

MUNICIPAL BUILDING, MOBILE, ALABAMA, JULY 18, 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, July 18, 2023, at 9:00 a.m.

Councilmembers:

Present: Penn, Carroll, Small, Reynolds, Daves, 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, JULY 18, 2023

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, July 18, 2023, at 10:30 a.m., for the regular meeting.

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

Dr. Dan Taylor, Public Safety Chaplain, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER

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

APPROVAL OF MINUTES

July 11, 2023 minutes were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson announced that a ribbon cutting ceremony will be held on Saturday, July 29, 2023, at 7:00 a.m. at the Ice Box to celebrate the revitalization of Broad Street.

Mayor Stimpson stated that the administration is ready to extend full public services to residents that voted to annex into the City of Mobile.

Mayor Stimpson read a proclamation declaring the July 17 – July 23 as “Youth Violence Prevention Week” in Mobile.

Mayor Stimpson introduced and recognized the students going to Mobile’s sister city, Ichihara, Japan later this month.

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Chief William Jackson, Chief of Operations for the Mobile Police Department, presented Officer Taylor Wood as officer of the month.

NOTE: Councilmember Reynolds recognized two students from Corpus Christi Catholic Church for working towards the highest rank in cub scouts called “Arrow of Light.”

ADOPTION OF THE AGENDA:

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

APPEALS

Request of Betty Anderson for a waiver of the Noise Ordinance at 801 Donald Street on July 22, 2023, from 12:00 p.m. – 10:00 p.m. (District 1).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

Request of Nashasta Pollard for a waiver of the Noise Ordinance at Tricentennial Park on September 23, 2023, from 8:00 a.m. – 4:00 p.m. (District 1).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

Request of Robert Soto for a waiver of the Noise Ordinance at Cathedral Square on August 26, 2023, from 6:30 a.m. – 3:30 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

Request of Pamela Shreve for a waiver of the Noise Ordinance at 906 Garrity Street on September 2, 2023, from 6:30 p.m. – 10:00 p.m. (District 3).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

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Nays: None

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

Request of Gregory Mann for a waiver of the Noise Ordinance at 7215 13th Street on July 22, 2023, from 4:00 p.m. – 7:30 p.m. (District 7).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

Request of Rhoda Waters for a waiver of the Noise Ordinance at Langan Park on August 19, 2023, from 1:00 p.m. – 5:00 p.m. (District 7).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

AGENDA ITEMS:

Darshil Patel, 2150 Old Shell Road, spoke in favor of resolution 37-763

Wanda Cochran, Dauphin Street, gave comments regarding resolution 03-742.

NON-AGENDA ITEMS:

Reggie Hill, 1007 Center Street, offered comments regarding Chapter 38 of the Mobile City Code, abuse of power, and public safety.

CONSENT RESOLUTIONS HELD OVER

DECLARE THE STRUCTURE AT 1567 ROBERT E. LEE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution which was introduced and read at the regular meeting of June 13, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 40-665-2023

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 1567 Robert E Lee 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

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structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, 12, 14 and 15; and**

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at **1567 Robert E. Lee Street described as:**

LOT 9 SQ 6 OLINGER & STEIN SUB OF PART OF SQ 5 MANDERVILLE TRT DBK 128 P 101 #SEC 36 T4S R1W#MP29 11 36 0 004

Parcel Number: 29 11 36 0 004 177

Last Assessed to: HEIR OF FREDIA MAE ELDRIDGE LEWIS, C/O DONALD D LEWIS

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

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

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

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

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

APPOINT CARTLEDGE BLACKWELL, ABBY DAVIS, CATARINA ECHOLS, STEPHENS HOWLE, KARRIE MAURIN, STEPHEN MCNAIR, G. CAMERON PHEIFFER-TRAYLOR, BARJA WILSON, AND JENNIFER ROSELIUS TO THE ARCHITECTURAL REVIEW BOARD. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 03-742-2023

Sponsored by: Mayor Stimpson

WHEREAS, William S. Stimpson, Mayor, pursuant to Mobile City Code Section 44-75(c), has nominated the below named individuals to serve on the Architectural Review Board;

BE IT RESOLVED THAT THE CITY COUNCIL FOR THE CITY OF MOBILE hereby appoints the following individuals to serve on the Architectural Review Board, as follows:

Cartledge Blackwell effective July 14, 2023 for a term ending July 13, 2026.

Abby Davis effective July 14, 2023 for a term ending July 13, 2026.

Catarina Echols effective July 14, 2023 for a term ending July 13, 2026.

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Stephen Howle effective July 14, 2023 for a term ending July 13, 2026.

Karrie Maurin effective July 14, 2023 for a term ending July 13, 2026.

Stephen McNair effective July 14, 2023 for a term ending July 13, 2024.

G. Cameron Pheiffer-Traylor effective July 14, 2023 for a term ending July 13, 2026.

Barja Wilson effective July 14, 2023 for a term ending July 13, 2024.

Jennifer Roselius effective July 14, 2023 for a term ending July 13, 2026.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over for one week until the regular meeting of July 24, 2023.

ASSESS COST FOR REMOVAL OF WEEDS REPEAT WEED LIEN GROUP 61. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 58-744-2023

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 61** 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.

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

Ayes: Penn, Carroll, Small, Reynolds, and Gregory
Nays: Daves

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over for one week until the regular meeting of July 24, 2023.

CIP RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO GAMETIME FOR PLAYGROUND EQUIPMENT FOR RICHARDSON TRICENTENNIAL PARK; \$574,804.72. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-753-2023

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
<u>11788</u>	2023	(3032) ARCHITECTURAL ENGINEERING	PLAYGROUND EQUIPMENT FOR RICHARDSON TRICENTENNIAL PARK (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$574,804.72	<u>(289913)</u> <u>GAMETIME</u>

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

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

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

RESOLUTIONS HELD OVER

AUTHORIZE ADDENDUM TO NEXGEN ASSET MANAGEMENT SOFTWARE LICENSE AGREEMENT; \$153,013.00. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-735-2023

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, an addendum to the NEXGEN Asset Management Software License Agreement, by and between the City of Mobile and NEXGEN Utility Management, Inc., in the amount of \$153,013, as outlined in the addendum attached hereto and made a part hereof as though set forth in full. A copy of said addendum is on file in the Office of the City Clerk.

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

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

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

APPROVE PURCHASE ORDER TO SUNBELT FIRE, INC. FOR FIRE BUNKER GEAR AND LEATHER FIRE BOOTS; \$146,460.00. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-736-2023

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
<u>11325</u>	2023	(1510) FIRE ADMINISTRATION	35 SETS OF FIRE BUNKER GEAR AND 27 PAIR LEATHER FIRE BOOTS FOR MFRD (HGAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$146,460.00	<u>(198904) SUNBELT FIRE INC</u>

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

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

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

AUTHORIZE CONTRACT WITH MORROW WATER TECHNOLOGIES, INC. FOR COOLING TOWER PUMP REPLACEMENT AT THE MOBILE MUSEUM OF ART; \$16,674.00. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

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RESOLUTION: 21-737-2023

Sponsored by: Mayor Stimpson and Councilmember Gregory

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: MORROW WATER TECHNOLOGIES, INC.

Project Name: MOBILE MUSEUM OF ART -
COOLING TOWER PUMP

Project Number: MU-056-23

Amount: \$16,674.00

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

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

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

AUTHORIZE CONTRACT WITH KONE, INC. FOR ELEVATOR & ESCALATOR SERVICE AND PREVENTATIVE MAINTENANCE AT VARIOUS CITY FACILITIES; \$361,836.00 TOTAL. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-738-2023

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: KONE INC.

Project Name: ELEVATORS & ESCALATORS –
SERVICE AND PREVENTATIVE MAINTENANCE AT
VARIOUS CITY OF MOBILE FACILITIES
(3-YEAR SERVICE CONTRACT)

Project Number: SC-019-23

Amount: \$114,720.00 FIRST YEAR ONLY
120,516.00 SECOND YEAR ONLY
126,600.00 THIRD YEAR ONLY
\$361,836.00 TOTAL AMOUNT OF CONTRACT

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

AUTHORIZE AMENDMENT BETWEEN THE CITY OF MOBILE AND THE STATE OF ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES FOR EXISTING GRANT STATE EXENDITURES PLAN # 16. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 37-739-2023

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, a Subaward Grant Agreement between the City of Mobile and the Alabama Department of Conservation and Natural Resources (ADCNR), or one worded substantially the same, for Amendment No. 1 of an existing grant for State Expenditure Plan #16: Three Mile Creek Watershed Restoration, and to take all actions necessary to effectuate said Agreement, as outlined in the Agreement attached hereto and made a part hereof as though set forth in full. A copy of said Agreement is on file in the office of the City Clerk.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

AMEND TAX INCREMENT FINANCING DISTRICT 1. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 50-741-2023

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile established Tax Increment Financing District One (TIFD1) to conserve and rehabilitate downtown Mobile; and,

WHEREAS, the City of Mobile remains committed to the revitalization of downtown Mobile and to funding major capital improvement projects in the downtown area; and,

WHEREAS, the City desires to amend TIFD1 to extend its duration for an additional period of fifteen (15) years, through September 30, 2038, and to amend its Project Plan; and,

WHEREAS, the City Council for the City of Mobile ("Council") complied with the statutory procedure to amend TIFD1, *Code of Alabama* (1975), Sec. 11-99-4, as follows:

1. On September 21, 1993, the Council adopted Resolution 60-528 to establish Tax Increment Financing District Number One (TIFD1) effective October 1, 1993, (Exhibit A,

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attached hereto and incorporated herein) for a period of thirty (30) years to encompass the geographical area identified on the map and the verbal boundary description therein, see Exhibit B, map of TIFD1 attached hereto and incorporated herein, and Exhibit A, Section 4, p. 9, Verbal Boundary Description.

2. On March 21, 2023, the Council adopted Resolution 41-338, "Authorizing the Preparation of an Amendment to the Tax Increment Financing District One Plan, Authorizing the President of the City Council to Perform Certain Actions required by Alabama Law, and Directing the Publication of the Resolution," Exhibit C attached hereto. The Council set April 4, 2023, as the date for a public hearing, to afford all interested parties a reasonable opportunity to express their views on the concept of tax increment financing, the proposed amendment to TIFD1, and its benefits to the City of Mobile. On April 4 the Council conducted the public hearing as advertised.

3. The Council published Resolution 41-338 at length in the Lagniappe on the 22nd day of March, 2023, and on the 29th day of March, 2023, both dates being within the fifteen (15) day period immediately preceding the date of the public hearing.

4. By first class mail and electronic transmission, on March 21, 2023, Council President C. J. Small sent the Deferred Tax Recipients, the Mobile County Commission and the Mobile County Public School System, copies of the notice of hearing, Resolution 41-338, prior to its publication.

5. By first class mail and electronic submission, on June 1, 2023, Council President C. J. Small sent notice to the Mobile County Commission and the Mobile County Public School System, of a meeting to be held June 8, 2023, to discuss tax increment financing and the proposed project plan.

6. By first class mail and electronic submission, Council President C. J. Small sent to the Mobile County Commission and the Mobile County Public School System a Written Submission, including copies of the 1993 Resolution establishing TIFD1, Resolution 60-528, with attached Tax Increment Financing District One Plan, a map and verbal boundary description of TIFD1, the tentative plans for the development, redevelopment or revitalization of the tax increment district, the Amendment to the Tax Increment Financing District One Plan (Exhibit C), and an estimate of the general impact of the proposed project plan on property values and tax revenues.

7. On June 8, 2023, the Council President, C. J. Small, Councilman William Carroll, and City representatives met with representatives of the Mobile County Commission and the Mobile County Public School System to the boundaries of TIFD1, the Project Plan, the Project Plan amendment, and the contents of the Written Submission. The Mobile County Commission and Mobile County Public School System representatives expressed no objection.

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

SECTION 1:

The City Council for the City of Mobile hereby adopts the Amendment to Tax Increment Financing District One Plan, attached hereto as Exhibit C and incorporated herein, to amend the Tax Increment Financing District One Project Plan adopted by Resolution 60-528.

