

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 21, 2021

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, December 21, 2021, at 9:00 a.m.

Present:

Councilmembers: Penn, Carroll, Reynolds, Daves, Scott and Gregory

Absent: Small

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m.

Approved:

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 21, 2021

The City Clerk of the City of Mobile, Alabama, hosted the regular meeting, of the Mobile City Council at the History Museum of Mobile, 111 South Royal Street, on Tuesday, December 21, 2021, at 10:30 a.m., in regular meeting.

The meeting was called to order by City Clerk Lisa C. Lambert.

Pastor Mary Young, Solid Rock Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Small

Councilmembers: Penn, Carroll, Reynolds, Daves, Scott and Gregory

Absent: None

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer provided an overview of the City Council rules of procedure.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson mentioned he attended ribbon cutting events for "Box Owt" and the Mobile Police Department Precinct 1 on Dauphin Island Parkway.

PRESENTATIONS TO THE COUNCIL:

Shonnda Smith, Director Parks and Recreation, shared that the 5th Holiday Extravaganza was a huge success.

Shonnda Smith announced that the Parks and Recreation now has nine girls' basketball teams.

Lawrence Batistte, Public Safety Executive Director, presented Captain Robert Stewart as the "Fire Fighter of the Month" for November 2021.

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MONTHLY FINANCE REPORTS:

Rebecca Christian, Comptroller, presented the Council with the monthly finance report for Novmeber 2021.

ADOPTION OF THE AGENDA:

Councilmember Gregory moved to adopt the agenda, which move was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the agenda adopted.

APPEALS:

Request of Nanda Morris, Eliashib Ministries, for a waiver of the Noise Ordinance at the Langan Park Performing Arts Pavilion on January 2, 2022, from 2:00 p.m. – 6:00 p.m. (District 7).

Councilmember Gregory moved to grant the waiver, which motion was seconded by Councilmember Jones and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones and Gregory

Nays: None

The vote was then announced by City Clerk, whereupon the Presiding Officer declared the waiver granted.

Request of James Ingram for a waiver of the Noise Ordinance at 457 Charles Street on December 26, 2021, from 4:00 p.m. – 10:00 p.m. (District 2).

Councilmember Gregory moved to grant the waiver, which motion was seconded by Councilmember Jones and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones and Gregory

Nays: None

The vote was then announced by City Clerk, whereupon the Presiding Officer declared the waiver granted.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Reggie Hill, 1007 Center Street, spoke on resolutions 08-1102, 08-1101, 21-1100, 08-1122, 31-1129 and 60-1116.

NON-AGENDA ITEMS:

1. Meg McCrummen Fowler, Director of the History Museum of Mobile, gave an update on the History Museum.

CIP RESOLUTIONS HELD OVER

AUTHORIZE CONTRACT WITH SAWGRASS CONSULTING, LLC, FOR 2022 CIP RESURFACING, CITY WIDE; \$730,100.00. The following resolution, which was

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introduced and read at the regular meeting of December 14, 2021 and held over until the regular meeting of December 21, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-1100-2021

Sponsored by: City Council and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as set forth in full, subject to the company signing the contract and furnishing the required bonds and insurance. A copy of said executed contract will be on file in the office of the City Clerk.

Name of Company: Sawgrass Consulting, LLC

Project Name: 2022 CIP Resurfacing, City Wide, (D1-7)
COM Project No. 2022-3005-02

Estimated Cost: \$730,100.00

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves. Following comments by Councilmember Reynolds and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO STIVERS FORD LINCOLN, INC. FOR THREE 2021 FORD F150 CREW CAB PICKUP TRUCKS FOR FIRE ADMINISTRATION; \$96,591.00.

The following resolution, which was introduced and read at the regular meeting of December 14, 2021 and held over until the regular meeting of December 21, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-1101-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>2521</u>	2022	(1510) FIRE ADMINISTRATION	3 2021 FORD F150 CREW CAB 4X4 PICKUP TRUCKS (AL STATE CONTRACT)	\$96,591.00	<u>(292393) STIVERS FORD LINCOLN INC</u>

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Jones and the vote was as follows:

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Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO VULCAN, INC. FOR STREET SIGNS, REFLECTIVE SIGN SHEETING AND BRACKETS FOR TRAFFIC ENGINEERING DEPARTMENT; \$46,548.90. The following resolution, which was introduced and read at the regular meeting of December 14, 2021 and held over until the regular meeting of December 21, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-1102-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1632</u>	2022	(2060) TRAFFIC ENGINEERING	1240 STREET SIGNS, 2 ROLLS REFLECTIVE SIGN SHEETING, 400 SIGN BRACKETS (MOBILE COUNTY COOPERATIVE CONTRACT 63-21)	\$46,548.90	<u>(270972)</u> <u>VULCAN INC</u>

