

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 8, 2020

The Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, December 8, 2020, at 9:00 a.m.

Present:

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

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:

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COUNCIL PRESIDENT

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CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 8, 2020

The City Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, December 8, 2020, 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.

**NOTE:** President Manzie requested a moment of silence for Charles Perkins, Dorothy Durgin and Patricia Lofton. Councilmember Daves requested a moment of silence for Lawrence Batiste, Sr.

Present on Roll Call:

Chairman: Manzie  
Councilmembers: Richardson, Small, Williams, Daves and Rich  
Absent: Gregory

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer provided an overview of the City Council rules of procedure, to include special provisions to facilitate social distancing because of the Covid-19 virus.

APPROVAL OF MINUTES:

The minutes of the meeting of December 1, 2020, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

None

ADOPTION OF THE AGENDA:

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Councilmember Daves moved to adopt the agenda and to declare the items on the agenda Essential/Covid-19 related, which move was seconded by Councilmember Williams and the vote was as follows:

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

Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the agenda adopted and all items declared Essential/Covid-19 related.

### APPEALS

Request of Artrina Matthews for a waiver of the Noise Ordinance on December 23, 2020, from 4:00 – 9:00 P.M., in Mardi Gras Park (District 2).

Councilmember Daves moved to grant the waiver, which motion was seconded by Councilmember Rich and the vote was as follows.

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

Nays: None

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

### PUBLIC HEARINGS

#### PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SHATONYA NICHOLSON, D/B/A BIZZI BEEZ CARRIER & TRANSPORTATION SERVICES LLC. FOR A SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider approval of a certificate of public convenience and necessity to Shatonya Nicholson d/b/a Bizzi Beez Carrier & Transportation Services LLC. for a shuttle service, and asked if there was anyone present to speak for or against this matter.

1. Shatonya Nicholson, requested the City Council's approval of Bizzi Beez Carrier & Transportation Services LLC application for a shuttle service.

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

#### PUBLIC HEARING TO CONSIDER ASSENTING TO THE VACATION OF A PORTION OF SOUTH CONCEPTION STREET, WEST OF METRO JAIL.

The Presiding Officer announced that today was the day for the public hearing to consider assenting to the vacation of a portion of South Conception Street, west of Metro Jail, and asked if there was anyone present to speak for or against this matter.

1. Reggie Hill, 1007 Center Street, spoke in opposition of vacating a portion of South Conception Street.

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

#### PUBLIC HEARING TO CONSIDER ASSENTING TO THE VACATION OF A PORTION OF ST. EMANUEL STREET, EAST OF METRO JAIL.

The Presiding Officer announced that today was the day for the public hearing to consider assenting to the vacation of a portion of St. Emanuel Street, east of Metro Jail, and asked if there was anyone present to speak for or against this matter.

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1. Reggie Hill, 1007 Center Street, spoke in opposition of vacating a portion of St Emanuel Street.

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

**NOTE:** Councilmember Richardson stated for the record:

“The City is not getting ready to do anything with Mobile County Metro Jail. The jail belongs to the County not the City. The County informed the City Council it is dangerous to move a prisoner from one building to another. The County needs the vacant land to enclose the area in one building rather than multiple buildings for the safety of the prisoner and the officer.”

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

None

NON-AGENDA ITEMS:

None

ESSENTIAL/COVID-19 ITEMS HELD OVER:

DECLARE THE STRUCTURE AT 324 LEXINGTON AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution, which was introduced and read at the regular meeting of October 6, 2020, and held over until the regular meeting of December 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 40-759-2020

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 accessory structure at 324 LEXINGTON AVENUE 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 the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 4, 7, 8, and 15; and

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 324 LEXINGTON AVENUE as:

LOT 10 MOODY TRT DBK 70 P 169 #SEC 25 T4S R1W #MP29 07 25 0 002

Parcel Number: 29 07 25 0 002 238

Last Assessed to: ELLIS BEATRICE

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

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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 Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

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

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

APPROVE PURCHASE ORDER TO TRUCK EQUIPMENT SALES INC. FOR ANIMAL CONTROL BODY ON CITY F250 CHASSIS, \$32,855.00. The following resolution, which was introduced and read at the regular meeting of December 1, 2020, and held over until the regular meeting of December 8, 2020, was called up by the Presiding Officer.

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>1155</u> | 2021        | (F7000) MOTOR POOL | PROVIDE AND MOUNT SWAB ARF95 ANIMAL CONTROL BODY ON CITY F250 CHASSIS (SEALED BID 5487) | \$32,855.00 | <u>(208560) TRUCK EQUIPMENT SALES INC</u> |

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.

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

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

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

APPROVE PURCHASE ORDER TO UJ CHEVROLET CO. INC. FOR 2021 CHEVROLET TAHOE SUV, \$47,139.65. The following resolution, which was introduced and read at the

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regular meeting of December 1, 2020, and held over until the regular meeting of December 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-867-2020

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>1158</u> | 2021        | (F7000) MOTOR POOL | 2021 CHEVROLET TAHOE SUV (SEALED BID 5491) | \$47,139.65 | <u>(210000) UJ CHEVROLET CO INC</u> |

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.

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

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

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

APPROVE PURCHASE ORDER TO UJ CHEVROLET CO. INC. FOR 2021 CHEVROLET SUBURBAN SUV, \$49,717.85. The following resolution, which was introduced and read at the regular meeting of December 1, 2020, and held over until the regular meeting of December 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-868-2020

Sponsored by: Mayor Stimpson

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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>1159</u> | 2021        | (F7000) MOTOR POOL | 2021 CHEVROLET SUBURBAN SUV (SEALED BID 5490) | \$49,717.85 | <u>(210000) UJ CHEVROLET CO INC</u> |

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.

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

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

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

APPROVE PURCHASE ORDER TO DANA SAFETY SUPPLY INC. FOR 43 LED-EQUIPPED POLICE VEHICLE PUSH BUMPERS, \$35,639.69. The following resolution, which was introduced and read at the regular meeting of December 1, 2020, and held over until the regular meeting of December 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-869-2020  
Sponsored by: Mayor Stimpson

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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>956</u>  | 2021        | (F7000) MOTOR POOL | 43 LED-EQUIPPED POLICE VEHICLE SETINA BK2044TAH15 PUSH BUMPERS (SEALED BID 5367) | \$35,639.69 | <u>(290980) DANA SAFETY SUPPLY INC</u> |

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.

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

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

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

APPROVE PURCHASE ORDER TO GRAYBAR ELECTRIC CO. INC. FOR SIX 24-FT. TRAFFIC SIGNAL POLES WITH 35 FT. MAST ARMS, \$37,994.94. The following resolution, which was introduced and read at the regular meeting of December 1, 2020, and held over until the regular meeting of December 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-870-2020  
Sponsored by: Mayor Stimpson

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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>2476</u> | 2021        | (2062) ELECTRICAL | SIX 24FT TRAFFIC SIGNAL POLES WITH 35FT MAST ARMS (SEALED BID 5474) | \$37,994.94 | <u>(075199)</u><br><u>GRAYBAR</u><br><u>ELECTRIC CO INC</u> |

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.

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

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

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

APPROVE PURCHASE ORDER TO GRAYBAR ELECTRIC CO. INC. FOR FOUR TRAFFIC SIGNAL POLES, \$26,965.72. The following resolution, which was introduced and read at the regular meeting of December 1, 2020, and held over until the regular meeting of December 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-871-2020

Sponsored by: Mayor Stimpson

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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>2478</u> | 2021        | (2062) ELECTRICAL | TWO 37FT TRAFFIC SIGNAL POLES WITH 24FT MAST ARMS; TWO 28FT TRAFFIC POLES WITH 24FT MAST ARMS (SEALED BID 5474) | \$26,965.72 | <u>(075199)</u><br><u>GRAYBAR</u><br><u>ELECTRIC CO INC</u> |

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.

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

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

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

APPROVE PURCHASE ORDER TO GRAYBAR ELECTRIC CO. INC. FOR FOUR TRAFFIC SIGNAL POLES-VARIOUS SIZES, \$53,820.48. The following resolution, which was introduced and read at the regular meeting of December 1, 2020, and held over until the regular meeting of December 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-872-2020  
  
Sponsored by: Mayor Stimpson

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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>2480</u> | 2021        | (2062) ELECTRICAL | ONE 28FT TRAFFIC SIGNAL POLE WITH 55FT MAST ARM; TWO 37FT TRAFFIC SIGNAL POLES WITH 55FT MAST ARMS AND 12FT LUMINAIRE ARMS; ONE 37FT TRAFFIC SIGNAL POLE WITH 50FT MAST ARM AND 12FT LUMINAIRE ARM (SEALED BID 5474) | \$53,820.48 | <u>(075199)</u><br><u>GRAYBAR</u><br><u>ELECTRIC CO INC</u> |

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.

