support and government of same; and

WHEREAS, the Centers for Disease Control have reported that COVID 19 is spread easily and sustainably in the community ("community spread"); and

WHEREAS, providing temporary accommodations for unhoused Jacksonians *or* those requiring isolation or quarantine was deemed by the Mayor to be necessary for the protection of life; and

WHEREAS, in accordance with Section 45-17-11 (e), the Mayor requested the Office of the City Attorney to draft a contract to provide *temporary accommodations* for unhoused Jacksonians and persons requiring isolation or quarantine because of COVID-19; and

WHEREAS, Section 21-19-3 of the Mississippi Code authorizes municipalities to establish pest houses outside the corporate limits and provide for the support of same; and

WHEREAS, the community spread character of COVID 19 made it not feasible to establish a pest house outside the corporate limits of Jackson; and

WHEREAS, the statute's provision concerning the establishment of a pest house outside corporate limits was intended to facilitate the isolation and/or quarantine of individuals; and

WHEREAS, in furtherance of the purpose, a contract was entered into with the Lead Group LLC for the provision of temporary accommodations for unhoused Jacksonians at risk for infection or those requiring isolation or quarantine; and

WHEREAS, the Lead Group LLC, is a Mississippi Limited Liability Company in good standing; and

WHEREAS, the Lead Group LLC independently owns and operates a hotel located in Jackson, Mississippi; and

WHEREAS, the Lead Group LLC agreed to provide the City of Jackson with thirty (30) rooms for a period of 14 days/nights when needed; and

WHEREAS, the Lead Group LLC agreed to extend the stay of persons and also make additional rooms available if needed, up to 50; and

WHEREAS, the Lead Group LLC agreed to furnish and provide supplies and staff for the cleaning and disinfecting of rooms frequently; and

WHEREAS, the Lead Group LLC agreed to maintain a record of individuals receiving temporary accommodations; and

WHEREAS, the Lead Group LLC agreed that a deposit would not be required for the temporary accommodations; and

WHEREAS, the Lead Group LLC'S per night rate room rate was established at \$45.00 per night; and

WHEREAS, the Lead Group LLC agreed not to lease a room or permit occupancy without the prior consent and approval of the City of Jackson; and

WHEREAS, the City of Jackson agreed to maintain a record of persons approved for occupying rooms at the facility; and

WHEREAS, the Lead Group LLC also agreed to maintain records of persons occupying rooms at its facility; and

WHEREAS, the City of Jackson agreed to pay the Lead Group LLC, the sum of \$45.00 per night for those persons approved for occupancy based on its records within 45 days of receipt of an invoice containing pertinent information related to the identity of the person occupying the room and length of stay; and

WHEREAS, the Parties agreed that the term of the agreement shall be for the period commencing April 10, 2020 through the duration of the declared civil emergency related to COVID-19 but not beyond June 30, 2020, without express authorization of the Parties; and

WHEREAS, the Lead Group LLC and/or the hotel agreed not to seek money or other things of value from the City of Jackson other than the cost of the per night room stay for any claim, including but not limited to claims for property damage or personal injury arising out of occupancy; and

WHEREAS, the Lead Group LLC and/or the hotel agreed to save the City harmless and indemnify the City of Jackson if it were required to pay compensation or damage to third persons for acts of omission or commission of its agents, employees, or servants arising out of the agreement; and

WHEREAS, the contract was executed for the purpose of service public health, safety, and welfare and was not unreasonable.

NOW THEREFORE, the Jackson City Council ratifies the agreement with the Lead Group, LLC which has been executed by the Mayor. In addition to ratifying the agreement, the Jackson City Council ratifies payments previously made to the Lead Group LLC pursuant to the terms of the agreement and authorizes payments to be made in the future pursuant to the terms of the agreement.

Yeas- Banks, Foote, Lindsay, Stamps and Tillman.

Nays- Priester.

Absent- Stokes.

ORDER RATIFYING THE MAYOR'S EXECUTION OF A CONTRACT WITH CHISM ENTERPRISES, LLC, D/B/A CHISM STRATEGIES TO PROVIDE A DIGITAL PROGRAM TO EDUCATE THE RESIDENTS OF THE CITY OF JACKSON ABOUT STEPS TO TAKE TO PREVENT THE SPREAD AND MITIGATE THE EFFECTS OF COVID-19 DISEASE, AND OTHER RELATED INFORMATION.

