MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 21, 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, August 21, 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. on Tuesday, August 21, 2018.

The Presiding Officer adjourned the meeting.

Approved: August 28, 2018

COUNCIL VICE PRESIDENT

CITY CLERK

MUNCIPAL BUILDING, MOBILE, ALABAMA, AUGUST 21, 2018

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, August 21, 2018, at 10:30 a.m., in regular meeting.

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

Bishop Ellis Harper, Jr., Rector, Ark of Safety Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Council Vice President Manzie asked everyone to remain standing for a moment of silence in memoriam of Aubreigh Nicholas.

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. 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.

APPROVAL OF MINUTES:

The minutes of the meetings of August 14, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson announced that 500 LimeBikes are currently available for use around the city.

Mayor Stimpson stated that the Gulf Coast Technology Center is a collaborative effort between the Mobile Police Department, the Mobile and Baldwin County Sheriff's offices working with several federal agencies to have all technology equipment housed in one location and manned with individuals from the units mentioned.

Mayor Stimpson announced the City is working with the Mobile County Public School System to make the schools safer for all students.

Mayor Stimpson commented that the new Wal-Mart Distribution Center has filled 575 positions.

Peter Toler, Municipal Arborist, introduced Urban Forestry Department employees and commended them for their dedication and hard work.

REPORTS OF COMMITTEES:

None.

NEW COMMITTEE ASSIGNMENTS:

None.

ADOPTION OF THE AGENDA:

Councilmember Small moved for the immediate adoption of the agenda, which move was seconded by Councilmember Williams, 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 agenda adopted.

APPEALS:

The Council considered the request of Jason W. Craig for a waiver of the Noise Ordinance at 1644 Virginia Street on October 13 and September 22, 2018, from 9:30 a.m. until 9:30 p.m. (District 2).

Councilmember Small moved to grant the waiver, which motion 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 waiver granted.

The Council considered the request of O'Daly's Irish Pub for a waiver of the Noise Ordinance at 564 Dauphin Street on August 28 and 29, September 4, 5, 11, 12, 18, 19, 25 and 26, and November 6, 7, 13, 14, 20 and 21, 2018, from 6:00 p.m. until 10:30 p.m. (District 2).

Councilmember Small moved to grant the waiver, which motion 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 waiver granted.

PUBLIC HEARINGS:

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 400 ST. CHARLES AVENUE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 400 St. Charles Avenue is a public nuisance and order it demolished 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 resolution authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 476 RIDGE ROAD WEST IS A PUBLIC NUISANE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 476 Ridge Road West is a public nuisance and order it demolished 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 resolution authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 558 REYNOLDS STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 558 Reynolds Street is a public nuisance and order it demolished 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 resolution authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1567 PLOVER STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1567 Plover Street is a public nuisance and order it demolished 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 resolution authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1712 UNION STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DITRICT 1).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1712 Union Street is a public nuisance and order it demolished 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 resolution authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 2855 PAGES LANE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 2855 Pages Lane is a public nuisance and order it demolished 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 resolution authorizing the proper action would be introduced later in the meeting.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Cedric Myles, 1312 Forest Cove Drive, questioned if the University of South Alabama has considered other sources of funding, other than the City, for the proposed football stadium.

2. Jerrlyn London, 1169 Heron Lakes Circle, inquired about the projected costs for renovating Ladd-Peebles Stadium.

3. Gregory Dennis, 5919 Warringwood Drive, South, expressed his opposition to the removal of Ladd-Peebles Stadium and to the City financially contributing to the proposed University of South Alabama football stadium.

4. Reverend Bobby Brown, 3651 Wenlock Court, stated that the future of Ladd-Peebles Stadium and the proposed USA football stadium affect all Mobilians.

5. Brian Pugh, 3912 Woodmont Drive, remarked that the proposed storm water fee for commercial properties is too high.

NON-AGENDA ITEMS:

1. Yvette Young, 5448 Villa Trace, Hoover, Alabama, provided information on #revitalizedip which is a group she formed to address concerns regarding litter, blight and crime in the Dauphin Island Parkway community.

2. Timothy Hollis, 1924 Seale Street, spoke on behalf of the property owner at 2626 Carter Avenue. There is a drainage inlet in front of the property that the owner would like to be relocated.

ORDINANCES HELD OVER:

ORDINANCE TO LEVY A STORM WATER FEE. The following ordinance, which was introduced and read at the regular meeting of Tuesday, August 7, 2018 and held over until the regular meeting of August 14, 2018, then held over until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

ORDINANCE: 01-024-2018

Sponsored by: Mayor Stimpson

AN ORDINANCE TO LEVY A STORM WATER FEE

WHEREAS, the City of Mobile ("City") maintains a Municipal Separate Storm Sewer System ("MS4") in accordance with Federal and State law, the Clean Water Act, 33 USC § 1251, et seq., the Alabama Water Pollution Control Act and the Alabama Environmental Management Act; and,

WHEREAS, the City incurs substantial expenses to comply with the storm water laws; and,

WHEREAS, the State Legislature recognized that the implementation of efficient and effective storm water programs promotes the public interest and that counties and municipalities require funding to implement and enforce their storm water management programs, Acts of Alabama, Act No. 2014-439, Alabama Code § 11-89C-1, et seq.; and,

WHEREAS, Code of Alabama (1975), § I l-89c-9(d), authorizes the governing bodies of municipalities in the State of Alabama with NPDES permits for MS4s to levy a storm water fee, charge or assessment in accordance with the terms and conditions set out therein; and,