As amended, TIFD1 will:

- a. Retain the boundaries of TIFD1 as described in Exhibit A, Section 4, and Exhibit B.
- b. Retain the date of creation of TIFD1, October 1, 1993.
- c. Endure continuously until it expires on September 30, 2038.

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- d. Retain the name Tax Increment Financing District One (TIFD1).
- e. Follow the TIFD1 Plan of the City of Mobile for Financing Improvements in the Downtown Area developed September 21, 1993, as amended by the Amendment to Tax Increment Financing District One Plan.
- f. Provide 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 TIFD1 fund or as otherwise permitted under the Project Plan, as amended.

SECTION 2:

The Council finds:

- a. That not less than 50 percent, by area, of the real property within TIFD1 is in need of rehabilitation, redevelopment, revitalization or conservation work.
- b. That the aggregate value of equalized taxable property in TIFD1 plus all existing districts created by the City of Mobile do not exceed 10 percent of the total value of equalized taxable property within the public entity.
- c. That the Amendment to the Tax Increment Financing District One Plan and findings therein are hereby adopted.

SECTION 3:

This Resolution is effective following its adoption.

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

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

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

AUTHORIZE CONTRACT WITH KIMLEY-HORN AND ASSOCIATES FOR AIRPORT BOULEVARD SIGNAL IMPROVEMENT PROJECT; \$116,514.00. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-749-2023

Sponsored by: Mayor Stimpson and Councilmember Daves

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and 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 change order will be on file in the office of the City Clerk.

Name of Company: Kimley-Horn and Associates

Project Name: Airport Boulevard Signal Improvement Project

Capital Project No.: C0471

Contract Amount: \$116,514

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

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

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

APPROVE PURCHASE ORDER TO ASPLUNDH TREE EXPERT, LLC FOR DAUPHIN STREET TREE REMOVALS AND STUMP GRINDING; \$18,000.00. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-750-2023

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
<u>10967</u>	2023	(2018) FORESTRY	DAUPHIN ST TREE REMOVALS AND STUMP GRINDING (SEALED BID 5701)	\$18,000.00	(295712) <u>ASPLUNDH TREE EXPERT LLC</u>

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

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

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

APPROVE PURCHASE ORDER TO CLYDE ARMORY, INC. FOR M4 CARBINE RIFLES FOR MPD; \$88,817.00. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-751-2023

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:

MINUTES OF JULY 18, 2023

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>10844</u>	2023	(1530) POLICE ADMIN SERVICES	100 COLT M4 CARBINE RIFLES FOR MPD (BUYBOARD COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$88,817.00	<u>(295574) CLYDE ARMORY INC</u>

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

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

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

APPROVE PURCHASE ORDER TO TRP CONSTRUCTION GROUP FOR ROAD STRIPING MATERIALS AND SERVICES FOR OLD SHELL ROAD; \$29,820.13. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-752-2023

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
<u>11358</u>	2023	(2060) TRAFFIC ENGINEERING	ROAD STRIPING MATERIALS AND SERVICES FOR OLD SHELL ROAD (AL STATE CONTRACT)	\$29,820.13	<u>(297978) TRP CONSTRUCTION GROUP</u>

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

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

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

AUTHORIZE TEMPORARY SITE LICENSE BETWEEN THE CITY AND NEW CINGULAR WIRELESS, PCS, LLC FOR THE PURPOSE OF INSTALLING A CELL FACILITY A THE CRUISE TERMINAL. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

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RESOLUTION: 37-754-2023

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 Temporary Site License between New Cingular Wireless, PCS, LLC, and the City of Mobile for the purpose of installing a cell facility in the City of Mobile, Alabama Cruise Terminal, and to perform all acts necessary as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said Agreement is on file in the office of the City Clerk.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

REPEAL RESOLUTION 01-670-2023 AND ADOPT AMENDED INTER-GOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MOBILE AND BOARD OF SCHOOL COMMISSIONERS OF MOBILE COUNTY. The following resolution which was introduced and read at the regular meeting of July 11, 2023, and held over until the regular meeting of July 18, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-760-2023

Sponsored by: Mayor Stimpson

WHEREAS, it is beneficial to the City of Mobile and serves a public purpose to provide funding to the Board of School Commissioners of Mobile County (School Board) to provide certain immediate and future maintenance and upgrades to the Ladd Peebles Stadium facility and to insure City's continued future use thereof; and

WHEREAS, by separate purchase and sale agreement, and under the terms contained therein, City of Mobile and School Board agree to the transfer of title to Stadium from City to School Board; and

WHEREAS, the City Council of the City of Mobile believes that it is a good, proper and justifiable use of public resources to enter into an agreement to contribute financial assistance to the School Board in furtherance of the above purpose; and

WHEREAS, the City Council desires to repeal a previous version of this agreement passed by the City Council on June 20, 2023 as Resolution 01-670;

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby revokes and repeals the previously-passed Resolution 01-670 and finds and determines that an appropriation not to exceed \$9,000,000.00 to the Board of School Commissioners of Mobile County, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes the Mayor and City Clerk to execute and attest for and on behalf of the City of Mobile the revised contract attached hereto, or one worded substantially similar thereto, and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

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

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Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

ORDINANCES BEING INTRODUCED

AMEND SECTION 2-62. "COMMUNICATIONS WITH COUNCIL" AND 2-63 "DECORUM". The following ordinance was held over for one week until the regular meeting of July 24, 2023.

ORDINANCE: 02-032-2023

Sponsored by: City Council

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

SECTION ONE: Mobile City Code Sections 2-62 and 2-63 are hereby amended and restated in full as follows:

Sec. 2-62 – Communications with Council at Council Meetings

(a) Presentations of petitions and other communications to the council:

(1) Interested parties or their authorized representatives wishing to address the council on non-agenda items (items not included on the agenda) must submit in writing to the city clerk a request to address the council with their name, address, and identifying the subject matter to be discussed and describing in detail the specific question or issue to be addressed. Single word descriptions or topics are insufficient - the request must contain enough information so that the council will have enough information to adequately respond if desired. The written communication must relate to city government and must be received by the city clerk on or before 2:00 p.m. the Thursday preceding the regular council meeting at which the person desires to speak. Persons who do not provide the required information in their request will not be called on to address the council unless allowed by a super-majority vote of the council.

(2) Interested parties or their authorized representatives wishing to address the council on items included on the agenda for a regular council meeting must sign in with the city clerk with their name, address, and identify the specific agenda item(s) to be addressed prior to the start of the regular council meeting.

(3) In the event a regular council meeting is conducted remotely, interested persons or their authorized representatives wishing to address the council on items included on the agenda for a regular council meeting must submit in writing to the city clerk a request to address the council at such remote meeting with their name, address, and identify the specific agenda item(s) to be addressed, which written request must be received by the city clerk at least 24 hours preceding the remotely conducted meeting.

(4) Each person from the general public addressing the council on either agenda or non-agenda items, when called, shall step up to the podium or other location provided to address the council and, prior to making any other comments, give their name in an audible and clear tone of voice for the record.

(5) Each person addressing the council on either agenda or non-agenda items shall be limited to a total of three (3) minutes on all subjects, provided that a single one (1) minute extension shall be granted upon the request of any council member. No further extension shall be allowed except by permission granted by super-majority vote of the council. Persons addressing the council may not share or reserve time. Upon the expiration of the allotted time the person speaking shall return to their seat or exit the council chambers. No one may address the council on agenda or non-agenda items at consecutive meetings, except public hearings or appeals.

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(6) There shall be no dialogue between the person addressing the council and any individual council member.

(7) After the person addressing the council has returned to their seat or exited the council chambers, the presiding officer shall ask if any councilmember or member of the City administration wishes to respond to the speaker's comments or ask questions of the speaker.

(b) *Public hearings or appeals.* Where required by law, or by unanimous consent of the council, public hearings on matters before the council, or appeals to the council (excluding appeals for waiver of the noise ordinance), shall be held by the council at which taxpayers, residents of the city, other interested parties, or their authorized legal representatives, shall be permitted to present oral statements for or against the matter made a subject of the hearing or appeal. Requests to appear at such a public hearing or appeal may be filed in writing in advance with the city clerk and shall include the speaker's name and address. The city clerk shall refer the same to the president of the council prior to the hearing or appeal. Persons making requests in writing shall, together with witnesses requested to appear by the council, be heard prior to other persons who appear at the hearing or appeal. Each person addressing any public hearing or appeal without submitting a written request shall, when called, step up to the podium and give their name in an audible tone of voice for the record. No person shall speak more than five (5) minutes on the subject, and rebuttal speakers shall be limited to two (2) minutes, after an issue has been discussed by both sides, except by permission granted by majority vote of the council. Those speaking on the subject will be limited to four (4) spokespersons on each side (for or against) of the issue, unless permission is granted by unanimous consent of the councilmembers present to allow others to speak. Speakers will be determined by the chronological order in which they signed up to speak. Speakers may not share or reserve speaking time. The president must notify each speaker, before they have begun to speak, that said speaker will be limited to five (5) minutes on the subject, and additionally must also notify rebuttal speakers, before said speaker has begun to speak, that they will be limited to two (2) minutes on the subject. All persons wishing to address the council shall be required to register with the city clerk prior to the meeting, including their name and address, and listing with specificity the subject matter to be discussed and whether they are for or against the matter subject to the hearing or appeal.

(c) *Communication with committees.* Taxpayers or residents of the city or their authorized legal representatives may, at the option of the committee chair, be permitted to orally address any committee of the council on any matter referred to that committee. Requests to appear before a committee of the council shall be filed with the city clerk and include the name and address of the speaker. The city clerk shall refer the same to the chairman of the committee. The chairman of the committee may call a meeting of the committee to hear the matters presented or shall bring the matter before the council to set a time and place for a public hearing.

(d) *Violations of council rules and disruptive behavior.* Any member of the public present in the council chambers during a meeting who engages in loud, boisterous, or offensive conduct, or other conduct detailed in section 2-63 below, that disrupts the meeting is subject to removal from the council meeting and/or a ban on attendance at future council meetings. Any person who engages in such behavior shall be asked by the presiding officer to come to order and warned they may be subject to removal. If the person(s) continue in said behavior, it shall be in the discretion of the sergeant-at arms to remove them with or without a request by the presiding officer. Members of the council may bring to the presiding officer's attention any disruptions they believe to be occurring via point of order. When such a point of order is made, the presiding officer shall have the discretion to issue the warning described in this section.

(e) *Bans on attendance for disruptive behavior.* Any person who is warned by the presiding officer under the previous subsection (d), whether they were actually removed from the meeting or not, may in the presiding officer's discretion be subject to a ban on attendance at future council meetings. For a first offense, the ban shall be not more than thirty (30) days. For a second offense, the ban shall be not more than sixty (60) days. For any subsequent offenses, the ban shall be not more than one-hundred twenty (120) days. Any

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person subject to a ban shall not enter the council chamber during or immediately prior to the meeting. The sergeant-at-arms has the power to enforce this provision and serve as complainant for any charges related to same so long as they witnessed the behavior at issue.

(f) *Arrest for disorderly or contemptuous behavior.* In addition to the foregoing, and to the extent contemplated in ALA. CODE § 11-43-163, anyone who is warned, removed, or subject to a ban for disorderly or contemptuous behavior at a meeting may be punished by arrest and imprisonment not exceeding twenty-four (24) hours. The sergeant-at-arms, so long as they witnessed the disorderly or contemptuous behavior, may act as secretary and complainant for purposes of this section.

Sec. 2-63. - Decorum.

(a) While the council is in session, all cellular phones/pagers must be turned off to avoid distraction and interference with the sound system.

(b) While the council is in session, the members shall preserve order and decorum; and, a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the council nor disturb any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.

(c) Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while the council is in session, shall be subject to section 2-62(d) above.

(d) No one is to display or wave signs of any sort or possess open umbrellas during the meeting. No one is to stand or linger in the aisles during the meeting. Food and drink are not permitted in the audience at the meeting. The sergeant-at-arms has the discretion to enforce violations of this subsection with or without warning or instruction from the presiding officer.

(e) The chief of police and/or those members of the police department present shall be and act as sergeant-at-arms of the council meetings. They may carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the meeting.

SECTION TWO: Miscellaneous.

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

(b) This ordinance shall be effective within the City of Mobile 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 Consent Resolutions 09-761 through 03-793 being introduced for the first time, except for 37-764 and 03-793. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

TRANSFER FUNDS FROM DISTRICT 3 DISCRETIONARY ACCOUNT TO PARKS & RECREATION GENERAL FUND TO ASSIST WITH TRIMMIER PARK DUES. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 09-761-2023

Sponsored by: Councilmember Small

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$2,000.00 be transferred from the District 3 General Fund, Discretionary Account DSC-03, from General Fund Account 10041020-42080 to the Mobile Parks & Recreation General Fund Account 10042032-44020 and will be used to assist with Trimmier Park Dues.

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, and Gregory

Nays: None

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

AUTHORIZE A GRANT APPLICATION TO THE DEPARMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE FY23 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT; \$224,724.00 (NO LOCAL MATCH). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-762-2023

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 Notice of Award and Memorandum of Agreement for grant assistance in the amount of \$221,724.00 from the Bureau of Justice Assistance for the FY 2023 Edward Byrne Memorial Justice Assistance Grant (JAG). Funds from the Alabama Local JAG Joint Allocation will be shared among the disparate jurisdiction which includes the City of Mobile, Mobile County, and the City of Prichard. There is no local 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 U.S. Department of Justice or Bureau of Justice Assistance. The Memorandum of Agreement for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO BP GAS STATION, 2150 OLD SHELL ROAD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-763-2023

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Sponsored by: Mayor Stimpson

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: Alibaba 22, Inc.

Location: BP Gas Station
2150 Old Shell Road
Mobile, Al 36607

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, 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 LOUNGE RETAIL LIQUOR CLASS I LICENSE TO OFFICE WEST TAVERN, 4070 GOVERNMENT BOULEVARD. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 37-764-2023

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: Lounge Retail Liquor Class I License

Submitted by: Office West Mobile, LLC

Location: Office West Tavern
4070 Government Boulevard
Mobile, Al 36693

APPROVE AWARD OF SPECIAL BONUS TO THE OFFICER OF THE MONTH; WOOD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-765-2023

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 each to the following employee:

June 2023: Officer Taylor Wood

The 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.

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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, and Gregory

Nays: None

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

APPROVE AWARD OF THE PUBLIC WORKS AT LARGE EMPLOYEE OF THE MONTH; KING. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-766-2023

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 each to the following employee:

July 2023: Rodney King (Employee #16622) Public Works at Large (Traffic Engineering)

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

DETERMINE AN APPROPRIATION TO STRIKERS' CLUB, INC. SERVES A PUBLIC PUROSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-767-2023

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate **\$500.00** to Strikers' Club, Inc., from his discretionary funds; and

WHEREAS, Strikers' Club, 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 Strikers' Club, Inc., will be used to assist with the Strikers' Club Student Spotlight program. Donations will help purchase school supplies for 2023-2024 school term.

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NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$500.00** to Strikers' Club, 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 Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays: None

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

APPOINT SAM HECKER TO THE MOBILE CITY-COUNTY YOUTH COUNCIL. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-792-2023

Sponsored by: Councilmember Daves

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Sam Hecker is appointed to the Mobile City-County Youth Council effective 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, and Gregory

Nays: None

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

CONCUR IN THE APPOINTMENT OF DR. MARY STEWART NELSON TO THE ALTAPOINTE HEALTH SYSTEM, INC. BOARD. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 03-793-2023

Sponsored by: City Council

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Council concurs in the appointment of Dr. Mary Stewart Nelson to the AltaPointe Health System, Inc. Board effective immediately for a term ending July 18, 2029.

CIP RESOLUTIONS BEING INTRODUCED

AUTHORIZE CONTRACT WITH INTEGRITY MAINTENANCE, LLC FOR HVAC & ELECTRICAL AT THE MICHAEL C. DOW AMPHITHEATER SOUND ROOM AT TRINITY GARDENS; \$42,500.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 21-768-2023

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,

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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: INTEGRITY MAINTENANCE LLC

Project Name: TRINITY GARDENS – MICHAEL C. DOW AMPHITHEATER – SOUND ROOM HVAC AND ELECTRICAL

Project Number: PR-044-23

Amount: \$42,500.00

AUTHORIZE CONTRACT WITH INTEGRITY MAINTENANCE, LLC FOR INTERIOR IMPROVEMENTS AND NEW ADA RAMP AT THE HOPE COMMUNITY CENTER; \$193,600.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 21-769-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAM, 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: INTEGRITY MAINTENANCE LLC

Project Name: HOPE COMMUNITY CENTER – NEW RAMP & INTERIOR IMPROVEMENTS

Project Number: PR-090-21

Amount: \$193,600.00
(CIP: 2025-P-003)

AUTHORIZE CONTRACT WITH CHRISTIAN PREUS LANDSCAPE ARCHITECTURE, PLLC FOR PHASE 2 IMPROVEMENTS AT LYONS PARK; \$64,250.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 21-770-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAM, 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: CHRISTIAN PREUS LANDSCAPE ARCHITECTURE P.L.L.C

Project Name: LYONS PARK – IMPROVEMENTS PHASE 2

Project Number: PR-051-23

Amount: \$64,250.00 (CIP: 2023-P-004 D2)

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RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDERS FOR FUEL FOR VARIOUS CITY DEPARMENTS.

The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 08-771-2023

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
<u>11808</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$18,820.64	(279229) PETROLEUM TRADERS CORPORATION
<u>11809</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$18,820.64	(279229) PETROLEUM TRADERS CORPORATION
<u>11810</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$18,820.64	(279229) PETROLEUM TRADERS CORPORATION
<u>11811</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$18,820.64	(279229) PETROLEUM TRADERS CORPORATION
<u>11812</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$18,820.64	(279229) PETROLEUM TRADERS CORPORATION
<u>11813</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$20,255.70	(279229) PETROLEUM TRADERS CORPORATION

<u>11814</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$18,675.00	(279229) PETROLEUM TRADERS CORPORATION
<u>11815</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$18,675.00	(279229) PETROLEUM TRADERS CORPORATION
<u>11816</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$18,675.00	(279229) PETROLEUM TRADERS CORPORATION
<u>11818</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$18,675.00	(279229) PETROLEUM TRADERS CORPORATION
<u>11819</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$18,675.00	(279229) PETROLEUM TRADERS CORPORATION

MINUTES OF JULY 18, 2023

APPROVE PURCHASE ORDERS FOR FUEL FOR THE WAVE TRANSIT SYSTEM. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 08-772-2023

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 amounts stated, and to approve the supporting bid awards, for the following requisitions as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>11959</u>	2023	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$18,750.00	(279229) PETROLEUM TRADERS CORPORATION
<u>11960</u>	2023	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$18,750.00	(279229) PETROLEUM TRADERS CORPORATION
<u>11961</u>	2023	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$18,750.00	(279229) PETROLEUM TRADERS CORPORATION
<u>11962</u>	2023	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$18,750.00	(279229) PETROLEUM TRADERS CORPORATION

APPROVE PURCHASE ORDER TO HUGHES 390 SERVICES, LLC TO CLEAR STORMWATER DITCH AT COCA COLA ROAD; \$28,000.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 08-773-2023

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
<u>11612</u>	2023	(2086F) FLOOD CONTROL	CLEAR STORMWATER DITCH AT COCA COLA ROAD (SEALED BID 5809)	\$28,000.00	(297767) HUGHES 360 SERVICES LLC

APPROVE PURCHASE ORDER TO ARMAG CORPORATION FOR EXPLOSIVE STORAGE MAGAZINE FOR MPD: \$22,993.42. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 08-774-2023

Sponsored by: Mayor Stimpson

MINUTES OF JULY 18, 2023

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>11647</u>	2023	(3032) ARCHITECTURAL ENGINEERING	EXPLOSIVE STORAGE MAGAZINE FOR MPD FIREARMS RANGE (GSA CONTRACT)	\$22,993.42	<u>(298596) ARMAG CORPORATION</u>

APPROVE PURCHASE ORDER TO DEERE & COMPANY FOR UTILITY TRACTOR FOR PUBLIC SERVICES DEPARTMENT; \$33,861.47. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 08-775-2023

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
<u>7303</u>	2023	(F7000) MOTOR POOL	2023 JOHN DEERE 5060E UTILITY TRACTOR FOR PUBLIC SERVICES MAINTENANCE (AL STATE CONTRACT)	\$33,861.47	<u>(295477) DEERE & COMPANY</u>

APPROVE PURCHASE ORDER TO MOBILE COMMUNICATIONS AMERICA, INC. FOR HAND-HELD RADAR GUNS; \$17,845.86. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 08-776-2023

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
<u>10870</u>	2023	(1530) POLICE ADMIN SERVICES	6 STALKER HAND-HELD RADAR GUNS FOR MPD (GSA CONTRACT)	\$17,845.86	<u>(298602) MOBILE COMMUNICATIONS AMERICA INC</u>

MINUTES OF JULY 18, 2023

RE-ALLOCATE \$382,291.58 FROM UNASSIGNED FUND BALANCE IN THE GENERAL FUND TO THE CONVENTION CENTER ACCOUNT CONTRIBUTED CONTRACTED SERVICE TO PAY SPECIAL ASSESSMENT REQUIRED BY THE BASELINE SERVICES AGREEMENT. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 09-777-2023

Sponsored by: Mayor Stimpson

WHEREAS, Sections 50-65 et seq of the City Code of the City of Mobile ("City") establishes the Mobile Tourism Improvement District as authorized by the Alabama Code Section 11-54B-44(2); and

WHEREAS, pursuant to Section 50-70, the City entered a Baseline Services Agreement with the Mobile Convention and Visitors Corporation ("MCVC") and the Mobile Area Lodging Corporation (the "Corporation") under which the City pays an annual Special Assessment to the Corporation in the amount of \$2,650,000.00 or 33.5% of the lodging tax for the prior fiscal year (at the City lodging tax rate of 8%), whichever is greater; and

WHEREAS, for FY2023 the City budgeted \$3,250,000 in the Convention Center Fund #60806080-42080 to pay the Special Assessment; and

WHEREAS, for FY2023 the Special Assessment is \$3,632,291.58, which exceeds the amount budgeted by \$382,291.58.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$382,291.58 be specifically allocated pursuant to Alabama Code Section 11-44C-57 from unassigned fund balance in the General Fund (Fund 1000) to the Convention Center Funds (Fund 6080); and account #6080.6080.42080 Convention Center Contributed Contracted Service is hereby amended to increase said line item by the amount of \$382,291.58 in order to pay the Special Assessment to the Corporation as required by Baseline Services Agreement.

RE-ALLOCATE FUNDS FROM THE UNASSIGNED FUND BALANCE IN THE GENERAL FUND TO VARIOUS CAPITAL PROJECTS IN THE CAPITAL IMPROVEMENTS FUND; \$2,000,000.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 09-778-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$2,000,000.00 be specifically allocated pursuant to Alabama Code Section 11-44C-57 from the Unassigned Fund Balance in the General Fund (Fund 1000) to the following Capital Projects in the Capital Improvements Fund (Fund 2000).

C0800	2022 PayGo (CoMD1& CW) D1-7	\$1,000,000
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C0802	2022 PayGo (CoMD3) CD 4	\$1,000,000
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RE-ALLOCATE FUNDS FROM CRUISE TERMINAL GANGWAY IMPROVEMENTS TO CRUISE TERMINAL CATHODIC PROTECTION; \$600,000.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 09-779-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

MINUTES OF JULY 18, 2023

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the sum of \$600,000.00 be reallocated from C0525 Cruise Terminal Gangway Improvements, in the Capital Improvement Fund (2000) to C0762 Cruise Terminal Cathodic Protection in the Capital Improvement Fund (2000) to fund the shortfall of the bid amount.

AUTHORIZE CONTRACT WITH THOMPSON ENGINEERING, INC. FOR CITY WIDE BRIDGE INSPECTIONS; \$289,990.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 21-780-2023

Sponsored by: Mayor Stimpson and Councilmembers Penn, Carroll, Small, Reynolds, Daves, District 6, and Gregory

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 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: Thompson Engineering, Inc.

Project Name: City Wide Bridge Inspection (2024 Cycle)
COM Project No. 2023-3005-16

Estimated Cost: \$289,990.00

AUTHORIZE CONTRACT WITH COWLES, MURPHY, GLOVER & ASSOCIATES, INC. FOR AN ENVIRONMENTAL STUDY, DESIGN AND MAINTENANCE OF JETTIES AT MCNALLY PARK; \$83,000.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 21-781-2023

Sponsored by: Mayor Stimpson and Councilmember Small

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 associated with the ADCNR Coastal Area Management Program Grant 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: Cowles, Murphy, Glover & Associates, Inc.

Project Name: Jetties at McNally Park

Estimated Cost: \$83,000.00

AUTHORIZE CONTRACT WITH MORROW CONTRACTING, INC. D/B/A ADVANCED SERVICE PLUS PLUMBING COMPANY, FOR PLUMBING SERVICES AT VARIOUS CITY FACILITIES; NOT TO EXCEED \$100,000.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 21-782-2023

Sponsored by: Mayor Stimpson

MINUTES OF JULY 18, 2023

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

Name of Company: Morrow Contracting Inc. d/b/a
Advanced Service Plus Plumbing Company

Project Name: Plumbing Services for Various City of Mobile Facilities
(1-Year Service Contract)

Project Number: SC-020-23

Amount: NOT TO EXCEED \$100,000.00

AUTHORIZE CONTRACT WITH SAMSARA, INC. FOR FLEET DASH CAMERA SERVICES; \$646,426.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 21-783-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Samsara, Inc., for three years, for \$646,426.00, to provide fleet vehicle camera services and equipment, as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the Office of the City Clerk.

AUTHORIZE CONTRACT WITH OSPREY INITIATIVE, LLC FOR DEVELOPMENT AND DELIVERY OF LITTER-FREE EDUCATION; \$35,000.00. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 21-784-2023

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, a contract between the City of Mobile and Osprey Initiative, LLC in the amount not to exceed \$35,000 to begin upon execution. The contract is to develop and deliver litter-free education programming to sixth grade students across the City of Mobile, 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.

ACCEPT AN EASEMENT AGREEMENT FROM MAWSS TO PROVIDE CONSTRUCTION OF THE TRAIL FOR THREE MILE CREEK GREENWAY TRAIL SEGMENTS. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 25-785-2023

Sponsored by: Mayor Stimpson and Councilmembers Penn and Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby accepts an Easement Agreement from the, the BOARD OF WATER AND SEWER COMMISSIONERS OF THE CITY OF MOBILE, a public corporation of Alabama, as needed for the Three Mile Creek Greenway Trail.

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SAID DOCUMENT is by reference made a part of this resolution as fully as if set forth herein and copies will be on file in the office of the City Clerk and in the office of the Real Estate Department of the City of Mobile.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; CLARK. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 60-786-2023

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 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 Harry Russell Clark, 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.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; JONES. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 60-787-2023

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 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 Matthew Jones and Wiley Jones, 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.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; NAGY. The following resolution was held over for one week until the regular meeting of July 24, 2023.

RESOLUTION: 60-788-2023

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 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 Jim Nagy and Lindsay Nagy, 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.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 258 N. HAMILTON STREET AND 263 N. FRANKLIN STREET FROM T-4 AND T-5.1 TO T-4 (SCHEDULED FOR AUGUST 15, 2023) (DISTRICT 2).

RESOLUTION: 41-789-2023

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 amendment to the Zoning Ordinance 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 amendment.

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Notice of Public Hearing for the Proposed Rezoning of Property Located at 258 North Hamilton Street and 263 North Franklin Street

Pursuant to Resolution of the Mobile, Alabama City Council adopted September 6, 2022, a public hearing will be held on the 15th day of August 2023, at 10:30 a.m., to consider adoption of an ordinance to rezone property located at 258 North Hamilton Street and 263 North Franklin Street from T-4, a mixed-use district of low intensity and T-5.1, a mixed-use district of medium intensity to T-4, a mixed-use district of low intensity in the Downtown Development 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 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 CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE LTNIFIED DEVELOPMENT CODE.

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

Section One: That the Ordinance commonly known as the Unified Development Code and adopted on July 12, 2022, together with the Zoning Map of the City of Mobile, be, and the same hereby is amended in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

Commencing at the Southeast intersection of Congress Street and North Hamilton Street in the City of Mobile, run South 22°-04'-02" East and along the East right-of-way line of said North Hamilton Street (50 foot right-of-way), a distance of 70.00 feet to the Point of Beginning of the property described herein; thence continue South 22°-04'-02" East and along said East right-of- way line, 39.96 feet to the Northwest corner of property conveyed by instrument recorded in Real Property Book 2395, Page 559, Probate Court Records, Mobile County, Alabama; thence North 67°-40'-47" East and along the North line of said property, 201.51 feet to the Northeast corner of property conveyed by instrument recorded in Red Property Book 4911, Page 574, said Probate Records; thence North 20°-30'-36" West and along the West right-of-way line of North Franklin Street (50 foot right-of-way), a distance of 69.60 feet to a point on the South line of property conveyed by instrument recorded in Land Records Book 7654, Page 568, said Probate Records; thence South 68°-35'-12" West and along the South line of said property, 107.00 feet to a point on the Eastern line of by property conveyed instrument recorded in Red Property Book 5523, Page 683, said Probate Records; thence South 22°-04'-12" East and along said East property line, 30.00 feet to the Southeast corner of said property; thence South 67°-39'-25" West and along the South line of said property, 94.50 feet to the Point of Beginning.

The classification of said property is hereby changed from T-4, a mixed-use district of low intensity and T-5.1, a mixed-use district of medium intensity to T-4, a mixed-use district of low intensity in the Downtown Development District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in T-4, a mixed-use district of low intensity, 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 be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a T-4, a mixed-use district of low intensity until all of the conditions set forth below have been complied with: 1) Completion of the Subdivision process; 2) Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in this staff report, and, 3) Full compliance with all municipal codes and ordinances.

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

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory

Nays:

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as August 15, 2023.

CALL FOR PUBLIC HEARING TO ASSENT TO THE VACATION OF A PORTION OF AN U.S. HIGHWAY 90 WEST SERVICE ROAD (SCHEDULED FOR AUGUST 15, 2023) (DISTRICT 4).

RESOLUTION: 41-790-2023

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 HEARING TO CONSIDER VACATION OF A PORTION OF A PORTION OF A US HIGHWAY 90 WEST SERVICE ROAD

Notice is hereby given that the Mobile City Council proposes to consider adoption of a resolution assenting to the vacation of a portion of a U.S. Highway 90 West Service Road.

The adoption of such resolution will be considered by the Mobile City Council on the 15th day of August, 2023, at 10:30 a.m., in the Mobile Government Plaza Auditorium, 205 Government Street.

Any citizen alleging to be affected by the proposed vacation may submit a written objection or may speak at the public hearing.

WHEREAS, TVH FARMS LLC, (Petitioner"), is the owner of certain lands which abut a portion of a right of way situated in the City of Mobile, Alabama, hereinafter described; 'aright

WHEREAS, Petitioner has filed a Petition with the City Council of the City of Mobile (the "City Council") requesting that die City Council adopt a resolution to vacate a portion of said right of way on;

WHEREAS, it has been shown to the satisfaction of the City Council that Petitioner is the sole property owner abutting said City of Mobile right of way, that the same is not needed as a right of way in the City of Mobile, Alabama, that the vacation of same will not deprive any other property owner a right to convenient and reasonable ingress and egress to and from any other property, and that it would be to the best interest of the City Council to vacate the same;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL that its assent be and it is hereby given to TVH FARMS LLC, to the vacation and closing by them of the portion of the right of way of the City of Mobile, Alabama more particularly described as follows:

Beginning at the Southwest corner of Lot 21, Plantation Commercial Park, as recorded In Map Book 95, page 50 of the Probate Court Records, Mobile County, Alabama; Thence N-89°-49'-17"-W, along a westward extension of said Lot 21, for 50.23 feet to a point on the East right of way line of U.S. Highway 90, 174' public R/W; Thence N-05°-41'-43"-E, along the East right of way line of said U.S. Highway 90, for 104.82 feet; Thence S-84°-

MINUTES OF JULY 18, 2023

18'-17"-E, leaving the East right of way line of said U.S. Highway 90, for 50.00 feet to a point on the West line of aforesaid Lot 21; Thence S-05°-41'-43"-W, along the West line of said Lot 21, for 100.00 feet to the Point of Beginning and containing 5120 square feet or 0.1175 acres, more or less.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory
Nays:

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as August 15, 2023.

CALL FOR PUBLIC HEARING TO CONSIDER A VACATION OF RIGHT-OF-WAY FEE AS A CONDITION OF THE VACATION OF A PORTION AN U.S. HIGHWAY 90 WEST SERVICE ROAD (SCHEDULED FOR AUGUST 15, 2023) (DISTRICT 4).

RESOLUTION: 41-791-2023

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 HEARING TO CONSIDER A VACATION OF RIGHT OF WAY FEE AS A CONDITION OF THE VACATION OF A PORTION OF A US HIGHWAY 90 WEST SERVICE ROAD

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, and Gregory
Nays:

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as August 15, 2023.

ANNOUNCEMENTS

NOTE: Lisa C. Lambert, City Clerk, announced that the regular Council meeting scheduled for Tuesday, July 25, 2023, has been rescheduled for Monday, July 24, 2023.

Councilmember Reynolds stated that he attended a meeting with Governor Kay Ivey to hear the GoMesa funding awards where District 4 was awarded \$2.5 million dollars to improve access to the waterways on Halls Mill Creek.

Councilmember Reynolds said a Rules Committee meeting will be held today at 1:00 p.m.

Councilmember Penn stated that a community meeting about the equipment at Mills Street Park will be held on July 27, 2023, from 4:30 p.m. – 6:00 p.m. at Mills Street Park.

Councilmember Penn announced the following community outreach and “Back to School” events:

- July 22, 2023, at 2523 St. Stephens Road from 1:00p.m. – 4:00 p.m.
- July 30, 2023, at Sage Park from 3:00 p.m. – 6:00 p.m.
- August 5, 2023, at Figures Park at 1:00 p.m.

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Councilmember Gregory stated she will be at the Hillsdale Recreation Center on Wednesday July 19, 2023, to celebrate “Alabama Hip-Hop Week” in Mobile.

Councilmember Gregory mentioned that the “Youth Violence Prevention Program” will be at Hillsdale Recreation Center on July 21, 2023.

Councilmember Small shared that “Alabama Hip-Hop Week” will be held on Thursday, July 20, 2023, from 12 noon – 4:00 p.m. at Taylor Park.

Councilmember Small encouraged citizens to come out to the District 3 “Annual Back to School Rally” on Sunday, July 23, 2023, at the Pleasant Valley Shopping Center from 4:00 p.m. – 6:00 p.m.

James Barber, Chief of Staff, thanked the Council for passing the intergovernmental agreement today.

Ricardo Woods, City Attorney, stated the following:

“My name is Ricardo Woods, I am the City Attorney and I’m a licensed attorney in the State of Alabama, asking the council to go into executive session for a matter that may likely be imminent in litigation or any litigation based on the things we need to discuss.”

Councilmember Daves moved for the council to move into executive session and adjourn the regular meeting, which move was seconded by Councilmember Gregory and the vote was as follows:

Penn: Aye
Carroll: Aye
Small: Aye
Reynolds: Aye
Daves: Aye
Gregory: Aye

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:33 a.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK