

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 18, 2018

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 18, 2018, at 9:00 a.m.

Present:

Chairman: Manzie

Councilmembers: Richardson, Small, Williams, Daves, Rich and Gregory

Absent: None

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.

The Presiding Officer adjourned the meeting.

Approved: January 3, 2019

COUNCIL VICE PRESIDENT

CITY CLERK

HISTORY MUSEUM OF MOBILE, MOBILE, ALABAMA, DECEMBER 19, 2017

The City Council of the City of Mobile, Alabama, met in the History Museum of Mobile, 111 South Royal Street, on Tuesday, December 18, 2018, at 10:30 a.m., in regular meeting.

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

Sister Patricia Evans, Licentiate at Greater Ruth Chapel AME Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Manzie

Councilmembers: Richardson, Small, Williams, Daves, Rich and Gregory

Absent: None

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer stated that all cell phones must be turned off and that there will be no hats, hoods, sunglasses or large bags permitted in the meeting room.

1) Any person desiring to address the Council must register upon entering the meeting area. When addressing the Council, the speaker must state his/her name and address.

2) Each speaker is allowed five minutes to address the Council. A bell will sound to indicate the end of 4 minutes. One minute is allowed for summarizing. The second bell indicates the time has expired.

3) To maintain decorum, there will be no undue applause and/or public outcry allowed.

4) When addressing the Council, there is to be no personal address to any individual Councilmember. All statements are to be made to the Chair who will recognize any Councilmember who wishes to respond.

5) Any person desiring to speak to the Council on a non-agenda item must contact the City Clerk's Office no later than 2:00 p.m. on the Thursday prior to the Council Meeting.

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The subject he/she wishes to address must be identified. Any person attending the meeting who has not given proper notice to the Clerk's Office and wishes to speak on a non-agenda item will not be allowed to address the Council.

6) Those persons desiring to speak on agenda items must indicate the resolution, ordinance, appeal, or public hearing item on arrival when signing in for the meeting.

NOTE: Council Vice President Manzie introduced Murphy High School's Advanced Choir, under the direction of Joel Stevens. The choir performed three songs.

APPROVAL OF MINUTES:

The minutes of the meeting of December 11, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson wished everyone a merry Christmas and blessed New Year.

Mayor Stimpson presented a proclamation to Fox10 News anchor Bob Grip on the occasion of his retirement. The proclamation declared Thursday, December 20, 2018 as "Bob Grip Day" in Mobile.

Mayor Stimpson named Captain Sherry Crush as "Firefighter of the Month."

REPORTS OF COMMITTEES:

None.

ADOPTION OF THE AGENDA:

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

Ayes: Manzie, Richardson, Small, Williams, Daves, Rich and Gregory

Nays: None

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

Councilmember Richardson then moved to consider Resolution 46-885 out of order. The motion was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the motion approved.

HONORARILY NAME "THIRD STREET" AS "JOYCE CHAVERS STREET." The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 46-885-2018

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that "Third Street" is hereby honorarily named "Joyce Chavers Street."

Councilmember Gregory moved to adopt the resolution, which move was seconded by Councilmember Richardson.

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Councilmember Gregory then presented Joyce Chavers with a proclamation declaring today as "Joyce Chavers Day" in Mobile to acknowledge Ms. Chavers many contributions to the Mobile Terrace Community.

The Presiding Officer called for the vote on the motion and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO REZONE PROPERTY AT 2503, 2505 AND 2507 OLD SHELL ROAD AND 34 AND 37 HURLBERT STREET (SOUTH SIDE OF OLD SHELL ROAD, 60' ± WEST OF HURLBERT STREET EXTENDING TO THE WEST SIDE OF HURLBERT STREET, 100' ± SOUTH OF OLD SHELL ROAD), FROM B-2 AND R-1 TO B-1 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to rezone property at 2503, 2505 and 2507 Old Shell and 34 and 37 Hurlbert Street from B-2 and R-1 to B-1 and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary ordinance authorizing the proper action would be introduced at a later date.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Reggie Hill, 1007 Center Street, spoke in support of Ordinance 14-034.

NON-AGENDA ITEMS:

1. Frances Williams, 502 Line Street, expressed her concerns regarding slow police response time in the Hillsdale community.

ORDINANCES HELD OVER:

ORDINANCE TO AMEND CHAPTER 14 OF THE CITY CODE ENTITLED "CONTRACTS". The following ordinance, which was introduced and read at the regular meeting of Tuesday, December 11, 2018 and held over for one (1) week until the regular meeting of December 18, 2018, was called up by the Presiding Officer.

ORDINANCE: 14-034-2018

Sponsored by: Councilmembers Richardson, Manzie, Small, Williams, Rich and Gregory

AN ORDINANCE TO AMEND CHAPTER 14 OF THE CODE OF ORDINANCES FOR THE CITY OF MOBILE, ALABAMA ENTITLED "CONTRACTS" TO PROVIDE FOR FILING, DISCLOSURE AND OTHER REQUIREMENTS FOR CERTAIN CITY CONTRACTS; AND TO IDENTIFY OFFICERS AUTHORIZED TO EXECUTE CONTRACTS ON BEHALF OF THE CITY

Sponsored by: Councilmembers Richardson, Manzie, Small, Williams, Rich and Gregory

BE IT ORDAINED by the City Council of the City of Mobile, Alabama as follows:

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Section One. Chapter 14 of the Code of Ordinances for the City of Mobile, Alabama, 1991 is hereby amended to read as follows:

"Sec. 14-1 Findings

(a) The City of Mobile is an Alabama Class 2 municipality created pursuant to the Zoghby Act, Ala. Code §11-44C-1) et seq.

(b) All powers of the City are "vested in the Council, which is authorized to enact ordinances, adopt budgets and determine policies." All powers "shall be exercised in the manner prescribed [by the Zoghby Act] or if the manner be not prescribed, then in such manner as may be prescribed by law or by ordinance." Ala. §§11-44C-10-11.

(c) In addition to the powers enumerated in the Zoghby Act, the Council has all of the powers granted to municipal corporations by the constitution and laws of the State of Alabama, together with "all the implied powers necessary to carry into execution all the powers granted." Ala. Code §11-44C-12.

(d) The power to contract is specifically vested in the council by Ala. Code §11 -40-1: "All municipal organizations are "bodies politic and corporate" with the power to "contract and be contracted with."

(e) The Council is charged with the "management and control of the finances and all of the property, real and personal, belonging to the City." Ala. Code §11-43-56. To be valid, all contracts of the City must be in writing, serve a public purpose, and be executed in the name of the City by the officers authorized by law or ordinance. Ala. Code §11-47-5. The Council has previously authorized the mayor to execute certain contracts without Council approval (see e.g, §2-66, Mobile City Code).

(f) The purpose of this ordinance is to promote transparency in the contracting process; to adopt reasonable regulations with respect thereto; to require full disclosure of the City's contractual obligations; and to specify the officers that are authorized to contract on behalf of the City.

Sec. 14-2 Nondiscrimination provisions to be included in municipal contracts.

All municipal contracting agencies shall include in every municipal contract hereafter entered into the following provisions:

During the performance of this contract the contractor agrees as follows:

1. The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, national origin or disability. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, national origin or disability. Such action shall include but not be limited to the following: Employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting agency of the municipality setting forth the provisions of this nondiscrimination clause.

2. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualifying applicants will receive consideration for employment without regard to race creed, color, national origin or disability.

3. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the municipal contracting agency, advising the labor union or

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worker's representative of the contractor's commitments under this section, and shall post copies of such notice in conspicuous places available to employees and applicants for employment.

4. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further municipal contracts.

5. The contractor will include the provisions of this section in every subcontract or purchase order unless exempted by written orders of the governing body of the City of Mobile so that such provisions will be binding upon each subcontractor or vendor.

6. Each contractor will agree to the above in writing, including the contractor's commitment to follow the Americans with Disabilities Act of 1990.

Sec. 14-3 Participation by socially and economically disadvantaged contractors.

(a) All contracts or agreements entered into by the City or any entity thereof for any service of any kind, whether by bid or otherwise, including but not limited to professional services and bond issues, shall make every reasonable effort to require that the contractor, firm or company to which any such contract is awarded must have at least fifteen (15) percent participation by socially and economically disadvantaged individuals, or the City shall make every reasonable effort to ensure that at least fifteen (15) percent of the total value of all such contracts or agreements described above shall be awarded to qualified contractors or professionals who are socially and economically disadvantaged.

(b) The City will hire a consultant to provide technical assistance and recommend regulations to the City to ensure every reasonable effort is made to implement this section.

Sec. 14-4 Disclosure and Other Requirements

(a) Definition. For the purpose of this chapter, the term "contract" means a written agreement, by whatever name, that imposes a financial obligation on the City; or that affects, or may affect, any property rights of the City. The term does not include deeds, contracts or bonds required in judicial proceedings, as set forth in Ala. Code §11-43-83.

(b) Disclosure Requirements. Not later than 30 days from the effective date of this ordinance, the mayor shall cause to be filed with the City Clerk a true and correct copy of the following:

- 1) grant agreements that are or will be in effect for the 2018-19 fiscal year;
- 2) retainer agreements, engagement letters or other contracts for legal services with attorneys whether hired pursuant to Ala. Code § 11-44C-38(b) or otherwise;
- 3) all contracts, letters or other communications setting out or describing the terms of the employment of the city attorney, or any firm with which he is affiliated as city attorney, chief legal advisor to the mayor, or in any other capacity compensated or funded by the City of Mobile; and
- 4) appointment letters or agreements to employ any person who is not in the "classified service" as defined by Act 470, Section II (otherwise known as the Mobile County Personnel Law) and any person whom the mayor has appointed to a position pursuant to Ala. Code §11-44C-40 or any other authority. Such disclosures shall identify the person's title, department, salary, supervisor, length of service and other terms of employment.

Sec. 14-5 Contract Procedures

(a) Execution. In accordance with Ala. Code §11-47-5, all contracts shall be in writing and signed by the President of the Council, or in his absence the Vice-President, unless

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the Council (by resolution or ordinance) authorizes some other officer of the City to execute the contract.

(b) Bid Awards. All bids shall be awarded by resolution duly adopted by the Council.

(c) Settlements. No payment shall be made to settle, adjust, or compromise any litigation, claim, debt, account, dispute, demand for or against the City, unless the agreement is first reduced to writing, presented to and approved by the Council, except for settlements with a monetary value of less than \$5,000 and which have been approved by the mayor and the city attorney. All settlements shall be promptly filed with the City Clerk.

(d) Performance Contracts. All commitments to fund organizations, regardless of funding source; shall require a performance contract and resolution of the Council finding a public purpose for the expenditure.

(e) Budgeted Performance Contracts. Not later than 30 days after the effective date of this ordinance, the mayor shall prepare performance contracts for all organizations that are itemized in the annual budget, and submit such contracts to the council for approval. Thereafter, such performance contracts shall be prepared and submitted to the council for approval not later than 30 days after the effective date of the general fund budget.

(f) Change Orders. The mayor is authorized to approve change orders to City, construction contracts subject to at least one (1) of the following criteria. All change orders shall be filed in the Clerk's office.

1) Minor changes for a total monetary value less than required for competitive bidding under the state competitive bid laws.

2) Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of the work.

3) Emergencies arising during the course of the work on the contract.

4) Changes or alternates provided for in the original bidding where there is no difference in price on the change order from the original best bid on the alternate.

5) Changes of relatively minor items not contemplated when the plans and specifications were prepared and the project was bid which are in the public interest and which do not exceed ten (10) percent of the contract price. This shall mean that the total of all change orders on each contract shall not exceed ten (10) percent of the contract price for each project."

Section Two. This Ordinance repeals Section 2-66, subsections g, i and l, Mobile City Code.

Section Three. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

Section Four. This amendment shall be effective following adoption and publication.

The ordinance was read by the City Clerk, whereupon Councilmember Rich moved that the ordinance be adopted, which move was seconded by Councilmember Williams.

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Councilmember Daves moved to amend the ordinance as follows, which move was seconded by Councilmember Williams:

“Sec. 14-5 Contract Procedures

(a) All contracts shall be in writing, serve a public purpose, and be executed in the name of the City by the officers authorized by law or ordinance. The mayor shall have no authority to execute any contract that has not first been approved by the City Council, except for deeds and bonds required in judicial proceedings, and as may be authorized by this Chapter.”

The Presiding Officer then called for the vote on amendment to the ordinance. Following comments from Councilmembers Daves, Gregory, Williams and Rich the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the amendment approved.

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. 14-034 Series 2018 was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on, December 23, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand on this 18th day of December, 2018.

City Clerk

The Presiding Officer then called for the vote on the original motion. Following comments from Councilmembers Rich, Richardson and Manzie the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

CONSENT RESOLUTIONS HELD OVER:

DECLARE THE STRUCTURE AT 348 CAMEL STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution, which was introduced and read at the regular meeting of Tuesday, June 19, 2018 and held over until the regular meeting of December 18, 2018, was called up by the Presiding Officer.

RESOLUTION: 40-401-2018

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances,” adopted December 5, 2017, the structure at 348 Cammel Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that

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the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 7, 8, and 15

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 348 Cammel Street described as:

BEG 98.6 FT M OF NE COR LOT 57 BLK 1 EAST HIGHLAND THEN IM 5 PEG 15 IVIIN W 98.6 FT TH S 65 PEG W 121 FT TH S 71 PEG W 69 FT TH SLY ALG E/S THOMPSON IN 76 FT TH S 52 PEG E 30 FTP) 45 FT(S) TH N 82 PEG 30 MIN E 192.3 FT TO BEG BEING PI OF LOT 2 GTG&R DIV ST LOUIS TRT MINUTE BK 6 PG 140 #SEC 44 T4S RIW #MP29 02 44 0 002

Parcel number: 29-02-44-00-02-046

Last assessed to: DAVIS HENRY JR

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52. Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the Interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

CIP RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT AMENDMENT WITH HATCH MOTT MACDONALD (MOTT MACDONALD) FOR FLORIDA STREET AND DOHM STREET DRAINAGE IMPROVEMENTS, ADD \$106,000.00 (2016 CIP, D1; COM PROJECT NO. 2016-202-02; C0191; 20002000-48030). The following resolution, which was introduced and read at the regular meeting of Tuesday, December 11, 2018 and held over for one (1) week until the regular meeting of December 18, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-858-2018

Sponsored by: Councilmember Richardson and Mayor Stimpson

WHEREAS, the City entered into a contract dated October 13, 2015 with Hatch Mott MacDonald for engineering services on the project known as Florida St. & Dohm St. Area - 2016 Drainage Improvements, C.O.M. Project No. 2016-202-02.

WHEREAS, Hatch Mott MacDonald is now known as Mott MacDonald.

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WHEREAS, the fees for the engineering services are based on a percentage of the total project cost, with the fee percentage for contracts between \$250,000.00 and \$500,000.00 being 6.9% for the design stage and 5.5% for the construction stage; and

WHEREAS, at the time the contract was entered into it was estimated that the contract cost would be \$260,000.00, and engineering fees based on that contract amount, would have been \$65,000.00; and

WHEREAS, the final project cost is \$1,829,087.14, with the fee percentage for contracts between \$1,000,000.00 and \$2,000,000.00 being 5.4% for the design stage and 3.9% for the construction stage, the professional engineering fees have been adjusted to properly compensate Mott MacDonald, thereby increasing professional engineering fees by \$106,000.00 to a total of \$171,000.00; and

WHEREAS, the contract provides on Page 12 (V, If) that the "Total fees for professional engineering services for this contract shall not exceed \$171,000.00 unless authorized by the COUNCIL";

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby authorize the additional fee of \$106,000.00, for a total of \$171,000.00, to be paid to Mott MacDonald for engineering services on the Florida St. & Dohm St. Area - 2016 Drainage Improvements Project.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

RESOLUTIONS HELD OVER:

REALLOCATE \$1,655,240.87 FROM THE MUNICIPAL GOVERNMENT CAPITAL IMPROVEMENT FUND (FUND 2010; REVENUE CODE CAR01 ANNUAL CAPITAL TRUST REVENUE) TO VARIOUS CAPITAL PROJECTS. The following resolution, which was introduced and read at the regular meeting of Tuesday, December 11, 2018 and held over for one (1) week until the regular meeting of December 18, 2018, was called up by the Presiding Officer.

RESOLUTION: 09-860-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$1,655,240.87 be appropriated in the Municipal Government Capital Improvement Fund (Fund 2010; Revenue Code CAR01 Annual Capital Trust Revenue) to the following Capital Projects;

C0049	Engineering, ROW, Testing	\$100,000.00
CO031	Facility Maintenance	200,000.00
C0048	Stormwater/Misc Bridges	50,000.00
C0052	Citywide Drainage/Pipe Proj	150,000.00
C0012	Citywide Street Improvements	100,000.00
CO018	Real Estate/Asset Management	50,000.00

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C0259	Cruise Terminal Gangway	435,240.87
New	Tennis Center Portable Courts	120,000.00
New	Tennis Center-LED Lighting	145,000.00
New	Azalea City Golf-Irrigation System	90,000.00
C0289	Museum of Art-Security Camera & Lighting	21,000.00
New	Convention Center Bridge Repairs	194,000.00

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH ADELTE PORTS & MARITIME, SLU, FOR GANGWAY PREVENTATIVE MAINTENANCE & INSPECTION PROGRAM-MOBILE, ALABAMA CRUISE TERMINAL, \$51,000.00 3-YEAR CONTRACT (SC-043-18; 60206020-42150).

The following resolution, which was introduced and read at the regular meeting of Tuesday, December 11, 2018 and held over for one (1) week until the regular meeting of December 18, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-861-2018

Sponsored by: Councilmember Manzie 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: ADELTE PORTS & MARITIME, SLU

Project name: Gangway Preventative Maintenance & Inspection Program
Mobile, Alabama Cruise Terminal

Project number: SC-043-18

Amount: \$16,400.00 (1st Year - Initial Term)
\$17,000.00 (2nd Year – 1st Additional Term)
\$17,600.00 (3rd Year – 2nd Additional Term)
\$51,000.00 3 Year Contract

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH ESPALIER, LLC, FOR MEDAL OF HONOR PARK-SYNTHETIC TURF ATHLETIC FIELDS, \$84,385.00 (PR-015-19; C0063). The following resolution, which was introduced and read at the regular meeting of Tuesday, December 11, 2018 and held over for one (1) week until the regular meeting of December 18, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-862-2018

Sponsored by: Councilmember Rich 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: Espalier, LLC

Project name: Medal of Honor Park - Synthetic Turf Athletic Fields

Project number: PR-015-19

Amount: \$84,385.00

The resolution was read by the City Clerk; whereupon Councilmember Small moved, that the resolution be adopted, which was seconded by Councilmember Daves.

Councilmember Rich stated:

"I would like the resolution to reflect that it is for the design and construction phases of the three multi-purpose fields at Medal of Honor Park."

and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH NEEL-SCHAFFER, INC. FOR 2019-2020-2021 PROFESSIONAL SERVICES FOR THE CITY'S STORM WATER MANAGEMENT PROGRAM, \$365,000.00 (C0391; 20002000-42200). The following resolution, which was introduced and read at the regular meeting of Tuesday, December 11, 2018 and held over for one (1) week until the regular meeting of December 18, 2018, was called up by the Presiding Officer.

REOSLUTION: 21-863-2018

Sponsored by: Councilmember Rich 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.

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Name of company: Neel-Schaffer, Inc.

Project name: Professional Services for the City's Storm
Water Management Program

Estimated cost: \$365,000.00

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

ORDINANCES BEING INTRODUCED:

REZONE PROPERTY AT 2503, 2505 AND 2507 OLD SHELL ROAD AND 35 AND 37 HURLBERT STREET (SOUTH SIDE OF OLD SHELL ROAD, 60' ± WEST OF HURLBERT STREET EXTENDING TO THE WEST SIDE OF HURLBERT STREET, 100' ± SOUTH OF OLD SHELL ROAD), FROM B-2 AND R-1 TO B-1 (DISTRICT 1).
The following ordinance was held over for two (2) weeks until the regular meeting of Thursday, January 3, 2019.

ORDINANCE: 64-035-2018

Sponsored by: Councilmember Richardson

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MOBILE ON THE 16TH DAY OF MAY, 1967, SAID ORDINANCE BEING COMMONLY KNOWN AS THE ZONING ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the Ordinance commonly known as the Zoning Ordinance and adopted on May 16, 1967, together with the Zoning Map of the City of Mobile, 1967, be, and the same hereby is changed and altered in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

LOTS 3, 4 AND 7 OF HOMER PLACE, BLOCK 1, AS RECORDED IN DEEDBOOK 116, PAGE 241, RECORDED BY THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA (PROPOSED TO BE LOT A CLARK'S OLD SHELL ROAD SUBDIVISION).

LOT 1 J.C. LAWRENCE SUBDIVISION, MAPBOOK 117, PAGE 36, RECORDED BY THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA (PROPOSED TO BE LOT A CLARK'S OLD SHELL ROAD SUBDIVISION).

The classification of said property is hereby changed fi-om B-2, Neighborhood Business District, and R-1, Single-Family Residential District, to B-1, Buffer Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in a B-1, Buffer Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-1, Buffer-Business District, until all of the conditions set forth

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below have been complied with: 1) Provision of an 8-foot high opaque (wood or synthetic wood) fence along the South property line, to end in-line with the facade of the house to the South, and the provision of a 10-foot wide evergreen vegetative buffer; 2) the curb cut to Old Shell Road is to have separate right and left turn exit lanes, in addition to the entry lane; 3) the curb cut to Hulbert Street is to only allow for right in/left out from the site; 4) provision of appropriate signage as it relates to ingress and egress; 5) the dumpster is to be located on the West boundary of the site; 6) Funding a second traffic calming device for Hurlbert Street upon determination of necessity by the City; 7) completion of the Subdivision process; and 8) full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

ORDINANCE DEEMING PROPERTY AT 650 ST. ANTHONY STREET NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE TO ACTIVATION MAINTENANCE, LLC. The following ordinance was held over for two (2) weeks until the regular meeting of Thursday, January 3, 2019.

ORDINANCE: 88-036-2018

Sponsored by: Mayor Stimpson

AN ORDINANCE DEEMING CERTAIN PROPERTY NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE THEREOF

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA as follows:

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the real property hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold to Activation Maintenance, LLC.

SEE ATTACHED EXHIBIT "A"

SECTION TWO: The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name of and on behalf of the City of Mobile, the Sales Agreement for the property shown above.

SECTION THREE: Said Agreement is by reference made a part of this Ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk of the City of Mobile, 9th floor, Government Plaza, 205 Government Street, Mobile, Alabama.

SECTION FOUR: The Mayor and City Clerk are also hereby authorized and directed to execute and attest, respectively, for and in the name and on behalf of the City of Mobile, the deed for the property shown above, when said deed is prepared.

SECTION FIVE: The Real Estate Officer of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

SECTION SIX: The proceeds from this sale to be placed in a Capital Building Acquisition Fund.

SECTION SEVEN: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

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EXHIBIT A

Legal Description

Parcel ID: R02290640000322

BEGINNING AT THE SOUTHWEST CORNER OF STATE STREET AND DEARBORN STREET, RUN THENCE SOUTH 68° - 09' - 49" WEST ALONG THE SOUTH LINE OF STATE STREET, 215.13 FEET TO A POINT; THENCE SOUTH 21° - 50' - 15" EAST ALONG THE EAST LINE OF WASHINGTON AVENUE, 150.11 FEET TO A POINT; THENCE NORTH 67° - 54' - 20" EAST 80.00 FEET TO A POINT; THENCE SOUTH 21° - 50' - 15" EAST 70.11 FEET TO A POINT ON THE NORTH LINE OF ST. ANTHONY STREET; THENCE NORTH 67° - 54' - 20" EAST ALONG SAID NORTH LINE 135.17 FEET TO A POINT; THENCE NORTH 21° - 50' - 50" WEST ALONG THE WEST LINE OF DEARBORN STREET, 219.25 FEET TO THE POINT OF BEGINNING.

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

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 03-869 – 60-875 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

APPOINT LEGAL COUNSEL FOR COUNCILMEMBER DAVES. The following resolution was introduced by Councilmember Small.

RESOLUTION: 03-869-2018

Sponsored by: Councilmember Daves

FINDINGS

1. On or about December 6, 2018 the mayor filed a lawsuit styled William S. Stimpson, in his official capacity as Mayor of the City of Mobile v. Frederick D. Richardson, Jr., Levon C. Manzie, CJ. Small, John C. Williams, Joel Daves, Bess Rich and Gina Gregory, Civil Action CV2018-903096, in the Circuit Court of Mobile County, Alabama (hereafter referred to as "the Litigation").

2. The Zoghby Act, Ala. Code §11-44C-36(c) (1975) provides:

Upon approval by a majority of those present and voting, the council, from time to time when it deems necessary and reasonable, is authorized to obtain legal counsel outside the city merit system to advise and defend them in their respective capacities as council members and in the pursuit of the operation of government.

3. Councilor Daves has determined that a need exists to retain separate counsel to advise and defend him in the Litigation, and he has requested the services of attorney Archibald T. Reeves, IV and his firm McDowell, Knight, Roedder & Sledge LLC. Mr. Reeves has agreed to serve as special counsel to Mr. Daves in connection with the litigation on the terms and conditions set forth in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mobile, Alabama as follows:

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4. Appointment. Archibald T. Reeves, IV is hereby appointed to represent Councilor Daves in all proceedings, matters and issues in the Litigation, and any appellate proceedings arising in or from such case.

5. Compensation. Mr. Reeves shall be paid two hundred dollars (\$200.00) per hour for all services performed by an attorney and seventy-five dollars (\$75.00) per hour for all services performed by a paralegal, including telephonic and electronic communications, meeting attendance, document review and preparation, research, negotiations, and court appearances.

Costs. Mr. Reeves shall be reimbursed for all out of pocket costs, including, but not limited to, postage, long distance phone calls, copy charges, mileage @ current IRS rate per mile, court or filing costs, depositions, court reporters, and any out-of-pan WESTLAW charges incurred in the representation.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

ADD GREEN MAGIC LANDSCAPE, LLC TO THE LIST OF PRIVATE CONTRACTORS TO ABATE PROPERTIES DECLARED PUBLIC NUISANCES. The following resolution was introduced by Councilmember Small.

RESOLUTION: 58-870-2018

WHEREAS, the City Council of Mobile, Alabama, on February 28, 1990, adopted Ordinance No. 24-014, entitled "AN ORDINANCE AMENDING ORDINANCE NUMBER 24-074 ADOPTED JULY 5, 1988, PROVIDING THAT CERTAIN WEEDS AND DEBRIS WITHIN THE CITY OF MOBILE CONSTITUTE A PUBLIC NUISANCE; ABATEMENT AND PRIVATIZATION PROCEDURES; ASSESSMENT, COLLECTION, AND ENFORCEMENT PROCEDURES; and

WHEREAS, Article III, Section III, of said Ordinance provided that a "rotation list" of private contractors be established to abate properties declared public nuisances; and

WHEREAS, the following company has compiled with all requirements of said Ordinance, and all documentation required by said Ordinance is on file in the Lot Cleaning Division of the Land Use/Code Administration Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that Green Magic Landscape, LLC be added to the rotation list for utilization by the City of Mobile to abate properties declared as public nuisances.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE REMOVAL OF WEEDS, GROUP #1586. The following resolution was introduced by Councilmember Small.

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RESOLUTION: 58-871-2018

A RESOLUTION DETERMINING WHAT OBJECTIONS SHALL BE ALLOWED AND WHAT OBJECTIONS SHALL BE OVERRULED TO THE REMOVAL OF NOXIOUS OR DANGEROUS WEEDS ON OR IN FRONT OF CERTAIN PARCELS OF LAND.

WHEREAS, notice has been duly given and posted at least five days prior to the date of this resolution in the manner provided by law offering full opportunity to all interested parties to object to the removal of noxious or dangerous weeds on the hereinafter described parcels of land, and the City Council of Mobile having held such public hearing in connection with the notices given and no objections having been filed or made by any of the interested parties; and

WHEREAS, Parcels Nos. 1 through 23 described in the resolution adopted on the 13th day of November, 2018, have not been cleared of noxious and dangerous weeds and continue to be public nuisances.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, as follows:

SECTION 1. It is hereby ascertained and determined that the dangerous and noxious weeds growing on the hereinafter described parcels of real property are public nuisances, and it is hereby ordered and directed that the employees of the City of Mobile assigned to that work promptly remove the weeds on such parcels of property:

PARCELS OR PIECES OF PROPERTY ON WHICH NOXIOUS OR DANGEROUS WEEDS ARE TO BE REMOVED:

Parcels of real property located in the City of Mobile and more particularly described as Parcels Nos. 1 through 23, as described in the resolution adopted on the 13th day of November, 2018, and entitled' "A RESOLUTION DECLARING WEEDS GROWING UPON THE STREETS OR SIDEWALKS AND UPON PRIVATE PROPERTY.WITHIN THE CORPORATE LIMITS OF THE CITY OF MOBILE TO BE NOXIOUS OR DANGEROUS AND TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES."

(Lot Cleaning Liens, Group No. 1586, on file in the office of the City Clerk).

SECTION 2. The employees of the City of Mobile assigned to the work required by this resolution are hereby expressly authorized to enter upon such described pieces of property for the purpose of removing the weeds authorized by this resolution to be removed. The owner of any of the above described pieces of property shall have the right to remove the weeds ordered by this resolution to be removed from this property provided such removal is done prior to the arrival of the employees of the City of Mobile against his property by reason of any action taken hereunder. An accurate account of the costs with respect to each piece of property shall be kept by the employees of the City of Mobile covering the costs of removing such weeds in front of or in front of or on each separate lot or parcel of land where the work is done by the City of Mobile or its employees, and promptly thereafter an itemized report in writing shall be made to the City Council showing such costs with respect to each separate lot or parcel of land but before the report is submitted to the City Council a copy of the itemized costs with respect to each such lot or parcel of land shall be posted for at least three days prior to such report on the door of the Council Chamber at the City Hall of Mobile, Alabama, together with a notice of the time when the report will be submitted to the City Council for confirmation.

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WEED LIEN						
GROUP 1586						Res. No.
11/13/2018	LOTS TO BE DECLARED					58-
12/18/2018	LOTS FOR PUBLIC HEARING					58-
//2018	LOTS TO BE ASSESSED FOR COST					58-
No.	Address	SRO No.	CASE #	Amount Assessed	Dis	N/A CBO
1	3061 Pleasant Valley Rd	889416	442		4	
2	1511 Lois Dr	882986	445		3	
3	1365 Glenn St	890984	447		3	
4	950 Montlimar Dr	884052	451		5	
5	3914 Vallas Dr	887216	452		3	
6	4040 Cottage Hill Rd	890589	453		5	
7	566 Bates Ln	879116	454		1	
8	2106 Gibson St	889711	455		1	
9	1721 Butler St	881214	476		1	
10	2051 Butler St	883770	496		1	
11	2651 Hayles St	886392	497		1	
12	2050 Andrews St	890964	498		1	
13	1612 Wormeley Dr	885816	529		3	
14	1403 McArthur St	892131	530		3	
15	5001 Cottage Hill Rd	883175	532		4	
16	1306 Persimmon St	892632	534		2	
17	1563 Orange St	890510	536	\$ -	2	CBD
18	1311 Congress St	891791	538		2	
19	683 Belsaw Ave	888026	540		2	
20	6521 Gaslight Ln S	891592	544		6	
21	1230 Shore Acres Dr	894164	546		3	
22	1829 Gill Rd	890533	547		3	
23	5014 Perin Rd	890985	549		4	
Total				\$ -		
District total for this group		Numbers of lots cut				
1	6	1				
2	4	2				
3	7	3				
4	3	4				
5	2	5				
6	1	6				
7	0	7				
	23			0		
*ADD Added in from other Groups		*CBD Cut Before Declared				
*CBO Cut By Owner						
*N/A Taken out by Inspector						

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

ASSESS COST FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP #23. The following resolution was introduced by Councilmember Small.

RESOLUTION: 58-872-2018

A RESOLUTION ASSESSING THE COST OF REMOVAL OF NOXIOUS OR DANGEROUS WEEDS IN FRONT OF OR ON CERTAIN PARCELS OF LAND IN THE CITY OF MOBILE. ALABAMA

WHEREAS, an itemized report in writing has been made to the City Council of Mobile, showing the costs of removing noxious or dangerous weeds on or in front of the hereinafter described parcels of land, a copy of such report having first been posted on the Council Chamber door more than three days prior to the meeting at which the report was received, and the City Council having heard the report, together with any objections which may have been raised by any of the property owners liable to be assessed for the work of cutting such weeds, and the City Council being of the opinion that such report in all respects be confirmed:

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL OF MOBILE as follows:

Section 1. The amount set opposite each described parcel of real property contained in exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as Repeat Weed Lien Group 23 shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby made and confirmed shall constitute a lien on and against each such

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respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

Section 2. It is directed that a copy of this resolution be delivered to the Tax Collector of the City of Mobile, and it shall be his duty to add the amounts of the above respective assessments to the next regular bills for ad valorem taxes levied against the said respective lots and parcels of land for municipal purposes, and such amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and same procedure on foreclosure and sale as in the case of delinquency as provided for ordinary ad valorem taxes.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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 OFFICER OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM, DANIEL MARLIN, \$500.00. The following resolution was introduced by Councilmember Small.

RESOLUTION: 60-873-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor, upon the 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 employees on the attached list.

These employees are to be commended for their exemplary work performance or innovations that significantly reduce costs or result in an outstanding improvement in service to the public.

"Exhibit A"
Officer of the Month

Last Name	First Name	Award	Month
Marlin	Daniel	Officer of the Month	November 2018

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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, SHERRY CRUSH, \$500.00. The following resolution was introduced by Councilmember Small.

RESOLUTION: 60-874-2018

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor, upon the 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 employees on the attached list marked as Exhibit A.

These employees are to be commended for their exemplary work performance or innovations that significantly reduce costs or result in an outstanding improvement in service to the public.

Firefighter of the Month			
Last Name	First Name	Award	Date
Crush	Sherry	Firefighter of the Month	Dec-18

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

DETERMINE EXPENDITURE OF DISCRETIONARY FUNDS FOR CONTRIBUTION TO THE AFRICATOWN COMMUNITY DEVELOPMENT CORPORATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Small.

RESOLUTION: 60-875-2018

Sponsored by: Councilmember Manzie

A RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Manzie wishes to donate \$2,700.00 to the Africatown Community Development Corporation from his discretionary funds, and

WHEREAS, the Africatown Community Development Corporation 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 payment of certain expenses is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this contribution to the Africatown Community Development Corporation will be used to eradicate blight on Peter Lee Street and Center Street in the Africatown Community and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the Africatown Community Development Corporation serves a public purpose and further approves and directs the payment of same.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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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 FOR THE FIRST TIME.

Councilmember Richardson moved for the suspension of the rules to consider CIP Resolutions 21-876-2018 and 21-877 being introduced for the first time. The motion was seconded by Councilmember Gregory, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH MCCRORY & WILLIAMS, INC. FOR 2019 CIP PROJECT #2020 DESIGN FOR OLD SHELL ROAD SIDEWALKS BETWEEN PARKWAY DRIVE WEST AND UNIVERSITY BOULEVARD, \$31,500.00 (C0422). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-876-2018

Sponsored by: Councilmember Gregory and 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, a Contract, by and between the City of Mobile, and the company listed below; to provide design engineering services for the construction of sidewalks along Old Shell Road between Parkway Drive West and University Boulevard, 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: McCrory & Williams, Inc.

City of Mobile project no.: 2018-2060-02

Capital project no.: C0422

Amount: \$31,500.00

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH WATKINS ACY STRUNK DESIGN, INC. FOR RICKARBY PARK-PLAYGROUND, \$14,960.00 (PR-017-19; 2019 CIP #2009, D2C0069). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-877-2018

Sponsored by: Councilmember Manzie 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: Watkins Acy Strunk Design, Inc.

Project name: Rickarby Park-Playground

Project number: PR-017-19

Amount: \$14,960.00 (2019 CIP#2009, D2)

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT FOR USE OF RIGHT-OF-WAY AT 3153 DAUPHIN STREET. The following resolution was held over for two (2) weeks until the regular meeting of Thursday, January 3, 2019.

RESOLUTION: 01-878-2018

Sponsored by: Councilmember Richardson and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, hereby finds the following description property is no longer needed for municipal purposes, and 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 Right-of-Way Agreement for 3153 Dauphin St., Mobile, AL 36606 by and between the City of Mobile and B Co., LLC, an Alabama limited liability company; Patricia M. Lyon, Marguerite Mudd Walter and Regions Bank as trustees of the Trust for the Benefit of Robert H. Mudd, Jr. created under Article Twelve of the Last Will and Testament of Emelil Mudd Williams, deceased; Ezra Bouchelle Trice, Jr.; David Thornton Trice; James Crawford Trice; Daniel Hall Trice; and Richard Radcliff Trice as outlined in the agreement attached hereto and made a part hereof as though set forth in full herein. A copy of said agreement is on file in the office of the City Clerk.

RE-ALLOCATE \$1,244.00 FROM CAPITAL PROJECT (C0029) FACILITY MAINTENANCE: PUBLIC BUILDINGS (FUND 2000) TO GENERAL FUND 10043034-44020 FACILITY MAINTENANCE: PUBLIC BUILDINGS OPERATING SUPPLIES GENERAL FUND FOR REIMBURSEMENT FOR THE PURCHASE OF STAIR TREADS FOR HANK AARON STADIUM. The following resolution was held over for two (2) weeks until the regular meeting of Thursday, January 3, 2019.

RESOLUTION: 09-879-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$1,244.00 be re-allocated from Capital Project (C0029) Facility Maintenance: Public Buildings (Fund 2000) to General Fund 10043035-44020 Facility Maintenance:

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Public Buildings Operating Supplies General Fund, for reimbursement for the purchase of stair treads for Hank Aaron Stadium.

AUTHORIZE CONTRACT WITH SOS/AAA IRON WORKS, INC. FOR FIRE STATION #28-ELECTRIC CANTILEVER SLIDE GATE INSTALLATION, \$17,400.00 (FD-075-18; C0109). The following resolution was held over for two (2) weeks until the regular meeting of Thursday, January 3, 2019.

RESOLUTION: 21-880-2018

Sponsored by: Councilmember Williams 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: SOS/AAA iron Works, Inc.

Project name: Fire Station #28 - Electric Cantilever Slide Gate Installation

Project number: FD-075-18

Amount: \$17,400.00

AUTHORIZE CONTRACT WITH HOMAS INDUSTRIES, INC. FOR GULFQUEST MARITIME MUSEUM-ROOF REPAIRS, \$120,116.00. The following resolution was held over for two (2) weeks until the regular meeting of Thursday, January 3, 2019.

RESOLUTION: 21-881-2018

Sponsored by: Councilmember Manzie 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: Thomas Industries, Inc.

Project name: GulfQuest Maritime Museum - Roof Repairs

Project number: MU-027-18

Amount: \$120,116.00

AUTHORIZE CONTRACT WITH ROB'T J. BAGGETT, INC. FOR CITY OF MOBILE, ALABAMA CRUISE TERMINAL PARKING DECK REPAIRS-PHASE 2, \$88,187.00 (CT-004-19; C0259). The following resolution was held over for two (2) weeks until the regular meeting of Thursday, January 3, 2019.

RESOLUTION: 21-882-2018

Sponsored by: Councilmember Manzie 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

MINUTES OF DECEMBER 18, 2018

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: Rob't J. Baggett, Inc.
Project name: City of Mobile, Alabama Cruise Terminal
Parking Deck Repairs - Phase 2
Project Number: CT-004-19
Amount: \$88,187.00

AUTHORIZE CONTRACT WITH S & O ENTERPRISES, INC. FOR CRUISE TERMINAL OFF-SITE PARKING SECURITY SYSTEM-MOBILE CIVIC CENTER PARKING LOT, \$14,475.00 (SR-009-19; C0259). The following resolution was held over for two (2) weeks until the regular meeting of Thursday, January 3, 2019.

RESOLUTION: 21-883-2018

Sponsored by: Councilmember Manzie 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: S & O Enterprises, Inc.
Project name: Cruise Terminal Off Site Parking Security
System Mobile Civic Center Parking Lot
Project number: SR-009-19
Amount: \$14,475.00

AUTHORIZE CONTRACT WITH JIM BOOTHE CONTRACTING AND SUPPLY COMPANY, INC. FOR POLICE ACADEMY-CLASSROOM ACOUSTICAL TREATMENT, \$8,401.00 (PD-084-18). The following resolution was held over for two (2) weeks until the regular meeting of Thursday, January 3, 2019.

RESOLUTION: 21-884-2018

Sponsored by: Councilmember Small 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: Jim Boothe Contracting and Supply Company, Inc.
Project name: Police Academy - Classroom Acoustical Treatment
Project number: PD-084-18
Amount: \$8,401.00

MINUTES OF DECEMBER 18, 2018

ANNOUNCEMENTS:

The City Clerk announced there will not be a Council meeting the week of Christmas. The next regular meeting of the Council will be held on Thursday, January 3, 2019.

Each Councilmember wished the citizens a merry Christmas and happy New Year.

Councilmember Small thanked everyone involved with the preparations for the district three Christmas parade.

Councilmember Small commented that he is looking forward to continued progress in district three in 2019.

Councilmember Williams and Rich asked the public to welcome everyone in town for the Dollar General Bowl game this Saturday.

Councilmember Richardson stated the district one Christmas party was well attended.

Councilmember Richardson announced the schedule for the New Year's Eve Moon Pie Drop and stated the theme is "We Are Family."

Councilmember Gregory remarked that she hopes everyone in town for the Dollar General Bowl will visit Mobile again.

Councilmember Manzie reminded the public to shop locally during the holiday season.

Councilmember Manzie thanked the district two neighborhood associations for organizing this year's Christmas party.

Councilmember Manzie welcomed back Marion Steinfels.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:01 p.m.

Approved: January 3, 2019

COUNCIL VICE PRESIDENT

CITY CLERK