WHEREAS, the Mayor of the City of Jackson declared a civil emergency in the City of Jackson pursuant to Section 45-17-3 of the Mississippi Code based on the COVID-19 pandemic; and

WHEREAS, subsequent to declaring the civil emergency in the City of Jackson, the Mayor of the City of Jackson issued other extraordinary orders to protect the citizenry, including a Stay-at-Home Order, which became effective on Friday April 3, 2020 and expires Friday, April 17, 2020; and

WHEREAS, subsequent to declaring the civil emergency in the City of Jackson, the Mayor of the City of Jackson took additional measures to advance the health, safety, and welfare of the City's residents in the wake of the pandemic, to include securing testing for COVID-19 and housing for individuals affected by COVID-19.

WHEREAS, Section 45-17-11(e) of the Mississippi Code authorizes the Chief Executive Officer of the municipality to issue such orders as are necessary for the protection of life and property; and

WHEREAS, in furtherance of the purpose to protect life, the Mayor entered into a contract with CHISM ENTERPRISES, LLC which will allow effective communication to the residents of the City of Jackson regarding certain opportunities, measures, directives, testing information, mitigation techniques, and preventative health tips – all related to the Coronavirus and COVID-19; and

WHEREAS, CHISM ENTERPRISES, LLC is a Mississippi Limited Liability Company in good standing; and

WHEREAS, CHISM ENTERPRISES, LLC agreed to provide a two-part digital program with the goal to educate citizens about (1) the steps to take to prevent the spread of COVID-19, and (2) other key information; and

WHEREAS, CHISM ENTERPRISES, LLC agreed to launch Mayor Lumumba's long form video about COVID-19 on social channels for advertisement to residents in the City; and

WHEREAS, CHISM ENTERPRISES, LLC agreed to place the aforementioned long form video on social channels and advertise to residents, and track the metrics (impressions, clicks and engagement), beginning April 9 through April 16, 2020; and

WHEREAS, CHISM ENTERPRISES, LLC agreed to launch the full video on Facebook and boost the post to adults in the City of Jackson; and

WHEREAS, CHISM ENTERPRISES, LLC agreed to break the longer video into smaller 15 and 30 second vignettes to place digital ads across mobile phones, laptops, tablets, and smart televisions to educate citizens; and

WHEREAS, in the shorter videos CHISM ENTERPRISES, LLC agreed to include links to landing pages for more information; and

WHEREAS, CHISM ENTERPRISES, LLC agreed to place digital OTT and pre-roll ads to deliver to devices (mobile phones, tablets, laptops, and smart televisions) that belong to the online universe; and

WHEREAS, CHISM ENTERPRISES, LLC agreed to place the shorter videos to run April 10 through April 17, 2020 with the opportunity to optimize digital ads, retarget site visitors, and adjust the universe throughout the campaign; and

WHEREAS, CHISM ENTERPRISES, LLC agreed to direct mail of a 6” X 11” full color information mailer to voter households in the City that the company has good reason to believe are still residing in the City – approximately 47,061 households; and

WHEREAS, CHISM ENTERPRISES, LLC agreed to provide Robocall/SMS Messaging to land lines and text message to mobile phones to update citizens using message(s) provided by the City; and

WHEREAS, CHISM ENTERPRISES, LLC agreed to perform aforementioned services at a cost not to exceed \$35,000, as follows:

Lists Costs	\$ 2,200.00
SMS to universe of 46,683 persons	\$ 3,000.00
Robocall (45 sec) to 32,835 households	\$ 975.00
Direct Mail (full color 6” X 11” to 47,061 households)	\$20,365.00
Facebook Boost of current video	\$1,725.00
Minimal Budget for boosting 15 and 30 sec ads online	\$5,750.00
Total	\$35,000.00

WHEREAS, the contract was executed for the purpose of advancing the public health, safety, and welfare of the residents of the City of Jackson and was not unreasonable.

NOW THEREFORE, the Jackson City Council ratifies the agreement with CHISM ENTERPRISES, LLC which has been executed by the Mayor. In addition to ratifying the agreement, the Jackson City Council ratifies any payments previously made to CHISM ENTERPRISES, LLC pursuant to the terms of the agreement and authorizes payments made in the future pursuant to the terms of the agreement.