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Jones and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH BLUE DIVING & SALVAGE, INC. FOR MAINTENANCE AND DREDGING OF McNALLY PARK; \$248,250.00. The following resolution, which was introduced and read at the regular meeting of December 14, 2021 and held over until the regular meeting of December 21, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-1103-2021

Sponsored by: Councilmember Small and Mayor Stimpson

WHEREAS, bids for McNally Park Maintenance Dredging were received and opened on October 28, 2021.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from Blue Diving & Salvage, LLC in the amount of \$248,250.00.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by Blue Diving & Salvage, LLC.

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract with the company listed below for work as outlined in the contract attached hereto and made a part hereof as through set forth in full. A copy of said contract is on file in the office of the City Clerk:

Name of Company: Blue Diving & Salvage, LLC.
Project Name: McNally Park Maintenance Dredging
Project Number: 2021-3005-06
Amount: \$248,250.00

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Jones and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE A GRANT APPLICATION TO THE DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, FOR THE FY 2021 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM, \$975,000.00 (10% MATCH).
The following resolution, which was introduced and read at the regular meeting of December 14, 2021 and held over until the regular meeting of December 21, 2021, was called up by the Presiding Officer.

RESOLUTION: 31-1105-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), a Notice of Award for grant assistance in the amount of \$975,000.00 for the FY 2021 Assistance to Firefighters Grant Program.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the U.S. Department of Homeland Security. Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

BE IT FURTHER RESOLVED that the Council authorizes the expenditure of 10% matching funds in the amount of \$97,500.00 in the event this grant is received.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Jones and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; MARY JACKSON. The following resolution, which was introduced and read at the regular meeting of December 14, 2021 and held over until the regular meeting of December 21, 2021, was called up by the Presiding Officer.

RESOLUTION: 60-1106-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized and directed to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Releases of Claims arising out of the claim of Mary T. Jackson, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Jones and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Gregory moved for the suspension of the rules to consider Consent Resolutions 03-1110 through 03-1135 being introduced for the first time. The motion was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

APPOINT WILLIAM BARNES TO THE MOBILE CIVIC CENTER ADVISORY BOARD. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-1110-2021

Sponsored by: Councilmember Jones

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that William Barnes is appointed to the Mobile Civic Center Advisory Board effective immediately for a term ending December 21, 2024.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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APPOINT LINDA ST. JOHN TO THE WATER AND SEWER BOARD OF COMMISSIONERS. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-1111-2021

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Linda St. John is appointed to the Water and Sewer Board of Commissioners effective immediately for a term ending December 21, 2027.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE FOR AZTECA'S, 6800 AIRPORT BOULEVARD. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-1112-2021

Sponsored by: Councilmember Jones

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the following application to the Alabama Alcoholic Beverage Control Board of the State of Alabama, is hereby recommended for grant of such license by said Board.

BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council

Type of application: Restaurant Retail Liquor

Submitted by: Aztecas Airport Inc

Location: Aztecas
6800 Airport Blvd.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISE ONLY) LICENSE FOR BROOKLEY SHELL, 1700 MICHIGAN AVENUE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-1113-2021

Sponsored by: Councilmember Small

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the following application to the Alabama Alcoholic Beverage Control Board of the State of Alabama, is hereby recommended for grant of such license by said Board.

BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

Type of application: Retail Beer/Table Wine
 (Off Premises Only)

Submitted by: Brookley Shell Inc

Location: Shell
 1700 Michigan Avenue

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISE ONLY) LICENSE FOR PIGGLY WIGGLY, 2601 DAUPHIN ISLAND PARKWAY. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-1114-2021

Sponsored by: Councilmember Small

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE. ALABAMA, that the following application to the Alabama Alcoholic Beverage Control Board of the State of Alabama, is hereby recommended for grant of such license by said Board.

BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

Type of application: Retail Beer/Table Wine
 (Off Premises Only)

Submitted by: Manning Inc

Location: Piggy Wiggly
 2601 Dauphin Island Parkwy
 Unit 20

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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DETERMINE AN APPROPRIATION TO TOULMINVILLE RATTLERS SPORTS SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1115-2021

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate \$1,000.00 to Toulminville Rattlers Sports from his discretionary funds, and

WHEREAS, Toulminville Rattlers Sports is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Toulminville Rattlers Sports will be used to help purchase uniforms, helmets, and pads, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,000.00 to Toulminville Rattlers Sports for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO YORKTOWN BAPTIST CHURCH SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1116-2021

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate \$1,000.00 to Yorktown Baptist Church from his discretionary funds; and

WHEREAS, Yorktown Baptist Church is an Alabama non-profit religious corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Yorktown Baptist Church to assist with a food drive to help families and seniors in the community, which will serve a public purpose benefitting the City of Mobile and its citizens.

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NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,000.00 to Yorktown Baptist Church for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO GEMINI STUDIOZ EMPOWERMENT SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1117-2021

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate \$217.50 to Gemini Studioz Empowerment from his discretionary funds; and

WHEREAS, Gemini Studioz Empowerment is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Gemini Studioz Empowerment will be used for their "Dia-BEAT IT walk that was held on November 13, 2021 at the Tricentennial Park for an inflatable jump house, which will serve a public purpose benefitting the City of Mobile and its citizens,

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$217.50 to Gemini Studioz Empowerment for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO THE UNITED METHODIST INNER CITY MISSION OF MOBILE SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1118-2021

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Sponsored by: City Council

WHEREAS, Councilmember Penn wishes to appropriate \$1,000.00; Councilmember Carroll wishes to appropriate \$1,000.00; Councilmember Small wishes to appropriate \$1,000.00; Councilmember Reynolds wishes to appropriate \$1,000.00; Councilmember Daves wishes to appropriate \$1,000.00; Councilmember Jones wishes to appropriate \$1,000.00; and Councilmember Gregory wishes to appropriate \$1,000.00 (TOTAL \$7,000.00) to the United Methodist Inner City Mission of Mobile, Inc., from their discretionary funds; and

WHEREAS, United Methodist Inner City Mission of Mobile, Inc., is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to United Methodist Inner City Mission of Mobile, Inc., will be used to help purchase trombones, drumheads, tables, chairs and operational expenses for the Marching Cougars band, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$7,000.00 to United Methodist Inner City Mission of Mobile, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTER OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM; ROBERT STEWART. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1119-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 each to the following employee(s):

Fire Service Captain Robert M. Stewart (Emp #5255)

This employee is to be commended for his exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

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Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPOINT KEN KVALHEIM TO THE MOBILE CIVIC CENTER ADVISORY BOARD. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-1135-2021

Sponsored by: Councilmember Reynolds

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Ken Kvalhelm is appointed to the Mobile Civic Center Advisory Board effective immediately for a term ending November 20, 2024.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Daves, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CIP RESOLUTIONS BEING INTRODUCED.

Councilmember Gregory moved for the suspension of the rules to consider Resolution 01-1120 being introduced for the first time. The motion was seconded by Councilmember Jones and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AN AGREEMENT BETWEEN THE CITY AND ALDOT FOR A TRAFFIC SIGNAL MAINTENANCE AND OPERATION PROGRAM; \$500,000.00. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 01-1120-2021

Sponsored by: Councilmembers Penn, Carroll & Reynolds & Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Cooperative Agreement between the City of Mobile ("City") and the Alabama Department of Transportation ("ALDOT") for traffic signal improvements along various state routes within the city limits of Mobile, as outlined in the Cooperative Agreement attached hereto and made a part hereof as though set forth in full. A copy of said Cooperative Agreement is on file in the office of the City Clerk.

Project Name: City of Mobile and ALDOT Traffic Signal Maintenance and Operation Program

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Project No.: C0652 & C0659

Amount: \$500,000.00

The resolution was read by the City Clerk; whereupon Councilmember Carroll moved that the resolution be adopted, which was seconded by Councilmember Gregory. Following comments by Councilmember Carroll, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RESOLUTIONS BEING INTRODUCED:

APPROVE ITEM BASED BID FOR 2022 MARDI GRAS THROWS. The following resolution was held over until the regular meeting of January 4, 2022.

RESOLUTION: 08-1121-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to accept and approve, and issue Purchase Orders against, the below proposed Bid Awards, to the designated vendors for the specified items at the unit prices indicated, for the time periods and renewal options as indicated below and attached herein, and, further, that the Purchasing Agent is authorized to issue said orders without further approval or other action by the City Council. All Bid Awards may be extended at the discretion of the Purchasing Agent for a total award period not to exceed three years.

Bid	Description	Number of Items	Bid Amount	Time/Renewal	Vendor(s)
5630	MARDI GRAS THROWS	3	SEE BID TAB FOR UNIT PRICES	Effective through March 31, 2022.	(130871) TOOMEY'S MARDI GRAS CANDY CO INC

APPROVE PURCHASE ORDERR TO LUMPKIN & ASSOCIATES FOR PERSONNEL CONSULTING SERVICES FOR MPD; \$18,650.00. The following resolution was held over until the regular meeting of January 4, 2022.

RESOLUTION: 08-1122-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Purchase Order	Fiscal Year	Department	Description	Amount	Vendor
<u>22003006</u>	2022	(1530) POLICE ADMIN SERVICES	PERSONNEL CONSULTING SERVICES FOR MPD (PROFESSIONAL SERVICE)	\$18,650.00	(292090) <u>LUMPKIN & ASSOCIATES</u>

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REALLOCATE FUNDS FROM CIP FUND CITYWIDE SIGNAL & ASSESSMENT TO CAPITAL PROJECT MOBILE GREENWAY INITIATIVE; \$400,000.00. The following resolution was held over until the regular meeting of January 4, 2022.

RESOLUTION: 09-1123-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$400,000.00 be reallocated from the following Capital Project in the Capital Improvement Fund (2000):

C0464 Citywide Signal Inv & Assessment \$400,000.00

to Capital Project: #C0291 CIP MOBILE GREENWAY INITIATIVE

RE-ALLOCATE FUNDS FROM CAPITAL PROJECT RE-ROOF VARIOUS CITY FACILITIES TO THE GENERAL FUND FORESTRY CONTRACT LABOR; \$500,000.00. The following resolution was held over until the regular meeting of January 4, 2022.

RESOLUTION: 09-1124-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$500,000.00 be reallocated from Capital Project #C0588 Re-Roof Various City Facilities in the Capital Improvement Fund (2000) to the General Fund (1000) Forestry Contract Labor 10042018.42070. These funds will be used to cover a canopy cutting contract.

AUTHORIZE CONTRACT WITH SHEPPARD SERVICES, LLC FOR COOLING TOWER PUMP REPLACEMENT AT THE MOBILE CIVIC CENTER; \$31,435.17. The following resolution was held over until the regular meeting of January 4, 2022.

RESOLUTION: 21-1125-2021

Sponsored by: Councilmember Carroll and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: SHEPPARD SERVICES LLC

Project Name: MOBILE CIVIC CENTER
COOLING TOWER PUMP REPLACEMENT

Project Number: CC-011-22

Amount: \$31,435.17

AUTHORIZE CONTRACT WITH MICOR, INC. FOR SKYLIGHT FILM REPLACEMENT AT THE GULFQUEST MARITIME MUSEUM; \$17,780.00. The following resolution was held over until the regular meeting of January 4, 2022.

RESOLUTION: 21-1126-2021

Sponsored by: Councilmember Carroll and Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: MICOR INC d/b/a MDS CONSTRUCTION

Project Name: GULFQUEST MARITIME MUSEUM –
SKYLIGHT FILM REPLACEMENT

Project Number: MU-081-21

Amount: \$17,780.00

AUTHORIZE CONTRACT WITH SPV ASSOCIATES, D/B/A ONINDUS, FOR EBUILDER PROFESSIONAL SERVICES; \$155,000.00. The following resolution was held over until the regular meeting of January 4, 2022.

RESOLUTION: 21-1127-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for an on behalf of the City of Mobile, a contract, by and between the City of Mobile and, the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of company: SPV Associates, Inc., d/b/a OnIndus

Project name: CIP Consultant for eBuilder – OnIndus

Project number: C0661

Amount: \$155,000.00

AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH TANYA DIXON TO PROVIDE LESSONS AND CLINICS AT THE TENNIS CENTER; \$40,000.00 PER YEAR. The following resolution was held over until the regular meeting of January 4, 2021.

RESOLUTION: 21-1128-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with Tanya Dixon to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$40,000 per year as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

AUTHORIZE APPLICATION TO THE NATIONAL LEAGUE OF CITIES IN SUPPORT OF THE SOUTHERN CITIES ECONOMIC INCLUSION INITIATIVE (SCEI) TO DEVELOP A PLAN FOR DIVERSITY, EQUITY, AND INCLUSION WITHIN THE CITY OF MOBILE; \$40,000.00 (1:1 MATCH). The following resolution was held over until the regular meeting of January 4, 2021.

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RESOLUTION: 31-1129-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the National League of Cities grant assistance in the amount of \$40,000.00 in support of the Southern Cities Economic Inclusion Initiative (SCEI) - Expanding Capacity, Building Resilience. Said Grant, if awarded, shall develop a plan and initiative for diversity, equity, and inclusion within City of Mobile processes and funded projects. There is a 1:1 match requirement that will be met through in-kind services.

BE IT FURTHER RESOLVED that the Mayor, or his designee, is directed and authorized to act on behalf of the City of Mobile in the filing of the adopted budget and grant application with the National League of Cities, Kellogg Foundation, Annie E. Casey Foundation, or their designee and that this authorization extends to the execution of all required certifications and to all other actions required to obtain referenced grant funds. The Mayor, or his designee, is further authorized to execute Subrecipient Agreements, Conditional Commitment Letters, Developer Agreements, Administrative Agreements, Loan Agreements, and associated security documents on behalf of the City.

A copy of this Plan shall remain on file in the office of the City Clerk.

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS, WILKERSON.
The following resolution was held over until the regular meeting of January 4, 2021.

RESOLUTION: 60-1130-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized and directed to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claim arising out of the claim of Hope Renee Wilkerson, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS, FERRELL. The following resolution was held over until the regular meeting of January 4, 2021.

RESOLUTION: 60-1131-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized and directed to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Trithenia Ferrell, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS, LE. The following resolution was held over until the regular meeting of January 4, 2021.

RESOLUTION: 60-1132-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized and directed to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of

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the claim of Viet Q. Le, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO DEVONYA STALLWORTH, D/B/A DMS CARRIER, LLC, TO OPERATE A SEDAN SERVICE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 41-1133-2021

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed resolution is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed resolution.

NOTICE OF HEARING ON PROPOSED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of DeVonya Stallworth, d/b/a DMS Carrier, LLC, to operate a sedan service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza located at 205 Government Street, Mobile, Alabama, on the 4th day of January, 2022, at 10:30 a.m. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

Councilmember Gregory then moved to call for the public hearing, which move was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones and Gregory

Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as January 4, 2022.

CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO APRIL JOHNSON, D/B/A KIDS ON DA WHEEL, TO OPERATE A SEDAN SERVICE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 41-1134-2021

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed resolution is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed resolution.

NOTICE OF HEARING ON PROPOSED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of April Johnson, d/b/a Kids on Da Wheel, to operate a sedan service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza located at 205 Government Street, Mobile, Alabama, on the 4th day of January, 2022, at 10:30 a.m. At such time and place all persons

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who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

Councilmember Gregory then moved to call for the public hearing, which move was seconded by Councilmember Daves. Following comments by Councilmembers Jones and Gregory, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones and Gregory

Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as January 4, 2022.

ANNOUNCEMENTS:

David Clark, President/CEO, Visit Mobile, provided an overview of the upcoming Clotilda project with the History Museum of Mobile.

Meg McCrummen Fowler, Director History Museum of Mobile, shared that attendance is up 28% through Covid-19 and without school field trips.

Each Councilmember wished citizens a Merry Christmas and happy New Year.

Councilmember Jones announced that the Lending Tree Bowl will be celebrating in Mobile this weekend.

Councilmember Jones shared that there were approximately 60 volleyball teams participating in competitions at the Mobile Civic Center this past weekend.

Councilmember Penn thanked the Administration and Parks and Recreation Department for organizing the ribbon cutting ceremony at the Floretta Fortune Walking Trail located at Figures Park.

Councilmember Penn announced that the food giveaway at the Right Way Christian Center was a success.

Councilmember Penn invited citizens to the Trinity Gardens Community "Stop the Violence Community Walk" on January 1, 2022.

Councilmember Gregory stated she sponsored a ham giveaway along with Smith Memorial AME Church in the Hillsdale community.

Councilmember Gregory announced that the Athey Road Community Action Group will be collecting old tires in the community.

Councilmember Gregory reminded the public about the holiday trash pickup schedule.

Councilmember Small announced that the community holiday event at Palmer Pillans Middle School was enjoyed by many.

Councilmember Small shared that the Dauphin Island Parkway S.A.I.L. Center was a success.

Councilmember Small invited citizens to the New Year's Eve Moon Pie Drop on December 31, 2021.

Councilmember Small announced that the next City Council meeting will be held on January 4, 2022.

Councilmember Daves moved to adjourn the meeting, which move was seconded by Councilmember Reynolds and the vote was as follows:

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Ayes: Penn, Carroll, Small, Reynolds, Daves, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:42 a.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK