

MUNICIPAL BUILDING, MOBILE, ALABAMA, MARCH 30, 2021

The Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, March 30, 2021, at 9:00 a.m.

Present:

Councilmembers: Richardson, Manzie, 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.

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, MARCH 30, 2021

The City Council of the City of Mobile, Alabama, met remotely via virtual meeting on Tuesday, March 30, 2021, at 10:30 a.m., in regular meeting.

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

Bishop Antonio Jackson, Christ Temple Apostolic Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Manzie
Councilmembers: Richardson, Small, Williams, Daves, Rich and Gregory
Absent: None

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer 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 March 23, 2021, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson announced the opening of the roundabout located at Canal and Broad Streets.

Mayor Stimpson reported that he attended Austal USA's ground breaking ceremony for their new steel production line.

Mayor Stimpson stated that the Savannah Bananas "One City World Tour " baseball games held at the Hank Aaron Stadium were a success.

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NOTE: Councilmember Rich read a Proclamation declaring Tuesday, March 30, 2021, as “Doctors Day.” Dr. Nina Ford Johnson, President and Wendy Bedsole, Executive Director, of the Mobile County Medical Society accepted the Proclamation.

MONTHLY FINANCE REPORTS

Celia Sapp, Interim Executive Director of Finance, presented the Council with the monthly finance report for February 2021.

ADOPTION OF THE AGENDA:

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 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 agenda adopted and all items declared Essential/Covid-19 related.

APPEALS

Request of Debra L. Chapman for a waiver of the Noise Ordinance at the Bragg-Mitchell Mansion on June 5, 2021, from 6:00-10:00 p.m. (District 1).

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

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

Nays: None

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

Request of Paulina Morrisette, 1201 Stevens Lane, for a waiver of the Noise Ordinance on April 21, 2021, from 4:30-10:00 p.m. (District 7).

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

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

Nays: None

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

PUBLIC HEARINGS

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT THE EAST TERMINUS OF BLUE RIDGE BOULEVARD, EXTENDING TO THE WEST TERMINUS OF OLD DOBBIN DRIVE NORTH, THE WEST TERMINUS OF HARNESS WAY, THE NORTH TERMINUS OF CREEKLINE DRIVE AND THE NORTH TERMINUS OF VALLEYDALE DRIVE FROM R-1, R-2, AND B-1 TO R-1 (DISTRICT 6).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at the east terminus of Blue Ridge Boulevard, extending to the west terminus of Old Dobbin Drive North, the west terminus of Harness Way, the north terminus of Creekline Drive and the north terminus of Valleydale Drive from R-1, R-2, and B-1 to R-1 and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Tony Pope, 2566 Pleasant Valley Road, spoke in opposition of Resolution 60-244.
2. Elizabeth Luther, 258 North Claiborne Street, spoke in favor of Resolution 60-244.

NON-AGENDA ITEMS:

None

ESSENTIAL/COVID-19 ITEMS HELD OVER:

ORDINANCE TO REZONE PROPERTY LOCATED AT THE EAST TERMINUS OF BLUE RIDGE BOULEVARD, EXTENDING TO THE WEST TERMINUS OF OLD DOBBIN DRIVE NORTH, THE WEST TERMINUS OF HARNESS WAY, THE NORTH TERMINUS OF CREEKLINE DRIVE AND THE NORTH TERMINUS OF VALLEYDALE DRIVE FROM R-1, R-2, AND B-1 TO R-1 (DISTRICT 6). The following ordinance, which was introduced and read at the regular meeting of October 13, 2020, and held over until the regular meetings of October 20, 2020, January 19, 2021, February 2, 17, 23 & 30, 2021, was called up by the Presiding Officer.

ORDINANCE: 64-036-2020

Sponsored by: Councilmember Rich

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

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

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

PARCEL A:

COMMENCING AT A POINT ON THE EAST LINE OF THE NORTHEAST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH RANGE 2 WEST, MOBILE COUNTY, ALABAMA WHERE IT IS INTERSECTED BY THE SOUTH RIGHT OF WAY LINE OF A 40 FOOT SERVICE ROAD SOUTH OF AND PARALLEL WITH COTTAGE HILL ROAD, SAID POINT BEING THE NORTHEAST CORNER OF ASHVILLE, UNIT ONE, ACCORDING TO PLAT RECORDED IN MAP BOOK 66 PAGE 111 OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, RUN SOUTH 00 DEGREES 09 MINUTES 20 SECONDS WEST ALONG THE EASTERN BOUNDARY OF ASHVILLE, UNIT ONE 280.70 FEET TO A POINT; THENCE CONTINUING ALONG SAID EASTERN BOUNDARY OF ASHVILLE, UNIT ONE RUN NORTH 89 DEGREES 18 MINUTES 55 SECONDS EAST 221.41 FEET TO A POINT; THENCE CONTINUING ALONG SAID EASTERN BOUNDARY RUN SOUTH 68 DEGREES 34 MINUTES 44 SECONDS EAST 130.86 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT TWO, ACCORDING TO THE PLAT RECORDED IN MAP BOOK 24, PAGE 92 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, SAID POINT BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE ALONG THE