President Lindsay moved adoption; **Council Member Tillman** seconded.

Yeas- Lindsay, Priester, Stamps and Tillman.
Nays- Banks and Foote.
Absent- Stokes.

ORDER AUTHORIZING ADDITIONAL COMPENSATION TO SWORN FIRE AND POLICE PERSONNEL FOR A SINGLE PAY PERIOD BASED ON ADDITIONAL SERVICES PERFORMED RELATED TO THE EXECUTIVE STAY AT HOME ORDER ARISING OUT OF THE COVID-19 OUTBREAK.

WHEREAS, a State of Civil Emergency was declared by the Mayor of the City of Jackson and is continuing as a result of the COVID-19 outbreak; and

WHEREAS, the Mayor of the City of Jackson has issued several executive orders related to the COVID-19 crisis aimed at preventing the spread of the coronavirus and preserving public health, safety, and welfare; and

WHEREAS, on or about April 1, 2020 the Mayor issued a Stay-at-Home Order requiring residents of the City of Jackson to stay at home absent engaging in certain specified essential activities related to work, maintaining utilities, securing necessary services, and caring for others in need; and

WHEREAS, the Stay-at-Home Order will place additional responsibilities upon sworn police and fire personnel atypical of their ordinary public service; and

WHEREAS, the Stay-at-Home Order will present new and unanticipated challenges to members of the fire and police department above their usual public safety functions and will necessitate substantial sacrifice; and

WHEREAS, the extra duties required by the Stay-at-Home Order and other duties associated with preserving the public health are expected to continue through the month of May 2020; and

WHEREAS, the governing authorities for the City of Jackson would like to provide additional compensation to the sworn fire and police for the services anticipated to be provided; and

WHEREAS, the Mississippi Attorney General issued an opinion on August 7, 2015 to Rebecca Taylor which indicated that the payment of extra compensation is lawful if there is an order authorizing the payment spread upon the minutes and in effect when the *extra work* is performed; and

WHEREAS, the Mississippi Ethics Commission issued Advisory Opinion # 11-054E and stated that an employee may be provided additional compensation for additional duties if made pursuant to one contract of employment without violating statutory provisions governing ethics in government, specifically Section 25-4-105(3)(a); and

WHEREAS, the services to be provided by the members of the police and fire department concerning the Stay-At-Home Order are indeed extra; and

WHEREAS, Section 778.200 of the Code of Federal Regulations excludes from overtime computations, sums paid in recognition of services performed during a given period, if the payment to be made and the amount of the payment are determined at the sole discretion of the employer at or near the end of the period and not pursuant to any prior contract, agreement, or promise causing the employee to expect such payments regularly; and

WHEREAS, the governing authorities for the City of Jackson have not entered into an agreement or made any promise to the members of the police and fire department to pay any additional compensation regularly during the COVID-19 crisis; and

WHEREAS, a single payment of an additional \$600.00 to *sworn* members of the police department for the pay cycle beginning April 26 and ending May 9, 2020 would cost \$231,044; and

WHEREAS, a single payment of an additional \$600.00 to *sworn* members of the fire department for the pay cycle beginning April 26 and ending May 9, 2020 would cost \$243,167; and

WHEREAS, the payment of the additional compensation stated is within the discretion of the Council for the City of Jackson and will not be paid regularly; and

WHEREAS, before the additional compensation is paid the Administration will inform said sworn personnel that such payment is not to be expected regularly; and

WHEREAS, the payment of the additional compensation is not anticipated to require a budget revision at this time;

IT IS THEREFORE ORDERED that a one-time payment of \$600.00 in additional compensation shall be paid to the *sworn* members of the police department for the pay cycle beginning April 26 through May 9, 2020 for extra duties performed; and

IT IS THEREFORE ORDERED that a one-time payment of \$600.00 in additional compensation shall be paid to the *sworn members* of the fire department for the pay cycle beginning April 26 through May 9, 2020 for extra duties performed.

Council Member Stamps moved adoption; **Council Member Tillman** seconded.

Yeas- Banks, Foote, Lindsay, Stamps and Tillman.

Nays- None.

Abstention – Priester.

Absent- Stokes.

ORDER REVIEWING AND CONTINUING STATE OF EMERGENCY.