WHEREAS, the City of Mobile determines that it is in the public interest to establish a storm water fee as authorized by Alabama Code (1975), § 11-89C-9(d);

NOW, THEREFORE, BE IT ORDAINED as follows:

I. DEFINITIONS.

a. Agricultural land. Any real property classified or assessed as agricultural or forest land for property tax purposes.

b. Commercial property. Any real property that is not residential property, as defined in this section, or has not specifically been exempted from the fee provisions set out in section 4 herein.

c. Commercial space. The area of a parcel of commercial property measured in square feet, according to the property tax assessment records of the Mobile County Revenue Commissioner.

d. Greenfield. Any real property not previously developed.

e. Municipal Separate Storm Sewer System (MS4). A conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains: (i) owned or operated by the City of Mobile; (ii) designed or used for collecting or conveying storm water; (iii) which is not a combined sewer; and (iv) which is not part of a publicly owned treatment works as defined in 40 CFR 5 122.2.

f. Owner. The person or persons to whom the Mobile County Revenue Commissioner assesses real property in the corporate limits of the City of Mobile.

g. Person. The word person shall include a corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.

h. Residential property. Any single family owner occupied residential property, historic buildings, or sites classified or assessed as Class III property, pursuant to § 217 of Article XI of the Constitution of Alabama of 1901.

i. Storm Water Management Program. The City Program developed in compliance with its NPDES permit to implement controls necessary to reduce the discharge of pollutants from its MS4 to the maximum extent practicable.

2. LEVY - RESIDENTIAL PROPERTY. There is hereby levied pursuant to Alabama Code (1975), § 11-89C-9(d)(2), an annual assessment in the amount of $10.00 per year from or against the owners of residential property in the city limits of Mobile.

3. LEVY - COMMERCIAL PROPERTY. There is hereby levied pursuant to Alabama Code (1975), § 11-89C-9(d)(3), an annual assessment in the amount of $.005 per square foot of commercial space from or against the owners of commercial property in the city limits of the City of Mobile, provided, however, that no such fee shall exceed $3,000.00 per year.

4. EXEMPTIONS. The following are exempted from the storm water fees levied under sections 1 and 2 herein:

a. Lands and/or facilities owned and/or operated by one or more entities under the jurisdiction and supervision of the Alabama Public Service Commission.

b. Any commission non-jurisdictional electric supplier, as defined by § 37-4-140, whose service area extends beyond the boundaries of a single municipal or county jurisdiction.

c. Owners of greenfields and/or owners of agricultural land.

5. EFFECTIVE DATE. The storm water fee levied hereby shall become effective upon the effective date of this Ordinance.

6. COLLECTION. By agreement with the Revenue Commissioner Mobile County, the storm water fee shall be assessed, collected and enforced as are other ad valorem taxes, and shall be a lien upon any land to which it may be levied, and shall be assessed, collected and enforced in the same manner as ad valorem taxes.

7. The City of Mobile shall pay to the Revenue Commissioner a one percent (1%) commission on all amounts collected, which commission shall be deposited to the Mobile County General Fund.

8. On a quarterly basis, not later than the 20th day of January, April, July and October, the City will remit 5% of all storm water fees collected to the Alabama Department of Revenue, which will transfer 95% of the fees it receives to the State Treasury to the credit of the Alabama Department of Environmental Management to be used exclusively to pay the costs of performing its duties to carry out programs to implement the storm water laws.

9. STORM WATER FUND. The storm water fees levied and collected pursuant to this Ordinance levied and collected shall be deposited into a fund known as the Storm Water Fund to be designated for expenses incurred complying with the City's NPDES permit for operation of its MS4; eliminating floatables from and improving water quality in the rivers, streams and waterways of the City; and such other additional storm water management activities required by the City's Storm Water Management Program. All amounts remaining in the Storm Water Fund at the end of the fiscal year shall not lapse but shall retain their dedication to storm water purposes.

10. APPEAL. Any person aggrieved by the assessment of a storm water fee levied hereunder shall file a written appeal with the City Clerk within the sixty (60) day period

following either notice of the fee or payment of the fee, whichever occurs first. The appeal shall explain in detail the reason(s) the person filing the appeal asserts that the storm water fee was assessed in error. The City Clerk will forward the appeal to the Engineering Department, which will review the appeal and either: (1) prepare an explanation to the Clerk of why the storm water fee was properly assessed; or, (2) advise the Clerk's office that the fee is due to be rescinded and the amount paid refunded. The Clerk shall communicate the decision of the Engineering Department to the aggrieved person. Should any person be aggrieved by a decision of the Engineering Department, such person may appeal that decision by filing written notice of appeal with the City Clerk's office within fifteen (15) days from the date of such decision, and the City Clerk shall, within fifteen (15) days after the filing of such notice of appeal, send the applicable record to the City Council, which shall, within fifteen (15) days after receipt of such transcript, hold a hearing on said appeal. The appeal shall be determined solely on the question of whether the City, in assessing the storm water fee, acted beyond the limits of its power or abused its discretion.

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be adopted, which was seconded by Councilmember Gregory. Following comments from Councilmembers Williams, Rich, Manzie, Small and Richardson the vote was as follows:

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

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

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. 01-024 Series 2018 was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on August 31, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand on this 21st day of August, 2018.

