

A resolution to create and fund Council Emergency Relief Program (CERP).

WHEREAS, on March 17, 2020, Mayor Jim Strickland issued a declaration of Emergency for the City of Memphis following Governor Bill Lee’s March 12, 2020 issuance of Executive Order No. 14 declaring a state of emergency in Tennessee to facilitate the treatment of COVID-19; and

WHEREAS, executive orders in the City of Memphis, Shelby County, and the State of Tennessee to limit Memphis business operations and residents’ interactions have been necessary to protect and promote public health, in alignment with guidelines from the Centers for Disease Control and Prevention (“CDC”); and

WHEREAS, these and other necessary measures taken by jurisdictions across the United States and the world to control the spread of the COVID-19 pandemic have limited public interactions, closed schools and businesses, and resulted in economic uncertainty that has left an unprecedented number of Memphis residents facing unemployment or underemployment; and

WHEREAS, prior to the pandemic many Memphians were struggling to support themselves and their families, earning wages so low that many working Memphians still live in poverty and the economic instability has further impacted Memphis residents leaving these residents more vulnerable than ever; and

WHEREAS, on March 27, 2020, the third federal stimulus package in response to economic crisis created by the COVID-19 pandemic, the CARES Act, was signed into law, which authorizes \$2 trillion in federal economic relief through housing and public health programs, as well as direct financial assistance and additional unemployment benefits to individuals and small businesses; and

WHEREAS, within two weeks of funding becoming available, the Small Business Administration officially ran out of money for the Paycheck Protection Program, the \$349 billion emergency small business lending program designed to help businesses keep their workforce employed during the Coronavirus (COVID-19) crisis.

WHEREAS, the City of Memphis is working in concert with partners and public agencies to respond to needs of Memphis residents during this difficult time to meet the economic, utility, and food needs citizens and families impacted by unemployment and financial uncertainty; and

WHEREAS, the City Council desires to respond to needs of Memphis residents amid the uncertainty of the COVID-19 pandemic and provide financial assistance by creating a path toward relief during this time of economic strain driven by community needs, designed to support organizations contributing to COVID relief, invest in our small businesses and provide aid to hospitality workers; and

WHEREAS, on March 3, 2020, the Memphis City Council approved a Resolution to amend Memphis City Council Grant Program for FY2021 establishing a for allocating up to 2,600,000 in grant funds to nonprofit agencies; and

WHEREAS, the current environment and economic hardships exacerbate by COVID-19 make it

necessary to apply available funding to alleviate the hardship to citizens impacted by the pandemic and nullify the FY2021 City Council Grant Program.

NOW, THEREFORE, BE IT BE RESOLVED by the Memphis City Council that that \$6,00,000.00 be transferred from the City Reserve Fund to fund the Council Relief Emergency Fund which will be operated according to the guidelines below

Funding Distribution

SOURCE OF FUNDS	
2021 FY Grants	\$ 2,600,000
Reserve Fund	\$ 3,400,000
TOTAL	\$ 6,000,000
USE OF FUNDS	
MLGW ¹	\$ 1,500,000
Welcome to Memphis ²	\$ 600,000
Personal Care Professionals ³	\$ 1,200,000
MIFA Emergency Services ⁴	\$ 500,000
MIFA Meal-on-Wheels	\$ 500,000
Mid-South Food Bank	\$ 500,000
Office of Business Diversity & Compliance ⁵	\$ 1,000,000
Artists Emergency Fund (ArtsMemphis & Music Export Memphis) ⁶	\$ 200,000
TOTAL	\$ 6,000,000
<p>(1) MLGW allocation will provide utility bill assistance, up to \$200 to Memphis residents that have been laid off, hours reduced, place of employment closed as a result of COVID-19. This measure could reach up to 7,500 City of Memphis residents.</p>	
<p>(2) Welcome to Memphis makes \$300 grants to those Memphis residents employed in the tourism and hospitality industry including restaurants with funds made available by the Community Foundation of Greater Memphis. This could reach up to 2,000 individuals.</p>	
<p>(3) A Fiscal Sponsorship arrangement will provide \$300 grants to Memphis residents employed in the personal care professions, including but not limited to cosmetologists, barbers, nail technicians, massage therapists, etc. A fiscal sponsor is a nonprofit organization that provides fiduciary oversight, financial management, and other administrative services to help build the capacity of charitable projects. This could support up to 4,000 personal care providers.</p>	
<p>(4) Supplement to MIFA's Emergency Services program which has received 1,488 applications for financial assistance with 86% stating that COVID-19 is their reason from applying, with 63% reporting a job loss, 15% had hours cut, and 17% were told to stay at home.</p>	
<p>owned, women-owned, or other minority-owned businesses that may have been shut out of the Paycheck Protection Program offered through the federal government and distributed through banks and other financial institutions. Eligible businesses must be located in Memphis and the primary owner(s) must be residents of Memphis, and must employ at least one (1) other person that's not an immediate family member. Eligible Business must also adhere to loan requirements requiring funds to be used to pay employees during COVID crisis.</p>	
<p>(6) The Artist Emergency Fund, which became public April 1, supports artists of all types across music, visual art, film and media arts, literary art, theatre and dance. It was established in concert with ArtsMemphis and the Music Export Memphis with funds made available through the Community Foundation of Greater Memphis. Availability would be restricted to those that are residents of Memphis.</p>	

- A. Memphis, Light, Gas & Water will receive a grant of 1,500,0000 million to provide financial assistance of up to 200 City of Memphis residents. MLGW will determine the application process but all eligible recipients must live within the City of Memphis, must be applying for an address within the City of Memphis, and the

- B. The Community Foundation of Memphis will receive a CERP disbursement of \$600,000 to create the Welcome to Memphis Fund to award one time \$300 grants to Memphis residents employed in the Tourism and Hospitality industry.
- C. A \$1,200,000 CERP disbursement will be given to a Fiscal Agent to distribute \$300 grants to Memphis residents employed in the personal care professions, including but not limited to cosmetologists, barbers, nail technicians, massage therapists, etc. A fiscal sponsor is a nonprofit organization that provides fiduciary oversight, financial management, and other administrative services to help build the capacity of charitable projects.
- D. MIFA will receive \$1,000,000 through CERP to supplement the MIFA Emergency Services and MIFA Meals on Wheels with \$500,000 grants respectively.
- E. The Mid South Food Bank will receive a \$500,00 grant to supplement ongoing Coronavirus efforts including increased mobile food pantry.
- F. The Office of Business Diversity and Compliance will administer Council Emergency Relief Program Payment Protection for small business loans up to \$5,000. OBDC will create the application and ensure eligibility of all applicants as outlined in Council Emergency Relief Program Payment Protection Program FAQ attached as Exhibit A. The loan program will be funded by a \$1,000,000 disbursement.
- G. The Community Foundation of Memphis will receive a disbursement of \$200,000 to supplement the Artist Emergency Fund established in concert with ArtsMemphis and the Music Export Memphis to support artists of all types across music, visual art, film and media arts, literary art, theatre and dance. The CERP disbursement would be restricted to those that are residents of Memphis.

Eligibility for Relief

Service providers will determine the eligibility of clients, prioritizing those who:

- Are residents of the City of Memphis
- Meet broad eligibility standards for similar grant programs, such as a family income at or below 200% of federal poverty income guidelines; Have experienced a significant hardship or loss of household income related to the COVID-19 pandemic, which may include those who have experienced a reduction in income, layoffs or furloughs, or who have taken unpaid leaves of absence from work due to school or daycare closures, the need to care for family members, or the need to remain quarantined after possible COVID-19 exposure;
- Eligibility for, or enrollment in, other means-tested benefits programs, such as SNAP or Medicaid, may be considered as a substitute for income or demonstration of need, but this standard may not be required for CERP eligibility.
- Requests for documentation of eligibility may not impose an unnecessary burden on those applying for relief services or direct financial assistance and may not unnecessarily delay the approval and distribution process.

Community-based organizations who work directly with vulnerable populations understand the needs in these communities, and as such, these requirements are not to be interpreted as limiting the pool of recipients who are in need, as long as the eligibility criteria in use are consistent with Council's goals.

Service Providers

The City of Memphis is authorized to negotiate and execute amendments to existing social services contracts with service providers who will use the funds to expand the number of people served well beyond the existing populations currently served by organizations in response to the COVID-19 pandemic and economic crisis. These providers may subcontract with other organizations to expand capacity to provide these services.

The City of Memphis is also authorized to negotiate and execute new emergency contracts, to be executed pursuant to the City's emergency contracting procedures, with social service providers who currently reach vulnerable populations that are historically marginalized and any new contracts necessary to meet the Council's goals for the CERP fund. The City of Memphis is authorized to streamline the administrative process so that funds can be distributed as quickly as possible to those in need, including issuing waivers or modifications of liability or providing other forms of insurance requirements for community-based organizations that can provide these relief services or the direct financial assistance, but that are unable to meet increased insurance requirements. Organizations with minimal or low administrative costs, with the ability to conduct outreach in the target populations, who have the capacity to distribute services and assistance efficiently and quickly, should be prioritized.