WHEREAS, on February 18, 2020, the Jackson City Council, pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended, passed an Order Declaring the Need to Continue the State of Emergency that was issued on February 13, 2020 by Chokwe A. Lumumba, Mayor of the City of Jackson, Mississippi; and

WHEREAS, the Jackson City Council, in the February 18, 2020 Order, found that flood waters and wide spread drainage system issues had affected several Jackson creeks, including, but not limited to: Belhaven Creek; Bogue Chitto Creek; Cranny Creek; Eubanks Cree; Hanging Moss Creek; Lynch Creek; Purple Creek; Three Mile Creek; Town Creek; Travon Creek; and White Oak Creek; and

WHEREAS, the Jackson City Council, in the February 18, 2020 Order, found that the flood waters and wide spread drainage system issues caused extensive damages to homes, business, public property, and threatened the safety of the citizens and property of the City of Jackson, Mississippi, requiring the exercise of extraordinary measures; and

WHEREAS, the Jackson City Council, in the February 18, 2020 Order, found that all efforts should be taken to protect people and property in consideration of the health, safety, and welfare of the City’s residents and the protection of their property within the affected areas; and

WHEREAS, the Jackson City Council, on March 17, 2020, pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, reviewed the need for and continued the local emergency; and

WHEREAS, pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended, the Jackson City Council has again reviewed the need for continuing the local emergency and determined that the emergency should be continued.

IT IS THEREFORE HEREBY ORDERED that said Order Declaring the Need to Continue the Declared State of Emergency as delineated by the Jackson City Council, remains in full force and effect and shall be reviewed again in thirty (30) days in accordance with Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended.

Council Member Stamps moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.

Nays- None.

Absent- Stokes.

ORDER OF THE JACKSON CITY COUNCIL INSTITUTING A CURFEW IN RESPONSE TO THE COVID-19 PANDEMIC.

WHEREAS, on March 16, 2020, Mayor Chokwe Antar Lumumba, declared and issued a citywide Proclamation of Civil Emergency in the wake of the Coronavirus pandemic (COVID-19 spread); and

WHEREAS, Section 33-15-17(d) of the Mississippi Code Annotated (1972) as amended, states, in part, as follows: “[d]uring a local emergency, the governing body of a political subdivision may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety”; and

WHEREAS, over the past two weeks the spread of COVID-19 has continued and increased in the City of Jackson; and

WHEREAS, the City of Jackson does not have the luxury of a wait-and-see approach to the Coronavirus pandemic; and

WHEREAS, continued extraordinary measures related to preventing the spread of the Coronavirus are necessary and expedient for the health, safety, welfare and good order to protect the public peace and preserve lives.

NOW, THEREFORE, the City Council of the City of Jackson, Mississippi, pursuant to the authority set forth by Section 33-15-17(d) of the Mississippi Code Annotated (1972), as amended, and in the public interest and for the general welfare of the City of Jackson, do hereby institute an Order of Curfew.

IT IS ORDERED that a curfew is established within the entire geographical area of the City of Jackson.

IT IS FURTHER ORDERED that all pedestrian and vehicular movement, standing and parking, except for individuals commuting to and from places of "Essential Business or Operation" as defined in Executive Order No. 1463 - issued by the Governor of the State of Mississippi, places of employment, the provision of fire, police, emergency and hospital services, medical patients, utility repairs, state and local government employees providing services, and emergency calls by physicians within the above curfew area, are prohibited during curfew hours. Curfew hours during which such movement is prohibited shall be each day from 10:00 P.M. until 5:00 A.M., commencing on Wednesday, April 15, 2020 at 10:00 P.M. and shall remain in force until such time as the civil emergency regarding the COVID-19 spread is finally terminated and/or until this Order is rescinded by the governing authorities. This order shall not continue once the civil emergency has terminated.

IT IS FURTHER ORDERED that this Order be: (1) promptly filed with the City Clerk; (2) distributed to the news media and other organizations calculated to bring its content to the attention of the general public; and (3) distributed to others as necessary to ensure proper implementation of this Order.

IT IS FURTHER ORDERED that violations of the Order may be subject to misdemeanor prosecution.

IT IS FINALLY ORDERED that any variance or exception to the prohibitions and/or restrictions set forth herein shall be valid only when stated in writing and spread across the minutes of the municipality.

Council Member Stamps moved adoption; **Council Member Banks** seconded.

After a lengthy discussion, **Council Member Stamps** and **Council Member Banks** removed their motion and second. **President Lindsay** stated that said item was tabled until a Special Council Meeting to be held on April 15, 2020.

President Lindsay recognized **Tim Howard**, **City Attorney**, who stated that an item needed to be added to the agenda on an emergency basis regarding "A sixty (60)-day waiver of the prohibition against signs in the November 7, 2011 airspace agreement between the City of Jackson and Mississippi Baptist health systems, Inc."

President Lindsay recognized **Council Member Banks** who moved, seconded by **President Lindsay** to add an item to the agenda on an emergency basis to grant a sixty (60)-day waiver of the prohibition against signs in the November 7, 2011 airspace agreement between the City of Jackson and Mississippi Baptist health systems, Inc. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

There came on as the **Emergency Agenda Item: ORDER GRANTING A SIXTY (60)-DAY WAIVER OF THE PROHIBITION AGAINST SIGNS IN THE NOVEMBER 7, 2011 AIRSPACE AGREEMENT BETWEEN THE CITY OF JACKSON AND MISSISSIPPI BAPTIST HEALTH SYSTEMS, INC.** Hearing no objections, the Clerk read the following:

ORDER GRANTING A SIXTY (60)-DAY WAIVER OF THE PROHIBITION AGAINST SIGNS IN THE NOVEMBER 7, 2011 AIRSPACE AGREEMENT BETWEEN THE CITY OF JACKSON AND MISSISSIPPI BAPTIST HEALTH SYSTEMS, INC.

WHEREAS, on November 7, 2011, the City of Jackson and Mississippi Baptist Health Systems, Inc. entered into an Agreement to Use Airspace that allowed Mississippi Baptist Health Systems, Inc. to construct a pedestrian bridge over the City's right-of-way for North State Street; and

WHEREAS, paragraph 24 of that agreement prohibits the installation of any sign on the outside of the pedestrian bridge other than one showing the clearance and any other sign required by law; and

WHEREAS, the City of Jackson has been under an Emergency Declaration since March 16, 2020 in response to the COVID-19 pandemic; and

WHEREAS, healthcare workers have borne the brunt of the onslaught of this pandemic, risking their own lives to care for the sick infected with this disease; and

WHEREAS, Mississippi Baptist Health Systems, Inc. wishes to honor its healthcare workers with a sign prominently displayed on the pedestrian bridge; and

WHEREAS, Mississippi Baptist Health Systems, Inc. proposes to display a sign that honors its healthcare workers, which will conform generally to the following description:

In large lettering "Proud of our Heroes" in the center of the sign, in smaller lettering on the lower left portion of the sign display "#baptistproud" and in smaller lettering on the lower right portion of the sign display the corporate logo for Mississippi Baptist Health Systems, Inc.; and

WHEREAS, under the extreme, unique circumstances that currently exist in the City of Jackson, Mississippi, the United States of American, and the world, granting a limited waiver of paragraph 24 of the Agreement for Airspace Use for sixty (60) days is appropriate for the limited purpose of honoring healthcare workers.

IT IS, THEREFORE, ORDERED that paragraph 24 for the Agreement for Airspace Use between the City and Mississippi Baptist Health Systems, Inc. is hereby waived for the limited purpose of honor the service of healthcare workers during the COVID-19 pandemic for a period of sixty (60) days from the date a sign is displayed, which sign shall generally conform to the following description:

In large lettering "Proud of our Heroes" in the center of the sign, in smaller lettering on the lower left portion of the sign display "#baptistproud" and in smaller lettering on the lower right portion of the sign display the corporate logo for Mississippi Baptist Health Systems, Inc.

IT IS FURTHER ORDERED that the Mayor is authorized to memorialize this waiver in written correspondence to Mississippi Baptist Health Systems, Inc.

President Lindsay moved adoption; **Council Member Banks** seconded.

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- None.
Absent- Stokes.

There were no reports/announcements provided during the meeting.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council meeting at 2:00 p.m. on April 15, 2020. At 1:33 p.m., the Council stood adjourned.

PREPARED BY:

Shanekia Masby
INTERIM CLERK OF COUNCIL

APPROVED:

Ch. Foote, 5/11/2020
MAYOR DATE

ATTEST:

Angelle Harris
CITY CLERK Att.