____
City Clerk

<u>CIP RESOLUTIONS HELD OVER:</u>

<u>AUTHORIZE CONTRACT WITH DIX.HITE + PARTNERS, INC. FOR MOBILE GREENWAY INITIATIVE: THREE MILE CREEK TRAIL, $653,000.00 (2018 CIP).</u> The following resolution, which was introduced and read at the regular meeting of Tuesday, August 14, 2018 and held over for one (1) week until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-588-2018

Sponsored by: Councilmember Richardson 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, an agreement between the City of Mobile and the company listed below, for work as outlined in the agreement attached hereto and made a part hereof as set forth in full, subject to the company signing the agreement and furnishing the required bonds and insurance. A copy of said agreement is on file in the office of the City Clerk.

Name of company: Dix.Hite + Partners, Inc.

Project name: Mobile Greenway Initiative: Three Mile Creek Trail, 2018 CIP
COM project no.: 2018-

Estimated cost: $653,000.00

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.

RESOLUTIONS HELD OVER:

AUTHORIZE LETTER OF INTENT WITH THE UNIVERSITY OF SOUTH ALABAMA TO FACILITATE THE CONSTRUCTION OF THE USA STADIUM PROJECT. The following resolution, which was introduced and read at the regular meeting of Tuesday, June 26, 2018 held over for until the regular meeting of July 10, 2018, then held over until the regular meeting of July 31, 2018, held over again until the regular meeting of August 14, 2018, was called up by the Presiding Officer.

RESOLUTION: 01-444-2018

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, a Letter of Intent by and between the City of Mobile and The University of South Alabama to facilitate the construction of the USA Stadium Project, as outlined in the Letter of Intent attached hereto and made a part hereof as though set forth in full. A copy of said Letter of Intent is on file in the office of the City Clerk.

LETTER OF INTENT

THIS LETTER OF INTENT (this "LOI") is entered into and effective as of 2018 (the "Effective Date") by and among the CITY OF MOBILE, ALABAMA, a municipal corporation of the State of Alabama (the "City") and the UNIVERSITY OF SOUTH ALABAMA, a public body corporate and an instrumentality of the Stale of Alabama ("USA"). The City and USA are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, USA wishes to build- a stadium with an anticipated seating capacity of 25,000 (the "Stadium") located on the USA campus in the City of Mobile, Alabama, with an anticipated cost of approximately Seventy Million Dollars ($70,000,000) to Seventy-Five Million Dollars ($75,000,000), to be funded by multiple revenue sources, including the issuance of bonds by USA (the "Bonds"), and pursuant to plans and specifications approved by the appropriate building authority (collectively, the "USA Stadium Project".

WHEREAS, the City desires to provide USA with Ten Million Dollars ($10,000,000) as described in Article 1 of this LOI.

WHEREAS, the City has determined that it is in the City's best interest to provide an incentive in order to facilitate the construction of the USA Stadium Project and that the construction of the USA Stadium Project (i) will advance the economic development of the City, (ii) will promote the convenience, order, prosperity and welfare of its citizens, (iii) is a direct benefit to the City and its residents as a result of increased tax revenues to the City, increased property values and additional economic activity in the area of the City surrounding the USA Stadium Project, and (iv) allow for the renovation and repurposing of Ladd-Peebles Stadium to further meet the needs of the citizens of Mobile; and thus, is in the best interests of the City and serves a valid and sufficient public purpose.

WHEREAS, the City has determined that the construction of the USA Stadium Project will benefit the City and accordingly the City and USA wish to set forth the proposed general terms of their agreement with the intention of later executing Definitive Agreements which will elaborate on the terms and conditions of the agreements described herein, and be approved in properly noticed public meetings as prescribed and required.

TERMS

NOW, THEREFORE, in consideration of the premises and the mutual understandings herein, the Parties hereby state as follows:

ARTICLE 1

CITY'S RESPONSIBILITIES

Subject to the final approval by the Mobile City Council of the Definitive Agreements (as defined in Paragraph 5.1), the City's responsibilities will include the following:

1.1 Subject to final financing arrangements secured by USA, it is anticipated that the City will provide USA with $500,000 per year for twenty (20) years, on or before April 1 each year, beginning the first April before USA's first payment on the Bonds that equals or exceeds $1,000,000.00, to be applied to payment of the debt service of the Bonds for a total amount of Ten Million Dollars ($10,000,000) for the USA Stadium Project (the "City Incentive"). The Parties agree that this provision may be revised to provide for biannual payments subject to USA's financing arrangements.

1.2 Adopt an Amendment 772 Resolution of the City approving the City Incentives.

1.3 Exercise reasonable diligence and good-faith efforts with respect to Paragraphs 1.1-1.2 above.

ARTICLE 2

[RESERVED]

ARTICLES

USA'S RESPONSIBILITIES

USA's responsibilities shall be the following:

3.1 Construct the USA Stadium Project pursuant to plans and specifications that will be reviewed in advance by the City and as subsequently approved by USA, and the appropriate building authority.

3.2 With the exception of the City Incentive (as defined below), raise all necessary capital to fund the USA Stadium Project.

3.3 To the extent allowed by law, defend the City from any claims, suits or proceedings (collectively, "Claims") challenging USA's funding, planning, and/or completion of the USA Stadium Project, and any acts or omissions of USA in its execution of the USA Stadium Project, provided that the City promptly notifies USA at such time as it is apprised of any such Claims and agrees to give sole and complete authority, information and assistance (at USA's expense) for the defense and disposition of one or more Claims. USA is not responsible for any compromise or settlement made without USA's consent. Because USA has exclusive control of resolving Claims hereunder, in no event is USA liable for the City's attorneys' fees or related expenses.

