

**REGULAR MEETING OF THE COUNCIL
CITY OF BIRMINGHAM, ALABAMA
VIRTUAL MEETING
PRE-COUNCIL MEETING – 9:00 A.M.**

January 26, 2021 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

Event address for attendees:

<https://birmingham.webex.com/birmingham/onstage/g.php?MTID=e8e4bf263a2c660e04b4d0e754fb642e8>

Audio conference: United States Toll: +1-415-655-0002

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INVOCATION

PLEDGE OF ALLEGIANCE: Councilor John Hilliard

ROLL CALL

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: July 14, 21 and 28, 2020

MINUTES NOT READY: August 4, 2020 – January 19, 2021

COMMUNICATIONS FROM THE MAYOR

CONSIDERATION OF CONSENT AGENDA

All items designated as “Consent” are routine and non-controversial and will be approved by one motion. No separate discussion of these items will be permitted unless a Councilmember, the Mayor or Citizen interested in a public hearing so requests, if so, such item(s) will revert to its normal place on the Agenda Order of Business. All matters of permanent operation (“P”) will be read. All other matters will be announced by reading the Item Number only. All Public Hearings will be announced.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS FOR FINAL PASSAGE

- (ph) **ITEM 1.**
A Resolution relative to the application of Evergreen Grocery LLC for an Off Premise Beer and Wine License to be used at **Evergreen Grocery**, 2237 – 22nd Avenue North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)
- (ph) **ITEM 2.**
A Resolution relative to the application of Millennium 2 LLC for an Off Premise Beer and Wine License to be used at **M & A Market**, 1500 – 18th Street North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)
- (ph) **ITEM 3.**
A Resolution relative to the application of Billywood Food LLC for an Off Premise Beer and Wine License to be used at **River Fish Market**, 1928 Vanderbilt Road, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)
- (ph) **ITEM 4.**
A Resolution relative to the application of Ore Industries LLC for an On and Off Premise Beer and Wine License to be used at **Ore**, 4414 – 4th Avenue South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)
- (ph) **ITEM 5.**
A Resolution relative to the application of CBOCS, Inc. for a Restaurant Retail Liquor License to be used at **Cracker Barrel Old Country Store**, 3415 Colonnade Parkway, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

ITEM 6.

A Resolution authorizing the Mayor to execute a Licensing Usage Agreement and any and all documents between the City of Birmingham (Licensee) and **Bernard C. Buggs, Jr. (Licensor)**, located at 847 Vanessa Drive, Trussville, Alabama 35173. The Licensor grants the Licensee a non-exclusive license to use the Authored Work **Snorkell “The Fire Safety Elephant”** for the citizens of Birmingham. The Licensor retains title and ownership of the Authored Work and derivative works will be assigned to the Licensor by the Licensee for a term not to exceed three (3) years. The Licensor agrees to waive the annual license fee of \$6,000.00) during the term of the Agreement. (Submitted by the City Attorney) (No Recommendation by the Public Safety Committee)

CONSENT

ITEM 7.

A Resolution authorizing the Mayor to execute and deliver an agreement with **The Birmingham Board of Education** in an amount not to exceed \$2,500.00, pursuant to §11-40-1 and §16-11-9.1 Codes of Alabama, 1975, to provide the following goods and services for the benefit of the Birmingham City Schools: The Board shall work with the Vulcan Park & Museum to provide a teacher symposium that will support teachers in the Birmingham school system via a webinar devoted to history, art, dance, music, culture, etc. The allocation is exclusively for purposes stated. Said funds will come from the Redmont Neighborhood Association funds. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT

ITEM 8.

A Resolution authorizing the Mayor to expend funds in an amount not to exceed \$2,225.00, for the purchase of three (3) Trash Receptacles, pursuant to §11-47-19, Code of Alabama, 1975, said funds to come from the Roebuck Neighborhood Association Funds. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 9.**

A Resolution authorizing the City Attorney, upon her recommendation to settle the lawsuit of **AQUINTIA GURLEY, an individual and CHRISTOPHER WALKER, an individual v. JOSEPH RANKIN, an individual and the City of Birmingham, et al.; Civil Action No.: CV-2018-903520**, in the Circuit Court of Jefferson County, and authorizing the Mayor to execute all documents necessary to accomplish the settlement of the lawsuit of an amount not to exceed \$13,000.00, pursuant to the provisions of §2-3-27 of the General Code of the City of Birmingham, 1980, as amended, said funds to come from General Ledger Number: 001-028-01600-534-013. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 10.**

A Resolution accepting and approving the bid of \$940,030.00 for the Birmingham Police Real Time Crime Center construction project, this being the lowest bid submitted. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 11.**

A Resolution accepting and approving the bid renewal of **Battery Sales and Service, LLC**, Birmingham, for Automotive Batteries Groups 3 and 4, for a period of one (1) year at the prices on file in the office of the Purchasing Agent for the Equipment Management Department, this being the lowest bid submitted and the final renewal. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management) (Six Bids Submitted)

CONSENT**ITEM 12.**

A Resolution accepting and approving the bid renewal of **TPH Holdings LLC dba The Parts House**, Jacksonville, Florida, (formerly Auto Electric and Carburetor dba Southern Distributors, Birmingham, AL) for Automotive Batteries, Groups 1 and 2 for a period of one (1) year at the prices on file in the office of the Purchasing Agent for the Equipment Management Department, this being the lowest bid submitted and final renewal. [**G/L Account 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management) (Six Bids Submitted)

CONSENT

ITEM 13.

A Resolution accepting and approving the bid of **Greater Birmingham Habitat for Humanity**, Fairfield, Alabama, for Single Story Residential House Repairs (Rebid) at the prices on file in the office of the Purchasing Agent for a period of one (1) year for the Community Development Department, this being the lowest bid submitted. **[G/L Account: 081_013_05400_05402_05415.536-001]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Community Development) (One Negotiated Bid Submitted)

CONSENT

ITEM 14.

A Resolution accepting and approving the bid of **Graybar Electric**, Birmingham, for the purchase of roadway lighting, street lighting poles & miscellaneous parts - line items 6, 8-11, 14-16 and 19-27, as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year, for the Department of Transportation, this being the lowest responsive, responsible bid submitted meeting specifications. **[Appropriated for in FY 2020 - 2021 Budget]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Transportation) (Six Bids Submitted) **

CONSENT

ITEM 15.

A Resolution accepting and approving the bid of **SolarMax LED, Inc.**, Riverside, California, for the purchase of roadway lighting, street lighting poles & miscellaneous parts - line items 3-5, as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year, for the Department of Transportation, this being the lowest responsive, responsible bid submitted meeting specifications. **[Appropriated for in FY 2020 - 2021 Budget]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Transportation) (Six Bids Submitted) **

CONSENT

ITEM 16.

A Resolution accepting and approving the bid of **Southern Lighting & Traffic Systems**, Cumming, Georgia, for the purchase of roadway lighting, street lighting poles & miscellaneous parts - line items 1-2 and 17-18, as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year, for the Department of Transportation, this being the lowest responsive, responsible bid submitted meeting specifications. **[Appropriated for in FY 2020 - 2021 Budget]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Transportation) (Six Bids Submitted) **

CONSENT

ITEM 17.

A Resolution approving payment to **Carahsoft Technology Corporation**, Reston, Virginia, in an amount not to exceed \$108,675.00 (year 1 - \$34,500.00) (year 2 - \$36,225.00) (year 3 - \$37,950.00), for the renewal of LinkedIn Learning Pro for Government (high-quality learning content) for a period of three (3) years, in accordance with the State of Alabama Master Agreement, MA 999 1900000000277, for the City of Birmingham Human Resources Department. **[G/L Account: 001_042_02300.534-030]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Human Resources)

CONSENT

ITEM 18.

A Resolution approving payment to **Long Lewis Ford**, Decatur, Alabama, in the amount of \$100,000.00 for miscellaneous automotive parts, in accordance with Sourcwell, Contract Number 061015-FMC, for the Equipment Management Department. **[G/L Account: 001.151-004]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT

ITEM 19.

A Resolution approving payment to **Southern Emergency Consultants**, Roanoke, Alabama, for the labor and installation of stryker power load system, for the Birmingham Fire & Rescue Department, in accordance with 3-1-7 of the Birmingham City Code. **[Appropriated for in the FY 2020-2021 Budget; G/L Account: 001_022_16000_16009.527-050]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

CONSENT

ITEM 20.

A Resolution approving payment to **Stivers Ford Inc.**, Birmingham, in the amount of \$100,000.00 for miscellaneous automotive parts, in accordance with Sourcewell, contract #061015-FMC for the Equipment Management Department. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT

ITEM 21.

A Resolution approving payment to **Stivers Ford Lincoln Mercury, Inc.**, Montgomery, Alabama, for the purchase of 2020 Ford F-150 Super Cab Pickup w/optional features as needed at the unit prices on file in the office of the Purchasing Agent for a period of one (1) year, for the various Departments based on bid awarded contract by the State of Alabama, T-number T191-A Master Agreement #MA999 210000000075. [**Appropriated for in the FY 2020-2021 Budget; G/L Account: 102_000.600-007; Project Codes: EM102CP 0A4006_001 and EM102CP 003913_002**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

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ITEM 22.

An Ordinance to provide for electronic meetings of the Birmingham City Council, pursuant to the Governor’s State of Emergency Proclamations for the COVID-19 pandemic. [**First Reading**] (Submitted and Recommended by Council President Parker) **

COMMUNICATIONS FROM THE CITY CLERK

ITEM 23.

Receiving the Emergency Purchase Notice from the Purchasing Agent relative to repair of the cable rail along Lomb Avenue at Munger Avenue that was damaged by multiple vehicle impacts. **

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT

NOTE: The following matters were withdrawn:

An Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2020-00024**) to change zone district boundaries from R-3 Single Family District to “Q” Qualified I-1 Light Manufacturing District, filed by C. Randall Minor, representing the owner, Resun Modspace, LLC., for the property located at 3701 65th Street North and situated in the NW ¼ of Section 17, Township 17-S, Range 2-West, Birmingham, and the **hearing** of all interested parties.

An Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2020-00025**) to change zone district boundaries from C-B1 Contingency Neighborhood Business District to “Q”C-2 Qualified General Commercial District, filed by Mashama Lowe, representing the owner, Theresa Hutton, for the property located at 3801 Richard Arrington Jr. Blvd. North and situated in the SE ¼ of Section 19, Township 17-S, Range 2-West, Birmingham, and the **hearing** of all interested parties.