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WESTERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT TWO, RUN AS FOLLOWS: SOUTH 16 DEGREES 14 MINUTES 47 SECONDS WEST 111.93 FEET, SOUTH 22 DEGREES 30 MINUTES 13 SECONDS EAST 170.00 FEET, SOUTH 04 DEGREES 24 MINUTES 43 SECONDS EAST 109.05 FEET, SOUTH 17 DEGREES 08 MINUTES 07 SECONDS WEST 70.0 FEET, SOUTH 00 DEGREES 08 MINUTES 07 SECONDS WEST 665.10 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT FOUR, ACCORDING TO PLAT RECORDED IN MAP BOOK 26 PAGE 31 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILLS UNIT FOUR, RUN AS FOLLOWS: SOUTH 42 DEGREES 38 MINUTES 07 SECONDS WEST 158.00 FEET SOUTH 19 DEGREES 08 MINUTES 51 SECONDS WEST 32.09 FEET, SOUTH 11 DEGREES 06 MINUTES 39 SECONDS EAST 170.00 FEET, SOUTH 00 DEGREES 36 MINUTES 39 SECONDS EAST 250.0 FEET, SOUTH 21 DEGREES 36 MINUTES 39 SECONDS EAST 260 FEET, NORTH 69 DEGREES 08 MINUTES 38 SECONDS EAST 71.40 FEET, SOUTH 08 DEGREES 15 MINUTES 32 SECONDS WEST 225.00 FEET, SOUTH 04 DEGREES 45 MINUTES 32 SECONDS WEST 205.00 FEET TO THE SOUTHWEST CORNER OF SAID CARRIAGE HILLS, UNIT FOUR; THENCE ALONG THE SOUTHERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT FOUR, RUN SOUTH 71 DEGREES 14 MINUTES 28 SECONDS EAST 170.00 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT FIVE ACCORDING TO PLAT RECORDED IN MAP BOOK 26 PAGE 51 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT FIVE, RUN SOUTH 39 DEGREES 05 MINUTES 43 SECONDS EAST 44.49 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT SIX ACCORDING TO PLAT RECORDED IN MAP BOOK 26 PAGE 109 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT SIX, RUN AS FOLLOWS: SOUTH 35 DEGREES 47 MINUTES 57 SECONDS WEST 344.67 FEET, SOUTH 82 DEGREES 11 MINUTES 57 SECONDS WEST 84.95 FEET, SOUTH 00 DEGREES 12 MINUTES 03 SECONDS EAST 750.00 FEET, SOUTH 13 DEGREES 00 MINUTE 57 SECONDS WEST 215.05 FEET TO THE NORTHEAST CORNER OF CHELSEA, UNIT TWO, ACCORDING TO PLAT RECORDED IN MAP BOOK 58 PAGE 121 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE NORTHERN BOUNDARY OF SAID CHELSEA, UNIT TWO RUN AS FOLLOWS: NORTH 67 DEGREES 58 MINUTES 45 SECONDS WEST 23.28 FEET, SOUTH 73 DEGREES 23 MINUTE 36 SECONDS WEST 37.80 FEET, SOUTH 88 DEGREES 01 MINUTES 28 SECONDS WEST 100.40 FEET, NORTH 78 DEGREES 17 MINUTES 13 SECONDS WEST 38.00 FEET, SOUTH 73 DEGREES 35 MINUTES 25 SECONDS WEST 45.53 FEET, SOUTH 83 DEGREES 56 MINUTES 56 SECONDS WEST 82.26 FEET, SOUTH 80 DEGREES 05 MINUTES 10 SECONDS WEST 84.51 FEET, SOUTH 77 DEGREES 36 MINUTES 42 SECONDS WEST 96.74 FEET, SOUTH 69 DEGREES 00 MINUTES 48 SECONDS WEST 145.45 FEET, NORTH 66 DEGREES 00 MINUTES 52 SECONDS WEST 87.50 FEET, NORTH 70 DEGREES 01 MINUTES 43 SECONDS WEST 28.57 FEET, SOUTH 80 DEGREES 43 MINUTES 13 SECONDS WEST 55.18 FEET, SOUTH 44 DEGREES 07 MINUTES 19 SECONDS WEST 42.54 FEET, SOUTH 70 DEGREES 36 MINUTES 08 SECONDS WEST 149.28 FEET, SOUTH 44 DEGREES 56 MINUTES 38 SECONDS WEST 250 FEET, MORE OR LESS TO THE CENTER OF MILKHOUSE CREEK THENCE ALONG THE MEANDERING OF SAID CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 1350 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SHADOW CREEK, ACCORDING TO PLAT RECORDED IN MAP BOOK 84 PAGE 40 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE EASTERN BOUNDARY OF SAID SHADOW CREEK, SAID EASTERN BOUNDARY BEING THE CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 200 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SHADOW CREEK, SAID CORNER BEING THE SOUTHEAST CORNER OF CHARLESTON OAKS, UNIT FOUR, ACCORDING TO THE PLAT RECORDED IN MAP BOOK 52 PAGE 77 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE EASTERN BOUNDARY OF SAID CHARLESTON OAKS, UNIT FOUR SAID EASTERN BOUNDARY BEING THE CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 620 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF SAID CHARLESTON OAKS, UNIT FOUR, SAID

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POINT BEING THE SOUTHEAST CORNER OF CHARLESTON OAKS, UNIT FIVE ACCORDING TO PLAT RECORDED IN MAP BOOD 53 PAGE 31 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE EASTERN BOUNDARY OF CHARLESTON OAKS, UNIT FIVE, SAID EASTERN BOUNDARY BEING THE CENTER OF MILKHOUSE CREEK, RUN NORTHWARDLY 1670 FEET MORE OR LESS, TO THE NORTHEAST CORNER OF SAID CHARLESTON OAKS, UNIT FIVE, SAID POINT BEING ON THE NORTH LINE THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5 TOWNSHIP 5 SOUTH RANGE 2 WEST; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5 TOWNSHIP 5 SOUTH RANGE 2 WEST, RUN SOUTH 89 DEGREES 50 MINUTES 05 SECONDS EAST 843.76 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TOWNSHIP 5 SOUTH, RANGE 2 WEST; THENCE ALONG THE EAST LINE RUN NORTH 00 DEGREES 09 MINUTES 20 SECONDS WEST 25.00 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 50 MINUTES 05 SECONDS WEST 451 FEET, MORE OR LESS TO THE CENTER OF MILKHOUSE CREEK; THENCE ALONG SAID CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 344 FEET, MORE OR LESS TO A POINT THAT WOULD BE A WESTWARD EXTENSION OF THE SOUTHERN BOUNDARY OF THE AFOREMENTIONED ASHVILLE, UNIT ONE; THENCE ALONG SAID EXTENSION AND ALONG SAID SOUTHERN BOUNDARY OF ASHVILLE, UNIT ONE, RUN NORTH 76 DEGREES 18 MINUTES 45 SECONDS EAST 404 FEET MORE OR LESS TO A POINT; THENCE CONTINUING ALONG SAID SOUTHERN BOUNDARY OF ASHVILLE, UNIT ONE RUN NORTH 85 DEGREES 48 MINUTES 45 SECONDS EAST 238.07 FEET TO A POINT; THENCE ALONG THE SOUTHEASTERN BOUNDARY OF ASHVILLE, UNIT ONE, RUN AS FOLLOWS: NORTH 38 DEGREES 35 MINUTES 05 SECONDS EAST 150.00 FEET, NORTH 34 DEGREES 37 MINUTES 21 SECONDS EAST 50.12 FEET, NORTH 43 DEGREES 05 MINUTES 05 SECONDS EAST 165.00 FEET, NORTH 51 DEGREES 09 MINUTES 25 SECONDS EAST 170.38 FEET TO THE POINT OF BEGINNING.

PARCEL B:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 5, RANGE 2 WEST, ST. STEPHENS MERIDIAN AND RUN SOUTH 89 DEGREES 33 MINUTES 29 SECONDS EAST, FOR A DISTANCE OF 1330.59 FEET FOR A POINT OF BEGINNING; THENCE RUN NORTH 00 DEGREES 12 MINUTES 50 SECONDS WEST, 3050.01 FEET; THENCE RUN NORTHEASTWARDLY 380 FEET, MORE OR LESS, THENCE RUN NORTHWARDLY 830 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF UNO SUBDIVISION, PHASE ONE AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN MAP BOOK 121, PAGE 22; THENCE RUN SOUTH 88 DEGREES 02 MINUTES 54 SECONDS WEST, 63.01 FEET; THENCE RUN NORTH 00 DEGREES 12 MINUTES 28 SECONDS EAST, 276.71 FEET; THENCE RUN SOUTH 88 DEGREES 47 MINUTES 57 SECONDS EAST, ALONG THE SOUTH MARGIN OF SHADOW CREEK SUBDIVISION, AS SHOWN ON MAP OR PLAT THEREOF RECORDED IN MAP BOOK 84, PAGE 40, FOR A DISTANCE OF 615 FEET, MORE OR LESS TO A POINT IN THE CENTER OF MILKHOUSE CREEK; THENCE RUN SOUTHWARDLY ALONG THE CENTERLINE OF THE MEANDERINGS OF MILKHOUSE CREEK A DISTANCE OF 1350 MORE OR LESS, TO A POINT ON THE NORTH BOUNDARY OF CHELSEA SUBDIVISION, UNIT TWO AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT MAP BOOK 58, PAGE 121, THENCE RUN SOUTH 44 DEGREES 56 MINUTES 38 SECONDS WEST, A DISTANCE OF 42 FEET, MORE OR LESS, THENCE RUN SOUTH 17 DEGREES 28 MINUTES 54 SECONDS EAST, ALONG THE WEST LINE OF SAID CHELSEA SUBDIVISION, UNIT TWO AND ALSO CHELSEA SUBDIVISION, UNIT ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT MAP BOOK 39, PAGE 82, FOR A DISTANCE OF 890.57 FEET, THENCE RUN SOUTH 14 DEGREES 34 MINUTES 24 SECONDS EAST, A DISTANCE OF 169.91 FEET; THENCE RUN SOUTH 04 DEGREES 54 MINUTES 01 SECONDS WEST A DISTANCE OF 430.02 FEET, THENCE RUN SOUTH 16 DEGREES 37 MINUTES 54 SECONDS EAST, A DISTANCE OF 659.14 FEET; THENCE RUN SOUTH 25 DEGREES 35 MINUTES 52 SECONDS EAST, A DISTANCE OF 405.03 FEET; THENCE RUN SOUTH 39 DEGREES 35 MINUTES 49 SECONDS EAST, A DISTANCE OF 200.01 FEET; THENCE RUN SOUTH 00 DEGREES

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35 MINUTES 58 SECONDS EAST, A DISTANCE OF 360.02 FEET; THENCE RUN SOUTH 20 DEGREES 42 MINUTES 15 SECONDS EAST, A DISTANCE OF 278.19 FEET; THENCE RUN SOUTH 56 DEGREES 34 MINUTES 43 SECONDS, A DISTANCE OF 412.01 FEET, THENCE RUN NORTH 89 DEGREES 33 MINUTES 29 SECONDS, A DISTANCE OF 1673.23 FEET TO THE POINT OF BEGINNING.

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

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

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be tabled, which was seconded by Councilmember Williams.

Councilmember Rich stated for the record:

"I learned on Wednesday evening that the applicant for the rezoning for The Preserve of Milk House Creek subdivision wished to withdraw their application. The public hearing scheduled for our March 30th meeting will now be unnecessary, as the item will be tabled based on this request.

As many of you know, the rezoning to accommodate this new subdivision was never the issue. The issue was the traffic management and the impact on the already established neighborhoods. All parties involved were acutely aware of the concerns from day one.

The amended ordinance would have added a condition to the rezoning that would have denied vehicular traffic from entering the Carriage Hills neighborhood (which is already problematic) at three different street locations and retained the long-standing character of the Asheville neighborhood as a one-entry subdivision yet allowed for additional homes to be added adjacent to their neighborhood. The added condition for the traffic management would not have changed the proposed number of lots or general outline of the new development.

The City's public safety departments often stress the need for one-way entry points for neighborhoods and give many sound reasons to cut down on vehicular traffic for numerous safety issues whenever possible. This is why it was so confusing and troubling that all the entry points were promoted by our Planners and Traffic Engineering Department to begin with. Most importantly, the established residents from day one were very concerned about the negative impact of the increased traffic from this new 124 lot subdivision. They emphatically made their concerns known each and every time they were afforded that opportunity publicly. The City needs to listen and respect established homeowners, or they will and can continue to choose to live elsewhere when their quality of life is compromised!"

The vote was as follows:

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

Nays: None

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

AUTHORIZE MANAGEMENT AGREEMENT WITH MOBILE BOTANICAL GARDENS, \$150,000.00. The following resolution, which was introduced and read at the regular meeting of February 17, 2020, and held over until the regular meetings of February 23, 2021 and March 9, 16 & 30, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-125-2021

Sponsored by: Councilmember Gregory

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 in the amount of \$150,000.00 with the Mobile Botanical Gardens to assist with operation of the Mobile Botanical Gardens, 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 tabled, which was seconded by Councilmember Gregory and the vote was as follows:

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

Nays: None

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

ORDINANCE TO RE-CREATE AND RE-ESTABLISH A POLICE CITIZENS COMMUNITY RELATIONS ADVISORY COUNCIL. The following ordinance, which was introduced and read at the regular meeting of March 23, 2020, and held over until the regular meeting of March 30, 2021, was called up by the Presiding Officer.

ORDINANCE: 09-020-2021

Sponsored by: Councilmembers Richardson, Manzie, Williams,
Rich & Gregory

AN ORDINANCE TO RE-CREATE AND RE-ESTABLISH A POLICE CITIZENS COMMUNITY RELATIONS ADVISORY COUNCIL

WHEREAS, there is significant community interest in improving relationships between the community at large and the Mobile Police Department; and,

WHEREAS, the citizen community is a critical resource in improving the Police Department's community relationships; and,

WHEREAS, enhancing community relationships and community outreach efforts will promote community confidence in the Police Department and the law enforcement officers that serve this community and will facilitate community relationships necessary to promote public safety; and,

WHEREAS, to achieve greater improvement in community relationships and to further promote public safety, the City Council desires to re-create and re-establish a citizens' advisory council.

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

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SECTION ONE. There is hereby re-created and re-established a citizens' advisory council to be known as the Mobile Police Citizens Community Relations Advisory Council. This Advisory Council will exist with the purpose of promoting the concept that citizens, communities, and the police have a common goal. This goal is the maintenance of law and order, reduction of crime, and the protection of the community. The Advisory Council is intended to work to promote the relationships and understandings necessary to effectively attain this purpose.

SECTION TWO. The Advisory Council shall have the following purposes:

(A). To promote and encourage open communications and cooperation between the Mobile Police Department and the citizens of Mobile.

(B). To develop and make recommendations directed toward informing the community of its rights and responsibilities when coming into contact with police officers.

(C). To provide an effective means of community participation for citizens to recommend programs designed to make law enforcement sensitive, effective and responsive to the needs of the citizens of Mobile. The Advisory Council is expected to provide a community perspective concerning the effectiveness of police services and relations.

(D). To actively encourage and foster citizen participation in crime prevention activities.

(E). To promote productive police and community interaction by assisting the police in achieving a greater understanding of the nature and causes of complex community problems in the areas of diversity and human relations.

(F). To provide an effective organization that will address the concerns of the community by promoting cooperative citizen-police programs and approaches to the solutions of community crime. The Advisory Council is expected to advocate the principle that the administration of justice requires total community involvement and personal responsibility.

(G). To recommend programs to enhance relations among citizens of the community and the police.

(H). To keep the City Council apprised of actions taken by the Police Department which create community concern or controversy, and to make recommendations to the City Council on actions that can be taken to improve relations between the police and the community.

(I). To strengthen bonds between the Police Department and the community, thereby ensuring equal protection and service for all citizens.

(J). To hold public meetings from time to time to solicit public input concerning ways to improve communication and partnership between the police and the communities they serve.

(K). To serve, as necessary, as a liaison between the Police Department and the community.

(L). To encourage active participation among the Community Action Groups and neighborhood associations in improving relationships between the police and the neighborhoods and preventing crimes. Members shall play an active part in encouraging the formation of Community Action Groups and neighborhood associations in areas where they do not exist.

SECTION THREE. The Advisory Council shall be comprised of eight members: seven members appointed by the City Council and one member appointed by the Mayor. All nominees shall be placed on the Council agenda for approval. No member of the City Council shall be appointed to or shall serve the Advisory Council in any capacity.

SECTION FOUR. Members of the Advisory Council must have the following qualifications:

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- (A). They must be resident citizens of the City of Mobile.
- (B). They must be concerned about police and community relations, be sensitive to community needs and perceptions, and have a willingness to commit themselves to community service and conduct themselves in a manner consistent with the purposes for which the Advisory Council is formed.
- (C). They must have a commitment to seek input from the community and to apply this input to further the purposes of the Advisory Council.
- (D). They may not be employed by the City of Mobile.
- (E). All members must participate no less often than annually in police ride-alongs in their or other precincts.
- (F). All members must attend and complete 6-hours of orientation and education provided by the Mobile Police Department.

SECTION FIVE. Members of the Advisory Council shall serve for terms of two (2) years or until their respective successors are qualified and appointed. A member of the Advisory Council may be removed with or without cause by the City Council. Vacancies for any reason shall be filled in the same manner as their appointment, and such appointments shall be for the unexpired term of the member replaced.

SECTION SIX. Members of the Advisory Council shall serve without compensation.

SECTION SEVEN. The Advisory Council shall elect a Chair and a Vice-Chair from among the members of the Advisory Council. Such officers shall be elected for a term of one (1) year. The Chair shall preside over meetings of the Advisory Council, shall represent the Advisory Council before the City Council, and shall otherwise serve to facilitate the business of the Advisory Council. The Chair shall use Roberts Rules of Order as a guide for the conduct of all meetings of the Advisory Council. The Chair shall have a vote on all matters coming before the Advisory Council.

The Vice-Chair shall exercise such duties in the absence of the Chair.

All requests for information or public records from the City must be made in writing to the Mayor or the Chief of Police and must be made upon the affirmative vote of a majority of the total membership of the Advisory Council. Individual members may not request information or public records from the Mayor or anyone reporting to the Mayor on behalf of the Advisory Council.

SECTION EIGHT. All meetings of the Advisory Council shall be open to the public, and the Advisory Council shall conduct its meetings in accordance with the Alabama Open Meetings Act.