3.4 Provide the Stadium to the City rent free for the following, provided that they do not conflict with any USA football game:

(a) the athletic events currently known as the Reese's Senior Bowl, the Dollar General Bowl, and the Gulf Coast Challenge (collectively, the "Currently Held Events"), and any successor or re-named college football related event with similar characteristics to a Currently Held Event (i.e., a college football "all-star" game, a college football bowl game, or a college football game featuring two HBCU schools, respectively), whether such successor or re-named event replaces a Currently Held Event in the college football season immediately following the final holding of a Currently Held Event or in a later year. For purposes of this Section 3.4, if USA's football program is selected as a participant in the Dollar General Bowl or any successor or re-named event replacing the Dollar General Bowl, said event shall not be deemed to conflict with a USA football game; and

(b) any other event mutually agreed upon by USA and the City

(Paragraphs 3.4(a) - 3.4 (b) collectively "City Events").

The City shall have the right to use the Stadium, its related premises, improvements, buildings, structures, technology and Related Infrastructure (defined below) for City Events, including, but not limited to: food service establishments, retail establishments, parking facilities, club level facilities, screens, sound system, and signage, as the same are generally allowed for non-University users. Related infrastructure shall include all improvements that are designed, constructed, acquired, equipped, and operated either as part of, or in connection with, the USA Stadium Project ("Related Infrastructure"). USA will be entitled to recover the reasonable costs of all operation expenses incurred by USA for any City Event, including but not limited to utilities and security that are necessary and incurred by USA in support of the City Events. USA may charge reasonable fees for parking for City Events, at rates that are the same as other similar events at the Stadium, and will retain all revenue for concessions and parking for City Events at the Stadium. In their use of the Stadium and Related Infrastructure, the City shall comply with all federal and state laws, as well as any regulations of any other governing body, and the rules and regulations of USA,

3.5 Give the City the right, but not the obligation, to elect to use available suites, skyboxes, or club level seating at the Stadium for City Events, to the extent allowed by agreements with third parties governing the same, without charge. USA shall give the City notice of said right 30 days before each of the City Events, and such election by the City shall be communicated to USA at least 15 days prior to each of the City Events.

3.6 Give the City the right to use USA's covered practice facilities for teams participating in the Reese's Senior Bowl for the week prior to and the day of the Reese's Senior Bowl game.

3.7 Allow the City to post, hang, or otherwise display signs, banners, and other displays at the Stadium for City Events, so long as they do not alter or damage existing signs, displays, or the Stadium and further provided that they do not contain advertisements or indicate sponsorships which are in conflict with any exclusive agreements including sponsorships of the University.

3.8 Shall, in the construction of the USA Stadium Project, comply with all regulations, rules and ordinances of the appropriate building authority with respect thereto.

3.9 Use best efforts to ensure the construction of the USA Stadium Project will begin by August 1, 2018 ("Commencement of Construction") and be completed by August 1, 2020, recognizing that construction commencement is contingent upon the University securing all required financing, as determined solely by University, for the project.

3.10 Provide the City with $2.5 million for the renovation and repurposing of Ladd-Peebles Stadium, a City owned facility. Said payment to the City will be made by USA upon the issuance of a Certificate of Occupancy for the USA Stadium Project. Said funds will be used by the City for the purposes stated herein within three (3) years of receipt thereof. After three (3) years of receipt of said funds, any unused funds must be repaid to USA.

3.11 Exercise reasonable diligence and good-faith efforts with respect to Paragraphs

3.1 -3.10 above.

ARTICLE 4

VALIDATION

4.1 The City may cause the obligations of the City under this LOI or the Definitive Agreement to be validated and confirmed by a judgment to be entered by the Circuit Court of Mobile County, Alabama, in accordance with Section 6-6-755 of the Code of Alabama 1975, or other applicable statutes or authority.

ARTICLES

GENERAL PROVISIONS

5.1 Non-Binding Provisions. Other than the covenants contained in this Article and Paragraph 3.3 of this LOI (the "Binding Paragraph", this LOI is not binding upon either the City or USA and is subject to (i) the negotiation and execution of definitive agreements regarding the USA Stadium Project, including without limitation, a Project Agreement between the City and USA (the "Definitive Agreements") and (ii) approval of the terms of this LOI, and the Definitive Agreements by the City Council of the City and USA's management. However, the covenants of the Binding Paragraph are binding upon the City and USA until the Parties execute the Definitive Agreements and the approvals described above are obtained. The Parties to this LOI understand and agree that (i) this LOI sets forth the Parties' current understanding of agreements, which may be set out in a binding fashion in the Definitive Agreements, which may be executed at a later date, (ii) this LOI does not create and is not intended to create a duty to negotiate in good faith towards Definitive Agreements, and (iii) this LOI does not create and is not intended to create a binding and enforceable contract between the Parties and may not be relied upon by either Party as the basis for a contract by estoppel or otherwise, but rather evidences a nonbinding expression of understanding to endeavor, without obligation, to negotiate the mutually agreeable Definitive Agreements. Moreover, except with respect to the Binding Paragraph, or as expressly provided in the Definitive Agreements, no past, present, or future action, course of conduct, or failure to act relating to the transactions contemplated by this LOI by any Party hereto or any of their respective affiliates will give rise to or serve as the basis for any obligation or other liability on the part of any such Party or any of its affiliates. In the event that the Parties are unable to execute Definitive Agreements by 5:00 p.m., CST, November 8, 2018, this LOI shall be deemed to be terminated (unless extended by mutual agreement), and none of the Parties shall have any further obligations or other liabilities arising under this LOI to the other, except that terms set forth in the Binding Paragraph shall survive the termination of this LOI.

5.2 Termination: Expiration. The Parties may terminate this LOI for any reason upon thirty (30) days written notice, and the Parties shall not have any further obligations to the other, except that the terms set forth in the Binding Paragraph shall survive such termination. Otherwise, the provisions of this LOI shall expire and be of no further force and effect at 5:00 p.m., CST on November 8, 2018.

5.3 Governing Law and Forum Selection. Regardless of the place of execution, it is the intention of the Parties that the laws of the State of Alabama shall govern the validity and interpretation of the provisions hereof and the transactions contemplated herein. Moreover, all actions arising from this LOI must be filed in the Circuit Court of Mobile

County, Alabama, except as otherwise subject to the jurisdiction of the Alabama State Board of Adjustment.

5.4 Counterparts. This LOI may be executed by the Parties hereto by facsimile signature and in one or more counterparts, each of which shall be deemed an original and each of which shall constitute one and the same instrument.

5.5 Notices. All notices or other communications hereunder or making reference hereto shall be delivered as follows:

To the City:

Mayor William S. Stimpson
City of Mobile
P.O. Box 1827
Mobile, Alabama 36633-1827
Attention: Paul Wesch
Telephone: (251) 208-7395

With a copy to:

Adams and Reese LLP
11 North Water Street, Suite 23200
Mobile, Alabama 36602
Attention: Britton Bonner

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 each Councilmember the vote was as follows:

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

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

NOTE: At approximately 12:31 p.m. Councilmember Gregory excused herself from the meeting.

AUTHORIZE AGREEMENT WITH THE REVENUE COMMISSIONER, MOBILE COUNTY, ALABAMA, TO COLLECT THE CITY OF MOBILE ANNUAL STORM WATER FEE. The following resolution, which was introduced and read at the regular meeting of Tuesday, August 7, 2018 and held over for one (1) week until the regular meeting of August 14, 2018 and held over once more until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

RESOLUTION: 01-561-2018

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 the, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with the Revenue Commissioner, Mobile County, Alabama, for services 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.

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

REALLOCATE $100,000 FROM POLICE ADMINISTRATION (10041530/42200) TO CAPITAL ACCOUNT (E0034) TO FUND THE INITIAL PHASE OF THE CONSTRUCTION OF A NEW PUBLIC SAFETY HEADQUARTERS. The following resolution, which was introduced and read at the regular meeting of Tuesday, August 14, 2018 and held over for one (1) week until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

RESOLUTION: 09-579-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $100,000 will be transferred from the Police Administration Fund account 10041530/42200 to Police Capital fund E0034 to fund the initial phase of the construction of a new Public Safety Headquarters.

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

REALLOCATE $17,000 FROM POLICE ADMINISTRATION (10041530/44020) TO CAPITAL ACCOUNT (E0034), TO FUND FENCING AND AGGREGATE ON CITY PROPERTY AT THE POLICE IMPOUND LOT. The following resolution, which was introduced and read at the regular meeting of Tuesday, August 14, 2018 and held over for one (1) week until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

RESOLUTION: 09-580-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $17,000 will be transferred from the Police Administration Fund account 10041500/44020 to Police Capital fund E0034 to fund fencing and aggregate on City property at the Police impound lot.

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

REALLOCATE $45,000 FROM ORG: 10040560 OBJECT 43140 (NON-CONTRACTUAL SERVICES) TO CAPITAL PROJECT #C0289 MUSEUM OF ARTS IMPROVEMENTS. The following resolution, which was introduced and read at the regular meeting of Tuesday, August 14, 2018 and held over for one (1) week until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

RESOLUTION: 09-581-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the sum of $45,000.00 be reallocated from ORG: 10040560 Object: 42140 (Non Contractual Services) to Capital Project #C0289 Museum of Arts Improvements.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson 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 WITH THOMPSON CONSULTING SERVICES, LLC FOR POST-DISASTER DEBRIS REMOVAL MONITORING AND CONSULTING SERVICES, COST TO BE DETERMINED IN THE EVENT OF A DISASTER BASED ON RATES OUTLINED IN CONTRACT. The following resolution, which was introduced and read at the regular meeting of Tuesday, August 14, 2018 and held over for one (1) week until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-582-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and 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 Thompson Consulting Services, LLC, for three years, to provide post-disaster debris removal monitoring and consulting services, 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.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson 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 WITH APEX CONSTRUCTION, LLC FOR FIRE STATION #28-DRAINAGE IMPROVEMENTS, $9,800.00 (FD-039-18; C0018). The following resolution, which was introduced and read at the regular meeting of Tuesday, August 14, 2018 and held over for one (1) week until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-583-2018

Sponsored by: Councilmember Williams and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, AU\BAMA, 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: Apex Construction, LLC

Project name: Fire Station #28 - Drainage Improvements

Project number: FD-039-18

Amount: $9,800.00

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson 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 WITH CYTRANET FOR WI-FI SERVICE FOR MOBILE CRUISE TERMINAL, $23,017.60 (6020-6020-46040). The following resolution, which was introduced and read at the regular meeting of Tuesday, August 14, 2018 and held over for one (1) week until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-584-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and 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 Cytranet for WI-FI Service for the Mobile Cruise Terminal for the one (1) year period following approval renewable for up to two (2) additional one-year periods 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.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson 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 PERFORMANCE CONTRACT WITH THE GULF COAST EXPLOREUM SCIENCE CENTER TO ASSIST WITH FUNDING FOR THE UPCOMING KHAN EXHIBIT, $75,000.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, August 14, 2018 and held over for one (1) week until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-585-2018

Sponsored by: Councilmember Manzie 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 performance contract, by and between the City of Mobile and the Gulf Coast Exploreum Science Center. A copy of said contract is on file in the office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson 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 WITH HUFCOR, INC. FOR ARTHUR R. OUTLAW CONVENTION CENTER OPERABLE PARTITION WALL IMPROVEMENTS, $330,600.00 (CN-037-18). The following resolution, which was introduced and read at the regular meeting of Tuesday, August 14, 2018 and held over for one (1) week until the regular meeting of August 21, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-589-2018

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: Hufcor, Inc.

Project name: Arthur R. Outlaw Convention Center
Operable Partition Wall Improvements

Project number: CN-037-18

Amount: $330,600.00

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson 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 CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 03-590 – 60-602, with the exception of Resolution 60-602, 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 and Rich
Nays: None

The Presiding Officer declared unanimous consent granted for the items, with the exception of Resolution 60-602.

CONSENT RESOLUTIONS BEING INTRODUCED:

RE-APPOINT BARBARA HATTIER TO THE ADVISORY COMMISSION ON THE DISABLED. The following resolution was introduced by Councilmember Small.

RESOLUTION: 03-590-2018

Sponsored by: Councilmember Rich

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Barbara Hattier is re-appointed to the Advisory Commission on the Disabled effective immediately for a term ending December 31, 2019.

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

RE-APPOINT ADAM METCALFE TO THE BOARD OF ADJUSTMENT. The following resolution was introduced by Councilmember Small.

RESOLUTION: 03-591-2018

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Adam Metcalfe is re-appointed to the Board of Adjustment effective immediately for a term ending February 7, 2021.

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

APPOINT JOYCE R. BOYKIN TO THE MOBILE LIBRARY BOARD. The following resolution was introduced by Councilmember Small.

RESOLUTION: 03-608-2018

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Joyce R. Boykin is appointed to the Mobile Library Board effective September 30, 2018 for a term ending September 30, 2022.

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

APPOINT EUNICE MINGO BLAKELY TO THE CODES ADVISORY COMMITTEE. The following resolution was introduced by Councilmember Small.

RESOLUTION: 03-609-2018

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Eunice Mingo Blakely is appointed to the Codes Advisory Committee effective immediately for a term ending July 4, 2021.

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

APPOINT LAURICE TOLIVER TO THE MOBILE HISTORIC DEVELOPMENT COMMISSION. The following resolution was introduced by Councilmember Small.

RESOLUTION: 03-610-2018

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Laurice Toliver is appointed to the Mobile Historic Development Commission effective August 31, 2018 for a term ending August 31, 2022.

The resolution was read by the City Clerk; whereupon Councilmember Small moved that the resolution be adopted, which was seconded by Councilmember Richardson 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 MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE BJA FY 18 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, $168,676.00 (NO LOCAL MATCH). The following resolution was introduced by Councilmember Small.

RESOLUTION: 31-592-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept, and receive from the Bureau of Justice Assistance, a Notice of Award and Memorandum of Agreement for grant assistance in the approximate amount of $168,676.00 for the BJA FY 18 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the Bureau of Justice Assistance (BJA) and any other federal agency.

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

DECLARE THE STRUCTURE AT 400 ST. CHARLES AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-593-2018

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 400 St. Charles 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, 6, 7 and 8, 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 400 St. Charles Avenue as:

LOT 13 BYRDS SUB DBK 141 PG 353 GRT SEC 44 T4S RIW #SEC 44 T4S RIW #MP29 02 44 0 030

Parcel number: 29 02 44 0 030 373

Last assessed to: NETTLES GWENDOLYN

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 Small moved that the resolution be tabled, which was seconded by Councilmember Rich.

Councilmember Rich stated for the record:

“It was pointed out that the building has already been demolished, so it does not need Council attention.”

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 tabled.

DECLARE THE STRUCTURE AT 476 RIDGE ROAD WEST A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-594-2018

Sponsored by: Councilmember Richardson

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 476 Ridge Road West 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, 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 476 Ridge Road West as:

LOT 15 BLK C CEDAR RIDGE SUB MBK 5 P 287 #SEC 44 T4S RIW #IVIP29 02 44 0 028

Parcel number: 29 02 44 0 028 042

Last assessed to: BEARD MARY VERGIE

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 Small 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.

DECLARE THE STRUCTURE AT 558 REYNOLDS AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-595-2018

Sponsored by: Councilmember Richardson

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 558 Reynolds 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, 6, 7, 8, 14 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 558 Reynolds Avenue as:

LOT 39 KNIPPERS FIRST ADD TO MOBILE DBK 132 P 338

Parcel number: 29 02 44 0 014 348

Last assessed to: NELSON, JAMES P & JANIE L

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 Small 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.

DECLARE THE STRUCTURE AT 1567 PLOVER STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-596-2018

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 1567 Plover 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 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 1567 Plover Street as:

LOT 46 COLGINS ADD TO OAKDALE DBK 115 NS P 361 #SEC 28 T4S RIW #MP29 10 4 005

Parcel number: 29 10 28 4 005 067

Last assessed to: COLEY JAMES EDWARDS

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 Small 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.

DECLARE THE STRUCTURE AT 1712 UNION STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-597-2018

Sponsored by: Councilmember Richardson

WHEREAS, under the provisions of Chapter 52, Article 1! of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 1712 Union 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 the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 6, 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 1712 Union Street as:

LOT 10 BLK A 1ST ADD BOOKER T WASHINGTON HIGHLANDS SUBD PLAT BOOK 4 PGS 243-6 #SEC 06 T4S RIW #IVIP29 03 06 3 000

Parcel number: 29 03 06 3 000 042

Last assessed to: FAIRLEY CARIESS

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 Small 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.

DECLARE THE STRUCTURE AT 2855 PAGES LANE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-598-2018

Sponsored by: Councilmember Richardson

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 2855 Pages Lane 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 2855 Pages Lane as:

LOTS 3 & 4 BLOCK L NEESES ADD TO CRICHTON MBK 4/168 SEC 18 T4S RIW #IVIP29 08 18 10Q2

Parcel number: 29 08 18 1 002 020

Last assessed to: TURNER FRANK AND LOUISE

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 Small 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.

ASSESS COST FOR REMOVAL OF WEEDS, GROUP #1578. The following resolution was introduced by Councilmember Small.

RESOLUTION: 58-599-2018

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 Weed Lien Group 1578 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 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.

	WEED LIEN				
	GROUP 1578			Res. No.	
3/20/2018	LOTS TO BE DECLARED			58-199	
4/24/2018	LOTS FOR PUBLIC HEARING			58-284	
8/21/2018	LOTS TO BE ASSESSED FOR COST			58-	
No.	Address	SRO No.	Amount Assessed	Dis	N/A CBO
1	5717 Post Oak Ct	854241	$ -	6	CBO
2	1365 Goodman Ave	854474	$ 182.24	3	
3	1961 Antoine St	854248	$ -	2	CBO
4	501 Bizzell Ave	854249	$ -	2	CBO
5	3919 Bay Front Rd	854250	$ -	3	CBO
6	2729 Josephine St	854251	$ 99.41	1	
7	656 McLemore St	854252	$ 128.20	1	
8	704 Rice St	854254	$ -	1	CBO
9	1202 Bernice Hudson	854255	$ 142.04	3	
10	1106 Ross St	854256	$ 113.91	3	
11	1052 Pecan St	862416	$ -	2	CBO
12	1848 Princeton Woods Dr E	854258	$ -	7	CBO
13	0 Lincoln Blvd	854476	$ 110.10	7	
	Parcel No. (29 06 13 0 003 226.XXX)				
14	553 Booker St	854478	$ -	2	CBO
15	1202 Shore Acres Dr	855714	$ 423.18	3	
16	2651 S Faure Dr	856754	$ 276.54	4	
17	324 Thornton Pl	857000	$ -	5	CBO
18	301 Laurel Dr	857001	$ 132.41	2	
19	1475 John H Campbell Sr Way	857002	$ -	2	CBO
20	377 Dunbar St	857004	$ -	2	CBO
21	655 Carver St	857111	$ -	2	CBO
	Total		$ 1,608.03		
District total for this group		Numbers of lots cut			
1	3	1	2		
2	8	2	1		
3	5	3	4		
4	1	4	1		
5	1	5	0		
6	1	6	0		
7	2	7	1		
	21		9		
*ADD Added in from other Groups					
*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 Richardson 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.

ASSESS COST FOR REMOVAL OF WEEKDS, REPEAT WEED LIEN GROUP G-22. The following resolution was introduced by Councilmember Small.

RESOLUTION: 58-600

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 G-22 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 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.

	REPEAT WEED LIEN						
	GROUP 22					Res. No.	
7/6/2018	1st REPEAT WEED LIEN LETTERS SENT					11-058	
8/21/2018	REPEAT WEED LIEN LOTS TO BE ASSESSED FOR COST						
Item No.	Address/Parcel No.	Dis	SRO Repeat Num	Initial Nuisance Declaration	Times cut winthin 36 months	Amount Assessed	CBO
1	255 Ann St N.	2	876313	5/17/2016	2	$ 103.68	
2	613 Crawford Ln	2	876748	10/4/2016	1	$ -	
3	404 Pinehill Dr	5	876315	8/11/2015	3	$ 168.65	
4	6401 Pinehurst Run	6	879357	8/11/2015	1	$ -	
5	0 Tenth St	7	876317	6/20/2017	1	$ 118.48	
	Parcel No. (28 04 18 1 003 020.XXX)						
6	257 Ann St N	2	876319	5/17/2016	2	$ 71.24	
7	306 Ann St N	2	876320	6/14/2016	1	$ 133.76	
8	858 Kooiman St	1	876321	9/6/2016	2	$ 169.86	
9	257 Rylands Lane	2	876322	10/25/2016	1	$ 284.85	
10	160 Kennedy St	2	876323	7/25/2015	2	$ 132.89	
11	654 Live Oak St	2	880017	9/2/2015	2	$ 151.59	
12	560 Cedar Ave	2	880018	7/11/2017	1	$ -	
13	1018 Susan Ansley (Aka) Front St	2	880019	10/25/2016	1	$ 160.15	
	Parcel No. (22 08 44 0 019 452.XXX)						
14	1307 Basil St	2	880020	7/25/2017	1	$ -	
15	1305 Basil St	2	880023	7/25/2017	1	$ -	
16	306 Cuba St	2	880024	7/25/2017	1	$ -	
17	1200 Brussells St	2	881078	7/28/2015	2	$ 113.81	
18	704 Rebecca Dr	1	881080	5/13/2016	2	$ 202.06	
19	1903 Nerline Lane	1	881081	2/2/2016	2	$ 192.74	
20	410 Driver St	1	881082	11/20/2015	4	$ 104.11	
	Total					$ 2,107.87	
District total for this group			Numbers of lots cut				
1	4		1	4			
2	13		2	8			
3	0		3	0			
4	0		4	0			
5	1		5	1			
6	1		6	0			
7	1		7	1			
	20			14			
	*CBO Cut By Owner						
*N/A Taken out by Inspector			*UDL Undeveloped Lot				
*ADD Added in from other Groups							

The resolution was read by the City Clerk; whereupon Councilmember Small moved that the resolution be adopted, which was seconded by Councilmember Richardson 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 EXPENDITURE OF DISCRETIONARY FUNDS FOR CONTRIBUTION TO THE SIERRA BONITA NEIGHBORHOOD ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Small.

RESOLUTION: 60-601-2018

Sponsored by: Councilmember Williams

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

WHEREAS, Councilmember Williams wishes to donate $7,500.00 to the Sierra Bonita Neighborhood Association from his discretionary funds, and

WHEREAS, the Sierra Bonita Neighborhood 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 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 Sierra Bonita Neighborhood Association will be used for installation of entrance markers, lighting, landscaping and irrigation line with controls 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 Sierra Bonita Neighborhood Association 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 Richardson 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 EXPENDITURE OF DISCRETIONARY FUNDS FOR CONTRIBUTION TO THE MACARTHUR PLACE HOMEOWNERS' ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 28, 2018.

RESOLUTION: 60-602-2018

Sponsored by: Councilmember Rich

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

WHEREAS, Councilmember Rich wishes to donate $7,200.00 to the MacArthur Place Homeowners Association from her discretionary funds; and

WHEREAS, the MacArthur Place Homeowners 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 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 MacArthur Place Homeowners Association will be used to reimburse a portion of the costs the group has incurred in constructing a stormwater outfall;

WHEREAS, the stormwater outfall was constructed to city standards and will benefit the neighborhood and surrounding communities;

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the MacArthur Place Homeowners Association serves a public purpose and further approves and directs the payment of same.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH FRANK TURNER CONSTRUCTION COMPANY, INC. FOR 2016 CIP, DISTRICT 1, #9 FLORIDA STREET AND DOHM STREET DRAINAGE IMPROVEMENTS, $1,829,087.14. The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 28, 2018.

RESOLUTION: 21-603-2018

Sponsored by: Councilmember Richardson and Mayor Stimpson

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

Name of company: Frank Turner Construction Company, Inc.

Project name: 2016 CIP, District 1, #9, Florida Street and Dohm Street Drainage Improvements

Estimated cost: $1,829,087.14

RESOLUTIONS BEING INTRODUCED:

REALLOCATE $100,000.00 FROM CEP (E0040) TO CEP (0002) FOR FIRE DEPARTMENT VEHICLES (RESCUE TRUCK). The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 28, 2018.

RESOLUTION: 09-604-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the sum of $100,000.00 be reallocated from Capital Equipment Project (E0040) Equipment-Fire Department 20002000.47010 to Capital Equipment Project (E0002) Equipment-Fire Vehicles 20002000.47010 for fire department vehicles.

REALLOCATE $50,000.00 FROM CEP (E0046) TO CEP (E0002) FOR FIRE DEPARTMENT VEHICLES (RESCUE TRUCK). The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 28, 2018.

RESOLUTION: 09-605-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the sum of $50,000.00 be reallocated from Capital Equipment Project (E0046) Fire Administration Projects 20002000.47010 to Capital Equipment Project (E0002) Equipment-Fire Vehicles 20002000.47010 for fire department vehicles (rescue truck).

AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH WILKINS MILLER, LLC, TO PROVIDE AUDIT SERVICES FOR FISCAL YEARS 2018, 2019 AND 2020 WITH THE OPTION TO RENEW FOR FISCAL YEARS 2021 AND 2022, NTE $346,500.00 FOR 3 YEARS (10049000-42200). The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 28, 2018.

RESOLUTION: 21-606-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and 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 Professional Services Contract, by and between the City of Mobile and Wilkins Miller, LLC in amounts not to exceed $113,000, $115,500, and $118,000 per year, to perform auditing services for fiscal years 2018, 2019 and 2020, respectively, and with the option, at amounts not to exceed $121,000 and $124,000 per year, to perform auditing services for the fiscal years 2021 and 2022, respectively, as outlined in the Professional Services Contract attached hereto and made a part hereof as though set forth in full.

AUTHORIZE CONTRACT WITH AXON ENTERPRISE, INC. FOR MPD BODY CAMERA EQUIPMENT, $1,993,889.00 (10041530). The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 28, 2018.

RESOLUTION: 21-607-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor and 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 Axon Enterprise, Inc., in the amount not to exceed $1,993,889, to commence upon the signed Purchase Order and will remain in full force and effect until terminated by either Party, for the proposed equipment as outlined in the Purchase Order attached hereto and made a part hereof as though set forth in full. A copy of the said contract is on file in the Office of the City Clerk.

ANNOUNCEMENTS:

Councilmember Richardson announced a community meeting will be held on Thursday, September 20, 2018, 6:00 p.m., at the Toulminville Library.

Councilmember Small reported a large crowd attended the event last Saturday to honorarily dedicate “Rayfield Davis Street.” Mr. Small then encouraged the public to attend the “Recalling Their Names: Racial Terror in Jim Crow Mobile” exhibit at the History Museum of Mobile.

Councilmember Small thanked everyone who contributed to the success of the community meeting at Gilliard Elementary School last night.

Councilmember Manzie conveyed his satisfaction that a conclusion was reached regarding Resolution 01-444.

Councilmember Williams moved to adjourn the meeting, which was seconded by Councilmember Daves, 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 regular meeting adjourned at approximately 12:43 p.m.

Approved: August 28, 2018

COUNCIL VICE PRESIDENT

CITY CLERK