

MUNICIPAL BUILDING, MOBILE, ALABAMA, MARCH 24, 2020

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, March 24, 2020, at 9:00 a.m.

Present:

Chairman:	Small
Councilmembers:	Richardson, Williams, Daves and Gregory
Joined by teleconference:	Manzie, Rich
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.

Adopted:

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, MARCH 24, 2020

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, March 24, 2020, at 10:30 a.m., in regular meeting.

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

Pastor Geoffrey Kagora, St. John United Methodist Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman:	Small
Councilmembers:	Richardson, Williams, Daves and Gregory
Joined by teleconference:	Manzie, Rich
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 17, 2020 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson provided updates related to the Covid-19 virus.

MONTHLY FINANCE REPORT:

Paul Wesch, Executive Director of Finance, presented the Council with the monthly finance report for February.

ADOPTION OF THE AGENDA:

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Councilmember Daves moved to amend the agenda and to declare the items on the Essential/Covid-19 section of the agenda either necessary to respond to Covid-19 or necessary to perform essential minimum functions of the Council. The motion was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

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

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF ESSENTIAL/COVID-19 RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Williams moved for the suspension of the rules to consider Essential/Covid-19 Resolutions being introduced for the first time. The motion was seconded by Councilmember Gregory. Following comments from Councilmembers Small, Manzie, Rich, Williams, Gregory and Richardson 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/COVID-19 RESOLUTIONS BEING INTRODUCED:

RESOLUTION TO PROHIBIT UNAUTHORIZED CONGREGATION OF INDIVIDUALS ON CITY OF MOBILE REAL PROPERTY. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 60-249-2020

Sponsored by: Councilmember Richardson

A RESOLUTION TO PROHIBIT UNAUTHORIZED CONGREGATION OF INDIVIDUALS ON CITY OF MOBILE REAL PROPERTY

WHEREAS, due to the coronavirus pandemic the Governor of the State of Alabama, on March 13, 2020, declared a state public health emergency pursuant to the Alabama Emergency Management Act of 1955, as amended; and,

WHEREAS, on March 17, 2020, the City Council of the City of Mobile declared that a public health emergency exists in the City of Mobile; and,

WHEREAS, on March 19, 2020, the State Health Officer of the State of Alabama entered an order prohibiting any gatherings of any size where a consistent six-foot distance between persons cannot be maintained; and,

WHEREAS, despite these actions individuals continue to congregate in City parks and other areas in close proximity to each other; and,

WHEREAS, pursuant to Code of Alabama §§ 11-43-56 and 11-44C-21 the City Council has the management and control of the real property belonging to the City of Mobile.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, AS FOLLOWS:

1. That for the duration of the aforesaid State Health Officer's order, no persons may congregate on any City of Mobile property unless a consistent six-foot distance between such persons is maintained.

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2. That the Mayor of the City of Mobile is requested to take measures necessary to implement this resolution, and is further requested to close all city real property to the public in the event the congregation of persons prohibited hereby cannot be implemented, with the exception of congregations of people necessary for COVID-19 testing, other activities necessary to fight the COVID-19 outbreak, and official City business.

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

Ayes: Richardson, Manzie, Small, Rich and Gregory

Nays: Williams and Daves

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

RESOLUTION TO WAIVE CERTAIN LATE PAYMENT PENALTIES ON CITY SALES TAX AND CITY LODGINGS TAX. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 34-251-2020

Sponsored by: Councilmembers Richardson, Manzie, Daves,
Rich and Gregory

WHEREAS, the City of Mobile levies sales taxes and lodgings taxes that parallel the Alabama state sales and lodgings taxes, including the State provisions on late payment penalty assessments, pursuant to ALA CODE Section 11-51-200, 201, City Code Section 39-22, ALA CODE Section 11-51-202(b) and City Code Sections 34-101, 105; and

WHEREAS, the City is authorized in the administration of its taxes to waive late payment penalties for reasonable cause pursuant to ALA Code Section 40-2A-11 (h), as well as Alabama Attorney General Opinion 84-00276; and

WHEREAS, both the State of Alabama and the City of Mobile this month proclaimed that, due to the onset of the novel coronavirus known as COVID-19, a state of emergency exists; and

WHEREAS, in response thereto, for February, March and April 2020 state sales tax, the Alabama Department of Revenue waived late payment penalties for small retail businesses and for businesses that provide accommodations and food services, including restaurants and bars; and

WHEREAS, for February, March and April 2020 state lodgings tax, the Alabama Department of Revenue waived late payment penalties; and

WHEREAS, to provide relief to these businesses and to maintain consistency with the State of Alabama sales and lodging taxes, the City desires to adopt parallel late payment penalty waivers and determines that reasonable cause exists to grant such waivers;

NOW, THEREFORE, be it RESOLVED by the City Council of the City of Mobile as follows:

1. The City of Mobile waives certain City sales tax and lodging tax late payment penalties for taxpayers unable to timely pay February, March and April 2020 sales and/or lodgings tax as set forth below.

2. The late payment penalty waiver for City sales tax is available to small retail businesses, whose monthly sales during the previous calendar year averaged \$62,500 or less.

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3. The late payment penalty waiver for City sales tax is available to taxpayers currently licensed by the City as engaging in NAICS Sector 72 business activities, including restaurants and bars, regardless of the monthly gross revenues of the taxpayer during the previous calendar year.

4. The late payment penalty waiver for City lodgings tax applies to all taxpayers that report and pay lodgings tax, regardless of the monthly gross revenues of the taxpayer during the previous calendar year.

Late payment penalties are waived through June 1, 2020.

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.

SUPPORT A LETTER TO GOVERNMENT OFFICIALS TO URGE THEM TO ALTER PROVISIONS IN THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-252-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council agrees with and supports the message set forth in the attached letter to be sent to United States Senators, Representatives and other governmental officials regarding the Families First Coronavirus Response Act (HR 6201).

March 23, 2020

Dear

On behalf of the City of Mobile, I write this letter to urge you to alter provisions in the Families First Coronavirus Response Act (HR 6201) that will have harmful consequences for the City of Mobile.

The Families First Coronavirus Response Act (HR 6201) creates substantial new sick leave and family medical leave requirements on government employers of all sizes.

However, Sections 7001 (Payroll Credit for Required Paid Sick Leave) and 7003 (Payroll Credit for Required Paid Family Leave), provide credits against payroll taxes to offset the cost of these mandates for only some employers.

Notably, HR 6201 requires local governments to provide paid sick leave, but expressly prohibits local governments from receiving the tax credits.

Local governments pay payroll taxes and therefore should not have been excluded from this provision with an express carve out. Furthermore, the carve-out will create a new unfunded mandate on local governments at a time when they will experience economic stress.

In the next funding bill, which I understand the Senate is currently drafting, I strongly urge you to first, insert a provision that strikes Sees. 7001(e)(4) and 7003(e)(4) from HR 6201; and second, have Congress clarify that state and local government employers, including those exempt from 26 use 3111; fully qualify for both the section 7001 and 7003 credits.

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Sincerely,

William S. Stimpson
Mayor, City of Mobile

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.

PUBLIC HEARINGS:

PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SHANREK WATSON, D/B/A TRUSTING RELIABLE TRANSPORTATION, TO OPERATE A SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider approval of a Certificate of Public Convenience and Necessity to Shanrek Watson, d/b/a Trusting Reliable Transportation, to operate a shuttle service 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 at a later date.

PUBLIC HEARING TO FIX COSTS FOR SECURING OF THE STRUCTURE AT 2419 BREWTON AVENUE, \$3,200.00 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of the structure at 2419 Brewton Avenue 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 at a later date.

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1364 ST. MADAR STREET, \$2,200.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1364 St. Madar Street 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 at a later date.

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 612 HOUSTON STREET, \$4,700.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 612 Houston Street and asked if there was anyone present to speak for or against this matter.

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No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR SECURING OF THE STRUCTURE AT 304 ST. CHARLES AVENUE, \$3,200.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of the structure at 304 St. Charles Avenue 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 at a later date.

PUBLIC HEARING TO FIX COSTS FOR SECURING OF THE STRUCTURE AT 2062 VICTORY COURT, \$4,700.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of the structure at 2062 Victory Court 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 at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 7156 MOBILE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 7156 Mobile Street 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 at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 168 WEST DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 6).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 168 West Drive a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Elizabeth Moyd, 168 West Drive, requested additional time to allow for conclusion of her case pending in Mobile County Probate Court that is related to the property.

David Daughenbaugh, Deputy Director of Municipal Enforcement, advised the Council proceed with the declaring the structure a public nuisance and order it demolished.

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

AGENDA ITEMS:

None.

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NON-AGENDA ITEMS:

1. Request submitted via e-mail, no name given, b4storm1987@aol.com, requested a two week shutdown due to the Covid-19 virus.

ORDINANCES HELD OVER:

ORDINANCE TO AMEND SECTION 22.2 OF THE MOBILE CITY CODE DEALING WITH FIRE SERVICE FEATURES OF THE 2012 INTERNATIONAL FIRE CODE. The following ordinance was held over until the regular meeting of March 24, 2020.