Compliance with the following standards is required of all service providers:

- Providers will be responsible for providing the City with such reporting as they currently have in place, to include aggregate descriptive data about aid recipients and their communities, as well as schedules of distribution and other regular reporting; Providers must be able to employ a mechanism to audit all expenditures;
- All data must be secured, and personally identifiable information must be protected, pursuant to City of Memphis guidelines and applicable law;
- Accessibility options, such as prepaid debit cards or gift cards, should be considered and made available for City of Memphis residents who are not able to receive ACH transfers with suitable controls as are currently utilized by organizations that contract with APH.

THEREFORE, BE IT BE FURTHER RESOLVED that Memphis City Council does hereby create the Council Relief Emergency Program and establishes the policy for the allocation of funds to outlined.

THEREFORE, BE IT BE FURTHER RESOLVED that upon the passage of the FY2021 Operating Budget any funds allocated to the City Council Grant Program will be transferred to the City Reserve Fund.

THEREFORE, BE IT BE FURTHER RESOLVED that a Resolution to amend the FY2021 City Council Grant Program is repealed and upon the passage of the FY2021 Operating Budget any funds allocated to the City Council Grant Program shall be transferred to the City of Memphis Reserve Fund.

Sponsor:
Martavius D. Jones

Chairman
Patrice J. Robinson

A RESOLUTION OF THE MEMPHIS CITY COUNCIL STRONGLY ENCOURAGING ALL BUSINESSES TO REQUIRE THEIR EMPLOYEES TO WEAR NON-MEDICAL FACIAL COVERINGS WHILE AT WORK AT THE EXPENSE OF THE EMPLOYER

WHEREAS, health is necessary to maintaining life, life is necessary to maintaining community, and both are necessary to ensuring a thriving, fully-functioning City of Memphis; and

WHEREAS, not only our city, but also our state, nation, and world are currently experiencing the effects of Coronavirus disease 2019 (COVID-19), a respiratory illness-based pandemic that has had a swift impact upon residents of every race, creed, color, ethnicity, national origin, religion, and socioeconomic background due to its far-reaching health and economic ramifications; and

WHEREAS, local, state, and federal legislative measures must be taken when worthy circumstances arise, to directly protect the public health, safety, and welfare of the populace at-large; and

WHEREAS, due to the transmission of COVID-19 by asymptomatic carriers, the Center For Disease Control and Prevention strongly encourages American citizens, Memphians alike, to practice strict social distancing, both in public and in private, to limit community spread of the virus; and

WHEREAS, due to the transmission of COVID-19 by asymptomatic carriers, the Center For Disease Control and Prevention also strongly encourages American citizens, Memphians alike, to wear non-medical facial coverings while interacting with others in public, specifically when strict social distancing practices cannot be achieved; and

WHEREAS, on March 23, 2020 pursuant to the authority invested in the Mayor of Memphis under Tennessee Code Annotated § 38-9-101, et. seq. and City of Memphis Code § 9-24, et. seq., Mayor Jim Strickland issued Civil Emergency Proclamation and Executive Order No. 03-2020 closing non-essential businesses and directing residents to stay at their place of residence unless for purposes otherwise allowed thereunder (“Safer at Home Order”); and

WHEREAS, on April 21, 2020, Mayor Jim Strickland issued Civil Emergency Proclamation and Executive Order No. 10-2020 extending the Safer at Home Order to May 5, 2020, further amending the order by establishing a “COVID-19 Compliant Protocol” for big box retailers, such as grocery and hardware stores; and

WHEREAS, pursuant to the COVID-19 Compliant Protocol set forth in Executive Order No. 10-2020, Paragraph 13, “all big box retailers exempt as an Essential Business [under] the grocery store provision” outlined in Executive Order 10-2020, Paragraph 6(ii), “or the hardware store exception [under]” Executive Order 10-2020, Paragraph 6(viii), “shall prepare and implement no later than 6:00 a.m. on Friday, April 24, 2020 a COVID-19 Compliant Protocol,” under Executive Order 10-2020, Paragraph 13(f) “requiring all employees to wear a facial covering while working in areas open to the public;” and

WHEREAS, due to the fact that COVID-19 is a contagious virus spread on a community basis by customers patronizing businesses, as well as by employees during the performance of their duties, the Memphis City Council is of the opinion that all businesses should require their employees to wear non-medical facial coverings while at work, to include cloth, bandana, or scarf-based facial coverings, both within areas open to the public, as well as within areas closed to the public, regardless of (1) the business entity's designation as a big box retailer as defined by Mayor Strickland's Executive Order 10-2020, (2) the business entity's industry of operation, (3) the business entity's openness to the general public, and (4) the frequency with which the business entity's employees interact with the public, unless individuals are alone in an office with closed doors where at least six feet of distance can be regularly maintained from others; and

WHEREAS, the Memphis City Council is of the opinion that employers should pay for, and provide their employees with, the non-medical facial coverings to be worn while at work, in the best interest of public health and safety, as our nation, state, and city work to combat the life-threatening effects of the COVID-19 crisis.

NOW THEREFORE BE IT RESOLVED, by the Memphis City Council that it hereby strongly encourages all businesses to require their employees to wear non-medical facial coverings while at work at the expense of the employer, and that this resolution shall take effect from and after its passage, the welfare of the City requiring it.

Sponsored by Councilwoman Michalyn Easter-Thomas
Memphis City Council

Co-Sponsored by Councilman Jeff Warren, M.D.
Memphis City Council

Patrice Jordan Robinson, Chairwoman
Memphis City Council



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This is a Resolution requesting the approval for the sale of City owned property located at 2998 Tillman Cove in Memphis, Shelby County, Tennessee and further described as Parcel ID # 044009 00017 *District 5, Super District 9*

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Housing and Community Development

3. State whether this is a change to an existing ordinance or resolution, if applicable.

This item does not require a change to an existing ordinance.

4. State whether this requires a new contract, or amends an existing contract, if applicable.

This item does not require a new contract or amend an existing contract.

5. State whether this requires an expenditure of funds/requires a budget amendment.

This item does not require an expenditure of funds or a budget amendment.



RESOLUTION

Resolution approving the sale of property located at 2998 Tillman Cove

Whereas the City of Memphis owns surplus property located at 2998 Tillman Cove (“The Property”) also, known as the former Tillman Cove Apartments and is further identified by Shelby County Tax Assessor as Parcel ID#044009 00017. The Property has a value of more than \$20,000 and has been vacant since 2016 and was acquired by the City in July 2018 using grant funds, for redevelopment purposes.

Whereas the City of Memphis advertised the Property as a major opportunity for accomplished and experienced housing developers to undertake mixed-use or residential development in the Binghampton neighborhood on the Property as part of eight Private Development Opportunities Request for Qualifications (“RFQs”) published in February 2019. The RFQ was advertised and available for over 30 days. The Advertisement included but was not limited to: listing the (RFQ’s) on the City’s website under Request for Proposals (RFP’s) and Request for Qualifications (RFQ’s), advertising the RFQ’s for two weeks in two local newspapers, holding a pre-submittal meeting for interested parties, and press releases to local media outlets. The Request for Qualifications (RFQs) outlined a range of options would be considered including ground lease or sale.

Whereas Real Estate received five responses to the RFQ for the Property, the Real Estate Manager, HCD and a committee of community stakeholders evaluated the responses and Tillman Redevelopment, LP was selected as the recommended bidder based on overall project quality, experience and demonstrated financial ability to complete the redevelopment of the Property.

Whereas Tillman Redevelopment, LP desires to purchase 2998 Tillman Cove, to develop Multi-Family Units and has submitted an offer of Eight Hundred Eleven Thousand Dollars (\$811,000.00) and a Twenty-Four Thousand Three Hundred Thirty Dollars (\$24,330.00) Earnest Money Deposit will be tendered to the City of Memphis designated Escrow Agent upon execution of a purchase and sale agreement; and

Whereas it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that said sale be accepted subject to City Ordinance 2-291 as well as the terms and conditions in the Offer to Purchase.

Therefore, be it Resolved, by the Council of the City of Memphis that the offer made by Tillman Redevelopment, LP for the above described property be hereby accepted subject to the City Ordinance 2-291, which states in part: "The City Council shall approve the sale of all properties proposed to be sold for market value by resolution; provided, however, that the City Council may in its legislative discretion reject any proposed sale or order re-bidding the sale of any property. The City Council's approval of the sale of any property for fair market value shall be final."

BE IT FURTHER RESOLVED, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of a Purchase and Sale Agreement and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.