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**BE IT REMEMBERED** that a Special Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 2:00 p.m. on April 15, 2020, being the third Wednesday 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 Priester, Jr., Ward 2 (Teleconference); Charles Tillman, Ward 5 and Aaron Banks, Ward 6 (Teleconference). Directors: Chokwe Antar Lumumba, Mayor; Shanekia Mosely, Interim Clerk of the Council and Tim Howard, City Attorney.

Absent: Kenneth Stokes, Ward 3.

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

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**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 one-year data license agreement with Connected Cities Intergrators, Inc.

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**President Lindsay** recognized **Council Member Stamps** who moved, seconded by **Council Member Tillman** to add an item to the agenda on an emergency basis to authorize the Mayor to execute a one year data license agreement with Connected Intergrators, Inc. to receive Covid-19 related data contained in CCI's "Symptom Collector". The motion prevailed by the following vote:

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

Nays- None.

Absent- Stokes.

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There came on as the **Emergency Agenda Item: ORDER AUTHORIZING THE MAYOR TO EXECUTE A ONE YEAR DATA LICENSE AGREEMENT WITH CONNECTED INTERGRATORS, INC. TO RECEIVE COVID-19 RELATED DATA CONTAINED IN CCI'S "SYMPTOM COLLECTOR"**. Hearing no objections, the Clerk read the following:

**ORDER AUTHORIZING THE MAYOR TO EXECUTE A ONE YEAR DATA LICENSE AGREEMENT WITH CONNECTED INTERGRATORS, INC. TO RECEIVE COVID-19 RELATED DATA CONTAINED IN CCI'S "SYMPTOM COLLECTOR"**.

**WHEREAS**, the City of Jackson, Mississippi ("City") is committed to protecting the health and welfare of its citizens during the coronavirus ("COVI-19") pandemic which is presently ravaging the United States, in particular the City of Jackson, Mississippi; and

**WHEREAS**, the governing authorities for the City find that it would be extremely helpful to quickly pinpoint outbreaks within the City by soliciting and processing data from those individuals within the City who may be suffering symptoms of the virus; and

**WHEREAS**, the governing authorities finds it to be in the best interest of the City and its citizens to enter into a Data License Agreement with Connected Cities Integrators, Inc. ("CCI") to receive access to the data contained CCI's "*Symptom Collector*", a web-based tool used to track reports of COVID-19 symptoms by members of the public("reports"); and

**WHEREAS**, CCI is a Florida corporation whose principal place of office is located at 9506 Lake Chase Island Way, Tampa, Florida 38626; and. although CCI is not presently registered with the Mississippi Secretary of State's Office, it is presently exempt from such registration requirements under Section 79-11-363(2)(k); and

**WHEREAS**, under the Data License Agreement, the City will agree to promote the Symptom Collector tool to drive usage of the tool so the City can obtain the data it seeks; and

**WHEREAS**, under the Data License Agreement, CCI will agree to capture and make available all data submitted, and be responsible for all aspects of data security and the secure operation of the data collection platform; and

**WHEREAS**, the City shall be permitted to use the Data to support its health efforts related to the spread of COVID-19; and

**WHEREAS**, the City will agree to use all reasonable efforts to maintain the confidentiality of proprietary information and trade secrets obtained from CCI to the extent required by Mississippi law; and

**WHEREAS**, CCI will agree to indemnify, defend, and hold harmless from and against any loss arising out of, or resulting from (i) CCI's use of the Data in violation of the permitted uses and restrictions of the Agreement; (ii) misappropriation or infringement of any intellectual property right in connection with the City's use of any Data in accordance with the Agreement; CCI's violation of any applicable legal requirements; and (iv) any misrepresentation or breach of any representation or warranty by CCI; and

**WHEREAS**, the Data Licensee Agreement shall be for a term of one (1) year from the date of execution, and for a subscription fee of Seven Thousand Dollars (\$7,000.00); and the City shall have an option to renew each successive year for Seven Thousand Dollars (\$7,000.00).

**IT IS HEREBY ORDERED** that the Mayor is authorized to execute a one (1) year Data Licensee Agreement with CCI, under the above-described terms, conditions and limitations, and with the City having an option to renew each successive year upon the approval of the City's governing authorities.

**IT IS FURTHER ORDER** that the annual cost of said yearlong subscription shall not exceed Seven Thousand Dollars (\$7,000.00).

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

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

Nays- None.

Absent- Stokes.

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**President Lindsay** recognized **Tim Howard**, City Attorney, who stated that an item needed to be added to the agenda on an emergency basis regarding the following: the acceptance of 1,525 reading and writing, resilience, and language kits from sesame partners and authorizing the donation of a portion of the kits received from sesame partners to the Jackson Public School District.

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**President Lindsay** recognized **Council Member Tillman** who moved, seconded by **President Lindsay** to add an item to the agenda on an emergency basis accepting 1,525 reading and writing, resilience, and language kits from sesame partners and authorizing the donation of a portion of the kits received from sesame partners to the Jackson Public School District. The motion prevailed by the following vote:

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

Nays- None.

Absent- Stokes.

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There came on as the **Emergency Agenda Item: ORDER ACCEPTING THE DONATION OF 1, 525 READING AND WRITING, RESILIENCE, AND LANGUAGE KITS FROM SESAME PARTNERS AND AUTHORIZING THE DONATION OF A PORTION OF THE KITS RECEIVED FROM SESAME PARTNERS TO THE JACKSON PUBLIC SCHOOL DISTRICT.** Hearing no objections, the Clerk read the following:

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**ORDER ACCEPTING THE DONATION OF 1, 525 READING AND WRITING, RESILIENCE, AND LANGUAGE KITS FROM SESAME PARTNERS AND AUTHORIZING THE DONATION OF A PORTION OF THE KITS RECEIVED FROM SESAME PARTNERS TO THE JACKSON PUBLIC SCHOOL DISTRICT.**

**WHEREAS**, Section 21-17-5 of the Mississippi Code states that the care, management, and control of municipal affairs, its property, and finances are vested with municipal governing authorities; and

**WHEREAS**, Section 21-17-5 of the Mississippi Code states that the governing authorities of a municipality may adopt orders, resolutions, or ordinances governing its municipal affairs, property, and finances, which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or other statute or law of the State of Mississippi; and

**WHEREAS**, the City of Jackson has an early childhood development program and received a donation from Sesame Partners of 1,525 Reading and Writing, Resilience, and Language kits to facilitate the educational development of children between the ages of 2-6; and

**WHEREAS**, accepting the donation from Sesame Partners of the kits for use in the City's early childhood development program would not be inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or other law of the State of Mississippi; and

**WHEREAS**, the best interest of the City of Jackson and children enrolled in the City of Jackson's Early Childhood Development program would be served by accepting the kits which Sesame Partners is amenable to donating; and

**WHEREAS**, Section 21-19-49(4) of the Mississippi Code of 1972 authorizes a municipality, in its discretion, to donate funds, equipment, or in-kind services to any school district located within the boundaries of the municipality to assist the voluntary character development or the public service programs of the school district; and

**WHEREAS**, there is a public-school district located within the boundaries of the City of Jackson known as the Jackson Public School District, which would benefit from receiving some of the reading and writing, resilience, and language kits in its public service program; and

**WHEREAS**, the governing authorities for the City of Jackson have evaluated the number of enrollees in its Early Childhood Development Program and have a reasonable belief that some reading, writing, resilience, and language kits available for donation to the Jackson Public School District to assist it in its public service programs.

**IT IS HEREBY ORDERED** that donation of 1,525 Reading and Writing, Resilience, and Language kits be accepted from Sesame Partners.

**IT IS HEREBY ORDERED** that after considering and meeting the needs of the enrollees in the Early Childhood Development Program, available Reading and Writing, Resilience, and Language kits may be donated to the Jackson Public School District to assist in its public service programs.

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

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

Nays- None.

Absent- Stokes.

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**ORDER APPROVING CLAIMS NUMBER 22783 to 22784 APPEARING AT PAGES 22 TO 22, INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$172,000.00 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.**

**IT IS HEREBY ORDERED** that claims numbered 22783 to 22784 appearing at pages 22 to 22, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$172,000.00 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
0371 COVID 19 RESPONSE FUND	172,000.00
<b>TOTAL</b>	<b><u>\$172,000.00</u></b>

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

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

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

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

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**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 for discussion only; **Council Member Banks** seconded.

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After a lengthy discussion, **Council Member Stamps** and **Council Member Banks** removed their motion and second. **President Lindsay** stated that said item was pulled by **Council Member Stamps**.

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The following reports/announcements were provided during the meeting:

- **Mayor Chokwe Antar Lumumba** recognized **Dr. Robert Blaine, Chief Administrative Officer**, who explained the protocol to be utilized for the COVID-19 testing of City employees.

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There being no further business to come before the City Council, it was unanimously voted to adjourn until the Special Council meeting at 10:00 a.m. on April 28, 2020; at 3:25 p.m. the Council stood adjourned.

**PREPARED BY:**

**APPROVED:**

  
CLERK OF COUNCIL  


  
MAYOR, 5/11/2020  
DATE

**ATTEST:**

  
CITY CLERK

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