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

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

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

AUTHORIZE CONTRACT AMENDMENT #1 WITH MOTT MACDONALD ALABAMA, LLC FOR ENGINEERING SERVICES – DAUPHIN STREET (FROM SAGE AVENUE TO WEST OF I-65 AT SPRINGHILL MEMORIAL HOSPITAL), \$176,208.00. The following resolution, which was introduced and read at the regular meeting of December 1, 2020, and held over until the regular meeting of December 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-873-2020

Sponsored by: Councilmembers Richardson, Daves & Gregory  
and Mayor Stimpson

WHEREAS, the City entered into a contract dated September 25, 2018 with Mott MacDonald Alabama, LLC for engineering services on the project known as Dauphin Street (from Sage Avenue to west of I-65 at Springhill Memorial Hospital) Project, City of Mobile Project No. 2018-3005-26, ALDOT Project No. STPMP-7533(601); and

WHEREAS, the design for cost is to be shared between the City of Mobile and (20% and the Alabama Transportation (80%); and

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WHEREAS, the Contract amount for the engineering services are based on fee negotiations between the City of Mobile and Alabama Department of Transportation with Mott MacDonald Alabama, LLC; and whereas, the current contract amount includes the original contract and totals \$687,752.00; and

WHEREAS, the contract provides on Page 3, Exhibit C that additional services may become necessary or desirable and "payment for extra work will be negotiated by supplemental agreement", and Supplemental Agreement (No. 1), approved by the Alabama Department of Transportation, for professional engineering fees for design to adjust the amount of compensation to Mott MacDonald Alabama, LLC was negotiated, thereby increasing professional engineering fees by \$176,208.00 to a total of \$863,960.00;

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 \$176,208.00, for a total of \$863,960.00, to be paid to Mott MacDonald Alabama, LLC for engineering services on Dauphin Street (from Sage Avenue to west of I-65 at Springhill Memorial Hospital) Project.

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.

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

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

Nays: None

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

AUTHORIZE THE SALE OR LEASE OF PROPERTY AT 2662 FILLINGIM STREET. The following resolution, which was introduced and read at the regular meeting of December 1, 2020, and held over until the regular meeting of December 8, 2020, was called up by the Presiding Officer.

RESOLUTION:                      60-879-2020

Sponsored by:                      Mayor Stimpson

WHEREAS, the City of Mobile owns 2662 FILLINGIM STREET (the subject property), a vacant parcel of property; and

WHEREAS, the City is not utilizing the property and the property is well situated for residential development; and

WHEREAS, the City would benefit from a sale of the property under favorable terms and conditions;

WHEREAS, the City Council of the City of Mobile, Alabama, finds that the subject of this Resolution is either necessary to respond to COVID-19, or necessary to perform essential minimum functions of the Council.

NOW, THEREFORE, the City Council of the City of Mobile hereby RESOLVES:

That it does not object to offering the subject property for sale. In the event that the City receives an offer to purchase under favorable terms and conditions, the purchase agreement will be presented to the Council for consideration, and the Council may, if it deems appropriate, adopt an ordinance declaring the property not needed for public purpose and authorizing the execution of the purchase agreement.

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

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

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 ESSENTIAL/COVID-19 ITEMS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Daves moved for the suspension of the rules to consider Essential/Covid-19 items 47-894 – 60-901, being introduced for the first time. The motion was seconded by Councilmember Richardson and the vote was as follows:

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

Nays: None

The Presiding Officer declared unanimous consent granted for the items.

ESSENTIAL/COVID19 ITEMS BEING INTRODUCED:

ORDINANCE DEEMING VACANT LANDLOCKED PARCEL AT O'CONNOR STREET AND LESLIE AVENUE NO LONGER NEEDED FOR PUBLIC OR MUNICIPAL PURPOSE AND AUTHORIZING THE SALE TO HELENA MASSEY. The following resolution was held over until the regular meeting of December 15, 2020.

ORDINANCE: 88-041-2020

Sponsored by: Councilmember Richardson and Mayor Stimpson

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 Helena Massey.

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 Purchase and Sale 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 Deputy Director of Real Estate and Asset Development 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.

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SECTION SIX: The proceeds from this sale are to be placed in the Public Facility Improvement Fund.

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

## EXHIBIT A

### Legal Description:

LOTS 65, 66, 67, 68 AND 69 OF TOULMINVILLE MANOR AS SHOWN BY PLAT  
RECORDED IN MAP BOOK 4, PAGE 180, OF THE RECORDS IN THE OFFICE OF  
THE PROBAGE JUDGE OF MOBILE COUNTY, ALABAMA



ORDINANCE DEEMING PROPERTY AT 901 LYONS STREET NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE TO ALABAMA COMMUNITY COLLEGE SYSTEM. The following ordinance was held over until the regular meeting of December 15, 2020.

ORDINANCE: 88-042-2020

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile has by prior Ordinance 88-024 authorized the conveyance of a parcel of property at 901 Lyons Street, Mobile, from the City of Mobile to Bishop State Community College, and

WHEREAS, by Resolution dated October 30, 2019 the Mobile City Council clarified that Alabama Community College System was the correct named party for any and all

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agreements, deeds or other transactions between the City of Mobile and Bishop State Community College with regard to the transfer of said property; and

WHEREAS there is an abutting parcel also bearing the address 901 Lyons Street which was transferred by the Mobile Housing Board to the City of Mobile by deed recorded December 2, 2020, which is part of the same parking lot used by Alabama Community College System for Bishop State Community College; now therefor, it is hereby:

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 portion of the property at 901 Lyons Street 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 ALABAMA COMMUNITY COLLEGE SYSTEM:

Block 2, Davis Avenue Community Development Project, Unit One, Map One, Blocks 1 & 2 according to plat thereof recorded in Map Book 34, Page 90 of the records in the office of the Judge of Probate, Mobile County, Alabama LESS AND EXCEPT the following described property: Beginning at the southwest corner of Lyons and Hospital Street, running then southwardly along the west line of Hospital Street 103 feet more or less, to a point, running thence westwardly along the north line of property now or formerly of Robert L. Marshall 204 feet 3 inches, more or less, to a point at the southeast corner of property formerly of Teatum running thence northwardly along the east line of said property of Teatum 103 feet, more or less, to the south line of Lyons Street, running thence eastwardly along the south line of Lyons Street 208 feet 8 inches, more or less, to the southwest corner of Lyons and Hospital Streets and the place of beginning.

NOTE: The above described property was formerly known as Lots 1-4, inclusive, Square 3, Dunn's Purchase, according to survey made by Charles Delarge recorded in Deed Book Q, Page 273 in the office of the Judge of Probate, Mobile County, Alabama.

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

SECTION THREE: The Mayor and the 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 Warranty Deed when prepared for the property shown above.

SECTION FOUR: Said Purchase Agreement and Warranty Deed are 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 and in the office of the Real Estate Officer of the City of Mobile, 4th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

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

AUTHORIZE AGREEMENT WITH MOBILE BAYKEEPER, INC., FOR THE EPA GULF OF MEXICO TRASH FREE WATERS GRANT PROJECT, \$172,380.00. The following resolution was held over until the regular meeting of December 15, 2020.

RESOLUTION: 01-885-2020

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 Mobile Baykeeper, Inc, in the amount of \$172,380.00 for the EPA Gulf of Mexico Trash Free Waters Grant project, 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.

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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 functions of the Council.

APPROVE PURCHASE ORDER TO PROTEC VIDEO LLC. FOR REMOTE CAMERA SYSTEM SOFTWARE AND ANNUAL LICENSE, \$150,276.00. The following resolutions was held over until the regular meeting of December 15, 2020.

RESOLUTION: 08-886-2020

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>2377</u> | 2021        | (1545) POLICE CYBER DIVISION | REMOTE CAMERA SYSTEM SOFTWARE AND STORAGE ANNUAL LICENSE (SOLE SOURCE) | \$150,276.00 | <u>(294102) PROTECVIDEO LLC</u> |

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.

APPROVE PURCHASE ORDER FOR ANNUAL LICENSE RENEWAL FOR FORENSIC AND INTELLIGENCE EXTRACTION/DECRYPTION SOFTWARE, \$132,635.00. The following resolution was held over until the regular meeting of December 15, 2020.

RESOLUTION: 08-887-2020

Sponsored by: Mayor Stimpson

MINUTES OF DECEMBER 8, 2020

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>2831</u> | 2021        | (1545) POLICE CYBER DIVISION | ANNUAL LICENSE RENEWAL FOR FORENSIC AND INTELLIGENCE EXTRACTION/ DECRYPTION SOFTWARE (SOLE SOURCE – EXISTING SOFTWARE & PRODUCT UPGRADES) | \$132,635.00 | <u>(293683)</u><br>***** INC |

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.

AUTHORIZE CONTRACT WITH SAWGRASS CONSULTING, LLC FOR ENGINEERING DESIGN AND CONSTRUCTION INSPECTION SERVICES FOR 2020 PAYGO AND 2021 CIP RESURFACING, \$962,600.00. The following resolution was held over until the regular meeting of December 15, 2020.

RESOLUTION: 21-888-2020

Sponsored by: City Council

BE IT RESOLVD 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.

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.

Name of Company Sawgrass Consulting, LLC

Project Name: 2020 PAYGO and 2021 CIP Resurfacing, City Wide

COM Project No. 2001-3005-03

Estimated Cost: \$962,600.00

AUTHORIZE CONTRACT WITH H. M. YONGE & ASSOCIATES, INC., CONSULTING ENGINEERS FOR FIRE STATION #3 – MECHANICAL IMPROVEMENTS, \$25,500.00. The following resolution was held over until the regular meeting of December 15, 2020.

RESOLUTION: 21-889-2020

MINUTES OF DECEMBER 8, 2020

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVD 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, that is necessary to perform essential minimum functions of the Council, 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. A copy of said executed contract will be on file in the office of the City Clerk.

Name of Company H. M. Yonge & Associates, Inc., Consulting Engineers

Project Name: Fire Station #3 (Central) – Mechanical Improvements

Project No. FD-004-21

Estimated Cost: \$25,500.00

AUTHORIZE PERFORMANCE CONTRACT WITH VISIT MOBILE TO GROW AND DEVELOP TOURISM ASSOCIATED WITH THE DISCOVERY OF THE CLOTILDA. The following resolution was held over until the regular meeting of December 15, 2020.

RESOLUTION: 21-890-2020

Sponsored by: Councilmembers Manzie, Small 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, the Performance Contract between the City of Mobile and Mobile Convention and Visitors Corporation (also known as "Visit Mobile"), to grow and develop tourism associated with the Africatown community and the corresponding discovery of the Clotilda, as set out in said Performance Contract attached hereto and made a part hereof as though set forth in full. A copy of said Performance Contract is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council finds that this Resolution is necessary to perform essential minimum functions of the Council.

ACCEPT DEEDS FOR THE ACQUISITION OF PROPERTY FOR THE MCGREGOR AVENUE WIDENING PROJECT (DAUPHIN STREET TO AIRPORT BOULEVARD). The following resolution was held over until the regular meeting of December 15, 2020.

RESOLUTION: 23-891-2020

Sponsored by: Councilmember Daves 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 hereby are, authorized to accept Deeds for the acquisition of right-of-way tracts for City Engineering Project No. 2013-202-07; ALDOT Project No. STPMB-7508(600) McGregor Avenue Widening from Dauphin Street to Airport Boulevard as set out in the instruments attached hereto for the price of \$50,700.00.

Said property is being conveyed to the City of Mobile in accordance with that certain Agreement for Right-of-Way Acquisition between the State of Alabama ("ALDOT") and the City of Mobile as adopted by Resolution #01-290 on July 31, 2012.

Be it resolved that the Executive Director of Finance be and is authorized and directed to request acquisition funds from ALDOT in the amount of the sales price less prorated share of property taxes payable to Jones Walker, LLP.

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Be it further resolved that the City Engineer and/or Deputy Director of Real Estate Asset Management of the City of Mobile is hereby authorized and directed to execute for and in the name and on behalf of the City of Mobile what ever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

Be it finally 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.

AUTHORIZE A GRANT APPLICATION TO NATIONAL FITNESS CAMPAIGN (NFC) FOR THE 2020-2021 FITLOT GRANT, \$150,000.00. The following resolution was held over until the regular meeting of December 15, 2020.

RESOLUTION: 31-892-2020

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 National Fitness Campaign, (NFC), a Notice of Award for grant assistance in the approximate amount of \$150,000.00 over the next 5 years which would allocate \$30,000.00 for each site for the 2020-2021 FitLot Grant.

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 National Fitness Campaign, (NFC). Any agreements for grant assistance, together with exhibits, shall be filed with the City Clerk after award and execution.

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.

APPROVE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SHATONYA NICHOLSON, D/B/A BIZZI BEEZ CARRIER & TRANSPORTATION SERVICE LLC., FOR A SHUTTLE SERVICE. The following resolution was held over until the regular meeting of December 15, 2020.

RESOLUTION: 37-893-2020

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, pursuant to the provisions of Ordinance #59-073, 2005, that the application of Shatonya Nicholson, d/b/a Bizzi Beez Carrier & Transportation Service, LLC, for a Certificate of Public Convenience and Necessity to operate a taxicab service is hereby approved. A copy of said application is on file in the office of the City Clerk.

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.

ASSENT TO THE VACATION OF A PORTION OF SOUTH CONCEPTION STREET, WEST OF METRO JAIL. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 47-894-2020

WHEREAS, it having been made known and shown to the satisfaction of the City Council of the City of Mobile, Alabama (the City), that Mobile County, Alabama, a body corporate and politic and a political subdivision of the State of Alabama (the County or the Petitioner), and the Alabama Department of Transportation (ALDOT) and Terry McLeod and Pamela McLeod (the McLeods) (ALDOT and the McLeods are sometimes collectively referred to

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as the Abutting Landowners) are the owners of all the land abutting that certain portion of South Conception Street located in the City of Mobile, Alabama, shown on the survey prepared by Wattier Surveying, Inc. dated July 21, 2020 and legally described as follows:

Beginning at the intersection of the north right-of-way line of Savannah Street (50' R/W) and the east right-of-way line of S. Conception Street (64' R/W); thence run north 81°-57'-35" west a distance of 64.00 feet to the west right-of-way line of said S. Conception Street; thence run north 08°-02'-25" east along said west right-of-way line a distance of 793.41 feet; thence run northeastwardly along the arc of a curve to the right (having a delta of 06°-32'-00", a radius of 1,871.00 feet, a chord bearing of north 25°-30'-22" east, and a chord length of 213.24 feet) an arc distance of 213.35 feet to the east right-of-way line of said S. Conception Street; thence run south 08°-02'-25" west along said east right-of-way line a distance of 996.81 feet to the Point of Beginning,

and

WHEREAS, said portion of South Conception Street is a public street lying within the City; and

WHEREAS, the Petitioner has now submitted a Petition to the City of Mobile to vacate said portion of South Conception Street, pursuant to and in accordance with Section 23-4-20, Code of Alabama, 1975, as amended; and

WHEREAS, the Abutting Landowners have consented to the vacation of the above-described portion of South Conception Street; and

WHEREAS, all utility providers with utility lines, equipment, or facilities within the area to be vacated have consented to the vacation; provided, however, that such entities shall have the right to continue to access, maintain, extend, and enlarge their lines, equipment, and facilities to the same extent as if the vacation had not occurred; and may continue to move across and along a the vacated portion of the road to reach their lines, equipment, and facilities for the above purposes and to the same extent as if the vacation had not occurred; and

WHEREAS, the vacation will not deprive other property owners of any right they may have to convenient and reasonable means of ingress and egress to and from their property; and

WHEREAS, the said portion of South Conception Street is not needed as a public right-of-way in the City, and the requested vacation is in the public interest; and

WHEREAS, the approximate square footage of the portion of South Conception Street to be vacated is 57,719 square feet.

NOW, THEREFORE, the premises considered, it is RESOLVED by the City Council of the City of Mobile, Alabama, pursuant to Section 23-4-20, id., that the above described portion of South Conception Street be, and it is hereby VACATED. The filing of this Resolution as required below shall operate as a declaration of the governing body's vacation and shall divest all public rights and liabilities, including any rights which may have been acquired by prescription, in that part of the public street, alley, or highway vacated. Title and all public rights, including the right to close the street, alley, or highway vacated, shall vest in Mobile County, Alabama. Provided, this vacation is subject to the following:

(1) That this resolution shall be published in a newspaper in Mobile County no later than fourteen (14) days after its adoption;

(2) That the Declaration of Vacation and this Resolution assenting to the vacation of said portion of South Conception Street be recorded in the Office of the Judge of Probate of Mobile County, Alabama, together with an instrument granting the City an easement for ingress, egress and utilities over the said portion;

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(3) A certified copy of this Resolution shall be immediately delivered to the Revenue Commissioner of Mobile County so that the property may be reassessed in the name of the County;

(4) Spire Alabama, Inc., Comcast, Mobile Area Water & Sewer System, Alabama Power Company, and AT&T (the Utilities) are reserved the right to continue to access, maintain, extend, and enlarge their lines, equipment, and facilities to the same extent as if the vacation had not occurred; and may continue to move across and along the vacated portion of the road to reach their lines, equipment, and facilities for the above purposes and to the same extent as if the vacation had not occurred; and, all other rights, title and interests held by the Utilities with respect to the vacated property under any statute or other law or under any other conveyance or agreement whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the vacated property; and the right of ingress and egress to and from said lines, equipment and facilities; and the right to cut and/or trim trees which, in the sole opinion of the Utilities, would interfere with said lines, equipment and facilities; and the right to prohibit use of the area vacated in a manner which violates the National Electric Safety Code.

(5) That the City of Mobile reserves the right-of-way hereby vacated such that if, within the five (5) year period following vacation, Mobile County, Alabama, fails to award a contract for jail improvements and appurtenances to be constructed adjacent to, or over and across the area to be vacated; or, if, for a continuous two (2) year period. Mobile County, Alabama abandons its use of the jail adjacent to the vacated area, and/or relocates the jail, all right, title and interest in and to the vacated area obtained by Mobile County, Alabama, by City's vacation of this right-of-way, without further act or deed, shall revert to the City and the property shall be returned to its use and status as a City public right-of-way.

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.

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

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

Nays: None

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

ASSENT TO THE VACATION OF A PORTION OF ST. EMANUEL STREET, EAST OF METRO JAIL. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 47-895-2020

WHEREAS, it having been made known and shown to the satisfaction of the City Council of the City of Mobile, Alabama (the City), that Mobile County, Alabama, a body corporate and politic and a political subdivision of the State of Alabama (the County or the Petitioner), is the owner of all the land abutting that certain portion of St. Emanuel Street located in the City of Mobile, Alabama, shown on the survey prepared by Wattier Surveying, Inc., dated July 21, 2020 and legally described as follows:

Beginning at the intersection of the north right-of-way line of Savannah Street (50' RAV) and the west right-of-way line of St. Emanuel Street (50' R/W); thence run north 08°-07'-54" east along said west right-of-way line a distance of 707.03 feet; thence run south 81°-52'-06" east a distance of 50.00 feet to the east right-of-way line of said St. Emanuel Street; thence run south 08°-07'-54" west along said east right-of-way line a distance of 707.03 feet; thence run north 81°-52'-06" west a distance of 50.00 feet to the Point of Beginning.

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and

WHEREAS, said portion of St. Emanuel Street is a public street lying within the City; and

WHEREAS, the Petitioner has now submitted a Petition to the City of Mobile to vacate said portion of St. Emanuel Street, and a Declaration of Vacation, pursuant to and in accordance with Section 23-4-20, Code of Alabama, 1975, as amended; and

WHEREAS, the Petitioner is the sole owner of all parcels abutting the above-described portion of St. Emanuel Street; and

WHEREAS, all utility providers with utility lines, equipment, or facilities within the area to be vacated have consented to the vacation; provided, however, that such entities shall have the right to continue to access, maintain, extend, and enlarge their lines, equipment, and facilities to the same extent as if the vacation had not occurred; and may continue to move across and along a the vacated portion of the road to reach their lines, equipment, and facilities for the above purposes and to the same extent as if the vacation had not occurred; and

WHEREAS, the vacation will not deprive other property owners of any right they may have to convenient and reasonable means of ingress and egress to and from their property, although such access may be somewhat less convenient; and

WHEREAS, the said portion of St. Emanuel Street is not needed as a public right-of-way in the City, and the requested vacation is in the public interest; and

WHEREAS, the approximate square footage of the portion of St. Emanuel Street to be vacated is 35,352 square feet.

NOW, THEREFORE, the premises considered, it is RESOLVED by the City Council of the City of Mobile, Alabama, pursuant to Section 23-4-20, id., that the above described portion of St. Emanuel Street be, and it is hereby VACATED. The filing of this Resolution as required by law shall operate as a declaration of the governing body's vacation and shall divest all public rights and liabilities, including any rights which may have been acquired by prescription, in that part of the public street, alley, or highway vacated. Title and all public rights, including the right to close the street, alley, or highway vacated, shall vest in Mobile County, Alabama. Provided, this vacation is subject to the following:

(1) That this resolution shall be published in a newspaper in Mobile County no later than fourteen (14) days after its adoption;

(2) That the Declaration of Vacation and this Resolution assenting to the vacation of said portion of St. Emanuel Street be recorded in the Office of the Judge of Probate of Mobile County, Alabama, together with an instrument granting the City an easement for ingress, egress and utilities over the said portion;

(3) That a certified copy of this Resolution shall be immediately delivered to the Revenue Commissioner of Mobile County so that the property may be reassessed in the name of the County;

(4) That Spire Alabama, Inc., Comcast, Mobile Area Water & Sewer System, Alabama Power Company, and AT&T (the Utilities) are reserved the right to continue to access, maintain, extend, and enlarge their lines, equipment, and facilities to the same extent as if the vacation had not occurred; and may continue to move across and along the vacated portion of the road to reach their lines, equipment, and facilities for the above purposes and to the same extent as if the vacation had not occurred; and, all other rights, title and interests held by the Utilities with respect to the vacated property under any statute or other law or under any other conveyance or agreement whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the vacated property; and the right of ingress and egress to and from said

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lines, equipment and facilities; and the right to cut and/or trim trees which, in the sole opinion of the Utilities, would interfere with said lines, equipment and facilities; and the right to prohibit use of the area vacated in a manner which violates the National Electric Safety Code.

(5) That the City of Mobile reserves the right-of-way hereby vacated ^such that if, within the five (5) year period following vacation, Mobile County, Alabama, fails to award a contract for jail improvements and appurtenances to be constructed adjacent to, or over and across the area to be vacated; or, if, for a continuous two (2) year period. Mobile County, Alabama abandons its use of the jail adjacent to the vacated area, and/or relocates the jail, all right, title and interest in and to the vacated area obtained by Mobile County, Alabama, by City's vacation of this right-of-way, without further act or deed, shall revert to the City and the property shall be returned to its use and status as a City public right-of-way.

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.

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

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

Nays: None

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

DETERMINE AN APPROPRIATION TO THE MOBILE AREA DISK GOLF ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$2,500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-896-2020

Sponsored by: Councilmember Rich

WHEREAS, Councilmember Rich wishes to appropriate \$2,500.00 to Mobile Area Disc Golf Association, from her discretionary funds; and

WHEREAS, Mobile Area Disc Golf Association, 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 Mobile Area Disc Golf Association will be used to make upgrades to the disc course at the Medal of Honor Park, 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 \$2,500.00 to the Mobile Area Disc Golf Association 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 Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

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

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

DETERMINE AN APPROPRIATION TO RESTORATION DELIVERANCE OUTREACH MINISTRY SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$1,500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-897-2020

Sponsored by: Councilmember Rich

WHEREAS, Councilmember Williams wishes to appropriate \$1,500.00 to Restoration Deliverance Outreach Ministry from his discretionary funds; and

WHEREAS, Restoration Deliverance Outreach Ministry 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 Restoration Deliverance Outreach Ministry for their Operation Bag Drop to help feed the less fortunate, and provide blankets, socks and bikes for children for Christmas in the parking lot of the church, 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 \$1,500.00 to Restoration Deliverance Outreach Ministry 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 Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

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

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

AUTHORIZE AWARD FOR THE NOVEMBER FIREFIGHTER OF THE MONTH, CAPTAIN CHAD N. SPRINKLE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-898-2020

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 to the following employee:

November 2020 – Captain Chad N. Sprinkle (Emp #10799)

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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 Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

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

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

DETERMINE AN APPROPRIATION TO THE PROVIDENCE FOUNDATION FOR FESTIVAL OF FLOWERS SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$6,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-899-2020

Sponsored by: Councilmembers Williams, Daves and Rich

WHEREAS, Councilmember Williams wishes to appropriate \$2,000.00; Councilmember Daves wishes to appropriate \$2,000.00 and Councilmember Bess Rich wishes to appropriate \$2,000.00 (TOTAL \$6,000.00) to Providence Foundation for its Festival of Flowers, from their discretionary funds; and

WHEREAS, Providence Foundation 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 Providence Foundation will be used for their annual Festival of Flowers "Seminars and Demonstration Venue" to be held March 12th and 13th, 2021 at the Cathedral Square in downtown Mobile, 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 \$6,000.00 to Providence Foundation 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 Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves and Rich  
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 WAY OF SOUTHWEST ALABAMA, INC., SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$3,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-900-2020

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Sponsored by: Councilmember Manzie

WHEREAS, Councilmember Manzie wishes to appropriate \$3,000.00 to The United Way of Southwest Alabama, Inc., from his discretionary funds; and

WHEREAS, The United Way of Southwest Alabama, 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 The United Way of Southwest Alabama, Inc., will be used to support their 2020 Community Campaign by assisting Mobile City resident with their health and human service needs, 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 \$3,000.00 to The United Way of Southwest Alabama, 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 Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

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

Nays: None

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

DETERMINE AN APPROPRIATION TO THE CITY OF MOBILE HUMAN RELATIONS COMMISSION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$1,000.02.  
The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-901-2020

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

WHEREAS, Councilmember Richardson wishes to appropriate \$166.67; Councilmember Manzie wishes to appropriate \$166.67; Councilmember Small wishes to appropriate \$166.67; Councilmember Williams wishes to appropriate \$166.67; Councilmember Rich wishes to appropriate \$166.67 and Councilmember Gregory wishes to appropriate \$166.67 (TOTAL \$1,000.02) to the City of Mobile Human Relations Commission, from their discretionary funds; and

WHEREAS, the City of Mobile Human Relations Commission, is a non-profit, unincorporated commission appointed by the Mobile City Council 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 the City of Mobile Human Relations Commission will be used to help start up the commission by purchasing social media marketing, a Zoom account, a PO Box, an IAOHRA Membership, and for

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printing flyers and materials, 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 \$1,000.02 to the City of Mobile Human Relations Commission 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 Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

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

Nays: None

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

### ANNOUNCEMENTS:

Councilmember Small recounted the Governor's announcement on the City's purchase of a parcel of land at Brookley Field from the University of South Alabama.

Councilmember Small and Manzie expressed excitement about the possibilities that the Clotilda will present for Africatown and Mobile.

Councilmember Small reminded the CIP meeting will be today, immediately after the Council meeting.

Councilmembers Rich, Williams and Manzie wished citizens a Happy Hanukkah season.

Councilmember Richardson announced that last Friday, he was blessed with a great-grandson, London Julian Lawson, and presented the proclamation below:



Councilmember Richardson offered comments regarding President Elect Biden’s appointment of General Lloyd Austin, III (retired) as Secretary of Defense. General Austin is a distant cousin and from his hometown of Nymph, Alabama.

Councilmember Richardson requested the status of the resurfacing program.

Councilmember Williams announced that today is universally recognized as the Immaculate Conception of Mary by the Catholic Church.

Councilmember Williams expressed his excitement about the attention the Clotilda is bringing to the area and the benefits it will have on other businesses.

Councilmember Daves commented about the economic development and quality of life benefits the Brookley Field purchase will have for Mobile.

Councilmember Manzie thanked Governor Ivey and Mayor Stimpson for the purchase of property from the University of South Alabama.

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Councilmember Manzie announced that new street signs have been installed to indicate the change from Bay Bridge Road to Africatown Boulevard.

Councilmember Manzie reminded citizens that there will be three food distribution events at Corinthian Missionary Baptist Church, Yorktown Baptist Church and Truevine Baptist Church during the month of December.

Councilmember Richardson moved to adjourn the meeting, which move 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 regular meeting adjourned at approximately 11:13 a.m.

Adopted:

\_\_\_\_\_  
COUNCIL PRESIDENT

\_\_\_\_\_  
CITY CLERK