ORDINANCE: 22-008-2020

Sponsored by: Mayor Stimpson

ORDINANCE TO AMEND THAT PORTION OF SECTION 22-2 ENTITLED "SURFACE" OF THE CODE FOR THE CITY OF MOBILE, ALABAMA

WHEREAS, pursuant to Ordinance 22-034, the City Council adopted the "Fire Code of the City of Mobile" effective March 3, 2015; and,

WHEREAS, said Ordinance 22-034 is codified in Section 22.1, et seq., of the Code of the City of Mobile, Alabama 1991 ("Code"); and,

WHEREAS, all the amendments to said Fire Code of the City of Mobile appear in Code Section 22-2; and, WHEREAS, the City Council wishes hereby to further amend that portion of Code Section 22-2 which is titled "Surfaces," of said Fire Code, only as hereinafter stated;

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

ARTICLE ONE:

That the portion of Code Section 22-2 dealing with Chapter 5, Fire Service Features of the 2012 International Fire Code dealing with subpart 503.2.3 Surface, and that portion only, is hereby amended to read as follows:

503.2.3 Surface. Facilities, buildings or portions of buildings hereinafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34,050 kilograms).

ARTICLE TWO:

Repealer. All laws and all parts of laws in conflict with these provisions are hereby repealed. All other portions of said Chapter 22 of the Code, including those portions of Section 22-2 not hereby expressly amended, shall continue in full force and effect.

ARTICLE THREE:

Severability. If any section, sentence, paragraph, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding of invalidity shall not affect the remaining portions of this ordinance, and it shall be construed to have been the intent of the City Council of Mobile to pass this ordinance without such unconstitutional, invalid, or inoperative part therein, and the remainder of this ordinance shall be deemed and held to be valid as if such parts had not been included therein.

ARTICLE FOUR:

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Effect of Ordinance. This ordinance shall be effective within the City of Mobile and its police jurisdiction upon its adoption and publication as required by law.

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

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

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

CONSENT RESOLUTIONS HELD OVER:

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR LUCKY 99, 763 SUMMERVILLE STREET. The following resolution, which was introduced and read at the regular meeting of March 12, 2020 and held over until the regular meeting of March 24, 2020, was called up by the Presiding Officer.

RESOLUTION: 37-185-2020

Sponsored by: Councilmember Richardson

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

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

Submitted by: MCAR, LLC

Location: Lucky 99 763 Summerville Street

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, Small, Williams, Daves and Gregory

Nays: None

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

CIP RESOLUTIONS HELD OVER:

AUTHORIZE AGREEMENT WITH THE BOARD OF WATER AND SEWER COMMISSIONERS OF THE CITY OF MOBILE FOR A REIMBURSABLE AGREEMENT FOR BALTIMORE STREET, STREET AND DRAINAGE REHABILITATION (ANN STREET TO I-10 SERVICE), \$1,750,000.00. The following resolution, which was introduced and read at the regular meeting of March 17, 2020 and held over until the regular meeting of March 24, 2020, was called up by the Presiding Officer.

RESOLUTION: 01-213-2020

Sponsored by: Councilmember Small and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a reimbursable agreement, by and between the City of Mobile and the Board of Water and Sewer Commissioners of the City

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of Mobile, Alabama. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of company: The Board of Water and Sewer Commissioners
of the City of Mobile, Alabama

Project name: Baltimore St., Street and Drainage Rehabilitation from Ann
Street to 1-10 Service Road
COM project no. 2016-202-17

Estimated cost: \$1,750,000.00 (paid by MAWSS to the City)

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

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

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

AUTHORIZE CONTRACT WITH AECOM TECHNICAL SERVICES, INC. FOR ENGINEERING SERVICES FOR BALTIMORE STREET, STREET AND DRAINAGE REHABILITATION (FROM ANN STREET TO I-10 SERVICE ROAD), \$270,000.00. The following resolution, which was introduced and read at the regular meeting of March 17, 2020 and held over until the regular meeting of March 24, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-216-2020

Sponsored by: Councilmember Small and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as 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: AECOM Technical Services, Inc.

Project name: Baltimore St., Street and Drainage Rehabilitation
from Ann Street to 1-10 Service Road,
COM project no. 2016-202-17

Estimated cost: \$270,000.00

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

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

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

AUTHORIZE CONTRACT WITH CHRIS BREWER CONTRACTING, INC. FOR 2020 CITY WIDE ANNUAL SIDEWALK REPAIR AND MAINTENANCE, COM PROJECT NO. 2020-3005-01 (D1-7); \$601,112.00. The following resolution, which was introduced and

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read at the regular meeting of March 17, 2020 and held over until the regular meeting of March 24, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-217-2020

Sponsored by: City Council and Mayor Stimpson

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

Name of company Chris Brewer Contracting, Inc.

Project name: 2020 City Wide Annual Sidewalk Repair & Maintenance, project no. 2020-3005-01; City of Mobile Contract Renewal of 2019 City Wide Annual Sidewalk Repair & Maintenance; COM project no. 2019-3005-02

Estimated cost: \$601,112.00

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, Small, Williams, Daves 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 A FOREIGN-TRADE ZONE OPERATOR AGREEMENT WITH ROHR, INC.

The following resolution, which was introduced and read at the regular meeting of March 17, 2020 and held over until the regular meeting of March 24, 2020, was called up by the Presiding Officer.

RESOLUTION: 01-218-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Foreign-Trade Zone Operator Agreement between the City of Mobile and Rohr, Inc., in which the City grants the Operator the right to utilize Site 2 of the General-Purpose Zone as a Foreign-Trade Zone No. 82, 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 Gregory and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

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

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APPROVE PURCHASE ORDER TO MOBILE BAY HARLEY DAVIDSON FOR 2 HARLEY-DAVIDSON MOTORCYCLES, \$55,968.00. The following resolution, which was introduced and read at the regular meeting of March 17, 2020 and held over until the regular meeting of March 24, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-219-2020

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>6879</u>	2020	(F7000) MOTOR POOL	2 HARLEY-DAVIDSON MODEL FLHTP MOTORCYCLES (SEALED BID 5257)	\$55,968.00	<u>(134774) MOBILE BAY HARLEY-DAVIDSON INC.</u>

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, Small, Williams, Daves 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 SUNBELT FIRE, INC. FOR 140 SETS OF LEATHER FIRE BOOTS, \$55,860.00. The following resolution, which was introduced and read at the regular meeting of March 17, 2020 and held over until the regular meeting of March 24, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-220-2020

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>7745</u>	2020	(1510) FIRE ADMINISTRATION	140 SETS LEATHER FIRE BOOTS (SEALED BID 5387)	\$55,860.00	<u>(198904) SUNBELT FIRE INC.</u>

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, Small, Williams, Daves and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH SOUTHERN EARTH SCIENCES, INC. FOR LABORATORY TESTING FOR BATES C & D LANDFILL PROFESSIONAL SERVICES, \$30,400.00. The following resolution, which was introduced and read at the regular meeting of March 17, 2020 and held over until the regular meeting of March 24, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-221-2020

Sponsored by: Councilmember Richardson, Manzie, Williams, Daves, Rich & Gregory and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, an amendment to the contract, by and between the City of Mobile and Southern Earth Sciences, Inc., dated May 21, 2019 to renew existing Professional Services contract for the second one-year renewal period. An amendment to the contract is 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 Gregory and the vote was as follows:

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

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

APPROVE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CHITRA MAE WILSON, D/B/A HERE AND THERE NON-EMERGENCY TRANSPORTATION, LLC

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TO OPERATE A SHUTTLE SERVICE. The following resolution, which was introduced and read at the regular meeting of March 17, 2020 and held over until the regular meeting of March 24, 2020, was called up by the Presiding Officer.

RESOLUTION: 37-222-2020

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, pursuant to the provisions of Ordinance #59-073, 2005, that the application of Chitra Mae Wilson, d/b/a Here and There Non-Emergency Transportation, LLC, for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application 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:

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

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

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

Councilmember Daves moved for the suspension of the rules to consider Consent Resolutions 31-226 – 60-250 being introduced for the first time. The motion was seconded by Councilmember Williams and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

AUTHORIZE GRANT APPLICATION TO THE NATIONAL INSTITUTE OF JUSTICE FOR THE FY 2020 RESEARCH & EVALUATION ON DOMESTIC TERRORISM PREVENTION GRANT, \$746,200.00 (NO LOCAL MATCH). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-226-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the Department of Justice, National Institute of Justice, a Notice of Award for grant assistance in the approximate amount of \$746,200.00 for the FY 2020 Research and Evaluation on Domestic Terrorism Prevention Grant.

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

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, Small, Williams, Daves and Gregory

MINUTES OF MARCH 24, 2020

Nays: None

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

FIX COSTS FOR SECURING OF THE STRUCTURE AT 2419 BREWTON AVENUE, \$3,200.00 (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-227-2020

Sponsored by: Councilmember Richardson

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF THE STRUCTURE AT 2419 BREWTON AVENUE

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the securing of the structure at 2419 Brewton Avenue and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an Itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of the structure at 2419 Brewton Avenue to be \$3,200.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$3,200.00 shall constitute a special assessment against the property at 2419 Brewton Avenue and being that property more particularly described as follows:

LOT 330 TRINITY GARDENS EXT S MBK 24 P 21 EXEMPT RELIGIOUS PURPOSES
#SEC 44 T4S RIW #MP29 02 44 0 025

Parcel no.: 29 02 44 0 025 168.XXX

Owner: HOLY CHURCH OF GOD PENTECOSTAL
2050 EDWARDS AVE
PRICHARD AL 36610

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

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

MINUTES OF MARCH 24, 2020

FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 1364 ST. MADAR STREET, \$2,200.00 (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-228-2020

Sponsored by: Councilmember Manzie

A RESOLUTION FIXING THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 1364 ST. MADAR STREET

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1364 St. Madar Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure at 1364 St. Madar Street to be \$2,200.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$2,200.00 shall constitute a special assessment against the property at 1364 St. Madar Street and being that property more particularly described as follows:

COMM AT THE NE INT OF CEDAR AVE AND MEADOR STREET THEN RUN SOUTH ELY ALG THE N R/W OF MEADOR ST 83 FT(S) TO THE POB TH RUN N 43.17 FT TH ELY 34.5 FT TH N 56 FT(S) TH ELLY 26 FT TH SLY 65 FT (S) THEN S 32FT(S) THEN NWLY 47.08 FT TO THE POB #SEC 13 T4S RIW #MP29 06 13 0 003

Parcel no.: 29 06 13 0 003 140.XXX

Owner: BROWN WILLIAM P 1/2 INT,
ERIC L BROWN 1/4 INT & KR.
131 S OCCIDENTAL BLVD #15
LOS ANGELES CA 90057

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

MINUTES OF MARCH 24, 2020

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 612 HOUSTON STREET, \$4,700.00 (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-229-2020

Sponsored by: Councilmember Manzie

A RESOLUTION FIXING THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 612 HOUSTON STREET

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 612 Houston Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure at 612 Houston Street to be \$4,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$4,700.00 shall constitute a special assessment against the property at 612 Houston Street and being that property more particularly described as follows:

LOTS & 11 BLK4 RICKARBY PLACE DBK 116 P 208 & ALSO THE STRIP OF LAND LYING E OFSD LOTS #SEC 28 T4S RIW #MP29 10 28 2 005

Parcel no.: 29 10 28 2 005 005.XXX

Owner: MCCALL JACK SMITH SR & KATIE H
C/O PHILLIP MCCALL
10040 DOMINION DR N
MOBILE AL 36695

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

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

FIX COSTS FOR SECURING OF THE STRUCTURE AT 304 ST. CHARLES AVENUE, \$3,200.00 (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

MINUTES OF MARCH 24, 2020

RESOLUTION: 40-230-2020

Sponsored by: Councilmember Manzie

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF THE STRUCTURE AT 304 ST. CHARLES AVENUE

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the securing of the structure at 304 St. Charles Avenue and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of the structure at 304 St. Charles Avenue to be \$3,200.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$3,200.00 shall constitute a special assessment against the property at 304 St. Charles Avenue and being that property more particularly described as follows:

FROM INT OF S/S ST CHARLES AVE & E/S ST STEPHENS RD TH NELY ALG S/S ST CHARLES AVE 619.8 FT FOR ROB TH DEFL 75 DEG 13 MIN RT SELY 155.52 FT TH DEFL 75 DEG 13 MIN TO LEFT RUN NELY & PAR TO ST CHARLES AVE 23.2 FT TH DEFL 104 DEG 47 MIN TO LEFT RUN NWLY 155.52 FT TO S/S ST CHARLES AVE TH DEFL 75 DEG 13 MIN TO LEFTSWLY ALG S/S ST CHARLES AVE 23.2 FT TO POB BEING PART OF GRT SEC 44 T4S RIW GRT SEC 44 T4S RIW #SEC 44 T4S RIW #MP29 02 44 0 033

Parcel no.: 29 02 44 0 033 015.XXX

Owner: CRUEL MARY
304 ST CHARLES AVE
MOBILE AL 36617

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

FIX COSTS FOR SECURING OF THE STRUCTURE AT 2062 VICTORY COURT, \$4,700.00 (DISTRICT 3). The following resolution was introduced by Councilmember Daves.

MINUTES OF MARCH 24, 2020

RESOLUTION: 40-231-2020

Sponsored by: Councilmember Small

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF THE STRUCTURE AT 2062 VICTORY COURT

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the securing of the structure at 2062 Victory Court and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of the structure at 2062 Victory Court to be \$4,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$4,700.00 shall constitute a special assessment against the property at 2062 Victory Court and being that property more particularly described as follows:

LOT 23 BLK 3 VICTORY PL MBK 3 P 658 #SEC 32 T4S RIW #MP29 11 32 1 000

Parcel no.: 29 1132 1000 002.XXX

Last assessed to: THORNTON JOHN (DECEASED) & RICKEY N
7346 TWIN BEECH RD
FAIRHOPE AL 36532

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed In the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

DECLARE THE STRUCTURE AT 7156 MOBILE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-232-2020

Sponsored by: Councilmember Williams

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,

MINUTES OF MARCH 24, 2020

the accessory structure at 7156 Mobile 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, B, 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 7156 Mobile Street as:

E 1/2 OF FOLL DESC PPTY BEG AT PT ON W/L OF STEGALL ST 105 FT N OF SE COR OF LOT 17 BLK 4 OF E A SMITH SUB NEAR THEODORE ALL SEC 10 T6S R2W MBK 2 NS P 14 & RUN TH N ALG E/L OF SAID LOT 42 FT TO PT TH W 268 FT TO W/L OF SAID LOT TH S 42 FT M/L M/L TO LOT HERETOFORE SOLD RICHARD NAPLES TH E ALG N/L N/L OF NAPLES 237 FT M/L TO E/L OF SAID LOT 17 TO FOB #SEC 10 T6S R2W #MP38 02 10 2 ODD

Parcel number: 38 02 10 2 000 052

Last assessed to: Heirs of Carrie Mae Quinnie and Clifton Quinnie

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

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

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

DECLARE THE STRUCTURE AT 168 WEST DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 6). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-233-2020

Sponsored by: Councilmember Rich

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 168 West Drive 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

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structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 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 168 West Drive as:

LOT 23 BLK 5 NEWMAN DIV WESTERN HILLS SUB MBK 3 P 390-391 #SEC 21T4S R2W #MP28 05 21 2 000

Parcel number: 28 05 21 2 000 033

Last assessed to: Raney Blaire Moyd

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

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR DP TWO STOP, 2166 WAGNER STREET. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-234-2020

Sponsored by: Councilmember Richardson

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

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

Submitted by: CHEP LLC

Location: DP Two Stop
2166 Wagner Street
Mobile, AL 36617

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

Ayes: Richardson, Small, Williams, Daves 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 FEEDING THE GULF COAST SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$10,250.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-250-2020

Sponsored by: Councilmembers Richardson, Small, Daves, Rich and Gregory

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

WHEREAS, Councilmember Richardson wishes to appropriate \$3,000.00; Councilmember Small wishes to appropriate \$500.00; Councilmember Daves wishes to appropriate \$3,000.00; Councilmember Rich wishes to appropriate \$750.00; and Councilmember Gregory wishes to appropriate \$3,000.00 (TOTAL OF \$10,250.00) to Feeding the Gulf Coast, from their discretionary funds; and

WHEREAS, Feeding the Gulf Coast, is an Alabama non-profit corporation which provides a service to the community: and

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

WHEREAS, the Mobile City Council determines that this appropriation to Feeding the Gulf Coast will be used to provide food to people impacted by the spread of COVID-19 virus, 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 \$10,250.00 to Feeding the Gulf Coast 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 Gregory and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

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

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

Councilmember Daves moved for the suspension of the rules to consider CIP Resolutions 09-235 and 21-237 being introduced for the first time. The motion was seconded by Councilmember Gregory and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CIP RESOLUTIONS BEING INTRODUCED:

TRANSFER \$114,284.00 FROM THE GOVERNMENT STREET SIGNAL IMPROVEMENT PROJECT TO GRANT FUND, CONGESTION MANAGEMENT PROJECT – GOVERNMENT STREET FROM BROAD STREET TO BANKHEAD TUNNEL. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 09-235-2020

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$114,284.00 be reallocated from Capital Project (C0339) Government Street Signal Improvements 20002000.48050 to Grant Fund (G-STPMB-16) Congestion Management Project STPMB-0016(525) - Government Street from Broad Street to Bankhead Tunnel 50015001.93030. These funds will be a grant match for construction of signal improvements on Government Street from Broad Street to the Bankhead Tunnel.

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, Small, Williams, Daves and Gregory
Nays: None

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

CONTRACT WITH JOHN G. WALTON CONSTRUCTION COMPANY, INC. FOR BALTIMORE STREET, STREET AND DRAINAGE REHABILITATION FROM ANN STREET TO I-10 SERVICE ROAD, \$5,995,977.00. The following resolution was held over until the regular meeting of March 31, 2020.

RESOLUTION: 21-236-2020

Sponsored by: Councilmember Small and Mayor Stimpson

WHEREAS, bids for street and drainage improvements for district 3 were received and opened on January 15, 2020.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from John G. Walton Construction Company, Inc., in the amount of \$5,995,977.00.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by John G. Walton Construction Company, Inc.

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

Name of company: John G. Walton Construction Company, Inc.

Project name: Baltimore Street, Street and Drainage Rehabilitation from

MINUTES OF MARCH 24, 2020

Ann Street to I-10 Service Road

Project number: 2016-202-17

Amount: \$5,995,977.00

AUTHORIZE CONTRACT WITH MICOR INC., D/B/A MDS CONSTRUCTION, INC., FOR JAMES M. SEALS, JR. AND SULLIVAN PARK – SPLASHPAD RE-COATING, \$22,686.00 (2019 CIP #1090, D2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-237-2020

Sponsored by: Councilmember Manzie

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

Name of company: Micor Inc. dba MDS Construction, Inc.

Project name: James M. Seals, Jr. Park & Sullivan Park
Splashpad Re-Coating

Project number: PR-032-20

Amount: \$22,686.00 (2019 CIP#1090, D2)

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, Small, Williams, Daves 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 RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Daves moved for the suspension of the rules to consider Resolution 60-247 being introduced for the first time. The motion was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

The Presiding Officer declared unanimous consent granted for the item.

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE A REIMBURSABLE AGREEMENT WITH MAWSS FOR ROUNDABOUT AT BROAD STREET AND CANAL STREET. The following resolution was held over until the regular meeting of March 31, 2020.

RESOLUTION: 01-238-2020

Sponsored by: Councilmember Manzie and Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile an agreement, and any necessary amendments thereafter, between Board of Water and Sewer Commissioners of the City of Mobile. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of company: Board of Water and Sewer
Commissioners of the City of Mobile

COM project name: HSIP Roundabout Installation at Canal Street and Broad Street

COM project number: 2019-3005-14

Agreement: Reimbursable Agreement for Relocation
of Utility Facilities on Private or Public
Right-of-Way to be performed by State Contractor

AUTHORIZE CONTRACT AMENDMENT WITH KIMLEY-HORN & ASSOCIATES, INC. FOR THE GOVERNMENT STREET CONGESTION MANAGEMENT PROJECT, \$30,255.00. The following resolution was held over until the regular meeting of March 31, 2020.

RESOLUTION: 21-239-2020

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 contract amendment, by and between the City of Mobile, and the company listed below; for work as outlined in the contract amendment attached hereto and made a part hereof as set forth in full, subject to the company signing the contact amendment. A copy of said executed contract amendment will be on file in the office of the City Clerk.

Name of company: Kimley-Horn and Associates, INC

COM project name: Government Street Congestion Management Project

Capital project no.: G-STPMB-PE

Change Order amount: \$30,255.00

APPROVE PURCHASE ORDER TO CDW GOVERNMENT LLC FOR MALWAREBYTES SOFTWARE, \$39,345.00. The following resolution was held over until the regular meeting of March 31, 2020.

RESOLUTION: 08-240-2020

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>7576</u>	2020	(5000) INFORMATION TECHNOLOGY	1500 SOFTWARE ONE YEAR LICENSES FOR MALEWAREBYTES ENPOINT PROTECTION (AL STATE CONTRACT)	\$39,345.00	<u>(272932) CDW GOVERNMENT LLC</u>

APPROVE PURCHASE ORDER TO AUTONATION FORD MOBILE FOR TWO 2020 FORD F250 PICKUP TRUCKS, \$56,381.00. The following resolution was held over until the regular meeting of March 31, 2020.

RESOLUTION: 08-241-2020

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>7814</u>	2020	(F7000) MOTOR POOL	2 2020 FORD F250 PICKUP TRUCKS (SEALED BID 5200)	\$56,381.00	<u>(270013) AUTONATION FORD MOBILE</u>

APPROVE PURCHASE ORDER TO SPRINGHILL AUTOMOTIVE FOR ONE 2020 TOYOTA TUNDRA PICKUP TRUCK, \$37,000.00. The following resolution was held over until the regular meeting of March 31, 2020.

RESOLUTION: 08-242-2020

Sponsored by: Mayor Stimpson

MINUTES OF MARCH 24, 2020

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>5493</u>	2020	(1530) POLICE ADMIN SERVICES	1 2020 TOYOTA TUNDRA PICKUP TRUCK (SEALED BID 5388)	\$37,000.00	<u>(270798)</u> <u>SPRINGHILL</u> <u>AUTOMOTIVE</u> <u>INC</u>

APPROVE PURCHASE ORDER TO SANSOM EQUIPMENT CO., INC. FOR MECHANICAL STREET SWEEPER, \$244,320.00. The following resolution was held over until the regular meeting of March 31, 2020.

RESOLUTION: 08-243-2020

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>8483</u>	2020	(F7000) MOTOR POOL	! ELGIN PELICAN THREE WHEELED MECHANICAL STREET SWEEPER (SEALED BID 5390)	\$244,320.00	<u>(190715)</u> <u>SANSOM</u> <u>EQUIPMENT CO</u> <u>INC</u>

ALLOCATE \$1,741,000.00 FROM THE STORM WATER FUND TO CAPITAL PROJECT #C0446 FOR THE PURCHASE OF DUMP TRUCKS, VACTOR TRUCKS, SWEEPERS, LOADERS, ETC. The following resolution was held over until the regular meeting of March 31, 2020.

RESOLUTION: 09-244-2020

Sponsored by: Mayor Stimpson

WHEREAS, THE CITY COUNCIL OF THE CITY OF MOBILE adopted Ordinance Number 01-024 on August 21, 2018 levying a storm water fee on Residential and Commercial Property to support the Storm Water Management Program (MS4); and

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WHEREAS, Ordinance No. 01-024 is now codified at Article III, Chapter 17 of the Mobile City Code; and

WHEREAS, Sec. 17-47 of the Mobile City Code states:

"The storm water fees levied and collected pursuant to this division shall be deposited into a fund known as storm water fund to be designated for expenses incurred complying with the City's NPDES permit for operations of its MS4, including but not limited to eliminating floatables from and improving water quality in the rivers, streams and waterways of the City and other storm water management activities required by the City's storm water management program. All amounts remaining in the fund at the end of the fiscal year shall not lapse but shall retain their dedication to storm water purposes."

WHEREAS, The Revenue Commissioner of Mobile County assessed, collected, enforced and remitted the fees to the City of Mobile; and

WHEREAS, in order for such funds to be utilized for the purposes set forth in section 17-47, the Mobile City Council desires to allocate the funds to a capital projects;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the sum of \$1,741,000.00, currently deposited in the Storm Water Fund, be allocated to Capital Project #C0446 Municipal Storm Water Fees Project for the purchase of a Dump Trucks, Vactor Trucks, Sweepers, Loaders and other additional storm water management activities.

AUTHORIZE GRANT APPLICATION TO THE DEPARTMENT OF HOMELAND SECURITY FOR THE FY 2020 PORT SECURITY GRANT PROGRAM, \$2,564,300.88.
The following resolution was held over until the regular meeting of March 31, 2020.

RESOLUTION: 31-245-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), a Notice of Award and Memorandum of Agreement for grant assistance in the approximate amount of \$2,564,300.88 for the Department of Homeland Security FY 2020 Port Security Grant Program.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the U. S. Department of Homeland Security and any other federal agency.

APPROVE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR A SHUTTLE SERVICE TO SHANREK WATSON, D/B/A TRUSTING RELIABLE TRANSPORTATION, TO OPERATE A SHUTTLE SERVICE. The following resolution was held over until the regular meeting of March 31, 2020.

RESOLUTION: 37-246-2020

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, pursuant to the provisions of Ordinance #59-073, 2005, that the application of Shanrek Watson, d/b/a Trusting Reliable Transportation, for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

DETERMINE EXPENDITURE TO THE LITTLE SISTERS OF THE POOR OF MOBILE SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$5,000.00. The following resolution was introduced by Councilmember Gregory.

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RESOLUTION: 60-247-2020

Sponsored by: Mayor Stimpson

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

WHEREAS, The City of Mobile seeks to appropriate \$5,000.00 to The Little Sisters of the Poor from the administrative discretionary funds; and

WHEREAS, The Little Sisters of the Poor of Mobile Is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to The Little Sister of the Poor's mission is to assist with serving Mobile's elderly and poor residents regardless of race or religion, 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 The Little Sisters of the Poor of Mobile for the purposes described hereinabove serves a public purpose and the Council further approves the payment of same, and further authorizes approves and directs the payment for the amount set forth herein.

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

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

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

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO DEQUILA SMITH, D/B/A MERRY GO ROUND TRANSPORTATION, TO OPERATE A SHUTTLE SERVICE. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 41-248-2020

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

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

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Dequilla Smith, d/b/a Merry Go Round Transportation, to operate a shuttle service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza located at 205 Government Street, Mobile, Alabama, on the 7th day of April, 2020, at 10:30 a.m. At such time and

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

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

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as April 7, 2020.

ANNOUNCEMENTS:

Councilmembers Richardson and Rich expressed their appreciation for support of Resolution 60-249.

Councilmember Williams read/stated for the record:

“For the duration of the aforesaid State Health Officer’s order, no person may congregate on any City of Mobile property unless a consistent 6-foot distance between such persons is maintained.

Number two, the mayor of the City of Mobile is requested to take necessary measures to implement this resolution. It is further requested to close all City real property to the public in the event the congregation of persons prohibited hereby cannot be implemented with the exception of congregations of people necessary for Covid-19 testing and other activities necessary to fight the Covid-19 outbreak and official City business.”

Councilmember Daves urged the public to be mindful and take responsibility for their actions to help prevent the spread of Covid-19.

Councilmember Rich announced that the Mobile County Medical Society is collecting protective face masks to distribute to healthcare providers.

Councilmember Gregory thanked the Alpine Hills Community Action Group for their work on beautification efforts.

Councilmember Small stated that the District 3 Easter egg hunt and ground breaking for the new playground at Trimmier Park have been postponed because of the Covid-19 virus.

Councilmember Small thanked the City Clerk and her staff for their hard work during the Covid-19 outbreak.

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

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:40 p.m.

Adopted:

COUNCIL VICE PRESIDENT

CITY CLERK