

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

February 16, 2021 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

Event Address for Attendees:

<https://birmingham.webex.com/birmingham/onsstage/g.php?MTID=e9dbd494e1b5aaf3541701008817d4c7a>

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

Access code: 146 473 4787

INVOCATION

PLEDGE OF ALLEGIANCE: Councilor Crystal Smitherman

ROLL CALL

MINUTES NOT READY: August 11, 2020 – February 9, 2021

COMMUNICATIONS FROM THE MAYOR

NOMINATIONS TO BOARDS AND AGENCIES

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

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

CONSENT

ITEM 1.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2021, by appropriating \$6,272,092.60 to Community Development, Emergency Rental Assistant per grant received. (Resolution Number 30-21). (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)

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ITEM 2.

An Ordinance authorizing the Mayor to execute a Facilities Use Agreement for a term not to exceed three (3) months, beginning April 1, 2021, between **the Personnel Board of Jefferson County (Board)** and the City of Birmingham, for the City’s use of Board provided facility room(s), at no cost to the City, for the purpose of providing a Polygraph Examiner’s Course to enrolled participants, including Law Enforcement Officers from the City and other departments. **[First Reading]** (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT

ITEM 3.

A Resolution authorizing the Mayor to execute a permit agreement with **the Alabama Department of Transportation** for modification and maintenance of an existing traffic signal at the U.S. Highway 78 and Century Plaza intersection (U.S. Highway 78/Crestwood Boulevard at Century Plaza/Old Sears Tire Driveway). (Submitted by the City Attorney) (Recommended by the Mayor and the Transportation Committee) **

CONSENT

ITEM 4.

A resolution authorizing the Mayor to execute a permit agreement with **the Alabama Department of Transportation** for modification and maintenance of an existing traffic signal at the U.S. Highway 78 and ALDI intersection (U.S. Highway 78/Crestwood Boulevard at Cresthill Road/ALDI Driveway). (Submitted by the City Attorney) (Recommended by the Mayor and the Transportation Committee) **

CONSENT

ITEM 5.

A Resolution authorizing the Mayor to execute and deliver an agreement with the **Birmingham Board of Education** in an amount not to exceed \$3,000.00, pursuant to §11-40-1 and §16-11-9.1, Codes of Alabama 1975, 1) to coordinate with Glen Iris Elementary School (\$2,000.00), Avondale Elementary School (\$2,000.00), Ramsay High School (\$2,000.00) and EPIC Elementary School (\$1,700.00), to assist with expenses associated with “Student and Teacher Supplies.” The allocation is exclusively for the purposes stated. Said funds will come from District #3 Discretionary Funds; and 2) to coordinate with EPIC Elementary School (\$300.00) to assist with expenses associated with the music/band program. The allocation is exclusively for the purposes stated. Said funds will come from District #3 Discretionary Funds. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee) **

CONSENT

ITEM 6.

A Resolution authorizing the Mayor to execute and deliver an agreement with **Birmingham Times Media Group, LLC** in an amount not to exceed \$65,000.00, pursuant to §11-40-1 et. seq., §11-47-1 and §11-47-9 Codes of Alabama, 1975, to provide the following goods or services to the City: Birmingham Times Media Group, LLC will provide weekly print and online advertisements to inform and educate the citizens of the City of Birmingham about City codes, ordinances, programs and services to positively support the citizens of Birmingham. In addition, the provider will deliver and distribute weekly copies of the Birmingham Times Newspaper. The total amount will be disbursed in two (2) equal installments of \$32,500.00, beginning January 21, 2021 to June 30, 2021. **[GL Account: 001_010_04200.527-014]** (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee) **

CONSENT

ITEM 7.

A Resolution authorizing the Mayor to execute and deliver an agreement with **Brenda’s Brown Bosom Buddies, Inc.**, pursuant to §11-40-1, §11-47-130, et seq., §22-3-11 and §38-2-9 Codes of Alabama, 1975, in an amount not to exceed \$500.00 to provide breast cancer awareness and education programs for the City of Birmingham and the residents within the City at no cost to the resident, said funds to come from District 6 Discretionary Funds. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee) **

CONSENT**ITEM 8.**

A Resolution authorizing the Mayor to execute and deliver an Agreement for Professional Services with the **Center for Law Enforcement Technology, Training & Research, Inc. (“LETTR”)**, under which LETTR will facilitate the sharing of law enforcement data through the Federated Integrated Network for Data Exchange and Retrieval program (“FINDER”), which is an information sharing system with the purpose of eliminating exorbitant pricing for technology that facilitates the apprehension of criminals. LETTR will complete the performance of the services by September 30, 2022, for an amount not to exceed \$14,500.00. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee) **

CONSENT**ITEM 9.**

A Resolution authorizing the Mayor to enter into a Right of Way Encroachment License Agreement whereby **PNC Bank, NA** is allowed to install one (1) aluminum, illuminated 7-0’ x 4’-5” wall sign and two (2) metal framed canvas awnings. The sign will be installed at a height of 11’-5” above the finished grade, project from the front of the building located at 1819 – 5th Avenue, North, and encroach 1’- 6³/₄” into and over the right of way of 5th Avenue, North. Both awnings will be installed at a height of 10-0’ above finished grade, project from the exterior of building, located at 1819 – 5th Avenue, North, and encroach 3’-6” into and over the right of way 5th Avenue, North and 19th Street, North, Birmingham. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits and the Public Improvements Committee)

CONSENT**ITEM 10.**

A Resolution authorizing the City’s Authorized Official to submit to **the U.S. Department of Housing and Urban Development (HUD)** a substantial amendment for Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds and further authorizing the City’s Authorized Official to enter into necessary agreements under the CARES Act for the Community Development Block Grant Program (CDBG-CV), to acquire services as authorized herein, sign grant agreements and other documents as may be required, and to carry out other essential functions relating thereto. (Submitted by the Mayor) (Recommended by the Director of Community Development and the Budget and Finance Committee) **

CONSENT

ITEM 11.

A Resolution fixing a special assessment in the amount of **\$6,727.04** against the property located at **5117 Lillian Street – Roosevelt City**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 12.

A Resolution fixing a special assessment in the amount of **\$6,889.84** against the property located at **4720 Carver Avenue**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 13.

A Resolution fixing a special assessment in the amount of **\$3,656.44** against the property located at **4704 Park Avenue S.W.**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 14.

A Resolution fixing a special assessment in the amount of **\$4,555.88** against the property located at **4829 Park Avenue S.W.**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 15.

A Resolution fixing a special assessment in the amount of **\$5,140.80** against the property located at **4629 Grasselli Boulevard**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 16.

A Resolution fixing a special assessment in the amount of **\$7,485.16** against the property located at **4537 Hillman Drive**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 17.

A Resolution fixing a special assessment in the amount of **\$6,135.52** against the property located at **2727 – 22nd Avenue North**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 18.

A Resolution fixing a special assessment in the amount of **\$10,753.20** against the property located at **3435 – 17th Avenue North**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 19.

A Resolution fixing a special assessment in the amount of **\$7,841.96** against the property located at **3428 – 11th Avenue North**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 20.

A Resolution fixing a special assessment in the amount of **\$4,309.80** against the property located at **3301 – 27th Court North**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 21.

A Resolution fixing a special assessment in the amount of **\$4,371.84** against the property located at **5929 Pratt Street Roosevelt City**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 22.

A Resolution fixing a special assessment in the amount of **\$2,967.28** against the property located at **5529 Yellow Wood Avenue Roosevelt City**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 23.

A Resolution fixing a special assessment in the amount of **\$4,030.60** against the property located at **4304 Grasselli Avenue**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 24.

A Resolution accepting and approving the bid of **Loomis Armored US, LLC**, Birmingham, for the purchase of armored car courier service at the unit prices on file in the office of the Purchasing Agent for a period of one (1) year, renewable annually for a second and third year for a term not to exceed three (3) years subject to the availability of funding for the Finance Department, this being the lowest bid submitted, and authorizing the Mayor to execute the agreement on behalf of the City. [**Appropriated for in the FY 2020-2021 Budget; G/L Account: 001_019_00110_00112.527-050**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Finance) (Two Bids Submitted)

CONSENT

ITEM 25.

A Resolution approving payment to **Beecher Emission Solution Technologies, LLC dba Ward Diesel Filter Systems**, Horseheads, New York, in the amount of \$524,343.60, to provide and install sixty-two (62) No Smoke direct source capture diesel exhaust removal systems to be installed on sixty-two (62) fire trucks and ambulance units, for the Birmingham Fire & Rescue Department, in accordance with Section 3-1-7 of the Birmingham City Code, this being the sole source of supply. **[G/L Accounts: 102_000.525-010 and 102_000.600-010; Project Codes: PW102CP 0A3999_013 and EM102CP 0A4006_002]** (Submitted by the Mayor) (Recommended by the Purchasing Agent, Fire Chief and Director of Equipment Management)

CONSENT

ITEM 26.

A Resolution approving payment to **Galls, LLC**, Birmingham, in the amount of \$52,410.00, for the purchase of Police tactical & ballistic equipment and related accessories, in accordance with the Buy Board Cooperative Purchasing Contract #603-20, for the City of Birmingham Police Department. **[G/L Account: 102_000.525-010; Project: POL102CP 003624]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief of Police)

CONSENT

ITEM 27.

A Resolution approving payment to **the Jefferson County Mayor's Association**, Birmingham, in an amount not to exceed \$44,000.00/year renewable annually subject to funds availability for a period not to exceed three (3) years, for membership dues for the Mayor's office, this being the only source of supply. **[Appropriated for in FY2020-2021 Budget; G/L Account: 001_400_96100_96106.550-002]** (Submitted by the Mayor) (Recommended by the Purchasing Agent)

CONSENT

ITEM 28.

A Resolution approving payment to **RAM Enterprises**, Montgomery, Alabama, in the amount of \$749,995.00, for the removal of existing surfacing in the venue, to include the Oval and all non-event surfaces inside the Oval. and installation of new Mondo track WS surfacing, to include all necessary materials, freight, labor and equipment, in accordance with the TIPS purchasing cooperative, contract #18090302, for the City of Birmingham Crossplex. **[G/L Account: 057_000.511-022; Project: DCP057CP 003918-001]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Crossplex)

CONSENT

ITEM 29.

A Resolution approving the following **Expense Accounts:** (Submitted by the Mayor) (Recommended by the Director of Finance) **

William Parker, Council President, City Council, Montgomery, Alabama, \$230.93, January 1-2, 2021 to attend meeting with ASU officials.

William Parker, Council President, City Council, Montgomery, Alabama, \$390.30, February 2-4, 2021 to attend Legislative Meeting.

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ITEM 30.

A Resolution setting a public hearing **March 16, 2021** to consider the adoption of an Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2020-00030**) to change zone district boundaries from R-3 (Single- Family District) to MU-M (Mixed-Use Medium District) in order to allow for the construction of multi-family units and a 15,000 sf. commercial space for a grocery store, filed by Timothy Bullard, representing the owner, The City of Birmingham, for the property located at 2301 Avenue J and situated in the NW ¼ of Section 6, Township 18-S, Range 3-West, Birmingham. [**First Reading**] (Submitted by Council President Parker, Chairman, Planning and Zoning Committee) (Recommended by the Z.A.C. and the Planning and Zoning Committee) **

COMMUNICATIONS FROM THE CITY CLERK

ITEM 31.

Receiving the Emergency Purchase Notice from the Purchasing Agent relative to the water heater at Fire Station No. 11. **

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT