## MUNICIPAL BUILDING, MOBILE, ALABAMA, FEBRUARY 14, 2023

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, February 14, 2023, at 9:00 a.m.

Councilmembers:

Present: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Absent:

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, FEBRUARY 14, 2023

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, February 14, 2023, at 10:30 a.m., for the regular meeting.

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

Adam Lineberry, Redeeming Eden, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

**Present on Roll Call:**

Chairman: Small
Vice-Chairman: Gregory
Councilmembers: Penn, Carroll, Reynolds, Daves, and Jones
Absent:

### STATEMENT OF RULES BY PRESIDING OFFICER

The Presiding Officer provided an overview of the City Council's rules of procedure.

### APPROVAL OF MINUTES

The minutes of the meetings of February 7, 2023, were approved as submitted.

### COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson announced a Community Walk and Talk will be held tomorrow, at Herndon-Sage Park at 6:00 p.m. in honor of Black History Month.

Mayor Stimpson thanked Public Safety and Public Works employees for all the work they do to make it safe and for cleaning up during Mardi Gras.

Mayor Stimpson stated that 3,300 pounds of litter and 1,030 pounds of beads were picked up off the streets so far during the Mardi Gras season.

Mayor Stimpson presented a proclamation to Mr. Rice, President of the Mobile Area Mardi Gras Association (MAMGA), and other representatives recognizing their 85th Anniversary.

**NOTE:** Councilmember Small read a resolution recognizing the Mobile Area Mardi Gras Association's 85th Anniversary.

Jim DeLapp, Executive Director of Public Works, presented the following employees of the month:

Carl Lewis, Parks and Recreation
Nathan Goleman, Public Works at Large
Freddie Bell, Public Services

**ADOPTION OF THE AGENDA:**

Councilmember Jones moved to adopt the agenda, which move was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**APPEALS**

Request of James and Lissa Watkins for a waiver of the Noise Ordinance at 103 Lanier Avenue on February 18, 2023, from 8:00 p.m. – 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: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

Request of Zach Zbinden for a waiver of the Noise Ordinance at 158 N. Broad Street on February 9-21, 2023, from 10:00 a.m. – 10:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

Request of Jermaine Gaines for a waiver of the Noise Ordinance at 565 Government Street on February 18-21, 2023, from 10:00 p.m. – 9:50 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

Request of United Way of Southwest Alabama for a waiver of the Noise Ordinance in Mardi Gras Park on March 10, 2023, from 11:00 a.m. – 3:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

Request of Callaghan's Irish Social Club for a waiver of the Noise Ordinance at 916 Charleston Street on March 18, 2023, from 11:00 a.m. – 10:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

Request of North Monterey Association for a waiver of the Noise Ordinance on N. Monterey Street (Dauphin St. to Old Shell Rd.) on April 22, 2023, from 6:00 p.m. – 11:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

Request of Danielle Simpson for a waiver of the Noise Ordinance at Cooper Riverside Park on August 26, 2023, from 7:00 a.m. – 3:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

Request of Johanne Carroll for a waiver of the Noise Ordinance at 254 S. Broad Street on February 19, 2023, from 12:00 p.m. – 5:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**PUBLIC HEARINGS**

**PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1816 TOULMIN AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).**

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1816 Toulmin Avenue 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 later in the meeting.

**PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1342 CONGRESS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).**

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1342 Congress 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 later in the meeting.

**PUBLIC HEARING TO DECLARE THE STRUCTURE AT 922 S. HAMILTON 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 922 S. Hamilton 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 later in the meeting.

**PUBLIC HEARING TO DECLARE THE STRUCTURE AT 7131 2$^{nd}$ STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 7)**

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 7131 2$^{ND}$ 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 later in the meeting.

**PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL**

**NON-AGENDA ITEMS:**

David Clark, President of Visit Mobile – presented a preview of the new “History Pillar” video.

Adam Lineberry, 8582 Fernwood Loop N., Semmes, Alabama, introduced his ministry, Redeeming Eden, and discussed its benefits for the citizens of Mobile.

Bridgette Goode, 7236 L and N Circle Theodore, Alabama, requested a community park and offered comments about Heroes Park.

Reggie Hill, 1007 Center Street, offered a formal request for settlement regarding transactional matters between the City and "S4TF", Public Safety Committee meeting, and Committee of the Whole meeting.

**CIP RESOLUTIONS HELD OVER**

**AUTHORIZE CONTRACT WITH PARTEN SMITH, INC. FOR 2023 CIP CITY WIDE SIDEWALK REPAIR & MAINTENANCE; $1,911,000.00.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-149-2023

Sponsored by: Mayor Stimpson and Councilmembers Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory

WHEREAS, bids for sidewalk repairs and maintenance for districts 1-7 were received and opened on December 7, 2022.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from Parten Smith, Inc., in the amount of $1,911,000.00.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by Parten Smith, Inc.

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

Name of Company: Parten Smith, Inc.

Project Name: 2023 City Wide Sidewalk Repair & Maintenance (D1-7)

Project Number: 2023-3005-01

Amount: $1,911,000.00

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory, following comments from Councilmembers Gregory and Jones the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**RESOLUTIONS HELD OVER**

**AUTHORIZE A PROJECT AGREEMENT BETWEEN THE CITY AND ADAMS STREET PROPERTY, LLC.** The following resolution which was introduced and read at the regular meeting of January 31, 2023, and held over until the regular meetings of February 7, 2023, and February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-106-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council (the “City Council”) of the City of Mobile, Alabama (the “City”), as follows:

**Section 1.** The City Council, upon evidence duly presented to and considered by it, has found and determined, and does hereby find, determine and declare as follows:

(a) Pursuant to the applicable laws of the State of Alabama, the City and Adams Street Property, LLC, an Alabama limited liability company (the “Company”) have agreed to the terms of that certain Project Agreement to be dated the date of delivery (the “Agreement”), as set forth hereinafter, for the purposes referenced therein.

(b) The Company, a Related Company (as defined in the Agreement) of Gulf Distributing of Mobile, LLC, an Alabama limited liability company (“Gulf”), has acquired certain real property and buildings located at 401 North Water Street in downtown Mobile (the “Facility”) and proposes to make improvements to, and expand, the buildings and structures thereon so as to allow Gulf to expand its existing operation in the City.

(c) Gulf proposes to acquire and install fixtures and equipment within the Facility and make tenant improvements to the Facility for operation as a beverage distribution facility and commercial offices (the Company’s improvement work and Gulf’s improvement work collectively referred to as the “Project”).

(d) As part of the Project, it is expected that Gulf will employ 245 full-time employees, including employees currently working at Gulf’s existing facility in the City, with a combined total capital investment required for the Project by the Company and Gulf estimated to be approximately Twenty-One Million, Two Hundred Fifty Thousand Dollars ($21,250,000) within the timelines provided in the Agreement.

(e) In reliance on the Company’s and Gulf’s representations of the capital investment by the Company and Gulf, employment and wage levels provided by Gulf, and the development, performance, and operation of the Project as described herein, and in consideration of the economic impact, the increased tax revenues, and other benefits to be received by the City and its citizens, the City has committed to make available to the Company certain incentives in the manner described in the Agreement, subject to applicable State and Federal laws, particularly by conveying approximately three (3) acres of real property currently owned by the City and located adjacent to the Facility (the “Property”) to the Company, at no cost to the Company, subject to certain recapture provisions as set forth in the Agreement. The estimated value of the Property is Two Hundred Seventy-Five Thousand Dollars ($275,000) (the “Incentive”). The Company and Gulf will each be a direct beneficiary of the Agreement.

(f) The Company and Gulf will each be a direct beneficiary of the Agreement.

(g) The Incentive will benefit the Company and Gulf in consideration of the Company’s and Gulf’s development of the Project, subject to fulfillment by the Company and Gulf of certain commitments as described in the Agreement.

(h) The City is authorized to do any of the actions or undertakings referenced in Section 94.01 of the Constitution of Alabama of 1901 (as amended) (“Section 94.01” or “Amendment 772”).

(i) The City is authorized under Section 94.01 to grant public funds or things of value to or in aid of any private entity for the purpose of promoting the economic development of the City, including by conveying real property to any private entity for less than the fair market value thereof.

(j) Pursuant to and for the purposes of Section 94.01, it is necessary, desirable and in the public interest for the City to convey the Property to the Company at no cost to the Company as set forth in the Agreement.

(k) The conveyance of real property for less than the fair market value thereof for the purposes specified in the Agreement will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

(l) The Property no longer serves a municipal or public purpose.

(m) (1) On January 22, 2023, the City caused to be published in the newspaper with the largest circulation in the City, the notice required by Section 94.01(c)(2).

(2) The information set forth in said notice is true and correct.

(3) Publication of said notice is hereby ratified and confirmed.

**Section 2.** The City Council does hereby approve, adopt, authorize, direct, ratify and confirm:

(a) the agreements, covenants, and undertakings of the City set forth in the Agreement; and

(b) the terms and provisions of the Agreement, in substantially the form submitted to the City Council.

**Section 3.** The Mayor is hereby authorized and directed to execute and deliver the Agreement for and on behalf of and in the name of the City. The Clerk is hereby authorized and directed to affix the official seal of the City to the Agreement and to attest the same.

**Section 4.** The Mayor and the officers of the City are each hereby authorized and directed to take all such actions, and execute, deliver and perform all such agreements, documents, instruments, notices, and petitions and proceedings, with respect to the Agreement, as the Mayor and such officers shall determine to be necessary or desirable to carry out the provisions of this Resolution and the Agreement and to duly and punctually observe and perform all agreements and obligations of the City under the Agreement.

**Section 5.** All prior actions taken, and agreements, documents or notices executed and delivered, by the Mayor or any officer or member of the City Council or other representative of the City, in connection with the agreements, covenants, and undertakings of the City hereby approved, or in connection with the preparation of the Agreement and the terms and provisions thereof, are hereby approved, ratified, and confirmed.

**Section 6.** All resolutions, orders, or parts of any thereof, of the City Council in conflict or inconsistent with any provision of this Resolution hereby are, to the extent of such conflict or inconsistency, repealed.

**Section 7.** This Resolution shall take effect immediately.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**AUTHORIZE AGREEMENT WITH QWALLY, INC. TO ELECTRONICALLY TRACK LOCAL SMALL AND DISADVANTAGED BUSINESS PARTICIPATION WITH CITY CONTRACTS; $81,000 PER YEAR FOR 3 YEARS.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-150-2023

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile adopted Ordinance 14-080-2020 on July 7, 2020 for the purpose of providing equal access to City contracts by those businesses and individuals that are disadvantaged; and

WHEREAS, the City procured Qwally, Inc., in compliance with federal requirements in 2019 to implement and design a website to promote the development and contracting capacity of local small and disadvantaged businesses as described in the City's Request for Proposals; and

WHEREAS, to remain in compliance with the previously mentioned ordinance, the City finds that it is beneficial to continue its use of the website and tracking system that has been installed to assist in the capacity of local small and disadvantaged businesses; and

WHEREAS, the City's Office of Supplier Diversity tracks participation by these businesses and individuals so as to comply with Ordinance 14-080-2020;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to enter into an agreement with Qwally, Inc., in an amount not to exceed $81,000 per year for 3 years, to assist the Office of Supplier Diversity to more efficiently track, through electronic means, participation by contractors and subcontractors as described in Ordinance 14-080-2020:

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**AUTHORIZE CONSULTING SERVICE AGREEMENT WITH JOHN HOGGARD, D/B/A UTILITY PLANNING NETWORK.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-151-2023

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, the Consulting Service Agreement between the City of Mobile and John Hoggard d/b/a Utility Planning Network, attached hereto or one substantially similar, and made a part hereof, as though set forth in full, and to take such further action necessary to effectuate the Agreement. A copy of said Consulting Service Agreement is on file in the office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 UJ CHEVROLET CO., INC. FOR CHEVROLET TAHOE FOR PUBLIC SAFETY DEPT.; $65,190.00.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-152-2023

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 |
|---|---|---|---|---|---|
| 3369 | 2023 | (F7000) MOTOR POOL | 2023 CHEVROLET TAHOE SUV FOR PUBLIC SAFETY (SEALED BID 5756) | $65,190.00 | (210000) UJ CHEVROLET CO INC |

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 CELLEBRITE, INC. FOR FORENSIC SOFTWARE RENEWAL FOR MPD; $217,841.08.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-153-2023

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 |
|---|---|---|---|---|---|
| 4545 | 2023 | (1545) POLICE CYBER DIVISION | FORENSIC SOFTWARE RENEWAL FOR MPD CYBER (SOLE SOURCE RENEWAL OF EXISTING SOFTWARE) | $217,841.08 | (293683) CELLEBRITE INC |

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 TOTER, LLC FOR GARBAGE CART LIDS, AND WHEELS; $62,578.40.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-154-2023

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 |
|---|---|---|---|---|---|
| 4710 | 2023 | (209A) TRASH COLLECTION | 2500 GARBAGE CART LIDS, 864 CART WHEELS FOR TRASH COLLECTION (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT) | $62,578.40 | (205975) TOTER LLC |

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 JOE BULLARD CHEVROLET FOR 2 CHEVROLET TAHOES; $118,146.00.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-155-2023

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 |
|---|---|---|---|---|---|
| 2313 | 2023 | (1510) FIRE ADMINISTRATION | 2 2023 CHEVROLET TAHOE LT SUVS FOR MFRD (SEALED BID 5737) | $118,146.00 | (296800) JOE BULLARD CHEVROLET |

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 TAMERON CDJRF, LLC FOR DODGE RAM CREW-CAB PICKUP TRUCK; $65,552.22.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-156-2023

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 |
|---|---|---|---|---|---|
| 2421 | 2023 | (1545) POLICE CYBER DIVISION | 2022 DODGE RAM 4X4 CREW-CAB PICKUP TRUCK FOR GULF COAST TECHNOLOGY CENTER (SEALED BID 5749) | $65,552.22 | (298277) TAMERON CDJRF LLC |

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 HAMMCO TREE SERVICE FOR REMOVAL OF VARIOUS TREES AND STUMPS; $102,585.75.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-157-2023

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 |
|---|---|---|---|---|---|
| 5254 | 2023 | (2018) FORESTRY | REMOVAL OF VARIOUS TREES AND STUMPS FOR FORESTRY (SEALED BID 5762) | $102,585.75 | (297611) HAMMCO TREE SERVICE |

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**APPROVE PURCHASE ORDER TO CDW GOVERNMENT, LLC FOR MILESTONE XPROTECT VIDEO MANAGEMENT SOFTWARE FOR MPD; $19,341.91.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-158-2023

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 |
|---|---|---|---|---|---|
| 4506 | 2023 | (1530) POLICE ADMIN SERVICES | MILESTONE XPROTECT VIDEO MANAGEMENT SOFTWARE (AL STATE CONTRACT) | $19,341.91 | (272932) CDW GOVERNMENT LLC |

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**TRANSFER FUNDS FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO CAPITAL IMPROVEMENT FUND FOR IMPROVEMENTS AT 200 GOVERNMENT STREET; $1,000,000.00.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 09-159-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $1,000,000.00 in the General Fund Unassigned Fund Balance (Fund 1000) be transferred to Capital Improvement Fund (Fund 2000); Capital Project # C0829; 200 Government St. Bldg. Improv.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**AUTHORIZE CONTRACT WITH THOMPSON ENGINEERING, INC. FOR S. MCGREGOR AVE. WIDENING (AIRPORT BLVD. TO DAUPHIN ST.) $1,547,335.00.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-160-2023

Sponsored by: Mayor Stimpson and Councilmember Daves

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 agreement attached hereto and made a part hereof as set forth in full, subject to the company signing the contract and furnishing the required bonds and insurance. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of Company: Thompson Engineering, Inc.

Project Name: McGregor Ave Widening (Airport to Dauphin)
COM Project # 2013-202-07

Estimated Cost: $1,547,335.00

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**AUTHORIZE CONTRACT WITH ENGINEERED COOLING SERVICES, LLC FOR CHILLER SERVICE AND MAINTENANCE AT VARIOUS CITY LOCATIONS;**

**$207,000.00 FIRST YEAR.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-161-2023

Sponsored by: Mayor Stimpson

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

Name of Company: ENGINEERED COOLING SERVICES, LLC

Project Name: CHILLER SERVICE AND MAINTENANCE@
VARIOUS CITY OF MOBILE LOCATIONS
(3 -YEAR SERVICE CONTRACT)

Project Number: FM-190-22

Amount: $639,815.00 TOTAL CONTRACT SUM:
$207,000.00 FIRST YEAR
$213,210.00 SECOND YEAR
$219,605.00 THIRD YEAR

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**AUTHORIZE CONTRACT WITH GEOTECHNICAL ENGINEERING TESTING, INC. FOR 2022 PAYGO RESURFACING; $24,858.00.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-162-2023

Sponsored by: Mayor Stimpson and Councilmember Reynolds

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

Name of Company: Geotechnical Engineering Testing, Inc.

Project Name: 2022 PAYGO Resurfacing Commission District 3,
MCR-2022-308 /COM Pro ject#2023-3005-06

Estimated Cost: $24,858.00

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**AUTHORIZE CONTRACT WITH CORPORATE ENVIRONMENTAL RISK MANAGEMENT, LLC FOR ENGINEERING SERVICES FOR 2022 PAYGO RESURFACING; $90,500.00.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-163-2023

Sponsored by: Mayor Stimpson and Councilmember Reynolds

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

Name of Company: CERM, LLC
(Corporate Environmental Risk Management, LLC)

Project Name: 2022 PAYGO Resurfacing Commission District 3
COM Pro ject#2023-3005 -06

Estimated Cost: $90,500.00

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**APPROVE THE EQUAL EMPLOYEMENT OPPORTUNITY PROGRAM FOR THE WAVE TRANSIT SYSTEM.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 60-164-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Equal Employment Opportunity Program for the WAVE Transit System is hereby approved by the City Council of the City of Mobile, and the General Manager of the WAVE and the City Clerk be, and hereby are authorized and directed, respectively, to accept and adopt the said EEO Program, attached hereto and incorporated herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**APPROVE THE PUBLIC TRANSPORTATION AGENCY SAFETY PLAN FOR THE WAVE TANSIT SYSTEM.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 60-165-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Public Transportation Agency Safety Plan for the WAVE Transit System is hereby approved by the City Council of the City of Mobile, and the General Manager of the WAVE and the City Clerk be, and hereby are authorized and directed, respectively, to accept and adopt the said Plan, attached hereto and incorporated herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIM; HAYNES.** The following resolution which was introduced and read at the regular meeting of February 7, 2023, and held over until the regular meeting of February 14, 2023, was called up by the Presiding Officer.

RESOLUTION: 60-166-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized and directed to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Geico Insurance Company as Subrogee of their insured Tujuanna Haynes, 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 to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**ORDINANCES BEING INTRODUCED**

**ORDINANCE REPEALILNG CHAPTER 28, ARTICLE VI OF THE MOBILE CITY CODE, AND DISSOLVING THE "BLUE RIBBON AFFORDABLE HOUSING AND NEIGHBORHOOD REVITALIZATION COMMISSION".** The following ordinance was held over until the regular meeting of February 22, 2023.

ORDINANCE: 09-007-2023

Sponsored by: City Council

WHEREAS, the City Council has determined that the "Blue Ribbon Affordable Housing and Neighborhood Revitalization Commission" previously established by the City Council is now defunct, not meeting regularly, or else no longer serving in a significant role as an advisory body to the City Council and Administration commensurate with resources expended on its operation and;

WHEREAS, the City Council generally wishes to reduce the number of advisory boards and commissions established by the City of Mobile in order to simplify operations and conserve resources;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the following Ordinance is adopted dissolving the Blue-Ribbon Affordable Housing and Neighborhood Revitalization Commission.

Section 1: Chapter 28, Article VI of the Mobile City Code, §§ 28-71 through 28-77 as currently codified, and originally enacted as Ordinance Number 28-042-2019 on or about December 31, 2019, is hereby REPEALED.

Section 2: All ordinances, resolutions, orders, or parts thereof in conflict with or inconsistent with any provision herein are, to the extent of such conflict or inconsistency, repealed.

Section 3: This Ordinance shall take effect immediately upon its adoption and publication as required by law.

**ORDINANCE DISSOLVING THE "CITIZENS' ADVISORY COMMITTEE ON CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS AND MINORITY OWNED FIRMS".** The following ordinance was held over until the regular meeting of February 22, 2023.

ORDINANCE: 09-008-2023

Sponsored by: City Council

WHEREAS, the City Council has determined that the "Citizens' Advisory Committee on Contracting Opportunities for Small Business and Minority Owned Firms" previously established by the City Council is now defunct, not meeting regularly, or else no longer serving in a significant role as an advisory body to the City Council commensurate with resources expended on its operation and;

WHEREAS, the City Council generally wishes to reduce the number of advisory boards and commissions established by the City of Mobile in order to simplify operations and conserve resources;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the following Ordinance is adopted dissolving the Citizens' Advisory Committee on Contracting Opportunities for Small Business and Minority Owned Firms.

Section 1: Ordinance 09-003-2015, establishing the Citizens' Advisory Committee on Contracting Opportunities for Small Business and Minority Owned Firms and adopted on or about January 20, 2015 is hereby REPEALED and the Citizens' Advisory Committee on Contracting Opportunities for Small Business and Minority Owned Firms is hereby DISSOLVED.

Section 2: All ordinances, resolutions, orders, amendments, or parts thereof in conflict with or inconsistent with any provision herein are, to the extent of such conflict or inconsistency, repealed.

Section 3: This Ordinance shall take effect immediately upon its adoption and publication as required by law.

**ORDINANCE DISSOLVING THE "CITY OF MOBILE CITIZENS' BUDGET AND FINANCE ADVISORY COMMITTEE".** The following ordinance was held over until the regular meeting of February 22, 2023.

ORDINANCE: 09-009-2023

Sponsored by: City Council

WHEREAS, the City Council has determined that the "City of Mobile Citizen's Budget and Finance Advisory Committee" previously established by the City Council is now defunct, not meeting regularly, or else no longer serving in a significant role as an advisory body to the City Council commensurate with resources expended on its operation and;

WHEREAS, the City Council generally wishes to reduce the number of advisory boards and commissions established by the City of Mobile in order to simplify operations and conserve resources;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the following Ordinance is adopted dissolving the City of Mobile Citizen's Budget and Finance Advisory Committee.

Section 1: Ordinance 09-010-2012, establishing the City of Mobile Citizen's Budget and Finance Advisory Committee and adopted on or about May 8, 2012 is hereby REPEALED and the City of Mobile Citizen's Budget and Finance Advisory Committee is hereby DISSOLVED.

Section 2: All ordinances, resolutions, orders, amendments, or parts thereof in conflict with or inconsistent with any provision herein are, to the extent of such conflict or inconsistency, repealed.

Section 3: This Ordinance shall take effect immediately upon its adoption and publication as required by law.

**ORDINANCE DISSOLVING THE "PUBLIC TRANSIT ADVISORY COMMITTEE".** The following ordinance was held over until the regular meeting of February 22, 2023.

ORDINANCE: 09-010-2023

Sponsored by: City Council

WHEREAS, the City Council has determined that the "Public Transit Advisory Committee" previously established by the City Council is now defunct, not meeting regularly, or else no longer serving in a significant role as an advisory body to the City Council commensurate with resources expended on its operation and;

WHEREAS, the City Council generally wishes to reduce the number of advisory boards and commissions established by the City of Mobile in order to simplify operations and conserve resources;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the following Ordinance is adopted dissolving the Public Transit Advisory Committee.

Section 1: Ordinance 09-072-2015, establishing the Public Transit Advisory Committee and adopted on or about August 4, 2015, and as amended by Ordinance 09-007-2016 is hereby REPEALED and the Public Transit Advisory Committee is hereby DISSOLVED.

Section 2: All ordinances, resolutions, orders, amendments, or parts thereof in conflict with or inconsistent with any provision herein are, to the extent of such conflict or inconsistency, repealed.

Section 3: This Ordinance shall take effect immediately upon its adoption and publication as required by law.

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

**Councilmember Gregory moved for the suspension of the rules to consider Resolutions 31-167 through 37-202 being introduced for the first time. The motion was seconded by Councilmember Jones, and the vote was as follows:**

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

**CONSENT RESOLUTIONS BEING INTRODUCED**

**AUTHORIZE A GRANT APPLICATION TO THE ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, FUNDED BY THE GULF OF MEXICO ENERGY SECURITY ACT FOR LITTER TRAP FUND PROGRAM; $210,000.00 (NO LOCAL MATCH).** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 31-167-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept, and receive a grant subaward from the Alabama Department of Environmental Management (ADEM), funded by the Gulf of Mexico Energy Security Act (GOMESA), in the amount of $210,000.00 for their Litter Trap Fund Program. There is no match requirement.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant, if offered, and to sign any agreements or other documents in connection with the grant application and to provide any information required by the Alabama Department of Environmental Management (ADEM) or GOMESA. 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 Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO FAMILY DOLLAR STORE #28882, 4726 MOFFETT ROAD).** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 37-168-2023

Sponsored by: Councilmember Penn

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

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

Submitted by: Family Dollar Stores of Alabama, LLC

Location: Family Dollar #28882
4726 Moffett Road
Mobile, AL 36618

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR FAMILY DOLLAR STORE #30152, 408 N. BROAD STREET.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 37-169-2023

Sponsored by: Councilmember Carroll

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

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

Submitted by: Family Dollar Stores of Alabama, LLC

Location: Family Dollar #30152
408 N. Broad Street
Mobile, AL 36603

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO FAMILY DOLLAR STORE #224765, 1281 A DAUPHIN ISLAND PARKWAY.** The following resolution was introduced by Councilmember Small.

RESOLUTION: 37-170-2023

Sponsored by: Councilmember Small

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

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

Submitted by: Family Dollar Stores of Alabama, LLC

Location: Family Dollar #224765
1281 A Dauphin Island Parkway
Mobile, AL 36605

The resolution was read by the City Clerk, whereupon Councilmember Small moved to hold the resolution over for one week, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over until the regular meeting of February 22, 2023.

**RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO FAMILY DOLLAR STORE #32977, 415 AZALEA ROAD.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 37-171-2023

Sponsored by: Councilmember Daves

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

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

Submitted by: Family Dollar Stores of Alabama, LLC

Location: Family Dollar #32977
415 Azalea Road
Mobile, AL 36609

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE TO ROLL WITH IT, 5045 COTTAGE HILL ROAD.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 37-172-2023

Sponsored by: Councilmember Reynolds

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

Type of application: Restaurant Retail Liquor License

Submitted by: Roll With It, LLC

Location: Roll With It
5045 Cottage Hill Road, Suite G
Mobile, AL 36609

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 1816 TOULMIN AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-173-2023

Sponsored by: Councilmember Penn

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 **1816 TOULMIN AVENUE** has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52. in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A • No. 4, 5, 7, 10, 11 and 14; 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 1816 TOULMIN AVENUE described as:

**LOT 7 LEWIS ADD TO TOULMINILLE DBK 156 P 260 #SEC 44 T4S R1W #MP29 02 44 0 023**

**Parcel Number: 29 02 44 0 023 254**

**Last Assessed to: SINGLETON KIMBERLY**

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 Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 1342 CONGRESS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-174-2023

Sponsored by: Councilmember Carroll

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 **1342 CONGRESS STREET** has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 3, 4, 5, 7. and 8; and**

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

NOW, THEREFORE. BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1342 CONGRESSSTREET described as:

**COM AT NE COR CONGRESS & RYLANDS STS RUN ELY 85 FT TH NLY 103 FT TH WLY 85 FT TH SLY 103 FT TO BEG BEING LOTS 6 & 7 BLK 29 CAMP GROUND TRT DBK 85/47 #SEC 40 T4S R1W #MP29 06 40 0 007**

**Parcel Number: 29 06 40 0 007 135**

**Last Assessed to: EAST MICHAEL L**

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be **demolished** in accordance with the terms of said Chapter 52. Article II of the Mobile City Code. "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 922 S. HAMILTON STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-175-2023

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 **922 S. HAMILTON STREET** has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance:

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 1, 3, 4, 5, 7, and 8;** and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 922 S. HAMILTON STREET described as:

LOT 2 AS PER MAP OF JAMES A LEWIS SUB IN DBK 131 P 594 DESC AS BEG ON W/S HAMILTON ST 25 FT N OF NW COR OF HAMILTON ST & S CAROLINA ST TH RUN N ALG W/L HAMILTON ST 25 FT TO PT TH W & PAR WITH N/L OF S CAROLINA ST 128 FT TO POB TH RUN S ALG LINE OF A FENCE & PAR WITH W/L OF HAMILTON ST 25 FT TO PT TH RUN E & PAR WITH N/L OF CAROLINA ST 128 FT TO PT OF BEG LESS THAT PT TAKEN BY LAWRENCE-FRANKLIN CONNEC TION R/W #SEC 37 T4S R1W #MP29 10 37 0 009

**Parcel Number: 29 10 37 0 009 018**

**Last Assessed to: EZELL ARNAZ**

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 I) 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 Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 7131 2ND STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-176-2023

Sponsored by: Councilmember Gregory

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 **7131 2nd STREET** has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 5, 7, 10, 11 and 14;** 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 7131 2nd STREET described as:

**LOTS 41 & 42 BLK 4 MOBILE TERRACE SUB DBK 156 P 540 #SEC 18 T4S R2W #MP28 04 18 4 004**

**Parcel Number:** **28 04 18 4 004 062**

**Last Assessed to:** **EDWARDS FREDDIE G 8t MARCELET C/0 LAWS**

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 Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**DECLARE WEEDS NOXIOUS, GROUP 1640.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 58-177-2023

A RESOLUTION DECLARING WEEDS GROWING UPON THE STREETS OR SIDEWALKS AND UPON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF MOBILE TO BE NOXIOUS OR DANGEROUS AND TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES.

WHEREAS, a survey has been made to determine the properties upon which or in front of which noxious or dangerous weeds are growing and the agents or employees of the City of Mobile have obtained the legal description of parcels of property in the City of Mobile upon which or in front of which such weeds are growing, and it has been determined to follow the provisions of Act No. 329 of the Legislature of the State of Alabama, approved on April 28, 1988, and to have caused such weeds to be cut or otherwise abated as public nuisances:

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

SECTION 1: It has been determined by the City Council of Mobile that the weeds growing on the privately owned lots or parcels of land described in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part thereof as though set forth in full, known as **Group #1640** under the caption "NOXIOUS OR DANGEROUS WEEDS GROWING ON PROPERTY," are noxious and dangerous, and such weeds are hereby declared to be public nuisances. The properties upon which such weeds are growing are all located within the corporate limits of the City of Mobile, about the streets referred to in the description which are more particularly described in said Exhibit "A."

SECTION 2: The weeds growing on or in front of the above-described parcels of property shall be abated by the removal of such noxious or dangerous weeds or they will be removed and the nuisances abated by the City of Mobile, in which case the cost of such removal will be assessed against the respective parcels of lands from which such weeds are removed, and such cost will constitute a lien upon such respective parcels of land until paid. A public meeting is hereby called to be held in the Auditorium of the Mobile Government Plaza, 205 Government Street, Mobile, Alabama, on the **21st day of March 2023**, at ten thirty a.m., for the purpose of hearing any objections to the declarations contained in this resolution and to the proposed removal of such weeds, at which time all objections will be heard and given due consideration by the City Council of Mobile; and it is directed that there shall be conspicuously posted in front of each parcel of property, a notice headed "NOTICE TO DESTROY WEEDS," such heading to be in words not less than one inch in height and substantially in the form set out in such Act No. 329, approved April 29, 1988.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**ASSESS COSTS FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP 58.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 58-078-2023

RESOLUTION ASSESSING THE COST OF REMOVAL OF NOXIOUS OR DANGEROUS WEEDS IN FRONT OF OR ON CERTAIN PARCELS OF LAND IN THE CITY OF MOBILE, ALABAMA.

WHEREAS, an itemized report in writing has been made to the City Council of Mobile, showing the costs of removing noxious or dangerous weeds on or in front of the hereinafter described parcels of land, a copy of such report having first been posted on the Council Chamber door more than three days prior to the meeting at which the report was received, and the City Council having heard the report, together with any objections which may have been raised by any of the property owners liable to be assessed for the work of culling such weeds, and the City Council being of the opinion that such report in all respects be confirmed.

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL OF MOBILE as follows:

Section 1. The amount set opposite each described parcel of real property contained in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as **Repeat Weed Lien Group 58** shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

Section 2. It is directed that a copy of this resolution be delivered to the Tax Collector of the City of Mobile, and it shall be his duty to add the amounts of the above respective assessments to the next regular bills for ad valorem taxes levied against the said respective lots and parcels of land for municipal purposes, and such amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and same procedure on foreclosure and sale as in the case of delinquency as provided for ordinary ad valorem taxes.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 BONUSE TO THE PUBLIC WORKS AT LARGE EMPLOYEE OF THE MONTH; GOLEMAN.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-179-2023

Sponsored by: Mayor Stimpson

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

- **February 2023** – **Nathan Goleman** (Employee #**18505) Public Works at Large** (**Inspection Services)**

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

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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; LEWIS.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-180-2023

Sponsored by: Mayor Stimpson

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

• **Date February 14, 2023 – Name: Carl Lewis (Employee #14726) Parks & Recreation (Seniors & Therapeutics 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.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 PUBLIC SERVICES EMPLOYEE OF THE MONTH; BELL.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-181-2023

Sponsored by: Mayor Stimpson

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

• **February 2023 – Freddie Bell (Employee #8638 – Sanitation)**

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

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**DETERMINE AN APPROPRIATION TO SCARBOROUGH MODEL MIDDLE SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-182-2023

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate **$1,500.00** to Scarborough Model Middle School, from his discretionary funds; and

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

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

WHEREAS, the Mobile City Council determines that this appropriation to Scarborough Model Middle School will be used to assist with the purchase of championship rings and a celebratory meal, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$1,500.00** to Scarborough Model Middle School for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**DETERMINE AN APPROPRIATION TO SENIOR CITIZENS SERVICES, INC., D/B/A VIA!, SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-183-2023

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate **$1,500.00** to Senior Citizens Services, Inc. dba VIA! from his discretionary funds; and

WHEREAS, Senior Citizens Services, Inc. dba VIA! is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Senior Citizens Services, Inc. dba VIA! will be used to assist with the cost of buying a variety of food items to be distributed once a month to the community, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$1,500.00** to Senior Citizens Services, Inc dba VIA!, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**DETERMINE AN APPROPRIATION TO HOPE BOXING ACADEMY SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-184-2023

Sponsored by: Councilmembers Penn and Gregory

WHEREAS, Councilmember Gregory wishes to appropriate **$500.00** and Councilmember Penn wishes to appropriate **$2,500.00** (**TOTAL $3,000.00)** to Hope Boxing Academy, from their discretionary funds; and

WHEREAS, Hope Boxing Academy, is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Hope Boxing Academy, will be used to assist with the cost of classes, session, equipment, tournament and to sponsor a student for one year which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$3,000.00** to Hope Boxing Academy, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**DETERMINE AN APPRORPIATION TO VICTORY HEALTH PARNER, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-185-2023

Sponsored by: Councilmembers Jones

WHEREAS, Councilmember Jones wishes to appropriate **$2,500.00** to Victory Health Partners, Inc., from his discretionary funds; and

WHEREAS, Victory Health Partners, Inc., is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Victory Health Partners, Inc., will be used for sponsorship for The Hope for Healing on May 2, 2023 for surgeries and prescription food boxes for chronically ill patients, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$2,500.00** to Victory Health Partners, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**DETERMINE AN APPROPRIATION TO THE VILLAGE OF SPRING HILL, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-186-2023

Sponsored by: Councilmembers Gregory

WHEREAS, Councilmember Gregory wishes to appropriate **$8,500.00** to The Village of Spring Hill, Inc., from her discretionary funds; and

WHEREAS, The Village of Spring Hill, Inc., is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to The Village of Spring Hill, Inc., will be used to assist with maintenance work on the city right of way at the roundabout on North McGregor Ave., cutting grass, and yearly maintenance for the Spring

Hill Fire Station, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$8,500.00** to The Village of Spring Hill, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY ) LICENSE TO DOUG'S QUICK MART, 4462 HIGGINS ROAD.** The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 37-202-2023

Sponsored by: Councilmembers Reynolds

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

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

Submitted by: Krishna's 102, Inc.

Location: Doug's Quick Mart #4
4462 Higgins Road, Unit A
Mobile, AL 36619

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

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

**Councilmember Gregory moved for the suspension of the rules to consider CIP Resolution 21-187 being introduced for the first time. The motion was seconded by Councilmember Jones, and the vote was as follows:**

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the item.

**CIP RESOLUTIONS BEING INTRODUCED**

**AUTHORIZE CONTRACT WITH ESPALIER, LLC FOR DESIGN SERVICES OF COMBO FIELD IMPROVEMENTS AT FIGURES AND TRINITY PARKS; $49,885.00.** The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-187-2023

Sponsored by: Mayor Stimpson and Councilmember Penn

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: ESPALIER, LLC

Project Name: COMBO FIELD IMPROVEMENTS

Project Numbers: PR-066-22
FIGURES PARK
$14,125.00
C0542 (CtP2023-P-005 D1)

Amount: PR-040-22
TRINITY PARK
$35,760.00
C0821 (CIP2022-P-044)
$49,885.00 COMBINED TOTAL

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

**RESOLUTIONS BEING INTRODUCED**

**APPROVE PURCHASE ORDERS FOR FUEL FOR VARIOUS CITY DEPARTMENTS.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 08-188-2023

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, purchase orders to the indicated vendors in the approximate amount stated, and to approve the supporting bid award if required, for the following requisitions as indicated below and attached herein:

| Requisition | Fiscal Year | Department | Description | Amount | Vendor |
|---|---|---|---|---|---|
| 5196 | 2023 | (2050) FLEET MANAGEMENT GARAGE | GARAGE UNLEADED FUEL (SEALED BID 5624) | $16,176.55 | (279229) PETROLEUM TRADERS CORPORATION |
| 5197 | 2023 | (2050) FLEET MANAGEMENT GARAGE | GARAGE UNLEADED FUEL (SEALED BID 5624) | $16,176.55 | (279229) PETROLEUM TRADERS CORPORATION |
| 5199 | 2023 | (2050) FLEET MANAGEMENT GARAGE | GARAGE UNLEADED FUEL (SEALED BID 5624) | $16,176.55 | (279229) PETROLEUM TRADERS CORPORATION |
| 5200 | 2023 | (2050) FLEET MANAGEMENT GARAGE | GARAGE UNLEADED FUEL (SEALED BID 5624) | $16,176.55 | (279229) PETROLEUM TRADERS CORPORATION |
| 5202 | 2023 | (2050) FLEET MANAGEMENT GARAGE | GARAGE UNLEADED FUEL (SEALED BID 5624) | $16,176.55 | (279229) PETROLEUM TRADERS CORPORATION |
| 5188 | 2023 | (2050) FLEET MANAGEMENT GARAGE | GARAGE DIESEL FUEL (AL STATE CONTRACT) | $24,375.00 | (279229) PETROLEUM TRADERS CORPORATION |
| 5189 | 2023 | (2050) FLEET MANAGEMENT GARAGE | GARAGE DIESEL FUEL (AL STATE CONTRACT) | $24,375.00 | (279229) PETROLEUM TRADERS CORPORATION |
| 5190 | 2023 | (2050) FLEET MANAGEMENT GARAGE | GARAGE DIESEL FUEL (AL STATE CONTRACT) | $24,375.00 | (279229) PETROLEUM TRADERS CORPORATION |
| 5191 | 2023 | (2050) FLEET MANAGEMENT GARAGE | GARAGE DIESEL FUEL (AL STATE CONTRACT) | $24,375.00 | (279229) PETROLEUM TRADERS CORPORATION |
| 5192 | 2023 | (2050) FLEET MANAGEMENT GARAGE | GARAGE DIESEL FUEL (AL STATE CONTRACT) | $24,375.00 | (279229) PETROLEUM TRADERS CORPORATION |
| 5205 | 2023 | (2050) FLEET MANAGEMENT GARAGE | LANGAN PARK UNLEADED FUEL (SEALED BID 5624) | $20,132.64 | (279229) PETROLEUM TRADERS CORPORATION |
| 5208 | 2023 | (2050) FLEET MANAGEMENT GARAGE | LANGAN PARK UNLEADED FUEL (SEALED BID 5624) | $20,132.64 | (279229) PETROLEUM TRADERS CORPORATION |
| 5210 | 2023 | (2050) FLEET MANAGEMENT GARAGE | LANGAN PARK UNLEADED FUEL (SEALED BID 5624) | $20,132.64 | (279229) PETROLEUM TRADERS CORPORATION |
| 5212 | 2023 | (2050) FLEET MANAGEMENT GARAGE | LANGAN PARK UNLEADED FUEL (SEALED BID 5624) | $20,132.64 | (279229) PETROLEUM TRADERS CORPORATION |
| 5215 | 2023 | (2050) FLEET MANAGEMENT GARAGE | LANGAN PARK UNLEADED FUEL (SEALED BID 5624) | $20,132.64 | (279229) PETROLEUM TRADERS CORPORATION |

**APPROVE PURCHASE ORDER TO SUNSOUTH, LLC FOR JOHN DEERE TRACTOR AND ALAMO MACHETE FOR PARKS & REC. DEPARTMENT; $194,400.00.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 08-189-2023

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 |
|---|---|---|---|---|---|
| 3105 | 2023 | (F7000) MOTOR POOL | JOHN DEERE 6110 TRACTOR WITH 25FT BOOM AND 60IN ALAMO MACHETE-3 MOWER HEAD FOR PARKS DEPARTMENT (SEALED BID 5765) | $194,400.00 | (291912) SUNSOUTH LLC |

**APPROVE PURCHASE ORDER TO UNIVERSITY OF SOUTH ALABAMA FOR SPRING 2023 EMT CERTIFICATION COURSE FOR MFRD; $16,000.00.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 08-190-2023

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 |
|---|---|---|---|---|---|
| 5362 | 2023 | (1510) FIRE ADMINISTRATION | SPRING 2023 EMT CERTIFICATION COURSE FOR MFRD (INTERGOVERNMENTAL AGREEMENT) | $16,000.00 | (281629) UNIVERSITY OF SOUTH ALABAMA |

**APPROVE PURCHASE ORDER TO CARRIER CORPORATION FOR COOLING WATER TOWER FOR THE CIVIC CENTER; $118,636.07.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 08-191-2023

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 |
|---|---|---|---|---|---|
| 4759 | 2023 | (3032) ARCHITECTURAL ENGINEERING | CARRIER EVAPCO COOLING TOWER FOR CIVIC CENTER (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT) | $118,636.07 | (297060) CARRIER CORPORATION |

**APPROVE PURCHASE ORDER TO STIVERS FORD LINCLON, INC. FOR FORD EXPLORER; $36,866.00.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 08-192-2023

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 |
|---|---|---|---|---|---|
| 5229 | 2023 | (F7000) MOTOR POOL | 2023 FORD EXPLORER SUV FOR TRAFFIC ENGINEERING (AL STATE CONTRACT) | $36,866.00 | (292393) STIVERS FORD LINCOLN INC |

**APPROVE PURCHASE ORDER TO STIVERS FORD LINCOLN, INC. FOR FORD F150 PICK-UP TRUCK; $37,797.00.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 08-193-2023

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 |
|---|---|---|---|---|---|
| 5237 | 2023 | (F7000) MOTOR POOL | FORD F150 SUPERCREW PICKUP TRUCK FOR TRAFFIC ENGINEERING (AL STATE CONTRACT) | $37,797.00 | (292393) STIVERS FORD LINCOLN INC |

**APPROVE PURCHASE ORDER TO SOFTWARE VENDOR FOR ANNUAL FORENSIC SOFTWARE RENEWAL FOR MPD CYBER DIVISION; $42,000.00.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 08-194-2023

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 |
|---|---|---|---|---|---|
| 5458 | 2023 | (1545) POLICE CYBER DIVISION | ANNUAL FORENSIC SOFTWARE LICENSE RENEWAL FOR MPD CYBER (SOLE SOURCE RENEWAL OF EXISTING SOFTWARE) | $42,000.00 | (295490) SOFTWARE VENDOR |

**APPROVE PURCHASE ORDER TO SOFTWARE VENDOR FOR ANNUAL SOFTWARE RENEWAL FOR FORENSIC SOFTWARE FOR MPD CYBER DIVISION; $50,595.00.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 08-195-2023

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 |
|---|---|---|---|---|---|
| 4487 | 2023 | (1545) POLICE CYBER DIVISION | ANNUAL SOFTWARE RENEWAL FOR FORENCSIC SOFTWARE FOR MPD CYBER (SOLE SOURCE RENEWAL OF CURRENTLY USED SOFTWARE PRODUCT) | $50,595.00 | (295463) SOFTWARE VENDOR |

**AUTHORIZE CONTRACT WITH AMERICAN TENNIS COURTS, INC. FOR PICKLEBALL AND TENNIS COURTS IMPROVEMENTS AT JAMES M. SEALS JR. PARK; $86,244.00.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 21-196-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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: AMERICAN TENNIS COURTS, INC.

Project Name: JAMES M. SEALS JR. PARK –
PICKLEBALL AND TENNIS COURTS IMPROVEMENTS

Project Number: PR-058-22

Amount: $86,244.00

**GRANT PERMANENT AND TEMPORARY EASEMENTS TO THE MOBILE AREA WATER & SEWER SYSTEM FOR ESLAVA CREEK TRUNK SEWER UPGRADES.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 25-197-2023

Sponsored by: Mayor Stimpson and Councilmember Daves

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, Two (2) Permanent Sanitary Sewer Easements and Temporary Construction Easements as needed for the Eslava Creek Trunk Sewer Upgrades Project No. CMOB8190299 as prepared by GMC, to the BOARD OF WATER AND SEWER COMMISSIONERS of the City of Mobile, copies of which are attached hereto and made a part hereof as though fully set forth herein.

**AUTHORIZE THE SALE OF CITY OWNED PROPERTY LOCATED AT 720 MUSEUM DRIVE NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 40-198-2023

Sponsored by: Mayor Stimpson and Councilmember Gregory

WHEREAS, the City of Mobile owns 720 Museum Drive, Mobile, AL 36608 (the subject property), consisting of:

A vacant 16,400 square ft. building located on Lot 2 of Fort Hardeman Subdivision - key number 2397873 (188,508 square ft. / 4.33 acres). Depicted in Exhibit A (attached); and

WHEREAS, the City is not utilizing the property and the current zoning for the property is residential (R-1); and

WHEREAS, the City would benefit from a sale of the subject property under favorable terms and conditions with the intent of residential redevelopment for a community impact;

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

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

**APPROVE TAX INCREMENT FINANCING DISTRICT 2.** The following resolution was held over until the regular meeting of February 22, 2023.

RESOLUTION: 50-199-2023

Sponsored by: Councilmember Small

**WHEREAS**, the City of Mobile is vested with the power and authority to create and develop tax increment districts pursuant to Ala. Code (1975) §§ 11-99-1 *et seq*. (the "Act"), for the purpose of conserving and rehabilitating blighted or economically distressed areas through appropriate public action; and

**WHEREAS**, the City of Mobile has made a commitment to the development and maintenance of a strong local economy and job growth by encouraging new commercial, industrial, and other forms of economic growth; and

**WHEREAS**, within the City of Mobile, there exists an area of land that is need of redevelopment, rehabilitation, or revitalization to provide for the economic growth and development of the area; and

**WHEREAS**, this project area possesses some potential for development and redevelopment by private enterprise and sound economic growth, but, because of the economically distressed nature of some properties located within the area, it is unlikely that this potential would be realized without appropriate public action authorized by the Act; and

**WHEREAS**, the City of Mobile is desirous of providing for such development through appropriate public action in the form of funding for or construction of adequate public infrastructure improvements, which will support the private development and growth anticipated as a result of the creation of a tax increment district; and

**WHEREAS**, the City of Mobile has determined that an appropriate means of financing, in whole or in part, the City's obligation to provide the public improvements contemplated is through tax increment financing, which is a vehicle for funding public improvements in a defined project area or tax increment district based upon the principle that otherwise underutilized and undeveloped areas can be developed through appropriate public action; and

**WHEREAS**, tax increment financing is a method of funding public improvements in a defined project area or tax increment district slated for development or redevelopment by capturing all or a portion of the increased tax revenue that may result from development of projects and the participation of private enterprise; and

**WHEREAS**, the City Council previously adopted Resolution 41-1084 on December 6, 2022, calling for a public hearing proposing the creation of TIF D2, authorizing the preparation of a project plan, authorizing action by the President of the City Council to perform certain actions required by law, and directing the publication of such resolution; and

**WHEREAS**, a public hearing was set for January 3, 2023, to provide all interested parties with an opportunity to express their views of the concept of tax increment financing, the proposed creation of a tax increment district and its proposed boundaries, and its benefits to the City; and

**WHEREAS**, notice of such public hearing was published in the *Lagniappe*, a newspaper of general circulation in the City, on December 21, 2022, and December 28, 2022, and on December 20, 2022, the President of the City Council sent a copy of such notice by first class mail to the County Administrator for Mobile County and the Superintendent of the Mobile County Public School System, along with a request that each such entity designate a representative empowered to meet with the City Council to discuss the project plan and the tax increment financing; and

**WHEREAS**, the public hearing was held on January 3, 2023, at 10:30 AM, in the Council Chambers of the City of Mobile, Alabama, located at 205 Government Street; and

**WHEREAS**, on January 11, 2023, a copy of the tentative proposed project plan was sent via email and by first class mail to the County Administrator for Mobile County and the Superintendent of the Mobile County Public School System, along with notice of a special meeting of the City Council to be held on January 17, 2023, for the purpose of inviting the representatives of each deferred tax recipient to attend the meeting to discuss the boundaries of the tax increment district, development within the tax increment district, the exclusion of particular parcels of property from the district, and tax collection for the district; and

**WHEREAS**, a special meeting of the City Council was held on January 17, 2023, as a meeting of the deferred tax recipients, and a representative from the Mobile County Commission was in attendance at said meeting; and

**WHEREAS**, a written submission describing the proposed boundaries of the district, the tentative plans for the development of the district, and an estimate of the general impact of the project plan on property values and tax revenues, along with a copy of the final version of the project plan, as attached hereto as **Exhibit A** and incorporated as if fully set forth herein (hereinafter, the "Project Plan"), was mailed to the governing body of each deferred tax recipient and made available for public viewing in the office of the City Clerk and online at cityofmobile.org; and

**WHEREAS**, the City of Mobile has determined that tax increment financing provides an expedient and viable method of implementing the City's objectives.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mobile, as follows:

1. The City Council hereby certifies that:

    a. a feasible method exists for the relocation and compensation of any individuals, families, and businesses that will be displaced by the project in decent, safe, and sanitary accommodations within their means and without undue hardship to such individuals, families, and businesses;

    b. the Project Plan conforms to the applicable master plan of the City of Mobile; and

    c. the Project Plan will afford maximum opportunity, consistent with the sound needs of the City of Mobile as a whole, for the rehabilitation, redevelopment, or revitalization of the tax increment district by private enterprise.

2. The boundaries of TIF D2 are described by the maps and parcel list included in the Project Plan and incorporated as if fully set forth herein.

3. The City Council hereby adopts and approves the Project Plan and the boundaries of the tax increment district, which include whole units of property assessed for general property tax purposes, as are defined and declared to encompass the geographical area identified in the maps and parcel list set forth in the Project Plan.

4. The tax increment district is hereby created and established as of the **1st day of March, 2023** and shall have a duration of thirty (30) years unless dissolved or the Project Plan is otherwise amended by the City Council.

5. The tax increment district shall be named "Tax Increment Financing District 2" (hereinafter referred to as "TIF D2").

6. The City Council hereby finds in accordance with the Act that:

    a. not less than fifty percent (50%), by area, of the real property within TIF D2 is in need of rehabilitation, redevelopment, revitalization, or conservation work.

    b. the aggregate value of equalized taxable property in TIF D2 plus all existing districts created by the City of Mobile does not exceed fifty percent (50%) of the total value of equalized taxable property within the City of Mobile.

7. The City Council hereby provides for the possibility of the issuance of tax increment obligations or general obligations, or other indebtedness for all or any portion of the project costs with said bonds or other indebtedness to be paid from the anticipated income of the TIF D2 fund or as otherwise permitted under the Act.

8. The 6.5 mills of state ad valorem tax will not be included in calculating the increment.

9. The Director of Finance is hereby directed to make written application to the tax assessor for determination of the tax increment base, providing therewith any and all required information, and to perform any and all actions necessary, advisable, convenient or expedient to the creation of TIF D2 and the implementation of the provisions and effectuation of the purposes of the Project Plan, as consistent with applicable state law.

10. The various departments of the City of Mobile are hereby directed to perform any and all actions necessary, advisable, convenient or expedient to the creation of TIF D2 and the implementation of the provisions and effectuation of the purposes of the Project Plan, as consistent with applicable state law.

11. By adopting this Resolution, the City Council intends that the City of Mobile shall have all powers and authority granted by and consistent with the provisions of the Act, and all other provisions of applicable state law.

**CALL FOR PUBLIC HEARINGS**

**CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO TEN65, LLC TO OPERATE A SHUTTLE SERVICE (SCHEDULED FOR FEBRUARY 28, 2023).** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 41-200-2023

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

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Ten65, LLC to operate a shuttle service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza, located at 205 Government Street, Mobile, Alabama, on February 28, 2023, at 10:30 a.m. At such time and place, all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Ten65 Transportation, LLC for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

Councilmember Gregory moved to call for the public hearing, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as February 28, 2023.

**CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 1101 AND 1107 OLD SHELL ROAD FROM R-1 AND B-2 TO B-2 (SCHEDULED FOR MARCH 14, 2023) (DISTRICT 2).** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 41-201-2023

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

Notice of Public Hearing for the Proposed Rezoning of Property Located at 1101 and 1107 Old Shell Road

Pursuant to Resolution of the Mobile, Alabama City Council adopted February 14,2023, a public hearing will be held on the 14$^{TH}$ day of March, 2023, at 10:30 a.m., to consider adoption of an ordinance to rezone property located at 1101 and 1107 Old Shell Road (southwest comer of Old Shell Road and North Hallett Street, extending to the northwest comer of North Hallett Street and New Saint Francis Street) from R-1, Single-Family Residential-District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business District.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant and may take other actions allowed by law.

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:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA; THENCE SOUTH 89 DEGREES, 30 MINUTES WEST ALONG THE SOUTH LINE OF SOUTHEAST QUARTER OF SOUTHWEST QUARTER A DISTANCE OF 270 FEET TO A POINT; THENCE NORTH 0 DEGREES, 47 MINUTES WEST, A DISTANCE OF 676.95 FEEL TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF KOOIMAN ROAD EXTENSION (AN 80 FOOT RIGHT OF WAY); THENCE SOUTH 83 DEGREES, 30 MINUTES EAST AND ALONG SAID RIGHT OF WAY A DISTANCE OF 270.8 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SOUTHWEST QUARTER; THENCE SOUTH 0 DEGREES, 47 MINUTES EAST ALONG THE EAST LINE OF SOUTHEAST QUARTER OF SOUTHWEST QUARTER A DISTANCE OF 644.5 FEET TO POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF SOUTHWEST QUARTER, SECTION 26, TOWNSHIP 5 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA.

The classification of said property is hereby changed from B-5, Office-Distribution District, to I-1, Light Industry 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 I-l, Light Industry 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 a I-l, Light Industry District until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and 2) 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. 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:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF OLD SHELL ROAD AND THE WEST RIGHT-OF-WAY OF NORTH HALLETT STREET; THENCE RUN SOUTH 89°56'58" WEST ALONG THE SOUTH RIGHT-OF-WAY OF OLD SHELL ROAD, A DISTANCE OF 150.18 FEET TO A POINT; THENCE RUN SOUTH 0°07'59" EAST 120.00 FEET TO A POINT; THENCE RUN NORTH 89"53'24" EAST 60.00 FEET TO A POINT; THENCE RUN SOUTH 0"02'45" EAST 120.00 FEET TO A POINT ON THE NORTH RIGHTOF WAY OF NEW ST. FRANCIS STREET; THENCE RUN NORTH 88"57'40" EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 89.00 FEET TO A POINT ON THE WEST RIGHTOF- WAY OF NORTH HALLETT STREET; THENCE RUN NORTH 0"ir52" EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 238.40 FEET TO THE POINT OF BEGINNING, CONTAINING 0.7 +/- ACRES.

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 a B-2, Neighborhood Business District until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; 2) paving of the West parking area in asphalt, concrete or an approved alternative paving surface, or the obtaining of a Parking Surface Variance from the Board of Zoning Adjustment; 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.

Councilmember Gregory moved to call for the public hearing, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as March 14, 2023.

## ANNOUNCEMENTS

Lisa C. Lambert, City Clerk, announced the next Council meeting will be held on Wednesday, February 22, 2023.

Councilmember Penn announced a Toulmnville neighborhood planning meeting will be held at LeFlore High School on February 28, 2023, at 6:00 p.m.

Councilmember Penn pointed out that it is Black History Month and he spotlighted Mrs. Vivian Davis Figures, the first African American women elected to the U.S. Senate and the longest serving female in the Alabama State Senate.

Councilmember Gregory mentioned that she was the Grand Marshall in the Ravine Revelers children's' parade on Sunday in the Ridgelawn area.

Councilmember Gregory said that she will be participating in the Hillsdale Senior parade and the Friendship Missionary Baptist Church parade on Friday, February 17, 2023.

Councilmember Gregory announced that the annual motorcade parade in Mobile Terrace will be on February 25, 2023, at 3:00 p.m.

Councilmember Daves stated that make up day for Tuesday garbage pick-up will be on Wednesday, February 22, 2023.

Councilmember Daves reported that the community meeting at E.R. Dickson about traffic management was a great success.

Councilmember Daves encouraged the public to store their guns safely to help prevent theft.

Councilmember Daves reminded citizens that the Council is the legislative body of the government for the City of Mobile and the meetings they have are to conduct City business, therefore it is a privilege to address the Council during their meetings.

Councilmember Small noted that it is Black History Month and he spotlighted Henry Lewis Aaron, "Hammering Hank", who played 23 seasons in Major League Baseball and broke the homerun record of Babe Ruth.

**NOTE:** Councilmember Jones asked the Administration if citizens would be informed of changes to trash pick-up due to Mardi Gras.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:43 a.m.

Adopted:

______________________________
COUNCIL PRESIDENT

______________________________
CITY CLERK