Meetings of the Advisory Council shall routinely include a continuing educational program provided by the Mobile Police Department and cultural sensitivity training. This training may be done in tandem or on an alternating basis.

The Mobile County District Attorney, the United States Attorney for the Southern District of Alabama, and the Special Agent in Charge of the Mobile Division of the FBI shall have the right to attend any meeting of the Advisory Council and to speak at any such meeting.

SECTION NINE. The Advisory Council should endeavor to meet periodically with the Citizen Advisory Panel established by the Chief of Police, and shall have the right to fully participate in all meetings of the Chief's Citizen Advisory Panel.

SECTION TEN. The Advisory Council should meet once each quarter with the Chief of Police and the City Council to discuss issues related to the business of the Advisory Council and community-related issues.

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SECTION ELEVEN. Five members of the Advisory Council shall constitute a quorum, and a quorum shall be required in order for the Advisory Council to conduct business.

SECTION TWELVE. All members of the Advisory Council previously appointed by the City Council under City of Mobile Ordinance 09-044-2016 and holding their respective offices in good standing as of December 31, 2020, are hereby re-appointed to the same offices for a term of two (2) years from and after the date of publication of this ordinance. The Mayor of the City of Mobile is requested to either re-appoint his appointed member or make a new appointment, at his pleasure. The reconstituted Advisory Council shall convene an initial organizational meeting to elect its officers at its earliest convenience.

SECTION THIRTEEN. Miscellaneous Provisions.

(A). This ordinance repeals, replaces and supersedes City of Mobile Ordinance No. 09-044 adopted August 23, 2016, to the extent said 2016 ordinance remains in effect. The provisions of this ordinance are supplemental and shall not be construed to repeal any other ordinance or law except to the extent of any conflict, in which case the provisions of this ordinance shall prevail.

(B). The provisions of this ordinance are severable. If any part of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

(C). This ordinance shall be effective immediately upon its adoption and publication as required by law.

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

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

Nays: None

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

ORDINANCE DEEMING PROPERTY LOCATED AT 2318 ST. STEPHENS ROAD NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE TO LI'S, LLC. The following ordinance, which was introduced and read at the regular meeting of March 23, 2020, and held over until the regular meeting of March 30, 2021, was called up by the Presiding Officer.

ORDINANCE: 88-021-2021

Sponsored by: Councilmember Richardson and Mayor Stimpson

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

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

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

SEE ATTACHED EXHIBIT 'A'

MINUTES OF MARCH 30, 2021

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

SECTION SIX: The proceeds from this sale to be placed in a 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.

SECTION EIGHT: The City Council of the City of Mobile, Alabama, finds that this ordinance is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

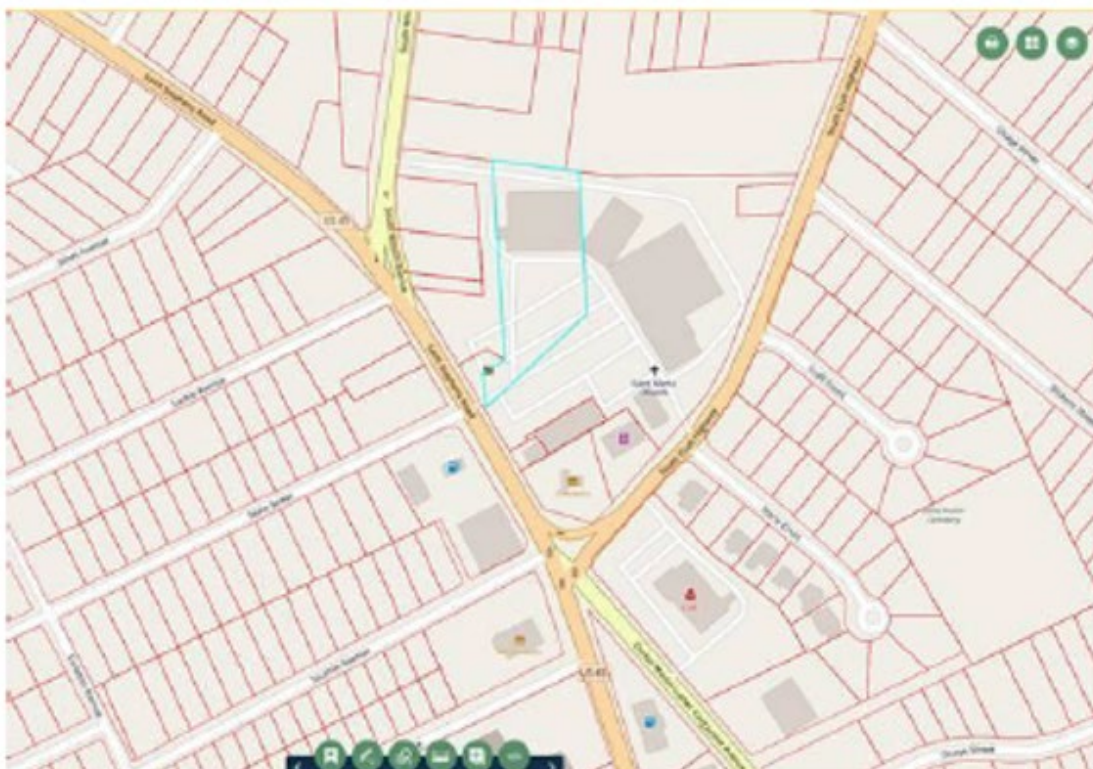
EXHIBIT A

2318 St. Stephens Road Mobile, AL 36617

KEY NO. – 00688349

PARCEL NO. – 29 02 44 0 023 030

LEGAL DESCRIPTION: COMG NW COR LOT 1 BLK 2 WILSONS 3RD ADD DEK 102/449 TH SELY ALG E/L ST STEPHENS RD 275 FT S TO POB TH NELY 292 S TH NLY 292 FT S TH WLY 185 FT S TH SLY 412 FT S TH SWLY 60 FT S TH SLY 70 FT S TO POB EXEMPT CITY OF MOBILE #SEC 44 T4S R1W #MP29 02 44 0 023. CONTAINING 75,346 SQ. FT. OR 1.7297 ACRES.



MINUTES OF MARCH 30, 2021

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

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

Nays: None

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

APPROVE PURCHASE ORDER FOR FUEL FOR THE WAVE TRANSIT. The following resolution, which was introduced and read at the regular meeting of March 23, 2020, and held over until the regular meeting of March 30, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-211-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>7839</u>	2021	(2050) EQUIPMENT SERVICES	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$15,695.00	<u>(279229)</u> <u>PETROLEUM</u> <u>TRADERS</u> <u>CORPORATION</u>
<u>7840</u>	2021	(2050) EQUIPMENT SERVICES	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$15,695.00	<u>(279229)</u> <u>PETROLEUM</u> <u>TRADERS</u> <u>CORPORATION</u>
<u>7841</u>	2021	(2050) EQUIPMENT SERVICES	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$15,695.00	<u>(279229)</u> <u>PETROLEUM</u> <u>TRADERS</u> <u>CORPORATION</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 Gregory and the vote was as follows:

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

Nays: None

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

APPROVE PURCHASE ORDER TO CDW GOVERNMENT LLC FOR ANNUAL MICROSOFT SOFTWARE SUBSCRIPTIONS, \$182,205.36. The following resolution, which was introduced and read at the regular meeting of March 23, 2020, and held over until the regular meeting of March 30, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-212-2021

MINUTES OF MARCH 30, 2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>8095</u>	2021	(5000) INFORMATION TECHNOLOGY	ANNUAL MICROSOFT SOFTWARE SUBSCRIPTIONS: 1750 MS OFFICE G1 W/ARCHIVING, 200 MS OFFICE G3; 30 MS POWER BI; 6 MS PROJECT; 12 MS VISIO PRO; 12 MS AUDIO CONFERENCING FOR GOVT COMMUNITY CLOUD -HIGH (OMNIA/NATIONAL IPA COOPERATIVE PURCHASING AGREEMENT AT LESS THAN STATE CONTRACT PRICING)	\$182,205.36	<u>(272932) CDW GOVERNMENT 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.

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

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

Nays: None

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

REALLOCATE FUNDS IN THE CONVENTION CENTER FUND TO VARIOUS CONVENTION CENTER REPAIRS/MAINTENANCE PROJECTS, \$2,293,500.00. The following resolution, which was introduced and read at the regular meeting of March 23, 2020, and held over until the regular meeting of March 30, 2021, was called up by the Presiding Officer.

RESOLUTION: 09-213-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the sum of \$2,293,500.00 of unallocated funds in the Convention Center Fund (6080) be allocated to the following Convention Center Repairs/Maintenance Projects:

Convention Center - Flood Protection	\$ 230,000.00
Convention Center - Interior Renovations	1,290,000.00
Convention Center - Replace Marque-Information Boards	385,000.00
Convention Center - Replace Flooring-Admin/Kitchen	258,500.00
Convention Center - Lighting Controls	<u>130,000.00</u>

MINUTES OF MARCH 30, 2021

Total

\$2,293,500.00

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 Gregory and the vote was as follows:

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

Nays: None

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

AUTHORIZE CONTRACT WITH SUNRISE NETWORK SOLUTIONS, INC. FOR SECURITY UPGRADES AT VARIOUS PUBLIC WORKS FACILITIES; \$247,398.00 (C0462; 20002000-48010); SR-039-19. The following resolution, which was introduced and read at the regular meeting of March 23, 2020, and held over until the regular meeting of March 30, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-214-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for 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: SUNRISE NETWORK SOLUTIONS, INC.

Project Name: VARIOUS CITY OF MOBILE PUBLIC WORKS FACILITIES – SECURITY UPGRADES

Project Number: SR-03919

Amount: \$247,398.00

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 Gregory and the vote was as follows:

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

Nays: None

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

AUTHORIZE CONTRACT WITH HARRIS CONTRACTING SERVICES, INC. FOR MEDAL OF HONOR PARK – ATHLETIC FIELDS CONCESSIONS AND RESTROOM IMPROVEMENTS, \$803,157.00 (2020 CIP ID#2072 D6). The following resolution, which was introduced and read at the regular meeting of March 23, 2020, and held over until the regular meeting of March 30, 2021, was called up by the Presiding Officer.

MINUTES OF MARCH 30, 2021

RESOLUTION: 21-215-2021

Sponsored by: Councilmember Rich and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Contract, 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 though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: Harris Contracting Services, Inc.

Project Name: Medal of Honor Park – Athletic Fields Concessions & Restroom Improvements

Project Number: PR-045-20

Amount: \$803,157.00 (2020 CIP ID#2072 D6)

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

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

Nays: None

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

AUTHORIZE AGREEMENT WITH VOLKERT INC. FOR STAFF AUGMENTATION SERVICES FOR MISCELLANEOUS CAPITAL PROJECTS, \$152,000.00 (FOR INITIAL 6-MONTH TERM). The following resolution, which was introduced and read at the regular meeting of March 23, 2020, and held over until the regular meeting of March 30, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-216-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for 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: VOLKERT INC.

Project Name: PROFESSIONAL SERVICES AGREEMENT FOR STAFF AUGMENTATION SERVICES FOR MISCELLANEOUS CAPITAL PROJECTS

Amount: \$152,000.00 (1st six months/initial term)

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.

MINUTES OF MARCH 30, 2021

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

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

Nays: None

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

AUTHORIZE A MEMORANDUM OF UNDERSTANDING WITH THE ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES ("ADCNR"), STATE LANDS DIVISION REGARDING HELEN WOOD PARK. The following resolution, which was introduced and read at the regular meeting of March 23, 2020, and held over until the regular meeting of March 30, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-217-2021

Sponsored by: Councilmember 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 hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Memorandum of Understanding by and between the Alabama Department of Conservation and Natural Resources, State Lands Division and the City of Mobile regarding Helen Wood Park attached hereto and made a part hereof as though set forth in full. A copy 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.

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

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

Nays: None

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS (MARY JACKSON). The following resolution, which was introduced and read at the regular meeting of March 23, 2020, and held over until the regular meeting of March 30, 2021, was called up by the Presiding Officer.

RESOLUTION: 60-229-2021

Sponsored by: Mayor Stimpson

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

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

MINUTES OF MARCH 30, 2021

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.

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 03-232 – 03-233, 60-240 – 60-242 and 60-244 being introduced for the first time. The motion was seconded by Councilmember Williams and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

ESSENTIAL/COVID19 ITEMS BEING INTRODUCED:

APPROVE APPOINTMENT OF LAWRENCE BATTISTE IV AS EXECUTIVE DIRECTOR OF PUBLIC SAFETY. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-232-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the appointment by Mayor William S. Stimpson of Lawrence Battiste, IV, as Executive Director of Public Safety is hereby approved by the City Council of the City of Mobile, Alabama, said appointment and approval having been made pursuant to § 11-44C-38(a) of the Code of Alabama.

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

APPROVE APPOINTMENT OF ROBERT HOLT AS EXECUTIVE DIRECTOR OF FINANCE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-233-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the appointment by Mayor William S. Stimpson of Robert Holt, as Executive Director of Finance is hereby approved by the City Council of the City of Mobile, Alabama, said appointment and approval having been made pursuant to § 11-44C-38(a) of the Code of Alabama.

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

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

MINUTES OF MARCH 30, 2021

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

APPROVE PURCHASE ORDER TO THE CARRIER CORPORATION FOR CHILLER FOR THE CONNIE HUDSON SENIOR CENTER, \$30,054.00. The following resolution was held over until the regular meeting of April 6, 2021.

RESOLUTION: 08-234-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>7985</u>	2021	(3035) FACILITY MAINTENANCE	CARRIER 40 TON CHILLER FOR HUDSON SENIOR CENTER (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT NOT ON STATE CONTRACT)	\$30,054.00	(297060) <u>CARRIER CORPORATION</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 TO SUNBELT FIRE INC. FOR REPAIR ON AERIAL FIRE APPARATUS, \$20,570.33. The following resolution was held over until the regular meeting of April 6, 2021.

RESOLUTION: 08-235-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>8435</u>	2021	(2050) EQUIPMENT SERVICES	REPAIR HYDROMOTION SWIVEL ON 2010 E-ONE AERIAL FIRE APPARATUS (SOLE SOURCE FOR THIS MODEL APPARTUS)	\$20,570.33	(198904) <u>SUNBELT FIRE 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.

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APPROVE PURCHASE ORDER TO IMAGETREND INC. FOR ANNUAL SUBSCRIPTION FOR ELITE RESCUE SOFTWARE, \$90,375.00. The following resolution was held over until the regular meeting of April 6, 2021.

RESOLUTION: 08-236-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>8481</u>	2021	(1510) FIRE ADMINISTRATION	ANNUAL SUBSCRIPTION RENEWAL FOR ELITE RESCUE AND ELITE VISUAL INFORMATICS SOFTWARE (GSA CONTRACT)	\$90,375.00	<u>(295732)</u> <u>IMAGETREND</u> <u>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.

APPROVE PURCHASE ORDER TO STIVERS FORD LINCOLN INC. FOR FORD F450 CREW CAB CHASSIS, \$47,223.00. The following resolution was held over until the regular meeting of April 6, 2021.

RESOLUTION: 08-237-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4911</u>	2021	(F7000) MOTOR POOL	2021 FORD F450 CREW CAB CHASSIS (AL STATE CONTRACT)	\$47,223.00	<u>(292393)</u> <u>STIVERS FORD</u> <u>LINCOLN 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.

AUTHORIZE CONTRACT WITH AEIKER CONSTRUCTION CORPORATION FOR MICHAEL FIGURES PARK – IMPORVEMENTS, \$793,000.00 (2020 CIP ID#2025 D1). The following resolution was held over until the regular meeting of April 6, 2021.

RESOLUTION: 21-238-2021

Sponsored by: Councilmember Richardson & Mayor Stimpson

MINUTES OF MARCH 30, 2021

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, 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 though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: Aeiker Construction Corporation
Project Name: Michael Figures Park – Improvements
Project Number: PR-039-20
Amount: \$793,000.00 (2020 CIP ID#2025 D1)

GRANT EASEMENT TO ALABAMA POWER COMPANY FOR UNDERGROUND UTILITY INSTALLATION ON VACANT LOT LOCATED AT 1814 KIBBY STREET. The following resolution was held over until the regular meeting of April 6, 2021.

RESOLUTION: 25-239-2021

Sponsored by: Councilmember Manzie & 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 permanent easement to ALABAMA POWER COMPANY as set out in W.E. #A6553-56-A021, a copy of which is attached hereto and made a part hereof as though fully set forth herein, for and in consideration of the sum of ONE and 00/100 DOLLAR (\$1.00), needed for the ALABAMA POWER COMPANY to install underground utilities within a vacant lot owned by the City of Mobile located at 1814 Kibby Street.

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.

DETERMINE AN APPROPRIATION TO THE LLANFAIR-SOUTH YESTER OAKS CIVIC ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$1,837.50. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-240-2021

Sponsored by: Councilmember Daves

WHEREAS, Councilmember Daves wishes to appropriate \$1,837.50 to Llanfair-South Yester Oaks Civic Association from his discretionary funds; and

WHEREAS, Llanfair-South Yester Oaks Civic Association is a non-profit 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 Llanfair-South Yester Oaks Civic Association will be used to assist with the removal of storm debris, removal of fallen trees from two entrances and replace the columns damaged during Hurricane Sally, and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,837.50 to Llanfair-South Yester Oaks Civic

MINUTES OF MARCH 30, 2021

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 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 resolution adopted.

DETERMINE AN APPROPRIATION TO THE SOUTHWEST MOBILE CHAMBER OF COMMERCE SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$5,000.00.

The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-241-2021

Sponsored by: Councilmember Williams

WHEREAS, Councilmember Williams wishes to appropriate \$5,000.00 to SouthWest Mobile Chamber of Commerce from his discretionary funds; and

WHEREAS, SouthWest Mobile Chamber of Commerce, is a non-profit 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 SouthWest Mobile Chamber of Commerce will be used for their leadership program for high school seniors known as the T.A.L.L. Program (Tillman's Corner Area Learning Leadership) to assist with funding for the curriculum, travel, supplies and scholarship monies, and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$5,000.00 to SouthWest Mobile Chamber of Commerce 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 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 resolution adopted.

DETERMINE AN APPROPRIATION TO SPENCER-WESTLAWN ELEMENTARY SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$1,000.00.

The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-242-2021

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Sponsored by: Councilmember Daves

WHEREAS, Councilmember Daves wishes to appropriate \$1,000.00 to Spencer-Westlawn Elementary School, from his discretionary funds; and

WHEREAS, Spencer-Westlawn Elementary School, is public school in Mobile, Alabama, which the Council may support pursuant to Code of Alabama § 16-13-36; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds 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 Spencer-Westlawn Elementary School will be used for the support of their teacher incentives program, (gift cards, snacks, classroom supplies, ear-buds/headphones) to reward the students for meeting reading and math goals, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,000.00 to Spencer-Westlawn Elementary School 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 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 resolution adopted.

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS - COLEMAN. The following resolution was held over until the regular meeting of April 6, 2021.

RESOLUTION: 60-243-2021

Sponsored by: Mayor Stimpson

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

RESCIND NOISE ORDINANCE WAIVERS FOR TONY POPE FOR BIENVILLE SQUARE AND CATHEDRAL SQUARE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-244-2021

Sponsored by: Councilmember Manzie

BE IT RESOLVED by the City Council of the City of Mobile that the Council's waivers of the City of Mobile Noise Ordinance approved at its March 23, 2021, regular meeting for Tony Pope in Bienville Square (April, May & October, 2021) and Cathedral Square (April & May, 2021) are hereby rescinded, effective immediately.

MINUTES OF MARCH 30, 2021

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

RENAME EARLE STREET AS "DR. MICHAEL E. JACKSON BOULEVARD". The following resolution was held over until the regular meeting of April 6, 2021.

RESOLUTION: 46-245-2021

Sponsored by: Councilmember Manzie

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that Earle Street be renamed "Dr. Michael E. Jackson Boulevard" in honor of Dr. Jackson's retirement from Aimwell Missionary Baptist Church.

AUTHORIZE PROJECT DEVELOPMENT AGREEMENT WITH MOBILE COUNTY AND SALP, LLC. FOR ROAD INFRASTRUCTURE COSTS FOR DEVELOPMENT OF AN INDUSTRIAL PARK NEAR I-10 & THEODORE DAWES ROAD, NTE #3,000,000.00. The following resolution was held over until the regular meeting of April 6, 2021.

RESOLUTION: 21-246-2021

Sponsored by: Mayor Stimpson

WHEREAS, SALP, LLC, is a Delaware Corporation planning on developing a 1300 acre industrial park near the intersection of Interstate 10 and Theodore Dawes Road, which will be marketed to regional, national and international business tenants; and

WHEREAS, the project will require substantial access road improvement, enhancement and development, which roads will ultimately be dedicated to public use; and

WHEREAS, the industrial park and the road improvement and enhancement will provide valuable public business opportunities, infrastructure development, advancement of economic development, direct benefit for employment opportunities, and increased property values, and

WHEREAS, Mobile County, Alabama, intends to commit a sum not to exceed \$3,000,000.00 to reimburse SALP, LLC for road infrastructure development costs; and

WHEREAS, the City Council of the City of Mobile believes that it is a good, proper and justifiable use of public resources to enter into an agreement to contribute financial assistance to SALP, LLC, for the reimbursement of road infrastructure costs;

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation not to exceed \$3,000,000.00 to SALP, LLC, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, that this action is necessary to perform essential minimum functions of the council, and further authorizes the Mayor and City Clerk to execute and attest for and on behalf of the City of Mobile the contract by and between Mobile County, City of Mobile, and SALP, LLC, 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.

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS – HALEY & SANTOS ESQUILIN. The following resolution was held over until the regular meeting of April 6, 2021.

MINUTES OF MARCH 30, 2021

RESOLUTION: 60-247-2021

Sponsored by: Mayor Stimpson

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

ANNOUNCEMENTS:

Councilmember Small reported that the Revitalize DIP community clean-up event and the District 3 Easter Egg Hunt were a success.

Councilmember Gregory announced that the Athey Road, Hillsdale and Mobile Terrace Community Action groups will host a community clean-up event on Saturday, April 3, 2021, and the Carriage Woods Mobile Community Improvement Group will host a clean-up in Carriage Woods on April 10, 2021

Councilmember Gregory stated that the work on the pavilions in Langan Park will start this week.

Councilmember Richardson announced that the Barretts Lane resurfacing project is complete.

Councilmembers Richardson, Daves, Williams, Rich and Manzie wished citizens a Happy Easter and Passover.

Councilmember Daves announced that the Finance Committee meeting will be held on April 6, 2021, at 1:00 p.m.

Councilmember Williams expressed that he anticipates learning more about the grant the City applied for related to Covid-19.

Councilmember Rich thanked Shonnda Smith and the Parks and Recreation Department for hosting an Eggapalooza at the Medal of Honor Park.

Councilmember Manzie announced that the Happy Hills Community is being resurfaced.

Councilmember Manzie announced the roundabout at Broad and Canal Streets is complete and open.

Councilmember Manzie encouraged citizens to get the Covid-19 vaccine, wear masks and social distance.

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 11:59 a.m.

Adopted:

COUNCIL PRESIDENT

MINUTES OF MARCH 30, 2021

CITY CLERK