

MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 13, 2024

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, August 13, 2024, at 9:00 a.m.

Councilmembers:

Present: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Absent: None

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m.

Approved:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 13, 2024

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Tuesday, August 13, 2024, at 10:30 a.m., for the regular meeting.

The meeting was called to order by Assistant City Clerk.

Pastor Tony Legear, 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, Daves and Woods
Absent: None

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 from the meeting of August 6, 2024, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

James Barber, Chief of Staff, presented a proclamation, on behalf of Mayor Stimpson, declaring August 19-24, 2024 as “Mobile Tiki Week”.

ADOPTION OF THE AGENDA

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

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

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Nays: None

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

APPEALS

Request of Family Counseling Center of Mobile for a waiver of the Noise Ordinance at Cathedral Square on September 28, 2024, from 10:00 a.m. – 2:00 p.m. (District 2).

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

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

Nays: None

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

Request of Silvia Skultety for a waiver of the Noise Ordinance at Mardi Gras Park on October 12, 2024, from 12:00 p.m. – 9:00 p.m. (District 2).

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

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

Nays: None

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

Request of Brieyanna Cotten for a waiver of the Noise Ordinance at 3370 Sheringham Drive on September 7, 2024, from 2:00 9.m. – 10:00 p.m. (District 5).

Councilmember Daves moved to hold the waiver over for one (1) week, which move was seconded by Councilmember Gregory and the vote was as follows:

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

Nays: None

The vote was then announced by the Assistant City Clerk whereupon the Presiding Officer declared the waiver held over until the regular meeting of August 20, 2024.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

NON-AGENDA ITEMS:

None

AGENDA ITEMS:

Sabrina Mass, 1050 Belvedere Circle, W., spoke in opposition of Ordinance 62-044.

Reggie Hill, 1007 Center Street, spoke in opposition of Ordinance 62-044.

James Williams, asked questions about Resolutions 21-744, 21-745, 21-746, and 21-747.

ORDINANCES HELD OVER:

ORDINANCE TO AMEND SECTION 62.1 OF THE CODE OF THE CITY OF MOBILE.

The following ordinance, which was introduced and read at the regular meeting of August

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6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

ORDINANCE: 62-044-2024

Sponsored by: Mayor Stimpson

AN ORDINANCE TO AMEND SECTION 62.1 OF THE CODE OF THE CITY OF MOBILE ALABAMA, 1965

WHEREAS, the City of Mobile (City), by and through its City Council, has heretofore adopted Section 62.1, of The Code of the City of Mobile, Alabama, 1965;

WHEREAS, the City wishes to amend the forementioned Code Section in order to implement and incorporate relevant changes made to state laws and to improve the clarity of said Code Section; and

WHEREAS, this Ordinance is enacted to accomplish said goals.

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

Section 1: Section 62.1 of the Mobile City Code, 1965, is hereby amended and restated to read as follows:

Sec. 62-1. Discharging firearms, air guns, etc.

It shall be unlawful for any person within the city or within the police jurisdiction thereof to discharge any firearm or instrument of like character or description.

Exceptions:

(1) Any person shall be entitled to discharge any firearm, pistol, revolver, shotgun, rifle, air gun, or other implement which propels with force a metal pellet in self- defense or in the defense of a third-party within the city limits.

(2) Any person shall be entitled to discharge a shotgun for the purpose of hunting within the city limits under the following conditions:

(a) In hunting of the following game birds:

1. Bobwhite quail
2. Mourning and/or White-winged dove

(b) Where the tract of land to be hunted is a minimum often (10) contiguous acres. A plat map or survey will be required to prove this component of the permitting process.

(c) A minimum of 700 feet between the hunter and any school or school grounds, daycare facility, hospital, residential structures, playgrounds, park, public roads or highways shall be maintained.

(d) Written permission from the landowner, or proof of ownership of the tract of land shall be maintained by the hunter(s) while on the tract of land.

(e) Hunters may only use 20-, 28-, or .410-gauge shotguns.

(f) Shot no larger than #7.5 and only low brass ammunition may be used.

(g) The property to be hunted from or upon has been inspected and permitted by the City of Mobile.

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(h) The permit fee of \$10.00 has been paid to the City of Mobile.

(i) This section in no way permits or alters the requirements promulgated by both Federal and State law regarding the hunting of migratory birds and/or the use of firearms by those forbidden from use.

Miscellaneous provisions:

Repealer. All ordinances and laws, or parts thereof, that are in conflict with the provisions of this Ordinance, are hereby repealed.

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

Publication. That the City Clerk of the City of Mobile is hereby authorized and directed to advertise the adoption of this Ordinance as required by law.

Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Woods moved to adopt the resolution, which was seconded by Councilmember Daves.

Councilmember Woods moved to amend the ordinance as follows:

WHEREAS, the City of Mobile (City), by and through its City Council, has heretofore adopted Section 62.1, of The Code of the City of Mobile, Alabama, 1965;

WHEREAS, the City wishes to amend the forementioned Code Section in order to implement and incorporate relevant changes made to state laws and to improve the clarity of said Code Section; and

WHEREAS, this Ordinance is enacted to accomplish said goals.

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

Section 1: Section 62.1 of the Mobile City Code, 1965, is hereby amended and restated to read as follows:

Sec. 62-1. Discharging firearms, air guns, etc.

It shall be unlawful for any person within the city or within the police jurisdiction thereof to discharge any firearm or instrument of like character or description.

Exceptions:

(1) Any person shall be entitled to discharge any firearm, pistol, revolver, shotgun, rifle, air gun, or other implement which propels with force a metal pellet in self- defense or in the defense of a third-party within the city limits.

(2) Any person shall be entitled to discharge a shotgun for the purpose of hunting within the city limits under the following conditions:

(a) In hunting of the following game birds:

1. Bobwhite quail

2. Mourning dove, White-winged dove, and Ring-necked dove

(b) Where the tract of land to be hunted is a minimum often (10) contiguous acres. A plat map or survey will be required to prove this component of the permitting process.

(c) A minimum of 700 feet between the hunter and any school or school grounds, daycare facility, hospital, residential structures, playgrounds, park, public roads or highways shall be maintained.

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(d) Written permission from the landowner, or proof of ownership of the tract of land shall be maintained by the hunter(s) while on the tract of land.

(e) Shot no larger than #7.5 and only low brass ammunition may be used.

(f) The property to be hunted from or upon has been inspected and permitted by the City of Mobile.

(g) The permit fee of \$10.00 has been paid to the City of Mobile.

(h) This section in no way permits or alters the requirements promulgated by both Federal and State law regarding the hunting of migratory birds and/or the use of firearms by those forbidden from use.

Miscellaneous provisions:

Repealer. All ordinances and laws, or parts thereof, that are in conflict with the provisions of this Ordinance, are hereby repealed.

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

Publication. That the City Clerk of the City of Mobile is hereby authorized and directed to advertise the adoption of this Ordinance as required by law.

Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

The move was seconded by Councilmember Reynolds and the vote on the amendment was as follows:

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

Nays: Penn

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

The Presiding Officer then called for the vote on the original ordinance as amended and the vote was as follows:

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

Nays: Penn

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

CONSENT RESOLUTIONS HELD OVER:

DECLARE THE STRUCTURE AT 4591 CYPRESS SHORES DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution, which was introduced and read at the regular meeting of June 11, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 40-518-2024

Sponsored by: Councilmember Reynolds

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 4591 Cypress Shores Drive (fka Road) 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;

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WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, 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 4591 Cypress Shores Drive (fka Road) described as:

LOT 6 BLK A UNIT 3 CYPRESS SHORES SUBD MBK 10 PG 153 #SEC 24 T5S R2W #MP33 06 24 3 001

Parcel number: 433 06 24 3 001 035.001

Last assessed to: SOMERS REGINA C

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 Assistant 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, Woods, and Gregory

Nays: None

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

DECLARE THE STRUCTURE AT 3931 POINT ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution, which was introduced and read at the regular meeting of June 11, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 40-519-2024

Sponsored by: Councilmember Reynolds

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 3931 Point Road has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, 12, 14 and 15; and

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

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NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 3931 Point Road described as:

LOT 12 BLK G CYPRESS SHORES ESTATES 1ST UNIT MBK 11 PG 83 #SEC 39 TSS R2W #MP33 06 39 0 005

Parcel number: 33 06 39 0 005 037

Last assessed to: PNC BANK NATIONAL ASSOCIATION

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

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

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

RESOLUTIONS HELD OVER:

APPROVE PURCHASE ORDER TO GULF COAST FITNESS SERVICE, LLC FOR FITNESS EQUIPMENT FOR MPD 4TH PRECINCT; \$22,252.75. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-738-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>12794</u>	2024	(1530) POLICE ADMIN SERVICES	FITNESS EQUIPMENT FOR MPD 4 TH PRECINCT (PRICE BELOW BID REQUIREMENT; COMPETITIVE PRICE QUOTE)	\$22,252.75	<u>(292197) GULF COAST FITNESS SERVICE LLC</u>

The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

APPROVE PURCHASE ORDER TO VULCAN, INC. FOR TRAFFIC SIGNS AND SPEED CONTROL MATERIALS FOR TRAFFIC ENGINEERING; \$77,047.50. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-739-2024

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>11120</u>	2024	(2060) TRAFFIC ENGINEERING	TRAFFIC SIGNS AND SPEED CONTROL MATERIALS FOR TRAFFIC ENGINEERING (MOBILE COUNTY COOPERATIVE PURCHASING AGREEMENT)	\$77,074.50	<u>(270972) VULCAN INC</u>

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The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

APPROVE PURCHASE ORDER TO HOWARD INDUSTRIES, INC. FOR ANNUAL RENEWAL OF DEVICE MANAGEMENT SOFTWARE FOR MIT; \$24,724.00. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-740-2024

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>12034</u>	2024	(5000) INFORMATION TECHNOLOGY	ANNUAL RENEWAL OF FILEWAVE MOBILE DEVICE MANAGEMENT SOFTWARE FOR MIT (BID EXEMPT AS SOFTWARE, OMNIA/NCPA COOPERATIVE PURCHASING AGREEMENT)	\$24,724.00	<u>(292451) HOWARD INDUSTRIES INC</u>

The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

APPROVE PURCHASE ORDER TO ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. FOR ANNUAL RENEWAL OF ARCGIS SOFTWARE FOR GIS; \$106,373.00. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-741-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>12857</u>	2024	(5010) GEOGRAPHIC INFORMATION SYSTEMS	ANNUAL RENEWAL OF ARCGIS SOFTWARE PRODUCTS FOR GIS (BID EXEMPT AS SOFTWARE)	\$106,373.00	<u>(050080)</u> <u>ENVIRONMENTAL</u> <u>SYSTEMS</u> <u>RESEARCH</u> <u>INSTITUTE INC</u>

The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

TRANSFER FUNDS FROM PROGRAM & PROJECT MANAGEMENT TO GRANT FUND PROJECT INNOVATING ST. LOUIS STREET: MOBILE’S TECHNOLOGY CORRIDOR. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 09-742-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$13,500.00 be transferred from the General Fund (fund 1000) budget of Program & Project Management: Professional and Technical (10042045.42200) to the Grant Fund (Fund 5023) Project G-STLOUIS -INNOVATING ST. LOUIS STREET: MOBILE’S TECHNOLOGY CORRIDOR (50235023.93010). These funds will be used to fund a contract change order for Contract# 3313 with Neel Schaffer, Inc. for updated engineering and design.

The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH MORROW CONTRACTING, INC., D/B/A ADVANCED SERVICE PLUS PLUMBING COMPANY, FOR PLUMBING SERVICES AT VARIOUS CITY FACILITIES; NTE \$100,000.00 PER YEAR. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the

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regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-743-2024

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 Service Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the service contract attached hereto and made a part hereof as though set forth in full. A copy of said service contract is 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: SERVICE CONTRACT – VARIOUS CITY OF MOBILE
FACILITIES – PLUMBING SERVICES

Project number: SC-017-24

Amount: NTE \$100,000.00 PER YEAR

The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH BUTLER COMPLETE SERVICES, LLC FOR LANDSCAPING SERVICES AT VARIOUS CITY FACILITIES; NTE \$32,105.00 PER YEAR. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-744-2024

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 Service Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the service contract attached hereto and made a part hereof as though set forth in full. A copy of said service contract is on file in the office of the City Clerk.

Name of company: Butler Complete Services, LLC

Project name: Service contract – various City of Mobile
Facilities – landscaping services

Project number: SC-019-24

Amount: NTE \$32,105.00 per year

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The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH BUTLER COMPLETE SERVICES FOR RIGHT-OF-WAY MOWING FOR VARIOUS CITY STREETS; \$80,000.00. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-745-2024

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 the Butler Complete Services, to provide right of way mowing services for various streets at specified intervals as needed in an approximate total amount of \$80,000.00, through 31 December 2024, as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the Office of the City Clerk.

The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH HUGHES 360 SERVICES, LLC FOR RIGHT-OF-WAY MOWING FOR VARIOUS CITY STREETS; \$20,000.00. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-746-2024

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 the Hughes 360 Services, LLC, to provide right of way mowing services for various streets at specified intervals as needed in an approximate total amount of \$20,000.00, through 31 December 2024, as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the Office of the City Clerk.

The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH BEST PRICE SERVICES, LLC FOR RIGHT-OF-WAY MOWING FOR SCHILLINGER ROAD, NORTH; \$18,000.00. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-747-2024

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 the Best Price Services, LLC, to provide right of way mowing services for Schillinger Road, North at specified intervals as needed in an approximate total amount of \$18,000.00, through 31 December 2024, as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the Office of the City Clerk.

The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

AUTHORIZE CHANGE ORDER AND CONTRACT AMENDMENT WITH THOMPSON ENGINEERING, INC. FOR ZEIGLER BOULEVARD (ATHEY ROAD TO FOREST HILL DRIVE); \$94,410.00. The following resolution, which was introduced and read at the regular meeting of August 6, 2024 and held over until the regular meeting of August 13, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-748-2024

Sponsored by: Councilmember Gregory and Mayor Stimpson

WHEREAS, the City entered into a contract dated September 10, 2020 with Thompson Engineering, Inc. for construction engineering and inspection services on the project known as Zeigler Boulevard (Athey Road to Forest Hill Drive), City of Mobile Project No. 2007-202-02, ALDOT Project No. STPMB-7550 (600); and

WHEREAS, the professional engineering fee cost is to be shared between the City of Mobile (20%) and the Alabama Department of Transportation (80%); and

WHEREAS, the Contract amount for the construction engineering and inspection services are based on fee negotiations between the City of Mobile & Alabama Department of Transportation with Thompson Engineering, Inc.; and whereas, the current contract amount includes the original contract and previous contract amendment (SA 1) and totals \$1,932,531.00 (not to exceed); and

WHEREAS, the contract provides in Exhibit D that additional services may become necessary or desirable and "payment for the extra work will be negotiated by supplemental agreement", and Supplemental Agreement (No. 2), approved by the Alabama Department of Transportation, for professional engineering fees for construction engineering and inspection services to adjust the amount of compensation to Thompson Engineering, Inc. was negotiated, thereby increasing professional engineering fees by \$94,410.00 to a total of \$2,026,941.00 (not to exceed); and

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NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby authorize the additional fee of \$94,410.00, for a total of \$2,026,941.00 (not to exceed), to be paid to Thompson Engineering, Inc. for construction engineering and inspection services on the Zeigler Boulevard (Athey Road to Forest Hill Drive) Project.

The resolution was read by the Assistant 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, Woods, and Gregory
Nays: None

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

ORDINANCES BEING INTRODUCED:

CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 5800 SOUTHLAND DRIVE. The following ordinance was held over for one (1) week until the regular meeting of August 20, 2024.

ORDINANCE: 64-045-2024
Sponsored by: Councilmember Woods

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 UNIFIED DEVELOPMENT CODE

WHEREAS, a Planned Unit Development (PUD) was approved on January 16, 2014 to allow multiple buildings on a single building site on property located at 5800 Southland Drive and described as follows:

LOT 1, CHARTER SOUTHLAND HOSPITAL, RESUBDIVISION OF LOT 1, RESUBDIVISION OF LOTS 1 AND 2, ACCORDING TO THE PLAT THEROF AS RECORDED IN MAP BOOK 128, PAGE 76, IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

WHEREAS, the owner of said property applied for a Major Modification of the PUD on April 22, 2024 allowing multiple buildings on a single building site.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on June 20, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC for parking lot lighting requirements and bicycle parking, or placement of notes on the site plan stating the site will comply with these development requirements;
2. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
3. Compliance with all Engineering comments noted in the staff report;
4. Placement of a note on the recorded site plan stating the Traffic Engineering comments noted in the staff report;
5. Compliance with all Urban Forestry comments noted in the staff report;
6. Compliance with all Fire Department comments noted in the staff report;

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7. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning; and
8. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- A. Is consistent with all applicable requirements of this Chapter;
- B. Will not impede the orderly development and improvement of surrounding property;
- C. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- D. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- E. Shall not be detrimental or endanger the public health, safety or general welfare.

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

Section One: That the modification of the PUD is hereby approved with the following required conditions:

1. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC for parking lot lighting requirements and bicycle parking, or placement of notes on the site plan stating the site will comply with these development requirements;
2. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
3. Compliance with all Engineering comments noted in the staff report;
4. Placement of a note on the recorded site plan stating the Traffic Engineering comments noted in the staff report;
5. Compliance with all Urban Forestry comments noted in the staff report;
6. Compliance with all Fire Department comments noted in the staff report;
7. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning; and
8. 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.

ORDINANCE TO AUTHORIZE LEASE AGREEMENT WITH MOBILE COMMUNITY ACTION FOR CITY-OWNED PROPERTY LOCATED AT 1600 BOYKIN BOULEVARD.

The following ordinance was held over for one (1) week until the regular meeting of August 20, 2024.

ORDINANCE: 87-046-2024

Sponsored by: Councilmember Small and Mayor Stimpson

AN ORDINANCE DEEMING CERTAIN PROPERTY NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE GRANT OF A LEASE FOR A PUBLIC PURPOSE

Sponsored by: Councilmember C. J. Small and Mayor William S. Stimpson

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

SECTION ONE: It is hereby found and determined by the City Council of the City of

MINUTES OF AUGUST 13, 2024

Mobile, Alabama, that the property +/- 14,000 sf located in Buildings A and D, of 1600 Boykin Boulevard, during the length of this lease, hereinafter described in Exhibit "A", is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be leased to Mobile Community Action, Inc., a non-profit corporation.

See Exhibit "A" attached hereto

SECTION TWO: The Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name and on behalf of the City of Mobile, the attached Lease Agreement for the property shown in Exhibit "A".

SECTION THREE: The Deputy Director of Real Estate Asset Management of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the Lease of said property.

SECTION FOUR: Said Lease Agreement is by reference made a part of this ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk and in the office of the Real Estate Department of the City of Mobile, 4th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

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“EXHIBIT A”

LEASE DESCRIPTION: Buildings A and D, carpool parking adjacent to Boykin Boulevard, and playground adjacent to Building A, of 1600 Boykin Boulevard.



AUTHORIZE CONVEYANCE OF CITY-OWNED LAND LOCATED AT 260 N. FRANKLIN STREET NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES.
The following ordinance was held over for one (1) week until the regular meeting of August 20, 2024.

ORDINANCE: 88-047-2024

Sponsored by: Councilmember Carroll and Mayor Stimpson

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

Sponsored by Mayor William S. Stimpson and Councilmember William Carroll
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA as follows:

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the real property hereinafter described in Exhibit "A", with an address of 260 N. Franklin Street, is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property

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be conveyed to Congress-Franklin Development Company LLC by Quit Claim Deed.

SEE ATTACHED EXHIBIT "A"

SECTION TWO: The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name of and on behalf of the City of Mobile, the Quit Claim Deed associated with the conveyance of the property shown above.

SECTION THREE: The Deputy Director, Real Estate Asset Management, of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting documents, instruments, affidavits, closing statements, or other ancillary forms necessary to complete the conveyance of said property.

SECTION FOUR: Said deed is by reference made a part of this Ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk of the City of Mobile, 9th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

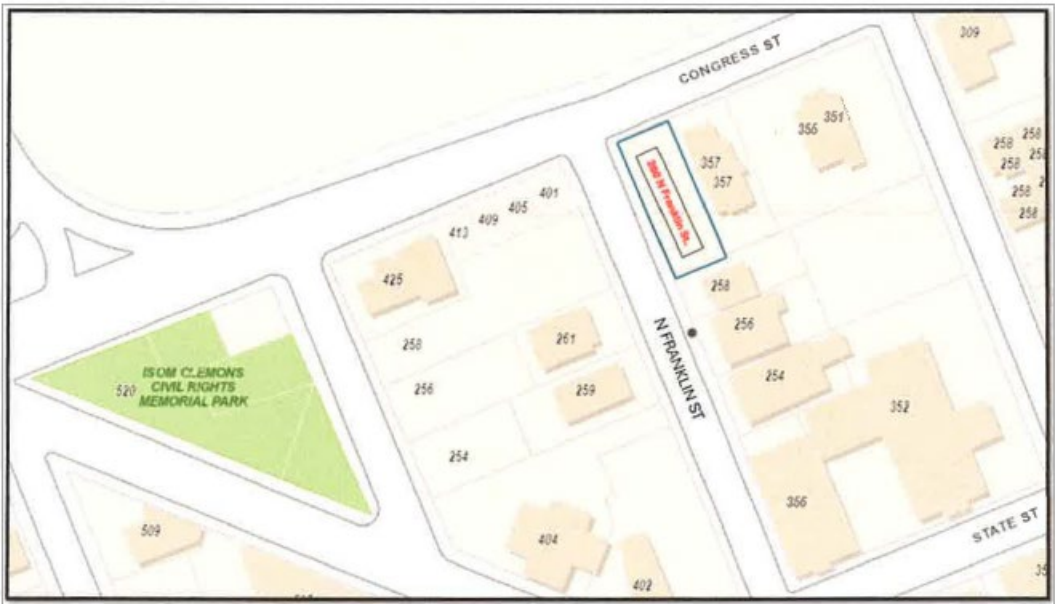
SECTION FIVE: That certain Warranty Deed of the above-described property made by City of Mobile to Herbert Pair and Earl Minor in 1998, recorded in Real Property Book 4544, Page 1690 of the records in the office of the Judge of Probate of Mobile County, Alabama. Said warranty Deed included a reversionary interest stating that title was to automatically revert back to the City if the Property was not developed as required in the Purchase agreement dated December 4, 1996 within 12 months. The reversionary interest is to be released with the Quit Claim Deed to Congress-Franklin Development Company LLC.

SECTION SIX: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

EXHIBIT "A"

LEGAL DESCRIPTION: 260 N. Franklin Street

Beginning at the Southeast corner of Congress and Franklin Streets, and run South on the East side of Franklin Street 120 feet; thence East 45 feet; thence North 120 feet to the South line of Congress Street; thence West 45 feet to the point of beginning.



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 40-754 through 60-760 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

DECLARE THE STRUCTURE AT 461 CREEK CIRCLE DRIVE, W. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED/SECURED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-754-2024

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 461 Creek Circle Drive W has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, 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 461 Creek Circle Drive W described as:

LOTS 1 & 2 BLK C CREEK HILL SUB MBK 4 P 568 #SEC 42 T4S R1W #MP29 07 42 0 003

Parcel number: 29 07 42 0 003 111

Last assessed to: CHESTANG DEWEY & MARY,
C/O WOODROW HUDSON JR

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/secured 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 Assistant 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, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding

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Officer declared the resolution adopted.

DECLARE THE STRUCTURE AT 1860 TOULMIN AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-755-2024

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 1860 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, 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 1860 Toulmin Avenue described as:

LOT 17 LEWIS ADD TO TOULMINVILLE DBK 156 NS P 260-261 #SEC 44 T4S R1W #MP29 02 44 0 023

Parcel number: 29 02 44 0 023 261

Last assessed to: WASHINGTON ELZY M JR ¼ INTEREST,
MARCUS MAURICE DRYER ¼ INTEREST

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 Assistant 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, Woods, and Gregory
Nays: None

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

DECLARE THE STRUCTURE AT 1105 SUTTON AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-756-2024

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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 1105 Sutton 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, 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 1105 Sutton Avenue described as:

THAT LOT OF LAND BDED BY A LINE BEG AT A PT ON S/S OF SUTTON ST 150 FT WL Y FROM SW COR OF SUTTON ST & AN ALLEY OR ST CALLED C STREET TH RUN S 26 DEG W 152 FT M/L TO PT TH RUN N 83 DEG W 49 FT TO PT TH N 26 DEG E 152 FT M/L TO S/S OF SUTTON ST TH ELY ALG S/L OF SUTTON ST 49 FT TO POB #SEC 36 T4S R1W #MP29 11 36 0 003

Parcel number: 29 11 36 0 003 064

Sponsored by: MAJESTIC ENTERPRISES LLC

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 Assistant 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, Woods, and Gregory

Nays: None

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

DECLARE THE STRUCTURE AT 2079 VICTORY DRIVE, W. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-757-2024

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,

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the accessory structure at 2079 Victory Drive W has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, 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 2079 Victory Drive W described as:

LOT 28 BLK 3 VICTORY PL MBK 3 PGS 658-660 #SEC 32 T4S R1W #MP29 11 32 1 000

Parcel number: 29 11 32 1 000 007

Last assessed to: HANDY LATREACE BARNES

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 Assistant 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, Woods, and Gregory

Nays: None

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

DECLARE WEEDS NOXIOUS, WEED LIEN GROUP 1659. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-758-2024

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:

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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 #1659 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 17th day of September, 2024, 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 Assistant 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, Woods, and Gregory

Nays: None

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

ASSESS COSTS FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP 73. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-759-2024

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 73 shall constitute

MINUTES OF AUGUST 13, 2024

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 Assistant 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, Woods, and Gregory
Nays: None

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

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

RESOLUTION: 60-760-2024

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 2024: Officer Brian Ankerson

The employee is to be commended for his 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 Assistant 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, Woods, and Gregory
Nays: None

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

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH MOBILE COUNTY AND SPRIN HILL COLLEGE TO EXPAND AND EQUIP EXISTING CAMPUS WITH HEALTH AND SCIENCE INNOVATION CENTER. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 01-761-2024

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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 Project Agreement by and among Mobile County, the City of Mobile and Spring Hill College, as outlined in the Project Agreement attached hereto and made a part hereof as though set forth in full herein. A copy of said agreement is on file in the office of the City Clerk.

AUTHORIZE AGREEMENT WITH SPIRE GULF FOR DAUPHIN STREET IMPROVEMENTS FROM SPRING HILL MEMORIAL HOSPITAL TO SAGE AVENUE.

The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 01-762-2024

Sponsored by: Councilmembers Penn, Daves, & Gregory
and Mayor Stimpson

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

Name of company: Spire Gulf

Project name: Dauphin Street Improvements from Sage Avenue
to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

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

AUTHORIZE AGREEMENT WITH COMCAST CABLE COMMUNICATIONS OF ALABAMA FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE.

The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 01-763-2024

Sponsored by: Councilmembers Penn, Daves, & Gregory
and Mayor Stimpson

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

Name of company: Comcast Cable Communications of Alabama

Project name: Dauphin Street Improvements from Sage Avenue
to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

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

MINUTES OF AUGUST 13, 2024

AUTHORIZE AGREEMENT WITH TELEPAK NETWORKS, INC. FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 01-764-2024

Sponsored by: Councilmembers Penn, Daves, & Gregory
and Mayor Stimpson

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

Name of company: Telepak Networks, Inc.

Project name: Dauphin Street Improvements from Sage Avenue
to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

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

AUTHORIZE AGREEMENT WITH AT&T ALABAMA FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 01-765-2024

Sponsored by: Councilmembers Penn, Daves, & Gregory
and Mayor Stimpson

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

Name of company: AT&T Alabama

Project name: Dauphin Street Improvements from Sage Avenue
to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

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

AUTHORIZE AGREEMENT WITH UNITI FIBER FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 01-766-2024

Sponsored by: Councilmembers Penn, Daves, & Gregory

MINUTES OF AUGUST 13, 2024

and Mayor Stimpson

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

Name of company: Uniti Fiber

Project name: Dauphin Street Improvements from Sage Avenue
to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

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

AUTHORIZE AGREEMENT WITH ALABAMA POWER COMPANY FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 01-767-2024

Sponsored by: Councilmembers Penn, Daves, & Gregory
and Mayor Stimpson

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

Name of company: Alabama Power Company

Project name: Dauphin Street Improvements from Sage Avenue
to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

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

AUTHORIZE AGREEMENT WITH CENTURY LINK COMMUNICATIONS, LLC FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 01-768-2024

Sponsored by: Councilmembers Penn, Daves, & Gregory
and Mayor Stimpson

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

Name of company: Century Link Communications, LLC

MINUTES OF AUGUST 13, 2024

Project name: Dauphin Street Improvements from Sage Avenue to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

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

APPROVE PURCHASE ORDER TO MUSCO SPORTS LIGHTING, LLC FOR SPORTS LIGHTING FOR MEDAL OF HONOR PARK; \$460,000.00 The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 08-769-2024

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>13364</u>	2024	(3032) ARCHITECTURAL ENGINEERING	SPORTS LIGHTING FOR MEDAL OF HONOR PARK: BASEBALL FIELDS 3 & 4, AND 10 TENNIS COURTS (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$460,000.00	<u>(278697)</u> <u>MUSCO SPORTS</u> <u>LIGHTING LLC</u>

APPROVE PURCHASE ORDER TO GT DISTRIBUTORS OF GEORGIA, INC. FOR BALLISTIC VESTS AND ARMOR FOR MPD K9 HANDLERS; \$28,482.60. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 08-770-2024

Sponsored by: Mayor Stimpson

MINUTES OF AUGUST 13, 2024

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>11069</u>	2024	(1530) POLICE ADMIN SERVICES	BALLISTIC VESTS AND ARMOR FOR MPD K9 HANDLERS (PRICE BELOW BID REQUIREMENT; COMPETITIVE QUOTES)	\$28,482.60	<u>(70105) GT DISTRIBUTORS OF GEORGIA INC</u>

APPROVE PURCHASE ORDER TO DONOHOO CHEVROLET, LLC FOR CHEVROLET 4500 CREW CAB TRUCK FOR PARKS DEPT.; \$60,105.50. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 08-771-2024

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>13361</u>	2024	(F7000) MOTOR POOL	2024 CHEVROLET SILVERADO 4500 CREW CAB TRUCK CHASSIS FOR PARKS DEPARTMENT (SEALED BID 5889)	\$60,105.50	<u>(293039) DONOHOO CHEVROLET LLC</u>

APPROVE PURCHASE ORDER TO TERMINIX SERVICES FOR ANNUAL RENEWAL OF TERMITE BOND FOR CITY FACILITIES; \$16,675.00. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 08-772-2024

Sponsored by: Mayor Stimpson

MINUTES OF AUGUST 13, 2024

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>13364</u>	2024	(3037) BUILDING SERVICES	ANNUAL RENEWAL OF TERMITE BOND FOR CITY FACILITIES (PRICE BELOW BID REQUIREMENT)	\$16,675.00	<u>(201952) TERMINIX SERVICES</u>

APPROVE PURCHASE ORDER TO LCM MOTORCARS, LLC FOR SPORT SEDANS, AND PICKUP TRUCKS FOR MPD; \$235,700.00. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 08-773-2024

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 requisitions as indicated below and attached herein:

Requisitions	Fiscal Year	Department	Description	Amount	Vendor
<u>9901, 9902, 9909, 9914</u>	2024	(1530) POLICE ADMIN SERVICES	TWO 2024 SEDANS, AND TWO 2024 PICKUP TRUCKS FOR MPD (SEALED BID 5888)	\$235,700.00	<u>(297939) LCM MOTORCARS LLC</u>

TRANSFER FUNDS FROM CAPITAL PROJECT GRANT MATCH-TRAFFIC ENGINEERING TO PROJECT GRANT MATCH HOLDING ACCOUNT TO BE USED AS MATCH FOR SIGNAL IMPROVEMENTS ON DAUPHIN STREET; \$30,000.00. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 09-774-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$30,000.00 be transferred from capital project C0338 (20002000.94070) GRANT MATCH-TRAFFIC ENGINEERING to Project G-OGMMATCH(50005000.93030) GRANT MATCH HOLDING ACCOUNT. These funds will be used as match for future MPO funding for signal improvements on Dauphin St.

APPROVE AN APPLICATION SEEKING PERMISSION TO INCORPORATE A

CAPITAL IMPROVEMENT COOPERATIVE DISTRICT AND AUTHORIZING SUCH INCORPORATION. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 14-775-2024
Sponsored by: Councilmember Carroll

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

Section 1: That the City Council, upon evidence duly submitted to and considered by it, hereby finds and determines that the following application has been duly filed with the governing body of the City of Mobile, that such application was signed by not less than three (3) natural persons, and that each of said persons is over the age of twenty-one (21) years and is a duly qualified elector of Mobile County, Alabama.

Section 2: That the City Council has reviewed and considered the foregoing application and has found and determined and does hereby find and determine as a matter of fact that it is wise, expedient, and necessary that the district be formed.

Section 3: That the City Council does hereby approve the proposed form of certificate of incorporation of the district attached to the foregoing application as hereinabove set forth.

Section 4: That the City Council does hereby grant permission to incorporate the district and does hereby authorize the persons making such application to form such district and file the attached certificate of incorporation in the Probate Court of Mobile County, Alabama.

Section 5: Upon proper incorporation and formation of the district, the City Council and the Mayor shall appoint directors for the district as set forth in the application and certificate of incorporation.

AUTHORIZE PERMISSION TO LEASE ± 14,000 SQUARE FEET OF BUILDINGS A AND D, OF CITY-OWNED PROPERTY, LOCATED AT 1600 BOYKIN BOULEVARD.
The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 35-776-2024
Sponsored by: Councilmember Small and Mayor Stimpson

WHEREAS, Mobile Community Action (hereinafter called “MCA”) has assisted the community with social services since 1965 and continues to do so today. MCA entered into a lease agreement with the Board of School Commissioners of Mobile County in 2011.

WHEREAS, City has assisted the community with the Parkway Senior Center AKA Senior Assistance for Independent Living Center (SAIL) in Building B since 2011.

WHEREAS, the City entered into a lease from MCA May 24, 2011 and an amended lease entered into January 9, 2019; and,

WHEREAS, the City acquired real property known as 1600 Boykin Boulevard, from the Board of School Commissioners on April 22, 2024, and any previous lease agreements are no longer in full force and effect; and

WHEREAS, the City is not utilizing +/- 14,000 sf of the subject property, within Buildings A & D, which is owned by the City is not needed for public or municipal purposes, formerly leased to Mobile Community Action, Inc. by the Board of School Commissioners of Mobile County, depicted in Exhibit A (attached); and

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WHEREAS, the City would benefit from a lease of the described property under favorable terms and conditions;

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

That it does not object to offering the +/- 14,000 sf of the subject property for lease. The lease 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 or municipal purposes and authorizing the execution of the lease agreement.

AUTHORIZE ADDITIONAL EXPENSE FOR SPECIAL COUNSEL INVESTIGATION.

The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 60-777-2024

Sponsored by: Councilmembers Small, Reynolds, and Woods

WHEREAS, on May 28, 2024, the Mobile City Council passed Resolution 60-473 authorizing an investigation into public allegations made by former Mobile Police Department Chief Paul Prine, appointing a Special Counsel to conduct said investigation, and setting a forty-five day deadline for the Special Counsel to report to the Committee of the Whole, and setting a budget for said investigation; and

WHEREAS, the Special Counsel has now completed his investigation and made his report to the Committee of the Whole; and

WHEREAS, the Special Counsel incurred additional unforeseen and unbudgeted charges during the course of the investigation, and specifically, the need to retain an expert witness from Setec Investigations to analyze and report on certain technical issues that arose during the investigation;

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

1. The attached invoice from Setec Investigations in the amount of \$1,963.40 is hereby approved as an additional expense in excess of the budget for the Special Counsel investigation and the City Clerk is authorized to process same for payment.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; YOUNG. The following resolution was held over for one (1) week until the regular meeting of August 20, 2024.

RESOLUTION: 60-778-2024

Sponsored by: Mayor Stimpson

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER THE APPLICATION OF SAFE RIDE TRANSPORT, INC. TO OPERATE A SEDAN SERVICE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-779-2024

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.

MINUTES OF AUGUST 13, 2024

NOTICE OF HEARING ON PROPOSED CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY TO OPERATE A SEDAN & SHUTTLE SERVICE

Notice is hereby given that the City Council of Mobile, Alabama, propose to consider the application Safe Ride Transport, Inc. to operate a sedan and 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 August 27, 2024, 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.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to call for the public hearing, which was seconded by Councilmember Gregory and the vote was as follows:

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

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as August 27, 2024.

ANNOUNCEMENTS

Councilmember Carroll explained that Resolution 14-775 would provide opportunities for affordable housing.

Councilmember Daves offered the schedule of events that will lead up to the vote on the Fiscal Year 2025 budget.

Councilmember Gregory stated she will welcome the 4-H Development Agents on Wednesday.

Councilmember Small said he will attend the Oakdale and Riverside community meetings tonight.

Councilmember Penn announced the Entitlement Committee will meet on Tuesday, August 20, 2024, at 1:00 p.m. to discuss Resolution 14-775.

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

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

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 10:58 a.m.

Adopted:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK