

MUNICIPAL BUILDING, MOBILE, ALABAMA, MARCH 9, 2021

The Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, March 9, 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 9, 2021

The City Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, March 9, 2021, at 10:30 a.m., in regular meeting.

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

Pastor Phillip Johny, Emmanuel Seventh-day Adventist 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 2, 2021, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson announced various events that will be held to celebrate "International Women's History Month."

Mayor Stimpson stated that the Mobile Fire and Rescue will host two events for women interested in joining the department.

Mayor Stimpson shared that Rosemary Ginn was awarded the Watershed Award for her continued work to rid our waterways of litter.

## MINUTES OF MARCH 9, 2021

Mayor Stimpson thanked Councilwoman Gregory and Friendship Missionary Baptist Church for hosting a Covid-19 vaccination site.

Mayor Stimpson announced that Art Walk is hosting a skate night around Bienville Square on March 12, 2021.

Mayor Stimpson informed citizens that Providence Hospital will be hosting the Festival of Flowers in Cathedral Square this year.

Mayor Stimpson stated that the Gulf Coast Challenge will be held Saturday, March 13<sup>th</sup>, at Ladd-Peoples Stadium.

Mayor Stimpson offered comments in support of Resolutions 09-168 and 21-172.

### 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 Rich 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 Beryl Newchurch for a waiver of the Noise Ordinance at the Bragg Mitchell Mansion on March 27, 2021, from 7:00-10:00 p.m. (District 1).

Councilmember Daves moved to grant the waiver, which motion 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

Request of Tony Pope for a waiver of the Noise Ordinance in Public Safety Memorial Park on every Sunday in March and April from 2:30-6:00 p.m. (District 5).

Councilmember Daves moved to grant the waiver, which motion 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

Request of Darcy Hale, 2753 Brookley Avenue, for a waiver of the Noise Ordinance on March 20, 2021, from 3:00-10:00 p.m. (District 5).

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

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

Nays: None

MINUTES OF MARCH 9, 2021

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

PUBLIC HEARINGS

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1205 BELLE COUR DRIVE EAST A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1205 Belle Cour Drive East 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 724 KENTUCKY STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 724 Kentucky 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.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Shonnda Smith, Senior Director of Parks and Recreation Department, presented the Parks and Recreation Department employee of the month award to James Richardson.
2. Reggie Hill, 1007 Center Street, discussed Resolutions 08-139, 31-148, 60-161, 09-168, 31-177, 31-178

NON-AGENDA ITEMS:

None

ESSENTIAL/COVID-19 ITEMS HELD OVER:

DECLARE THE STRUCTURE AT 709 MANDRELL STREET A PUBLIC NUISANCE AND ORDER IT SECURED/DEMOLISHED. The following ordinance, which was introduced and read at the regular meeting of February 9, 2021 and held over until the meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 40-101-2021

Sponsored by: Councilmember Daves

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 709 MANDRELL 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

MINUTES OF MARCH 9, 2021

structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 6, 7, 8 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 709 MANDRELL STREET as:

LOT 32 SHANNON HGTS MBK 3 P 307 #SEC 29 T4S R1W #MP29 09 29 3 002

Parcel Number: 29 09 29 3 002 064

Last Assessed to: BURROUGHS RENWICK F

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 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.

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, 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 Gregory moved that the resolution be held over until the regular meeting of March 16, 2021, which was seconded by Councilmember Small the vote was as follows:

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

Nays: None

MINUTES OF MARCH 9, 2021

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

ORDINANCE TO AMEND SECTION 38-24 OF THE CITY CODE TO PERMIT THE TRANSFER OF UNCLAIMED PROPERTY HELD BY MUNICIPAL COURT TO THE GENERAL FUND. The following ordinance, which was introduced and read at the regular meeting of March 2, 2021 and held over until the meeting of March 9, 2021, was called up by the Presiding Officer.

ORDINANCE: 38-015-2021

Sponsored by: Mayor Stimpson

AN ORDINANCE TO AMEND CHAPTER 38, ARTICLE I, SECTION 38-24 OF THE MOBILE CITY CODE, 1991, PERMITTING THE TRANSFER OF UNCLAIMED PROPERTY HELD BY THE MOBILE MUNICIPAL COURT TO THE CITY OF MOBILE'S GENERAL FUND

WHEREAS, the Municipal Court of the City of Mobile ("Court") collects restitution ordered by the Court for payment to victim of crimes, receives and holds cash bond payments as well as bond forfeitures, and occasionally receives overpayments for the payments of fines and costs of court; and,

WHEREAS, parties to whom restitution, bond monies, or overpayment refunds are owed sometimes fail to claim what is owed them, even after reasonable attempts by the Court at notification; and,

WHEREAS, the City of Mobile ("City"), being a municipality, is exempt from the Uniform Disposition of Unclaimed Property Act of 2004 pursuant to Ala. Code §35-12-73(2); and,

WHEREAS, the Attorney General of the State of Alabama issued an opinion on November 27, 1984, which allows municipalities to create an ordinance enacting a similar method as the one established in Ala. Code §19-3-87 for the transfer of unclaimed municipal court funds to the general fund of the municipality; and,

WHEREAS, the City Council has heretofore adopted Ordinance 38-018-2009 AN ORDINANCE TO AMEND CHAPTER 38 OF THE MOBILE MUNICIPAL CODE TO ADD A NEW SECTION TO PERMIT TRANSFER OF UNCLAIMED PROPERTY HELD BY THE MOBILE MUNICIPAL COURT TO THE MOBILE GENERAL FUND adopted April 14, 2009; and,

WHEREAS, the City Council finds that amending Section 38-24, of the Mobile City Code, 1991, to establish a procedure for the transfer of unclaimed monies held by the Municipal Court to the City's general fund in a manner similar to the one established in Ala. Code §19-3-87 serves a legitimate public interest.

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

ARTICLE ONE:

Chapter 38, Article I, Section 38-24 of the Mobile City Code, 1991, is hereby amended and restated to read as follows:

Sec. 38-24. – Unclaimed property held by municipal court.

(a) The clerk of the municipal court shall prepare a written report showing the amount of all funds whatsoever that are in the possession of the municipal court and remained unclaimed. Said funds shall include, but are not limited to, restitution payments, bond monies, fine overpayments, or costs of court overpayments. Said report shall list the name of the owner, the applicable case number(s), the amount of monies the court has received, and the date said monies became distributable.

MINUTES OF MARCH 9, 2021

(b) At the first session of court after January 1st of each year, the clerk shall file said report with the presiding judge.

(c) The presiding judge shall carefully examine said report and order the same recorded by the clerk of the court in a well-bound book, kept for that purpose, and a physical copy of said book shall be available for inspection by the public.

(d) The municipal court may distribute funds held by the court, without interest, to an eligible person.

(e) Any funds held by the municipal court are presumed abandoned ten (10) years after the funds become distributable, and after said time, the presiding judge may order any abandoned monies held by the municipal court to be deposited into the City's general fund.

ARTICLE TWO:

No other portion of Chapter 38, Article I of the Mobile City Code, 1991, nor any other portion of said Chapter 38, shall be affected by this amendment.

ARTICLE THREE:

Repealer. The City hereby repeals Ordinance 38-018-2009 adopted April 14, 2009 and all laws, and all parts of laws, in conflict with these provisions are hereby repealed.

ARTICLE FOUR:

Publication. A copy of this Ordinance shall be published pursuant and according to law, after its adoption.

ARTICLE FIVE:

Severability. 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.

ARTICLE SIX:

Effective Date. This Ordinance shall be in full force and effect from and after 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 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 ordinance adopted.

ORDINANCE TO REZONE PROPERTY LOCATED AT 5001 & 5009 COTTAGE HILL ROAD (SOUTHWEST CORNER OF COTTAGE HILL ROAD AND NORTH DEMETROPOLIS ROAD) FROM R-1 AND B-2 TO B-2. The following ordinance, which was introduced and read at the regular meeting of March 2, 2021 and held over until the meeting March 9, 2021, was called up by the Presiding Officer.

ORDINANCE: 64-016-2021

Sponsored by: Councilmember Rich

MINUTES OF MARCH 9, 2021

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:

COMMENCE AT THE FORMER INTERSECTION OF THE SOUTH MARGIN OF COTTAGE HILL ROAD AND THE WEST MARGIN OF NORTH DEMETROPOLIS ROAD, SAID POINT MARKED BY A CONCRETE MONUMENT; THENCE SOUTH ALONG SAID WEST MARGIN 01°17'12" WEST A DISTANCE OF 35.59 FEET TO THE POINT OF BEGINNING, SAID POINT MARKED BY A CAPPED IRON ROD; THENCE CONTINUE ALONG SAID SOUTH MARGIN SOUTH 01°17'12" WEST A DISTANCE OF 154.34 FEET, THENCE DEPARTING SAID SOUTH MARGIN, NORTH 88°45'48" WEST A DISTANCE OF 140.18 FEET TO A POINT MARKED BY A CRIMPED TOP PIPE; THENCE SOUTH 04°52'02" EAST A DISTANCE OF 52.79 FEET TO A POINT MARKED BY A CRIMPED TOP PIPE, THENCE SOUTH 70°58'53" WEST A DISTANCE OF 89.92 FEET TO A POINT MARKED BY A CRIMPED TOP PIPE; THENCE NORTH 07°56'18" WEST A DISTANCE OF 189.63 FEET TO A POINT ON SAID SOUTH MARGIN, SAID POINT MARKED BY CAPPED IRON ROD (REBAR); THENCE ALONG SAID SOUTH MARGIN, NORTH 72°14'14" EAST A DISTANCE OF 99.84 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE CONTINUING ALONG SAID SOUTH MARGIN, NORTH 72°14'14"EAST A DISTANCE OF 128.77 FEET TO THE POINT OF CURVATURE OF A 25.00' RADIUS CURVE TO THE RIGHT, SAID POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 47.58 FEET (CHORD BEARS SOUTH 53°14'17" EAST, 40.72'); CONTAINING 41520 SQUARE FEET (0.95 ACRES), MORE OR LESS.

The classification of said property is hereby changed from R-1, Single-Family Residential District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in B-2, Neighborhood Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in an B-2, Neighborhood Business District until all of the conditions set forth below have been complied with: (1) Correction of the legal description to be the current legal description and not that of the proposed Subdivision after recording; (2) Completion of the Subdivision process; and (3) 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 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 ordinance adopted.

MINUTES OF MARCH 9, 2021

AUTHORIZE AGREEMENT WITH ALABAMA PIPE & SUPPLY COMPANY, INC., FOR THE EPA GULF OF MEXICO TRASH FREE WATERS GRANT PROJECT, \$75,600.00.

The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 01-136-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with Alabama Pipe & Supply Company, Inc., in the amount of \$75,600.00 for the EPA Gulf of Mexico Trash Free Waters Grant project, as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

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

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

CONCUR IN THE RE-APPOINTMENT OF LARRY JACKSON TO THE ALTAPOINTE HEALTH BOARD OF DIRECTORS.

The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 03-137-2021

Sponsored by: City Council

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the City Council concurs in the re-appointment of Larry Jackson to the AltaPointe Health Board of Directors, effective April 1, 2021, for a term ending April 1, 2027.

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

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

APPOINT HONORABLE FREDDIE STOKES TO THE POSITION OF ADJUNCT JUDGE OF MOBILE MUNICIPAL COURT.

The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.



MINUTES OF MARCH 9, 2021

RESOLUTION: 03-138-2021

Sponsored by: City Council and Mayor Stimpson

BE, IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MOBILE, hereby appoints the Honorable Freddie Stokes to the position of Adjunct Judge of the Mobile Municipal Court, effective immediately.

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

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

Nays: None

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

APPROVE PURCHASE ORDER TO DONOHOO CHEVROLET LLC FOR THREE 2021 CHEVROLET TAHOE POLICE SUVS, \$107,835.78. The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-139-2021

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>6266</u> | 2021        | (F7000) MOTOR POOL | 3 2021 CHEVROLET TAHOE POLICE PACKAGE SUVS (AL STATE CONTRACT) | \$107,835.78 | <u>(293039) DONOHOO CHEVROLET 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 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.

MINUTES OF MARCH 9, 2021

APPROVE PURCHASE ORDER TO DENNIS ALUMINUM PRODUCTS FOR 50 DECORATIVE SIGN POSTS, \$21,860.00. The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-140-2021

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>4098</u> | 2021        | (2060) TRAFFIC ENGINEERING | 50 3IN X 12FT DECORATIVE ALUMINUM SIGN POSTS, 20 24IN EXTENSION POSTS (SEALED BID 5510) | \$21,860.00 | <u>(44605) DENNIS ALUMINUM PRODUCTS</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 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.

AUTHORIZE A PERFORMANCE CONTRACT WITH GCB ENTERTAINMENT, INC. FOR THE GULF COAST CHALLENGE, \$200,000.00. The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-141-2021

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 performance contract, by and between the City of Mobile and GCB Entertainment, Inc. A copy of said contract is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$200,000.00 be allocated to Capital Project #P0063 Contributions-Gulf Coast Challenge in the Convention Center Fund (6080) for the GCB Entertainment, Inc., performance contract.

MINUTES OF MARCH 9, 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.

AUTHORIZE CONTRACT WITH WRICO SIGNS, INC. FOR TRINITY GARDENS PARK – DOTCH COMMUNITY CENTER – MARQUEE SIGN REPLACEMENT, \$73,200.00 (2020 CIP ID#2026 D1). The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-142-2021

Sponsored by: Councilmember Richardson and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Contract, that is necessary to perform essential minimum function 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: Wrico Signs, Inc.

Project Name: Trinity Gardens Park – Dotch Community Center –  
Marquee Sign Replacement

Project Number: PR-054-20

Amount: \$73,200.00 (2020 CIP ID#2026 D1)

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.

AUTHORIZE CONTRACT WITH BAGBY & RUSSELL ELECTRIC CO INC FOR AN ACCESS CONTROL SYSTEM UPGRADE AT THE MOBILE ALABAMA CRUISE TERMINAL CBP OFFICES; \$15,880.00. The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-143-2021

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

MINUTES OF MARCH 9, 2021

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: BAGBY & RUSSELL ELECTRIC COMPANY, INC.  
Project Name: MOBILE ALABAMA CRUISE TERMINAL CBP OFFICES –  
ACCESS CONTROL SYSTEM UPGRADE  
Project Number: SR-017-21  
Amount: \$15,880.00

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.

AUTHORIZE CONTRACT WITH JOHNSON CONTROLS INC., FOR AN IONIZATION TUBE REPLACEMENT AT GULFQUEST MARITIME MUSEUM, \$44,927.00. The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-144-2021

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of Company: JOHNSON CONTROLS, INC.  
Project Name: GULFQUEST MARITIME MUSEUM –  
IONIZATION TUBE REPLACEMENT  
Project Number: FM-118-21  
Amount: \$44,927.00

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.

AUTHORIZE CONTRACT WITH OZARK STRIPING COMPANY, INC., FOR APPLICATION OF THERMOPLASTIC STRIPING, MARKING AND LEGENDS ON VARIOUS CITY ROADWAYS, \$1,048,847.50. The following resolution, which was

MINUTES OF MARCH 9, 2021

introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-145-2021

Sponsored by: City Council

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile, and the company listed below; for the construction of roadway striping throughout the City, 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: Ozark Striping Company, Inc.

Project Name: Application of Thermoplastics Striping, Marking and Legends on Various City of Mobile Roadways

Capital Project No.: RWS19

Amount: \$1,048,847.50

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.

AUTHORIZE CONTRACT WITH HARRIS CONTRACTING SERVICES, INC., FOR SPANISH PLAZA – LIGHTING UPGRADES, \$370,444.00. The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-146-2021

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Contract, 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: Spanish Plaza – Lighting Upgrades

Project Number: PR-063-20

Amount: \$370,444.00

MINUTES OF MARCH 9, 2021

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be held over until the regular meeting of March 16, 2021, which was seconded by Councilmember Richardson 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 held over.

AUTHORIZE CONTRACT AMENDMENT WITH BARTER & ASSOCIATES, INC., FOR LADD STADIUM STRUCTURAL REPAIRS – PHASE 2; PR-011-20, \$7,500.00. The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-147-2021

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the 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. Whereby, the sum of \$7,500.00 will be added to the original contract amount of \$60,000.00. A copy of said contract is on file in the office of the City Clerk.

Name of Company: Barter & Associates, Inc.

Project Name: Ladd Stadium Structural Repairs – Phase 2

Project Number: PR-011-20

Amount: \$7,500.00

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.

AUTHORIZE A 2021 ARTS, CULTURE & COMMUNITY ASSETS GRANT APPLICATION TO THE DANIEL FOUNDATION OF ALABAMA FOR MECHANICAL UPGRADES TO THE SAENGER THEATRE, \$2,000,000 (NO MATCH). The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 31-148-2021

Sponsored by: Mayor Stimpson

WHEREAS, the City Council of the City of Mobile, Alabama, finds that the subject of this Resolution is either necessary to respond to COVID 19, or necessary to perform essential minimum functions of the Council, the Mayor is authorized to apply, accept, and receive from The Daniel Foundation of Alabama, grant assistance in the amount of \$2,000,000.00 from the 2021 Arts, Culture, & Community Assets Grant, supporting the Mobile Saenger Theatre – Mechanical Upgrades.

MINUTES OF MARCH 9, 2021

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said foundation 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 Daniel Foundation of Alabama. 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 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.

AUTHORIZE CONTRACT WITH JASON EVERSULL, LLC, FOR MEDICAL DIRECTOR SERVICES FOR MOBILE FIRE RESCUE DEPARTMENT, \$150,000 (3 YEARS). The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-155-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Jason Eversull, LLC, for three years, for Medical Director services for the Mobile Fire Rescue Department, in an amount not to exceed \$150,000, 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.

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 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 (OLISA GAMBLE, NOEL PARROTT, SHAUNTASIA BRACY AND MICHAEL & ROBIN FREEMAN). The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 60-157-2021

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

MINUTES OF MARCH 9, 2021

City of Mobile, Alabama, the settlement agreement and release of claims to settle the following claims:

1. The claim for personal injury of Olisa Gamble suffered on September 24, 2019, when her vehicle, being driven by Noel Parrott, and the vehicle owned by the City collided into one another on Dauphin Island Parkway near Ellen Drive and Old Military Road, 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.
2. The claim for personal injury of Noel Parrott suffered on September 24, 2019, when Olisa Gamble's vehicle, being driven by Parrott and the vehicle owned by the City collided into one another on Dauphin Island Parkway near Ellen Drive and Old Military Road, 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.
3. The claim for personal injury of Shauntasia Bracy suffered on August 18, 2019, as outlined in the Settlement Agreement and Release of Claims arising out of that certain civil action styled as "Benjamin Bracy; Shauntasia Bracy v. City of Mobile, et al, Mobile County Circuit Court Case No. O2-CV-2019-902478.00. A copy of said settlement agreement is on file in the office of the city clerk.
4. The revised claim for damage suffered on October 28, 2020, when a large oak tree on City right of way fell over onto the property of Michael and Robin Freeman, damaging their home, 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 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.

ESTABLISH THE COMPENSATION OF ADJUNCT AND ACTING MUNICIPAL COURT JUDGES. The following resolution, which was introduced and read at the regular meeting of March 2, 2020, and held over until the regular meeting of March 9, 2021, was called up by the Presiding Officer.

RESOLUTION: 60-161-2021

Sponsored by: Mayor Stimpson

RESOLUTION ESTABLISHING THE COMPENSATION OF ADJUNCT AND ACTING MUNICIPAL COURT JUDGES

FINDINGS.

1. The Mobile City Council previously amended and restated Chapter 38, Article II of the Mobile City Code to allow for the appointment of adjunct judges.
2. Code of Alabama §12-14-34 and Mobile City Code §38-48 provide for the appointment of acting judges.
3. The City Council deems it necessary and proper to establish compensation for such adjunct judges and acting judges.

Now, therefore, BE IT RESOLVED by the City Council of the City of Mobile, Alabama, as follows:



## MINUTES OF MARCH 9, 2021

1. Compensation - Adjunct Judges and Acting Judges Any adjunct judge appointed pursuant to §38-41(c) of the Mobile City Code or any acting judge appointed pursuant to §38-48 of the Mobile City Code shall be compensated at the rate of four hundred dollars (\$400) for each docket held by such judge.

2. Benefits. Adjunct judges and acting judges shall not be eligible for benefits afforded to full and part-time judges.

3. Effective Date. This resolution shall be effective upon its adoption and publication pursuant to applicable law.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be held over until the regular meeting of March 23, 2021, which was seconded by Councilmember Small and the vote was as follows:

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

Nays: None

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

### 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 03-162 – 03-163, 21-172 and 40-179 – 03-182 being introduced for the first time. The motion was seconded by Councilmember Rich 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:

ORDINANCE TO AMEND AND RESTATE CHAPTER 65 OF THE CITY CODE ENTITLED "TREE PROTECTION AND MANAGEMENT." The following ordinance was held over until the regular meeting of March 16, 2021.

ORDINANCE: 65-018-2021

Sponsored by: Mayor Stimpson

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

SECTION ONE. That Chapter 65 of the Mobile City Code, entitled Tree Protection and Management, is hereby amended and restated in its entirety as follows:

Chapter 65 – Tree Protection and Management

Article I. General Purposes and Application.

1. Purposes. This Chapter is intended:

a. To promote environmental and ecological awareness;

b. To improve the city's image and aesthetic charm and beauty;

c. To protect property values from the adverse aesthetic and ecological effects of imprudent tree removal, pruning, or lack of maintenance;

## MINUTES OF MARCH 9, 2021

- d. To promote water quality and ground and surface water stabilization and decrease the adverse impact of water table fluctuations caused by imprudent tree removal;
- e. To protect against greater noise and light pollution which is increased by the imprudent removal of buffer trees;
- f. To protect structures and existing vegetation from greater wind velocities resulting from the imprudent removal of buffer trees;
- g. To promote air quality which is significantly affected by the natural clearing of the atmosphere by the trees through particulate matter interception and the release of oxygen into the atmosphere as a byproduct of photosynthesis;
- h. To stabilize the urban wildlife habitat and ecosystem balance;
- i. To provide for the public health, safety and welfare through a systematic process used to identify, analyze, and evaluate the likelihood of tree failure and associated consequences, and the application of policies, procedures, and practices to identify, evaluate, mitigate, monitor, and communicate tree risk;
- j. To support the provisions of the Mobile Tree Act
- k. To provide uniform standards in the removal and replacement of trees on public and private property within the corporate limits of the City of Mobile in accordance with both municipal and state laws;
- l. To educate the public in the economic, aesthetic and historic benefits of preserving trees, including conserving energy, reducing soil erosion, and protecting trees and the ecosystem;
- m. To preserve the economic base attracted to the City of Mobile by such factors.

2. Application. The requirements of this Chapter shall apply to all land located within the corporate limits of the City of Mobile, except single-family and two-family lots with an existing habitable structure, which are not located in an Historic District subject to the rules and regulations of the Architectural Review Board. Single-family and two-family lots which are located within a locally designated Historic District are subject to the requirements of this Chapter.

### Article II. Definitions.

1. As used in this Chapter, the following words and terms shall have the following meanings:

American National Standards Institute (ANSI): A private non-profit organization that oversees the development of voluntary consensus standards by accredited representatives of government agencies, industry, and other stakeholders.

ANSI A300: The industry-developed, national consensus standards of practice for tree care in the United States.

Arborist: A person trained in the proper care and maintenance of trees who has passed an independent exam administered by the International Society of Arboriculture, and maintains the credential through continuing education.

Bona Fide Agriculture: A land used to derive income from growing plants or trees on land, including but not limited to, land used principally for timber production, and not including land used principally for another use and incidentally for growing trees or plants for income.

Commercial Nursery or Tree Farm: A licensed plant or tree nursery or farm in relation to those trees planted and growing on the premises of the licensee, which are planted and

## MINUTES OF MARCH 9, 2021

growing for sale or intended sale to the general public in the ordinary course of said licensee's business.

**Critical Root Zone (CRZ):** The area of soil around a tree where the minimum amount of roots considered critical to the structural stability or health of the tree are located. Per ANSI A300 (Part 5), these roots are located within 6 to 18 times the trunk diameter (DBH) depending on species tolerance to root loss, tree age and health.

**Diameter at Breast Height (DBH):** The measurement of the width of the trunk of the tree at four and one-half (4½) feet above the existing grade. For multi-trunk trees the DBH shall be the sum of the diameter of the trunks.

**Drip Line:** The circumference of the tree's natural, unaltered canopy extended vertically to the ground.

**Grubbing:** The effective removal of understory vegetation such as, but not limited to, palmetto from the site. As herein defined, no tree greater than three (3) inches DBH will be removed.

**Heritage Tree, existing:** Any of the following list of trees which is at least 18 inches DBH: bald cypress (*Taxodium distichum*); hickory (*Carya* spp.); longleaf pine (*Pinus palustris*); Magnolia (*Magnolia* spp.); Oak (*Quercus* spp.), excluding water oak (*Quercus nigra*); river birch (*Betula nigra*); sweet gum (*Liquidambar styraciflua*); sycamore (*Platanus occidentalis*); and yellow poplar (*Liriodendron tulipifera*). In Historic Districts, Heritage Trees include the species previously noted, but have a minimum size of at least eight (8) inches DBH.

**Heritage Tree, credit or compliance:** any tree planted or claimed for credit for compliance with the UDC or tree planting and landscaping requirements of the City.

**Historic District:** A geographic area designated by the city council as a historic district, including all historic districts existing as of the date of this ordinance and future districts designated by the Mobile City Council.

**Land Clearing:** Those operations where trees and vegetation are removed and which occur previous to the construction of building; e.g., road right-of-way excavation or paving, lake and drainage system excavation, utility excavation, grubbing, and any other necessary clearing operations.

**Landscape Material:** Living plant material which shall include, but not be limited to, trees, shrubs, flowers, vines, lawn grass and other ground cover; natural features and areas; and nonliving durable material commonly used in landscaping which shall include, but not be limited to, rocks, pebbles, sand, mulch, wood chips, exterior lighting fixtures, planters, fountains, reflecting pools, works of art, walkways, fences, walls, benches and other types of appropriate outdoor furniture. Nonliving landscape material shall not include artificial or synthetic material in the form of trees, flowers, shrubs, vines, or ground cover.

**Landscape Plan:** a drawing representing existing and proposed tree and landscape elements for a site, and drawn to either a standard architectural or engineering scale.

**Landscaped Area:** An area which shall consist of landscape material, as defined, such that the use of living landscape material predominates over the use of nonliving landscape material.

**Mobile Tree Act:** The common name of the local law enacted by the Alabama State Legislature (Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended) for the purpose of protecting the trees on both public and private property within the City.

**Mobile Tree Commission:** The entity (hereafter referred to as the "Commission") created by the Alabama State Legislature and specifically charged with the responsibility and duty

## MINUTES OF MARCH 9, 2021

of fostering the planting, growth and protection of trees on private property and publicly owned areas in accordance with the provisions of the Mobile Tree Act.

Overstory Tree: A tree whose mature canopy height is at least 35-feet.

Protective Barrier: A physical structure limiting access to a protected area, composed of wood or other suitable materials which assures compliance with the intent of this article. Variations of these methods may be permitted by the urban forester upon written request if they satisfy the intent of this ordinance.

Public Tree: A tree located on any property owned by the City of Mobile, Alabama.

Selective Root Pruning: A process consisting of soil excavation using supersonic air tools, pressurized water, or hand tools, followed by cutting individual roots conducted under the supervision of an ISA certified arborist as set forth in ANSI A300 (part 8) Best Management Practices.

Streetscape: The appearance or view of the street including trees, lighting fixtures, and street furnishings such as benches and trash receptacles.

Tree: Any self-supporting, woody plant of a species suitable for growing in the proposed environment as well as the City of Mobile.

Understory Tree: A tree whose mature canopy height is between 15 and 35 feet.

Urban Forester: The city employee specially trained in forestry or arboriculture tasked with the management of naturally occurring and planted trees and associated plants within the corporate limits of the City of Mobile who has passed an independent exam administered by the International Society of Arboriculture, and maintains the credential through continuing education, or his/her duly authorized designee.

### Article III. Urban Forestry.

1. Establishment. This Ordinance establishes an Urban Forestry Department charged with the responsibility of planning for and maintaining trees within the public rights-of-way and public parks. The Department shall be staffed with one full time Urban Forester, one or more full time arborists, and associated tree crew(s).

2. Urban Forester. The Urban Forester shall perform a variety of professional administrative duties involved in the study, planning, development, coordination and implementation of systems, programs, procedures, and practices in support of the City's urban forestry program. The Forester is responsible for managing the urban forest and the urban forest programs. Work involves instructing staff in the planting, cultivating, and maintenance of a variety of trees and other plant materials throughout the City, providing for an overall tree maintenance and replacement plan for trees in the rights-of-way, protection of public trees, and providing staff support to the Mobile Tree Commission. The Urban Forester, in coordination with any other involved City department(s), shall perform, or cause to be performed, the following duties and/or activities:

- a. Direct the enforcement of this Chapter;
- b. Coordinate and educate the various departments of the City and the general public which are affected by the provisions of this Chapter;
- c. Develop and maintain a tree inventory for the purpose of creating a master data bank of all trees within the City's public rights-of-way and public properties;
- d. Develop and maintain a tree disease and injury list for the purpose of establishing the most common problems which afflict trees in Mobile's urban environment; and,
- e. Develop and maintain a tree plan for the purpose of establishing design standards for trees and other landscaping materials planted within the public rights-of-way.

## MINUTES OF MARCH 9, 2021

3. Arborist. The Arborist job duties shall involve tree care operations such as planting, trimming, insect and disease control, and removal of tree limbs and debris giving careful consideration to all surroundings before, during, and after tree care activities. Work involves the execution of specific rules, regulations, or procedures.

### Article IV. Mobile Tree Commission.

1. Establishment. The Mobile Tree Commission is established under the authority of the Mobile Tree Act and is charged with exercising the duties specifically provided in the Act.

2. Duties. The Mobile Tree Commission is specifically charged with the responsibility and duty of fostering the planting, growth, and protection of trees on private property and publicly owned areas within the City of Mobile and shall take active steps to:

a. Educate the public as to the economic, aesthetic, health, storm protection, and historic benefits of trees to the City and its citizens, both on publicly and privately owned property;

b. Promote the planting and replacement of trees in the City, with the particular objective of establishing and protecting avenues of live oak trees and other trees deemed suitable by the Commission;

c. Promote the care, feeding, fertilization and other measures desirable for the health and growth of existing trees in street rights-of-way;

d. Protect trees located in street rights-of-way from damage, removal, lack of sustenance, or any other act or condition which might threaten the health and growth of such trees.

### 3. Membership.

a. The Commission shall consist of the same number of members as the number of members of the City Council. The City Council shall make the appointments to the Commission.

b. The members of the Commission shall serve at the pleasure of the City Council.

c. Persons appointed to serve on the Commission shall serve until a successor takes office.

d. Any vacancies on the Commission shall be filled by appointment made by the City Council.

e. Members shall serve without salary or remuneration.

f. The Commission shall annually elect from among its members a Chair, a Vice-Chair, a Secretary, and a Treasurer.

g. The Commission shall hold regular meetings at least once each month and specially as it deems necessary in a public place open to the public in a manner conducive to public comment and participation.

h. The Commission shall cooperate with and coordinate its activities with the Urban Forestry Department, the Public Works Department, the Parks and Recreation Department, and other City departments. All departments of the City shall cooperate with the Commission in the exercise and discharge of the Commission's duties.

i. The Commission is authorized to accept contributions and to expend the same for the purposes of carrying out its duties and obligations imposed by the Mobile Tree Act. All contributions and funds received by the Commission shall be held in a Trust Fund known as the Tree Planting and Preservation Trust Fund. The Commission, using nationally accepted accounting methods, shall deliver an annual report to the City Council regarding the status of the Trust Fund.

## MINUTES OF MARCH 9, 2021

j. The Commission shall adopt By-Laws and Regulations for carrying out its duties and obligations imposed by the Mobile Tree Act, and in accordance with its By-Laws:

i. May provide printed forms to be used as shall be necessary to govern its proceedings and to effectuate the provisions of the Mobile Tree Act;

ii. May cause studies to be made as it deems necessary;

iii. May perform its functions directly through its own agents or employees, or may contract with others for specific or general services to carry out its purposes; and,

iv. Shall keep a record of its proceedings and a register of all applications made to it and its action thereon, all of which shall be public records.

k. Any decision of the Commission, or any decision of any officer or agent of the Commission to whom its duties are delegated, may be appealed to the City Council by any person aggrieved by the decision by filing a written notice of appeal with the Commission and the City Clerk within fifteen (15) days from the date of the decision. The notice of appeal shall specify the particular grounds upon which the appeal is taken. Upon receipt of the notice of appeal, the Commission shall transmit to the City Clerk all of the original documents and materials, or true copies thereof, constituting the record upon which the order or decision appealed is based. Any person aggrieved by the decision of the City Council may appeal the decision in accordance with State Code.

### Article V. Tree Trails.

1. Designation. The following City streets are of significant historic and aesthetic value because of the trees adjoining the land, and hereby are declared Tree Trails of the City:

a. Government Street

b. Dauphin Street

c. Michigan Avenue

d. Park Avenue

e. Houston Street

f. Old Shell Road

g. Springhill Avenue

h. The Avenue of Oaks

i. Dauphin Island Parkway (between Duval St. and Dog River).

2. Designation of New Tree Trails. Other streets, such as those in Historic Districts, may be designated as Tree Trails by the City Council upon recommendation of the Commission, the Urban Forester, or the public.

3. Tree Trails shall be clearly marked with municipal signs.

4. On all designated Tree Trails, utility companies shall work closely with both the Urban Forester and the Commission prior to performing any projects which would affect the trees along these designated streets.

5. All oversized vehicles, specifically those vehicles in excess of thirteen (13) feet, six (6) inches in height and ten (10) feet in width, and any vehicle hauling or pulling an oversized load in excess of the dimensions of an oversized vehicle, are prohibited from traversing Tree Trails without first obtaining a written permit therefor from the urban forester.

## MINUTES OF MARCH 9, 2021

### Article VI. Tree Trimming or Tree Removal from Private Property.

1. Permit. Any person wishing to trim, remove or relocate a Heritage Tree shall be required to obtain a Tree Permit from the Urban Forester.

a. Tree removal applications for a site not zoned R-1, Single-Family Residential, or R-2, Two-Family Residential, require a landscape plan identifying trees to be removed.

i. Pre-application inspection. In connection with applications involving extremely large tracts of property, the Urban Forester may arrange and coordinate a pre-application inspection of the site involved.

b. Tree trimming applications do not require a landscape plan unless otherwise deemed required by the Urban Forester.

c. Fees. Upon paying an administrative application fee of seventy-five dollars (\$75) per tree with a maximum charge of \$225 for one and two-family sites and \$675 for all other sites, to cover the costs of researching and processing the application, the application and plan shall be stamped with the date and time and forwarded to the city's Urban Forester for review and approval. All proceeds from the said processing fee shall be earmarked for the use of the City's Urban Forester for the administration of this Article.

d. Permit procedure. An application will be field checked prior to the issuance of a Tree Permit. The Urban Forester may request a recommendation concerning the application from any or all appropriate city departments, and/or the Tree Commission.

e. Criteria for issuance of Tree Permit. Upon receiving the field inspection report and any requested recommendations concerning the application, the Urban Forester shall issue a Tree Permit for the trimming, removal or relocation of trees if one (1) or more of the following criteria is met:

i. The tree is located in an area where a structure or improvement will be placed according to an approved plan;

ii. For one and two -family properties only, the tree is located where a swimming pool or detached carport or garage will be located;

iii. The tree is deemed a moderate to high level risk per ANSI A300 (Part 9) Tree Risk Assessment; or,

iv. The tree is, or will be after construction, in violation of federal, state, or local laws or regulations, or cause the construction to violate federal, state, or local laws or regulations, including, but not limited to, laws and regulations pertaining to government programs for financing the construction.

f. Basis for denial of permit. The Urban Forester, upon a determination that an application for tree removal does not meet the criteria for issuance, shall deny the application and will notify the applicant of the reason(s) therefore.

g. Time of permit. Tree Permits issued pursuant to the requirements of this Article shall be valid for a period of six (6) months. The Urban Forester may extend the permit for no more than an additional six (6) months, but in no case will a permit be valid for more than twelve (12) months.

h. Historic Districts. In Historic Districts, Heritage Trees have a minimum size of at least eight (8) inches DBH.

i. No Heritage Tree can be removed, nor can land be cleared or grubbed, in any local Historic District except under a permit issued by the Urban Forester after application as provided above, which shall be granted only upon a showing that the said Heritage Tree is:

## MINUTES OF MARCH 9, 2021

1. The tree is deemed a moderate to high level risk per ANSI A300 (Part 9) Tree Risk Assessment; or,

2. Certified by the Architectural Review Board to be removed for the purpose of renovating an historic structure or enhancement of the aesthetic quality of the property; or,

3. The owner of the property on which the Heritage Tree is located has demonstrated, by way of an ISA certified arborist evaluation, clear and convincing evidence, meeting the standards set forth in ANSI A300 (Part 9) standards, that the owner will suffer extreme and extraordinary hardship unless the permit is granted.

ii. In all cases where removal is permitted, the said tree shall be relocated if deemed feasible by the Urban Forester and the cost of relocation does not exceed five hundred dollars (\$500.00). Otherwise said tree shall be replaced in coordination with and approval by the Urban Forester.

2. Appeal of grant or denial of permit. Appeals of either a grant or denial of a permit by the Urban Forester shall be to the City Council and may be taken by the applicant, by any officer, department or board of the city affected by any decision, or by any person aggrieved by the decision by filing a written notice of appeal with the Urban Forester and the City Clerk within fifteen (15) days from the date of the decision. The notice of appeal shall specify the particular grounds upon which the appeal is taken. Upon receipt of the notice of appeal, the Urban Forester shall transmit to the City Clerk all of the original documents and materials, or true copies thereof, constituting the record upon which the order or decision appealed is based. Any person aggrieved by the decision of the City Council may appeal the decision in accordance with State Code.

### Article VII. Trimming or Removal of Public Trees.

1. No tree shall be removed, cut, trimmed or damaged from any public right-of-way except as provided by the Mobile Tree Act, in accordance with the rules and regulations of the Mobile Tree Commission.

2. No Public Tree located on any City property other than a public right-of-way shall be removed without first filing a notice of intent with the Tree Commission at least two (2) weeks prior to obtaining a Resolution of Authority from the City Council. Said resolution and notice of intent requirements shall be in lieu of obtaining a permit from the Urban Forester. The foregoing provision shall not apply to public trees whose removal is authorized by the Urban Forester.

### Article VIII. Tree Protection

1. Tree protection during construction.

a. It shall be unlawful for any person in the construction of any structure or other improvement to conduct non-selective root pruning within the Critical Root Zone (CRZ) as described in ANSI A300 (Part 5) of any tree retained on a land development or improvement, and selective root pruning shall be conducted under the supervision of an ISA certified arborist as described in ANSI A300 (part 8) Best Management Practices.

b. It shall be unlawful for any person in the construction of any structure or other improvement to place solvents, material, construction machinery, or temporary soil deposits within the Critical Root Zone (CRZ) as described in ANSI A300 (Part 5) of any tree retained on a land development or improvement.

c. Before development, land clearing, filling, or any land alteration, a permit will be required. The developer shall be required to erect suitable protective barriers, and this protection, where required, shall remain until permanent barriers have been erected. Also, during construction, no attachments or wires shall be attached to any of said trees so protected.



## MINUTES OF MARCH 9, 2021

d. Except for sidewalks, driveways, and streets, no person shall pave with concrete, asphalt, or other impervious material within eight (8) inches per one (1) inch of DBH of any remaining Heritage Tree, not to exceed five (5) feet. The Urban Forester shall have the discretion to waive this requirement.

2. Emergencies. In case of emergencies, such as hurricane, windstorm, flood, freeze, or other disasters, the requirements of these regulations may be waived by the Urban Forester, upon a finding that such waiver is necessary so that public or private work to restore order in the City will not be impeded.

3. Exemptions. The provisions of this Article shall not apply to any land recognized by the City upon which Bona Fide Agriculture or a Commercial Nursery or Tree Farm are being conducted, which land exceeds ten (10) acres. This exception shall not be interpreted to include timber harvesting incidental to imminent development of the land.

### Article IX. Tree Trimming/Removal Companies.

1. Applicability. All provisions of this Chapter shall apply to any person removing trees on behalf of any other person, including tree removal companies, construction companies, or persons in the business of removing or trimming trees.

2. Display of permit; inspection.

a. The applicant shall prominently display on the site the permit issued.

b. Such permit shall be displayed continuously while trees are being trimmed, removed, or replaced, or work is being done as authorized on the permit, and for ten (10) days thereafter.

c. It shall be unlawful for any person or company to trim, remove, or cause to be trimmed or removed, any tree, or undertake any work for which a permit is required pursuant to this Chapter, unless a valid permit therefor is in effect and is displayed in accordance with the provisions of this Article.

d. If any such work or removal is performed without the permit being displayed as required in this Article, such removal or work shall constitute a violation of this Chapter and shall subject the person or company violating this Chapter to all penalties provided for herein.

e. As a condition for the issuance of the permit, the applicant shall agree in writing to entry onto his premises by representatives of the city and all law enforcement officers to inspect at any time the permit and all work being done pursuant to the permit, and such entry shall be lawful. Failure to allow such entry shall be unlawful, shall constitute a violation of this Chapter and shall constitute failure to display the permit as required under this Chapter.

3. Arborists' license and bond. It shall be unlawful for any person, individual, corporation, institution, or agent of such, to engage principally in the business or occupation of trimming, pruning, fertilizing, or removing trees within the corporate limits of the City of Mobile, without first applying for and procuring the appropriate business license from the City. All arborists must abide by all relevant State laws and requirements.

4. Trimming or removal of trees in public rights-of-way or City parks.

a. Trimming or removal of trees in public rights of way or city parks by private companies, corporations or individuals must be done under the supervision of a properly certified, licensed and bonded arborist. Trimming or pruning shall comply with ANSI A300 standards.

b. Where federal, state, and local laws require the certification of any person, individual, corporation, institution, or agent of such, to utilize the services of workers certified to practice arboriculture, said certification shall apply, in addition to having a business license from the city.

## MINUTES OF MARCH 9, 2021

c. Before any permit is issued for work within the public right-of-way, public parks or other City properties, the applicant shall:

i. Provide a performance bond to the Urban Forester, either in the amount of ten thousand dollars (\$10,000.00), or in the minimum amount specified by the City for the type of development activity being performed, whichever amount is the greater of the two:

ii. Furnish the City with a Certificate of Insurance evidencing that the applicant has insurance coverages acceptable to the City with a company licensed and qualified to do business in the State of Alabama, including comprehensive general liability, bodily injury protection, indemnity, completed operations, personal injury protection, and worker compensation, in compliance with requirements mandated by the City's Legal Department. All policies of insurance must have Additional Insured provisions and be endorsed to provide coverage to the City and its officers and employees as additional insureds, and the Certificate of Insurance shall evidence that the City and its officers and employees are additional insureds under all policies. The Certificate of Insurance shall further provide that the City must receive sixty (60) days written notice of cancellation, non-renewal, or change in the insurance coverage before the effective date of any such cancellation, non-renewal, or change in the insurance coverage. Any cancellations or lapses of such insurance shall be deemed a material breach of contract.

iii. Agree in a writing acceptable to the City Legal Department to indemnify and hold the City, its officers and employees, whole and harmless from and against all costs, liabilities, and claims for damages of any kind (including judgments, interest, attorney's fees, and costs of investigation and defense) arising out of the performance of any work under the permit or within the public right-of-way, public parks or other City properties.

iv. Provision of proper certification that an ISA (International Society of Arboriculture) certified arborist will be responsible for the work.

### Article X. Tree Abuse.

1. Removal, abuse or mutilation of Public Trees or Heritage Trees. No person shall:

a. Damage, cut, carve, transplant, mutilate, abuse, poison or remove any Public Tree or Heritage Tree;

b. Attach any rope, wire, nails, advertising posters, or other contrivance to any Public Tree or Heritage Tree;

c. Allow any gaseous liquid or solid substance which is harmful to such trees to come in contact with any such tree;

d. Damage roots within the critical root zone (CRZ) through non-selective root pruning as opposed to selective root pruning as described in ANSI A300 (part 8) Best Management Practices, including roots damaged during curb cuts, sidewalk and driveway installation and repair.

2. Utility line clearing in conformance with International Society of Arboriculture, National Arborist Association Standards and the National Electrical Safety Code clearances does not constitute tree abuse.

3. No action in removing or trimming trees due to lightning, hurricanes, or other natural disasters shall be considered tree abuse.

4. The removal of trees for which permits have been issued shall not be prohibited by this Article.

5. No curb cuts which involve Public Trees or Heritage Trees shall be allowed without prior coordination with the Urban Forester.

MINUTES OF MARCH 9, 2021

6. Notwithstanding the foregoing, Heritage Trees may be removed pursuant to a properly filed and approved landscape plan.

Article XI. Enforcement.

1. Interference with the Urban Forester. No person shall hinder, prevent, delay, or interfere with the Urban Forester, the Tree Commission, or any other duly authorized individual, while engaged in carrying out the execution or enforcement of this Chapter; provided, however, that nothing herein shall be construed as an attempt to prohibit the pursuit of any remedy, legal or equitable, in any court of competent jurisdiction for the protection of property rights by the owner of any property within the municipality.

2. Punishment. Any person found guilty of violating any of the provisions of this Chapter shall be punished as prescribed in Chapter 1, Article II, Division 2, Mobile City Code, with a fine not to exceed five hundred dollars (\$500) per violation, plus court costs and restitution as may be ordered by the Court, and/or by imprisonment for a period not exceeding six (6) months, and/or by community service for a period not exceeding six (6) months, or by a combination of any of the foregoing, all at the discretion of the judge.

SECTION TWO. 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.

SECTION THREE. 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.

SECTION FOUR. This Ordinance shall be in full force and effect within the City of Mobile from and after its adoption and publication as required by law.

CONCUR IN THE APPOINTMENT OF MARY STEWART NELSON TO THE ALTAPOINTE HEALTH BOARD OF DIRECTORS. The resolution was introduced by Councilmember Daves.

RESOLUTION: 03-162-2021

Sponsored by: City Council

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the City Council concurs in the appointment of Mary Stewart Nelson to fill an unexpired term to the AltaPointe Health Board of Directors, effective immediately, for a term ending April 1, 2023.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is 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 Richardson and the vote was as follows:

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

Nays: None

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

APPOINT BRIDGET GOFF ARCHER TO THE HUMAN RELATIONS COMMISSION. The resolution was introduced by Councilmember Daves.

RESOLUTION: 03-163-2021

Sponsored by: Councilmember Rich

MINUTES OF MARCH 9, 2021

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Bridget Goff Archer is appointed to the Human Relations Commission effective immediately for a term ending February 8, 2024.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is 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 Richardson and the vote was as follows:

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

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

APPROVE PURCHASE ORDER TO TRANE US INC. FOR REPLACEMENT CENTRAL AIR/HEATING SYSTEM COMPONENTS FOR THE SAENGER THEATRE, \$579,965.00.  
The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 08-164-2021  
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>7139</u> | 2021        | (3032) ARCHITECTURAL ENGINEERING | REPLACEMENT CENTRAL AIR/HEATING SYSTEM COMPONENTS FOR SAENGER THEATRE (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT) | \$579,965.00 | <u>(293908) TRANE US 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 2021 FORD F150 4X4 CREW CAB PICKUP, \$33,199.00. The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 08-165-2021  
Sponsored by: Mayor Stimpson

MINUTES OF MARCH 9, 2021

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>7013</u> | 2021        | (F7000) MOTOR POOL | 2021 FORD F150 4X4 CREW CAB PICKUP TRUCK (AL STATE CONTRACT) | \$33,199.00 | <u>(292393) STIVERS FORD 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.

APPROVE ITEM BASED BID AWARD TO NEWMAN TRAFFIC SIGNS & VULCAN INC. FOR STREET NAME SIGNS AND BRACKETS. The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 08-166-2021  
Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to accept and approve, and issue Purchase Orders against, the below proposed Bid Award, to the designated vendors, for the indicated time period, and if renewable, renewable without further action by Council, for the specified item(s) at the unit prices indicated.

| Bid         | Description                    | Number of Items | Bid Amount           | Time/Renewal                                            | Vendor(s)                                                                |
|-------------|--------------------------------|-----------------|----------------------|---------------------------------------------------------|--------------------------------------------------------------------------|
| <u>5506</u> | Street Name Signs and Brackets | 4               | See attached bid tab | One year, renewable for two additional one-year periods | <u>(148412) Newman Traffic Signs Inc;</u><br><u>(270927) Vulcan 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 CDW GOVERNMENT LLC FOR THE HPE NIMBLE ADAPTIVE FLASH BACKUP DATA STORAGE ARRAY, \$40,690.13. The following resolution was held over until the regular meeting of March 16, 2021.

MINUTES OF MARCH 9, 2021

RESOLUTION: 08-167-2021

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>6622</u> | 2021        | (5000) INFORMATION TECHNOLOGY | HPE NIMBLE ADAPTIVE FLASH BACKUP DATA STORAGE ARRAY WITH SERVICE PLAN (SOURCEWELL AND NATIONAL IPA COOPERATIVE PURCHASING AGREEMENTS, NOT ON STATE CONTRACT) | \$40,690.13 | <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.

APPROPRIATE \$250,000.00 TO BISHOP STATE COMMUNITY COLLEGE FOR AN ADVANCED MANUFACTURING CENTER. The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 09-168-2021

Sponsored by: City Council and Mayor Stimpson

WHEREAS, Bishop State Community College is building an Advanced Manufacturing Center (hereafter ‘the Center’) on its Main Campus in downtown Mobile, which will be an advanced world class training facility for technology, industrial maintenance, robotics, and other areas, designed to train a workforce to meet modern business and industry needs;

WHEREAS, the Center will attract high quality and high wage jobs to the City, provide a trained skilled work force and fill a jobs gap for the City, provide educational and training opportunities for our citizens, and help promote Mobile as a modern advanced business training center;

WHEREAS, Bishop State Community College has solicited monetary support to help fund the opening of the Center;

WHEREAS, the Mobile County Commission has voted to approve a recommendation of the Bishop State Community College Foundation for two contributions toward the opening of the Center, including contributions toward a Lecture Hall in the amount of \$250,000.00, and toward the Health Sciences Building Nursing Simulation Suite in the amount of \$100,000.00; and

MINUTES OF MARCH 9, 2021

NOW BE IT RESOLVED, that the sum of \$250,000.00 within Capital Project #C0007 City Share-Economic Development Incentive be allocated to this contribution, which is a proper and justifiable use of public funds and serves a public purpose;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$250,000.00 to the Bishop State Community College Foundation for the purposes of funding construction and opening of the Center described hereinabove serves a public purpose and the Council further approves and directs the payment of same, finds that this action is necessary to perform essential minimum functions of the Council, and further authorizes the Mayor to execute the necessary contract or agreement for the allocation of said funds.

AUTHORIZE CONTRACT WITH OSPREY INITIATIVE, LLC, FOR REMOVAL OF LITTER ON DOG RIVER, THREE MILE & ONE MILE CREEKS, \$200,000.00. The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 21-169-2021

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 insurance. A copy of said executed contract will be on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council and the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

Name of Company: Osprey Initiative, LLC

Project Name: Removal of Litter on Dog River, 3/1 Mile Creek  
City Wide D1-D7

Estimated Cost: \$200,000.00

AUTHORIZE CONTRACT WITH AEIKER CONSTRUCTION CORPORATION FOR LANGAN PARK – PAVILION IMPROVEMENTS, \$507,275.00 (2021 CIP ID#2021-P-053 D7). The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 21-170-2021

Sponsored by: Councilmember Gregory 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: Aeiker Construction Corporation

Project Name: Langan Park – Pavilion Improvements

Project Number: PR-048-20

Amount: \$507,275.00 (2021 CIP ID#2021-P-053 D7)

MINUTES OF MARCH 9, 2021

AUTHORIZE CONTRACT WITH TINDLE CONSTRUCTION, LLC FOR TRIMMIER PARK IMPROVEMENTS RESTROOMS, CONCESSIONS & COMMUNITY CENTER, \$482,000.00 (CIP ID #1096 D3). The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 21-171-2021

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, 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: Tindle Construction, LLC

Project Name: Trimmier Park Improvements Restrooms, Concessions & Community Center

Project Number: PR-033-20

Amount: \$482,000.00 (2019 CIP ID#1096 D3)

AUTHORIZE A PERFORMANCE CONTRACT WITH THE NAVY LEAGUE AND REALLOCATE \$5,000 EACH FROM DISTRICTS 4 & 5 CAPITAL DISCRETIONARY MONIES. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-172-2021

Sponsored by: Councilmembers Daves & Williams and Mayor Stimpson

WHEREAS, the Austal United States Navy shipbuilding contract, and its potential for future shipbuilding in the future, have resulted in benefit to the local economy, and the employment of members of the community, and the commissioning ceremony of the USS Mobile will be a high profile event showcasing the Mobile community as a center of modern shipbuilding and defense contracting; and as such helping fund the ceremony is a good, proper and justifiable use of public resources;

WHEREAS, the United States Navy League, Mobile Council, Inc., is an Alabama non-profit corporation which provides a service to the community and has agreed to coordinate, organize and market the commissioning ceremony;

NOW, THEREFORE, BE IT RESOLVED that the sum of \$5,000.00 be re-allocated from Capital Project #D0016 Priority Projects/District 4 Capital and \$5,000.00 be reallocated from Capital Project #D0017 Priority/Projects-District 5 Capital to Capital Project C0007 City Share-Economic Development Incentive and added to the \$40,000.00 current allocation;

BE IT FURTHER RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$50,000.00 to the Navy League of the United States, Mobile Council, Inc. 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 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.



MINUTES OF MARCH 9, 2021

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

Ayes: Richardson, Manzie, Small, Williams, Daves, 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 WILLIAM SHAW, TECHNICIAN, GULF COAST TECHNOLOGY CENTER, \$49,500.00. The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 21-173-2021

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 revised professional services contract, by and between the City of Mobile and William Shaw. A copy of said contract is on file in the office of the City Clerk.

AUTHORIZE CONTRACT WITH JEREMIAH MOODY, TECHNICIAN, GULF COAST TECHNOLOGY CENTER, \$49,000.00. The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 21-174-2021

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 Professional Services contract with Jeremiah Moody, in the amount of \$49,000.00, for cyber-security work in the Gulf Coast Technology Center, 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.

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 ANDRE KING, TECHNICIAN, GULF COAST TECHNOLOGY CENTER, \$59,500.00. The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 21-175-2021

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 Professional Services contract with Andre King, in the amount of \$59,500.00, for cyber-security work in the Gulf Coast Technology Center, 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.

MINUTES OF MARCH 9, 2021

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.

ACCEPT PERMANENT DRAINAGE EASEMENT FROM DEBBIE L. PETTWAY FOR THE 2018 CIP TRINITY GARDENS AREA STREET DRAINAGE IMPROVEMENTS PROJECT.  
The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 25-176-2021

Sponsored by: Councilmember Richardson and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby accepts a Permanent Drainage Easement, from Debbie Leeann Pettway, needed for the 2018 CIP Trinity Gardens Area Street Drainage Improvements Project, Tract 1.

SAID document with sketch being attached hereto and made a part hereof as fully as if set forth herein.

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.

AMEND THE ESG PY 2019 & 2020 ACTION PLAN TO CHANGE ONE OF THE NONPROFITS PROVIDING SERVICES FOR HOMELESS PREVENTION. The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 31-177-2021

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile receives grant funds from the United States Department of Housing and Urban Development (HUD) Emergency Solutions Grant (ESG) Program, under the Stewart B. McKinney Vento Homeless Assistance Act of 1987, as amended by The Homeless Emergency and Rapid Transition to Housing (HEARTH) Act, and the Stewart B. McKinney Homeless Assistance Amendments Act, and the Cranston-Gonzalez National Affordable Housing Act of 1990 for the provision of services for the homeless population; and

WHEREAS, the City periodically reallocates funds between eligible activities within the ESG program in accordance with the Citizen Participation Plan;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the 2019 and 2020 Action Plans are amended in accordance with the table below to reflect reallocation of funds:

| ACTIVITY – PY 2019 & PY 2020 ACTION PLAN               | REDUCTION     | INCREASE    |
|--------------------------------------------------------|---------------|-------------|
| PY 2019 ESG Homeless Prevention – Lifelines Counseling | (\$9,089.89)  |             |
| PY 2019 ESG Homeless Prevention – Legal Services       |               | \$9,089.89  |
| PY 2020 ESG Homeless Prevention - Lifelines Counseling | (\$22,910.11) |             |
| PY 2020 ESG Homeless Prevention – Legal Services       |               | \$22,910.11 |
| TOTAL                                                  | (\$32,000.00) | \$32,000.00 |

BE IT FURTHER RESOLVED that the Mayor, or his designee, is directed and authorized to act on behalf of the City of Mobile in the filing of the Amendment to the 2019 and 2020 Action Plans with HUD, and that this authorization extends to the execution of all required certifications, agreements, and loan documents as well as all other actions required by said Federal funds.

MINUTES OF MARCH 9, 2021

A copy of this Amendment shall remain on file in the office of the City Clerk.

AUTHORIZE APPLICATION AND ACCEPTANCE OF ADECA CDBG-CV FUNDS. The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 31-178-2021

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile receives grant funds from the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG), Program, under Title I of the Housing and Community Development Act of 1974 as amended. The CDBG Program is designed to develop viable communities by providing decent housing, a suitable living environment, and expanded economic opportunities; and

WHEREAS, the Alabama Department of Economic and Community Affairs has been allowed under the CARES Act (Public Law 116-136) to allocate a portion of funding to Entitlement Communities for eligible activities within the CDBG program to respond to, prepare for, and prevent coronavirus;

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, or his designee, is authorized to apply for CDBG-CV funds through ADECA in accordance with the table below to reflect the additional allocation of funds: ADECA Community Development Block Grant-Coronavirus Response (ADECA CDBG-CV)

HUD Category

|                                                                     |                                                       |           |
|---------------------------------------------------------------------|-------------------------------------------------------|-----------|
| Administration (City of Mobile)                                     | Administration                                        | \$200,000 |
| Acquisition of Real Property for Food Banks in Low/Mod Income Areas | Acquisition of Real Property for an Eligible Activity | \$550,000 |
| Food Banks in Low/Mod Income Areas                                  | Public Service                                        | \$300,000 |
| VIA Senior Portable Wellness Program                                | Public Services                                       | \$34,232  |
| Legal Services of Alabama-Fair Housing Education Program            | Public Services                                       | \$50,000  |
| Low/Mod Income Area Pandemic Related Fire Protection Equipment      | Public Facility                                       | \$365,768 |

TOTAL ANTICIPATED ADECA CDBG-CV FUNDING \$1,500,000

BE IT FURTHER RESOLVED that the Mayor, or his designee, is directed and authorized to act on behalf of the City of Mobile in the filing of the application with ADECA, and that this authorization extends to the execution of all required certifications, agreements, and loan documents as well as all other actions required by said Federal and State funds.

A copy of this Amendment shall remain on file in the office of the City Clerk.

DECLARE THE STRUCTURE AT 1205 BELLE COUR DRIVE EAST A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-179-2021

MINUTES OF MARCH 9, 2021

Sponsored by: Councilmember Small

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 1205 BELLE COUR DRIVE EAST has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance.

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 4, 7, 8, and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1205 BELLE COUR DRIVE EAST as:

THE S 10 FT OF LOT 19 & ALL OF LOT 20 BELLE COUR SUBD MBK 4 PG 693-695 #SEC 33 T4S R1W #MP29 11 33 3 000

Parcel Number: 29 11 33 3 000 098

Last Assessed to: WASHINGTON GLEN & SANDRA J

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 Richardson and the vote was as follows:

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

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

DECLARE THE STRUCTURE AT 724 KENTUCKY STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-180-2021

Sponsored by: Councilmember Small

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 724 KENTUCKY 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.

MINUTES OF MARCH 9, 2021

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 4, 7, 8, and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 724 KENTUCKY STREET as:

LOTS 70 & 71 BLK 1 OAKDALE SUBD DBK 156/458 #SEC 37 T4S R1W #MP29 10 37 0 008

Parcel Number: 29 10 37 0 008 078

Last Assessed to: JOHNSON CASSANDRA HARRIS

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 Richardson and the vote was as follows:

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

Nays: None

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

APPROVE AWARD OF SPECIAL BONUS TO THE PARKS & RECREATION EMPLOYEE OF THE MONTH FOR MARCH, JAMES RICHARDSON. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-181-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City Supervisors, recommends to the City Council that it authorize an award, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 to the following employee:

- March 2021 - James Richardson (Employee # 1684) Parks & Recreation (Tennis Division)

This employee is to be commended for his exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

MINUTES OF MARCH 9, 2021

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

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

Nays: None

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

RE-APPOINT GARY WITHERSPOON TO THE PUBLIC PARK AND RECREATION BOARD OF THE CITY OF MOBILE (ERNEST F. LADD MEMORIAL STADIUM) BOARD.

The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-182-2021

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Gary Witherspoon is re-appointed to the Public Park and Recreation Board of the City of Mobile (Ernest F. Ladd Memorial Stadium) Board effective immediately for a term ending August 7, 2025.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is 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 Richardson and the vote was as follows:

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

Nays: None

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

DETERMINE AN APPROPRIATION OF \$250,000.00 TO MOBILE COUNTY FOR THE CONSTRUCTION OF THE AFRICATOWN HERITAGE HOUSE MUSEUM. The following resolution was held over until the regular meeting of March 16, 2021.

RESOLUTION: 60-183-2021

Sponsored by: City Council

WHEREAS, the preservation and promotion of the history of the Clotilda and Africatown provides educational and cultural benefits for the public, and results in regional and national recognition for Mobile and its role in history, and further provides cultural, economic and tourism opportunities for the City, thereby benefitting the public good; and

WHEREAS, Mobile County has planned and begun the process of constructing the Africatown Heritage House museum which will depict the story of the slave ship Clotilda and the community of Africatown (the "Project"), and is in need of financial assistance to supplement its funding for said construction; and

WHEREAS, helping fund the construction of the Africatown Heritage House Museum is a good, proper and justifiable use of public resources;

NOW, THEREFORE, BE IT RESOLVED that the sum of \$250,000.00 be paid to Mobile County, Alabama, to supplement funding for the construction of the Africatown Heritage House Museum;

MINUTES OF MARCH 9, 2021

BE IT FURTHER RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$250,000.00 to Mobile County, Alabama, 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 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.

ANNOUNCEMENTS:

Councilmember Rich reminded citizens that Daylight Savings Time begins this weekend.

Councilmember Small advised citizens to report overgrown weeds and grass issues to 311 or call 251-208-5311.

Councilmember Small stated that Revitalize DIP will host a community clean-up on Saturday, March 28, 2021, 9:00 a.m. until noon.

Councilmember Small announced that the Parks and Recreation Department will host an Easter Egg Hunt, March 27, 2021, from 10:00 a.m. - 1:00 p.m., at the Duval Street Park.

Councilmember Gregory noted that the Administrative Committee meeting is scheduled for today at 1:00 p.m. The topic of discussion will be Ordinance 64-012.

Councilmember Gregory provided updates on the Zeigler Road widening project.

Councilmember Gregory thanked Friendship Missionary Baptist Church for hosting a Covid-19 vaccination site.

Councilmember Richardson assured residents that a new splashpad will be installed in Tricentennial Park by the end of May.

Councilmember Richardson announced a Public Safety Committee Meeting will be held on Tuesday, March 23, 2021. The Mobile Police Department will present the year-end crime report.

Councilmember Manzie asked Councilmember Daves to have the Finance Committee request from the Administration the total money spent on contracts and the percentage that was awarded to DBE (Disadvantaged Business Enterprise) companies.

Councilmember Manzie created an ad hoc committee that will study matters related to Municipal Court. Councilmembers Manzie, Small and Gregory will serve as members.

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

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:04 p.m.

Adopted:

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

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